

Special thanks to John Binder who did some research on The Dells address for me. Special thanks to Rick Pokracki for the newspaper articles in this post. Once again I need to make it clear the information in the "Illegal Of The Day" posts has many contributors. Some just have a little tidbit of info that peaks my interest and eventually it leads to a good story. <g>

I got both of The Dells chips in 2008 in a surprise package (intended for Spragg and me) of maybe 80-90 illegal chips and samples from a friend at no cost to us. Thank you my friend. Spragg and I were like kids in a candy store going thru them. A couple fights broke out on who gets what. <g>

Enough of that:

The Dells

Dempster Road outside of Chicago

Morton Grove, IL

Owner Sam Hare

Hub chips delivered 5/15/31

1600 chocolate.



chip16920att2

I believe the Skey to be a floor sweeping. It had a note on the flip.

"Weird Sample for Gene. <g> I love weird samples! <g>

"The Dells 1040" on one side off center

Obverse is the same die impression but no gold foil was in the die at the time.



chip18344att2

More Dells chips.



Made by United States Playing Card company in Cincinnati, OH, 1928

IMO, there are Skey chips out there but I have never seen them. I can not say for sure they were made for the Chicago "The Dells" as the 1040 does not relate to an address on Dempster Road. The numbers could relate to many things. Maybe their IRS tax form? <g> Either way it is one of the many-many neat chips in my collection. Special thanks to my friend for both the hub and Skey he sent me.

The following articles document murder, bribery, denial of bribery, mayhem, etc going back 20 years. I think we have seen all of this many times in other "Illegal Of The Day" posts. Why do I remember Illinois as having more than their share of this type of history?

Answer: IMO Illinois had as many or more illegal operations than any other state. They had more ruthless gangs that morphed from prohibition into the gambling business than other states. It started with Al Capone and did not end until "The Era Of The Illegals" ended. IMO, many of those same gangs are still operating in Illinois, with new ventures today, like politics. <g>

## **Report Roadhouse Bandits' Loot Amounts to \$50,000**

Underworld reports yesterday placed the loot of five robbers who entered the Dells, a combined roadhouse and gambling resort in Morton Grove early in the morning, at \$50,000 or more instead of the \$15,000 reported to the police. The stickup was reported at 5 a. m. It is believed to have occurred, however, at about 2 a. m. when the place was crowded with patrons. All were lined up and forced to surrender their money and jewelry. Samuel Hara, the manager, asserted that only he and a porter were in the house when the gang arrived.

# KILLING EXPOSES BIG GAMBLING PROFITS OF INN

## Slayer Caught; County Officials Embarrassed.

The fatal shooting early yesterday of Fred Pacelli in the Dells, Morton Grove roadhouse, proved an embarrassing subject to county officials later in the day when it became known that a big gambling room on the second floor of the place was the object of the visit by Pacelli's slayers.

Pacelli was fatally wounded and his woman companion was shot as they sat at a table beside the dance floor. In the absence of eyewitnesses' accounts, it was not determined at the inquest into his death whether he was shot because he resisted the intruders or whether they suspected him of being one of the "heavy men" employed to guard the gambling room upstairs.

The three gunmen, one of whom, Leroy Marschal, was wounded and is being held for the killing of Pacelli, did not go to the Dells to rob the gambling room, as was first thought, a Chicago police official said yesterday. The official, who is con-

versant with underworld affairs in the country towns, said that the real purpose of the visit was to "muscle in" on the gambling profits in behalf of the beer gang headed by Con and Roger Touhy.

### Police Battle Killers.

County highway police, who otherwise were vague in their description of the shooting, said that the car used by the gunmen belonged to Roger Touhy. Lieut. James Meyering, brother of Sheriff Meyering, and a party of highway police intercepted the three gunmen as they were leaving the Dells. They shot and captured Marschalk. His two companions abandoned the car and fled on foot.

The first question asked of Lieut. Meyering by Deputy Coroner Matt Tychsen when he opened the inquest into the death of Pacelli was whether there was gambling at the Dells. The lieutenant, who had gathered the witnesses for the inquest, had neglected to summon Sam Hare, owner of the roadhouse. Jack Hare, his nephew and the manager, testified, however.

### Deny Knowledge of Gambling.

"If there was any gambling there," replied Lieut. Meyering, "it was absolutely 'on the cheat.' I or some of my men visited the Dells nearly every night."

State's Attorney Swanson was also asked about gambling at the Dells.

"I heard that there was gambling

out there some time ago and twice sent my men there," he replied. "They reported each time that they could find no gambling. It is up to the sheriff and the police to suppress such violations. I will confer with the sheriff."

### Fail to Obtain Witnesses.

When it developed at the inquest that out of 200 guests and numerous employes who were in the place when Pacelli was shot the highway police had not summoned a single eyewitness of the shooting to testify, Coroner Frank J. Walsh criticized the police and ordered the inquest continued to June 24, to permit the summoning of other witnesses.

Pacelli's real name was Fred Di Giovanni, it was testified at the inquest by his widow, Charlotte, of 5242 Crystal street. She said he was regularly employed as a salesman for a tailoring company and was fond of gambling.

Miss Marjorie Bruce, 40 East Oak street, who was with Pacelli when he was shot, and who was struck by one of the gunmen's bullets, was not seriously hurt. It was stated yesterday at St. Francis' hospital in Evanston.

Late last night Miss Bruce added some mystery to the case by asking the Evanston police to furnish her a guard in the hospital, indicating she feared another attack. The request was referred to the county highway police.



LEROY MARSCHAL.

## 'DELLS' VICTIM ONCE CELLMATE OF HIS SLAYER

**Doomed Man's Vain  
Plea for Life Told.**

Fred Pacelli, who was shot and killed Thursday in the Dells, Morton Grove Roadhouse,



CAPT. COLLINS.

which houses a gambling room on the second floor, was identified by bureau of identification records as Fred Di Giovanni. Under that name he served terms in the Pontiac reformatory for burglary in 1911 and 1917.

Following identification Chief William F. Collins of the highway police expressed confidence that the slaying was the result of a gangland quarrel and that the killers had no thought of robbery when they entered the roadhouse. Leroy Marschalk, who was wounded and captured by police as he fled with two companions after the shooting, served a term at Pontiac in 1917 with Di Giovanni.

### Pleads with Assassins.

Chief Collins said that the car in which Marschalk rode with his companions had been reported seen in several roadhouses in the neighborhood before it visited the Dells. Collins believes the men were looking for Di Giovanni. His theory is strengthened by the story of witnesses, who said after announcing the resort was being held up, one of the three men walked to where Di Giovanni was sitting.

Di Giovanni is reported to have said, "Now, Bill, do you know what you are doing?"

With this recognition Di Giovanni reached for the man's gun but was knocked unconscious in a scuffle, witnesses said. The other hoodlums then came up and fired four shots into the body of Di Giovanni, who was not armed. One of the bullets wounded Miss Marjorie Bruce, 40 East Oak street, who was with Di Giovanni and her brother, E. J. Bruce. Di Giovanni was out of employment.

### Suspect Beer Sales War.

Coroner Frank J. Walsh is investigating on the theory that the shooting followed an attempt by a beer gang headed by Con and Roger Touhy to "muscle in" on gambling profits of the resort, owned by Sam Hare. The car used by the gunmen is believed to have belonged to Roger Touhy. The northwestern territory of the county originally was dominated by the Touhys.

With the growth of the Capone syndicate the Touhys were "pushed out" after two brothers, Johnny and Joseph Touhy, were killed. Johnny was slain in 1927 and Joseph in 1929. Con and Roger are reported to have been making efforts to regain the territory on the fall of Capone.

Chief Collins said he and Sheriff William D. Meyering had no knowledge of gambling at the Dells. He said if there was gambling at the resort Hare was "cheating." Sheriff Meyering could not be reached.

Dellsclub3att2

# BARKER MURDER GUN TRACED TO ROADHOUSE MAN

JUL 8-1932

He Says He Left Rifle in  
Place Raided by Police.



A. D. MUTTER, Sergt. George Schupolsky. "I needed it to protect the gambling house I had then at 61st street and Indiana Avenue. The police closed the place shortly after I got the gun and I left it there with all the rest of the fixtures." Shortly after midnight Silver Smith, was released by the police.

Schupolsky also sought Sam Hare, Silver Smith's partner, and the Touhy brothers, Roger and Con, who are reputed to have the gambling and liquor concessions at the suburban bright spot. Only Silver Smith could be found there.

## See Gambling Motive.

That Barker, a labor racketeer, ex-convict and gunman, who aspired to the mantle of Al Capone, was shot down because he was trying to "muscle in" on gambling in northwest side roadhouses was the new theory occupying the attention of Chief of Detectives Schoemaker last night. The hoodlum was killed while walking in front of 1602 North Crawford avenue by a volley of machine gun and rifle bullets fired from a second story window.

The machine gun used in the killing was traced to a concern with which former Alderman Titus A. Haffa of the 43d ward is associated but he denied purchasing it.

The rifle was found to have been ordered at the Von Lengerke & Antoine sporting goods store by A. D. Mutter and delivered to Silver Smith and Hare at their Indiana avenue establishment on Nov. 11, 1927.

A. D. Mutter was found to be a policeman now attached to the Wabash avenue station. At the detective bureau last night he admitted ordering the rifle for Silver Smith.

"I only did it as a favor for a friend," Mutter explained. He was allowed to return to his home after being questioned.

## Linked to Other Killings.

The police now believe there was a direct connection between the Barker killing and a murder committed in the Delta about eighteen hours before Barker's assassination. Early the morning of June 16, three men, now believed to be members of the Touhy gang, walked into the place while 300 people were dancing and shot and killed Fred Di Giovanni, an ex-convict, who was sitting at a table with another man and woman. The police were told last night that Di Giovanni was suspected of being a spy for Barker. One of the slayers, Leroy Marschalk, was wounded and captured. He had served a prison term

Dellsclub4att2

# FINAL

CHICAGO TRIBUNE



## TOUHY SECRETS TOLD IN FACTOR KIDNAPING TRIAL

### State and Defense Outline Cases.

BY WILLARD EDWARDS.

(From our Staff Report.)

The kidnaping and ransom of John Factor, wealthy speculator, was described in Judge Michael Feinberg's court late yesterday after a surprise move by the defense called for the sudden completion of a jury.

In an opening statement, Assistant State's Attorney William Crowley revealed the evidence upon which the state bases its plea that four Touhy gangsters—Roger Touhy, Edward McFadden, Albert Kator, and Joseph Schaefer—colluded and conspired to abduct Factor's abduction.

It was a thrilling story and impressively told by Crowley, who had previously never revealed previously was given to the jury, which listened intently to every word uttered.

Defense Charges Conspiracy.

In a sensational counter statement after Prosecutor Crowley had spoken, Defense Attorney William R. Stewart asserted that the arrest, indictment, and prosecution of the Touhy gangsters had been instigated by the syndicate founded by Al Capone in order that the syndicate might take over the Touhy territory in the north-west part of Cook county.

He said the defense would prove that the syndicate had conspired in the federal department and in the state's attorney's office, and had thus been able to secure the Touhy gang's immunity of the Factor kidnaping.

Jury Completed by Surprise.

When the afternoon session opened only eight jurors had been called by both sides and the completion of the jury seemed remote. At 1:14 p. m. the state introduced a panel of four men which it considered acceptable. Without waiting any of the prosecution, a single question Defense Attorney Stewart announced:

"We accept the four men and ask that they be sworn."

There was astonishment visible on the faces of Judge Feinberg and prosecutor. Touhy and his three henchmen were granted, obviously enjoying the surprise shown.

Without delay the eight previously chosen jurors were called into court and the entire twelve were sworn. Before the jury began a week ago, but the task was slowed up by exhaustive examination of witnesses on the part of both state and defense, and by the calling of two of the four jurors chosen because they had completed their about criminal knowledge.

Courtroom Is Crowded.

When Prosecutor Crowley rose to address the jury the courtroom was packed and a line had already formed outside. The four defendants' expressions varied as the story of the kidnaping was unfolded. Touhy smiled at the prosecutor, a slight smile on his face. McFadden folded his hands in his lap and endeavored to assume an amiable expression. Kator glared at the ceiling. Schaefer regarded the floor moodily.

"This is a charge of kidnaping for ransom," Crowley began. "On July 1, 1933, the defendants here (pointing them out) acted and conspired to kidnap for a period of twelve days one John Factor for the purpose of securing \$500,000 from him."

Story of the Kidnaping.

"We expect to show you that on Friday night, June 29, Factor, in company with his wife, Rella; his son, Jerome, and other family friends, including Al Koster, Sam Hyman, Charles Redlich, and others, repaired to the Delta, a roadhouse on Dempster street, north of Chicago."

"The party left there about 1 a. m. because of late hour. The car, which was driven by his son, and was between Jerome and Koster."

Factor will testify, the prosecutor said, that when he left the roadhouse he noticed a man run toward the road to a car which was parked on the other side of the road with lights burning and motor running.

The Factor party had proceeded and in Dempster street a black wheel was forced to the curb by this car, Crowley said. A car containing Factor's wife and other women was not isolated and continued on. A second gang car approached and drove into a hole and the first one reversed a group of men armed with machine guns and shotguns, the prosecutor declared.

"One of these men, a man with whom was Gus Schaefer and another was Mike Factor, who was killed," Crowley told the jury. (Schaefer committed suicide in a cell in the

Paul after he had been acquitted with Touhy, McFadden, and Schaefer of the kidnaping of William Hamm Jr., wealthy brewer.)

"Factor was first kept in a house in Glenview at Fern and Elm streets for about 24 hours," Prosecutor Crowley went on. "This house was later discovered and identified by Factor as the place he was kept. Factor was later removed to a farmhouse which has not been located."

About ten men took part in the kidnaping, Crowley asserted. All the defendants were at the Glenview house at one time or another, and the house was rented by a business associate of Touhy, the prosecutor said.

He described the negotiations for the ransom of Factor which took place during the following twelve days. On July 2, one Herman Garfield received a telephone call from one of the kidnapers, telling him of Factor's kidnaping and the fact that a \$500,000 ransom was demanded. On the following day Dr. Herman Soloway, Factor's physician, was reached by the kidnaping band by telephone and he was instructed how to pay the ransom money, the prosecutor said.

Gang Sends Factor's Ring.

On succeeding days there were more telephone calls. Crowley told the jury. Dr. Soloway asked that a ring of Factor's be sent him as proof that Factor was actually in the gang's hands and the ring was furnished.

The amount of ransom demanded was gradually reduced, Crowley declared, until Factor's family agreed to pay \$70,000 in ten and twenty dollar bills.

"Dr. Soloway was instructed to take a cab and drive into the western part of the county," the prosecutor said. "At a certain point a man in a car stopped him and asked: 'Have you got it?' The doctor handed over the money. On the following day, July 12, Factor was released and was found wandering about the streets of La Grange by a policeman."

The prosecutor told of the arrest of Touhy and his men near Elkhorn, Wis., on July 19. At a showup in Chicago Factor identified Sharkey as one of the kidnapers. On July 23 the Glenview house was discovered and Factor pointed out where he had been held in the basement, the prosecutor said.

"The state will show that at the Glenview house," Roger Touhy told Factor that a ransom of \$500,000 would be asked for his release," Crowley continued.

Henrichsen to Aid State.

W. A. (Buck) Henrichsen, a former highway policeman who became a member of the Touhy gang, will testify for the state at the trial, Crowley indicated. Henrichsen will testify that he rented the Glenview house on June 13 at the request of Thomas Touhy, brother of Roger.

Henrichsen is expected to testify also that Roger Touhy, McFadden, Kator, and Schaefer spent much time in the Glenview place. Furniture taken from a house formerly rented by Roger Touhy was moved into the Glenview house, the state will show, Crowley declared.

A machine gun drum was found in the house by investigators and some of McFadden's clothing and a letter addressed to him, Crowley said. He said the state will show that Touhy maintained another headquarters at 304 Center street, Park Ridge.

Two days after the ransom had been paid Touhy gave Henrichsen \$1,000 in ten and twenty dollar bills, presumably part of the ransom money, Crowley said. He told also of the gang's attempts to get another \$50,000 from Factor and the elaborate police trap laid for the ransom collectors in the forest preserve near La Grange—a trap which failed disastrously.

A policeman disguised as a telegraph messenger boy and another policeman posing as a cab driver handed two men identified as Basil Barghart and Charles (Doc) Wagon Connors, members of the Touhy gang, a bogus ransom package containing \$500, Crowley said, but the two men then eluded the police and escaped. They have never been apprehended.

Defense Attorney Stewart, who had been expected to waive an opening



Congressman Oscar De Priest demands showdown after capital restaurant refuses to serve his secretary. (Story on page 1.)

(TRIBUNE Photo.)

statement, staged another surprise by announcing the unusual defense which the Touhy gangsters will offer.

"It will be my purpose to present certain facts to you showing that those defendants are innocent of this charge," Stewart said to the jury. "In the first place, there will be no dispute of the fact that the Glenview house was rented by some one connected with these defendants. It was rented, however, for an entirely different reason from that claimed by the state, and the cross-examination of Henrichsen will disclose this reason if Buck will admit it."

Attorney Stewart then described Roger Touhy as the 19th of gang leader. Touhy was born on Chicago's west side and received some schooling here and in Downers Grove, the lawyer said. He was for a while a telegraph operator. Touhy will take the stand, Stewart declared, and tell how he got into the beer running business in the northwest part of Cook county. The attorney disclosed that McFadden will also be a witness in his own defense.

Beer Business Profitable.

"The beer business was profitable for a while," Stewart said, "and Touhy at one time had 23 employees working for him. His route included Schiller park, Niles Center, and villages in the neighborhood. At first there was no rival for the business. You may also conclude that there was no police opposition to his activities."

"He ran his business as peacefully as possible until what is known as the syndicate which was founded by Al Capone cast longing eyes upon his territory."

"The syndicate dealt in beer, whiskey, alcohol, gambling and prostitution. The Touhy band dealt only in beer. The syndicate decided to move in on the Touhy territory as conditions began to change and some of the syndicate members began to get into trouble. Finally, the war was on and that is the reason why these defendants had to go heavily armed."

"The syndicate also started gambling at the Delta, where Factor was kidnaped, which was in the heart of the Touhy territory."

"McFadden, it will be shown, was a business agent and trustee for the teamsters' union. His superior was

Jim Lynch. The syndicate went into the labor union was assassinated and slugged and thrown out. He tried to get back.

Attorney Stewart for and his gaze flitted from of the 12 men before him the motive which the tempt to prove is behavior of the Touhy gang.

"The syndicate tried every method to force him out of his territory that was unsuccessful accuse the Touhy of final that happened. had made inroads also ment officers, the police and the prosecutor's thing was blamed gang."

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Prosecutor Crowley

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# JUDGE M'GOORTY REFUSES TO STOP CLOSING OF DELLS

JUN 2-1934

## Continues Injunction Plea to Tuesday

Despite impassioned arguments that only "the best people" patronized the Dells roadhouse in Morton Grove, Superior, Judge John P. McGoorty refused yesterday to issue a temporary injunction restraining the state's attorney from keeping the place closed.

The judge continued the hearing until Tuesday to give the assistants representing State's Attorney Courtney a chance to answer the charges of the owners of the roadhouse, and at that time a ruling will be made on the issuance of a permanent injunction.

### Verbal Skirmish in Court.

The courtroom was the scene of a verbal battle between Attorney Simon Herr, representing the two owners of the Dells, Sam Hare and Louis Silver Smith, and Assistant State's Attorney Jacob Shamberg. Herr wanted the temporary injunction to keep the Dells open, at least until a ruling on the permanent restraining order.

"The owners have spent \$40,000 fixing up the place, then the state's attorney stopped our grand opening on May 29," Herr complained. "Now \$10,000 worth of food is spoiling out there."

"The situation out there is bad," said Mr. Shamberg, "and the state's attorney has determined to eradicate that situation."

"Why, only the best people patronize that place," remonstrated Herr. "Maybe they did use to be interested in gambling out there—but most of our best people are interested in gambling. Anyway, they don't gamble there any more."

### Cites Factor Kidnaping.

"John Factor was kidnaped from that place," retorted the prosecutor, "and the kidnapers hid in a building on the grounds. It would be a fine thing to take the 'best people' out there to be kidnaped."

"The owners have been the victims of an extortion ring, which the federal government knows about," declared Herr.

"That shows the situation is bad," said Shamberg. "You are running something there, or you wouldn't have been paying the Touhys. What are you hiding?"

At this point Judge McGoorty put an end to the argument, refused to grant the temporary injunction, and continued the hearing.

Dellsclub6att2



# VIOLENCE STAINS RURAL BOHEMIA'S 10 YEAR HISTORY

## Death and Disaster Stalk Roadhouse Area.

Spreading throughout the northwest end of Cook county, from the city line to Lake county and beyond, is a rural "Bohemia," the country roadhouse district which sprang up during the halcyon days of prohibition. During the last two decades it has been the locale of numerous gang killings, robberies, bombings, fires, and criminal assaults. From a humble origin of isolated village saloons it developed, under the impetus of prohibition, to a territory dotted with 500 roadhouses of various sorts, from the low ceilinged, dimly lit tavern with a few tables and expensive drinks to the elaborate and expensive dining room.

It has been a source of trouble to very state's attorney and sheriff of the era, as rival gangs shot it out on the prairies or in the roadhouses and very form of gambling from slot machines to roulette flourished.

### Morton Grove Is "Capital."

The center of this district is the small village of Morton Grove, population 374. Within its confines exist or existed most of the larger roadhouses, as well as innumerable small "neighborhood" drinking spots for the working man. The Club Rendezvous, on Dempster street east of Main avenue, was the largest and most famous Sunday afternoon and night known dance and drink place.

Perhaps the most notorious of the roadhouses was The Delta, diagonally across Dempster road from the Rendezvous. John Factor was kidnaped by the Touhy gang as he left the Delta on the night of July 1, 1933. Following the conviction of four of the abductors, State's Attorney Courtney closed the club and notified all village officials not to allow either Sam Hare or Louis Silverman, its operator, to open up in their town.

There were two murders at the Delta and twice it was bombed. Raiders visited it repeatedly seeking liquor violations during prohibition days, and looking in on the elaborate gambling casino on the second floor. It was bombed, and twice fire gutted the interior, the last time being Oct. 8, 1934. The Delta was established by a waiter, Jell Jones, who called it simply "Delta." Later it became known as "The Delta" as being more adapted to the increased importance of the place.

### Another Death Setting.

Another landmark is the old Bridge inn, located at the southeast corner of railroad avenue and Dempster street, in Morton Grove. It has been known under many names: The Russian Village, the Golden Gate, and the last, Club Morton. Matt Kolb, the owner, a suburban beer and gambling boss, was shot and killed there by gangsters two years ago.

Between the Bridge and the Club Rendezvous on the south side of Dempster street, is the Lincoln Tavern, run by Jack Hoff, who once operated the old Lighthouse at Waukegan road and Dempster street. Seventeen years ago the club was then across the street, but it was burned out.

Further east, on the north side of Dempster road, was the old Walton club, once the summer trade attracting duplicate of the Walton club at 9 East Walton place, where Teddy Newberry and other Capone gangsters were said to have conducted their downtown Chicago operations. Both Walton clubs are now closed. The Morton Grove club, popular despite its high prices, burned two years ago. The wife of the caretaker and her 3-year old daughter perished in the flames.

### Fires Date Back 15 Years.

Fifteen years ago the Wayside inn on the north side of Dempster street at Ferris avenue, one of the first of the north end roadhouses, was burned out while the owner, Charles Krempp, was in Germany. Krempp also once owned the old Bridge. At that time Kolb ran the Como inn, on the southeast corner of Ferris and Dempster, and this then served as headquarters

for his beer and slot machine racket.

Another bright spot which burned was the Bit and Bridle, "members only" speakeasy. It was located at Harms road, two blocks north of Dempster, and burned in 1933. The old Four Seasons, later known as the Black Forest, on Waukegan road, Glenview, went up in flames two years ago. The Greentree inn, farther north on Waukegan road burned down last winter.

One of the few spots to escape depredations of one sort or another is the Ferris inn, which has operated for fifteen years on Ferris avenue, south of Dempster street. Others are the Studio, the Barn, the Club Del Rio, Murphy's, Hank Trausch's, and the Bungalow.

### Violence Marks Area.

Niles Center woke up one night in the summer of 1930 to hear the echo of machine gun fire, as Danny Yalla, Capone hoodlum was slain from ambush almost on the doorstep of Charles Landerer's cafe on Lincoln avenue near Oakton street. The latest gangster to die there was the late Baby Face Nelson, whose bullet torn body was found near a cemetery after the Barrington gun battle with federal agents.

Further north from the Morton Grove, Niles Center, and Niles district, were three roadhouses once well known. Under the management of M. Bouche, the Villa Venice flourished on the banks of the Des Plaines river south of Wheeling, despite two bombings and a fire. The Garden of Allah, at Lake street and Waukegan road, Glenview, closed shortly after Cy Teatroy, the manager, was shot during a holdup in 1929. Directly across the street was the tavern operated by Frank Ingalls, where Russell Thompson of Evanston, a customer, was slain during a holdup in 1930.

# THE GAMBLING SITUATION? IT'S JUST A GAMBLE

## Sheriff O'Brien Replies to Crime Board Head.

Predicting what will happen to the gambling situation in Cook county appeared to be more than a gamble yesterday.

Sheriff Thomas J. O'Brien, quoted Monday by Bertram J. Cahn, president of the Chicago Crime commission, as saying he was too busy collecting taxes to bother about slot machines, accused Cahn of misquoting him. But, he added, collecting taxes does take up most of his time.

### List Given to Laird.

The sheriff said he had turned over to Lester Laird, chief of the highway police, a crime commission list of Cook county places where slot machines were supposed to be operating. [Cahn disclosed on Monday that he had given such a list to O'Brien.]

Chief Laird said the resorts named in the Cahn list were "fly-by-night places." Besides, Laird asserted, his police force is not fully staffed to visit every tavern in the 750 square miles of the county outside Chicago.

State's Attorney Courtney contributed to the gambling round table by calling attention to crime commission reports that gambling joints are running without interference in Cicero. Al Capone's old bailiwick. "The new state superintendent of crime prevention, William J. Smith, ought to start his job there," said Courtney.

The prosecutor said also that he wondered why Sam Hare, operator of the old Dells roadhouse on Dempster road in Morton Grove, had been allowed to open a new spot across the street after the prosecutor had closed the roadhouse and asked licensing agencies to refuse Hare a license for anything at all times.

### Scene of Factor Kidnaping.

It was from the old Dells roadhouse that John (Jake the Barber) Factor was kidnaped for ransom in 1934 by the Touhy gang, five members of which are now serving sentences of 99 years each in prison. After Courtney closed the place it burned down.

Asked if he plans to take any action concerning the county situation, Courtney said: "I do my duty. I can't be accountable for the failure of others to do theirs. If the state police come in to enforce the laws it will not be due to any dereliction on my part."

Meanwhile T. P. Sullivan, director of the state department of public safety, who two years ago led 100 state policemen in a slot machine cleanup in Cook county, left for Springfield to confer with Gov. Green, who commented last Saturday on the lack of enforcement of anti-gambling laws.

## Factor Calls Dells Owner Kidnap Aid

John Factor declared in Federal Judge John P. Barnes' court yesterday that Louis Silversmith, owner of The Dells, Morton Grove roadhouse, and Roger Touhy planned his kidnaping in 1933. Factor was called as a witness in Touhy's habeas corpus action to free himself from a 10-year sentence for the kidnaping.

Factor said he had never mentioned Silversmith's part in the kidnaping because he had been ordered by Capt. Dan Gilbert, chief investigator for the state's attorney, not to talk about it. Factor was kidnaped early July 1, 1933, shortly after he had left The Dells.

### Charge Gambling Link

When questioned about the purpose of his line of questioning with Factor after objections had been made, Robert B. Johnstone, Touhy's attorney, said he would prove that gambling was operated at The Dells by the syndicate with the knowledge of the state's attorney. (Circuit Judge Thomas J. Courtney was then state's attorney.)

"Can you prove that?" Judge Barnes asked.

Johnstone replied that he would attempt to prove that the state's attorney "worked hand in glove" with the syndicate.

### Factor Tells Of Career

Factor presented a nattily dressed figure as he walked to the witness stand, dressed in a dark blue suit, large dark glasses shielding his eyes and his wavy black hair showing streaks of gray. Under questioning of Johnstone he said he has lived at 1060 Wilshire Blvd., Los Angeles, since his recent release from the federal penitentiary.

Johnstone asked him to recite in detail his early life, beginning with his birth in England, his arrival in this country at the age of 11 and his youthful experiences as a bootblack, messenger and newsboy in St. Louis. Factor said he came to Chicago when 15 or 16 years old and after work as a window washer and in other trades he became a barber, eventually owning his own shop on 12th st., near Independence Blvd., which he later sold and went into the securities business.

Johnstone at the outset of yesterday's court session said that the "bald perjury" of two witnesses the previous day would force him to bring witnesses from all over the middle west and would materially lengthen the hearing.

### Ex-Cook, Son Testify

He referred to the testimony of Mrs. Clara Czech, at times a cook for Touhy, and her son, Edward Schwabauer, who had been a guard for Touhy's children. They signed affidavits in Touhy's first freedom attempt in 1933 in which they stated they had never seen Touhy and Factor together.

Under questioning Thursday the mother and son had insisted they had not read all of the affidavits when they signed them and denied a number of statements contained in them.

Johnstone said that Edward H. Hutton, who has joined him as associate counsel, will push for a vacation of the appeal of George E. McSwain, Chicago chief of the federal bureau of investigation, from a contempt citation and seek his return to custody.

Johnstone said he is hopeful of obtaining the FBI records on the Factor kidnaping which McSwain had refused to turn over to the court.

Atty. Gen. Clark, in Chicago yesterday to address a parole conference at the University of Chicago, said the justice department would appeal the decision of Barnes holding McSwain in contempt for refusing to produce FBI records. The appeal will be prosecuted by his 1st assistant, Peyton Ford, Clark said.

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