

A Fool?

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Literary Club

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**Thursday, October 6, 1927, morning rush hour, Eden Park, Cincinnati, Ohio - -
- - the wife was riding in a taxi to court for the final divorce hearing. The husband's
car pulled in front of the taxi and forced it to stop. The husband jumped from his
car, ran over to the taxi, grabbed his wife by the wrist and dragged her out of the
taxi shouting:**

"Now you decomposed mass of clay I've got you."

The husband pointed a revolver at the wife's stomach. She screamed:

"Oh Daddy, you know I love you. Don't do it."

**The husband pulled the trigger. The wife fell to the ground and then, with blood
pouring down the front of her dress, she climbed back into the taxi. The husband
followed her. The wife tried to get away, opening the door on the other side of the
taxi. She staggered down the road pleading:**

"For God's sake won't someone help me?"

**Several automobiles stopped but the drivers didn't want to get involved. One
motorist even prevented the wife from getting into his car. Finally, a Good
Samaritan drove the wife to Bethesda Hospital.**

**The husband calmly left the scene. One hour later he walked into the police
station and said:**

"I want to give myself up. I've shot my wife."

The husband was put into a jail cell where, a little later, Police Lieutenant McNeal told him:

“Your wife just died.”

The husband replied quietly:

“Very well, gentlemen. I thank you.”

Asked if he had anything further to say, the husband stated:

“It is the penalty one pays for being contrary to the laws of society.”

Long time Cincinnati residents and students of Cincinnati history have by now probably guessed the identities of the husband and wife in this true saga.

The husband was George Remus - - -pharmacist, attorney and the “King of Bootleggers”. The shooting victim was his thirty nine year old wife Imogene.

What followed became known as Cincinnati’s “Trial of the Century”.

George Remus was born near Berlin, Germany, in 1876. At the age of four he immigrated with his family to Chicago. When George was fourteen, he left school and went to work in his uncle’s drugstore. He studied pharmacy, became a licensed pharmacist when he was nineteen years old and bought the uncle’s drugstore.

George Remus began taking law classes. He was admitted to the Illinois bar and became a criminal defense attorney. Remus was flamboyant in court. A colleague called him “the weeping, crying Remus.” In 1901 he represented eighteen defendants in murder trials.

Once, Remus was the lawyer for a husband accused of poisoning his wife. During his final plea to the jury Remus went to the evidence table where sat the bottle containing the rest of the poison the defendant allegedly had given to the victim before she died. There was black skull and crossbones on the label.

Remus said to the jury:

“There has been a lot of talk about poison in this case, but it is a lot of piffle. Look.”

He picked up the bottle and drank down the rest of its contents. Although the amazed jury expected Remus to collapse and die, he continued arguing that his client was innocent. The jury was unaware that Remus, a pharmacist, knew what the antidote to the poison was and had drunk a vial of this antidote prior to his appearance in court. Needless to say, the defendant husband was acquitted.

By that time, Remus was married with a child. However, his wife sued him for divorce because of his affair with his secretary, divorcee’ Imogene Holmes.

Prohibition began in 1919. The banning of alcohol offered Remus the opportunity to move into the big time. He seized that opportunity with gusto.

William Howard Taft, Chief Justice of the Supreme Court and father of Charles P. “Charlie” Taft, the Prosecutor in the Remus case, prophesized regarding Prohibition:

“The business of manufacturing alcohol, liquor and beer will go out of the hands of law abiding members of the community, and will be transferred to the quasi-criminal class.”

In his criminal law practice Remus defended many bootleggers. He observed that the bootleggers became rich although, in Remus’s opinion, they were not very smart.

Remus studied the Volstead Act, which enforced Prohibition, and discovered that the Act contained an exemption for the sale of whiskey from government bonded warehouses through pharmacies “for Medicinal purposes.”

George Remus also learned that eighty percent of the bonded whiskey in the United States was located within 300 miles of Cincinnati, which, incidentally, was the operational headquarters of the Anti Saloon League.

In 1919 Remus shut down his law practice in Chicago and moved to Cincinnati, married Imogene, and started buying distilleries and pharmacies. He would then hijack his own liquor while it was being transported out of government bonded warehouses. He then sold the whiskey illegally at great profit.

Over the next five years in the early 1920’s Remus grossed \$80 million - - - - like a *Billion* today. Of course, to operate Remus had to pay a lot of bribes to local, state and federal officials. He is quoted as saying:

“Men have tried to corner the whole wheat market only to learn there is too much wheat in the world. I tried to corner the graft market but there isn’t enough money in the world to buy up all of the public officials who demand their share of graft.”

In 1921 George and Imogene purchased a twenty room mansion on a ten acre estate in then fashionable Price Hill and they entertained lavishly. At one party Remus gave a new automobile as a gift to each of fifty female guests. He regularly hid \$100 bills under guests’ dinner plates.

Incidentally, although his fortune was based upon the sale of whiskey, Remus himself never drank. He was a teetotaler.

Unfortunately for Remus, not all public officials could be bribed. Based upon evidence secured by Federal Agent Franklin Dodge, Remus was convicted of bootlegging in 1924 and was sent to federal prison in Atlanta.

Remus gave his wife Imogene a power of attorney over his affairs while he was locked up. This turned out to be a very unwise move. While Remus was in jail, Imogene began an affair with Bureau of Prohibition Agent Franklin Dodge, the man who sent Remus to prison! Dodge and Imogene liquidated most of Remus’s assets, hiding as much money as possible.

When Remus returned to his Price Hill mansion after his release from prison in April, 1927, he found the doors locked and the house empty except for a bed, a table and a chair. Dodge and Imogene had stripped the house bare. They also stripped Remus of almost all of his money while he was in jail.

Then the divorce proceedings began, culminating in the shooting of Imogene on October 6, 1927.

On the next day, October 7, 1927, Remus held a press conference. Dressed in a gray suit, Remus shook hands with each reporter and remarked:

“I see the press is here in all its grandeur.”

He then said:

“I had a moral right to act as I did and I can convince a jury of it.”

Remus pleaded not guilty and dramatically declared:

“Remus will defend himself. After all it is I who will be tried for murder. Death is staring me in the face, and I say to you frankly that I will defend myself. Remus will play a lone hand.”

Now, I wish to explain why this paper is titled “A Fool?”. One of the hallowed ancient maxims of the law is that the lawyer who defends himself has a fool for a client. So the question is: was Remus a fool for defending himself?

The murder occurred on October 6 and the trial was set for November 21, 1927 - -a mere 46 days, six and a half weeks later. Unimaginable in today’s legal world where a murder trial occurs months and months, sometimes years after the slaying.

The Remus trial was indeed front page news. To accommodate all of the reporters a room was set aside and seven Western Union wires leading to the courtroom were installed. An estimated 50,000 words per day were sent out by newspapermen.

At first Remus pleaded justifiable homicide as a defense. However, when he learned that Ohio law did not recognize marital infidelity as a legal defense to a murder charge, Remus switched his defense to temporary insanity, then an untried defense in the criminal justice system.

Previously Remus had stated:

“Anyone who thinks I am insane needs a mental examination himself.”

The prosecution was lead by twenty nine year old Charles P. “Charlie” Taft, Son of Supreme Court Chief Justice and former President William Howard Taft. Charlie Taft told the press he thought Remus was a common criminal who had committed a cold blooded murder for which he should be electrocuted.

Taft claimed Remus’s motive for killing Imogene was to prevent her from testifying about Remus’s illegal bootlegging activities. Remus said it was because his

wife cheated on him with the federal agent who put him in jail and that she stole his money, all of which rendered him temporarily insane.

Remus told a reporter:

“There never was a case like mine. No husband was ever so betrayed. To come back from prison and find the love your wife bore for you is gone - - - -that your money is gone.”

Remus engaged in almost continual histrionics and red faced objections during the trial but what could the Judge do? Jail Remus for contempt? But he was already in jail! If attorney Remus acted out while representing another client, he could have been removed from the case by the Judge.

Time Magazine of January 2, 1928 reported:

“For five weeks, Judge Chester Shook of Cincinnati, and a jury of ten men and two women, listened to stout, baldheaded, raucous George Remus, attorney, defend stout, baldheaded, raucous George Remus accused of murder.”

In addition to having an affair with Franklin Dodge and looting Remus’s money, there was testimony that Imogene tried to hire assassins to kill Remus. Furthermore, she tried to have Remus deported back to Germany.

With regard to Remus’s sanity on October 6, 1927, which was the key issue in the case, there was testimony all over the lot. Some witnesses claimed he was sane; others claimed he was insane.

The preponderance of the testimony was that Remus was sane on every subject except that of his wife Imogene. Witness Paul Anderson said that:

“On that subject he was as crazy as a bedbug.”

One of the character witnesses who testified on behalf of Remus was the great lawyer Clarence Darrow of “Monkey Trial” fame who had known Remus when he practiced law in Chicago.

Cross examining, Charlie Taft asked whether in view of Remus’s bootlegging activities, Darrow still regarded Remus as a good law abiding citizen. Darrow replied:

“I know a good many law abiding citizens who buy bootlegged whiskey.”

In closing arguments at the conclusion of the trial Remus’s co-counsel argued that there was indeed a motive for the killing - - - -Remus’s insanity brought on by his wife’s infidelity; that Franklin Dodge and Imogene conspired to keep George Remus in jail while they stole his money and planned his deportation.

Remus himself argued that any person who would kill another person while a crowd watched had to be crazy.

The prosecution in closing stated:

“What’s this all about? Why it’s about a cold blooded murder: the murder of Mrs. Remus and how he lay in wait for her - - - - he grabbed that warm, pulsating human being and shot her down in cold blood.”

The Prosecutor also said that the insanity plea was:

“just an excuse to get before the jury the unwritten law defense (justifiable killing of an unfaithful spouse) which the law of Ohio does not recognize.”

The jury deliberated for a total of nineteen minutes:

“We the jury find the defendant not guilty by reason of insanity.”

The courtroom erupted in cheers. Many photos were taken showing Remus shaking hands with some of the jurors.

The trial ended on December 22, 1927. However, Remus’s legal troubles were not over. A sanity hearing was then held before the Hamilton County Probate Court. At the murder trial Remus argued that he was insane. At the sanity hearing Remus contended that he was sane.

Reporting on the Probate Court hearing, the January 9, 1928 edition of Time Magazine stated:

“Six doctors on derangement ... examined stout, baldheaded, raucous George Remus who admitted killing his wife but was acquitted by a Cincinnati jury on the ground of insanity. All six agreed he was no longer insane. Five of the doctors also agreed that he was psychopathic, unmoral, hysterical, ‘subject to unrestrained outbreaks of temper and rage’ and, therefore, ‘dangerous to be at large.’

Probate Judge William H. Lueders, an older, more resolute man than Judge Chester R. Shook in whose courtroom the Remus trial was performed, heard the doctors’ decision and without further ado ordered dangerous Mr. Remus to be committed to the State Hospital for the Criminally Insane at Lima, Ohio, until he was ‘restored to reason.’

Shouted George Remus: ‘A humorous joke! A farce!.....One of the nine wonders of the world’”

Remus appealed and it wasn’t until June 20, 1928, almost six months later that the Ohio Supreme Court by a four to three decision, ordered Remus’s release.

Afterwards, Remus started a construction company to develop the ten acres where his mansion stood in Price Hill. Although various rumors floated about from time to time, there is no credible evidence that Remus ever engaged in bootlegging again.

Residing in Covington, Kentucky, he suffered a stroke in 1950 and died in 1952.

Writing about the trial, Charlie Taft placed some of the blame for the Remus verdict on the German American citizens of Cincinnati, stating:

“For this group Remus appears as a genial individual of their own race who generously supplied them with good whiskey.”

Now we return to the question of whether George Remus was foolish for violating the ancient maxim that a lawyer who defends himself has a fool for a client. In retrospect, whatever else you might say about him, Remus was definitely not foolish for defending himself.

My Father and Grandfather were both born in Cincinnati; my Father in 1900 and my Grandfather in 1876, the same year Remus was born in Germany. While I was a boy, I remember Dad and Grandpa discussing the Remus case. They would be talking about the lawyer who killed his wife, defended himself and was found not guilty. They said they still couldn't believe it; but it was true.