



### **Episode 703, Story 1: St Valentine's Day Massacre Gun**

Elyse: Our first story investigates a weapon that may have been fired in one of the nation's most infamous crimes. February 14, 1929, St Valentine's Day. Gangsters turn a day of love and reflection into a bloodbath, executing 7 men in a Chicago garage. Authorities suspect the hand of powerful gangster, Al Capone who is fighting to control the city's illegal liquor trade. The daylight killing outrages the nation, and becomes a symbol of the failure of prohibition. However, no one is ever convicted of the killing and the crime remains unsolved. Now Mike Lux of Lake Geneva, Wisconsin believes he has the missing weapon from this legendary gangland massacre.

Mike: This gun may have taken the lives of two men.

Elyse: I'm on my way to meet Mike and look into his story.

Mike: Very nice to meet you.

Elyse: Oh wow!

Mike: Twelve gauge shotgun.

Elyse: Let's take a look at her. And what's the story behind it?

Mike: It was supposedly used in the St Valentine's Day massacre

Elyse: That was in Chicago, in 1929?

Mike: Yes.

Elyse: You know just by looking at the gun to me it kind of looks like the barrel isn't period to the piece.



Mike: Correct, I had this barrel put on to make it legal. Originally the barrel was cut off probably about right here. I actually have a couple of pictures of it.

Elyse: Oh and I can see that the barrel is much shorter. Mike tells me that short barrel shotguns are federally regulated and that he put a longer barrel on the gun to comply with these rules. How did you get the gun?

Mike: I had inherited it from my father when he passed away.

Elyse: Mike says his father got the gun from a former Chicago fire commissioner, Robert Quinn. Mike believes that Quinn, who is now deceased, may have used his influence to secretly acquire the gun.

Mike: I think when Quinn acquired it had to have been in mid '70's.

Elyse: Mike's father was killed in an air crash in 1979.

Mike: Two days later one of his friends talked to me and he was very upset about the plane crash, but he was also very worried that now I own this piece and he didn't want me to be showing it off or, ya know, telling anybody about it. And I - and I haven't. You know that's why I've -- I've had it for 30 years hidden away.

Elyse: What did you think when your dad told you that this was used in the St Valentine's Day massacre?

Mike: I thought 'come on' ya know your pulling my leg. And he was dead serious and he was a serious kind of guy when it came to weapons like this in his collection. He was -- he was not fooling.

Elyse: Mike, what exactly do you want to know?

Mike: If it truly is the shotgun that was used at the St Valentine's Day massacre.



Elyse: I will see what I can find out. Alright, do you mind if I sit here for a while and evaluate it?

Mike: Absolutely not.

Elyse: I used to work in the gun department at Christie's so I know a little bit about guns. And the first thing I need to determine was if this gun was even around in 1929. Was it period to the time of the massacre? It certainly appears to be. The wooden fore stock is for a repeating – or pump action – shotgun. That means it can fire multiple shots without reloading. I know that there's a serial number here. Ah, here it is. 18514b that may help us more precisely date the gun, although back then I'm pretty certain a purchaser was not required to register their weapon. I see that it says "Western Field" on the plate. You know I did notice something unusual over here on the stock. There are two notches. Maybe we can get some information from that as well. If this gun really was used in the St Valentine's Day massacre, then it's an exceptional piece of history. And its collection value would be very high. On the morning of February 14<sup>th</sup> 1929 seven immaculately dressed men gathered in a garage on Chicago's north side. Some were members of a gang led by the notorious bootlegger Bugs Moran. Without warning, gunmen stormed in and unleashed a hail of bullets that left all seven dead. Witnesses reported seeing what looked like two police officers leave the garage. The mid-morning slaughter turned the media spotlight on the city of Chicago and the violent struggle being waged over control of the illegal liquor trade. I'm in Chicago to meet the author of this book, Art Bilek. Hi Art, here is the gun. Tell me your opinion on that, what do I, what do I have here?

Art: It's a 12 gauge shotgun.

Elyse: Art is also a former police officer, and familiar with weapons of choice of criminals.

Art: Most importantly it has a sawed off stock. Gangsters in the 1920's had these stocks modified so that they could carry these under their overcoats, like this.

Elyse: So it's a gangster gun?

Art: Oh yes in fact that's the way I would refer to it, as a gangster gun.



Elyse: Art says exactly how the victims were lured to their death was never established. Investigators suspected the phony policemen were Al Capone gang members. When they ordered the rival gangsters to line up and turn around, more Capone men entered, carrying weapons.

Art: We don't know exactly what went on, except two of the men pulled out Thompson sub-machine guns and began riddling the backs of these seven men with machine gun bullets.

Elyse: Getting information about the crime was almost impossible. The Chicago underworld was ruled by fear. Before dying one of the victims; Frank Gusenberg, told incredulous police "nobody shot me". Investigators turned to evidence from the blood-drenched garage.

Art: Sgt. James Loftus, who was the first officer on the scene, was able to collect from the scene several items. Here is a copy of the inventory report that he filed that very day.

Elyse: There were several forty-five caliber shells and bullets, the size of ammunition used in the Tommy gun. Art points out something of particular interest.

Art: And there's the item right there "two shotgun shells, 12 gauge."

Elyse: That's the same gauge as Mike's gun. I tell Art that Mike believes his weapon once belonged to Robert Quinn, a former Chicago fire commissioner in the 1950's thru the 70's.

Art: He was one of the more notable fire commissioners in the history of Chicago

Elyse: He says Quinn was part of an inner circle around the mayor in a period when control of evidence – especially for a celebrated cold case - was not nearly as tightly held as today. Do you think that he could have owned this gun?

Art: He knew all of the top officials. He would have known the coroner very well and he would have known other people in the Police Department. It's entirely possible that one way or another he might have met a man that had possession of this gun.



Elyse: Art says the description of two of the killers dressed in police uniforms - turned up the heat on investigators. But it wasn't until ten months later that they caught a break. An Al Capone associate named Fred "Killer" Burke was involved in a fender-bender across state lines in Michigan.

Art: Now there's a police officer on the next corner and he began walking down. With that "Killer Burke" drives off, the policeman jumps on the running board. Burke takes out his gun and shoots him. The officer tumbles to the ground dead. A huge manhunt follows and that's how they found Burke's car overturned where he tried to make a turn in the road and failed.

Elyse: Art explains that Burke was a career gangster and hit man. A World War I vet, he was suspected of introducing the Thompson submachine gun to the Detroit mob, helping murder three men in 1927. In the aftermath of the St Valentine's Day killings, Burke was holed up in a small Michigan town. After killing the officer, police raided his hideout.

Art: Upstairs on the second floor they opened a closet and there were the two machine guns, a shot gun and some other armory type devices.

Elyse: Forensic analysis would later connect some of Fred Burke's weapons to the massacre. Where are those guns now?

Art: The guns at the current time are being held by the Berrien County Michigan Sheriff's Office where they were recovered in the first place.

Elyse: I'm in Berrien County to meet with Lt. Keith Hafer, the weapons expert in charge of the massacre guns. Wow.

Lt. Hafer: These are the two Thompson sub-machine guns used in the St Valentine's Day massacre.

Elyse: Lt. Hafer explains that for years the guns were held by the FBI at their ballistics crime lab in Quantico, Virginia. In the late 1970's a Michigan detective training with the FBI spotted the guns, and asked for their return. Are these the only guns that you have?



Lt. Hafer: There were other guns seized from Fred Burke's home, but those guns long gone and I don't have any record of them.

Elyse: Well I am investigating this shotgun that I believe may have been used at the massacre.

Lt. Hafer: It's certainly the right age and it looks like a gangster gun. What I notice immediately are these two notches cut into the pistol grip of this shotgun.

Elyse: Lt. Hafer says criminals sometimes carved notches on their weapons when they killed a man.

Lt. Hafer: And the Thompsons that we have, have notches carved into the trigger guards

Elyse: He's not sure if the markings can connect our gun to the massacre, but offers to take me to the firing range to show exactly why our gun and the Tommy gun would have been favorite gangster weapons.

Lt. Hafer: Aim right at the chest...keep going.

Elyse: The Tommy gun can fire continuously. Lt Hafer has told me to fire just three shots at a time - because the weapon is difficult to control. That's pretty powerful. Lt. Hafer says this model Tommy gun could unload a devastating 700 rounds a minute. I can understand why a gangster likes that gun.

Lt. Hafer: It was the high tech weapon if its day.

Elyse: He tells me that before the introduction of the Tommy gun to the Chicago crime world in 1924, the repeating shotgun was the gangster gun of choice.

Lt. Hafer: What you have here is a pump action, repeating shotgun. Which was a very common and devastating weapon of the time.



Elyse: Our gun is capable of firing 6 shots before reloading – unleashing a devastating spray of shotgun pellets.

Lt. Hafer: Would you like to shoot it?

Elyse: Yeah, definitely.

Lt. Hafer: Pull it in tight. Aim at your target. Shoot when ready.

Elyse: Wow that's got quite a kick to it.

Lt. Hafer: Why don't you open the bolt and make sure it is empty

Elyse: Okay...now do you think that this gun was used in the St Valentine's Day massacre?

Lt. Hafer: It's certainly a possibility.

Elyse: Lt. Hafer suggests I pick up the shell casings. If our gun was used in the massacre, the shells may bear useful forensic information. He's not sure what remains in the old police files – but suggests I speak with Police Historian Chriss Lyon at the Heritage Museum and Cultural Center in Saint Joseph. Hi Chriss.

Chriss: Hi Elyse. Great to meet you. Welcome to St. Joseph, Michigan.

Elyse: Thank you. Chriss says the police found a trove of incriminating evidence when they raided Fred Burke's hideout.

Chriss: This one is one of the original photos of some of the weaponry that was found in Fred Burke's house.

Elyse: Ok so I see here the two Tommy guns that were found at his house.

Chriss: Yes.



Elyse: And this is all the arsenal. And this must be the shotgun. Chriss explains how the Chicago authorities had turned to a forensic expert named Calvin Goddard to examine the burke weapons.

Chriss: When Goddard took these guns to be tested ballistically, he took the Tommy guns and he took this gun which is a 20 gauge. Now we know that there was a 12 gauge used in the -- in the St Valentine's Day massacre by the shells that were found.

Elyse: so if this gun wasn't used in the massacre, then it's still possible that our gun was? I'm curious – had Goddard also examined the 12gauge shells found at the crime scene after the massacre? Chriss suggests I speak with former crime lab director Paul Dougherty who has studied the massacre and the subsequent police detective work. Okay, so here's the gun I talked to you about.

Paul: Yes.

Elyse: What do you think?

Paul: This is a western field which is made by Stevens. It has a fairly low serial number which indicates it's fairly old.

Elyse: Paul says this model was in production from 1905 to 1932 and period to the massacre. However, he can't precisely date the gun because the manufacturer's serial records have been destroyed. So tell me a little bit about Goddard.

Paul: Well Calvin Goddard was a first-class scientist. And approached everything that he did as a scientist.

Elyse: Paul says Goddard trained as a physician, but in 1926 entered the emerging field of ballistic science. His forensic work which helped convict anarchist Nicola Sacco in the celebrated Sacco and Vanzetti murder case caught the attention of the Chicago coroner.



Paul: It was the enormity of the St Valentine's Day massacre that brought the need for scientific crime detection to the public's attention and to the attention of the authorities of Chicago.

Elyse: Goddard test fired the Burke raid Tommy guns, and compared the shells to those from the scene of the crime. He explained to the Chicago investigators how spent shells had their own identifying marks.

Paul: He put the cartridge cases under the comparison microscope, one on either side

Elyse: So Paul tell me what I'm looking at. Using a replica of Goddard's microscope, Paul tells me to compare the impressions on two shells from Goddard's personal collection. So the firing pin impressions are the same? By matching firing pin impressions, Goddard determined that Fred Burke's Tommy guns were used in the massacre. So these came from the same gun?

Paul: The same gun.

Elyse: Well I have these shells and I shot these shells from Mike's gun. Paul offers to take a closer look. Although the cartridge shells from the crime scene are long gone – he says Goddard did examine them – and testified in front of the coroner's grand jury.

Paul: The characteristics that Goddard emphasized in his testimony though were the extractor and ejector marks. The extractor marks are the markings that occur when a shell is in a chamber of a gun and it is extracted from the chamber...

Elyse: Uh-huh.

Paul: ...an ejector marking occurs when the shell is kicked out of the gun.

Elyse: We take a close look at our shells. Oh those two little scratches?

Paul: That is correct.

Elyse: I see them.



Paul: Okay.

Elyse: What Paul tells me next is certainly going to be of interest to Mike. Investigators found bullets and shells at the scene of the crime. And two of those shells were from a 12 gauge shotgun. The same gauge as your shotgun.

Mike: That gets us very close.

Elyse: I tell Mike the strange carved notches on his weapon – could have been a gangster signature indicating the weapon had been used in a murder. Similar markings had also been seen on the Thompson submachine guns used in the massacre. Although missing evidence made a direct comparison with his shells impossible today, at the time of the massacre, the expert brought in by the authorities conducted a thorough forensic investigation. Goddard did closely examine the shells that were found at the scene of the crime and he made a pretty interesting discovery.

Paul: These are the types of markings that Goddard found on the shells, from the scene of the crime.

Elyse: Goddard had determined that the shotgun used in the murder of seven men on St Valentine's Day 1929 – was a pump action gun too, the same as Mikes. So in your opinion could this gun have been used in the massacre?

Paul: Yes. It is the right vintage. It has both the extractor and ejector markings which Goddard identified.

Elyse: We can prove that the gun that was shot that day was a 12 gauge repeating shotgun; your gun is a 12 gauge repeating shotgun.

Mike: Right, right that's great



Elyse: I tell Mike there are no surviving police records of any other shotgun being recovered by police and tied to the killings. While we can't conclusively link your gun to the massacre, no evidence rules it out.

Mike: Very interesting.

Elyse: So if the original shells surface then we would be able to finish Goddard's work and determine if your gun fired them. How do you think your father would feel about the fact that we have come this far?

Mike: He would be ecstatic; he would say "I told you so." Thank you, thank you very much.

Elyse: Fred Burke was never convicted for the massacre. Instead he was put away for killing police officer Charles Skelly. Capone was eventually brought down on charges of tax evasion. But Goddard's work brought credibility to the young field of ballistics. He was given resources to open one of the nation's first independent crime labs, and continued to pioneer techniques that are still used today.