

Dark Shadows in the Valley of Hearts Delight /

By

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TABLE OF CONTENTS

- Introduction
 - 1. Planned Kidnapping
 - 2. Ransom Demands
 - 3. Search for the Body
 - 4. Hanging in St. James Park
 - 5. Governor James Rolphs' Statement
 - 6. Conclusion
 - 7. Casualty List
-

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INTRODUCTION

In November of 1933, the handsome son of a well loved wealthy businessman, from the San Jose downtown area disappeared from the parking lot at the rear of the familys' department store. The two men who abducted Brooke Hart drove to the San Mateo-Hayward bridge, bound his legs with bailing wire and cement blocks, rolled him over into the San Francisco Bay, then was shot, "to finish the Job."

After the two kidnapers were caught and jailed, the remains of the body of Brooke Hart was found. The townspeople became incensed, a number of them formed a mob and rammed open the front door of the Santa Clara County jail, dragged out the two murderers and took them across the street to St. James Park where they were hung, naked. This is the story of that heinous crime and lynch hanging.

CHAPTER 1
PLANNED KIDNAPPING

Around 6:00 p.m. on Thursday November 9, 1933 Mr. Alex Hart, owner of Harts department store in San Jose asked his son Brooke if he would drive him to the Chamber of Commerce testimonial dinner which was to be held at the De Anza Hotel. That evening the business community was to honor Mr. Hart for his success within the downtown leadership, his prosperous business and his spirit of good will in San Jose.

The store had been founded by Mr. Alex Harts' father, Leopold Hart, in 1880. The name of the store now L. Harts and Son Co. Brooke, 22 had been recently graduated from Santa Clara University business school and Mr. Hart had gifted his son with a Buick roadster and established him as a business partner. Since Brooke had been made Vice-President of the firm, photos of the banquet, which were held to celebrate the event, had appeared in the society pages of the local newspapers.

The late afternoon cool breezes were arriving so Brooke hurried on to the corner lot at Post and Market Streets, where he parked his roadster. He was to pick up his father at the front entrance of the store on Santa Clara Avenue. As he was pulling out his car keys from his pocket, he was approached by a tall man who was pointing a gun at him. He was ordered to get into his car and to keep

his mouth shut.

John Maurice Holmes was tall, 30 years of age, unemployed, unhappily married and the father of two children. His plan was to run away with his former high school girlfriend, who herself was unhappily married and had promised to run off with him if he could come up with some money. For Holmes this meant committing a crime and he would need a partner.

Thomas Harold Thurmond was a resident of the Campbell district and brother of Reverend R.J. Thurmond, Pastor of the Church of God, in the Sacramento Valley town of Chico, California. Thurmond had been contacted by Holmes, whom he had known when both worked at a gasoline station. He also was 30 years of age and unemployed.

The approval of the kidnapping plans was agreed upon. Holmes ordered Brooke to drive east on Post street then north on First where a second car driven by Holmes' accomplice was waiting to follow them.

When they reached the area of Evans Rd., near Milpitas, both cars stopped. Holmes ordered Brooke to get out and marched him back to the second car. The kidnapers were in such a hurry to move on they hadn't noticed that Brookes' car had been left with its' headlights on.

Thurmond drove while Holmes kept the gun on Brooke in the rear seat. Brooke offered them all of the money he had with promises of more if they would let him

go. The kidnapers ignored his pleas. Thurmond drove on to the road that led to the entrance of the Hayward-San Mateo bridge.

It was dark and deserted. A chill wind was blowing. The three men got out. Thurmond produced a pillowslip and pulled it down over Harts' head and shoulders. Holmes then struck Brooke, sending him to the pavement. The two men hurriedly wrapped his feet with bailing wire and cement blocks that they had stored in the trunk of the car. Then they lifted him to the railing and rolled him into the bay. When Brookes' body splashed, the two men were satisfied, but when the splashing continued they became concerned. Apparently, the cold water had brought Hart back to consciousness and the cement blocks had loosened and dropped away. He swam to the nearest piling and hung on. Disgusted and swearing a blue streak, Holmes climbed over the railing on to one of the stringers, pointed his revolver in the area where he thought Brooke was and fired several shots.

Seriously hurt and losing strength he clawed at the piling, breaking barnacles and clung on for about an hour. Two fishermen who later came forward to say that at about 7:00 p.m. on the night of November 9 they had heard cries for help while in their row-boat. They had tried to locate the source, but failed. Since all was quiet they rowed to shore and went home. Brooke had been murdered in cold blood.

CHAPTER II
RANSOM DEMANDS

The two kidnapers were now satisfied that their crime was complete and would not be discovered. They drove to the San Mateo side of the bridge and back to San Jose to the house where Holmes lived. After dropping Holmes, Thurmond proceeded toward San Francisco where he stopped at a run down hotel on Market street, walked into the lobby to look for a telephone booth and placed a call to Mr. Harts home.

The Hart mansion was a beautiful white house situated on the corner of The Alameda and Naglee street, with a rounded drive-way and beautifully kept gardens.

When it was realized that Brooke failed to show up at the front entrance of the store, Mr. Hart became apprehensive and began making several telephone calls. Since he knew that his son was very dependable, his uneasiness was warranted. He called his home, some of Brookes' friends and his fiance. No one had heard from him.

Mr. Hart could not conceive that his son might have been forcibly kidnapped or harmed in any way, but decided to notify the police and had one of his employees drive him home. The family was in an understandable state of anxiety. The telephone was to be used as little as possible to allow calls to come through.

About 10:00 p.m. a Japanese farmer noticed a parked car with its' headlights on, adjacent to his property.

He walked over to see if anyone was inside. He returned to his house and called the Sheriffs' headquarters in San Jose to report his discovery of an abandoned car with the headlights on. Immediately several deputies were sent to the area to confirm if it was Brooke's roadster. There was no doubt, and the Hart family was notified. This was the first break in the case and the families' fears melted into hysteria.

Finally a call came through around 11:00 p.m. Mr. Hart answered. A nervous male caller said, "Your son is o.k. we have him in an apartment and we want \$40,000." with that he hung up before any details could be arranged.

Thereafter scores of obviously spurious ransom demands were received. One message, a crudely written post card mailed from Sacramento told Hart to place a card bearing the numeral 1 in the store window to signify his willingness to negotiate for his sons release. Another message ordered Mr. Hart to place a card with a numeral 2 as evidence of his intention of paying the ransom.

On November 11th the victims' wallet was found lodged on a guard rail of an oil tanker in San Francisco. The ship was searched but no trace of Brooke could be found. Next day the pleasure cruiser Lurline left San Francisco for Los Angeles where it too was searched. No evidence of the missing man was found.

Police Chief J. N. Black ordered his men to

keep a 24 hour watch on the store and of the Hart residence. Incoming phone calls were traced.

On November 15th the phone rang. The male voice gave instructions for payment of the ransom. Mr. Hart was to put the \$40,000 in a small case, drive his car, alone, on South Monterey Road where he would be intercepted in the area of the Oakhill Cemetary. Mr. Hart told the caller that he didn't know how to drive a car and asked for an alternative plan.

While the conversation was in progress the call was being traced to a garage on South Market Street. Sheriff William J. Emig and several of his deputies rushed to their patrol cars and drove the few blocks to the location of the phone booth, where Thomas Harold Thurmond was hanging up the receiver and started to walk out. The deputies stopped him, asked who he was and placed him under arrest.

Inside the county jail the Sheriff questioned the suspect Thurmond, and was persuaded to reveal the whereabouts of his friend. It was The Californian Hotel on South 1st Street. There the officers picked up John Maurice Holmes, cool self-possessed and denying any knowledge of a kidnapping. After a few hours of interrogation, on November 16, the confessions were signed. Each suspect blaming the other one with the actual murder of Brooke Hart.

The reporters had a busy day with stories for

their newspapers as soon as it was known that the two suspects were captured and had confessed to the crime of kidnapping and murder.

CHAPTER III
SEARCH FOR THE BODY

Jeannette Hart, the victims' mother had been recuperating from surgery, but was now seriously ill. When told of their sons' death at the hands of the two kidnapers Mr. and Mrs. Hart collapsed. It was said that the shrieks of Brookes' sisters filled the house when the news of the murder reached them.

Talk of a vigilante type of justice was being bandied around so Sheriff William J. Emig decided to transfer his prisoners from the Santa Clara County jail to the San Francisco Hall of Justice, pending the scheduling of their trial. To assure their safety, the San Francisco Police stacked their office with barrels of tear gas canisters. The guards toted machine guns with plenty of ammunition. Search for the body of Brooke Hart went on. Divers went to work in the murky bottom of the bay. A dummy was tossed off of the bridge in order to study the currents. A retired Navy Captain designed a new kind of dredging net. Hydraulic pumps were used. Many amateurs wanted to get into the act, motivated partly by the fact that Mr. Hart had posted a reward of \$500.00 to anyone who located the remains of his son.

The search went on but finding the body presented a crucial matter, because Santa Clara County would be in an awkward situation, if Homes and Thurmond were convicted and hung. Then if by some chance Brooke were to turn up alive.

Meanwhile it was rumored that a vigilante group was being formed with a signed agreement, "to see justice done by making plans to have a necktie party."

On November 22 the Federal Grand Jury in San Jose ordered that Holmes and Thurmond be returned to Santa Clara County for their arraignment. This was done by forming plenty of security. Four cars with well armed deputies carrying tear gas canisters and a machine gun. They were prepared for any emergency. The two prisoners were each placed in a different car. They left at midnight and were safely deposited in the Santa Clara County jail. Thurmond was placed in a floor above Holmes. In spite of secrecy and the late hour, somehow word got around that the killers were back. In no time at all a large throng gathered around the outside of the jail milling about. They stayed all night and the next day. Sometimes a party mood was created since many of them knew the prison guards they chatted back and forth like friends at a backyard gathering. As a precaution Sheriff Emig had steel doors installed at the jail entrance and a deputy with a machine gun behind them. The arraignment was scheduled for November 27.

On Sunday morning November 26, two duck hunters Leonard L. Dalve and Harold E. Stephens, both from Redwood City were moving about in their row boat a half-mile South of the San Mateo-Hayward bridge. They saw what they first took to be a seal. As they approached, they recognized

that it was a decomposed corpse. It was the remains of
Brooke Hart.

CHAPTER 4

HANGING IN ST. JAMES PARK

As the word spread that Brooke Harts' remains had been found the crowd that was outside the jail doubled and in no time at all it tripled. What started out as a group of about fifty, now had risen to an estimated screaming, angry mob of 10,000. It was a crowd of different moods. At times it was like a carnival, other times the atmosphere stiffened. The police then set up a barricade about 40 feet in front of the jail door. The crowd kept up their shouts of, "Lynch em." Then with more confidence the crowd broke out with a chant: "Brooke Hart! Brooke Hart! Brooke Hart!" Women and children continued the cry. All the while Sheriff Emig and his men were getting nervous as to how the outcome of this maddening crowd might result. They were determined to hold and stand fast.

As a warning the Sheriff ordered that a single canister of tear gas be fired. The blue haze settled around the people. Some of them backed away, but mostly young men of Brookes' age stood their ground and continued the yelling.

President Franklyn D. Roosevelt had signed into law the repeal of Prohibition that week and the surrounding bars and taverns were doing a brisk business. With the stimulation of alcoholic beverages the crowd grew more confident. Rocks and pieces of cement were thrown as missiles, at the jail house. A water hose was fastened to a yard

faucet and the full force of water was poured on to the tear gas canisters as they landed in the alley way.

The nearby Post Office on the corner of 1st and St. John Streets was nearing completion of construction. Now it presented a good storage of tiles and rocks to rain down upon the deputies, who in turn responded with more tear gas. But the young men seemed to be immune to the fumes and their confidence brought back the rest of the crowd.

At around 10:00 p.m. a twenty foot long eight inch pipe weighing several hundred pounds was carried from the construction site by a number of young men who with help from others used it as a battering ram. At the same time a flying rock knocked out the alleyway arc light and everything became dark. The jail door held and more tear gas rained on the crowd, but they would not be disbursed.

Sheriff Emig called Governor James Rolph in Sacramento to ask for help with the State Militia but the Governor refused. Mr. Alex Hart had forbidden his employees to take part in any demonstration upon threat of dismissal. He was strictly against violence in any form.

In spite of the warning, E.O. Enos, advertising manager of Harts department store would not be dissuaded. He challenged the guards within the jail, "You'd better lay down those guns when we move in."

The excited crowd felt that they had better

make a determined move quickly, so with maddening force they used the battering ram again and this time the door gave way. Unwilling to fire their guns on the rushing crowd, the guards gave up. Sheriff Emig was thrown against a wall and knocked unconscious. The Bailiff was attacked and forced to surrender his keys to the young men who yelling in triumph, raced upstairs and found Thomas H. Thurmond clinging to the window grating of the wall of his cell.

The men just made it last a little longer by kneeling down on the cement floor to say a prayer for the soul of the man who cringed before them. Then they dragged him feet first, down the jailhouse stairs. When they went for Holmes, he showed no fear and with a blank expression he told the crowd they had the wrong man, that he wasn't Holmes. But the men yelled back at him, "you are Holmes!" and beat him to a semi-conscious state dragging him down the stairs and outside the building where they lifted him onto their shoulders and across the street to St. James Park.

It was Sunday November 26, 1933 and the crowd continued to grow, estimated to 18,000 excited spectators who were screaming for, "justice." Women lifted their children up so they could get a better view. People tore at Thurmonds' clothes until he was completely naked. The noose securely around his neck, Thurmond was muttering meaninglessly with taunted fear as the men pulled down their end of the rope. He swayed and thrashed around until

his face turned black and his tongue extended. He was clearly dead.

Holmes was lifted high into the air so he could look at his former comrade. He continued to deny his identity, but now realizing it was hopeless, he gave up and even with a little pride he said, "yes, I'm Holmes" as the noose dropped down over his head. People gathered trash and small limbs to start a fire under Holmes' dangling body. Some placed lighted cigarette butts under his feet. When strung up Holmes had only his shirt and waist coat on.

Thurmond died at 11:20, Holmes six minutes later. By the time re-enforcements arrived it was too late. The mob was thick and stood fast. The police from Oakland and San Francisco had trouble getting through and the crowd would not disperse. After some time passed the crowd did thin out. It was 12:30 and State Highway Police Officers cut down the bodies. They were taken to the County morgue where the remains of Brooke Hart layed. Thurmond and Holmes were placed next to him.

In the meantime some morbid individuals pulled down small branches and hacked away peices of the elm trees for souvenirs. The City Manager ordered the trees to be taken out. It was a terrible night to have to remember and newspaper reporters covered the story of what was to be the last hanging by an angry lynch mob in California.

Older people who were interviewed said they could recall hearing the angry yelling crowd as far away as 10th St. about three quarters of a mile from St. James Park in the peaceful city of San Jose in:

The Beautiful Valley of Hearts Delight

CHAPTER 5
CONCLUSION

Young men in the park told anyone who would listen, just what their part in the affair had been. It was never known for certain whether there was any truth to this or whether there really had been a vigilante committee, since the inquest into the deaths of Holmes and Thurmond amounted to nothing more than a brief formality.

The District Attorney, Fred Thomas said, "I would have to have positive identification of the leaders before I could take any action." Nothing of the kind was forthcoming.

Californias' Governor Rolphs' Statement

"This is the best lesson California has given the nation." said Governor James Rolph (Sunny Jim to his friends.) when informed that a San Jose mob had lynched John Maurice Holmes and Thomas Harold Thurmond for the kidnap murder of Brooke L. Hart.

"We have shown the country that California will not tolerate kidnapping." "If anyone is arrested for the good job done, I'll pardon them."

Governor Rolph died of a heart attack six months later in 1934.

CASUALTY LIST

The official hospital casualty list of the fight preceding the Hart kidnapping, murder and lynching case was as follows:

Sheriff William J. Emig: Hit on head with a brick.
Possible concussion of the brain.

Under Sheriff Earle Hamilton: Badly bruised.
possibly internal injuries.

Jailor Howard Buffington: Severely beaten about the head
and body.

State Highway Patrolman, Nick Lander: Shot in arm with
tear gas.

Earl Johnson, Druggist: Gas poisoning.

The list does not include the scores of citizens and officers who were treated for less serious injuries in Doctors' offices and their homes.

