

GOLD MEDAL KILLER



James Howard Snook. Reprinted, with permission, from *The Columbus Dispatch* Archives.

GOLD MEDAL KILLER

The Shocking True Story of the Ohio State Professor –
an Olympic Champion – and His Coed Lover

DIANA BRITT FRANKLIN
WITH NANCY PENNELL

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To our children

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More than two dozen newspaper reporters who covered the Snook case deserve our recognition. The list of journalists appears in the Bibliography.

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FOREWORD

In the heat of July and August 1929, Columbus, Ohio was the unlikely setting for “one of the most sordid murder trials ever staged in an American courtroom.” An Olympic champion and full professor at The Ohio State University stood accused of bludgeoning to death his co-ed lover of three years. This was the stuff of movies and novels, and the public could not get enough of it. Hundreds stood in lines for hours, hoping to get a courtroom seat to watch a young, politically ambitious and popular prosecutor wage battle with a “dream team” of experienced and eloquent defense attorneys.

Such intense public fascination with the spectacle of a murder trial is not solely a contemporary “post-O.J.” phenomenon. From Elizabethan England, where people traveled to hear proceedings at the Old Bailey as a form of entertainment, to the current legal commentary of television pundits and televised trials, people have been attracted to unique human drama. Thus, it comes as no surprise to me, a trial court judge of many years, to often witness people’s continued absorption with trials.

I can imagine no greater attention to a trial, however, than that paid to the shocking charges accusing Dr. James Snook of the murder of Theora Hix. *Gold Medal Killer*, with both factual and legal accuracy,

recounts this compelling story of lust, drugs, murder, and the law. Taken from the transcripts of the proceeding, as well as the detailed journalistic coverage of the case, this gripping book takes the reader from the time of the discovery of an unknown dead woman to the execution of the defendant in the Ohio Penitentiary's electric chair.

The State sought not only the conviction, but also the execution, of a respected member of the Columbus and Ohio State University communities, alleging that a calculated and pre-meditated murder had taken place. The defense argued that the defendant was not guilty by reason of temporary insanity or, if guilty, had lacked the malice and premeditation needed to justify the death penalty under then existing Ohio law.

The murder trial of Dr. James Snook took place in a time when mere mention of matters sexual was deemed too lurid to print in respectable newspapers. The more than 30 journalists who wrote daily about the trial knew that much of the defendant's salacious testimony about his relationship with Miss Hix and his account of the specific details surrounding her death would never get into print. Instead, they found themselves detailing the fashions of the ladies in attendance as carefully as the legal arguments asserted by the prosecution and defense.

This also was a time when the respect for the legal system was significantly different from today. Editorials frequently appeared throughout the trial commending the judge for his abilities in presiding over the case. No criticisms of the judge or jury were the subject of daily accounts by "legal commentators".

Gold Medal Killer reminds us, however, of a time in legal history when society valued speedy justice above all. Compared to the careful and deliberate legal proceedings held today before an execution takes place, this trial resulted in the execution of a man a mere 260 days after the alleged crime took place and after only 12 minutes of life-or-death deliberation by the jury.

Since Miranda rights to protect the accused had yet to be mandated – the United States Supreme Court did so in 1966 – this was a time when the prosecuting attorney could coerce a confession after a 22-hour

interrogation, deny the accused the presence of his attorneys during questioning, and in frustration strike him in the face when he refused to confess. Such actions today would be unheard of. They would be the subject of strenuous defense objections and would prohibit the introduction of any “confession” of the accused at trial. However, the prosecutor was able to have the jury hear of this confession and simply stated that he had “offered his apology to the defendant, and it was accepted by him.”

Relatives of both the prosecutor and his chief investigator were members of the Franklin County Grand Jury that issued the indictment against Dr. Snook. This violation of our firmly held principals demanding an independent and impartial review by a Grand Jury would certainly raise objections today. However, during the trial of Dr. Snook, they were not even the subject of legal arguments or appeal.

Finally, it was a time when no forensic analysis of the evidence was available to either the prosecution or defense. This left the exact cause of death an unanswered question. It further, and more importantly, resulted in the central legal issue of the defendant’s “premeditation” unable to be determined within any degree of scientific certainty.

Was Dr. Snook guilty of the murder of Theora Hix? Of this I have no doubt. It is the circumstances of her death, however, and the conflicting accounts of the actions and intentions of this puzzling man that lie at the center of the most important question raised by this case and by *Gold Medal Killer*: Should Dr. Snook have died in Ohio’s electric chair? You be the judge.

Judge Teresa L. Liston, ret.
Franklin County (Ohio) Municipal Court
February, 2010

1 | THE SHOOTER

In slippered feet, James Snook stepped out onto his porch, took a short breath of the June morning air and looked to the top of the trees surrounding his sturdy brick double at 349 W. 10th Ave. in Columbus. A light breeze, he observed. Good. It was a fine day for a shooting match.

He reached down and picked up *The Ohio State Journal*: “Class of ’29 to Pass Into History Today” was the front-page headline that caught his eye. He was glad he was not required to attend Ohio State University’s commencement exercises, although many other members of the faculty elected to do so.

As she prepared breakfast in the kitchen, his wife casually asked about his schedule. Helen knew her husband would be competing in yet another pistol-shooting match, but which one she did not know – nor cared, really. She was used to his absences: for pistol shooting, for his work as a professor at Ohio State University’s College of Veterinary Medicine, for the writing and editing of articles for monthly outdoors magazines and for other self-satisfying interests.

“It’s another team competition sponsored by *The Citizen*,” he informed her casually. The Columbus afternoon newspaper was underwriting a shooting match between the Columbus Police Division

and a civilian team, led by Snook and his friend, Ray Bracken. Both were world record-holders with the handgun.

“So, you will be home for dinner?”

“I’m not sure.”

Missing dinner at home with his wife of seven years had become a rather common occurrence. She had thought – and hoped – that after the birth of their daughter, Mary “Jill,” now 23 months old, he would stay closer to home, but such was not the case.¹ In fact, Helen saw even less of him. She sensed that he was pulling away at a time when parenthood should intensify the vows they made to each other.

Helen Thatcher Marple of nearby Newark, Ohio, had been a sixth-grade teacher before she married Snook on September 11, 1922, at the King Avenue Methodist Church in Columbus. Those who knew her best saw a woman of genteel background, sweet and uncomplicated. She was intelligent, dedicated and a graduate of Ohio State University with a degree in education. She wore clothes tailored to her pleasingly plump frame and often wore a fashionable brimmed cloche that framed her fair countenance. Some might describe her style as homely, but she displayed a breed of kindness that induced harmony, and she carried herself with dignity, chin high, even in unhappy times.

Many believed James and Helen to be a good match. He was meticulous. He liked order and consistency. His clothes, he insisted, were to be kept impeccably clean and neat, and she willingly met his demands, being fastidious herself. She saw to it that the tidy, parsimonious professor always had a clean, starched collar, even when he was going to be on the shooting range. In competition he most often wore a three-piece suit and a flat cap or fedora, as did many of the other shooters of the day.

Snook’s thoughts returned to the pistol match a few hours hence. Ray Bracken, a local lumberman, was an outstanding marksman, and for more than a dozen years, he and Snook, both members of the Columbus

¹ A son, born earlier, died in infancy.

Revolver Club, had fired tens of thousands of rounds together, both in practice and in competition. In fact, they were teammates on the victorious 1920 United States Olympic pistol-shooting team when the competition was held in Beverloo, Belgium, outside of Antwerp.

The Antwerp Olympics, the first after World War I, were noteworthy for several reasons. The Olympic flag with five interlocking rings was used for the first time; a competitor took the Olympic oath for the first time; and the release of white doves, signifying peace, became an official part of the opening ceremonies.

Bracken made USA's five-member pistol-shooting team in the July qualifying matches at Quantico, Virginia; Snook was selected as an alternate. When one of the chosen was unable to toe the line in Olympic competition, Snook took his mark.

He excelled. In the team competition for the military pistol at 30 meters, the USA beat Greece and Switzerland. In the team match for free pistol firing at 50 meters, the team again took the gold, this time over Sweden and Brazil.

Winning two Olympic gold medals was quite an achievement for the 40-year-old native son of South Lebanon, Ohio, a rural community about 30 miles northeast of Cincinnati. Snook was born there September 17, 1879,² the only son of Albert L. and Mary Keever Snook. Six years later the couple had a daughter, Bertha, who married Arthur Hamilton. In the early 1930s, he served as speaker of the Ohio House of Representatives. The Snook family tree also includes a distant relationship to John D. Rockefeller, founder of Standard Oil.

"Jimmy," as the locals knew him, was polite, studious and quiet as a teen. "He was the most easygoing boy at the school [South Lebanon High School] who never got into any trouble," said the grocer, who had Jimmy carry groceries from the village store in the center of town, down tree-lined streets to the homes of neighbors. "He always minded his folks."

² As an adult, Snook lied about his age on occasion, including on his marriage license, preferring to be somewhat younger. This birth date is correct, however.

In school Jimmy was a loner of sorts, not paying much attention to classmates of either gender. He often failed to keep a date with a girl, and rather than hang out with the boys, he preferred to jump on a mare and ride off by himself to practice shooting. More than once, neighbors complained that the boy's target practice – sometimes from horseback – endangered their cattle. As often as not, though, he would ride to the nearby King Powder Co., which produced gunpowder for the Peters Cartridge Co., and practice target shooting there.

Sanford J. Brown, a ruddy-faced high-school teacher, admitted to boxing Jimmy's ears on occasion when he failed to prepare his Latin homework. "When he came to me for his pre-college credits, I hesitated to give them to him," Brown recalled. "But I decided to stretch the blanket, and I'm glad I did. Later I was proud of him."

Albert Snook owned some 220 acres of prime farmland and a small corn-canning factory. You might say – and townspeople did – that he was "well-to-do." His family had been entrenched in Warren County since 1781, having traveled overland by wagon from Monmouth County, New Jersey. Members of the Snook clan served in the Civil War as well as in the War of 1812. The family's hilltop home was comfortable and spacious, with a large wraparound porch. Around its foundation and down the walk were plantings of gay petunias, nasturtiums and zinnias. It was "the finest home in town," some townspeople said. Others thought the Snook family "uppity."

A racetrack on the farm gave evidence to Albert Snook's lifelong interest in racehorses. The track attracted people from nearby communities, and visitors to the Snook home often spoke of nothing but horses. Jimmy loved being a part of it. The talk and the animals sparked his interest in veterinary medicine, and it was to become his lifelong occupation.

Before settling down in that field, however, he earned a two-year commercial business degree at Nelson's Business College in Cincinnati, returned to the farm for three years and then entered Ohio State University in 1905 at the urging of a neighbor, a veterinarian. Snook earned his doctorate in veterinary medicine three years later. The 1908

university yearbook, *Makio*, noted that the tight-lipped and already thin-haired graduate was a member of the Veterinary Medical Society, Sigma Phi Epsilon and Alpha Psi, the veterinary fraternity he helped found. It also noted:

His friends, they are many.

His foes – are there any?

In the spring of 1908, Governor Andrew L. Harris called out Cavalry Troop B of the Ohio National Guard, to which Snook belonged, to quell violence along the Ohio River. Marauding bands of “night riders,” intent on destroying tobacco fields and warehouses linked to the American Tobacco Co. monopoly, terrorized residents along Ohio’s southern border. The arrival from Columbus of Troop B – self-described as “men who are red-blooded and real go-getters” – soon quashed the disturbances.

With a view to earning a teaching position at Ohio State, Snook entered Cornell University in Ithaca, New York, in the fall of 1908, but after a year returned to the farm yet again. On January 1, 1910, he secured a position as a teaching assistant in the College of Veterinary Medicine at Ohio State and gradually moved up the ladder to assistant professor and then full professor in 1921.

While at the college, he invented a surgical instrument for the spaying of female cats and dogs. It became known as the Snook hook, and it is still used by veterinarians for performing ovariectomies.

As a student at Ohio State, he became interested in handguns, and it wasn’t long before he became a champion at pistol shooting. By 1911 Snook had established a world’s record with the revolver. A year later, he won five matches with “remarkable scores” at the national championships, competed successfully in international matches and clearly established himself as one of the nation’s premier shooters.

“Through all of this shooting he has made careful studies and readily admits that his success in winning so many big matches is not all

due to simply holding steady and pulling the trigger,” observed *Hunter-Trader-Trapper*.

In the spring of 1917, the lanky marksman became gun and ammunition editor of that popular monthly magazine, receiving \$100 a month. In announcing his appointment, the magazine noted that as a teenager Snook was “extremely accurate” with a shotgun and victorious “against high-class shooters” in Ohio competitions. The magazine overlooked what Snook himself claimed as his first love, namely fly-fishing, at which he also excelled.

Because of his association with the university, Snook often chose to use a pen name on the many articles he wrote. The name varied from time to time, but it always included the word *king*, such as *Kingfisher*, *Kingman*, and *Wesley King*.

As an undergraduate at Ohio State, he became associated with the Military Aeronautics School on campus, where he taught rifle and small-arms shooting to Army recruits during World War I. He refused an Army commission in order to remain at the university during the war.

The magazine continued: “With the Scheutzen target rifle³ he captured the Peters Challenge Trophy several times. This beautiful cup represents the Indoor Rifle Championship of Ohio and Indiana. At present [it] adorns the doctor’s desk where it seems to rest quite securely.”

Also on his desk at Ohio State lay a small pistol made of spouting tin. Students and associates alike witnessed Snook’s accuracy with the toy, shooting rubber bands at houseflies. On occasion he also took a real pistol from his desk and shot birds out of trees surrounding the veterinary school, just for amusement.

Edward J. Yantis of the Ohio Bureau of Investigation recalled the day he showed Snook two Colt .38-caliber detective special revolvers he had just purchased. “I had brought them to the range to try them out,” he said, “but I was unable to groove my shots, which scattered like shrapnel.” Yantis suspected the revolvers might be faulty. Snook asked

³ The .38-caliber, single-shot Scheutzen rifle was used only for target shooting.

to give them a try. Taking one gun in each hand, the professor began rapid-fire at the bull's-eye. "When he finished," Yantis said, "a quarter would have covered the holes in the target."

Ray Bracken already was at the New York Central Railroad range on Fisher Road when Snook pulled up in his pride and joy, a blue 1929 Ford coupe recently purchased for \$600. It had fewer than 1,350 miles on the odometer. The other three members of the Columbus civilian team arrived shortly thereafter, and together they practiced before the competition. Snook and Bracken were literally "the big guns" at the match, easily outdistancing the police officers. Bracken scored 272 points out of 300; Snook posted 264 points for second place.

A fierce and proud competitor, Snook was disappointed with his marksmanship this day. A month earlier, in competition with 24 other Ohio shooters, including Bracken, he had won the match with an outstanding score of 348 points out of 350. He knew he had to sharpen his eye-hand coordination, which only could be achieved through constant practice. Still, such was his reputation as a world champion that members of the police division team extracted a promise from him to coach them in rapid-fire pistol shooting.

Little did Snook suspect, however, that he would be back at that same shooting range two days later when that chapter of his life, like the Ohio State graduates, would pass into history.

“**T**here’s a woman’s body over there in the weeds! Hey, mister! There’s a body over there!”

Ephriam Johnson, busy plowing a two-acre, sweet-corn patch with his two-horse team, couldn’t hear at first what the two boys running toward him were yelling. A body? In the weeds? Finally, they got close enough and breathlessly repeated their message: “There’s a body over there in the weeds! We just seen it!”

Johnson dropped the reins and hastened to the scene of the discovery. Sure enough. A woman’s body. Bloody and disheveled. Sprawled face down in weeds of timothy, whitetop, and clover. In one hand a linen handkerchief, stained by blood.

“Lordy!” Johnson said softly.

The two North High School chums, Paul “Krummy” Krumlauf and Milton Miller, were visiting the New York Central Railroad rifle range for the first time. It was June 14, a pleasant but cool morning, and the Columbus school year had ended two days earlier. Each had a rifle to fire but before taking the weapons out of the car, they noticed the farmer in the field about 200 yards away. Fearing a ricochet might endanger the man, the boys thought it best to warn him they would be shooting in the

area. As they walked toward him, they made their gruesome discovery, initiating the most celebrated case of murder in the capital city's history.

The 76-year-old dirt farmer agreed to stay put while the boys, both 16, fetched the police. They jumped into Miller's Whippet Four sedan – actually it was his father's car – and headed for Columbus police headquarters at Sullivant and McDowell avenues, a distance of less than six miles.⁴ However, it would be an hour and a half before they returned in a police car with two officers, Corporal John B. May and Patrol Officer Emmett Cloud.

In the interval, Johnson had left his post to return his horses to the barn about a quarter-mile away on McKinley Avenue. By the time he returned to the scene, a gaggle of curious men, women and children had gathered. Viewing the position of the body again, Johnson realized that half of it lay on ground he had mowed the day before, on June 13. "No," he told an onlooker, stating the obvious, "she wasn't there when I mowed."

May and Cloud moved the spectators back a few feet from the body, then made a preliminary examination to determine that the woman was, in fact, dead. Both officers hurried to a nearby home for a telephone to summon the Franklin County coroner, Dr. Joseph A. Murphy, and police photographer Homer C. Richter.

Before the coroner arrived, John W. Guy and Ralph Paul, Franklin County deputy sheriffs who regularly patrolled the area, pulled into the rifle range. Guy had been on Fisher Road shortly before 10 the previous evening, having just given a motorist a ticket at Hague Avenue and Skidmore Road, less than a mile away. That was at 9:50 p.m. From there he patrolled past the range, "looking for chicken thieves," he said, but observed nothing unusual. The range was well-shaded and black as black can be during the heavy downpour that began about 30 minutes earlier.

⁴ The Old Workhouse at Sullivant and McDowell avenues served as a temporary police headquarters and city prison following a fire at City Hall in 1920.