1923

Herrin Massacre Investigation Proceedings, 0101-0200

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I went to Mr. Duty's office about 6 o'clock on the evening of June 1st. We had a conference. That evening I heard various of the mob say that 5 or 9 automobiles passed through town loaded with armed men.

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Q. That, together with the fact that a mob of some size was formed and marching along here on the streets about the city, created a sort of an intense situation, did it?

A. It did.

Q. One that appeared to you to be very menacing?

A. It did.

Q. Was it not apparent to you at least and Colonel Hunder was in a position, either he could have obtained the same feeling, the same views you obtained, that something was very likely to happen unless it was restrained?

A. I heard him make report to his superior officer and that report, the words of it sounded like trouble to me.

Q. He reported fully, as far as you know and as far as you now believe, all the information that he then possessed concerning trouble here, did he?

A. As far as I had knowledge of the situation there and as far as I have knowledge of it now, he reported the situation.

Q. Do you think the Adjutant General of this state, with the information that was reported to him by Colonel on that evening or afternoon, should have, without any further request or information send troops here?

A. If I had been in his place and got the first word of this trouble I would have been on the ground. Had troops been sent in here, placed in charge of this situation, properly handled, the whole thing would have been averted.

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Q. What is the point of view of the citizens with reference to the way the matter was handled and whether or not they consider it was conducted properly and if not properly, who they condemn generally for not handling it properly?

A. This is a coal mining community. Williamson County is a coal mining county. That is, it is its leading industry. Men have gone into the mines from every other walk in life and particularly from the farms all over the county. It is strongly unionized, not only in the
The union feeling is not solely confined to miners but to hard carriers or to the other 50 or 40 unions we have in Marion and adjoining towns. The feeling reaches out to other people in other lines of life. Strongly unionised. The union seeks to protect all the rights of its members. In this matter there is a percentage of our citizens who are so much of the union seeks to protect all the rights of its members. In this matter there is a percentage of our citizens who are so much of the union that they justify all that was done. Many of them, honest and law-abiding men. There are others and they constitute quite a large percentage, who reason something in this line: Bester made an agreement with the union to furnish him men. He would strip the coal, have it ready to load but would not load it until the strike was settled and loading began from the other mines. That the union furnish him the men that strip the coal. Had some 70,000 tons, as has been said, stripped and ready to load. That then he broke his agreement with the union and brought men, as they term it "hired forces", presented them with guns around his property, across the public road that had been used for forty years, held up citizens, undertook to load his coal with non-union men and that Bester was responsible for all that happened. The moderate view of it does not reach further than that and so, under those circumstances, the moderate vision is not open to any other things that happened, and they justify in a way all that was done. At least, they do not fully justify but they do not consider it.

There is an element, a minority percentage of the citizens of Williamson County who view this matter as a murder, massacre of unarmed men who had thrown up hands, put up a white flag and had surrendered and they consider it all that the outside world does, but they do not go around making a great big noise about it.

Examination by Mr. Basker.

The conversation I heard Colonel Hunter have with Adjutant General Black was around 5 o'clock. It was after I got to the Great Marion Association office, which was a little after 4;50, and it was prior to 6 when I left there.
Mr. Elijah Lewis is Mayor at present but Mr. Clarida is out Mayor-elect. We have a commission form of government. George Vinson is our chief of police, George Walligan our Sheriff and Samuel Stern, chairman of the Board of Supervisors of this County and Mr. McOwen, coroner of the County.
My name is Karl Binkley. I reside at 905 North Market Street, Marion, Illinois. I am a coal miner. I have lived in and about Marion all my life.

Friday morning preceding the massacre about 2 o'clock in the morning Claude Holmes, a taxi driver, asked us to go with him on a trip. We left the passenger out at his home and coming back we hit a dump and as we started to turn around a guard stopped us and asked us where we were going. He told us to get away from there. We then drove on about 50 yards and another guard told us practically the same thing.

Then as we got near the office there were about 15 or 20 of them, more like a bunch of foreigners than anything else. They jerked us out of the car and told us to put our hands up. The little Greek who was with us got tired of holding his hands up and put them down and Mr. McDowell hit him in the nose with his fists. This was right near the office on what used to be the old highway. They made a detour around it that took you to the office. No one then struck at me but never hit me and then they put a guard on each side of the car on the running board and told us to get out and then we came back to Marion.

Further examination by Mr. Irwin.

This incident took place 4 or 5 days before the killing. I reported this to States Attorney Duty but I did not get a warrant, and Mr. Duty told me I could not have a warrant because of orders from the Attorney General.

This passenger whom Holmes took out with us was named Collins and his house was about 100 yards west of the Strip Mine. I had never been on this detour road before.
I remember a trip I took on Friday, about the 16th of June, 1922.

About 1:30 a stranger came up to the Wem Cafe where I was standing and wanted to go to the Southern Illinois Coal Company and I said for him to wait until I got a drink, so I went in the restaurant and got a drink and asked two fellows in the restaurant if they didn't want to go, so they went along. He directed me to go out the west hard road and I went by the Whitefield school and he lived right near the mine there and we discharged him and he says we can go back by No. 5 if we wanted to as there would be a better road. We started and took the whole road and after the left turn took the north old road and he hollered at us to go east and we backed out and took the detour road and kept going east and followed the best traveled road and turned and it brought us up to the mine and we came to an embankment and had to turn around and came back the same way we went in. One of the guards stopped us and told us we were in dangerous land. We asked him to get on the running board and we went on 200 feet when another one stopped us and told us to go on and the third stopped us and came running down the road. I turned the lights on him and he told us to report at the office. He got on the running board and there were 18 or 20 in the road. They had Blakley jerked out, they threwed guns on us and begun cussing and stopped the car themselves. They held us there about 15 minutes with our hands up. Kourek got tired of holding his arms up and when he put them down one of them smashed him in the face. They said, these boys are suspicious characters and searched us and searched the car. One of the boys put two on the running board and told us to take the west road, told us if we made a false move to kill all of us. When we got to the main road he says: "Boys I don't see how you got through there."

We then returned to Marion.

Further examination by Mr. Igoo.

I knew Robert Offler and I knew Delaney and McRae was there but could not name the others. I went with these other young men to make the complaint to the States Attorney. We told him about our trip and the way we had been abused and he told us he had orders from the Attorney General and one more move and he was going to act. He said he was just waiting for one more move out of those fellows out at the mine and then he would act according to his orders.
He asked for a warrant for all of them but he told us he would wait for one more move. I also heard they stopped the mail-carrier, but I do not know his name. I don't think Laty asked me who struck me, neither do I believe I could have identified him. The States Attorney said that he had orders from the Attorney General. I am the same chauffeur who drove Colonel Hunter and a police officer to the mine on Sunday, June 18th.
My name is M. A. Thornton. I have lived in Marion, Illinois for the past five years, and I am at the present time a coal miner. During June 1922, I was a member of the police force of the city of Marion, working extra, on at 12 day and off at 12 night. During June 21st, going on duty at 12 day and off 12 night. Just as I walked to headquarters that day, the Chief was answering the phone. He said Mosely wanted us to come to his hardware store, that it was being raided. We walked down there, and when we got in the Chief asked if any guns had been taken.

There were very few people on the streets at that time. We also saw a bunch standing in front of Holmes'. They were young men, all strangers. The Chief asked "what are you boys going to do?" and they answered "we are going to Big Muddy hunting and fishing." They had three single barrel shot guns, one double barrel but no rifles. We walked on after they said they were going hunting, and I went to meet the 12:40 train. Everything was quiet until about 7:30. My superior officer's name is Geo. Vinson.

Nothing occurred at Mosely's or Holmes' that was suspicious; everything was calm.

About 7:30 in the afternoon men gathered in bunches on the streets and they seemed to be very anxious. They were between the Court House and North Market Street. Every little bit I would caution them that they were stopping traffic, some I knew and some I didn't. I did not see any arms. They were talking about the union men being killed in the evening at the mine. The earliest I heard about this was about four o'clock when they said two or three miners had been killed. Uncle Tom Frises and Jack Bradley were also on duty. Not Bradley now works at the Gem Mine, but he was on duty that night because he was sick. Frises worked traffic out North Market Street and the bunch was crowding pretty strong and I would step back into them and tell them not to block the traffic. The only place there was any crowd much was around the square where there were about one hundred people, practically all men.

About eight o'clock in the evening I saw some cars coming through, they almost ran over me. They were going so fast. They came up East Street, and they were mostly negroes who had guns with them. I tried to check them, but they went so fast they went right through. There were eight cars in all, and I just let them go by. There were guns in three or four of them.
About 8:20 I started down North Street and met the 9:10 train. I didn't tell my superior officer about seeing those armed cars go through town until the following morning, although it was unusual to see cars loaded with armed men travelling through town at a high rate of speed.

Part of the day I had met trains and at other times walked around the square, but I saw no men with guns that I knew.

Mr. Edgington came to me about four o'clock. He said there was a report that they were going to try to take his guns. He wanted me to unlock the closet at headquarters and we placed them in the closet and locked the door. I suppose they wanted them for shooting. I walked down North Street about 9:10 to meet the train and the conductor made a complaint about a bunch of boys who had been jumping on the train, and he wanted me to ride it to break the boys of this habit which I considered a serious offense.

At this time there were big crowds on the streets going in different directions, in bunches of twenty five or thirty. I heard the next morning that some had started to go to Mo. Dowell's. It was just like a bunch does during a city election, just around wanting to talk and hear. I went off duty at twelve o'clock and no one took my place.

I saw Tom Prises who goes on from six to six, that evening, and he said "those fellows seemed to be in a hurry" and I said "yes, I could not check them" and he said "I would be just like you, I would get back and take care of myself, look out for number one." He heard rumors then that men had been killed.

**FURTHER EXAMINATION BY MR. LOOS.**

I was on the police force from April 16th to July 4th, and before that time I was a miner and a farmer working at the West (New) Virginia mine part of the time. I am a member of the Mine Worker's Union.

Some where around four o'clock in the morning of June 21st I heard two tolerable loud explosions.

Uncle Tom Prises and I were standing right out here when I heard them. The reason I was out there at that hour is I went to see Dr. Walker to get him to see my sister-in-law. I left my house about fifteen minutes to four. She had a sort of Cholera Morbus. Tom-Prises-and-i I had been to bed before I called the Doctor.

I was in bed when my brother awoke me. The lights on the square went out about 9:30 and came on again in about thirty minutes.
night. I used my lantern light when I met the 9:00 train. There were not
many people on the square when I left.

FURTHER EXAMINATION BY MR. LOEB.

I did not see the Sheriff that night. I did receive a complaint from Mosely
that people were looking for guns, and I went down with the Chief, and the Chief
asked him "anybody take any guns." And he said "no." He said "has anybody
taken any guns or bothered anything you got?" And he said "no." They turned
out and went away." And the Chief said "where did they go?" And he said "
I'll go down and meet the train."

We did not get a complaint from Cox that day, but while we were at Mosely's we
saw a crowd in Holmes' pawn shop, but they did not get anything there.

The guns they attempted to get from Barnington belonged to the American Legion.

I believe they had ten guns there. I did not know what they wanted with them.

It was my duty to keep order in the city of Marion.

Although I had an idea they wanted them for the trouble at the mine. Col. Hunter
had discussed with me the seriousness of the situation, but I did not convey this
information to a living soul. Hunter told the fellows they would have to keep
guards on their own premises, and keep off the highway and not molest citizens
that were passing by. Hunter asked the Superintendent for a piece of paper, they did quite a bit of writing. So I asked Col. Hunter, "what do you think?"
and he said "it is an undesirable bunch and they will have to be disbanded. I
will make my report in the morning."
I testified that concerning these facts before the grand jury and also testified that the last trial for the defense.

FURTHER EXAMINATION BY MR. PIERCE

It looked to me as if there were five men to the car as they passed me. I knew they were going in the direction of the mine. Previously to that, I heard that two union miners had been killed. My duty as an officer was to keep peace inside of the corporation of Marion and not outside.

Q. Well, now, is it not a fact that you did not make a report, the fact that you were in sympathy with the move that was going on, that you knew was going on, that you had every reason to believe was going on and that they were going to resent the killing of those two union miners?

A. Yes, sir.

I didn't think it was my duty to report what I saw and heard.

FURTHER EXAMINATION BY MR. McGARTHY

I knew the union men had been shot at the time the mob tried to get the legion rifles. Hunter told me this about 6 o'clock. He said they were all strangers. If I had been up there at the time I would probably have arrested them. The fellows in the pawn shop were peaceable, and it was not unusual buying No. 6 shot. They said they were going hunting.

The committee met pursuant to adjournment April 28, 1923 9 o'clock A.M.

A. B. McLAREN
Called as a witness before the committee having been first duly sworn was examined by Mr. Ague and testified as follows:

My name is A. B. McLaren. I have lived in Marion, Illinois, twenty-one years. At present I have no particular occupation but I have been a coal operator here practically twenty-one years. I was affiliated with the Miners Organization twenty-five years ago.
I was in Marion during the trouble up until Thursday noon but know nothing about it except I was called in to advise in some manner as to how we should stop operation out there. I was first called to Mr. Duty's Office Wednesday morning, June 21st, but I don't remember who called me. Mr. Duty, Mr. Thaxton and Colonel Hunter were present. They asked me my opinion and I advanced two ideas. One was to ascertain who held the mortgage on the equipment and through that channel to advise those people as to just what was going on, and, if they were not in sympathy with stopping that operation, to endeavor to get a promise through the insurance companies to bring pressure on the Southern Illinois Coal Company and cause them to stop operation. Mr. Duty immediately consulted the records to find out who held the mortgage and I think he said it was some concern in Ohio, and he immediately put in a call to get in touch with those people.

I don't believe the question of troops was mentioned, nor about securing in additional deputies for the purpose of protecting lives or property. This was about 10 o'clock in the morning.

I don't recall anything at that meeting about which one might expect trouble.

I was called to the Greater Marion Association rooms by Mr. Edrington, Secretary of that Association, about 6 o'clock in the afternoon of the same day. There were present there Mr. Edrington, Mr. Pailsly, Mr. Hix, Mr. Ralph Mitchell and Mr. Warder came a few minutes after 7:30 arrived. Walking across the square, I learned of the happenings that morning between Carbondale and Marion and I did not learn about anybody being killed until I got to the Association rooms.

At the first conference that morning I advised Mr. Duty and the other gentlemen present that there was another course that I might pursue that would aid in stopping the mine, and that was to get hold of Mr. Charles Hamilton, who was very well acquainted with this man Lester, and endeavor to get him to lay the facts before Mr. Lester on the telephone and get him to stop that mine.
I met Mr. Hamilton in the afternoon and told him what I thought he might be able to do, and he said he would call up Lester and talk with him. Mr. Hamilton's home is in Pennsylvania.

About 6:30 he called me on the telephone and I advised him to come up to the Association Rooms and state that information to Superintendent McDowell. He then telephoned McDowell that Lester had agreed to stop operations during the duration of the strike.

While I was in the Association Rooms, Hunter was in telephone communication with the Strip mine and also the miners headquarters at Herrin.

After Mr. Hamilton came up there and phoned his conversation with this man Lester I think Colonel Hunter advised McDowell before calling the office at Herrin, to agree to a flag of truce, and later called up the miners headquarters at Herrin and talked with some one when I don't know. He (Hunter) asked for Mr. Willis, but he was told Mr. Willis was out. I couldn't say whether he talked with Fox Hughes or not. They were to cease firing and a flag of truce would be out there at 6 o' clock. It was now possibly 5:15. I do not recall that Mr. Hunter telephoned to Springfield during any time I was there.

In the telephone conversation between Hunter and McDowell I think he (Hunter) got the information, and repeated it, that some men had been wounded in the mine. I previously heard about the two men being killed. I left the office about 6 o' clock, got in my car and went home, where I remained all night undisturbed. At 11 o' clock I telephoned around town to see what was going on because I heard two or three heavy blasts, more of a dynamite sound than the ordinary blasts you hear. Before leaving for town I heard from parties passing my home that there was quite a crowd up town, and I later saw quite a number of people congregated around the square. I did not see any one with guns, nor do I recall seeing any of the city or county officers that night. After traveling around possibly an hour I went home.
The next morning, June 21st, I learned through rumors they had surrendered out and they were marching those men to Harrisburg, and later I heard the actual facts. I did not go to the scene. I knew a truce had been arranged for by Mr. Hunter on the telephone, but cannot recall the terms.

GEORGE VINEG

Called as a witness before the committee having been first duly sworn was examined by Mr. Pierce and testified as follows:

My name is George Vinson and I reside in Marion, Illinois. My business is that of chief of police, which position have held about four years. Marion has a population of about 12,000. I was chief of police in Marion during the month of June, 1922 and had three patrolmen under me. Thorton and Bradley were the night men.

I did not know very much about the trouble prior to the 22nd, only on the evening of the 21st we got some message at the west part of town that there were some fellows trying to get guns, but when Thorton and I got down to Mosley's they were gone. We saw 5 or 6 boys across the street at Honea pawn shop and we went over there and asked a fellow if he was going to let them have them and he said yes. They said they were going hunting. This must have been between 2 or 3 o'clock. I believe the crowd was still there when I left.

That night I saw several people standing in bunches but never saw any trouble and we tried to keep the traffic going and keep everything quiet. I did hear some parties about 6 o'clock that evening say there was a bunch coming from Harrisburg, a town in Saline County, about 20 miles from here to go to the mine, they claim there was some trouble there. I had previously heard that 2 or 3 miners had been killed and wounded and I thought the situation was tense and conditions threatening.

My patrolman did not inform me that on the night of the 31st eight cars went through Marion carrying four or five people in each car armed,
although we were together practically all that evening.

Before becoming a police officer I was tending bar at Murphysboro. I don't remember seeing the sheriff that night. I understood he was not in town that night. I am well acquainted with Deputy Storm but instead of calling on him I had all I could do to attend to my own job.

As long as they had guards at the mine I thought they had the situation under control. While the county fair is on I put on special deputies but did not at this time because I was not expecting trouble.

FURTHER EXAMINATION BY MR. RICE

That evening (21st) I heard a report about the efforts to get the legion guns over to Mr. Eirington's office but I did not understand that one of my deputy's had been called on by Mr. Eirington to help him preserve those rifles. I believe it was Police Magistrate Hunter who gave me that information that night or the next morning. I had a street commissioner with me while I was traveling around at night.

I was on two streets part of the time but I never went down to the jail. The reason I went down there is there was a crowd of young fellows, about 25 or 30 congregated there, but I did not know one. Neither did I try to find out. We followed them two blocks on South Street when they turned and came back toward the square.

The crowd dispersed about 10 or 11 o'clock that night but I did not see any guns.

About 5 or 6 o'clock in the evening, I heard loud explosions and heard some fellows talk about blowing up some machines out at the Strip mine.
Later in the evening, about 8 or 9 o'clock, I heard more explosions and about 11 o'clock the lights went out.

FURTHER EXAMINATION BY CHAIRMAN MCCARTHY

Some time on Wednesday a couple of men reported to my office. I was not there but they reported to night police Friess. They came and wanted some water, and he gave them water and they wanted to get out of town. I suppose they came for protection. Friess got them some clothes and they left town. Those men had been working at the Lester mine, as I understand. Friess first took them to the sheriff's office but the sheriff told him they had better get out of town. They were afraid and wanted protection.

I saw Colonel Hunter around here during the trouble but I do not think I ever talked with him about the situation. It was always my belief that we would get by all right. I heard they had it under control and heard it talked around the office that they did not think they needed the militia there. The sheriff never came over to see me and neither did I talk with him about the trouble.

On the evening of the 21st the crowds were such that cars could not get through, but Saturday night is just as bad. That night I also heard rumors that the mob wanted to get Poole brothers.

I got off duty at 5 o'clock in the afternoon.
I was absent from Marion during the week previous to the trouble but returned Monday morning. At that time I heard rumors of the operation of the Southern Illinois Coal Company mine with non-union labor and that guards were stationed there and the general impression seemed to be that it was very unwise for the Company to pursue. I did not go out to the mine just previous to the trouble. I knew Mr. McDowell to see him. He was the Superintendent of the Coal Company. The members of our Association individually discussed the feasibility of having armed guards out there.

I first saw Colonel Hunter Wednesday afternoon, June 21st. in Mr. Edrington's office. I was at Johnston City Wednesday morning and Mr. Edrington called me and said that Hunter asked for the formation of a Committee and asked me if I would come back to Marion. I came back and then went to his office, which was about 2:00 P.M. Six or eight other members of the Association arrived as I did. Colonel Hunter then stated to the meeting that there were indications of trouble at the mine and was desirous of doing something to avert trouble and it was the opinion of the men who were there that if the Company would consent to shut down the operation that there would be no further trouble, and from that time on efforts were made to get the Company to shut down their mine. Mr. Hamilton then talked to Mr. Lester in Chicago and reported to the meeting that Lester had agreed to shut down his mine. With this information Colonel Hunter communicated with the officials of the mine telling them of Lester's decision. They were perfectly willing to comply with these instructions as soon as they had been received.
Hunter also told them that they stop firing and display a white flag.

"I recall it Hunter also said we would call the officials of the miners' Union and arrange for them to get the information to the men who were gathered around the mine. Previous to this McDowell had reported to Hunter that some firing had started at the mine and that someone had been wounded or killed.

"Hunter also called the sub-District office at Herrin and asked for Mr. Willis, but Willis was not in so he talked to Fox Hughes. He told Hughes that Lester had authorized the discontinuance of operations at that mine and asked Mr. Hughes to arrange in some way to convey that information to the men out there. There was some talk about the men at the mine displaying a white flag and the men who were to go to the mine, and give information that the mine was to be shut down, and to display a white flag. I heard nothing said about the men coming out of the mine or when they did come out and be removed from the County. Although from outside sources subsequent I heard that some arrangement was made or claimed to be made with reference to the safe passage of these men out of the County.

"It was my understanding also that these men coming out of the mine were to lay down their arms. This I understood was an arrangement made between Hughes and McDowell. The next morning I understood the arrangements for their coming out called for six or eight o'clock.

Edington assisted Colonel Hunter in gathering information and receiving reports from Herrin and Marion. It was also suggested at that meeting that a Citizens Committee would be willing to go with the Officials or some association out to the mines and seek a peaceful adjustment and these people be taken out of the County, but who suggested it I do not know.

After Colonel Hunter got the sub-District office on the phone these details were left for a later meeting. Shortly after this arrangement of truce proposition Colonel Hunter called Springfield on the Telephone and reported to someone that a truce had been arranged and that the Company had decided to shut down their operations. At that time we had received the report that men had been killed or wounded but whether Hunter reported that to Springfield I do not know.

About 7:30 in the evening I went to my house, which is about six or eight blocks north of the square and did not come back down till that evening. At nine o'clock I heard an unusual explosion.
By the sound of which I thought it came from the Lester mine or in that vicinity. I later learned that it did. When I left for home that evening there was quite a large number of people around the stores. In the evidence given yesterday was the first time I heard that two strip mine men had been here in jail. From the conversation of the crowd I took it for granted they were talking about the trouble at the mine, although I do not remember anything specific. While at the Association rooms I also had the information concerning the shooting upon a truck carrying non-union men from Carbondale, which matter was also discussed. We learned that several people had been wounded there and also learned there were gatherings at Harrisburg and other places. I believe it was between three and four o'clock when we heard two or three union men had been killed.

**Further Examination by Mr. Leese.**

I am a mine operator. Difficulties are usually taken care of by arrangements with representatives of both sides. The reason the mines were not in operation last June is that the agreement under which they had been operating expired on the 31st of March and negotiations were pending to either renew or make a new agreement. On June 21st, they agreed to continue the old agreement. Up until which time there were no mines operating in Illinois. The Lester strip mine attempted to operate despite the fact all other mines were shut down. Lester, however, did have some sort of an agreement with the Union which would permit him to take off surface earth by steam shovels before the coal was raised during the strike. The trouble began after he had in some way gotten off the Coal and then attempted to do something that the miners thought was in violation of the agreement. It took several months to take off the earth before the coal was reached, at which time he discharged the union steam shovel men and brought in some other steam shovel men and attempted to dig coal and load that coal with steam shovels on cars and ship it out. The armed guards came down about the same time the non-union labor did. The union mine workers never interposed any objections to Lester removing the dirt from the coal but did when he attempted to mine coal.
A strip mine is where the vein of coal comes near to the surface and near enough so that the overburden can be stripped off. The profits are much greater to the men working a strip mine than a shaft mine. All of the work of removing the earth from the bed of coal was done by Union labor.

The only mine in the State of Illinois operating last June was the Lester strip mine, was also operated by non-union men under an armed guard. It is pretty well conceded that you cannot run a non-union mine in Illinois. During sessions of operating the operators met with the miners at Elevenland and agreed to continue on the terms of the old agreement to take effect in August.

The Lester mine now is being operated by Union labor. During the strike Lester could have paid an exorbitant wage and still made a nice profit. One big shovel ought to load 26 cars a day, each car containing 50 tons. The average production of a miner in the shaft is ten tons per day and the mining rate for machine miners is 97 cents a ton.

I was president of the Greater Marion Association during the time of the trouble. It appeared to me that Hunter was honestly trying to do all he could to perform his duty there.

Further Examination by Mr. McCarthy.

As I recall, Hunter's conversation with slacker occurred between five and six o'clock in the afternoon. I do not recall that I nor anyone else during that conference discussed with Hunter the feasibility of calling troops.

The old agreement between the operators and miners expired March 31st, and the new agreement went into effect August 21st.

Willard Hiden, called as a witness before the Committee having first been duly sworn was examined by Mr. McCarthy and testified as follows:

My name is Willard Hiden. I live on a farm, R.H. No. 4, about 4½ miles southwest of Marion and about 16 or 16 miles from Herrin and about one mile southeast of Homer Brown's place, and about 11 or 12 miles from the Lester strip mine.

On Thursday, June 22, the day of the trouble I was working at the Longbell Lumber Company. That afternoon about 3:00 P.M. I went home accompanied by Brown and Marley Hodgens. When about a mile and a quarter from my home I saw John Schaffer, a deputy sheriff of this county in an automobile. I have known Mr. Schaffer quite awhile. There was another gentleman with him who
Borum said he was sheriff Thaxton. He met them on a little by road between two main roads.

Further Examination by Mr. Freese.

He met Schaffer on a small by road about 3½ miles south of Marion.

Schaffer and a man who Borum said was Thaxton were in a Ford car at the time going east. I could say this was about 3:00 A.M. I was in a Ford also.

The distance from where I met these men to the Lester strip mine is ten or twelve miles.

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A.A. Hoseley called as a witness before the Committee after having been duly sworn was examined by Mr. McCarthy and testified as follows:

My name is A.A. Hoseley. I am a retail hardware man and my place of business is on West Main Street, Marion, Illinois, where I have been for the past twenty years.

On Wednesday, June 21st, 1922, about eighteen or twenty fellows came to my store in the middle of the afternoon and demanded my guns. I told them they would have to pay, and they said I would get my pay for them. I then told them they would have to give me some authority. They then told me to call Mr. Davis at Herrin. I told them I would not call Davis. They said, "you know Hugh Willis," and I told them I did not. They started to get the guns and I told them to go to some other hardware store and not take all the guns I had and one of them said "Alright boys let's go that.

While they were gone I telephoned the sheriff and he said there was nothing he could do for me and then I telephoned Chief Vincent and he and another man came down. While the crowd was gone the Chief came and after he left the crowd came back and said they could not find any guns, and I let them have some cheap shot guns, and some shot gun shells and revolver cartridges. I do not know who I talked to at the sheriff's office, but I told him I wanted protection from the men who came to get my guns. I made a record of the guns that were taken at the time but no names because I knew none of the mob. My clerk Herman Slater, was in the store when they got the guns.
Prior to the mob coming to my store I heard there was trouble brewing at the mine. The first visit they made was about 2:30 or 3:00 P.M. and twenty minutes they actually got the guns. At that time I had not heard of the killing of the union miners but had heard of the shooting of the truck at Carbondale.

The mob consisted of young men and boys and told me they wanted to use the guns to go out and kill those scabs. When I telephoned the sheriff I told him that they wanted the guns for the trouble at the Leiter mine.

The boys said they were from Herrin and I thought it best to let them have the guns for fear that refusal might bring on violence.

Examination by Mr. Legate.

The insurance Company paid me for the guns. I had taken out riot insurance about the middle of March, 1922, for the first time. The working agreement with the miners expired on March 31st, but I was not expecting any trouble. I have heard since that Mr. Davis is one of the mine officials at Herrin. I know Senator Snead and Hugh Willis when I saw them. The person I talked to in the Sheriff's office told me to let the men have the guns if they would pay for them. I testified for the State in both trials.

I went home about six o'clock that evening and later on heard an explosion but do not know whether my lights went out because I was sitting in my yard. I did not go up town that day.

Examination by Mr. Pierce.

Allsbrook brothers carry my riot insurance but I do not know what Company it is. Allsbrook brothers brought the check down to me. The Adjuster for the Company came to see me about six weeks after the riot at which time I signed a paper for him. I first went to the agent here and signed a claim. I received $116 for my loss. They did not get all
all of my guns because I had put some of them away. I anticipated they would take them by force after their first visit. Three days before the Massacre I knew there was going to be trouble. At which time I also put away the best guns I had.

Oldham Paisley called as a witness, having been first duly sworn, was examined and testified as follows:

Examination by Mr. Igou.

My name is Oldham Paisley. I reside in Marion, Illinois. My occupation is that of newspaper man. I have lived in Marion about eight years.

"During the month of June, 1922, my first intimation of any trouble was when I saw and heard the Colonel Hunter was in town investigating disturbances here and I then sought to get some information myself and went to the State's Attorney Duty's office, but found that he was in a conference and did not go in, but following the conclusion of that conference I met Mr. Lester and asked him concerning the meeting and he then invited me with the other representatives of the other papers, to go to the mine and we went to the mine and he showed us over the mine and made a statement of his side of the case, which we both printed Monday, June 12, quoting Mr. Lester:"

"I don't remember anything out of the ordinary next day at the present. There was some apprehension that there might be and I remember that night, that is Tuesday night of going to the street car and talking with the conductors and asking them what the situation was and they told me that things were quiet along the cars line, that runs between here and Herrin. I am not positive that I saw Hunter on Tuesday. On Monday he gave me a written statement which we printed in the newspaper.

"This statement was handed me by Colonel Hunter in the presence of Major Robert Davis and reads as follows: [Read Statement]

"I am down here making an investigation of the reported disorder at the Southern Illinois Coal Company's mine property. This investigation is in keeping with Governor Small's policy of heading trouble off before it starts, on the theory that a riot is more easily quelled in its incipient stage than after it has gained great momentum."

"After our conference this morning I feel confident that the officers
of the Coal Company and the local civil authorities arrived at an understanding which will preclude any trouble and disorders. I do not, at this moment, fear any trouble after the conference we had this morning.

"It is not true that troops will be used at this time as the situation is in the hands of the local authorities and it is not General Black's policy to use troops until such time as the emergency gets beyond the control of the civil law officers, and we feel confident that the civil authorities of Williamson County are entirely competent to handle any emergency. We have every confidence in their performing every official duty."

I do not believe I saw Hunter any more until I met him in the Gem Cafe on Wednesday.

"On Wednesday morning I made my usual news rounds, the undertakers, court house, city hall and was in the Sheriff's office at approximately 12 o'clock, when Sheriff Thaxton received a telephone call that he understood came from McDowell, stating that their truck had been fired on and that some of their men had been injured, and ordered him to go to the scene of the truck. Sheriff Thaxton left the office at that time and I later verified he did go there.

I went to the Gem restaurant to get something to eat and Colonel Hunter and I are under the impression, Mr. Edrington, were eating dinner there and I told Colonel Hunter what I heard at the Sheriff's office about this truck being fired on. I went from the restaurant to the depot and then returned to the Greater Marion Association office where I made headquarters for the rest of the day.

At the Greater Marion Association office Colonel Hunter was trying to get some information and I told him I thought perhaps, knowing people in these other communities, I might be able to get information quicker for him, so I made calls and talked with the hardware store men at Herrin and obtained from them the names of the stores that were raided, the number of guns that were taken and approximate rounds of ammunition that were taken, which information I gave to Colonel Hunter as fast as I got it and he made notations accordingly."
"Colonel Hunter, during the afternoon, made three or four calls for Adjutant General Black from that office and on the first call that I heard, he was talking with General Black and turned to me and asked me for some further information concerning the guns and ammunition and I gave that to him and he repeated that over the phone to whoever he was talking to and who I believe was General Black. That was the information about stores being robbed."

I am positive in my mind that he told him about stores being raided and I am under the impression that he told him as to the number of guns and ammunition taken. At that conversation I do not recall anything about the trunk.

"We kept trying to get information. I worked over that phone for him and went across the hall to do phoning from there so as not to block one phone on calls coming in and I suppose half an hour later it occurred to me that there might be an attempt to raid the Marion stores and so I went to the phone and called each of the Marion hardware stores and at Mr. Mossely's they told me I was already too late. They had already been there. At one store they already told me they put their guns away and at another store they thanked me and I understood later, five minutes later a mob came in and searching guns, but they had removed their guns. It was approximately this same time that Edington and I decided, I don't know who originated the idea, to get rid of the Legion rifles, especially after Mossely had been robbed. And Mr. Edington got the key for the closet in the police office, and we carried the rifles in there and put them in this closet, which was locked up. Not more than 15 or 20 minutes after that a big number came in there, I happened to be in the main room at that time and they demanded the American Legion rifles. The exact words I don't remember. Approximately: We want the Legion rifles. And I told them the Legion rifles were not there. They thought I was lying and I took them over to the boxes where the rifles were and showed them the boxes. They picked up some cartridge belts and started away with those and I said: 'They can be of no value to you and we will have to pay for them.' And one of the crowd said: 'That is right.' and took them back and they took nothing."
That was the second time, and I took particular pains to look over the crowd to see if any one I knew. I was interested to see if any of our Legion members were in the crowd. There was no one in the crowd that I knew nor any one I have since recognized. Some of the men, I recall at that time, told me or wanted to know if I was for or against them and they said there were nine of our men killed and they had to have the rifles. I told them the rifles were not there.

The Legion office is just across the hall from the office of chief of Police. The council chamber is down stairs in the same building.

"This police officer Thornton allowed us to put rifles in. I don't know where he came from or where he went to, but my impression was he was on the street. The city officers would not be upstairs."

I am not positive whether these happenings were reported to the Sheriff's office.

"I was in the sheriff's office later. I don't know whether later or before. I remember one instance following a telephone call that Colonel Hunter had with some one that I presume was Springfield. He asked me if I would go to the Sheriff's office and ask the deputy to come over and I went over and asked Mr. Storms, Deputy Sheriff to come over, and Mr. Storms did go over but I was not there at the time Colonel Hunter talked with Mr. Storms. The second time Mr. Hunter asked me to find the Deputy Sheriff for him I went to the office but there was no one in the office at that time."

My estimate is the first one was three or four and the second five.

"During the afternoon at 3:15 we received a call from the mine. My impression is that McDowell and he talked with Colonel Hunter and he said that they had been fired upon and about 500 shots had been fired. I think I am correct on that time. My impression is we looked it up at the time it had happened and I got that report in the afternoon paper. They must have fired on before 4 o'clock."

"We went out and brought up our supper. I don't think Colonel Hunter left the office. Some one brought sandwiches up for him. We ate sandwiches and a glass of milk and did not go out for supper. We received a report that a man had been killed and I got the information from one of the Marvin undertakers that it was Jordis Henderson, and later verified it was Jordis Henderson."
but what time that was I have no idea. It was during the time I was up there."

"I Don't recall knowing of the third man being either killed or wounded until late that night and then did not verify it until next day. But the wounding of Fitzgerald I heard about some time that night but the wounding of Henderson I learned about during late that evening and did not verify it until next day because I heard the report that he was shot in a buggy, passing along and it sounded flaky."

I do not remember of a telephone call coming in while I was there stating that some more men had been killed.

Hunter made three or four calls while I was up there. I recall this information about the stores being raided but I am not positive what other reports he made. He did not report anything about the truck being attacked at Carbondale while I was there, but that report would have been made before.

I know Hunter made a call while I was away, which is the call that Mr. Harder testified around 6:00 o'clock while I was up there. Mr. Dowell called up and asked for troops and I heard Colonel Hunter pass on that information to Springfield. That was after we received the report that about 500 shots were fired out there, and before we heard about Henderson being killed.

In a previous telephone conversation I heard Hunter tell Springfield about the stores being raided and guns and ammunition taken.

"I was out two or three times looking for the Sheriff and I never found him but I was over to the jail and I do not know what time it was. It must have been in the neighborhood of 8 or 9 o'clock and they told me he had come back in town but I did not locate him then, but I knew the Sheriff had come from the scene of this truck shooting and I was trying to find him for Colonel Hunter at that time. I knew he was not back at 6 because I was over in that proximity and it was 8 or 9 when they told me he was back."

We all worked together to gather what information we could. I was not present at the office of the Greater Marion Association when some attempt was made to organize the Citizens Committee.
"I returned, I don't know the date, but when I went up to the office, Colonel Hunter told me he had arranged for a truce and he stated he had talked to the miners, that they were to cease firing and put up a white flag and that he had talked to the miners' sub-district office and as I recall now Hugh Willis and Fox Hughes were to go to the mine with a white flag on their cars."

My understanding was they were to go to the mine at one. That evening at 7 or 8 o'clock when I heard that is all I ever knew about the truce. I left them. The city newspapers were bawling the hell out of myself and everybody and so I went back and reported that to the city papers, that a truce had been arranged and that I thought and believed that peace was going to be restored all over. It was my honest opinion then, so much so, that I did not think they need send any special men down and I got called down for that the next day. I made those calls from my office and when I came out from my office some where in the neighborhood of midnight, and started out to see what I could find out again, and I met a crowd coming down from Mr. Dutg's office. They seemed to think, I gathered, that it was over. The crisis was passed and I went on home. I came down next morning a little earlier than usual, about 6:30 or 7."

In the early part of the evening before there were crowds around the Court House but by. There was the early part of the evening but by the time I went home I don't recall now there was any large crowd on the square. I was in the office of the Greater Marion Association or going across to my office and I was not out on the square any length of time at all, but there were crowds on the square. I did not notice any particular large mobo."

Mr. Dutg's office was in a building adjacent to our building. Between 9 and 11 o'clock that night I heard loud noises and the lights went out. When I saw the men coming from Mr. Dutg's office I talked with them as to how things had been settled.

"I know previous to that time about this truce having been arranged and as I recall now, I got some additional information from them and presuming
there was later information, and they had not heard whether it was carried through or not."

I do not remember Hugh Billis being in that meeting except I walked home with John Schaffer that night. Between 6 and 7 o'clock that evening we could not get calls through to the mine any more and I knew the wires were out, and there was no information in town as to whether or not that truce had been carried out. I arrived at my place of business around 6:30 and 7:30 o'clock the morning of the 22nd and "I started out on the usual news rounds to click that up early and I was in the office of Hambur, the Police Magistrate with T.E. Craig, city editor of the other paper and we were getting police forces record when three or four men came in and said: "We come up to get the Legion rifles, and I told him the rifles were not there, and they said, "All right. We are going to get them," and marched out. They did not seem to be under any stress of excitement as other crowds had been. Then after that I left and went down to the square and wrote up what little news I had and heard the report that men had been killed in the woods. I went up to the Greater Marion Association to see what information Colonel Hunter had, if he was there and found he was there, and I think that he had heard the same report, but he did not have any verification of it, so Judge Hartwell, Major Davis, Colonel Hunter and myself hired a taxi and started out to find out. I think we were delayed one half hour or so over phone calls that Colonel Hunter was making. I am not positive about that and we were held an hour or more late in getting away and we must have left there very close to 11 o'clock. We told the man we wanted to go to the woods and he evidently did not know the way because he took us to the mine first and we went on around past Crenshaw Crossing and up to the woods. At the Power House Woods all of us got out of the car. All of us asked if the bodies were still there because we saw such a crowd around there. We knew the report must be true and they said, "Yes, the bodies had been taken to Herrin." So Colonel Hunter was not ready to go on, as he was talking to some one and I wanted to verify my facts and I ran down in the road and caught an automobile headed towards Herrin, got into Herrin, went to the morgue and verified the fact that the men had been killed and went from there to telephone the office, and called my office, which was between
12 and 1 o'clock, some time. Then I went back to the morgue and found some
Marion men that I knew who were ready to go back to Marion and came back with
them."

Further Examination by Mr. McCarthy.

"I do recall that one time, whether Monday, Tuesday or Wednesday, I heard
Colonel Hunter make the statement that the Sheriff, or Intimation that the
Sheriff had to ask for troops before they could be called."

Neither do I recall troops mentioned while the Citizens Committee was
there. In none of the telephone conversations do I recall troops being re-
quested except to pass on this request of McDowell's.

Further Examination by Mr. Hackett.

The approximate time that the stores were visited in Herrin was between
12:00 to 1:00 o'clock, because I expected the report at 2:00 o'clock so it
must have happened before that time."
I understood Col. Hunter asked General Black that he thought troops ought to be sent in a call from the Greater Marion Association at six o'clock, but I was not there at that time. McDowell made his request for troops about three o'clock or shortly after. The first I knew of a truce was when Col. Hunter told me about it around six o'clock.

It is my impression Colonel Hunter felt that there would be no trouble after this truce was carried out and he had no objection to my sending out the fact that a truce had been arranged. It was my impression that Colonel Hunter wanted me to give attention to the part he took in arranging the truce in my story.

**Examination by Mr. Pierce**

During the conference of the Citizens' Committee I was in and out getting as much information as I could. I do not recall now anything said in that conference by anybody with reference to securing or attempting to secure the cooperation of the Sheriff and his deputy.

I remember going to the Sheriff's office and asking Mr. Storms to go over there and of going another time and finding no one in the Sheriff's office. I understand Storms attended this conference on the afternoon of the 21st but I did not go up with him. I subsequently heard that Hunter advised Storms of the situation. Whether I informed Storms of my information, I do not know.

It was my understanding at the time from Colonel Hunter that the Sheriff was the only man that could ask for troops. I have looked up the law since and found it to be different.

**Dr. Morgan**

called as a witness before the committee having been first duly sworn was examined by Chairman McCarthy and testified as follows:

My name is Ed Morgan. I am County Judge of Williamson County.

I recall a dinner given by the Lions Club in Herrin Tuesday, June 28th, 1922, at which Colonel Hunter talked. He (Hunter) prefaced his remarks with the statement that he was friendly to organized labor and that the military authorities wanted to cooperate with the civil authorities in this matter and that so far as I could see at that time there was no necessity for troops. He said he had been down a day or two and had been looking the situation over. I believe you will find a report of
Hunter's talk was just a general discussion and everybody agreed they would do all they could to smooth matters over between disinterested parties.

I was in Herrin Wednesday, June 21st until about ten o'clock when I went to the Country Club. The stores had not been robbed up to that time. I returned to Herrin about a quarter to six and saw many automobiles traveling through town at a fast rate of speed in the direction of the Lester Strip Mine. Immediately after supper I heard that there had been a truce arranged and that the firing had stopped and everything settled. The machines kept on going through town and least until eleven o'clock when I went to bed.

William G. Davis is the secretary of the miners' organization in this county and Senator Sneed is president. Sneed was called to Springfield Tuesday evening on the Constable Bill. He is not a member of the Lions Club.

Further Examination by Mr. McCarthy.

There was nothing said at this dinner about the Sheriff swearing in deputies. From the statement Hunter made I gathered that the local authorities were able to handle the situation and he wanted that word passed out through the town. The general sentiment of the Club was to keep down these rumors of violence that were false and to keep down any disputes that might occur on the streets by saying they were false.

I don't know what rumors they had in mind.

From newspaper reports I learned that the miners' organization had held a meeting at Sunnyside, a mining camp just west of Herrin Tuesday or Wednesday.

Q. Did Colonel Hunter express any opinion as to whether or not troops would be necessary?

A. I think he said, if necessary it would be done, in cooperation with the local authorities, but he didn't think it necessary at that time.
was examined by Mr. McCarthy and testified as follows:

My name is Herman Blater. I reside at 912 N. VanBuren Street, Marion, Illinois, and have lived here for 21 years.

During the month of June 1922, I was working at the Moseley Hardware Store. I was not in the store the first time the mob came but later on a bunch of fifteen or twenty men came to the store and took out about ten guns and about $50 worth of ammunition. They told us to give up the guns, that they had been to the other stores and could not get what they wanted and had come after ours. I do not remember hearing them say what they wanted the guns for but I had an idea they were going to the Lester Mine because it had been reported to me there had been trouble with the guards out there. Mr. Moseley asked the men who was going to pay for them and they said "Some fellows at Herrin".

About thirty minutes after they left we got a phone call saying the Herrin stores had been raided. I didn't recognize a man in the mob. Most of them had overalls on and might have been miners.

H. L. Cox

called as a witness before the committee having been first duly sworn

was examined by Mr. McCarthy and testified as follows:-

My name is H. L. Cox. I am a hardware and furnisher dealer.

My place of business is located on the square in the city of Marion.

On June 21st, 1922, about 2:30 o'clock in the afternoon a crowd of twenty-five or thirty men came to my store and asked me if I had any guns and I told them we had nothing but rifles so they turned around and walked out. After I shut up the store I was called and many told to come down and there was a bunch of about 100 men wanted to get in. I asked them what they wanted and they told me they wanted guns and ammunition. They said they wanted to see them so I opened the door and let them in and they got cartridges and rifles but no shot gun shells or guns. I did not know any of these people. They got about forty or fifty dollars worth of ammunition but didn't pay for it. I never reported this matter to anybody.
The only rumor I had of any trouble was when Balely called me over the phone and said the stores at Herrin had been robbed. I knew there was some trouble when they asked me for guns and ammunition. I had a feeling at the time they wanted this ammunition to go out to the mine or to do some physical violence in some way. They forced me to give them the ammunition but I never told the Sheriff or Chief of Police of this incident. The insurance company paid my loss.

Further Examination by Mr. Pierce.

The crowd saw the guns in the store but made no request for them or no effort to take them.

Allbrook Brothers are agents for the Rist Insurance Company who insured my stock. I took the policy out two or three days before the trouble but not in anticipation of it. This is the first riot insurance I ever carried. The only indication I had that there was likely to be trouble at the mines was what I read in the paper. I did not consider this a theft so I did not report it to the Sheriff. I knew if I did not open the store for them that night they would break in.

Further Examination by Mr. Igoe.

This ammunition was taken about seven o'clock at night. I had gone home and they called me on the telephone and asked me to come down. I live about six blocks from my store which is located just across the narrow street from the office of the State's Attorney. The County Jail is two short blocks from my store.

These men did not offer to pay for the ammunition and neither did I ask for pay. I didn't recognize any of them. They had no guns that I saw. The ammunition was kept on the shelves in boxes with the calibre marked on each box and they took down whatever they wanted. I just estimated my loss to the insurance company.

Further Examination by Mr. McCarthy.

I had no idea what they wanted this ammunition for although I heard of the trouble at the Lester Strip Mine. Had I known they were going to use it out there I would have reported that fact to the Sheriff.
THOMAS FREISE

called as a witness before the committee having been first duly sworn
was examined by Mr. McCarthy and testified as follows:

My name is Thomas Freise. I reside at Marion, Illinois and have for
nineteen years past, having been off and on during that entire time
a night policeman. I held this position during the month of June, 1922.

Prior to June 22nd, I did not know of any trouble at the Lester Strip
Mine. Three or four days before the riot I was out at the mine but never
passed by when they had armed guards there. About a week or two previous
to the trouble I heard rumors that guards were employed at the mine.

I don't remember what day I first saw Colonel Hunter. I do not
know what time I went on duty Wednesday June 21st. Sometimes I come on
at two and sometimes at three or four. On the evening preceding the
riots I went on duty at six o'clock. I had come direct from home.

That night I saw lots of cars and lots of excited people on the streets.
I heard strangers among the crowd say that the trouble at the Lester
Mine is what excited the people. They also spoke about the guards
killing one of the Union men. My special place that night was round
headquarters and around the square. The people were gathered around
the Court House on the streets and on the sidewalks and I saw men with
arms pass in an automobile. I saw no armed men on the street. It was
not until late in the evening that I heard anything about the hardware
stores being broken into and arms taken. Around eight o'clock that night
I heard some explosions and I believe the crowds were still gathered in
the streets. I remember seeing one car containing six or seven armed
men going west in the direction of the Lester Mine. I assisted Mr.
Faisley and Mr. Birington in putting the guns away at the Legion headquarters.

We have a side room in the Police Station and Mr. Faisley asked me if
I would go up there and unlock the door which I did and he came in with
two or three guns in his hand and piled them inside of the door and
I commenced to take the pins out so the guns could not operate, and when
they got the guns all put in I locked the door. I was of the opinion
that on account of this killing and the excitement they would steal
the guns. My time was taken up with the traffic to see that women
and children were not run over. I believe I saw Officer Thornton on
the square that night, but whether we met the train that night together
I don't know. I believe he and I were together when we saw these armed
men go through town. I saw Chief Vinson that evening about five o'clock
as he went off duty but he didn't tell me about the stores having been
robbed. I don't believe I saw Sheriff Traxton that evening.

W. J. BROWN

called as a witness before the committee having been first duly sworn
was examined by Mr. McCarthy and testified as follows:

My name is W. J. Brown. I reside at Carbondale and my position
is that of City Clerk and Clerk of the City Court.

On June 21st, 1922, I saw Sheriff Traxton, State's Attorney Duty
and Deputy Sheriff Schaffer in my office and also on the street, in
the garage across the street. I knew nothing about any trouble at the
Lester Mine, until I came out there to go to dinner and I didn't get
home — just got across the square when I heard rumors of a truck being
fired upon near Cartherville. I ate my dinner and as I went back I heard
people talking along the streets. Almost in front of my office is
a garage in which a Dodge car had just arrived and the people crowded
around it and I walked up and the man had gotten out and the people
around there were noticing where it had been shot all to pieces. Bullet
holes were all over it and there were dents made by bullets all over the
car, and this man was excited and scared and showed by his looks that
he had been scared and very much unnerved. I engaged him in conversation
and he told me very incoherently his story. He was so excited he couldn't
tell his story and after I got from him that none was killed I asked
who was in the car with him and he said there was one man just in front
or in back of the truck that was taking those men over from Carbondale
and I asked him how many were there and he said there were fifty or
a hundred in the woods and I asked him if he was hit and he said no, as
I remember it, but the man in the seat with him was hit. I asked him
how many were dead but he didn't know. While we were talking and look-
ing at the car, a car drove up and I walked up and four men were in the
car. I recognized two of them but I couldn't locate them at all. I had
only a slight acquaintance with the State's Attorney and had I met him
anywhere else I wouldn't know who he was. I asked if they were from
Herrin and he said, "I am the State's Attorney from Marion." I knew who
the sheriff was because we had a number of people coming in from court
there. They got out of the car and went into the garage and he began to
talk to the man and he said "You are lucky you are alive now," and the
fellow said he was going to Chicago and the sheriff said something about
that was a good policy, or the thing to do. Somebody said that sheriff
Gibson of Jackson County and his deputy, Davis, had been out to the scene
of the riot and had gone back to Carbondale and they also said that as
soon as Gibson found that the trouble was in Williamson County he returned
to Carbondale. Thaxton asked where Sheriff Gibson was and somebody said
he had gone home, and I said "Come into my office and I will call him
up" and we walked across the street to my office and I said to him - I
either asked if he had called troops or if he was going to ask for troops,
and I don't remember his answer, but he said he believed that he hadn't
called for troops and didn't think he would. He came in and I walked
into my office and he stood outside the gate. We were the only two in
the office and I picked up the telephone and called the Sheriff of
Jackson County and I said "This is Brown, the Sheriff of Williamson
County wants to talk to you" and I handed the phone to Mr. Thaxton and
I heard Gibson say, "What is it Mr. Sheriff?" and he said "Yes, but I
didn't get quite over there as I found the trouble was in your county
and I came back." He asked if they needed help and Sheriff Thaxton said,
"No, I think everything is in good shape, as I have men on the ground
and I have everything in hand." Sheriff Gibson offered help and he said,
"No, I won't need it. I have all the men on the ground and there won't
be no more trouble." This may not be the exact words, but in the main it
is. He turned to me and said, "The Sam T. Brush riot isn't 1, 2, 3 with
what we are going to have in the next few hours." Then I asked him
something about State troops, having heard him say what he did to Sheriff
Gibson I thought it very strange for him to make the remark he did to me. As we walked over there I learned he hadn't called the Adjutant General or the Governor and that is the reason I asked him about it.

It must have been about 1:30. I stayed with him about an hour and I got back to the office about 1:00 o'clock and it was thirty minutes after that that the conversation took place between the two sheriffs.

All kinds of reports were coming in. Next morning about 10:00 o'clock a man came in asking where the jailer was. I walked out and I said, "Who are you" and he said he was the marshal from Carterville. He had a boy with him about 20 or 22 years old. He said the boy was scared to death and his clothes were torn and he had no coat, no hat. They finally found the jailer and was going to put him in. He was scared to death and so was the marshal. He said, "We want to get him in jail as there will be 50 men after him." He felt in his shirt and took out about three of four dollars and he handed it to them, but I think they returned it to them a few minutes after that, and I had a call I think from Murphysboro asking did they put a man in jail and when I said they had, they said "you go turn that fellow out if you don't want that jail torn to pieces. Take that fellow out of town as there will be 100 men after that fellow." So the day marshal came around and I think the mayor told him to turn the fellow loose and I think he did.

Further Examination by Mr. Igoe.

I did not tell our Sheriff of my conversation with Thaxton. Gibson is now the postmaster.

I remember now Thaxton was the only one who came into my office, and when I came up I said, "Did you come by where this happened?" and he said they didn't. I says, "Has anybody been killed?" and he said, "I don't know. There was trouble somewhere out on the road but we came another road and I don't know a thing about it." I asked him, "Has anybody been killed?" and he sayd, "This man says there were several killed," and he says they didn't come by where this shooting occurred — that is the trunk.
It takes about an hour to drive from Carbondale to Marion but the main road does not lead through Carbondale.

Harry Howell

called as a witness before the committee having been first duly sworn was examined by Mr. McCarthy and testified as follows:

My name is Harry Howell. I have lived in Herrin since 1913. On June 22d, 1922, I was a police officer. In duty at that time were also Robert Herrin, the Chief of Police, Jake Jones, William Sadler and Monroe Smith. There were no special police officers there that I know of.

The first information I had of any killing at the Lester Mine was on June 21. They were attempting to operate a non-union mine with armed guards. That fact was commonly known among the people.

On the afternoon of the 21st of June right after dinner some wounded men were brought to the hospital in Herrin. One of them was named Henderson. I think he was dead. They had been shot near the mine. My hours on duty were 10 to 10 at night. Nothing unusual occurred in Herrin that day and I did not hear of any stores being broken into and arms and ammunition taken because I was traffic police at that time. I have never heard that crowds of men had gone into hardware stores and got guns and ammunition until I heard of it here. I saw nothing unusual or out of the ordinary that day or that night when I was on West Monroe. I never stopped among the crowds. The only thing I heard about trouble at the Lester Mine was that the fellows were killed.
I passed through the town district every 30 or 40 minutes between 6 and 10 o'clock that evening. The crowds I saw were just ordinary. Mr. Sadler, Mr. Smith, Mr. Davis and myself were on duty that night at 10 o'clock. I saw Mr. Jones and Mr. Herrin that day but I do not remember talking to them. Nothing happened that would make me believe there was going to be serious trouble, only those two fellows being wounded and one man killed. I thought that might be the end of it.

Further examination by Mr. Iggo.

I learned there were several fellows killed on the morning of June 22nd when I went to work. I heard that discussed near the city hall. I reported to the Chief that morning at 10 but I do not remember him telling me anything what happened that night. I first met the Chief that morning near the City National Bank, a block from the morgue, before the bodies were brought in. I also heard at that time some fellows were killed at the cemetery. There were no explosions that night that I heard. I went off duty about 10 o'clock Wednesday night and up until that time saw no automobile going through town loaded with armed men. The lights did not go out that I know of, although it is not unusual for them to do so.

I did not testify at any of the trials.

The cemetery where the killing took place is just outside of the city limits. I heard nothing said about a truce agreement but did hear something about a surrender a few days afterwards.

Further examination by Mr. McCarthy.

If I saw Sheriff Haxton in Herrin after these bodies were brought in, I do not now remember. After the bodies were brought to the morgue I worked there the rest of the day I was on duty. I do not remember seeing the States Attorney or Mr. Schaffer there either.
ROBERT HERRIN called as a witness before the
committee having been first duly sworn was
examined by Mr. McCarthy and testified as
follows:

My name is Robert Herrin. I have lived in Herrin 10 years.

My business is that of a coal miner.

During the month of June 1922 I was Chief of Police, having
been such since May 6 of 1922.

On the evening of June 21st is the first time I learned of
the trouble at the Laster Mine. I had heard they were attempting
to run the mine with non-union labor. This was common knowl-
edge and the community was well worked up over it. There were
armed guards at the mine and complaints had come in about the way
they acted but nobody was held up from Herrin that I know of.

Along in the afternoon on Sunday I heard that some union men
were shot at the mine. This report came to me from the people in
areas coming from that way. I saw these men brought into Herrin
and visited them the next day but found out nothing more than the
men had been shot. I don’t remember seeing the States Attorney
at Herrin that afternoon. I believe there were 3 shot.

On the morning of the 22nd I came down town about 6 o’clock
and saw unusual crowds on the streets but everything was peaceful.
I did not hear any conversations but I imagine they were talking
about this trouble. I heard of the stores being broken into after
it was over. The stores robbed were the Turner Hardware Store
and the Bracey-North Store. I did not learn of this until after
the battle. On the night of June 21st I heard 2 or 3 explosions
in the direction of the Laster Mine. I thought it was trouble
at the mine, that they were blowing up something. There were no
unusual demonstrations in this crowd that I saw on the night of
the 21st. It was possibly after 12 when I went home. I did not
see any cars passing through Herrin containing armed men but I
later learned that was the fact. There were a great many cars
speeding toward the Lester Mine but that did not give me cause to
fear there might be some trouble. It is no doubt true that it
was in the minds of everybody that they were going over there to
get even with those guards. I did not report what information
I had to the Sheriff because I considered it my duty to take care
of the situation in Herrin.

Further examination by Mr. Igoe.

When I went on duty at 6 o'clock on the morning of June 22
I found 5 men in jail who had worked at the Strip Mine who sought
protection. They put them in jail I never learned. On questioning
the men in jail they said a man brought them in there and they were
hiding out. They were afraid of being killed. I do not remember
what time they said they left the mine except it was on the night
of the 21st or early on the 22nd.

Between 6 and 8 o'clock on the morning of the 22nd I was on
the streets of Herrin but not further distant from the city hall
than the Hospital.

In speaking to one of the injured men I was informed he was
shot close to the mine. There were no dead bodies in the morgue
at that time. I do not know at what time the killings took place
at the cemetery. I saw an article in the newspaper wherein a
man testified he saw me standing on the street watching the mob,
but I never took the stand to deny that. The Strip miners must
have marched down 13th street and made to crawl on their hands and
knees while I was walking between the city hall and the hospital,
a distance of about half a mile. I heard no shots fired that morn-
ing. I didn't learn at any time that morning that the men were
to be marched to town on 13th street.

The men who were locked up in jail were turned out at 1 o'clock
on the 22nd. They told me their names, but I have forgotten. I did
not take any statements from them or notify the States Attorney about
them. The Police Magistrate also questioned them but kept no record
Further examination by Mr. Pierce.

I hold no elective office at the present time. On the morning of the 22nd I went to the cemetery where the massacre occurred accompanied by Harry Howell, one of my policemen. When we arrived we found 5 dead and one apparently living. He got well afterwards.

I went to work at 6 o'clock that morning. I should say the distance between the city hall and the school house on 13th street is a little over a half mile. The road that leads to the cemetery runs east from the school house. I afterwards learned that the strikers were brought up 13th and then cut on this hard road. I did read an article in the newspaper that a man named Clark made a speech near the railroad track but I never inquired of him as to whether he made it.

Further examination by Mr. McCarthy.

At the time I viewed these bodies at the cemetery there was so much blood running down that I could not see whether their throats were cut. One of the men seemed to be moving. I generally spend all my mornings walking about the business district of Herrin. I didn't inquire of anybody as to conditions that morning. But after I heard of the killing at the cemetery I immediately went out. After the bodies were brought into the morgue I stayed around town. I didn't see Sheriff Thaxton or get in touch with him that day or any of his deputies as far as I can now remember. After the murder was committed I spoke to various people in an endeavor to get at the truth of the matter but I never got any information. I don't believe I could tell this committee the name of a single person I talked to because I never kept any names. It was the killing of these union men in cold blood that caused people to rise up in arms in my opinion. I was always under the impression it was the Sheriff's duty to make an investigation. I never secured any witnesses for the States Attorney or the Attorney General because I did not know of any to get.
After these two men came to the jail we gave them something to eat and drink and on the afternoon of the 22nd we told them how to get out of town.

JACOB JONES called as a witness before the committee having been first duly sworn was examined by Mr. McFarthy and testified as follows:

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My name is Jacob Jones. I reside in Herrin. I am a policeman and have been such since last May. On June 21 and 22, 1922 I was acting as police officer in Herrin, going on duty at 6 o'clock in the morning and working until 6 at night. In going on duty we met at the city hall but don't report to anybody, which is our custom.

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Nothing unusual occurred in Herrin on June 21st although I might have heard something to the effect that people went through town with arms. I didn't receive any complaint about stores being raided at the time. I learned of it 2 or 3 hours afterwards.

The information I received was that some people went in for ammunition and guns, which information I did not report to any one.

My duty is to keep peace and suppress crime in my jurisdiction. I did not go to the stores that had been robbed because I was not called. Furthermore, I don't think that robbing a store of ammunition and guns constitutes a crime in the city of Herrin and Williamson County. These people did not steal it, they just went in and took it, as I understood. I believe 3 stores were raided. The stores raided were, The Miles Hardware Store (Herrin Supply Co.), The Bracey-North Hardware Store and the G.J. Turner Hardware Store.

I didn't inquire of them as to the amount of goods taken because it was not any of my business. These raids took place on the 21st of June, the day preceding the massacre. No one informed me that automobiles carrying men with arms went through Herrin on the 21st of June and I made no arrests that day.
about 9 o'clock at night there were some men brought to the city jail, by whom I do not remember. I was off duty at the time. The men told me they wanted protection and wanted to know if I cared to look them up, which I did. They said they had worked at the Lester Mine and that they were having trouble there. That is about all they told me. I knew a man named Jerdy Henderson and heard he was killed but don't remember what date. I do not recall hearing any noises on the night of the 21st or of the lights going out in Herrin. Sometime that morning around 7 or 8 I saw the Chief of Police. I had relieved the night man and was going out making a round over the business section, which is about 4 blocks east and west. I was on 14th street that morning but not on south 13th street. It may have been that I saw the Chief near the City Hospital on 14th. I guess there were patients there.
Between six and eight o'clock on the morning of the 22nd, I was in the business section of town. I don't remember where I was at 9:30. I did not accompany the Chief to the cemetery, and did not know whether he went out, or whether he brought any bodies in or not. I saw some bodies in the morgue.

At eight or eight-thirty that morning I was in the City Hall. The school house on 13th street is about seven blocks from our office.

You cannot see that distance in that direction on account of trees and houses. Goldon's restaurant is situated on Monroe between 14th and 15th. I never got to 13th street at all that morning.

I should judge it was 9:30 or ten when I found out some body had been killed at the strip mine, but I don't remember who told me. I just went on about my duties. Around 9:30 there were some bodies brought in, and the Chief and I stayed there and helped.

If the Chief says that I went out to the cemetery he is mistaken. Howell is a motor cop who would be on duty about ten o'clock.

FURTHER EXAMINATION BY MR. PIERCE.

13th street runs north and south, and 14th the same. They are a block a part. The school house is on 13th street facing 14th. As I remember it I saw the Chief of Police that morning near the hospital on 14th street.

That was five blocks north of the school house on 14th and about four blocks from the City Hall. He was standing on the corner when I got there. I think I left before he did. That was about 8:30 or nine o'clock. After that I went back down west one block to Black Avenue on 16th street, and passed through the main business district. About an hour and a half after I saw the Chief on 14th I met him again, but don't recall exactly where it was.

FURTHER EXAMINATION BY MR. MC CARTHY.

I did not try to do anything to try to find out who committed these murders. Neither did I report to the Sheriff because he was over there. It was out of my jurisdiction. I was also employed by the city and that was half way out of the city. I don't know whether the men who were killed at the cemetery were marched through town or not. That morning a woman phoned me about 8:30 saying a lot of people were coming towards town on 13th street.
I did not know where she pounced from, but I went to the hospital two blocks from
the railroad and about seven blocks from the school house. I did not go any
further south. Later on I reported to the City Hall, but we do not keep a
record of minor reports such as that.

FURTHER EXAMINATION BY MR. DOUG.

I was in the City Hall on 15th street when I got that report, but I never
went to 15th street to find out because somebody told me after I got to the
hospital that they turned back on 13th street. I never told the Chief about
this.

Mr. Sadler called as a witness before the Committee having been first
Duly sworn was examined by Mr. Pierce and testified as follows.

My name is Mr. Sadler. I reside at Herrin, Illinois, and have for the
past sixteen years. My business is that of a coal miner. Since May 8th
of last year, I have been police and night chief, at Herrin. In June of last
year I went on duty at six in the evening to six in the morning. On the evening
of the 21st of June Ira Davis was on duty with me. We patrolled the city
during the night. My beat is around the business part of town, covering several
blocks either way from the City Hall, which is between 14th and 16th street.

I did not know of any trouble at the Lester mine until they brought a
fellow to the hospital on the 21st. He was dead when I saw him, and I heard it
said he was shot at the strip mine. It was after six o'clock some time when I saw
him at the hospital.

Possibly an hour after because I didn't get down until six. Ira Davis accompanied
me to the hospital. I never heard anything further about any trouble at the mine
except I heard people on the streets that night say there was a bunch out there,
but there were no unusual happenings in Herrin that night. In the evening a good
many strangers passed through in automobiles, going through which was nothing more
than usual.

I heard no rumor about any shooting out there, but about four o'clock
in the morning I heard an explosion. I don't remember whether the lights went
out. That evening I learned that a crippled union man was brought in, but I did
not go down to the hospital to see him.

When I got through at six the next morning I went home.

Whether the Chief or Mr. Sadler were in the office at that time, I don't remember.

My home is two blocks and a half from the City Hall. I stayed in bed all day of
About twelve o'clock my wife awoke me and told me about the trouble. When she told me that I dressed and went down town and went home again at 4:30. When I arrived up town I just saw nothing more or less than a bunch of people on 14th street some of whom I knew and some I did not. I didn't have time to talk to any of them because I was kept busy keeping traffic off the street.

Everybody seemed to be in town. I didn't see any arms in the crowd. They all seemed to be wanting to see the dead bodies. There were about eighteen dead people in a morgue on the corner of Monroe and 14th. I remained there and talked to charge of the morgue, until I went to supper at 4:30, but do not know who took my place. I didn't have time to ask anybody where they were killed because I had all I could to do to keep the crowd moving.

Some time after these men were brought to the morgue I heard they were killed at the Strip mine, and it was sometime after that that I heard of the killing near the cemetery, but I did not make any inquiries of how many were killed there. I stayed at the morgue until they got through embalming them. I did not see the Chief of Police after I went to supper.

If after I had asked the people around the morgue who committed these crimes they would have told me it was none of my business.

FURTHER EXAMINATION BY MR. RICH.

I went to my home, which is situated on 14th street about six o'clock. My home is a little northeast from the City Hall. In going home I go east a block and then north east two blocks and a half. This would take me toward 12th street. Before going home that morning I heard no trouble at the mine. The explosions I heard occurred about four o'clock in the morning, but I don't remember discussing that matter with anyone. The second apparently came from the south. I was on duty during the entire night and I usually drop around the City Hall to sit down and rest a few minutes.

When I came on duty about six o'clock Wednesday evening I heard there was a bunch of fellows out there trying to get a settlement out of them, and they thought they would. The flag of truce agreement was not discussed that I know of. I don't remember seeing Hugh Willis that night, neither do I
MONROE SMITH CALLED AS A WITNESS BEFORE THE COMMITTEE, HAVING BEEN FIRST
DULY SWORN WAS EXAMINED BY MR. RICK AND TESTIFIED AS FOLLOWS:

My name is Monroe Smith. My occupation is that of night police, which position I held in the month of June 1922 in Herrin. I worked nights at that time. Bob Herrin, the Chief, Jake Jones and Harry Howell were then day policemen. Sadler requested worked nights with me.

On the evening of June 21st I went on duty at six in the evening until six in the morning. Working those same hours the night of the 22nd.

The only unusual thing occurring on the 21st was a union man killed at the Lester Strip mine, whose body was brought to Herrin. I was a member of the Mine Workers until I entered the Police service. My duty on the night of the 21st was to patrol the streets in the main business part of town.

There were people on the streets practically all night, larger crowds than usual, and I suppose they had assembled on account of this trouble but I did not question any of them. They were walking around like anybody else would. I never stop anybody from walking around up and down the streets at night unless they are drunk. The population of Herrin is about eighteen thousand.

There was no report made to me about the hardware stores being raided and no report made to the police station so far as I know.

I believe Guy Huggins was brought to Herrin a little after six o'clock. As I remember two other bodies were in the undertaking parlors before he was brought in. I went down to see the bodies, afterwards, also a half dozen others, but I saw no guns on any of them. I heard no unusual noise that night and do not remember the lights going out.
When I came to the jail at six o'clock there were some men there dressed in working clothes who looked like American people, and they said they came in from the Strip mine and they said they came in from the Strip mine and the day man arrested them and put them in jail. They were still there when I went off duty at six o'clock, still there when I went on at six the night of last. I live at 716 South Park Street which is the first street west of Fourteenth, and two blocks west of Thirteenth, and South of the I. C. track, and about half a block from the school building. I went to bed about half past six on the morning of the 22nd. My wife and four children were asleep when I got home. They usually arise about seven o'clock, but I wakened my wife this morning and she got up. I got up at three o'clock in the afternoon at which time my wife told me about a mob going by our house. My daughter goes to Brown's Business College in Marion, but my son was home that day. Neither my wife nor son told me about the mob passing our house a half a block away until I got up when they said they heard there was trouble at the mine. You cannot see the school house from our house on account of buildings, but you could hear loud noises in that direction. Sitting at our house I might have heard mutterings of a mob on Thirteenth Street if I had been listening. Neither my wife nor my little boy told me of hearing anything. I don't remember whether this was a school day or not, and I don't allow my children to roam the streets or in the school ground after school is out. I usually wake up between two-thirty and three in the afternoon and go on duty at six.
April 28, 1923
2 o'clock P. M.

The Committee met pursuant to recess.

Witness Fox Hughes,
Called as a witness before the committee, having been first duly sworn, was examined by Mr. Igoe, and testified as follows:

My name is Fox Hughes. I reside in Herrin, Illinois. I am Vice-president of this Sub-District in Williamson County.

June 5th, about noon until around 6 o'clock I was in the Miner's office in Herrin. Around about 6 o'clock the telephone rang and I answered it and the party on the other end said it was Colonel Hunter and he was inquiring for Mr. Willis or Mr. Sneed. Mr. Sneed was in Springfield and Mr. Willis had just stepped out of the office. I answered the phone and he said it was Colonel Hunter talking and he told me he had arranged with Mr. Lester and Mr. McDowell to hoist a flag of truce and said we ought to do what we could to stop the trouble there, and I agreed we should do that if trouble was reported as I heard. So he told me for me to get hold of Mr. Willis. I just laid the receiver down and I could not see Mr. Willis, so I went back and said that Mr. Willis was not there, and then he talked and said Mr. Lester and Mr. McDowell had agreed to hoist a flag of truce, and he said: You go over to the mine and see what you can do to try and stop trouble, or in other words he said there will be a white flag on the west dump and you look for the white flag. So I said I would do that. So I went back in the office and got a piece of white
bunting and put it in my boom and Mr. Ernest Burklow drove me out to Crenshaw Crossing, and I got out of the car and went south down the road to the second farm house on the west side of the road, looking for the white flag on the dump, and when I got to the farm house I was in plain view of the West dump. I did not see the white flag and people were going up and down this road, a great mob of people. I looked for the flag but could see nothing. Shots were being fired in the direction of the southwest from the dump. I could see smoke from there and I heard several bullets whistle by me. I looked for the flag there for some time and there was no flag, so I turned and went back to Crenshaw Crossing, and a man drove me back to town. I did not know who the man was. I did not find Mr. Burklow and he was not where I left him.

It must have been 15 or 20 minutes before I got back to Herrin. I don't remember communicating with Hugh Willis that night.

When I got back to Herrin I had been informed that Mr. Hunter had gotten hold of Hugh Willis and he was on the way to meet Colonel Hunter when I got back to Herrin. That is all I know about this truce.

I did not know of any plan whereby the men were to come out the next morning until it was all over, and do not know whether Mr. Willis knew before that. The man named Crenshaw lives in the second farm house west of the mine where, I understand, Henderson was killed. I had a fair view of the west dump over there, and that is the road I went up with my flag of truce at about six-thirty. It must have been seven-thirty before I got back to Herrin at which time I passed a lot of people going up and down the road.

That night I was in the office and around town until
probably ten o'clock, after which I went home and did not return to town until about eight-fifteen the next morning. My home is in the northwest part of the city. I did not post any notice at the miners' headquarters at Herrin relative to Colonel Hunter's suggestion. Mr. Willis is at present on a vacation on a thirty day leave of absence.

Further Examination

By Mr. Pierce.

It was about 6:30 in the evening when I got to Crenshaw Crossing. Colonel Hunter had told me that the flag would be displayed on the west dump, and I went down there with my flag for the purpose of ascertaining whether that had been done. He Hunter) told me to watch for the flag on the west dump. It would be up on my arrival at the mine and when I did not see that flag of course, and firing was still going on in the southwest. I made no effort to do anything further. If I had seen a flag I would have done what I could to have stopped trouble so far as I would have been able.

I remained out there possibly ten or fifteen minutes and during that time saw possibly one hundred men coming up and down that road some of whom had rifles, shot guns and revolvers. The road they were on was west of the mine, and ran north and south. It was rumored at that time there were about fifty men in the mine. I knew some of the faces of these men passing up and down the road, but I did not talk to any of them. I remember but one man's name, but the fellow since died and I would rather not mention it.

When I got back to Herrin I understood Hunter had got hold of Hugh Willis so I did not report to him. Whether he discovered what I found, I do not know. Willis had been in and out of the office all day, but was not out to the scene of the riot that I know of. I did not see Mr. Willis
until the next morning and did not try to get him over the phone. I thought this: That Colonel Hunter, in the first beginning was trying to get hold of Speed and Willis and since I had gone out and returned and he had got hold of Hugh, that that thing would be worked out. The fact is I had never met Colonel Hunter, except what the man talking to me said. He said he was at Marion and that he had made arrangements with McDowell and the owner of the mine. I could not convey to Colonel Hunter the situation as I found it at the mine because I didn't know where to locate him in Marion. Hunter told me that Mr. Lester and McDowell had agreed to cease operation and hoist a white flag and the flag would be on the dump. I did everything I could to avert trouble, but after I got there I did not see a white flag and I seen that they were still firing from that mine—

Q. But you knew then either Hunter was deceiving you or they were deceiving Hunter?

A. I thought this in my own mind they were deceiving Hunter.

I thought, as I said, that inasmuch as he, Hunter, evidently had gotten hold of Mr. Willis and Mr. Willis had gone to Marion to meet Colonel Hunter, that possibly they could get things fixed up, and when I was unable to see a white flag and did not know where Colonel Hunter called from, I could not let him know. Up to that time I had not thought that Mr. Willis had been out to the mine.

The first time I met Colonel Hunter was on June 22nd.

When he called me on the phone he said he was Colonel Hunter, but not who he was representing or what his capacity was. He said he had secured an agreement with the owner and superintendent of that mine to suspend hostilities, stop further firing at the mine and declare a truce, and
and asked me to do what I could to assist in bringing it about. There was some shooting going on when I went out to the mine.

FURTHER EXAMINATION
BY MR. JOGE

No attempt was made to telephone the Sheriff's office at Marion, nor did I address the miners at Herrin on the 20th or the night of the 21st. I has been rumored that there was a meeting of the miners about two and a half miles west of Herrin at Sunnyside on the 21st of June, but I did not know who addressed them.

FURTHER EXAMINATION
BY MR. RICE

I am not a member of the Lions Club at Herrin, and was not present at a meeting of that club in Herrin on the 20th nor did I meet Colonel Hunter in Herrin that day. When I got this word from Colonel Hunter I acted in good faith about it and started out to carry out the understanding. I did not understand the men would be taken care of. All Colonel Hunter said to me, as I remember, was he had this understanding with Lester and McDowell that they would agree to cease operation of the mine and there would be a flag hoisted and we should do what we could to stop the trouble. In no conversation I ever had with Hunter did he tell me that these men would surrender and they would be given safe conduct in getting out of the country. It was my understanding that both sides would put up a white flag so as to indicate a willingness to cease warfare. When I went out with my flag I expected to see theirs up, but I could not see any anywhere.

-6-
Q. Don't you think it would have been the part of at least wisdom or of safety to have displayed yours at least to indicate that you were looking for theirs.

A. Under the circumstances, I do not think so.

I would have done what I could if the white flag had been up in the dump, but I didn't know how far I could have gone.

Q. And there seemed to be a firing between both sides. I suppose a return of fire from one side to the other?

A. I think there was, of course, the men further south. These men in these roads I seen were not firing. They were going to and coming from some place south that I had no view, to see where they were stopping because of some woodlands on the north, but I could see plainly the dump and I thought I could hear firing from the south. The west dump which faced the Crenshaw house was really a high fortification for the entire mine and persons further south than the Crenshaw house would have a better opportunity of shooting in the mine than they would be if shooting from Crenshaw's.

Q. The unfortunate situation is that you did not think it the part of wisdom to display a flag to see if you could not inveigle theirs up?

A. That did not enter my mind at that time when I failed to see their flag.

I would have communicated the failure to see the mine flag to Mr. Willis, but on my arrival back I was told that Colonel Hunter got hold of Hugh Willis, and he had gone to Marion. Some one in the office gave me that information. Willis was an Executive Board Member.
There were no trees or obstructions between me and the dump on the west side that would have prevented my seeing the white flag. Colonel Hunter advised me that there would be a flag on the dump when I got there.
April 30, 1923
9 o'clock A. M.

The Committee met pursuant to adjournment.

WITNESS CHARLES R. EDINGTON,
called as a witness before the committee, having
been first duly sworn, was examined and testified
as follows:

My name is Charles R. Edington. I reside in Marion,
Illinois, and am Commerical Secretary for the Greater
Marion Association, and have been such since December 16,
1921 on my arrival from East St. Louis.

The offices of the Greater Marion Association are
located on the second floor of the City Hall Building
which is on the northwest corner of the public square
across the square from the Courthouse.

The first direct knowledge I had of any operation
of the Lester mine was on the morning of June 19th. The
fact was brought to my attention that the mine was in
operation on that day and many rumors were circulating as
to the alleged activities of guards, workers, etc. out
there. These rumors became more substantial during Tuesday
the 20th and Wednesday, morning the 21st at about 10:30,
Colonel Hunter and Sheriff Thaxton came to my office to
talk over the situation. It was finally agreed at that
meeting that we were to get a citizens committee together,
the same to be composed of business and professional men,
coal operators and mine workers and union officials. The
Sheriff left the office right after we came to an under-
standing and he called the various members of the citizens
committee together for a meeting at 12 with the Sheriff and
Colonel Hunter. These that came R. B. Mitchell, Jr. E.
Warder, Wm. Rix, Oldham Paisley, R. B. Mitchell at that time was General Manager of the Cogrove Coal interests. Wm. R. Warder, an attorney. Wm. Rix, President of the Marion Trades Council and Superintendent of the City Water Works. Oldham Paisley, City Editor of the Republican Leader. A. B. McLaren, Financier and retired coal operator, and myself. That was the personnel of the committee. Most of this committee arrived about on time and we waited there for the Sheriff to return. We waited until probably 11:20 or thereabouts before we began to make any inquiries as to the absence of the Sheriff. He promised to be back at 12 but had not arrived.

In the meantime the committee had talked over the various phases of the situation and Mr. McLaren thought that perhaps pressure could be brought to bear upon the owner of the mine to stop operation through getting in touch with the concerns or concerns that held chattel mortgage on the steam shovel equipment. So he left the office and went to the County Recorder's office and obtained the information necessary to tell who these mortgage holders were. The Sanderson Steam Drill Company of Covington, Ohio, I believe was the company. Mr. McLaren came back later and we continued our efforts to find the Sheriff and finally ascertained, through the medium of a telephone call to the State's Attorney's office, that he and State's Attorney had gone to a point on the county line on the Carbondale Road where a report had come that tracks had been fired into, a track which carried workers coming from Carbondale, and going out to the mine. The report was that this track had been ambushed and a number of men killed.

Along about 1 o'clock or thereabouts, we began to receive reports from Herrin of a meeting at that time they said.
said, and there was about 1,000 men attending this meeting at the Herrin cemetery. Then we received reports about the same time from Herrin stating that hardware stores had been looted and their supplies of guns and ammunition taken by the mob. Mr. Paisley called up the local hardware dealers here and warned them of what was going on in Herrin. They were advised for their own protection to dispose of or to do away with such stocks of guns and ammunition that they had in their stores. About 1:30 or thereabouts, Colonel Hunter put in a call for Adjutant General Black at Springfield. In his conversation to General Black, the exact words he used I cannot remember. However, his statement was substantially this: He explained what had transpired. The apparent threatened attack which was looking up and would probably take place at the mine, the looting of the hardware stores in Herrin and the assembling of the mob, and the attack on the truck of workers near the county line. Placed special stress on that phase of the situation and apparently Black must have asked him a question which caused him to say that in his estimation the local authorities were not in a position to handle the situation. There was no mention made at that time, as I recall, of troops.

Event transpired so rapidly after that that the whole thing the rest of the afternoon is just one continuous round of activity. Various reports kept coming in and finally the Colonel called the mine of the Southern Illinois Coal Company. He got Superintendent McDowell on the phone, talked with him, told him of what he had heard just prior to that concerning the looting of hardware stores and the attack on the truck, the formation of mobs over at Herrin at the Herrin cemetery. A short time later McDowell called back. In the first conversation Colonel Hunter told McDowell what tele-
phone number he could reach him at all times. A short time later McDowell called back and said there was quite a crowd or mob surrounding the mine and approximately 500 shots had been fired up to the time he called him. Said that several shots had come through the office building from which he was telephoning. It was somewhere in between 1:30 and 3 o'clock. Some where during that hour and a half intervening between those two times. The Colonel got in touch with the Sheriff's office, if I remember rightly, I called the Sheriff's office myself and got Mr. Storme on the phone. Mr. Storme, at that time I believe, was office deputy and asked him to come over to our office. He came over. Colonel Hunter told him at that time just what had taken place according to the information he had received.

Hunter told Deputy Storme what had transpired up to that time and that mobs had formed in Herrin. He told him that mobs were forming in Herrin and the attack on the mine, looting of hardware stores. He told him he thought it would be necessary for him to go at once, taking a bunch of deputies and go out to the mine and put a stop to it, asked him to swear in as many deputies as necessary and to do it at once. What reply Storme made to that I have not been able to remember, if he made any. However, he left the office and from that time on we were unable to get in communication with anybody connected with the Sheriff's office during the balance of the afternoon. I called once after that and somebody answered the phone and informed me there was no one there connected with the office.

The conversation between Hunter and Storme must have been prior to three o'clock. In the meantime, several calls
had taken place between the mine and our office. I answered several of them and turned the phone over to Colonel Hunter and then did not talk to the mine at all, and shortly after three colonel called General Black on the phone and told him again what was taking place, told him of the attack at the mine, the shots that had been fired and of the lack of cooperation on the part of the Sheriff's office, his failure to obtain any assistance from them. He told General Black that he frankly believed that the Sheriff's office was not on the job and were not able to cope with the situation. Understand, I am not giving you exactly his words but the sense of his conversation and he told him in his estimation he thought troops would be necessary. That was the only time troops were mentioned that I know of, was that one time. Neither the conversation before nor after that with General Black over the phone, carried any conversation that I know of concerning troops. Troops could have been mentioned or anything could have been mentioned at that time and would probably have missed the notice of some of us or myself although I was sitting closer to Hunter than any one else.

After that telephone conversation we began to receive reports of raids on Marion hardware stores.

FURTHER EXAMINATION BY MR. BRENNAN

This telephone message was from Hunter to Black. A short time after we received reports of attempting to loot Marion hardware stores by mobs. I do not recall just how it was we became aware of the fact that a mob was headed to our office, perhaps Mr. Paisley got word, but I do not know how we became aware of a mob being headed towards the office. However, we became aware through some way or other, the fact that a mob was coming from Cox Hardware Store to
our building. We knew, it was generally known, we had ten
rifles which are the property of the local post of the
American Legion, which we merely kept there for funeral
services and we surmised that was what they were coming for.

When I say "we" I speak of the committee in general.
However, prior to that Mr. Paisley and I had gone and taken
the guns in to police headquarters and Mr. Freiss had opened
up the property room in the police station where we had
disposed of guns and, of course, there was nothing but a
lot of blank ammunition and a set of empty boxes back there.
Just what Mr. Paisley did with that mob I do not know. He
went out and as he went out he closed the door to the inside
office behind him. A short time later he came back and in­
formed us that a mob had been there. Events transpired very
rapidly after that. Message after message came from the
mine. Appeal after appeal for help. McDowell made the state­
ment that several of his men had been injured.

This conversation by McDowell took place some time after
three o'clock. Just the time I don't know. From three o'clock
on it seems like the time from then up to 4:30, we were just
in a line of the general activity, receiving calls, from here
and there, everywhere. About four o'clock McLean went out
and looked around town for a Mr. Hamilton. Mr. Hamilton, I
believe, at one time, had been a partner of Lester, the
owner of this strip mine, and while out Hamilton had got in
touch with Lester at Chicago. I think at the Great Northern
Hotel, and told him of the seriousness of the situation and
urged him to order McDowell to cease his operations out there.
Hamilton came back up with orders from Lester so he was go­
ing to tell McDowell to stop operations. This he did. This
must have been some time between four and four-thirty. He
called McDowell on the phone and told him of his conversation
with Lester and McDowell agreed to stop if we could get other fellows to stop.

Q. This was the conversation between Hunter and McDowell?

A. No, this was between Hamilton and McDowell and McDowell agreed to stop operation if we could get the other side to stop. And then from that time on to six o'clock was taken up with calling the mine workers' headquarters in Herrin and perfecting of a truce.

Q. What do you mean by perfecting of a truce. What I want for the record to state in detail what was done, who the negotiations were had with?

A. I did the first calling up to Herrin. I called the Miners Headquarters and got Fox Hughes on the phone and told Fox Hughes that we were trying to do and then turned the phone over to Colonel Hunter, who stated, after we talked with him, that Hughes had agreed to go to the mine with a white flag and do what he could to stop the miners from any further assault on the mine.

EXAMINATION BY

MR. McCarthy

It was my understanding that Hughes was to go to the mine with the flag as soon as he could get away from the office. We supposed he would do it immediately. We called back the mine right away and told McDowell we had made an agreement for a truce and that he was to respect it and not fire on anybody seen bearing a white flag towards the mine.

This he agreed to do. We told him to call us back right away just as soon as the truce was effected. Some time later, after five o'clock, we became anxious and called back again at the mine and were informed that nobody had appeared with a flag of any kind and that firing was still con-
tinuing although not quite so heavy. I know we allowed sufficient time for Mr. Hughes to get out to the mine if he had started at the time we supposed he would. So we called back again. To the miners' headquarters, to Hughes and were informed there that Hughes had not gone as yet but was starting right away. From that time on we just simply kept up one call back and forth to the mine and to the miners' headquarters and were finally informed that Hughes had gone and Willis was started. As far as my recollection is concerned they must have left fifteen minutes a part. Hugh Willis and Fox Hughes, according to statement, for the mine to carry out the truce. Around 6 o'clock or thereabouts, we were unable to get any further connection with the mine. It seemed like the wires had been cut. At any rate connection was cut off. And from that time on there was confusion. In the meantime many of the members of the committee had left. Mr. McLaren, Mr. Paisley, Mr. Hix, Mr. Warder, and I think Mr. Mitchell and I and Colonel were only ones left at that time. The Colonel called General Black again about 6:30.

FURTHER EXAMINATION BY

MR. RICA.

I do not believe I could give you Colonel Hunter's words in his communication with the miners' headquarters at Herrin, but my understanding of that conversation was he expressed on somebody going out to the mine, Mr. Hughes to go out to the mine with a white flag. He was to approach the mine with his white flag raised and they were to parley and go into a truce to be effective that night. I do not recall anything being detailed in that conversation as to where the truce was to be so that the miners inside was to know where the flag was to be or where Mr. Hughes was
was to display his flag. He was to proceed to the mine with his white flag, on down to the entrance of the mine and McDowell was informed of those details and was instructed not to fire upon that flag or bearer when it came on down towards the mine.

About 6:30 or thereabouts Colonel Hunter put in another call for General Black. While this call was being put through we heard a commotion in the square. Mr. Mitchell and I, and he went to one window and I went to another. Our windows overlook the square. We saw mobs over in front of Cox's hardware company. We saw them try to get into the store. They found it locked. Five or six of them left the mob as a whole and went on around the corner and down South Market Street. Mr. Mitchell and I continued to watch their activities and they came back in a very short space of time with, I think it was Harry Cox. It looked like him from that distance. At any rate he went to the store and opened it up. Several went in with him and came out right away and lead by Fountinetti they came across the square and they came to our office. While we were looking out of the window Colonel Hunter was talking on the phone to Springfield and when we saw the mob was headed our way, Mr. Mitchell and I went out in the outer office and closed the door behind us where we met the mob and finally disposed of them. The conversation to Springfield was over, that is Colonel's conversation when we went back again. It never occurred to the mob at any time that there might be something in the inside office that they were looking for. They did not know where we had these guns concealed. We finally out-talked them, told them the guns were not there and made them believe it. They left there and from that time on matters are more or less busy to me.
We sent out and had lunch sent in to us. Mr. Mitchell and I and the Colonel and all this time Colonel was trying to get hold of the Sheriff of the County or some of his representatives. He tried that throughout the afternoon and evening. By calling on the phone.

Major Davis did not appear until after 9 o'clock that night. He came in on the train that arrived from Carbondale at 9:05. He had been here on Monday but had gone back to Carbondale but came back on the 9:05 I. C. train that night, Wednesday night. All of these events transpired on that date that I am speaking of now.

Shortly after Major Davis arrived, Colonel Hunter received a call from some place and after holding a conversation over the phone turned around to Major Davis and I and told us they wanted him over to the State's Attorney's office where he went. I did not see any more of the Colonel until it must have been around midnight, he and the Major came back. Probably the Major came before he did and we all stayed and talked the matter over until 2 o'clock in the morning. At that time nobody was there. Nobody but myself, my wife, my stenographer, Major Davis and Colonel Hunter.

At that time we discussed the truce and the general situation. Colonel Hunter did not detail what took place in the State's Attorney's office except to tell us that the Sheriff and the State's Attorney were present. The topic at that time was about the same topic that any two or three or four men would go into after just getting through with a siege we had come through. The question of the advisability of troops was not discussed at that time, nor was the question of the advisability of the Sheriff swearing in extra deputies discussed at that time.

Colonel Hunter was at the Greater Marion Association practically all the time on the afternoon of June 21 from
noon until 9 or 9:30 when he went to the State's Attorney's office. I was the only one of these men I named who remained throughout the whole session in the Greater Marion Association office. The rest had to go to their places of business which drew them away from time to time. During the afternoon many telephone calls came to my office for Hunter, but among them I don't remember any long distance calls. I knew that Mr. Lester had not communicated with Colonel Hunter but had communicated with Mr. Hamilton. He in turn verbally communicated his message to Colonel Hunter. We got the mine on the phone at that time, as I stated before, Mr. Hamilton told Mr. McDowell Superintendent what Mr. Lester had told him to tell him.

EXAMINATION
BY MR. McCARTHY

In the first mob I saw in front of Cox's Stores I should judge there were thirty or forty people, and in the second mob there were better than double that.

Q. How many of them came to your office or in that direction?

A. I imagine that all got up there. I don't know about the first one. On the first mob Mr. Paisley went out and got rid of them and I didn't see those fellows. The second one I did and they pretty well filled up the better part of my office.

The second mob came to my office about 6:30 at which time Colonel Hunter was phoning to Springfield. He had put the call in. We saw the mob out there, perhaps Mr. Mitchell and I did call his attention to the fact that the mob was out there. However, we were both sitting in the window looking out at the square at the mob, but when they headed our
way, than the Colonel was using the phone and talking. We might have said something to him while he was talking. I could not swear whether Hunter knew the mob was at the door while he was telephoning. I shut the door behind me before they had an opportunity to get into the office.

Q. After the mob had left and he finished his conversation, did you talk with him concerning a mob coming up there?

A. Certainly, told him of the mob having been out there and what we had done with reference to them, what they wanted and what explanation I made of what we had done. I told the mob we had effected a truce with the mine and that hostilities were off, and there was no need of them using rifles or going out at all.

In undertaking to find Sheriff during the afternoon and evening we used all efforts possible. We did not go to the Sheriff's office or the jail in so far as we could use the telephone at both places, and had been told he was out of the city.

Up until shortly after Mr. Storm left the office we were not able to get anybody at the Sheriff's office after that, except at one time when some one not connected with the office had answered the phone. This was somewhere near 3 o'clock. After that we called the jail several times and, of course, our calls were answered by parties, stating they were servants and there was nobody connected with the jail.

I heard Hunter in his 3:30 conversation with General Black say he thought troops were necessary. As I recall the conversation was just simply a general survey of the situation up to that time and that he did not believe the Sheriff's office was able to cope with the situation and they did not have the situation in hand at all.
On that phone conversation, which was the second phone conversation of the afternoon to General Black by Colonel Hunter, he told him of the events that had transpired up to that time. He told him of the mobs attacking the mine, of McDowell's report of the same, McDowell's report of approximately 500 shots having been fired up to that time. He told him of his futile efforts to get any assistance from the Sheriff's office. I stated before, right in here, that apparently General Black must have asked him what he thought about the Sheriff's office taking care of the situation, at least I surmised that must have been what he asked him from the reply made by the Colonel. Colonel Hunter told him he did not think the Sheriff's office had things in hand at all. He told him of his conversation with Deputy Storme and, also, of his inability to get any one connected with the Sheriff's office after Storme had left their office, and told him he thought troops were necessary. That is in substance as nearly as I can remember the conversation.

Q. Mr. Edrington, from what you could hear of the general conversation there between Colonel Hunter and General Black, can you recall whether or not, or did you gather the impression that Colonel Hunter stated or that there was some conversation as to whether the Sheriff had asked for troops or not?

A. A conversation of that kind ensuing regarding Sheriff's request for troops? A hazy recollection, yes. I would not want to be positive in this statement because I am not positive. It seems like he talked of that in a conversation over the phone or a conversation with us in the office that the Sheriff thought he could handle the situation and there was not any need of troops.

I don't remember Colonel Hunter making a statement
to General Black that he could not call troops unless requested by the Sheriff, but it seems like that conversation came up. It seems like his information on that score had been obtained from General Black.

I remember testifying to the Grand Jury.

Q. Then, if you made the statement before the Grand Jury that you did not think that Colonel Hunter had asked for troops for himself, that would be more liable to be correct than the proof you have given here today?

A. Yes, indeed. I would absolutely state that whatever my Grand Jury testimony was, that I would stand by it.

At the time the so-called trace was arranged I heard nothing discussed about anybody going out to the mine the next morning and take charge of the safe conduct of the miners non-union/and guards out of the county because of the fact that our understanding was that a trace was arranged at the meeting at Mr. Duty's office in the evening. I understand those arrangements were made with Hugh Willis. Colonel Hunter, the Sheriff and State's Attorney were also present.

I don't think the Citizens Committee ever really did know what we had proposed to do because what we had proposed to do had been talked of before Sheriff Thomas. I doubt very much whether members of the Committee knew what was going to be done. The suggestion was that we deputise members of the Committee and proceed to the mine and try to induce McDowell to stop operation, showing him the futility of it and, also, show him how his activities out there up to that time were constituting a menace to the people of the community. Our ultimate intentions were to place McDowell and his men under arrest. They had certainly infraacted the law to warrant that, and bring them into town and thereby stop operations and hold down any violence that might come up.
As I say, those things were discussed really before the Committee got there and after the Committee got there we were so anxious to get the Sheriff there to go ahead and lay out our plans that I doubt very much whether we discussed those details or not until the Sheriff got there. We wanted to wait until he got there. I never had a chance to take that up with the Sheriff because he never came back. There were no opportunities presented to me further for any suggestions on our part or for any discussion because events began to transpire so rapidly that they run away with the situation.

I thought if we could have worked with civil authorities in this matter the whole thing could have been averted.
The firing on people and bulldozing people around the mine, stopping up roads and diverting traffic and these fellows insulted travelers in my opinion justified drastic action. I do not believe the Sheriff and all his deputies could handle the situation up to the time of the truce. Indirectly I knew he went to the mine on Monday.

FURTHER EXAMINATION BY MR. RICE

The first time I met Colonel Hunter in connection with this matter was when he came to my office Monday afternoon. I was looking for Senator Sneed. I had seen him in uniform on the streets Sunday but did not know who he was then.

I did not leave my office until two o'clock Thursday morning. Hunter must have left about nine o'clock in answer to a call from the State's Attorney's office. Hunter did not call Black from 6:30 to 9:00 that I know of. Hunter made his headquarters on the 21st from about twelve o'clock until two o'clock on the morning of the 22d in my office.

It was at Hunter's suggestion that I called Storme to my office.

FURTHER EXAMINATION BY MR. BRENNAN

During the late war I was a Captain attached to the Intelligence Section. I devoted every minute of the 21st in assisting Colonel Hunter. About three o'clock that day Hunter spoke to Black at Springfield and advised him as to the situation in this district and my conclusion would be that Black, after receiving the information knew the seriousness of it and would at least take steps to avert further trouble. From what I heard troops should have been sent. From conversations I was under the impression that Colonel Hunter was of the opinion troops could not be sent until the civil authorities demanded them.
Major Davis and Hunter returned from the conference in Duty's office about midnight but there was no mention made of any call Hunter put in for Black at Duty's office. Hunter did everything possible to handle the situation.

Further Examination by Mr. Plenge

At the time I called the Miners' Union at Herrin on the afternoon of the 21st I got hold of Fox Hughes, telling him who I was and then turned the phone over to Colonel Hunter who said "This is Colonel Hunter talking". Hunter then told him of the conversation Mr. Hamilton had with Lester and Lester's orders to order McDowell to close the mine, stop operation and that he had arranged for a truce. Hunter told him how a flag would be displayed, now he was to approach the mine with his flag and he assured him he would not be fired on. I never heard the West Dump mentioned. I was satisfied from the conversation that Hughes was in some manner to display a white flag. Subsequently Hunter called the Miners' Headquarters again and asked if Hughes had gone yet, and then we got it he had not left yet but after the second call I got it that Willis had arrived on the scene over there. This was between 4:30 and 5:30. Hunter made a third call to Herrin and my impression was he ascertained the fact that both Willis and Hughes had gone probably ten or fifteen minutes apart. Hunter also told Hughes he could be reached at my office and gave him my phone number, 699.

Page 638, this took place in the first conversation.

I have been advised that Willis was at the conference in Mr. Duty's office on the evening of the 21st. Later on in the evening we were unable to get into communication with the mine. At 6:30 or 9 o'clock I heard a very light explosion.

Further Examination by Mr. Backer

Page 639 I was sitting within four or five feet of Colonel Hunter when he talked to Fox Hughes and about the same distance when he talked to General Black. In the first conversation between Hunter and Black on the afternoon of the 21st I heard no mention of troops. I myself thought troops would be necessary from his (Hunter's) conversation. In the subsequent conversation between Hunter and Black, Hunter said he thought troops would be needed.
called as a witness before the committee, having been first duly sworn
was examined by Mr. McCarthy and testified as follows:

My name is George J. Turner. I live in Herrin. I am a hardware
merchant and have been engaged in that business since 1907.

About ten o'clock on June 21st my wife called me and told me to come
to the store. On arrival they reported a crowd of possibly 30 men came
to the store demanding guns and ammunition. They got a few guns, costly
cartridges. The mob had gone before I arrived at the store. I carry no
riot insurance and have not been paid for my loss and no charge was made
to anybody for the same because they were all strangers to us. I do not
believe I reported this matter to the Sheriff or Chief of Police because
it was common knowledge.

About three o'clock that day six people came in and got 22 cartridges
and 32 blanks, the amount of which I don't remember. I had an idea they
were going toward the Lester Strip Line. It was about that time that the
news came in that Gordy Henderson had been killed.

called as a witness before the committee, having been first duly sworn
was examined by Mr. McCarthy and testified as follows:

My name is Charles T. Shaffner. I have lived in Herrin about 18
years. I am manager of the hardware department of the Herrin Supply
Company which job I held in June, 1922.

On the morning of June 21st between 10:00 and 10:30 there were three
fellows came in and they asked my cousin, who was clerk, if they could
get guns and ammunition and he called me and they said, "We want to know
whether you will let us have the guns?" They didn't ask for ammunition.
They said, "The Local is good for it." I said, "No, I can't let you have
any guns. I don't own the place and you will have to have an order or pay
for them to get the guns." "Well," they said, "Herrin Local is good for
it" and I said, "Nothing doing here boys without an order" and they went
out. Then someone called me up over the telephone and they said "We want
to know if you are going to let us have those guns," and I said, "Bring
an order" and they said, "Order or no order we are going to get them."
Q. What time was that? A. About 11 o'clock. Then there was a
large crowd came — seemed to be about twenty-five — and some of these
same fellows I recognized were in the lead and I said, "Boys, you will
have to have an order. They are going to give you an order if you go back
after it." That was a lie concocted by me to stall them off. One said,
"We haven't got time now to get an order for all these men," and I said,
"They can give you an order good for the whole lot." Then I had another
telephone call and a gentleman said he was Hugh Willis and he said, "Some
of the boys want to get ammunition to shoot some birds, and he said you
let them have it and just keep a copy of the tickets." I says, "They
want to get some guns too," and he says, "I will talk them out of that,
but just let them have the ammunition." So I made several trips to hide
some guns in the back and I left a few guns in the case, but I have a
stock of 40 or 50 guns but hid all but 15 or 20. I went over to the First
National Bank because I was intending to leave for Chicago that night and
while I was away someone said to me, "They have started to your store"
and when I got there I couldn't get in the front door. Finally I worked
my way through the crowd and there were some fellows behind the counters
and my cousin was in there. They tried to argue with him and they took
guns and also the ammunition. I think there was 16 guns, 6 revolvers and
a big stock of ammunition, several thousand rounds. I left for Chicago
that evening.

In that mob I recognized Ed Williams. I reported this to a man
who called up about 11:30 and said "I am calling for the Adjutant General's
office", I saw no policemen around that day.

I have known Hugh Willis about ten years and know if he told me to
give ammunition to anybody that it would be all right for he was a sub-
stantial man. He was an officer of the Local. From my acquaintance and
having talked with him I was satisfied it was Willis' voice at the other
end of the telephone and furthermore he said "This is Hugh Willis talking".
I did not report this incident to the police. I appeared for the prose-
cution during the trial.
was examined by Mr. McCarthy and testified as follows:

My name is S. F. Bracey. I am in the hardware business in Herrin.

Between nine and ten o'clock on June 21st a group of 40 or 50 men came to the store and wanted guns, but I had previously put them away, so they didn't get any.

During the noon hour a mob of at least 800 came into the store and asked for all the heavy cartridges and shells I had. I told them I didn't have any but they went in and helped themselves. I was not paid for this ammunition. There wasn't any doubt in my mind but what they were going to use this ammunition at the Lester Mine. I didn't report this matter to the police because I figured they knew about it.

CHARLES F. HAMILTON

called as a witness before the committee, having been first duly sworn was examined by Mr. McCarthy and testified as follows:

My name is Charles F. Hamilton. I reside in Marion, Illinois and have since May 1st, 1921. During the month of June, 1922 I was operator of what is known as the Enterprise Mine near Colke Station which is about a mile and a quarter south of the Lester Strip Mine.

I have known Mr. Lester about 38 years. I have been engaged in the coal business in Illinois about three years. The mines in this community are operated entirely by Union Labor.

I had been east last summer and returned to Marion June 20th and visited the mine Wednesday morning with Mr. Abern, our bookkeeper.

I did not go over to the mine closely at all. I went in the mine for the purpose of getting the resignation of Mr. McDowell who had been hired to be in charge of new work we had put in on the John Reed farm on account of conditions here, and his attempt to operate the mine with non-union labor. I realized it would be impossible for him to serve in any capacity there and I went out to secure his resignation.

About a month before the trouble I met Lester in Chicago at which time I told him it would be futile to operate his mine with non-union labor. I think this was sometime early in April.
He told me he had an idea he might attempt this and I attempted to persuade him it was absolutely impossible according to my judgment and that he and I had been here long enough to know something of the condition and after considerable talk and argument I said to him (He was a partner of mine out at the Hamilton-Lester Coal Company) and I said, "If you are going to make an attempt of this kind, I do not want to know anything more about it and I want an option in the Hamilton-Lester Company and I do not want this in any way to be connected up with the Hamilton-Lester company, and I do not want to be a party in such as you contemplate."

Page 650 I don't believe I saw a gun when I visited the mine. A fellow stopped me, he did not know me. They had a wire across and they stopped me and asked what my business was. He wanted to know who I was. I told him I wanted to see McDowell. He let down the wire and we drove in. I told him I wanted to see McDowell. He got him for me and I told him what my business was. I went down to the office and he rode on the running board. I got McDowell to sign the registration there and we went out over to the Hamilton-Lester Coal Company on the new enterprise property.

Page 651 It was about 3 o'clock I believe when I got ready to leave. I was pretty busy and I had the superintendent and office men and we worked until 3 o'clock and we heard over the telephone there was a mob gathered over the roads and gathering at the Southern Illinois mine. We stopped a few minutes out where we could see, could see cars. We started for town, drove in here and got over the corner of the Citizens Trust and Banking Company and Mr. Childers stopped me and told me really more of the conditions of what was happening than I knew then and asked if I would go up into the Greater Marion Association to a meeting of some of the citizens and

Page 652 Colonel Hunter, which was then in session, which I did. Some of the men in that meeting seemed to have an idea that I had some interest in this Illinois proposition, which I attempted to deny, and told them I would be very glad, indeed, to be of any service within my power to prevent any trouble and it was suggested that I get Mr. Lester on the telephone, which I did. I had rented Mr. Frank Pool's house, 266 N. Main St. for the summer.

I went down there and called Mr. Lester at the Great Northern Hotel in
Chicago. Told him I had just come from a meeting of some of the leading citizens of town and Colonel Hunter and the situation down here was very tense and almost anything was likely to happen from what I had learned, and it seemed the opinion of the committee that the only possible way to avoid trouble was for him to agree to shut down operations and to desist from any further work until after the strike was settled. This conversation took place between four and five o'clock. He wanted to know what I thought and I told him my opinion had not changed from what I told him and I told him he would have to act and act darn quick, and he said: All right, and report back that I will quit. And I went back to the office and gave that information to the Committee, the gathering, I do not know it was a committee. I knew quite a number of men there, and some I don't know. Of those present I knew Mr. Gardner, L. L. McLaren, Colonel Hunter, Mr. Edington, and I believe a man named Rix. In my conversation with Lester he said "I will quiet. Get word to the Committee and tell Mr. McDowell".

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I went back to the Committee room and made this report and was there some little while and I should say it was some where between 5:30 and 6 o'clock when I called up the mine and talked with McDowell and told him I talked with Lester in Chicago and he was ready to quit and a truce had been arranged by Colonel Hunter so far as I knew.

I had dinner that evening about 6:30 and did not come down to the square again that night.

I did not attend the conference in Duty's office that evening.

I spent about an hour and fifteen minutes that day in the Greater Marion Association.

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Upon receiving this word, which I communicated to the committee from Mr. Lester, some one was sent over from this office to find the Sheriff thinking that he was the proper party to head the party of truce that was to go out there and report was brought back he was not in his office and could not be found, and then this gentleman, whom I mentioned, Mr. Rix, said he would go out on the street and see if he could find some well-known representative citizen that would go on this committee and in the course of ten minutes or so he came back and said he had found no one he believed were
proper parties and then Colonel Hunter called up headquarters of the Union at Herrin and finally he was supposed to have Mr. Hughes on the other end of the line. He asked for Willis. He was not there and finally got Mr. Hughes. He advised Mr. Hughes of the situation and of the decision to shut down the mine and requested him to form a party of men well known in the locality to go out there and there would be a white flag awaiting them, and they could go into the mine and clean things up without any trouble at all, and according to my understanding of the conversation, that was agreed to and feeling that I had done all I could do, I left.

The effort was made through the so-called truce to get things fixed up before dark came in, and there was an understanding they were to be conducted safely out of the country. That was part of the truce. From Colonel Hunter's telephone conversation it was my impression that Hughes was to proceed to the mine immediately and carry out the truce. Hunter told Hughes there would be a white flag displayed at the mine and I was to display a white flag.

**Myrtle Steber**

called as a witness before the Committee having been first duly sworn was examined by Mr. Brennan and testified as follows:

My name is Myrtle Steber. I live at 109 West College Street, Marion, and have lived here for the past seven years.

I am clerk for the Murphysboro Telephone Company at Marion and have been for five years. I am cashier and take care of accounts.

Tickets that are talked on one day are brought down to our office at eight o'clock and we bill them. Those tickets show the telephone talked from, the party talked to, and the time of call.

This memorandum is an account of tickets that Colonel Hunter called General Black on the 21st and 22nd. This information was obtained by me from a personal examination of the records at the request of different parties. I remember Mr. Bury's request for a ticket which we were unable to find.

The memorandum was marked Exhibit A, April 30, 1923.

**MR. BUCKER:** Mrs. Steber, since your preparation of this record, I called at your office and you gave me a copy of a certain ticket dated June 22, 1922, the time was at 11 o'clock. Was it you that prepared this copy? I want to introduce the original of this copy in the records.
Exhibit B is a copy of a ticket at 11:05 P.M. from 599, Colonel Hunter to General Black, June 22nd, 1922. The ticket does not say when it was talked on.

There is no record of this call on Exhibit A. The call on Exhibit B originated from the Greater Marion Association.

We still have the tickets in our office from which Exhibit A was made.

Exhibit A does not show a call at 11 or 11:05 P.M. on the 22nd. I suppose there was a mistake made somewhere.
The Committee met pursuant to recess.

ANDREW HOLD,
called as a witness before the Committee, having
been first duly sworn, was examined by Mr. McCarthy,
and testified as follows:

My name is Andrew Hold. I live in Salem, Illinois.

In June, 1922 I was connected with the National Guard
as first lieutenant in charge of Company I, 130 Infantry,
Salem. I had been in charge of that company since May 23,
1922.

On June 21 I received a telephone message from General
Black to get our lists ready so we would have telephone
communication with our men and get the company organized
at a moment's call. I had an idea trouble was expected at
Herrin.

On June 23, 1922, at 11 P. M., Company Commander
Omar J. McMackin got a telephone message to mobilize the
company. To immediately get in touch with the officers
and non-commission officers and mobilize. We were demobi-
lized June 24, 1922 and received pay from the 23rd to the
84th inclusive. We were never called into service.
called as a witness before the Committee, having been first duly sworn, was examined by Mr. McCarthy, and testified as follows:


In June, 1922 I was captain of Company L, 180 Infantry, National Guard.

About 4:30 or 5 Wednesday afternoon, June 21st, I received a telephone call from General Black ordering me to get the records in shape, to be in readiness to mobilise.

About midnight Thursday night I received a call from Colonel Taylor ordering me to organise my company immediately at which time we were mobilised. June 23 and 24th we were in readiness fully equipped. Saturday evening about 12 Colonel Taylor telephoned stating, "The war is over".

FURTHER EXAMINATION

BY MR. PIERCE

It would take perhaps five hours to mobilise. Mt. Vernon is thirty-five miles from Herrin.
ARThUR L. STEBER.

Called as a witness before the Committee, having been first duly sworn, was examined by Mr. Backer, and testified as follows:

My name is Arthur L. Steber. I live at 109 West College Street, Marion, and am local manager for the Murphysboro Telephone Company, in which capacity I have charge of all records.

I have with me the records showing what purports to be a call between Colonel Hunter and General Black at 11 P. M., June 22, but no call at 11 P. M. on June 21. This is the original ticket of which Exhibit B is a duplicate. After a phone call is made the exact time is stamped on the back of the ticket. I have no original records showing any A. M. calls on the 22nd.

We have a ticket showing that General Black called Colonel Hunter at 10:20 on the 22nd, but it doesn't show whether it is A. M. or P. M. General Black placed three calls for Colonel Hunter on June 21, one at 1:27 P. M., 3:11 P. M. and 6:36 P. M. The record about June 22 shows calls are placed by Hunter to Black as 4:55, 5:55, and 11:10 P. M.

We had a record covered by a call from General Black to Hunter at 10:20 on the 22nd. The original tickets having Black's calls would be at Springfield or wherever he called from.
My name is Iva H. Pulley. I reside at 501 N. Jefferson Street, and am chief operator for the Murphysboro Telephone Company and was such during June 1922.

Referring to original ticket on June 21st, stamped June 22nd, 11 P.M., numbered 1, looks to be Elizabeth Herrin’s writing. This call was put through at 11:05 P.M. June 22nd.

Miss Herrin went to work at 9 P.M., June 21st until 7 A.M. June 22nd. The same party that made out the top part of the ticket is not the same person that made out the lower part. I do not know who made out the top part, but the bottom part seems to be in Miss Herrin’s handwriting. Ethel Jones may have filled in the top part. Her hours on duty were 7 to 12 and 4 to 7. At that time the chief operator stamped the dates on those tickets but I do not remember stamping this one.
MAY 7, 1923

The Committee met pursuant to adjournment.

JULY 7, 1923

W. T. THAXTON recalled as a witness before the Committee having been previously duly sworn was examined by Mr. McCarthy and testified as follows:

The deputies under my charge on Wednesday, June 21, were S. E. Storms, John Schaffer and Al Richardson.

Examination by Mr. Locke

I also had about 8 or 10 special deputies. Some of them had been on a year and some not as long.

If I remember correctly I got back from the shooting near Carbondale about 7:30 or 8 o'clock, by way of Carterville. My wife had charge of the keys while I was away but did not report anything out of the ordinary to me on my return.

Shortly after my return I went to the States Attorney's office, meeting Deputy Storms on my way on West Street. He, at that time, reported that there were a couple of men shot at the Lester Strip Mine, but I don't think he told me of the stores in Marion being robbed. I didn't learn that until the 22nd or perhaps later. The truce matter was talked over in Mr. Duty's office but whether Hugh Willis was there at that time or came in later, I do not know. As I remember the flag had already been raised and it was the general talk that the men were to quit firing and were to be given safe passage. Mr. Hunter and Mr. Davis were present but I don't know about Major Davis.

The next morning Mr. Hunter, Mr. Davis, Mr. Schaffer and I went to the mine sometime between 8 and 9 o'clock. After we left the mine we brought Mr. Hunter and Major Davis to the car line where they got into an automobile and Schaffer and I then
went on to the Power House woods, arriving there a little before 10 o'clock. I think I saw the coroner there while I was there.

We all assisted undertakers Storm and Bash in removing the bodies to Herrin and we got in the car and followed when the last of the bodies was loaded in the ambulance. It must have been around the noon hour when we got to Herrin. I then arranged to have the bodies taken to the morgue and to the hospital and assisted around there in any way I could, practically all afternoon. I also went to the hospital 2 or 3 times that afternoon and once to the city hall.

Page 698 It may have been that I talked to the chief of police but whether any of his officers were standing around the morgue during the afternoon, I could not say. It was not reported to me that day that different persons had attempted to molest the bodies lying in the morgue. Mr. Schaffer and Mr. Richardson were with me part of the afternoon. Late that afternoon Mr. Schaffer, Cook and I drove to Marion and went immediately to the jail. The best I remember there was a couple of fellows in jail which we took down to get on the train, down south of Marion to a little place they called Hudgens on the C & K I. Mr. Schaffer accompanied me.
Shiloh Church is five or six miles below Hudgen's.

In going to Hudgen's we took what we call the Tis Plant
Road. I think that telegrams were sent to the Adjutant
General and there might have been one sent to the Governor
somewhere around June 22nd, but I don't remember their
contents. At that time I was candidate for County Treasur­
er. I never made a statement to anybody that it would
hurt my campaign to have troops sent into my county.
MELVIN THAXTON,
recalled as a witness before the Committee,
having been previously duly sworn was further
examined by Mr. McCarthy, and testified as
follows:

Shiloh Church is southeast from Hudgen's. If you
go the east road to Shiloh you would go pretty close to
the church; if you go the west road it would be some distance
from the church. I don't remember what roads I took going
or coming. I should judge it was before 8 o'clock that
we arrived at Hudgens', Schaffer, I and these two gentle­
men. At 3 o'clock on the afternoon of the 22nd I was in
Herrin and/near Shiloh Church or the vicinity of House
Borun's. While at Carbondale on the 21st I talked to
Sheriff Gibson over the phone. I do not recall the con­
versation and did not tell Mr. Brown " The Sam T. Brush
riot is not 1, 2, 3 with what we are going to have within
the next few hours.

FURTHER EXAMINATION

BY MR. IGOE

I had a Ford and a Hudson, and was using the Ford
touring car on the June 22nd in going to Hudgens'.

FURTHER EXAMINATION

BY MR. IGOE

At present I am County Treasurer.
I am not positive whether the men I took to Hudgen’s were in jail Wednesday night or not. They did tell me there was trouble at the mine and that they left. These men were not registered at the jail. I saw Mr. Cairns in the powerhouse woods when I got there. He was sitting on the ground and had been shot, and there was quite a crowd around him. I later saw Cairns in the hospital. While at the powerhouse woods Schaffer was with me. Probably Colonel Hunter did mention troops to me, but I told him I did not think we needed them. At that time Storms was a candidate for County Clerk and Schaffer was a candidate for Sheriff.

John Schaffer and Richard Odum were in charge of the trial jurors at Marion.
JOHN A. SCHAFER,

recalled as a witness before the Committee, having been previously duly sworn, was further examined by Mr. McCarthy.

As near as I remember the truce agreement in Duty's office it was that they were to raise a white flag on the outside of the mine property and the firing was to cease, and that the men were to come out the next morning. We decided among ourselves to go out there the next morning also. Hunter and Major Davis accompanied us to the mine and from there Thaxton and I went to the power house woods. Mr. Duty passed us as we were going to the woods. We remained there until the bodies were all taken up, which was somewhere near noon, after which Thaxton and I went to Herrin. We were together off and on that day in and around the morgue, City Hall and hospital. My judgment is it was between 4 and 6 o'clock that we left Herrin, after coming to Marion I went to the office. Whether I ate at the jail or not that evening I don't remember. The first time I saw the men in jail at Marion was the time we put them in the automobile, and took them to Hudgens'. As I remember it was only Friday. In going to Hudgens' we took the Tie Plant Road and came back by the east road. We got from the Tie Plant Road to the east you go by way of a cross road.

As I remember I was in Herrin on Friday morning.

I did not talk to these men in jail because they were foreigners. Shilah Dairy Farm is owned by Hosea Borun. We were never in the vicinity of Shiloh Church on the 22nd unless it was the evening we took the prisoners down there.
Thursday morning, June 22nd I was at the power house woods and there saw Cairns. He was the guard at the entrance to the mine. When I first saw him in the power house woods he was lying on the ground and there was blood on him. We remained in the woods until the men were placed in ambulances and taken to Herrin, after which we went to Herrin also.
Patrick Joseph O'Bourke, having been first duly sworn, was examined by Mr. Igoe, and testified as follows:

My name is Patrick Joseph O'Bourke. I reside in Chicago, Illinois. I have resided in Chicago, thirty-four years with my mother.

During June 1922, I worked at the Luster Strip mine in Williamson County. I arrived there June 17th, about 9:30 A.M., and stayed until Thursday morning June 22nd. I was a guard at the pump house, and worked from seven at night until seven in the morning.

Nothing unusual occurred on June 17th, 18th or 19th. On the morning of June 20th, we noticed a body of twenty-five men marching around the mine. I never molested anybody while I was there. On Wednesday June 21st, about one or two o'clock I was asleep in the car, and I was awakened by a general firing, and I heard the engine whistle blowing. There was shooting going on all around, so I got up and went to the office.

Most of the shots were coming from Gresham crossing in the direction of Herrin. The shooting continued until about midnight. During the night I heard several explosions, and one of the bunk cars was blown up by dynamite.

An aeroplane flew over the mine on Wednesday afternoon. There were three tracks and bunk cars that faced the outer track, and on the other two tracks were coal cars.

All Wednesday night it was general talk among the men that a truce had been arranged.

Thursday morning about six or seven o'clock we were all ordered to march out with our hands up and surrender, and the word was passed along that we were promised to be taken out of the county safely. One of our men displayed a white flag arranged that morning about four car lengths away from the head.

When we surrendered there was a mob of about three hundred there, and some man in charge lined us up in double file. Mr. Cunnaker and Mr. Mr. Dorell led the march. There were forty-eight of us. At Gresham Crossing we met another mob of about fifty. We were stopped there, and some man whom they said was Clark, made a speech, but I could not hear what he said.
After we left Orenah Oroesisg we were assaulted all along the line. All the men who had us in charge appeared to be armed. When we arrived below Black Crossing we stopped.

There was another crowd there, and some machine came from Marion, and they had us get to the side of the road. This was about eight o'clock. I heard later it was Hugh Willis, that was in the machine. They said there was a union official coming.

This was right near the power house, and after the speech was made, which I didn't hear they took us into the woods.

While we were at Black Crossing Mr. Dowell, was taken out of line. When they took us in the woods they said "all men that have not got guns, stay out and all those that have come in," and as soon as we got to the fence they fired a volley and I was not hit so I got through the fence and ran down the woods to my left toward Herrin.

While I was running I was shot twice in the side and head, but I continued walking to a road leading to Herrin and just as I turned up the road a machine came around the bend and four men got out and came towards me. I ran towards a house with an open foundation and ran into this foundation. They came and asked the lady if she seen where I went. They then saw where I was and poked their guns under and ordered me out, and as I came out one of them struck me over the head. Then they stuck their guns in my side and marched me up to the corner at the bend of the road. There were three machines there with about 20 people all told and they were deciding what to do with me there.

They did not know whether to hang me or shoot me or what.

They finally made up their minds and made me take off my shoes and put a rope around my neck and hang me behind a Ford machine. Before this happened another machine came up towards Herrin and said; We have five men down at the school house. So he took the rope off my neck then and marched me to the school house in the City of Herrin where the five were. And then they got to where those five were they had them take their shoes off and had one take his army shirt off.
There must have been one hundred people near the school house when we
got there, and they had us get on our hands and knees and crawl twenty
or thirty feet. We were then made to walk a few blocks, and then turned
to our right to a cemetery where they stopped us and tied a rope around
the necks of six of us.

This was broad daylight and people living all around us. We were lined
three abreast, and I was in the three behind. We walked in this fashion
a little way when somebody said the Sheriff was coming. They then
turned over a street, and just as we got around I got shot in the ankle.

I pulled the other five down with me because they had us all roped together.
This was near a cemetery. As soon as we fell down the firing was general.
I was shot four times more as I lay on the ground with the rope tied around
my neck.

I also had my neck cut. The rest were killed.

I was later taken to the hospital at Herrin, where I remained eighteen days.
Senator Sneed was in to see me and told me not to worry that we would not be
bothered any more. This was about a week after the shooting. I was
not molested at the hospital, but they guarded us for the first four or five
days.

FURTHER EXAMINATION BY THE CHAIRMAN.
The aeroplanes that flew over us dropped something which exploded.

The mob that escorted us from the mine carried rifles, revolvers and
shot guns.

FURTHER EXAMINATION BY MR. J. S. JOCK.
Mr. Sneed was introduced to me by Mr. Black. Sneed visited me
several times.

A man named Burton, also visited me there.

EXAMINATION BY MR. BLACK:
The guards were not authorized to go on the public highway, and neither
do I know of any guards patrolling the roads. I never shot anybody while
on duty.
Lights were shut off Wednesday night and the telephone was out of order.
They also blew up the water supply.

Robert Tracy called as a witness before the Committee having been first duly sworn, was examined by Mr. Igo, and testified as follows:

My name is Robert Tracy. I was born in Kentucky, but have lived in Chicago during the past five years. I am a locomotive fireman, and a member of the Brotherhood.

On the morning of June 14th, I started doing engineer work at the Lester mine. I am thirty-two years of age, married and have children, and live with my family.

On June 21st the crowd outside of the mine had increased in numbers,
and when I took a cut of coal cars out they would congregate around the strip mine, and a bunch of machines would go up and down the road. On June 21st, I was running the dinky engine, and leading cars with the steam shovel. Around one o'clock they started shooting at me, and bullets began to hit the cab, and I ran here up to the office and began blowing the whistle when we got inside of the cut. A little while after that firing occurred on both sides which kept on until about midnight.

On Wednesday afternoon about sundown Mr. Dowell and Blumacher said that a truce had been arranged between the mine officials and for us fellows to cease firing. Jones gave me a white sheet which Finlay gave to him and I threw it over a telegraph wire on the top of the dump just west of the office. They said for us to keep firing and there would be an automobile come with a white flag also and to let them come into the mine. People coming from Grenshaw Crossing could easily have seen the flag. The next morning when we marched west, the sheet was still on the wire. We spent Wednesday night under the coal cars by orders of Mr. Dowell and Blumacher. About daylight Blumacher and Mr. Dowell held a conversation and then told us it was no use for us to run any longer and to come out with our hands up. We were to surrender and be escorted out of the county safely and Mr. Dowell and Blumacher were with us when we went. There were five or six hundred men out there and it was no use for us fellows to try to hold out any longer.
It was about six o'clock in the morning that we surrendered.

A fellow named McFieiland went out ahead of the line and he said,

"Come on down, us fellows are going to surrender providing they give us safe conduct out of the county." And some fellows, leader of the mob, came out and said, "If you fellows lay down your arms and not fire we will guaranty you safe conduct out of the county." And McFieiland said,

"All right we will do that." And word was passed that we march out. After surrendering we walked west about one hundred yards and the mob searched us. They swarmed down from the hills. I guess between 500 and 500 people with arms. They all had guns. They marched down there and made us hold our hands up and searched us and lined us up, two abreast. I was second up from the front. They made us march west to the highway and then north.

Hogers and Davis were in the lead and Mc Dowell little past the center. They stopped us at Gresham Crossing and the lead of the mob that had promised us safe conduct out of the county, he gets up and tells us he is going to call up the President of the local here and see what he says to do with the men. He goes into a little store or office. He goes in and comes back out and starts to tell the mob of 500 or 600 people. They treated us fellows very rough and he says he called up the president, and about then a fellow walked up, by the name of Clark, and he made this fellow shut up. He says, "I have been up five days and nights trying to get these scabs. We have them up here now where we want them and I am in favor of killing all of these people and stop the breeding of these people." Then they marched us west of Gresham Crossing, turned us to the left. There is a four corner crossing there and they marched us west about one mile and then a helt came in the line when Clark took Mc Dowell out of line, and he abused him and called him all kinds of names and takes a big automatic pistol and hits him on the head and he fell back in my arms and I held him with one arm and kept the blows off with the other.
Mr. Dowell was a one-legged man. I should say the distance from the mine was 3/4 miles. While Mr. Dowell was in my arms, Philip Franzensta, had a rifle and he started hitting me on the head. I held Mr. Dowell with one hand and knocked him off with the other. They led Mr. Dowell off to the left side of the road and that is the last I saw of Mr. Dowell. There was a bunch of people, women, children and men between me and Mr. Dowell and I couldn't see. We marched west to a group of cars that was burning. Then I heard shots fired and they said, "There goes your God damned Superintendent. That is what we are going to do to you fellows, too."

Mr. Dowell was taken down the road like Mark and some other fellow. We had not walked over 50 or 100 yards before I heard the shots fired. As we got to the power house there was a halt in the line and the leader of the mob said, "We will take four across down the road, kill them and come back and get four more and kill them." About then some one said, "Never mind, the President is coming. Hugh Willis is coming. He will tell us what to do with these men. We were just south of the power house. He said, "All of you fellows stand up on the north side of the road." So they shoved us on the side and a machine drove up within 20 feet of me and a fellow got out and he came up there and they wanted him to get up on a pile of ties and tell them fellows what to do with us fellows, but he would not get up and make a talk so he stood in the road, and about ten feet from me. So he said, "Listen, fellows, don't you fellows go killing these fellows on a public highway. There are too many women and children around to do that. Take them over in the woods and give it to them. Kill all you can."

I know Hugh Willis and pointed him out at the time of the trial. After Willis said this they led us into the woods and north of the power house against barbed wire fence. I was at the extreme east end of the column and they lined us up there and all of the non-union men lined up were at my left and I was near the leader of them and he said;
"All you fellows with guns come up front and those fellows without guns stay back there and you fellows with high-powered rifles wait until the fellows with guns and rifles shoot." He said, "All you fellows get ready" and whenever he stepped back I made a break before any of the other fellows made a break and crawled under the fence and I was 50 or 100 yards away before the main volley started.

When they started shooting I made a break and went under the fence and got, I think 50 or 100 yards away from the main body of men, from the fellows that were lined up before the main shooting started. There were several fellows shooting at me but I ran in a zig-zag way so they couldn't hit me. I ran into the lake. The lake comes into a Y shape and ran into the lake and I seen a man coming from the edge of the water. So I swam the lake. I come up on the far side of the lake. There was some man there about 45 years old with a wife or a woman with high. She had a kid in her arms and another 6 or 6 years old at her side and he commenced shooting at me, and I got his wife between me and him but that did not stop him shooting a bit.

I then run back toward Grenahaw Crossing where I met a lot of people, but I got out of there through belonging to the Brotherhood, who got me out of the county.

I was not in jail at Harris Wednesday night or any other time.

I testified for the State in the last trial.

I got away by going to Carbondale and then catching a freight out of there. I had a withdrawal card from the Brotherhood when I worked at the mine, but I was reinstated about six months ago, and here is my union card and back receipts from the Brotherhood of Locomotive Firemen and Engine men (witness exhibits union card and receipts.)

EXAMINATION BY MR. ROYL:

The man who had phoned at Grenahaw Crossing was the leader of the mob that had us in charge. The best I recollect he said he would call up the President of the Local, and when he came back out he told them not to abuse us, that we men were human beings and to treat us as prisoners of war. It was then that Clark made him shut up.
TTO

CBU LiBBiNd oailad •• vita««« before the Ooaaal ttaa haring b««n flrat duly non wa* examined by Mr. Igo«, and testified aa ft>liowi

By a s» la Qdls Lavranoa. I an toenti^ three yaera old. I «aa born in Ian tooky, but realda la Chicago, at the praaant tint.

X  a tar tad to aorft at tha La a tar Strip min« on tka morning of June 16th, as locomotive fireman with Bob Tracy on the dinky locomotives.

On June 31st the trouble started about 12:30. We were coming out of the pit with coal and shoving the coal down by the office when the firing started and a bullet hit the cab and we run the engine to the office.

Almost continues through the afternoon there was firing from both sides. Just before sundown Tracy and Jones, put a flag up on a telephone pole or wire about ten feet above the mound of dirt. That flag could be seen by one approaching the mine from both roads. The flag, which was a big sheet was still up the next morning when we surrendered.

During the night of the 31st we heard several explosions which we figured was the pump house steam shovel and sleeping cars. We spent the night under the coal cars. We had no lights nor water, and I don't know anything about the telephone, but on the 22nd about daylight Mr. Sowell came up to us and said, if there isn't too many up there we will try to hold them off but if there are quite a few we will have to surrender. Munacher went out to scout around and see how many there were, and came back and said there were several hundred up there. Mr. Sowell said there was not much ammunition so we might as well surrender.

They told us if we surrendered we would be given safe conduct out of the county. They told us to throw down our arms and march out with our hands up. They searched us, lined us in columns of two's and marched us down the road.

I was the sixth man from the front and Mr. Sowell was sometime in front and sometime in back of me. We then marched west to the road and then to our right until we came to a crossing where Odie Clark made a speech.

He said, "I have been up five days and nights and I don't want to start any-
th ing I can't finish. Take these fellows out and kill them and stop the breed of such people."
Clark then took us in charge and told the fellow who had been our leader to leave. We started west and after a while Clark and some other fellow took Mr. Hewitt to the rear of the line, and I heard shots and someone said "There goes your superintendent."

Then we started to march toward the power house. Somewhere near the power house someone shouted that the president was coming and pushed us all over to the side of the road. The fellows closed in and I couldn't see who was in the car. All I heard him say was "Take them over in the woods and shoot them off," waving his hand toward the woods."

"They marched us to the woods and lined us up in front of the fence. called the fellows who had rifles to get to the right of us. Someone started to run - it was Royce started to run and everyone else started.

I went through the fence. I don't know how I went through - underneath the wire, I suppose. I got through and went through the open filed until I came to a branch line running into the mine where there were a lot of bushes and laid there until it got dark that night. Then it was dark I started walking." I finally got to Herrin then to Christopher and to Centralia, and finally to Chicago.

I testified at the last trial for the State:

WILLIAM GAINE having been first duly sworn, was examined by Mr.

**William Gaines** having been first duly sworn, was examined by Mr.

Igoa, and testified as follows:

My name is William Gaines. I am forty-three years old and was born in Buffalo, New York. I live in Chicago, at present.

I started work at the Lester Strip mine on the morning of June 15th as a watchman. My hours were from seven A. M. to seven P. M. On the morning of June 21st, I took up my station about 150 feet from the mine on a detour road, or a private road running into the mine, and had a little box where I sat under a shade tree. I stopped the Sheriff on, I think it was the 18th or 19th, stopping the Sheriff there, and two deputies and the State's Attorney, asking them what they wanted, what they came into the mine for. One man in the machine said: "Well, we want to see the boss." I said: "What boss?" "Well, the man in charge here at the mine." That was not any satisfaction to me. That did not tell me who they were or what they wanted so.