1923

Herrin Massacre Investigation Proceedings, 0201-0300

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Herrin Massacre Investigation Proceedings, 0201-0300

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Comments
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Given the poor quality of the original, full-text searches are not always reliable.
was examined by Mr. McCarthy and testified as follows:

My name is B. 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.

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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 Coke 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. Asburn, 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.

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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 660 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 661 It was along 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. McLaren 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 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, 205 E. 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. Warder, A. B. McLane, Colonel Hunter, Mr. Mirington, and I believe a man named Rix. In my conversation with Lester he said "I will quit. Get word to the Committee and tell Mr. McDowell".

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.

Upon receiving this words, 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.

Miss 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. These 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. Dutty's request for a ticket which we were unable to find.

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

Mr. Hacker, 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.
A. My assistant prepared it but I was there at the time.

EXAMINATION BY MR. MC CARTHY

Exhibit B is a copy of a ticket at 11:05 P.M. from Colonel Hunter to General Black, June 22d, 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.

FURTHER EXAMINATION BY MR. PICH:E

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 BOLD,
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 Bold. 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 28,
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. McMahan 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-
лизed June 24, 1922 and received pay from the 23rd to the
24th 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, 130 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 mobilize.

About midnight Thursday night I received a call from Colonel Taylor ordering me to organize my company immediately at which time we were mobilized. 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. PIEPER

It would take perhaps five hours to mobilize. 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 A 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., 5:11 P.M. and 6:35 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 561 E. Jefferson Street, and was an operator for the Murphyboro 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 Gootee 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 these tickets but I do not remember stamping this one.
The committee met pursuant to adjournment.

FREDERICK THARCH 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 N. L. Storms, John Schaffer and Al Richardson.

Examination by Mr. Irva

I also had about 8 or 10 special deputies. Some of them had been on a year and some not so 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 true 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 Storms and Cash in removing the bodies to Harrin 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 Harrin. 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 696 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 & E 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 Tie 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 Treasurer. I never made a statement to anybody that it would hurt my campaign to have troops sent into my county.
May 7, 1923
1:30 P. M.

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 Hosse
Boron'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. ISON

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. ISON

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 power house 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 power house 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 SCHIFFER,
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 get 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. Shiloh Dairy Farm is owned by Hosea Borum. We were never in the vicinity of Shiloh Church on the 22nd unless it was the evening we took the prisoners down there.

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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.
PATHIC JOSEPH O'BORNE, having been first duly sworn, was examined by Mr. Ikes, and testified as follows:

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

During June 1922, I worked at the Lester 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 Crenshaw 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. Shermaker and Mr. R. E. Howell led the march. There were forty-eight of us. At Crenshaw 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 Osmanaw Crossing we were assaulted all along the line. All the men who had us in charge appeared to be armed. When we arrived below Moak 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 Moak 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 when they got to where these five were they had them take their shoes off and had one take his army shirt off.
746. 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.

747. 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.

748. 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.

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

750. I was later taken to the hospital at Herring, where I remained eighteen days. Senator Harris 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.

751. FURTHER EXAMINATION BY THE CHAIRMAN.

The aeroplane that flew over us dropped something which exploded.

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

753. A man named Burton, also visited me there.

FURTHER EXAMINATION BY MR. BLACK:

Mr. Black was introduced to me by Mr. Black. He visited me several times.

Examination by Mr. Black:

We 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. Igoe, 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 Locust 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 hard up to the office and began blowing the whistle when we got inside of the out. A little while after that firing occurred on both sides which kept on until about midnight.

On Wednesday afternoon about sundown Mr. Dowell and Himmelcher 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 Finley 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 quite 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 Himmelcher. About daylight Himmelcher 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 Himmelcher 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.
Shumaker was Assistant Superintendent, and Mr. Dowell the Superintendent.

It was about six o'clock in the morning that we surrendered.

A fellow named McClelland 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 guarantee you safe conduct out of the county." And McClelland 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 600 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.

Rogers and Davis were in the lead and Mr. Dowell little past the center.

They stopped us at Crenshaw 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 as all of these people and stop the breeding of these people."

Then they marched us west of Crenshaw Crossing, turned us to the left. There is a four corner crossing there and they marched us west about one mile and then a halt came in the line when Clark took Mr. 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.
En Dowell was a one-legged man. I should say the distance from the mine was 2½ miles. While Mr. Dowell was in my arms Phillip Junanette, 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."

761. Mr. Dowell was taken down the road like Clark 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 scabs 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 us 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 as he stand 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.

762. 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.

763. 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 V shape and ran into the lake and I seen a man coming from the edge of the water. So I sum 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 him. She had a kid in her arms and another 5 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.

764. I then run back toward Gresham 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 Herrin Wednesday night or any other time.

765. I testified for the State in the last trial.

766. I got away by going to Carterville 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. RYAN:

The man who had phoned at Gresham 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.
Odis Lawrence, called as witness before the Committee having been first duly sworn was examined by Mr. Igge, and testified as follows:

My name is Odis Lawrence. I am twenty-three years old. I was born in Kentucky, but reside in Chicago, at the present time.

I started to work at the Little Strip mine on the morning of June 16th, as locomotive fireman with Bob Trudy on the dinky locomotives.

On June 21st 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 ran the engine to the office.

Almost 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 21st 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. Howell came up to us and said, if there isn't too many up there we will try to hold them off but if these are quite a few we will have to surrender. McKimber went out to scout around and see how many there were, and came back and said there were several hundred up there. Mr. Howell 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 and marched us down the road.

I was the sixth man from the front and Mr. Howell was station 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 Odis Clark made a speech.

He said, "I have been up five days and nights and I don't want to start anything 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. Dowell to the rear of the line, and I heard shots and somebody said, "There goes your superintendent."

Then we started to march toward the power house. Someone 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 Tracy started to run and everyone else started. I went through the fence. I don't know how I went through - underneath the fence, I suppose. I got through and went through the open field 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 GAILM having been first duly sworn, was examined by Mr. Igne, and testified as follows:

My name is William Gailms. 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 and I think it was the 16th or 17th, 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 I
said: "Who is the boss?" Finally one man said: "We want to see Mr. McDowell." So I said: "That is different. I will take you on in there.

One fellow said: "All right. Jump on the running board." Which I did do and rode up to the office, and at that we met Belaney, Captain of the guard.

I said: "Here are some men here. I don't know who they are. They want to see No Bowell." In the meantime they had all dug up out of the machine and Belaney said: "That is all right now. Stay in the machine and I will get No Bowell." So Bury, State's Attorney spoke up and said: "Why stay in the machine? Is this not a free country?"

"Well," he said, "don't you know who we are? I am State's Attorney. This is the Sheriff of the County and those are two of his deputies."

"Well," he said, "don't you know that is different. Come into the office and I will get McDowell for you." So then I went back on my post which was a good ways from the office. As a little later they went out. After they had gone, a short time, McDowell came down and he said the Sheriff and he had a little talk about weapons. "I wish you boys would hide your rifles in the woods," he said. "Not me."

I said: "If I have to hide my rifle in the woods, you might as well take me off here because I could not stop anybody." He said: "Use your own judgment.

So next day the Sheriff, Colonel Hunter came in again in two machines. In the meantime we had stretched a wire across the road so that when a machine drove up to that wire he would have to stop and I recognized the cars when they were coming in and I laid my rifle in the woods, let the wire down and let the Sheriff drive on in. The same with Colonel Hunter. That was all the argument I ever had, except one day there were two men come in. I don't know who they were. One was a big heavy set fellow. I nicknamed him Baby alias and some red-headed fellow, a relative of the man who owned the land before the Leary people got hold of it. There was another guy by the name of Miller. He had been sleeping under a tree. He woke up and ran across those fellows and ran them off of the mine property. They put up an argument and when I walked over, one of those fellows said to Miller:
"Ten are one of the fellows that eat them alive," I usually take care of myself, that is all," he said. While we were arguing I asked him to leave the premises. While we were talking Finley and Delaney came down and Finley was going to whip one of them and I stopped them. I told them: "He, those fellows are looking for trouble. They want you to knock them up so they will go on into Marion and make a complaint." I said: "You go on back to the office, I will get rid of the fellows." I told them: "We are not looking for trouble and do not want any trouble but at the present time you are on private property and you are trespassing" so they went on their way. That was the only incidence, any trouble that we had up until Wednesday June 31st.

Well, on the 31st—every day at 11 o'clock I usually went to the dinner at 11 and about 11:30 I went to the extreme east of the property to where the big steam shovel was, to relieve that man for dinner. And on the 31st I went over there as usual and while I looked up the cut-off road, there was a hill on that cut-off road and I saw about 12 men up there on top of the hill, and they were looking down towards me, so I went back and told the other guards (they were posted along the little shovels) I told about them looking on the hill and to keep a close watch on that part. So I sneak over there and took in by some bushes and I counted twelve men that had rifles stacked off to one side of the road. I got back to my own post and was still watching men when Miller came back and walked up by me. I said: "Do not lay down and go to sleep. There are twelve men on that hill and they have guns and looking for trouble evidently." So he saw them and I went on in, reported the fact to McCullagh. He did not say anything. I went back to my own post. I had not been back but a short time. I heard some shots from the outside. I think the engineer came in blowing the whistle. All the outposts came in. I run up towards the office. The shooting then became general. I saw guards running, and one had an automatic rifle. Other fellows had rifles running to surround the office, you know and there was a general fusillade from the outside and from the inside.
And I went back down on my own post because if I had left there it would have left that part unguarded, so I stuck around in the open. Several shots came from the east. There was a farmhouse up on the hill and one passed right across by me. Another one hit once by my foot. I looked over that way, looking for something to shoot at myself. I could not see anything. They were either shooting from the house or from the barn, so the firing kept up all afternoon off and on and that night we crowed under the cars under the trucks. I was detailed at the auxiliary car. Mr. Dowell was right behind me on the inside and we lay there all night.

Long before, between 10 and 11, some time through the night, [it may not be any time I dictate, I may be one-half hour out of the way, one way or the other] there was a bunch of men marching in on the hill on the east side of the mine property. They seemed to me they were marching in regular formation because one fellow gave the command: "Halt." And so on. And we could hear quite plain. So then about one-half hour after that I heard the command: "High ball, George." Then there was a general explosion and smoke and dirt and debris and everything went in the air.

That was Wednesday night. That was the first explosion that I heard. Then off to the northwest there seemed to be another explosion. Somebody yelled out: "There goes the pump house," I counted four explosions. There was a fellow snuck in across the cut in, through the weeds, threw a stick of dynamite under the last bunk car where the laborers usually slept and blew the bottom out of it. Of course, there was not anybody in there. The guard was stationed at that point left the post when 760, he saw the man lighting a match to touch off the dynamite. His name was Bellman. This man took a piece of paper, lit it, held it up and put it under the car. In the meantime he got into the clear where he could just as easily have been killed the man as not, if he had wanted to. But he did not do it and he got away himself, got around on the other side.

Mr. Dowell came out with me about 4 O'clock in the afternoon and he said, "I have arranged with some union officers to have a conference and we are going to put up a white flag. There will be a machine come in carrying a white flag and when you see it let him come in."

There were two ways to come. One from Marion from the southwest
know which way the machine would come, whether from Herrin or from Marion.

If they had come to Herrin it would not be necessary to walk my post at all but if they had come from Marion, that would.

I saw the flag as it was placed on the embankment in the extreme northwest by Jones and Tracey over a telephone wire. I could easily have been seen from Crenshaw Crossing, as well as from the road.

761. It was placed there around six o'clock in the evening and I don't know that it was ever taken down. On the night of the 21st they blew up our water supply, both the large and small shovel and we didn't have any lights, bullets were flying pretty thick any time you walked from the cars to the office. Shumaker tried to get Marion on the phone Thursday morning but was unable to do so.

762. Thursday morning after laying there all night, after day break the firing got thicker and the bullets were hitting the steel cars and break rods and it was getting kind of hot and McDowell says: "If there are only a few men out there we will hold them off until we get help, but if there is too many, we will have to surrender. The worst they will do, they might give us a few kicks, put us on a train and get us out of the county." I had nothing to say about that. He was the boss, so it was only a few minutes after that when Shumaker came back and said, "We have not very much ammunition so we will surrender. There must be 200 or 300 men out there." Well then, McDowell said: "We have not very much ammunition we will surrender." So he gave one of the boys orders to stick out a white flag. They had two ties placed one over the other, placed as a barricade. It was not a barricade unless you laid down flat. They stuck this white flag on a pole and stuck it over these ties and they saw it from the outside and they said: "We'll lay your guns down and march out with your hands up."

They stuck the flag up and command came from the outside: "Put your guns down and march out with your hands up." So somebody said: "How about getting safe conduct out of the county?" And they said: "We will see that you get out all right." So we laid our guns down and marched out with our hands up. Marched down the track a short distance from the cars about to the point where the first white flag had been put up and men came in from all
directions. They swarmed like a bunch of bees. I don’t know just
how many there was but it seemed to me like 2,000 men. A lot where
excited, nervous. They came out. Some had rifles, shot guns.
It seemed to me they had every kind of gun from the first gun made
until the latest improvement. They pointed guns at us
and every time anybody dropped their hands they said: "Keep your
hands up." And one fellow said: "Oh, let them be. Let their hands
down. They haven’t any guns on them." But whenever any one put
their hands down they were around poking them in the ribs and
telling them to keep their hands up and they made us stand there for
ten minutes with our hands up. Finally, they lined us up in a
colum of two and some fellow with a mouth full of gold teeth.
I haven’t seen him since but would know him if I did. He said:
"Come on back there and show me where the guns are, so he went on
back tp pit up guns and when we got there they had already picked
up the guns and all we found was a couple boxes of cartridges and I
asked him to let me get a few things I wanted to get and he said:
"All right" and he took me to the office and broke into the locker.
The lockers had been broken into and all our clothes and everything
was dumped in one pile, but I got a few things I wanted and this
fellow apparently was an awful nice man and I don’t doubt he would
have let me go the other way if it had not been for half a dozen
others who said: "Make it snappy. Get up with your buddies." So
they run me up the track again, down to Crenshaw Crossing. When
we got to Crenshaw Crossing there was two fellows in a Ford and one
man said: "Bump him and make him catch up to his buddies." So he
done it, kept bumping me in the heels.

With his Ford car and I had a sore feet. I done the best
I could, got along the road a piece and they were poking me in the
ribs with revolvers until I caught up with the gang and I dropped
into the rear of the line about midway between Haak Crossing and
Crenshaw.
They took Mc Dowell out of line. First somebody was asking where is this man Mc Dowell. The question was asked me. I said I didn't know. I had not seen him. "Is he in the rear?" I don't know.

So shortly after that they made a stop and Mc Dowell was taken out of line by two men and one fellow laughingly said: "This fellow is a cripple and cannot march. We are going to take him to Marion in an aeroplane." So we went on and left them standing in the road, marched on towards Moak Crossing. Then about the time we got up to the crossing we made another halt. Somebody said: "The President is coming." So we were lined up to one side of the road and a machine went by. I did not see who was in it. This big Miller was marching with me. He sort of obstructed my view but I doubt whether I would have seen anybody any way. This machine drove by and we stayed there for about 5 minutes. Then we got the command to march on again. We had not gone very far when we turned to the right in the direction of the power house woods.

Shortly after I got back in line they made a stop near Moak Crossing.

"All you men with rifles come into the woods. You fellows that have not got any guns, stay out. You will only be in the way."

So they marched us men up to four or five strand barbed wire fence and halted us. One fellow gave the command that all you fellows with rifles line up on the right and you fellows run to the right.

So I seen what they were going to do, so I started up to the front then and I got about half way up when somebody made a break and started to run and they started shotting and I stepped around and grabbed two strands of the fence and tried to crawl through, and I got tangled and the more I struggled the more I got tangled and I finally made a lunge and the post that was there broke off across my back while I was struggling. I got caught through the side and a lot of shot hit me through my head here. While this man...
not very serious it bled like everything and blood got cold and thick on my face and I thought: How I am gangled up pretty badly.

If I made an attempt to get up and run they will mow us down, so I might as well lay here and bluff it through. I was not unconscious or anything of the kind so I lay there and after the shooting stopped they started counting how many were on the ground. First they counted 11 but before that there was a big laborer there. He stood near a tree and he was hit with some kind of shot and he was bleeding. He stood there and bellowed. They kept shooting at him and every time they shot at him he jumped off the ground and let a yell out of him. Finally one fellow walked up and said: "You big son of a b—- Can't we Kill you?" And he shoved a gun in his side and pulled the trigger and went down. So after they counted us and they went after the fellows that had got away, I looked up every once in a while and looked around and I saw three men on the edge of the woods. To the left of us was a clearing, a farm house and I saw three men with rifles laying about fifteen feet from me. He said: "Well, goodbye Jack, I am going." I said: "If you are going, go quietly. There are three men with rifles that are coming back this way, if they see any of us talking or making any noise they are liable to finish us." Because I knew there was a couple others around there breathing and they came back. One fellow took his footb, kicked my head to one side, saw the blood there and went on. When he went on I kind of picked up a little bit, was resting on my arm. This Shumaker was laying about ten feet from us. He was pretty badly hurt, too. One fellow said: "Here is that machine gun man," and he put a gun up along side of his head and pulled the trigger.

This time they started counting us again. This time they counted fourteen. One fellow said: These fellows are not all dead. I can see some of them breathing." I figured that meant me because I was breathing pretty hard, and he said: "Let us finish them all." Another fellow said: "Let us get out of here. The militia will be here in fifteen minutes. So then they went and let us lay there as we were. It was only a short time when I saw women, kids and other men come in and I recognized some of the
wise. Make him walk." This fellow turned around and said: 

"Now here, fellows. The Sheriff, you know, has been mighty good
to us. We have gone far enough. We had better let things
drop as they are."

They put me in a wagon, took me to the hospital. We got
there some where around noon. We did not eat any dinner. I was
mighty hungry. I had not had anything to eat since evening before.
I was not hurt so awfully bad that I could not eat. I know it was
around noon because we missed our dinner and the following amonday
the Sheriff came into the hospital.

He says: "Now, you have been recognized as a guard." I said:
I know that. I was recognized in the woods. I was pointed out as
a guard." He said: "It will be better for you and better for us if
you will get out to night." I said: "I am dead willing to go tonight."

"How are you fixed for clothes. I will arrange for transportation and
you leave tonight." So then the Sheriff went away. Shortly after
that Storme came in, one of his deputies, a bit heavy set fellow. He
told me: "We will have the clothes here after a bit. You get ready.
You cannot make the C. & I. L. any more tonight. We got a man that is
going to drive you over to Carbondale and take you on that
midnight train over there and you will go right on through to Chicago."
He was kind of nervous and I was a little bit dubious of him and I asked
him: "Is this on the square?" He said: "Yes, I will guaranty it,
there will not anything happen to you. We will take you over to
Carbondale and put you on a train and you are on your way to Chicago."
I said: "What the Hell will your guaranty do for me after I am
dead." He said: "There will not be anything like that happen. So
I was not taking any chances and I told Doctor Black about it and he
flew in the air.

He said: "There will not be a dam man leave here until I
say so." He told me he told the Sheriff nobody would leave without
men that had been in the crowd with guns and they were back without
guns. The had just gone a little bit from there where they cast
their guns away and came back because this partner of mine, that
was in the hospital with me, Bob McIlvanian, he dropped into a ditch
and saw them take the guns in and come out without them. It was an
old abandoned mine. So they surrounded me and pulled me out of the
barbed wire and there must have been 200 or 300 men around me.
They gave me all kinds of abuse, accused me of everything in the
world they could think of and they said: "You are a guard?"
"No I said. "I was not a guard." I was a dishwasher. "How long have
you been out there?" "Two days." So then they produced Finley's
time book, that they had taken out of his pocket. They had already
been in my pocket and got my name in the book, and they said: "Have
you been there a week?" And I said: "Only two days." And they said:
"Here is your name in the book. You drew $25.00 for a week's work.
Didn't you stop the Sheriff?" I said: "No." He said: "Yes, you
did." He said so.

I said: "No, I never stopped no Sheriff." I did but I
wanted to deny it, deny the fact I was a guard for my own safety at
that time. The crowd opened up when and Schaffer stood outside
of the crowd.

This spokesman said to me: "You were a guard because you
stopped the Sheriff and his deputies and there he is there. There is
Schaffer", and I denied it. Then the Sheriff came along with the
State's Attorney, took my name and address and family affiliations and he
asked me if I could travel. I said: "Yes, I would be tickled to travel."

He said; "All right. I will be back in a few minutes."
So he and the State's Attorney went off a short distance. I think I saw
him talking to a man. I am not positive he swore in a special deputy
or not. There was some man he delegated to take charge of me and
several of others and this fellow took an old gun, a rifle, took the
frame out of one pocket, cylinder out of another, put that in the gun
and us in the wagon, and while they were putting me in the wagon,

somebody kept yelling: "Make that son of a b--- walk. He is too
his permission. So I left there two days later. The Mayor of Herrin and Bill Burston and a couple of Herrin policemen took three of us to the station, and the mayor paid our fare from Herrin to Chicago.

Dr. WILLIAMS called as witness before the Committee having been first duly sworn was examined by Chairman, Mr. Garth and testified as follows:

My name is Ed. Williams. I have lived in Williamson County for 23 years. At present a mile south of Herrin at Taylor Crossing. I am a miner and have been such twenty-six years in Williamson County.

On June 21st I was in Herrin. I went to Schaffner's hardware store about ten or eleven o'clock to get some bait to go fishing, and there was a mob in the store and they pinned me against the show case.

I just told them boys don't break this fellow's show case up. They were running over one another getting guns, but I didn't know any of them.

Ellis is the owner of the hardware store. I didn't get any bait and went home.

I did not know any of the men who were in the store except the clerks.
his permission. So I left there two days later. The Mayor of Harrin and Bill Burton and a couple of Harrin policemen took three of us to the station, and the mayor paid our fare from Harrin to Chicago.

ED. WILLIAMS called as witness before the Committee having been first duly sworn was examined by Chairman McCarthy and testified as follows:

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On June 21st I was in Harrin. I went to Schnaffner's hardware store about ten or eleven o'clock to get some bait to go fishing, and there was a mob in the store and they pinned me against the show case.

I just told them boys don't break this fellow's show case up.
They were running over one another getting guns, but I didn't know any of them.

Ellis is the owner of the hardware store. I didn't get any bait and went home.

I did not know any of the men who were in the store except the clerks.
Fox Hughes, was called as a witness before the Committee having been previously only sworn was examined by Mr. Igor and testified as follows:

On June 21st, I was in and out of the miners' office from noon until about six o'clock.

The stripping of the dirt at the Lester Mine was permissible under the policy of the National Organization at the time they entered in the strike, and to repair machinery and keep up the property.

About six o'clock that day Hunter called me on the telephone and told me a flag was going to be placed over the mine. I then took some white hunting and started for the mine with Ernest Serkow to Crenshaw crossing.

I did not see any flag at the mine but heard bullets passing back and forth, between me and the mine. I then returned to Herrin. On my return to Herrin I heard some stores had been broken into and guns taken. As the situation stood at Crenshaw I did not consider it safe to venture in, looking for the flag. When I arrived at Herrin I was informed that Willis had gone to Marion to meet Hunter. He had gone about five minutes when the telephone rang and a voice inquired for him. It was my impression while at Crenshaw that the people in the mine had not kept their promise with relation to putting up a white flag.

The gentlemen who telephoned telling me about the truce having been arranged gave his name as Colonel Hunter, but I did not understand him to say what his official title was. I naturally assumed he was a man in authority from some source or other settle the situation.

I did not hear until sometime later that Henderson had been killed near Crenshaw's house, and did not hear any people say that they were going out to avenge Henderson's death. While at Crenshaw's I recognized several faces but did not know any names. That evening I also heard of another man being killed and one shot.

I returned to the office possibly at 8:00 P.M. and stayed there and around the stores until 10:00 P.M. There were a good many people in town and some had guns.

I arrived at the office around 8:00 P.M. on the morning of the 22nd, and did not see Willis until about noon. There did not seem to be many people on the streets at that time.
About 9 or 10 o'clock I heard about the killing in the woods. As I remember Sneed left Herrin about the 20th or Springfield. Hunter had informed him but I told him he left town.

**Further Examination by Mr. McCarthy.**

In his telephone conversation Hunter told me there had been shooting at the mine and probably told me that some union miners had been killed. Hunter's conversation impressed me that he was afraid the other miners would run wild and probably raise a mob and use great violence. It looked like trouble when I got out there. That afternoon I heard rumors on the street about the trouble that was about to occur at the mine, but when I got back that night I did not know where to get hold of Colonel Hunter.

I do not recall whether he told me he was calling from the Greater Miners Association or that he gave me the telephone number.

The only thing I know about a meeting at Sunny Side, Tuesday night is what I read in the paper.

**Further Examination by Mr. Love.**

Hugh Willis is at present on a thirty day's leave of absence but do not know where he could be located. To the best of my knowledge Otis Clark is living north of Herrin.

Frank L. Taylor called as a witness before the Committee having been firstarily sworn was examined by Mr. McCarthy and testified as follows:

My name is Frank L. Taylor. I reside at 922 S. Walnut St., Springfield. My position is that of Chief Clerk in the Adjutant General's office, which position I have continuously held since about April 1, 1918.

The first information was had in regard to this trouble was an item of about five or six lines in the Saturday morning paper, June 17, the substance of which was that they were preparing to operate this mine with non-union men under guard.

At that time I and Colonel Hunter discussed this item in the newspaper and it was our opinion this did not look very good on the face of it and there might be trouble. However, we did not know as to how much truth could be placed in this newspaper item. At that time, as I recall it, it was understood that Colonel Hunter would call upon some...
of the officials in Marion County and if these things were true as reported in the paper. The Colonel placed a long distance call for either the Sheriff or State's Attorney. Later in the morning he reported to me that he had talked to the State's Attorney. I believe, and he said that Duty understood that this was being done and that some of the citizens did not like it very well. Then at the noon hour we had another talk on the proposition and Mr. Sutton from the Governor's office, Secretary to the Governor, George Sutton, came down and he wanted to know if we had what action had been taken in regard to the Herrin matter, that newspaper articles, and we told him that we had made some attempt to verify the statement in the paper and it seemed like from what State's Attorney had heard, that there was some truth to it. At that meeting it was understood then that Colonel Hunter would get in touch with General Black (he was absent from the office) and convey the information to him as he had received it and get General Black's instructions as to how to proceed in the case. That, I believe, concludes what I know of it up to that point.

Yes, sir, and that was about Saturday morning. I left the office with that understanding, that Colonel Hunter would get in touch by long distance telephone with General Black and carry out whatever instructions the General gave him as to whether he should go down there or what else to do. I heard nothing more from the matter until I came back to the office a while Sunday morning. I believe at that time I found an itinerary on my desk which Colonel left, showing he had departed for Marion. Monday morning, General Black returned to the office, that is the morning of the 19th. At that time I reported to General Black about the item which we had observed in the newspaper and Colonel Hunter's call with the Marion authorities and I had on my desk an itinerary indicating that Colonel Hunter had left for that point. Later in the morning General Black said he had had a telephone conversation with Colonel Hunter and that Colonel Hunter had suggested holding two companies in readiness. The General asked me to step into his office and look at the map and see which two companies should be called, that is,
notified to be ready. When I showed General Black the geographical lay
of the companies down in that territory, it was then decided that it would
be better to hold the three companies than two. That is, Salem, Mt. Vernon,
and Cairo. The two companies north of Marion, that is Salem and Mt. Vernon,
could be got into Marion on the same train and there was some question as
to whether two companies would be sufficient to handle the situation and
I believe at that time Colonel Hunter, if I recall correctly, suggested
that Salem and Cairo be held and that was how it happened that the third
company was brought in because Mt. Vernon was between Salem and Cairo and
they would probably need additional men anyway."

On Tuesday General Black received general information that things were
quiet and troops would not be needed.

On Wednesday afternoon I was in Black's office when about 3:00 P.M.
he received a long distance call from Marion.

"The four of us officers were in the room at that time. We had a
general problem we were working out that afternoon which we all had to co­
operate on. The General was sitting at his regular position at the desk
and the telephone rang. He answered the phone and the operator evidently
told him there was a long distance call from Marion. He turned around and
said: "I had a long distance call coming from Colonel Hunter." He pro­
ceeded to talk on long distance call.

I don't know that I remember the exact words which were used but some
of the questions answered from one end of the conversation was, the General
asked Colonel Hunter if he felt that the Sheriff and the civil authorities
could handle the situation. Then following that he says: "Keep after him
and see that he stays on the job and attends to business." He might have
went ahead, as he usually does and told the Colonel to keep him informed.

But, I could not hear the other end of the conversation. I was sitting
at one end of the large desk and the telephone was over at the other.

The other officers besides myself were General Black, Colonel Shand
and Colonel Tripp. I left the office at about 4:00 P.M. that day.

About 6:00 P.M. Wednesday afternoon, General Black came out of the
office and said he received a communication from Mr. Lester in which Mr. Lester said he believed there was going to be trouble and thought perhaps troops should be called.

General Black immediately placed long distance calls for those three company commanders. He said he believed he would call those fellows and get them ready and get some information from Colonel Hunter. Without waiting for that he immediately placed calls for troops.

my duties are short of a general routine work, starting in the morn-
ing, receiving mail, make distribution of mail, opening same. Then there is a certain line of work I carry a long with that. If you want me to go into details. I handle largely the matter of issuing special orders, superintending that, making appointments, getting the matter of examina-
tions through of officers for Federal recognition, the certificates of service for en-soldiers of the service.”

Correspondence is handled by my file clerk. A report would come to my department from Colonel Hunter with reference to what had occurred at Herrin. It is dated July 5th or 6th.

“I think the report first came in in an sealed envelope to General Black and I delivered it to him. Then I think the General opened the envelope and marked it for the file and it came back into the outer office for file and I passed it on to the file clerk.”

I did not read the report very extensively. It remained in the files then until this inquiry came up before the Appropriation Committee. Anyone in the office would have access to those files.

Further Examination by Mr. Jone.

This report was discussed among us but not extensively. It had been on Black’s desk a few days before I received it. I have heard some things here which do not agree with the report.

No effort has been made to change the report to my knowledge, and I do not know of any action against Colonel Hunter because he filed an incorrect report.

“Q. What date did you say it was decided to mobilize these troops?

A. The first call was on Monday, the 19th. At that time it was
suggested that they be held in readiness, two companies, and I and the
General decided if they held any in readiness we should hold the three
companies."

We were acting on the suggestion of Colonel Hunter and this was in
anticipation of a later call.

"General Black said in his telephone conversation of Wednesday even-
ing after we came out of the office that he had received a telephone
message from Mr. Lester and Mr. Lester said he thought there was going to
be trouble at Herrin and he believed troops ought to be called."

General Black placed calls for these company commanders after his
call from Lester.

"As I understand the conversation at that time, he was going to notify
these fellows to get ready and Colonel Hunter would know if there was trouble
there. Mr. Lester was in Chicago at that time as I remember it, and General
was not sure whether Mr. Lester was well informed. It was what we called a
sort of preparatory step."

"I could not say about that. I received no more information that
afternoon. I understand the General had a conversation with Colonel Hunter
later in the evening, possibly confirming that."

"We were in his office during the afternoon. We came out of his office
about 4 o'clock and we were in the outer office when the General received this
telephone conversation from Mr. Lester and he was keeping in pretty close touch
with us in the office on these different things, so he came into the outer
office and said the substance of what he had heard from Mr. Lester, but he
said Mr. Lester was pretty badly excited and he did not know whether he under-
stood that he was talking about or not but he said,"I am going ahead and get
these companies ready so if they are called they will be ready to go."

Further examination by Mr. Howe.

I have been an official in the National Guard since February 5, 1898,
and since April 1, 1918 I have been in the Adjutant General's office. I am
familiar with the law of 1911 relative to the authority of the commander in
Chief to send troops into districts in which he is going to expect trouble
without waiting for a call of the civil authorities."
Further examination by Mr. Green.

I was not present on Monday when Hunter first called Black.

As I recall General Black notified those three companies between 4:30 and 5:00 Wednesday afternoon, which was after Hunter’s call at 3:10.

I have read Hunter’s report, and so far as I know is true in the main and in some ways it is not, according to the information I have. The part regarding the conversation of Wednesday afternoon is not correct according to my understanding. I did not talk to Hunter Wednesday afternoon. The report is not correct in this respect that General Black told him that troops could not be used unless requested by the sheriff.

Further examination by Mr. Jesse.

2. “You are trying to have the committee believe that because Mr. Lester came in here he ordered troops mobilized but not because of anything Colonel Hunter called?”

A. “Yes, sir.”

Black told me at the time that Lester appeared excited.

Richings J. Shand, called as a witness before the Committee on having been first duly sworn was examined by Mr. McCarty and testified as follows:

My name is Richings J. Shand. I reside at 1349 Whittier Ave., Springfield. I am Assistant Adjutant General of the State of Illinois, and have been since January 1, 1910.

“I was away on a two weeks’ vacation and when I reached Chicago on June 19th I noticed an article in the paper that there was some trouble at Herrin. I came down on the Alton Limited, leaving Chicago at 12:00 o’clock and went into the office at 5:00. I said how-do to everybody and told them I would be in in the morning for work. I casually inquired, I think of Colonel Taylor, if there was anything new from Herrin, and he said troops were being held in readiness. Nothing more was said and the next morning I came to the office and I talked then with Col. Taylor about..."
I asked him who sent him and he said Governor's office sent him. I asked where General Black was and he said he was at Camp Logan. A few minutes later General Black came in and I asked him how serious the situation was at Herrin and he told me when he came in from Camp Grant, where he had been attending a school of instruction, and he had gone to Camp Logan and from there to Springfield, and while at the camps Col. Hunter had put in a telephone call and missed him. He then returned to Springfield, he told me, and Monday morning he had a conversation with Colonel Hunter and told me Col. Hunter said troops should be held in readiness.

I said, "What have you done?" and he said he received a report from Col. Hunter last night that everything was quiet and troops would not be needed. I asked him incidentally if he was checking up and seeing if everything was done, and he said he was. Having been away on a two weeks' vacation, I had considerable work stacked up and I immediately proceeded to handle the work and the payrolls and worked all day Tuesday on that matter and heard no more from Herrin. I asked General Black Tuesday evening if there was anything new from Herrin and he said he had heard nothing. I naturally assumed everything was quiet as Col. Hunter was on the grounds. Wednesday morning I heard nothing until the middle of the afternoon. About one o'clock Col. Tripp, Col. Taylor, General Black and myself went into a conference for the purpose of arranging details for the fifteen day's school of instruction which was to be held at Camp Grant and Camp Custer, Michigan. We were figuring out what was necessary to do at the camps in a general way. There was a large amount of repaid work to be done at Camp Grant and we were discussing whether the State would pay it or the Government, and along in the middle of the afternoon (the reason I know the hour the telephone call came, I read afterwards in the paper that it was 3:00 o'clock and I assume it was about that time it came in. During the conversation, I turned around, as I recall, when he said long distance from Col. Hunter and nodded his head, I got up and closed the door and stepped outside in the outer office. I came back and took a peek in the door to see if the conversation was over and
ing and we were kept busy on payrolls and reports. I came back in the room
and I said to General Black, "How's everything at Herrin?" and he said,
"Hunter reports everything all right." I heard no more about it until some-
time after 4 o'clock and General Black came out and said he just got a call
from Mr. Lester, and he said, "Lester wants troops." He said, "I am awaiting
a report from Hunter, but I believe I had better notify these company com-
mmanders to get their rosters ready, so in the event Hunter calls we can get
troops out quickly." He said, "What do you think about it?" and I said, "I
think I would be prepared." He asked me, "Do you think I ought to act on
Lester's advice?" I said, "No, he is in Chicago and I would wait for word from
Hunter." Wednesday evening I was back in the office working when a call came
in from the Herald-Examiner. Nina Endeliff, my stenographer, and myself were
working when the call came. They asked for General Black and I said I didn't
know where he is. I supposed he was home. He asked if the General had ordered
troops sent to Herrin and I said, "None that I know of." He said, "Would you
know if troops had been ordered?" I said, "Undoubtedly I would." He said,
"Do you know what is going to happen tomorrow?" I said, "I do not." He said,
"There is going to be trouble and killing down there, have you heard of that?"
He said, "That is the information I have." I said, "Much obliged, I will
immediately call General Black and tell him what the situation is." It was
shortly after seven o'clock. He asked me who was talking and I in turn asked
him. I think he said his name was Jones of the Herald-Examiner. He said,
"Will you call me back if they decide troops are going?" and I wrote the name
on the pad. I don't remember his name, but I know it was the Herald-Examiner.
I immediately called General Black and I said, "General, the Herald-Examiner had
just called in and wants to know what troops were being sent to Herrin, and they
told me trouble is likely to happen there tomorrow." And he laughed and said,
"No, you are all wrong I just talked to Hunter and he says a truce has been
arranged and everything is all right. That is the story of some wild-eyed
newspaper reporters." "Yes," I said, "General, you know sometimes these news-
paper reporters get the right information." He asked me, "What would you do
in the premises," and I said, "It would depend on my faith in my representa-
tive." He said, "Hunter is to call me tonight." I heard nothing more, and
next morning when I went into the office the Associated press called in and
said there had been killing at Herrin and I think Col. Taylor and my-
self talked about it and a few minutes later General Black came in and we
told him about the killing at Herrin. The three of us got together and dis-
cussed it, and General Black put in a call immediately for Hunter."

I have nothing to do with reports and did not see Hunter's report un-
til the day the Appropriation Committee called for it, but I never examined
it.

General Black's call was to hold the men in readiness, but not to
mobilize.

Examination by Mr. Howe.

On Tuesday morning I was in conference with General Black, but there
was never any discussion had between us two as a supposed fact you could not
send troops down there until requested by the civil authorities. I was familiar
with the statutes, and knew better. I had been in similar duty at Muscogee,
Cairo and East St. Louis, but have never turned in a written report to the
office. That is only done at the request of the Adjutant General.

The filing of a report by an officer is not bad practice, however.

Colonel Tripp made report of conditions after he investigated the
Beardstown flood.

S.O.Tripp, called as a witness before the Committee having been
first duly sworn was examined by Mr. McFarley and testified as follows-

My name is S.O. Tripp. I reside at 1006 3rd Street, Springfield.
I am Assistant Quartermaster General and have been such since January 1, 1920,
continuously. During the month of June, 1922,

"I was in active duty along the Illinois River and at Camp Grant and
returned to the office on June 19th. June 19th, I was there working until the
the following Thursday, I believe. I departed for Camp Grant during the afternoon of June 21st, but while I was in the Adjutant General's Office, going over improvements at Camp Grant, submitting requisitions for supplies, labor, etc., for the next tour of duty, which was for a month, during that afternoon, I would say about one half an hour after I had been in there, there was a telephone call came in, long distance, purporting to be from Colonel Hunter at Marion. General Black answered the phone and about the only thing I heard to remember was that General Black says: "Make him do his duty. Get a hold of him and see that he does his duty." Outside of that I don't remember any of the conversation. I do remember that, however, positively. I know of no other call, no other conversation, nothing more in connection with the Herrin trouble.*

I have never seen the report sent in by Colonel Hunter.

**Further examination by Mr. Loope.**

I have filed written reports on all of my activities since I have been in the office, including my activities in Beardstown.

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

My name is Maude H. Graham. I reside at 209 E. Capitol, Springfield, Ills. I am secretary to Adjutant General Black and have held that position about two years.

I remember a telephone call from Colonel Hunter to General Black during the month of June, but cannot give you any date. My book is dated June 15th to the 20th, and I did not date when I took this down. It was however after Colonel Hunter had gone to Herrin.

General Black asked me to take the conversation over the telephone in his office. He had the received and I had what you call an extension. This conversation took place in the morning on the day before the massacre at Herrin.

(Witness reads from note book as follows:)

"Colonel Hunter: Southern Illinois Coal Company, 22 armed guards, modern rifles, 36 men dig coal, loaded cars for shipment, selling coal on market. Mr. Lester purposed to go ahead and operate mine. Workmen are members of miners
Union miners object to having these men digging coal, as a result of having this done, will produce better feeling. I think there will be trouble.

General Black: What is your recommendation?

Hunter: I would recommend that you have two companies in readiness. Last night I drove out to this mine after 11 o'clock to see what conditions were. There were two shots fired by some person. I could not find out by whom and I went on to mine property and was held up by armed guard.

General Black: Is this on a public highway?

Hunter: They are back on their own property now. Local officials here are naturally in sympathy with the local miners. They have agreed this morning to make every effort to maintain order. The Sheriff is a candidate for Assistant Treasurer and I am afraid if any trouble started he would not call to us for help or any assistance.

General Black: You tell him that he is to preserve order down there.

Colonel Hunter: He said he would. We had a talk in his office. Mr. Lester, State's Attorney and myself and Major Davis. I had Major Davis—here now. At this meeting Mr. Lester agreed to— I am afraid of the Sheriff.

General Black: You tell that Sheriff to stay on the job.

Hunter: I told him that the Governor expected him to meet any emergencies.

General Black: Speaking: Will you make me a written report today and send by special delivery?

Hunter: Yes, sir. I will send it out today. The sentiment here is very bad and I would not be surprised if anything started at any moment and X and I should be held in readiness.
The Committee met pursuant to adjournment.

SAMUEL N. HUNTER.

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

My name is Samuel N. Hunter. I reside at DuQuoin, Illinois. I am Personnel Officer of the Military Naval Department, Illinois National Guard, which is under the jurisdiction of the Adjutant General. My headquarters are in Springfield. I have been Personnel Officer almost two years, prior to which I was Lieutenant Colonel of the 130th Infantry at DuQuoin where I was also in the Insurance business. In the absence of the Adjutant General, assistant Adjutant General, Colonel Shand has charge of the office.

I left Springfield for Herrin on Sunday June 18th at 3 o'clock in the morning. Saturday, June 17th I was in the office until about 2 o'clock. I saw in the Chicago Tribune where this mine at Herrin was attempting to operate. Adjutant General, Carlos B. Black was not in the office and when I read that in the Chicago Tribune I thought there was likelihood of trouble, so I tried to get him on long distance at Camp Logan. They reported that he left Camp Logan for Waukegan, and I attempted to get him on the phone at Waukegan and they said he left there, so I proceeded on to Marion without any actual order. Colonel Frank L. Taylor, chief clerk was also in the office. His office is inferior to mine. Whenever the Adjutant General or assistant Adjutant General were absent I considered it my duty to act in their place. After reading this article

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The Committee met pursuant to adjournment.

SAMUEL N. HUNTER.

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

My name is Samuel N. Hunter. I reside at DuQuoin, Illi­
nois. I am Personnel Officer of the Military Naval De­
partment, Illinois National Guard, which is under the
jurisdiction of the Adjutant General. My headquarters
are in Springfield. I have been Personnel Officer al­
most two years, prior to which I was Lieutenant Colonel
of the 130th Infantry at DuQuoin where I was also in the
Insurance business. In the absence of the Adjutant General,
assistant Adjutant General, Colonel Shand has charge of
the office.

I left Springfield for Herrin on Sunday June 16th at
3 o'clock in the morning. Saturday, June 15th I was in
the office until about 2 o'clock. I saw in the Chicago
Tribune where this mine at Herrin was attempting to operate.
Adjutant General, Carlos E. Black was not in the office
and when I read that in the Chicago Tribune I thought there
was likelihood of trouble, so I tried to get him on long
distance at Camp Logan. They reported that he left Camp
Logan for Waukegan, and I attempted to get him on the phone
at Waukegan and they said he left there, so I proceeded on
to Marion without any actual order. Colonel Frank L.
Taylor, chief clerk was also in the office. His office
is inferior to mine. Whenever the Adjutant General or
assistant Adjutant General were absent I considered it
my duty to act in their place. After reading this article
in the Tribune the thought struck me that that situation might
develop into serious trouble, so in the absence of the Adjutant
General, I proceeded to Marion on my own initiative. In sub­
stance it stated this mine was the first mine in the state, I
believe, to operate with non-union labor during the coal sus­
pension. I then put in a long distance call for the Sheriff
and for the State's Attorney on Saturday afternoon after I read
the paper. And the Sheriff was out of his office and I talked
to the State's Attorney, Mr. Duty. He told me this mine was
operating with non-union labor under the protection of armed
guards, "thugs" he called them. I asked him if he thought there
was any possibility of trouble and he said he did not know, it
might develop into a serious situation. I told him I would leave
some time that evening and be in Marion next day. Then I caught
the 3 o'clock train out on the Alton for St. Louis, went out to
Marion on the Illinois Central, arriving in Marion at 1:45 P. M.,
Sunday noon, June 18th. In the meantime I had sent some telegrams.
I have copies of them. About 2:30 or 3 o'clock in the afternoon
of Saturday, June 17th, I sent the following telegram, of which the
one I read is a true copy, marked Exhibit 41, from the office of
the Adjutant General in Springfield, Illinois, which reads as
follows:

"Springfield, Illinois,
June 17, 1922.

"Delos L. Duty,
State's Attorney,
Marion, Illinois,

Will arrive Marion twelve thirty noon Sunday June eighteenth.
Arrange conference yourself, Sheriff Thaxton and others
interested in the situation. Both sides should be repre­
sented at this conference. Governor Small is very anxious
that trouble be averted.

(Signed) Samuel N. Hunter, Colonel."
The telegram I sent to Major Davis reads as follows:

"Springfield, Illinois, June 17, 1922.

Major Robert W. Davis,
120th Infantry, Carbondale, Ill.

Arrange to go to Marion with me tomorrow on noon train in uniform.

(Signed) Hunter, Colonel."

I received no reply to these telegrams, then I made preparation to go to Marion and I left Springfield on the C. & A. at 3:15 or something like that, arriving Sunday Morning June 18th early, and at Marion at 1:45 P.M. On arriving at Carbondale, Major Davis met the train as per instructions of my telegram to him, and accompanied me to Marion. On my arrival at Marion we called on the Sheriff and were informed by him the situation at the mine. He said that this Coal Company had violated an agreement that they had with the union miners about stripping the dust off of the coal, that they had employed, or had permission from the Union to strip this dust off during the strike, but not permission to mine coal, but he said when they got the dust stripped off they discharged union miners and employed non-union workers and imported gun-men to guard them and he wanted me to go out to the mine myself and make an investigation. He said guards were patrolling on a public road; they had been in the habit of holding citizens up on this public road and in some instances they had been abusive to people traveling on that highway, and he wanted me to go out and make an investigation of conditions in the mine myself, so we decided to go after dark. We were in uniform and we thought if the guards saw us approach the mine in daylight they would not hold us up, so we had lunch then. And we talked to persons on the streets and on the public square and
Sunday evening I got an automobile and in company with Police Officer Thornton of Marion we drove to the mine. At a point in the highway that leads from the public road to the mine, we were halted by four guards. Two of them had guns. The chauffeur stopped the car and we got out. They told us to get out. We got out of the car. They threw a flashlight on us. They noticed my uniform and they said everything was all right. I told him I wanted to see the Superintendent and asked who he was. He said it was McDowell. He got on the running board of the car and went to the office. I asked for the Superintendent in charge of the mine. He said he was in another room. I was taken into a side room and introduced to Mr. C. K. McDowell, who said he was Superintendent in charge of the mine.

We had just headed the car off of the main road into this mind road when we were halted.

Refreshing my recollections from notes: I told Mr. McDowell that I was down to make an investigation of conditions as a result of the operation of their mine. Mr. McDowell said his men were members of the Steam Shoveler's Union but not of United Mine Workers. I asked McDowell how many employes. He said about 80. They were divided into classes—track men, shovel men, guards and commissary. I asked him how many were guards. He said 82. I asked him: "Are they all on duty all the time. He said no. "Delaney is Guard Captain and attends to changing shifts." I asked McDowell if he had been molested in any manner by union men. He replied no. Or had been threatened, and he said no. He said he had heard I was in Marion. Mr. McDowell said it would be well if I would put a company/troops around the mine and then he knew there would be no trouble. Also, said that if I would give
him a company of troops that he would discharge private guards and that would be a saving. I asked McDowell if he had apprehension for the safety of his men and he said no. He felt his guards were able to cope with any emergency but that he would prefer to have troops as guards. He said he had outside men who advised him of the situation in Herrin. Advised McDowell that I had conferred with the sheriff. Further advised McDowell, in my opinion he had better close the mine down as I thought there was serious danger ahead.

I had conferred with the sheriff when I first arrived in Marion. He told me he had about 30 deputies, but 3 was all I ever saw.

Advised McDowell that in my opinion he had better close the mine down as I thought there was serious danger ahead. In my opinion the operation of the mine in such a union stronghold, they were patrolling on a public highway, holding up traffic in a peaceful community and in my opinion it was a public menace and he was inviting union miners to violence. McDowell said his Company had a considerable amount invested in the property and thought they were determined to operate the mine. He said he had operated in other strikes and that he could, also, run this mine. Said he had operated in Kansas, Ohio, Colorado, under more unfavorable conditions than existed here. I told McDowell that if, in my opinion, troops would be needed to protect life and property that I would not hesitate to recommend that troops be sent in, but that I did not or would not entertain them as private guards to serve a company's interest and save company's expenses. He said he knew of several cases where troops had been used in that manner in the past and that he believed the Company would make me an interesting proposition if I would
secure the company of troops as guards, advising proper officials that they were needed to protect the mine. I advised McDowell that I would keep in touch with him, also, the Sheriff and would advise Sheriff to call for troops at such time as he thought they were needed and not before, for any cause. Further stating that such service would be unfair to troops and everybody else concerned.

Then I returned to Marion. McDowell based that request not for protection but as a matter of economy at that time. That was Sunday night. He said he had heard shots in the community but he could not say they were fired at any of his employed or at the mine. Police Officer William Thornton was present when this conversation took place and a fellow by the name of Finley, who was time-keeper for the guards at the mine. Major Davie had returned to Carbondale on the 6:40 train. While I was in this room talking to McDowell Police Officer Thornton was out in the other room talking to this fellow Delaney, Guard Captain. After having this conversation with McDowell I returned to Marion, interviewed a few fellows whom I thought were miners. They said there would be trouble if the armed guards kept up their tactics. Everybody would tell you the guards had been in the habit of holding travelers up on that public road. I talked to a young man who had been held up. He worked in some restaurant on North Market Street in Marion, and another fellow by the name of Binkley, an American boy, and another fellow by the name of Claude Holmes, a taxi driver. This conversation took place on Sunday the 18th. They told me they were driving past the mine late one evening. This Mr. Holmes runs a taxi cab and he said he had a passenger to take out in the country and they were on this road past the mine and he reported to me that they were driving along this road
when the armed guards halted them with guns drawn on them, de-
manded that they get out of their car and after they got out
they told them to hold their hands up, and after they had their
hands up they searched them, and one of the boys became tired
and dropped his hands to his side and the guards struck him in
the face several times, and after that they left them proceed
on their way but warned them not to travel that road any more.
I think he said that occurred on the evening of the 16th or 16th
then on Monday morning, June 19th, I was invited to attend a con-
ference in the office of State’s Attorney Duty of Marion. At
this conference there was Mr. Lester, the President and operator
of the Southern Illinois Coal Company, Sheriff Melvin Thaxton,
State’s Attorney Delos Duty, Major Davis and myself. At this
conference Mr. Lester said that he was determined to operate
his mine despite advice to the contrary. I advised him that
it would, perhaps, be well to close the mine down for the
duration of the strike, or at least temporarily until the ex-
citement died down. The Sheriff and the State’s Attorney advised
me that they had advised him to that effect previously. At the
conference Mr. Lester called on the Sheriff to swear his guards
in as Deputy Sheriffs. The Sheriff refused. Lester made written
demand on the Sheriff for protection and the Sheriff agreed to
give him that protection. This is a copy of a letter from Mr.
W. J. Lester, President of the Southern Illinois Coal Company,
dated June 18, 1922, addressed to Melvin Thaxton, Sheriff of
Williamson County. Mr. Lester mailed this copy to me and I saw
the original that day. The letter reads as follows:

"June 18, 1922.

Melvin Thaxton
Sheriff of Williamson County
Marion, Illinois."
"Dear Sir:

The Southern Illinois Coal Company is operating a coal strip mine on the Chenoweth Farm about four miles northwest of Marion, Illinois under the International Brotherhood of Steam Shovel and Dredgemen Union. We have our plant, which is an expensive one, and easily damaged, insured heavily and are obligated to guard the property against possible damage from riot. Our men board on the property.

"We have heard rumors that we may expect trouble and therefore, herewith request you to be ready to give us prompt and efficient protection to our property and our men.

"We suggest that you appoint ten to twenty of our men as deputy sheriffs and are ready to furnish bond to protect you in the usual way.

"Our watchmen have been carefully instructed and the notice posted that they are not to leave the property without permission and that we are only concerned in the protection of our men and machinery on our own ground.

"In case of threatening danger we will communicate with you as promptly as possible and will see that the law is strictly complied with at all times.

"We learn that there has been some criticism that we have closed a public road without permission. This is erroneous. The County Supervisors more than two months ago gave us the permission to temporarily cut the road after first making a suitable detour road around the work. The new road, marked properly with detour signs, has been open to and used by the public for about a month."

Yours very truly,

(Signed) Southern Illinois Coal Company
by W. J. Lester, President."

The letter was marked Exhibit B. I saw the original that day and asked him to make me a copy of it and he said he would do so, and did mail it to me, so that is the copy I read. I cannot remember just what date I received it. The Sheriff refused to swear in Mr. Lester's guards as Deputy Sheriffs but agreed to afford him ample protection. After the conference I advised Mr. Lester that I did not believe that the Sheriff would make any
effort to prevent any trouble and did not believe that he could be depended upon under the circumstances, and I advised Mr. Lester again to close his mine and he said: "I will be damned if I will." I called General Black at 11 A. M. and talked at 11:15 A. M. after the conference, and after talking to the union miners on the streets in Marion. I advised the Adjutant General that the situation was serious, that I did not have any confidence in the Sheriff, that he was a candidate for public office and told him that I thought troops were needed - two companies, I. and K. as Lester was determined to operate the mine. Here is the call prepared by the Telephone Company. That is a copy of a statement prepared by the Murphysboro Telephone Company of my telephone reports from Marion, Illinois to the Adjutant General at Springfield, Illinois, General Black, giving the hour and minute the call was placed and the hour and minute at which I talked.

The statement was marked Exhibit #4.

I received this copy from the manager of the Marion Telephone Company at Marion. Earl Miller of the Associated Press was with me when I got the document. At no other times did I talk except as is listed on that statement. Exhibit #4 is a list of all telephone calls I made to General Black in regard to conditions as I saw them. Exhibit #4 is as follows:

"TO MURPHYSBORO TELEPHONE COMPANY, Dr.
Toll Line and Messenger Service.

<table>
<thead>
<tr>
<th>Date</th>
<th>Party Calling</th>
<th>Party Called</th>
<th>Echg. Called</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>June</td>
<td>Col. Hunter</td>
<td>Gen. Black</td>
<td>Spfld.</td>
<td>11:00 AM 11:15 AM</td>
</tr>
</tbody>
</table>

Re troops.
Toll Line and Messenger Service (Continued)

<table>
<thead>
<tr>
<th>Date</th>
<th>Party Calling</th>
<th>Party Called</th>
<th>Song Called</th>
<th>Time Placed</th>
<th>Time Talked</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>Col. Hunter</td>
<td>Gen. Black</td>
<td>Spfld.</td>
<td>6:05PM</td>
<td>6:18PM</td>
</tr>
<tr>
<td>20</td>
<td>&quot;</td>
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<td>&quot;</td>
<td>7:35PM</td>
<td>7:45PM</td>
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<tr>
<td>21</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>3:10PM</td>
<td>2:15PM</td>
</tr>
<tr>
<td>21</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>1:25PM</td>
<td>1:37PM</td>
</tr>
<tr>
<td>21</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>6:17PM</td>
<td>5:46PM</td>
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<tr>
<td>22</td>
<td>&quot;</td>
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<td>&quot;</td>
<td>11:00AM</td>
<td>11:15AM</td>
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<tr>
<td>22</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>4:07PM</td>
<td>4:44PM</td>
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<tr>
<td>22</td>
<td>&quot;</td>
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<td>&quot;</td>
<td>5:41PM</td>
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<tr>
<td>23</td>
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<td>&quot;</td>
<td>6:56PM</td>
<td>5:57PM</td>
</tr>
<tr>
<td>23</td>
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<td>&quot;</td>
<td>11:30AM</td>
<td>12:00 Noon</td>
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<tr>
<td>23</td>
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<td>&quot;</td>
<td>8:25 PM</td>
<td>8:54PM</td>
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<tr>
<td>23</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>6:40 PM</td>
<td>6:22 PM</td>
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<td>11:22 AM</td>
<td>11:40 AM</td>
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<tr>
<td>24</td>
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<td>12:25 PM</td>
<td>1:37 PM</td>
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<tr>
<td>24</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
<td>2:43 PM</td>
<td>2:59 PM</td>
</tr>
</tbody>
</table>

I made a note here that it was my plan if troops had been sent, to march troops to the mine to escort the men out of the country, to call on the men individually if the management refused to close down. It was my idea that if you removed the cause for riot you would not have any riot. The easiest way to avert that riot would be to remove the cause and the cause was the armed guards on the public road. The Sheriff told me there were armed guards on the highway at the mine and I advised him to put them under arrest, and he told me he wanted to be fair to the company. At the time I was held up on the road two of the men were armed. One of them had a 45 automatic pistol and the other had a rifle. I could see them. I reported that to the Adjutant General, as I have read, and the Adjutant General said to me: "Lay down on that damn Sheriff. Have him do his full duty. I cannot send troops until requested by the Sheriff." I then advised him to hold two companies in readiness, as I thought they would be needed. This conversation occurred about 11:15 on Monday in that first telephone call. After talking to the General I called at the Sheriff's office to advise
him to comply with the Governor's and Adjutant General's re-
quiest to swear in sufficient number of deputies to control
the situation. He said his regular force sufficient and that
troops would not be needed. I had advised the Sheriff of my re-
port to the General and that troops were being held in readiness
or would be mobilized and held in readiness. Then I drove to
the mine in the afternoon with Senator Sneed, Sheriff Thaxton and
some newspaper men. Mr. McDowell again renewed his plea for
troops and then he offered me $50 a day if I would give him troops
to act as private watchmen. I told McDowell that I would not
recommend troops to be used in such a manner, but that at such
time as troops were needed to protect life and property, that I
would not hesitate to ask for them. McDowell and I were stand-
ing near a large steam shovel and I did not know at the time that
any one heard the conversation but I later learned it was heard,
which came out in the testimony at Marion. Robert Drobeck from
Johnston City was with us and heard the conversation. I again
advised McDowell to close the mine. In my opinion the situation
was serious. He said he had broken other strikes and would break
this one. That if trouble started he would prepare to hold out
until troops arrived. I told McDowell I did not believe the
Sheriff fully appreciated the seriousness of the situation. Mr.
McDowell found I felt he was bringing murder down upon his own
soldiers and that if any lives were lost he would be largely res-
ponsible, and I was introduced to Mr. Shumaker who came up at
that time. Was introduced to Shumaker as the Assistant Superinten-
dent. I have a notation here that the employees appeared to be
uneasy. Three asked me if I had heard of any mob being formed.
I told them they were in danger. Observed a large quantity of
arms and ammunition. In the mine company's office of the
Southern Illinois Coal Company. Right at the mine, the arms
consisted of two dozen or more 30-30 high power Marlan rifles
and about 75,000 rounds of ammunition. I did not ask McDowell
to explain why they had that ammunition but somebody, I think
it was Mr. Drobeck, asked that question while we were talking and
Mr. McDowell's reply to him was that they were to hunt ducks with.
That is his reply as I remember. I had been advised that the coal
company had machine guns planted around the mine but I failed to
locate any machine guns. We returned to Marion, talked with miners,
called on the Sheriff and advised him to swear in a large force
of deputies and advised the sheriff that the Adjutant General was
holding troops in readiness to respond to his request. We went
to the mine, I think, between 1:30 and 2 and we must have re­
turned from there about 4:30 or 5.

It was at the 11 o'clock telephone communication that the
Adjutant General told me he would hold troops in readiness. There
were present at the time I made this visit to the mine Senator
Sneed, Mr. Thaxton, Drobeck and some newspaper men. Especially
a photographer of the Chicago Tribune, who has been run off of the
property that morning. He went back with us that afternoon. His
name was Tinley. Then we returned to Marion. I failed to locate
any machine guns. Returned to Marion, talked with miners on the
streets, called on the Sheriff and advised him to swear in a large
force of deputies, advised the sheriff that the Adjutant General
was holding troops in readiness at his request. Called General
Black at 6:05 P.M. and talked at 6:18 P.M. This was my second
report to Black. I advised the general that the sheriff had not
sworn in any additional deputies and repeated that I did not believe
he could be depended upon in getting non-union men out of the county or protecting mine property. The General said that the Sheriff had not asked for troops and I told the General that the Sheriff said Troops would not be needed.

I have read from my notes which were made by me at the time. Then Tuesday, June 20th, I called on the Sheriff and repeated to him then that he swear in deputies, and as usual he replied that he had the situation well in hand. I was invited by Judge Morgan of Herrin to attend the Lion’s Club of that city. Accepted the invitation. After our luncheon the Lion’s Club of Herrin voted to cooperate with the local civil officers of Williamson County in attempting to keep order and suppress violence. After the Lion’s Club luncheon, was advised that a mass meeting was being held at Sunnyside Mine near Herrin. Had been held that morning. The report I made to the Adjutant General is based on these notes.

I advised the Sheriff, upon my return to Marion, of this mass meeting of Sunnyside mine at Herrin, asked him to make an investigation of it and determine what might be the possible consequence of the meeting. He said that he would. I called the General at 7:35 P.M. and talked at 7:45 P.M. I advised the General of the Lion’s Club meeting at Herrin, of the miners mass meeting and told him that I reported that mass meeting to the General and called on the Sheriff again and he said he had the situation well in hand.

Then on Wednesday, June 21st, I called at the office of the Sheriff. He was out. The deputy informed me that everything was quiet. He said there had been no disturbance through the night and that he did not expect any. I asked the Deputy Sheriff if the Sheriff had sworn in any new deputies and he said not to his knowledge. I called on the State’s Attorney and he called
the Sheriff in. Advised Sheriff in the presence of State's Attorney Duty to comply with Governor's request in swearing in a large force of deputies to handle the situation. I was acting more or less as his representatives, through his department. Making the request as the official representative of the Governor Mr. Duty said that he had advised the Sheriff not to ask for troops, that if he were Sheriff he would not ask for troops under any circumstances. Then I left the Sheriff and State's Attorney and went down on the streets again. I then called on Mr. C. R. Edrington and advised Mr. Edrington that I could not impress upon the Sheriff the seriousness of the situation and that he refused to act. Mr. Edrington and I agreed to organize a Citizens' Committee of reputable business men, mine officers, union officials and union miners, in an attempt to discourage mob violence, or the formation of any mobs. Mr. Edrington called Mr. McLaren, I think his initials are A. B.; Mr. Ralph Mitchell and Mr. William Rix, and if I am not mistaken, an attorney by the name of Warder, Mr. Will Warder. They came to the office of Mr. Edrington, the Greater Marion Association, and we decided to have another meeting later in the afternoon or evening and have more present to perfect this committee and outline a plan for functioning therein. It was generally agreed that something in all probably would happen. This was about noon of June 21st. Then at 1 P.M. I was advised that a truck load of men had been fired upon and robbed from Carbondale to the mine. Those were non-union men being imported overland from Carbondale to the mine of the Southern Illinois Coal Company. I got this report in Mr. Edrington's office and immediately went to see the Sheriff, to advise him
of this reported attack on the trucks and was informed at the Sheriff's office that he had gone to investigate this report himself. Then at 1:15 P.M. I was advised of raids being made on the stores at Herrin, stating that the Herrin Supply Company, Turner's Hardware Store and Bracy's store had been raided. It was estimated that approximately 5,000 rounds of ammunition had been taken from the stores. I got that information from two different sources. One from Mr. Paisley, the editor of the paper at Marion and from a police officer at Herrin. I called the police after I heard it. Then at 1:25 P.M. I called General Black and talked at 1:57 P.M., advised him of the reported attack on the truck and of the raiding of the stores at Herrin.

Advised the General of attack on the truck of the raid on those stores, and advised him that the Sheriff could not be found and that he was reported out of the county. The General inquired if I had advised the Sheriff of the attack. I told him no. That I could not locate him. That he was out of the county. However, I talked with some deputy Storms I believe and advised him of this reported attack on the truck and he said the Sheriff had already gotten the news and was making an investigation. Then the General ordered me to get after the Sheriff again and have him do his duty. I told the General the Sheriff was out of the county but I would try to get the Deputy to act. I asked the deputy to take some deputies to Herrin and investigate conditions there and to disburse any mobs, if there were any, or any forming. The General said: "Let them damn fools go to it. Some of them will get killed off. Maybe they will quit."

I was in Marion when I received the report that raids were going on at Herrin and then Mr. Oldham Paisley called the hardware stores in Marion advising them to hide their guns and
ammunition. We feared a raid of the stores at Marion and they did attempt to raid them.

At 3:10 P.M., this is Wednesday, June 21st, Mr. McDowell phoned me that a crowd of miners had marched on his mine and had attacked the mine and about 500 shots had been exchanged. I asked McDowell if there were any casualties so far. He said not on his side but "I am sure we have got two, maybe three of the union men." Said that he was trying to locate the Sheriff by phone to ask for protection. Mr. McDowell asked me to send troops. He asked me to help him locate the Sheriff and convey his request. I agreed. I called the Sheriff's office. He had not returned. I then instructed Dudley Storm to take all available deputies and go to the mine to stop the fight and disperse the mob. McDowell had called me on the telephone from the mine. I was in Mr. Edrington's office, which I made my headquarters. I then advised the deputy sheriff, in the absence of the Sheriff, that he should phone the adjutant general for troops. He said he thought they could handle the situation. At 3:15 P.M. I talked to General Black and advised him of the attack on the mine, of the killing of the two union men, and that I could not find the Sheriff and, also, transmitted to him McDowell's request for troops. General Black advised me to see to it that the Sheriff got on the job, and told me to stay in the clear, that he could not send troops yet as the civil authorities had not requested them.

I tried to locate the Sheriff. In fact, we were phoning for him all afternoon. At 3:50 P.M. McDowell called, stating that the mob was increasing. Inquired if I had located the Sheriff. I told him no. Told him the Deputy was on the road to the mine. The Deputy said he could handle the situation.

At 3:50 P.M. the Assistant Superintendent, Shumaker, called.
He reported one of Lester’s men shot. McDowell then got on the wire and asked if I had found the Sheriff. I advised him no. Continued efforts to locate Sheriff. At 4:14 I called McDowell. Told him Sheriff could not be found. He then asked me to advise him what to do. I suggested a truce to Mr. McDowell. Mr. McDowell agreed to truce on any reasonable terms. I called Mr. Fox Hughes at Herrin who is an officer of the Miners’ Union and suggested a truce and that hostilities cease. The term of the truce as follows: Both sides to run up a white flag and cease firing. Men be permitted to leave in safety and property not be destroyed. Mine to cease for duration of strike. Mr. Hughes thought that could be arranged and thought it would be acceptable to the union miners. Then I called Mr. Fox Hughes again at 5 P.M. and Hughes said he was of the opinion that this would be agreeable. At 5:45 P.M. I called McDowell and told him of my agreement with Mr. Hughes. At 6 P.M. again I called Mr. Hughes to ask if they had gone. I asked him to go to the mine with other officials of the Union under a white flag, as I had suggested.

When I reported the situation to the Adjutant General and asked that troops be sent, he (Adjutant General) said the Sheriff had not asked for troops. About the only omission in the report that I have in my notes is “let them damn fools go to it. Let them fight it out. Let them go to it.” I did inform the Adjutant General that two union men had been killed, and I think the report shows it. I did not permit my judgment to be governed by the opinion of Mr. Duty or the Sheriff or Mr. Edrington. My last report on Wednesday, I think, is at about 6 or 7 o’clock. The Adjutant General maintained all the way through that he could not or would not send troops until re-
quested by civil authorities. I did not talk to the Adjutant General after that nor did he to me, that day, until the next day.

After 7 o'clock in the evening of Wednesday June 21st I continued my efforts to locate the Sheriff, tried to induce him to take action to stop that fight and get him to ask for troops, and I did not see the Sheriff until 10:30 that evening. I then tried to induce him to call for troops and asked him to get his deputies and go to the mine. There were also present deputies Schaffer, Major Davis, Hugh Willie, Fox Hughes and I think Judge Hartwell. I told the Sheriff what I knew had occurred during the day. Told him about the truce, advised him to call on all his available deputies and go with Major Davis and I to the mine that night and see that the truce was carried out. He said he was tired and worn out and preferred to wait and go Thursday morning and I suggested that we leave at 6 o'clock the next morning. I suggested that if he did not swear in deputies he should ask for troops. I arranged that truce in good faith and I had hopes that it would be observed, although I was a little shaky. After the truce had been observed there would have been no necessity for troops.

After that we adjourned, went back to Mr. Edrington's office, sat around and tried to get reports the best we could until about 8 in the morning, Thursday morning. While at the office I attempted to call the mine, but the telephone wires had been cut.

During one of my conversations with Mr. Duty I asked him to request that the Sheriff ask for troops.

Q. At that time did you believe it was necessary, before troops could be called, that request come from the official authorities?
A. Well, there seemed to be some argument on that question. I was not right clear on it but I did not think that was the case.

Q. Did you believe, at that time, that you could have sent in the request for troops, yourself?

A. Yes, sir. I did.

The next time I talked with General Black after 7 P.M. on the 21st was 10 or 11 o'clock on the 22th. Thursday morning I went to the Sheriff's office at 6 o'clock to find the Sheriff to go to the mine and he did not show up at his office. I could not find him until 8:30. Major Davis was with me. We found no one in the Sheriff's office at all. The arrangement was to meet at the Sheriff's office at 8 o'clock. I had suggested to him 5 or 6 o'clock Thursday morning but he said 8 o'clock would be soon enough and that was the date he said to meet at his office. We were going to meet at the Sheriff's office and from there go to the mine with some deputies and the men were going to come out from under this flag, be escorted to Herrin, loaded on a train and sent out of the County. This plan had been given to the mine officials, Mr. McDowell and Mr. Lester. The understanding was that at 8 o'clock the union officials would meet with the other officials and go to this mine to carry out the truce. That arrangement was made in the office of States Attorney Wednesday evening between 10:30 and 12. I had talked to McDowell early in the evening and he refused stating he preferred to wait and go next morning in daylight. The truce was arranged with Mr. McDowell before the telephone lines were cut. I did not talk with Mr. McDowell after our conference in the State's Attorney's office.
We did not locate the Sheriff at 6 o'clock the next morning so we looked around on the public square for the Sheriff and finally found him at 8:30 walking across the square. We got in the car, Major Davis and I with the Sheriff and Deputy Schaffer and went to the mine. We arrived at the mine and learned that the non-union men had surrendered, supposedly in accordance with the truce and had marched down the road in the direction of Herrin. I imagine we arrived at the mine about 8:45 or 9 o'clock, in the neighborhood of that and after we arrived at the mine the mob was rapidly increasing and they were streaming into the mine, destroying property, trying to burn cars, setting fire to practically everything that would burn, and we began to try to get the fellows to stop the wrecking of the property and burning of cars. About the time we were doing that this killing was going on in the woods a little prior to this time. Perhaps a little earlier than that time. The killing in the woods took place almost three miles from where we were.

The Sheriff was not present when the truce arrangement was made on the 21st but Major Davis, Hugh Willis and Fox Hughes were present when I told him the terms of the truce. In my opinion the killing in the power House woods took place between 8 and 9 o'clock on the morning of the 22th. Mr. McDowell was killed earlier than that. I did not communicate with General Black on the morning of the 22th prior to 8 o'clock and neither did he with me, directly or indirectly. I put in a call to the Adjutant General at 11 o'clock A.M. and talked at 11:15. After I had been out at the mine, I left the mine, went back to Marion to tell him that the nonunion men had surrendered to the union men and were on their
way to Herrin to be sent out of the county in accordance with
the truce, and at that time the General told me that he had
received word that several of them had been killed on the
march to Herrin. While at the mine I tried to stop a large
crowd from setting fire to the cars. I also found broken
machinery. I did not have any authentic reports about any
killing at that time. After I returned to Marion from the
mine I called the adjutant General and he told me he got the
report that some of these men had been killed enroute to
Herrin, so that Major Davis and I and Judge Hartwell, I think,
got in the car and drove over this route taken by the union
men with their prisoners and made an investigation.
This was between 11:30 and 12 o'clock. At the time I talked with General Black I did not know that any persons had been killed. I did not believe anything had happened at the mine, because I had just left there. When I left that mine to go back to Marion, my idea was to report to the Adjutant General that these men had surrendered and were on their way to Herrin to leave the county, and when I was talking to him he said he had just heard that some of them had been killed and asked me if it was true. I told him that I had not heard it but I would go back over the route taken by the union men and prisoners and make a report to him later, which I did.

The mine is located about half way between Marion and Herrin and about four and one-half miles from Marion. The shooting took place west of the mine, approximately six and one-half miles from Marion. In driving along the road we found where Superintendent McDowell had been killed, where his body had lain by the road and we were told McDowell had been killed there. Then we drove on to the power house woods. We saw pools of blood on the ground near a barbed wire fence, and we were told men were shot down there. Then we drove on to Herrin, Illinois to the Morgue and viewed the dead bodies and the wounded in the hospital. At 4:07 P. M. I called the General and talked at 4:44 P. M., verifying the report that there had been some men killed. I then wired the Governor. That is a copy of the telegram.
June 23, 1922.

Governor Len Small,
Waukegan, Illinois.

I consider the crisis over and see no need for troops at this time. I think local authorities should have asked for troops before the rioting started. I did not consider at any time they would be able to meet the emergency. Consequences verify this belief. I have used every effort in a mediatory manner to prevent what occurred and have reported to General Black over phone at every opportunity the situation and the efforts made by me to avert the trouble. Sheriff advises me he will make every effort to apprehend guilty persons. Coroner's verdict not returned up to date.

(Signed) Samuel E. Hunter.

(Telegram was marked "Exhibit 5" April 12, 1923)

Here is a copy of a telegram from the Sheriff to the Governor.

Marion, Illinois,
June 22, 1922.

Hon. Len Small, Governor,
State House,
Springfield, Illinois.

20 to 30 Deputies on duty. Everything done possible to restore order and protect property. Everything quiet. Under complete control at this time.

(Signed) Melvin Thaxton, Sheriff.

(Telegram was marked "Exhibit 6" April 12, 1923)

Here is a statement by Major Robert W. Davis, 130 Infantry.

Carbondale, Illinois,
September 21, 1922.

"A rumor has come to my attention to the effect that Colonel Hunter on Wednesday evening June 21st, 1922, called Adjutant General Black on the long distance telephone from the office of State's Attorney Delos Dutty advising General Black that troops would not be needed in Williamson County in connection with the Lester strip mine trouble, such a rumor is absolutely false. I was with Colonel Hunter all the time he was in Mr. Dutty's office and left there when he left and I deny this false rumor in justice to Colonel Hunter.

(Signed) Robert W. Davis."
Here is a letter I received from Mr. Lester.

"Chicago, Illinois,
June 21, 1922.

"Colonel Sam Hunter,
Adjutant General's Office,
Springfield, Illinois.

Dear Sir:

I take pleasure in enclosing copy of the letter I presented to the Sheriff of Williamson County at Marion, Illinois in your presence, June 19th, and you will note that I asked him to make some of our men deputies, but that he thought that was a bad move and impracticable.

You will remember also that I did not press this point but placed upon him the responsibility of guarding our camp in the manner he sees most fit.

I have been in Chicago since Monday night but have heard no demonstration or trouble of any kind around our camp or at Marion. I believe your promptness in visiting the camp has saved everyone a very vicious time. I certainly not only appreciated your presence at Marion but the very delicate and masterful way in which you handled the situation.

I took the reporters of the local papers to the camp and they gave me some fairly good writeups which helped to quiet the situation. I intended to drop over to see you tonight at Springfield just to get what advice you might be able to give me as to my future course of action but I am unable to do so as I have business at Marion connected with the coal end of the work. If you do not think I am doing as well as I could do, under the circumstances, I would very much appreciate your writing me at Marion.

Thanking you again for your courtesy, I am

Yours truly,

(Signed) W. J. Lester

President.

(The letter was marked "Exhibit 9", April 12, 1923.)

I made no reply to this letter.

I have been a member of the Illinois National Guard since 1915 or 1916. My military record extends back to 1907 as a member of the United States Marine Corps. I went in as a Private in 1907. Was a private until 1917 when I was commissioned a Major in the Illinois National Guard.
Guard. Then I was Major of the First Battalion of the 9th Inf. and Lieutenant Colonel of the 4th Infantry, and Colonel of the 130th Infantry, and then on the General’s staff as Personnel Officer. I was discharged from the Marine Corps on account of physical disability in 1908.

I had considerable experience with reference to strikes and riots down in that particular region of the country where this trouble occurred. I was present at West Frankfort in 1921 when they had a race riot. DuQuoin, where I have lived eleven years, is forty or forty-five miles from Marion and is on the north edge of the big coal field. I have done some work around the mine and am familiar with conditions that prevail in the mines as well as the workings of the miners’ union.

The union vote in Williamson County is 75 or 80 per cent of the total. During the riot Sheriff Thaxton was a candidate for County Treasurer.

FURTHER EXAMINATION BY MR. IGOE.

Thaxton was subsequently elected.

Prior to my going to Marion on June 17th, I conferred with Mr. Sutton, the Governor’s Secretary. I told him that they thought likely it would develop into a very serious situation down there and he decided it would be a good idea for me to go down. I had practically decided on going to Marion before I talked with Mr. Sutton and he agreed it would be a good idea. General Black at that time was reported to be in Camp Logan, I think, but I tried to get him on the phone but they said he had gone to Waukegan. Camp Logan is north of Chicago and three or four miles from Waukegan, and is known as the old rattle range near Zich City.
There was no one in authority in the office above my rank at the time this information came in.

Prior to my going to Marion I had wired the State's Attorney to arrange a conference but he had not done it. We were not met. We called on the Sheriff right away. I had at different times heard rough-necks say they wanted to know who invited me down there.

Major Davis and I were in uniform at that time.

(The report of events by Colonel Hunter to General Black was marked "Exhibit 9" April 12, 1923)

In that report I have substantially recorded all of the things that occurred at the scene of the trouble. The report was started on June 19th, then facts added to it day by day. I was filed with Adjutant General on or about July 5th. It is my impression that Major Davis signed one of the copies. I presented it to him after it was prepared and asked him if there was anything wrong in it and if any corrections were to be made. He had no suggestions to make. The Adjutant General has never told me that this report is incorrect, nor have any charges ever been preferred against me. Separation from military service can be had by reason of physical disability, inefficiency, and incompetency. The method by which separation is had if an untruthful report was deliberately made would be by court martial. This procedure is set forth in the Military Code in the State of Illinois. No Court martial proceedings have been instituted against me. I am a line officer, butt on the General's staff, put on by the executive power of the Governor.

The only thing the Governor said to me in regard to this report is the following letter:
"Kankakee, Illinois,
July 17, 1922.

"Colonel S. S. Hunter,
Adjutant General's Office,
Springfield, Illinois.

Dear Colonel Hunter:

On returning to my office at Kankakee for a short period this morning, I find your favor of July 6th regarding your report of the Williamson County mine riots.

Thank you for the information given.

(Signed) Len Small"
guards. Advised that two workmen who had arrived in Marion Monday morning, June 19th, for the purpose of working at
this mine had been ordered to leave town by a crowd of union miners. These two men informed the crowd of union miners
that they did not know the conditions at this mine and had been misinformed about it being operated on a non-union basis,
stating that they were union men but did not have enough money for railroad fare back to Chicago. The union miners then made
up a purse and bought them tickets to return to Chicago. Advised that Sheriff Thaxton was a candidate for County Treasurer
and that I had little confidence in his expressed determination to do anything or take any steps that would incur many possible
dislike from the union miners on strike; that in my opinion the union labor vote of Williamson County was about 75 or 80 per cent of the total vote and for that reason
I doubted very much if he would exert himself to any great extent in protecting the property of the Southern Illinois Coal Company. In view of this feeling, I advised you that
it would be well to hold in readiness Company K and Company I of the 130th Infantry for any emergency which might arise
and which I felt certain was inevitable if Mr. Lester carried out his determination to operate his mine." After I had
reported all this information to Black he told me he couldn’t send troops until requested by the civil authorities and then
I advised him to hold two companies in readiness. I found
out that the civil authorities did not want troops down there,
and there was a time when State’s Attorney Duty said if he
were Sheriff he would not ask for them under any circumstances.

In going from Marion to Herrin you would pass by the mine,
but there is a better road, perhaps a mile from the mine.

After talking with Adjutant General I told him to hold
in readiness two companies of the 130th Infantry of which I
was the Lieutenant Colonel. I accepted his word for it that
he would mobilize them. There was a company at Mt. Vernon
within 60 miles, one at Salem within 80 miles, and one at
Cairo within 60 miles. It would take a company at Cairo
about an hour and a half to mobilize, and 3 or 4 hours to
reach the mine on a special train. You would also have good
service from Salem and Mt. Vernon. I was repeatedly advis-
ing Springfield to send down troops, because it was my plan
to take the men out of Herrin. Senator Sneed was in Marion
Monday, the 19th, and went to the mine with me, and then, as I understand it, he left Herrin that night, and came to Springfield. I think the riot was over when he returned, although he didn’t leave Herrin until Tuesday afternoon or evening. I heard rumors of an indignation meeting held at Sunnyside mine Tuesday evening.

The men operating the steam shovels, removing the dirt off the coal, were members of the Steam Shovelers’ and Dredge-men’s Union. A suspension was on. They did not call it a strike. The men would not work in the mine and the operators were not operating them. They uncovered coal with union men and when they got coal stripped, they discharged the union men and hired non-union men.

Senator Sneed received a telegram on Tuesday regarding these men, which is as follows:

"Indianapolis, Ind.,
June 19, 1922.

Wm. J. Sneed, President,
Sub-District 10, District 12,
U. M. W. of A.

Your wire of the 18th. Steam Shovelers’ Union was suspended from affiliation with American Federation of Labor some years ago. It was, also, suspended from the Mining Department of the American Federation of Labor at the Atlantic City Convention. We now find that this out-law organization is permitting its members to act as strike breakers at strip pits in Ohio. This organization is furnishing steam shovel members to work under armed guards with strike breakers. It is not true that any form of agreement exists by and between this organization and the Mine Department of any other branch of the American Federation of Labor, permitting them to work under such circumstances. We have, through representatives, officially taken this question up with the officers of the Steam Shovelers Men’s Union and have failed to secure any satisfaction. Representatives of our organization are justified in treating this organization as an out-law organization and in viewing its members in the same light as they do any other strike breakers.

John L. Lewis."

That telegram was published in a Marion paper June 20th.
Practically every time I talked with General Black he told me troops would not be sent until requested by local civil authorities. On June 21st I had three or four conversations with Black from the Greater Marion Association of which Mr. Edrington was secretary. Being secretary of that Association he was taking the lead in the organization of that citizens committee. He was sort of an organizer among citizens. It was necessary to organize citizens because we were not getting any cooperation from the Sheriff. Edrington heard practically every conversation I had with Black. It was on Wednesday afternoon when I requested Black to send troops, that he (Black) said, "Let the damn fellows go to it". All the information I gained from any source whatever, I communicated to Black.

Q. If the troops had been sent to the scene of trouble at that time, would not, in your opinion, the trouble have been averted?

A. I think it could. I was intending to take the troops, place those guards under military arrest. They were not in the peace of the people.

Q. Do you think, as a military man, had the troops you requested, been sent to you, could you have handled the situation properly?

A. I think I could.

Troops were never sent down.

Judge Hartwell, who presided at the recent trial at Marion, went with me on the 22nd when I visited the scene after the killing.

Mr. Lester called me on long distance when I was in the office of Mr. Edrington and requested me to send troops. I told Mr. Lester that I did not have the authority of my
ing the Adjutant General advised of the situation and suggested to Mr. Lester that he call General Black. General Black informed me that Lester called him shortly after he called me and also said that Lester had requested troops. That was on the afternoon of the 21st. After the riot was over Black insisted that troops be sent in. I told him it was foolish to send troops in after the battle was over. That is the first time I told him it was a mistake to send troops there.

Q. On June 21st did he call you on the long distance telephone and relate to you a conversation which he had had with Mr. Lester, wherein Lester requested the sending of troops and that you told Black at that time that troops were not necessary?

A. Absolutely not.

Q. As I understand it, no time did General Black put in a call and get you on the long distance telephone?

A. No, sir.

Q. All the calls originated with you?

A. Unless Major Davis talked. The only times I talked to General Black prior to the massacre, on June 22nd, I placed the calls.

On the night before the killing I conferred with the Sheriff and different persons at Marion. A truce had been arranged and it was planned to go out to the mine the next morning. And one of the terms of the truce was that they were to cease firing and in the morning the non-union men were to be taken out safely and placed aboard trains to be taken to another part of the county. Then on the following morning Major Davis and I went to the Sheriff's office at 6 o'clock, but did not find Jo, until 8:30 when he was walking across the square. We then got in the automobile.
and drove out to the scene. I suggested it to him that he take deputies and all go out to see if we could not see that the truce was observed. On June 21st when three union men were killed I suggested to Thaxton that he and his deputies, Major Davis and I go to the mine that night, but he (Thaxton) said that he had deputies at the mine already who would see that the truce was carried out.

Q. What, if anything, has occurred between you and General Black with relation to this report since some publicity has been given to it?

A. Well, he asked me one day if I would change, revise, rewrite, or write a supplement to it.

I told him I would give it due consideration, but nothing has been changed or revised. The report is correct in every particular and is based upon the original notes which I read from when I was under direct examination. This request by Black to revise was made after the House Resolution, under which this committee is operating, was adopted. He sent his Secretary over to me and asked me to step in, the General wanted to see me, and I went in and he suggested that I revise or supplement this report to the effect that troops never were requested. What I really meant was I had in mind the report would never be revised by me.

FURTHER EXAMINATION BY MR. PIERCE

I would say that that riot was precipitated or incited by the actions, unlawful actions of those detailed guards on the public highway around the mine, the open flaunting of arms. I had several instances reported to me in which the guards held up, intimidated the travelers on this highway around the mine there, and in some instances were abusive, using violence. That all had a tendency to incite the riot,
especially at that time of the suspension of work on them. It was generally known by the Union miners that there was contained and stored in and about the mine, a considerable amount of ammunition and guns. I heard of three specific instances of personal insult by any of the guards. One was three or four young men driving over that road one evening were halted, ordered out of the automobile, told to hold up their hands. They did. They were searched. One of them became tired, dropped his hands to his side and one of the guards hit him in the face and over the head a time or two. Then I heard of reports of other people being held up on that road. I cannot just remember the names of others. I heard of several instances. I think the Sheriff was delinquent in the discharge of his duty under the conditions that existed there.
FRANCIS M. ALLEN,
called as a witness before the Committee, having been first duly sworn, was examined by Mr. McCarthy and testified as follows:

My name is Francis M. Allen. I reside in Chicago, and have for about forty years.

I have been colonel of the 131 Infantry of the National Guard since last July. In June, 1922 I was Lieutenant Colonel of the same regiment and a member of the Committee sent down by the Governor under charge of General Foreman to investigate the happenings at Herrin. On arrival at Carbondale, about 4:30 A.M. Friday, June 24th, the board was met by Colonel Hunter who took us to the Strip mine, from there to Herrin and back to Marion, and interrogated people. A report was rendered by telephone from Marion to the Adjutant General which is incorporated in Exhibit A, May 14, 1923.

I recall a statement by Hunter when we first met that the Sheriff had advised him that there had been no need for troops, but we came down. To my knowledge Hunter made no statement that troops should have been called, or should have been sent.

FURTHER EXAMINATION BY MR. RICE

The report was telephoned by Division Commander, General Foreman.
We had a written basis for this report. It is military practice to keep minutes by day and hour about what we are doing.

(The letter addressed to Colonel Thomas F. Howe from Milton J. Foreman was marked "Exhibit B", May 14, 1923)
William E. Swenson called as a witness, before the committee having been first duly sworn was examined by Mr. Howe and testified as follows:

My name is William E. Swenson. I am President of the Chicago Coach and Cab Company. At the present time, I am Colonel of the 132nd Infantry, having been in the Military Service twenty-six years.

I was a member of the Board of Officers appointed by the Governor to investigate the Herrin massacre. General Foreman, Colonel Allen, Colonel Richmond, Major Corand, Major Nolan and myself constituted that Board. I arrived at Carbondale June 24, 1922, as I recall, and were met by Colonel Hunter at the train at 4:30 A.M., and were with him all that day until about 10 o'clock at night. In conversation with Hunter I do not recall him saying as to why troops had not been called. The general conversation was that the situation was well in hand, and it had not been deemed necessary to ask for troops. I did not personally discuss with him on the 23rd the events that had occurred during the second or third day previous to that time, but as a member of the Board we had conferences at which Hunter said there was no occasion for troops because the situation was well in hand and the unfortunate affair was the cause of a flare up by irresponsible persons. He felt it had eased considerably, to such an extent that they would not require troops. Hunter also said he had arranged for a flag of truce, and that was one reason he felt as he did about the situation in general. Hunter did not say that he requested or asked to send troops, neither did he say anything relative to the fact that the Adjutant General had told him that troops could not be sent unless requested by the Civil authorities.

In line with our investigation, we talked to various citizens. Colonel Hunter brought in people of the community and talked to this Board, approximately eight in Herrin and seven in Marion.
Hunter never mentioned telephone calls to me.

Further examination by Mr. Rice

Hunter met us at Carbondale and went by automobile to there from Herrin, then to the mine and then to Marion.

Colonel Hunter was present at the time these citizens were interviewed at Herrin and Marion. Colonel Hunter did not testify down there. The Colonel did tell me that he had arranged a truce between the two sides and from that time on he considered he had the matter so well in hand. He thought troops were unnecessary.

Further EXAMINATION BY MR. BRIGMAN

Our committee, by General Foreman made a report by telephone to General Black.

While at Marion he talked with Captain Straghton but nothing was said by him as to any report or telephone conversation had by Hunter. In our report to General Black it sets forth that troops were not needed after the massacre. I believe there is an abstract of what we discussed on file but my name is not attached thereto. It was transmitted to the Adjutant. In conversation with the sheriff on June 24th he informed us he had sent a telegram to the Governor that he had the matter well in hand with some 25 or 30 deputies sworn in.

I knew before I went down there that troops had been mobilized on the 23rd ready to be sent to Marion, and the object of our investigation was for the purpose of determining whether it was then necessary to bring the troops here.

CHAIRMAN: The report will be admitted in evidence and made a part of the record of this date and it will be marked "Exhibit A of May 14th, 1923.

WHEREFORE said document was marked Exhibit A of May 14, 1923, and admitted as a part of the record.

Mr. BRIGMAN: Just to refresh your memory on a question is this report [Reading from report]

"General Black: In your opinion has everything been done by the state that could be done to forestall any of this trouble;

"General Foreman: Yes, sir. It is the opinion of the board that it could not have been anticipated."
called as a witness before the committee, having been first duly sworn was examined by Mr. McCarthy and testified as follows:

My name is Fred W. Kelly. I live at Decatur, Illinois and am district commercial manager for the Illinois Bell Telephone Company. Since May 1st the territory under my jurisdiction includes Springfield. Before that date I had charge of Decatur with the district running as far north of Kankakee and Danville, but since May 1 I took over Springfield and am living here, but I haven’t moved my family here yet. As such officer I have access to the telephone records of the company in this district.

I have here the original ticket of a call from Hunter to Black at 11:10 P.M. June 21st. I found two tickets of June 22nd, going from General Black to Colonel Hunter stamped June 22nd and charged to Capitol 1400. General Black calling Marion, Colonel S. M. Hunter at the Goodall Hotel. That was at 9:25 A.M. Another ticket on the same day and another one from the same party General Black calling Colonel Hunter. The call was given us at 11:02. This call given at 9:25 was completed at 10:18; the one given at 11:02 was talked on at 11:31.

This is our standard practice and in the usual course of our business.

FURTHER EXAMINATION BY MR. RICE:

This call was received at the recording desk June 21, 1922 at 11:10 p.m. and clearing the line at 11:04. 599 is the phone number at Marion.

Q. If there were other tickets showing calls on that day from that office in the course of the business management of your office would they also be in your possession?

A. Not generally, no, sir. For some reason, I don’t know why, these tickets have been held since June 22, 1922. Ordinarily these tickets have been destroyed, if we had followed our general practice.

Q. I don’t care anything about June 22. If there are original tickets still on file at Marion, showing several other calls, between these parties, can you explain why there is no record in your office?
IT GOES WITHOUT SAYING FOR IT IS

1. You can give no extradition order, but this particular case is an

2. The connection can be found in the same way that I registered was not interested except to get

3. preserved at home and they never come through an actual delivery service at

4. Only that I could interpret those messages were sent to be

5. I就说, of course, it can be

6. obtener, but in this

7. General, those were fully preserved at home but this

8. Even if unknown, keep this method and manner of preserving these

9. Our guarantee and I assume, I don't know better reason for

10. any more than a reason for taking, however, it is independent from

11. I think make a letter for something that goes or not, I mean about to

12. take, or have some evidence's I don't. If we have some evidence of

13. How, I couldn't say as to that, but under the existing law

14. marriage has a record of this letter

15. I'm the only survivor of the circumstances, and this office at

16. read a copy of the letter, to be charged. I've read the word here, and

17. he agreed and the reason for it, I say, I don't know better reason for

18. town soon to expect, being preserved in full, to come around the

19. They are not seen, I'm sorry, marriage is the full context and

20. would not be seen necessary

21. on the other, that were paid for by cloudy hunter there in hunter, they

22. If there were no difference in even between these same alteration

23. because we couldn't use some material place on or capacity high

24. There was made at Katsusato for hunter, said to be a collector message

25. Extracting station for hunter, for business when any material hunter, this

26. This letter was made at Katsusato. Katsusato is in 1100 of

27. Reacted to it. If came as a collector message from hunter to physicist.

28. That data, that were paid for at hunter, kept in

29. The title material, I mean 1100. I'm hunter should make some changes on

30. collector for. This was sent to physicist from hunter and held in

31. Be written bold at the office, where it was collected and to be
A. None at Marion other than a collect message and the charge was to be made here and the ticket was to be charged at Springfield and we got the ticket.

Q. The only thing I am interested in is that I am trying to arrive at the fact for the reason why three messages on that date, and of which he testified, show in the records there, and yet this one does not show. Can't you enlighten me?

A. No, sir, I can not.

Page 262 These are the only slips I have been requested to produce. I took possession of the office April 16, 1923 and do not know whose handwriting this ticket is in, nor do I know of my own personal knowledge whether it is correct. It is the practice in our office to destroy tickets after they are six months old. This ticket has been in my desk since I first saw it three weeks ago.

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

My name is Harvey L. Fehr. I live at 600 West Lawrence Avenue, Springfield, Illinois, and have been a clerk in the Adjutant General's office since 1905.

In that department we have records of different men connected with the military forces of the State of Illinois. Exhibit D of May 14 is a copy of our service record of Charles E. Blaza. The original is on file.

Exhibit E May 14 is a copy of the service record of Col. L. N. S. Hunter and was prepared from his acceptance of the commission that he now holds as colonel of the Administrative Staff.
It is hereby certified that it appears from the records of this Office that

Charles E. Black

Enlisted, October 7, 1896, Company B, 4th U. S. Infantry;
Discharged, October 4, 1899.

Enlisted, February 20, 1900, Company K, 1st Infantry, Illinois National Guard;
Discharged, February 19, 1903.

Reenlisted, February 20, 1903, Company K, 1st Infantry, Illinois National Guard;
1st Lieutenant, June 2, 1903, Company K, 1st Infantry, Illinois National Guard;
Reenlisted, 1st Lieutenant, June 5, 1905, to rank from June 2, 1903;
Resigned, April 9, 1907.

2d Lieutenant, Battalion Quartermaster and Commissary, January 27, 1908, 1st Infantry, Illinois National Guard.
1st Lieutenant, May 20, 1908, Company D, 1st Infantry Illinois National Guard;
Captain, August 5, 1908, Company D, 1st Infantry, Illinois National Guard;
Placed on the Retired List, July 21, 1911, Special Orders No. 71.
Commissioned, 1st Lieutenant, National Army, June 21, 1918;
Appointed, Assistant Surplus Property Officer, December 11, 1918;

Honourably discharged, August 30, 1919.

Appointed Colonel, Aid, Governor’s Staff, August 9, 1921;


O. E. Black,
The Adjutant General,
Chief of Staff
State of Illinois
Military and Naval Department
Springfield

April 25, 1922

It is hereby certified that it appears from the records of this Office that

Samuel E. Hunter

Enlisted in the 9th Regiment, Illinois Infantry, June 24, 1917; Commissioned Major of Infantry, 9th Regiment, June 24, 1917; Promoted Lieutenant Colonel, 9th Regiment, April 8, 1918; 9th Regiment, Illinois Infantry consolidated into the 4th Infantry, Illinois National Guard per 3.R. 676, A.O.O.
June 22, 1922.

Lieutenant Colonel, 4th Infantry, Illinois National Guard, to rank from April 8, 1918. General Orders No. 30, December 13, 1921, redesignated the 4th Infantry, Illinois National Guard the 130th Infantry, 33d Division. Colonel, 130th Infantry, 33d Division, March 9, 1922. Transferred to the Administrative Staff and assigned to the Adjutant General's Department, March 9, 1922 per 3.O. 40.

C. L. Black
The Adjutant General
Chief of Staff
My name is Harry S. Jeffries. I reside at 1418 Whittier Avenue, Springfield and am employed as chief clerk in the office of the District Commercial Manager, Springfield District of the Illinois Bell Telephone Company. I have held that position since August 1920.

In that office we have a record of all outgoing calls and all incoming calls that are collect or reversed messages, originating somewhere else but payable here.

The slips which I held in my hand marked Exhibit "Y", May 14 are all the calls with the exception of the 11:00 o'clock call on the evening of June 31st, that we have in our office card between General Black and Colonel Hunter. The originals of these slips were made and forwarded to the Division Auditor of Receipts, Springfield, and on the first of the following month were forwarded to the District Commercial Manager. They have been in the files in my charge ever since. These slips are usually taken out and destroyed once a year, usually in the month of May.

"Exhibit 9, May 14 is a list of calls between Capitol 11:00 and various parties giving list of calls made from June 19 to June 22, was prepared in our office and is correct."

The committee met pursuant to adjournment.

Sprinfield, Illinois,
May 15, 1923

My name is John P. Devine. I am a member of the general assembly.

Shortly before this resolution was introduced, was which this committee is proceeding, I made reference to this matter on the floor of the House - that is, to the Harris matter - and under date of February 14, 1928 a letter was sent to me, dated at Harris, Illinois, from J. H. Sharpton.
of Marion. I have here, with clipping attached which is marked

"Exhibit A May 16, 1923.

EXHIBIT "A" OF MAY 16, 1923: PAGE 1

GREAT MARIAN ASSOCIATION
Charles Richard Edington
Executive Secretary
MARIAN, ILL.

February 26, 1923

Hon. John F. Devine
House of Representatives
Springfield, Ill.

Dear Mr. Devine:

In the issue of the Illinois State Journal under date of February 16th, I noticed an article concerning your attitude on the Harris Riot appropriation bill. In this article you ask "Why did the state official who was representing the Governor, sit idly by and let this thing happen?"

I am very much afraid that you have been misinformed concerning the activities of Colonel Samuel Hunter, who was the state official to whom you made reference. I happen to be in a position where I knew exactly what efforts were made by Col. Hunter to avoid the riot that finally took place.

In the first place, Col. Hunter made my office his headquarters and was in my private office with me from about eleven thirty A.M. on Wednesday, June 21st to after eight o'clock the same night making every effort to avert the riot that seemed certain to happen.

In the second place, he made an appointment with the sheriff for noon of that day to go to the mine and see if anything could be done to avoid trouble. The sheriff never showed up until late that night. As soon as Col. Hunter was apprised of the fact that the mob was advancing upon the mine from Harris, he communicated with the mine officials and warned them of the approach of the mob. Then tried again to get the sheriff on the phone and being unsuccessful in this, he called General Black at Long distance in my presence and told him exactly the situation and ad-
failure to do his duty, he should be censured for the excellent way in which he handled the situation. The blame for the failure to send troops lays with Gen. Black, as he was fully in touch with the situation at all times while this affair was in progress.

By statements in this matter can be borne out by several business and professional men who were in the same office with Colonel Hunter and myself during the whole of that afternoon.

We were all working towards a possible settlement of this affair withcut bloodshed and were very much surprised at the lack of interest shown by Gen. Black in this matter at a time when it was a matter of hours in getting troops in here to stop the riot.

If Gen. Black had listened to the council of Col. Hunter on that eventful afternoon, he would have immediately ordered troops into this field and would have prevented the most horrible massacre that has occurred in the United States in years.

The writer has been at a loss to understand why Gen. Black has not been investigated in this matter and removed from office long ere this for his absolute failure to do his duty in the face of the fact that he was thoroughly cognizant with the situation at all times through constant communication with Col. Hunter.

The writer, after reading your statement in the Springfield paper, could not allow you to be misinformed in this matter any longer.

Any information I may be able to give you in this matter will be cheerfully given at any time you should wish it.

With the best of personal wishes, I remain,

Sincerely yours,

C.H. Irvington
The bill appropriating $75,000 to the Attorney General for the prosecution of the Herrin massacre cases passed the house today as an emergency measure, and now goes to Governor Small for his action. But the bill did not have a simple affirmative vote, or enough votes, exactly enough to pass. Twenty-six members voted against it.

More than an hour was required to call the roll in the bill, because of the large number of members who wanted to explain their votes.

John P. Devine of Dixon, minority leader of the house, used the opportunity to criticize public officials for failure to do their duty. He referred to the East St. Louis riots under the previous administration and quoted the congressional committee's criticism of the national guard management of that situation.

"The day this thing happened," he said, referring to the Herrin massacre, "the sheriff was out of the county. Why did a state official representing the governor, sent there to do his duty, permit this thing to happen? I am told that he said he could not do his duty unless the sheriff demanded it. That is not the law."

He voted for the appropriation, he declared, because the only thing left is for the state to step in and act.

"But we ought to write a law into the statute books," he cried, "making it possible to recall any sheriff or state's attorney who fails to do his duty."

Robert Scholes of Peoria said that so far as he knew the authorities in Williamson County never had asked the attorney general to take charge of the prosecution and he believed the State's Attorney was capable of handling it himself. Therefore he voted against the appropriation.

H. A. Shephard of Jerseyville voted against it because he knew the prosecution admitted that it was impossible to get a conviction.

On his own request, John Clark of Decatur, a union man, was called first on the roll call, and he cast an affirmative vote. In explaining this afterwards, John P. Hart of Aurora said it was done because the union was for law and order and wants the guilty punished, both those who resisted the trouble and those responsible for the massacre.

Thomas J. Myers of Benton defended State's Attorney Duty, but voted against the appropriation.

In order to take effect at once, it was necessary to have a two-thirds vote of the membership of the house and the 102 votes received is exactly this."
called as a witness before the committee, having been first duly sworn, was examined by Mr. Pierce and testified as follows:

My name is Helene Bagley. I reside at Murphysboro, Illinois, and am a telephone and toll operator for the Illinois Bell Telephone Company.

DECLARATION BY MR. HANE

The record of calls recorded by me was made out by me. I timed the ticket. The call I refer to is the 11:00 o'clock call on the 1st of June from Marion to Springfield. Number 599 is the telephone at Marion from which the call was made. It is made collect and charged to Springfield.

This is the only one I made. We change for all towns around, such as Marion. All I know as to who put in that call, he said he was Hunter, and at Springfield I called this ticket and got an O.K. on it. It was to Adjutant General Black.

WILLIAM J. HALE

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

My name is William J. Hale. I reside at Herrin, Illinois.

I am President of a sub-district of the Illinois Miners' Organization embracing Williamson County, and have been State Senator since 1920.

On June 20, 1922 I went to Johnston City, took the train to Alton, spent the night there, and was here at the opening session of the Constitutional Convention for that week returning to Herrin on Friday night or Saturday morning, the 23rd or the 24th.

As President of the sub-district, known as District No. 12, I am held responsible for the membership of the county with reference to the men employed in and around the mines. The organization consists of 14 or 15 thousand men employed in about 43 mines in Williamson County. BesidePresident we have a Vice President, Fox Hughes of Marion, Treasurer, William C. Davis, a Secretary, three board members and three auditors. Hugh Hill is a state board member. His district takes in all of my sub-district with the exception of Johnston City.
Mr. Willis is a man of family and resides at Herrin. I have known him 17 or 20 years, all of which time he has resided in Herrin. As State Board Member Willis is elected by union members, holding office for two years. He was last elected last fall. Mr. Hughes is a member of the same board also. The district union is composed of some 12 or 15 board members, besides the president, vice-president and secretary, all known as district officers of sub-districts or sub-divisions. The sub-divisions are the sub-divisions of the union. They are the same as district organizations, the laws are the same governing those sub-divisions. Each sub-district organization functions outside of the State organization with the exception of merely co-operating with the State. The sub-district members are Jesse Jackson at Johnston City, Ben Hoyt, Marion, and Abe Singlet, Herrin. The organization I am president of meets at the call of the president. We have a constitution, but it does not provide for regular meetings. If I was to call a meeting of the sub-district board, it would comprise three district members whose jurisdiction lies entirely in Williamson County. The constitution provides that every two years conventions must be held, at which time myself as president submits reports from the local unions and they send delegates to this convention. We held no meetings of the board during June 1922, as I recall. As a rule we keep record of meetings that are held. Oftentimes I call board members and we discuss matters in an informal way, of which a record is not kept. Since I recall, no official meeting has been held since last — sometime the first of July or latter part of June. I am not positive of this statement, but if my memory serves correctly, there wasn't any since December 1921. There probably may have been one around April 1, 1922.

I was acquainted with the location of the Lester Strip mine in June 1922. The sheriff and Col. Hunter and I, with my secretary and some deputy sheriffs, were there on Monday of June 19, probably from 3:00 o'clock to 8:00 — or later maybe. I drove to Marion from Herrin and discussed several matters with the sheriff and learned that Col. Hunter was in town and we were going to the mine and we all drove there together.
My purpose of going to the mine was to discuss with the superintendent the intimidation of persons who were traveling this detour route, which information I got from newspaper men and farmers who lived in that vicinity. I was sitting in my car in front of my office in Herrin either the Saturday or Sunday before when this information came to me. On Monday while at Herrin the sheriff did not tell me that Colonel Hunter was in town but I learned of it through rumors. I later saw Hunter and he agreed to go along to the mine of his own volition. There were several fellows beaten up and it was alleged that the men were wearing emblems saying that they were State Police and they asked that I go over there and investigate. The sheriff had no authority to prohibit them from wearing these emblems and I took a couple of newspaper men and drove to Marion and when I got to Marion I looked up the sheriff and told him what happened as I had been told, and requested that he go out there and ask the superintendent to disarm these men and take them off of the public highway and he agreed to do that. In the meantime someone said Mr. Lester had held a meeting with Col. Hunter and the sheriff and other parties in Marion and this matter had been agreeably arranged. The miners were not being represented in this meeting and I went to see Col. Hunter to see why they hadn’t been given consideration. I spoke to Hunter on Monday about what I had heard and he said he was down there to make an investigation of that matter and to try to get Mr. Lester and the men who were in charge of these guards to obey the law and that he was down there to see that there would be no trouble. Hunter told me in Herrington’s office that a meeting had been held for the purpose of keeping trouble down and that he had been in communication with Lester. If my memory serves me correctly, Col. Hunter stated to me in the presence of the sheriff, or otherwise, that they had held a meeting in Marion on the day before and Mr. Lester had agreed to stop all intimidations and disarm men and keep them off of the public highway. We got in cars then and drove out to the mine where we talked to Mr. McDowell.
Our informant's statements we had received and evidence which we had at the time as to how guards were treating farmers and how they were treating people that traveled the detour route and it would be stopped. Besides McDowell we saw many men who had holsters on but no arms in sight. We were stopped at the edge of the highway but turned off near the office. The public highway had been cut in two by their shovel and the company had built a detour route around the mine. I think this was on their own property and it was on this detour route that we drove to get to the mine. There were two guards stationed at the road where the road turned to the office. They had a wire stretched across the road to the office. When we told them who we were they let down the wire and rode with us on the running board to the office. While there we also talked to Hammacher, the assistant superintendent and Mr. Delaney who was known as chief of the guards. If he was armed I did not see it. The two guards on the public highway had guns standing against the tree, and they didn’t have revolvers in their holsters.

We requested McDowell that he take his men off the public highway and he said they may have been on the public highway but they wouldn’t be any more. He said something about private property which I don’t now recall. I knew at the time that this was private property and not a public road. The public highway was interfered with to the east, where they excavated the dirt off the coal from some 200 feet and dumped it in the road. They made this detour for the public highway. They posted a notice on the public highway where it turned into their property. It was private property and the sign said “No trespassing allowed” with arrow pointing south, meaning that they were to travel the detour route. On the way to Marion I drove my car on the old public highway where it turned off and I killed my engine and I got out to look at the carburetor which wasn’t working right and tried to fix it and a couple of guards came up with guns and pointed the guns at us, on our way to Marion.