FEDERAL BUREAU OF INVESTIGATION

FREEDOM OF INFORMATION/PRIVACY ACTS SECTION

COVER SHEET

SUBJECT: GRACIE ALLEN

CROSS REFERENCE
THE BEST COPY
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REPRODUCED.
New York City, N. Y.
December 12, 1938

[Redacted Text]

Port of New York,
Custom House,
New York City, N. Y.

Dear Sirs:

There is attached hereto, a copy of an anonymous letter received in this office, dated December 9th, 1938, relative to one [redacted text] with aliases, who is allegedly associated with one [redacted text] who is under investigation by your Department.

Very truly yours,

DWIGHT BRANTLEY,
Special Agent in Charge.

Encl.

(CC) Bureau

RECORDED & INDEXED

54-717-X

BUREAU OF INVESTIGATION
DEC 13 1938
U.S. DEPARTMENT OF JUSTICE
Philadelphia, Pennsylvania

February 20, 1939.

Special Agent in Charge,
New York, N.Y.

Dear Sir:

Recently while an agent of this office was at the United States Penitentiary at Lewisburg, Pa., requested that he be allowed to see an agent of this Bureau. He was interviewed, when he informed that he had about seventy days longer to serve at the penitentiary and his home is in New York City. He stated he would like to be transferred to New York City immediately because his wife is ill.

With this in mind he stated he was acquainted with who was recently involved with JACK BENNY and GEORGE BURNS in connection with smuggling activities; that he was of the opinion he possibly could assist in any further investigation being conducted in connection with this individual, . He stated that has been engaged in smuggling activities for a considerable period of time; that he possibly could be of assistance in connection with an investigation involving "LITTLE NATEY" who handles narcotics.

He also advised at the present time there is an indictment against him in New York county in connection with stolen bonds and a detainer is presently filed against him at the United States Penitentiary, Lewisburg, in connection with this matter; that he is of the opinion this indictment will be quashed at the time of his release.

He further informed he could be of assistance to the United States Government in connection with an income tax investigation of New York City.

The above information is being furnished to your office in order that you may take the proper steps to transmit this information to the appropriate investigative agencies. In the event your office has any information concern this individual that may be connected with any Bureau case, it is desired that this be immediately furnished to the Philadelphia Office in order that he be thoroughly interviewed before he is released.

Very truly yours,

A. B. LECKIE
Special Agent in Charge.
Hotel Huntington
INCORPORATED
307 HUNTINGTON AVENUE
BOSTON, MASS.
BRADFORD T. KENDRICK
Manager

ANONYMOUS COMMUNICATION
KEEP ENVELOPE ATTACHED

March 1, 1939.

U.S. Bureau, Federal Investigations,
Washington, D.C.

To the Chief of Bureau:

This I believe is a very important communication. This information, the writer believes, should be in your possession.

It refers to the diamond activities of the firm of [redacted] both in Los Angeles. [redacted] and his assistant make a trip to Europe every year about the month of April, ostensibly to purchase jewelry. Some time last spring, Mrs. Jack Benny, wife of the radio star, was supposed to have bought to the Sunnset store, a large valuable diamond estimated at about $16,000. It was placed in the safe and only [redacted] and his assistant knew of its whereabouts. While they were in Europe, the diamond was supposed to have been stolen from the safe, yet there were no evidences of an outside attempt to steal it. They reported it to the insurance company, and some of the details to the local police. This was at the time that the newspapers were publishing the case of the jewelry smuggling of Jack Benny and Burns. It is also known that [redacted] has brought back jewelry from Paris and Nice, Fr., but do not know whether he paid duty on it. [redacted] has not a good name with the Int. Rev Bureau on tax matters. At this time and although business was making $60,000 a year, [redacted] assigned his property and homestead in Santa Barbara, and all contents, as per Los Angeles County records. While in Los Angeles during the week, he stays at a house he formerly owned and also assigned to [redacted] at Whitley Heights, L.A.
Hotel Huntington
INCORPORATED
307 HUNTINGTON AVENUE
BOSTON, MASS.
BRADFORD T. KENDRICK
Manager

The entire activity of the firm and does not sign checks does this, has an account at the Citizens Natl Bank, Hollywood Blvd and McCadden Place.

Perhaps you care to investigate further.

Citizen.
Chief, U.S. Federal Bureau of Investigation.

Washington, D.C.
JEWSI.
54-717 -IX

April 7, 1939

Honorable James H. Moyle
Commissioner
Bureau of Customs
Treasury Department
Washington, D. C.

My dear Commissioner:

I am transmitting herewith a photostatic copy of an anonymous letter dated March 1, 1939, together with a photostatic copy of the envelope in which it was mailed, postmarked at Los Angeles, California, March 26, 1939, which may be of interest to you.

Sincerely yours,

John Edgar Hoover
Director

Inclosure

c-los Angeles (with inclosure)
OK

WH19 10

NESCOPECK PENN MARCH 15 1939 615P

/J EDGAR HOOVER

DIRECTOR FEDERAL BUREAU INVESTIGATION

IS JACK BENNY RADIO COMEDIAN STILL UNDER INDICTMENT FOR SMUGGLING

67C

NO RECORD FILE SECTION

RECORDED & INDEXED

54-717-2

FEDERAL BUREAU OF INVESTIGATION

17-19
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

MARCH 16 1939

To: COMMUNICATIONS SECTION.

Transmit the following message to: NESCOPECK PENNSYLVANIA

REFERENCE YOUR TELEGRAM YESTERDAY CONCERNING JACK BENNY MUST ADVISE

THAT THIS MATTER WAS NOT HANDLED BY THIS BUREAU AND SUGGEST THAT

YOU COMMUNICATE WITH UNITED STATES ATTORNEY AT NEW YORK CITY FOR

INFORMATION YOU DESIRE

JOHN EDGAR HOOVER
DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
REFERENCES YOUR TELEGRAM YESTERDAY CONCERNING JACK BENNY.

MUST ADVISE THAT THIS MATTER WAS NOT HANDLED BY THIS

BUREAU XXXX AND SUGGEST THAT YOU COMMUNICATE WITH UNITED

STATES ATTORNEY AT NEW YORK CITY FOR

INFORMATION YOU DESIRE.

--

JOHN HOOVER

DIRECTOR

FEDERAL BUREAU OF INVESTIGATION
To: COMMUNICATIONS SECTION.

Transmit the following message to: NESCOPECK PENNSYLVANIA

REFERENCE YOUR TELEGRAM YESTERDAY CONCERNING JACK BENNY MUST ADVISE THAT THIS MATTER WAS NOT HANDLED BY THIS BUREAU AND SUGGEST THAT YOU COMMUNICATE WITH UNITED STATES ATTORNEY AT NEW YORK CITY FOR INFORMATION YOU DESIRE.

JOHN ELGAR HOOVER
DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
MEMORANDUM FOR THE DIRECTOR

In connection with your call to Inspector Foxworth last night regarding Jack Benny's case with respect to the allegation that Cahill is going to prosecute the man rather than prosecute him, Mr. Foxworth telephoned me this morning after talking to Mr. Cahill.

Mr. Cahill said to tell you that the attorney had been in to see him and wanted him to dismiss the indictment; that when he refused to do this, the attorney wanted to enter a plea of nolle prosequi. Mr. Cahill is not familiar with this plea and informed the attorney that such pleas are not acceptable in that district. Cahill also told the attorney that he would not take a plea of nolo contendere.

Mr. Cahill wanted you informed of his appreciation for giving him the information and that he would like to discuss this with you some time and assure you that no personalities are coming into the case. Mr. Foxworth advised Mr. Cahill that you had no interest in the matter other than to furnish him the information and that you knew nothing about the merits of the case.

Respectfully,

E. A. Tamm

[Stamp: 54-717-3]

[Stamp: FEDERAL BUREAU OF INVESTIGATION]

[Stamp: MAR 22 1939]

[Stamp: U. S. DEPARTMENT OF JUSTICE]
Federal Bureau of Investigation  
United States Department of Justice  
LOS ANGELES, CALIFORNIA  
April 4, 1939

Director  
Federal Bureau of Investigation  
Washington, D.C.  

PERSONAL AND CONFIDENTIAL

Dear Sir:

In a recent conversation with the National Broadcasting Company of Hollywood, California, he being a director and producer of shows, he advised me that JACK BENNY, radio comedian, who, according to today's press, pled guilty to smuggling charges in New York City, has been very worried as to the outcome of the trial. He arranges the program for BENNY and is intimately acquainted with him. BENNY and his sponsors were very much afraid that he would receive a penitentiary sentence in connection with this case.

He advised me confidentially that EDDIE CANTOR, who has recently made a number of public remarks relative to his dislike for HITLER and things German in general, has had difficulty with his sponsors, the American Tobacco Company, and the sponsor actually endeavored to cancel his contract after a recent episode in Hollywood. They were not legally able to break this contract and the comedian has eight or nine weeks before it expires.

After the conclusion of a recent broadcast in Hollywood, CANTOR made some remarks about HITLER and an individual in the rear of the studio arose and left and was followed by two persons, who are reported to have attacked him after engaging in a verbal dispute outside the studio. There was some talk of filing charges against the attackers, one of whom was said to have been an individual on the program with CANTOR. Apparently the incident, as well as CANTOR'S remarks, were very disgusting to the broadcasting company officials and he is becoming increasingly unpopular in radio circles.

Very truly yours,

R. B. HOOD,  
Special Agent in Charge.

54-717-5

Very truly yours,

R. B. HOOD,  
Special Agent in Charge.

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D. C.

EAT:CGH

Time: 2:05 P.M. - April 1, 1939.

MEMORANDUM FOR THE DIRECTOR

Inspector Foxworth called and furnished the following developments in connection with [Redacted] in the Jack Benny case:

[Redacted] has told Mr. Foxworth that he has been shaken down for ten or twelve thousand dollars by Morris Rosen, Oscar Moore, [Redacted] these individuals having knowledge of [Redacted] past criminal record. [Redacted] went to [Redacted] who runs a night club in New York City, and told [Redacted] he was not going to stand any more shake-downs and was going to report to the authorities. [Redacted] told [Redacted] that he, [Redacted], and "John Edgar Hoover were just like that"; that you had sat at his table and exhibited to [Redacted] a photograph from you signed "To my friend". [Redacted] states he did nothing further and that he is afraid of every one.

[Redacted] says that Gracie Allen was just as guilty in the smuggling case as George Burns; that in fact Gracie Allen jointly signed the checks with Burns; and that Mary Livingston is the real one involved in the Jack Benny case and that she had personally given him the jewelry he was to bring over. George Burns, according to [Redacted] deducted from his income tax the amount he paid for the jewelry. Also that when the Customs officials raided Burns and Allen's apartment, certain narcotics were found. [Redacted] has been informed by an individual, presently in the Federal House of Detention from Alcatraz, that both Burns and Allen use narcotics and that this is the reason Gracie wears long sleeves all the time. The individual claims he has sold narcotics to George and Gracie.

[Redacted] also mentioned [Redacted], a well-known bondsman in the Southern District, and stated [Redacted] is supposed to be a contact man of Assistant U. S. Attorney Delaney. He also stated he had been told that if he made certain payments to [Redacted] (mentioned in the Manton case) that [Redacted] would take care of his case for him. The payments were not made as he had a falling-out with [Redacted]

[Redacted] also furnished Mr. Foxworth information concerning three other pay-off matters that [Redacted] is supposed to have originated but which did not go through. Mr. Foxworth is to send the details of these to the Bureau.

The records in the Director's Office show that a photograph was furnished [Redacted] on 4/1/37 autographed, "With most cordial regards from your friend."
4/9/39

Dear Sir:

There ought be a law compelling the publication in daily press of the right name of criminals. Jack Benny's name is not Jack Benny (which is English American) also Burn's is the same. Benny's name is Kubelsky. Burn's is Birnbaum. It's outrageous to give to Foreign criminals Eng. American names and disgrace us, looks like an Irishman. With all the Irish Judges cops etc. I don't doubt but many Irish crooks are recorded & published under American names.
MEMORANDUM FOR THE DIRECTOR

Inspector Foxworth called and furnished the following developments in connection with the Jack Benny case:

Mr. Foxworth has told Mr. Foxworth that he has been shaken down for ten or twelve thousand dollars by Morris Rosen, Oscar Moore, and certain other individuals having a knowledge of past criminal records. He went to the place where he runs a night club in New York City and told Mr. Foxworth that he was not going to stand any more blackmail and was going to report to the authorities. He told Mr. Foxworth that he, Mr. Foxworth, and "John Edgar Hoover were just like that," and that you had sat at his table and exhibited to him a photograph from you signed "To my friend." He states he did nothing further and that he is afraid of everyone.

He also says that Gracie Allen was just as guilty in the smuggling case as George Burns; that in fact Gracie Allen jointly signed the checks with Burns, and that Mary Livingston is the real one involved in the Jack Benny case and that she had personally given him the jewelry he was to bring over. George Burns, according to Mr. Foxworth, deducted from his income tax the amount he paid for the jewelry. Also, that when the Customs officials raided Burns and Allen's apartment, certain narcotics were found. He has been informed by an individual, presently in the Federal House of Detention from Alcatraz, that both Burns and Allen use narcotics and that this is the reason Gracie wears long sleeves all the time. The individual claims he has sold narcotics to George and Gracie.

Also mentioned is a well-known bondsman in the Southern District, and stated that he is supposed to be a contact man of Assistant U.S. Attorney Delaney. He also stated he had been told that if he made certain payments to Mr. Foxworth (mentioned in the Kansas case) that he would take care of the case for him. The payments were made, as he had a falling-out with Mr. Foxworth. Information concerning three other pay-off matters that is supposed to have originated, but which did not go through. Mr. Foxworth is to send the details of these to the Bureau.

The records in the Director's office show that a photograph was furnished on 4/1/37 autographed, "With most cordial regards from your friend."

E. A. TAMM

FEDERAL BUREAU OF INVESTIGATION

APR 7, 1939.
April 5, 1939

Mr. E. A. Tamm of the Bureau on April 1, 1939, pertaining to the desire that you bring all of the information furnished by him to the personal attention of United States Attorney Cahill in order that appropriate prosecutive action may be undertaken against any and all individuals who have violated any Federal statute. It is noted that states that he was "shaken down" by several individuals, including who is probably identical with while it is true that I did several years ago furnish to an autographed photograph, I have of course furnished a comparatively large number of people with such photographs upon their request and I do not desire that this fact be considered in connection with any decision made as to the prosecution of this or any other individual. I desire that you take particular care to impress upon Mr. Cahill the fact that I have no more interest in than I have in any other subject of a Bureau investigation.

Very truly yours,

John Edgar Hoover
Director
April 5, 1939

Mr. F. D. Foxworth
Federal Bureau of Investigation
U. S. Department of Justice
607 U. S. Court House, Foley Square
New York, New York

Dear Sir:

With reference to your telephonic conversation with Mr. E. A. Tamp of the Bureau on April 1, 1939, pertaining to information received from _______ I desire that you bring all of the information furnished by him to the personal attention of United States Attorney Cahill in order that appropriate prosecutive action may be undertaken against any and all individuals who have violated any Federal statute. It is noted that _______ states that he was "shaken down" by several individuals, including _______ who is probably identical with _______. While it is true that I did several years ago furnish to _______ an autorated photograph I have of course furnished a comparatively large number of people with such photographs upon their request and I do not desire that this fact be considered in connection with any decision made as to the prosecution of this or any other individual. I desire that you take particular care to impress upon Mr. Cahill the fact that I have no more interest in _______ than I have in any other subject of a Bureau investigation.

Very truly yours,

John Edgar Hoover
Director
MEMORANDUM FOR THE FILE

While in telephonic communication with Inspector Foxworth at New York, I was advised that [redacted] had informed Mr. Foxworth that a disbarred attorney in New York named [redacted] had a lot of $10,000.00 Gold Notes; that he had turned one of them in to the Federal Reserve Bank and upon finding out that the same was hot, it was dropped.

Mr. Foxworth stated he is going to turn this information over to Agents [redacted] in connection with the hot bond case.

E. A. W.

RECORDED & INDEXED

54-7/7-8
FEDERAL BUREAU OF INVESTIGATION
APR 7 1939
U.S. DEPARTMENT OF JUSTICE
NEW YORK, N.Y.
April 6, 1939.

PEP: SKL

PERSONAL AND CONFIDENTIAL.

Director,
Federal Bureau of Investigation,
Washington, D.C.

Dear Sir:

During an interview which I had with [redacted], he informed me that on one of his trips to America a year or more ago, an effort which was successful, had been made by [redacted], [redacted], [redacted] to shake him down for a certain sum of money. [redacted] claims that these individuals approached him and told him that they knew of his past criminal record and further that it was their intention to kidnap him and throw him in the river unless he paid them the sum of $50,000. They stated they needed this money for [redacted].

[redacted] claims that he did pay them approximately $12,000 and thereafter he contacted one [redacted], Detective of the New York City Police Department, who made an investigation. According to [redacted], he thereafter wanted to know if he desired prosecution and he informed him that he did not as the resulting publicity would undoubtedly ruin him. [redacted] then claims to have prepared a statement in which he outlined exactly what had happened so far as the individuals named above were concerned. After this had been done he approached [redacted] and told him that he had prepared such a statement and copies of it were in his safety boxes both in America and Europe and that if anything happened to him the matter would immediately be known to the public.

At that time [redacted] told [redacted] that no one would believe any statements that he might leave and that he was friendly with many people prominent in public life. He stated that he was friendly with JOHN EDGAR HOUVER, the Director of the federal Bureau of Investigation and that you ate at his table and further told [redacted] he had a photograph of you which was autographed "To My Friend," and frequently entertained you at his club which is [redacted].

[Redacted]
Letter to Director
4/6/39

attention at the time to remarks and that he personally felt that was all right and was successful. He claims to have approached on a number of occasions asking him why he did not sever his relations with the racketeers and at that time told him about being born on the lower East Side of New York and having known the racketeers all of his life for which reason he could not "shake them".

The information furnished by does not in any way indicate a violation of any Federal Statute. The violation, if any, would be of the State laws. It is noted that says that a Detective of the New York City Police Department has investigated the matter and that he requested that there be no prosecution.

In accordance with the Bureau's instructions, I have called the facts in this matter to the attention of Mr. John T. Cahill, U. S. Attorney, Southern District of New York, telling him that I was doing so at your request.

As the State authorities are already aware of this information and as there is no indication of any federal violation, no further action whatever is being taken by the New York Office.

very truly yours,

/s/ F. L. Foxworth

F. L. FOXWORTH
Inspector.
PFF:SKL

New York, N. Y.
April 8, 1939.

PERSONAL AND CONFIDENTIAL.

Director,
Federal Bureau of Investigation,
Washington, D. C.

Dear Sir:

Reference is made to your letter of April 5, 1939, instructing that I personally furnished to United States Attorney John T. Cahill [redacted] concerning a "shakedown" by several individuals including [redacted].

I have talked with Mr. Cahill concerning this matter and furnished him with the details supplied by [redacted] as outlined in my letter to you of April 6, 1939. I also informed Mr. Cahill that [redacted] had in fact been furnished with an autographed photograph from you several years ago and that, of course, a large number of persons had received such photographs at their request. Mr. Cahill stated that from the facts which I had furnished there was no indication whatever of a violation of any Federal Statute and I particularly pointed out to him that you wanted to be sure that he thoroughly understood that you had no interest whatever in [redacted] other than you would have in the subject of any other Bureau investigation. Mr. Cahill stated, to use his exact words, "I wouldn't pay any attention to that at all. It amounts to absolutely nothing."

Very truly yours,

RECORDED & INDEXED

P. E. FOXWORTH, Inspector.
To J. Edgar Hoover

May 21, 1939

Dear Sir,

I expect that in a few moments this will
be delivered to the waste basket.

We (I speak for the majority of my
friends) feel that justice is not done, with
reference to the case of Jack Benny & Son.

BURNS

The judge & governor of their parole
must think we are gullible, as they understand
for anything. To be sure we have had a great
many similar cases go by in the past.

I suppose primarily, because we thought we
could do something about it. Even now we
do not know just how to proceed. But
instead of

They are Calypso would no doubt like
me to forget it. But myself & friends, think it
is about time the General Public begin to
take things into their own hands.

The have a general mance in the
P.S. we got and forward them as good example for our children.
April 11, 1939

Mr. J. Edgar Hoover
Washington, D. C.

Dear Sir:

Enclosed find copy of letter sent to Liberty Magazine, N.Y.

Dear Sirs:

I expect that in a few moments this scroll will be relegated to the waste basket. We (I speak for the majority of my friends) feel that Justice is not done with reference to the cases of Jack Benny & Geo. Burns.

The Judges and Sponsors of these people must think, we gullible public will stand for anything. To be sure we have let a great many similar cases go by in the past. I suppose primarily because we thought we could do nothing about it, even now we do not know just how to proceed, but we intend to try.

They the culprits would no doubt like us to forget it but myself and friends think it is about time the general public began to take things into their own hands.

We have a general manager in the person of J. Edgar Hoover who is trying diligently to cut crime in this country, but whose hands and efforts are tied, unless the people do their part. I and about 25 or 30 of my friends can see very little difference between the acts of Benny and Burns and those of Fatty Arbuckle except in the latter case his act reacted against himself and the motion picture interests for which he paid the penalty, while Burns and Benny committed a crime against the Government and as we the people are the government, we are going to do something about it.

We thought about chain letters throughout the country, kindly advise. In the meantime our radios are turned against any program upon which they appear. You are at Liberty to publish this letter, but I have very little hopes of it.

Very truly yours,

P.S. We do not consider them a good example for our children.
Detroit Times

Thursday, April 6, 1939

Maid Informer to Get Slice of Benny's Fine

Harry N. Chapa

NEW YORK, April 6.—Rosa Weber, a German housemaid with a degree of fondness for Adolf Hitler, emerged today as the only individual winner in division of the smuggling jackpot into which George Burns and Jack Benny, screen and radio stars, have tumbled almost $15,000 in duties and penalties.

It was Rosa who upset the ante and brought the federal men on the run to open the smuggling probe which involved Burns, Benny and others and today she stood to collect as much as $5,000 for her role as government informer.

The government pays tipsters who pass along information on smugglers, 25 per cent of the duties and penalties collected as a result of the tip and while Rosa hadn't received hers yet and nobody wants to talk about it officially, she is an off-the-record entry for a quarter of the cash handed over by the screen stars and by Mrs. Elma Lauer.

TALK OF HITLER

Rosa never suspected when she joined in the conversation at the home of Mrs. Lauer, wife of a Supreme Court justice, that she was laying the groundwork for a small personal fortune.

The conversation on that eventful evening centered about Adolf Hitler and the conversers were Mrs. Lauer, her husband, and Albert N. Chapa.

Rosa was serving the soup and she got so angry at what the diners were saying about the German leader that she put down her tray and waded right into the conversation. That was the end of Rosa's soup-serving career at the Lauers and the beginning of a large headache for most of the film colony and the Broadway crowd—people, who never had heard of Rosa.

CONVICTED SMUGGLER

Without a thought of informer's fees but only burned to a crisp because of the incident at her employer's home, Rosa dashed down to the customs office and identified Mrs. Lauer as a smuggler. Unfortunately for Mrs. Lauer, she had been caught smuggling previously and had paid a substantial fine so the customs officers, after taking an affidavit from Rosa, went up to the justice's house to have a look-see.

From Rosa's complaint and that preliminary investigation stemmed the major smuggling probe which, before it ended with the sentencing of Burns and Benny on guilty pleas and the anti-climax sentencing of Mrs. Lauer and Chapa—identified as Shapiro—involved a considerable number of names found more often in lights than on grand jury records.
Pro-Nazi Maid Gets $6,714 for Exposing Burns, Benny

NEW YORK, April 6.—(P)—The pro-Hitler hurf that led Rose Weber, a German maid, to turn in a former against a smuggling conspiracy which involved Jack Benny and George Burns will net her at least $6,714 in United States Government reward, it was disclosed today.

The maid, employed in the household of State Supreme Court Justice Edgar J. Lauer, quit her job, vowing "revenge," at the height of a dinner party at which the Lauers' guests voiced anti-Nazi remarks.

"Ladies and gentlemen," the maid was quoted as telling the startled dinner guests, "I am a true German. I love Adolf Hitler. If you don't stop speaking against him, I will stop serving the dinner right now."

She went to Government authorities, with the result that customs agents later raided the Lauer apartment and afterwards arrested Albert N. Chaperau, confessed smuggler, who had been one of the dinner guests, thereby opening the trail that led to Benny and Burns.

"Mrs. Lauer, Chaperau, and the two radio and screen comedians all pleaded guilty. Benny paid a $10,000 fine and Burns $8,000. In addition, $4,816 worth of smuggled jewels and clothing were confiscated.

Under Treasury Department regulations, the maid will be rewarded for her role of informer by 25 per cent of the total fines and 25 per cent of the 100 per cent penalty imposed on the smuggled articles—of 25 per cent of the grand total of $20,816.

Additional sums may be forthcoming next Tuesday when Chaperau and Mrs. Lauer are scheduled to be sentenced.
INVESTIGATIVE DIVISION - FBI

Mr. E. A. Tamm
Mr. Foxworth
Mr. Glavin
Files Section
Mechanical Division

Identification Div.
Technical Laboratory
Crime Records Section
Crime Statistics

SUPERVISORS

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SUPERVISOR
Mr. J. Edgar Hoover
Department of Justice
Washington, D.C.
April 26, 1939

Lakewood, Ohio

Dear [Name]

In Mr. Hoover's absence from Washington, I wish to acknowledge receipt of your letter dated April 11, 1939, and I know that the Director will appreciate your kind references to his efforts in combating crime. I shall of course call your letter to his attention upon his return.

Sincerely yours,
New York, N. Y.

May 4, 1939

PERSONAL AND CONFIDENTIAL

REF: EL

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

Informed me yesterday that at the time he was in difficulty with the New York County authorities, he was associating with one [redacted] and was [redacted] at [redacted].

At that time, he was informed by [redacted] that he would be able to "fix" his case with the New York County authorities through an Assistant District Attorney by the name of [redacted] for the sum of $15,000. [redacted] told [redacted] that was the contact to be used in "fixing" any matters in the office of the District Attorney of New York County. While [redacted] didn't recall the exact date of this occurrence, he did remember that it was prior to the time that THOMAS I. DEWEY took office as District Attorney. [redacted] was charged with grand larceny.

He states that his case was investigated by a police officer by the name of [redacted]. When he was arrested, [redacted] claims that he felt great concern over the fact that he might possibly be beaten up, and at that time talked to [redacted] in an endeavor to dissuade him from taking any such action, and as a result of his talk with [redacted] he claims that he paid to him, the sum of $1,000 in cash in order to ensure that he would receive proper treatment from the police. [redacted] claims that after he was arrested and released on bond, [redacted] came to him and asked for $7,500 to get the case off the record, claiming that he controlled the prosecution. [redacted] further stated that at the time of his arrest, he had $62,000 on deposit in one of the New York banks, and that that bank immediately notified the New York City Police of the money which he had on deposit there, and it was for this reason that he had been approached with suggestions that he fix his case. [redacted] said that he was innocent of the charges preferred against him.
Director
May 4, 1939

him, and for this reason refused to make any payments to anyone, and the charges were subsequently dismissed.

He further related that as far as the request of for $7,500 was concerned, there were two persons, whose names he presently could not remember, operating a restaurant at 41st Street and Broadway, New York City, who could substantiate his story.

The above information was secured from during an interview on another matter, and is being submitted to you for your information, and no action is being taken thereon.

Very truly yours,

F. E. FOXWORTH,
Inspector.
WASHINGTON CITY NEWS SERVICE

[Handwritten signatures]

[Handwritten text]

JY-7/7A

BEST COPY AVAILABLE
New York, New York.

May 24, 1939

PERSONAL AND CONFIDENTIAL

Mr. Director,
Federal Bureau of Investigation,
Washington, D. C.

Dear Sir:

There has appeared in LEONARD LYONS' column upon several occasions reference to

LYONS has mentioned in his column that paid for his passport, that he actually smuggled in property for GRACIE ALLEN and HARRY DIANNES rather than GROUNDBURG and JACOBENY. Recently he mentioned that they were involved in connection with the passing of a $10,000.00 U. S. note by an attorney in town.

United States Attorney John T. Cahill spoke to me about this and said he was very much concerned regarding the information appearing in LYONS' column and wondered where the leak might be. I told Mr. Cahill that only one or two Agents of the Federal Bureau of Investigation know of other than myself and I was certain there had been no leak in the F.B.I.; that we furnished reports to him under Personal and Confidential cover and I did not know who in his office had access to those reports. I did tell Mr. Cahill that I thought that if he wanted to ascertain the source of LYONS' information he should call him down and ask him or else have him appear before the Grand Jury.

RECORDED & INDEXED

At that time Mr. Cahill stated that he did not think that any purpose would be served by interviewing LYONS because he did not believe that he would disclose his source of information; further that he felt that if LYONS were called before the Grand Jury he would still refuse to disclose the source of his information. Mr. Cahill also pointed out that to follow such a procedure might interfere with the pleasant relations now existing between his office and the press.
I informed Assistant Director E. A. Tarr of Mr. Cahill's remarks in connection with this matter and Mr. Tarr later instructed that I tell Mr. Cahill that the matter had been discussed with you and you were of the opinion that it would be a very good idea to have LYNNS before the Grand Jury in order to question him concerning his sources of information and further that you were also greatly concerned about the source of information of [redacted] who has been found from time to time to be in possession of a good bit of confidential information and that it was your suggestion that at the same time [redacted] be questioned as to his sources of information.

I informed Mr. Cahill of the above, telling him that it was your suggestion. At that time Mr. Cahill again stated that he did not feel that any purpose would be served by calling either of the individuals before the Grand Jury for the reason that they would undoubtedly refuse to disclose their sources of information and for the further reason that he felt that it would interfere with the present relationship existing with the representatives of the press.

Very truly yours,

F. E. FOXWORTH,
Inspector.
607 U. S. Court House
Foley Square
New York, N. Y.

SJD: J.D.
62-6419

PERSONAL AND CONFIDENTIAL

August 11, 1939

Hon. John T. Cahill
United States Attorney
U. S. Court House
Foley Square
New York, N. Y.

Dear Sir:

For your information, during a recent interview with a prisoner in the Federal House of Detention, New York City, Special Agent [redacted] was informed that [redacted], a bondsman, was interested in a prisoner by the name of [redacted], who was convicted early this year on a charge of counterfeiting and was sentenced to five years in the penitentiary. [redacted] advised that [redacted] was also being held at the House of Detention, New York City. However, it was subsequently ascertained that [redacted] was transferred to the Atlanta penitentiary on July 14, 1939.

Further, [redacted] informed that [redacted] case was handled by Assistant U. S. Attorney JOSEPH L. DELANEY, and that [redacted] and [redacted] are very close to MR. DELANEY and were working for a reduction in sentence.

Very truly yours,

P. E. FOXWORTH,
Special Agent in Charge

cc: Bureau
Federal Bureau of Investigation
United States Department of Justice
New York, N. Y.

SJD:EL
52-6419

July 25, 1939

PERSONAL AND CONFIDENTIAL

Director
Federal Bureau of Investigation
Washington, D. C.

Dear Sir:

For the Bureau's information, during a conference on July 6, 1939, a prisoner in the Federal House of Detention, New York City, advised Special Agent (A) that a bondsman, was interested in a prisoner by the name of who was convicted early this year on a charge of counterfeiting and was sentenced to five years in the penitentiary. Advised that was being held at the House of Detention, New York City. It has been subsequently determined that was transferred to the Atlanta Penitentiary on July 14, 1939.

Further informed that case was handled by Assistant U. S. Attorney JOSEPH L. DELANEY, and that and are very close to DELANEY and were working for a reduction in sentence.

Very truly yours,

P. E. Foxworth
Special Agent in Charge.
Dear Sir:

Reference is made to your letter of July 23, 1939, concerning [redacted] to the effect that [redacted], a bondman, was interested in a prisoner by the name of [redacted], whose case was handled by Assistant United States Attorney Joseph L. Delaney, and that [redacted] and [redacted] are very close to Delaney and were working for a reduction in sentence.

It is desired that the information related in your above-mentioned letter be brought to the attention of United States Attorney Cahill.

Very truly yours,

John Edgar Hoover
Director

[Redacted]
Gem Smuggler Suing Benny

Albert N. Chapereau, who did a bit of smuggling for Jack Benny, Mary Livingston, George Burns and Gracie Allen back in 1936, now wants the quartet to cough up with the $7,682 he paid in fines, it became known yesterday.

Attorneys for the radio stars announced they'd move for dismissal of suits in Supreme Court at 10 A.M. today. Benny and Burns paid fines of $10,000 and $5,000, respectively, in connection with the smuggling.

In his suit against the Bennys—Jack and Mary—Chapereau seeks $2,131 and interest, charging they asked him to carry diamond and gold clips and a bracelet from France.

Clipping from the N.Y. Daily News

Date: 2-28-45

Forwarded by N.Y. Division

Date: Mar 21 1945
Prison Opens for Smuggler

Chaperau Sentence Is Commuted

NEW YORK, April 12.—(AP) The United States Attorney's Office here was advised today that President Roosevelt had commuted the time already served the five-year sentence imposed last April on Albert N. Chaperau, central figure in a widespread smuggling plot.

Chaperau, a pseudo diplomat, was convicted as the carrier of smuggled goods, which wound up in the hands of such notables as Jack Benny and George Burns, the radio comedians, and Mrs. Edgar Lauer, wife of a former New York State Supreme Court justice.

Chaperau's sentence, while originally put at five years, already had been cut by Federal Judge Hubert, on motion of the prosecution, to two years minus the time served while awaiting trial—which made the actual sentence about 18 months. His unpaid $5,000 fine will remain in judgment against him. Benny paid a $10,000 fine; Burns $8,000; Mrs. Lauer served a 3-month jail term.

THE DETROIT NEWS
APRIL 2, 1940
U. S. Rewards Chaperau

Albert N. Chaperau, serving two years in Federal prison for jewel smuggling, today earned his reward for co-operating with the Government in the case involving Jack Benny and George Burns, radio comedians, and Mrs. Elma N. Lauer, wife of former Supreme Court Justice Edgar A. Lauer.

An indictment against his wife, Paula Chaperau, was nolle prossed under authorization of U. S. Attorney John T. Cahill on the plea of Chaperau that Mrs. Chaperau and their 16-year-old daughter were poverty stricken in France and would like to return here. Burns and Benny were given a suspended sentence and Mrs. Lauer was sentenced to three months in jail.

54-717-A

CLIPPING FROM THE N. Y. EVENING JOURNAL AMERICAN

DATE (1957, 11/27)
FORWARDED BY NEW YORK DIVISION.
Smuggler Case

Ended Against

Mrs. Chaperau

Cahill Drops Indictment as Reward to Husband for Manteno Trial Testimony

The prosecution of Mrs. Paula Chaperau as a member of the smuggling syndicate, headed by her husband, was ended yesterday when a three-count indictment drawn up against her on Dec. 11 was dismissed in the United States District Court. Joseph J. Deters, assistant United States attorney, said the government's intention to drop prosecution of Mrs. Chaperau, which was said, in a part of the action, taken in the latter's behalf, was filed in guilty pleas of Jack Benny and George Burns, and radio executives, as recipients of smuggled goods. Chaperau was sentenced a two-year term, and Mrs. Laier has completed a three-month sentence. Benny and Burns each received a suspended sentence of three years and a day. In addition, Benny paid a fine of $10,000, Burns $5,000. The dropping of the indictment in which Mrs. Chaperau was named as "Paula Chaynka" was authorized by John T. Cahill, United States attorney, in consideration of the testimony offered by Chaperau as a government witness in the trial of Martin T. Manteno, former senior judge of the United States Circuit Court of Appeals. The act followed the recent policy which Mr. Cahill has adopted on numerous occasions in returning "confessions" of persons who have served as witnesses, so that the government in its various prosecutions.

Chaperau had made many attempts since he was sentenced on Jan. 10, 1939, for his part in the smuggling conspiracy, either to gain release by quash the indictment against his wife, so that she and their sixteen-year-old daughter, who are now present in Paris, could come to the United States. Chaperau told authorities that his family was poverty-stricken. A number of letters written to his wife and daughter were found in his possession.

Mrs. Chaperau's part in the operations of the jewelry smugglers, according to the indictment, revolved around the smuggling into this country of a gold ring studded with diamonds, valued at $300. The document charged that Mrs. Chaperau, sought in the ring at the suggestion of her husband, who posed as a "commercial attaché" of the Nicaraguan government, to escape payment of import duties. Besides smuggling the jewelry, Mrs. Chaperau was accused of making false declarations to the customs by stating that the ring was her personal property. It is really, it was her husband who was to be sold to Burns, which was eventually done.
Federal Bureau of Investigation  
Washington, D.C.

Re: __________________________

Gentlemen:

_____________ has brought suit against our client alleging that on or about November 9, 1940, it negligently destroyed some of his personal property, contrary to his instructions.

We have some recollection of a man of a similar name being involved with the Department of Justice, due to violations of the Customs Laws. Our basis for believing that this is the same man is the fact that among the alleged property destroyed there is claimed to have been some correspondence from people of prominence in the theatrical and radio business.

We are interested in obtaining any useful information you may have in your files which will assist us in the defense of our case.

If convenient and agreeable to you, we shall be glad to have our representative confer with your representative in New York City to go over the matter in more detail.

Yours very truly,

By: ________________________
Managing Attorney

54-717-15
February 2, 1943

27 Cedar Street
New York, New York:

Dear

I have for acknowledgment your letter dated January 16, 1943.

Please be advised that the matter referred to therein was handled by the Customs Service in New York City, and it is, therefore, suggested you may desire to communicate with the Customs Service or with the United States Attorney's Office in New York City, which prosecuted this case, for further details in this regard.

I regret advising that I am unable to render you any assistance in this regard.

Sincerely yours,

John Edgar Hoover
Director
June 25, 1964

JACK BENNY
Born: February 14, 1894
Waukegan, Illinois

In response to your request for a check of the files of this Bureau concerning the captioned individual, you are advised that no investigation of him has been conducted by the FBI.

The files of this Bureau do reveal, however, that according to newspaper publicity appearing in late 1939 and early 1940 Benny was the subject of a smuggling investigation as a result of which he was convicted and paid a fine of $10,000.

You may desire to check with the Customs Bureau, U. S. Treasury Department, for information concerning this matter. (54-717)

Original & 1 - CSC
Request Received 6/23/64
Radio entertainer; b. Waukegan, Ill., Feb. 11, 1894; s. Meyer and Emma (Sachs) Kulecky; ed. Waukegan (Ill.) High Sch.; m. Mary Livingstone (actress) Jan. 25, 1927; 1 dau., Joan Naomi (adopted). Began as violinist, 1912; featured player on vaudeville stage; star in motion pictures since 1929; radio entertainer since 1932 also on TV as guest artist and in own programs; recent pictures: To Be or Not to Be, George Washington Slept Here, The Horn Blows at Midnight. Served in U. S. Navy, World War I; spent summers 1943, 44, 45, entertaining armed forces overseas during World War II. Recipient award for best continuing performance by a male entertainer Nat. Acad. Television Arts and Sci., 1957, Spl. award. Home: 1002 North Roxbury Dr., Beverly Hills, Cal.

SII Check - No Record

In response to your request there are attached / memo / to your inquiry.

ENCLOSURE

5-17-16
Name Searching Unit - Room 6527
Service Unit - Room 6524
Forward to File Review
Attention
Return to Supervisor Room Ext.

Type of References Requested:
- Regular Request (Analytical Search)
- All References (Subversive & Nonsubversive)
- Subversive References Only
- Nonsubversive References Only
- Main References Only

Type of Search Requested:
- Restricted to Locality of
- Exact Name Only (On the Nose)
- Buildup
- Variations

Subject
Birthdate & Place
Address
JUN 24 1964

Localities

Re
Prod.
FILE NUMBER SERIAL
54 717

JUN 24 1964
67C
August 12, 1964

BENJAMIN KUBELSKY, ALSO KNOWN
AS JACk/BENNY
BORN: FEBRUARY 14, 1894
WAUKEGAN, ILLINOIS

Captioned individual has never been the subject of an investigation conducted by the FBI.

The files of this Bureau do reveal, however, that according to newspaper publicity appearing in late 1939 and early 1940, Benny was the subject of a smuggling investigation as a result of which he was convicted and paid a fine of $10,000.

As the files of the FBI contain no additional pertinent information concerning this matter, you may desire to check with the Customs Bureau, U.S. Treasury Department, for further information. (54-717)

(Request per [redacted] Social Secretary, White House.)
Memorandum

TO: Mr. DeLoach

FROM: M. A. Jones

DATE: 8-13-64

SUBJECT: NAME CHECK REQUESTS FOR WHITE HOUSE

Social Secretary at the White House, requested a check of Bureau files concerning the following individuals:
Dan Blocker, Nathan Birnbaum (George Burns), Alfred Gerald Caplin (Al Capp), Michael Landon, Raymond Massey, Richard Bernard Skelton (Red Skelton), Sam Jaffe.

There are attached 14 memoranda reflecting the results of these checks.

RECOMMENDATION:

That you, Mr. DeLoach, furnish the attached letterhead memoranda to

Enclosures (14)

1 - Mr. Belmont - Enclosures
1 - Mr. Mohr - Enclosures
1 - Mr. DeLoach - Enclosures
1 - Mr. Evans - Enclosures
1 - Mr. Rosen - Enclosures

JMM:cmk
(9)
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**Type ofReferences Requested:**
- [ ] Regular Request (Analytical Search)
- [ ] All References (Subversive & Nonsubversive)
- [ ] Subversive References Only
- [ ] Nonsubversive References Only
- [ ] Main References Only
- [ ] Added and/or New References from elsewhere

**Type of Search Requested:**
- [ ] Restricted to Locality of
- [ ] Exact Name Only (One Name)
- [ ] Buildup
- [ ] Variations

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**Subject:** Rubelisky, Benjamin  
**Date of Birth:** 3/13  
**Address:**

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**MAR 1-31-68**
August 13, 1964

NATHAN BIRNBAUM, ALSO KNOWN AS GEORGE BURNS
BORN: JANUARY 20, 1896
NEW YORK, NEW YORK

Captioned individual has never been the subject of an investigation conducted by the FBI.

The files of this Bureau do reveal, however, that according to newspaper publicity appearing in late 1939 and early 1940, Burns was the subject of a smuggling investigation as a result of which he was convicted and paid a fine of $6,000.

As the files of the FBI contain no further pertinent information concerning this matter, you may desire to check with the Customs Bureau, U. S. Treasury Department, for further information. (54-717)

In 1943, Burns was reported to be a sponsor of the Committee for the Care of Children in Wartime, which organization allegedly had Communist Party affiliations and connections. Burns, however, was believed to be unaware of the true nature of the organization. (100-92879-24)

In the early 1940's, Burns was reported to be a member of the Hollywood Democratic Committee, cited as a communist front by the California Senate Fact-Finding Committee on Un-American Activities in a 1948 report. In June, 1945, Burns was also listed as a member of the executive council of the Hollywood Independent Citizens Committee of the Arts, Sciences and Professions (HICCASP), successor to the Hollywood Democratic Committee. The HICCASP was also cited as a communist front by the California Senate Fact-Finding Committee on Un-American Activities in its 1948 report. (100-197270-7, 21;100-15232-39)
March 18, 1968

BY LIAISON

Mrs. Mildred Stegall
The White House
Washington, D. C.

Dear Mrs. Stegall:

Reference is made to your name check request for a review of FBI files concerning the following individuals subsequent to the date of the previous name check request as noted following each name.

Benjamin Kubelsky (also known as Jack Benny)  
September 12, 1963

John Ernst Steinbeck  
August 12, 1964

May 20, 1964

Our files contain no additional pertinent information concerning Mr. Kubelsky.

In 1937, information was received that was a reference for an individual who was a delegate from the New York Guild of the American Newspaper Guild to its National Convention in 1945. The New York Newspaper Guild had been described as communist infiltrated and communist dominated. This same individual reportedly sent a communication to Governor Thomas Dewey in 1934 appealing for executive clemency for a prisoner who was convicted on June 28, 1941, in General Sessions Court, New York, and sentenced to State Prison on four counts of giving false testimony before the Rapp-Cardert Joint Legislative Committee. During his testimony he had admitted membership in the Communist Party but had lied with respect to the number of individuals he knew to be members of the City College of New York Unit of the Communist Party.

ENCLOSURE

1 - Mr. DeLoach (sent direct)

1 - Mr. Galvin (sent direct)

See note next page...
Mrs. Mildred Stegall

Information was received in 1966 that a Czechoslovakian citizen, who had been a member of the Czechoslovakian Communist Party since 1945, was to visit the United States on the cultural exchange program in 1966. He indicated an intention to visit friends in the United States included among whom was John Steinbeck.

The files of the Identification Division were checked and found to contain no additional pertinent data concerning the above individuals.

A copy of this communication has not been sent to the Attorney General.

Sincerely yours,

NOTE: Our files reflect that the final results of our name check concerning [redacted] were sent by memorandum dated 9-12-63, rather than 9-4-63. The additional information was developed subsequent to the prior summary memorandum furnished in 1963.
June 6, 1972

MR. AND MRS. JACK BENNY

Jack Benny, who you advised resides at 1400 Tower Grove Drive, Beverly Hills, California, has not been the subject of an investigation conducted by the FBI. However, our files reveal that in late 1939 and early 1940, Benny was the subject of a smuggling investigation which was not investigated by this Bureau, and was subsequently convicted and paid a fine of $10,000. (54-7167)

Attached is a copy of an FBI Record, Number 3 367 854, which may relate to Jack Benny. The central files of the FBI contain no additional pertinent information concerning captioned individuals based upon background information submitted in connection with this name check request.

Enclosure

NOTE: Per request of Alexander P. Butterfield, Deputy Assistant to the President.

[Signature]

[Stamp: ENCLOSED]
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- Related to Location of
- Exact Name Only (On the Note)
- Building
- Variation

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11:02 AM June 8, 1971

The Tour Room advised that a special tour of the Bureau has been arranged for the daughter of Jack Benny, the famous comedian, Mr. Benny's grandson, and his guest, for 10:30 a.m., tomorrow, Wednesday, June 9th. They will be conducted on tour by a Special Agent of the Crime Records Division.

There was no request to meet the Director.

This tour was requested through the office of the Vice President.
June 6, 1972

BY LIAISON

Honorable Alexander P. Butterfield
Deputy Assistant to the President
The White House
Washington, D. C.

Dear Mr. Butterfield:

Reference is made to your name check request concerning Mr. and Mrs. Jack Benny, [redacted] and [redacted].

Attached are separate memoranda concerning these individuals.

Sincerely yours,

L. Patrick Gray, III
Acting Director

Enclosures (4)

1 - Mr. Cleveland - Enclosures (sent direct)
August 22, 1972

BY LIAISON

Honorable Alexander P. Butterfield
Deputy Assistant to the President
The White House
Washington, D. C.

Dear Mr. Butterfield:

Reference is made to your name check request concerning [redacted] Jim Backus and some other individuals.

Attached are separate memoranda concerning the following individuals:

Jim Backus
George Burns
Vince Edwards

Sincerely yours,

L. Patrick Gray, III
Acting Director

Enclosures (10)

NOT RECORDED
184 AUG 23 1972

1 - Mr. Cleveland - Enclosures (sent direct)
August 21, 1972

GEORGE BURNS

Captioned individual, who you advised resides at 720 North Maple Drive, Beverly Hills, California, has not been the subject of an investigation conducted by the FBI.

However, our files reveal that in late 1939 Burns, whose true name is Nathan Birnbaum, was the subject of a smuggling (jewels and clothing) investigation which was not conducted by this Bureau. He was subsequently convicted, given a suspended sentence of one year and one day, and paid an $8,000 fine. (54-717)

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning captioned individual based upon background information submitted in connection with this name check request.

NOTE: Per request of Alexander P. Butterfield, Deputy Assistant to the President.