

THE CASE OF MARTIN DURKIN

By Martin Grams, Jr.

On August 25, 1937, *Gang Busters* presented "The Case of Martin Durkin," which caused a storm of legal complications for Phillips H. Lord. Dramatized on *G-Men* two years earlier, this script involved F.B.I. agent Edwin C. Shanahan, who had been assigned by J. Edgar Hoover to break up a stolen auto racket run by Martin Durkin, well-known Midwestern operator. Durkin had a quick trigger finger, having wounded three policemen in Chicago and one in California. Without success, Shanahan had canvassed all agencies, garages and repair shops in Chicago where Durkin was believed to be centering his activities. Then he was notified that Durkin had been in a certain garage. Shanahan followed the tip and a group of Chicago policemen stationed themselves in the garage and waited. Hours passed. The police left and promised to send another shift to replace them. Shanahan was alone when Durkin pulled in. He leveled his gun and demanded that Durkin surrender. Pretending to open the door, Durkin reached instead for his gun and shot the G-Man point blank. Then he gunned the car and backed out of the garage, as the dying officer fired shots after him.

From that moment every resource of all the law enforcement agencies in the country was directed at Durkin. The G-Man knew that Durkin's two weaknesses were money and women. They questioned Durkin's attractive girlfriend Betty Werner, who lived with her uncle Lloyd Austin. She said she never heard from him, but later her uncle told the police secretly that Durkin was going to visit her that evening. The police and federal authorities planned a trap for him. Officers were stationed at various points in the house. Sergeant Gray, the ace marksman of the Chicago police was stationed at the back door with a sawed-off shot gun. The suspense was not prolonged. A car stopped at the back gate and Durkin climbed the steps. His girlfriend was about to shout out a warning when Grey stood and

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SA Edwin C. Shanahan

opened fire as Durkin reached the top step. The wily Durkin, however, had worn a bullet proof vest and the shot did no harm. He pulled his gun and shot Sergeant Gray. In the resulting confusion, the girl's uncle was caught in the police crossfire and killed. Durkin made good his escape with only a flesh wound.

After this incident, Hoover told his men that Durkin must be taken at all costs, dead or alive. His description and fingerprints were given the widest circulation possible. Hoover felt that his need for money would lead him back into the car racket and Durkin had a penchant for stealing expensive Cadillacs, Packards and Pierce Arrows. He would walk into a showroom and demand a certain car be delivered to him early the following morning, serviced with gas and oil, for which he would pay cash on delivery. That night he would steal the serviced car and depart. Then he would change the license plate and sell it in another state.

On January 10, 1926, the Los Angeles office of the F.B.I. was notified that a new phaeton, with brown top, green body and red wooden wheels had been stolen.

On Sunday, January 17, a sheriff in the little Texas town of Pecos saw a phaeton parked in front of a store. He looked inside and saw a new .44 Winchester rifle on the floor. When a breezy young man and girl came out of the store he inquired about the rifle. The man claimed to be Fred Conley, deputy sheriff of Los Angeles County, and introduced his "wife." He said they were going hunting and asked the sheriff for some help. When the Sheriff said he would like to see their identification papers, the couple returned to their hotel to get them and promised to come right back. Naturally, they did not. The rather naïve Sheriff reported the incident to the El Paso office of the F.B.I. The hunt was intensified in the rugged section known as the "Big Bend of the Rio Grande." Two days later they found the car, disabled in a clump of mesquite. They learned the couple had traveled to Alpine, 150 miles to the south, by train. In Alpine, they had taken the Texas Special of the Missouri, Kansas and Texas R.R. to St. Louis at 11 a.m. that day.

