

79  
Copy for... Senator Watson...  
Chairman, Subcommittee.

Tuesday, January 12, 1932.

*Handwritten notes:*  
...  
Steffens  
...  
...

Hearing Before the  
Subcommittee  
of the  
Committee  
on  
Finance

*Handwritten signature:*  
C. ...

United States Senate

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

SEN. L. ...  
...

HART DICE CARLSON  
STATISTICAL REPORTER  
115 FIFTH AVE. N. Y.

## CONTENTS

Tuesday, January 12, 1932.

Testimony of;	Page
John W. Slacer, Buffalo, New York.	4
David Mayne, 1205 K St., N. W. Washington, D. C.	65

--ooOoo--

Selling

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

- - - -

TUESDAY, JANUARY 12, 1932.

United States Senate,  
Subcommittee of Committee on Finance,  
Washington, D. C.

The subcommittee met, pursuant to call, in the Capitol, at 10 a. m., Senator James E. Watson presiding.

PRESENT: Senators Watson (Chairman of the subcommittee), Cousins and George.

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

- - - -

Senator Watson (Chairman of the subcommittee): The subcommittee will be in order.

This is a subcommittee of the Finance Committee appointed for the purpose of considering the reappointment of Mr. Bradley as Collector of Customs of the Buffalo, New York, district. Certain protests have been filed, that is, a few letters and prepositions, and also a great many letters in support. I do not think it is necessary to read the letters.

Senator Cousins. Some of those are in opposition and not in support, Mr. Chairman.

Senator Watson. You can see for yourselves. Of course

anybody can get anybody to write any letter about anything.

Senator George. Both for and against.

Senator Watson. Yes. These are for him and these are against him, if that means anything. The gentleman who is the principal opponent, as I understand it, is Mr. Slacer.

Is Mr. Slacer present?

Mr. Leaby. Mr. Slacer is here, Senator.

Senator Watson. Yes, all right.,

Mr. Leaby. Do you care to hear him at this time?

Senator Watson. Yes. Mr. Slacer, do you solemnly swear that the evidence you will give will be the truth, the whole truth, and nothing but the truth, so help you God.

Mr. Slacer. I do.

4

**TESTIMONY OF JOHN W. SLACER,  
BUFFALO, NEW YORK.**

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

Senator Watson. What is your name?

Mr. Slacer. John W. Slacer.

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

Mr. Slacer. Buffalo, New York.

Senator Watson. How long have you lived there?

Mr. Slacer. All my life, with the exception of six  
months' residence in Pittsburgh.

Senator Watson. What is your occupation?

Mr. Slacer. General insurance.

Senator Watson. Doing what?

Mr. Slacer. General insurance.

Senator Cousens. Have you ever held public office?

Mr. Slacer. I have.

Senator Watson. In what capacity?

Mr. Slacer. Member of the New York State Assembly,  
six terms.

Senator Watson. Is that all?

Mr. Slacer. That is all in party office. I am a member  
of the Republican State Committee of the State of New York.

Senator Watson. Are you now?

Mr. Slacer. No, I am not.

Senator Watson. Tell us what your ground of opposition  
is to the confirmation of Mr. Bradley. You may sit or  
stand, just as you like.

Senator George. It is better to be seated.

Mr. Slacer. Mr. Chairman and honorable committee, I want to thank you for the opportunity that you are extending to me in permitting me to appear before you in opposition to the confirmation of Fred A. Bradley as Collector of Customs, of the Port of Buffalo.

During the month of April, 1930, I furnished Honorable Attorney General Mitchell with certain affidavits and statements, disclosing the failure of Mr. Bradley to properly enforce the laws with the enforcement of which he is charged by virtue of the office that he holds. These statements and affidavits reflect the feeling of not only a large portion of the population of that section, but also the leading newspapers as well.

During the same year I brought this matter to the attention of Senator Borah, who very kindly took the matter up with Senator La Follette and I believe both are in accord with my request that, based upon the affidavits and statements that I have furnished, the originals of which I have with me, this committee should inquire into the condition that exists in the County of Erie and the entire Customs District, and I am satisfied that they will reach the same conclusion that I have that this shocking condition is the result of the tenure of office by Mr. Bradley.

I am sure that you appreciate the reluctance of the great majority of individuals to come forward and substantiate the statements that I am about to make, due largely to the fear of recrimination and their desire not to be mixed up in

so-called political fights.

However, I am prepared to furnish to you a list of witnesses that are in a position to furnish this committee with firsthand knowledge of things that have happened under the regime of Mr. Bradley and I am satisfied that if you can see your way clear to investigate my charges against the administration of Fred A. Bradley that you will come to the same conclusion that I and countless numbers of other people have reached, that his appointment should not be confirmed.

Senator Watson. That is a general sweeping charge. What are the specific charges against him?

Mr. Slacer. May I just refer to my notations as I go along here, Senator?

Senator Watson. Yes. Are there any personal animosities between you and Bradley?

Mr. Slacer. There are not.

Senator George. Will you tell us how long he has been Collector of Customs at Buffalo?

Mr. Slacer. I believe since 1922.

Senator Watson. Is he some sort of a part of the political organization in New York State?

Mr. Slacer. He is the chairman of the Republican County Committee of Erie County.

Senator Watson. How long has he been such?

Mr. Slacer. About ten years.

Senator Watson. And still is?

Mr. Slacer. Yes.

Senator Watson. Are there any conflicts in ambition between you and Bradley?

Mr. Slacer. I would not say ambition, no. I would qualify that by saying it is the laudable ambition of any American citizen to seek public office.

Senator Watson. Yes, that is all right. You can prove that by us. Did he ever interfere with the gratification of your ambition?

Mr. Slacer. He did.

Senator Watson. How often?

Mr. Slacer. Three times.

Senator Watson. For what?

Mr. Slacer. Well, that is best known to Mr. Bradley himself. Its character --

Senator Watson. I know that, but I mean for what office?

Mr. Slacer. Pardon me. Member of Congress from the Fortieth Congressional District of the State of New York, for which he induced me to run and then, using the common parlance of politics, double-crossed me.

Senator Watson. Yes.

Mr. Slacer. Also for the office of City Commissioner. He also induced me to run for that, and then when the fight was under way double-crossed me. I appreciate the fact that my opponents will say that I am a disgruntled office seeker and so on. I am perfectly willing to go into that background if you want to take the committee's time, but it is the old court trick of trying the witness instead of the defendant. I think that was best answered -- and I can summarize that in a very few words -- that was best answered by the people of



the City of Buffalo and the County of Erie at the last election. Our county for a great many years has given from 35 to 50 thousand plurality to city and county candidates, and this year it went overwhelmingly Democratic, with the exception of a few offices. Instead of the candidate receiving the usual plurality of 35 to 50 thousand, the Democrats won in the county by 13 or 14 thousand.

Senator Watson. You charge that to Bradley?

Senator George. That is just the general condition.

Senator Watson. Yes, I would say that by all means.

Mr. Slacer. That can also be answered, Senator, that that did not occur in or about Buffalo or any of the intermediate or second or third class cities. They were Republican. But the issue was made of Bradley's confirmation in this last election and people voted a protest vote, thousands of people voted a protest vote. Thousands of people are willing to subscribe to the fact that they will not vote the Republican ticket again as long as Mr. Bradley is the County Chairman. Now, the fact is, as they say, that the county went Democratic. We lost the City Council and we lost the Board of Supervisors, something that has not occurred since in, I guess, fifteen or twenty years to my knowledge. That gives you some idea.

I want to answer that point about disgruntled office feature, that with respect to some of the offices I ran for I primarily ran for them with the full knowledge I was going to be defeated before I ran, but it was a matter of disseminating knowledge to the people, and it was the result of this crystallization of sentiment this last

election day which brought a tremendous protest against Mr. Bradley. Over a period of years I have been interested in campaigns for the sole purpose of bringing to the attention of the people the kind of leadership we had in Erie County.

Senator Watson. Who makes the leader? Who makes the Republican leader?

Mr. Slacer. The Republican County Chairman is elected by the county committeemen of the county. The county committeemen are --

Senator Watson. Is he the County Chairman?

Mr. Slacer. The County Chairman is elected each year by the county committeemen.

Senator Watson. And who selects the county committeemen?

Mr. Slacer. The people.

Senator Watson. And the people select the committeemen?

Mr. Slacer. Yes.

Senator Watson. And the committeemen select the Chairman?

Mr. Slacer. Yes. I do not want this honorable committee to get the impression that because the committeemen vote for Mr. Bradley that they are reflecting the pulse of the people of the district. They are not, and they are not reflecting their own sentiments. If it were possible, which it is not under our Party rules, to vote for a County Chairman by a blind ballot, Mr. Bradley, I am safe in making the assertion, would be defeated by a three or four to one vote.

I might illustrate that. Three or four years ago, when it was thought that it was possible we might win out for County Chairman, I left my office one morning on my way to another office, a distance of four or five city blocks, and

jas

I was stepped by five or six committeemen, who told me they hoped we would win out, which was the term used in Erie County, meaning that the opposition to Mr. Bradley would win out, and when I got up there to the meeting all of these gentlemen voted for Mr. Bradley. As I left the hall another committeeman from one of the other wards came up to me and throwing up his hands said "My God, ~~man~~, what am I going to do now?" A half hour before he had cast his vote for Mr. Bradley. We are ruled under the law by the intimidation of Mr. Bradley.

Senator Watson. How can one man intimidate a whole county?

Mr. Slacer. By reason of patronage. That is one reason. And political friends on the other part. The committeemen, a majority of them, I believe 60 per cent or more of the committeemen holds a job. Now, you have endorsements from certain political organizations. My own ward, for instance, endorsed Mr. Bradley. I was in the home of one of those gentlemen three days before that, and he said "I hope you win down there", and he is one of the men who seconded the motion for Mr. Bradley's endorsement. That will give you just a slight conception of how we are ruled by fear and intimidation.

Senator Watson. Go on with your charge.

Senator Couzens. Mr. Chairman, I am not concerned with this political fight down there. I want to know about this man's fitness for this office.

Senator Watson. I just wanted to get the background of this gentleman.

Mr. Slacer. Mr. Chairman, I submitted to Mr. Borah

jes

almost two years ago an affidavit signed by Edward J. Cunningham in which he made certain charges. I have a copy of that affidavit. That affidavit was submitted on the floor of the Senate by Senator Borah and referred to the Finance Committee, but there has not been any action taken to my knowledge.

Mr. Cunningham makes certain charges that the government is being defrauded out of some \$250,000 a year due to the overrun system in the grain elevators. This gentleman was formerly superintendent of several of the elevators.

The overrun system means this: that a hundred thousand bushels, for illustration, might come into these elevators under bond and there might be 5,000 additional bushels or, as he says, they might appropriate five or ten thousand bushels of this 100,000, and they would take that and mill it and sell it to local mills, and of course the so-called 100,000 bushels would leave for export countries, and this five or ten thousand bushels which was taken from each consignment would be sold. He has papers and data and car records and everything else to verify those statements, and he has made a request of the United States Attorney and Mr. Bradley to remedy these conditions, but of no avail, and also of the United States Treasury Department, and they have not taken it up.

I just make that as one general statement, but with reference to its qualifications as Collector of Customs I want to say this: that it is a peculiar and, I believe, a significant fact that many border patrolmen working under Mr. Bradley have been discharged *having been accused* specifically for accepting

brises, and Mr. Bradley has threatened to prosecute these men, but they never have been prosecuted. It ought to be locked into why these men are not prosecuted.

We have found in our investigations and I have been informed and it is supported by several statements and affidavits, which I will file with the Committee, that the improper destruction of liquor which has been seized by the customs department -- some statements in these affidavits call attention to this fact: that Mr. Bradley has personally dumped some of this liquor into the Niagara River, but he has dumped it in back of the Puritan Club to which I will refer later, and dumped it into two or three feet of water, and after the boats would leave his friends from the Puritan Club would come out and reclaim the liquor.

There are several supporting statements with reference to that, and I want to tell you that I am going to submit them to the Committee.

Senator Watson. Is that club called the Puritan Club?

Mr. Claer. The Puritan Club, yes, sir. I also want to state right here that I am going to give the committee the names of 60 or 70 witnesses who can practically substantiate the statements that I am making. Now, that in itself, if proven, in my judgment, should disqualify Mr. Bradley. And not only that, but I am informed, according to these statements here, that liquor which has also been seized has been taken to Mr. Bradley's farm. Mr. Bradley owns a farm adjacent to the <sup>city of</sup> Buffalo, and that liquor is taken to his farm, instead of being destroyed according to the provisions of the Prohibition Act, that the destruction of liquor shall be made beyond recovery. I do not

believe that that is being made beyond recovery by taking it to Mr. Bradley's farm.

Another most important reason is the retaining of some of the personnel in Mr. Bradley's employ, and one in particular, and that is Captain Stephenson of the border patrol. We have a border patrol of some 60 men, and Captain Stephenson, in my judgment, is not a fit person to be the head of that border patrol, and I am going to submit evidence a little later on proving, at least to my satisfaction, that he is not a fit man to head that border patrol.

The Puritan Club to which I referred, is commonly known as the headquarters of so-called alleged smugglers and alleged river men who engage in the illicit traffic of liquor, and it is common knowledge, according to the statements, and I have been informed that it has been ~~in~~ the headquarters of Mr. Bradley. I submit to you gentlemen that it is not the proper place for the Collector of Customs. As I have already stated, the Collector of Customs has made himself a delivery boy to deliver liquor to the Puritan Club.

When automobiles and boats and different vehicles are seized by the Collector of Customs, apparently they are not disposed of according to the provisions of the Federal law. I want to just take the time to read part of an affidavit here proving this statement.

"Relative to seizure in Section C, a Cadillac sedan owned by Dennis Green and Thomas Krystal was confiscated, and later returned to owners by Collector Fred A. Bradley, and at the present date deponent states the Cadillac sedan is in the possession of Dennis Green, alias Daniel Graham,

of Niagara Falls, New York. License No. 85,69-1929. This car is the identical one in which the Coast Guard fired upon and other car in which car were riding four persons. This event was much referred to in the press, and much controversy arose over the incident, due to its ownership."

I want to also call your attention to the fact that alleged occurrence, according to the statements in this affidavit, decidedly proves that Mr. Bradley is not qualified to be the Collector of Customs. This statement in this affidavit reads as follows:

"On or about February 16, 1929, while attending a regular border patrol meeting in the patrol office, at the foot of Amherst Street, at which meeting Fred Bradley was present, and apparently president, deponent states he as well as the entire patrol was ordered to be present, and that the so-called border patrol meeting had just finished its business, during which meeting Bradley had cautioned the patrolmen to be honest and devoted to duty, when a phone call was received, after which Lieutenant Dorn and Coleman rushed out of the office, on a tip to seize a load of contraband coming into Buffalo at the foot of Ferry Street. After a short time Lieutenant Dorn and Coleman returned to the border patrol office with a prisoner, whose name was John Mueller, to the best of deponent's knowledge and belief, and which prisoner, in the presence of Bradley, was accused of facilitating the smuggling of liquor into the United States from Canada. The accusation was made by Lieutenant Dorn and Coleman in the presence of Fred A. Bradley, Collector of the Port of Buffalo, also Captain Lawrence Stephenson,

and a majority of the personnel of the border patrol. Bradley took Mueller into the Captain's office, having first greeted him in a friendly manner, saying 'Hello, John', and shaking hands. John returned the compliment, saying 'Hello Fred'. In the course of a few minutes Bradley returned with John Mueller, telling Mueller in the presence of the other border patrolmen to go home, but that he, Bradley, wanted to see Mueller on Monday. As the entire procedure took the form of a huge joke, as he had actually been seized by Lieutenants Dorn and Coleman, and Mueller was in the possession of it at the time of his arrest. Mueller to the best of deponent's knowledge and belief was not prosecuted, and it is not only apparent but quite evident to deponent that the entire transaction was irregular, as concerns the action taken by Fred Bradley."

Senator George. Who made that affidavit?

Senator Cousens. Who signed that?

Mr. Slacer. Rufus H. Schmidt.

Senator Cousens. Who is he?

Mr. Slacer. A former border patrolman.

Senator Cousens. Why did he become a former one instead of an active one?

Mr. Slacer. He was let out, according to the information he gave me, after, as he says, being ~~ill~~ in the performance of his duties, in that the Civil Service Commission after a period of months refused to certify to his appointment.

Senator Cousens. Does not that happen in the case of every discharged officer; isn't he disgruntled and complaining about his chief?



Mr. Slacer. No, I would not say that. That is why, I believe it is very important that these border patrolmen, whether they have left the government of their own accord or been discharged, should be examined, and they will tell you whether or not they have been honestly performing their duties. I am going into that a little more thoroughly and I think I can convince you, Senator, that that is so.

Senator Watson. Was Bradley responsible for the discharge of this man by the Civil Service Commission?

Mr. Slacer. The United States Civil Service, he says.

Senator Watson. Yes.

Mr. Slacer. "Deponent further states that both Captain L. E. Stephenson and Harry Smith, Assistant Collector, presented him with a very fine letter of character recommendation, under dates of February 10th and February 25th, 1930, respectively."

Senator Couzens. Why was he removed?

Mr. Slacer. They said he did not qualify. This is the peculiar part. They permitted him to be a member of the border patrol from September 1, 1928, to January 7, 1930, a period of a year and four months that he was permitted to serve, and all of a sudden he finds that he does not qualify according to the rules of the Civil Service Commission.

As I said, there are peculiar ways or methods that some of these <sup>boats</sup> votes and accessories of <sup>boats</sup> votes are disposed of, and that is part of the affidavit to which I have referred.

"Deponent during the course of investigation was informed by persons connected with the liquor traffic, who therefore knew the facts, that Captain Lawrence Stephenson,

United States border patrol, had given Clarence Schafer, a smuggler, an 8-cylinder Continental motor. The motor in question had first been seized by the customs border patrol, and furthermore that the said motor was installed in the Miss Lita, a craft used in smuggling liquor into the United States.

"Deponent further states that a former immigration border patrolman, Harold G. Russell, had informed deponent to the effect that Clarence Schafer, owner of the Miss Lita, was trying to get something on deponent for Captain L. E. Stephenson. Previous to this tip from Russell, Schafer had approached deponent several times, telling deponent that he, deponent, could make some easy money."

Now, I think the rest of this affidavit will verify the statement that I have made, that he was a very efficient and honest enforcement officer.

Senator Couzens. In other words, he said so himself.

Mr. Slacer. Well, I think his record testifies to that fact.

Senator Watson. How did the Civil Service Commission happen to take that case up for action?

Mr. Slacer. That I do not know. That is one thing I suggested among the witnesses to be called, that a representative of the Civil Service Commission should be subpoenaed before the Committee.

Senator Watson. Is it your charge that Bradley controls the Civil Service Commission?

Mr. Slacer. It is not my charge, but it is just a statement, Senator.

Senator Watson. I know, but in making that statement

do you endeavor to back up the affidavit of this man that Mr. Bradley controls the Civil Service Commission?

Mr. Slacer. No, I do not make any such assertion, but we would like to have the specific reasons because these border patrolmen have been unable to get satisfaction as to why they have been discharged.

Senator Couzens. Have you ever been to the Commissioner of Customs in the Treasury Department concerning this case?

Mr. Slacer. No, I have not.

Senator Couzens. Has any appeal ever been made to him?

Mr. Slacer. Not to my knowledge.

Senator Couzens. I wonder after all this long term of criticism of his administration why no appeal has been made to the Commissioner of Customs.

Mr. Slacer. Well, I felt that as a citizen I had done my duty when this whole matter was presented through Senator Borah to the Attorney General.

Senator Couzens. How did Senator Borah happen to have charge of this matter?

Mr. Slacer. I brought it to his care and attention almost two years ago.

Senator Couzens. He was not chairman of the committee that had charge of the confirmation of this man then, was he?

Mr. Slacer. No. It was simply that his office as United States Senator was interested.

Senator Couzens. I am not objecting to that, but Senator Smoot is the chairman of the committee that has charge of reporting these confirmations out.

Mr. Slacer. This was not in conjunction with that. This was two years before his term had expired. It had

nothing to do with the confirmation of his appointment at that time.

Senator Watson. Did you ever take it up with either of the New York senators?

Mr. Slacer. No, I did not.

Senator George. Was any prosecution ever lodged against him there?

Mr. Slacer. No, none whatever.

Senator George. No attempt made to prosecute him?

Mr. Slacer. None whatever.

Senator Couzens. I am still unconvinced however, if you say this complaint originated two years prior to the expiration of his term, why no complaint was made to the Commissioner of Customs who has charge of all of these collectors. It seems to me <sup>that</sup> that, as an administrative department of the government is the proper place to lay complaints about the subordinates of the Commissioner of Customs.

Mr. Slacer. I believe that I have brought substantial and material information to the Attorney General's Office, and that is the place to conduct an investigation.

Senator Couzens. I should say not. I should say the first place would be with the Commissioner of Customs, if he was to investigate his own subordinates.

Senator Watson. Who did you take it up with in the Attorney General's Office?

Mr. Slacer. I am unable to state, Senator.

Senator Watson. You did not take it up personally?

Mr. Slacer. No, the Senator took it up, Senator Borah took it up. Now, there are several cases -- I will just

enumerate a few of them -- that should be brought to the attention of the committee. I am going to refer to the Heckman case. Heckman's place was raided. He ran a wildcat brewery there and he was indicted for the possession of liquor, the manufacturing of liquor and I believe having in his possession utensils for the manufacture of liquor. He was convicted here about a month ago. I have a clipping here which I am going to submit to the committee. The information that I receive is that there was a very close connection between the Republican organization and Mr. Heckman. The information that was furnished me was to the effect that the raiding officer, Henry Bradford, called up the Republican headquarters, or rather, Heckman, called up the Republican headquarters and used his influence there or attempted to use influence there to have this raid called off.

Senator Watson. Did he call Bradley personally?

Mr. Slacer. I don't know whether he did or not.

Senator Watson. Do you know whether or not the person he did call ever brought it to the personal knowledge of Bradley?

Mr. Slacer. I am unable to state that, but what I wanted to bring out was the fact that a prohibition raiding officer testified on the stand that he was threatened that he would be removed from the <sup>Buffalo</sup> ~~Bradley~~ jurisdiction, and he has been removed. He was removed to Albany and later to the New York office.

Senator Watson. Does this have any reference to Mr. Bradley's duty as Collector of Customs?

Mr. Slacer. No, not whatever. What I want to get at is to show the dual capacity of Mr. Bradley as Collector of

Customs and also as the County Chairman of Erie County. But I do believe -- and I have mentioned that in here -- that if the Committee is desirous of the entire facts they should subpoena the records of the Heckman case, and that will give them very valuable information, if they will subpoena all the records that were seized by Henry Bradford and also subpoena Henry Bradford, the raiding officer.

Senator Couzens. Is Bradley here?

Senator Watson. I understand so. Is Bradley here, Congressman?

Representative Cooke. Yes, sir. He is available.

Mr. Slacer. For substantiating my allegation on information furnished me that these boats were improperly disposed of, I want to read portions of another affidavit.

Senator Couzens. Made by whom?

Mr. Slacer. Made by David Mayne, a former special agent of the United States Treasury, who is in the room at the present time.

Senator Couzens. Where is he now?

Mr. Slacer. He is in the room. You mean at present?

Senator Couzens. Yes. I mean, is he in the service now?

Mr. Slacer. No, he is not in the service.

Senator Couzens. How did he get out of the service?

Mr. Slacer. The United States Civil Service Commission also stated that he did not properly qualify. I understand one of the reasons given -- he can testify himself, if you want it -- was that he was of a nervous temperament. He is a World War veteran, has seen service overseas, and maybe

was a shell shock, but I believe surgeons, expert surgeons, are willing to testify that his injury would in no way incapacitate him as investigator for the United States.

Senator Watson. Did Bradley have anything to do with that?

Mr. Slacer. He thinks he did. He is willing to give you that whole story. I am unable to say. He thinks his influence was used. He is willing to show he was called off a big conspiracy case.

Senator Watson. His influence with the Civil Service Commission?

Mr. Slacer. No, I misunderstood you.

Senator Watson. This is the Civil Service Commission.

Mr. Slacer. I do not know. He does not say that, in the affidavit.

Senator Watson. Yes.

Mr. Slacer. I do not make any such assertion whatever, but he is willing to testify that he was called off a big conspiracy case, due, he believes, to the influence of Mr. Bradley, and his offer to make an investigation of the Mr. Bradley's office was declined. He is here to substantiate his statement. This statement reads as follows, referring to former border patrolman Erickson:

"Erickson informed Mr. Slacer and myself to the effect that Fred A. Bradley had made a practise, in at least two cases, to his certain knowledge of selling or giving away confiscated boats, and named two separate instances where this had occurred with Bradley's consent and positive knowledge.

7, ✓

"The Queen Bee, a motor boat equipped with cabins for crew and passengers, a crew of four and passengers four, and containing a 125 H. P. Marine engine, was seized from smugglers in the fall of 1928 by customs men, and was dry docked for the winter, and in the spring of 1929 was overhauled by Erickson (the engines) assisted by Al Miller (Miller was working for Bradley and has a criminal record) who calked the seams of the boat and she was made fit for sea duty. While in the process of being repaired and overhauled two men arrived from Great Meadows prison from Bill Hunt, who I believe is at the head of that institution -- he is now warden of the Attica State Prison -- and Erickson was ordered to turn the Queen Bee over to them after having tested the craft. Erickson did turn this craft over to Hunt's men first having been ordered to do so by Bradley who explained that Bill Hunt of Great Meadows prison needed a boat of that type. Bradley, Erickson alleges, makes a practice of giving government property away to his friends, thereby defrauding the government of a large sum of money, as the value of a ship of the Queen Bee's line would cost in the neighborhood of \$5,000. Erickson believes that the two men who called for this boat were trustees from the prison.

"Erickson furthermore informed both John Slacer and myself that Fred A. Bradley was very friendly with a Mr. Gus Egner, who is a river-rat by reputation, and is the proprietor of the Puritan Club, a boathouse situated upon the bank of the Niagara River, and the old Erie Canal, near Riverside, in the Township of Tonawanda. Erickson further



says that Bradley visits the premises of the Puritan Club frequently, and that he, Bradley, did sell a motor boat named The Adventurer to Gus Egner for the sum of about \$400 or \$500, and that he, Erickson, is positive that The Adventurer was seized craft, and that it had been seized with a cargo of contraband aboard her in 1927, and furthermore that the sale of this boat to Egner by Bradley was not a regular marshal's sale, neither was it legal; that the boat had been owned by either Brother Anderson or Vandervere, smugglers, before its seizure.

"Erickson further states that after The Adventurer had been illegally sold to Gus Egner, by Bradley, that it again was sold, in Bradley's presence, to Brother Anderson, for the sum of \$1100. This transaction took place in the Puritan Club above mentioned."

Now, this deponent further stated that Mr. Bradley permitted --

Senator Watson. When a boat is seized for the illicit transfer of liquor, that boat goes into the possession of the Collector of Customs, does it?

Mr. Slacer. I understand so.

Senator Watson. Does the Collector of Customs then have the authority to dispose of it as he sees fit?

Mr. Slacer. No. I am not entirely familiar with the provisions of that act, but as I understand it, they have to be either returned by due process of law, or else they have to be sold at auction by the United States Marshal.

Senator Watson. That is, returned to the owners?

Mr. Slacer. Yes. If they have been illegally seized.

Otherwise they must be put up at auction by the United States Marshal.

Senator Watson. Suppose they have been legally seized?  
Mr. Slacer. That is what I say. If they have been legally seized, my impression is -- I am not interpreting the law, but my understanding is that they are put up at auction by the United States Marshal. And that has been done. Automobiles and boats are <sup>sold</sup> sold in that way.

Now, this former border patrolman went on further to say in this affidavit that undue influence was used upon the men who were supposed to investigate the office of the Collector of Customs, and he cites one example here:

"As an example of Bradley's influence, Mr. Erickson explained that at one time, which was the fall of 1929, Mr. Lewis came to Buffalo, apparently on a tour of inspection, and while here Mr. Bradley entertained him and further than that procured a Pierce-Arrow motor car (Victoria type, four passenger) for Mr. Lewis's use while Mr. Lewis was taking a pleasure trip to Florida. Not only did Bradley furnish the car, but he also furnished a chauffeur, a United States Customs border patrolman or inspector by the name of Holden. Mr. Erickson not being positive of the date or dates informed us that he had certain records with accurate dates and data and could furnish the information desired, and that he believed that Mr. Lewis left Buffalo with this car some time in the month of September, 1929."

Now, that all goes to show, from all the knowledge that I could gather -- and we have made somewhat of an extensive investigation of the Niagara frontier -- that it has been

practically impossible to secure an investigation of Mr. Bradley's office. That may in some degree answer your statement concerning the Commissioner of Customs. Apparently investigations are made and that is the end of them. They are filed in the offices of the superiors of the special agents who make these investigations, but there has not been any action taken, and I think I can bring that to your attention later.

But here is a peculiar and maybe a somewhat significant case, that Mr. Bradley purchased a lot over in Bridgeburg on the Canadian side of the river, a waterfront lot which is adjacent to a dock which had been used by rum runners and smugglers for loading the boats with ale and liquor and taking them across the Niagara River. For what purpose that lot was purchased I do not know, but according to the records in Welland, which is the county seat of the port of Bridgeburg, on June 27, 1928, the deed was recorded in Mr. Bradley's own name.

I want to read a portion of a report that was made of an investigator when he interviewed Frank L. Pattison, who is the Canadian Collector of Customs, and I think that this will prove it was just an act of diplomatic courtesy on the part of the two governments, that the Department of Justice, the Attorney General's Office and the Commissioner of Customs would have received sufficient information to have warranted them to take action.

I want to say that I was a witness to this interview. It was in the office of the Canadian Collector of Customs in Bridgeburg, Ontario. The name of the Collector of

Customs is Frank L. Pattison.

Pattison, among the things drawn from him point by point, said:

"I, candidly, do not believe you will ever get Fred Bradley. I know him and his crowd well. He is too powerful politically. Your government officials could have had him two years ago. I don't believe they really want to get him. If they do why don't you try the Dreher case. I know Charlie Dreher well, and can't imagine him taking the blame alone if vigorously prosecuted. Seeing that there was a steady and regular business being made of the exportation of liquor from Canada to the United States in carload lots, I sent my information to the Canadian Deputy Minister of Customs at Ottawa, R. W. Breadner. This was taken up officially with your government at Washington. United States Treasury agent Lee McAniff and G. J. Montgomery were sent here to investigate. They worked under the direction of Lewis, Chief of Special Agents at Montreal. This was the gentleman that Mr. Erickson referred to who was given a car and a border patrolman as a chauffeur on a trip to Florida " -- of nearly one hundred cars, actual documents on 56 carloads of liquor came through as potatoes, on which one thousand dollars a car was paid for protection to Charlie Dreher. Now, Dreher did not get all of that money. He was Bradley's appointee. John Flynn Callahan, a billing clerk for the Canadian National Railways at Black Rock, who was indicted in the Dreher case, made a long affidavit in connection with D. L. & W. car No. 46088, one of the 56, which affidavit is in Templeton's

jes

possession and I and Lewis made a copy of it. There are several others who made affidavits in the Dreher case. Templeton has them. Your officials at Washington know of it. I sent all of my information in writing to Deputy United States Collector of Customs, Harry Smith, at Buffalo, and Peter Miller at the International Bridge. If your government officials want Bradley it is all in Templeton's office and Charlie Dreher can turn it all up.'

"I asked Pattison if he knew who was the man who collected for Bradley. He replied 'One? I know two.' Asked if they were United States Government officials, well, he intimated they were. Asked the names of these men, if Captain Lawrence Stephenson, whom he says he knows well, was one of them; to get me a copy of Callahan's affidavit which he has; to allow me to examine his files; how he knows Dreher got the money aforementioned, along with other specific facts, Pattison refused, saying 'I won't tell you. I have been 33 years in service and have only two more years to go before being pensioned. My record is clear. I am friendly with Bradley, Dreher, Stephenson and others. I am not going to mix up in your government affairs. If your government at Washington takes it up officially with our Canadian Minister of Customs at Ottawa, the Honorable W. B. Euler, and he directs me to give the information I have, I will do so, not otherwise.' Asked if that information would connect up Bradley, he reluctantly admitted 'I think it will'."

He goes on further to state:

"As regards smuggling across the river or by auto, was concerned, so long as a bootlegger played fair and paid

Bradley's men on every case brought over, they were allowed to land or pass them safely, but if one brought over cases in excess of the amount paid for, he was knocked off. This he knows from talks with various bootleggers whom he knows.

"Pattison said 'Put a man to work on Sullivan's dock--'"

That is the dock I referred to opposite Bradley's lot.

" -- opposite Fritz's Hotel in Bridgeburg and he will get all the information he wants in connection with the entire system."

But I said it was just an act on the part of our Government of diplomatic courtesy, and I believe a lot of information could be obtained and I believe this committee should secure the information before they pass upon the qualifications of Mr. Bradley.

One of the most important reasons, I believe, why Mr. Bradley should not be confirmed as Collector of Customs is the words of his own superior, the Assistant Secretary of Treasury, Seymour P. Lowman. Mr. Lowman was the principal speaker at a Labor Day celebration in the town of Williamville, which is a village adjacent to the city of Buffalo, and in the course of his remarks -- I was a guest at the same occasion and was a witness to the entire address that Mr. Lowman made and also Richard Templeton, the United States Attorney, was seated upon the platform within five or ten feet of Mr. Lowman when these remarks were made -- Mr. Lowman said that Mr. Bradley certainly should be removed from further jurisdiction in enforcing the Federal laws along the Niagara's frontier.

Now, that statement was made on Labor Day, 1927, and I

am perfectly willing to take Mr. Lowman's own statements. If he does not believe Mr. Bradley is qualified, I am willing to accept it, and if Mr. Lowman believed that Mr. Bradley is not qualified to enforce the prohibition act, I submit to this honorable committee that he is not qualified to enforce the customs act for any of the Federal laws. I think that since Mr. Lowman is now apparently endorsing Mr. Bradley, we should know how that reconciliation has been effected.

I have a former special agent who informed me and stated he was willing to testify to the fact that he had been in these border patrol headquarters and had seen Mr. Bradley play cards with these alleged bootleggers.

He also stated that while he was working for Mr. Trop, who has charge of the Buffalo office of the special customs agents, that Mr. Trop informed him not to bring him in any information which was in any way detrimental to the Collector of Customs.

One of the most important cases is, I think, what is known as the Haas case. Shortly after the passage of the Jones so-called five and ten act these rum runners and smugglers engaged the services of minors, boys under the age of eighteen years, to row the liquor across to the United States. It has resulted in the death of several of these boys. Some of them have been missing and have never been found. Apparently either liquor has been hi-jacked or the bodies have been disposed of, but there are several of the boys who have been missing.

I want to file with the committee that editorial or

that cartoon of the Buffalo Times of 9/13/29, in addition to several other cartoons and editorials, which will give some idea of how people resent the employment of these boys as rum runners across the Niagara River.

This hotel of Haas, from information I received, was the headquarters of some of Mr. Bradley's border patrolmen and custom officials, and it was their rendezvous. When these boys were caught Mr. Haas went on their bail. He testified or certified that his hotel, valued at about \$25,000 was unencumbered. But it had a first mortgage. I am unable to state the amount, but I think somewhere in the neighborhood of twelve to fifteen thousand dollars, and a second mortgage that was held by the Republican county <sup>S. M. M.</sup> committeeman, Mr. Kaiser, in the amount of \$3,000. The first mortgagee foreclosed on the premises and the second mortgagee lost his interest in the place. But Mr. Haas put up ten of these bail bonds with the United States Attorney. He pledged this property ten times for these boys. After a great deal of protest on the part of the press he was indicted but was never tried. Mr. Haas died about a year ago.

I think it is <sup>a</sup>very pitiful story, and the committee should investigate into all of the details, to find out what connection the Collector of Customs had in the Haas case, to find out what influence, if any, was used by the Republican organization in protecting these rum runners, and particularly these boys' smugglers across the Niagara River.

Information which I have received was to the effect that Mr. Bradley, who as they said is the County Chairman,



and Mr. Ben Kaisey, the Secretary of the Republican County Committee, went into the offices of the Buffalo Trust Company and opened an account in the amount of \$25,000 in currency. Two days later that account was withdrawn, and the information which I have received was to the effect that they engaged a safety deposit vault in the Buffalo Trust Company and they deposited that \$25,000 in the safety deposit vault of the Buffalo Trust Company.

I believe that the records of the Buffalo Trust Company could be subpoenaed, to find out if it is true that \$25,000 was deposited by Mr. Bradley and his associate on the Republican County Committee, and also find out to some extent where that money came from.

In so far as the Secretary of the County Committee was concerned, his only visible means of support, to my knowledge, was his salary of Secretary of the County Committee, which possibly was \$1500 or \$2000 a year, and he was also a clerk in the New York State Legislature, which gave him a salary of ten dollars a day, and the nominal term of the Legislature was about a hundred days, which would give him a salary of a thousand dollars. So he received between \$2500 and \$3000, and yet he is able to deposit huge sums of money, and a few years ago purchased, from information that has been given me, a home valued in excess of \$20,000 from the present mayor of the City of Buffalo and is riding around in Pierce cars. There is apparent luxury in this connection and I believe this matter should be thoroughly investigated.

Former Mayor Schwab told me I think a year and a half or two years ago -- I am unable to give the exact date; I think

other witnesses can -- but Mr. Bradley sent a request over to him for \$5,000 in connection with a primary campaign, in which the Republican candidates for the Commissioners of Charity were engaged. That was the only primary contest that we had that year, and we have direct primary laws in the State of New York. The former mayor says that he sent that money over to Mr. Bradley, \$5,000, and he says that it had been acknowledged, and according to the information furnished me by the campaign committee <sup>of</sup> Commissioner Smith, who was nominated at that time, six years ago last primary day, that \$5,000 was never used in their campaign. They cannot find what disposition was made of the \$5,000, and the Committee is very anxious to know what became of those funds.

I had further information given me purporting to come from Frank L. Pattison, the Canadian Collector of Customs, in which he said about two years ago that a boat which was loaded with liquor on the Canadian side, which as your honorable committee knows was <sup>legal</sup> ~~alleged~~ at that time, to load boats with liquor on the Canadian side, cleared for some <sup>foreign</sup> ~~Canadian~~ port -- he said that this boat was captured by some of Mr. Bradley's men that it was captured in Canadian waters, and he protested to Mr. Bradley and asked for the return of the boat. Mr. Bradley refused to return the boat. He said he took the matter up with his officials in Ottawa and they made a formal demand on the United States for the return of the boat, and Mr. Bradley told them he was returning the boat and said "You will probably find three or four cases of liquor missing." Mr. Pattison states that about the

cases of liquor were missing out of that boat.

Also in connection with Mr. Bradley's investments, as I suggested, he had opened up bank accounts, and it might be well to investigate his investments, and particularly during his period as Collector of Customs. I am prepared to furnish <sup>name of the man</sup> the ~~man~~ of the bank if the committee sees fit to go into this matter, that has handled all of Mr. Bradley's finances, or at least a good share of them.

I have had information given to me that Republican organization funds were used illegally in primary contests.

As I stated, we are operating under the direct primary laws in the State of New York, and in some of the primary contests the funds of the organization were used on behalf of candidates seeking nomination who are known as organization candidates or those candidates receiving the endorsement of the Executive Committee of the Republican organization. That is entirely contrary to the direct primary law, which says that no sums of money or its equivalent can be expended by any political organization on behalf of any candidate seeking nomination; and I believe the books and papers of the Republican organization should be subpoenaed.

I have information from business men who have made the statements, that they have documents which will prove that they were in receipt of checks in payment of these illegal disbursements of the funds.

Senator Cousens. Did you make any effort to have the state authorities investigate the violation of the state law?

Mr. Slacer. I did not. <sup>W</sup> ~~She~~-former prohibition agent

brought the information to me and says he is very anxious to testify to these facts, that in a raid which he made upon a so-called hangout of politicians Mr. Bradley was in this raid, and he said somebody in the raid said "That is Bradley," and that he replied "That doesn't make any difference to me; he goes out with the rest." He says, "I recognized and identified Mr. Bradley as being in that raid."

He also says that the United States Marshal, because of his diligence in the performance of his duty, told him that if he did not lay off raiding as many places as he had been doing that the boss, as Bradley has been referred to, would get him, and this man said to him he was hurting the Republican Party in Erie County by the raids he was making.

I also want to show these affidavits that border patrol men were detailed at Mr. Bradley's farm when they were supposed to be on duty in the border patrol. Now Mr. Bradley was able to certify to the payrolls I am unable to understand. These men ~~should~~ <sup>have been</sup> engaged in working as border patrol men instead of working on Mr. Bradley's farm.

I wish the honorable members of this committee would read the several editorials which I am going to leave with the committee from one of the Buffalo newspapers, in which they show the ridiculous position of placing a County Chairman in the office of a so-called policeman, which the Collector of Customs is, an enforcement officer; that men might be arrested for smuggling liquor or for some other violation of the customs act, and naturally the first thing that is done is to seek political influence, and it is most

natural for any of these parties to seek the aid of the  
Republican County Chairman to help them.

Now then, here he is, in a dual position. He is the  
Collector of Customs, and he is also the County Chairman.  
He cannot attend to both. He cannot be County Chairman and  
he cannot be the Collector of Customs. I think that is a  
very important reason why he should be disqualified.

There is just one more case that I want to bring to  
your attention, and with that I will close and thank the  
honorable members of the committee for the extreme patience  
they have shown in listening to me. That is the Dreher  
case.

Charles Dreher was former Chief of the Immigration  
Service in Buffalo, and about three years ago or four years  
ago he was indicted. Mr. Pattison refers to this case.  
He was indicted practically upon the insistence of the  
Buffalo Evening News. Information had reached them about  
this carload smuggling and apparently nothing had been done.  
Special Agent McNaff and, I believe, Montgomery, from the  
report referred to here, made an investigation and after  
a campaign on the part of the Buffalo Evening News Mr.  
Dreher was suspended from the department and later dis-  
missed and at a later date indicted. His case was not  
tried until April of 1931, I believe, and that was after in-  
sistence by the Buffalo Press that the case be brought to  
trial.

This man was indicted with twenty others, railroad  
employees and customs officials, and apparently there must  
have been some connection between the Republican organization

tion and Mr. Dreher. (~~One of the witnesses testified by~~  
~~that name~~) Callahan testified that he would never be brought  
to trial. He said he received this information from railroad  
men. And the prosecution never asked nor followed up that  
question to find out where it was and why he believed he  
would never be tried, and a number of these men when they  
were brought to trial did not have to put up bail bonds until  
about the eve of the trial.

But the point that I want to impress upon the members  
of the committee is this: that here is the head of another  
governmental service, government brahah, and he is charged  
with corrrupting officials of Mr. Bradley's own department.  
Now, the proper and natuval thing for Mr. Bradley to have  
done was to have insisted upon an immediate prosecution of  
the Dreher case. But nothing was done, as I said, until  
upon the insistence of the Buffalo Press. But he showed  
he showed his friendly connections to this defendant by  
having created about two years ago an office in the Board  
of Supervisors of the County of Erie, an unnecessary office  
that of telephone operator. The Board of Supervisors only  
meet on Tuesday mornings for a little session, and ~~Monday~~  
mornings for committees. This was an absolutely useless  
appointment. Mr. Bradley saw to it that Mrs. Dreher, the  
wife of Charles Dreher, the defendant, was appointed to this  
position.

There must have been an extreme friendliness between  
those two, and I believe it is only fair to the many citizens  
of the customs district embracing Mr. Bradley's office that  
that matter of the Dreher case should be gone into quite

thoroughly.

Mr. Bradley made a statement before the adjournment of the last Congress, in which he stated that he was going to bring all his accusers before the Grand Jury. This statement was made just three or four days before the adjournment of Congress, and he qualified his plans by saying "After my appointment has been confirmed." Mr. Bradley was of the belief that his appointment was going to be confirmed last March. The honorable and convincing thing for Mr. Bradley to have done was to have had that Grand Jury investigation several months prior to the expiration of his term, which was in February, I believe, of 1931. But he never has carried out his threats, for the Grand Jury investigation. Within a few days I went on the radio and answered Mr. Bradley's challenge to a Grand Jury investigation, and in the radio address I made this statement with respect to his challenge:

"A few days ago Mr. Bradley issued a statement in which he says that he intends to bring his critics before a Grand Jury. For the last few years I have been <sup>his</sup> most consistent and insistent critic. Consequently I know that challenge was hurled at me. Mr. Bradley, I accept the challenge."

I just want to read one editorial from the Buffalo Times under date of December 11, 1931:

"The Senate should handle Bradley.

"President Hoover has again sent the name of Fred A. Bradley to the Senate for confirmation as Collector of the Port of Buffalo.

"Apparently this is White House routine. According to

the Times' Washington bureau, it is customary to send to the Senate all nominations which failed of confirmation or rejection at the last session.

"That the President is ignorant of the issues involved in the Bradley case is understandable. He has had a busy summer and autumn. He has been concerned with international affairs of great import. He may even be inclined to regard the opposition to Bradley as a local partisan matter of no significance.

"But there is no excuse for the Republican Senate to repeat the same mistake. It is decidedly up to it to save the President.

"The Finance Committee, to which this nomination will be referred, can get the facts. It can dig the Slacer charges, never answered, out of the Treasury Department files where they have long been buried. It can call public hearings. There are plenty of people willing and anxious to testify.

"As Collector of the Port Bradley acts as prohibition patrolman along the border. In his private capacity he is the boss of the Republican Party in Erie County. That tie-up is putting too severe a strain upon the thin barrier which, in a great city, is all that ever separates politics from gang bootlegery. If Slacer is even half right, then the consequences of the tie-up is something more than a theoretical possibility.

"If Senate Republic leaders think this is an issue to which they can continue to be indifferent, then they ought to be moved by expediency, at least. Let them listen to the rumblings within the party from Buffalo. Let them

10



take account of the fact that Bradley is slipping, that he failed to deliver in November, and that his reappointment would constitute a setting up of an insurmountable obstacle to any Republican success next year in western New York."

Senator George. We will read those editorials, but in the interest of time you might offer them.

Mr. Slacer. Yes.

Senator George. That is a Scripps-Howard paper?

Mr. Slacer. Yes.

Senator George. What is the other one?

Mr. Slacer. The Buffalo News.

Senator George. That is an independent paper?

Mr. Slacer. Yes.

Senator George. And not a chain paper.

Mr. Slacer. ~~Yes.~~ No

Senator George. I read the editorial there. I just wanted that for the record.

Mr. Slacer. I understand.

Senator George. You can go ahead.

Mr. Slacer. In connection with the matter of Captain Lawrence Stephenson as proof that Mr. Bradley, who is responsible for his employees, should not be continued in office and also disqualified for the continuance in office as Collector of Customs, I am going to read an affidavit of Mrs. Helen Bond:

"That on Thanksgiving morning, 1928, a person know to be Edmond Sahr and Carl Anderson, were shot by United States Coast Guard men. The shooting resulted in the death of Carl Anderson and the wounding of Edmond Sahr, who is the son-in-law of the deponent."

She says that she desired him to discontinue his operations. Now, I would also say that Captain Stephenson received a nominal salary as captain of the border control, yet a couple of years ago he erected a new home which has an estimated value of about \$25,000. I have statements in these affidavits, which I am not going to take the time to read, which show that liquor has been hi-jacked out of the garage owned by Captain Stephenson.

I have also got information in these affidavits to the effect that before Captain Stephenson became an employee or an officer of the United States Government he was engaged in the illicit traffic of alcohol to Canada. If that is true and the statements of these people making them are reliable, they ought to disqualify Captain Stephenson from any further service in the United States service.

I just want to take the time, because it is important, to read another portion of another affidavit.

"During the summer of 1926-1927 deponent observed that Stephenson above mentioned, his superior, made a practice of using Young's warehouse, Niagara Falls, New York, at Pierce Avenue and Main Street, as a place where he, Stephenson, could store a quantity of barrels of ale, Canadian, which barrels of ale were barrels held out by Stephenson from confiscated lots, taken from box cars, in railroad shipments, coming from Canada to the United States.

"1. Seizures were made by Stephenson's men on duty at Niagara Falls, New York, which came from Canada.

"2. Several barrels were taken from several seizures, not from each seizure, where taken by Stephenson, and placed

in the custody of a watchman at Young's warehouse, Niagara Falls, New York. The watchman in question goes and is known by the name of Dave. His surname is not known.

"3. Dave, the watchman, on each of the occasions was given a list of names of persons who would call for the barrels of ale in question, and Dave was ordered to deliver said barrels to the persons calling for the ale, after having identified themselves as the ones named on the list.

"4. Much ale was delivered by Stephenson in this manner, all of which was in violation of the law."

Senator George. Who made that affidavit?

Mr. Slacer. That is made by Elton Clark, a former border patrolman.

Senator Couzens. Why is he a former?

Mr. Slacer. He was dismissed from the service. For what reason, I don't know. He also has a letter showing that he was removed without prejudice.

Senator Watson. Who removed him?

Mr. Slacer. The Collector of Customs. I believe the Collector or Customs.

Senator George. Stephenson is appointed by Bradley?

Mr. Slacer. Yes, I understand he is appointed by Bradley. I am unable to state now whether that is a Civil Service appointment or not. My impression is that it was not at the time.

"In August, 1928, while deponent was interviewing Special Customs Agent R. J. Montgomery, as to irregularities on the part of Lawrence E. Stephenson, deponent informed the Special Agent as to the contents of Section G in the above, at the same time requesting Montgomery to interview Dave,

the watchman at Young's warehouse, Niagara Falls, New York.

"Deponent states further, that Montgomery did report to deponent that he, Montgomery, had taken a statement from Dave which statement substantiated deponent's allegations. Montgomery furthermore promised to take the necessary steps in the dismissal from the service of Stephenson and to fully take up the information at hand with Fred A. Bradley. Deponent is of the belief that Montgomery did take this matter up with Bradley. However, Montgomery did not remain in this territory long, and being removed to points in or near Montreal, Canada. Deponent states that no action was taken in the removal of Stephenson, also that Dave the watchman can and will testify to the truth in this instance. Deponent further informed Montgomery on the contents of above information contained in Section A, B, C, D, E, and F. No action resulted."

They state in these affidavits that Captain Stephenson was also aware of the fact that liquor was taken to Mr. Bradley's farm.

In further connection with the disposal of seized motors, the information in this affidavit is as follows: --  
I am referring to Rufus H. Schmidt.

Senator Cousens. Who is Rufus H. Schmidt?

Mr. Slacer. He is a former border patrolman who was in the service for a year and four months before being discharged that you inquired about before.

"Deponent during the course of investigation was informed by persons connected with the liquor traffic, who therefore knew the facts, that Captain Lawrence Stephenson, United States

jap

border patrol, had given Clarence Schafer, a smuggler, an 8-cylinder Continental motor.

The motor in question had first been seized by the Customs Border Patrol, and furthermore, the said motor was installed in the Miss Lita, a craft used in smuggling liquor into the United States.

"Deponent further states that a former Immigration Border Patrolman, <sup>Harold G. Russell, had informed deponent</sup> Clarence Schafer, owner of the Miss Lita, was trying to get something on deponent for Captain L. E. Stevenson previous to this tip from Russell, Schafer had approached deponent several times, telling deponent that he, deponent, could make some easy money."

I believe I did read that previously.

Senator George. Yes, you did.

Mr. Slacer. That is right.

Senator Couzens. I hope you won't read any more of those.

Mr. Slacer. I have just got one more. I want to refer to the information we have from a former Border Patrolman, who operated as a free lance. He could go anywhere, and this man knew the river and the Niagara frontier from one end to the other. He said that the first three nights he was out he made from one to three seizures a night, but from the information given me he was given to understand that it was not in conformity with the desire of those in charge of the Border Patrol, that thereafter he received orders where to patrol for the following seventy nights and the following seventy nights he did not make any seizures.

I want to make this one final request of the committee and that is that a subpoena -- some of the things I have re-

5-20-22  
Schafer

11

ferred to here -- the reports which were made by some of the special agents, which are on file in this prop's office in the City of Buffalo, the report of different special customs agents, and also the reports of special agents in the Dreher case and also the records in the Heckman case and also the other records and reports of special agents in the Buffalo district which are on file in the Treasury Department, and also the records of the Buffalo Trust Company, the M. & T. Company, and the books and financial records of the Republican organization, the Republican County Committee.

Mr. Chairman and gentlemen of the committee, I want to express my appreciation for the courtesy extended me and for the attention which you have given me.

Senator Watson. Is Mr. Bradley represented here by anybody?

Mr. Maloney. I appear for Mr. Bradley, Senator. Mr. Bradley is here in the building.

Mr. Leahy. Mr. Chairman, I understand that Mr. Mayne would like to make a statement. He is also here in opposition.

Senator Watson. That is all right. I wanted to ask Mr. Maloney whether he desires to ask Mr. Slacer any questions.

Mr. Maloney. Yes, I would like to ask Mr. Slacer some questions, with your honorable body's permission.

Senator Watson. All right.

Mr. Maloney. Mr. Slacer, the first thing that you mentioned, as I recall it --

Senator Watson. Are you an attorney, Mr. Maloney?

Mr. Maloney. Yes, sir.

The first thing you mentioned, Mr. Slacer, is a complaint

which you made with reference to Mr. Bradley regarding the storage of grain in bond.

Mr. Slacer. Yes.

Mr. Maloney. On the complaint of a gentleman named Cunningham.

Mr. Slacer. Yes.

Mr. Maloney. That was investigated on your complaint by the United States Government, was it not?

Mr. Slacer. I am unable to answer that. We asked that such an investigation be made.

Mr. Maloney. Don't you know that the United States Government sent special agents to investigate the handling of grain in bond and did not change one iota the method that was employed in handling it?

Mr. Slacer. I say that -

Mr. Maloney. Now, let's not argue. We know each other too well. Don't you know that?

Mr. Slacer. Do I know what?

Mr. Maloney. Don't you know that the United States Government did investigate and made no changes in the method of handling grain in bond?

Mr. Slacer. I am unable to state whether they investigated after they received this affidavit. I want to qualify my statement that the investigation was made prior to this affidavit.

Mr. Maloney. And no change was made in the method of handling grain.

Mr. Slacer. No, not to my knowledge.

Mr. Maloney. That is true, is it not? So that was



already gone over by the Department.

Mr. Slacer. I can give you the statement of --

Mr. Maloney. Now, you know, don't you, that the various gentlemen whose names you have mentioned, who were formerly in the employ of the Government, that none of these gentlemen but Mr. Schmidt passed the Civil Service examination, and, therefore, were unable to continue longer, you know that, don't you?

Mr. Slacer. I testified about Rufus Schmidt.

Mr. Maloney. Yes, and you mentioned Mr. Dorn.

Mr. Slacer. He is still in the employ.

Mr. Maloney. Yes, and you know that Mr. Lindsay, with whom you have been in contact, did not pass the Civil Service.

Mr. Slacer. I understand he is still in the employ of the Government, from information I have.

Senator Watson. Let us wait a minute. Is he or isn't he? You are talking about a man.

Mr. Maloney. Is Mr. Lindsay in the employ of the Government?

Mr. Slacer. My understanding is he is still in the employ.

Senator Cousens. Let Mr. Bradley tell us. Where is he?

Mr. Maloney. He will be up here.

I want to ask this: Mr. Slacer, these matters that you have called to the attention of this committee, you have called to the attention of citizens of Buffalo for the last three or four years, preceding each primary and each election, have you not?

Mr. Slacer. Not all of them, because I have not had all of them. I have called some.

Mr. Maloney. Practically every time that there is a Republican primary or a general election, all the matters or practically all of the matters have appeared in the Buffalo papers under your signature, is not that true?

Mr. Slacer. Not all of it, no.

Mr. Maloney. Hasn't it?

Mr. Slacer. Not all of it, no.

Mr. Maloney. That is the only time that you attack Mr. Bradley in the press, is it not, when there is a primary or an election?

Mr. Slacer. The information-

Mr. Maloney. Is it true or is it not true?

Mr. Slacer. It is not true.

Mr. Maloney. You do in each primary attack him, don't you?

Mr. Slacer. I attack Mr. Bradley?

Mr. Maloney. Yes.

Mr. Slacer. I attack the administration of his office, not him personally.

Mr. Maloney. When you ran for these various offices, each time you attacked him, and each time you were defeated, wasn't that true?

Mr. Slacer. That is not true.

Mr. Maloney. Were you ever successful in any primary contest where you in effect called attention to the matters you have called attention to here?

Mr. Slacer. For the office, State Committeeman.

Mr. Maloney. I am calling attention to all those times.

Mr. Slacer. I did not attack Mr. Bradley or the Republican organization before that.

Mr. Maloney. Didn't you run for the Assembly and State Committeeman?

Mr. Slacer. I did.

Mr. Maloney. You had all the papers you presented to this honorable committee before the members of the State Committee, comprising the membership of the State of New York, did you not?

Mr. Slacer. I did not. I was unable to bring the --

Mr. Maloney. Didn't you have all your records there and get a great deal of publicity by your request to the Republican Committee of the State of New York to investigate this matter?

Mr. Slacer. I simply presented resolutions and was unable to have them adopted.

Mr. Maloney. Now, Mr. Bradley's office was investigated on your first complaint, was it not?

Mr. Slacer. Not a thorough investigation, no.

Mr. Maloney. Pardon me, but it was investigated by the Department of Justice and the other departments in Washington here, isn't that true, and the investigators came to you?

A The investigators --

Mr. Maloney. Did they or didn't they?

Mr. Slacer. They did come to me, but not --

Mr. Maloney. All right. Then you complained again that the

investigation was not fair and they investigated a second time, didn't they?

Mr. Slacer. They did not investigate the facts as I gave them.

Mr. Maloney. Pardon me, but they sent investigators to Buffalo, who were in touch with you and received your information, didn't they?

Mr. Slacer. Yes.

Mr. Maloney. Then the third time, when the third political issue came up, you then called it to the attention of Senator Borah, isn't that true?

Mr. Slacer. No, I called it to Senator Borah's attention first.

Mr. Maloney. Then again, at Senator Borah's request, the Department designated special agents who were sent into Buffalo, unknown to Mr. Bradley, and who cooperated with the Attorney General's office, isn't that true?

Mr. Slacer. That can all be answered by referring to the ~~affidavits~~ <sup>Statements</sup> showing that it was impossible to get an investigation of the Collector of Customs' office.

Mr. Maloney. Pardon me, but is not what you wanted the committee to believe that neither the Treasury Department, the Department of Justice or the Attorney General's office has ever given you a fair and impartial investigation, is that right?

Mr. Slacer. True.

Mr. Maloney. And each time they reported against you?

Mr. Slacer. I have never seen their reports.

Mr. Maloney. Now, in the Dreher case, you know that you

took the Dreher case, so-called, up with the Department of Justice and you claimed that the present incumbent in the office of the United States Attorney was a stellite of Mr. Bradley and would not prosecute Mr. Dreher, and you went into the newspapers with it, didn't you?

Mr. Slacer. I did.

Mr. Maloney. And you went over the radio with it.

Senator Watson. Who was that?

Mr. Maloney. Mr. Templeton, who has a very honorable record.

Senator Watson. I know, but who is he?

Mr. Maloney. United States Attorney.

Senator Watson. United States District Attorney?

Mr. Maloney. Yes.

Senator Watson. All right.

Mr. Maloney. And you know that the United States District Attorney through his published statements in the papers stated that he had had that case continually for a year or two up with the Department in Washington with reference to his course of procedure and that they were informed that he was looking for certain defendants before he should try it, don't you?

Mr. Slacer. I don't know that.

Mr. Maloney. You know that the jury disagreed in the Dreher case, don't you?

Mr. Slacer. I do.

Mr. Maloney. And did you know that Mr. Bradley was the one who instigated the Dreher case and that it was at his request that investigators were first sent to Buffalo, did you

know that?

Mr. Slacer. I did not know that.

Mr. Maloney. You know that in 1928 Mr. Bradley had received information with reference to conditions existing at the Customs office in BlackRock which needed attention, and that he and Mr. Smith and Mr. Miller called the attention of Washington to what they believed to be existing, and that Washington sent on undercover men who finally discovered the method of smuggling liquor.

Mr. Slacer. I did not know that it was at Mr. Bradley's request.

Mr. Maloney. No. Do you know that Mr. Stephenson, the Collector of Customs from Canada, who you refer to in your affidavit -- Pattison I mean -- whom you refer to in your affidavit, if the public press is to be believed, voluntarily sent a letter to this committee, which is on file here now, stating conditions entirely different from what you say he made to you.

Mr. Slacer. I can only answer that that is a face to face interview.

Mr. Maloney. And did you know he said you came over there and he told you that things were in excellent shape and that Mr. Bradley was an excellent customs inspector?

Mr. Slacer. I did not know that. It is contrary to his interview.

Mr. Maloney. Did you know when you went to Niagara Falls with reference to the Cadillac car you have spoken of, that you informed some gentleman in Niagara Falls, whose name was given us, that you were a United States Customs In-

speaker and desired to know the conditions about the return of his car, and he told you that a gentleman by the name of Rasmussen was in charge of the boats.

Mr. Slacer. I never made such an inquiry.

Mr. Maloney. Did he tell you that Mr. Rasmussen, the gentleman in charge of Government cutters, found that his liquor was illegally seized and returned to him?

13 Mr. Slacer. I did not interview this gentleman.

Mr. Maloney. But you sent men to interview him who stated they were United States Customs men?

Mr. Slacer. I did not send anybody.

Mr. Maloney. You referred to this and that is why I am bringing it up. There are 956 committeemen and women in Erie County who are elected by the voters of the Republican Party, enrolled voters, is that true?

Mr. Slacer. That is right.

Mr. Maloney. At the time you referred to, the Convention Hall meeting, when you and your group opposed Mr. Bradley, out of 950 -- I will withdraw that. Before there was a meeting of the Republican Committee, the Republican voters of Erie County had an opportunity to vote at the primary, didn't they?

Mr. Slacer. They did.

Mr. Maloney. And after the vote was had, your group had thirty votes out of 956 registered, against Mr. Bradley, is not that true?

Mr. Slacer. That was an unfair vote.

Mr. Maloney. Isn't that true?

Mr. Slacer. I don't know.

Mr. Maloney. There were not more than thirty, were there?

Mr. Slacer. There were not 956 committeemen at that time.

Mr. Maloney. Approximately.

Mr. Slacer. Approximately 700.

Mr. Maloney. And your group had not more than thirty of the committeemen?

Mr. Slacer. We showed a strength of one-fifth, at least one-fifth.

Mr. Maloney. You swear to that?

Mr. Slacer. I will not swear. My impression was that there were sixty thousand votes cast, and we received between 12 and 15 thousand votes.

Mr. Maloney. I am talking about the numbers of committeemen.

Mr. Slacer. Are you familiar with the rules that a committeeman does not vote as a committeeman, that he votes according to the voters?

Mr. Maloney. He votes according to the number of votes in his district, but I am talking of individual committeemen. You did not have to exceed thirty, did you?

Mr. Slacer. I am unable to state the number, but that is an unfair statement.

Mr. Maloney. Just a minute.

Mr. Slacer. That is an unfair statement.

Senator Watson. Let him correct it.

Mr. Maloney. All right.

Mr. Slacer. That is an unfair statement. The committee met about 4 o'clock on that day, and the agreement of what



we will speak of as the anti-Bradley committee was that we would not put a candidate in opposition to Mr. Bradley. We knew we did not have a majority of the votes and it would be folly on our part to display our strength. We told a number of our men that they were not going to be registered, and these men, or one of the members of the committee, who was not present at our meeting at 4 o'clock, took things into his own hands and nominated and confirmed without the advice and consent of the entire committee, and that was not a fair vote because we told a number of the committeemen to play safe and vote for Mr. Bradley in order to save their jobs. A number of the committeemen left the hall and were not recorded. A committeeman who reported himself against Mr. Bradley was through. And I will mention an illustration of that.

The first committeeman called on the roll was from the First Ward, the First District, John Ryan. John Ryan was a deputy sheriff under Sheriff Zimmerman, who was elected by the anti-Bradley forces. Naturally he was the first man led to the slaughter. The secretary called for the First Ward, First District. Mr. Ryan voted for Mr. Bradley's opponent. As soon as Mr. Bradley got control of the sheriff's office, Mr. Ryan was the first man to be let out. That gives you some impression as I say, of how we are living under the law of intimidation, that these men do not dare express their feelings as they desire to express them.

Senator Watson. Let me ask you this in that connection. I do not care so much about this, but as you are here I want to ask you a question. In each precinct where a committeeman

was elected was a Bradley and an anti-Bradley candidate put on to be voted for by the people?

Mr. Slacer. No, there was not. It was just an anti-Bradley fight, and hereunder committeemen of their own accord, or not committeemen but common citizens of their own accord ran against Mr. Bradley. We had not concerted effort whatsoever to elect <sup>Committeemen</sup> ~~committeemen~~, and that is why we did not put up candidates. We did have a primary fight, and out of ~~three~~ <sup>five</sup> major offices, for the city and county, we ~~received~~ <sup>lost</sup> three, a ~~candidate~~ <sup>Socialist</sup> running under the Republican Committee was a fourth, and Mr. Bradley's candidates received one. Four out of five. Last year there was a primary fight, a primary fight in 1930, for the office of county treasurer, and a gentleman who was an anti-Bradley candidate received 20,000 more votes than the regular organization candidate. <sup>at the general election</sup> That shows the feeling of the people.

Mr. Maloney. Mr. Zimmerman and the gentlemen who were formerly with you are not on good terms with you, are they?

Mr. Slacer. No, because they are receiving favors of Mr. Bradley.

Mr. Maloney. All these gentlemen have deserted you, they are all out of step but you?

Mr. Slacer. No, that is an unfair statement.

Mr. Maloney. Mr. Bradley requested a grand jury investigation and you went on the radio and said that no grand jury investigation could be had fairly by Mr. Templeton, the United States District Attorney, and that the only grand jury investigation that you demanded be held was one <sup>in</sup> ~~had~~ by the City of Washington?

14

Mr. Slacer. No. I said it should be held in the City of Washington so there would be no question about any political pressure or interference in local politics.

Senator Watson. Let me ask you this: There was a deputy that you mentioned a while ago.

Mr. Slacer. Yes.

Senator Watson. What was his name?

Mr. Slacer. You mean a former Border Patrolman?

Senator Cousens. Yes.

Senator George. No, Stephenson, I think.

Mr. Slacer. Stephenson?

Senator Watson. Is he a deputy now?

Mr. Slacer. He is captain in charge of the Border Patrol, yes.

Senator Watson. Is he a Civil Service man?

Mr. Maloney. I think they are all Civil Service,

Senator. Mr. Bradley has taken them one, two, three on the list as they came along. So he informs me.

Senator Watson. Congressman, how is that? Is he a Civil Service man, or do you know.

Representative Cooke. Senator, I cannot tell you.

Senator Watson. You do not know?

Representative Cooke. No.

Mr. Slacer. My impression is that he was appointed prior to Civil Service qualifications.

Senator George. He is under Civil Service now.

Senator Watson. He is under Civil Service now, I imagine, yes.

Mr. Maloney. All of them, I believe, are taken one,

two, three on the list, regardless of their political affiliations.

Senator Watson. Is that all, Mr. Maloney?

Mr. Maloney. Just one thing more.

Mr. Slacer, you have been on the air on a local group has been on the air on the radio for a considerable portion of the last few months requesting every person in Buffalo who had a grievance against Mr. Bradley to write this committee stating it, or words to that effect, is not that true?

Mr. Slacer. I did not. WBER station did make that request and I think upwards more than three thousand complaints were sent in?

Mr. Maloney. They are not here.

Mr. Slacer. I don't know about that, but I understand that more than three thousand responded to that request.

Mr. Maloney. That radio hour is put on against the Republican organization, the present Republican organization of Erie County.

Mr. Slacer. I would not say that.

Mr. Maloney. Well, that is all they do during the hour is talk against the Republican organization, is it not?

Mr. Slacer. Sometimes.

Mr. Maloney. And that has been so during each primary and election in the last two years, hasn't it?

Mr. Slacer. No. There is a gentleman in the room that had the benefit of that radio that you referred to, sitting right behind you, the County Judge. Ask that same question of the Judge.

Mr. Maloney. While we are on the County Judge, the County Judge is one of Mr. Bradley's closest friends, is not that so?

Mr. Slacer. So I understand.

Mr. Maloney. And the County Judge carried, despite a Democratic landslide, not only the city but the county at the last election.

Mr. Slacer. By a very much reduced majority.

Mr. Maloney. Yes.

Mr. Slacer. Ask him what the reduction in the majority was.

Mr. Maloney. By 12 or 13 thousand, isn't that true?

Senator Couzens. Mr. Chairman, we are pressed for time.

Senator Watson. I don't care to go into that.

Mr. Maloney. I just wanted it to appear before the committee, that there is a radio working all the time --

Senator Watson. We understand there has been a political row for years, there has been a fight going on. We have understood that for a long time, and that Republicans have been elected by a greatly reduced majority.

Mr. Maloney. Now, Mr. Slacer, after your investigation you found that Mr. Bradley had removed practically sixty of the men in his employ for one reason or other, didn't you?

Mr. Slacer. I did not know that.

Mr. Maloney. You know there is a good number from your check-up; haven't you seen them?

Mr. Slacer. No.

Mr. Maloney. Once they are put out of the service you call on them.

Mr. Slacer. That is not true. There are a few of them.

Senator Watson. Is that all?

Mr. Maloney. Yes.

Senator Watson. Do you want to call anybody else?

Mr. Maloney. Mr. Bradley.

Senator Watson. These newspaper clippings, you want them to go in the record, do you?

Mr. Slacer. I am going to file the whole <sup>report</sup> ~~thing~~ with the committee.

Senator Watson. You will file these affidavits you brought in?

Mr. Slacer. I will file the affidavits and also the reports, which I have not gone into at all.

Senator Cousens. I don't think they ought to be printed in the record. Just file them, and we will have them.

Mr. Slacer. I was going to make that request, that they be impounded until such time as the committee see fit to use them. Some of these witnesses have been threatened with death, at least some of them have been boycotted, and we are placing a tremendous penalty on these men if their names are revealed. I would ask the committee to impound the records. If they want to subpoena these witnesses we are perfectly willing they should do so.

Senator Watson. All right. You will get these in shape.

Mr. Slacer. I will get them in shape, yes.

(Witness excused.)

Senator Watson. I will ask now whether there is some

other witness in opposition to Mr. Bradley's confirmation.

If there be such, let them come forward. What is your name?

Mr. Mayne. Mayne.

Senator Watson. You solemnly swear that the evidence you are now going to give will be the truth, the whole truth, and nothing but the truth, so help you God.

Mr. Mayne. I do.

TESTIMONY OF DAVID MAYNE,  
1205 K STREET, NORTHWEST,  
WASHINGTON, D.C.

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

Senator Watson. Take your seat and tell your full  
name.

Mr. Mayne. David <sup>S.</sup> Mayne.

Senator Watson. Where do you live?

Mr. Mayne. 1205 K Street, Northwest, Washington, D. C.

Senator Watson. You live in this city?

Mr. Mayne. Yes.

Senator Watson. How long have you lived here?

Mr. Mayne. For a period of a year and a half.

Senator Watson. Where did you live before that?

Mr. Mayne. Buffalo, New York, <sup>and</sup> ~~in~~ Niagara County.

Senator Watson. How long did you live there?

Mr. Mayne. In Buffalo I lived -- well, I worked in  
and out of there from 1922 until 1925.

Senator Watson. And what official positions, if any,  
did you hold during that time?

Mr. Mayne. During that time I was a State Trooper,

of the New York State Mounted Police.

Senator Watson. You were what? I did not get that.

Mr. Mayne. State Trooper.

Senator Watson. Oh, yes.

15

Mr. Mayne. New York State Trooper, A Department, Batavia, New York. I was sergeant of Detectives operating for the D. L. & W.

Senator Watson. What railroad is that?

Mr. Mayne. Delaware, Lackawanna & Western.

Senator Watson. Does that run to Buffalo?

Mr. Mayne. Yes.

Senator Watson. How much of this time were you actually in Buffalo?

Mr. Mayne. I was actually in Buffalo, I would say, approximately three years.

Senator Watson. All the time?

Mr. Mayne. Yes, sir.

Senator Watson. In these various capacities which you have cited.

Mr. Mayne. Yes, sir. And aside from that I was sent there on assignments, details, rather, by the Treasury Department in Washington.

Senator Watson. When?

Mr. Mayne. In 1925.

Senator Watson. In what capacity?

Mr. Mayne. As an investigator for the Treasury.

Senator Watson. In what department?

Mr. Mayne. Prohibition, under General Lincoln C. Andrews.

Senator Watson. Prohibition investigator?



Mr. Mayne. Yes, sir.

Senator Watson. Are you still in Government service?

Mr. Mayne. No, sir.

Senator Watson. When did you sever your connection?

Mr. Mayne. On or about December the -- I cannot recall the date exactly, but it is about December 1st, 1930.

Senator Watson. 1930, over a year ago?

Mr. Mayne. Yes, sir.

Senator Watson. Did you quit voluntarily?

Mr. Mayne. No, sir.

Senator Watson. You were let out of the service?

Mr. Mayne. No, sir. The Civil Service Commission did not choose to verify my credentials.

Senator Watson. You passed the examination?

Mr. Mayne. I passed the examination, but I was disqualified.

Senator Cousens. Why?

Mr. Mayne. Because of the fact that they claimed that I lacked diplomacy, poise and discretion.

Senator Watson. Diplomacy, poise and discretion?

Mr. Mayne. Yes, sir. Those were the things that were essential in their estimation, and that I had shown an inclination to borrow money from time to time and was slow in paying it back.

Senator Watson. I did not know that was a crime.

Mr. Mayne. If it pleases the committee, it appears they are more or less of a <sup>collecting</sup> ~~connecting~~ agency --

Senator Cousens. What have you been doing since you left the Treasury Department?

Mr. Mayne. I am a steamfitter, working in the City of Washington.

Senator Couzens. Has that been continuous?

Mr. Mayne. No, sir. I went back to Buffalo. Prior to my resignation I was given a 60-day leave of absence without pay by Dr. Doran, or by J. Leland Accuff ordered by James M. Doren, then Commissioner of Prohibition.

Senator Couzens. Why?

Mr. Mayne. I had been recalled from Buffalo, New York, where I had been on investigation, and Mr. Accuff claimed at the time that I lacked diplomacy.

Senator Watson. What did you want to say about this Bradley case, Mr. Witness?

Mr. Mayne. I first had occasion to call on Mr. Bradley personally in 1923, at which time I was appointed as deputy sheriff, special deputy sheriff of Erie County, under Sheriff Tyler. I operated under him for a matter of a few months. I could not be definite as to the time. It appears that I incurred the displeasure of the sheriff and was told that there was no more work there, being on special detail I could not expect a permanent appointment. But it appeared that I was overly zealous, or for some reason not explained to me at the time, and I turned in my credentials and badge. During the time of my investigation of Dreher in Buffalo, I took an assignment under the --

Senator Watson. Wait a minute. While you were occupying this position as special deputy, did you call on Bradley about anything?

Mr. Mayne. No, sir, I did not, never.

Senator Watson. Then Bradley had nothing to do with your dismissal?

Mr. Mayne. He was out of the picture entirely.

Senator Cousens. Was he instrumental in getting you your job with the sheriff?

Mr. Mayne. He was, sir, as chairman.

Senator Watson. That is what he said.

Mr. Mayne. I called on him personally.

Senator Cousens. So he helped you to get a job?

Mr. Mayne. Yes.

Senator Watson. That is why I asked you if while you held that position you called on Bradley.

Mr. Mayne. Yes.

Senator Cousens. No, after he had the job.

Mr. Mayne. No. I have not spoken to Mr. Bradley since that time.

Senator Watson. That is, after you quit the office?

Mr. Mayne. Yes, sir.

Senator Watson. But while you were in the office you called on him?

Mr. Mayne. I did not. I had no occasion to.

Senator Watson. Why did he want to get you a job?

Senator Cousens. He said he called on him before, before he got the job, to use his influence.

Senator Watson. Oh, before you got the job?

Mr. Mayne. Yes. He did use his influence, I believe, and I was appointed.

Senator Watson. I see now.

Mr. Mayne. Tyler saw fit, as I said, to discontinue

my services, and I assisted the Department of Justice in Buffalo in accumulating evidence along various lines, and prohibition --

Senator Couzens. You got ahead of your story. You say you assisted the Department of Justice?

Mr. Mayne. Yes.

Senator Couzens. When had you got employment there, and from whom?

Mr. Mayne. I was employed by the Federation of Churches, under Rev. Don <sup>T</sup>Gulis, and the information was used by Colonel William J. Donovan, then United States Attorney for the Western District of New York.

Senator Couzens. So when you were getting this information you were not a public official?

Mr. Mayne. I was not, no, sir. I was simply obtaining this information.

Senator Couzens. You were employed by the churches?

Mr. Mayne. Yes.

Senator Watson. You say Colonel Donovan?

Mr. Mayne. Yes.

Senator Watson. He lived in Buffalo?

Mr. Mayne. He did.

Senator Watson. Did he use the evidence you gave him?

Mr. Mayne. He did.

Senator Watson. In the prosecution of liquor cases, for violation of the liquor law?

Mr. Mayne. Yes sir.

Senator Watson. All right, continue.

Mr. Mayne. This investigation terminating, I was

called into Washington on or about the 5th day of October, and appointed as prohibition investigator.

Senator Watson. What year?

Mr. Mayne. 1925. Pardon me for omitting that. 1925, under Major Walter A. Green, the prohibition investigating chief of that department and General Lincoln C. Andrews, I was immediately sent to Buffalo, New York, and to continue along that border. I assisted the administrator in that district to a certain extent. It appeared at the time that there was undue influence at times from the marshal's office and those closest to the situation, there politically and certain phases of the work. I explained that in detail to my chief. This is a matter of record.

Senator Watson. Did you find out while you were connected with the marshal's office?

Mr. Mayne. I was not with the marshal's office, sir.

Senator Watson. Oh. you were with the sheriff's office?

Mr. Mayne. No.

Senator Watson. The first time you were appointed.

Mr. Mayne. Yes.

Senator Watson. Did you find out while you were with the sheriff's office any evidence of intimidation?

Mr. Mayne. I did. As one occasion, the sheriff himself, under whom I was working, with five or six deputies, all of whom I cannot recall at the present time, called at what is known as the Big House, which is a resort out there, more or less of a nightclub -- I do not know if it exists at the present time, but a man by the name of Nyberg is alleged

to be the proprietor, and the sheriff himself put up a \$20 bill and bought drinks for the crowd.

Senator Watson. Pretty liberal.

Mr. Mayne. Rather liberal.

Senator Watson. Did Bradley have anything to do with that?

Mr. Mayne. He did not, not that I know of.

Senator Watson. Go ahead.

Mr. Mayne. He had no connection whatsoever with it that I know of.

Senator Watson. Yes.

Mr. Mayne. And Tyler's actions, so far as his official duties were concerned, sooner or later made me feel I would have to get out anyhow.

Senator Watson. Go right on and tell what you know about Bradley. That is what we are investigating here.

Mr. Mayne. Yes, sir. The first time I ever had occasion to be accused by anyone considering Bradley or considering my duty as an officer was by an officer in the United States Marshal's office, Mr. Yox, deputy marshal under the chief in Rochester. I believe the location of the main office is in Rochester. And this occurred in the Treasury office. It occurred in the summer, early summer of 1929, at which time Mr. Yox, whom I personally knew, approached me and asked me to divulge information as to undercover agents whom he believed to be operating in the district, in the Western District of New York, and that I would not lose anything by it. Yox being more or less friendly to Bradley, I was seeking information immediately. The special

73  
Agent's office at which I had to call, was waiting outside  
his door in the Federal Building. I asked him  
it was all about. He said "Well, you won't lose anything  
the boss, you won't lose anything between myself and the  
boss." I said, "What is it all about anyhow?" He said  
"You know what it is all about. The boss referred to is  
Bradley." That is the only time I was ever approached  
on any proposition of the kind and that was by a United  
States Marshal.

Senator Watson. He wanted to know the undercover  
agents.

Mr. Mayne. Yes.

Senator Watson. And you told him who they were?

Mr. Mayne. I did not.

Senator Watson. You did not tell him?

Mr. Mayne. No, sir. I told him I had no information  
whatever on the subject, that I was up there on a vacation  
to see my father. I could not have been; he may have  
known that; but I was not on the market.

Senator Watson. The committee will rise until 10  
o'clock tomorrow morning.

(Whereupon, at 12 o'clock noon, the committee  
adjourned until tomorrow, Wednesday,  
13, 1952, at 10 o'clock a. m.)

BEST AVAILABLE COPY