

Prohibition Agent Robert Oliver Gary | Village of Seven Mile

Age: 50

Served: 2 months

September 1925 to November 21, 1925

BACKGROUND

Robert was born April 21, 1875 in Ohio to James Oliver (of Pennsylvania) and Plymouth Lucy (Harris) Gary. He could trace his lineage to mid-17th Century Connecticut. He and his family owned a farm in Plymouth (Ashtabula County), Ohio until at least 1921.

Ohio prohibition began in May 1919. Federal war-time prohibition, a temporary measure, started in July 1919. The final federal prohibition became effective in January 1920.

Before it was declared unconstitutional, an Ohio statute allowed justices of the peace and mayors of mayor's court to enforce the law outside their jurisdictions and to keep the assets seized. Morris Y. Shuler was a Justice of the Peace for Wayne Township in Butler County and Mayor of the Village of Seven Mile. In 1922, realizing a fiscal opportunity for his village, he hired six agents to enforce the state statutes throughout Butler County and they became the scourge of bootleggers, rum runners, and "soft drink parlor" operators, making 400 or 500 arrests a year with an 82% conviction rate.

During these years, several of Mayor Shuler's agents had close calls with the violent offenders; including Mayor Shuler himself who had a stick of dynamite explode in his car and an

attempt to burn his home. On June 20, 1925 one of his agents, Wilber F. Jacobs, had been murdered. He hired Robert Gary during September 1925.

Meanwhile, in Hamilton, the building at 328 Court Street had housed the Cahill & Sons funeral parlors. It was purchased and turned into a café by Edward Schief. Schief was reputed to have served the "wrong" liquor in his café and ran afoul of some bootleggers. He was shot and killed on April 30, 1925 and three men with mob associations, Ray "Crane Neck" Nugent, Edward Scott, and John Todd Messner, were arrested and charged with his murder. They were still in jail in November and eventually the charges were dismissed due to witnesses disappearing and losing their memories on the stand. At least two would kill again (see North College Hill Marshal Dumele). Olney P. Wells purchased the café after Schief's murder.

INCIDENT

Soon thereafter, Wells came under suspicion of serving illegal alcohol. Mayor Shuler's agents developed probable cause and had a warrant signed for the search of the café.

On November 21, 1925, at 7:40 p.m., Agents Fred and Robert Gary from Seven Mile and the Butler County Coroner Hugh Gadd conducted a raid in order to serve the search warrant. Gadd and Robert Gary went in the front door and Fred Gary to the rear door. Wells delayed his reading of the warrant asking inane questions about the definitions of some of the wording, taking telephone calls, selling merchandize, and finally by arguing with Gadd.

Meanwhile, Fred Gary knocked on the rear door and a voice from inside saying, "You come in here and I will pour some hot lead into you!" Seeing his delaying tactics were not working, Wells told the agents to go ahead and search. When Robert Gary went behind the bar, Wells pulled out a .38 caliber revolver and

shot him in the neck. The steel jacketed round entered below his left ear and exited below his right, breaking his neck and killing him instantly.

Wells turned toward Gadd and started shooting at him. Gadd was pulling his own revolver, a .45 caliber, and dodging Wells' shots. Wells also was bobbing up and down to avoid being shot by Gadd. His fifth shot took out a knuckle on Gadd's left index finger. Gadd got off one shot with his revolver, but missed and then the revolver jammed. Finally, Wells fired his sixth and last shot and Gadd tackled him and using his .45 revolver as a club, beat him into submission.

When, at 7:50 p.m., Fred Gary heard the shooting, he called the Hamilton police for backup. Someone else called at 7:55 p.m. to report the killing of Robert Gary. While Gadd and Wells wrestled on the floor, police reserves and detectives swarmed into the café and restored order. Fred Gary followed and when he inquired as to where his brother was, Gadd told him that Wells had killed him. Fred Gary then put handcuffs on Wells.

FUNERAL

Agent Gary left a wife, Anna Laura Gary and his brother. His remains were taken back to Ashtabula County on Sunday, November 22, 1925. He was buried in Edgewood Cemetery. His wife was buried next to him seven years later in 1932.

INVESTIGATION

Detectives Herman Dulle and Albert Mueller, who were working that night and just blocks from incident, responded and investigated the murder.

Three days after the incident, on Tuesday, November 24, 1925,

Wells was released from Mercy hospital, where had been treated for scalp lacerations, and taken to jail. During the entire time, he made no statements about the incident other than once accusing Gadd of shooting Agent Gary; but that was disproven when the expended .38 caliber bullet was found behind the bar.

Of the dozens of patrons of the café at the time of the murder, none would testify. Wells was charged with First Degree Murder and arraigned Friday, November 27, 1925. He was not convicted and died 41 years later during 1968.

If anyone has any information, artifacts, archives, or images regarding this officer or incident, please contact the Greater Cincinnati Police Museum at memorial@police-museum.org.

This narrative was revised on November 17, 2014 by Cincinnati Police Lieutenant Stephen R. Kramer (Retired), Greater Cincinnati Police Historical Society President, with research assistance from Joyce Meyer, Price Hill Historical Society Historian. All rights are reserved to them and the Greater Cincinnati Police Historical Society.