CAPT. NORMAN D. COTA

FEBRUARY 25, 1927.—Ordered to be printed

Mr. MEANS, from the Committee on Claims, submitted the following

REPORT

[To accompany H. R. 724]

The Committee on Claims, to whom was referred the bill (H. R. 724) for the relief of Capt. Norman D. Cota, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The facts are fully set forth in House Report No. 1720, Sixty-ninth Congress, second session, which is appended hereto and made a part of this report.

STATEMENT OF FACTS

On January 30, 1923, about 10 a. m., Capt. Norman D. Cota, finance officer, Langley Field, Va., was held up and robbed in Hampton, Va., of $42,578.46, which, pursuant to orders duly received, he had just obtained from the First National Bank of Hampton, Va., to cover the monthly pay roll at Langley Field.

When robbed, neither Captain Cota nor his guards could have resorted to the use of arms or force without seriously endangering the lives of many innocent persons.

After the robbery Captain Cota could not have resorted to arms or force without the reasonable certainty that not only would his own men be killed, but that the ultimate escape of the men would be rendered less difficult, since they would no longer be encumbered with him or his guards. Moreover, Captain Cota soon discovered that the robbers were men from Langley Field and could not know to what extent his own guards were conspirators.

Captain Cota was without fault of neglect, since he pursued the course most likely to result in the capture of the men and recovery of the money, and it would be unjust to compel him to make good the losses complained of or to bear the expense of litigating the question in the Court of Claims.

The robbery was committed in the center of the business district, and near the busiest corner in Hampton, Va., where two streets
intersected at right angles. On each of three corners was a bank, and on the fourth corner was a store. Adjoining were stores and other business houses. Near by were the city and county courthouse and clerk's office. Within range of revolver shots were the front doors of the banks, the doors and windows of business houses, the point where the electric cars stopped en route from Hampton to Old Point and Phoebus, to Newport News, and to Langley Field, the place where passengers entered and departed from the cars, and vehicles of various kinds might be reasonably expected any moment.

Captain Cota was supplied with the usual number of guards, armed with loaded Colt automatics, caliber .45. The car was equipped as on former occasions and driven by a chauffeur who had performed similar service on former occasions.

The robbers, who were two soldiers from Langley Field, well dressed in civilian clothes, were armed with four Colt automatics, .45 caliber. They pushed themselves under the curtains of the car which had been put up because of the weather, and held the party up as Captain Cota and two of the guards were taking their seats in the rear. The guard and driver were seated in front. One of the robbers, with a gun in each hand, held them up, while the other robber held up Captain Cota and the two guards in the rear seat.

Captain Cota expected the robbery to be reported at once, as two civilians were in a few feet of the car, but they made no report for one of them thought "it was a case of taking away prisoners by Federal authorities," and the other thought some man from Langley Field had stolen a car and an officer had him under arrest.

One of the robbers drove the car away, while the other robber kneeling on the front seat kept the party covered. They disarmed the party outside of Hampton, and drove until about noon, when the car became stuck in the mud.

During the entire trip it was evident that the robbers had missed some confederate and that they did not know the roads. It was certain that escape could not be made in the direction of Richmond, for the only roads were dirt roads and well-nigh impassible in the winter. Moreover, they missed the Richmond road, and drove to Yorktown, where they took a road leading directly back toward Langley Field.

The car became stuck around noon about 4 miles from Langley Field, and the robbers then tied up the party, but so loosely that as soon as they got out of sight Captain Cota and his guards made their escape.

Thereupon, Captain Cota immediately notified Langley Field and the surrounding country, secured weapons from the neighborhood, put out his men as guards on the roads, and took steps to capture the men, with the result that they were captured about 8:30 p.m. only a few miles from Langley Field, but after Captain Cota and his guards had been relieved and returned to Langley Field under orders of his superior officer.

Immediately after capture a civilian, at the request of an officer, searched the robbers in the rear of an automobile, with the aid of a flashlight and with no other lights unless from a machine. There were many persons present during the search, consisting of soldiers and civilians, white and colored. The money, which was secreted in
rolls on the persons of the robbers, was placed on the ground. Later it was put in a bag procured for the purpose from a residence near by. Captain Cota had nothing to do with this search, as he was at Langley Field.

All of the money was recovered except the sum of $2,784.79, and it is not shown what became of that money.

Immediately after the robbery an investigation was conducted by a board of officers and their findings will appear in the letter from the Secretary of War, which is attached herewith and made a part of this report.

The committee is of the opinion that the money was lost through neither the fault nor neglect of Captain Cota.

MAY 20, 1924.
HOD. G. W. EDMONDS,
Chairman Committee on Claims,
House of Representatives.

MY DEAR MR. EDMONDS: This is to acknowledge receipt of your letter of April 11, 1924, with which you inclosed a copy of H. R. 8505, for the relief of Capt. Norman D. Cota, Finance Department, United States Army, and upon which you have asked that a report be rendered.

In reply thereto there is inclosed for the information of your committee a full copy of the proceedings of a board of officers that investigated the robbery upon Capt. Norman D. Cota, Finance Department, on January 30, 1923, by highwaymen of his own command.

The circumstances surrounding the case as developed by the board show that at the time of the robbery Capt. Norman D. Cota was stationed at Langley Field, Va., as finance officer; that on January 30 he, accompanied by two guards armed with automatic pistols, proceeded in Government automobile to the First National Bank of Hampton, Va., for the funds pertaining to the monthly payment of the command at Langley Field, amounting to $42,578.46; that upon emerging from the bank they entered the curtailed automobile, Private Goff entering first, followed by Captain Cota and Private Foster, the chauffeur and the remaining guard being on the front seat. As the three occupants of the rear seat were preparing to start on their trip to the post two well-dressed men appeared on the running board with drawn revolvers and immediately covered the entire party; forced the chauffeur from the front seat into the tonneau; one bandit took the wheel and the other covered the occupants of the rear seat; drove rapidly into the country; disarmed the guard and Captain Cota; got stuck in the mud; deserted the car; took the captives into the woods; tied them to trees and disappeared with the funds.

The board after considering the evidence came to a finding as follows:

"After careful investigation of all witnesses available, the board finds that Capt. Norman D. Cota, finance officer, Langley Field, Va., was held up and robbed of $42,578.46, the property of the United States, on the streets of Hampton, Va., at or about 10 o'clock a.m. on January 30, 1923, by two highwaymen, Corpl. James S. Harvey and Corpl. John S. Wood, armed with four pistols, through no fault or neglect on his part, he having requested and received two guards, as was the custom in bringing the pay roll from the bank to the field; that neither Captain Cota nor any of his guards had an opportunity at any time to overpower the highwaymen without risking the loss of their own lives.

"That the highwaymen were captured on or about 8:30 p.m. the same day and all the money recovered with the exception of $2,784.79.

"That the money was lost amid circumstances utterly free from suspicion on the part of Capt. Norman D. Cota, and that the most diligent efforts were made to recover it."

The finding of the board was approved by Captain Cota's commanding officer. Based upon this board's proceedings, Captain Cota requested the War Department to submit to Congress a request for relief legislation in his case, and this request on the part of Captain Cota was approved by the chief of finance in whose department Captain Cota was an officer. The Inspector General did not concur in the view of the chief of finance, but, on the contrary, recommended...
that Captain Cota be held pecuniarily responsible for the loss that occurred in this case. In passing upon Captain Cota’s request for legislation he was informed as follows:

“The Secretary of War has given very careful consideration to the attached communication and the proceedings of the board of officers who investigated the robbery committed upon you at Langley Field, Va., and has decided that the War Department can not place its stamp of approval upon the situation in which you found yourself that resulted in a robbery being committed upon you, resulting in $42,578.46 of Government funds which had been intrusted to you passing, temporarily at least, outside of your control through the forcible means employed by highwaymen. In coming to this decision it is felt that had you and your guards been a little more alert than as is disclosed by the records in the case this unfortunate circumstance probably would not have arisen.

“In event a bill is introduced in Congress for your relief, other than through the medium of recommendation by the War Department, a full statement of the case will be furnished to Congress by the War Department in event it is called upon to report upon such a bill, outlining its views thereon and giving the reasons why the War Department is not initiating legislation in your behalf covering the situation that has been more or less of a discredit to the Army, no excuse for which can justly be advanced other than your lack of experience to cope with a situation that is liable to be thrust upon any man responsible for the handling and care of large sums of money.”

I came to the conclusion expressed in the reply made to Captain Cota as above quoted, in the interest of conservative action involving the question of loss of public funds intrusted to officers. As is to be noted from the reply made to Captain Cota, his lack of experience and the further fact that the robbery was committed by traitorous members of the command with which Captain Cota was serving, are the chief extenuating circumstances in the case.

Having given to Congress a full explanation of the case, through your committee, I prefer to leave the case in the hands of Congress for determination as to whether Captain Cota is or is not entitled to relief.

Knowing that legislation was pending in this case, I have not as yet placed a stoppage against Captain Cota’s pay to make good the loss. This act on my part must soon follow unless Congress determines that it should not be done.

The attention of your committee is invited in this case to sections 1136-1138, Compiled Statutes, which constitute another means of the claimant seeking full relief in the Court of Claims from responsibility for the nonrecovered sum stated in this special bill for Captain Cota’s relief by Congress, on a showing in that court that the loss thereof occurred without fault or negligence on the part of the claimant.

Sincerely yours,

JOHN W. WEEKS, Secretary of War.

WAR DEPARTMENT, December 22, 1923.

Memorandum for the Assistant Chief of Staff, G-4:

Referring to your memorandum of the 15th instant (G-4/12517), regarding the original proceedings of the board of officers which investigated the robbery committed upon Capt. Norman D. Cota, Finance Department, at Langley Field, Va., the accompanying document which is thought to be the original board proceedings in the case, has been furnished to this office by the Chief of Air Service and is herewith transmitted.

ROBERT C. DAVIS,
The Adjutant General.

[Extract from proceedings of a board of officers which convened at Langley Field, Va.

SPECIAL ORDERS] HEADQUARTERS, LANGLEY FIELD, VA., No. 23 January 30, 1923.

3. A board of officers consisting of Capt. Louis R. Knight, Air Service; First Lieut. Floyd N. Shumaker, Air Service; First Lieut. Charles M. Cummings, Air Service, is hereby appointed to meet at the call of the President, with the least practicable delay, to investigate, make findings, and report upon a robbery
committed upon Capt. Norman D. Cota, Finance Department, and four aids, by Corpls. James S. Harvey, R–6427737, Fifty-eighth Service Squadron, and John S. Wood, R–153001, Fifty-eighth Service Squadron, near the corner of King and Queen Streets, Hampton, Va., this date, in which the sum of $43,000, approximately, was taken and carried away.

By order of Major Milling:

Arthur E. Easterbrook,
Acting Adjutant.

Langley Field, Va.,
February 1, 1923.

The board met, pursuant to the above order, 9 a.m. this date.
Present: Capt. Louis R. Knight, Air Service; First Lieut. Floyd N. Shumaker; Air Service; First Lieut. Charles M. Cummings, Air Service.

Absent: None.

The following witnesses, being duly sworn, testified as follows:
Q. Will you state your name, residence, and occupation?—A. J. R. Crockett, Buckroe Beach, hardware clerk, 17 South King Street.

Q. Will you state where you were on or about 10 o'clock on the morning of January 30?—A. I was sent up the street for some new parts, and on coming back I was right in front of the Daily Press office, just this side of the back door of the bank.

Q. Will you state just what happened out of the usual that came to your attention at that time?—A. What attracted my attention was a man standing on the running board of a Government car with two guns. What drew my attention was he drew out a second gun. But I didn't know who was in the car, of course. The curtains were up and that misled me. I thought it was a case of taking away prisoners by Federal authorities. I didn't see who got in the car; only saw one man with a drawn gun. I didn't think any more of it; just came on up to my place of business.

Q. Could you identify that man if you saw him?—A. I think it is possible; yes.

Q. Is the man in this room at the present time?—A. I should say he is the tall gentleman in the blue overalls. I couldn't swear to it. I took no particular attention.

Q. Which way was the car headed?—A. Headed toward Hampton wharf.

Q. Which side of the car was the man on?—A. On the right-hand side, where it was parked. On the sidewalk side.

Q. Did you see anyone else?—A. I didn't see anyone except the backs or heads of the occupants. I did see two men with hands up, this way, when going across King Street.

Q. Did you hear any statement made?—A. I heard man with the gun make threats. I couldn't say the exact words. Threatened ones in back seat to hold up hands, or something to that effect. I didn't pay very much attention.

Q. Where was the car when you saw it last?—A. It was going down King Street, just about at the corner of King and Queen. These two men had hands up, I could see through the back lights. The curtains up, I couldn't see.

Q. Could you state how the man was dressed who was holding the pistol?—A. He had on a slouch hat with raincoat; I couldn't be certain about trousers, but I think gray. Seemed to me as being a Federal officer of some description making an arrest or taking prisoners.

Q. Did you take the number of the car?—A. No, sir; I did not.

Q. What brings to your mind the time that this happened, if anything?—A. Our stenographer comes to work about 9 o'clock, and I should say she had been there about half an hour. I couldn't swear it was about 9.30 or around quarter of 10.

Q. Will you state your name, residence, and occupation?—A. A. J. Moore, dealing with wood yard, 32 North King Street, Hampton, Va.

Q. Will you tell where you were on or about 9.45 on the morning of January 30, 1923?—A. About 9.45 I was at the corner of Queen and King Streets, Hampton, Va.

Q. What established the fact that, in your mind, you were there at that time?—A. Well, we had a load of wood going up a stairway right beside the corner, and I knocked at the door and couldn't get in, and I looked at my watch and it was then 9.30 something, I forget exactly the minutes, but I thought at the time that the people were up. I talked to a butcher about two or three minutes.

Q. What happened out of the usual at about that time, that came to your attention?—A. I came across the street in front of the First National Bank,
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and a man walked a few steps right down the street with me, was walking just about half a step ahead of me, and he stepped to a Government car, put his foot on the running board and drew a pistol that attracted my attention. I stayed there I suppose within about 6 feet of him for about a minute or two.

Q. What did you see that took place?—A. He drew a pistol and when he did I stopped and he looked in the car and the rear seat and ordered “hands up,” and nobody put hands up as I saw, and he drew two pistols, and shoved pistols inside of the car, and hollered “hands up” again, “or I will blow you fellows to pieces”; that was as near the language as I remember.

Q. What were they doing?—A. I couldn’t say, because I was occupied with the man with the two pistols.

Q. Did you see anybody on the other side of the car?—A. No, sir; I did not.

Q. Could you recognize the man who held the pistols if you saw him?—A. Yes, I could.

Q. Is he in this room?—A. Yes, sir [pointing].

Q. What established in your mind that as being the man?—A. Well, sir, I noticed his nose and his features.

Q. You are positive this is the man?—A. Yes, sir; I am.

Q. Then what happened?—A. He shoved the door of the car and still kept the pistols in his possession and stepped in the car, and whether he sat down on his knees I couldn’t say; had his back against the front and was holding guns pointing to people on back seat; car pulled out in that way.

Q. You didn’t see anybody on the other side of the car?—A. No, sir. My attention was directed to this man here because I thought he was an officer arresting somebody.

Q. Did you make any remark to anyone afterwards about what you had seen?—A. Yes, sir; I walked to Mr. Crockett’s place of business and said I thought some man from Langley Field had stolen a car and an officer had him under arrest.

Q. Did you make any report to any police?—A. No, sir.

Q. Which side of car was man on you saw?—A. He was on right-hand side, facing going down toward Hampton Wharf. He had one foot on the running board and the other on the side.

Q. State your name, rank, and organization.—A. Pvt. R. W Davis, quartermaster detachment.

Q. What were your duties on January 30, 1923?—A. Commanding officer’s chauffeur.

Q. Will you state to the board just what your duties were—specific duties, about 9 o’clock on that morning?—A. My immediate duty, so far as I know, was to have car up here for Captain Cota at quarter of 9. I don’t know of any other duties except to drive to Hampton to get the money and drive him back.

Q. Did you drive him to town?—A. I did, sir.

Q. What time did you leave the field?—A. Between quarter of 9 and 9 o’clock. We didn’t leave right at the minute of quarter to 9.

Q. Will you state who was in the car besides yourself and Captain Cota?—A. Private Goff, Finance Department; Private Foster, Private Hawkins, and myself.

Q. Will you state just what route you took from here to town, from the time you left the field until you actually stopped at the bank?—A. I left these headquarters here and went straight down the boulevard, out of the main gate, on to Hampton. Stayed on the concrete until I got to the bank of Hampton—the bank he went in, the one he always goes to.

Q. What relation has that bank to the streets as you come into town [using diagram]?—This is King Street; there is a bank here, a bank here, and a bank here. Which did you go to?—A. This is the one he went in. It has a side door which he went in. It also has a door this way. The paymasters always go in other door. I usually park here, but this morning there was a Dodge here from Fort Monroe and I couldn’t park here on account of this Dodge and several other cars being in the way. After the captain, Private Goff, and Foster had gone in the bank, there were orders left for Private Hawkins to remain in the car with me—in the meantime I stopped at the middle of the street for the captain and the two men to go in the bank, and I went on down toward the post office. I went as far as the post office, running in that alley to turn around. I turned around here and came back up and parked across the street on the opposite side from Wyatt’s. I parked over on the right-hand side of the street, in front of Nick’s. I told Private Hawkins, the guard left with me, to go to this corner and watch for Captain Cota, and when
he came from the bank to motion me around. In the meantime this Dodge pulled out of this place. Seeing this Dodge pull out, I started my car and came down to Langley terminal and came up to where I usually park, where the Fort Monroe Dodge pulled out in front of side entrance to the bank. Private Hawkins then remained in the seat and neither of us got out of the car, as well as I remember.

Q. What time did Hawkins get back in the car?—A. After he got in the car I don’t think either one got out.

Q. How long did you stand there before Captain Cota came out?—A. I remember we pulled up at the bank somewhere close to 9 o’clock; might have been 5 or 10 minutes after. Private Goff came out of the bank first. Then the captain came out. It was exactly 10 o’clock. When Private Goff came across the street

Q. Did you see where he went?—A. He went into a weeny stand right beside side entrance to bank.

Q. How long did he stay in there?—A. I would judge about two minutes.

Q. Then what happened?—A. He came right back across the street apparently just to get a match. He said he would only be in there a minute longer. When the captain came out I was looking at my watch and it was 10 o’clock exactly. The captain came out of the door. Goff entered the car first, the captain behind him, and then the guard. Before they got inside of the car I opened my side door to throw out a cigar I was smoking. When I did, some one snatched the door on that side. I looked around quickly and when I did there were two 45’s in my face. I recognized the men at once and if it hadn’t been so sudden I would have taken it to be a prank of theirs.

Q. Theirs?—A. At the same time he commanded me to put my hands up there was a voice on the other side commanding them to put theirs up. I then saw Corporal Wood on this side with the two 45’s. Recognizing and knowing them so well I took it to be a prank. As well as I remember I tried to push this fellow out my door away, being excited. When I pushed him away he didn’t have his triggers back. When I started to pushing back both triggers went back. I saw he meant business. My hands went up. He commanded me to get over in the back. Didn’t have time to get on back seat so I sat in the back of the car. Corporal Harvey got under the wheel, laid his two 45’s on the front seat, while Corporal Wood had his knees on the front seat, his back against the wind shield, with two 45’s levelled across front seat at us in the back. He had both triggers back and told us if one or any of us made a fuss he would blow our heads off. Before starting the car off he took the two guards’ guns, leaving Captain Cota’s and Private Goff’s guns with them. We all had our hands up when we drove through Hampton by way of Houston’s office; straight down the street here [using diagram] the road makes a turn. We went to the right and we went across the bridge.

Q. Were all the curtains up on the car?—A. Yes, sir; all of them.

Q. Why, when you failed to find a parking place by the side door of the bank and you went up to turn around and came back, why didn’t you park across the street from the bank instead of going down and turning around and heading away from the field?—A. Which side of the street do you mean?

Q. I mean the opposite side from which you did. Instead of going down by the Langley terminal, turning around, and coming back, etc.?—A. I couldn’t park there; there are regulations against it. I have parked there, but not recently. The order came out some time in 1922 in Hampton.

Q. You haven’t parked there in the last three or four months?—A. I was discharged the last of July (28th) and just returned in December (the 19th).

Q. Were you driving the car on the last of December, when the paymaster went down to get his money?—A. Yes, sir; I did drive it.

Q. Where did you park it?—A. Right at the side entrance of the bank. This time when I turned around I parked in this place, at first I did not.

Q. You parked just like you were this time?—A. At the time the robbery occurred I didn’t have much. Last month I parked in the same way I did this time.

Q. The last of December and on this occasion you were parked in practically the same place?—A. Yes, sir.

Q. Then you crossed the litle bridge—continue.—A. After we crossed this bridge they continued on this concrete road on out. They went out to this wide street with concrete on it. Turned to the right, went up there until he got to regular road when you leave car line to go to Newport News. We went down there until we crossed this little oyster shell bridge they recently put there. After going across there they stopped. Corporal Wood held the guns on us and his assistant, driving the car, got out from under the wheel, took guns off Captain Cota and his assistant, Private Goff
Q. This happened just after crossing this little oyster shell bridge?—A. Yes, sir.
Q. How could you tell, with the curtains up?—A. It is perfectly clear, you can see out of these curtains.

After we left there—we hadn't made any time to amount to anything. When he started from there he began to get up pretty good speed. Sitting in this bottom I didn't know who or anything we were passing. We got into Newport News the last place they knew the names of the streets. As well as I remember we came out on Twenty-eighth Street, there they followed the car line over the bridge up to Washington Avenue. They seemed to be lost. Continued down Washington Avenue until they got to next to last street. They turned to the right, took to the Camp Eustis Highway, I don't know the streets along there.

Q. Did they do any talking up to this point?—A. Corporal Wood asked the captain if he thought it would rain. The captain remarked that he thought it would and that they were doing an awfully foolish trick trying to get away with that. Corporal Wood remarked that Uncle Sam owed him bonus. They couldn't get it any other way and they had taken it at this opportunity. He also asked me where was Gregory. I said I thought he was still in bed, that he worked late at night and I thought he was probably in bed. He then laughed and said no more.

After that they got on the Yorktown Highway, I saw they were running along at 50 miles per hour most of the way until they got to Hilton Village. They slowed down, saying that they would probably get pinched in Hilton Village for speeding.

In the meantime Corporal Wood thought there was a car following him—he was the one that had the guns. Harvey later asked him if it was following him and he said he didn't know but he hoped it was. After getting through Hilton Village they made very good time on up until they got almost to the reservoir on the Camp Eustis road. There, one of the two, I forget which one, asked where the other one thought that "Smitty" was. The other one remarked that he didn't know, but there was a Government Dodge in front of us at that time going in the same direction that we were. They seemed to think that this Government Dodge was the one that was to meet them up there. This fellow "Smitty" was supposed to be in the car, I understood. They began to run just a little faster to get up to this Dodge to see. They got close enough to see that it was a Dodge, and Harvey said "No, that is not the one, that is a Dodge." Then Harvey told Wood that they were next to the reservoir at Eustis. Wood told him that it would be a good place to turn off there at right to get back in the woods to get rid of us. What he meant by that I didn't know. Harvey somehow did not turn into this road. He gave the Cadillac more gas and passed this Dodge and told the captain if he made a sound he would blow his head off as we passed this Dodge. We got by this Dodge and they asked me where that road lead them to and I told them that it was the highway to Richmond. Several times they asked me if they were on the right road. They got to Lee Hall and continued to Yorktown. After getting to Yorktown they came to the end of the concrete. There was one road going to the right and one to the left. They took the road to the left—a dirt road, rough and muddy. I knew this road myself. I had traveled it and I knew that they were on a back road coming toward the field when they turned off to the left. I remarked "straight ahead to Richmond." Harvey began to come to rough spots, almost turned the car over one time, so he seemed to doubt my statement that he was on the way to Richmond, but he said he would keep going anyway.

Finally, they came to an extra large hole in the road, I would say 8 feet square, only a path on each side for a person to walk. In the meantime we were in sight of Big Bethal Water Works out here. As they started to go around on one side of this hole, the car slipped over on one side into a very muddy place and there it stuck. After they got stuck Wood continued to hold the guns on us while Harvey got out of the car. He said he was going to a colored house about 30 or 40 yards from the car to get a team of horses to pull the car out of the mud. He couldn't get any horses at this place, so he saw two colored boys down a road and began to talk to them. What they said I don't know. But these two colored boys ran down to a house on the left-hand side of the road and got a long rope. I think their intentions were to run this rope around the wheel as a skid chain and pull themselves out of the mud.

Getting back to the car, Harvey looked around and saw that it was deeper in the mire than he thought. While they were talking about tying us with this rope, one white man and two colored men and two colored boys came up to the car and began to look at us stuck in the mud. We five were sitting in the
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back of the car with our arms folded. Harvey told these men all right, he could get out of the car, and they all left.

After these men left, Harvey took the two 45's off the seat beside him, put bullets in each one of the barrels—magazine was full of bullets also. Then Harvey stepped out of the car on the side that the steering wheel was on. He had these two guns in his pocket, triggers back, with a hand on each gun. He told Wood to let them out. Wood opened the door and got out on the opposite side of the car from Harvey. We five got out on the side of the car that Wood was on. Then they told us to go ahead down the road. Harvey following on the right side of us behind, Wood walking in the same path that we were, both having a gun in each hand, but they were in their pockets. I happened to be in lead of the bunch, and we came to a little road to the right, leading down toward Bethel water works. There he told me to turn down. We went down this road, I would say, 40 or 50 yards. He then told me to go to the right. I went across a plowed field into a patch of woods. Then he made us all bunch up close together, those two following us, Private Goff carrying the money.

Getting out into the woods, rather deep into the place, I don't know just what the distance was, Corporal Wood stood off with two 45's leveled at us, while Corporal Harvey attempted to tie us. He didn't seem very good at this game of tying, so he told Wood to let him hold the guns on us while Wood tied us—and they did.

In the meantime, I had on a large pair of black chauffeur's gloves. Wood tied my hands behind me with these gloves on. Then he backed me to a tree and ran the rope around my waist once. Next he took Private Hawkins, tied his hands behind him, and backed him to the opposite side of the same tree, wrapping the rope around his body, I don't know how many times. After tying Hawkins, he tied Private Goff in the same manner. Then he tied this other guard, Foster—or Fuller, whatever his name is. He tied this guard better than he did anyone else, ran the rope around his shoulders and body also. He also made an extra good job of tying the captain's hands, making, I should say, about eight knots. He tied this guard and Captain Cota to the same tree, remarking that he would give the captain limbs to stand on to keep him out of the water.

Corporal Wood took the satchel of money, began to laugh and said it would be an awful joke if they had rags in there instead of money. He opened this bag, found the money inside of a white sack. He merely shook this sack, seemed to be satisfied the money was there, put it back in the satchel and told us that we would be good enough not to hallow for 30 minutes or a couple of hours, they could get away a pretty good distance in that time. Saying he didn't want to shoot us for trying to get away.

While they were walking off with the money, Captain Cota began trying to get his hands loose. I told the captain to be sure that they were gone to wait a few minutes before he made an effort to get loose, that I could get lose any minute that I tried. As soon as they disappeared I slipped both hands out of my gloves, Private Goff also untied his hands at the same time. When we both were loose, I helped get Hawkins loose from the same tree that we were at. Goff—

Q. Did you state that you and Hawkins and Goff were tied to the same tree?—A. Yes, sir. Goff untied Captain Cota and this guard that was tied at this one tree. I told the captain that I knew those roads around in that part fairly well, so he let me show him the way to get out of this woods to Big Bethel plant, so we could notify somebody.

Q. How did you know those particular woods well?—A. I had been out there with the quartermaster officer and men to the Big Bethel plant several times.

Q. Is that the only way you knew it?—A. That is the only way; yes, sir.

Q. Proceed.—A. We went to the Big Bethel plant, thinking that these men might be around there, Captain Cota and I, we were a little cautious getting up to the place. Then Captain Cota went up to the door and shook it. It was locked. We tried to signal to a bomber that was flying over us, but he didn't seem to see us at all. We then went up on the reservoir looking around to see if we could get sight of these men sneaking across the road, etc. I saw Goff, or rather recognized Goff, these two guards and one civilian coming toward us with a gun. Captain Cota signaled to them that it was us all right. They came down and met us. Said that they had been back to the car but didn't see anything of the men, and this civilian had loaned them one pistol and one shotgun. Not finding a telephone at Big Bethel plant, we started back to the road where the car was stuck. About 60 or 70 yards down the road, in front of the car was a country store. Getting to this store, this civilian had a car
in this garage there. He got in his car and started to the field here to notify these men. In the meantime Private Goff had started walking to the field. This civilian, I understand, overtook Goff close to the field some place. I couldn't get exactly where it was.

In the meantime the Captain and myself stopped a car coming up from the way of Newport News on the dirt road and asked this man if he could run us on this road where we were in hopes of getting to a telephone which we couldn't find out on this country road, any place. Getting to Hilton and to a telephone the captain asked for Major Milling and then Captain Easterbrook, and later I think he did talk to Major Milling himself.

I gave Captain Cota the description of these two men, guessing at their weight and age, also so that he could tell Major Milling over the phone who they were. I also guessed that they were in the Fourth Air Park, not knowing which one, I knew they were in one Air Park or the other.

Coming out of the post office, where he telephones, we met two soldiers in a Ford runabout. One had an Army gun and the other didn't. We asked them to take us back to the spot that we left the car, the Cadillac.

On our way back over the same road that this fellow took us to Hilton, we met, I would say, six or eight different cars. They had all been notified of the robbery and were out looking.

Q. Did you find out who these two men were who picked you up?—A. They were soldiers on this field, I don't know the names. I know one face.

Q. Did they know of the robbery?—A. They seemed to. They said they were out looking for those two men. Not saying what two. Merely remarked, out looking for those two men.

Q. Proceed.—A. After getting back to this place that we left the car, we found several hundred soldiers. I don't know just how many, a number of civilians, also quite a number of cars there. After staying around seeing what they were going to do, taking orders from Captain Cota, at the same time, I judge it was about a quarter of 6 when the major in charge of all of the troops there gave orders that we could return back to the field. I got in the ambulance with a chauffeur from the hospital, getting back to the field that way.

Q. What happened to the Cadillac?—A. The Cadillac was stuck in the mud and when it was stuck Corporal Harvey got out and took the adjustments off the carbureter. The mechanics here at the field heard about the adjustments being off the carbureter and the car being stuck in the mud.

Q. How did they hear?—A. I can't say, but they seemed to think that the car was out of order and stuck in the mud and came to get it out that evening.

Q. What sort of weather was on this day?—A. It was a rather chilly wind that morning, and cloudy, but it was not raining.

Q. How did you happen to have all the side curtains up?—A. On account of a chilly wind blowing; I usually put curtains up if there is a cold wind blowing. I thought the captain would be better satisfied with the curtains up, so I put them up.

Q. Is that customary? In driving about the field?—A. If there is a cold wind it is customary.

Q. So you put them on that morning?—A. Yes, sir.

Q. Do you recognize any men in this room as being the men who held you up?—A. Corporal Harvey and Corporal Wood (indicating).

Q. You positively recognize them?—A. Yes, sir.

Q. Did they wear masks of any kind?—A. No, sir; absolutely none.

Q. Did you notice either one of these men prior to the time, on this particular morning, that they opened the door of the car and shoved the pistol at you?—A. No, sir.

Q. You didn't see either one of them on the streets?—A. No, sir.

Q. Which one did the driving?—A. Harvey.

Q. When Corporal Wood got in the front of the car on the side of the bank, and pulled his guns on the people in the back seat did he take the guns away from the two guards, do you know?—A. I am not certain which one took the guns away from the guards at that moment, but one or the other did take guns out of the holsters of the guard at that moment.

Q. Did you know the names of these men whose description you sent back?—A. I knew the name of Wood but not Harvey.

Q. How did you know his name?—A. I have gambled with him.

Q. Did anyone in the car know them?—A. I think that Hawkins knew them.

Q. What makes you think that they expected to meet a Government car on
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the road; what did they say to lead you to believe it?—A. Because seeing this Government Dodge they ran up close to it to see if they could recognize it. I took it to be the one which was to meet them going up there. They said no; it wasn't the car, it was a Dodge.

Q. At the time they took Captain Cota's and Mr. Goff's guns away from them, were you all left unguarded?—A. No, sir; Corporal Wood continued to cover us with his two 45's.

Q. The other did the disarming?—A. Yes, sir.
Q. The one who did the disarming did the driving?—A. Yes, sir.
Q. Did you hear them call anybody by name, expecting to meet them on this trip?—A. I heard one ask the other where he thought "Smitty" was.
Q. What reply did he make?—A. Said he didn't know. I don't know exactly what words, but to that effect, that he didn't know.
Q. Were they disappointed at not meeting "Smitty"?—A. Yes, sir; the way they spoke to each other I took for granted that this man had promised to meet them there with a car.
Q. At any particular point?—A. It seemed to be along by the Camp Eustis reservoir.
Q. At the time that you went to the bank and Goff went to get a match, did you see who he got matches from?—A. No, sir.
Q. Did you see him talking to anybody in the weeny stand?—A. I did not; no, sir.

Q. What were your duties on the morning of January 30?—A. I was detailed to the finance officer as finance guard.
Q. Who detailed you?—A. First sergeant, sir.
Q. Were you a member of the guard on that morning?—A. No, sir.
Q. At what time did you report to Captain Cota?—A. It was about 8.45.
Q. Will you state just what you did from the time you reported to Captain Cota until you returned to the field?—A. I reported to Captain Cota at headquarters, and we proceeded to Hampton to get the money from the First National Bank. And Captain Cota told me to stay with the car while Captain Cota and the other guard and another fellow went in the bank, and the car was parked on the street to the left of the bank.
Q. (Using diagram.) This is the road that goes in town. You are coming from the field on this road, this is the courthouse. A bank on three of the corners. You tell me what route the car took.—A. A car stood here in the place where we were going to park. The captain and the other guard got out here and went in the bank. Captain Cota told me to stay with the car while Captain Cota and the other guard and another fellow went in the bank, and the car was parked on the street to the left of the bank.
Q. Did you get out of car at any time?—A. Yes, sir; just as we came around here. The chauffeur stopped here on the right in front of Nick's. There was no place to park on the street next coming this way from the bank, so the chauffeur told me to get out and watch and see when they came out of the bank, so I got out and was standing on the corner watching for Captain Cota to come out of the bank. At that time I saw Corporal Wood on the corner opposite the First National Bank, on the same corner I was standing. I spoke to Corporal Wood. After awhile the car from Monroe, where we park, after they drove off, Davis parked his car in the place where this car was standing, as the car had left.
Q. Did Davis say anything to you as he drove away from Nick's—did he tell you where he was going, or anything? He had told you to stay and watch?—A. That was just off from the corner, so when the car left I walked over to where he was going to park and he turned around and backed in where the other car had left—the car from Monroe.
Q. Where were you standing and what were you doing when Davis drove away from in front of Nick's?—A. I was standing right on the corner, watching to see if Captain Cota was coming out of the bank, so I could tell Davis and he could come on, and there was no place to park the car on the street.
Q. But Davis didn't wait for you to tell him?—A. No, sir; because after this car had left from the corner, so where it was parked, there was room for our car to park right where Captain Cota was supposed to come out of the door.
Q. Then when Davis drove up to the bank door, you walked across the street and got in the car again with Davis?—A. Yes, sir.
Q. What did you say to Corporal Wood when you met him on the corner?—A. I asked Corporal Wood for a cigarette. Spoke to him; said, "Hello, Wood; give me a cigarette."
Q. Did he give you a cigarette?—A. Yes, sir.
Q. Did he make any other remarks?—A. No, sir.
Q. Which way did he go?—A. He turned around and started up toward the street, toward the hot-dog stand.
Q. Did he go in the hot-dog stand?—A. I never noticed whether he did or not.
Q. When did you next see Wood?—A. Never saw Wood any more until Captain Cota had come out of bank and got in car, when Corporal Wood drew guns on us. The only time I saw him.
Q. Corporal Wood was the one, then, who drew the gun on Captain Cota?—A. Yes, sir.
Q. Will you state just what happened from the time you got in the car in front of the bank until you got back to the field?—A. We were sitting in front seat because Captain Cota had told me to stay with the car. We were sitting there and when Captain Cota came out of the bank and got in the car, Private Foster hadn’t been seated in the car when Corporal Harvey from the other, one of them had two guns and they said, Corporal Wood said, “Throw your hands up; any man that speaks or holloes is a dead man.” Corporal Harvey from the other side repeated the words to the same effect. Then he made us get over in the rear seat over the top of the seat and Corporal Harvey slipped in the seat as chauffeur, and made us hold hands up until we got out of Hampton, between Hampton and Newport News, then they stopped the car and took the gun which Captain Cota had in his pocket under his coat.
Q. When did they take your gun away from you?—A. Before they left the bank.
Q. Can you state exactly where you were when they took Captain Cota’s gun away from him?—A. No, sir; I can’t exactly tell you where it was. It was between Newport and Hampton.
Q. Was it right out of Hampton?—A. It was about a mile outside of Hampton, I should say.
Q. Was it before you crossed the car track?—A. Yes, sir; I believe it was, but I am not sure.
Q. Go ahead. —A. They took Captain Cota’s gun and Private Goff’s; he had one in his coat pocket. Made us fold our hands across our breasts, and Corporal Wood, kneeling on the front seat, held two guns on us. They went through Newport, and after they got out on straight concrete road, passing the shipyard, they drove at a great rate of speed. They kept on going. They drove up past Eustis, up around Yorktown. I imagine they got off the trail.
Q. Up to the point they reached Yorktown, did you hear them make any remark either to each other or to anybody else in the car?—A. They were making remarks about what time somebody was supposed to meet them.
Q. Did they mention any person’s name?—A. They mentioned the name of “Smitty.” One asked the other how long he was going to wait for him. Didn’t say what place or anything.
Q. Did they mention expecting to meet a car?—A. They said after they stuck the car they were talking about a person supposed to meet them in a car.
Q. Did they ask anybody in the car with reference to whether they were on the right road or not?—A. Yes, sir; they asked Davis what direction and where did this road lead. Davis told them straight on to Richmond until they got to Yorktown. After they got to Yorktown they asked the direction and Davis told them he didn’t know the road any farther than Yorktown, as he had never traveled any further than that.
Q. When they were in the vicinity of the reservoir, did they say anything about turning off there?—A. Yes, sir; one asked the other which would be the best place to turn off. One of them said the best place would be this side of the reservoir and the other said, “No, we want to get clear of the reservoir, the other side of Eustis, anyway.”
Q. Proceed. —A. After they left Yorktown they seemed to have been looking out for a good road where they would turn down off the main road. Never seemed to see any road they could turn down without any trouble. So they kept on driving until they got stuck in the mud.
Q. What happened then?—A. They stuck in the mud. Corporal Wood had guns on us. Corporal Harvey gets out and walks around. Was gone five minutes, maybe. Came back. He wanted to get to a telephone. He found out there wasn’t any around nearer than some place, I don’t remember what. There were some people coming by at the time, so they asked the direction of the road where they were, and they told them it was what they called Big Bethel. They
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talked awhile and wanted to know where they could get a truck or something to pull them out. Said wasn't any truck around anywhere except a small Ford truck down at the store. Fellow came up and wanted to give them some assistance, and white fellow had a small Ford truck. They remarked that they could get out some way, so they would leave car until could get somebody to pull them out. They asked for the nearest phone. Corporal Harvey came back and sat down in the car for a few minutes, consulting what they should do and what to do with us. They said the best thing to do with us was to take us down in the woods and tie us up. Before that a colored fellow came up with a rope, and Corporal Harvey wanted to buy the rope. They kept arguing about the price of the rope. The colored fellow told Corporal Harvey he would take a dollar for it, so he gave him a dollar. They decided to tie us up in the woods. Corporal Harvey took out the carbureter of the car. They marched us down in the woods and tied us up. Each time as they would tie each one up—Davis was the first one they tied—they said, "Well, Davis, I hate to do this, but it has to be done." Same way each time they tied each one of us up, they made the same remark. After they tied us all Corporal Harvey made the remark that it would be funny if it happens to turn out to be tissue paper in the grip. They opened the grip, and there was the money. They gave us a cigarette, put it in our mouth and lit it. After they lit our cigarettes Corporal Harvey asked Corporal Wood for a cigarette, as Corporal Harvey gave us his last one. So Corporal Harvey takes a dollar bill out of his pocket and strikes a match to it, saying, "We have money to burn now," while lighting a cigarette with the dollar bill. Took the satchel and bid us good-by, saying, "Don't know when I will see you; might be soon or might be never." Private Goff was untied before they were out of sight, but wouldn't move until they were out of sight. After they got out of sight, I judge about 8 or 10 minutes had gone, three of us started out one way and two another.

Q. What three?—A. Private Goff, Private Foster, and myself in one direction, and Captain Cota and Private Davis in another. First place we ran into was the store at Big Bethel. We notified those people what had happened and asked them for some guns. There were only two guns there, a shotgun and a .38, I believe it was. Private Goff takes the .38 and Private Foster takes the gun. Went down to the plant with the intention of phoning in to the field.

Q. Who went to the plant?—A. Private Goff, Private Foster, and myself. We were supposed to meet the captain at the car. Went to phone but found phone out of order. As we turned and started back to the car, the captain and Davis hailed to us to wait. Then we go back to the captain and Private Goff states that he was coming into the field, walking. The captain left Private Foster at a fork of two roads out there by the plant and told him to keep a lookout to see if he saw anybody. Private Davis and Captain Cota and myself goes back to the store, and we waited around there to see if we saw them anywhere. Private Davis stated that he had a package of cigarettes in his car that he would like to get it. So Davis goes down to the car to get the cigarettes, and in the meantime the people who came by we would notify them and tell them to notify everyone they saw.

While Davis was gone, Captain Cota saw some fellow come along in a Ford and Captain Cota asked him if he had seen any one answering the description of these two men. This gentleman said "Yes; I saw them down the road about 6 miles." Captain Cota leaves me at the store at the fork of two roads and tells me to stay there and tell the others when they came out from the field where he was. Captain Cota was gone for quite awhile with the Ford and several gentlemen. He was gone about 15 minutes when Captain Blakeley came up in his ambulance. We go down and talk about which way they had gone when we last saw them. Private Goff asked me if I had anything to eat. I said no. Captain Blakeley gave Goff some money to buy something to eat. While we were eating in the store, quite a number came out in the car from the field. They had bloodhounds out there, too. Wanted to know where we were tied. So Private Goff and myself took them down in the woods and showed them where we were tied, and also told them where the captain had gone. We started down the woods, but wouldn't let us go with anybody but the chief of police. Those two went to where we were tied. We came on back to the store and some officer was talking with a colored fellow on a horse. This colored fellow stated that he had seen the two men, not half a mile down the road. Everybody flocked to the cars to go down there. Just before we got to the place we found out that it was two other white men instead of Corporal Harvey and Corporal Wood. We came on back to the store. One car, I don't know whose, went on down to find out where Captain Cota had gone. We had turned around, and just as we turned
around and started back, Captain Cota came up in a different car from the one he had gone in. Private Goff, also. We came back to the store and got something to eat and stayed around there.

Q. When they tied you to trees did they tie you to separate trees or not?—
A. No, sir. The captain and Private Foster were tied to one tree, and the other of us tied to the other tree, just about 6 or 8 feet apart.

Q. Can you identify anyone in this room as the same who held you up?—
A. Yes, sir.

Q. Who are they and where are they?—A. (Indicating.) Corporal Wood and Corporal Harvey, the same two men.

Q. Did you see Corporal Harvey at all while you were in town?—A. No, sir; I did not.

Q. State your name, rank, and organization.—A. Private E. C. Foster, Fiftieth Squadron.

Q. Will you state on what particular duty you were on Tuesday morning, January 30, day before yesterday morning?—A. Yes, sir; I was detailed for finance guard by the first sergeant, Fiftieth Squadron.

Q. What time in the morning were you detailed?—A. Yes, sir; I was detailed just at fatigue call. I had my fatigues on.

Q. At what time did you report to Captain Cota?—A. I reported to Captain Cota at 8.20, sir.

Q. Will you state everything that happened from the time you left the finance office with Captain Cota until you came back to the field?—A. The captain said he was ready to go. He asked the guards if they had bullets in their chambers. I had mine but the other guard didn't. We got in the machine to go down to the bank. Hawkins, the other guard, stayed in the car with the chauffeur. I go in with Goff and Captain Cota and stay by the desk while they count the money. We came out about 9.30; I don't know the time. We got in the car. Goff got in car first and Captain Cota got in and was being seated. I pulled at the auxiliary seat and pulled back to sit down, when these men put their guns in the windows and gave orders to put up our hands and be quiet and not say a word, and forced the chauffeur and other guard in the rear, and took one or two guns, I don't know which, and they drove on.

Q. You say they forced the driver and the other guard to get over into the back of the car. When did they take your gun away?—A. They were outside of Hampton on the concrete road not very far. We had gone about five minutes drive.

Q. Did they take any guns while in front of the bank?—A. Yes, sir; I think that they took Hawkins's. At least two they took. Didn't take mine.

Q. Can you state definitely just where you were the other side of Hampton when they stopped and took the other guns?—A. I can't say it was very far. There weren't any houses around, just an open field.

Q. Was it before you passed that school house on the turn?—A. We had passed Hampton High and had gone down the road about 3 miles.

Q. Had you passed Warwick Farm?—A. I don't know.

Q. You know where that gas and oil station at the turn is?—A. It was before that.

Q. What happened then?—A. After they took our guns, they drove on through back streets of Newport. Got on concrete road and went on out. Passed detour road that leads into Williamsburg. Kept right on road to right leading to Yorktown.

Q. Were any remarks made by either of the accused at any time between time you left the bank and time you got to Yorktown?—A. Yes, sir.

Q. Will you state to the best of your recollection what they said?—A. I think Corporal Wood asked the captain in a sarcastic way if he thought it would rain to-day, captain. Said something about turning on road on other side of water tank the other side of Eustis or some place.

Q. Did they make a remark about expecting to meet anybody on the road?—
A. Said something about somebody, I didn't get his name.

Q. After Yorktown what happened?—A. After Yorktown the road was very rough, turned and slipped, almost turning the car over. Ran into fence. Road seemed to be getting worse and worse. Went up a hill after crossing a bridge. Hit a bad road and car stuck. Sat there for a few seconds, and the driver got out and went to a house up on the road just a small distance along, to see if they could telephone. Came back, said no telephones in the place around, and came back and didn't know what to do. A colored gentleman came by with an axe on his shoulder. About that time, after he came up, a young white boy came
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along—a fellow about 20 years old. Asked him if he could help him in any way. He told him he had a truck but didn’t think it would pull out, on account of road being so muddy. These fellows said they wouldn’t try. Asked if they had any rope. Old colored gentleman said yes. Sent a boy to his house and came back with one rope. He went back and got the other. These fellows said they wanted rope to help get the car out. They decided they wouldn’t do it just then. Asked if they wanted to sell the rope. Didn’t seem to want to sell it at first. Were asked how much he wanted for it. Said he would take a dollar for the rope and they put it in the car and stood around a minute until they left. As soon as they left they took us out of the car, covered us with the guns, took us down in the woods and tied us up.

Q. Did they tie all of you to the same tree?—A. No, sir. Tied Goff, Hawkins, and Davis to one and tied Captain Cota and me to the other.

Q. After they had disappeared, what happened?—A. As soon as they disappeared the chauffeur and Goff were loose, and the other three of us were tied pretty securely. Goff and the chauffeur came over and untied us, and Captain Cota and the chauffeur—he took him because he knew where the plant was—and Goff and I and Hawkins went to a store and farmhouse combined, on the road, and there we got a shotgun and a .38, and went up the road and through the woods to search. We met Captain Cota and the chauffeur, Davis, coming up. They didn’t find a telephone, and left me with a gun on guard at the fork of the road. I kept guard at this road that led from the field on into where the waterworks are. I stayed there until I was relieved.

Q. Do you recognize anybody in this room as Corporal Harvey and Corporal Wood—the two men who held you all up in front of the bank?—A. Yes, sir.

Q. Will you point them out?—A. (Pointing.) This is Corporal Wood and this is Corporal Harvey.

Q. Did you know either one of these before?—A. I didn’t know Wood’s name, but I did Harvey. I did guard with him.

Q. Did you know them both by sight as soldiers of Langley Field?—A. Yes, sir.

Q. Had you seen either one of these on street prior to time they actually held you up?—A. No, sir.

Q. How did these men approach the car on holding up?—A. As I remember, when Corporal Wood put two guns in front and said “Put your hands up or I will shoot,” I raised my head up. At the same time another man at the side on which the chauffeur was seated appeared.

Q. Then did Wood close back door and open front door, or how did he get in front seat?—A. I don’t remember.

Q. State your name, residence, and occupation.—A. E. A. Sinclair, rural mail carrier, Hampton, Va.

Q. Will you state on or about what time of the day, Tuesday, January 30, this year, you first heard of the robbery of the finance officer of Langley Field?—A. Yes, sir. I was at home at noon. I can’t say exactly what time. I had a couple of plasterers there plastering some rooms. It was around 5 o’clock.

Q. Will you state to the court your actions from that time on?—A. A plasterer’s wife came out from town for him and asked me if I had heard of the excitement in town. I told her no. She went on and told me that the pay roll of Langley Field had been stolen by two bandits at cross streets at 9.30, and that it was rumored that they had tried to cross at the Norfolk ferry and missed that and went on to Yorktown ferry and missed that. Didn’t know where they had gone from there. I just stayed around home until after supper. Then I went over to my uncle’s, to go from there across the road to my cousin’s, for a paper. I thought I would find out more details about the holdup. I stopped at my uncle’s and my cousin was there. He told me they had found a machine up near Big Bethel, and that they had taken the captain and the guards and tied them in the woods and that at present they had the two men surrounded near the Back River woods. I stayed in the house a while. Then I came out and thought I would walk down the road and talk with some of the guards, and find out anything I could about it. Lieutenant Horton and Mr. Dewey were right at the mouth of my uncle’s back and (Map used here.) (Using map), I stood there and talked with them just inside of the lane, I judge 10 or 15 minutes. Presently a Ford came from Hampton, around here, and Lieutenant Horton and Dewey stepped out in the road and stopped it. While standing there Mr. Dewey said he believed he would go up to some Watt’s store. He didn’t go. While he was in the machine and just about to go, saw headlights of a machine coming down this road toward Hampton. Lieutenant Horton called Dewey and told him he
CAPT. NORMAN D. COTA

wanted him to go out there with him to stop the machine. One of them asked me to step back in the gate, in case there were any shooting I would be out of line. I stepped back. The machine stopped not over 20 feet beyond the gate on the opposite side of the road. I stood there for some time. I couldn't see what was going on. I couldn't hear any conversation. It didn't cross my mind that they had found the men. Presently Mr. Dewey came back from around the machine and seemed to be in a hurry, and told this negro first stopped and a walking negro (two of them), Mr. Dewey told them to turn the Ford around. Then he went up and came back in the road this way. Lieutenant Horton told me he had sent him for Mr. Dewey's machine. I stood there for some little time after Mr. Dewey left, two or three minutes. Still didn't know that they had found the men. I thought I could walk up and see whose machine it was. After I got beyond the headlights of the machine I saw Lieutenant Horton covering the two men with his gun. Just as I walked up he said he detailed me as special officer, or something of the sort, to search them. I went ahead and searched them. The first thing I took was a revolver out of the pocket of the tall one, and then I commenced to find money in all of the pockets—great balls of it.

Q. What did you do with the stuff as you took it out?—A. I put it between Lieutenant Horton and the man. He had a flashlight and told me to put everything down on the ground. I put everything down except the revolver, which I kept, as there were two or three negroes around there, and I thought I would take no risk.

After I got them searched, Lieutenant Horton asked me if I had gotten everything off one of them, and I told him I wanted to look over one of them again. Suggested that he better search them again, because I couldn't make a thorough search without taking coats off.

In the meantime any number of guards had come up, several civilians and several negroes were all standing around. Some one went for some rope. Then after I thought I had everything off one of them, I told him to put his hands behind him and they tied him and then they tied the other one. They told Mr. Dewey to put them in Mr. Dewey's machine. I don't know who left with them.

Q. Did you see them get in Mr. Dewey's machine?—A. No, sir; I was still with the money.

Q. Did the prisoners leave before the money was put in the bag?—A. I think so; I am not positive. Somebody brought a two-bushel meal bag, I think.

Q. Who put the money in?—A. I did. I am not satisfied whether I did it all myself or whether anyone helped me. There was a flashlight and no other light that I know of, unless from a machine.

Q. Did you come to Langley Field, that night?—A. No, sir. They put the money in. The revolver was the last thing put in—the one I had in my hand. Some one took the shells out, and some one tied a knot in the bag, I don't know who.

Q. Who went off with the bag?—A. Lieutenant Horton stayed with it all the time, I think.

Q. He actually took possession of it?—A. I think so; I am not positive.

Q. Mr. Sinclair, can you recognize these two men?—A. I think so. I am not positive. Can you recognize these two men?—A. I think so. Can you identify them?—A. That is Wood, I would be willing to swear to that, but this one I could not swear to. The only light there was a flashlight. I would not hesitate to swear to that one [pointing].

Q. Did these men offer any resistance while searching?—A. None at all. When one of the other guards came up, some one told them to hold hands higher.

Q. State your name, rank, and organization.—A. Clarence F. Horton, first lieutenant, Air Service.

Q. Lieutenant Horton, will you please state if anything unusual or out of the ordinary happened at Langley Field on or about Tuesday, January 30, 1923?—A. At 12 o'clock noon, sir, I understood that the paymaster with the entire pay roll from the field was missing, with the guard. And then I was ordered out about 1 p.m. to report on the line to observe from a ship flown by Captain Black, a Martin bomber. We flew up until about 3.30 that afternoon, scoured the country all around. Landed, went home, and I should judge at about 6 p.m. was ordered to report to headquarters by Lieutenant Rouse, with my car—requesting that I bring my car. My car was out of commission, so I had a friend of mine by the name of Mr. Dewey, who was at the house at that time, agree to take his car. We reported here to headquarters, I should judge about between 6.30 and 7 p.m. Lieutenant Rouse assigned Sergeant Bickle, of the F. O. S. and two privates to accompany me, and I was ordered to report to the sheriff's office at
Hampton. On reporting to the sheriff's office, the sheriff assigned a Mr. Tennis, and told me that Mr. Tennis would show us the crossroads we were to guard. He said it was on the Back River Road. On arriving at the crossroads, sent a sergeant—

Q. When you and Mr. Dewey left the field did you take this detail with you?—

A. The sergeant had followed us in his car. We have one private with us, and the sergeant followed us with another private.

Q. Proceed.—A. On arriving at the crossroads, the sergeant with one private we ordered to patrol the road to the left. Left Mr. Tennis with one private on the crossroads. I and Mr. Dewey took the road to the right. Mr. Dewey thought we would make inquiry at the first house. Went up to Mr. Sinclair's residence and made inquiries there. He did not know anything, so we left his house, crossed the road to a house on the right side of the road, not going to the house, but to the entrance lane, and met a Ford car coming out. Stopped the car. I had a flashlight in my hand and looked at the occupants. Could see nothing wrong and told them to pass on. There were two ladies and two young chaps in the front. Started to go up to the house and met a man coming down the lane and stopped him. He said his name was Sinclair. Just after a very few seconds' conversation, making inquiries, etc., we noticed the headlights of a car coming down the road, and we stopped them. The car had two negroes in the front seat. While talking to them, another headlight shot up and we told this first car to put out the lights and shut off the motor. When the other car loomed up, I said to Mr. Sinclair to stand back, in case any shooting or anything to happen he better be out of the way. When we stopped this second car, Mr. Dewey passed to the left and I passed to his right and I flashed the light inside, and one of the men had a .45 in his hand. Just before that we heard a click, whether pistol or not I don't know. The men passed out to left of car. Mr. Dewey said, "Mike, these are the men." I passed around to the back of the car and told him, "Bob, go down and get your car and help." I backed the two men with their hands raised further back in the road, I had the flashlight in one hand and the .45 in the other. I called for Mr. Sinclair. On his arrival there, practically but a few seconds, I requested that he search them. I realized they were bulging out all over; did not recognize them, not knowing who they were.

Just at that time another car had come down, going the same way, toward Hampton, and I held up flashlight for them to stop, and as two of them got out with hands raised, recognized soldiers or noncommissioned officers of the Twentieth Squadron. One was Sergeant Mosher and the other Sergeant Zombo. I know them well by sight. I requested their aid. Shortly after that the others started to come up. Quite a number collected around. As Mr. Sinclair searched the men he piled the money, whatever he took from them, in front of me on the ground. After he made a thorough search he sent one of the men over to get a bag to put the money in. When he got the bag back Mr. Sinclair put everything on the ground in the bag, and the sergeant tied a knot in the bag. I ordered the sergeant to take the two prisoners. After finishing searching them, asked Sergeant Mosher if he had anything he could tie the prisoners with. He got some rope and tied their hands behind their backs. I turned them over to Sergeant Bickle and ordered him to report them to the guardhouse, Langley Field. I, with Sergeant Mosher and Sergeant Zombo, went in Sergeant Mosher's car with the money and came back here. At the time of the arrival of the car of Sergeant Mosher and Zombo if they recognized the men, and both recognized Corporal Wood but did not know the other chap. Right after that I said to him, "Wood, where did you get the civilian clothes?" He said, "They belong to me, Lieutenant."

Q. You ordered Sergeant Bickle to take the prisoners to Langley Field?—A. Yes, sir.

Q. Do you know of your own knowledge just what Sergeant Bickle did with the prisoners?—A. No; only from what I heard. The next time I saw the prisoners they were at the gate.

Q. Finish from where you left off.—A. At our entrance into the post Lieutenant Craig stepped up with two or three guards, and I asked him, "Has the sergeant, with Mr. Dewey and the two prisoners, arrived yet?" and they said, "No." I went into the guardhouse and called up Major Milling and told him we had taken the prisoners and money and that the prisoners were on their way in. He said to report to headquarters on arrival. I waited at the gate for the prisoners. Sergeant Zombo carried the bag all the time. It was never out of my sight.
Q. Could you recognize these men? Can you point them out in this room?—A. I recognize that man and this man here as the two men we searched that night and took money from, and recognize that man as the one Sergeants Mosher and Zombro called "Wood."

Q. Lieutenant Horton, what happened to Mr. Dewey when he left you; did he come back to where the prisoners were?—A. I sent him to get his car. He came back a very short time after that, and I remember saying, "Bob, you got the car?" and he said, "Yes." He stood there until we had finished searching the prisoners.

Q. Do you know in whose car the prisoners came in?—A. They were in Lieutenant Linderberg’s car. I heard that they started in Mr. Dewey’s car, but his car got stuck, and they changed over.

Q. State your name, residence, and occupation.—A. Robert W. Dewey, Great Northern Hotel, New York City, commercial aviation.

Q. Will you state under what circumstances you took part in a search for two bandits who held up the paymaster of Langley Field on or about Tuesday, January 30, 1923.—A. At lunch hour, I went to Lieutenant Horton’s home, on the reservation here, and he asked me to have lunch at his home. While having lunch a call came and he was ordered out, and I remained there until after lunch. I got back to town and at the Langley Hotel Mrs. Dewey and Mrs. Horton joined me and came back to the reservation. Lieutenant Horton had returned and asked me to remain. We sat there and talked. Later, one of the other officers requested that he have a car ready to go out. He said I have a friend here with a car. He came in and said, "Will you go with us?" I said "surely." I got in the car and we drove up here to the administration building. Then we went back and picked the women up and went in town to police headquarters. From there we picked up a civilian, a gentleman, and he directed us to a road at the outskirt of the city. When we reached the crossroad—

Q. Who was in the car after you left the sheriff’s office besides you and Lieutenant Horton and the two ladies?—A. There were two soldiers in the car. No; I do not remember the soldiers’ names.

Q. Proceed.—A. When we reached the crossroads, about 10 minutes’ ride from here, we stopped, and a little car behind us stopped also. Lieutenant Horton got out and gave orders to some of the men. The civilian got out also. We drove our car down the road about 100 feet and left it on the right side of the road. Lieutenant Horton and I got out and went over to a house and made inquiries. Came across a field to a road and there was a car coming out of a gate—a Ford car—and I went up and stopped the car. There were three ladies and a gentleman driving the car. We asked who lived there and looked in the car. Said Sinclair people were going home. Then we bade them on their way and started up the lane. A man walking was coming from the house. We stopped him and talked for a few moments. A car came up from the road we had started out on. Stopped it. Two colored men were in it. We talked with them, and while talking with them another car came from the opposite direction. As they did, I told these colored fellows to put out their lights. They did. I crossed the road and as I crossed the road I ordered the car to stop. It stopped, and as car stopped I said, "put up your hands and get out." As they got out, I reached over. I felt the revolver. I hollered for Lieutenant Horton—"Mike, I think we have got them." As they got out of the car, Lieutenant Horton joined me. Lieutenant Horton came and said, "go and get your car." After he had come around where I was, I went down the road to get my car, and in the meantime I met two soldiers coming up and I told them to go ahead up, we had gotten the party and Lieutenant Horton was there. I went down and told the civilian. As I got to the crossroads I fired a shot, thinking to call anybody in the vicinity in. Got the car and brought it up. When I got back to the road they were tying the prisoners up. Lieutenant Horton asked me to take the prisoners in the car. I brought them in our car. After we got down the road the coil burned out. The sentries got out with the prisoners. Met a car in which were Mrs. Dewey and Mrs. Horton. They got out and the prisoners and myself got in the car.

Q. When did Mrs. Dewey and Mrs. Horton leave your car?—A. I left them at the crossroads when I went to get my car. They got in car with Lieutenant Linderberg.

Q. When you went back to where the prisoners were, had the prisoners been searched?—A. They were searching them then, sir.

Q. What were they doing with what they found on them?—A. Putting it on the ground.
Q. Did you stay until the money was gathered off the ground?—A. They had not completed, sir. A civilian named Mr. Sinclair was doing that.

Q. Then you took prisoners with one soldier?—A. No; there were four soldiers and a sergeant. I think so. Five soldiers and myself took the prisoners to my car and started to Langley Field by way of Hampton.

Q. How far did you proceed before you broke down?—A. There is a big sign "Bank of Hampton," and as we approached this a road turned to left, and had gone about 100 yards. Right on the edge of the city, I should judge.

Q. When this other car came up you transferred the two prisoners and yourself into Lieutenant Linderberg's car?—A. The soldiers came too. The soldiers took the prisoners, the sergeant had charge and superintended it, not myself. The sergeant drives that little car [pointing].

Q. Did they stay in this car until they got to headquarters?—A. We stopped at the guard house and drove on up to headquarters.

Q. Do you recognize anybody in this room as being the two men you brought in that night?—A. Yes, sir.

Q. Point them out.—A. Those are the two men [pointing].

Q. State your name, rank, and organization.—A. Harvey E. Mosher, staff sergeant, Twentieth Squadron.

Q. Sergeant, what special duty, if any, were you put on Tuesday, January 30, 1923?—A. None at all, sir.

Q. Will you state just what you were doing, then, about from 6 o'clock on during that afternoon?—A. I was playing pool down at the organization for a while, somewhere about 7 o'clock. Then I drove to Hampton by the Back River Road.

Q. Why did you go to Hampton by the back river road?—A. I understood that you couldn't get out of the gate, sir.

Q. What happened on your way to town?—A. I was driving, Zombro and I. Halted beside Mr. Sinclair's farm by Lieutenant Horton, and I reported to him, and he told me to stand by. About that time Sergeant Bickle and two other soldiers came around the car that stopped in front of me, and they had two men they were covering and had just started to search them. They were putting money on the ground. They were covering both prisoners, but Mr. Sinclair was searching them. After they had them searched I tied their hands behind their backs. Mr. Dewey was with Lieutenant Horton. Lieutenant Horton asked me to bring him to the field, and Sergeant Bickle took the prisoners and went in Mr. Dewey's car.

Q. Did you bring the money back?—A. I drove and Lieutenant Horton and Sergeant Zombro had the money.

Q. Do you know who picked the money off the ground?—A. Yes, sir; a civilian.

Q. Did anybody else touch it?—A. No, sir; not that I saw.

Q. Did the money stay in your car until you reached headquarters?—A. We stopped at the gate and money was taken out and put in Captain Duncan's car. I believe Sergeant Zombro took it out, and he was with Lieutenant Horton, and when Lieutenant Horton got out of the car, he took the money out.

Q. Did you come on to headquarters?—A. Yes, sir. They came up in Captain Duncan's car and I drove my own car.

Q. Could you identify the men they were searching whom they hold up on the road?—A. Yes, sir.

Q. Are they in this room?—A. Yes, sir.

Q. Will you identify them?—A. [Pointing.] Over there.

Q. Did you know these two men before this affair?—A. I know Wood personally. I never saw Harvey before, to my recollection.

Q. Are you positive he is the man they had out there?—A. I believe so; yes, sir.

Q. When you came up had they already started searching these men?—A. Yes, sir; just started. Had a small pile of money on the ground.

Q. What light did they have?—A. A large Signal Corps flash light, reflector 3 inches long.

Q. There were no other lights than searchlight?—A. No, sir.

Q. State your name, rank, and organization.—A. Ryson Flohil Zombro, Twentieth Squadron, sergeant.

Q. Sergeant Zombro, what time did you leave the field for Hampton on the night of Tuesday, January 30?—A. Just about 8 o'clock, sir.

Q. By what route?—A. Back River.

Q. What happened while you were en route to Hampton?—A. We were halted by Lieutenant Horton, sir, at Mr. Sinclair's farm.
Q. What orders did Lieutenant Horton give you?—A. Just halted the car and ordered us to get out.
Q. State everything that happened.—A. Just as we got out of the car, when he saw the uniform he told us to come and help him; that he had the prisoners and the money. They had just started to search the men. Quite a bit of money on the ground. Mr. Sinclair was doing the searching. We stayed there until the men were searched. Sergeant Mosher tied their hands behind their backs. They gave me a bag and I held the bag while Mr. Sinclair put money in the bag. I tied a knot in the bag with Lieutenant Horton standing over with a searchlight and other soldiers standing around.
Q. Did anybody else touch the money besides Mr. Sinclair?—A. No, sir.
Q. Could anybody else have touched the money and you not have seen them?—A. No, sir.
Q. After you tied the knot in the bag, what did you then do?—A. Walked with Lieutenant Horton up to Sergeant Mosher's car. Got in back seat of car. I held the money until I got to Major Milling's office, and never turned it loose once.
Q. Will you tell what special detail you were placed on at 6 o'clock Tuesday evening, January 30, 1923?—A. Placed on a detail to report to police headquarters or the jail in Hampton, to go out and look for the men that stole the money from the paymaster in Hampton in the morning.
Q. After reporting to the jail, what did you do?—A. Went out to the Back River Road, within about 100 yards of Sinclair's house, at a crossroads. Mr. Dewey came down the road from the direction of the Sinclair house. Told us to go up there, that they had the men who stole the money. We went and found Lieutenant Horton covering the two men and Mr. Sinclair searching them for the money. Lieutenant Horton told me to cover the prisoners until the search was made, which I did. Then, after the search was made, the men were tied with their hands behind their backs. Lieutenant Horton turned the men over to me and told me to report them to the guardhouse at Langley Field. Mr. Dewey brought his car up and the prisoners were placed in his car. On the way in he had trouble with his car, and we transferred the prisoners from his car to Lieutenant Landerberg's car and brought them in to the gate, where we were met by the officer of the day and were told to bring the prisoners up to headquarters.
Q. Up to the time that you started away with the prisoners from where they had been captured, had they taken the money on the ground and placed it in the bag?—A. I don't know, sir; I was watching the prisoners.
Q. Who else was watching the prisoners?—A. There were several men there—I do remember, though, that Sergeant Zombo brought a muslin flour sack up, and after that I didn't take notice to what was done, because Mr. Dewey came up with the car, and I put the prisoners in the car and left.
Q. Had they started to put the money in the bag before you left?—A. I can't say.
Q. Did you see anybody fooling with the money?—A. No, sir.
Q. While the money was lying there, did you see it?—A. Yes, sir.
Q. You didn't see anybody putting it in the sack?—A. No, sir.
Q. About what time was it you first saw the prisoners that night?—A. About 8 o'clock.
Q. What time did you leave the field?—A. I am not able to say.
Q. What time did you return to the field?—A. I don't know, sir. I didn't look at the clock until about 20 minutes after 10; after I had returned to the post.
Q. Could you recognize those two men if you saw them again?—A. Yes, sir.
Q. Are they in this room?—A. Yes, sir.
Q. Could you identify them?—A (pointing). This is Corporal Wood and this is Harvey.
Q. Did you know these men before?—A. I didn't know them by their names, but both of them have been on guard with me in this station.
Q. You know that they were soldiers from Langley Field?—A. Yes, sir.
Q. You wouldn't recognize them as such if you saw them outside?—A. Not unless I had thought of where I had seen them before.
Q. State your name, rank, and organization.—A. Ira A. Goff. Do you want the serial number?
Q. Where do you work?—A. Finance Department.
Q. Will you state to the board everything pertaining to your actions from the time you reported for duty on the morning of Tuesday, January 30, 1923?—A. On the morning of January 30, 1923, Capt. Norman D. Cota, myself, and two guards, namely, Privates Foster, Fiftieth Observation Squadron; and Hawkins, Fifty-eighth Service Squadron, left the finance office to go to the First National Bank of Hampton, Va., for the monthly payroll of the troops and civilian employees, about 8.45 a.m. in a Government car (Cadillac). We arrived at the bank about 9 a.m., the captain, Private Foster, and myself going into the bank, leaving Private Hawkins with the driver of the car, which is the custom we have been doing ever since Captain Cota has been finance officer at this station. On leaving the bank about 9.45 a.m., to return to the field, I was carrying the money in a Government moneybag, which has been the custom since I have been accompanying the paymaster, in front of the captain and Private Foster. I got into the rear seat of the car first, followed by Captain Cota and Private Foster following him. The motor to the car was not running and as Private Foster took his seat the right rear door and the left forward door opened and the command "Put them up and keep them up and don't make any cry, for we mean business." We were covered by two Army automatics from the rear door and at least one and maybe two. I can't say as to the second—the man who had that came in the front door. They ordered the driver (Private Davis) and guard (Private Hawkins) to climb over the back seat into the rear of the car while Harvey got into the car, started up the motor, and drove away. Starting from the bank, they drove across Queen Street on King to Hope Street, turned right in Hope Street to Bridge Street to Victoria Avenue, right on Victoria Avenue to the Kecoughtan Road. On the Kecoughtan Road, about half way between Hampton and Newport News, they stopped the car and Harvey took our guns away while Woods kept us covered. They took all the guns from the men with the exception of myself. He felt around my body, but my gun was in my mackinaw pocket, and he did not feel it; so after taking the rest, Harvey started to drive away again when Wood said, "I think Goff has a gun in the right-side pocket of his mackinaw. Make sure, anyway." Harvey then reached over and took my gun away. He then drove on to Newport News, to the right onto a dirt road (name not known) to Twenty-eighth Street, left onto Twenty-eighth Street to Huntington Avenue, right onto Huntington Avenue, to a street opposite the main entrance to the Newport News Shipbuilding Co., to Washington Avenue, right on Washington Avenue to the last street, and to the right to Huntington Avenue, again left on Huntington Avenue to the end of that street, right one block to the road to Hilton.

I do not ever remember seeing Harvey before in my life, but Woods's face was familiar to me while I did not know his name, and had no idea that they were soldiers till they had called my name. We followed the road that passes through Hilton all the way into Yorktown, Va., and as we passed the Yorktown Ferry, the ferry was just pulling in and there were a number of automobiles parked there, Harvey said to Woods, "What the hell is this place?" Woods answered, "I'll be damned if I know." We passed the ferry and turned right at the foot of the hill in Yorktown and went up the hill; left the concrete road and got onto the dirt road known as the old Yorktown Road. It appeared to me that both men were lost and from talk that passed between them, I took it that they thought they were on a straight road to Richmond.

Q. Between the time you left the bank and the time you arrived at Yorktown, did the prisoners make any remarks, or did the highwaymen, rather, make any remarks to one another or any members of the car?—A. Yes, sir. One of them asked the other if they were sure he knew the road. He answered that he thought he did. And again one of them asked the captain if he thought it would rain. The captain told him he hoped it would. And again, going out the Eustis Road, the captain had his arms crossed, and he was asked if he didn't think his arms would get tired holding them the way he was. He told them he hoped they did. And again, by the Yorktown Ferry, the one driving the car wanted to know what that place was, and he told him he didn't know.

Q. Did you hear any remark with reference to their expecting to meet somebody?—A. Yes, sir. They were wondering where a certain party was. Called him by the name of "Smitty."

Q. Did they speak of turning off at any particular place before they finally got stuck in the mud?—A. Not of turning off, sir. They passed one remark after they left Yorktown that they thought that was the road to Richmond.

Q. Now continue with your story from the time you left the top of the hill at Yorktown.—A. At the top of the hill, Harvey started to speed up the car. The
road was a little slick, and the car skidded from one side of the road to the other two or three times, and the last time all but turned over. The car followed that road till it went into a bad mud hole and stuck. Here Harvey got out saying he was going to look for a telephone. Not finding one, he came back to the car and told Woods the nearest telephone was at the Big Bethel water works, about a quarter of a mile down the road. By this time a few colored people and one or two white people had come up to the machine.

Harvey asked one of the people where the two roads went to and was told one to Newport News and the other to Langley Field. They tried to get a team of horses to pull the car out, but could not, so they bought a piece of rope, I think from one of the colored men, giving him a dollar for it, and asked what time it was getting; the answer was 3 minutes to 12. Woods had never taken the two guns off of us. Finally the few people that had gathered around the car left, and after Harvey had taken all the magazines out of the guns they had taken from us we were ordered out of the car and marched back from the car for a few yards, turned to the right down the road toward the waterworks for about 200 yards, and then to the right into the woods, which were very thick with briars, for about a quarter of a mile. Here they stopped us, and while Woods kept us covered, Harvey started to tie us up. After he had tied up two and the rope was about gone, he told Woods to put him down, which Woods did, while Harvey kept us covered. Woods untied the two and started over tying Davis, Hawkins, and myself between two trees, and Captain Cota and Foster to another. After they had gotten through, they gave us all a cigarette, the captain saying he did not want one. I had on gloves, and the rope with which I was tied was pretty loose. I thought that if I could not get out that maybe the cigarette would come in handy in trying to burn the rope. Within 5 minutes after I was tied I had my right hand loose, and as soon as Woods and Harvey had left from our sight I started untwisting the rest of the people. Just before they left us Woods asked me how much money was in the bag. I told him about $10,000. They then lit a cigarette with a one-dollar bill and left. As soon as we were loose the captain took Davis with him, saying they were going to try and get the telephone at the water works. I took Foster and Hawkins with me, starting the other way to get the people out. We hit a store just outside of the woods, and here we got a shotgun and revolver. The man in the store sent out word of what had happened, and Foster, Hawkins, myself, and the civilian started toward the waterworks to meet the captain. On getting to the waterworks we found out the telephone was out of order. About this time we met up with the captain and Davis.

Q. After you met the captain, what did you do?—A. Met the captain and stood there for a moment talking, and the captain said we would go back by the car. I told the captain that I had started for the field or the nearest telephone. Mr. Dewey said he would go back to his house and get his Ford and start down the road and pick me up. He picked me up by the back river road, I should say about three-quarters of a mile in back where that road comes in at Langley Field. I rode with him for a few miles. The road was very muddy, and I decided that we could come into the field by way of Hampton. The captain told him to make sure that he would see nobody but the commanding officer. We had come probably a quarter of a mile when Captain Blakely came along with the ambulance. The captain was standing on the running board waving us down as we came along. As soon as he saw who it was he told me where the nearest telephone was. So the captain got in the Ford with us and told us to wait there for him. We got to the telephone; the captain got the field, then turned the telephone over to me. I told the exact location where we were. I was not sure I was talking to headquarters, but it was the headquarters of this field. They ordered me to go back out to where the car was stuck, which I did, accompanied by Captain Blakely, the ambulance, and the civilian.

Q. What did you then do?—A. Showed the sheriff where we were tied up.

Q. While you were in the bank with Captain Cota and the guard, did you leave Captain Cota at any time?—A. Yes, sir.

Q. Where did you go and what for?—A. I asked the captain if I could run across the street and get a package of cigarettes.

Q. Did you get them?—A. Yes, sir.

Q. Where?—A. The Coney Island hot-dog place.

Q. Did you see either one of the accused while on your way to or from this hot-dog stand?—A. No, sir.

Q. Did you see either of the accused at any time on the morning of the robbery, prior to the robbery?—A. No, sir.
Q. Could you identify either of the highwaymen if you saw them again?—
A. You mean now?
Q. Yes.—A. Yes, sir.
Q. Are they in this room?—A. Yes, sir.
Q. Please identify them.—A. This one is Woods and this one is Harvey.
Q. Did you know them before the robbery took place?—A. I don't ever remember seeing Harvey before in my life, and I did not know Woods by name, but his face was familiar to me.
Q. Did you recognize either as soldiers of Langley Field at the time of the holdup?—A. At the time, no, sir.
Q. The highwayman who entered by the right rear door of the car, did he open the door of the car or was the door of the car open?—A. I couldn't say.
Q. Did the highwayman who opened the left front door open the door or was the door open?—A. Well, that's a question I can't answer, because I don't know.
Q. Where did the highwaymen take the guns away from the guards?—A. Just about halfway between Hampton and Newport News on the Kecoughtan Road.
Q. Did you notice the highwaymen take any guns away from any of the guards at the bank?—A. No, sir.
Q. What has been the custom with reference to parking the car on previous occasions when you have gone in after the pay roll?—A. As long as I have been going after the pay roll in the bank it has been headed toward Langley Field, mostly. Only about three or four times do I remember when I came out of the bank that the car was headed in any other direction.
Q. How long have you been going with the paymaster after the pay roll?—A. A little over a year and a half, sir.
Q. How long has Private Davis been driving you all, or how many times, to the best of your recollection, has Private Davis driven you all for the pay roll?—A. I can't remember over four or five times, sir.
Q. Was the car parked on the right-hand side of King Street next to the bank?—A. Going in or coming out? I can only remember about four times when coming out of bank that the car was headed toward Queen Street.
Q. Did Private Davis drive the car when you got the pay roll last month for December?—A. I don't remember, sir.
Q. Do you remember where you parked on that case?—A. I don't know, sir; I do not.
Q. When you went across the street to get a package of cigarettes, did you then notice where the car was parked?—A. Yes, sir; it was parked in the same place it was when we came out of the bank.
Q. Did you engage in any conversation?—A. No, sir. I said nothing to nobody except ask for cigarettes.
Q. When you were driven to Yorktown, do you remember any conversation between the accused and Private Davis?—A. The only question I remember is how much gas was in the tank.
Q. Where were you located at the time that question was asked?—A. On the Camp Eustis road. This side of Camp Eustis.
Q. Are you sure it was before you left Yorktown?—A. Yes, sir.

(Lieutenant Horton was recalled, and reminded that he was still under oath.)
Q. Please state what happened from the time you ordered the highwaymen out of the car until they were searched.—A. Mr. Dewey was on the left of the car, I was on the right. The men got out of the left door. I used a flashlight and noticed that Woods had a pistol in his hand and when they got out at the left side of the car, they got out with their hands up. Mr. Dewey said, "Mike, I think these are the men." I immediately went around the back of the car, felt in the men's pockets and noticed they were bulging out.
Q. You had a pistol in one hand and a flashlight in the other?—A. Yes. I felt with the flashlight. I think it was Wood. I then said, "Bob, go get the car and help." I then backed the men up behind the car and called for Mr. Sinclair.
Q. Did you have any conversation with the prisoners at that time?—A. I remember saying something to them. I either said then or later, "To think that you two men would do anything like that." Whether it was right then or later, I don't know. I called Mr. Sinclair immediately after I told Mr. Dewey to go down and get the car. It was either then or later that I said, "To think that you two men would do anything like that."
Q. Before you called Mr. Sinclair, did Mr. Dewey or you search the prisoners?—A. No, sir.
Q. Did you feel them in any way to feel if they had anything on them?—A. Except that one time when I had the flashlight in my hand. Mr. Dewey had taken the pistol from Woods's hand before that.

Q. Did he feel the men to see if they had anything on them?—A. Not to my recollection. In fact, I am positive he didn't.

Q. How long a time in your opinion elapsed between the time that you stood the men up until you called for Mr. Sinclair?—A. As long as it would take me to say, "Bob, go get the car and help." At the same time, I was backing them up. I called for Mr. Sinclair. It couldn't have been more than four or five seconds, or ten seconds at the most.

Q. How far was it from where you and Mr. Tennis and the soldier were, on the corner?—A. It was a very short distance.

Q. Will you please state your name, rank, and organization?—A. Norman D. Cota, captain, Finance Department, Langley Field, Va.

Q. Captain Cota, will you please state just what happened on the morning of Tuesday, January 30, 1923, with reference to the holdup of yourself and guards of the monthly pay roll?—A. A Government Cadillac car, with all curtains in place, driven by Pvt. Robert E. Davis, Fifty-ninth Squadron, with three guards started out to Hampton for the pay roll. All members of the party except the driver and Private Goff were armed with Colt automatics, caliber .45, carried in regulation holsters, suspending from regulation pistol belts. Pvt. Ira Goff was also armed with a Colt automatic caliber .45, but carried his pistol in his coat pocket. All guns were loaded. Pvt. Ira Goff, F. D., and myself took seats in the rear of the car. Private Foster took a folding seat in front of Private Goff, and Private Hawkins took his seat beside the driver. The car then proceeded to the First National Bank in Hampton, Va. Upon arrival at the bank Private Goff, Private Foster, and myself went into the bank, leaving the driver and Private Hawkins as guard in the car. We arrived at the bank about 9 a.m. We proceeded into the president's office and Private Foster took a position near the door as guard. Private Goff sat down at the table, with pistol drawn and on the table. I went into the bank proper, where I met Lieut. George Cooke, F. D., from Fort Monroe. I talked with him for a few minutes, then went back to the president's office, and sat down at the table. Mr. Winne, cashier of the bank, brought the money and placed it on the table in front of me. Assisted by Private Goff, I counted the money and he placed it in a regulation paymaster's bag. The money given for the enlisted roll agreed with the change list previously stated. The bank did not have the required number of twenties for the civilian rolls, so the amount was completed by giving us fives instead. The task of counting the money was completed between 9.45 and 10 a.m. Private Goff asked if he might step across the street and get a package of cigarettes. I gave him permission. The guard and myself remaining in the president's office with the money. Private Goff returned quickly, took the money bag, and followed by myself and Private Foster left the bank. The car was parked along the side of King Street by the side door of the bank, facing toward Newport News.

I noted nothing suspicious as we approached the car. The driver and the guard were in place. Private Goff entered the car first with the money bag; I followed and Private Foster followed me. As I turned around and sat down, I found myself confronted on each side by a man in civilian clothes, who had pushed into the car and leveled two automatics, regulation Colt caliber .45, one in each hand, and ordered all of us to throw up our hands and to remain silent or he would fire. We complied with the order. One of the men covered us while the other forced the driver and the guard on the front seat over into the rear. They were on the floor in front of myself; Private Davis between my legs, and Private Hawkins against the side door and on Private Davis's right leg. Private Foster was sitting on the folding chair in front of Private Goff. One of the men took the steering wheel; the other man took the front seat, facing us with an automatic in each hand, leveled at us. We all had our hands up. While this was taking place, people were passing up and down the street, and I felt sure that the scene must have been witnessed, and that authorities would be quickly notified. Apparently, however, the curtained car shut out their view, and they concluded that some military prisoners were being taken. The men were both dressed in civilian clothes, and made a neat appearance. In this manner we proceeded along the main thoroughfare toward Newport News. When outside the city limits the car was stopped, we were disarmed and ordered to fold our arms. The car then proceeded through Newport News toward Yorktown. We were endeavoring to attract the attention of persons on the street, but due to the heavy
CAPT. NORMAN D. COTA

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curtains on the car did not succeed. One man remained facing us with an automatic in each hand, while the other was driving the car. From conversation between the two men, and the fact that they called Privates Goff and Davis by name, it was learned that they were soldiers from Langley Field; that they had planned to meet a confederate—whom they referred to as “Smitty”—somewhere along the road, in another car; then they expected to put us out and leave us in some out of the way place, after which they and the third party would proceed in the new car and catch a ferry. Their plans went wrong when they did not find the expected third person. They evidently did not know the country well, for, after passing Yorktown, they turned to the right and appeared to be lost, as they proceeded to return in the direction of Hampton. We kept on in this manner until around noon, when the car became stuck in the mud. The driver got out and tried to locate a telephone, but there was none in the vicinity. He then tried to locate some one to pull the car out, but failed. During this time several persons conversed with them and saw us in the car, covered by the other man. From information gathered afterwards, however, these people thought it was a case of prohibition officers, and did not interfere. At this time we were located close by the United States water works, known as Big Bethel, which is about 4 miles from Langley Field. The driver then purchased some rope from a colored man. We were ordered out of the car and told to march down the road toward the waterworks. About one-half way to the works we were ordered to turn into the woods. After proceeding for about seven or eight minutes in the woods, we were stopped and they began to tie us to trees. The rope they used was large and they failed to tie us securely, as Private Goff had his hands free only three or four minutes after they had left.

He then untied the rest of us. We were all untied at about 1.15 p.m. I then ordered Privates Goff, Foster and Hawkins to make their way back to a telephone and arouse the people. With Private Davis, I made my way to the water works, as I knew there was a telephone at this place. Upon arrival at the water works, I found the place locked up, and was informed by a woman living close by that all the telephones were out of order and there was no way to communicate with Langley Field or Hampton. By this time airplanes were flying close by and I felt that we had been located. I was then joined by Privates Goff, Foster, and Hawkins, who had succeeded in obtaining a shotgun and 32 caliber revolver. I placed Private Foster with the shotgun on guard near the Big Bethel water works where he could view and guard the road running to Langley Field and also the road which connects with the Yorktown Road. I sent Private Goff toward Langley Field with instructions to get to a telephone as soon as possible. I took the revolver and with Privates Davis and Hawkins proceeded back to the place where the car was stalled, and took a position where we could guard the road toward Hampton and also a crossroad running into the Yorktown Road. I sent all the male civilians I could locate to arouse the countryside and to get armed and be on the lookout. In the meantime I had been endeavoring to locate a telephone. The nearest one was at Hilton Village, so I ordered the civilian to drive there rapidly. Took Private Davis with me in the Ford sedan and had the civilian drive rapidly toward Hampton and the place where he had seen the two men answering to the description. We finally arrived at the spot where the civilian had seen the men, and found the men with whom they had been talking. After talking with these civilians, I was convinced that the men reported were not the robbers, as the men with whom I was talking stated that they knew the men whom we thought might be the ones we were after. I also felt that the robbers could not have gotten so far on foot in such a short time. And no one along the road had seen them. During all this time, I had been endeavoring to locate a telephone. The nearest one was at Hilton Village, so I ordered the civilian to drive there rapidly. On my arrival at Hilton about 3 o’clock, I immediately telephoned the commanding officer, Langley Field, by wire, I soon establishing the commanding officer, Langley Field, by name, I soon established my actions, gave descriptions of the men, and their names and organizations—information which I had gotten from Private Davis who recognized them.

I learned that Private Goff had also gotten the commanding officer on the telephone. The commanding officer told me that he was sending officers and troops to the Big Bethel vicinity and for me to return there and report to Major
McChord, Air Service, who was to have charge of the searching party. Together with Private Davis, I stopped two soldiers who were driving a Ford runabout and ordered them to take us as fast as possible to Big Bethel. On our way back we began to meet officers and men from Langley Field, to whom we furnished descriptions and information available. On our arrival back at Big Bethel we found that officers and troops had arrived there. I reported to Major McChord and furnished him with all the information I had. He sent out various patrols and a search of the woods was begun. In the meantime the commanding officer at Langley Field, upon first learning of our disappearance, had notified authorities throughout the peninsula to guard all exits. I remained with Major McChord until about 6 p.m., when he ordered me to return to Langley Field in the Cadillac, which by this time had been gotten out of the mud. I arrived back at Langley Field about 6:45, and immediately reported to the commanding officer, Major Milling, Air Service. I related the entire circumstances to him and then went to my office. There I found that Sergeant Holmes had remained on duty, and that proper authorities had been notified. I then went home and had supper, after which I returned to headquarters. The commanding officer had appointed a board of officers to investigate the circumstances surrounding the holdup. I reported to them. At about 9 o'clock word was received that a patrol had captured the men on the road near the woods where they first went in. Upon the arrival of the prisoners I identified them, and with the board of officers proceeded to check up the money found in their possession.

Q. On previous occasions when you have gone in for the pay roll what has been your customary mode of protection?—A. To ask the adjutant for a guard of two men. The two men reported at my office. Private Goff, my detachment, has always gone with me and has always been armed. I have also carried an automatic and regulation holster. In going into the bank, one guard was always put in the front with the driver and the other guard usually takes the folding seat when we have the Cadillac—the folding seat in front of Private Goff and myself.

Q. Prior to coming to Langley Field, did you ever have occasion to go for pay roll money?—A. The only other time was from Camp Holabird to Baltimore.

Q. Will you state what protection you had for this trip?—A. On that trip I had a Dodge car with a driver and two guards detailed from the camp guard.

Q. Is it customary for the guards to carry their guns in their hands or in the holster?—A. Well, all I have seen have carried their guns in their holsters.

Q. Will you state what protection the finance officer of Fort Monroe had on this particular day that you were held up?—A. The finance officer at Fort Monroe had no one with him in the bank that I saw except Sergeant Black of his office. I can not state whether or not there was another man in the car.

Q. Were the lieutenant and sergeant armed?—A. I did not see any arms. If they were, I believe they were concealed.

Q. Do you know the amount of the pay roll which the lieutenant drew on this morning?—A. I do not.

Q. About how long was Goff gone at the time you gave him permission to get a package of cigarettes?—A. I would say he was not gone much longer than one and one-half minutes at the most.

Q. How much money did you draw from the bank?—A. Between forty-two and forty-three thousand. It was $42,578.46.

Q. At the time these two men relieved you of the money, did they take it all away?—A. Yes, sir. It was all in the bag and they took it all.

Q. Did anyone at the bank check it with you?—A. They always check it with us and then we count it together.

Q. Could you identify the highwaymen if you saw them again?—A. Yes, sir.

Q. Are they in this room?—A. Yes, sir.

Q. Will you identify them?—A. [Points them out.]

Q. Was there anything unusual in the fact of the car being full side-curtained this morning?—A. I did not think of it at the time. I mean when we started out. After I sat back in the car after this thing happened it occurred to me that I had not gotten in the car before with all the curtains up. That usually the front curtains were off, even though the back curtains were on.

Q. How was the weather?—A. It was cold and chilly, but it was not raining.

Q. Was there appearances of rain coming on?—A. Yes; it was possible for it to rain.

Q. Did you see this forward left-hand door opened at the time by the highwaymen?—A. I did not see that. I turned around and sat right down in front of his guns, and for a few minutes I was very much interested in it.
Q. After you arrived in Hilton Village, you stated that Davis desired to go to Newport News rather than return. Did he give any reason for that?—A. He suggested the trolley line into Newport News, and he did not appear over-enthusiastic about going back. He made no objection about going back. I would like to add one other thing. As I told you on the way out they asked Davis about the road. As we left Yorktown, Davis told these men that he knew nothing about the road from there on. And after he had gotten free, Davis told me that he had tried to get chummy with them and in their confidence and hoped to get a chance to get after them, as he knew the way out of the roads.

Q. Did he volunteer this information, or did they inquire?—A. They asked.

Q. You remember a remark, that when they asked Davis where this road led to, what his answer was?—A. I couldn't tell you the exact questions and answers, because I can't remember them, but it remained in my mind the fact that it led to Yorktown and the dirt road to Williamsburg.

Q. Did you, at any time while you were either in the car or after being released from the car, hear or see any airplanes?—A. While sitting in the car, stuck in the mud at Big Bethel Church, I heard an airplane pass over, which made me feel much better. After being released from the trees to which we were tied and while at Big Bethel water works, I saw a Martin bomber pass overhead, circling over the works, appearing to me as if they were looking for us. I waved my handkerchief at them, but failed to attract their attention. From then until dark airplanes were continuously going and coming and circling over the woods as if they were looking for something.

Q. What was the amount of money recovered from the robbers?—A. $39,793.67.

FINDINGS

After careful investigation of all witnesses available, the board finds that Capt. Norman D. Cota, finance officer, Langley Field, Va., was held up and robbed of $42,578.46, the property of the United States, on the streets of Hampton, Va., at or about 10 o'clock a.m. on January 30, 1923, by two highwaymen, Corpl. James S. Harvey and Corpl. John S. Wood, armed with four pistols, through no fault or neglect on his part, he having requested and received two guards, as was the custom in bringing the pay roll from the bank to the field. That neither Captain Cota nor any of his guards had an opportunity at any time to overpower the highwaymen without risking the loss of their own lives.

That the highwaymen were captured on or about 8.30 p.m. the same day and all the money recovered with the exception of $2,784.79.

That the money was lost amid circumstances utterly free from suspicion on the part of Capt. Norman D. Cota and that the most diligent efforts were made to recover it.

LOUIS R. KNIGHT,
Captain, Air Service, President.
FLOYD N. SHUMAKER,
First Lieutenant, Air Service, Member.
CHARLES M. CUMMINGS,
First Lieutenant, Air Service, Recorder.

Approved:

T. D. MILLING,
Major, Air Service, Commanding.

WAR DEPARTMENT, SUPPLY DIVISION, GENERAL STAFF

DISPOSITION SLIP

JANUARY 2, 1924.

Return papers to room 335.
Tally number, 12517.
Subject of paper: Proceedings of board of officers investigating robbery committed upon Capt. Norman D. Cota, Finance Department.
To the Adjutant General, January 2, 1924.
For file.
Notify Chief of Air Service of this action.

J. R. LINDSEY,
Colonel, General Staff.
D. E. NOLAN,
Brigadier General, Assistant Chief of Staff.

By authority of Secretary of War.
PROCEEDINGS OF BOARD OF OFFICERS INVESTIGATING ROBBERY COMMITTED UPON
CAPT. NORMAN D. COTA, FINANCE DEPARTMENT

The Chief of Air Service:

Referring to the board proceedings in the case of the robbery committed upon
Capt. Norman D. Cota, Finance Department, at Langley Field, Va., forwarded
by your office informally to this office, it has been determined that the document
in question is the original proceedings of the board, and the Secretary of War
has directed that it be filed in this office.

By order of the Secretary of War: __________, Adjutant General.