

Kansas Memory



Richard Eugene Hickock inmate case file

Section 22, Pages 631 - 660

The Kansas State Penitentiary case file on Richard Hickock, inmate number 14746. Hickock and his accomplice, Perry Smith, were convicted of first degree murder for the brutal 1959 killings of Herb and Bonnie Clutter, their daughter, Nancy, and son, Kenyon, in Holcomb, Kansas. The murders inspired the non-fiction novel "In Cold Blood" by Truman Capote. Hickock was executed by hanging on April 14, 1965. Please note that some images have been removed in accordance with K.S.A. 45-221(a)(29) and have been labeled with pages indicating their removal. Additional redactions of personally identifiable information made in accordance with K. S. A. 2005 Supp. 45-221(a)(30).

Creator: Kansas State Penitentiary

Date: 1959 - 1965

Callnumber: State Penitentiary, Inmate Files, Executed Prisoners, Box 2

KSHS Identifier: DaRT ID: 208963

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events, make me as legally guilty as the principal in the matter. This, of course, is only the legal application of the law, given on face value without a thorough examination of all mitigating factors. When a jury is duly empanelled to try a Capital offense case, the jury is directed to weigh not only the legal tonnage of evidence, but also to examine, weigh and contemplate the moral issues, in order to ascertain the degree of punishment. This is the very reason why Statutory law lessens the burden of the sentencing upon a jury of peers. In order that they may not only consider the question of guilt, but also to enable their conscientious examination of all extenuating and mitigating circumstances; so that they may intelligently come to meeting of the minds to determine, whether or not, the facts fully arrived demand a sentence of death or one of life. The jurors in this case were given one side of the story only. The testimony and evidence submitted to the jury, was done so in a manner that completely misrepresented the actual facts and truth in the matter. I will not allege that this was done with any express design, on anyone's part, to bring about a conviction. I am sure the prosecuting officials played their cards as they were dealt. Law officials, prior to trial, had only my word as to what part I played in the event act. However, other witnesses were available to give support to my contentions; ^{counsel} witness who defected, ~~for~~ ^{counsel} witness known only to himself, never called to the witness stand in behalf of his client. If these witnesses had been called, they could have testified that I never partook in any degree the crime I am under sentence for. My personal contention or protestation of not taking part in the slaying, has been

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called by the Attorney's General office, as an attempt to shift the blame for the killing." Such is certainly not the case. As I previously informed Mr. Charles McCatee, former pardon and parole attorney, during an interview with him, that "I would ride my own horse." However, I don't feel that I, or anyone else, should be executed for the murder that someone else committed. My degree of guilt in this matter I have never, and will never deny. However, does my degree of guilt constitute such magnitude as to deserve the ultimate in punishment? It is my intention, with your Honor's indulgence, to show by testimony of others, plus the trial transcript, that I have not participated in the taking of any life, and therefore should not be executed. ~~therefore~~.

Come now the reasons, the purpose for Capital punishment. Just what is its purpose? Should the ultimate penalty be carried out on a person who has committed no murder or act of violence? Should one man be required to pay the supreme penalty because of the acts of another? Is one man to be held responsible for the conduct of another? Isn't the purpose of Capital Punishment, as argued by those who advocate, to do away with a man (or woman) who has killed, and might be inclined to kill again? If this latter is indeed one of the purposes for execution, what about the individual under death sentence, who has not slain nor ever would? What is the purpose of destroying this person's life?

It is a common, well documented fact, that many individuals are convicted of premeditated, first degree murder; individuals who committed the actual perpetration with their own hands and who

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never receive a sentence of death. Many of these persons are eventually returned to society. There are others who have killed, but, were convicted of a degree of homicide that precluded a death sentence. In view of the forewritten, why should a man be executed who has not killed and never would? The application of the death penalty, under the latter written circumstance, defeats itself! There can be no feasible reason, other than revenge, prejudice and persecution, to execute a man who is not a danger to his fellow men. The discriminating use of the death penalty should not be given approbation, when good reason exists for its condemnation. This instant case is one where Executive Clemency is fully and morally justified - after all mitigating and extenuating circumstances are viewed and examined in their true perspicuity.

Far wiser and more educated men than I, have endlessly examined and argued the pros and cons of Capital Punishment. I am not contesting its over-all usefulness or fallacy. Its deterrence is known and understood by you far better than I. However, I cannot see, and many agree, how it can even remotely be a deterrent for murder to those who have not or would not slay! To execute under such circumstances would be a violation of all that justice stands for, and defeat the primary and ultimate purpose for which Capital Punishment Statutes have been enacted.

Due to the flood of adverse publicity, resulting in strong public enmity, any granting of clemency under said conditions would draw a wave of criticism. Therefore, I am requesting a stay of execution, to allow advertising, as per statutory law, and a complete, full

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clemency hearing. In order to show proper and due cause why clemency should be granted with a commutation of sentence. During said hearing I will be represented by legal counsel; witnesses will be called in my behalf; documented evidence will be submitted for executive perusal and consideration. I am satisfied to believe, that after your Honor has considered all testimony and evidence, you will feel completely justified in granting commutation of sentence in my behalf. I do not expect you to accept my unsupported word as fact. However, I shall need a hearing to prove my contention and allegation. To do so will necessitate a stay of execution of sentence, in order to allow the necessary time for advertising, and preparation and presentation of facts and evidence. It is only with your Honor's indulgence that this can be done.

The witnesses who will be called to testify are as follows:

Mr. Truman Capote - 70 Willow Street, Brooklyn, New York. (Mr. Capote will come here at my request)

Miss Harper Lee - 433 East 82nd St. New York 28, N.Y.

Mr. Wendell Mier - Former Sheriff of Finney County, Kansas.

Mrs. Josephine Mier - Garden City, Kansas.

Mr. Al Dewey - Special Agent, F.B.I. (Garden City)

Evidence of a material nature (Trial Transcript) will prove that it is a physical impossibility for me to have participated in the slaying as testified. This will be proven by witnesses for the State. Defence Counsel's passive attitude during trial proceedings, precluded this important aspect from being pointed out to the jury. Present counsel will elucidate fully on the issue during a clemency hearing. It was

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my intention to use this evidence during a trial. However, since no trial is now forthcoming, it must, of necessity, be used during a clemency hearing.

Subsequent to the forewritten, I have been notified that the Kansas Supreme Court has set the execution date for February 18, 1965. The court is not allowing the usual thirty to ~~forty~~ ^{forty} five days prior to execution, after an appeal is denied. It is evident that the court wishes to preclude any further litigation in this matter.

It had been my intention to file a writ per habeas corpus in the United States District Court, alleging denial of due process of law (14th Amendment), when my rights were violated in having joint trials without my consent or knowledge. I have seven witnesses to testify in this regard. However, it now appears I will not have time to do so.

Also, it is the request of this writer, that your Honor give consideration to the same action as that taken by the Governor of the State of Missouri. The Governor of Missouri granted a stay to a condemned man, pending disposition of a bill to abolish Capital Punishment. Such a bill is now before our State Legislature, and I have been told that the possibility exists of its passage.

I humbly submit, that if your Honor will condescend to grant a stay of execution, I will forthwith, with assistance of counsel, prove beyond a doubt the allegations herein set forth, as to why clemency should be granted.

Respectfully submitted

Richard Eugene Hickock #14746

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EXECUTIVE OFFICE
STATE OF KANSAS
TOPEKA

Wm. H. AVERY
GOVERNOR

February 5, 1965

Office of the Clerk
Supreme Court of the United States
Washington, D. C. 20543

Re: RICHARD EUGENE HICKOCK v.
SHERMAN H. CROUSE, WARDEN
No. 610 Misc., October Term, 1964

Dear Sir:

I hereby acknowledge receipt of your letter dated February 3, 1965, signed by Michael Rodak, Jr., Deputy Clerk, enclosing a true copy of the order signed by Byron R. White, Associate Justice of the Supreme Court of the United States, staying the execution and enforcement of the sentence of death imposed upon the petitioner, Richard Eugene Hickock, pending the Court's consideration and decision of the petition for rehearing.

Acknowledgement of the receipt of this order is hereby made in accordance with your request.

Very truly yours,

WM. H. AVERY
Governor of the
State of Kansas

WHA:jn

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Richard Eugene Hickock inmate case file

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D. C., 20543

February 3, 1965

RECEIVED
FEB 5 1965

OFFICE OF THE GOVERNOR

The Honorable John Anderson, Jr.
Governor of Kansas
Topeka, Kansas

RE: RICHARD EUGENE HICKOCK v.
SHERMAN H. CROUSE, WARDEN
No. 610 Misc., October Term, 1964

Dear Sir:

Enclosed is a certified copy of the order
signed today by Mr. Justice White, staying the
execution of Richard Eugene Hickock.

Kindly acknowledge receipt of this order.

Very truly yours,

JOHN F. DAVIS, Clerk

By *Michael Rodak Jr.*
Michael Rodak Jr.
Deputy Clerk

MRjr:jmh
Enclosure

AIR MAIL

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Supreme Court of the United States

No. 610 Misc., October Term, 1964

RICHARD EUGENE HICKOCK,

Petitioner,

vs.

SHERMAN H. CROUSE, WARDEN

—————
O R D E R
—————

UPON CONSIDERATION of the application of counsel for
the petitioner,

IT IS ORDERED that the execution and enforcement of
the sentence of death imposed upon the petitioner be, and the
same is hereby, stayed pending this Court's consideration and
decision on the petition for rehearing in the above-captioned
case. Should the petition for rehearing be denied, then this
stay is to terminate automatically. In the event the petition
for rehearing is granted, then this stay is to continue pending
the issuance of the mandate of this Court.

S/ BYRON R. WHITE
Associate Justice of the Supreme
Court of the United States.

Dated this 3rd
day of February, 1965.

A true copy JOHN F. DAVIS
Test:
Clerk of the Supreme Court of the United States
BY *Michael Rodak Jr.* Deputy

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RECEIVED
JUL 29 1963

OFFICE OF THE GOVERNOR

Mr. Charles D. Mcatee
Pardon Attorney
State Office Building
Topeka, Kansas

July 26, 1963

Dear Mr. Mcatee;

This is an inquiry in regard to future possibilities for application for executive clemency.

I am sure you are well acquainted with the nature of my incarceration, so I'll refrain from writing a detailed account of such.

At the present time an application of habeas corpus is before Judge Temple of the U. S. District Court. Said application is docketed for hearing on August 1, 1963. In the event that this application is denied, I shall find myself in the position of facing execution on August 8, 1963. To forestall any such action by the State, I may find it necessary to appeal to the Governor for a stay of execution - either an application for clemency or for allowance of additional time to further perfect appeal to the U. S. Court of Appeals for the 10th circuit at Denver.

It is my desire to determine, whether or not, a stay of execution would be granted, should I find it necessary to do so. I am unfamiliar with the law on this point, and would appreciate any

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assistance you may care to render. I sincerely believe that I have sufficient reason for requesting a commutation of sentence.

I realize that the correct procedure for me to follow, would be to have my attorney seek a stay from one of the judges in Denver. However, time may become an important issue, and counsel may not have sufficient time to secure a stay from Denver.

If you could inform me of the before written, I would deeply appreciate it. Until I hear from you - I remain -

Respectfully

Richard Eugene Hickock 14746
Post Office Box 2,
Lansing, Kansas

P. S.

In order for me to show good cause for commutation of sentence, it would be necessary for a stay of execution. At the date of this writing, I have twelve days left. However; in order not to be premature in my application, I must await decision from the U. S. District Court. This decision will probably be rendered on or about August 6, 1963. Thus, time is a most important factor.

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Richard E. Hickock
P.O. Box 2,
Lansing, Kansas 66043



Mr. Charles D. M'Atte
Pardon Attorney
State Office Building
Topeka, Kansas

"Certified Mail
return receipt
requested"

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June 10, 1964
Interview w/Richard E.
Hickock KSP

"I'm not guilty of Murder" - CDTK
"I didn't kill any of those people" -
"I didn't willingly participate in that thing" -
"As a matter of fact I darned near got
killed myself." -
Perry has told four people that he also was
responsible.
Human
Miss Dell Harper Lee
Wendell Meyer & Mrs. Meyer
Al Dewey - T.B.D
Rev. Jim Post

Wants to make
application for
Executive Clemency.

May 11, 1964 Talked w/ Atty. Joe Jenkins about the
possibility of applying for E.C. He
told me he thought it was premature
at this time because of the 10th Circuit
action pending at this time. Thought we
could still make application before
Gov. Anderson goes out of office!
Went back on my word to ~~the~~ Perry. He told
me if we ever got caught just to keep my mouth
shut - but if it ever looked like we were going to

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be convicted, he would cop out. I coped out in Las Vegas - couldn't stand the pressure I guess. So he told them that I shot those two women. There was no premeditation, no plan, we never even discussed it - He just went off half cocked and did it. I wasn't even in the room when he killed Mr. Blather!

I'm not a killer, not a murderer, a leasy no-good thief - yes - but not a murderer. - If I'd have pulled that trigger - I'd have not even appealed - I'd have gone over there in the condemned hood my neck broke a long time ago 'cause I believe in Capital Punishment, but I didn't!

It's hard to write anything down there in that jail. I'd like to do something to get out of there - get Blazer or somethin'!

Mack Nations story - Wrote it to get money to hire a lawyer. A.D.'s Office has it now and going to use it against me. Wrote two stories. I wonder if they have the other story?

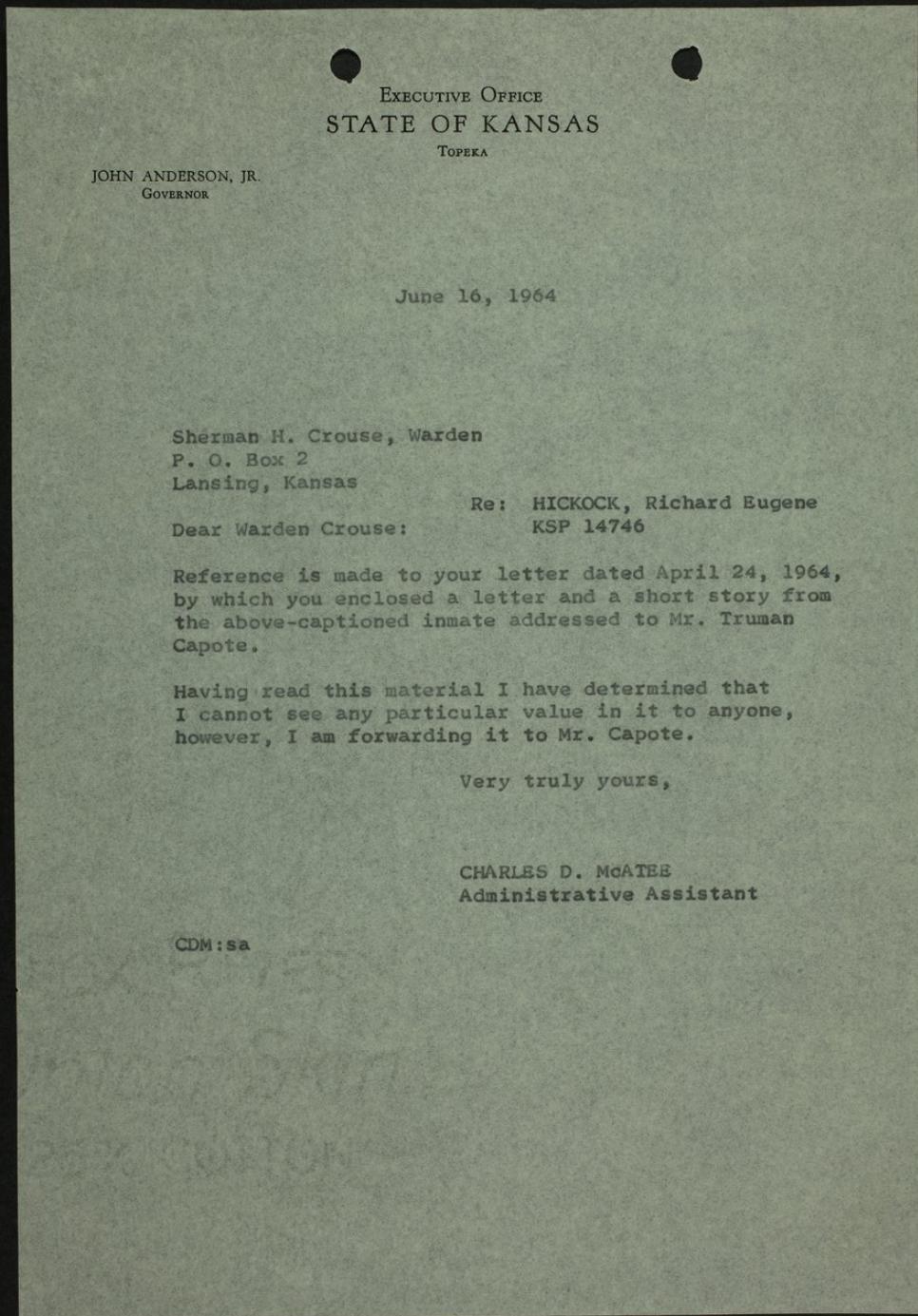
I think I'm entitled to a new trial. That's all I've ever asked for since the day I was arrested in Las Vegas. All I want is a new trial! That's all I can ask. If a jury of 12 people who weren't biased would hear all the facts and know all the details and could still go ahead and find me guilty, then I'd go on over there and get my neck broken like a man. Lie detector. —

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MEMORANDUM TO FILE

CDM

File

Re: HICKOCK, Richard Eugene

On June 10, 1964, pursuant to a request from the above-captioned inmate - he was interviewed at the Kansas State Penitentiary.

Hickock indicated that it was his desire to make Application for Executive Clemency to the Governor of Kansas in the near future, inasmuch as he anticipated that the decision of the 10th Circuit Court of Appeals would be forthcoming in the *near* future and would be adverse. He stated that he did not know *whether* he should make Application for Executive Clemency at that time, or wait until an appeal had been taken to the United States Supreme Court. He was advised that this is a decision which he and his counsel should make, however, it was his constitutional and legal right to make application at any time which he saw fit.

During the interview Hickock stated, among other things, the following:

"I am not guilty of murder. I didn't kill any of those people. I didn't willingly participate in that thing, as a matter of fact, I darned near got killed myself.

Perry has told four people that he alone was responsible they are--

Chaplain Jim Post
Kansas State Penitentiary

Al Dewey
KBI Agent

Wendle Meier
Jailer at the time of their incarceration in
Finney County and now Sheriff

Truman Capote and Nelle Harper Lee

I believe that Perry involved me because I went back on my word to him. He told me that if we ever got caught, just to keep my mouth shut--but if it ever looked like

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MEMORANDUM TO FILE (Cont'd)

we were going to be convicted he would cop out. I copped out in Las Vegas--couldn't stand the pressure I guess. So ~~he~~ told them that I shot those two women.

There was no premeditation, no plan, we never even discussed it. He just went off half-cocked and did it. I wasn't even in the room when he killed Mr. Clutter.

I am not a killer, not a murderer--a lousy, no good thief, yes-but not a murderer. If I'd have killed those people-if I'd have pulled that trigger-I'd have not even appealed-I'd have gone over there in the corner and had my neck broke a long time ago 'cause I believe in capital punishment--but I didn't.

I think I am entitled to a new trial that is all I have ever asked for since the day I was arrested in Las Vegas. All I want is a new trial! That is all I can ask. If a jury of 12 people, who were unbiased, would hear all the facts and know all the details, and could still go ahead and find me "Guilty", then I would go on over there and get my neck broke like a man."

The story which Hickock released to Mack Nations was mentioned, and he was asked why he would allow such a story to be written if he hadn't participated in the crime as he is now alledging.

He said, "I let him write that story to get money to hire a lawyer. I would have let him write anything for that. I wrote two stories, that one and then one that was the truth. The Attorney General's Office has the one that he published and now they are going to use it against me. I wonder if they have the other story? Mack Nations told me that the true story of my participation wouldn't sell, that people wouldn't want to read that, they wanted gory details. I have written another short story since then but it is hard to write anything down there in that jail. I would like to do something to get out of there--get hung or something!"

Hickock stated that he was going to consult with his counsel Joe Jenkins about applying for Executive Clemency in the near future.

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Mr. Charles D. McAttee
Office of the Governor
State House
Topeka, Kansas

May 12, 1964

Dear Mr. McAttee;

Due to the nature of existing circumstances I felt the necessity to write you this letter. Because of the nature of my incarceration, you probably wonder why I am directing such a request as this to you. However, I regret that I will be unable to inform you, by letter, the reasons for the request that will follow. I could not adequately explain these reasons. Suffice to say my reasons for writing you are valid ones.

It is my desire to speak with you personally. The matter I wish to discuss is one of the utmost importance. If it was not, I would not impose myself upon you in this manner.

If you could find some way to grant me this request, to visit with me here at the institution, I would be more than grateful.

I realize that you are a very busy man, however, the matter for discussion is one of tremendous importance that will, in all probability, eventually be placed before the Governor.

Anticipating your reply - I remain -

Respectfully yours

Richard E. Hickock #14746

P.O. Box 2, Lansing, Kansas

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S. H. CROUSE
Warden

STATE OF KANSAS
JOHN ANDERSON JR., Governor



RECEIVED
APR 27 1964

OFFICE OF THE GOVERNOR

KANSAS STATE PENITENTIARY
Lansing, Kansas

April 24, 1964

Mr. Charles D. McAtee
Pardon Attorney
Executive Office
State House
Topeka, Kansas 66612

Re: HICKOCK, Richard Eugene
KSP NO. 14746

Dear Mr. McAtee:

Enclosed find material which subject inmate wishes to send to Mr. Truman Capote. It is thought you might like to read the story. If you believe it should be sent out you may do so. Otherwise send it back so I can return it to Hickock.

Very truly yours,

A handwritten signature in blue ink that appears to read "S. H. Crouse".

S. H. CROUSE
Warden

SHC:hes
Encl.

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Mr. Crouse and/or Mr. Norton:

March 11, 1964

Sis:

Included please find the "short story" I discussed with you on Saturday last.

I don't believe I made myself clear on the purpose for writing this story. First, let me say that the story was not written for the purpose of sale or publication. It was written solely for a communication between myself and Mr. Capote.

Mr. Capote asked me if I had even attempted to write a story, and requested that I try. The results are one that I wouldn't want anyone but a friend to read. It certainly isn't of publication quality (in my opinion). It only took four days to scribble it out!

I hope the fact of my not attempting to sell or publish it, will be a mitigating factor in allowing it to be sent to Mr. Capote. Please view the story as a "letter", and not material for publication. I will inform Mr. Capote of same! Mr. Norton censors my mail, and will be able to verify my intention in the matter.

Thank you

Richard E. Hickock #14746

P.S. - If permission is ~~denied~~ denied, please return the story! Thank you.

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EXECUTIVE OFFICE
STATE OF KANSAS

TOPEKA

JOHN ANDERSON, JR.
GOVERNOR

December 31, 1963

Mr. Henry D. Ahrens
Paola
Kansas

Dear Mr. Ahrens:

Governor Anderson has requested me to reply to your letter of December 23 with reference to the Clutter case.

There is no doubt but that our laws of criminal procedure could be improved within the framework of the Federal and State Constitutions to eliminate long delays that have been experienced in the execution of the sentences imposed in this case. Under the present laws of procedure, however, ingenious counsel are able to delay final execution of sentences as has been done in this case.

You may rest assured that the Governor's Office and the Attorney General's Office of this State are doing all that they can to bring about the execution of the sentences imposed, and I have every confidence that such sentences will be ultimately carried into execution.

Very truly yours,

O. R. STITES
Pardon Attorney

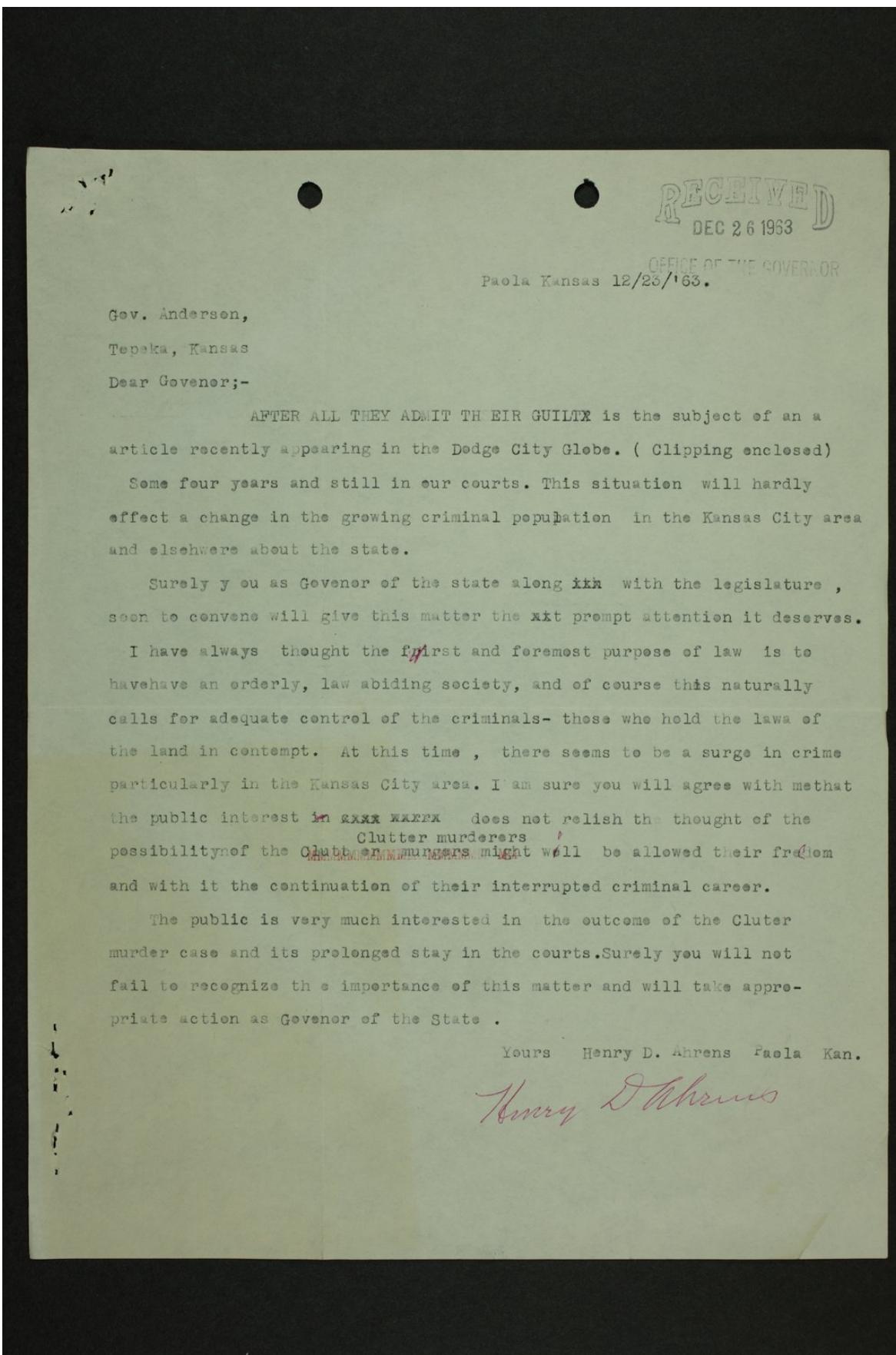
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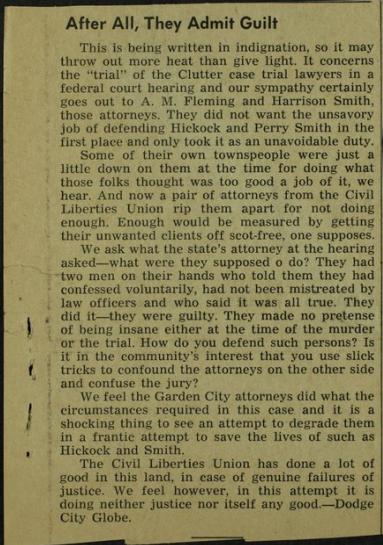


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JOHN ANDERSON, JR.
GOVERNOR

EXECUTIVE OFFICE
STATE OF KANSAS

TOPEKA

August 12, 1963

Richard E. Hickock
Post Office Box 2
Lansing, Kansas

Re: KSP #14746

Dear Mr. Hickock:

Receipt is acknowledged of your recent letter concerning the possibility of a Stay granted by the Governor, in the event such action were necessary to allow time to appeal an adverse decision in the Federal District Court.

I regret that I have not acknowledged earlier your letter; however, the situation was being followed closely and of course, the immediate problem as outlined in your letter is now moot.

Assuming that the situation might arise in the future wherein time was of the essence in perfecting an appeal to the Circuit Court of Appeals, the Governor would certainly consider granting a reprieve, as authorized by statute, for a limited, but definite, period of time. Of course considered in the granting of such a reprieve would be the grounds and the basis of the appeal.

Your letter in some respects speaks of a Stay, or in essence, a reprieve and in other respects mentions Executive Clemency and commutation. As you know, the two are not synonymous and you may, of course, apply at any time for Executive Clemency irrespective of the status of your case in the courts.

Very truly yours,

CHARLES D. McATEE
Pardon Attorney

CDM:jkg

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EXECUTIVE OFFICE
STATE OF KANSAS
TOPEKA

JOHN ANDERSON, JR.
GOVERNOR

November 30, 1962

Mr. John F. Davis, Clerk
United States Supreme Court
Washington 25, D. C.

Attention: Mr. E. P. Cullinan
Chief Deputy

In re: RICHARD EUGENE HICKOCK v.
SHERMAN H. CROUSE, WARDEN
No. 747 Misc., October
Term, 1962

Dear Mr. Davis:

Receipt is acknowledged of Justice White's Order staying execution
in the above-captioned case.

Very truly yours,

JOHN ANDERSON, JR.
Governor

By:

CHARLES D. McATEE
Pardon Attorney

CDM:srr

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OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON 25, D. C.
November 28, 1962

Received
NOV 30 1962

OFFICE OF THE GOVERNOR

Honorable John Anderson, Jr.
Governor of the State of Kansas
Topeka, Kansas

RE: RICHARD EUGENE HICKOCK v. SHERMAN H.
CROUSE, WARDEN
No. 747 Misc., October Term, 1962

Dear Governor Anderson:

I am enclosing herewith a certified copy
of the order signed today by Mr. Justice White
staying the execution and enforcement of the
sentence of death in the above-entitled case. Will
you kindly acknowledge receipt.

Very truly yours,

JOHN F. DAVIS, Clerk

By

E.P. Cullinan
E. P. Cullinan
Chief Deputy

EPC:cas
Enclosure

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Supreme Court of the United States

No. 747 Misc. , October Term, 1962

RICHARD EUGENE HICKOCK,

Petitioner,

vs.

SHERMAN H. CROUSE, WARDEN.

—
O R D E R
—

UPON CONSIDERATION of the application of
counsel for the petitioner,

IT IS ORDERED that the execution and enforcement
of the sentence of death imposed upon the petitioner be, and
the same is hereby stayed pending action upon certiorari.
Should the petition be denied, the stay is to terminate
automatically. In the event the petition for certiorari is
granted, the stay is to continue pending the issuance of the
mandate of this Court.

/S/ Byron R. White
Associate Justice of the Supreme
Court of the United States.

Dated this 28th
day of November, 1962

A true copy JOHN F. DAVIS
Test:
Clerk of the Supreme Court of the United States
BY *Bellino*
Chief Deputy

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✓
JOHN ANDERSON, JR.
GOVERNOR

EXECUTIVE OFFICE
STATE OF KANSAS
TOPEKA

November 19, 1962

The Reverend John W. Print
1202 "M" Street
Belleville, Kansas

Dear Reverend Print:

I wish to belatedly acknowledge your letter addressed to Governor Anderson concerning the Smith-Hickock case.

We sincerely appreciate your taking the time to furnish us with your views in matters of this nature, and I know it is difficult for the taxpayers to understand the length of time involved between conviction and carrying out the judgment of the jury.

As you know, those convicted by our courts are afforded extensive opportunities for appeal and review of their convictions. These safeguards are inherent in our system of justice and are there to be exercised even by those whom we know, without doubt, to be guilty. All these legal procedures are indeed time consuming and do have the effect of making punishment, in point of time, far removed from the offense for which the punishment applies. These opportunities for appeal and review do take an extensive amount of time; however, these rights are inherent in our American system of justice.

Again, let me thank you for your letter and if we may ever be of assistance to you, please do not hesitate to call upon us.

With best personal regards, I remain.

Very truly yours,

CHARLES D. McATEE
Pardon Attorney

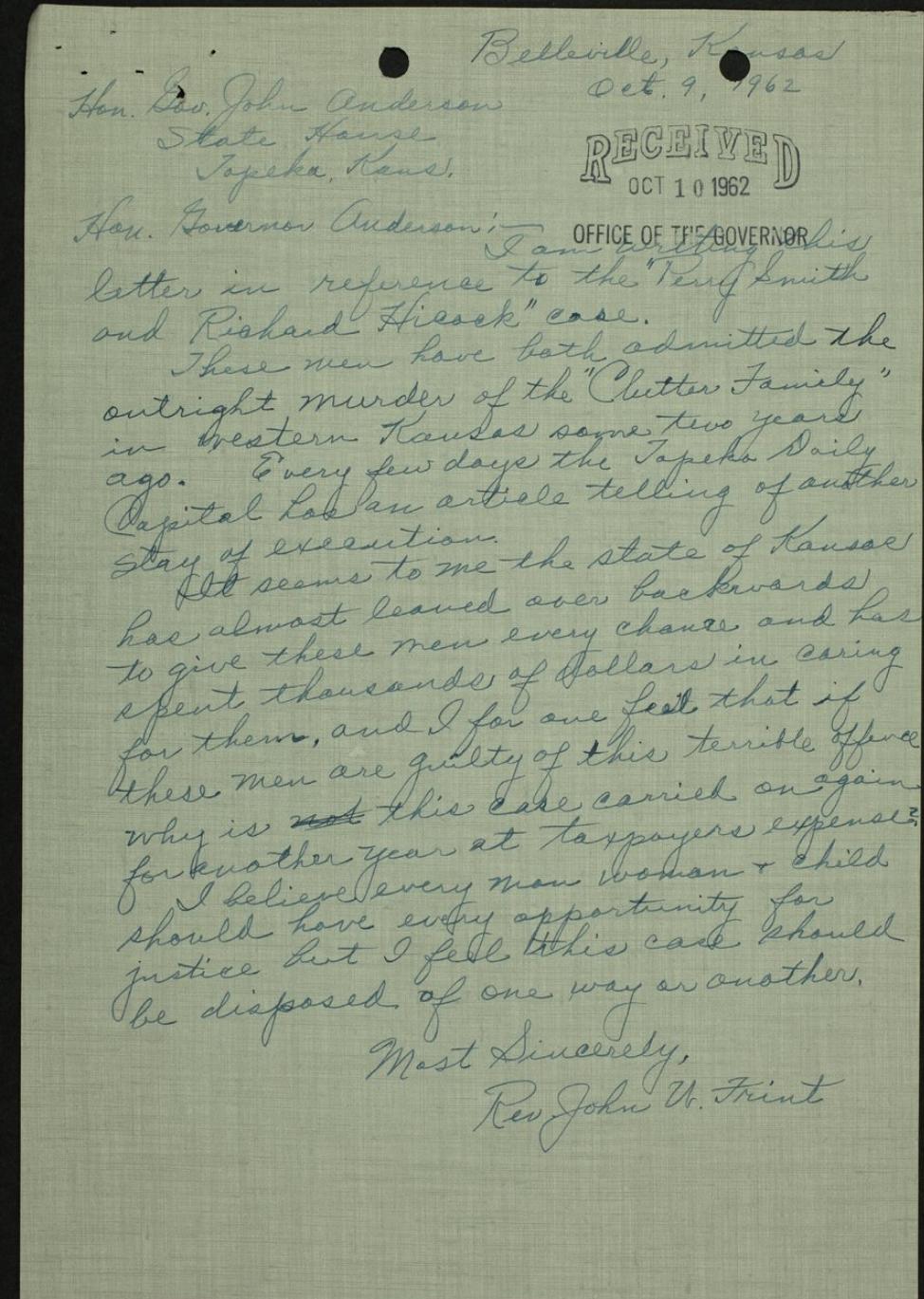
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Kansas Memory



KANSAS
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Richard Eugene Hickock inmate case file



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EXECUTIVE OFFICE
STATE OF KANSAS

JOHN ANDERSON, JR.
GOVERNOR

November 20, 1962

Mrs. Evelyn D. Hynes
Lincoln,
Kansas

Dear Mrs. Hynes:

I appreciate your recent letter concerning the Clutter case; however, you must know that those convicted by our courts are afforded extensive opportunities for appeal and review of their convictions. This is inherent in our American system of justice, and these rights are there to be exercised even by those whom we know, without doubt, to be guilty. They apply to those whom we know to be guilty, as well as those about whom there might be some doubt. These rights are embodied in the Constitution, the Federal and the State law. All of these procedures are, indeed, time consuming and do have the effect of making punishment, in point of time, far removed from the offense for which the punishment applies. The matter is solely in the hands of the courts, and there is nothing which I, as Governor of this State, can do to deny any man these rights.

In your letter, you asked just what kind of laws we have in our State. I think that you will find that these same rights of appeal, through both the State courts and into the Federal courts, apply in all states, as well as in Kansas.

I do appreciate your taking the time to write, in this respect, and know that your views are shared by many of your fellow Kansans. Again, let me stress, however, that these rights are inherent and applicable to all within our system of justice.

Very truly yours,

JOHN ANDERSON, JR.
Governor