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Chairman, Subcommittee.

Wednesday, January 13, 1932.

Hearing Before the
Subcommittee
of the
Committee
on
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United States Senate

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ON CONFIRMATION OF FRED. A. BRADLEY TO BE COLLECTOR
AT BUFFALO, NEW YORK

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C O N T E N T S

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ON CONFIRMATION OF FRED A. BRADLEY
TO BE COLLECTOR OF CUSTOMS AT BUFFALO, NEW YORK.

Wednesday, January 13, 1932.

UNITED STATES SENATE,
Sub-Committee of Committee on Finance,
Washington, D. C.

The Sub-Committee met, pursuant to recess in the Capitol, at 10:00 o'clock a.m., Senator James E. Watson presiding.

Present: Senators Watson (Chairman of the Sub-Committee), Couzens and George.

Present also: Congressman Cooke, Mr. William E. Leahy, Attorney for Protestants; Mr. John B. Maloney, Attorney for Mr. Bradley.

Senator Watson (Chairman of the Sub-Committee). The Sub-Committee will be in order.

Mr. John Lord O'Brien (Assistant to the Attorney General, Department of Justice). Mr. Chairman, I received a message from your assistant last night asking me to appear here and present all records of the Department of Justice relating to the investigation of this pending matter. Inasmuch as I have nothing whatever to do with it and was not aware it was being investigated and had no part in the decisions, if there were any, I asked the Attorney General to designate someone who would be familiar with it, and he has designated Mr. Hoover, the Director of the Bureau of Investigation, who is here this morning and will produce the records. I will ask to be excused.

Senator Watson. Yes, Mr. D'Brian.

Mr. F. X. A. Eble (Commissioner of Customs). Mr. Chairman, I also would like to interrupt for just a moment before you begin. I have a very important meeting at ten-thirty before the Appropriations Committee involving our appropriations. I have here my assistant Mr. Dow, who will appear for me.

I would like to make the statement that as far as my observation in this case is concerned, we made various investigations, one investigation during my time. I was appointed Commissioner in June, 1929. The investigation that was made under my direction was turned over to the Treasury Department. As you know this being a legal appointment, I took no action. The action was taken by the Treasury Department. I would like to say that I believe that the action taken by the Department was wise and judicious and that Mr. Bradley has been a very good Collector, and we see no reason to recommend any change. That is all I want to say.

Senator Watson. All right, thank you. There was a witness on the stand last night, Mr. Mayne.

TESTIMONY OF DAVID MAYNE (Resumed)

Washington, D. C.

(The witness was previously sworn by the Chairman of the Sub-Committee.)

Senator Watson. You may proceed now with your statement, Mr. Mayne. Is there any further statement you have to make?

Mr. Mayne. In collaboration of the testimony, sir, I

interviewed Mr. Paul Erickson. The address is 40 Sand Rock Road, Buffalo, New York. This interview occurred April 11th, 1930. Mr. Erickson was a former border patrolman. He resigned, as I understand, after having been certified by the Civil Service Commission.

Mr. Erickson stated to both Mr. Slacer and myself that he had resigned because of the fact he could not fulfill the duties, as he understood them, of a Federal border patrolman under the present regime, and Captain Stephenson or under the Collector of Customs, Fred A. Bradley.

On being questioned he cited two instances wherein he believed the federal statutes had been violated, in that certain quantities of alleged contraband which had been confiscated had been moved up or down the Niagara River to a point into the rear of what is called the Puritan Social Club or the Puritan Club -- I am not exact as to that name -- and that it had been dumped into shallow water, sufficiently shallow to be taken out again, to be moved without the use of any grappling irons.

He further stated that two boats had been seized, one of which was the Queen Bee. He stated that in 1929 a man by the name of Al Mueller had been employed in calking the seams in this boat, that he had been employed in overhauling the engines, that after this work was done the boat was turned over allegedly to a Mr. Hunt, who was then located, as he stated at Great Meadows -- I am not familiar with Great Meadows myself, but to the best of my knowledge it is believed to be a part of the prison.

He alleges further that two men, to the best of his knowledge, alleged to be trustees from this prison, are the

ones who drove the boat back up there.

Further than that he alleges that another boat or craft called The Adventurer had been seized illegally, that it had been sold illegally to one Gus Egner. Egner, I believe, is the correct spelling. I am not sure of that, however. Gus Egner, it appears, and according to the statement of Mr. Stephenson, is some official secretary or something like that in this particular club, the Puritan Club. The transaction involved a sum of money between four and five hundred dollars, according to this man's statement.

Senator Couzens. Where is this man himself? Why doesn't he testify himself?

Mr. Mayne. He is in Buffalo, New York, sir, to the best of my knowledge. I have not seen him for at least a year or a year and a half.

Senator Couzens. Why doesn't he testify for himself?

Mr. Mayne. I do not know, sir.

Mr. Slacer. I can answer that, Senator. I believe this man is a World War veteran and is not endowed with a lot of funds, and is therefore unable to testify unless the Committee sees fit to subpoena him. A lot of these witnesses would be very willing to come down here and testify, but due to the limited amount of their means it is asking something out of the ordinary to request them to testify.

Senator Couzens. Are you supplying funds for these other witnesses?

Mr. Slacer. What others? I have only one witness here and he resides in Washington.

Senator Couzens. That is the only one you have?

Mr. Slacer. Yes.

Senator George. Why couldn't you get affidavits from these witnesses?

Mr. Slacer. We presented them.

Senator George. Yes.

Mr. Slacer. That is, we presented two men's affidavits on the interview and also other affidavits.

Senator Couzens. But you have no affidavit from the man who this gentleman is testifying about now.

Mr. Slacer. No.

Mr. Wayne. Not from this particular one, no, sir. I did not think it was necessary at the time, not caring to be the judge in the matter on the legality of the matter, but his apparent willingness to testify before the Committee or to turn this evidence over to the Department of Justice convinces me more or less he is desirous to shoot square in the matter.

After this transaction of four or five hundred dollars had occurred, -- Mr. Erickson, by the way, at the same time remarked that this had occurred in the presence of Mr. Bradley and by Mr. Bradley. Further than that, there is another transaction wherein the same boat, The Adventurer, was resold by Egner to a person called Brother Anderson for an alleged amount of \$1100. This latter deal occurred in his presence also.

Senator Watson. In whose presence?

Mr. Wayne. In the presence of Mr. Bradley, as I understand from Mr. Erickson. Another person interviewed by myself and from whom a sworn statement was taken is Mr. Elton

Clark.

Senator Couzens. Where is that sworn statement now?

Mr. Mayne. It is in the possession of the Committee, sir.

Senator Couzens. As long as it is in the possession of the Committee I don't think you need to repeat it here.

Mr. Mayne. Very well.

Senator Couzens. Do you, Mr. Chairman?

Senator Watson. No, I do not think so.

Mr. Mayne. Another person is Fred Quandt, former chief of police of Dunkirk, New York. He was interviewed on April 9th, by Mr. Slacer and myself. Prior to this I had interviewed him. He informs both Mr. Slacer and myself of his willingness to appear before any judicial body and to present certain evidence of the violations of the Customs Act by certain border patrolmen, and said that he had specific evidence of the failure of the customs officials in charge, namely, Mr. Stephenson and Mr. Bradley, to exercise their influence in properly supporting that Act or apprehending the persons violating the same.

He said that he did not want to appear before Mr. Templeton. He was not questioned on this prior to his remarks. He said he would not appear, if he could help it, in Mr. Templeton's court or in his presence. He declared that Mr. Templeton might be prejudiced in the case, on account of his politics, and he requested if any action was taken -- no promises were made to him, however -- that they be taken up in Washington before the Senate body or directly with the Department of Justice.

Senator Watson. When was that, may I ask?

Mr. Mayne. That was in April of 1930. April the 9th.

Senator Watson. Did you report these statement to anybody?

Mr. Mayne. They have been reported, sir.

Senator Watson. I say, did you report them?

Mr. Mayne. Did I? No, sir.

Senator Watson. Did you, at any time?

Mr. Mayne. Did I? No, sir. I was out of the service at that time, out of the Federal service.

Senator Watson. Were you conducting the investigation at that time?

Mr. Mayne. I was assisting in conducting one.

Senator Watson. Who for?

Mr. Mayne. For myself principally, and to assist Mr. Slacer.

Senator Watson. He paid you?

Mr. Mayne. No, sir. It was gratis. I was employed at the time and stood my own expenses. And Mr. R. G. Kline -- I believe that was also included in the statement, was it not?

Mr. Slacer. I think so.

Mr. Mayne. It won't be necessary to mention him, then. A Mr. Arthur Mills, Woodlawn Beach, Buffalo, New York, February 3rd, 1930, informed Mr. Slacer and myself that he knew positively that the Customs Act had been violated by various border patrolmen with the knowledge of Captain Stephenson and Mr. Bradley, that these officers had sold him liquor, not to Mr. Bradley or Mr. Stephenson, but that

border patrolmen had sold him liquor.

I wish to say in that connection -- I do not want to confuse it -- that he did not buy the liquor from Mr. Bradley or Mr. Stephenson, but these acts had occurred and he said, within their knowledge. He said that he ceased his purchases of the liquor from them, from the border patrolmen, saying that prices were too high and he could not get by and make a dollar himself. He agreed that he had bartered in liquor, that he had sold liquor.

Senator Watson. Where is this man now?

Mr. Mayne. He is Buffalo, New York, Erie County.

Senator Watson. Has he ever been arrested and convicted?

Mr. Mayne. He has, yes, sir. It is a well known fact that he has been established out there in the illicit sale and possession, and so forth, of liquor. My reason for interviewing him was to find out where his source of supply was at that time. I saw the man on various occasions and I thought he ought to know, if anybody ought to know, where liquor was coming from, and he was kind enough to explain it. At the same time he said that a party or an investigator from the Civil Service Commission had dropped into his place, ostensibly for the purpose of investigating a border patrolman by the name of Wassund -- I am not sure of the spelling of his name. Youngres was the investigator's name. That he had called at Angora, New York, which is another road house operated by Mills or a friend of Mills, and there he had taken on considerable liquor, in fact he became intoxicated and that --

Senator Watson. This is just what somebody told, is

it?

Mr. Mayne. Sir?

Senator Watson. This is what this fellow told?

Mr. Mayne. Yes.

Senator Watson. Who is he?

Mr. Mayne. Who is he?

Senator Watson. Yes. Who is this chap?

Mr. Mayne. Mr. Mills?

Senator Watson. Mills?

Mr. Mayne. Yes, Arthur Mills.

Senator Watson. What is his business?

Mr. Mayne. At the present time I don't know, sir. But at that time he was conducting an alleged soft drink place in Woodlawn Beach.

Senator Watson. Was he a bootlegger?

Mr. Mayne. Alleged to be.

Senator Watson. Charged with bootlegging?

Mr. Mayne. He has been convicted.

Senator Watson. For bootlegging?

Mr. Mayne. Yes. For sale and possession. I don't know just exactly the charges. I believe in the last two or three years he was charged with that. I could not say positively, sir.

Senator Couzens. So far as we are concerned, it is all hearsay testimony.

Senator Watson. We don't have the original testimony at all. It is that he says and they say.

Senator Couzens. Yes, I don't think that the Committee should hear these statement, when these people are available themselves, instead of coming through a second or third party.

Senator Watson. I think you are right. Now, what do you know of your own knowledge?

Mr. Mayne. Of my own knowledge?

Senator Watson. Yes. Of any bootlegging or violation of that law, or connivance in it by Mr. Bradley.

Mr. Mayne. I have absolutely no positive personal knowledge of Mr. Bradley's activities in any way, shape or form, or Mr. Stephenson's. I simply worked along investigative lines.

Senator Watson. Do you want to ask anything, Senator?

Senator George. No.

Senator Watson. That is all, Mr. Mayne.

Mr. Mayne. Thank you.

(Witness excused.)

Senator Watson. Have you anything else?

Mr. Slacer. No.

Senator Watson. Mr. Secretary, come up here, please.

Mr. Slacer. Mr. Chairman, I would just like to make one request. I received a very important message from my home this morning, that a lady is very anxious to make a statement, which she says she will place in affidavit form, the details of which I do not know. She was willing to pay her own expenses down here, but I informed her that I thought the hearing might be concluded before she got here. I should like to reserve the right, if the hearing is concluded, to place that statement in the hands of the Committee.

Senator Watson. Surely, that is all right.

Mr. Slacer. Yes, thank you.

Senator Watson. You may have that privilege, of course.

TESTIMONY OF SEYMOUR LOWMAN,

Washington, D. C.

(The witness was duly sworn by the Chairman of the Subcommittee.)

Senator Watson. You may state your name to the Committee, Secretary.

Mr. Lowman. Seymour Lowman.

Senator Watson. Assistant Secretary of the Treasury?

Mr. Lowman. Assistant Secretary of the Treasury, in charge of Customs, Coast Guard, Industrial Alcohol and Narcotics.

Senator Watson. Before you begin any statement, Mr. Lowman, it was stated here yesterday that you had made a speech in which you referred to this matter. Was that called to your specific attention, what you were alleged to have said?

Mr. Lowman. No, but I can tell you what I did say.

Senator Watson. All right, and under what circumstances.

Mr. Lowman. This was in a speech that I made at Williamsville. Isn't that right?

Mr. Slacer. Correct.

Mr. Lowman. Williamsville, New York, on Labor Day, September 5, 1927. This was a long winded speech, to a Labor Day gathering, several thousand people, but this is what I said about the smuggling:

"Some say that the border around Buffalo leaks and that the Customs Guard don't do their full duty. I don't know. That may be so. We found it so in Detroit where rum runners brought a load across in fifteen minutes. Control was taken

away from the Collector of Customs, because he was too busy. We sent a Yankee and two hundred men up there to see if we can't break up that thing. If we do it, the rum runners probably will come to Buffalo and probably it would be a good thing to remove the Collector of Customs at Buffalo, because he is too busy, and get another Yankee to take charge of the patrol boys here."

In other words, we had had difficulty in Detroit, and we put another man in charge, took it out of the hands of the Collector. I want to say in connection with this that after this visit I immediately called a conference of the enforcement officers there under my control. At that time I also had charge of prohibition. At this conference was Dr. James M. Doran, who was Commissioner of Prohibition at that time, and Mr. Andrew McCampbell, who was Prohibition Administrator in the Buffalo District, Mr. Bradley, Commander Rasmussen, who was in charge of the Coast Guard. We had a family conference there to see if we could do anything to help the situation.

Senator Watson. Let me ask you now, before you made that speech on Labor Day had you made any kind of an investigation of Bradley or his performances?

Mr. Lowman. No, but I had been told there at that meeting, where there were a great many reformers present -- I think Mr. Slacer was there that day, he was one of the number.

Mr. Slacer. Yes.

Mr. Lowman. And they told me about the conditions around Buffalo.

Senator Watson. Based on what they said to you you made that statement?

Mr. Lowman. Yes.

Senator Watson. But not on any official investigation?

Mr. Lowman. No, I had not had any investigation.

Senator Watson. You had not?

Mr. Lowman. But I took immediate steps after that to have an investigation.

Senator Watson. All right. Now tell us just what happened, Mr. Secretary.

Mr. Lowman. We covered the area that Bradley had had charge of in regard to smuggling, from the Pennsylvania line on up to the Rochester district. He has in that district about 50 patrolmen who are watching for smugglers along the water front. We could not find -- of course, we were satisfied that there was smuggling going on in a moderate way -- we could not find any open violators at that time. We did, however, delegate a group of prohibition agents to help Bradley at that time to see if this flow of liquor really existed, and reports were later brought to me that while there was occasional smuggling there, there was nothing out of the usual.

Senator Watson. How many persons did you assign to the task of helping him?

Mr. Lowman. I think there were 25 prohibition agents that were temporarily put there. I do not recall now the exact number, but I think it was 25.

Senator Watson. And how long did they continue to operate there?

Mr. Lowman. For several months. Then the Coast Guard,

who were in the winter time unable to operate their boats with any great efficiency, volunteered, if Bradley would furnish them cars, to patrol the eastern section to the Pennsylvania line.

Senator Watson. Do you know whether they did that?

Mr. Lowman. Yes, they did do that.

Senator Watson. For how long a time did that continue?

Mr. Lowman. For that winter, at least. I do not know how much longer.

Senator Watson. Were reports made of their operations and the result of it to you?

Mr. Lowman. Yes, I saw the reports in detail. I do not recall what they were particularly now.

Senator Watson. Yes.

Mr. Lowman. These reports of irregularities in Buffalo continued to come to the Department. We sent under-cover men there, without Bradley knowing it, or McCampbell or Rasmussen or any of them. They were in charge of E. J. Lewis, who is the Government Customs Agent in charge of all activities in Canada. He reported that everything was all regular. He said there was some smuggling undoubtedly going on, but he could find no connivance or anything about it.

Then later we had further complaints. I think we had that Buffalo district investigated four times. Finally we did uncover trouble in the railroad yards, whereby they were shipping carload lots through Black Rock and in that way shipping them as hay or something like that, and they evidently got some through. Anyway, we caught some of these

men at that time that were letting these cars through. They were customs agents, and of course under the direction of Mr. Smith the Deputy Collector, who had charge of this enforcement work along the border there. Bradley did not do it, except as he occasionally got into it. Mr. Smith was in charge of it, as I understood it. And these men, we got evidence, and prosecuted them and they were convicted, some of them.

Senator Watson. Have these customs officers any authority to enforce prohibition?

Mr. Lowman. None whatever. The fact of the matter is that they shall not engage in the enforcement of the Volstead Act. That is forbidden.

Then this thing came along, and the last investigation that was made was made last spring, the spring of 1931. Bradley's term was about to run out. He had been Collector since 1922 and his term ran out in April, 1931, I think it was, or 1930 -- no, 1931. These same letters from the same people, this group that Assemblyman Slicer has talked about, were sent to Washington. They sent these affidavits and letters and so forth to the White House, with a view of heading off Bradley's appointment. They also had made charges to Senator Borah, and Senator Borah asked the Department of Justice to make an investigation.

Then the Department of Justice -- I have the investigation before me here -- and the Attorney General wrote to Mr. Mellon, the Secretary of the Treasury, and it was passed on to me, that they thought this was a matter involving our personnel and we ought to conduct an investigation.

Then shortly after that Mr. Newton, Secretary to the

President, asking me about Bradley and said these charges, were there. I told him that we did not want to make any more investigations of these particular charges unless they were put in writing. He told me that Mr. Wright, a news-paper man connected with the Buffalo News, thought that there might be something to these things; anyway he wanted to have us look it up. I told him that if they would reduce these charges to writing that I would assign them entirely outside of the Buffalo area to go in there and make a secret investigation.

These charges were handed to me by Mr. Brown, the newspaperman sitting the third one from here, representing the Buffalo News here in Washington. I told him that if they would present these charges in writing I would look into it. I took the charges and sent two men to Buffalo right away. I told them to report to the City Editor of the Buffalo News. I think his name is Kirchofer. Isn't that right, Mr. Brown?

Mr. Wright. Mr. Kirchofer is the the Managing Editor.

Mr. Lowman. Yes. And they made an investigation of these items and took down the testimony, questions and answers of all these witnesses that had been suggested, many of the names I have heard here this morning, and that testimony is here in this file.

After we got through we wrote to Mr. Mellon. There are the charges and there is the investigation, including the testimony and everything else. The Secretary of the Treasury wrote the Attorney General after that, saying that on none of these things that were alleged was there any tangible evidence involving Bradley. Following that, Mr. Bradley's

name was sent to the Senate for re-appointment.

Senator Cousens. Have you got the letter there that the Secretary of the Treasury wrote to the Department of Justice or somebody else?

Mr. Lowman. I think so, somewhere here.

Senator Cousens. And that letter contains the conclusions as the result of these investigations?

Mr. Lowman. That was just a general --

Senator Watson. Pardon me, but that went through to the Secretary of the Treasury.

Mr. Lowman. I dictated the letter. The Secretary had all the facts. That is in here somewhere. I don't know just where. It is in this pile somewhere.

Senator Watson. Let me interrupt, please. Mr. Wright here tells me that he has no recollection of ever furnishing the Treasury any information.

Mr. Lowman. He did not. I did not come in contact with Wright. My man was Brown.

Mr. Wright. I asked Mr. Brown and he does not remember that.

Mr. Lowman. They are right here. These are the very things he gave me.

Senator Watson. Mr. Brown had them sent to you personally?

Mr. Lowman. Yes.

Senator Watson. Where is Mr. Brown.

Mr. Lowman. He is right there, sitting right there.

Senator Watson. That is Mr. Brown?

Mr. Wright. Yes.

Mr. Lowman. I don't know where they came from. They

were handed to me in my office. I told him I would not investigate him again.

Mr. Wright. May I see them?

Mr. Lowman. Yes.

Senator Watson. It is all right, if you did.

Mr. Wright. No, but we have not submitted any charges in this thing.

Mr. Lowman. They are here. The statement is here.

Senator Watson. I assume merely a newspaper reporter gathering up news --

Mr. Lowman. That is it right there. (Handing documents to Mr. Wright.)

Senator Watson. But at all events, you made this investigation?

Mr. Lowman. Yes.

Senator Watson. Based on those charges?

Mr. Lowman. Based on these written charges.

Senator Watson. Yes.

Mr. Lowman. That is not signed by anybody. It is a memorandum.

Senator Watson. And you sent out men to investigate these specific charges?

Mr. Lowman. Yes.

Senator Watson. And the result of your investigation was stated?

Mr. Lowman. Yes.

Senator Watson. You thought there was no tangible evidence?

Mr. Lowman. No. The fact of the matter is that Mr.

Bradley, in addition to being Collector, is custodian of public buildings in Buffalo. I do not know how much time he has to devote to watching the shore up around Buffalo to detect bootleggers or rum runners, but I do not suppose he has much time. Anyway, we always felt that Mr. Smith, a man of very high character, Deputy Collector of Customs in charge of this patrol -- isn't that right, Mr. Bradley?

Mr. Bradley. We both act. He acts, or when I get a little time, if information comes in that things are not right, I ask him about it and then I make a little personal investigation myself.

Mr. Wright. Mr. Lowman, I am sure you are mistaken about that ever coming from our office. I have never seen it before. I see you have got the name right "Brown" up there.

Mr. Lowman. Yes. I think my recollection of it is pretty good.

Senator Watson. Is that man down there, is that Mr. Brown?

Mr. Wright. Yes, and he has never seen it before, so he tells me.

Mr. Lowman. He was very much interested in this. The fact of it is, the Buffalo News had a sort of a campaign out there at the time, a great deal of matter in the newspaper about this transaction. There are nine specific charges here and they cover all the stuff, and my investigators went up there, the customs investigators, and looked this thing up, and their names -- I will give you their names -- are T. McNiff and J. W. Roberts, two of our very good investigators, who were sent there to Buffalo. They

were told by me to report to this city editor of the Buffalo News. His name was Kirchofer, was it not?

Mr. Wright. May I take this just one second?

Senator Watson. Certainly.

Mr. Wright. Because I think I can refresh Governor Lowman's recollection.

Mr. Lowman. Yes.

Mr. Wright. Governor Lowman, one day you asked me to come over to see you and said you had been asked by the White House to make another investigation.

Mr. Lowman. Yes.

Mr. Wright. You asked me if it would be all right for your men to report first of all to Mr. Kirchofer in Buffalo.

Mr. Lowman. Yes.

Mr. Wright. I said I thought it was all right, and I called Mr. Kirchofer and he said it would be all right, and I told you it would be all right to have the men go there. You did send the men to Mr. Kirchofer. Mr. Kirchofer gave them a general outline of the conditions as he knew them there.

Mr. Lowman. Yes.

Mr. Wright. Now, the Buffalo News never filed any charges with you.

Mr. Lowman. That may be. Maybe Mr. Brown did not represent his paper.

Mr. Wright. No, Mr. Brown represented his paper, there is no question about that.

Mr. Lowman. The whole record here shows where these things came from. They were turned over by me to the Deputy

Commissioner of Customs, T. J. Gorman has charge of our
Detective Bureau. This unsigned memorandum covers these
cases. We also had this letter in reference to that. We had
this letter from Senator Borah. Bradley made an answer to
Senator Borah explaining this whole transaction, and that
is also in this file here. I think it covers the whole
thing. Of course, I did not instigate this investigation --
that is certain -- of Bradley, because we were satisfied from
four or five previous investigations that there was not any-
thing to it. I know that I was averse to having any further
investigation, unless we knew what we were going to inves-
tigate, and that memorandum that is attached to this report
that these investigators used when they were up there is the
one that covers these nine various charges. They took
testimony, questions and answers, and had all of these
various witnesses there before them.

Senator Couzens. Mr. Chairman, I suggest we would make
progress if the Secretary would leave these records here for
our consideration after we get through with this. B 18

Senator Watson. Yes, I assumed you were going to do
that.

Mr. Lowman. Yes, sir, I brought them over here for
that purpose.

Senator Watson. That is what I assumed.

Senator George. Governor Lowman, I understand that the
Department of Justice did not make any investigation.

Mr. Lowman. Yes, they made an investigation partially.

Senator George. A partial investigation?

Mr. Lowman. They made a partial investigation and then
they turned it over to us. I think I have got the Attorney

General's letter.

Senator Watson. Mr. Hoover is here and he can testify himself to that.

Mr. Lowman. Yes.

Senator Watson. Were these charges as a matter of local interest out there published in the Buffalo News?

Mr. Lowman. Oh, they have been published in the Buffalo papers, I presume, forty times.

Senator Watson. Was it not a little out of the ordinary for you to request your investigators to report to a newspaperman?

Mr. Lowman. I thought that was the best way to tie it down.

Mr. Maloney. May I ask the Governor a question, Mr. Chairman?

Senator Watson. Certainly.

Mr. Maloney. Governor, the same charges that are being presented here have been presented to you in your official capacity at least four or five times, have they not?

Mr. Lowman. They have.

Senator Cousens. The witness testified to that.

Senator Watson. Yes.

Mr. Maloney. And in addition to the investigations that you have spoken of, you have had Secret Service men from time to time up in Buffalo, haven't you, investigating?

Mr. Lowman. Why, Bradley knows now, but we had two men, two detectives, go and enlist in this patrol up there in Buffalo under Bradley without his knowledge or knowing anything of it. They joined the force, in other words. While they found some trifling violations involving liquor

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across the Niagara River in rowboats and things of that kind, there was nothing to fasten it onto Bradley, because he was not there. He wasn't there on the river. I don't suppose it was really his job to be out there during the night on the Niagara River. We didn't expect it of him.

Mr. Maloney. There are 80 miles of waterfront there.

Mr. Lowman. It extends from Ontario County in New York around to Lake Ontario and takes in the Niagara River and Buffalo City waterfront that runs out to the Pennsylvania line pretty near down to Erie.

Mr. Maloney. On Lake Erie.

Mr. Lowman. Yes.

Senator Watson. How many miles?

Mr. Maloney. Eighty.

And there are fifty men, two of whom are mechanics.

Mr. Lowman. Right now there are 49. A chief, and 48 patrolmen and one vacancy.

Senator Watson. Does Bradley have charge of that whole waterfront there?

Mr. Lowman. Yes. With the cooperation of the Coast Guard, on the deep waterways. The Coast Guard can cooperate on that. But that is his territory.

Senator Watson. Is the Coast Guard under his supervision too?

Mr. Lowman. No, they are under Rasmussen, except they have an order to cooperate. That is, if the Coast Guard knows anything they tell Bradley, and Bradley cooperates with them.

Mr. Maloney. And these 48 men work on eight hour shifts, so at no time is there more than 16 men on duty.

Mr. Lowman. I don't know about the hours, but of course eight hours is the regular government time. But I think they put in more than that a good deal of the time.

Mr. Mahoney. Yes.

Mr. Lowman. They go down the Niagara River as far as the Rochester district that joins up with the Buffalo district. Then they go to the Pennsylvania line.

Senator Watson. Any other questions?

Mr. Slacer. May I ask the Governor a question, sir?

Senator Watson. Surely.

Mr. Slacer. Mr. Secretary, you referred to the Labor Day address of 1927. Don't you recall that you were a guest at a luncheon of one of our respectable citizens that day?

Mr. Lowman. Mrs. Hedstrom, was it not?

Mr. Slacer. You remember that luncheon?

Mr. Lowman. Yes. It was put on by a committee of a thousand. Wasn't that the name of that organization?

Mr. Slacer. I don't know the name.

Mr. Lowman. Yes, a committee of one thousand, who were self constituted enforcement people, W. C. T. U.

Mr. Slacer. And at that luncheon do you recall ever the luncheon table making this statement to the guests, referring to Mr. Bradley on the enforcement of the prohibition act, that you were going to have him removed from further jurisdiction of the Prohibition Act, and winked your eye at them? And told them that you would give Mr. Bradley as an alibi that now that the Peace Bridge had just been opened you were going to tell him that his duties at this time would require him to take care of the Peace Bridge.

Mr. Lowman. I doubt that very much. It would have been contrary for me to have done so because Mr. Bradley had nothing whatever to do with the enforcement of the Volstead Act.

Mr. Slacer. You stated, Mr. Secretary, that your special agents, Roberts and McAniff came to Buffalo just prior to Mr. Bradley's name being considered by the Finance Committee, I believe, during the latter part of February, 1931.

Mr. Lowman. I can't tell you when they went exactly. They were ordered to Buffalo on the 4th of February, 1931.

Mr. Slacer. And does your record show, Mr. Secretary, how long they remained in Buffalo?

Mr. Lowman. Their final report? No. I presume it does, if I could locate it here.

Mr. Slacer. Do you know that they interviewed me on that occasion?

Mr. Lowman. If they did, I think the testimony must be here.

Mr. Slacer. Are you aware of the fact that they informed me that they could only remain at Buffalo for two or three days?

Mr. Lowman. I think they remained there until the 13th, or until the 15th.

Mr. Slacer. Do you believe from your experience in the Treasury Department that a full investigation of Mr. Bradley's office as Collector of Customs, could be made in that short space of time?

Mr. Lowman. Well, we can find this investigation on these charges that were named in this memorandum that now

seems to have no father or mother. But there are the charges there, nine of them, and they took the testimony of these people.

Mr. Slacer. You are willing to state then, Mr. Secretary, that you had given these men no instructions as to the character of the report they should bring in?

Mr. Lowman. I told them to go there and investigate this whole subject, and they brought these witnesses before them and questions and answers were taken.

Mr. Slacer. Do you know, Mr. Secretary, that the majority of the witnesses that they interviewed were simply people who had sent letters of protest to the President?

Mr. Lowman. I could not say about that. I presume they had sent them, because they were literally dozens of these letters of protest, and here they are. Here is a lot of them here. Petitions from the Women's Christian Temperance Union, and letters from you, and one from your friend there, Smith, Reverend Smith. I don't know how many are here, but there are plenty.

Senator Couzens. That is all going to be a matter of record here. 112

Senator Watson. Yes.

Mr. Slacer. Mr. Chairman, what I want to bring out, if I may, is this: This is not only going to involve Buffalo, and that is why I have given the names of some witnesses here that can be subpoenaed to substantiate my charges, or my statements, rather, that I believe that the Treasury Department does not make a proper investigation, not only in Buffalo but else where and I want to bring forward, if I can, what

I believe to be the inefficiency of the Department. *

Mr. Slacer. Do you know Congressman Cooke, Mr. Secretary?

Mr. Lowman. Yes. I served in the New York State Legislature with him, and he sits right over there.

Mr. Slacer. Do you know if Congressman Cooke made a statement, according to the Press, a few days prior to these men leaving Washington, --

Senator Watson. Well, Cooke is here. I don't think it is proper to ask him about what Cooke said.

Mr. Lowman. I don't know what Cooke said.

Senator Watson. Cooke is here. We can ask Cooke.

Mr. Slacer. I will withdraw that question then.

Do you know Charles Dreher, Mr. Secretary?

Mr. Lowman. Charles Dreher?

Mr. Slacer. The Chief Immigration Inspector, who was indicted with twenty others.

Mr. Lowman. No, I never knew him. I know about the case, now that you speak of it.

Mr. Slacer. You are familiar with it?

Mr. Lowman. Yes. He was involved in that car smuggling racket up in Black Rock.

Mr. Slacer. Do you believe that all the evidence was presented in the Dreher case?

Mr. Lowman. I don't know what was presented. That was a Department of Justice matter. I have nothing to do with the prosecution.

Mr. Slacer. Would it be agreeable to your Department to check the reports of the Special Agents, to wit, the minutes

of the trials?

Mr. Lowman. For what purpose?

Mr. Slacer. To see if all the records were presented, all the evidence was presented.

Mr. Lowman. All we have got is right here. It is agreeable to me. The Committee can do whatever they want with these public records.

Mr. Slacer. But you as head of the Treasury Department, do you realize --

Mr. Lowman. I am not head of the Treasury Department, sir. I am just one of the underlings.

Mr. Slacer. I beg your pardon. I mean head of the investigation, do you realize it took over three years before the Dreher case was brought to trial?

Mr. Lowman. That is a matter the Department of Justice has charge of entirely and I won't argue that. Dreher was an immigration officer. He was not even under the employ --

Senator Couzens. Mr. Chairman, I think this is out of order.

Senator Watson. Yes, it is.

Senator Couzens. We are delegated to investigate the Bradley charges and not Dreher.

Senator Watson. Yes. I thought that this gentleman might complain unless he was given a wide latitude.

Mr. Slacer. I want to go right into your territory, Senator. I want to go right into the Detroit situation.

Senator Couzens. This committee is not charged with that responsibility.

Mr. Slacer. It will prove my statement. I made a statement here yesterday that it was impossible to get a

proper investigation of the Customs Collector.

Senator Watson. What happened in Detroit, Buffalo is not responsible for, neither is Mr. Bradley.

Mr. Slacer. It involves the Assistant Secretary of the Treasury.

Senator Watson. It could not involve Bradley. We are not trying Lowman here. We are trying Bradley.

Senator Couzens. I think he ought to confine it to this matter here.

Senator Watson. You are right. We cannot go into an investigation of the Treasury Department.

Mr. Slacer. That is all.

Mr. Maloney. May I ask just one more question, Mr. Chairman?

Senator Watson. Yes.

Mr. Maloney. Governor, from your investigation of Mr. Bradley do you consider him an efficient, honest and capable officer?

Mr. Lowman. Unusually so.

Mr. Maloney. Thank you.

Senator Watson. That is all.

(Witness excused.)

Senator Watson. Mr. Hoover.

TESTIMONY OF MR. J. E. HOOVER,

Washington, D. C.

(The witness was duly sworn by the Chairman of the Sub-Committee.)

Senator Watson. Your name is J. E. Hoover?

Mr. Hoover. Yes.

Senator Watson. You are the head of --

Mr. Hoover. Director of the Bureau of Investigation.

Senator Watson. Director of the Bureau of Investigation, in the Department of Justice?

Mr. Hoover. Yes.

Mr. Lowman. Pardon me, but do you want these files?

Senator Watson. The Committee would like to have them.

Senator George. Especially that one that has the questions and answers.

Mr. Lowman. And these letters, do you want them?

Senator Couzens. Leave them all here.

Senator Watson. Yes, leave them all here.

Mr. Lowman. And this is a scrap book.

Senator Couzens. Those are your speeches?

Mr. Lowman. Yes. They would not help anybody now.

Senator Couzens. Not now.

Senator Watson. Mr. Hoover, was this Bradley matter ever called to your specific attention?

Mr. Hoover. Yes.

Senator Watson. When?

Mr. Hoover. On April 1st, 1930, Senator Borah addressed a communication to the Attorney General, a copy of which I

have here, informing the Attorney General that there had been brought to his attention by Mr. John W. Slacer of Buffalo certain information involving the alleged misconduct in the office of the Collector of United States Customs at Buffalo. In that letter there were five names given, in addition to Mr. Slacer's, of persons who would be in possession of facts concerning this matter.

The Attorney General referred that communication to the Assistant Attorney General in charge of the criminal division, Judge Luhring, with a notation to the effect that they better interview the witnesses and see what they have.

The matter was referred to me on April 3rd, 1930, with instructions to interview the five persons named and Mr. Slacer. By telephoning instructions to my New York City office agent D. Oscar Smith was directed to interview Mr. Slacer, which he did. Mr. Slacer was interviewed and gave some general information concerning it and also indicated where these other persons could be found. He indicated that the Reverend Smith should not be interviewed, because all that Reverend Smith knew was hearsay and he had recently been involved in some public morals charge and therefore it would be rather undesirable to interview him at that time.

Our agent, that is, Mr. Smith endeavored to locate these parties and was only successful in finding Mr. Clark and Mr. Mayne, from whom he took statements. Mr. Schmidt and Helen Bond he was not able to find. That covered practically all the investigative activity of our Bureau. The affidavit of Mr. Schmidt and Mrs. Bond were furnished to us by Mr. Slacer and the report was submitted to the Department, trans-

mitting these affidavits, and they in turn were transmitted to the Commissionera Department.

Senator Watson. Have you got those there?

Mr. Lowman. Yes. Under date of June 7th, 1930, the Attorney General addressed a letter to the Secretary of the Treasury -- I have a copy of that here -- in which he states in substance that these charges have been reported to him by Senator Borah, that an agent of this Department interviewed the witnesses, it being indicated that the conduct of Mr. Bradley had been heretofore brought to the attention of the Treasury Department and that under that situation it was the view that the agent should not continue the investigation without a recommendation or statement on the subject. "A copy of Senator Borah's letter to me and a copy of our agent's report is herewith enclosed". There was a reply submitted two letters in fact, one on June 17, and one on June 20th.

Senator Couzens. What year?

Mr. Hoover. 1930. Did you care for me to read them?

Senator Couzens. I think you ought to put them in the record.

Mr. Hoover. All right, I have them here in the files.

Under date of June 20th, Judge Luhring prepared a letter for the Attorney General, submitted to Senator Borah, reading as follows:

"My dear Senator:

"In further reply to your letter of April

1st last, with respect to the complaint of John W.

Slacer against Fred A. Bradley, Collector of Customs

at Buffalo, New York, I beg to advise you that the Secretary of the Treasury now informs me that agents of his Department have conducted under-cover investigations in that district but have been unable to develop any reliable evidence which would justify action of any kind against Mr. Bradley. There is nothing in the papers submitted to this Department which would seem to indicate any need or desirability of an additional investigation by our agents".

That closed the case as far as our Department sympathies in the matter are concerned. I have all that correspondence here for the Committee and will leave it with the Committee.

Senator Watson. In your capacity you investigated violations of the liquor law?

Mr. Hoover.. No, sir, we have nothing to do with the investigation of that.

Senator Watson. You have nothing to do with that?

Mr. Hoover. No, sir.

Senator Watson. You investigate simply the charges made against people like Mr. Bradley for malfeasance in office and so on?

Mr. Hoover. Yes, sir. And it is the practice of the Department when any charge is made against an officer of another governmental department, that matter is called to the attention of that department. If that department desires our assistance, we render it. If not, they conduct it themselves.

Senator Watson. Each department has its own investiga-

tive force.

Mr. Hoover. Practically so, yes, sir.

Senator Watson. Investigative officers?

Mr. Hoover. Yes.

Senator Watson. And that is all you know about it?

Mr. Hoover. That is all I know about it.

Mr. Slacer. May I ask Mr. Hoover a question?

Senator Watson. Certainly.

Mr. Slacer. You stated that a special agent, Mr. Smith only interviewed Mr. Wayne and Mr. Clark, isn't that correct?

Mr. Hoover. He interviewed Mr. Clark, Mr. Wayne and yourself.

Mr. Slacer. Yes.

Mr. Hoover. He endeavored to locate Mrs. Schmidt and Mrs. Bond and they could not be found.

Mr. Slacer. And there are several names, as you recall, included in those affidavits, aren't there?

Mr. Hoover. That is correct.

Mr. Slacer. And they did not seek to interview them?

Mr. Hoover. They did not, because our instructions were limited to the five persons named in the report.

Mr. Slacer. That concluded their investigations?

Mr. Hoover. Yes, sir.

Mr. Slacer. That is all.

Senator Watson. That is all. Thank you.

(Witness excused.)

Mr. Maloney. May I at this time, with the Chairman's permission refer to a charge that was made yesterday that \$25,000 was deposited by Mr. Bradley and a gentleman named Ben Kaiser in the Buffalo Trust Branch.

Senator Watson. Yes.

Mr. Maloney. I was in telephonic communication with my office and asked --

Senator Watson. Mr. Maloney, hadn't you better let Mr. Bradley do that?

Mr. Maloney. Thank you. Mr. Bradley, will you step over here please?

TESTIMONY OF FRED A. BRADLEY,

Buffalo, New York.

(The witness was duly sworn by the Chairman of the Subcommittee.)

Senator Watson. Tell your name, Mr. Bradley, to the Committee.

Mr. Bradley. Fred A. Bradley.

Senator Watson. You live in Buffalo?

Mr. Bradley. Yes, sir, all my life.

Senator Watson. How long have you been in office there?

Mr. Bradley. Eight years, practically eight years, second term.

Senator Watson. Second term?

Mr. Bradley. Yes.

Senator Watson. Did you hold any office previous to that?

Mr. Bradley. I was elected to office. I was supervisor for six years and elected Chairman for three years.

Senator Watson. What is supervisor? Supervisor of what?

Mr. Bradley. Supervisor of the town. In our county we have twenty-seven wards that are represented and twenty-

seven towns. There is a supervisor from each town and each ward to take care of the county business.

Senator Watson. What is this position that you hold as Superintendent of Public Buildings or something of that sort; just what is that?

Mr. Bradley. I will tell you what that is. I am Collector of the Port, and they make the Collector the custodian. I have an assistant. I don't have anything to do with that. He just takes care of the scrub women and window washers and such things as that, and if there is any space or office room needed in the courts it passes over my desk.

Senator Watson. That is usual, is it, in the office of Collector of Customs?

Mr. Bradley. Yes. It does not take any time, to speak of, of the Collector.

Senator Couzens. What was your business before you got into politics?

Mr. Bradley. I was a plumber.

Senator Couzens. What was your first activity in politics?

Mr. Bradley. To elect Mr. Slacer to the Assembly.

Senator Couzens. What year was that?

Mr. Slacer. 1917.

Mr. Bradley. 1917.

Senator Couzens. Prior to that you had not been active in politics at all?

Mr. Bradley. Why, I had been a committeeman. Yes, I had always taken a little interest in it.

Senator Couzens. But you had not been on any payroll?

Mr. Bradley. No.

Senator Couzens. During that period you were a plumber?

Mr. Bradley. Yes, sir.

Senator Couzens. Then the first pay office that you received was when?

Mr. Bradley. When I was elected as supervisor.

Senator Couzens. And that was for the county in which Buffalo is located?

Mr. Bradley. Yes. And that was at \$900 a year.

Senator Couzens. And the next office was when?

Mr. Bradley. In 1917, when I was elected sheriff for three years, during the war.

Senator Couzens. Did you run for reelection?

Mr. Bradley. No, sir. You cannot under our state law.

Senator Couzens. When did you become head of this committee that was testified to yesterday, the county committee?

Mr. Bradley. I have been there about ten years.

Senator Couzens. As head of the committee?

Mr. Bradley. Yes.

Senator Couzens. And while you were head of this committee you became collector of Customs?

Mr. Bradley. No, before.

Senator Couzens. I don't think you got my question. You were county committeeman or Chairman, as I understand when you became Collector of Customs?

Mr. Bradley. No, sir. Just previous to that. I recall it as though it was yesterday, my boss, Mr. Greiner, asked me for several years, "You want to take hold of this

organization, you are younger than I am." "No", I said, "I want to stay in the background. I will help. I will do whatever I can."

Senator Couzens. Who was Mr. Greiner?

Mr. Bradley. Mr. Greiner was postmaster of the City of Buffalo, a man who had been in the political game for maybe thirty years. He is dead now.

Senator Couzens. While he was postmaster he was Chairman of this county committee?

Mr. Bradley. No, sir, I was.

Senator Couzens. That is what I am trying to get at. While you were Chairman of this county committee you became Collector of Customs?

Mr. Bradley. Yes, sir.

Senator Couzens. That is what I have been asking right along.

Mr. Bradley. Pardon me, I did not just get it.

Senator Couzens. Don't you think there is some inconsistency between being a political leader and an office holder in the capacity of a law enforcing officer?

Mr. Bradley. Why, it never interfered with my duties.

Senator Couzens. You perhaps don't know whether it did or not, but it may have.

Mr. Bradley. I can state this: While I was in politics in my office, the eight years I have been there, every office holder has been under Civil Service, and I have never skipped the list. They are taken just as they come and I don't have any politics in the Customs Service.

Senator Couzens. Have any officers been removed since

your occupancy of this position?

Mr. Bradley. I have removed sixty-one on the border patrol.

Senator Couzens. For what charges?

Mr. Bradley. Various reasons. I have got a file here of all their names.

Senator Couzens. Were they all Civil Service men?

Mr. Bradley. When we first started they were not. They turned over the prohibition force to us.

Senator Couzens. Yes.

Mr. Bradley. I kind of weeded them out. I could do that, just before they were Civil Service. Then they gave me a Civil Service list and I had to let all those fellows go.

Senator Couzens. So that before they came under Civil Service and even afterwards, had you any disposition to have done so you could have removed them?

Mr. Bradley. Yes. Well, no, not after Civil Service, unless I had charges.

Senator Couzens. Yes, I understand that.

Mr. Bradley. That is right.

Senator Couzens. It is not difficult to get charges if you really want to get rid of a man, is it?

Mr. Bradley. Well, on that kind of a job, I guess not.

Senator Couzens. So in effect it is quite possible and even practicable to play politics in an office of that sort. I don't think there is any use trying to deny the fact; it is true. I am just trying to develop the inconsistency of holding two offices.

Mr. Bradley. Senator, if I may, I can say that I have never put on any man in the Department other than Civil

Service myself.

Senator Couzens. I am not charging that.

Mr. Bradley. I have never put a man out unless he committed something, unless he was drunk or neglected his duty or something, and I have directed the removal of sixty-one men. Several of those men are men that made affidavits here today in regard to irregularities and one thing and another.

Senator Couzens. Do you want to testify or say anything before the Committee?

Mr. Bradley. Why, I am willing to answer any questions. There isn't anything, only I might state that this has been going on for several years, perhaps for the reason that I hold the chairmanship of the Republican party. They fought me every year for six or seven years, this same thing year in and year out, and this year I said "Well, for the sake of my wife and daughter, I think we better clean it up."

Senator Couzens. What do you mean by "clean it up"?

Mr. Bradley. Have a show down. That is, have the evidence produced. I don't want to be charged with playing politics. It is a question here, as I see it, have I been a clean, conscientious officer, have I done my duty?

Senator Couzens. I will ask again: Do you think there is any inconsistency in being head of the Republican organization there and at the same time Collector of Customs.

Mr. Bradley. I don't see that there is any connection there myself, if a man is honest and takes care of his work.

Senator Couzens. That is your answer, is it?

Mr. Bradley. Yes.

Mr. Maloney. Mr. Bradley, how old are you?

Mr. Bradley. Sixty-two.

Mr. Maloney. You have lived in Buffalo all your life?

Mr. Bradley. Sixty-two years.

Mr. Maloney. I say, you have lived in Buffalo all your life, sixty-two years?

Mr. Bradley. Yes, sir.

Mr. Maloney. And you were in the plumbing business a considerable portion of your life?

Mr. Bradley. Twenty-five years.

Mr. Maloney. Then later on you became interested with Mr. Slacer, who lived in your neighborhood?

Mr. Bradley. In my district, yes.

Mr. Maloney. And you went into politics, as you suggested, in answer to the Senator's question?

Mr. Bradley. Yes.

Mr. Maloney. I just want to ask you, did you ever have an account jointly with Mr. Kaiser or separately, in the Buffalo Trust Branch of the Marine Bank?

Mr. Bradley. No.

Mr. Maloney. In the amount of \$25,000?

Mr. Bradley. No.

Mr. Maloney. Which was withdrawn?

Mr. Bradley. No.

Mr. Maloney. I offer these telegrams, Mr. Chairman.

Mr. Bradley. I never had an account of any kind.

Mr. Slacer. May I add that that is not testimony I gave yesterday. That question of the telegram is not in accordance with the testimony yesterday.

Mr. Maloney. As I understood your testimony yesterday.

Mr. Slacer, Mr. Bradley and Mr. Kaiser went to the Buffalo Trust and there deposited \$25,000, and the following day they went there --

Mr. Slacer. Two days.

Mr. Maloney. Two days, -- and took the money in cash from the Buffalo Trust. So I telephoned the Buffalo Trust last night, or one of my office did.

Mr. Slacer. The correct statement should be this, Mr. Maloney, if I may correct you there. You stated that you telephoned the Buffalo Trust Branch of the Marine Trust Company.

Mr. Maloney. No, I did not telephone either one. I telephoned to Buffalo and asked them to get in touch with Mr. Frank R. Collins, who was an officer of the Buffalo Trust, and the Buffalo Trust Branch of the Marine Trust Company, after the merger, and I first received a telegram in which he stated there was no account there. So I was fearful it might be interpreted to the effect that there was no account there now. So last night I called him at his house, and he was not in, and he called me back. I said, "Mr. Collins, I am very desirous of ascertaining whether in the old Buffalo Trust or in the Buffalo Trust Branch of the Marine Mr. Bradley was a depositor there jointly with Mr. Kaiser or separately and if \$25,000 was deposited there and withdrawn in two days in cash" and he said "I can absolutely state that it was not." I said "Would you mind sending a telegram that I might have tomorrow morning for the Sub-Committee if that is the fact" and he said "I will be very glad to." Yesterday someone at my request interviewed him, but I was afraid the

first telegram might be susceptible of a different meaning
so I asked him to clear that up.

Now, Mr. Bradley, you have heard all these charges?

Mr. Bradley. Yes, sir.

Mr. Maloney. That have been made by Mr. Slacer?

Mr. Bradley. Yes, sir.

Mr. Maloney. They have been in the newspapers for years?

Mr. Bradley. Yes, sir.

Mr. Maloney. Are any of them true?

Mr. Bradley. No, not to my knowledge.

Mr. Maloney. Have you at any time taken men out to your
farm to work during hours of office?

Mr. Bradley. That is ridiculous. No.

Mr. Maloney. Have you ever at any time taken contraband
liquor to your home?

Mr. Bradley. Absolutely no.

Mr. Maloney. Have you visited speakeasies or clubs, the
Puritan Club, for instance?

Mr. Bradley. I have been down through -- the nature of
my work would take me down to that shooting club down there.

Senator Watson. Is that the Puritan Club?

Mr. Bradley. Yes, sir. I have never been into a speak-
easy in the eight years that I have been in office.

Mr. Maloney. Or a club of that kind?

Mr. Bradley. Or a club of that kind.

Mr. Maloney. Mr. Bradley, I wanted to ask you this
question particularly. Did you at any time order any of
your men to bring contraband liquor to any person?

Mr. Bradley. No.

Mr. Maloney. There was reference made to a warehouse on

Young's Street in Niagara Falls.

Mr. Bradley. Yes, sir.

Mr. Maloney. And yesterday it was testified that your assistant, Mr. Stephenson, Captain Stephenson, used it for a depository for contraband liquor. Can you from your memory state the official connection, if any, of that warehouse?

Mr. Bradley. I do not know so much about it. I have never been in there.

Mr. Maloney. Was it a government warehouse?

Mr. Bradley. I knew that the government had a warehouse at the Falls, where in case you would have a carload of liquor it was put in the warehouse, until such time as the courts gave you a destruction order.

Mr. Maloney. And was that finally abolished, the warehousing of liquor that was seized?

Mr. Bradley. After hearing this gossip about liquor and one thing and another, I tried to strengthen my lines all I possibly could, and I had any liquor that was in doubt as to ownership carried to Buffalo to our own warehouse, and where there were small lots in rowboats, and things of that kind, our officers --

Mr. Maloney. Will you tell the gentlemen of the Committee what your rule is in that regard?

Mr. Bradley. I have got records of every bottle that has ever been destroyed.

Mr. Maloney. How was it done?

Mr. Bradley. Officers on the track, no matter where it is, night or day, telephone in to the base where the chief is, the chief of the patrol.

Mr. Maloney. When they make a seizure?

Mr. Bradley. When they make a seizure. They say "We have got so many so and so." "All right, we will send Officers so and so down." Officers so and so go down and the three of them destroy it and make out a destruction order signed by the three men. Two bottles are taken from that. One goes to the chemist and one goes to the office in the Federal Building. After the case is closed we get an affidavit from three other men in the office that that bottle that was used as evidence has been destroyed, until the entire case is cleaned up.

Senator Watson. Did you ever throw it out in shallow waters so they could wade out knee deep and fish it out?

Mr. Bradley. I have heard that. No. At the place where the Coast Guard used the deep water, it is a channel 22 feet deep. But I did hear as an undercurrent that somebody was fishing it out or something. I issued orders after that that every bag must be out before being thrown in, and that is the practice. Here are the files and letters to the chief of the department giving him those instructions.

Mr. Maloney. The channel where it was deposited was 22 feet deep?

Mr. Bradley. I cannot say as to that, because it is the Coast Guard. I do not go down there and see where they dump it.

Mr. Maloney. Who disposes of the liquor?

Mr. Bradley. As I say, it is done by three men.

Mr. Maloney. I mean, the dumping of the liquor in the river, who does that?

Mr. Bradley. If it is a coast guard, the coast guard comes down and we have a customs officer go with him.

Mr. Maloney. And if it is your department?

Mr. Bradley. If it is our department they take it down to the base and at least three men go out and destroy the liquor.

Mr. Maloney. And certify to it?

Mr. Bradley. And certify to it, yes, each one.

Mr. Maloney. And you told them to drop it in the deep channel, did you?

Mr. Bradley. I haven't done that. They know that. I haven't said anything about that particularly.

Mr. Maloney. Mr. Smith is in charge directly of the men?

Mr. Bradley. Yes.

Mr. Maloney. And he is a Civil Service man?

Mr. Bradley. Yes.

Mr. Maloney. He was in the office when you took office?

Mr. Bradley. Yes.

Mr. Maloney. And he is under Civil Service?

Mr. Bradley. Yes.

Senator Watson. Are you charged with the enforcement of the Prohibition Act at all?

Mr. Bradley. No, sir.

Senator Watson. In no way?

Mr. Bradley. No, sir.

Senator Watson. You just work with the prohibition officers?

Mr. Bradley. No, sir, I don't work with the prohibition

officer.

Senator Watson. You never did?

Mr. Bradley. No.

Senator Watson. All right.

Mr. Maloney. Mr. Bradley, how many bridges have you in your district crossing the Niagara River?

Mr. Bradley. Four bridges.

Mr. Maloney. And can you tell us and the gentlemen of this Committee, as near as you can, the number of people, individuals, who cross the Peace Bridge?

Mr. Bradley. Over the Peace Bridge last year we had seven million passengers and eleven complaints, major complaints that came to the department here, and four of those came from one family.

Mr. Maloney. And you have another bridge known as the International Railroad Bridge below the Falls, from which you may view the Falls.

Mr. Bradley. Yes, there are three bridges down there.

Mr. Maloney. And that runs from Niagara Falls to Chippewa?

Mr. Bradley. Yes.

Mr. Maloney. And that is used as a belt line in seeing the Falls?

Mr. Bradley. Yes.

Mr. Maloney. That is a very busy bridge, is it not?

Mr. Bradley. That is a very busy bridge, yes.

Mr. Maloney. And below that and below Suspension Bridge, there is a bridge?

Mr. Bradley. Near Old Fort, Niagara.

Mr. Maloney. And there is another bridge down at Lewiston near Lake Ontario.

Mr. Bradley. Yes.

Mr. Maloney. The three bridges are under your control?

Mr. Bradley. Yes.

Mr. Maloney. How many men do you have?

Mr. Bradley. I cannot say exactly. About 250.

Mr. Maloney. And how many men do you have on the border patrol?

Mr. Bradley. I have forty-nine.

Mr. Maloney. A chief and forty-eight men?

Mr. Bradley. A chief, two mechanics and -- well, that would give me forty-six men.

Mr. Maloney. Forty-six?

Mr. Bradley. Yes.

Mr. Maloney. And these men are supposed to work an eight hour shift?

Mr. Bradley. They are supposed to work an eight hour shift and we are supposed to give them a half day off, but it is a difficult thing.

Mr. Maloney. You work them longer than that?

Mr. Bradley. If the case demands it.

Mr. Maloney. You said you had how many miles of water-front?

Mr. Bradley. Eighty miles.

Mr. Maloney. And in addition to that have all the territory down to the Pennsylvania line?

Mr. Bradley. That is in the eighty miles, yes.

Senator Watson. What about the charges that you sold

these confiscated ships?

Mr. Maloney. I am just coming to that.

Senator Watson. To favorites.

Mr. Bradley. All the ships under the regulations are sold at public auction. I have nothing to do with that. Our office sells them.

Mr. Maloney. At public auction?

Mr. Bradley. At public auction.

Senator Couzens. Who auctions them off?

Mr. Bradley. My chief clerk, a gentleman by the name of Schafer, in the office.

Senator Couzens. And you state that no sales were made except through that procedure?

Mr. Bradley. That is true.

Mr. Maloney. We will take this boat that went, they say, to Mr. Hunt. Tell us about that.

Mr. Bradley. I will have to plead guilty to that charge. This boat, the Queen Bee, the Coast Guard on Lake Ontario captured it full of contraband. In some way or other we lost it. That is, it was given back by the court. We got it again and we held it. Now, I had no place whatever to keep anything. We have had cases where we would get a boat tonight and it would be gone in the morning. They would steal it from you. We had no facilities for taking care of it. This, gentlemen, was when we first started, some time ago, on this enforcement. We have got a good organization now, but this was in the early history. This boat was brought in and my chief told me "By the regulations you are supposed to sell this stuff; pull them up on the shore and let them rot".

Mr. Maloney. And that is what you have been doing?"

Mr. Bradley. That is what I have been trying to do, and trying to watch them at the same time. The State of New York wanted to use a boat and I said "Why, I think this is all right. Take this boat." With that boat I gave them a letter, which is on file in our office, that this boat is the property of the United States Government; that it is loaned to them or the State of New York under the conditions that they take care of it and at any time I want it it is to be returned.

Mr. Maloney. Did you --

Senator Watson. Now, let him tell what happened.

Mr. Maloney. I was just going to ask him that.

Senator Couzens. Let him tell.

Mr. Maloney. Pardon me.

Mr. Bradley. The boat was taken down there and they painted it and fixed it up.

Senator Couzens. Who is "they"?

Mr. Bradley. The State. It was a prison.

Senator Couzens. You mean the warden of the prison?

Mr. Bradley. The warden of the prison. I found out from the Secretary, he told me that is a little out of the ordinary, giving that boat out to the state. If it was the government it would be another thing. I said "All right, sir". And at my own expense I had it brought back and it is sitting in the yard now.

Senator Cousen. Why are not those sold under the procedure you just spoke of?

Mr. Bradley. Because here is our experience: That

this crowd of bootleggers get together, and if one had a boat and another one had a boat, they dare not bid against one another, and ten to fifty dollars is all they will give for a \$500 boat. So I decided not to sell any more. I perhaps burnt up or let go to pieces five hundred boats. If we can use the motors, we take the motors out. I started in with one boat, the government gave me one. I am running nine boats on the river now.

Mr. Maloney. And did you furnish boats to other places?

Mr. Bradley. I furnished boats to the Coast Guard.

Mr. Maloney. At the request of the government?

Mr. Bradley. That goes through a certain routine, you see. They make a request and we turn them over.

Mr. Maloney. Seized automobiles sold at public auction after they are used by your department?

Mr. Bradley. They are sold at public auction after they are used by our department, after we decide it does not pay to keep them.

Mr. Maloney. Does the government from time to time ask for automobiles to use at other places?

Mr. Bradley. I have been directed to send automobiles to Washington, Philadelphia and Vermont.

Mr. Maloney. For Government employees?

Mr. Bradley. For government employees.

Mr. Maloney. In their work?

Mr. Bradley. Yes.

Mr. Maloney. Mr. Bradley, did you have anything to do at all with the seizure of a Cadillac car, or your department, at Niagara Falls?

Mr. Bradley. I cannot recollect that. What is it?

What do you mean? Just tellus what kind of a car.

Mr. Maloney. It was a Cadillac car, it seems, that was closed and I understand it was seized. It was returned by Mr. Rasmussen. I have an affidavit to that effect.

Mr. Bradley. That would be a Coast Guard affair.

Mr. Maloney. I see.

Mr. Bradley. We have given cars back under these conditions: For instance, we might seize a boat, and the bootleggers generally have a car right there to transfer the liquor to. If we happen to come just at the time or just before they land, or just before they have time to put it in the car, we have taken the car, but we never could hold it, because it had no liquor in it. Under those conditions the court orders their return and we return them, using our own judgment.

Mr. Maloney. After talking with the District Attorney?

Mr. Bradley. After talking with the District Attorney.

Mr. Maloney. And you refer all these matter to the United States District Attorney?

Mr. Bradley. The moment we make a seizure or make an arrest, our instructions are for the officer to take those men to the Special Agents. That is an independent branch of the Government. They take them over and question them, fingerprint them sometimes, and then the case goes over to the District Attorney. All we have to do from then on is to furnish the witnesses or the arresting officers.

Mr. Maloney. Now, Mr. Bradley, you have nothing to do with the dumping of the liquor or know nothing of any liquor being dumped by the Puritan Club?

Mr. Bradley. No, sir.

Mr. Maloney. Or in front of the Puritan Club?

Mr. Bradley. Why, no.

Mr. Maloney. And these various gentlemen whose names were given as witnesses by Mr. Slacer and by Mr. Mayne, you have a report there including all their names and the names of the officers and why they were discharged?

Mr. Bradley. I have.

Mr. Maloney. I would like to leave that with the Committee.

Mr. Bradley. Yes.

Mr. Maloney. All of their names appear, apparently, in this list of discharged employees.

Mr. Bradley. And why they were discharged. Those are our files.

Mr. Maloney. For instance, Mr. Erickson and Mr. Schmidt and the various other gentlemen whose names were mentioned this morning, isn't that true?

Mr. Bradley. Yes.

Senator Watson. Any other questions?

Mr. Slacer. I would like to ask Mr. Bradley a question or two.

Senator Watson. Yes.

Mr. Slacer. Bradley, do you know Charlie Dreher?

Mr. Bradley. Yes.

Mr. Slacer. Was he ever one of your custom inspectors?

Mr. Bradley. No, sir.

Mr. Slacer. He was never one of your custom inspectors?

Mr. Bradley. Not to my knowledge. Not since I have been in office.

Mr. Slacer. Do you know whether he was a customs inspector prior to your being Collector of Customs?

Mr. Bradley. No, I do not. I don't think he was. His father was before him.

Mr. Slacer. Did you assist him to get his appointment as Chief Immigration Officer?

Mr. Bradley. No, sir.

Mr. Slacer. A few years ago there was a vacancy as Chief of the Immigration Department for the Buffalo area; the candidates were Mr. Knuth and Mr. Dreher.

Mr. Bradley. Yes.

Mr. Slacer. Did you use any influence at your office as County Chairman to try to secure that appointment for Mr. Dreher?

Mr. Bradley. Not to my knowledge.

Mr. Slacer. You know that Mr. Dreher was indicted for conspiracy to violate the Federal Prohibition Act, don't you?

Mr. Bradley. Yes, sir, I read it in the papers.

Mr. Slacer. Do you believe that all the evidence was presented at the trial of Charles Dreher?

Mr. Bradley. I don't know anything about it. I didn't follow it up.

Mr. Slacer. You left Buffalo when that trial was starting, didn't you?

Mr. Bradley. Left Buffalo?

Mr. Slacer. Yes, or left the city.

Mr. Bradley. Why, I don't know.

Mr. Slacer. The press reported that you left Buffalo when the Charles Dreher trial was on.

Mr. Bradley. I couldn't tell you the date. I don't know.

Mr. Slacer. You did not return to Buffalo until the day following Charles Dreher's trial, isn't that true?

Mr. Bradley. I don't know that.

Mr. Slacer. According to the press charges.

Mr. Bradley. I cannot answer that.

Senator Watson. Did you run away from the trial?

Mr. Bradley. Oh, no, absolutely no. Gentlemen, if I may read this, I would appreciate it. I thought that he might bring this up.

In many cases which have been made in this district since I have been Collector of Customs I have always used every effort in all of the means at my disposal to run down any leads in connection with these cases and as a result of this endeavor, in 1926 there appeared what might develop into dishonest collusion on the part of some of the Customs officials in the smuggling of contraband into the United States. A very careful investigation was made by myself and by Customs Agents, who operate entirely independent of my jurisdiction, with the result that we could find only one officer against whom we had any evidence whatsoever and while this evidence was convincing to me it was not strong enough to cause the arrest of the officer, but I did immediately dismiss the officer, Norman Cameron.

Then early in 1928, in fact on March 2, 1928, I received a tip that things in the Customs office at Black Rock were again not just right and again I started an investigation with all of the force and energy I could command, using my Assistant Collector, Mr. Smith, my Deputy in Charge, Mr.

Miller, and the services of the Customs Agents, who would of course get independently. Two weeks went by and I developed sufficient information to satisfy me that there was something wrong and that I would not be able to properly develop the matter. Consequently on March 15, 1928, while I was at Black Rock working on the case I directed my Assistant Collector, Mr. Smith, to telephone to the Commissioner of Customs in Washington and ask him to send the ablest investigator he had here to spend all the time necessary to complete the investigation of the case, which I had taken far enough to satisfy me was serious.

Within a few days two of the ablest investigating officers I have ever come in contact with reported to me with advice that they had been instructed by the Commissioner at Washington to take over the investigation of the case which I had. I immediately turned over to these two men everything I had, assigning them one of my own private offices for their headquarters and assigning them one of the best stenographers and typists in my force who was with them continually for four months, and they had from the beginning my positive instructions to go the limit of their investigation, that my only concern was to develop facts and report them to the United States Attorney, which they did and thus the famous "Ereher Case" was made.

Senator Watson. Of course, that hasn't anything to do with the charge of running away from the trial.

Mr. Bradley. No.

Senator Watson. Leaving town before it was started and coming back after it was over.

Mr. Bradley. That is ridiculous, Senator.

Senator Watson. Were you asked to appear or subpoenaed to appear as a witness?

Mr. Bradley. No, sir.

Senator Watson. Did you know anything about it?

Mr. Bradley. No, sir, only I know there was a little crooked work down there among the railroad men and it developed that I was among the railroad and immigration force.

Mr. Slacer. Was it not your business, Mr. Bradley, as collector of Customs to find out about these irregularities, inasmuch as these customs men were in your employ and they were violating the provisions of the tariff act, and you are responsible for its enforcement?

Mr. Bradley. In answer to you I will say that Dreher was not in my employ.

Mr. Slacer. There have been several Customs Inspectors who have since been indicted in the Dreher case.

Mr. Bradley. I beg your pardon, there have not. We have one, as I understand. He was dismissed early in the game.

Mr. Slacer. I beg your pardon, Charles Berner?

Mr. Bradley. Charles Berner? No, sir.

Mr. Slacer. You don't know Charles Berner?

Mr. Bradley. No, I don't know anyone by that name that I can recollect.

Mr. Slacer. You know that Mr. Berner was convicted in the so-called Illinois Alcohol Case and sentenced to Atlanta for a year and a day.

Mr. Bradley. No, I would not know that.

Mr. Slacer. You would not know that?

Mr. Bradley. No. I haven't anything to do with the

enforcement of alcohol, or prohibition and don't meddle in it.

Mr. Slacer. Are you aware that a carload of liquor containing 1400 cases of ale, quart bottles and 400 cases of assorted liquor, liquor supposed to have belonged to Charlie Berney, was seized by Customs Inspector Frellich in the Black Rock Yards.

Mr. Bradley. I presume that is in our records. That is in our district.

Mr. Slacer. Do you know if the evidence concerning that car was presented at the trial of Charles Dreher?

Mr. Bradley. I do not. That was turned over to the Special Agents for Investigation. The records will show what disposition was made of it.

Mr. Slacer. You are willing to state then that if it is true that this car was seized and that Charlie Dreher and any of the other co-defendants had anything to do with it, that that evidence should have been presented at the Dreher case, at the Dreher trial?

Mr. Bradley. My dear man, the District Attorney, that is his business.

Mr. Slacer. Did you not know that this car was reported to your deputy Harry Smith, and that he ordered it to the Customs House tracks for unloading and inspection, which is the customary thing to do when a car has been seized.

Mr. Bradley. That would be shown by the records. I have not any knowledge of that.

Mr. Slacer. Did Charlie Dreher telephone you that evening and inform you that this car had been seized?

Mr. Bradley. No.

Mr. Slacer. He did not.

Mr. Bradley. No.

Mr. Slacer. Didn't you countermand the order of Deputy Smith and order the men for the Erie Railroad to place this car on the M. & C. side.

Mr. Bradley. No.

Mr. Slacer. Do you know that Smith lost his job for his part in removing the car from the Customs House tracks?

Mr. Bradley. No.

Mr. Slacer. Did you know that this car was unloaded one midnight in the event that it would be seized.

Mr. Bradley. No, sir.

Mr. Slacer. Didn't you know that three trucks were used in unloading this liquor under the protection of the railroad police, and Berney guaranteed to pay the owners of the truck for the value of them if they were seized?

Mr. Bradley. No.

Mr. Slacer. Didn't you know that this car was billed as old tires and the weight billed at 40,000 pounds?

Mr. Bradley. I do not know that.

Mr. Slacer. Didn't you know that when your men opened the car the next morning they found only about 25 old tires, weighing about a thousand pounds, which were taken to the United States Reclaiming Company.

Mr. Bradley. No, I don't know about that.

Mr. Slacer. Don't you know that this liquor was taken to the Market Terminal Warehouse?

Mr. Bradley. No, I do not know that. If we have seized it it would not go to the Market Terminal Warehouse.

Mr. Slacer. No, the owners of the liquor had it consigned to the Market Terminal Warehouse and just as soon as the owners of the Market Terminal Warehouse found the nature of the contents of those trucks, didn't they order it removed immediately?

Mr. Bradley. I don't know.

Mr. Slacer. Did you know that when this car was seized it was sealed with Michigan Central railroad seals and when the men opened it for inspection the next morning, the seals had been changed and they found they were Erie Railroad seals?

Mr. Bradley. No.

Senator Watson. Did you ever hear of that?

Mr. Bradley. No.

Senator Watson. What do you know about that transaction?

Mr. Bradley. I don't know anything about it, not a blessed thing. Only I heard from rumors that there was collusion among the railroad men, and I turned that over to the proper authorities to make their investigation. They made their investigation and, I believe, made a case and took it in court.

Senator Couzens. These investigators were not under your jurisdiction?

Mr. Bradley. No, sir.

Senator Couzens. Whose jurisdiction were they under?

Mr. Bradley. Washington, Special Agents from Washington here.

Mr. Slacer. Are you willing to state,--

Mr. Bradley. They investigated our office, you know.

Mr. Slacer. Are you willing to state that neither you nor Charlie Dreher were at the siding of the Erie Railroad at any time during the unloading of this car?

Mr. Bradley. I cannot speak for Charlie Dreher, but I will take my oath I wasn't there.

Mr. Slacer. Did Charlie Berney pay you \$5,000 for saving this car?

Mr. Bradley. I never saw him in my life, to my knowledge.

Mr. Slacer. Did he pay you anything?

Mr. Bradley. That is an insult. Nobody ever paid me a nickel.

Mr. Slacer. Did he pay Charlie Dreher \$5,000 for saving this car?

Senator Couzens. I don't think that is relevant. He doesn't know about it, he says.

Mr. Bradley. What do I know about that? What are you trying to do?

Mr. Slacer. Did you know that Charlie Dreher has not had any regular employment since he was dismissed?

Mr. Bradley. I do not know that.

Mr. Slacer. Do you know whether he operated a book making place on Niagara Street?

Mr. Bradley. I do not.

Senator Watson. What is the difference?

Mr. Slacer. I want to bring out some facts here that I think this Committee ought to know. They are passing on the qualification of Mr. Bradley for Collector of Customs.

Mr. Bradley. He wants to show you that I am not a good detective, that I don't know everything.

Mr. Slacer. I want to ask you if it is not a fact that when you found out that he was operating a book making place, you went out to his place and in great anger threw the books and paraphernalia around the room and said "What the hell is the matter with you?" And did Dreher not reply "I have got live, Collector".

Mr. Bradley. That is ridiculous.

Mr. Slacer. Didn't you say to Dreher, "You wait until I get my appointment confirmed, and then I will do something for you".

Senator Watson. Answer the question.

Mr. Bradley. No, certainly not.

Mr. Slacer. Did you not threaten to have Commissioner of Police Roach raid the place if he did not close it up?

Mr. Bradley. No.

Mr. Slacer. You testified you did not know Mr. Berney, isn't that right?

Mr. Bradley. That is positive.

Mr. Slacer. Did you know when Berney's sentence was affirmed he was not taken immediately to Atlanta.

Mr. Bradley. How would I know that?

Mr. Slacer. Do you know he was kept in the Erie County jail for three weeks?

Mr. Bradley. I don't know that.

Senator Watson. There is nothing in that.

Mr. Slacer. There is something, Mr. Chairman.

Senator Watson. What is it? How can you order a man to stay in jail?

Mr. Slacer. I am leading up to a pertinent question, Senator.

Senator Watson. All right. Ask him.

Mr. Bradley. Shoot it.

Mr. Slacer. Do you know that he had the use of the jail office for stock market transactions, his meals brought in and his own barber came in daily?

Senator Watson. What has that got to do with this matter, Mr. Slacer?

Mr. Slacer. I want to show that he was kept in the Erie County jail, which was not according to the customary practice.

Senator Watson. Is this man responsible for it?

Mr. Slacer. That is what I want to find out.

Senator Watson. Well, ask him that then.

Mr. Slacer. Did you ask the sheriff to hold Mr. Berney in the jail?

Mr. Bradley. I did not.

Mr. Slacer. Did Mr. Maloney, your attorney, ask him?

Mr. Maloney. Why, I think that is an insult. I was not in the Berney case, if the Committee pleases. I have never handled an alcohol case, and you know that.

Mr. Slacer. Is it not a fact when you were sheriff you sent Federal prisoners away immediately after being sentenced?

Mr. Bradley. We have nothing to do with that. The court tells them.

Senator Watson. Certainly.

Mr. Bradley. The marshal takes care of that.

Mr. Slacer. Is it not a fact last spring that you, accompanied by Mr. Berney, or Mr. Maloney, came down to

Washington to use your influence for Mr. Berney, so that that sentence might be changed to the Erie County penitentiary?

Mr. Maloney. Pardon me, Senator, but I wish you would ask the gentleman if I had any connection with the Berney case or any alcohol case that he knows of. I don't know Mr. Berney and I don't think it is fair to me to have it appear in the public papers that he asked those questions, because it is insinuating with reference to my character. I had nothing to do with that, and Mr. Slacer should be man enough to know it, that I did not know this man even. It will appear in the public papers as though I was in a conspiracy.

Mr. Slacer. I think I will withdraw those question and ask that they be stricken from the record.

Mr. Bradley. I think you should be equally fair with me.

Senator Watson. Go on and we will see where you go.

Mr. Slacer. Did you open up a joint account with Ben Kaiser in the Buffalo Trust Company, not the Buffalo Branch of the Marine Trust, and make an initial deposit of \$25,000, about eight years ago?

Mr. Bradley. No.

Mr. Slacer. Do you know Mr. George Keller?

Mr. Bradley. Yes, very well.

Mr. Slacer. He is quite a reputable citizen, isn't he?

Mr. Bradley. Yes, sir.

Mr. Slacer. Didn't he accompany you and Ben Kaiser and introduce you to one of the officers of the bank and in-

form one of the officers of the bank that you desired to open up an account in the bank, and that that money was withdrawn in two days and placed in a safe deposit box?

Mr. Bradley. I don't know anything about it. I never heard of it until you spoke of it.

Mr. Slacer. I want to say that I have not submitted the name of the officer of the bank in connection with the witnesses, because I purposely did not want to. If the Committee cares to go into that phase of it, I will be glad to furnish the name of the officer whose name was given to me.

Do you know Anthony Heckman?

Mr. Bradley. No, not personally. I know him when I see him. He has been pointed out to me.

Mr. Slacer. Do you know that he has been recently convicted of manufacturing intoxicating liquor.

Mr. Bradley. I read that in the papers.

Mr. Slacer. And maintaining a nuisance and so on?

Mr. Bradley. Yes.

Mr. Slacer. Do you know about his claim that he had been protected by political influence?

Mr. Bradley. No.

Mr. Slacer. Do you know Henry Bradford, a prohibition agent?

Mr. Bradley. I know him.

Mr. Slacer. Do you know of any animosity he may have held against you?

Mr. Bradley. No.

Mr. Slacer. It was not to get even with you that the

Heckman Brewery was raided?

Mr. Bradley. I don't know.

Mr. Slacer. Did Heckman call you on the telephone and ask you to tell them to call off the raid?

Mr. Bradley. I have never spoken to Heckman in my life.

Mr. Slacer. Did he call Ben Kaiser?

Mr. Bradley. I don't know.

Mr. Slacer. Is there anything to the many rumors that Ben Kaiser was a patron of Heckman?

Mr. Bradley. I don't know. Gentlemen, what is this?

Senator Watson. Do you know anything about it.

Mr. Bradley. No.

Mr. Slacer. Does your name appear on Heckman's books as having received protection money?

Mr. Bradley. I have not received anything.

Mr. Slacer. After his place was raided didn't you get him to plead guilty to a reduced charge of having possession of liquor?

Mr. Bradley. Never spoke to him in my life.

Mr. Slacer. Didn't you tell him if he pleaded guilty to that reduced charge he might possibly get out with a fine of \$5,000 and you would pay that fine?

Senator Couzens. Answer the question.

Senator Couzens. Answer the question.

Mr. Bradley. Oh, no.

Senator Watson. Either directly or indirectly?

Mr. Bradley. Oh, no, in no way. I never interfered with a case of that kind, that I know of.

Mr. Slacer. You didn't tell the man that if he did plead guilty to the possession you would see to it that he made more money in the next three months than he made in all his life?

Mr. Bradley. I did not.

Mr. Slacer. You mentioned here that the Queen Bee was given to the state.

Mr. Bradley. Yes.

Mr. Slacer. That boat was sent to Warden Hunt, was it not?

Mr. Bradley. The record shows that Warden Hunt is the warden, but the records will show and the letters in the file there, that it was loaned to the State of New York. That is the record.

Mr. Slacer. Do you know what use the warden of a state prison would have for a boat of that character?

Mr. Bradley. I haven't the least idea.

Mr. Slacer. You don't know?

Mr. Bradley. No.

Mr. Slacer. You have been at various times accompanied by your friends, some of whom are here today, as guests of Mr. Hunt on various occasions?

Mr. Bradley. I have been with Mr. Hunt, yes.

Mr. Slacer. That is all.

Mr. Maloney. That is all.

Senator Watson. That is all, then.

Mr. Slacer. I would like to ask just one more question, Senator.

You have stated that the Queen Bee was returned. When

was the Queen Bee returned to Buffalo?

Mr. Bradley. I cannot tell you the date. The records will show that.

Mr. Slacer. Was it returned after complaint had been made regarding its seizure?

Mr. Bradley. No.

Mr. Slacer. That is all.

Senator Couzens. I would like to call Mr. Eble or Mr. Eble's assistant.

Senator Watson. All right.

Mr. Bradley. Thank you, gent soon.

(Witness excused.)

FRANK DOW,

Washington, D. C.

(The witness was duly sworn by the Chairman of the Sub-Committee.)

Senator Watson. Tell the Committee your full name.

Mr. Dow. Frank Dow.

Senator Watson. And your position?

Mr. Dow. Assistant Commissioner of Customs.

Senator Watson. Where do you live, Mr. Dow?

Mr. Dow. Washington.

Senator Watson. How long have you lived here?

Mr. Dow. Since 1923.

Senator Watson. Have you ever lived in Buffalo?

Mr. Dow. No, sir.

Senator Watson. Was this case ever called to your attention or any of these cases ever called to your attention?

Mr. Dow. All I know in a general way is that the office has been investigated four or five times.

Senator Watson. By whom?

Mr. Dow. By the Customs Agents.

Senator Watson. Did you personally have anything to do with it?

Mr. Dow. No, sir.

Senator Watson. Tell us just what you know about it then.

Mr. Dow. All I know is that the Customs Agents made an investigation and they reported nothing wrong.

Senator Couzens. Have you any record here of these reports?

Mr. Dow. Only the records that Governor Lowman submitted.

Senator Couzens. Does that include the Customs records as well as the Treasury; that includes all the records?

Mr. Dow. Yes, that includes all the records.

Senator Couzens. I recall that Commissioner Eble said that Mr. Dow would speak for him. That is all.

Senator Watson. Yes.

Mr. Dow. There is nothing further that I could add to what Governor Lowman has already said.

Senator Watson. Yes.

Senator George. All the investigations made are contained in these records?

Mr. Dow. Yes, sir.

Senator George. That Governor Lowman has given us here?

Mr. Dow. Yes, sir.

Senator Couzens. Have you reached any conclusion as to Mr. Bradley's fitness for office?

Mr. Dow. Why, yes. I think Mr. Bradley made a very good Collector of Customs.

Senator George. What does the Collector of Customs have to do with liquor?

Mr. Dow. Liquor?

Senator George. Yes. Or whiskey coming across the Canadian border?

Mr. Dow. The Collector of Customs is responsible for the prevention of smuggling, all contraband, regardless of whether it is liquor, silks or other products.

Senator George. Well, that is liquor seized like any other contraband?

Mr. Dow. Yes.

Senator George. Has nothing to do with the enforcement of the Volstead Act?

Mr. Dow. The Prohibition Act?

Senator George. Yes, the Prohibition Act.

Mr. Dow. No, sir. As a matter of fact the prohibition law strictly prohibits the Collector of Customs from having anything to do with it.

Senator George. And he deals with whiskey the same as any other contraband, where boats or cargoes fall into his hands; he probably turns that over to the Prohibition Director?

Mr. Dow. No, he proceeds under the Customs law.

Senator George. He proceeds under the Customs law.

Mr. Dow. In other words, there is no distinction, as far as smuggling is concerned, between whiskey, silks or

wheat or anything else.

Senator Couzens. But there must be some distinction because you destroy the liquor and you do not destroy the other contraband, do you?

Mr. Dow. Of course, we cannot sell liquor under the Prohibition Act, the Government cannot sell liquor.

Senator George. Are there specific recommendations or orders from the Department as to what is to be done with contraband liquor?

Mr. Dow. Yes. Destroy it.

Senator Watson. Is that all?

Senator Couzens. I have nothing further.

(Witness excused.)

Senator Watson. Mr. O'Brian, did you want to say anything about this matter at all?

Mr. O'Brian. I know nothing of these investigations whatever.

Senator Watson. All right. Congressman, do you want to say anything?

Congressman Cooke. No, I don't think so, Mr. Chairman.

Senator Watson. All right.

Congressman Cooke. Unless the fact that my name was brought in by Mr. Slacer some time ago might possibly have something to do with it. I don't think it has.

Senator Watson. All right. Is that all?

Mr. Slacer. That is all I have, Mr. Chairman.

Senator Watson. Very well, the investigation is concluded.

(Whereupon, at 11:50 o'clock a.m., Wednesday, January 13, 1932, the Committee adjourned.)