

OPINION

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The unlikely partnership of Al Capone and EJ O'Hare

By R. Marc Kantrowitz



Edward Joseph O'Hare, "EJ" to all, was a hustler.

Born in 1893, he quickly learned the value of hard work and money and took several jobs. Despite his many ventures, he found the time to take business courses at St. Louis

University as well as the bar examination, although he never attended law school (which was permissible at the time).

While his personal life appeared much like his professional one, straight and with a purpose, something apparently was amiss, as he divorced his wife of many years and moved to Chicago, leaving his family behind.

It must have been a difficult decision given his strong devotion to his three children, especially his teenage lone son, Edward Henry, whom everyone called Butch. Father and son shared a love of airplanes and flying.

But the lights of the big city apparently were too bright to resist.

Regardless of the reasons for his relocation, the scions of Chicago quickly adopted the well-mannered, attractive and classy entrepreneur. Despite being neither a drinker nor a smoker, "Easy Eddie" fit right in.

When OP Smith, the international commissioner of Greyhound Racing, asked O'Hare to patent the soon to be wildly popular mechanical rabbit, which dogs chased at the track, O'Hare agreed. Upon Smith's death in 1927, O'Hare approached Smith's widow and secured the rights to the patent.

While dog tracks were illegal, many flourished under the evil eye of Al Capone in crime-ridden Illinois. When the police attempted to close down the tracks, a judge — the brother of the lawyer representing the tracks — enjoined them from doing so.

Soon Capone and O'Hare opened tracks in Boston and Miami. In addition to controlling liquor, gambling, prostitution and speakeasies and reaping millions of dollars a year, Capone now had his hand in the highly lucrative sport of dog racing. And with him stood his not-so-silent partner. EJ O'Hare.



Al Capone (left) and EJ O'Hare

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Surely O'Hare knew the monster with whom he was dealing. He felt, however, that as long as the relationship was an arm's-length business one, he was safe, especially if he stayed away from Capone's corrupt underbelly.

Regardless of his relationship with the gangster, O'Hare was respected and wealthy, raking in money from his law practice and numerous business dealings.

Capone's downfall came neither from the violence he perpetrated nor the many people he brutalized, but for tax evasion. To build its case, the feds had good reason to believe that O'Hare might be of help. Conversations were arranged, meetings were held, and a shocking level of assistance was rendered.

A lead investigator years later wrote that the information provided by O'Hare was the most significant factor in prosecuting Capone and sending him to Alcatraz.

Knowing he might be signing his own death warrant, why did O'Hare agree to help the government? Many theories abound. Did he cooperate out of fear of prosecution himself? Did he do it due to a falling out with Capone? Was he merely doing his duty as a stand-up citizen?

Or perhaps, as many think, did he strike a deal with the government to help his beloved son, to whom he remained deeply committed. Butch desperately wished to become a flyer and enter the Naval Academy. In exchange for O'Hare's cooperation, his son would be admitted; in the alternative, if there was no cooperation, Butch, a talented individual in his own right, would be given no consideration.

Faced with the choice of helping his son or saving his life, O'Hare opted for the former. Capone was convicted and sent to prison. O'Hare was murdered.




Naval aviator Butch O'Hare

Epilogue

Butch O'Hare graduated from the Naval Academy in 1937. On Feb. 20, 1942, he almost single-handedly saved his ship, the USS Lexington, which was being threatened by Japanese aircraft. In so doing, Butch shot down numerous enemy planes.

For his great bravery, he became the first naval aviator to receive the Congressional Medal of Honor, presented to him by President Franklin Roosevelt. A wartime hero, he toured a grateful nation, whose citizens turned out in the tens of thousands to cheer him.

He promoted war bonds and the military before returning to active duty. On Nov. 26, 1943, during a nighttime battle, his plane was shot down. His body was never recovered. Posthumously, he received additional medals and accolades.

In 1949, an airport in Chicago was named for him. 

In addition to writing, Judge R. Marc Kantrowitz sits on the Appeals Court. He thanks Ariela Gragg, his Northeastern University School of Law intern, for her background research. Kantrowitz can be contacted at rmarckantrowitz@comcast.net.

The above column is based on "Fateful Rendezvous: The Life of Butch O'Hare" by Steve Ewing and John B. Lundstrom, and "Capone: The Life and World of Al Capone" by John Kobler.