5-1-1939

Jesse James- FBI Files part three

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OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

OFFICIAL INDICATED BELOW BY CHECK MARK

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<th>Mr. Tolson</th>
<th>Mr. Nathan</th>
<th>Mr. E. A. Tamm</th>
<th>Mr. Clegg</th>
<th>Mr. Coffey</th>
<th>Mr. Crowl</th>
<th>Mr. Egan</th>
<th>Mr. Foxworth</th>
<th>Mr. Glavin</th>
<th>Mr. Harbo</th>
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<th>Mr. McIntire</th>
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See Me  
Prepare Reply  
For Your Information  
Note and Return  
File  

Remarks:

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MEMORANDUM FOR MR. TOLSON

There is attached hereto an alleged authentic likeness in the form of a drawing of Jesse James, together with an article which appeared in the March, 1939 issue of the National Police Gazette, which is the first of a series of articles which deal with this notorious character.

This article relates that Hollywood producers, directors and would-be historians should bow their heads in shame at the production of the current picture "Jesse James".

It is noted that a mimeographed copy of the entire article can be obtained from the editor of the National Police Gazette for the amount of 25¢. This complete article will be secured from the Police Gazette for inclusion in the Bureau Library at once.

Respectfully,

L. B. NICHOLS
MEMORANDUM FOR MR. TOLSON

Reference is made to the writer's memorandum of February 24, 1939, regarding the obtaining of photostatic copies of the original article on the "Life and Death of Jesse James," which appeared in the National Police Gazette on May 13, 1882.

Copies have been obtained, and one copy is attached hereto enclosed in a Library binder together with the story of Jesse James as it has appeared thus far in installment form in the Police Gazette during March, April and May, 1939. The other copy is attached hereto for the Director.

Respectfully,

L. E. Nichols

[Handwritten note: 1 EXCL T RECRORED & INDEXED]
Hon. J. Edgar Hoover,  
Federal Bureau of Investigation,  
Washington, D. C.

Dear Sir:-  

Is the old time Jessie James still alive? This week there was here in this place a man who claimed to be the original Jessie James. He exhibited himself at a picture show here.

I talked with him at a hotel here for over an hour, and he talked very convincingly that he was the original Jessie James of outlaw fame. He is an old man of 90 odd years old, and he talked like he was telling honest facts within his experience.

I never did dream that I would ever see Jessie James.

I know that you are in touch with all such, and I would be glad to hear from you about this, and thanking you,

Sep 14, 1940.

[Signature]

[Additional notes on the page]
Piedmont, Alabama

September 24, 1940

Dear

I wish to acknowledge your letter of September 14, 1940, and to advise that while I am unable to verify the information contained in your letter due to the fact the Federal Bureau of Investigation was not founded until 1908, other records indicate that the individual was killed on April 3, 1882.

Sincerely yours,

John Edgar Hoover
Director
Rinsey, Montana
March 10, 1949

J. Edgar Hoover
Federal Bureau of Investigation
Washington D.C.

Dear Sir,

I would like to know if Jesse James the daring train robber of a generation ago was killed. If he was killed, who killed him. If he is alive I would like to know his age and where he is staying. Please send the information of a request.

RECORDED - 121
145 1949
FBI
MAR 25 1949

J. Miley
Rinsey, Montana
Dear [Name],

Your letter of March 10, 1949, has been received. In response to your inquiry, the Encyclopaedia Britannica indicates that Jesse Woodson James, the notorious American outlaw, was born on September 5, 1847, in Clay County, Missouri. He became the leader of the "James band" of bank and train robbers in 1867, and as the result of a $10,000 reward offered by Governor Crittenden of Missouri for his capture dead or alive, two members of his own band turned traitors and shot and instantly killed him in his home at St. Joseph, Missouri, April 3, 1882.

Sincerely yours,

John Edgar Hoover
Director

March 16, 1949
Court Decides ‘Jessie’ Ought To Be Ashamed

UNION, Mo., March 10 (AP). A Missouri circuit judge today dismissed J. Frank Dalton’s request to be known as Jesse Woodson James—the notorious outlaw of 70 years ago.

In ending a one-day hearing, Judge Ransom A. Breuer gave a crowded courtroom a brief oral sermon in home state pride. He said for 25 years in the last century the James gang went unapprehended and Missouri had become known as a place—“Where criminals run at large and go unapprehended.”

Judge’s Advice

He said if the 102-year-old Dalton really is Jesse James let him “retreat to his rendezvous and ask his good God to forgive him.”

If Dalton is not James, Judge Breuer added, he is “trying to perpetrate a fraud.”

But, the 80-year-old judge said, “there is nothing for this court to pass on here.”

Judge Breuer noted that Dalton’s petition asked that his name be “changed” to Jesse Woodson James. But, the judge pointed out: “If Dalton was James in the old days and has never had his name legally changed, it’s impossible to change his name back to what he already had.”

Several Support Claim

The white-haired old man feeble but cantankerous, claimed in court he was the real Jesse James. They brought him in on a stretcher.

History records that James was killed by a member of his own gang back in 1882.

Dalton asked the court to restore what he contends is his real name—Jesse Woodson James.

He had several old-timers to back him up, and one after another testified that he was Jesse, a man they personally knew back when he led a band of bank and train robbers.

Dalton broke his hip two years ago. That’s why he was on a stretcher.

Jesse E. James of Los Angeles, who says he is the son of the outlaw, opposed Dalton’s claim on the grounds that it was not made “in good faith” and was prompted for the sole purpose of eluding prosecution for financial gain.
Court Rejects Name Plea of Jesse James

JOLIET, March 8 (AP) - Missouri Circuit Judge Norman Smith refused May 2 Frank Dalton's request to return Jesse James, the world-renowned outlaw of 70 years ago. In his飘 trial, Judge, Robert A. Stroud, said, "Jesse James was not a criminal and Missouri became known as a place where criminals run at large and are apprehended."

"Dalton is not James," Judge Breuer added, "he is trying to perpetrate a fraud." said the 66-year-old judge, "There is nothing for this court to pass on here."

"Dalton tried to use the old alias and the name legally charged. It is impossible to change the name because the alias was already had," the judge said.

Three grand witnesses testified that Dalton really was Jesse James, the late R. E. James, Los Angeles, who said the alias was his name. He charged Dalton sought public attention where he is a natural attraction.

Page 1

Times-Herald

Wash. Post 13 B

Wash. News

Wash. Star

N.Y. Mirror
Confidential

January 30, 1950

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

Re: J. Frank Dalton

Dear Mr. Hoover:

The enclosed petition was filed in the circuit court of Franklin County Missouri and Jesse E. James of Los Angeles, son of the historical Jesse, has retained me to represent him in the case.

Your department issued a news release about two years ago, as I recall, in which you stated that Jesse Woodson James had been found to be dead. Would you kindly advise me as to the basis upon which your findings were made. If you have any photostatic copies of any information of value, I shall be grateful for your assistance.

The Pinkerton Detective Agency handled the case in 1882 and I would like to locate their files. Can you render any assistance or give me any suggestions? I should also like to have any historical data upon J. Frank Dalton, the Oklahoma outlaw.

You will remember me as

Very truly yours,

cc: Mrs. Jesse E. James

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE ANNOTED BY 9145 (2/3/1994)
STATE OF MISSOURI }  
COUNTY OF FRANKLIN 

IN THE CIRCUIT COURT WITHIN AND FOR SAID COUNTY OF FRANKLIN,

IN THE MATTER OF THE CHANGE OF NAME OF J. FRANK DALTON

Case No. 1095

PETITION FOR CHANGE OF NAME

Comes now J. Frank Dalton and states to the Court that he desires that his name be changed to JESSE WOODSON JAMES and for grounds of this petition, states the following to wit:

My name is J. Frank Dalton and my residence is at Monroe Caverns, County of Franklin, State of Missouri.

During the course of my life, I have assumed various names, including that of J. Frank Dalton, by which I was known for over sixty years. My christened name, however, is Jesse Woodson James, and it is this name which I now petition this Honorable Court to allow me to resume.

I am a citizen of the United States of America, born here, from the Son of Robert James, a Baptist minister, and Sarah, his wife, at Centerville, now Kearney, in the County of Clay, State of Missouri, on or about the 5th day of September, 1847. Thus, the weight of more than a century of years presses in upon me, a gradual and constant reminder that I have long passed my biblical quota of years. Death, however, cannot kill my present life, that, at least, remains as men's intangible monument and epitaph.

Indeed, it often comprises the sum total of that which he leaves behind to mark the wake of a turbulent life.

As in my declining years, it is my purpose by this petition legally to resume the name of Jesse Woodson James, and by so doing, to prepare to leave this world under the same name with which I was christened at the time of my birth.

Of equal importance with the above stated purpose is my urgent desire to refute the claims in and to my property and estate which heretofore have been made by innumerable people who have wrongfully held themselves forth as my lawful heirs — some of whom claim a bond through the mere accident of geographical proximity to me.
during the earlier years. By resuming my rightful name, I shall be
able to protect and to defend my genuine descendants and to expose
those persons who have made capital of my disappearance and have
deprived my kin of their just rights and privileges.

Petitioner appreciates that this is not the occasion for a
detailed presentation of facts in support and corroboration of my
assertion that I am the original Jesse Woodson James. Natural im-
credulity to the assertion, however, requires a brief statement of the
circumstances which led to my disappearance in the year 1875
and my life subsequent to that date.

History is incorrect in its reports that I died at St. Joseph,
Missouri, on the 3rd day of April, 1882, at the hands of Bob F
The unfortunate victim of the shooting on that date was a man named
Charlie Bigelow, who physically resembled me in many respects.
However, I took no steps to correct the general assumption formed
in the public that the murdered man was I; and at that time I
ceased to be known and to hold myself forth as Jesse Woodson James,
adopting instead the name of J. Frank Dalton.

Thereafter, I travelled extensively throughout the United States
and South America. Many years later, I returned to this country and
spent a considerable length of time in the State of Texas.

For more than one year I have been living in the State of
Missouri. I have become known again by my original name, Jesse
Woodson James; my friends, associates and neighbors, and the people
in the community where I now reside know me and identify me by the
name of Jesse Woodson James. This application, therefore, is intended
to affect no one and will, in fact, deceive no one. Indeed, many
of my acquaintances and associates of former years, such men as
Colonel James R. Davis, formerly a Government Scout and intelligence
agent in the Union Army of General George Crook; Mr. DeWitt Travis,
of Longview, Texas, related to the famed Captain Travis, defender of
the Alamo; Mr. Robert E. Lee, formerly associated with William F,
("Buffalo Bill") Cody -- and a host of others whose genuine and legendary exploits and careers are now a part of this nation's history, are still living, know me and have visited me since the establishment of my residence in the County of Franklin, State of Missouri, and address me as Jesse Woodson James.

Despite the fact that I realize full well that the disclosures which are made in this petition may place me in jeopardy, the dictates of my conscience are so strong that I am obliged to throw discretion to the four winds and to pray respectfully that this Court grant my petition and authorize me to resume the name of Jesse Woodson James.

The change of name herein prayed for will be proper and will not in any manner be detrimental to the interests of any other person or persons.

WHEREFORE, petitioner respectfully prays that this petition be granted in all respects, and that petitioner's name be changed from J. Frank Dalton to Jesse Woodson James.

/\ J. Frank Dalton

Frank V. James
Attorney for Petitioner
Union, Missouri

STATE OF MISSOURI
COUNTY OF FRANKLIN

J. Frank Dalton, being first duly sworn upon his oath states that the facts set forth in the above and foregoing petition are true in substance and in fact.

/\ Althea Eldredge

Subscribed and sworn to before me this 5th day of January, 1950.
My Commission expires July 31, 1953.
(SEAL)
CERTIFICATE

STATE OF MISSOURI    
COUNTY OF FRANKLIN    

I, Edgar Barlage, Clerk of the Circuit Court, within and for the County aforesaid, hereby certify the above and foregoing to be a true, full and complete copy of the Petition in the above entitled cause, as fully as the same appears on file in my office.

WITNESS my hand and seal of said Circuit Court, at office in the City of Union, this 17th day of January, 1950.

/s/ Edgar Barlage
Circuit Clerk
Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D. C.

PERSONAL
February 6, 1950

To Mr. [Name]

Your letter dated January 31, 1950, with enclosure, has been received.

In response to your inquiry, you are advised that the FBI has not released a statement substantiating the date and place of the death of Jesse James. I also thought you would like to know that, since this Bureau was not founded until 1908, our files do not include contemporary data reported concerning Jesse James. For your further information, the FBI has no data available for distribution concerning J. Frank Dalton.

Frankly, I am unable to recommend sources of information to which you might refer for the desired data. It is suggested, however, that you may wish to consult historical reference works, and you may also wish to communicate directly with the headquarters of the detective agency which you mentioned.

Sincerely yours,

J. Edgar Hoover
Director

NOTE: Files 52-38975 and 52-39171 contain information concerning Jesse James and inquiries relative to his death. There is no record of a Bureau news release regarding the death of the old-time outlaw.
Hon. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover,

Thank you very much for your fine letter of April 19, last, relative to this Jesse James who was sentenced to Missouri State Prison in 1917 for bank robbery at Neosho, Mo., I believe it was, together with others. I was hoping that I would be able to match up this J. Frank Dalton, who claims to be the real Jesse James, with this man. However, it could not be as he was killed. Then I thought it might be possible, but that is neither here nor there right now.

I am greatly interested in the notation of Jesse James, alias J. Frank Dalton. Is your record on the man now living at Stanton, Mo. or on another Jesse James, alias J. Frank Dalton? Is it possible there were two Jesse James? The Jesse Woodson James of Quantrill and Civil War fame was killed at St. Joseph in 1882, and this J. Frank Dalton at Stanton claims this was a frame-up, and that he is actually the Jesse James born in 1847; Sept. 5, at Kearney, Clay County, Mo. I find that your letter stated the Jesse James you refer to was born in Goliad, Texas. I am sorry I did not write you on cut letterhead at the time of my first inquiry, as it would have prevented this delay. I have been a student of the James legend for many years, and am anxious to learn who this J. Frank Dalton at Stanton, Mo. really is. I certainly will appreciate it if you will allow me the benefits of your records on Jesse James, alias J. Frank Dalton, and also a set of prints and a photo, if at all possible.

Believe me, I appreciate your fine cooperation in this matter.

Kindest regards.

St. Louis Co., Mo.
May 23, Missouri

May 2, 1950

In compliance with your request of April 31, 1950, I am enclosing a copy of the fingerprints of Jesse James with alias, Jo Frank Dalton, who was born September 5, 1897, in Collinwood, Tennessee, and whose residence is indicated as Lawton, Oklahoma. These fingerprints were submitted by the Police Department, Lawton, Oklahoma, on May 21, 1948.

Our files contain no further information concerning the above mentioned person, and no photograph is available.

Sincerely yours,

John Edgar Hoover
Director
Dear Mr. Hoover:

I don't want to take up too much of your time, so I will come right to the point. I would like to know two answers to two questions. If you could help me out in any way Mr. Hoover, I would appreciate it.

The first question is: Was "Pretty Boy" Flord killed back in 1934? Since I have heard to sides to this story about "Pretty Boy" Flord, one was that he was killed by FBI's, the another that he lived and died in 1960, which is the true way in which "Pretty Boy" Flord died?

The another question is: Was J. Frank Walton, the man claiming to be Jesse James in 1948, really Jesse James? I have heard that the Lawton police reacted quickly to the story which came out in May, 1948. And that they sent his fingerprints and birth record to the Federal Bureau of Investigation in Washington. I would like to know what the Federal Bureau of Investigation found out about this man, if it isn't too much to ask.

I have had people tell me that the Federal Bureau of Investigation don't give out that kind of information, but I told them that it wouldn't hunt to try to find out those two questions. So this is why I have wrote to you Mr. Hoover. Hoping you can help in any way that you can. May God Bless and keep you always.

Yours truly,

San Bernardino, Calif.
Zip Code # 92408.
Your letter of August 18th has been received.

With respect to your first question, on October 22, 1934, "Pretty Boy" Floyd was located on a farm by Special Agents of the FBI and officers of the East Liverpool, Ohio, Police Department. Floyd elected to shoot it out and was mortally wounded while resisting Federal arrest.

In connection with your other inquiry, I would like to point out that our Identification Division operates by specific Congressional enactment and is a repository for identification data transmitted to it by law enforcement agencies. The FBI serves merely as a custodian of such data, and the records contained therein are considered to be the property of the agency which transmits the information. Consequently, this Bureau has no material available for distribution relative to the J. Frank Dalton you mentioned. You may be interested in knowing that encyclopedia references report that Jesse Woodson James was killed at St. Joseph, Missouri, on April 9, 1882.

I hope you will find this of interest.

Sincerely yours,

[Signature]

Enclosures (5)
EFT: (3)
Enc.
The Story of the FBI
Know your... FBI
Cooperation--The Backbone of Effective Law Enforcement
Fingerprints--The Infallible Means of Personal Identification
The FBI Laboratory

NOTE: Bufiles contain no record identifiable with correspondent.
The information concerning the death of "Pretty Boy" Floyd was
taken from the notes in "The FBI Story" by Don Whitehead. The
information concerning the claim of J. Frank Dalton to be Jesse
James is contained in Bufile 62-26471. This file indicates that
Dalton filed a petition in January, 1950, in the State of Missouri
to change his name to Jesse Woodson James, claiming he was the
real Jesse James, the notorious outlaw. This case was dismissed
by a Missouri circuit court judge on the grounds that if Dalton was
James in the old days and had never had his name legally changed,
it was impossible to change his name back to the one he had already
had. The outlaw's son contested Dalton's action, charged that Dalton
sought publicity as a tourist attraction. The fingerprints of Jesse
James, with alias, J. Frank Dalton, were submitted by the Lawton,
Oklahoma, Police Department on 5-21-48. This fingerprint card
showed that Dalton was born September 5, 1847, at Goliad, Texas.
Encyclopedia references show that Jesse Woodson James was
born at Centerville, (now Kearney) Missouri, in 1847, and that he
died at St. Joseph, Missouri, on April 3, 1882.
Mr. Kriner,

We are the folks who live next to you. We are the ones who were born and raised here, the ones who know the old ways. We are lite the ones who know of this present home. We are the ones who are going to make this work. We are going to work hard to make this work. We are going to be the best. We are going to be the best in America. If you are interested in the railroad sector, if you are working for the railroad company, Florida, meet me at the F.S.P. of Justice office.

P.S.

We are sure we are right. Please help quit.

X

DEG 1745

NOV 20 1935

RECORDED & INDEXED

FEDERAL BUREAU OF INVESTIGATION

NOV 18 1935 P.M.

U.S. DEPARTMENT OF JUSTICE

JOSHD. MOY/ FILE
December 12, 1935

Special Agent in Charge
Jacksonville, Florida

To: UNIDENTIFIED SUBJECTS
   John D. Rockefeller, Victim
   EXTENSION

Dear Sirs,

Enclosed herewith are photostatic copies of two printed anonymous communications addressed to Mr. Rockefeller, postmarked October 25, 1935 and November 1935 which are self-explanatory. There is also enclosed herewith a photostatic copy of an unsigned communication addressed to the Director and the signatures of which the name of Jesse James appears, as in the letters received by Mr. Rockefeller.

It is believed that the two letters addressed to Mr. Rockefeller and it is desired that you immediately ascertain whether, in fact, such named persons reside in Jacksonville, Florida. If so, they should be interviewed and an effort made to secure their admissions that they are responsible for the writing of these letters and, in addition thereto, they should be instructed in the event they write similar letters in the future, legal steps will be taken against them.

Very truly yours,

John Edgar Hoover  
Director.
December 9, 1935.

Director,
Federal Bureau of Investigation,
U. S. Department of Justice,
Pennsylvania Avenue at 9th St., N. W.,
Washington, D. C.

Re: UNKNOWN SUBJECTS
JOHN D. ROOSEVELT - Victim
Extortion

Dear Sir:

There are transmitted herewith copies of letters dated December 5, 1935, addressed to me by Mr. John D. Rockefeller, Jr., at Ormond Beach, Florida, and same were forwarded from there to the office of Mr. John D. Rockefeller, Jr., in New York. At the time of my telephone conversation with concerning these letters, I advised him that they did not appear to constitute a Federal violation within the jurisdiction of this Bureau.

The letters have been handled by numerous persons.

I will maintain contact with for the purpose of ascertaining whether any further letters are received, but no further action will be taken by the New York Office in connection with this particular matter in the absence of instructions.

Very truly yours,

R. WHITNEY
Special Agent in Charge

cc: Jacksonville (with encl.)