

## “The Heist on the Dike”

*Employing tactics of Chicago's gangland, and armed with a machine gun and large caliber automatics, two desperate bandits yesterday noon sent a stream of bullets into the Agua Caliente money car as it crossed the National City dike, killed the two occupants of the machine and escaped with \$85,000 in cash and checks.*

--San Diego Union, May 21, 1929

“Big time” crime hit San Diego in 1929 with the heist of gambling receipts from Tijuana’s Agua Caliente casino. News of the daring, daylight robbery by “machine gun bandits” would generate newspaper headlines across the country and enthrall San Diegans for weeks.

The crime occurred mid-day Monday, on May 20, 1929. A Cadillac coupe from the casino with two Mexican guards was traveling north on old Highway 101, carrying the Sunday revenue to banks in San Diego. Just above National City, a black Ford touring car without a windshield slipped in behind the money car.

Shooting straight ahead, two men in the Ford stopped the Cadillac by firing bullets into the tires. They jumped out of their auto and blazed away at the money car. The two guards, Nemesio Monroy and Jose Borrego, fought back but died in the gunfire. The killers opened the turtle-back trunk, removed bags of cash and checks, and then raced north in full view of stunned witnesses on the crowded highway.

The guards had been shot multiple times and their car riddled with bullets. The police immediately declared the crime had the earmarks of the “mob”—possibly Chicago gangsters. The county sheriff reported that a Thompson machine gun had recently been purchased by a resident of Tijuana. The police noted the killing marked the first use of a machine gun in a San Diego crime.

The suspects’ car was found quickly. In a quiet neighborhood at Edgemont and B streets, a man mowing his lawn watched as two men in coveralls parked the black Ford across the street. Another car pulled up alongside. The three men transferred several “large bundles which looked like pillows” to the second car and then drove off.

San Diego police found that the Ford was stolen. A cheap coat of black paint had been recently brushed on. But beyond the car and crude physical descriptions of three men, the police knew nothing about the suspects or where they were headed.



Police examine the bullet-riddled “money car.”

The killers were nearby. Marty Colson, 27, and Lee Cochran, 24, along with a third accomplice, Jerry Kearney, 28, were hiding at Kearney’s rented house on Villa Terrace near Balboa Park.

They had stolen nearly \$86,000 but to their shock, all but \$5,800 of the money was in checks—non-negotiable and worthless to them. Kearney and Cochrane burned the checks in the backyard.

Worse, Colson had a severe bullet wound in the shoulder, apparently from return fire from the money car guards. Kearny tried to remove the bullet with a pocket knife but when his home surgery nicked an artery, his panicked wife called a doctor. Knowing the doctor would likely file a report with the police, Kearney and Cochran abandoned Colson and left town, leaving Mrs. Kearney to nurse Colson.

Hours later, the police raided the house and captured Colson and Kearney's wife. Police nabbed Kearney and Cochran two days later in Los Angeles.

The suspects were arraigned on May 27 in San Diego, pleading not guilty to charges of murder and robbery. A large crowd milled about the courthouse, excited over rumors that "underworld characters" would attempt to rescue the defendants.

But after hearing testimony from the defendants, the police and public fascination over a “gangland” aspect of the heist began to fade. Cochran and Colson admitted to carrying a machine gun but it was never used. They had killed the guards with .38 caliber handguns. A stolen

machine gun and “other artillery” had been dumped in the ocean off San Pedro by Cochran and Kearney after they fled San Diego.

Nor was there any connection to the “mob” or organized crime. The murder defendants were career criminals with long track records of burglary, arson, and grand larceny. Kearny—not implicated in the heist itself—was a small-time “bootlegger.”

Colson and Cochran appeared “eager to get it over with” and pleaded guilty to first-degree murder—apparently to avoid hanging at San Quentin. But as sentencing day approached, Martin Colson attempted suicide by slashing his wrists. He recovered and then, appearing in Superior Court, he shouldered the blame for the crime, tried to exonerate his partner, and begged for a death on the gallows.

On August 6, Judge Charles N. Andrews pronounced sentence on Colson and Cochrane. A moment of drama occurred when the judge addressed Colson: “Yesterday you asked me to sentence you to death. Do you now desire that I impose the death sentence?” Colson was silent at first then stammered that he left his fate in the hands of the court. The judge “smiled faintly before sentencing him to life imprisonment.” Cochran also received life in prison.

In a separate trial Jerry Kearney was convicted of being an accessory to the money car robbery and slayings and sentenced to one year in county jail. His wife Agnes—never tried in court—was released from jail after a few weeks.

Robert Lee Cochran would serve twelve years in prison before being paroled. But his partner in the Agua Caliente heist lasted only four years behind bars.

Martin Colson, who had once begged for a death sentence, tried repeatedly to escape from Folsom State Prison. His most spectacular attempt was an effort to cross a prison moat by swimming underwater using homemade diving equipment. His apparatus failed and guards pulled him out, half-drowned.

In July 1933, Colson’s brother Emil tried to smuggle guns and ammunition into Folsom, hidden in a kegs of nails. The brother was caught and arrested. One year later, Colson made a last futile attempt to break out using a gun fashioned from prison shop materials. Cornered in the warden’s office, Colson killed himself with his homemade pistol.

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