

UNITED STATES
VS
ALPHONSE CAPONE

I was a CAPONE JUROR



Right: Arthur O. Prochno, Capone juror, who tells story.

We, The Jury, find the Defendant GUILTY as charged in Indictment No. 22852 and we find the Defendant GUILTY on Counts one-five-nine-thirteen and eighteen and NOT GUILTY on Counts below, Indictment

23232.

A copy of the verdict which was written incorrectly. It had to be rewritten. The incorrect verdict found Capone guilty of counts in indictment 22852 instead of in indictment 23232.

By
ARTHUR O. PROCHNO

I SERVED on the Capone jury. My vote was one of the twelve that stamped the nation's most notorious gangster an income tax cheater and therefore a criminal. As a law-abiding citizen I am proud to have had a part in his trial.

Al Capone, whom the world knew as the original public enemy No. 1, is now serving a ten-year sentence in Alcatraz prison, to be followed by a one-year jail term. We, the jury, convicted him on Oct. 17, 1931. Judge Wilkerson later imposed sentence.

That was more than four years ago. It all seems as vividly fresh to me as though it took place yesterday. I have great reason to remember the Capone trial. I do not mean the thrills of the trial itself. I do not mean what it meant to Capone. I mean what it meant to me.

First of all let me say that I have lived most of my life in the Irving Park and Edison Park districts. I have been interested and active in civic work in those communities for many years. For nineteen years I was secretary of the Edison Park Improvement association. I was active in the affairs of the United Edison Park Improvement association and in the Amalgamated Improvement association. I have fought for one-way fares for our neighborhood. I have been active on the Independence day committees of the neighborhood and other patriotic and civic committees. I have been identified with the Men's Fall Festival chorus, associated with Cook county Sunday school work.

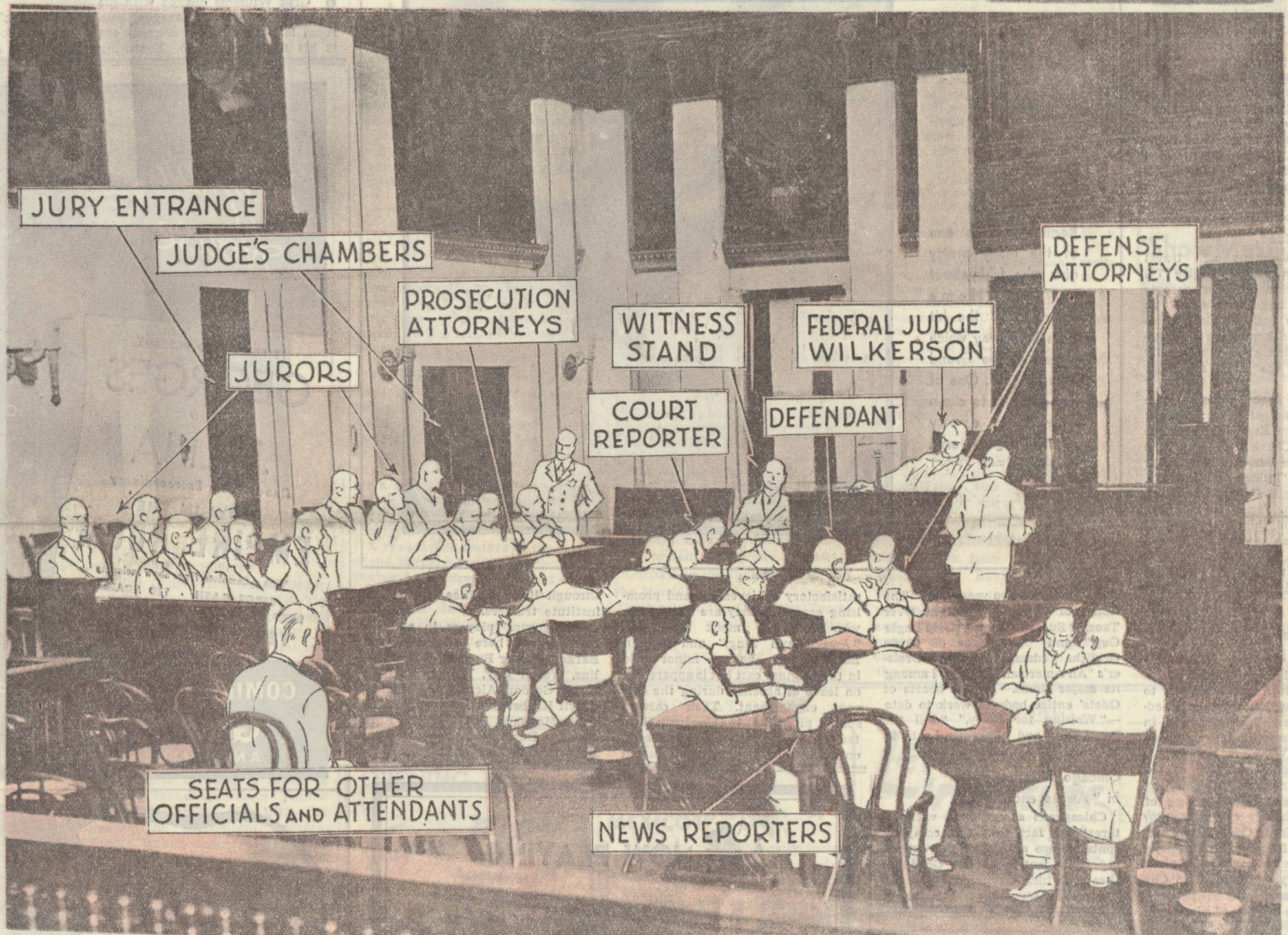
I have been and still am in the insurance business. That has been my life work. Some people considered me a successful business man. I trust I will not be accused of boasting if I do say I was successful. I had many, many good accounts. I enjoyed the good will of my clients. I owned my home. I had a car. I was, in brief, a successful middle-class business man, not rich, not poor.

That was true up to the Capone trial. A few days after the verdict, while I was attending my normal business, feeling that I had done my duty as an honorable citizen, one of my biggest clients—I had enjoyed his business for years—approached me. He said: "You're a hell of a juror to return that verdict. You'll pay for it."

I have paid for it. I have lost my home. I have lost my savings. I have lost many lucrative insurance accounts, virtually causing my business to collapse. The depression was not the main fault. I believe the Capone case was. Why? Because some of my clients quit me for voting guilty against Capone, and some of them quit me for not voting more severe punishment. Never before had I realized how people felt about Capone. They were extreme one way or the other. And I was in the middle. These people showed their displeasure by penalizing me. The loss of their business was like an avalanche. It gathered things in its way and almost buried me.

Probably those people would see things in a different light if they knew the inside story of Capone's conviction. I have been asked many times to tell it. Until now I have held off. With Capone in prison, I do not feel that I will be violating any confidences if I relate my experiences as a juror in his trial. I think they will show what problems. [Continued on page eight.]

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Eleven
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Seventeen
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Twenty one
Twenty two



Diagrammatic photograph of Capone trial in Judge Wilkerson's court. Scenes such as this were of daily occurrence during the two weeks' hearing of the trial. (Tribune photos.)



Right: Scarface Al Capone. The villainy he compounded caught up with him in an O. Henry finish.