



ERLE STANLEY GARDNER  
RANCHO DEL PAISANO  
Temecula, California

March 23rd, 1950

Mr. Gerald K. O'Brien  
Prosecuting Attorney  
County of Wayne  
500 Police Headquarters Building  
1300 Beaubien Street  
Detroit 26, Michigan

Dear Gerry:

Thanks a lot for your letter, and I certainly am glad that you mentioned Judge Maher because I find on checking my records that I was interrupted before I had my mail finished and didn't get a letter off to him. I am sending one today and enclosing copy herewith.

I met Steeger yesterday and we had a conference which lasted until 2:30 in the morning with some of the radio people. I think that things are definitely going ahead but that it will be pretty generally understood that it would be suicidal to put a program on the air during the summer slump, and we will start off in the fall.

I may be seeing you one of these days. The chap who was the prosecuting witness in that Vance Hardy case made an affidavit which I think disclosed the true situation. Later on pressure was brought to bear on him and he repudiated the affidavit by stating that the attorney who wrote it down had not read it back to him, etc. However, in his second affidavit he stated that he could not be certain of the identification of Vance Hardy he had made.

There is every indication that his attempt to repudiate the first affidavit was the result of quite direct pressure brought to bear on him.

The attorney who wrote out the affidavit and read it back to him is very positive, has given us an affidavit and is willing to



Mr. Gerald K. O'Brien

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March 23rd, 1950

go on the stand any time.

I think the matter has now arrived at a point where we could arrange to have a joint interview with this man. -- Yourself, Dr. Snyder, Steeger, Schindler and I. We would tell him very frankly that we wanted to know the real truth, just whichever was the truth in relation to the two affidavits, etc. Tell him that he need have no fear of personal consequences if he told the truth.

Actually we have very good evidence of the type of pressure which was brought to bear on him, but because the ends of justice would not be particularly served by going into this matter I feel that we can ignore it and make another very constructive contribution to a cause which is rapidly gaining an enormous momentum and an increasing support in the minds of millions of Americans.

I don't know what reactions you receive locally, but on a national scale we hear very numerous comments of commendation for your action in the Gross case.

As you are of course aware, our work in featuring the dramatic side of the failure of justice in exceptional instances is merely one step in a campaign to secure a better administration of justice all the way through. In the minds of the public you have now become quite prominently identified with this work and I feel that arranging an interview of the type mentioned would be an excellent follow-up.

I'm looking forward to seeing you again. My best wishes.

Sincerely yours,

ESG:lm  
Encl.



Hotel Statler  
Detroit, Michigan  
June 6, 1950

MEMO

TO: Henry Steeger  
Erle Stanley Gardner  
Lemoyne Snyder ✓  
Raymond Schindler

FROM: Tom Smith

SUBJECT: Hardy Case

Harry and Erle will be by this time have received the last autograph records I prepared in this matter, and will know that my investigation here has connected Hardy pretty closely with the so-called shot-gun gang and indicates that Hardy participated in, at least, one major hold-up and knew about the gun running purpose of the trip to Marquette. This information was obtained from the files of the Homicide Squad of the Detroit Police Department and was verified in a long private conversation between myself and Frank Grands, Saturday afternoon.

In view of these developments, I called Dr. Snyder, Saturday evening and made arrangements for us to interview Hardy at Jackson on Sunday. Warden Frisbie was very cooperative and arranged for us to bring our recording equipment into the prison to get a record of our conversation with Hardy. This record is being mailed to Harry by air today and, no doubt, he will want to pass it along to Erle at Temecula.

In our interview with Hardy, he continued to deny any participation in the criminal acts of the shot-gun gang and stated that his acquaintance with the various members of the gang was made when they engaged in gambling games together. He was questioned very closely about the details of the trip, which police files indicate that he made with Whitey Parmantye to St. Louis for the purpose of picking up Hardy's wife, Fay. He denied making this trip with Parmantye by car and claimed that he met his wife in St. Louis and returned to Detroit on the Wabash Railroad. He admitted that he knew a Walter Lemont and his wife, Louise and that they lived in the same apartment house in Detroit with the Lemonts. The statements of Fay Hardy and Louise Lemont were almost identical in regard to the trip of the Hardy's and Parmantye's from St. Louis to Detroit. It is hardly possible that these statements could be wrong. This afternoon I visited John Hoffman, retired detective lieutenant of the Detroit Police Force who handled the investigation of the Lambert murder. Alex Gregory has a lot of confidence in Hoffman and believes that any statements taken by him can be relied upon.



Hoffman had some interesting comments to make. He states that at the time the Homicide Division was handling about 30 investigations a month, with a 10-man force, without stenographic help, and that it wouldn't surprise if once in a while a mistake was made. He says, however, that the so-called shot-gun gang were very tough and that, in his opinion, they were responsible for 6 or 7 murders, some of which did not result in prosecutions. His recollection of the exact details of the Lambert case are clouded by time and confused with many other investigations then under way. He does say, however, that it was not his practice to obtain statements by coercion and that if his name appears on statements given by Fay Hardy and Louise Lemont, that these were voluntary statements and should be regarded as such.

Just where this leaves us on the Hardy case, I don't know. Hardy's positive denials of all of the statements of Fay and Louise, his denial of participation in the Walker pay roll holdup and knowledge of the nature of the tripp to Marquette, plus his denial of having operated a variation of the shell game in carnivals (this information came from Mrs. Barrett) makes it rather difficult for me to believe anything that he has to say. On the other hand, Hardy apparently is being governed by the criminal code of ethics and is attempting to protect his former associates by silence on these points and by denial in the obvious fear that if he opens up, there may be no place at which he can comfortably stop.

Tomorrow, I am going to check again with Jerry O'Brien to see if his department has developed anything new or found any new documentation. Tonight, I'll spend a little more time with Barrett and Grands, then I'll leave for Pennsylvania to interview Mrs. Baker. We ought to make a decision about future action, if any, in the Hardy case right away. We can probably build up a case for him by breaking down the State's evidence, but we face the possible revelation of the rest of the record. What do you think?

Tom Smith

TS/lr



Hotel Wolverine  
Detroit, Mich.  
June 12th, 1950.

Memo: Steeger, Gardner, Snyder and Schindler;

Re Hardy Case

Alex Gregory has completed his study of Hardy Polygraph, his report will be mailed tonight by air to Erle and Harry. It will show innocence of Lambert murder and of other crimes charged to Shot-Gun Gang.

Bruno Marcelet is still running away. We were assured that he would come to O'Briens office this evening for interview with Jerry and me. He put it off until tomorrow. I'll wait for that but if he doesn't show then, I think we should adopt his first affidavit and go from there.

Have appointment with Barnard, Hardy's defense attorney and Leon Coussins who made the affidavit(Marcelet) tomorrow.

Talked with Governor Williams by phone this morning seeking an appointment to discuss Hardy case. He states will see us during week of June 26. He made it clear that he will not personally go into the merits of the case until it has been reviewed by the parole board.

Will leave here tomorrow immediately following Marcelet interview and arrive New York Wednesday evening.

Just a question for Erle. Are there any matters about the Lambert murder or acts of the shotgun gang or alleged actions of Hardy, or parts of Hardy's own story upon which you need additional information? I think I have covered everything via Autograph or written report but will be glad to type the whole thing in one chunk if you need it.

Tom Smith.



# ARGOSY

205 EAST 42nd STREET, NEW YORK 17, N. Y.

June 19th, 1950.

Dear Lemoyne:

I'll be calling you tomorrow afternoon around three to see what luck you have had in getting a contact with the parole board.

Harry and I have been thinking about the matter of having the board primed to make a favorable recommendation so that quick action can be obtained at the time we see Williams. We thought perhaps it would be easier for you to accomplish what you have in mind if you had another week in which to work.

I made a tentative appointment with the Governor for sometime during the week of the 26th of June, his secretary said he would be there then. The date was not discussed with the Governor himself when I talked with him. He was told simply that we wanted to present the Hardy Case to him. Perhaps you had better inquire of the Governor's office about the governors plans for the week of July 4th. If he will be available that week you can make a date for any day. If he is going to be away we had better stick to the June 26th week making the date for the best day you can.

Erle feels that we should have some indication from the Governor that he would like to see and talk to Erle about the work of the Court and to discuss with him the crime and penal situation. It would provide an opportunity for some excellent press comment and Erle of course would gather some good material for October Argosy which would certainly be timely from the Governors point of view.

In other words Erle would like to come if the Governor would like to see him. He wants the Governor to know that he is extremely busy but because of Williams expressed interest in the Court he will come if he can be on any help. This is a little indelicate but not nearly so complicated as dissecting homo-sapiens fried, broiled or chopped. Will discuss this further tomorrow. That is about it from here, hope you had a nice trip home.

Regards

*Tom Smith*  
Tom Smith

CC-Steeger  
Gardner  
Schindler



C  
O  
P  
Y

C.V. SPAWR, M.D.

Benton Harbor - - Michigan

22 August, 1950.

ERLE STANLEY GARDNER,  
% ARGOSY  
205 East 42nd Street,  
New York 17, New York

My dear Mr. Gardner:-

I am pleased to read in Argosy of your interest in one Vance Hardy, and to know that you are taking definite action in his case. As I heard his case, he had as much to do with the death of Lambert (I believe that is the name) as you or I. Lambert, as I recall, was a rum runner of the day, while Vance had nothing whatever to do with that line of work, whatever else he may or may not have done.

Vance was the second man I examined after taking over the hospital at Marquette Prison. He and one Franklin were in Detention, and, on the 11th of December, 1924, they were brought to the hospital for routine examination. I recall Vance, particularly. At the beginning of the procedure he was quite the surly type. However, as we progressed, I found him to be a World War 1 veteran, as I am. We talked of things wholly unrelated to his "case". On leaving the hospital, he was much more communicative, and seemed to be in a very pleasant mood. I recall, too, that every time I went through E Block (Observation), on my way to the Bull Pen to see the inmates there, I would always receive a "Good Morning, Doctor" from Vance in his cell on Tier 2, No. 36.

On Sunday, 28 June, 1925, Vance and three others, Wiseman, DeFlorio and Londe, went over the wall. The following Saturday, early morning, the three last named were captured and returned to Marquette. Vance, however, was not caught up with until about six weeks later, in Jonesboro, Arkansas.

I look upon Hardy's conviction for the Lambert murder as just one more in the line of "criminal abortions" so common in our criminal jurisprudence, I feel that his case is on all fours with the one you discuss in the current ARGOSY.

Another case comes to my mind, a case also now in Marquette prison--- one Emil ZUPKE. Emil came up there in the spring of 1925 from our own Berrien County Court. Convicted of Murder-first-Life. The decedent, it is believed, a girl of Emil's age group, died of a real criminal abortion. Emil was approached by our Sheriff, and propositioned to dispose of the body, take the rap, and, after the Sheriff had been out of office one or two terms, he would be re-elected,



when he would get Emil out, give him a brand new car and four thousand dollars.

A number of odd circumstances occurred in connection with this case. First, immediately upon release from Detention, he was made a Hall Boy. Go back over your experience with prisons and see how many such cases you can find. Next, one day a short time later, the Warden said to me: "Doctor, I could give Zupke a round-trip ticket to St. Joseph (County Seat of our County), and send him down there on an errand and he would come back". Along about 1930, an uncensored letter from Zupke to his parents came out of the prison. It was couched in language impossible for Emil to have used. In the letter he related the facts I have set forth. In the early 1930's, he was paroled, shortly after the death of the former Sheriff. While still on parole, he wrote a letter to the late Sheriff's sister, his principal beneficiary, and asked that she fulfill the terms made by her brother. The letter was turned over to the Postal authorities, who interpreted its wording as "threatening". He was tried and convicted, and sent to Leavenworth for two years. Released from that institution, he was returned to Marquette for parole violation.

Should you or one of your co-workers be in Marquette, it might well be worth while to look over this case. Also, I should be pleased if my best regards were delivered to both Zupke and Hardy. Both, I believe, will remember me from our former association there.

As to the good work you are doing, I can only say that I wish there were a small army of men like you, so that you might really get into the mess and show the immense spread of its scope. Such an army would not more than get away to a good start before there would be a revolution in the criminal jurisprudence, which the late President William Howard Taft described as "a disgrace to civilization." One further remark, having to do with the Michigan law: It is explicitly stated that, "In any case tried on circumstantial evidence, every element of the crime must be proven beyond a reasonable doubt" (underscoring mine). In the absence of a penalty clause, the jurists, the prosecutors and the defense attorneys may continue to ignore that provision and go on turning out the criminal abortions all too common in our courts.

Keep on with your good work, with my best wishes, and with the hope that it may reap ever greater results.

Most sincerely yours,

C.V. Spawr



Sopt. 16th, 1930.

Mr. Herbert W. Straley,  
Director, Division of Pardons,  
State Office Bldg.,  
Lansing, Mich.

Dear Mr. Straley:

Your will recall that when I talked with you Thursday evening I said that I would write a letter summarizing our discussion. I am sorry this had to be delayed several days but hope this will reach you sometime Monday.

The Court of Last Resort and ARGOSY magazine appreciate the many courtesies extended to us in connection with the Hardy matter and wish you to convey this feeling to the members of the board.

Dr. Snyder and I were somewhat surprised by the material presented by the Detroit Police officers and have had no opportunity to know of these alleged witnesses nor to check with them to determine whether they actually gave statements and testified as these officers related. In this connection we want to refer to the story of the witness McGurn interviewed by your Mr. Nelson, who had the best opportunity of any to see who was in the car and who said definitely that Hardy was not. The man Newman, if you will read the statement he gave the police carefully, contradicts the stories told by other witnesses, he places Hardy in the front seat of the car, the others all claimed the redheaded man got out of the car to put Lambert in and got into the back seat himself. Seriously we question the entire testimony of the officers about these things they admitted they did not sit thru the trial and could not have known all of the testimony. The notes from which Mr. Johnson quoted were identified as to date and time and as the transcript will reveal there is a sharp question whether any of these notes were made before Hardy's arrest and perhaps not until each witness had a chance to look at him.

I want to make a further offer on behalf of Hardy and the Court of Last Resort; the witnesses we found and whom I quoted in my testimony will be glad to make affidavits in support of their stories. We did not expect our offer in this matter to be challenged, it was and is less subject to challenge than the testimony of the police officers to which we did not object. Getting these statements will take a little time, if you want them let Dr. Snyder know.



Mr. Straley - No.2

It is the feeling of both Dr. Snyder and myself that the testimony of Gregory and Peterman even though it was challenged by the Attorney General's deputy is entitled to the highest consideration.

We were very well pleased with the fairness and extent of the inquiry made by Mr. Nelson. We think he did very well. Would it be possible for you to give to Dr. Snyder as Hardy's attorney of record at the hearing a copy of the Nelson report?

As indicated to you we would also like to have a copy of the hearing transcript and to have the opportunity to prepare a brief from it. We felt at the hearing and we feel now that convincing proof has been offered of Hardy's innocence and that a favorable recommendation should be made as soon as possible to the Governor, but if the board feels it needs further support for Hardy's appeal we would dislike to have his petition rejected and then have the whole job to do over again with attendant delays. May I suggest that in the event the board still has doubts about Hardy that the matter be held open for fifteen days so that we may confer further with you and the board.

I hope you will overlook the inadequate stenographic work in this letter. I am my own secretary while on the road.

With kindest regards  
Tom Smith

CC- Steeger  
Gardner  
Snyder

For the Court of Last Resort



Sept. 22nd, 1950.

Mrs. Gladys Barrett,  
667 West Alexandrine  
Detroit, Mich.

Dear Mrs. Barrett:

Your letter regarding the hearing came to the office today and I share with you your misgivings about Vance's situation. I do not think however, that things are as bad as they look. I have been giving a great deal of thought about what went into the record at the hearing and I am not convinced that the board will accept the story of the police department at face value.

You will recall the record of the man McGurk and the fact that Peterman supported Gregory 100% in his testimony. You will also remember that the police officers did not look too good when asked about descriptions and other data they had connecting Hardy with the crime prior to the time of his arrest. These things give us a sound ground upon which to make a further fight and you may be sure that that is just what we intend to do.

Dr. Snyder and Erle Stanley Gardner will be together in Lansing Wednesday of this week and will no doubt see the board and get the opportunity to discuss their decision with them. They will have a copy of the proceedings at the hearing and all of the other information in our own files. I would certainly not despair although it may be that further work and effort will be necessary to clear Vance.

I am sending your letter to Dr. Snyder at Lansing so he will have the benefit of your suggestions and ideas as he goes again before the board.

CC- Gardner and Snyder  
at Lansing.

Yours very truly,

The Court of Last Resort

By \_\_\_\_\_



Detroit, Mich.  
Sept. 21 - 1950

The Court of Last Resort.  
Gentlemen:-

I am writing this before the Parole Board has given its decision and I am doing so because I know what its verdict is going to be.

I am also sorry that the court had to be given such a raw deal by the Parole Board, But the fact is that the rottenest evidence that was ever heard at any hearing was presented at Vance E. Hardy's. For instance Inspector Johnson admitted himself that (and this is in the records at the hearing he had to leave the court room (during the trial of Hardy). Many times because as he stated himself, there was a murder crime wave on in Detroit at that time.

He said there was at least 30 killings a month at that time, so since he was not at the trial of Hardy at all times, how could he have known what the witnesses had to say?? Then too, not one word did the inspector have to say in regards to what the witnesses said on cross-examination by the attorney, The truth of the matter is this:-

Mr Birch was made out a liar because at the hearing he identified Hardy's hand only



at the trial he identified Hardy as the man.

When told of this discrepancy he just he just shrugged his shoulders and said: Well I changed my mind, there were many other things that Birch said at the cross-examination that did not go well with the jury. However inspector Johnson had not a word about all this, then there is

that other witness, Newman: on cross-examination this man contradicted all most everything that Birch said in regards to the position of Hardy.

His identification of Hardy clothes and so on. was just the opposite of Birch, in fact he got himself so mixed up that the prosecutor asked for a recess. after the trial was resumed this "Newman" became calmer and for some reason or other the attorney did not press this man any further.

But the prosecution became quite jittery. so you Gentlemen can see how why Bruno Mandlett was such an important witness for the prosecution that they even had to go her home at 4 in the morning and hand called him so he would be sure to be there at the trial.



so why was Johnson allowed to present such  
as the Celled Notes of his own ?? where they  
could have been written anytime in this  
past 26 years.

Yours Very truly and Sincerely  
Gladys Barrett

667. W. Alexandrine

Detroit, Mich.

P.S. - I do hope I am wrong about the  
Parole Board. But I am sure if  
Gov Williams knew all the real facts  
he would pardon my Brother Vance E. Hardy.



October 11, 1950

Mr. Vance E. Hardy, No. 41675  
4000 Cooper Street  
Jackson, Michigan

Dear Vance:

There is still no word from the Parole Board about your matter. The whole Board is down at St. Louis this week attending the meeting of Wardens and Parole Boards and consequently there will be no action on it until next week at least. While I don't like to make predictions, I have a feeling that they are going to recommend your release. It may not be on the basis of a pardon but it may be on a recommendation of commutation with parole or something of that sort.

At any rate, whatever their decision is you can be sure that the Court of Last Resort will not let you down and we are going to keep working on this thing until you are free.

With very best regards and hopes that you soon will be out.

Sincerely,

LS:mg

LeMoyne Snyder, M.D.



Name Vance E. Hardy No. 41675 To Whom Mrs. K. M. Barrett Relation Sister  
Date Sept. 24 Street 467 W. Alexander City Detroit State Mich.

Dear Sister Lou:-

3  
CENSOR NO.

September 24, 1950

This is a dull, winterish day. I dread the very thought of spending another long, hectic, cold winter in here.

The Lansing Journal of Sept. 17<sup>th</sup> published an interesting article concerning my so called public hearing. A few days later, another article of interest appeared in the same paper. Hope you read them.

Having received no word from you or anyone this past week, I know nothing new concerning my case. I truly hope you have heard something favorable.

I have read the October Argosy. There are two articles dealing with the facts and development of my case. Also, your picture taking the polygraph test takes up one entire page.

The information desk clerk sent me a notice that you had sent me two pair of shorts and two undershirts and the



Articles were returned to you as  
I am not allowed to receive them.  
The Inmate Store sells them.

I hope that Doctor Snyder  
and Mr. Tom Smith have interviewed  
the new witness who Mr. Nelson  
found. He was the most valuable  
witness of all. The statement by him,  
"Harshy was absolutely not one of  
the men who killed Tarnbert" was true  
and to the point. We may get a new  
trial on his testimony.

No, dear, the officers in charge  
of me during the public hearing  
did not buy me a supper. I returned  
to the prison about 8<sup>30</sup> p.m. and went  
to bed hungry.

Hoping all of you are en-  
joying good health, I am okay.  
My sincere regards to  
Tom, Joe & wife, Minnie, Ollie and  
other good friends.

A world of love with  
hugs, kisses and many kind wishes  
to my very loyal and precious  
sister.

Your loving brother,  
Vance.



Vance Hardy

October 11, 1950

Mrs. Gladys Barrett  
667 W. Alexanderine  
Detroit 1, Michigan

Dear Mrs. Barrett:

I want to tell you how much my family and I appreciated the nice card that you sent following the death of my mother. It was a very sweet thing for you to do it and it will always be remembered.

There is still no word about Vance. I keep in touch with the Parole Board every day or two and this week they are all down at St. Louis, Missouri attending a conference of Wardens and Parole Boards. Consequently there will be no action of any kind until next week at least. I don't like to make predictions but I have a feeling that they are going to turn Vance loose. It may not be that he will be granted a pardon but I have a hunch that he will at least get a commutation of sentence with a parole. At any rate, I want you to know that in the event the action by the Board is unfavorable that we are not going to drop the case, but are going to keep after this thing in one way or another until Vance is free.

Best regards and sincere thanks.

Sincerely,

LS:mg

LeMoyne Snyder, M.D.



Detroit Mich  
Sept 26-50.

Mr Lemoyne Snyder  
Dear Mr Snyder.

Well naturally here I sit waiting waiting to hear the verdict of the public hearing of Vances case. But as we have had so many better hard knocks and nothing but disappointments for 26 years I expect any thing. but only can hope that the parole Board will see the right side and recommend Vance for a pardon. I read the articles from the Lansing state journal. also have the Oct issue of the "Argosy" and according to it. Vance should be freed. and as Mr Smith said at the hearing it is incredible to keep Vance in prison even for a hour. But I am sure that the Council of Rash Resolute Members. will not give up in case the Parole Board does not recommend Vance for a pardon.

Hoping to hear good news soon and enclosed find a letter I just rec from Vance it may be of help. and Sincerely & Truly.

Bladip Barrett

667. W. Alexander

Detroit Mich.



Name. Vance E. Hardy No. 41675 To whom. Dr. LeMoyne Snyder Relation. Business

Date. Oct. 17, 1950 Street. Amer. State Bk. Bldg. City. Lansing State. Mich.

*M. W. C.*  
SPECIAL PURPOSE LETTER

Dr. LeMoyne Snyder  
American State Bank Bldg.  
Lansing, Michigan

Dear Dr. Snyder:

Following the receipt of your letter of October 11th, 1950, I received a letter from my sister containing, substantially, the same information as in your letter. Please know, Dr. Snyder, that I am indeed grateful to all of you for the excellent manner in which you have set out and determined beyond all reasonable doubt my innocence of the crime for which I have been so unfortunate as to have been imprisoned all of my life, so to speak - for over twenty six years.

However, Dr. Snyder, I cannot bring myself to an understanding that I should be granted a release ( not freedom ) with any conditions attached whatsoever, and certainly not under any so-called "grace" at parole, since it is my understanding, as it is the voiced opinion of our most noted authorities and even unto the only unanimous opinion of the Supreme Court of the United States in the past sixteen (16) years, that " Parole is for the guilty while pardon is for the innocent!

It must therefore stand, Dr. Snyder, and I believe you will agree, that in my accepting any form of release upon any conditions of parole I would be subjecting myself to a guilty status, or even the taint of guilt, when by and through every reasonable and legal proof and scientific test, supported by witnesses and accepted by men to be conclusive in every minute instance, I am innocent of the crime for which I have been imprisoned over twenty six (26) years, and which I have known in my own mind and heart during every day and night of all these years.

To one in your station in life, with your vast storehouse of knowledge and experience in police courts, and bureaus of machinations, I ask you, Dr. Snyder, or any rational reasonable or judicious person, what purpose the proposition that I be released upon parole, or any conditions of parole? Such proposition could have but one motive or purpose, and that, of course, the ulterior one, of not granting an innocent man his freedom. Surely you will hold with me, Dr. Snyder, that a person is not a free man in any sense or meaning of the words nor by definition nor interpretation of law and statutes when under any conditions of parole. My every right as a free man would be denied me - my inalienable rights of citizenry abridged for I would still stand as a convicted felon. And too, Doctor, what chance would I have to continue my fight to prove my innocence further, as I most certainly would do, being under conditions of parole and not being able to prosecute my rights and findings as any free agent or citizen is permitted to do. Parole violation would be inevitable as you know - probably more so than I, since the very agency that framed the case in the first instance ( in 1924 ) would certainly



take care of that detail. No, Doctor Snyder, I don't think that I care for any parole proposition as I have seen and observed its operation in Michigan. I believe I will take my chances in Court with the evidence we now have at hand. If the case qualifies a release even under parole conditions, and for a pardon, it certainly qualifies an acquittal before Judge and Jury.

For example, let us reflect upon the recent hearing and the only bit of significant presentment against me. That bit of so-called testimony from the two now retired detectives who framed the case in 1924. Mind you, all the records are absent, and they are testifying from their memorandums ( personal notes ) made nearly twenty seven years ago, or so they stated. ( I would like to see those memorandums and have a sample of the substance from which they were put down on paper.) However, their only statement having any significance whatsoever was that I had a " fair day in court ". Actually, Dr. Snyder, those statements were made in my behalf and had they been judicially analyzed at the hearing would have had only this one significance, namely, that had I been the guilty person it possibly could be said that I had a fair trial . . . but not being the guilty person and now having ( then hidden or suppressed ) eye witnesses to the crime who were now testifying under oath that I was not the party to or of the crime, how then your opinion that the prisoner had a fair day in court at fair trial issues?

And too, Dr. Snyder, would I not be "letting down" the Court of Last Resort - each and all of you great and honorable men - by accepting anything less than what an innocent man is entitled, namely, an absolute pardon. There is no substitute for a pardon under any law - common or written, and such I say again and again , and I do believe that each of you gentlemen who have given of your knowledge, experience, time and money in proving my innocence concur with me in this, and, if need be, will carry the cause out onto the only common meeting ground of all people's for discussion - our newspapers and publications - where the evils, machinations, and incompetence of police courts and bureaus are denuded and where the virtues of clean living and clean thinking men and women are crowned, and the dignity and justice of Honorable Courts are held forth as true American principles and the bulwark against such things and practices as decent men die for.

Respectfully and sincerely,

*Vance E. Hardy*  
VANCE E. HARDY #41675  
4000 Cooper Street  
Jackson, Michigan



October 21, 1950

Mr. Henry Steeger  
c/o Popular Publications  
205 E. 42nd Street  
New York 17, N. Y.

Dear Harry:

Enclosed are some copies of a letter that I just have received from Vance Hardy. This was in reply to a letter I sent him in which I state that it is possible that the Board might recommend commutation of sentence with parole. While I haven't said so to Vance, I think that there is a good possibility that if the Board does recommend commutation that we can get Governor Williams to grant a full pardon. I think we should have a little program in mind for putting the case up to Governor Williams in the event that is what takes place.

I have also enclosed a letter from Leon Rom and I think we ought to do something about that situation. You remember meeting Rom last January when we visited the prison. The State Police are convinced that Rom is innocent. When Rom was first arrested he was given a lie detector test by the State Police who said that he was innocent at that time. Nevertheless he was convicted. Five years later he was given another test by the State Police but by a different operator, and this report also substantiated his innocence. Is it possible to contact this fellow Miller that he speaks about down in New Orleans before it is too late?

I had a letter from Schindler today giving the details of the Olsen case. While it looks as if there might be considerable merits to that case, those Army affairs are awfully hard to crack. From what little I know about them, the Army is completely non-cooperative on any such type of investigation.

Is Erle still around the place? I haven't heard a word from him since he left Michigan. I will be in New York on November 16th and hope to see you at that time if not before.



October 21, 1950

Mr. Henry Steeger

Best all around.

Sincerely,

LS:mg

LeMoyne Snyder, M. D.



October 21, 1950

Mr. Vance E. Hardy #41675  
4000 Cooper Street  
Jackson, Michigan

Dear Vance:

I was very glad to get your letter today which I am forwarding to Steeger and Gardner who are in New York.

You can rest assured that we have complete confidence in your innocence and all of our efforts are directed towards an unconditional pardon.

I talked with Mr. Moskowitz on the 'phone yesterday, and he said that they expected to have a full meeting of the Board next week, and that he thought action would be taken at that time.

I hope to get down to Jackson next week and will make it a point to see you. In the meantime, keep your chin up and the best of luck.

Sincerely,

LS:mg

LeMoyne Snyder, M. D.



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS

EARNEST C. BROOKS  
COMMISSIONER OF CORRECTIONS

HERBERT W. STRALEY  
DIVISION DIRECTOR

DIVISION OF PARDONS, PAROLES AND PROBATION  
STATE OFFICE BUILDING

LANSING 13, MICHIGAN  
G. MENNEN WILLIAMS

GOVERNOR

GUS HARRISON  
STATE SUPERVISOR OF PAROLES

ALBERT M. EWERT  
STATE SUPERVISOR OF PROBATION

October 24, 1950

Mr. Tom Smith  
Argosy Magazine  
205 East 42nd Street  
New York 17, New York

Dear Mr. Smith:

You will recall writing to Mr. Straley on September 16, asking if the Parole Board would be willing, in the Vance Hardy matter, to consider further testimony in his behalf on his application for a pardon.

We have been in touch with Doctor Snyder, locally, since the public hearing, and he understands why it has not been possible until this week for the full Parole Board to meet in Executive Session.

We have spent a great deal of time on the Hardy case, and we are willing to devote as much further time to this matter as is necessary. The Parole Board is entirely willing to grant you any additional time you feel is warranted in order that we might have available to us, in our final deliberations, every bit of information which will enable us to make a fair recommendation to the Governor. Will you, or Doctor Snyder, please let us know what you propose further.

Yours very truly,

HERBERT W. STRALEY, Director

By:

  
Sydney Moskowitz, Member  
The Parole Board

14:fn

cc: Dr. LeMoyne Snyder  
Mr. Adams, Executive Office  
Mr. Roth, Attorney General



Name. Vance E. Hardy No. 41675 To whom. Dr. LeM ne Snyder Relation. Business

Date. Oct. 17, 1950 Street. Amer. State Bk. Bldg. City. Lansing State. Mich.

Dr. LeMoyne Snyder  
American State Bank Bldg.  
Lansing, Michigan

Dear Dr. Snyder:

Following the receipt of your letter of October 11th, 1950, I received a letter from my sister containing, substantially, the same information as in your letter. Please know, Dr. Snyder, that I am indeed grateful to all of you for the excellent manner in which you have set out and determined beyond all reasonable doubt my innocence of the crime for which I have been so unfortunate as to have been imprisoned all of my life, so to speak - for over twenty six years.

However, Dr. Snyder, I cannot bring myself to an understanding that I should be granted a release ( not freedom ) with any conditions attached whatsoever, and certainly not under any so-called "grace" at parole, since it is my understanding, as it is the voiced opinion of our most noted authorities and even unto the only unanimous opinion of the Supreme Court of the United States in the past sixteen (16) years, that "Parole is for the guilty while pardon is for the innocent !

It must therefore stand, Dr. Snyder, and I believe you will agree, that in my accepting any form of release upon any conditions of parole I would be subjecting myself to a guilty status, or even the taint of guilt, when by and through every reasonable and legal proof and scientific test, supported by witnesses and accepted by men to be conclusive in every instance, I am innocent of the crime for which I have been imprisoned over twenty six (26) years, and which I have known in my own mind and heart during every day and night of all these years.

To one in your station in life, with your vast storehouse of knowledge and experience in police courts, and bureaus of machinations, I ask you, Dr. Snyder, or any rational reasonable or judicious person, what purpose the proposition that I be released upon parole, or any conditions of parole? Such proposition could have but one motive or purpose, and that, of course, the ulterior one, of not granting an innocent man his freedom. Surely you will hold with me, Dr. Snyder, that a person is not a free man in any sense or meaning of the words nor by definition nor interpretation of law and statutes when under any conditions of parole. My every right as a free man would be denied me - my inalienable rights of citizenry abridged for I would still stand as a convicted felon. And too, Doctor, what chance would I have to continue my fight to prove my innocence further, as I most certainly would do, being under conditions of parole and not being able to prosecute my rights and findings as any free agent or citizen is permitted to do. Parole violation would be inevitable as you know - probably more so than I, since the very agency that framed the case in the first instance (in 1924) would certainly take care of that detail. No, Doctor Snyder, I don't think that



I care for any parole proposition as I have seen and observed its operation in Michigan. I believe I will take my chances in Court with the evidence we now have at hand. If the case qualifies a release even under parole conditions, and for a pardon, it certainly qualifies an acquittal before Judge and Jury.

For example, let me reflect upon the recent hearing and the only bit of significant presentment against me. That bit of so-called testimony from the two now retired detectives who framed the case in 1924. Mind you, all the records are absent, and they are testifying from their memorandums (personal notes) made nearly twenty seven years ago, or so they stated. (I would like to see those memorandums and have a sample of the substance from which they were put down on paper.) However, their only statement having any significance whatsoever was that I had a "fair day in court". Actually, Dr. Snyder, those statements were made in my behalf and had they been judicially analyzed at the hearing would have had only this one significance, namely, that had I been the guilty person it possibly could be said that I had a fair trial . . . but not being the guilty person and now having ( then hidden or suppressed ) eye witnesses to the crime who were now testifying under oath that I was not the party to or of the crime, how then your opinion that the prisoner had a fair day in court at fair trial issues?

And too, Dr. Snyder, would I not be "letting down" the Court of Last Resort - each and all of you great and honorable men - by accepting anything less than what an innocent man is entitled, namely, an absolute pardon. There is no substitute for a pardon under any law - common or written, and such I say again and again, and I do believe that each of you gentlemen who have given of your knowledge, experience, time and money in proving my innocence concur with me in this, and, if need be, will carry the cause out onto the only common meeting ground of all people's for discussion - our newspapers and publications - where the evils, machinations, and incompetence of police courts and bureaus are denuded and where the virtues of clean living and clean thinking men and women are crowned, and the dignity and justice of Honorable Courts are held forth as true American principles and the bulwark against such things and practices as decent men die for.

Respectfully and sincerely,

Vance E. Hardy (Sgd)  
VANCE E. HARDY # 41675  
4000 Cooper Street  
Jackson, Michigan



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS

EARNEST C. BROOKS  
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Yours very truly,

HERBERT W. STRALEY, Director

By:

*Sydney Moskowitz*  
Sydney Moskowitz, Member  
The Parole Board

14:fn

cc: Dr. LeMoyne Snyder ✓  
Mr. Adams, Executive Office  
Mr. Roth, Attorney General

COPY



*V. Snyder*

October 25, 1950

Mr. Alex Gregory  
14418 Penrod Road  
Detroit 23, Michigan

Dear Alex:

When you are finished with this, please  
send it back to Bob Rhay.

Sincerely,

LS:mg

LeMoyne Snyder, M. D.

Encl.



October 26, 1950

Mr. Sidney Moskowitz  
Member, Parole Board  
Department of Corrections  
State Office Building  
Lansing, Michigan

Dear Mr. Moskowitz:

I have your letter of the 24th in regard to the Vance Hardy case and I was very pleased to hear from you, as were all of us, and to know that your Board was giving its attention currently to the Hardy matter.

It so happens that Mr. Erie Stanley Gardner and Mr. Henry Steeger are both now in New York and we have been in touch with Dr. Snyder in Lansing by telephone. Arrangements have been made for me to go to Michigan next week and to secure affidavits from Carl Boldt, Walter Harrison and Mrs. Gardecki in support of the statements made by us at the hearing concerning the interviews we had with these people. These affidavits will be submitted to the Board during the next week.

In addition thereto, I plan to have some further talks with Bruno Marcelt and John Stalinski. Stalinski, in particular, testified at the hearing in a manner contrary to the story which he told us and which is recorded on tape, and I have some feeling that Stalinski has been approached in regard to this testimony prior to his appearance in Lansing. This matter should certainly be straightened out. We are prepared, however, to submit to the Board recorded conversations with Stalinski which in the light of his testimony at the hearing are very interesting.

Dr. Snyder informs us that he now has a copy of the transcript of the hearing and this we would like to study and prepare from it a brief written statement of the results of our study. Because of the lateness of the hour at which the hearing was concluded and perhaps some inexperience in such matters on my part, I feel that certain outstanding deficiencies in the testimony of Officers Hoffman and Johnson ought to be called to the attention of the Board in writing, as reference to these matters was not made in my oral summation of the case at the time.



October 26, 1950

All of this documentation will be assembled and will be submitted to the Board in triplicate on or prior to Friday, November 3rd.

We appreciate the great amount of time and thought and study that is being given to this matter by your Board and we are grateful on behalf of Vance Hardy for the opportunity to submit this additional material after the close of the hearing. We are hopeful that because of the long confinement of Hardy your Board will find it possible to make a decision at an early date after the additional material is in your hands.

When I arrive in Lansing, Dr. Snyder and I will call on you to see whether there are any questions concerning the evidence, material or testimony previously submitted upon which the Board may wish further enlightenment or support.

Looking forward to seeing you and bringing this matter to a conclusion, I am

Yours very truly,

Tom Smith  
For the Court of Last Resort

TS:mw



18

October 26, 1950

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Member, Parole Board  
Department of Corrections  
State Office Building  
Lansing, Michigan

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Yours very truly,



Tom Smith  
For the Court of Last Resort

TS:mw



Oct. 29, 1950

Dear Tom and LeMoyne (with copies to other members)

Let's try to assume a position on this Hardy case which we can maintain consistently.

Let's also remember that while it's human nature to look at things from our standpoint, good business requires that we regard everything we do from the standpoint of the other man. In other words, it's a question of how he is going to evaluate what we do.

Now, back in July or August it became quite apparent that at least some members on the board wanted to delay the decision in the Hardy matter until after election.

Brooks asked Tom Smith if we would consent to let them have a hearing and then take the matter under advisement. Tom told him we wouldn't. Brooks asked me over the telephone what the position of the magazine would be if they took it under advisement and I told him the magazine would adopt an editorial position. Then we went down and called on the board and told them we had been tipped off they wanted to delay a decision until after election and that we wouldn't stand for it.

Now that was awful BIG TALK.

They had the hearing.

Tom Smith who hadn't had experience in cross-examination of witnesses tried to cross-examine the cops and felt that he had made a poor job of it. Personally, I don't think he could have been nearly as bad as he thought he was. However, he became tortured by self-doubts and by thinking afterwards of things he should have thought of at the time.

So then in this chastened mood of self-incrimination he sat down and wrote the board a pleading letter asking that we be allowed to file additional affidavits and a brief and wouldn't they please delay the decision.

Now that was awful SMALL TALK.

Frankly, that letter made me sick to my stomach when I read it, but it had been sent and there was nothing we could do about it. Looking at it from our standpoint, it was quite apparent that Tom was surprised at some of the testimony, was kicking himself because he hadn't thought of certain questions to ask, and, in the back of his mind, was troubled by a guilt complex which has been building up over the last couple of years when he began to realize he had been an enthusiastic part of a political machine which, in order to perpetuate itself in power, had split Germany in two, given China to Russia, presented Russia with a veto power and given a senile, sick man carte blanche to "bargain" with Joe Stalin.

But look at this thing from the viewpoint of the parole board.



It must seem to them that we were hopelessly crushed by this evidence or that we are completely naive or both.

What actually happened, when you boil it down to essentials, is that the police deliberately stripped the file of certain information and then were permitted to supply the transcript of a missing record by the hearsay evidence of a police officer who testified solely from his memory of the testimony that was received in a murder trial 26 years ago.

This thing is absurd on its face.

In the first place, the best record of what was said at the murder trial is the record itself. That's elemental law. If the State can't produce the records then the State, because of its own negligence, has closed the door -- and the assumption is that that record didn't disappear of its own accord. Someone destroyed that record and it was done because there was something in that record that was highly adverse to the State of Michigan.

Now, for God's sake, let's not handle <sup>this</sup> thing ~~like~~ like a bunch of school boys.

Let's adopt this position once and for all and stay with it: Hardy was convicted primarily on the identification of Bruno Marcelt. That identification was forced by the police and has now been repudiated by Marcelt. Someone has seen to it that the records disappeared, which in itself should be grounds for a new trial. Stalinsky saw the three murderers. He only saw one of them clearly but that one was quite evidently the leader. Hardy was supposed to have been the leader. The person Stalinsky saw clearly was not Hardy.

Now, when it comes to what took place at the trial, let's let Gladys Barrett and Frank Grand make some affidavits as to what they remember took place at the trial. Incidentally, I don't think Stalinsky changed his testimony because as I remember, he always said right from the start that he ducked around the corner as soon as the shooting started.

I do think that since Tom has gone to Detroit we should make a big thing out of developing the testimony of this new witness McGurk, or whatever the hell his name is, who saw all the men clearly and knew that Hardy wasn't one of them.

I'm afraid it's too late to reconcile our small talk with our big talk but I do think it's a fair position to adopt that the hearing did not change the situation we outlined to the board last July by so much as a penny weight of evidence and that the board had better take some action, and do it fast. It is of course too late now to get anything done before election; from a standpoint of political technique we have been babes in the woods.

It is of course easy to let somebody else carry the ball and then make criticisms or postmortems but I think we should always bear in mind that we must look at anything we do from the standpoint of how it will impress the people with whom we are dealing and not how we ourselves may feel about it.



I will further admit that I should have been at that hearing instead of which I was elk hunting. However, I told everybody beginning around June sometime that there were just two weeks during which I wouldn't be available and everybody knew well in advance that I couldn't and wouldn't be there for that hearing during those two weeks. If I had been there something would have happened. Probably it would have been bad. I probably would have been in stir right alongside of Vance Hardy.

However, all this is water under the bridge. The reason I am writing this letter is that I feel LeMoyné and Tom should have a conference and should decide what attitude they are going to adopt on this case and then stay with it. It is too late now to tell the board what it is going to do. On the other hand, I think that the more we wheedle the board and let them tell us that they don't like the way we have presented this matter, the more we're going to get kicked around becoming more politically innocuous with every kick.

I may have misunderstood what Benson said to LeMoyné but if he had stopped me on the street and told me he didn't like the way we had presented that case and didn't approve of our methods, I would sure as hell have had something to say by way of reply.

Either we have some dignity and some power in our position or we don't. We're never going to get anywhere appealing as suppliants to boards of parole. Our position has got to be "Gentlemen, we are an independent investigative body. We make our reports directly to the people, and one hell of a lot of people are interested in those reports. They're interested in what we are going to say about this case and they're interested in what we're going to say about you. And since you're in political life, you should be interested in what a million or two American citizens are going to think about you. Now, we want to be fair in our reports as to what you do, but we certainly aren't coming before you with our hats in our hands representing this prisoner."

In other words, the investigative brains on this committee certainly should be equal to the investigative brains on any board of parole and if we treat them as equals it's purely a matter of courtesy. If we start acting as suppliants we might just as well disband this whole damn thing right now and simply hire some lawyer in each state to go before a board and ask the board to please do this or please do that. If we have the force of public opinion behind us we have the power that goes with it and if we don't have it by this time we'd better quit.

Personally, I think we can avoid a situation like this in the future if Tom will start voting the Republican ticket so he gets over his guilt complex and refrain from under any circumstances from writing pleading letters on behalf of Argosy's Court of Last Resort. If they want to cooperate, let them cooperate and if they want to fight, let them read about it in the magazine.

Yours,

Erle

ESG:jb



Harley

Statement

Detroit Mich  
November 6th, 1950.

My name is Celia Gardecki, I am 54 years of age.  
Since 1920 My husband and I have operated a bakery on  
the corner of Lodi and Harper Sts. in Detroit.

On May 3rd 1924 just before noon I noticed a large touring  
car standing alongside the filling station toward which  
our store faces. My daughter Elfreda then about four years  
old came into the store and told me that two men were sitting  
on the steps leading to the stairway to our apartment on  
the second floor and she could not get around them. I told  
her to go the other way.

A little later I noticed the two men walk up Harper Street  
past the front of our store towards the Mt. Elliot corner.  
At the same time the car which had been parked for sometime  
by the filling station made a turn in the Lodi St inter-  
section and went in the same direction.

In a few moments I heard some shooting and I learned later  
that Louis Lambert had been shot and taken away by some men  
in a car.

I did not see the actual shooting.

I was never questioned by the police in connection with  
this incident. I was not a witness at the trial and I  
was not asked to identify any suspects.

Celia Gardecki (sgd)

Subscribed and sworn before me this  
6th day of November 1950.

Maurieta Hippler  
Notary Public, Wayne County, Michigan  
My commission expires 11-11-1950 .



November 9, 1950

The Honorable Parole Board  
State Office Building  
Lansing, Michigan

Re: Vance Erin Hardy

Gentlemen:

In accordance with the communications between Mr. Tom Smith and Mr. Moskowitz and the interviews that I have had with various members of the Board, we are enclosing with this letter the following affidavits relating to the Vance Hardy case.

1. An affidavit of Carl F. Boldt of Detroit, an eye witness to the shooting and an employee of the bank out of which Lambert had just emerged in which the events seen by Boldt are described and the statement is made by Boldt that he was not interrogated by the police.
2. An affidavit of Celia Gardecki, the proprietress of a bakery located at Lodi and Harper Streets, who was one of those witnesses who might very well have been able to identify at least two of Lambert's assailants. The principal import of Mrs. Gardecki's statement is that she was not interviewed by the police in regard to the crime.
3. An affidavit of Miles J. McGurk, who was also interviewed by your Mr. Nelson in which he makes the definite statement, "I am positive that Vance Hardy was not in the gang that assaulted and abducted Louis Lambert."

An effort was made to secure an affidavit from Mr. George Harrison who is at present employed by the Levine Auto Company, 14201 East Warren in Detroit, telephone Valley 23459, who was the second teller in the Peninsula State Bank branch and also an eye witness to the shooting of Lambert. Harrison is unwilling to make an affidavit but he says that he was not interrogated by the police in regard to this incident and that he will be glad to so advise



November 9, 1950

Honorable Board of Pardons and Parole

your Board upon inquiry. Harrison also stated to me that he was not able to identify any of Lambert's assailants.

There is an item of particular significance that we feel should now be called to the attention of your Board. When the Court of Last Resort opened its investigation of the Hardy case, we went to the office of the Prosecuting Attorney, Gerald K. O'Brien, in Detroit and discussed the matter with him and asked him to make a search for any records that might have been available in his office. He was unable to produce the prosecuting attorney's office file, but he was able to secure what purported to be the file of the homicide squad of the Detroit police department. Mr. O'Brien and Mr. Tom Smith of the Court of Last Resort made a joint examination of this file. At the time of such examination none of the notes relating to testimony and none of the statements attributed to witnesses used at the trial which the Detroit police claimed were used at the trial were in the file. I have asked Mr. O'Brien to advise your Board with respect to this situation upon inquiry. The file originally was shown to me in confidence and for that reason the subject was not raised during the hearing held in your chambers on the 13th of September.

We would like to point out that the testimony of the police officers who attended the hearing was in large part wholly incompetent and unsupported. Speaking from a portion of the file which had been withheld from the prosecuting attorney of Wayne County when he requested the file for examination, officers Johnson and Hoffman put into the record a great deal of material which we feel was highly questionable. None of the statements of the witnesses taken by the police prior to the trial were originals. They were carbon copies unsigned and for the most part undated. In so far as the trial itself is concerned we do not believe that Hardy should be held responsible for the failure of the State to safeguard its basic records and the transcript of the trial.

Finally, we would like to comment briefly on the character of the testimony ascribed to the several witnesses quoted by officer Johnson particularly. A repeated assertion was made that Hardy was identified by these several witnesses because of his soldierly bearing. It is utterly incredible that persons observing Hardy or any other man in the process of the kind of struggle that took place in the middle of the intersection at Harper and Mt. Elliot on May 3, 1924 would have any accurate knowledge of the personal carriage or bearing of any of the individuals involved in that struggle. It seems entirely probable to us that the phrase military bearing or soldierly bearing was coined after Hardy had been placed in the lineup and viewed by the witnesses who were to appear against him at the



November 9, 1950

Honorable Board of Pardons and Parole

trial.

In conclusion, it is to be hoped that your Board with this information before it will now be able to proceed to consideration of the case and will be able to make a favorable recommendation to Governor Williams in regard to the disposition of the case of Vance Erin Hardy. Because of the agreement of the polygraph tests made by both Petermann and Gregory and the results of the intensive investigation conducted by this Committee, we are convinced that Hardy is innocent of any connection with the death of Louis Lambert.

All of us will be pleased with expeditious action in this matter and we feel that no other conclusion can safely be reached than that Hardy should be pardoned and released at the earliest possible date.

Respectfully submitted,

For The Court of Last Resort



November 9, 1950

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In accordance with the communications between Mr. Tom Smith and Mr. Moskowitz and the interviews that I have had with various members of the Board, we are enclosing with this letter the following affidavits relating to the Vance Hardy case.

1. An affidavit of Carl F. Boldt of Detroit, an eye witness to the shooting and an employee of the bank out of which Lambert had just emerged in which the events seen by Boldt are described and the statement is made by Boldt that he was not interrogated by the police.
2. An affidavit of Celia Gardecki, the proprietress of a bakery located at Lodi and Harper Streets, who was one of those witnesses who might very well have been able to identify at least two of Lambert's assailants. The principal import of Mrs. Gardecki's statement is that she was not interviewed by the police in regard to the crime.
3. An affidavit of Miles J. McGurk, who was also interviewed by your Mr. Nelson in which he makes the definite statement, "I am positive that Vance Hardy was not in the gang that assaulted and abducted Louis Lambert."

An effort was made to secure an affidavit from Mr. George Harrison who is at present employed by the Levine Auto Company, 14201 East Warren in Detroit, telephone Valley 23459, who was the second teller in the Peninsula State Bank branch and also an eye witness to the shooting of Lambert. Harrison is unwilling to make an affidavit but he says that he was not interrogated by the police in regard to this incident and that he will be glad to so advise



November 9, 1950

Honorable Board of Pardons and Parole

trial.

In conclusion, it is to be hoped that your Board with this information before it will now be able to proceed to consideration of the case and will be able to make a favorable recommendation to Governor Williams in regard to the disposition of the case of Vance Erin Hardy. Because of the agreement of the polygraph tests made by both Petermann and Gregory and the results of the intensive investigation conducted by this Committee, we are convinced that Hardy is innocent of any connection with the death of Louis Lambert.

All of us will be pleased with expeditious action in this matter and we feel that no other conclusion can safely be reached than that Hardy should be pardoned and released at the earliest possible date.

Respectfully submitted,

For The Court of Last Resort



December 20, 1950

Mr. Vance Hardy, #41675  
4000 Cooper Street  
Jackson, Michigan

Dear Vance:

I know how impatient you must be to hear the news from the Parole Board. I can't imagine what is the cause of the delay because they took final action on your case on Friday, December 1. I was up at the Governor's Office this morning but they have received nothing yet from the Parole Office.

However, from what I can find out, it seems quite likely that the Governor's Office will receive some information about the matter within the next day or two. I am keeping in constant touch with Mr. Adams, the Governor's Legal Advisor. Naturally, I will get in touch with you immediately, as soon as I have any definite information.

I want to tell you how much I appreciated and enjoyed your wonderful Christmas Card. I can well imagine the hours of work that went into it, and many of my friends have commented upon the wonderful workmanship.

Well, the best of everything to you, and I have high hopes that we will have some good news very shortly.

Sincerely,

LS:mg

LeMoyne Snyder, M. D.



*Let Moore  
This is  
about what  
we need  
from  
Pitman too.  
Jm*

STATE OF MICHIGAN  
IN THE RECORDER'S COURT FOR THE CITY OF DETROIT

THE PEOPLE OF THE  
STATE OF MICHIGAN,

Plaintiff

NO. 53711

-VS-

VANCE E. HARDY,

Defendant

AFFIDAVIT OF ALEX L. GREGORY  
IN SUPPORT OF MOTION FOR NEW TRIAL

STATE OF MICHIGAN }

ss

COUNTY OF WAYNE }

Alex L. Gregory being first duly sworn deposes and says that he is an examiner using the Keeler Polygraph for the detection of deception. The deponent further says that he has been trained at the Keeler Polygraph Institute in Chicago and has been actively engaged in making Polygraph examinations for a period of \_\_\_\_\_ years; that he resides at 14418 Penrod Rd. in the City of Detroit, Wayne Co., Michigan and conducts his business from that address; that he is at the present time the President of the International Society for the Detection of Deception, which is a professional group, devoted to improving the techniques for detection of deception and to establishing ethical standards for the profession.

Deponent further says that on June 7, 1950 he was asked to make a Polygraph examination of one Vance E. Hardy, to solve the question of whether said, Vance E. Hardy, had guilty knowledge of the slaying of Louis Lambert in the City of Detroit, May 3, 1924. Deponent further says that at the time he made a written report of his conclusions to the "Court of Last Resort" Division of Argosy Magazine which was then making an investigation of the Lambert murder and Vance E. Hardy's trial and conviction in connection with it.



Deponent further says that the following paragraphs are an exact and complete transcript of his report made June 12, 1950 covering his examination of the said Vance E. Hardy on June 4, 1950:

" CONFIDENTIAL REPORT  
June 12, 1950

FROM:  
ALEX L. GREGORY  
15483 Coyle St.  
Detroit 27, Michigan

SUBMITTED TO:

ARGOSY MAGAZINE'S  
COUNT OF LAST RESORT

SUBJECT

Polygraph examination of VANCE E. HARDY.

DETAILS OF EXAMINATION

On June 7, 1950 Vance E. Hardy was examined by the Polygraph detection of deception technique regarding his participation in or his knowledge of the killing of Louis Lambert, in the City of Detroit, Michigan on the 3rd day of May, 1924, the killing for which he is now serving a life sentence.

He was also examined regarding his having participated in several hold-ups and robberies, which were committed during the first half of 1924, and are alleged to have been committed by, what was known at that time, as THE "PARMENTIE" or "SHOT GUN" gang.

The examinations were made in Jackson Prison, on the 7th of June, 1950, between the hours of 10 A. M. and 4:30 P. M. The usual Polygraph procedure was followed.

RESULTS

The examination consisted of eight tests, one of which was a control test. Between tests the subject was interrogated intensively by the examiner. On two occasions Dr. LeMoyné Snyder and Mr. Tom Smith took part in the interrogation of the subject.

After a careful analysis of this subject's polygrams, it is the opinion of the examiner:

1. That he is physically capable of giving specific reactions on the Polygraph.
2. That he did not take any part in the killing of Louis Lambert on May 3, 1924.
3. That he has no actual knowledge of the killing of Louis Lambert.
4. That he did not take part in any hold-ups or robberies in the City of Detroit, Michigan during the year of 1924.

s/ Alex L. Gregory  
Alex L. Gregory Examiner



Deponent further says that the report quoted in the foregoing constitutes his considered professional opinion in the matter of the guilt or innocence of said, Vance E. Hardy, and that he now believes, on the basis of considered professional judgement, the said Vance E. Hardy did not participate in the killing of Louis Lambert and has no guilty knowledge of it.

Further Deponent sayeth not.

---

Alex L. Gregory

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1951.

---

Notary Public, Wayne County, Michigan

My commission expires: \_\_\_\_\_



January 26, 1951.

Mr. Erle Stanley Gardner  
Rancho Paisano  
Temecula, Calif.

Dear Erle:

I was greatly pleased to read copies of your letters to Governor Williams. I did not have the pleasure of meeting him on my trip to Michigan but from your description of the Governor at the time we were in Lansing together, you seemed to feel that he was an honorable fair-minded politician who would be apt to play fair in the Vance Hardy case.

I am anxious to see his reaction to your letters and if he is the type of man we hoped he would be, he will pardon Vance Hardy. If he does not, I am wondering if we could not enlist the aid of a Detroit newspaper and let them take all of the credit they want. We could assist them in every way possible and they would create the proper public interest to bring about Hardy's release.

It is going to be unfortunate for us if we have too many cases follow the pattern of the Brite brothers. Let's give a little thought to this and perhaps we could get the Hearst outfit to give us a lift, and we will need one in the Hardy case unless the Governor acts within a reasonable length of time.

Sincerely,

RCS/ktb

Raymond C. Schindler.

cc - Mr. Harry Steeger  
Dr. Le Moyne Snyder  
Mr. Tom Smith



January 25, 1951

To Members of the Court of Last Resort:

Feeling free to voice my opinions without any inhibitions whenever I feel you guys have overlooked a bet, I now make haste to give you a bow and eat a little crow.

When we interviewed Mullens we had to hit the high spots because his wife was waiting for him to take her some place and we persuaded him to sit down for just a second or two. -- Then the next day when we went back he refused to talk because we had gotten him out of bed at 11 o'clock in the morning.

Nevertheless, if I had been on the job I should have realized that there was some significance in the fact that he had never seen that automobile again. I thought at the time it was just sloppy work on the part of the police because after having had him identify Bailey's picture they never asked him to look at Bailey in the flesh until he saw Bailey on the witness stand in the courtroom at the time of the trial.

I feel in a humble and somewhat chastened mood.

More power to you.

ESG



COPY

*Snyder*  
ERLE STANLEY GARDNER  
Temecula, California

January 30th, 1951

Hon. G. Mennen Williams  
Governor of the State of Michigan  
Capitol Building  
Lansing, Michigan

Dear Governor Williams:

Entirely aside from my feeling in connection with the Vance Hardy case as such, I can't get over being shocked at the attitude of the Parole Board in its blithe assumption that the relatively recent changes in Michigan law made the Parole Board the real arbiter in matters of executive clemency, reducing the Governor to the status of a rubber stamp.

It seems obvious to me that the law making authorities intended only to have a public hearing for the primary purpose of giving both sides a chance to be heard on whether clemency should be granted, and to guard against surprise pardons issued by some governor who had had no chance to appraise public sentiment.

That this public hearing should be turned into a procedure where ex-police officials could testify to what witnesses had told them, and thereby reinstate a destroyed public record of what witnesses actually had said at the trial; where ex-prosecutors could write letters stating that inasmuch as neither they nor the police had considered the murder as being the result of gangster activities, the defendant, despite very considerable present proof that such was the case, must now be estopped from advancing the contention; and then to reject all polygraph evidence because it was not "legally admissible," is a shocking situation.

If the prisoner is to be held to the strict rules of legal evidence, the police should not be permitted to use hearsay testimony, nor the prosecution to write a letter which, while absurd on its face, is elevated to the sanctity of a judicial precedent.



Any such concept of government should be stopped in its tracks. If legal rules of evidence are to be applied, the hearing should be before a body which has some concept of what those legal rules are.

It seems plain to me that the hearing contemplated by the legislature and the assumption of authority by the Parole Board relate to entirely different concepts of law.

I have said before, and I want to say again, that parole boards generally are not fitted by temperament, environment or experience to pass upon matters such as the contentions made on behalf of Vance Hardy. And to think that the present board could conduct such hearings with the thought in mind that innocence on the part of a prisoner is no ground for pardon comes as a shock to me, and I feel that it will to the reading public.

It might not at first glance seem to be politically expedient to disregard the recommendation of the Parole Board, but I have a feeling that in a matter of this kind you will follow the dictates of your own conscience rather than any rule of political expediency. And I personally want to state that if you do just this, and set forth the reasons why you are doing it, your action will win national acclaim.

Vance Hardy was convicted on the testimony of one man. That man knows in his heart that Vance Hardy was not the real murderer, and has come as close to saying so as any man can come and still not leave himself open to a charge of having perjured himself. Abundant evidence, which should have been investigated by the police, existed (and some of it still exists) to show that the Lambert murder had nothing to do with any "stick-up." It was a bootleg killing, and his assailants were well known to Lambert, who identified them by designation as he staggered in a dying condition from the death car.

As far as the testimony of Hardy's sister that he was with her on the day of the murder and that this day was the day of the races is concerned, it is very possible that she was correct as to his being there, but mistaken as to the date of the races. We never based our own conclusions on her alibi testimony because Alex Gregory's polygraph test showed that there might have been some doubt in her mind as to the exact dates involved, although it also showed a complete lack of any knowledge linking her brother with the crime, and her honest belief that he was not at the scene of the crime at the time it was committed.

I think if you were to ask the President of the American Bar Association to select a committee of five men who had no political affiliations in Michigan, and asked those men to simply



answer the one question whether from the evidence now available in all human probability Vance Hardy had been improperly convicted, you would receive a very definite and positive affirmative answer.

If you were to ask the President of the American Academy of Forensic Sciences to designate five men, experts in appraising evidence, to answer that same question, the answer would be the same.

To think that the State of Michigan could convict a man of murder and then when the State's chief witness repudiates his testimony, a board of men whose sole official qualification is that they have supposedly become expert in determining the extent of character reformation in confined men, should learnedly declare that the prisoner had not proven his innocence by evidence that would be accepted in a court of law, and then in closing their opinion should state that even if innocent the pardoning power was not intended to remedy such a situation, and that as the prosecution had never considered the evidence indicating the real murderer at the time of trial, the prisoner should not be permitted to raise the question twenty-six years later, is to present a situation that is not only shocking to any fair-minded individual, but is destined to arouse a most unfavorable public reaction when it appears in print.

If conditions such as this are to prevail the time will soon come when juries will cease to convict the guilty because of a lack of confidence in the ability of the executive to rectify errors which every sane man knows are bound to occur from time to time.

Homer Cummings made his greatest triumph when he used his powers to prove that a man who had confessed to a crime, and who was seemingly faced with overwhelming evidence of guilt, couldn't really be guilty. His career will appeal to popular imagination because of that incident long after his successful prosecutions have been forgotten.

Knowing this Hardy case as I do, I feel that the situation is ripe for an executive decision that will establish a precedent throughout the nation.

The territorial boundaries of Michigan determine the technical procedure, but the interest in the case is national and the results of the case are destined to be far-reaching.

I certainly trust you will make a personal study of the facts and stop this idea that the Parole Board has been given authority to constitute itself a super supreme tribunal to usurp the discretion of the executive. The people elected YOU as Governor, and citizens are entitled to have YOU discharge the



January 30th, 1951

duties of that high office.

Vance Hardy can't prove himself innocent by legally admissible evidence. No one ever contended that he could. But I defy any reasonable man to examine the record in its present state without reaching the conclusion that Vance Hardy was improperly convicted, and that in all human probability, as the facts stand today, he is innocent of the murder of Louis Lambert.

It is my contention that the pardoning power was vested in you as the Governor of the State of Michigan to cope with a situation such as this.

I hope I am not infringing unduly upon your time, but I feel very keenly about this case, and I think the present opportunity for you to re-establish the confidence of the public in the inherent justice of constituted authority is perhaps destined to result in one of the most important acts of your entire term of office.

Sincerely yours,

ESG:lm



POPULAR PUBLICATIONS, INC.

205 EAST 42<sup>ND</sup> STREET

NEW YORK 17, N.Y.

HENRY STEEGER  
PRESIDENT

January 31, 1951

Dr. LeMoyne Snyder  
705 American State Bank Bldg.  
Lansing 68, Michigan

Dear Lemmy:

Tom and I were supposed to phone you today but Tom was in Pottstown this morning and won't be here until this evening, so we'll phone tomorrow instead. I think you gents did a swell job in Charleston and am anxious to hear the details from Tom.

I'm glad to hear about that TV broadcast in Detroit and also the lecture at the Polygraph School. All of this will help.

I note what you have to say about the Hardy case and agree with you in your opinions. I know, for instance, that Tom never set any stock by that alibi of Mrs. Barrett's. I think Erle's letter to the Governor covering all these points is a masterpiece.

We'll see that Tom shoots the transcript out to you as soon as he arrives here at the office. Bob just yelled in from the other office that he already had a note to this effect on his desk.

We'll discuss strategy in the Hardy case over the phone. It is probably a good idea in one way that we are getting into a fight on this Hardy business. The readers have been wanting a little action and I think it will set a good precedent for parole boards elsewhere to realize that we don't take these things sitting down.

Every best wish.



HS:mw



January 31, 1951

Mrs. Gladys Barrett  
667 W. Alexandrine  
Detroit 1, Michigan

Dear Gladys:

I received your letter about Vance. On account of the recent ruckus in Detroit over the releasing of convicts, I believe the Governor will take his time about acting on the recommendation of the Parole Board to allow things to cool off a bit. In the meantime, we are going to try to get all the facts straightened out for the Governor so that he will have a chance to get the truth about the whole subject.

In the meantime, we are hoping that there will be no newspaper publicity about the matter because we don't want any pressure being brought to force the Governor's hand one way or the other. I will keep in touch with you as things develop and if we get a turn down from Governor Williams we will pursue this other angle.

Best regards to you and Frank.

Sincerely,

LMS:mg



Detroit 1 Mich  
Jan - 26<sup>th</sup> 1951.

Le Moyne Snyder. M.D.  
Dear Dr Snyder -

After talking to you Sunday 21<sup>st</sup> which my mind is somewhat at ease - and of course as I stated I had visited Vance on wed 17<sup>th</sup> he was in the very best of spirits for he had talked to you and Mr Tom Smith - and of course he is waiting to see the results of our Gov - as he knows the result of the Parole Board. and as Vance has all way said he would never gain him freedom if he had to get it through the Parole Board. But in case our Gov - turns Vance down - It seems like Vance is happy - as to a new trial as he speaks of his freedom soon and he knows you and other members of the Court of last Resort will not let him down -

Now Dr Snyder. I see a letter from Vance dated Sunday Jan - 21 - on the day I talked to you - you see I do "not" write Vance any thing I hear - because I do not trust the "censors" they could inform the Parole Board of things so I keep every thing until I visit him -

But what I am trying to get at is this Vance ask me to get in touch with you are some of the members - for he understands that the Parole Board refused to recommend a pardon for him on account of the way they interpreted his statement that he went to Hainville



2.

to see me and attend the Kentucky Derby - The Parole Board claim <sup>his</sup> ~~my~~ alibi was false -

now Mr Snyder Vance ask me to contact you -

and tell you to review the records of statements he (Vance) made concerning his presence in Louisville.

May 3<sup>rd</sup> 1924 - never did he "state that he saw" the Derby on May 3<sup>rd</sup> nor did he ever say this race was run on May 3<sup>rd</sup> - "all though it was" -

Vance's statement (I) stated that I went to Louisville on May 2<sup>nd</sup> on May 3<sup>rd</sup> "early that morning Mr Cummins and I caught a train went to Crab Orchard Ky - we came back around noon the same day - that afternoon" I attended the races -

I did not say the Derby - Naturally the Parole Board interpreted it to suit their own purpose - now his please Tell the Court of Last of Last Resort" to please check the public hearing records - and they'll find the truth here.

now Mr Snyder I do not see what difference whether Vance stated "Derby day" or not. But it was -

never the less as Vance has asked me to write you the above. I thought I should -

and also Mr Snyder. I see a copy of the letter from Mr Gardner - to Geo Williams - Guess you also have the same. it was a lovely letter and Mr Brands wrote to Mr Gardner - an ans. now Mr Snyder. we



are wondering how long it will be before Gov Williams  
will give his answer - I feel sure in case Vance  
is turned down that Judge Ellis and G. K. A. Brien  
will give Vance a new trial and Vance will be home  
before long. and we owe it all to you and the  
members of "The Court of Last Resort" hoping to  
hear good news soon.

Sincerely from my heart.

Edw. Barrett

667. W. Alexandrine

Detroit, Mich.



January 31, 1951

Dr. John R. C. Carter,  
114 S. West Street  
Royal Oak, Michigan

Dear Doctor Carter:

I was very glad to receive your letter about Vance Hardy. The matter is still in the hands of the Governor and I rather anticipate he will take no formal action on the recommendation of the Parole Board for some time. It seems that since the present pardon act was passed in 1937 no governor has gone against the recommendation of the Parole Board and I doubt very much if the Governor will in this case. For the present at least, we hope that there is no newspaper publicity about this until the Governor has had a chance to weigh the facts of the case without any newspaper pressure, and I have hopes that there is an outside chance that the Governor will act favorably and not follow the recommendation of the Parole Board.

If your letter to Vance was returned, I suspect that it was because you did not put on his prison number. The same thing has happened to me. Vance's number is 41675 and I am usually a little cadgy in what I say because I suspect that the censors carry everything back to the Parole Board.

At the present time, Vance has no attorney and we are waiting to see what happens before any further steps are taken.

Thank you again for writing me.

Sincerely yours,

LMS:mg



John R.C.Carter, M.D.  
114 S.West Street  
Royal Oak, Michigan

January 20, 1951

Dr. LEMOYNE SNYDER  
LANSING, MICHIGAN

Dear Doctor Snyder:

I notice that the case of Vance Hardy was before the Parole Board and they refused to recommend Parole, so is now up to the Governor.

My letters to Vance Hardy at the Penitentiary have been returned for one reason or another. When I was Staff Physician at the Prison one year ago he asked me to help him and I promised to do what I could, but being out of touch with him I do not know how I can, except that I did write to the Governor, and have talked to an administrative official to the extent of saying that I think he is worthy of a pardon.

I will appreciate a letter from you telling me the status of his case, who his attorney is (if you can), and advising me how I can get a letter through to him.

With All Good Wishes for 1951

I am

Sincerely  
*John R.C. Carter M.D.*  
John R.C. Carter, M.D.

P.S. If everything else fails. I would like to know the Court that sentenced him. I do want to help get him out.



PERSONAL - Mailed to 956 Cooper Street

January 31, 1951

Dr. Russell L. Finch  
Prison Physician  
4000 Cooper Street  
Jackson, Michigan

Dear Russ:

I have been mulling over the situation of Vance Hardy. As you know, the Parole Board recommended that his application for pardon be denied but the Governor as yet has taken no action and I don't believe he will for a matter of two or three weeks. At the present time, we are hoping that there will be no newspaper publicity about this matter so that no pressure will be brought to force the Governor's hand.

I fully appreciate the delicate position you are in to try to do anything for Vance. At the same time, I can't help but realize what a tremendous amount of weight your opinion about Vance would carry with the Governor. The fact that you have known him over so many years and that he has worked for you and everything else would be bound to have an exceedingly beneficial effect.

I have a decided feeling that the Governor has no love in particular for the Parole Board, and if it were possible to contact Clark Adams, who is the Governor's legal advisor, in some way I feel sure that anything that you would tell them would be held confidential.

Above everything else Russ, I don't want to put you on the spot. Turn this over in your noggin for two or three days and let me know what you think about it. I will understand completely if you decide that you had better remain in the background in this matter. In the meantime, we are not letting any grass grow under our feet in our efforts to get Vance freed. If we get licked on this angle we will try another. I have to leave for Chicago tomorrow but I will be back Friday and will be here over the weekend.

Best regards all around.

Sincerely yours,

LMS:mg



John R.C.Carter, M.D.  
114 S. West Street  
Royal Oak, Michigan

February 2 1951

LeMoyne Snyder, M.D.  
Lansing, Michigan

Dear Doctor Snyder:

Your letter of January 31 certainly relieved my "tension". You see I have been completely disconnected except what I got out of the News, and decided to stay that way until I got a cue. Your letter has put me straight for the present.

Won't you make a memorandum "To get word to me as soon as there is something definite about Vance Hardy"? Incidentally, I did speak confidentially to the editor of the News, to do me a favor and have Vance interviewed for his personal life story and his personal values without any reference to the political or official matters. And, I have written directly to the Governor and told him of my intimate relation with Vance at the Prison in my capacity as Prison Physician and recommended Vance as a sincere man doing a fine work at the Prison. By the way, Vance does carry himself in dignity and refinement and plays the part of a "very near-physician" to the whole population of inmates. In any other environment his personality and conduct would be quite impressive.

So, for the present, I will sit tight, and await your advice as to further developments. I do not contemplate even writing to Vance until I have heard from you again. I thank you for your kindly guidance in this matter.

Sincerely Yours

*John R.C. Carter M.D.*



March 29, 1951

Mr. Earnest C. Brooks  
Commissioner of Corrections  
1609 E. Kalamazoo Street  
Lansing, Michigan

Dear Mr. Brooks:

Re: Vance E. Hardy

Tom Smith and I representing the Court of Last Resort were promised by members of the Parole Board that we would be supplied with a copy of the recommendation of the Parole Board to the Governor in the above case. To date we have not received this report despite the fact that I have made several telephone calls to the Parole Board asking for it.

Would you be good enough to see if you can have a copy of this document forwarded to me as soon as it is possible.

Very truly yours,

LS:mg

LeMoyne Snyder, M. D.



March 29, 1961

Mr. Raymond Schindler  
7 East 44th Street  
New York 17, N. Y.

Dear Raymond:

Thank you for your nice letter about my letter to Governor Williams.

For some time I have been quite concerned about the time lag between the deadline for Argosy and the publication date and I have been trying to think up some method of getting past this hurdle. Seventy days is so long that it takes a lot of the punch out of what needs to be said about certain situations. Now, I don't know anything about publishing a magazine which I suppose qualifies me to speak with authority on the subject. One thing I have been wondering about is the possibility of a sheet of paper which is typed up and then inserted into the magazine at the time of delivery. There may be a thousand objections to that that I don't know anything about but if something like that could be done I think it would add a lot of punch to the work that we are trying to do.

Now, about stirring up the Michigan press on this Hardy matter we are in a little bit of a delicate position. I have no doubt that Williams was disappointed at the report of the Parole Board and he would much have preferred to have gone along with us and granted Hardy a pardon. Consequently, all of the material that we have gotten from the case has been from Williams' office. There has been no newspaper publicity of any kind on this matter in recent months and because of the fact that Williams' office has cooperated with us 100% I sort of hate like hell to take advantage of the information they have given us to start pouring oil on them. Now the Parole Board hasn't given us anything. As a matter of fact, we have never gotten a copy of their report to the Governor which they promised and I would have no hesitation whatever on giving them the works. I think I will write the Parole Board today making a formal demand for a copy of their report to the Governor and probably then we can proceed against them with a free hand and a clear conscience.



Page 2.  
March 29, 1951

Mr. Raymond Schindler

I expect to be in New York again early in May  
and maybe we can work out some scheme then to bring this  
about.

Sincerely,

LS:mg

Lemoyne Snyder, M. D.

cc: Mr. Harry Steeger  
Mr. Alex Gregory  
Mr. Tom Smith  
Mr. Erle Stanley Gardner



# SCHINDLER *Bureau of Investigation*

RAYMOND C. SCHINDLER

ESTABLISHED 1912  
SHELBY WILLIAMS

WALTER S. SCHINDLER

7 E. 44TH STREET - NEW YORK 17, N. Y.

\*VANDERBILT 6-3850

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LOS ANGELES	TULSA
MIAMI	WASHINGTON

March 27th 1951.

Dr. LeMoyne Snyder  
705 American State Bank Bldg.  
Lansing 68, Michigan.

Dear LeMoyne:

Re: Hardy

I am replying to your recent letter requesting any ideas we may have regarding the above case, and, first of all, let me congratulate you on your masterful letter of March 26th.

I wish to make the same suggestion I made at Harry Steeger's home, the night you, Tom Smith and Bob Rhay were there with me:-

The Court of Last Resort we keep emphasizing is The Public. Argosy Magazine reaches several million readers a month. How many readers are in the State of Michigan, I do not know, but there must be a substantial number. I believe a brief article should appear in Argosy, calling on the readers to get in touch with the Governor and the members of the Parole Board who turned us down, giving their names and addresses, and the article should briefly outline the evidence we presented and make a point of the various facts such as are outlined in the third paragraph of your letter of March 26th.

The main point I emphasized at the dinner at Harry's home was that we had a very cooperative press in Detroit on the Gross case. The reporter there from the Hearst paper who worked with us I am sure would jump into this case with equal enthusiasm. The one thing that the politicians of Michigan do not want, and which will move them to action in my opinion, is for the local press to get after them. Why not try to enlist the aid of this same paper? We could give them a peach of a story with photographs, transcripts of some of our interviews and they could run a series for days, and would also have the opinion of Jerry O'Brien, and they could really make a crusading case of it. I think this is the only way that we will get a pardon for Hardy.

Sincerely,

  
Raymond C. Schindler.

RCS:E Copies to All  
Court Members



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS

EARNEST C. BROOKS  
COMMISSIONER



G. MENNEN WILLIAMS  
GOVERNOR

112 STATE OFFICE BLDG  
LANSING 13

April 10, 1951

Dr. LeMoyne Snyder  
705 American State Bank Building  
Lansing, 68 Michigan

Dear Doctor Snyder:

Re: Vance E. Hardy

I find, after checking on the Vance Hardy case, that it has been agreed that no releases will be made until the Governor's office had completed their study. We would have no objection whatsoever to your having a copy of the Parole Board's report to the Governor, but since we are not in a position to provide you with it at present, may I suggest that you see Mr. Clark Adams about it.

Sincerely,

Ernest C. Brooks  
Commissioner

ECB:jm



205 East 42nd St.,  
New York, 17, N.Y.  
April 12th, 1951.

Dear Lemoyne:

I don't know whether I have told you so previously but your last letter to Williams on the Hardy Case was a gem. There is some question in my mind about how the Governor will get around all this but I still think we ought to be ready to go ahead on a court action in Hardy's behalf pretty soon. Certainly before you start for Europe. I am not too much worried about Gillis' difficulties. I think he will go as he indicated to me when I last talked the matter over with him.

About Bailey it is my thought that the best thing we can do there is to give Governor Patteson and the Charleston police a little time before we start to shoot. I am sending to Chief Charles Ray a copy of our report and he has promised to look into it without regard to the attitude of Capt. Williams. My feeling is that putting pressure on Patteson at this time would not be quite fair. He took quite a beating down there for commuting Bailey and letting Painter and Burdette die. He ought to have a little respite from the thing. In any event I am quite sure that we could not get any action until there is some further break in the case which may be some time on coming. Maybe we ought to talk it over in New York and with Erle when you come here.

Have you made any progress about getting us a wholesale deal on a dozen copies of 'Homicide INVESTIGATION' I'd like to keep my commitment to Chief Ray in Charleston soon, it will give me chance to needle him a little.

We have been huddling on TV stuff for several days - don't know anything yet but the pattern now being considered looks good to me. No doubt Harry will contact you if the things gets solid. Looking forward to seeing you here in New York soon. Regards to Louise and the youngsters.

Tom



*Lms*

June 6, 1931

COURT OF LAST RESORT DEPARTMENT

The Honorable G. Mennen Williams  
Governor of State of Michigan

Dear Governor Williams:

On the occasion of my visit with you on June 1st you asked that I give you a memorandum on the case of Vance Erin Hardy and the several suggestions that were discussed with you concerning the disposition of this case.

Since leaving your office one rather important matter has been brought to my attention by Dr. Snyder that I did not know about when I talked to you.

When the hearing was held before the parole board on Hardy's petition for a pardon, the witness Marcelt was brought to Lansing by Detroit police Lts. (retired) Hoffman and Johnson. These officers also brought with them an eye witness found by the Court of Last Resort; one John Stalinski of Detroit.

It should be remembered that these officers were the same officers who came to Marcelts home and brought him to court under arrest to compel him to testify against Hardy in the original trial.

It may not be fair to infer that these officers improperly influenced Marcelt while he was being transported from Detroit to Lansing to appear at the hearing. It is true though that as a witness at the hearing Marcelt appeared to be confused and fearful and that his testimony at the hearing was less forthright than were his statements given both in writing and orally to Court of Last Resort investigators Erle Stanley Gardner and Tom Smith.

For your information recorded interviews with Marcelt and signed statements by Marcelt, repudiating his identification of Vance Hardy, are available from the files of the Court of Last Resort.

With respect to the man Stalinski who was not a witness at Hardy's trial, we would like to point out that the Court of Last Resort has a recorded interview with Stalinski in which he gives an eye witness account of the shooting of Louis Lambert and in which Stalinski states that he did not believe Hardy was a member of the murder gang. On the stand at the hearing Stalinski stated that he did not actually observe the shooting of Lambert but had run around the corner of the building.



The inference is that the board might have been willing to recommend a commutation or a parole for Hardy but that they were precluded from making such a recommendation by the nature of Hardy's petition which asked for a full pardon.

We are concerned now with the fact that Hardy, whom we believe to be innocent of the murder of Louis Lambert, has served twenty-six years in prison for a crime that he did not commit and we dislike to contemplate further delay in doing justice to this man who has already suffered over much.

It is our hope that if you find it necessary to again refer this matter to the board of parole that you will give them some positive instructions for prompt handling of the case.

I sincerely hope that these suggestions will be of assistance to you in disposing of this matter and on behalf of the Court of Last Resort I want to thank you for your kindness in setting apart a portion of your busy day to discuss this matter.

We feel confident that the public of the state of Michigan will support you in any action you may take to give Vance Erin Hardy belated justice.

Very truly yours,

COURT OF LAST RESORT

TS:dm

Tom Smith



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COURT OF LAST RESORT

TS:an

Tom Smith



June 11, 1951

TO: All Members of The Court of Last Resort  
and Committee of Council

On Friday, June 1st, Tom Smith interviewed Governor Williams at Lansing, Michigan with respect to the case of Vance Hardy.

The matter was again reviewed from start to finish and the Governor was advised that the Court of Last Resort was anxious to get some action in this case.

It was pointed out to Governor Williams that he could do one of several things. First, he could grant the pardon in spite of an adverse recommendation of the parole board; second, he could appoint an independent group as suggested by Erle Stanley Gardner to further investigate the case; third, he could refer the matter back to the parole board with a suggestion that he was impressed by the evidence submitted on behalf of Hardy and felt that the parole board should reconsider the matter giving full consideration to such elements as the several polygraph tests, etc. Finally, if he felt that he must abide by the ruling of the parole board that he should make his decision in the matter known, and in effect, get the matter out of his hair and ours.

Governor Williams listened attentively to these several suggestions and he was rather pointedly told that we were anxious to have some kind of a decision. He then went on to say that under the circumstances it would not be possible for him to make an immediate decision. He was certain, however, that the Court of Last Resort was not going to abandon Hardy until they got him out of jail.

The inferences in the Governor's conversation with Mr. Smith were, that he is making a personal investigation of the Hardy case along several lines. First, the matter of the facts in the case itself and second, the questions of rather a legal procedure in making a decision that may not be in harmony with the recommendation made by the board of parole. It was quite clear that he had some such plan in mind and perhaps underway for he was unwilling to say, finally, that he would approve the action of the parole board at this time. His statement that he knew the Court of Last Resort was not going to give up on Hardy was very interesting.

It is the feeling of Tom Smith after talking with Dr. Snyder, that the matter should be permitted to rest for a period of approximately 60 days to give the Governor a chance to consider the matter at his leisure. Governor Williams has been extremely busy for the last six months with the legislative session going at Lansing and it is understandable to some degree why he has not had time to give full consideration to this case.

Following the conversation with the Governor, Mr. Smith prepared a memorandum for Governor Williams at his request embodying the suggestions of the Court of Last Resort. A copy of this memorandum is being prepared and will be circulated to all concerned.



Investigation on the Silas Roger's case has been opened.

Tom Smith accompanied by Harry Henderson, who will do the writing for Argosy on the Roger's case, left for Richmond, Virginia on June 6th for conversations with Mr. Jack Kilpatrick, of the Richmond News Leader, who has done a substantial amount of work on the Roger's case and has a petition pending before Governor Battle at the present time and for a conference with Governor Battle.

The overwhelming load in the recent poll favors investigation of the Roger's case over the other two that were mentioned, however, the balloting on all three cases were sufficient to warrant the interest of the Court of Last Resort in all of them.

There will be a further report from Richmond on developments regarding Silas Rogers.

Petersburg, Va. ----- June 13th.

We have just received an audograph record from Tom Smith who is in Petersburg, Virginia working on the Silas Rogers case, and I think the new developments may be of interest to all.

"We have run into an almost fantastic situation down here. We were led to believe by Kilpatrick and others that we were going to run into a hornets nest of opposition on the part of police and authorities in Petersburg. On the contrary, we find that present chief of police, one Welton Traylor and his staff, including a Captain Parrish who was a participant in the Roger's case and a witness in the trial, are very friendly to Rogers and are very uncertain that he was the man who killed Officer Hatchel. They promised us, and they're giving us, full cooperation in making an investigation. Some of the information which they have given us is startling indeed.

For instance, they told us that on the day that Rogers was apprehended and Hatchel was killed that Rogers was unmercifully beaten by the police there and that the two soldier boys who were picked up in the stolen car were released the same day and permitted to go on their way. Apparently the police having concluded that being unsuccessful in beating a confession out of Rogers they couldn't make a case against him.

On the same afternoon another negro was seen at a location somewhat remote from the scene of the crime but in a position where he might logically be expected to be found by Officer Parrish. Officer Parrish attempted to halt the man and bring him in but the man ran. There was a considerable number of shots fired at him and this man was never apprehended.

At the same time on an occasion just a day or two before the killing of Officer Hatchel, a colored man or perhaps two of them escaped from the nearby Chesterfield jail and were known to be at large in the general vicinity of Petersburg.

One of the witnesses at the trial, a man named Davis, testified to the fact that two colored men entered a draw or creek bottom know as Lt. Run, just below the hospital, immediately after Hatchel went in. Neither of these men were ever apprehended, although I should say, one of the escapees was later questioned about the matter and denied any knowledge of it.



The fact that the two soldier witnesses were released so quickly indicates that the police did not believe that Rogers was the man and it gives very strong support to Roger's statement that neither Jordan or Stevans, the two soldiers, were able to identify him as the man in the car when they were first brought to the police station.

Another angle that is quite interesting is the fact that Parrish and Chief Traylor tell us that the then city manager, Hatchep, called all of the police force together and threatened them with loss of their jobs if they talked about the beating of Rogers or participated in the case in any way except as might be directed by Chief Beasley. In spite of this threat Officer Parrish told his story at the trial.

It is significant that after Rogers was in jail a great many men were detailed to try to find the man seen by Officer Parrish on the outskirts of town. It is also significant that Chief Beasley and I think, one of the other officers, testified at the trial that no effort was made to continue the search after Rogers was apprehended because they were certain they had the right man.

It is also true that Officer Jolly, who was Hatchel's partner on the morning he was killed, told Chief Traylor, who was then a sergeant in the department, that he was not certain of Rogers being the man. Jolly was one of those who rounded up the crew to go out and search for the other man that afternoon.

He also testified at the trial that after Rogers apprehension they had the case closed and no further effort was made and that no men were ordered out to search for this party who was jumped by Parrish.

The situation looks like that hollow where Hatchel met his death was full of negroes and cops that morning. It's going to be a little difficult to tell ever, perhaps, who killed Hatchel.

Officer Parrish tells us that he went to the city manager and told him that if he was put on the stand he was going to tell the truth. He said that both Jolly and Beasley lied when they said on the stand that they were always certain Rogers was the man. All the officers and men lied when they said they did not know why they were searching Lee Park, which was the area which Parrish saw this other negro.

The search for this second negro began in the afternoon and continued all night and ranged for miles all over the country side. Some National Guardsmen were also called in to assist in the search.

There is a possibility, although rather remote in the light of the testimony of some of the employees at the hospital, that Hatchel might have been killed by Jolly who's movements are not very well recorded and who has told many different stories. Incidentally, this man Jolly and all of the other officers who were on the force at the time of the Roger's case are now gone with the exception of Arnold Jackson, who is the fingerprint and photographer official. Chief Traylor tells us that Jackson himself is now willing to stand with him in regard to Roger's case.



It is also reported to us by Traylor and Parrish that two officers of the department got into a fight at Christmas time following the conviction and beat each other up with blackjacks in an argument over the Roger's case.

Traylor says that when he came on duty that morning he found Roger's back and shirt soaked with blood and asked why, which almost got him fired.

He says further that the soldiers, when they were finally returned to Petersburg from Providence, were kept in fine style in a hotel and were given treatment that was accorded to no other material witness. The police were given orders to take them any place they wanted to go and give them anything they wanted and that they were even supplied with women or taken to a house of prostitution whenever they wanted to go.

There's some gal down here that Jordan knew at the time and we're trying to find her too.

The whole thing adds up to one hell of a mess, however, with the present situation in the police department at Petersburg, and with the prosecuting attorney showing signs of weakening, and with active petitions before the Governor for Roger's pardon, I feel that there is a good possibility that a few more days of effort here may bring the case to a successful conclusion.

We have a tentative appointment with the Governor for Tuesday and will re-check our ammunition with Jack Kilpatrick of the News Leader."

I am enclosing a resume of a case that was submitted to the Court of Last Resort. I want Hank Franklin in Peterboro, N. H. to particularly note as it may be possible for him to interview Galvin at the institution at Norfolk.

The material contained herein is largely unverified and is taken from the prisoners account of the crime, together with excerpts from the transcript.



June 12, 1951

TO MEMBERS OF THE COURT OF LAST RESORT:

Well, it looks like at last we are going to get started for Europe and will be sailing on the DeGrasse next Saturday morning. We expect to get back the latter part of September.

I probably won't be around here when the Governor gives his final decision on Hardy, but I doubt if he will get around to it for a month or six weeks yet anyway.

Enclosed is a statement which I copied out of the Federal Advance Sheets which came to our office this week. This is about as strong language as I have heard a Federal Judge use in a long time and I thought it would be of interest to you. Who knows but what the Wentzel case might have influenced his thinking a little bit as it all happened right in his neighborhood.

I was interested in Erle's comments about the future work of The Court of Last Resort. This recognition by The American Bar Association is the greatest thing that has happened to us so far, and if we can get the proper sort of publicity on it I believe it will do us a great deal of good. With the backing of The American Bar I think we are then in a position to go about getting some money so that we can hire more investigators and accomplish more in the way of production.

For several reasons, it has seemed to me that the Ford Foundation might very well be willing to give us this help. One of the tenets on which the Foundation was set up is for the better administration of justice and is directly down the line with our objectives. In addition to that, Henry Ford, Sr. was intensely interested in the plight of the convict and did a great deal to rehabilitate these men. The headquarters of the Ford Foundation is now located in Pasadena but Paul Hoffman is in Europe for the summer. I have some contacts with the Ford Company here in Detroit which I believe would at least get me into the door of the place. My feeling is that if and when we get some proper publicity with reference to the Bar Association matter, the time would be ripe to approach the Ford Foundation to see if it would lend the necessary financial support. If this becomes possible, I would much prefer it to trying to finance the Court of Last Resort with a radio show or something along that line.

Well, that's all for a while. I hope you guys keep busy and enjoy yourselves and drop me a line once in a while c/o of the American Express, Paris which will have my forwarding address.



June 12, 1951

Page 2.

TO MEMBERS OF THE COURT OF LAST RESORT

Fifi sends 'lofff' to you all, and I only hope that the Greenland Ice Cap doesn't melt on the way over.

Best all around.

LMS:mg  
Encl.

*Le Moyne*  
LeMoyne Snyder, M.D.



FAIR TRIAL -

Prosecuting attorney's concealment during Pennsylvania murder trial resulting in death penalty of evidence which, if introduced, might have induced jury to impose only life imprisonment violated due process and necessitates federal district court's grant of accused's habeas corpus petition.

(Text) "Since when have we seen fit in this country to leave such questions to the whim, the caprice, the hatred or the favor of a prosecuting attorney? Under such a theory a trial would be a farce and justice a jest. It would be a trial by Attorneys General and district attorneys and not by a court of justice \*\*\* Our people are informed through the press that such practices are followed in some other lands, and we are justly shocked at some recent instances abroad of political injustice. Yet right here at home we not only have discovered that it was secretly practiced but in these proceedings a court is asked to impress such a travesty with the stamp of judicial approval and constitutional sanctity.\*\*\*

"It is of the utmost importance to every citizen of our country today for the courts to strike down all attempts to resort to such an unwarranted use of despotic power. Such a policy would leave the trial judge and jury not informed of the facts, with no ruling possible by the trial court or appellate court on matters withheld."

U.S.D.C., E.Pa. (Welsh, J.); in re Almeida, May 18, 1951.



ERLE STANLEY GARDNER  
Rancho del Paisano  
Temecula, California

August 12th, 1951

MEMORANDUM TO: All members of the Court of Last Resort.

In view of the statement contained in Tom Smith's report that Clark Adams had intimated Hardy could be discharged on a commutation to time served, I called Adams and suggested we quit monkeying around and get Hardy out of prison.

Adams gave no intimation whatever that there was any willingness on the part of the Governor to grant a commutation if we would accept that, but instead was quite emphatic in stating that the Governor, under the circumstances, simply couldn't afford to do a thing, although he did state off the record that he emphatically believed there should be a special board to handle matters of this kind and they should not go through the parole board.

I gave him a good piece of my mind on the parole board and stated I thought the Director of Corrections had used the Hardy case as a matter of political expediency, that the opinion of the parole board stunk to high heaven, and that we intended to blast it wide open in the magazine, that if the Governor tried to stand on that report he would be placed in a ridiculous light throughout the country.

I told him we had had high hopes of Governor Williams; that the first governor who started the reform of having a special board to pass on cases where men might be innocent would be making an outstanding contribution to jurisprudence and would start a move that would sweep the country. I told him we would much rather have had Governor Williams on the band wagon where we could give him some good publicity, than to have him out in the brush where we were going to be sniping at him, but that in view of Adams' statement there was apparently nothing else for it and we would start sniping because we felt the official attitude in the Hardy case was unjust and inspired purely by partisan politics.

Adams said to hold off, that he didn't want to take the responsibility but that he would put it up to the Governor personally. I told him that it had been dragging on long enough and we wanted a yes or no answer. He promised to get it for us within a month.



August 12th, 1951

Williams may do something to create a board, but I think not. We had better plan to start an application for a new trial.

I think it is entirely reasonable to believe that the missing notes in the Gross case and in the Hardy case indicate that after the decision to the effect defendants were entitled to a new trial when the judge had not been in court at the time the verdict was returned, the court reporter was quietly instructed to go through his notes and remove the notes in all cases where the judge had not been on the bench so that the imprisoned defendants would have no way of establishing the record. I think we can claim this to be a fact, provided we do not claim the records were mutilated by the reporter, but accuse someone of carrying out this policy. (If we can get some committeeman to do the job it would be a swell thing to find out the extent to which the records have been mutilated and destroyed.)

Let's start working on this thing so we are all ready to go.

Erle Stanley Gardner.

ESG:lm



Name. Vance Hardy No. 41675 To Whom. Dr. LeMoyne Snyder Relation. Business

Date. Sept. 29, 1951 Address 705 Amer. State Bk. Bldg City. Lansing State. Mich.

*SM*  
SPECIAL PURPOSE LETTER

Dr. Le Moyne Snyder  
705 American State Bank Bldg.  
Lansing, 68, Michigan

Dear Doctor Snyder:

Enclosed herewith please find the institutional newspaper, the Spectator, dated 1951. Inasmuch as this clipping concerns you one that called the matter to your attention; is without foundation or truth, I want to give so you will not think that I am taking too much

Last week one of the inmates the Spectator approached me and asked me whether additional news in regards to the action of the Court of Last Resort. I told him that the only news I had in the October issue of the Argosy, page 4; and suggested that he read the article for his information. I specifically told him that I had not heard from you, or any other members of the Court of Last Resort, within the past several months.

The last paragraph of the item that I have enclosed clearly states the whole of what I told the inmate representative of the paper - the rest of the article is mere conjecture and assumption on the part of the paper. I most emphatically did not state that I had heard from you, or that I had been informed that a meeting was to take place with the Michigan Officials.

I am particularly concerned about this matter, because for the past twenty seven ( 27 ) years distorted and assumed statements have been the basic reason for my continuous incarceration, and it seems that the same condition still exists.

Once again I would like to express my sincere thanks to you and the other members of the Court of Last Resort, for the interest and concern you are expressing in my case. I am patiently waiting until I hear the good news from you, I remain

Very truly yours,

cc: Commissioner Brooks  
Warden Frisbie  
Ass't Deputy Fox.  
( 1 encl. )

**Argosy Official In  
Lansing To Expedite  
Vance Hardy Action**

Continuing delays dog the progress of investigators in the case of Vance Hardy, local inmate, who is the subject of one of the cases before Argosy magazine's Court of Last Resort.

Hardy received word from Dr. LeMoyne Snyder last week in which the doctor stated that an immediate meeting with Michigan officials was to take place in Lansing. Dr. Snyder expressed hope that Governor Williams would take definite action at that time. Snyder has been on a trip to Europe and action in the Hardy case was first on his agenda when he returned to the United States.

In talking with Hardy this week it was learned that he had heard nothing more from the Court's officials, nor had he heard any official word from Lansing.

*Vance Hardy*  
Vance Hardy, #41675



Name. Vance Hardy No. 41675 To Whom. Dr. LeMoyne Snyder Relation. Business  
Date. Sept. 29, 1951 Address 705 Amer. State Bk. Bldg City. Lansing State. Mich.

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*Vance Hardy*  
Vance Hardy, #41675



Name. Vance Hardy No. 41675 To Whom. Dr. LeMoyne Snyder  
Date. Sept. 29, 1951 Address 705 Amer. State Bk. Bldg.

*JW*  
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705 American State Bank Bldg.  
Lansing, 68, Michigan

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cc: Commissioner Brooks  
Warden Frisbie  
Ass't Deputy Fox.  
( 1 encl. )

*Vance Hardy*  
Vance Hardy , #41675



October 5, 1951

Mr. Vance Hardy,  
#41675  
4000 Cooper Street  
Jackson, Michigan

Dear Vance:

I received your letter and the clipping which you enclosed. Don't worry a bit about this. It didn't bother us a particle.

Tom Smith, Alex Gregory and I expect to be over the first part of next week and have a short visit with you. We have been working in Detroit this week to get things started for a new trial, and at the present time things look very hopeful. We will tell you all about it when we come over in a few days. Please give my regards to Dr. Finch.

Sincerely,

LMS:mg

LeMoyne Snyder, M.D.



COURT OF LAST RESORT DEPARTMENT

October 17, 1951

Mr. Alex Gregory  
11318 Penrod Rd.  
Detroit, Michigan

Dear Alex:

I am enclosing herewith an affidavit prepared to be executed by you, in six copies. I think this may be all that is needed, although it is possible that the ~~jury~~ may decide to subpoena both you and Peterman.

*Sherman*  
LeMoyne is getting Peterman's statement and will send it in to "Chick" Sherman as soon as possible. I am enclosing an envelope addressed to Sherman for your use, which will save you the trip to his office.

Bob is getting ready to go up to get the affidavit from Brang, up in Maine, and all other matters were in good shape when I left Detroit. As soon as the Brang affidavit is completed, Sherman will be ready to go.

I am going to Biloxi a few days for the Prisoners Convention and from there, will return immediately to Detroit to finish this up.

Regards to Clara, I am,

Very truly yours,

COURT OF LAST RESORT

by

*Tom Smith*  
Tom Smith

TS:ls  
Enc.

CC. Dr. LeMoyne Snyder —

*Can you have six copies of Peterman's  
Statement notarized sent to Sherman?  
Address: Sidney Sherman  
2216 Guardian Bldg.  
500 Griswold - Detroit.*



COURT OF LAST RESORT DEPARTMENT

October 18, 1951

Mr. Sidney Sherman  
2216 Guardian Building  
Detroit, Michigan

Dear Mr. Sherman:

Arrangements are going forward to secure the affidavit of the juror, Eugene Brang, who is up in Maine, and six copies of this affidavit will be mailed to your office as soon as the matter is signed and sealed. Bob Rhay, of the New York office, is flying up to Ripogenus Dam next week to get this done. I left the Hollingsworth affidavit completed with Mrs. Barrett and she said she would deliver it to your office together with the original of the Watson-Johnson affidavit. Copies of the death certificate of Watson-Johnson are being secured and will also be delivered to your office soon. The search for juror John Crader continues and we feel that he will be located and the new affidavit from him will be in your hands this week.

An affidavit has been prepared and sent to Mr. Alex Gregory in Detroit covering his Polygraph examination of Hardy in June 1950. This contains an exact transcript of his report made at the time.

Dr. LeMoyne Snyder is obtaining a written statement notarized from Sgt. Peterman of the Michigan State Police, covering his examinations of Hardy and this, too, will be sent to your office immediately.

In connection with the evidence of Gregory and Peterman, it is interesting to note that the Journal of the American Medical Association, Volume 147, No. 6, dated October 6, 1951, on Page 615, contains some excellent material relating to the reliability of Polygraph tests. I have this magazine in my briefcase and will show it to you when I get to Detroit. If you think it will be of any value, we might use it as an exhibit in support of the testimony of Peterman and Gregory.

I would like to comment just briefly on the matter of the missing records. It just may be that as far as the law is concerned, the element of the missing records may not be too important. I think it is important, however, that Judge Gillis, in his opinion in the 1945 proceedings, felt it necessary to dismiss the matter with an explanation to the effect that the records were probably lost during the course of a W.P.A. filing project in the Recorder's Court Clerk's office. I think it should be made clear that these records could not have disappeared at that time because Regner's certificate that they were lost antedated the W.P.A. project. You, of course, will use your own best judgement on this but it is my feeling that properly set up, it strengthens the entire case.



Mr. Sidney Sherman:

October 18, 1951

Naturally, <sup>all</sup> ~~all~~ of us are concerned with getting this matter before the Court at the earliest possible date consistent with sound preparation. I feel that all of the essential material can be in your hands not later than October 24 or 25. With this in mind, I would appreciate some advice from you as to when you think filing can be made and the motion for leave argued. My plans are to be in Detroit about the 27th of October and remain there until the case is concluded to give you such assistance as I may.

I want you to know that the contribution that you and Mr. Martin are making for the cause of justice in this case is greatly appreciated by all members of the Court of Last Resort and I am sure that the readers of Argosy Magazine will be fully informed about it. I may say, too, that we all appreciate the very practical manner in which you approach the entire matter and that it has been a distinct personal pleasure to work with you.

Best regards, I am,

Yours very truly,

COURT OF LAST RESORT

by

Tom Smith

TS:ls

CC. Messrs. David V. Martin  
3337 Cadillac Tower  
Detroit, Michigan

Erle S. Gardner  
Alex Gregory  
Dr. LeMoyné Snyder



STATE OF MICHIGAN  
IN THE RECORDER'S COURT FOR THE CITY OF DETROIT

THE PEOPLE OF THE  
STATE OF MICHIGAN,

Plaintiff

-vs-

No. 83711

VANCE E. HARDY,

Defendant.

AFFIDAVIT OF WILBUR M. PETERMANN  
IN SUPPORT OF MOTION FOR NEW TRIAL

STATE OF MICHIGAN    )  
                              ) ss .  
COUNTY OF INGHAM    )

Wilbur M. Petermann, being first duly sworn deposes and says that he is a resident of the City of Lansing, State of Michigan.

Deponent further says that for the past twenty years he has been employed as a member of the Michigan State Police and now holds the rank of Detective-Sergeant in that organization.

Deponent further says that for the past nine years his principal duty has been, and most of his time devoted to, the conducting of deception tests for the Michigan State Police by the use of the Keeler Polygraph and during the year 1960 conducted such tests on 644 persons. That the purpose of conducting such tests on a person suspected of having committed a crime is to obtain deponents' opinion of the innocence or guilt of such suspect and it is common practice by the Michigan State Police



to follow deponents' opinion after such test in either the releasing or holding for further investigation of such suspect.

Deponent further states that he is frequently requested by the Parole Board of the State of Michigan to conduct such deception tests upon prisoners under its jurisdiction to aid the Parole Board in determining the truth or falsity of statements and claims made by such prisoners; that 119 such examinations were conducted during the year 1950.

Deponent further states that on December 19, 1944 at the request of the Parole Board a polygraph examination was attempted upon Vance E. Hardy, to try to determine whether Hardy participated in the killing of Louis Lambert or had direct knowledge of such murder; that Hardy was in such a physical and nervous condition that a satisfactory test could not be performed and no opinion was rendered with respect to Hardy's claim that he was innocent of such charges; that deponent recommended that Hardy be given plenty of rest and brought back at a future date for another examination. On March 8, 1946 at the request of the Parole Board, Vance E. Hardy was returned to the State Police Headquarters at East Lansing; that at this time, Hardy was in a satisfactory physical and nervous condition for such a test and that a careful polygraph examination was given to Hardy by deponent with respect to the murder of Louis Lambert; that following this examination it was the opinion of the deponent that Vance E. Hardy had not participated directly or indirectly in the murder of Louis Lambert and had no guilty knowledge concerning his death.

Deponent further says that on September 13, 1950 he appeared at a hearing before the Parole Board on the application



by Vance E. Hardy for a pardon; that when the Assistant Attorney-General assigned to the Parole Board noticed his presence in the hearing room deponent was instructed by him to leave--that his testimony was not desired but at the request of Vance Hardy and his representative he remained and testified with respect to his polygraph examination of March 8, 1945; and that deponent testified at this hearing that in his opinion Vance Hardy was not guilty of the murder of Louis Lambert and had no guilty knowledge of this crime.

Deponent finally states that on October 19, 1951 he again studied the graphs of the polygraph examination which he conducted on Vance Hardy on March 8, 1946 and again it is his opinion that Vance Hardy did not participate in the murder of Louis Lambert and has no guilty knowledge of said crime.

Further deponent sayeth not.

  
Wilbur M. Petermann

Subscribed and sworn to before me this  
25th day of October, A.D. 1951

  
Notary Public, Ingham County Michigan

My commission expires April 12, 1954



STATE OF MICHIGAN  
IN THE RECORDER'S COURT FOR THE CITY OF DETROIT

THE PEOPLE OF THE  
STATE OF MICHIGAN,

Plaintiff

-vs-

No. 53711

VANCE E. HARDY,

Defendant.

AFFIDAVIT OF WILBUR M. PETERMANN  
IN SUPPORT OF MOTION FOR NEW TRIAL

STATE OF MICHIGAN )  
COUNTY OF INGHAM ) ss .

Wilbur M. Petermann, being first duly sworn deposes and says that he is a resident of the City of Lansing, State of Michigan.

Deponent further says that for the past twenty years he has been employed as a member of the Michigan State Police and now holds the rank of Detective-Sergeant in that organization.

Deponent further says that for the past nine years his principal duty has been, and most of his time devoted to, the conducting of deception tests for the Michigan State Police by the use of the Keeler Polygraph and during the year 1950 conducted such tests on 644 persons. That the purpose of conducting such tests on a person suspected of having committed a crime is to obtain deponents' opinion of the innocence or guilt of such suspect and it is common practice by the Michigan State Police



to follow deponents' opinion after such test in either the releasing or holding for further investigation of such suspect.

Deponent further states that he is frequently requested by the Parole Board of the State of Michigan to conduct such deception tests upon prisoners under its jurisdiction to aid the Parole Board in determining the truth or falsity of statements and claims made by such prisoners; that 119 such examinations were conducted during the year 1950.

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Further deponent sayeth not.

*Wilbur M. Petermann*  
Wilbur M. Petermann

Subscribed and sworn to before me this  
25<sup>th</sup> day of October, A.D. 1951

*Leith M. Blackwell*  
Notary Public, Ingham County Michigan

My commission expires April 12, 1954



STATE OF MICHIGAN  
IN THE RECORDER'S COURT FOR THE CITY OF DETROIT

THE PEOPLE OF THE  
STATE OF MICHIGAN,

Plaintiff

-vs-

No. 55711

VANCE E. HARDY,

Defendant.

AFFIDAVIT OF WILBUR M. PETERMANN  
IN SUPPORT OF MOTION FOR NEW TRIAL

STATE OF MICHIGAN }  
COUNTY OF INGHAM } ss .

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Deponent finally states that on October 19, 1961 he again studied the graphs of the polygraph examination which he conducted on Vance Hardy on March 8, 1945 and again it is his opinion that Vance Hardy did not participate in the murder of Louis Lambert and has no guilty knowledge of said crime.

Further deponent sayeth not.

  
Wilbur M. Petermann

Subscribed and sworn to before me this  
25<sup>th</sup> day of October, A.D. 1961

  
Notary Public, Ingham County Michigan

My commission expires April 12, 1954



October 25, 1951

Mr. Sidney Sherman  
2216 Guardian Building  
Detroit, Michigan

Re: Vance Hardy Case

Dear Mr. Sherman:

Enclosed are the affidavits from  
Detective Petermann, of the State Police.

We greatly appreciate the interest  
that you and Mr. Martin have taken in this case,  
and I have every hope and belief that we will  
be successful. I look forward to seeing you in  
the near future.

Very truly yours,

LeMoyne Snyder

LMS:RMS

Encs.



# Lifer Framed, Experts Insist

## Appeal Petition Before Court

By JACK PICKERING

Another attempt will be made tomorrow to free Vance Hardy, imprisoned 27 years for a murder he insists he knows nothing about.

Hardy's conviction was a brief sensation in 1924, and swiftly forgotten six weeks later when he "cave explored" in Kentucky, named Floyd Collins, was trapped when the roof of a tunnel collapsed on him.

For 17 days Collins was a page one story all over America. When hurrying rescuers reached him, he was dead. After that people wrote books and sad songs about him, and Floyd Collins became a fabulous synonym for a man helplessly trapped.

### ONLY A SISTER LEFT

If Hardy is telling the truth—and some pretty cagey criminal investigators insist that he is—he has been just as hopelessly trapped, for 27 years instead of 17 days.

Nearly all his family have died while he has been in prison. Today only his sister is left, a woman who has washed dishes, been a waitress, turned riveter in a factory to earn money spent trying to win "brother's" freedom.

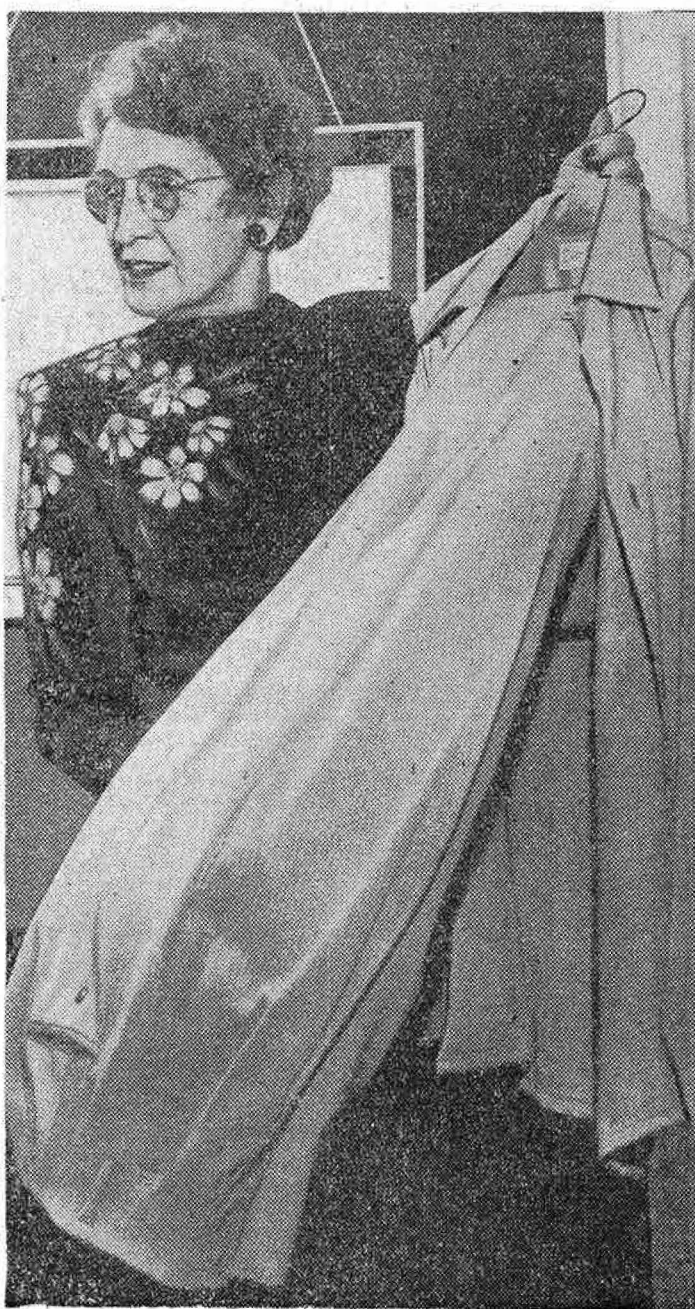
Her hopes now lie in a hearing before Recorder's Judge Joseph A. Gillis, at which permission will be asked to appeal for a new trial. Hardy will be acquitted in any retrial, she is confident, on grounds that there isn't enough evidence against him.

There never was, she insists; but even some of the evidence used in 1924 since has turned out to be false, she says.

### AIDED BY EXPERTS

In her corner are people from Argosy magazine's "Court of Last Resort." Tom Smith, field representative, is here for the hearing.

Erle Stanley Gardner, who created the "Court of Last Resort" has been here, and Dr. Lemoyne Snyder, medico-legal authority from Lansing, and Alex Gregory, top-flight Detroit polygraph expert also assert vociferously that if Vance Hardy ever was in any trouble, it wasn't the murder of Louis Lambert, for



Detroit Times Photo

Mrs. Gladys Barrett and the slack-shirt set she is saving for the day her brother, Vance Hardy, is released from prison where he is serving life sentence for murder.

whose shooting Hardy was convicted.

The shooting—a holdup as Lambert walked out of a bank at Harper and Mt. Elliott—occurred when prohibition-ridden Detroit was pretty much of a gangster shooting gallery.

But Lambert, in the wholesale drink trade, was quite a political wheel. The hue and cry was considerable.

Hardy was picked up with three

others whom the police suspected of going to Marquette to try to smuggle guns to a pal in prison. No guns were found—but the four were suspected of killing Lambert. One was killed by police bullets; another had his case dismissed; a third had an unbreakable alibi.

Hardy took the full punishment. His sister, Mrs. Gladys Barrett, came to Detroit then to try to help; went back down south, then returned again to be nearer Hardy. Ever since then she has been working for his release.

She asserts: "Brother had been in Detroit only three weeks. He came here to buy a car—a Studebaker. The gang that shot Lambert was driving a Studebaker, and they tried to say it was Brother's. It wasn't—because his car wasn't even out of the salesroom. We finally turned it over to his attorney."

### IN GANGSTER STYLE

One unargued fact is that Lambert was shot, and then hauled into the gangsters' car.

It was done strictly in 1924 gangster style—a touring car with the side curtains on, a pistol thrust through the curtains, then Lambert hastily dragged inside.

Tom Smith points out: "Hardy was identified—he was identified too much. He was identified as the man with the gun, as the driver of the car, and as the man sitting beside the driver."

### NAMED 'THE RIVER GANG'

"They drove a few blocks, dumped Lambert out, and a man named Bruno Marcell ran up to help him."

## Most of Prisoner's Family Dead

"Lambert told him, 'The River Gang did it.' That was the only statement he made before he died."

"Marcell began to chase the other men. One told him, 'Go on back or you'll get what he did.'"

"Marcell now says he identified Hardy as one of the men only because the police told him to."

Taken to Marquette, Hardy escaped, was recaptured, spent something like eight years in solitary confinement. Out of solitary, he saw his mother just once, and then she died. So did his father, his wife and his brother.

### SISTER SPENT \$7,000

Only his sister was left. He since has been transferred to Jackson and she sees him once a month.

When she first came here she washed dishes. In 1940 she was a waitress getting \$1 a day plus whatever tips she got. When the war came she was getting gray, but dyed her hair and got a job as a riveter, buying a bond out of each week's pay.

She got a \$2,000 stake together that way. Friends have given her some money, and she has saved more. In all she has spent out \$7,000. Right now, although broke, she is beginning to feel fairly confident of success.

Brought up in Missouri and Kentucky, Mrs. Barrett speaks in blunt, plain English.

"Brother was only in Detroit three weeks when a friend introduced him to two bad characters. He didn't know they were. They invited him up to play some cards. He wasn't a gambler—I mean, he liked to shoot dice a little bit—you know, a tin-horn gambler. They asked him to go along to Marquette for the ride."

"When they had to hang the murder on somebody, there was Brother."

### RECORDS DISAPPEAR

Maybe the most suspicious element of the whole case is what happened to the trial records. In 1934 Mrs. Barrett, who lives at 667 W. Alexandrine, asked how much it would cost for a transcript of the trial—planning an appeal.

She was told \$200. But when she went back to get the transcripts, clerks said the records had disappeared. She still has a signed statement from the court stenographer testifying that the pages of his shorthand notebooks which dealt with Hardy's case were missing from the books when he went to look at them.

Why, they ask, should anyone have torn THOSE pages out? They can't see how it could possibly be an accident.

### LITTLE TO SHOW

All Mrs. Barrett has to show for her \$7,000 and years of struggle are some old snapshots of "Brother," all his letters from prison, clippings about the parole board turning down a pardon application, but Gov. Williams saying he thought there was a "reasonable doubt" of Hardy's guilt.

And a new shirt and tailored slacks which Mrs. Barrett has been saving since last July, against the time she expects him to be free.

She admits:

"I'll be the happiest woman on earth if he comes out."

"But when it does come about, I don't know what I'll do. Just probably faint and die right there."

### Lodge Asks New Probe

WASHINGTON, Nov. 8 (INS).—Senator Lodge (R) of Massachusetts today renewed his demand for a bipartisan commission to investigate communism in the state department.



Hotel Barlum,  
Detroit, Mich.  
November 10th, 1951.

Memo to all C.L.R. Members:

Re Vance Hardy

Motion for leave to file a motion for a new trial came on before Judge Gillis Friday morning.

Ruling was given on the motion for leave without argument. The Judge approved this motion and set the hearing on the motion for new trial for Tuesday November 13th at two o'clock in the afternoon. This is the first court day. Monday the 12th being observed as Armistice Day here in Detroit.

Attorney's Sherman and Martin are confident but just to make sure are using the interim to prepare arguments and citations against the possibility that there may be a real fight in store. The deputy assigned by O'Brien is one of the best on his staff.

Will wire New York as soon as I know the answers.

As a guest of LeMoyne went to Lansing to see the MSC-Notre Dame game Saturday. These hay-shakers have quite a ball club. Out of respect for our host mention of Harvard was very carefully avoided.

Tom.



C  
O  
P  
Y

Clipping from "Daily Express" (England)  
November 17, 1951

# PRIVATE EYE SAVES LIFER - 'WE DO IT FREE'

Cartoon hero  
Dick Tracey  
has wrist  
radio...but  
Schindler  
gets by with  
lie detector

Express Staff Reporter

Vance Hardy walked out of the Michigan State Penitentiary yesterday with a free pardon and no redress, after serving 26 years for a crime he had not committed - murder.

The man who freed Hardy drank a toast in his luxury, fifth-floor West End hotel suite and wrote "No. 9" in his file.

His name? Elementary, my dear sir. Look at that red-jacketed novel, "The Complete Detective," conveniently at hand; read through the mass of newspaper cuttings and magazine profiles, discreetly available; listen to the telephone that rarely stops ringing - and you have all the clues.

It is Raymond C. Schindler, at 69 the world's highest-paid "private eye"; an aging Dick Tracy with bright blue eyes.

## IT'S INFALLIBLE

Vance Hardy, a Kentucky boy, got into trouble in the mid-twenties during a wave of unsolved murders. His sentence: Life. He appealed to the court of last resort, an unofficial crime investigation team headed by Mr. Schindler.

"We do it free," explained Mr. Schindler, "if we think the guy has a case. It's a sort of crime investigation in reverse."

First, the court uses the lie detector invented by Leonard Keeler, one of the team until his death. "The way we use it, it's infallible," said Mr. Schindler. "We know at once if we are on the right track."

Then Mr. Schindler calls in his private F.B.I. - his hand-writing experts, his scientists, his detectives, his lawyers, and his "ropers" (undercover agents).

The cost is never considered: The findings are given to the police. And so far nine innocent men have been freed.

## SECRET INQUIRY

America's best-known private eye is in London for four days - "on business naturally. Haven't had a vacation in 31 years." His inquiry is secret. It will take him to Paris and Rome after London.



With him is his second wife, attractive, dark-haired, Janis. She was one of the Schindler "roppers" until they married four years ago.

"I am her only assignment now," said Mr. Schindler. "We take our married life around with us.

"Mrs. Schindler is gonna catch up with her Christmas shopping. We'll work in a little sightseeing during the trip."

Most of his work is concerned with civil cases, but he investigates insurance swindles, blackmail, political graft, murder. His fee: 500 dollars, or nearly £180, a day.



New York,  
November 24th, 1951.

Mr. David V. Martin,  
5537 Cadillac Tower,  
Detroit, Mich.

Mr. Sidney Sherman,  
2216 Guardian Bldg.,  
Detroit, Mich.

Dear Dave and Chick:

I had a talk with Joe Rashid yesterday and suggested to him that it would be a happier situation for everybody if he would set a date for the Hardy matter. I told him that both of you would be available on Monday December 3rd and pointed out that that would be the end of the two weeks period asked for by Detroit homicide Bureau.

Rashid agreed that it would be good date and felt certain that everything could be completed by then. He also told me that the Lieutenant had advised him that they didn't think they could come up with anything but they did want to be able to file a formal report.

My feeling is that this is probably the best arrangement for all concerned, we do not want to risk another delay with all that that implies in both time and money, not to mention what it will mean to Mrs. Barrett and Vance. Under this set-up we will not have to feel that we have rushed O'Brien into anything and he will not have to make any apologies.

I am not certain that it will be possible for me to be in Detroit for the pay-off, I am sure that Lemoyne and perhaps Alex Gregory will both be on hand.

Rashid has promised to let me know by Tuesday if anything comes up to interfere with the above mentioned plan.

Again let me say it was swell to work under your direction in Detroit, hope we can do it again some time,

Best regards,

*Lemoyne*

Tom Smith



Jan, 28, 1952.  
Detroit, Mich.

Dr. LeMonyne Snyder.  
Lansing, Mich.

Dear Dr. Snyder:

There is no doubt in my mind that you are anxious to hear about that job I left in Lansing. I and Frank were up to talk to you about it. I had my letter of resignation with me, and was going to talk about it with you. But we could not wait because we both left a very sick girl at home. Yes, Doctor, Sister is a very sick girl even as I write this letter.

Now as far as the job is concerned the first mistake was the fact that Mr. Puasy tried to hide my identity. Once the help found out I was in prison---I mean the assistants to Mrs Steward, about four or five of them---they all began to give me a hard way to go. Some even thought that I was on parole, one thought I was just an ex-con just out of prison, and one, Mrs Cox or Coxes, made me strictly to understand that As a common thief I was to do as I was ordered. That is, on my last day there was boy dish-washer who got a job at the State Police barracks, before I got a chance to ask for his replacement, I was told by by this fourth assistants, MrsCoxs, that there were not going to be any replacement for the boy and I was to do his work. And she said this with a "or else" attitude. In the secound place I was to be a supervisor over the dish-washing dept. As it is and as it was when I was there, every assistants to MrsSteward was the boss. If the kitchen needed help, out came a boy or a woman, and Hardy did their work. If this or that needed the hand of a boy or a woman, out they would come from the dish-washing dept. And Hardy did their work.

In the third place I was not liked by all those assistants because I was liked too well by the help. And it was so because I tried to clean up the place. I tried first of all to have the maintainace to fix the washing machine which had forty hundred leacks. Then there is the garbage pump which I tried to get them to fix. I tried this because three times a day those poor women had to dig out the slop with their own hands. And this stuff stunk to high heavens, Of course I could go on with much more. But then you go down there yourself, Doctor, and see for yourself. And by the way just ask ANY ONE of those boys or women what they thought of Hardy. In short, it was imposible for me to work there under those conditions.

So I came to Detroit and through the help of Doctor Carter of Royal Oak I got a position as an attendant to all the patients in a small mental Sanitarium. It is the DeNike Sanitarium On East Jefferson. The pay is not much but it is a type of work I like. Then too there is quit a bit of an opportunity for advancement.



So now you can see, Doctor, Why I quit. In the first place I am today not a criminal or an ex-convict according to law as Mr Fausey seemed to thing. I have nothing to hide, and I think I am as good as the next man. After all there was something fishy for Mr Fausey to try and hide my identity, because the day that the Argosy came out in Lansing I could feel the buzz-buzz around me. And right there and then is were I was given harsher orders from all the assistents.

All in all I am sorry thing turned out as they did, but if you were in my place, I am sure you would have done the same as I. I tried my best, Doctor Snyder, so help me.

By the way, Doctor, what do you think of that bill coming up at Lansing?

Enclosed you will find a small piece about me and the bill which is coming up for consideration at Lansing.

Hoping that you are in the best of health and not too angry with me, I remain

Sincerely Yours

*Vance E. Hardy*  
Vance E. Hardy.



EDWARD W. SPARROW *Hospital* LANSING · MICHIGAN



February 1, 1952

LeMoyne Snyder, M.D.  
705 American State Bank Building  
Lansing 68, Michigan

Dear Doctor Snyder:

I am enclosing history and a letter just received from Mr. Hardy. I thought you might be interested in viewing his letter.

Sincerely,

Glen W. Fausey,  
Director

GWF:m

enc



C O P Y

Jan. 27, 1952  
Detroit, Michigan

Mr. Glenn Fausey  
F. W. Sparro Hospital  
Lansing, Michigan

Dear Mr. Fausey:

With due respect and appreciation I thank you for giving me my first opportunity to work, especially in a hospital. I have found Mrs. Steward a fine person to work for, but when one of her assistance insisted that I replace a boy on a dish-washing machine, that was a little more than I could take. I liked my work, I washed many dishes when there were more than the help could handle, but when I was told that the boy was not to be replaced, and I was to do his work, right then and there I decided to look for another job. And this I have done. It is a job more to my liking--a patient attendant in one of Detroit's sanitariums.

Therefore I regret that the circumstances compell me to render my resignation.

Sincerely yours,

Vance E. Hardy (Signed)

If permisable please send  
my check to this address:

Vance E. Hardy  
667 W. Alexandrine  
Detroit, Michigan



February 4, 1952

Mr. Vance Hardy  
667 W. Alexandrine  
Detroit, Michigan

Dear Vance:

I was awfully sorry to miss seeing you when you came to the office, a few days ago. Naturally, I was quite surprised when I heard that you had left over at Sparrow and I was rather concerned to know why. Your letter explains everything and I don't blame you at all for doing what you did. I am sorry that I had to be out of town that week because I think I could have straightened things out if I had known what was in the wind.

I am sorry to hear about Gladys' illness. I trust it is nothing serious and that she soon will be as well as ever.

There is one little matter that I would like to get straightened out, and that is about the \$50.00 which Tom Smith borrowed from you in New York. As I understand it, that was half of the \$100.00 paid you for the television appearance. While I have had no communication with Tom Smith, I understand that Tom claims to Harry Steeger that he returned the \$50.00 to you the following morning in the form of five new ten dollar bills. While I might have been mistaken about it, it was my understanding that you had never received any of that \$50.00 back from Tom, and that out of the other \$50.00 which you received, you had to pay your own transportation back to Detroit. I would appreciate it a great deal if you would straighten me out on the details of that transaction.

In the meantime, the best of luck to you and I will appreciate hearing from you as soon as possible and let me know how you are getting along.

Sincerely yours,

LeMoyne Snyder, M.D.

LMS:her



Feb. 11, 1952.  
Detroit, Mich.

Doctor Lemoyne Snyder  
Lansing, Mich.

Dear Doctor Snyder:

Apparently there has been some misunderstanding concerning that fifty dollars which I let Mr. Smith use during my stay in New York. I am sorry that this come about in such a way. So now I will try to set this matter straight.

We thought that Mr. Smith might be short of cash the day he and I left Detroit. So Gladys insisted that he accept fifty dollars from her. I myself had sixty dollars of my own money. Upon my arrival at the Daily's program, I was given a one hundred dollar check. My hotel bill was paid by the Daily program. Just then Mr. Smith did not seem to have any money, so I cashed my check and gave Tom fifty dollars. In the mean time while I was in New York those five days, my own sixty and the fifty from the Daily program went like wild fire. So the night before I returned to Detroit, Tom gave me five new ten dollar bills. When we arrived at the air port, Tom told me to pay Gladys that fifty which he got from her. I told him that I could not do this because all the money I had was the fifty he just gave me. And it was then that he told me to buy my ticket and he would send Gladys he fifty dollars. And that is just what he did latter on. In other words, Doctor, I am very sorry that the above happened, and I would give anything in the world for this to not have happened.

We all are extremely sorry over this misunderstanding. We feel that Tom is the most sincere man that we have met, and we all have whole-some respect for him. And we all hope that he will not feel hurt over this incident. Many apologies to Tom Smith.

Many thanks for permitting me to read your book. It is an excellent piece of work and very interesting and educational reding.

Mailed Mr. Fausey my resignation on Jan. 28th when Frank and I were in Lansing. I requested him to send my check to my Detroit address. The pay day was on the 5th. I worked from Jan. 16th to Jan. 25th. So far I have not heard anything about this. Will you please ask Mr. Fausey about this.

Gladys is feeling better but still not to par. Wishing you and yours the best of everything I remain,

Sincerely Yours

*Vance E. Hardy*  
Vance E Hardy



Feb. 16, 1952.  
Detroit, Mich.

Doctor LeMoyne Snyder  
705 American State Bank Build.  
Lansing, Michigan.

Dear Doctor Snyder:

If you are still angry at the Parole Board of Michigan---and I am sure you are---then the man to see would be this man: Al Fingle. He is a parole supervisor of Detroit. I talked to him quite a lot. He tells me that he will be in Lansing on the 20th or the 21st and would like to talk to you about the Parole Board. He is the man about whom I spoke to you. He has a very good ax to grind against this board. He also has some very good and sound ideas in regards to those poor devils behind those prison walls.

As for myself, I have a fine job which is in an experimental stage as yet. So when I get all set on it, I will write you all about it.

Wishing you and yours the best of health, I remain

Sincerely Yours

*Vance E. Hardy*  
Vance E. Hardy.



From the Desk of:  
LEMOYNE SNYDER, M.D.

Dear Glenn.

This is the story of the  
Vance Hardy case which will  
appear in the March "Argosy".  
Think you will enjoy it.

L.M.S.



March 1952

AN ORCHID FOR GLADYS  
by ERLE STANLEY GARDNER

A solemn hush permeated the courtroom of Judge Joseph A. Gillis in Detroit.

Gladys Barrett, a slender, nervous woman, sat twisting her fingers. Her face, schooled through twenty-seven years of disappointments to conceal her emotions, was utterly wooden. Only her eyes and her fingers showed what was going on in her mind.

This was the payoff. This was it. This was the culmination of twenty-seven years of fighting.

This was the day that Vance Hardy was to make his final bid for justice.

Oddly enough it was the 13th of the month. If you were superstitious that meant something.

It was hard for Vance Hardy and Gladys Barrett, his sister, not to be superstitious. They had been through too much. They had experienced too many misfortunes. Six years earlier Gladys Barrett had sat in this same courtroom, before this same judge. This same matter had been presented to him, an application for a new trial for Vance Hardy.

The decision had been adverse.

It is, in fact, difficult to think of anyone who could possibly have been any farther behind the eight ball than this same Vance Hardy.

Convicted of murder in 1924, he had been sentenced to life imprisonment.

And as Gerald E. O'Brien, the Prosecutor of Wayne County, which includes the Detroit territory, had explained to us, "In



Michigan, life imprisonment means life. It means the particular defendant is confined in the penitentiary until he is dead".

Vance Hardy had insisted he was innocent of the murder. He had claimed that he was convicted of killing a man whom he had never seen in his life.

Vance Hardy was sent to Michigan's Marquette prison.

It was a tough prison, and Vance Hardy didn't willingly co-operate. He was full of fight. He protested his innocence. He fought against the injustice.

It did him no good.

An opportunity to escape presented itself. Vance Hardy eagerly grasped that opportunity. He became one of the few men ever to escape from Marquette prison. He made his way to Arkansas and there he was arrested and returned to Marquette.

Vance Hardy was placed in solitary confinement by way of punishment.

It is difficult to tell just what happened after that. Vance Hardy says he was told that he was going to be left in solitary confinement until he died.

Solitary confinement is at best an experience which tests the mental endurance of a prisoner. As a rule it is for only a few days duration. In extreme cases for a week, or perhaps two.

In Marquette prison in those days solitary confinement in extreme cases could mean something else. It meant that the prisoner would be stood up in the morning, his hands thrust through the bars of his cell, just above a crossbar and at the height of his shoulders, and handcuffs put around his wrists on the outside of the bars.

Then they went away and left the prisoner standing there.



Try standing in one position for twenty minutes. Try standing there for an hour. -- Try putting handcuffs around your wrists. Notice the pressure of steel against the wrist bones. Try to endure that for an hour.

Now think of standing up hour after hour, day after day, with the bite of handcuffs holding you in such a position that there is no way to take the strain off your muscles.

Vance Hardy claims that he was told he was going to be left in solitary until he died.

Prison statistics show that he was left there for over nine years!

Once a week Vance Hardy was permitted to walk down the corridor to a shower bath. That was his exercise. It seems incredible that human will power could enable a man to retain his sanity under those conditions.

Vance Hardy toughed it out.

A new warden came to Marquette prison. Warden Dell had ideas of his own. He was one of the forerunners of a more modern prison administration. He probably saved Vance Hardy's life.

But Vance Hardy's troubles weren't over.

All of this time Hardy's sister, Gladys Barrett, had been fighting to get justice for Vance Hardy.

Under Michigan's law she couldn't appeal Hardy's case unless she could get a transcript of the trial evidence. She couldn't get a transcript unless she paid for it. The cost, for a woman in her meager financial circumstances, was prohibitive.

However, she worked, driving herself to the limit of endurance, saving every penny she could possibly save, going without luxuries which meant so much to a young woman, skipping



on her clothes, on her meals, putting pennies aside until finally, after ten years, she had managed to save enough to meet the requirements.

Clutching her savings in her hand, she hopefully went to the court officials to report that now she was able to pay for a transcript of the evidence. Now she would be in a position to appeal her brother's case.

Fate dealt her a stunning blow.

The records of the Vance Hardy trial had mysteriously disappeared. The pages of the court reporter's shorthand notebook covering the Hardy trial had been torn out and destroyed. There was no possibility of getting a transcript, so there was no appeal.

Ten years of work and sacrifice had been made useless. The hopes of ten years had been dashed to the ground.

Gladys Barrett started a campaign to try and get Michigan officials interested in her brother's case, to try and get him released from prison.

It is unfortunate that she understood one of the officials to intimate that in return for money this might be arranged. She lost her head. She accused the official of soliciting a bribe. He angrily denied that he had made any such overtures. He ordered Gladys Barrett from his office. There was a scene.

It is quite probable that Gladys Barrett had misunderstood what had been said to her, but there is no misunderstanding about what followed.

The irate official, without whose favorable action there could be no possible hope, wrote Vance Hardy an angry letter, stating that his sister had created a scene in the official's office. That letter said the official was too broadminded to



hold this against Vance Hardy personally, but, he went on to state, this action hadn't helped Vance Hardy's case any.

What would you think if you were serving a life sentence and received a letter of that sort?

So Gladys Barrett secured attorneys and presented a motion for a new trial, a motion predicated on affidavits which she had secured after months of investigative work. -- The motion was denied. Vance Hardy went back to prison. That was the end.

Some twenty five years after he had been convicted of the slaying of Louis Lambert, Vance Hardy picked up a dog-eared copy of ARGOSY Magazine in the hall at Jackson Prison. In it he found a story about the Court of Last Resort and the investigation then being made of the Boggle Case out in Washington State by Erle Stanley Gardner and Raymond Schindler. Hardy wrote to his sister Gladys Barrett in Detroit and told her about this new thing. To her it was a new ray of hope in what was otherwise complete and final gloom. She wrote to ARGOSY in New York.

About this time Vance Hardy got a real break.

By this time he had been transferred from the prison at Marquette to the State Prison of Southern Michigan, located at Jackson. He had been assigned as an orderly to Dr. Russell Finch, the prison physician, and Dr. Finch was personally acquainted with Dr. LeMoyne Snyder of Argosy's investigating committee. (Dr. Snyder, you will remember, is both an M.D. and an attorney at law.)

Dr. Finch had become very much impressed with Vance Hardy and with Vance Hardy's story. He had listened to his protestations of innocence, and he had felt that the case was worth mentioning to Dr. Snyder.

So Argosy's Court of Last Resort started an investigation



of the Vance Hardy case.

It is at times like this that I realize something of the tremendous power which you readers possess. You who are reading this as an individual may feel that what you can do in any given case is perhaps insignificant, but when you realize what two or three million citizens like you can do when they are united, you can visualize the tremendous power of public opinion.

Many of you readers write letters to the Court of Last Resort. Many of you have written letters to the governors of the various states. Many of you have not written any letters at all but have followed the cases which have been investigated and then talked about them to your friends.

All of those actions have given Argosy's Court of Last Resort its power to accomplish things. It is the power of an educated public opinion. The man doesn't live who would dare to jeopardize his political career by incurring the enmity or arousing the contempt of two million representative citizens who were fully familiar with the facts and whose cause was just.

And it is because Argosy wants to be sure that you do know the facts and that your cause is just, that it puts the cards on the table, that it has arranged for a board of investigators to sift out the wheat from the chaff.

After a preliminary investigation, the full membership of your investigating committee, consisting of Harry Steeger, President of Argosy Magazine; Dr. LeMoyne Snyder, internationally known medicolegal expert; Raymond Schindler, famous detective; Alex Gregory, polygraph (lie detector) expert; Tom Smith, and the writer, moved into Detroit for an investigation.

It was a difficult job, uncovering evidence in a case that



was more than a quarter of a century old, but Tom Smith had spent days preparing the ground, and so we were in a position to interview witnesses.

I have seldom seen anything more dramatic than developments in the Vance Hardy case.

I personally heard the anguished, conscience-stricken cry of the witness whose testimony had been largely responsible for sending Vance Hardy to prison for life, as he retracted his statements made in court.

The story of that witness is highly significant. It is a shame that space does not permit recounting it in detail.

And we uncovered new witnesses. Men who were in a position to know, who told us that the murder for which Vance Hardy had been convicted was not a holdup murder as had been popularly supposed, but was a prohibition gang killing. A cold-blooded, deliberate murder perpetrated in connection with the liquor traffic.

So finally the Court of Last Resort had enough evidence in its possession to begin to reach an opinion.

Alex Gregory (and he has, incidentally, just recently been President of the International Society for the Detection of Deception, a very great honor and a position of considerable responsibility) made repeated tests of Vance Hardy on the polygraph, or so-called lie detector. Those tests convinced him that Vance Hardy was innocent.

Five years earlier, at the request of the parole division of the Michigan Attorney General's office, a police polygraph expert had run similar tests on Vance Hardy. -- That was in 1944, and the police sergeant had certified that in his opinion Vance Hardy was innocent. Yet nothing had been done in the Hardy case.



We went before the parole board of the State of Michigan.

Public notice was given, a hearing was had, and evidence presented to the board. The board, in a written opinion, advised Governor G. Mennen Williams not to grant Hardy a pardon.

It is difficult to reconcile that opinion with the facts in the case.

Gladys Barrett, Vance Hardy's sister, had testified that she felt positive he was with her in another state at the time the crime had been committed. She fixed the date because it was the date when the Kentucky Derby was being run.

The parole board delved into the old records and found that the Kentucky Derby of that year was not run on the date in question, and therefore rejected Gladys Barrett's statement in its entirety.

The parole board swept aside the various lie detector tests which had been given Vance Hardy by stating that inasmuch as polygraph evidence would not be admissible in a court of justice they could not consider it.

And then came the truly remarkable part of the opinion.

Having held the prisoner to the strictest rules of evidence, they threw the door wide open to let the police testify as to what had been in their minds and what they thought took place at the Hardy trial, and then, believe it or not, actually decided that inasmuch as the prosecutor who tried the case twenty-five years ago had not acted on the theory that the victim was killed in connection with bootleg activities, Vance Hardy should not now be permitted to raise the point.

It is inconceivable to think that any body of men who would be given the power to pass upon matters of this importance could have been guilty of such utter sophistry. One would have thought



this was a game of some sort dealing with the feelings of the prosecutor, rather than an attempt to rectify a mistake which had resulted in a human being's wrongful incarceration for a period of more than twenty-five years.

Governor G. Mennen Williams received that report from the parole board. Presumably he read it. It is a fair assumption that he didn't want to repudiate that report on the one hand, and that he didn't dare to try to stand on it on the other hand. So Governor G. Mennen Williams did nothing. He didn't grant the pardon and he didn't refuse to grant the pardon. He simply let the days lengthen into weeks, the weeks into months, the months into almost a year. These delays at the seat of ultimate justice in Lansing could no longer be tolerated - Hardy was about to "celebrate" his 27th anniversary in prison. A quick poll of the members of your investigating committee approved a suggestion that we try to obtain a new trial for Hardy thru the court that convicted him.

It was at that point that two public-spirited Detroit attorneys came forward at the request of Dr. LeMoyne Snyder: two men who thought more about justice than about fees - David Martin and Sidney Sherman.

These two men, both of them prominent in their profession, practicing law in different offices and specializing in different fields of the law, had, nevertheless, reached a similar conclusion. If the facts in the Vance Hardy case were as they understood them, they would be glad to represent Vance Hardy as his counsel without a penny of compensation either by way of fees or even reimbursement for expenses. They would take Vance Hardy's case to court.

Now it is to be remembered that Judge Gillis had already



passed on this matter and had passed on it adversely. It was difficult to think that on another motion for a new trial Judge Gillis would take a different attitude. The attorneys felt quite certain that there wasn't the ghost of a chance unless additional evidence could be uncovered. Could we secure that additional evidence?

Bob Rhay, who is in the Argosy office in charge of co-ordinating the records of the Court of Last Resort, and who is, incidentally, an expert aviator, learned that a potential witness had been located far up in Maine, well off the beaten track. Bob Rhay flew his plane up into Maine, hunted up this witness and found that he was indeed a valuable witness on one of the technical aspects of the case, a technical aspect which might well be determinative. So Bob Rhay secured an affidavit from this witness and flew back to New York, then rushed the affidavit by mail to Detroit.

So a new motion for a new trial in the Vance Hardy case was made before Judge Gillis, and on Tuesday, the 13th day of November, 1951, the motion came up for hearing.

As an attorney I had been very much interested in what Judge Gillis would do in connection with such an application. I had also been interested before this new motion for a new trial was even contemplated, wondering just how it had happened that Judge Gillis had denied the earlier application. So, over a year ago, I made it a point to get in touch with Judge Gillis and give him a once-over.

We walked into his court at a time when he was faced with a calendar that actually would have taken most judges two weeks to try. Judge Gillis got through it in a morning.



At first I was shocked at the speed with which cases were thrown into the judicial hopper and disposed of, and then I began to analyze the cases carefully.

You can't dispose of a contested case in five minutes by the clock and expect to even approximate doing a job of justice unless you have an iron constitution, an enormous vitality, an ability to concentrate, and above all an encyclopedic knowledge of human nature.

I won't say that Judge Gillis is infallible. I don't think any judge is. I presume he has occasionally made a wrong decision, but I will say that if he made any wrong decisions while I was watching him there in that morning of kaleidoscopic action, I couldn't detect them.

The judge dispensed with most of the legal formalities. He would call the witnesses all up, and he would have them sworn all in a group. They would stand in a semicircle in front of the bench. The judge would point his finger at the complaining witness. "All right," he'd say, "tell me what happened on the morning of June fifteenth. Tell me in your own words just what happened."

The witness would start to talk. Judge Gillis would watch his manner, size him up carefully, listen to what he had to say, interrupt him once in a while with a question, until he had a general picture of what happened. Then he would turn to the defendant, and say, "What do you have to say to that?"

He'd listen to the defendant's story, turn back to the prosecuting witness. "Anybody else with you? Anybody else who saw this? -- All right, what's your story?"

It's surprising how quickly a person can bring out the



character of an individual by adroit questioning if he knows enough human nature to know what questions to ask.

Time after time, within a five-minute period, Judge Gillis would have the situation so clarified that the case would virtually have disposed of itself. It was a masterly display of legal acumen under pressure; but how the devil a man could keep up that pace is absolutely and utterly beyond my comprehension.

And there's one thing about Judge Gillis that stands out like a sore thumb. He tries to be fair and he calls the turns the way he sees them. He doesn't dilly-dally and he doesn't shilly-shally, and he has one paramount aim, which is to mete out justice.

A writer at one time published an article about Judge Gillis' court and his unique procedure. He called him "the poor man's judge".

Judge Gillis rather likes that.

The cases that come before him mean a lot, but they usually don't involve a great deal of money, and the people who are litigants in his court usually don't have much money. Quite frequently they are represented by counsel. A counsel who evidently fixes exceedingly modest fees.

If these lawyers have anything to say that is at all helpful, Judge Gillis is only too glad to listen to them. He gives them careful, courteous attention as long as they are feeding facts into the hopper, or assisting the court in getting the facts of the case straightened out.

For the rest of it, Judge Gillis knows as much as any lawyer in the courtroom. He's a lot better judge of character,



and he's a lot more disinterested. Give him five minutes and he actually knows more about the case than the lawyers themselves. He brushes legal technicalities aside with a gesture of utter impatience, and gets down to the meat of the case.

After court, Tom Smith and I had lunch with the judge, and we talked over his decision in the Vance Hardy case. He told us what had been in his mind when he decided the case, and why, in the light of the evidence as it was presented to him at that time, he thought his decision had been proper.

We were impressed, very greatly and favorably impressed, by his attitude. We felt absolutely positive that if we could go to him and put some new cards on the table, we could get a fair decision.

However, we had felt absolutely positive that once the board of pardon and paroles had heard the evidence in the case Vance Hardy would be a free man within a matter of a few days.

And so, on this fateful Tuesday, Sidney Sherman, Esq., and David V. Martin, Esq., acting on behalf of the defendant, having volunteered their services simply in the interest of justice, presented the motion for new trial to Judge Gillis. It was a remarkably able presentation.

And Judge Gillis granted that motion for a new trial, and ordered Vance Hardy brought from the penitentiary to the county jail to await trial.

In other words, the hands of the clock had been turned back and the Hardy trial was to begin all over again.

There followed a period during which the prosecutor, working in connection with the police, made a careful investigation of the case.



We had the greatest confidence in Prosecutor Gerald K. O'Brien. When O'Brien believes he has a case, he presents that case to the limit of his ability. When he believes he doesn't have a case, he says so, and when he believes a defendant is innocent he has guts enough to walk into court and say so and to back up his judgment with action.

Joseph G. Rashid, the assistant prosecuting attorney, who was given charge of the Hardy matter, is considered one of the most able prosecutors in O'Brien's office, and one of the most deadly dangerous men for a defense attorney to go up against.

And because O'Brien wanted to be absolutely certain that everyone had a fair deal, he assigned Joseph G. Rashid to investigate this case.

Then came the new trial, and the prosecutor called one of the police officers, who stated very frankly that one of the witnesses who had testified against Vance Hardy was dead, one of the others couldn't be found, and the third, who had identified Vance Hardy, had retracted his identification and now stated that he felt he had been in error in making such an identification.

The story of that witness is one of the most dramatic stories I have ever encountered in the practice of law.

This man had virtually been forced to identify Vance Hardy. There had been no such thing as an attempt to make a valid, impartial identification. The witness had apparently said that Vance Hardy "looked something like" a man whom he had seen running away from the scene of the crime, a man whose back had been turned toward him, and whom he had seen from a distance of more than a hundred and twenty feet.

He hadn't wanted to make a positive identification, but



he had been taken in handcuffs, put in the tank, together with prisoners, and, in some way, had been led to believe that if he said he couldn't identify Hardy as one of the men he had seen running away, he would be given a jail sentence for contempt of court.

He identified Hardy.

And almost immediately after the trial, he began to be tortured by doubts.

I have in my possession a tape recording of the statement of this witness when we interrogated him some twenty-six years after the trial, and heard him tell of the sleepless nights that had followed, of the knowledge in his own mind that he hadn't been sure; that he knew he had been primarily responsible for convicting Vance Hardy of murder. His voice as he told his story became surcharged with emotion.

This witness had tried to rectify what he had done. He tried to repudiate his identification, only to be given to understand that if he did so he would be prosecuted for perjury.

It is quite possible that this man had misunderstood what he considered was a threat, but the fact remained that this had been impressed so deeply in his mind that there could be no question on his part as to what was going to happen.

When we heard about this we went directly to the prosecutor's office. We talked with Gerald E. O'Brien, and we talked with Ralph Garber, his right-hand man.

These men didn't mince any words. "You tell that witness to tell the truth," they said. "Regardless of what has happened before, regardless of anything else, tell him to tell the truth now. We want the truth. That's what we're interested in. If



he made a wrong identification, we want to know it. If he didn't, we want to know that. But we don't want any man to ever be placed in such a position that he doesn't dare to tell the truth in court."

And so this witness told the truth.

And then Judge Gillis had something to say. Judge Gillis stated that in his opinion the victim had been killed not as a result of a holdup, but as the result of welching on a whisky bill.

Judge Gillis is a realist. He knows what is going on in the world, and he takes things as they are, not as people would like to have them, but as they actually are, and Judge Gillis knows his way around.

Judge Gillis had made some inquiry of his own, after the motion for new trial and before the matter came up for final hearing, and Judge Gillis had talked with a man who was now a reputable businessman in Detroit, a man who refused to permit his name to be mentioned or to come to court because this man had had connections with the liquor industry during the prohibition era.

But this man knew what had happened. His story confirmed in every way the evidence that we had uncovered that the murder had been committed by a bootleg gang by way of revenge, and in order to make a horrible example of the man who had been ruthlessly shot down.

The prosecution moved to dismiss the case. Judge Gillis rendered a short opinion and dismissed the case against Vance Hardy.

After twenty-seven years of imprisonment, Vance Hardy was



a free man.

The judge's gavel banged and court was adjourned.

For several seconds Gladys Barrett sat there as one in a trance, quivering with sheer nervousness. Then she began to cry with happiness.

She had made one suit of clothes which she had sworn she would wear only on the day Vance Hardy was released from custody and walked out of prison a free man.

Dr. LeMoyne Snyder, Alex Gregory and Tom Smith went to their suite in the hotel. Gladys Barrett and Vance Hardy went with them.

They put through a long-distance telephone call so that Vance Hardy and Gladys Barrett could talk with me at my ranch in California, and tell me the good news.

I will never forget the almost hysterical happiness in the voice of Gladys Barrett as she sobbed out her thanks to the readers of Argosy, that vast group of citizens whose interest in the cause of justice makes this work possible.

She was all but hysterical, laughing and crying, and then, after she had given me her message, a bit of the truly feminine came to the front. "Mr. Gardner, I'm wearing an orchid. It's the first time in my life I have ever worn an orchid. Think of it, I'm wearing an orchid."

She was entitled to it.

---oOo---

Erle Stanley Gardner.



February 23, 1953  
St. Petersburg, Fla.

Dear Friend:-

As you know, some time ago, I ask 'The Court of Last Resort' for a loan. I had my wife write a letter of details on how the money was to be used to enlarge her business, which would enable us to work together, make a good living and to repay the money.

Would you please inform me whether or not my request was rejected? I was in hopes that some one would let me know something concerning the loan.

Doctor, if a member of 'The Court of Last Resort' could visit us and see what we want to do, I'm sure he would readily see there is no doubt but what we could pay of the loan. The contract could



he made so as to assure  
'the Court' that regardless what  
may happen to my wife or me,  
the loan would be paid in  
full. Our place stands high  
with leading physicians, the  
medical Association, the  
Chamber of Commerce and the  
City officials and if we could  
expand it certainly would  
be a paying proposition.

All I want is a chance  
to get a start in life and  
to enjoy a few happy years  
of my wrecked past life. With-  
out a little help, my struggle  
will go on and on until I die.  
I'm not seeking charity or  
sympathy. I only want a  
start which the State of Mich-  
igan owes, yet denies me.  
Should you gentlemen see  
fit to give me a lift in  
the way of a loan, I sure  
will be profoundly grateful  
and none of you will ever  
have occasion to regret



your kindness and generosity.

Please give your wife and family, the members of 'The Court of Last Resort' and the Argory staff my very best wishes.

We are wishing you health and happiness.

Sincerely  
Vance E. Hardy.



John R.C. Carter, M.D.  
18683 Warwick Road  
Detroit 19 ,Michigan

July 30 1954

LeMoyne Snider, M.D.  
Lansing, Michigan

Dear Doctor Snider:

I am writing to you  
for a little information and your own  
personal opinion in re-Vance Hardy.

Is it your opinion  
and that of the Department of Corrections  
and the Court that Vance Hardy has been  
completely exonerated?

I am asking for your  
specific statement to re-inforce my efforts  
to get him placed harmoniously. He has had  
considerable obstruction from the "brand".  
A letter to me, as his physician, will greatly  
reinforce my efforts to cooperate with him.

With kindest personal regards,

I am

Sincerely

*John R.C. Carter, M.D.*  
John R.C. Carter, M.D.

P.S. Vance, I consider, is doing very well under  
the circumstances.

*Ans. 8/2/54*



A F F I D A V I T

I, Carl F. Boldt, being first duly sworn do make the following statement:

My true name is Carl F. Boldt.

I live at 4684 Courville Ave. in the city of Detroit.

I am 47 years of age and was born in the State of Michigan and have resided in Michigan all my life.

At present I am employed by the National Bank of Detroit Branch at Gratiot and Griener Sts. in Detroit.

On the morning of May 3rd, 1924 I was employed and working as 1st Teller at the Branch of the Peninsular State Bank at Harper and Mt. Elliot Avenues in Detroit.

I knew Louis Lambert in his lifetime and on the morning of May 3rd Louis Lambert had been in the bank to withdraw funds for the purpose of cashing paychecks at his soft drink saloon just North of Harper Ave on the West side of Mt. Elliot Ave.

As Lambert left the bank and stepped into the street a large touring car containing several men approached Lambert and several shots were fired from the car into Lamberts body. Lambert stumbled out accross the street, the car followed and a man alighted from the car and with the aid of another who remained within the car forced Lambert into the car.

The car was then driven rapidly out of the intersection via Fiquette St. in a westerly direction.

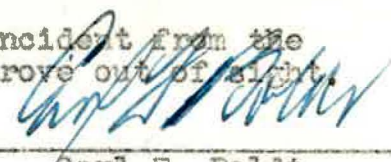
Ralph Burch the manager of the branch bank had been watching Lambert as he went out into the street. Burch ran to his desk obtained a revolver and rushed into the street in time to fire several shots at the fleeing car. The fire was returned from the car.

I could not recognize any of the men involved. The action was all over in a few seconds.

I was not iterrogated by the police in regard to this crime. I was not asked to view any of the suspects. I was not a witness at the trial.

I did have a very good view of the whole incident from the time Lambert left the bank until the car drove out of sight.

Subscribed and sworn before me this 2nd day of November, 1950.

  
\_\_\_\_\_  
Carl F. Boldt.

  
\_\_\_\_\_  
Notary Public, My commission expires

March 1954 1954.



A F F I D A V I T

My name is Miles J. McGurk, I am fifty three years of age, a veteran of World War I and I reside at 5908 Seneca St. Detroit Mich.

On May 3rd 1924 I resided at 6906 Harper Ave. in Detroit and operated a rooming house at that address.

On May 3rd 1924 I was enroute to the Peninsular State Bank Branch at Harper and Mt. Elliot Streets and as I approached the bank I was nearly run down by a large touring car. This happened shortly before noon. I was startled and looked into the car and had a good look at the occupants; there were two men in the front seat and two or perhaps three in the back seat.

The touring swerved around after my encounter with it and made a left turn in the intersection. As I observed the car turning someone in the car shouted at a man who was crossing the street, the man kept on going and as he approached the far curb he was shot in the back at least twice by some occupant of the car.


One of the occupants of the car, a man of medium height but heavy set, got out and supported the wounded man and with the aid of another of the gunmen forced the man, whom I then discovered to be Louis Lambert into the back seat of the car and the car then left the intersection via Piquette St. As the car started away Mr. Ralph Burch, the bank manager came into the street and fired several shots at the fleeing car. This fire was returned from the automobile and I did the best I could to protect myself by laying down in the street.

I had known Louis Lambert for a long time and considered him a friend. To my knowledge Lambert operated an illegal liquor business at his place on Mt. Elliot Ave. He served the neighborhood and ran a clean place.


I had a good opportunity to look into the car used by the gunmen. I saw all the occupants. Vance Hardy was not among them. I never saw Hardy until I was called as a witness on the final day of his trial. I also was a witness at the trial of Frank Grands and testified that Grands was not one of the bandits.

I was contacted by the police the day of the shooting and gave them such information as I had. I was not taken to headquarters at any time to view suspects in this case and I did not see the police about the matter again until I was subpoenaed for the trial of Frank Grands.

I did not know any of the occupants of the touring car, to the best of my knowledge I have not seen any of them since. I am positive that Vance Erin Hardy was not in the gang that assaulted and abducted Louis Lambert.

  
Miles J. McGurk

Subscribed and sworn before me this  
2nd day of November 1950.

  
Maurita J. Dippler  
Notary Public, Wayne County, Michigan.  
My Commission expires 11-11-52



Statement

Detroit Mich  
November 6th, 1950.

My name is Celia Gardecki, I am 54 years of age.  
Since 1920 My husband and I have operated a bakery on  
the corner of Lodi and Harper Sts. in Detroit.

On May 3rd 1924 just before noon I noticed a large touring  
car standing alongside the filling station toward which  
our store faces. My daughter Elfreda then about four years  
old came into the store and told me that two men were sitting  
on the steps leading to the stairway to our apartment on  
the second floor and she could not get around them. I told  
her to go the other way.

A little later I noticed the two men walk up Harper Street  
past the front of our store towards the Mt. Elliot corner.  
At the same time the car which had been parked for sometime  
by the filling station made a turn in the Lodi St inter-  
section and went in the same direction.

In a few moments I heard some shooting and I learned later  
that Louis Lambert had been shot and taken away by some men  
in a car.

I did not see the actual shooting.

I was never questioned by the police in connection with  
this incident. I was not a witness at the trial and I  
was not asked to identify any suspects.

Celia Gardecki (sgd)

Subscribed and sworn before me this  
6th day of November 1950.

Maurieta Hippler  
Notary Public, Wayne County, Michigan  
My commission expires 11-11-1950 .



August 3, 1954

Dr. John R. G. Carter  
18683 Warwick Road  
Detroit 19, Michigan

Dear Dr. Carter:

From a legal standpoint Vance Hardy is in exactly the same position as if he had never been tried for murder. You may recall that after the extensive investigation we made into the case of Vance Hardy Judge Gillis in Detroit made an considerable investigation of his own. When a motion was made for a new trial by Sidney Sherman and Dave Martin (since deceased) Judge Gillis promptly granted a new trial and commented that his own investigation of the matter convinced him that Lambert was killed in a gang slaying.

In the meantime the Wayne County Prosecutor's office had also conducted an investigation into the matter, and as soon as Judge Gillis granted a new trial the prosecutor, who I think was Raschid, promptly made a motion that the charge be dismissed. This was granted by Judge Gillis and Vance was a free man.

Unfortunately, from a practical standpoint Vance is not in a position of a person who had never been convicted and sentenced of murder. As in Vance's case, we have noticed in several others that the real curse is that the man has served time in prison, and the question of whether or not he was guilty of the offense receives little consideration from the public. It is exceedingly unfortunate that from a practical standpoint Vance might just as well have been guilty of the murder insofar as re-establishing



Dr. John R. G. Carter

Page 2

August 3, 1954

himself in society is concerned. I am very grateful that you are taking such an interest in his case and hope you will be able to do something for this man who has been sinned against to an incredible degree.

Sincerely yours,

LeMoyne Snyder

LMS;RMS



March 18, 1955

James T. Smith, Esq.  
301-304 First Federal Building  
St. Petersburg 4, Florida

Dear Mr. Smith:

In reply to your letter of March 11, I regret to inform you that I do not know the whereabouts of Vance E. Hardy. The last that I heard was that he was in California.

Very truly yours,

LeMoyne Snyder

ad



JOHN P. CONFER  
ASSOCIATE

LAW OFFICES OF  
JAMES T. SMITH  
301-304 FIRST FEDERAL BUILDING  
ST. PETERSBURG 4, FLORIDA

DIAL 7-2401

March 11, 1955

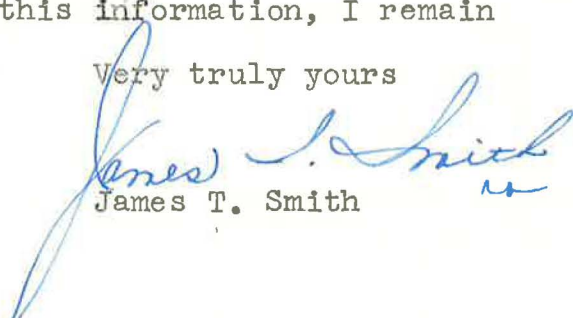
Dr. LeMayne Snyder, M. D.  
705 American State Bank Building  
Lansing 68, Michigan

Dear Doctor Snyder:

Our client, Mrs. Virginia Hadley Hardy, has requested that we write to you in an effort to discover the present place of residence or address of Vance E. Hardy. It is important that we locate him as soon as possible, and I will appreciate your advising us as soon as possible, as to his present address and place of residence.

Thanking you for this information, I remain

Very truly yours

  
James T. Smith

JTS/ ra

*Do not have Hardy's address.  
Last I heard he was in California.*



March 29, 1955

Mr. Ralph Edwards  
1655 North Cherokee  
Hollywood 28, Calif.

Dear Mr. Edwards:

As nearly as I can judge, your show dealing with Emma Jo Wengert, who was released from the Nevada Penitentiary following the work of The Court of Last Resort, attracted a great deal of favorable attention.

It occurs to me that you might like to have another show somewhat along the same lines.

Vance Hardy was imprisoned for twenty-seven years for a crime he didn't commit. The story of Vance Hardy would be just another one of those things, however, were it not for his sister Gladys Barrett Grands. Gladys stood by her brother through thick and thin for twenty-seven years. She went without all the luxuries of life and some of the necessities in order to scrape money together to retain attorneys, make presentations, etc. Time after time after she had skimped and saved money, secured an attorney and a court hearing, her hopes were dashed to the ground, relief was denied, and Vance Hardy went back to prison. Finally, she called on The Court of Last Resort and, paradoxically enough, the relief which was denied when she was in a position to pay for it was finally granted to her without the necessity of any payment at all.

When her brother was released in Michigan, some of my associates put through a call to me so Gladys Barrett Grands could talk on the telephone. Someone had bought her an orchid



March 29, 1955

corsage. You can imagine the effect of this on a woman who had deprived herself of everything except the bare necessities for twenty-seven years. She tried to talk over the telephone. Her voice was hysterical with happiness. She tried to tell me the good news about her brother, but couldn't resist adding that she, of all people, was wearing an orchid.

I am of course aware that the element of surprise is one of the big features of your show. If it should be made to appear that you intended to feature the life of Vance Hardy, and got her to attend the show with Vance Hardy, and then made a last minute switch, in which it appeared that she was to be the center of attraction, you would have quite a story, and you would have a woman who would be tearfully grateful in a way that would warm the hearts of an audience all over the country.

The reason I am writing you at this time is that a television show which is considerably less important from a standpoint of ratings is about to make an offer for one of our cases. We would of course get nothing out of it but would pass any compensation to the party whose story was featured. However, I am assuming that, if Gladys Barrett Grands appeared on any television show, it would ruin the story as far as your program is concerned.

With kindest personal regards,

Sincerely yours,

ESG/ab



Flash - Hardy Case - Lansing - 1ch. Sept. 13th.

After 26 years in prison for a murder<sup>of</sup> which Vance  
Erin Hardy has always claimed to be innocent, Hardy  
stood today before the panel of five men who  
may determine his fate. The public hearing which  
he has long sought on his petition for a pardon  
was about to begin.

Hardy looking healthy and clear eyed in spite of  
long confinement, told the board of pardons and  
paroles that he did not kill Louis Lambert, that  
he did not know who did, that he had no part of  
the crime. Under a sharp grilling by the States  
attorney Hardy stood his ground, and told about the  
ten years he spent in solitary confinement for an  
escape undertaken in sheer desperation after his  
conviction.

Dr. "Coyne Snyder of the Court of Last Resort at  
Hardy's request served as counsel for Hardy and  
presented to the board the essential facts upon which  
Hardy's plea for freedom is based.

Hour after hour the dramatic hearing continued,  
~~witnesses~~ ~~after~~ ~~witnesses~~ appeared following Hardy,  
Tom Smith told the board about the investigation  
made by ANGELO'S named Court of Last Resort. Now  
witnesses overlooked by the police contributed much  
information leading to the conclusion the Hardy was  
innocent. Now at each stage of the inquiry extreme



care was taken to assure the truth of every situation.

Bruno "Arvolet followed and told how he had been badgered into testifying at Hardy's trial and making the identification that sent Hardy to prison for life.

John Stalinski, an eyewitness to Lambert's slaying ~~maintained~~ said he did not believe Hardy was guilty. Lambert was killed by enemies in the liquor rings then operating in Detroit after an argument over payment for smuggled Canadian Whisky.

Alex Lee Gregory, Polygraph expert for the Court of Last Resort reported the results of his grueling five hour examination at Hardy at Jackson Prison.

Sergeant Potorman, Polygraph operator for the Michigan State Police told of giving two tests to Hardy about five years ago and that these tests showed conclusively that Hardy was not guilty.

As the story unfolded it became apparent the the ~~guilty~~ conviction of Vance Hardy was a travesty of justice, even though the Detroit Police defended their position as best they could.

In summing up the case for Hardy and the Court of Last Resort, Tom Smith told the board that the readers of ARCONY and the board of experts representing them believed that Hardy was innocent and that the weight of existing evidence must lead to such a conclusion. He asked the the board to give prompt consideration to the matter as after 26 years Vance Hardy should not be compelled to spend



a single day nor yet an hour in prison beyond the  
the moment at which his innocence is established .

In a dramatic last minute appearance, an old shotgun  
gang member, now married and living a useful life in  
the City of Detroit and with a record of twelve years  
of continuous employment behind him, told the board that  
Hardy did not have any knowledge of the gun smuggling  
or other depredations of the gang and that the gang  
was not responsible ~~in~~ for Lamberts murder.

The petition is now before the board, the hearing is  
over, as fast as transcripts can be made and studied  
the board will make its decision. Next month the whole  
story of the hearing will be told and we believe that  
Hance Erin Hardy will again be a free man.

T.S.



## TO THE MEMBERS OF THE COURT OF LAST RESORT

Yesterday afternoon Alex Gregory dropped into the office for a chat and I suggested that we go up to the Capitol and see Clark Adams who is Governor William's legal advisor about the status of the Hardy case. We went up and had a visit with him for about half an hour.

Adams mentioned about receiving the letters from Erle and myself and that we had presented the Governor with a serious problem. He indicated, however, that the Governor was going to follow the recommendation of the Parole Board and deny a pardon to Hardy. The reason he gave is that to pardon Hardy against the recommendation of the Parole Board would destroy confidence in him by all the departments of the State if he wouldn't go along with their recommendations. He at no time said or indicated that it was based on any belief that Hardy was guilty. Alex and I pointed out to Adams that this amounted to an abdication on the part of the executive authority of the State and at the same time making the Governor a party to a long standing injustice.

I don't know whether our visit did any good. At least I feel sure it did no harm. I doubt if the Governor will announce his action in the immediate future but he might. I still think there is time for one more good crack to be taken and if any of you fellows have any ideas on this now is the time to put them into effect. Adams seems to lay a good deal of stress on the fact that since the present Act went into effect in 1937 no governor yet has acted contrary to the recommendation of the Parole Board. I think the Governor is very publicity minded and he has simply added up the pros and cons and figures that the sum total of publicity for him would be better to follow the recommendation of the Parole Board. In this I think he is seriously mistaken but, of course, no mention was made of this subject pro or con.

There is one other little angle which might enter into this picture. It appears that Senator Vandenberg is going to live only a short time and there is little doubt that Governor Williams would like to be senator. It is a disputed question whether under the Michigan law he could appoint himself. If he did so it would mean turning over the entire state to a Republican administration as he is virtually the only Democrat in any office of importance.

Clark Adams spoke again of the fact that the Parole Board is not a proper body to investigate cases of this kind and the Governor had mentioned to him the necessity of some other type of board to investigate recommendations or applications for pardon on the grounds of innocence.

It seems more and more apparent that everyone of these cases in the Court of Last Resort filters down to a political situation and in the ultimate analysis a decision is made on the grounds of political expediency. That is what is happening in nearly every one of the cases we have under active consideration at the present time. When it comes to saving face the Chinese could learn a lot from us.



One afternoon this week Lester H. Eisenhut, Chief of Police of Ft. Wayne, Indiana and President of the Ohio Chiefs of Police Association came in to see me. He is greatly disturbed about a case involving Ralph W. Lobaugh. Lobaugh has been in death row awaiting execution at Michigan City, Indiana since 1947. He has had ten stays of execution and is now scheduled to be executed in May. Eisenhut has made a very extensive investigation of this case arising out of three murders in Ft. Wayne in 1944 and is convinced that Lobaugh is not guilty.

I went in to all angles of the case and told Eisenhut that I did not think we could be of any use to him. Lobaugh is a homo-sexual with a record of sex offenses a mile long. If he isn't actually insane he is a nut of super proportions. He voluntarily confessed to these murders in 1944 but no body would pay any attention to him, and then again in 1947 he confessed to them and at that time was found guilty and sentenced. According to Eisenhut the only evidence against him was his confession and no supporting evidence was introduced at his trial. Apparently this case has developed into a great political battle in Indiana and Eisenhut himself has been indicted for perjury and is awaiting trial on that charge. Consequently, I don't think it is anything for us to become involved in. However, I promised that I would put it up to you fellows to get your reaction on it. So let me have it.

If Erle or anyone of the rest of you have any ideas about pitching another letter at Williams let's get at it right away. Best to everybody.

LS:mg

LeMoyne Snyder, M.D.



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could not identify Vance Hardy as being one of the bandits who left the car. However, Marcelt did identify him as such and testified at Hardy's trial to that effect. Hardy was convicted and sent to prison where he has remained for some twenty-six years. The only question in the case is a very simple one--"Was the identification of Vance Hardy by Marcelt a proper identification? Was Marcelt correct when he said that Vance Hardy was one of the men who walked away from the automobile?" Marcelt now says and has for a number of years said that his conscience has bothered him in making the identification--that it was wrong; that he wants to correct that wrong; and that he cannot now and never could honestly identify Vance Hardy as being connected with the crime. He so testified before the Parole Board at its recent hearing.

The Parole Board in arriving at its decision gives no consideration to the testimony of two men who have outstanding reputations in the use of the lie detector. Lieutenant W. M. Petermann, of the Michigan State Police, testified before the Parole Board that he ran Vance Hardy on the lie detector in 1944 and 1945 and was convinced that Mr. Hardy is telling the truth. On June 7, 1950 Hardy was examined by Mr. Alex J. Gregory, who has a national reputation as an expert in the use of the lie detector or polygraph.



He testified at the hearing before the Parole Board that he believed Vance Hardy had no knowledge of the death of Louis Lambert. Does it not seem strange that the Parole Board of the State of Michigan pays no attention to the testimony of an officer of the Michigan State Police who runs subjects on the lie detector nearly every day and whose recommendations are usually followed by the Michigan State Police? Does it not also seem strange that the Parole Board attempted to keep Lieutenant Petermann from testifying at the hearing?

The transcript of testimony made at the trial of Hardy disappeared a number of years ago. Although it is the duty of the State to preserve the record, the State failed in that duty. With no record the Parole Board has indulged in speculation as to what the record contains and what took place at the trial. The Parole Board takes the position that the verdict of the jury forever closes the door to Hardy so long as he maintains that he is innocent. The recommendation of the Parole Board to the Governor closes by quoting a court decision from another state: "We feel as the Nebraska Supreme Court has been quoted.....'It is, of course, not intended by the Constitution that the pardoning power should review and correct the decisions of the Court.'"



This means to us only one thing--that the Parole Board of the State of Michigan wishes to stand on the decision of the Court whether that decision was correct or not. It further refuses to give recognition to the well established principle of law that in criminal cases where the facts raise a doubt, that doubt should be resolved in favor of the defendant. This, in spite of the fact that Vance Hardy has spent twenty-six years in Michigan prisons for a crime of which members of the Court of Last Resort and other experts in the field of criminology are convinced he is innocent. We will continue the fight for Hardy's release.



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He testified at the hearing before the Parole Board that he believed Vance Hardy had no knowledge of the death of Louis Lambert. Does it not seem strange that the Parole Board of the State of Michigan pays no attention to the testimony of an officer of the Michigan State Police who runs subjects on the lie detector nearly every day and whose recommendations are usually followed by the Michigan State Police? Does it not also seem strange that the Parole Board attempted to keep Lieutenant Petermann from testifying at the hearing?

The transcript of testimony made at the trial of Hardy disappeared a number of years ago. Although it is the duty of the State to preserve the record, the State failed in that duty. With no record the Parole Board has indulged in speculation as to what the record contains and what took place at the trial. The Parole Board takes the position that the verdict of the jury forever closes the door to Hardy so long as he maintains that he is innocent. The recommendation of the Parole Board to the Governor closes by quoting a court decision from another state: "We feel as the Nebraska Supreme Court has been quoted.....'It is, of course, not intended by the Constitution that the pardoning power should review and correct the decisions of the Court.'



This means to us only one thing--that the Parole Board of the State of Michigan wishes to stand on the decision of the Court whether that decision was correct or not. It further refuses to give recognition to the well established principle of law that in criminal cases where the facts raise a doubt, that doubt should be resolved in favor of the defendant. This, in spite of the fact that Vance Hardy has spent twenty-six years in Michigan prisons for a crime of which members of the Court of Last Resort and other experts in the field of criminology are convinced he is innocent. We will continue the fight for Hardy's release.



Dr. LeMoyne Snyder, a member of the Court of Last Resort, upon learning of the decision of the Parole Board, said:

The cause of justice in Michigan received a body blow by the recommendation of the Parole Board to Governor G. Mennen Williams that he deny a petition for pardon to Vance E. Hardy. The facts involved in the case are very simple.

In May 1924, in the City of Detroit, one Louis Lambert was shot in a holdup. A few minutes later in an alley about a mile and a half away from the holdup scene, the automobile which was at the scene of the holdup was abandoned. Three men walked away from the car, and also Lambert stumbled out of the car in a dying condition. One Bruno Marcelt and two of his neighbors by the name of Plagens ran from their homes into the alley and saw the three bandits walking away. They saw their faces for only an instant when they turned around and ordered them to stay back. At no time were they closer to each other than 120'. Police pressure of an outrageous nature was exerted on Marcelt and the Plagens boys in an attempt to make them identify one of those walking away from the automobile as being Vance Hardy. The Plagens boys always maintained that they



could not identify Vance Hardy as being one of the bandits who left the car. However, Marcellt did identify him as such and testified at Hardy's trial to that effect. Hardy was convicted and sent to prison where he has remained for some twenty-six years. The only question in the case is a very simple one--"Was the identification of Vance Hardy by Marcellt a proper identification? Was Marcellt correct when he said that Vance Hardy was one of the men who walked away from the automobile?" Marcellt now says and has for a number of years said that his conscience has bothered him in making the identification--that it was wrong; that he wants to correct that wrong; and that he cannot now and never could honestly identify Vance Hardy as being connected with the crime. He so testified before the Parole Board at its recent hearing.

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The cause of justice in this State received a body blow when the Parole Board recommended to Governor G. Mennen Williams that he deny a petition for pardon to Vance E. Hardy.

Early in May 1924, Louis Lambert started to cross a street on the east side of Detroit, when a Studebaker touring car with side curtains suddenly pulled up along side him and one or more bandits inside the car shot him. As he was sinking to the pavement, one of the occupants jumped out and pushed Lambert into the car and it sped rapidly away. In an alley about a mile and a half away the car was abandoned by the three hoodlums who walked away, and Lambert stumbled out in a dying condition. The only positive identification of any of these murderers was by Lambert himself who, before he died, said the River Gang got me. Bruno Marcelt and two of his neighbors by the name of Plagens, ran from their homes into the alley where Lambert had fallen to the pavement and saw the three bandits walking away. They were never closer to them than 120 feet and saw their faces for only an instant when they turned around and ordered them to stay back.

Some six weeks later Vance Hardy, with three other men, was arrested in Marquette, Michigan. Two of this quartet were notorious hoodlums who were the nucleus of the so-called Shotgun Gang in Detroit. It is quite apparent that at this time they were not under suspicion of having committed the Lambert murder, but were returned to Detroit for investigation in connection with other crimes. Later one of this quartet



was tried for the Lambert murder and acquitted, Hardy was tried and convicted, one was shot by the police, and the fourth never tried on this charge.

Marcelt and the Plagens' boys were subjected to police pressure of an outrageous nature to make them identify Vance Hardy. The Plagens' boys could not identify Vance Hardy as one of the bandits leaving the car in the alley, but Marcelt finally did. About the only reliable written record which at all touches on the evidence at Hardy's trial, is a statement by the presiding judge that Hardy was identified as one of those leaving the abandoned car. Marcelt was the only person to make such a statement. At any rate, Marcelt has always considered that he was largely responsible for Hardy's conviction. Many years later Marcelt stated that his conscience had been bothering him for a long time and he signed an affidavit which stated in effect that he was not sure at the time of the trial that Hardy was the man and was not sure now, but that the abuse by the police was such that he wanted to get it over with. Following the issuance of this affidavit, again pressure of a most sinister nature was applied so that he made a second affidavit, which in effect repudiated the first one. In the summer of 1950, after Marcelt was assured that he had nothing to fear in telling the truth, he made a statement to a representative of the Prosecutor's office of Wayne County and a member of the Court of Last Resort, which reestablishes the facts as set forth in his first affidavit.



Now the Parole Board chooses to engage in a guessing contest as to what Marcellt and other witnesses must have testified to at Hardy's trial, and concludes that Marcellt's testimony was only a minor factor in the conviction of Hardy.

Why is it necessary for the Parole Board to engage in speculation as to what was said at the time of the trial? Because all of the court stenographer's notes of the Hardy trial are missing. They are missing under circumstances which lead to only one logical conclusion--that they were filched by someone to prevent Hardy from ever getting out of prison or to prevent the guilty party from being brought to justice.

The State had a duty to protect those court records.

The State failed in that duty. Any man serving a long prison term knows that his best and often his only life line is the transcript of his trial, and yet the Parole Board naively suggests that Hardy had as much or more to gain from the destruction of those records as did the State, thereby suggesting that Hardy himself engineered their theft. These court records were found to be missing about ten years after Hardy's conviction, and except for a period of about two months, Hardy was under lock and key in a very tough prison over six hundred miles away. The Parole Board quickly disposes of this very vital matter with a few lines in its very lengthy report.

The Court of Last Resort makes frequent use of the polygraph or lie detector in the investigation of persons who



may have been unjustly convicted. At the Parole Board hearing on the Hardy matter, two eminent authorities on this subject testified in behalf of Hardy. One of these was Detective Wilbur M. Petermann, who is employed by the State of Michigan as the lie detector operator for the Michigan State Police. During a period of some ten or twelve years he has interrogated thousands of subjects with a lie detector and when the State is investigating a crime, his opinion largely determines whether a suspect is held or turned loose. Petermann ran Hardy on the polygraph five or six years ago and concluded that he was innocent. The State did not want him to appear at the Hardy hearing and sent word to him to stay away. He evidently did not receive the message because he came anyway, and stated that he had no doubt about Hardy's innocence.

The other expert who testified for Hardy was Alex Gregory of Detroit--a man who is most highly regarded in his field. The International Association for the Detection of Deception, numbering over one hundred fifty members, elected him as its President at its last convention. He ran exhaustive examinations of Hardy and stated emphatically that in his opinion Hardy was not guilty of the Lambert murder, nor was he guilty of any other serious crimes which had occurred in Detroit.

Both of these authorities were questioned at length about the reliability of lie detector tests on persons who



had been serving long terms in prison. Their testimony was that under certain specified conditions such tests were highly reliable. These conditions had been fully met in the Hardy matter.

The State produced no witnesses to contradict the testimony of these two authorities, yet it summarily rejects their testimony and salves its conscience by quoting two isolated paragraphs from a book which says that polygraph tests on persons who have been in prison a long time may be unreliable, but makes no mention of the conditions and controls specified by Gregory and Petermann. Had Hardy been given such tests at the time of his arrest he never would have been put on trial for the murder of Lambert. However, the Parole Board chooses to toss this very valuable evidence out of the window because it considers it more reliable to speculate on what some one might have said at Hardy's trial twenty-six years before. No one knows exactly who all the witnesses were at Hardy's trial, let alone what they might have testified to.

The Parole Board completely discloses its hand in a concluding paragraph of its report--

"We feel as the Nebraska Supreme Court has been quoted....."it is, of course, not intended by the Constitution that the pardoning power should review and correct the decisions of the court'".

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