

Washington Post

September, 27, 1926

Riddled With Six Bullets, Pursuers Continue Gunfight

Fusillade of Shots Stirs Grant Circle

Pair of Fugitives Are Trapped when Screaming Woman Finds Them in Cellar

Injured Prisoner Dying in Baltimore Hospital

Two Women Netted in roundup after Affray That Ends Night of Banditry

Two policemen were shot, one probably fatally, and two other men were wounded, one critically, in a running gun fight between the police and four bandits whom they had arrested early yesterday morning.

The battle in which more than 30 shots were fired, took place on New Hampshire Avenue between Upshur Street and Grant Circle northwest, when the men tried to escape as they were being taken to the patrol box at New Hampshire Avenue and Grant circle.

Policeman Leo W. K. Busch 29 years old, and Frank L. Ach 24 years old, both attached to the Tenth precinct, were each shot three times. Both men suffered bullet wounds in their abdomen. Busch is not expected to live.

John Proctor 18 years old, of 1102 Seventh Street southwest, who, police say, is one of the bandits, is dying in a Baltimore hospital to which he fled, from a bullet wound in his abdomen. Nicholas Lee Eagles, 34 years old, of 319 C street southwest, a half-breed Indian, was shot in the calf of the left leg when he tried to escape.

Ten Taken in Round-Up

Ten persons, including two young women, were arrested yesterday by police and held in connection with the shooting and with holdups which preceded it, to which three of those arrested have confessed, according to the police.

Those arrested, all of whom are held for investigation, are: Eagles, Proctor, Samuel Marino, 18 years old, of 617 C street southwest; David McCabe, 25 years old, of 1408 L street northwest; Mrs. Pal Eagles, 18 year old auburn-haired wife of Eagles; Miss Gladys R. James, 20 years old, who lives with Mrs. Eagles; Ralph and Walter Proctor, brothers of John Proctor; Harris J. Atchison, of 3634 Thirteenth Street northwest, and James W. Callan, of Alexandria, Va., both 21 years old.

McCabe, said by police to be the ringleader of the bandits, was the last of the ten arrested, and was taken in custody by Headquarters Detective Dennis Murphy, youngest member of the detective force and Detective Curtis Trammel in a dramatic raid last night on the home of a women friend of McCabe's just as he was completing plans to flee from the city.

Confessed, Police Claim

Ralph and Walter Proctor, the latter a Baltimore physician, were arrested on the Highway bridge last night by Motorcycle Policeman C. H. Bradley, of the Fourth precinct, as they were entering the city from Virginia, in Ralph's automobile.

Eagles, Marino and McCabe, police say confessed their part in the shootings. John Proctor, when questioned last night by Capt. John Carey, night commander of police in Baltimore, at the Franklin Square hospital, concerning his part in the shooting merely groaned.

Trapped With Woman Friend

Detective Murphy and Trammell had followed McCabe all day. Everywhere they went they discovered that the alleged ringleader of the bandits, who is sales manager of the Adams Motor Co., had just left.

Last night shortly after 9 o'clock Murphy and Trammell learned that McCabe was stopping at 1208 K street northwest. They made certain McCabe was sitting in the parlor in the front of the house, on the first floor, with all lights out and then entered the place. The detectives were forced to crawl through a long dark hall to get to the parlor door.

Listening through the door, Murphy says he heard McCabe making his plans for escape with his woman friend. With guns drawn Murphy and Trammell broke into the room flashing their lights on McCabe and commanding him to throw up his hands. Cornered, the detectives say, McCabe made no effort to escape, but asked "How are the cops?" When told that they were dying, McCabe shouted: "My God!"

McCabe Tells of Shooting

McCabe was then handcuffed and taken to police headquarters. He told Murphy and Trammell, they say. That he had walked only a short distance with the two policemen after he was placed under arrest when Eagles and Marino broke from the grasp of the policemen and started shooting.

When the battle began, the policeman says, McCabe told them that he began to run. Proctor was running in front of him, he said. After fleeing half a block, proctor fell to the sidewalk, clutching at his abdomen, writhing in agony. McCabe declared he continued running through alleys until daybreak when he boarded a street car for his home.

Proctor, according to his brothers, went to his home and told his brother, Ralph that he had been shot. Ralph told the police that he prepared to take his brother to a local hospital, but that he refused to go.

Take Brother to Baltimore

"Take me to my brother's house in Baltimore." John is declared to have commanded. Ralph placed his brother in his automobile and drove out of the city unmolested. When he arrived at the home of his brother, Walter, at 2702 Huntington Avenue, Baltimore, a physician was summoned. He ordered the injured youth to a hospital. Surgeons at the Franklin Square hotel operated on the boy from 11:30 until 1 o'clock yesterday afternoon in an effort to save his life.

The physicians told the Proctor boys that their brother's condition was critical and suggested that they summon his mother. They were on their way to Joplin Post Office Va., where their mother resides when a tire blew out. A Mrs. Blockenberger, a friend of Mrs. Procter, was accompanying the boys. She continued on alone after the blowout. The boys were arrested when they returned to Washington.

Policeman W. H. Vermillion, of the Thirteenth precinct gave a large quantity of his blood late yesterday afternoon in a transfusion at Garfield hospital, where the injured policemen were taken, in an effort to save the life of Busch.

The shooting as described by police, was one of the most drastic gun battles in police annals.

Policemen Shot Down

According to Capt. Fred Cornwell, Sergt. J. T. Langley, Detective B. C. Black and Policeman W. S. Buchanan, all of the Tenth precinct, who arrested Eagles and Marino, Busch and Ach, were shot down five minutes after they had received a lookout for the bandits and placed them under arrest on suspicion of the holdups.

Busch and Ach were standing on the corner of Georgia Avenue and Upshur street northwest, having just completed jotting down descriptions of the bandits, when they noticed four men standing near a taxicab call box. One of the bandits volunteered the information that they were waiting for a cab as their car had broken down near a patrol box at Webster Street.

Knowing that there was no patrol box in the location the men stated, the policemen grew suspicious and upon a second look found the four resembled the bandits described in the look-out. The four were placed under arrest. Each policeman taking two.

Wounded but Gives Chase

According to Capt. Cornwell, the bandits asked the police to take them to their car and they could prove their assertions. The police acquiesced, knowing that a patrol box was at Grant circle and that if their alibi proved false, they could call the wagon from this box.

While at New Hampshire Avenue and Upshur Street, one of the men, said to be Marino, broke from the grasp of Busch, whipped out a revolver and opened fire, with his three companions following his lead.

Before the policemen could bring their own weapons into action, Ach had been shot twice, once in each arm. Busch was shot twice in the left side of the chest and once in the stomach.

Though probably fatally wounded Busch gave chase to two of the bandits, who fled up New Hampshire Avenue toward Grant circle, while Ach followed Marino and Eagles, firing as he ran.

The rapid firing of bandits and police which could be heard all over Petworth and Parkview, aroused the immediate section near the shooting and soon frenzied men and women, all scantily clad, were peering from windows and from behind half-opened doors.

Fires from the Ground

Act was rapidly gaining on Marino and Eagles, who had turned south on Fifth street at Upshur, when both bandits wheeled around while still running, flipped their guns in the general direction of Ach and blazed away. Ach fell to the pavement with a bullet through the center of his stomach.

While lying in a huddled heap on the pavement, Ach took hasty aim and fired his last shot at the fleeing bandits. The bullet struck Eagles in the left leg.

Hardly had the sound of the shooting died away when the houses in the neighborhood blazed with lights. Hurried calls were sent to the Tenth precinct and to police headquarters. The calls were still coming in when police arrived. A passing motorist took Busch to Garfield hospital while Ach was hurried away in the police patrol.

Police under the direction of Capt. Cornwell and Sergeant Langley, of the Tenth precinct, and headquarters detectives, began a systematic search of the neighborhood for the bandits while residents in the neighborhood stood guard over their homes with guns and revolvers of all descriptions.

Woman Confronts Intruders

While the search was at its height, Mrs. Vogle heard Marino and Eagles, who was unhampered in his running, though wounded; enter the basement of her home.

Unharmed, Mrs. Vogle went to the basement where Marino and Eagles were slinking in the darkness and frightened them into the yard by screaming.

Fearing apprehension, the bandits retreated into the cellar again, ran up the stairs through the first floor and out of the front door. Rosco L. Oatley, 4101 New Hampshire Avenue, and Charles Newhard, 4103 New Hampshire Avenue, attracted by Mrs. Vogle's screams, overpowered Marino and Eagles, who had thrown their empty guns away and grappled with them until police arrived.

When taken to the Tenth precinct, police say Marino and Eagles admitted staging two holdups in Maryland early yesterday morning, having participated in the holdup of the Million

Dollar Grocery Store at 2606 Connecticut Avenue northwest Thursday, when \$200 was taken, and the holdup of the gasoline station at Sixteenth and Taylor Streets northwest, two weeks ago, when John Keyser, the night manager was robbed of \$200.

Empty Revolvers Found

Police searching parties found two empty .38 caliber revolvers on Fifth Street near Upshur Street shortly after Marino and Eagles had been locked up, and when confronted with the guns both bandits admitted they were the weapons with which they did the shooting and perpetrated their holdups.

Marino and Eagles told police yesterday of the two holdups they are alleged to have committed on the Baltimore-Washington boulevard near Berwyn, Md., last night.

According to the bandits' story, they, in company with two friends, whose names they refused to tell, appropriated an automobile turned in to a second hand establishment on Fourteenth Street near Rhode Island Avenue northwest by R. J. Reed, of 1665 Lamont Street northwest, and went to Muirkirk, Md.

A motorist, who told Laurel police he was Felix B. Solari, of Camden, N. J., was held up at the point of pistols and robbed of his automobile and luggage. The bandits left him their second hand car in return.

The car owned by Reed was later taken away from Solari by the bandits, who abandoned it, together with a ransacked suitcase belonging to Solari, along the roadway near Berwyn.

With the Solari car the bandits then cruised along the road to Berwyn, where they staged the second holdup.

A car, driven by Albert Martin and occupied by Mr. and Mrs. Mark Reed, all of Deepwater, N. J., was stopped by three masked men, while a fourth bandit sat at the wheel of Solari's car a short distance away, apparently much amused by the manner in which the victims displayed their surprise.

Each of the highwaymen selected a victim. From Martin \$200 in bills and a watch was stolen, from Reed a diamond stickpin was taken and \$9 from Mrs. Reed.

Mrs. Reed outwitted the bandits however, by removing a diamond ring from her finger and placing it in her mouth and by concealing \$25 in bills in the bosom of her dress. After robbing their victims of all valuables in sight, the highwaymen disabled the motor of Martin's car and drove away. The three victims walked to the office of Justice of the Peace George Phillips, in Berwyn, and reported the affair.

The bandits then drove to the Whitehouse Tavern, this side of Berwyn, abandoned the car taken from Solari, and took the automobile owned by Datus E. Coon, proprietor of the tavern. With this car the four men drove to Washington, avoiding suspicion until arrested by Busch and Ach.

Hold-Up Victims Summoned

The victims of the recent banditry in Virginia, between Quantico and Alexandria, were notified by Washington police to come to this city in an effort to identify any of these now held for investigation in connection with the affairs. In all of the Virginia cases, four men and a red-haired woman were the participants.

The victims of the Maryland hold-ups reported the affair to police headquarters and were requested to appear this morning to see if they could identify either Marino or Eagles as their assailants.

Physicians at Garfield Hospital held out little hope for the recovery of Busch. One of the bullets pierced his abdomen, resulting in twelve perforations in his intestines, His other wounds

are also serious, but are not likely to prove fatal if Busch survives his stomach injuries, physicians say.

Ach, with two perforations of his intestines has an even chance to recover, physicians say. His injuries in both arms resulted in a large loss of blood and left him in a weakened condition to battle possible infection, but may not necessarily prove fatal.

Volunteers Give Blood

In an effort to save the life of Busch, five policemen volunteered to give their blood in a transfusion at the hospital yesterday afternoon. The policemen were J. W. Hobbs, of the Eleventh precinct; W. H. Vermillion, of the Thirteenth precinct; E. H. Hinson, of the Tenth precinct; J. H. Hunt, of the Third precinct, and Detective Sergeant Charles J. P. Weber of detective headquarters. Following an examination of blood specimens, Vermillion was selected for the transfusion. If more blood is needed, Weber will be called upon.

Both Busch and Ach are former service men. The many telephone calls from their friends and comrades are but an indication of the high esteem in which they are held by all connected with the police department.

Capt. Fred Cornwell, of the Tenth precinct, their commanding officer, declared yesterday, in paying high tribute to the two men, that their customary gentlemanly conduct of always acting as easy and as polite as possible with prisoners was responsible for their present serious predicament.

Busch was a naval radio operator and Ach served in the Marine Corps during the world war. He was appointed to the police department December 16, 1924, and Ach was appointed July 1, 1925. Busch is married. All their service in the police department has been at the Tenth precinct.

Washington Post

23 June 1928

PAYING THE PRICE

In September, 1926, three young men, Nicholas Lee Eagles, Samuel Moreno and John Cline Proctor, deliberately and in cold blood murdered a policeman. Yesterday, after a legal battle in which every device of the law was invoked to lessen the severity of their sentence, they were put to death in the District Jail. They paid the price that society exacts for the crime of murder.

During their trial, and particularly during their last weeks of life, public opinion was called upon to protest their execution on the ground that they were young and that an execution of itself is a brutal and inhuman relic of barbarism. The fact that when the murder was committed these three men were engaged upon the commission of crime, and that they had armed themselves for the purpose of killing if it were necessary in the prosecution of their robberies, was not mentioned. They did not hesitate in opening fire on Policeman Busch. They had no compunction in shooting down a brave and conscientious peace officer whose life and service had been dedicated to the community.

This execution serves as solemn warning that the path of crime leads to a bitter ending. Sympathy goes out to the families of these men, but sympathy also goes out to the family of Policeman Busch, whose life was snuffed out pitilessly by Eagles, Moreno and Proctor.

Washington Post

24 June 1928

**SEARCH FOR POISON IN PROCTOR'S DEATH LIES WITH CHEMIST
SPECIMENS FROM STOMACH SUBMITTED FOR LABORATORY TEST
CORONER FORMS JURY FOR POSSIBLE INQUIRY
FUNERAL HELD AT JOPLIN VA., TODAY
MORENO BURIED AT MOUNT OLIVE**

Specimens taken from the stomach of John Cline Proctor, 19 years old, youngest of the three murderers electrocuted Friday at the District Jail, yesterday were delivered to the District chemist for analysis. The examination was ordered to determine whether Proctor took poison in an attempt to cheat the electric chair.

Belief that such an attempt was made by the youth arose a few hours after the triple execution. Two notes, hinting at suicide, were found in the cell he occupied. Proctor was unconscious when his life was burned out.

The chemical examination is not expected to be completed until Tuesday or Wednesday, Dr. J. Ramsey Nevitt, coroner, swore a coroner's jury in over the body yesterday morning at the funeral parlors of Adolph Shippert, 2008 I Street northwest. The coroner explained that the jury was sworn as a precautionary measure in view of the belief that Proctor took poison.

Funeral is held today

The body was sent to the home of the youth's mother, Mrs. Roberta Randall, at Joplin, Va. funeral services and burial will be held at Joplin this afternoon at 2:30 o'clock. The Rev. George W. Dow of the Episcopal City Mission, spiritual adviser of the youth, will officiate at the final rites.

When the hearse bearing Proctor's body arrived at the Randall home in Joplin there were approximately 200 persons there. His family and Mrs. Lela Lauder Johnson, his sweetheart, went to the Randall home immediately after the execution Friday morning.

At the funeral and burial services today it is expected at least 500 persons will be present. Some of friends and acquaintances of the youth went to the Randall home last night to view the body.

In one of the notes found in the cell, proctor wrote to Maj. William L. Peak, superintendent of the jail, "Please don't think your guards had a hand in this as they are innocent and I got this at court." Dr. Hoffman can verify this."

Hoffman Tells of Talk

Louis W. Hoffman, physiotherapist, who is at the jail awaiting sentence for second degree murder in connection with the death of Miss Eleanor Lehman, declared that he heard both Proctor and Nicholas Lee Eagles, another of the murderers executed Friday, express desires to cheat the electric chair. Hoffman said that the incident occurred in the "bullpen" at District Superior Court on June 5, the day when the murders were taken to court for the last time.

Eagles, Hoffman said, declared "If I had a gun you know what I would do." Proctor, according to Hoffman, boasted that he would not die in the chair and hinted that he would obtain poison.

Moreno Burial Services

Inspector Henry G. Pratt, chief of detectives, has assigned the central office homicide squad to the investigation if there is to be an investigation Pratt said that nothing would be done until the chemical analysis was completed.

Even if Proctor did take poison and the “guilty party” was apprehended, Inspector Pratt said he doubted whether the person could be prosecuted. He pointed out there would be lack of proof and that the most grave charge that could be made would be violation of the narcotic it was.

Samuel Moreno 20 years old, who was executed with Eagles and Proctor, was buried yesterday morning in Mount Olive Cemetery. Funeral services were conducted by his spiritual advisers, the Rev. John Sullivan, of the Dominican House of Studies and the Rev. Edward Nester, of Holy Comforter Church, at the funeral parlors of W. Warren Taitavull, 3916 Fourteenth Street northwest. The services were attended by members of the youth’s family and their close friends.

Washington Post

25 June 1928

800 ATTEND RITES

FOR JOHN PROCTOR

AT MOTHER’S HOME

Parent, Sweetheart and Sister

Collapse at Joplin Va. Grave.

Embalming Fluid is Held as

Possible Cause of Stomach Abnormalcy

In a little family burying plot on the outskirts of Joplin Va., John Cline Proctor, 19 year-old murderer, who was executed Friday in the electric chair at the District Jail, yesterday was buried.

Eight hundred persons attended the funeral of the young murderer. Services were conducted at the home of his mother, Mrs. Roberta Proctor Randall, at 2:30 o’clock. The funeral party then motored to the burying plot 2 miles from the home.

Proctor’s mother, his sweetheart, Mrs. Lela Lauder Johnson, and his sister, Mrs. Betty Proctor Eagles, widow of Nicholas Lee Eagles 32 years old, who was executed with Proctor, collapsed as the youth’s body was being lowered into the grave.

The services both at the house and at the grave were conducted by the Rev. George W. Dow, of the Episcopal City Mission. Dr. Dow was Proctor’s spiritual adviser, and accompanied him to the death chamber. Proctor was carried unconscious to the electric chair on a stretcher.

All Under Doctor’s Care

Following the services at the grave other members of the family and employees of the Joseph J. Schippert Funeral Establishment, which conducted the funeral, had considerable difficulty in having the grief-stricken mother, sweetheart, and sister return to the home. They were under a physician’s care last night.

Fully a third of the hundreds at the funeral were local friends and acquaintances of the youthful slayer.

With the completion of the analysis of the contents of Proctor’s stomach expected tomorrow, the problem of whether the youth tried to cheat the electric chair by poisoning himself will be solved.

The analysis is being conducted at the chemical laboratories of the District Health Department. District chemist Aubrey V. Fuller declared yesterday there was a strong possibility that embalming fluid had caused the abnormalcy of the stomach, the chemists have a sample of the embalming fluid and are conducting an examination of that.

Died of Electric Shock

Proctor was unconscious when placed in the electric chair. He lapsed into a coma twelve hours before his death and never regained his senses. A physician examined him in the death cell half an hour before the triple execution and reported that his heart and respiration were normal.

A few hours after the execution two notes hinting at suicide were found in his cell. Proctor's body was then at the funeral parlors of Adolph J. Schipper, 2008 I Street northwest, and embalmed. An autopsy performed Friday night, revealed that Proctor's stomach was in an abnormal condition, but that his death had been caused by electrocution. This dispelled belief that he was dead when executed for the murder of Patrolman Leo W. K. Busch.

In accordance with the custom of Catholics to pray for the dead, the prayers of the congregation at all masses in St. Dominic's Catholic Church yesterday were offered for the soul of Samuel Moreno 20 years old, who preceded Proctor to the death chair. He was buried Saturday in Mount Olive Cemetery.