

# **MYSTERY MAN**

**GANGSTERS, OIL, AND MURDER IN MICHIGAN**

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## Old Friends

Isaiah Leebove and Carl “Jack” Livingston had been friends for twenty-five years, starting out together as ambitious young men in oil-rich Tulsa, Oklahoma. The friendship had been strong at some times, rocky at others.

Saturday, May 14, 1938, was a beautiful spring day in Clare, Michigan. Isaiah Leebove had recently returned from a gambling excursion to the French Lick resort and casino in southern Indiana. He had arrived in Clare the previous Wednesday, May 11, after stopping off in Grand Rapids to strengthen his political connections by having lunch with Mayor George Welsh. Saturday, he



Isaiah Leebove

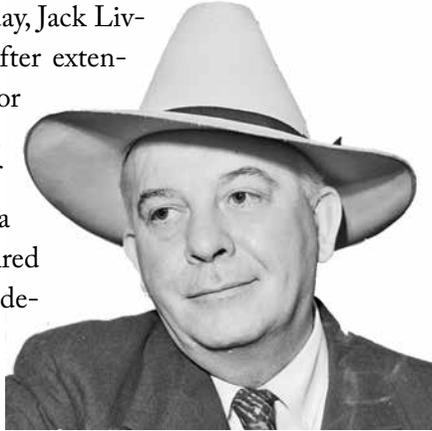
was still in town, somewhat by accident. He had planned to travel to Washington, D.C., on Friday in order to meet with federal banking commissioners concerning his plans to open a bank in Clare. Instead, he had cancelled that in favor of a fishing trip with friends in the oil

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business over the weekend. But first, he spent Saturday morning with a photographer who took many pictures of Wildwood, the estate Leebove had bought in 1934, and of Leebove with his dogs. The picture of him with his favorite pets would soon appear in more newspapers than he could ever have imagined, and for a reason he would only have feared.

Earlier that same week, Tuesday, Jack Livingston had returned to Clare after extensive rehabilitation downstate for alcoholism. Two of his friends, Pete Geller and his bride of two weeks, Elizabeth (“Betty”), a twenty-three-year-old, dark-haired local girl, noticed he had been depressed and moody ever since. Wanting to help, they invited Jack to spend a day at the cabin on Crooked Lake they were fixing up.

Geller had been an assistant attorney general in Michigan during Governor William Comstock’s administration (1933–1934), working with banks that had been closed during the Depression. A recent second stint in the attorney general’s office had him dealing with matters regarding the burgeoning oil boom in the state. He had also been a newspaper reporter for two Detroit newspapers for fifteen years before being admitted to



Jack Livingston



Pete and Elizabeth “Betty” Geller

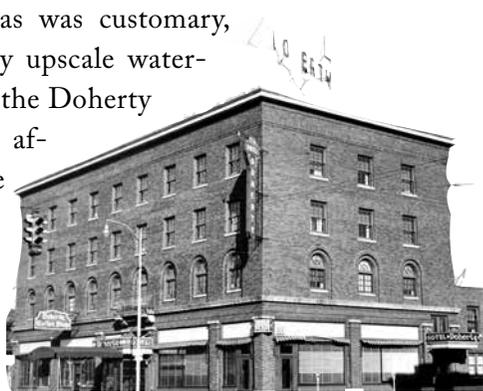
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the Michigan Bar. As a journalist, he had developed excellent connections with Detroit's Purple Gang, who would pass him news tips. Just recently, he had moved to Clare to engage in private practice. Geller already knew Isaiah Leebove through his work in politics and business. Leebove had hired him as his Clare attorney. Geller's deep knowledge about oil and banking fitted him perfectly for the job. He had already been paid one thousand dollars for two hundred hours' work that included business trips to Detroit and research into Michigan and national banking laws. Leebove had just bought the Clare County Bank building in Clare, intending to open his own bank.

"The Geller cabin had no stove or refrigerator and it needed a lot of work," according to Betty Geller. "Pete thought that a day at the lake would help Jack with his tears and emotions. Jack agreed to go on Saturday. On Friday he told Pete that he wasn't up to it and would not be able to spend the day at the lake. He was crying all the time."

So, instead of going on an outing, Jack spent Saturday as he had spent the previous week—drinking. He was also half-sedated, thanks to Dr. Kuno Hammerberg who had, throughout that time, been prescribing him with sedatives and two ounces of whisky daily.<sup>1</sup>

That Saturday evening, as was customary, people gathered in the only upscale watering hole in town, the bar of the Doherty Hotel. Opened in 1924, after fire had consumed the venerable Calkins House four years before, the hotel quickly became a place known around the state as a big-city hotel in a small town. Jack Livingston had made it his residence during the time he was in Clare. After ten years there, he was a well-known and well-liked citizen.



Doherty Hotel, Clare, Michigan

Just before Leebove left Wildwood that evening to go downtown, he

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and his beautiful wife, Enid, quarreled. He changed his clothes and left her, still in a huff. He drove to the hotel, parked and got out of his car. As he emerged, he came face to face with Jack on McEwan Street, outside the hotel. They spoke acrimoniously. Jack demanded that Leebove pay him back every penny of the money he owed.

Such confrontations had been increasingly common as of late. Just a few days earlier, when they had met on the street, Livingston had been abusive.

“Get away from me you drunken sot,” Leebove responded. “Why don’t you get a hold of yourself? If I gave you the money you’d drink it away within a month!”

Livingston grabbed Leebove’s arm. Leebove pulled free, saying, “Jack, you drunken bastard, get out of my way. You’re not fit to be allowed out on the streets in your condition. You are despicable!”<sup>2</sup> Then Leebove spat on him, turned on his heel, and walked into the Doherty Hotel.

Now, the exact same scene was playing itself out again. This time, when Livingston verbally assaulted him, Leebove shot back, “Jack, you’re a good-for-nothing drunk. Look at yourself! Every dime I give you goes to booze. I’m doing you a favor by keeping your money from the bartenders!”

“Lee, you no-good-son-of-a-bitch!” Livingston shouted. “You’ll never live to spend all of the money you’ve stolen from me!”<sup>3</sup>

Leebove retorted by calling Livingston a bum. He then turned to ask Sammy Braunstein, his cousin and secretary of Leebove’s oil company, to go buy some ice cream from Houghton’s so he could take it home to mollify his wife.<sup>4</sup>

Jack Livingston left Leebove standing out on the sidewalk and went into the Doherty. He was no longer in a mood to be trifled with. By then, it seems, he decided some final action had to be taken.

Livingston was seething because his lawsuit against Leebove was going nowhere, with Leebove thwarting him at every turn. Livingston had filed the suit in Circuit Court in 1937, but Leebove had engineered continuing delays in the case. By May 1938, the case not only remained unresolved, but the judge had issued yet another delay.

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This wasn't the first time Livingston had taken his old friend to court: In 1929 he, Leebove, and Louis D. Oakes, through their company, Mammoth Petroleum, had signed an oil lease on property belonging to the Bothwell family.<sup>5</sup> Later, after oil was struck there, Livingston and Oakes sued Mammoth Petroleum in vain, claiming the lease had been fraudulently altered to drop their names, thereby cutting them out of their share of the profits.<sup>6</sup> There is little doubt that Livingston's frustration with Leebove had contributed to his heavy drinking in the past year, and to yet another stay in the drying-out bin in Detroit from which he had just returned.

Pete and Betty Geller had already arrived in the Doherty's barroom at about a quarter to ten. They took seats in the second booth from the corner. Betty sat on one side, facing her husband. As soon as she entered and sat down, she saw Livingston standing in the opposite corner by the entrance into the corridor leading to the hotel lobby. He was muttering incoherently as he shambled over to Mary Drawdy, who ran a restaurant in town owned by Bill Adams, and her friend Maxine Berger. Then he started crying and, with tears running down his face, waxed poetically about how young people should be out in canoes watching the pretty white swans go flitting along. As he rambled on, he continued to cry, taking his handkerchief from his pocket and wiping his face. He kept asking Maxine and Mary how they felt, over and over, as he went on with his sometimes incomprehensible soliloquy.

"I heard you quit drinking," Mary said to him. Jack replied, "Yes, I have quit drinking. People shouldn't drink because it kills people." He was nervous and mumbling and crying. This all struck Mary as very strange. In her earlier conversations with Livingston, dating back to early 1937, he had never cried, talked brokenly, or recited verse or poetry. That night, he just seemed to be "acting crazy," as she put it later.<sup>7</sup>

After about ten minutes, Livingston left their table. Maxine and Mary got up and left the tap room. Jack stood by the bar and asked for a drink. The bartender refused him on orders of the management. Then he greeted Pete Geller, seated across the room with Betty. J. Forrest Barr of Toledo, Ohio, and his wife, who together owned a summer home in

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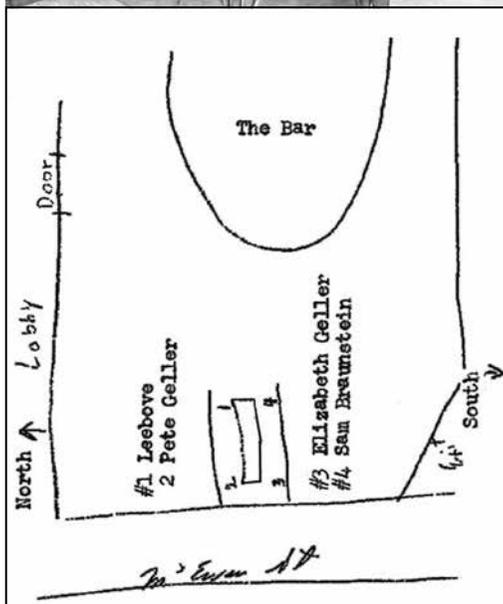
the Clare area, entered the tap room and sat near the booth where Betty was sitting.

Leebove then entered the lounge, alone. He greeted the Gellers, who invited him to sit down with them. He sat on the outside, next to Pete and across from Betty.<sup>8</sup> As always, he ordered a soft drink.

Jack went over to where Dr. Kuno Hammerberg and his wife were seated with Harry Wehrly, assistant manager of the hotel. He took a chair from their table to sit with his friends, Mr. and Mrs. Barr. He was three booths away from the Gellers. He calmly said to the Barrs that he was glad to see them and entered into casual conversation.

Then, seemingly on the spur of the moment, he got up and left, walking out of the bar and disappearing into the hotel lobby. He was out of the room for only about five minutes. In the meantime, Leebove's cousin, Sammy Braunstein, came in carrying the ice cream he had been asked to pick up and joined his uncle in the booth, next to Betty Geller.

Livingston had decided he must kill Leebove, now. He went through



Betty Geller's diagram of the bar

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the hotel lobby and up to his room. There he took a gun from a trunk. It had five bullets in it. He put the gun in his coat pocket and went back downstairs.<sup>9</sup>

He then re-entered the lounge and sat down exactly where he had been sitting before, with the Barrs.

His entrance went unnoticed by Leebove, who had his back to the entrance from the lobby. Livingston sat with the Barrs for another three or four minutes, thinking over what he was going to do. Then he rose to his feet. He was delusional from drink and stress as his eyes darted about the room. He thought that he saw Leebove glancing up at him three times while talking with Geller and his other friends. To Livingston, it looked like Leebove was trying to get the jump on him. Nervously jerking his hand in and out of his coat, he took a few short steps to the booth where Leebove and his friends had been amicably conversing for the past twenty or twenty-five minutes. He halted beside Betty Geller.<sup>10</sup> He was standing directly in line with Leebove, who was turned slightly as he talked with Pete Geller.<sup>11</sup>

Blinded by his rage, fear, and resolve, Livingston saw only Leebove as he pulled the .38 revolver from his coat pocket and took aim at the man who had once been his close friend.



Livingston's gun