Herrin Massacre Investigation Proceedings, 0701-0800

Keywords
Herrin, massacre, Illinois, strike, strike breakers, mine, miners, workers, America, steam, shovel, men, murders, investigation, committee, proceedings, 1923

Comments
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stop out of the way and let them get by.

A. You would have done the same thing.

Q. No, I would not have done the same thing. And if I
was police officer I would do different. You just stopped a round
and got out of their way?

A. I stepped out of their way.

Q. And let them go through and you never reported it to
a single officer in this county or to any one in this city?

A. No, sir.

Q. Did you testify before the Grand Jury?
A. Yes, sir.

Q. And did you testify as to that?
A. Yes, sir.

Q. And did you testify at the trials?
A. I testified at one.

Q. On what side of the case did you testify?
A. In the defense the last time.

CHAIRMAN: Any questions, Mr. Pierce?

FURTHER EXAMINATION BY JUDGE PIERCE:

Q. How many men were in each of these cars you saw?
A. It looked as they were going by pretty fast. It looked
like five to the car.

Q. And you saw 8 cars?
A. Yes, sir.

Q. Go through at the same time.
A. Right close to the other.

Q. And you thought they were going out to that mine?
A. I knew in that direction.

Q. You knew there was trouble at the mine?
A. Yes, sir.
Q. You heard two union miners had been killed?
A. Yes, sir. I heard the rumor.

Q. Now, if you had seen a man come along with burglary tools in his hand and you had heard in the afternoon a bank was going to be robbed, would you molest that man?
A. Yes, sir.

Q. Why would you not molest this man? Do you not consider that murder would be of a little high class character than robbery?
A. I think so.

Q. Why was it that you did not do anything as an officer in the way of reporting that. Let the authorities know what was going on. You were here where you got that information. The other authorities might not have gotten it because they were not on the street. Why didn't you communicate that, that cars loaded with men, with arms were going out to the mine. Didn't you think that was your duty as an officer?
A. My duty as an officer was to keep peace inside of the corporation of Marion and not outside. I did not have any more right than any other citizen.

Q. If you thought a murder was going to be committed and you heard it was to be committed outside of the city, would it not be your duty to stop it?
A. As a citizen of the United States.
Q. Without regard to being an officer?
A. My duty was here, inside.
Q. Well, now, is it not the fact that you did not make a report, the fact that you were in sympathy with the move that was going on, that you knew was going on, that you had every reason to believe was going on and that they were going to resent the killing of those two union miners?
A. Yes, sir.
Q. Is there any other position we can justify such conduct to?
A. I think so.
Q. Tell us what things that you can justify to neglect to
A. If you will take the responsibility and work that is on
two men here all night, to work this whole city and go all over
it for 12 hours at a time and keep the city in a straight way, or
try to keep it straight, you have your hands full without getting
out over the county. The territory here is too large for two
or three men to patrol. It is as much as we can do to travel
12 hours and try to keep peace in the town.

Q. And if you had known a crime was going to be committed
with the work you had on your hands you could not have made any
effort to stop it because you had too much work?

A. I had no business to do it.

Q. You did not have to go out there, did you?

A. No, sir.

Q. Would you not have reported it here in the city to the
authorities?

A. I might have done such a thing if I could find them.

Q. Did you make any effort?

A. No.

Q. Didn't call anybody up?

A. No, sir.

Q. You had reason to believe the State's Attorney was here?

A. I suppose he was.

Q. You had reason to believe the Sheriff was here?

A. Yes, sir.

Q. You were within a block of the jail where the Sheriff
resided all the time?

A. Well part of the time I was in a block and part of the
time one-half mile away.

Q. Well, I suppose if there were three murders committed
here in Marion and you only had time to prevent two of them or
take care of two of them, that you would let the other go because
you were crowded for time, wouldn't you?
A. I would try to take care of them the best I could.

Q. You believe in taking care of the number according to the time you have and let the rest go?
A. I believe in taking care of what I can, what is my duty and let the rest go.

Q. And you didn't consider it your duty to report to anybody that these armed forces were gathering in large numbers and going out where you knew there was trouble? You didn't consider it your duty to report that to anybody?
A. I didn't think as far as that was concerned it was my duty.

Q. You are over done with work without doing that, weren't you?
A. If I had thought it was necessary to find the Sheriff and notify him what his duty was.

Q. Was it more important to go down and get the boys off of the train than it was to head off the guards?
A. I could go down and do that.

Q. You could have gone to the officers as well.
A. Would I have found him there if I had?

Q. You did not try. Made no effort.
A. No, I did not try.

Q. I know what ought to happen to an officer like you.
A. It might be.

Q. And I think the people that read this report will know what ought to happen to such officers that were in charge of the affairs here at the time this murder was committed. You were guilty of as much as the men who committed the murder, every one of you. That is all.

FURTHER EXAMINATION BY THE CHAIRMAN

Q. You say you talked with Mr. Edrington about rumors that somebody was going over to get the Legion guns?
A. Yes, sir.

Q. Did you know that day that those men came over and tried to get those rifles?
A. Yes, sir. Colonel Hunter told me when I went to meet the
Didn't you know now that a mob went over and tried to get guns and tried to force Mr. Edrington to give them up?
A. That is what they told me.
Q. That was about 6 o'clock?
A. Yes, sir.
Q. And you knew that?
A. Yes, sir.
Q. Did he know who they were?
A. I asked him but he said they were all strangers to him.
Q. Did you report that to the Sheriff?
A. No, sir.
Q. You didn't report any of these facts?
A. No, sir.
Q. If those men had got those guns what would you have done?
A. If they had got them while I was there I could not have helped myself.
Q. If you had been there when they came, what would you have done?
A. I would have arrested them.
Q. Why did you not arrest the fellows over at the pawn shop?
A. Those fellows were standing perfectly peaceable and it was not unusual, buying No. 6 shot and said they were going hunting.
Q. You knew about men coming over and trying to get guns when you saw other men going through here, didn't you, at 8 o'clock?
A. Yes, sir.
CHAIRMAN: That is all.

CHAIRMAN: Mr. Stone, can you give us a report as to Mr. Fox Hughes' condition?

MR. STONE: I was talking to a gentleman today that knows him and he says his evidence might be taken before a sub-committee and he said he was sick in bed yet. It is tonsilitis.
TESTIMONY OF A. B. McLAREN
BEFORE THE HERRIN MASSACRE INVESTIGATION COMMITTEE
HOUSE OF REPRESENTATIVES
AT
MARION, ILLINOIS.

April 28, 1923.
A. B. McLAREN,

having first been duly sworn, was examined in chief by Mr. Igoe, and testified as follows:

Q. What is your name, please?
A. A. B. McLaren.

Q. Where do you live?
A. Marion, Illinois.

Q. How long have you lived in Marion?
A. 21 years.

Q. What is your business?
A. At the present time I have no particular occupation. I have been in the coal business.

Q. In what part of the coal business?
A. Since coming to Marion as an operation.

Q. How long were you a coal operator in Marion?
A. Practically 21 years.

Q. And before that you were engaged in any other work around the mine?
A. I entered the mines when I was 11 years of age, followed mining and later worked my way up to higher positions and, also, have been in the operating end of it.

Q. During your life you have been an actual miner?
A. Yes, sir.

Q. And have you been affiliated with miners' organizations?
A. Yes, sir, 25 years ago.

Q. That is while you were a miner you were a member and later on you became an operator and dropped out?
A. Yes, sir.

Q. Getting down to the month of June, 1922, were you in the city of Marion at that time?
A. Part of the time.
Q. Well, the week beginning June 19th?

A. Yes, sir.

Q. Were you here on June 19, 1922, which was Monday?

A. Yes, sir.

Q. Then you were here throughout the time, up until after this trouble occurred?

A. Up until Thursday noon.

Q. Which was June 23, that is the day? Wednesday was the 21st and Thursday the 22d. You were here until Thursday noon?

A. Yes, sir.

Q. What, if anything, do you know about the disaster which occurred in this county on June 21, 1922 and the things leading up to it?

A. Well, I don't know anything particular with reference to the disaster except I know it took place. Prior thereto, however, I was called in on two occasions to aid, I presume, or advise in some manner as to how we should stop operations out there.

Q. When were you first called in?

A. On the Wednesday morning?

Q. June 21st?

A. Yes, sir.

Q. By whom?

A. I don't recall who called me. I was called to Mr. Duty's office.

Q. Who was present?

A. Mr. Duty, Mr. Thaxton and Colonel Hunter.

Q. And the subject of the discussion was some method of causing the discontinuance of operation of the Strip mine?

A. Yes, sir.

Q. What, if anything, was decided upon at that time?

A. Nothing particular except they asked me my opinion and I advanced two ideas how they could aid in stopping the operation.

Q. What were those ideas, Mr. McLaren?

A. One was to ascertain who held the mortgage on the equipment...
and through that channel to advise those people—me to just what was

going on and if they were not in sympathy with stopping that operation
to endeavor to get a promise through insurance companies to bring
pressure upon the Southern Illinois Coal Company and cause them to
stop the operation.

Q. That is insurance companies that carried insurance on the men?
A. Or on the plant.
Q. Was anything done as a result of those two suggestions you
made?
A. Yes, sir. Mr. Duty immediately consulted the records to
find out who held mortgage and I think he said it was some concern
in Ohio and he immediately put in a call to get in touch with those
people.
Q. And was Mr. Thaxton there during the conference?
A. Yes, sir, Mr. Thaxton was there during part of the conference.
Q. He was there when you discussed the necessity of doing some­
thing in connection with that mine?
A. Yes, sir.
Q. And Colonel Hunter was there?
A. Yes, sir.
Q. Was anything said about calling in troops at that time?
A. I don’t recollect troops were mentioned.
Q. Was anything said about swearing in additional deputies for
the purpose of protecting life or property?
A. I don’t recall.
Q. That was all on Tuesday?
A. On Wednesday morning of June 21st.
Q. How early?
A. I should say around 10.
Q. Was the possible effect that might follow your failure to
bring pressure upon those persons out there to close the mine down,
was it discussed there at all?
A. No, I think not.
Q. Did any one suggest what might happen in event the mine did not close?
A. No, we were pretty busy trying to outline something that might be done to close the mine.

Q. Why did you want the mine closed?
A. I, as one, was not in sympathy with what they were trying to do.

Q. Outside of being in sympathy, any reason for the mine being closed at that time?
A. No other reason except to avoid trouble.

Q. Was there any suspicion in your mind, or anything discussed there that meeting that might cause one to expect trouble?
A. No, I don't recall anything said along that line.

Q. There had not been any trouble reported up to that time?
A. No, sir.

Q. When did you next have a conference?
A. I was called to the Greater Marion Association rooms somewhere around 4 in the afternoon.

Q. By whom?
A. By Mr. Edrington.

Q. I understand he is Secretary of that Association, is he?
A. Yes, sir.

Q. Who was present when you reached those rooms?
A. Mr. Edrington, Colonel Hunter, Mr. Paisley, Jr., Mr. Rix, Mr. Ralph Mitchell. I don't recall any others present at that particular time. Mr. Warder I think came in a few minutes after I arrived.

Q. Was Colonel Hunter there?
A. Yes, sir.

Q. About what time did you reach there?
A. About 4:30. I was called at 4 but reached there at 4:30.
Q. Before you reached there had you any information concerning any trouble around the mine?

A. Not until I was called across the square when I learned of happenings that morning between Carbondale and Marion, some where on the Carbondale road.

Q. That is where the truck was shot up?

A. Yes, sir, and I did not learn about anybody being killed until I got up to the Association rooms.

Q. As you were going to the Association rooms you heard some gossip about a truck having been shot at Carbondale?

A. Yes, sir.

Q. Do you know from whom you got that information?

A. No, I do not. I met two or three parties and the fact of the matter is I was trying to meet another party. That morning I advised Mr. Duty and the other gentlemen present that there was another course that I might pursue that would aid in stopping that mine and that was to get hold of a Mr. Charles Hamilton who was very well acquainted with this man Lester and endeavor to get him to lay the facts before Mr. Lester on the telephone and get him to stop that mine, with which I was busy from that time up until I was called to the Greater Marion Association room to get hold of this man. I did not get him until I was coming up the stairs from my office and I run into him.

Q. Into Mr. Hamilton?

A. Yes, and told him what I thought he might be able to do and he says: I will put in a call and talk to him.

Q. That was a third means?

A. That was the second one.

Q. One was calling on the mortgage holder and another getting the insurance companies?

A. I counted that as one.

Q. Then you had another suggestion about reaching Mr. Hamilton?

A. All right three.
Q. Did Mr. Hamilton live in Marion?

A. His home was in Pennsylvania.

Q. He was in the city?

A. At that time, yes, sir.

Q. And you finally located him just as you were being called to the Greater Marion Association?

A. Yes, sir.

Q. Did you suggest he communicate with Lester?

A. Yes, sir.

Q. And you understand he did communicate with Lester?

A. Yes, sir.

Q. And he got some sort of message which he detailed to you?

A. He called me on the telephone and I advised him to come up to the Greater Marion Association room and state that information to Superintendent McDowell before the gentlemen in the Greater Marion Association. He telephoned McDowell that Lester had agreed to stop operations during the duration of the strike.

Q. What time of the day did you get hold of him?

A. 4:30.

Q. How soon was it after that that Mr. Hamilton got that telephone information to McDowell?

A. 30 or 40 minutes.

Q. Was Hunter doing any telephoning while you were there?

A. Yes.

Q. To whom did he telephone?

A. Well, he was in communication with the Strip mine and he later called up the miners' headquarters at Herrin.

Q. What was the substance of his conversation with the headquarters of the miners at Herrin?

A. Well, after Mr. Hamilton came up there and phoned his conversation with this man Lester, I think Colonel Hunter advised McDowell, before calling the office at Herrin, to agree to a flag of truce and later called up the miners' headquarters at Herrin and talked to someone, I don't know who that was because I could only hear Hunter's conversation.
Q. You don't know whether he talked with Fox Hughes that day, do you?
A. No, I couldn't say whether it was Fox Hughes or not.
Q. Any way he told some one he had arranged a truce with McDowell at the mine?
A. Yes, sir.
Q. And did he tell how that truce was to be carried out?
A. I don't know. I don't recall the details farther than it was to be 6 o'clock, if I remember correctly.
Q. In the night or morning?
A. At night.
Q. They were to come out at 6 and cease firing?
A. Yes and a flag of truce would be out there at 6 o'clock.
Q. Does that mean they were to put the flag up then?
A. Yes.
Q. It was then about 5.
A. 5 or later, possibly 5:15.
Q. Had you heard at that time two men had been killed at the mine?
A. Yes, sir.
Q. That information came in while you were up there?
A. Yes, sir.
Q. And did you hear Hunter call up Springfield while you were there?
A. No, sir.
Q. You did not hear that?
A. No, I do not recall that Mr. Hunter was in communication with Springfield during any time I was there.
Q. And did you receive any information while there that men on the inside of the mine or miners had been wounded or killed?

A. Yes, in telephone conversation between Mr. Hunter and myself, I think he got the information and repeated it there that there had been some men wounded on the inside.

Q. And did he say anything about how many shots had been fired?

A. Well, I really don't recall.

Q. How long did you stay in those rooms?

A. Until about 5:50. I think I left 10 minutes of 6.

Q. Where did you go, Mr. McLaren?

A. I come down, got in my car and went home.

Q. Any excitement around the square?

A. No, I cannot say there was.

Q. How long did you stay at home?

A. I was there all night.

Q. Were you molested that night?

A. No, sir.

Q. Any one bother you at home?

A. No, sir.

Q. Did you hear any one was looking for you?

A. I had information there was a possibility of their looking for me.

Q. But you never came back to the square at all?

A. Not until about 11 o'clock. I drove around town to see what was going on.

Q. What made you think anything was going on?

A. Because I had heard a number of blasts and assumed trouble, especially when men had been killed there.

Q. You heard blasts after you went home?

A. Yes, sir.

Q. About how many?

A. Two or three.
Q. Were they ordinary blasts you hear in a coal mining region?
A. No, they were more of a dynamite sound or blast.
Q. They were sufficiently different from other noises to cause you to get up and drive down to investigate?
A. No, I do not know as that is what caused me to come up town.
Q. That, with your other information you had?
A. Well, I had heard from parties passing my home that there was quite a crowd up town, that, I think, possessed me to come up and drive around more than anything else.

Q. It was only natural you would have a feeling of apprehension in connection with that mine after what you learned during the day and the noises at night?
A. Yes, sir.
Q. And when you got down to the square, were any persons on the square?
A. Yes, quite a number of people congregated around there.
Q. Was that an unusual thing?
A. At that time of the night, yes it was.
Q. And there was not any difficulty in associating the collection of these persons at the square with the possible trouble at the mine was there?
A. Not that I could see. Of course, I did not stop. I just rode around.
Q. Did the men or any persons have guns on them around there?
A. I did not see any one with guns.
Q. What did they appear to be doing?
A. Congregating in bunches talking, others moving, some moving rapidly, some moving rapidly and some taking their time, but mostly in bunches as I have seen here at election time and other times congregate on the square in discussion, I presume.
Q. Well, but there was not any election that night was there?
A. No.
Q. There was not any fair being held in the city or county?
A. No, sir.
Q. And were there apparently any one who might walk around here, could they be seen easily?

A. Oh, no. I could not see anybody, they were moving around.

Q. Did you see any automobiles going through town loaded with gun men?

A. No, sir.

Q. Did you see any officers of the city or county that night?

A. No, I cannot recall I did.

Q. Then how long did you stay down on the square part of the city?

A. I drove around possibly an hour.

Q. Then you went home?

A. Yes, sir.

Q. Now, the next morning, which was Thursday, June 22d, what, if anything, did you learn about the disaster at that time?

A. I learned they had surrendered out there and were marching those men to Herrin.

Q. Where did you get that information, Mr. Maxwell McLaren?

A. Well, now, I don't recall where I got that.

Q. But you received that the next morning?

A. Yes, sir.

Q. Do you know whether you got that from Colonel Hunter after he came back from the mine?

A. I never saw Colonel Hunter.

Q. Later on in the morning you had heard what actually happened?

A. Yes, sir.

Q. You never went out there, did you?

A. No, sir.

Q. And you don't know, do you, what actual terms of the truce were?

A. No, I cannot recall what the terms were. I knew a truce had been arranged for by Mr. Hunter on the telephone.
Q. But whatever they were he talked the terms over with some one at the mine and talked the terms over with some one at the miners' headquarters at Herrin?

A. He talked with McDowell with reference to the flag of truce and he talked to the miners' headquarters with reference to the flag of truce. That is, I presume the miners' headquarters. Of course, I did not hear anything that was said from the other end. All I could hear was what Mr. Hunter had said.

Q. I think that is all.

CHAIRMAN: Any further questions? That is all Mr. McLaren?
TESTIMONY OF GEORGE VINSON
BEFORE HERRIN MASSACRE INVESTIGATION COMMITTEE
HOUSE OF REPRESENTATIVES

AT
MARION, ILLINOIS

On
April 28, 1923.
having been first duly sworn, was examined in chief by Judge Pierce, 
and testified as follows:

Q. Will you state your name, please?
A. George Vinson.

Q. Where do you reside?
A. Marion.

Q. What is your business?
A. Chief of Police.

Q. How long have you been Chief of Police of the city of Marion?
A. About four years.

Q. Continuously?
A. Yes, sir.

Q. How large a city is Marion?
A. About 12,000.

Q. Been about that size for the last four years?
A. Something near.

Q. Were you here in Marion during the month of June, 1922?
A. Yes, sir.

Q. Chief of police at that time?
A. Yes, sir.

Q. On duty during that month?
A. Yes, sir.

Q. How many assistants or patrolmen did you have under you?
A. I had about three men.

Q. Any of those men night men?
A. Yes, sir.

Q. Did you have an Assistant Chief of Police?
A. No, sir.

Q. Who were the night men?
A. Well, Thornton and Jack Bradley.

Q. Thornton who testified here in this case, sitting here?

You know the gentleman? (Indicating Thornton)
A. Yes, sir.

Q. Now, you know of some trouble that occurred here about the 21st or 22d of June, 1922?

A. Yes, sir.

Q. What did you know about that trouble prior to the 22d of June, when the actual killing occurred out here? What did you know about it?

A. I did not know very much about it only that evening we got some message down at the west part of the town that there were some fellows there trying to get guns and we went down there at Mosely's but they were gone.

Q. Who went down?

A. Me and Thornton.

Q. How did you happen to go down?

A. The proprietor of the hardware store called us.

Q. And when you got there was the proprietor there?

A. Yes, sir.

Q. What did you say his name was?

A. Mosely.

Q. What street is he on?

A. West Street.

Q. When you got there was anybody there except the proprietor?

A. I think the clerk was there.

Q. Were there any men there?

A. Nobody, no, not in the store.

Q. Did you see any gathering of men anywhere in that vicinity at any time?

A. Yes, sir.

Q. Across the street from there?

A. Yes, sir.

Q. How many men?

A. Mostly boys, 5 or 6.

Q. Did you go over to these men or boys?
Q. What did you do?
A. We went over and talked about getting guns and I asked a fellow if he was going to let them have them and he said, yes.

Q. Was there some one there that handled guns?
A. Yes, sir.

Q. What was his business?
A. His name was Holmes and he was in a pawn shop.

Q. Did you learn he sold guns at this place?
A. I understood so, yes.

Q. What kind of guns?
A. I never noticed particularly they looked like small shot guns.

Q. Did they have guns in their hands? Were they in possession of guns?
A. I don't think they were.

Q. Did they have ammunition?
A. No, I never seen it.

Q. What inquire did you make with reference to why they were buying guns?
A. They said they were going hunting.

Q. What time of the day was that?
A. That must have been between 2 and 3 o'clock.

Q. What would they be hunting on the 21st of June down here?
A. I don't know.

Q. Did you not think it was rather strange they were allowing them to go hunting on the 21st of June?
A. They usually hunt pretty nigh any time they want to.

Q. What do they shoot?
A. There is some game in the woods.

Q. On the 21st of June? Do your people shoot game on June 21st?
A. No, I don't shoot any.

Q. Did it not occur to you it was rather strange to go hunting for game about that time and arming themselves for that purpose?
A. I don't know.
At any rate you did not make any further inquiries except to take their word for it they were going hunting?

A. Yes, sir.

Q. You left them there?

A. I believe they were there when I left.

Q. What else did you do, if anything, with reference to the situation from that time on that day. Give us everything you did.

A. We did all we could do to keep everything quiet.

Q. What did you do?

A. There were several people in town that night. We tried to keep traffic, keep everything quiet.

Q. Did you see the formation of any mob here in the city?

A. I seen several people standing in bunches, never saw any trouble.

Q. Were they marching?

A. Going from one place to another. Walking around.

Q. Hear any talk?

A. Not very much.

Q. Did you hear any?

A. I heard some.

Q. What did you hear?

A. I heard some parties say there was a bunch coming from Harrisburg going to the mine.

Q. Where is Harrisburg?

A. In Saline County.

Q. How far from here?

A. About 20 miles.

Q. What did you hear anything about why they were going to the mine or why they were coming from Harrisburg?

A. They claimed there was trouble there.

Q. And did you know of trouble outside of having heard it by some of the mob?

A. Of course, I knew. I did not know it for sure. I heard it.
A. Had you heard there had been trouble out there that afternoon?

A. Yes, sir.

Q. Did you know 2 or 3 miners had been killed or wounded?

A. Yes, sir.

Q. You knew the feeling out there was probably very tense?

A. Well, I thought it was.

Q. Conditions were threatening?

A. Yes, sir.

Q. And that these people were probably coming for the purpose of joining with others that might come from Harrisburg and other places to attach the mine, you knew that?

A. I did not know.

Q. You learned they were coming from Harrisburg?

A. Yes, sir.

Q. What time did you get that information?

A. About 6 o'clock that evening.

Q. What did you do with reference to the information if you knew they were coming from Harrisburg?

A. They did not say they were coming from Harrisburg - going through from Harrisburg to the mine.

Q. Who told you?

A. I heard some fellows talk.

Q. Who did they say had come through.

A. Said they went through in automobiles.

Q. How many?

A. one or two cars.

Q. Did they say anything about the occupants of the cars being armed?

A. They never said.

Q. Didn't you learn from your Assistant or your patrolmen there that there were eight cars went through here carrying 4 or 5 people in each car armed?

A. No, sir.
Q. Do you mean to tell me the police officer did not tell you about that?
A. I don't remember that.

Q. You and he were associated together that evening, weren't you?
A. Yes, sir.

Q. Were around here together all evening and you did not learn from him the fact that he had seen eight cars going through here loaded with men all armed, and going in the direction of this mine here?
A. No, sir, I don't remember that.

Q. Wouldn't you expect an assistant, a patrol officer of the city, if he saw a thing of that kind going on, to report it to you?
A. Yes, sir.

Q. You would expect him to do it and could hold him accountable if he didn't?
A. He might have said something about it but I don't remember it.

Q. If he did say anything about it what would you do?
A. I tried to take care of the town.

Q. What did you do?
A. I went around town to see if it was all right.

Q. Did you see the Sheriff?
A. No, sir.

Q. Why didn't you report to the Sheriff that men were going out in the direction of the mine armed with guns?
A. did not see him.

Q. Do you not think it would have been the proper thing to have done, notify the Sheriff that armed men were gathering in this county?
A. I did not know whether that was true or not.

Q. You heard them discussed here on the street?
A. I heard them talking, saying they were coming through.
Q. You had every reason to believe there was something to
the report they were coming through when you heard it?
A. Yes, sir.
Q. And you knew in connection with that, that there had been
killing and shooting at the mine. You had reason to believe that
such a condition might exist?
A. Yes, sir.
Q. Had you ever been through a riot before?
A. No, sir.
Q. How long have you been an officer?
A. About 4 years.
Q. What were you before that time?
A. I was tending bar.
Q. Where?
A. At Murphysboro.
Q. How long have you lived in Marion?
A. 13 years.
Q. This has been your home continuously for the last 13 years?
A. Yes, sir.
Q. During that time there has been more or less trouble at
the mines and among miners and disputes over organized labor and
un-organized labor in this county, has it not?
A. Well, been some.
Q. You have had known of the situation and the varying changes
in the situation growing out of disputes, have you not?
A. Yes, sir.
Q. How, did you see the Sheriff that night?
A. I don't remember seeing him.
Q. Where was his office with reference to where you were
stationed performing your duty?
A. Stayed at the jail.
Q. How far away from where you were most of the time, if
you remember, that somebody was likely to come here from Harrisburg
and that notion was talked and gathered about people coming here
from outside to go to that mine?
   A. About 2 blocks.

Q. How long would it have taken you to cross over there?
   A. It would not have taken long. I understood he was not in
town that night.

Q. Understood his office was here and that he was likely to
have deputies there?
   A. I never seen anybody over this way.

Q. Did you know his deputies?
   A. Yes, sir.

Q. Did you know Storme?
   A. Yes, sir.

Q. Did you know Storme generally had charge of the Sheriff's
office?
   A. Yes, sir.

Q. You did not make any effort to find Storme?
   A. I had about all I could tend to to attend to my own job.

Q. You did not make any efforts to add to your force to cope
with the situation by bringing in the assistance of the Sheriff or
deputy, did you?
   A. No, I did not.

Q. Were you in sympathy with these crowds gathering for the
purpose of going out there and get revenge at that mine?
   A. No, sir.

Q. You did not go out to the mine that night?
   A. No, sir.

Q. You did not go out during the day of the 21st of June?
   A. No, sir.

Q. Not at any time?
   A. Not until the 22d.

Q. Where did you learn that the Sheriff was on the 21st of
June?
   A. Well, I understood he was at Carbondale.

Q. You had heard of shooting there?
A. Yes, sir.

Q. Heard that a truck carrying non-union men to this mine were shot up?

A. Yes, sir.

Q. And that a number of people were wounded. You heard that, didn't you?

A. Yes, sir.

Q. Have you now described to the Committee all that you did after you obtained the knowledge that non-union men had been attacked on a truck while coming into your county, that two or three union men had been killed at the Strip mine and that crowds were gathering here, and after you got a report that people were coming here from Harrisburg or other places for the purpose of attacking this mine? Have you described all you did in reference to that situation?

A. Yes, sir, I have.

Q. Well, the sum and substance of it is that you did not do anything?

A. I done all I could.

Q. What one thing did you do to head off that situation or cope with it?

A. Well, I tell you what I done. I done my best to keep everything quiet in town and I had my hands full to do that.

Q. Was there anything more than the usual crowd on the street?

A. Yes, sir, there were more people in town that night it looked like everybody was bothered and tore up and we tried to keep down trouble in the city.

Q. Did you expect any trouble in the city?

A. I did not know what would happen.

Q. There was not anybody in the city that they could attack for what occurred at the mine, was there?

A. I did not know.

Q. Who did you suspect might be attacked in the city?

A. I didn't know.
You walked around through this crowd?

A. No, sir, I walked and drove all over town in the car, trying to keep everything quiet.

Q. You must have been quite apprehensive that there was going to be trouble?

A. I didn't know.

Q. That was what you drove around for?

A. That was my business to do that - to keep trouble down if anything come up.

Q. Is it not, also, your business to inform other authorities having charge and who could assist you in taking charge of such a situation?

A. Yes, sir.

Q. You considered the situation grave, didn't you?

A. Yes.

Q. Menacing?

A. Sure.

Q. One that needed all effort and cooperation of all authorities to forestall any trouble?

A. Yes, sir.

Q. Didn't you believe it?

A. I think I done my best.

Q. I did not ask you whether you did or not. I asked you if you did not believe it was a time when all forces that could be brought together to head off possible consequences as the result of a mob gathering?

A. Yes.

Q. And at that you did not put on any extra officers?

A. No.

Q. You did not call any extra officers?

A. I thought we could handle it with the force we had.

Q. You were attempting to handle the mob with the same officers and assistance that you used in times of perfect security and
Q. You did not make any effort to surround yourself with any other official help than you were using every day?

A. I don't think I put on anybody.

Q. And you did not call for the Sheriff or his Deputies?

A. No, the Sheriff was busy and I was, too.

Q. How did you know?

A. I expected he was.

Q. Why didn't you find out them?

A. I heard him talking about it.

Q. Couldn't you have found out?

A. No.

Q. When you saw crowds gathering that might attack the city?

A. I handled it all right.

Q. You did not handle it all right.

A. I did here in town.

Q. Simply because there was not any danger of anything being done here in town that was apparent and it was apparent to you that their ideas were directed to that mine. You knew that that mine was carried on with guards?

A. I knew they had guards.

Q. You knew those guards were charged with having killed two or three men, didn't you?

A. I did not know for sure.

Q. You know for sure?

A. I heard they were.

Q. You heard they were not here?

A. They had been here. I seen some of them in town.

Q. Did you see some in town the night of the 21st?

A. No, sir.

Q. Then they were not here so far as you knew. They were out there?
A. I suppose they were.

Q. You knew trouble was due to come there?
A. No, sir. I thought they had it under control.

Q. You did not think they were going to shoot somebody here for what had been done there?
A. I did not know what they were going to do.

Q. Now, the Sheriff that was the official head of the enforcement of law here at the time of this riot, has subsequently been elected by the people of this county to County Treasurer, has he?
A. Yes, sir.

Q. His deputy who was in charge of the office here at the time of the riot has been subsequently elected to the position of County Clerk?
A. Yes, sir.

Q. And you have been retained as Chief of Police by this city?
A. Yes, sir.

Q. When you have special doings here in the city of Marion like this, do you ever have street carnivals?
A. Well we have some times.

Q. You have a county fair in this county?
A. Yes, sir.

Q. How far are the fair grounds from the city here?
A. Pretty nearly a mile.

Q. When you have county fairs here do you have a sort of an influx of population here, strangers here?
A. Yes, sir.

Q. People come in and going through here?
A. Yes, sir.

Q. During that time do you put on special deputies?
A. Yes, a few.

Q. Do you put on a special deputy in all cases of excess gathering of people here?
A. Well, it is according to how big a crowd.
Q. When you have fairs?
A. Only for fairs, that is all.
Q. Why do you put those on?
A. There are so many people here to handle so much traffic.
Q. Where there more people here in the time of a fair on the street in the evening than there was the night of this trouble?
A. Yes, sir.
Q. How many more?
A. I don't know.
Q. These streets here were full of people on the night of the 21st?
A. No, they are not as full as they are when there is a Fair here.
Q. What did they be doing at night after the Fair is over.
The Fair is here in the day time, isn't it? Nobody would be here except some of the attendants?
A. There would be a big crowd all through Fair.
Q. In usual extraordinary occasions and when crowds gather here in large numbers you put on deputies, don't you?
A. Yes, sir.
Q. But you did not put on any at the time when crowds were gathering here and threatening danger and murders. You did not put on deputies did you?
A. I was not expecting trouble.
Q. When the crowds were gathered here and you had heard there was crowds coming in from outside cities, coming into your city, you did not swear in a single deputy, did you?
A. I don't believe I did.
Q. That is all.
FURTHER EXAMINATION BY MR. CURRAN

Q. Who is the Chief of Police at Herrin, do you know?
A. They change so much I don't know who he is.

Q. As I understood it, that was where the crowd was supposed to be forming at Herrin to attack this mine, was it not?
A. I don't know. I understood so.

Q. And was no talk around here of a crowd gathering to go out the mines, was there?
A. There was a bunch standing around talking.

Q. Just common gossip about three fellows that were shot at the mine, union men?
A. Yes.

Q. There was no serious talk about the crowd or going to the mines to drive them out?
A. No, I never heard much talk.

FURTHER EXAMINATION BY MR. RICE

Q. Mr. Chief, let me ask a question. Did you hear anything that evening about the efforts to get the Maxim Legion guns over at Mr. Edrington's office?
A. Yes, I heard about that.

Q. What time of the day was it that you heard that?
A. I never heard anything about that until the next morning but I heard they tried to get them.

Q. From whom did you get that information?
A. Mr. Edrington, I believe.

Q. Didn't you know that your deputy had been called on by Mr. Edrington to come and help him preserve those rifles?
A. No, sir.

Q. Didn't Mr. Thornton tell you that?
A. Mr. Hunter, the Police Magistrate told me.

Q. When?
A. That evening or the next morning.

Q. You say you were riding around in a car that evening?
That night.

Q. Did you have Mr. Thornton with you?
A. I don't remember whether he was with me or not. I don't think he was.

Q. Did you have any other police officer?
A. I had a street commissioner.

Q. And where did you go?
A. We went around town.

Q. Were you down to the jail?
A. No, sir, I never went down to the jail.

Q. Were you down Second Street?
A. Yes, sir.

Q. How did you happen to go there?
A. There was a crowd going that way.

Q. About how many in the crowd?
A. It looked like 25 or 30.

Q. Men were they?
A. A bunch of boys.

Q. A bunch of young fellows?
A. Yes, sir.

Q. Do you know any of them?
A. No, I did not know one.

Q. Did you try to find out who they were?
A. No, I did not.

Q. How far did you follow them?
A. About two blocks on South Street.

Q. What did they do down those two blocks?
A. They turned and came back this way. We turned and we came back, too.

Q. Who lived down there two blocks?
A. Mr. Warder lives down that way about three blocks.

Q. That is the attorney in town?
A. Yes, sir, also, Frank Morrison.
Q. Who is Mr. Morrison?
A. One of the men here.
Q. How did they happen to turn east?
A. I don't know.
Q. Did you follow them then?
A. We come back to town.
Q. They came back before you did?
A. They were coming back this way, and we turned around.
Q. Did you follow the crowd around?
A. We came back.
Q. Where did they go to town?
A. On the square here.
Q. Were you anywhere around at the time they marched up to Mr. Edrington's office?
A. No.
Q. Did you hear about that?
A. Yes, sir.
Q. When?
A. The next morning, the 22d.

FURTHER EXAMINATION BY MR. PHILLIPS:

Q. About what time did the crowd leave that evening?
A. About 10 or 11 o'clock.
Q. Did you notice any guns or arms in this crowd?
A. No, sir.

MR. RICE CONTINUING:

Q. That evening, Chief, did you hear any loud explosions?
A. Yes, sir, about 5 or 6 o'clock I believe. It might have been later than that.
Q. Did you make any inquiry as to what it was?
A. I heard some fellows talking about blowing up some machines or something out at the Strip mine.
Q. Blowing up property out there?
A. Yes.
Q. Later on in the evening did you hear any more explosions?
A. About 8 or 9 o'clock I heard them.
Q. About what time did you go home that evening?
A. About 11 o'clock.
Q. About 11 o'clock. Do you remember when the lights went out?
A. I remember going out.
Q. What time of the evening was that?
A. I don't remember.
Q. Were there any explosions out there before the lights went out?
A. I don't remember.
Q. After you went home did you hear any explosions later on in the night or morning?
A. No, sir.
Q. That is all.

FURTHER EXAMINATION BY EDWARD MCCARTHY:

Q. Some time Wednesday, a couple of men reported to your office, did they not, and asked for protection?
A. They reported at my office but I was not there. They reported to night policeman.
Q. What is his name?
A. William Fries.
Q. What did they report to him?
A. They came and wanted some water and he gave them water and they wanted to get out of town.
Q. Why did they come to you for water?
A. I don't know.
Q. Is it not a fact they came for protection?
A. I suppose that is what they came for.
Q. You know that is what they came for?
A. They came to get clothes, too.
Q. What did they do with those men?
A. He got them some clothes and they left town.
Q. Did he go any other place with them?
A. He went with them to some place here and they washed up and cleaned up.

Q. Where had those men been working before that time?
A. Working at the Lester mine.

Q. Did they go to the Sheriff?
A. I don't know whether they did or not. I don't think they did.

Q. Your officer took them over to the Sheriff's quarters?
A. I believe he did.

Q. Didn't the Sheriff refuse to take those men in?
A. Well he told me that the Sheriff told him they better get out of town.

Q. And they wanted protection there?
A. They were afraid, yes, sir.

Q. And your man did his duty and took those men to the Sheriff?
A. Yes, sir.

Q. And the Sheriff refused to keep them in the jail and told them they better get out of town?
A. That is what he told me.

Q. That is what your officer reported to you?
A. Yes, sir.

Q. Now, you know Colonel Hunter, Chief?
A. Yes, sir.

Q. Did you see Colonel Hunter around here during the time of the trouble?
A. Yes, sir.

Q. Did he talk with you about the situation?
A. I don't think he ever talked to me a bit.

Q. Did he talk with you about whatever force might be necessary?
A. He never said nothing to me at all.

Q. Did you say anything to him about protection?
A. No, sir.

Q. Or the question of maintaining law and order?
A. No, sir.
Q. Did he go any other place with them?
A. He went with them to some place here and they washed up and cleaned up.

Q. Where had those men been working before that time?
A. Working at the Bester mine.

Q. Did they go to the Sheriff?
A. I don't know whether they did or not. I don't think they did.

Q. Your officer took them over to the Sheriff's quarters?
A. I believe he did.

Q. Didn't the Sheriff refuse to take those men in?
A. Well he told me that the Sheriff told him they better get out of town.

Q. And they wanted protection there?
A. They were afraid, yes, sir.

Q. And your man did his duty and took those men to the Sheriff?
A. Yes, sir.

Q. And the Sheriff refused to keep them in the jail and told them they better get out of town?
A. That is what he told me.

Q. That is what your officer reported to you?
A. Yes, sir.

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A. Yes, sir.

Q. Did he talk with you about the situation?
A. I don't think he ever talked to me a bit.

Q. Did he talk to you about whatever force might be necessary?
A. He never said nothing to me at all.

Q. Did you say anything to him about protection?
A. No, sir.

Q. Or the question of maintaining law and order?
A. No, sir.
Q. You believed all the time that everything was quiet and nothing was going to happen?

A. I thought we would get by all right. I thought they had it under control.

Q. You heard there had been a truce?

A. I heard that they had it under control and did not think they needed the militia here.

Q. Who told you that?

A. I heard it talked around the office.

Q. Did you talk with the Sheriff at any time during the trouble?

A. No, sir.

Q. Did he ever come over to see you about it?

A. No, sir.

Q. Were you ever called into conference with the Sheriff?

A. No, sir.

Q. How, on this evening when the crowds were congregating in the square here, is it not a fact there were so many people here the automobiles could not get out to get out of town?

A. They got out.

Q. At different times there were so many people that farmers could not get their automobiles out of the streets to drive out of town?

A. They cannot do that at any time.

Q. Is it a fact they could not do it that night?

A. Of course, we had a right smart crowd on North Street.

Q. Back of the Court House here they were packed clear across the street so an automobile could not get through?

A. We opened up and got them through.

Q. How long did you keep it open.

A. All the time.

Q. And there were times when an automobile could not get through?

A. You have to watch that all the time.
Q. Crowds were such that cars could not get through all along?

A. Some.

Q. Previous to this time had there been so many people on the streets and congregated back of the court house that you could not get automobiles out?

A. Any Saturday night it is just as bad.

Q. Were they in throngs and backed out in the middle of the road as they were that night?

A. Not so bad.

Q. That was usual then?

A. Yes.

Q. Did you ever hear any talk that night or were you here when the mob started out to get Poole Brothers?

A. I was here but do not remember.

Q. You heard talk about that, didn't you?

A. Yes.

Q. And you know that was what they were started up there. Somebody made a threat and then the crowd started that way?

A. No, I did not know. I heard that afterwards.

Q. What did you think when the crowd started that way?

A. I did not know what they were doing. I did not know what they meant.

Q. You had an idea they meant harm that they certainly did not mean good to anybody?

A. I thought they meant something.

Q. We will suppose that something had been happened, would you think you had sufficient force to break up a mob or protect property that might be attacked?

A. I done the best I could by it.

Q. Could have done the best you could alone?

A. Yes, sir.

Q. Do you not think it would have been better if you had sworn in 10 or 15 deputies?
A. If I thought about it in time.

Q. How long would you go in to wait?

A. I did not think there was any trouble at the time.

Q. When they started up the street there with every intention or every indication rather that they meant trouble, that it was not for any good, why was it you did not then step in and try to prevent any trouble by swearing in deputies?

A. I did not think there was any danger.

Q. You were going to wait to see who they were going after and then if they got him you were going to swear in deputies?

A. I did not think any such thing. I was going to see what was going to happen and I would take care of it.

Q. You would take care of it alone?

A. Yes, sir.

Q. What time did you leave the police station or go off duty?

A. About 11 o'clock.

Q. In the afternoon?

A. About 5.

Q. Did you see Thornton?

A. No, sir.

Q. When did you see Thornton?

A. All evening.

Q. Did you see him before 4 or 5 o'clock?

A. I guess I did.

Q. Here?

A. I saw him in town.

Q. What is your custom in keeping in touch with Officer Thornton who works from 12 to 12. Does he makes a report during the evening to you?

A. During that time he worked from 12 to 12. I could always find him.

Q. Did you see him on the afternoon of the 21st?
A. I think I did.
Q. Did he report to you about these things he has heard that somebody tried to take the Legion rifles?
A. If he did I don't remember.
Q. Do you know what was done to protect those Legion rifles?
A. They had them locked up.
Q. Who had them locked up?
A. Mr. Edrington brought them in and locked them up.
Q. When did you find that out?
A. Not until next day.
Q. You never knew they were in there?
A. No, sir.
At the time you saw these boys here with guns in front of the pawn shop, you already heard about the killing at the mine?
A. No, sir.
Q. What time of the day was that?
A. 2 or 3 o'clock.
CHAIRMAN: That is all.
TESTIMONY OF R. B. MITCHELL
BEFORE THE HERRIN MASSACRE INVESTIGATION COMMITTEE
HOUSE OF REPRESENTATIVES
AT
MARION, ILLINOIS.

April 28, 1923.
R. H. MITCHELL,

having been first duly sworn, was examined in chief by Judge Pierce

and testified as follows:

Q. State your name please.
A. R. B. Mitchell

Q. Where do you reside?
A. In Marion.

Q. What is your business?
A. General Manager of the Cosgrove interests.

Q. Were you living in Marion in 1921 and 1922?
A. Yes, sir.

Q. How long have you lived here?
A. About three years.

Q. Were you here in Marion during the month of June, 1922?
A. Part of the time.

Q. Do you have a commercial organization here in the city of

Marion of any kind?
A. Yes, sir.

Q. What is it called?
A. Greater Marion Association.

Q. Is that the name of it?
A. That is the name.

Q. Is it incorporated?
A. I don't know.

Q. Do you know about what the membership was in June, 1922?
A. I think about 200 members.

Q. How was that made up? Who comprised the membership generally

speaking?
A. It was very largely made up of business and professional men.

Q. Doctors, Lawyers and Merchants here?
A. Yes, sir.

Q. How they had meetings of that organization from time to time?
A. Monthly meetings.
4. A secretary maintained all the time?
A. Yes, sir.
4. Who was the Secretary?
A. C. R. Edrington.
4. Is he connected with a newspaper here?
A. No, sir.
4. He has nothing to do with the newspaper?
A. No, sir.
4. How long has Mr. Edrington been Secretary of the Greater Marion Association?
A. Probably one and one-half years.
4. He was Secretary during the month of June, 1922?
A. Yes, sir.
4. Now, will you tell the Committee about the way you viewed this situation that lead up to the massacre or murder as it occurred here on the night before or on the 22d of June, 1922, beginning back where you first learned of the trouble or rumors of trouble that might lead to the disaster that finally happened?
A. I was absent from Marion during the week previous to this trouble. I returned I think Monday morning.
4. That is Monday morning, the 19th?
A. And I heard rumors at that time of the operation of the Southern Illinois Coal Company mine with non-union labor and the general impression seemed to be that it was a very unwise for the company to pursue and a large number of people felt that there probably would be trouble.
4. What did you know yourself, after you returned, or what did you ascertain were the exact conditions at the mine?
A. I heard that non-union men were employed at the mine and that guards were stationed out there.
4. Did you hear anything about those guards being armed?
A. Yes.
4. Did you learn the character of the arms with which they
they were equipped?

A. No.

Q. You did not know what character of arms they had?
A. No, sir.

Q. Did you go out to this mine?
A. No, sir.

Q. Did you know where the mine was located?
A. Yes, sir.

Q. You knew it was between here and Herrin about one-half way.
A. Yes, sir.

Q. What did they call it, the Lester Strip mine?
A. That was the name it was known by locally.

Q. Did you know any of the officers of that mine?
A. No, I did not.

Q. Were you acquainted with Lester?
A. No, sir.

Q. Did you know McDowell?
A. I knew him to see him. I had seen him on the street.

Q. You knew him when he passed as McDowell, the Superintendent?

Superintendent of the Guards?

A. No, Superintendent of the Coal Company.

Q. Who was Superintendent of the Guards?
A. I did not know that.

Q. There was a discussion about the feasibility of having armed guards out there, a discussion here in Herrin in your association was there?

A. Not in the Association.

Q. Among the members?
A. Yes, sir, individuals.

Q. Do you know Colonel Hunter?
A. Yes, sir.

Q. Did you see him during the week of the 21st of June, 1922?
A. I did not see him until Wednesday afternoon.
Q. Where did you see him at that time?
A. At the Greater Marion Association office.

Q. Who were present?
A. Mr. Edrington and Colonel Hunter were the only ones present when I went to the office.

Q. How did you happen to go to the office at that time and meet Colonel Hunter?
A. I was at Johnston City Wednesday morning at the Company's mine and Mr. Edrington called me up and said that Colonel Hunter asked for the formation of a committee and asked me if I would come back to Marion and attend the meeting that afternoon. I came back to Marion and went to the office about 2 o'clock. Mr. Edrington and Colonel Hunter were in the office at that time.

Q. After you had come to the office did other people come in later on?
A. Yes, sir.

Q. And how many people did you finally get together in that conference?
A. Six or eight I think.

Q. Were they business men here in the city?
A. Yes, sir.

Q. Members of the Association?
A. Yes, sir.

Q. Will you state what took place there, if anything, with reference to the situation?
A. Colonel Hunter stated to the meeting that there were indications of trouble at this mine and was desirous of doing something to avert trouble, and it was the opinion of the men who were there that if the Company would consent to shut down the operation that there would be no further trouble and from that time on efforts were made to get the Company to shut down their mine.

Q. What effort do you know was made by the Association or meeting that afternoon towards getting the operator or owner of.
A telephone call was put in for Mr. Lester who was reported to be in Chicago.

Q. Did you get in connection with him?
A. Mr. Hamilton was the first man who talked to Mr. Lester and Mr. Hamilton reported to the meeting that Lester had agreed to shut down his mine.

Q. Then what action was taken?
A. With this information Colonel Hunter communicated with the officials of the mine and told them what Lester's decision was and Mr. Hamilton confirmed that.

Q. What did you learn, if anything, with reference to what the attitude of the officials at the mine was, with reference to the suggestion of closing the mine, removing the guards?
A. They were perfectly willing to comply with those instructions as soon as they had been received.

Q. Do you know who talked to the mine officials?
A. The Coal Company officials.

Q. Communicate the information that you had obtained from Chicago?
A. Colonel Hunter and Mr. Hamilton.

Q. Did you hear the conversation of Colonel Hunter in that telephonic communication?
A. I did.

Q. What did Colonel Hunter say?
A. He said in a fact that Mr. Lester had authorized the closing down of the mine during the suspension of mining operation in this field and he suggested to him that they stop firing and display a white flag.

Q. Did he say anything about the conditions of a truce and how it was to be carried out in addition to stopping firing and displaying a white flag?
A: As I recall, he said he would call the officials of
the miners' union and arrange for them to get the information to
the men who were gathered around the mine.

Q. Did you learn then and had you learned before that
there was some firing?
A. We had heard that.
Q. What had you heard?
A. McDowell had reported to Colonel Hunter that there was some
firing or firing had started at the mine.

Q. Did you hear any one had been wounded or killed?
A. That was reported to Colonel Hunter at that time?
Q. What else did Colonel Hunter do that you know of from that
time on with reference to taking care of the situation or looking
after the situation or aid in taking care of the situation?
A. He called the sub-district office of the miners at Herrin
and talked to some one and he said it was Mr. Hughes.

Q. Fox Hughes?
A. Fox Hughes.
Q. Do you know whether he called for any one else first?
A. He called for Mr. Willis.
Q. Who was Mr. Willis?
A. He was state board member of this district.
Q. Do you know why he did not talk with Mr. Willis?
A. I understood that Mr. Willis was not in the office at that time.
Q. Then he talked with Mr. Hughes?
A. Yes.
Q. He said he talked with Hughes.
A. Yes.
Q. Have you learned since that he talked with Hughes?
A. I have no information.
Q. You have no reason to believe he did not talk to Hughes?
A. No, I have not.
Q. What did he say to Hughes?
A. He told Hughes Lester had authorized the discontinuance of operations at that mine and asked Mr. Hughes to arrange in some way to convey that information to the men out there.

Q. Did he say anything further to Mr. Hughes about how the agreement was to be carried out?

A. There was some talk about the men at the mine displaying a white flag and the men who were to go to the mine, and give information that the mine was to be shut down, and to display a white flag.

Q. Was anything said about men coming out of the mine or when they would come out and be removed from the county?

A. Nothing said while I was there in connection with that.

Q. Did you learn that later in connection with the truce?

A. No, sir.

Q. Did you ascertain from outside source afterwards that some arrangement was made or claimed to be made with reference to the safe passage of these men out of the county?

A. I understood later that was true.

Q. What did you understand about that, how it was to be done?

A. I don't know anything of the terms that were arranged after I left the office.

Q. Did you understand those men were to come out of the mine, lay down their arms and be taken to some station or place of transportation where they could leave the county?

A. That was my understanding, yes.

Q. Did you understand that was a part of the arrangement that was completed in this truce arrangement, that was made between Hunter and Hughes and McDowell at the mine?

A. Afterwards I understood that that was the arrangement, yes.

Q. Did you understand when those men were to be escorted out of the mine and to a place of transportation?
Q. Did you learn later anything about when the hour was or time was when that was to be consummated?
A. No, sir.

Q. Did you hear anything about 6 or 7 or 8 o'clock next morning?
A. No, it was about 10 o'clock the next morning when I first heard.

Q. I say, did you hear anybody say at that time, or at any time afterwards that the arrangement was that they were to be escorted out of the mine the next morning between 6 and 8 o'clock?
A. I heard that.

Q. That was generally understood here, was it, as part of the terms of that truce?
A. Yes, sir.

Q. What did Mr. Edrington do, if anything, in the way of assisting Colonel Hunter or assisting others here to get information or cope with the situation? What did he say or do?
A. He assisted Colonel Hunter in gathering information and receiving reports from Herrin and Marion. He did considerable telephoning.

Q. Was there not something said in conference over there in the afternoon when your Association members were present with Colonel Hunter, that a citizens committee would be willing to go with the officials or some officers out there to the mine and seek to arrange to have the matter adjusted peacefully and these people taken out of the county?
A. That was suggested.

Q. What was suggested?
A. Well, the matter was discussed as to the best way to put the truce into effect and that was one of the suggestions made by some one.

Q. State to the committee that suggestion. What was said about that and how you had it figured out.
A. As I recall the suggestion was made that some of the citizens
would go out as a committee and give information to the men who were surrounding the mine of the truce.

A. Well, after Colonel Hunter got the sub-district office details were left for a later meeting, as I understood and they did not decide definitely on what course to pursue.

Q. After Colonel Hunter had arranged the truce, so far as you heard the arrangement, did he then call Springfield for any purpose?

A. I think he did.

Q. Did you hear any conversation between Colonel Hunter and somebody supposed to be at Springfield?

A. Yes, sir.

Q. What conversation did you hear on the part of Colonel Hunter at that time?

A. He reported to some one that a truce had been arranged and that the company had decided to shut down their operations.

Q. What else did he say?

A. That was about all I recall.

Q. Did he say anything at that time about men having been killed?

A. Not that I recall.

Q. At that time had you learned men had been killed?

A. We had received the report.

Q. You had received the report there was firing going on out there?

A. Yes, sir.

Q. And the report that union miners had been killed?

A. Yes, sir.

Q. Do you know whether Colonel Hunter communicated that or not to the Adjutant General's office at Springfield?

A. I did not hear him report it.

Q. Did you hear all he said over the phone from this end?
A. No, sir, I don't think I did.

He might have made additional report or had conversations you didn't hear?
A. Yes, sir.

Q. Were you around here in the evening of the 21st?
A. I was at home.

Q. What time did you leave the business section here and go home?
A. Probably about 7:30.

Q. How far out do you live from the square here?
A. Oh, it is 6 or 8 blocks north of the square.

Q. Did you come back down town that evening?
A. No, sir.

Q. Did you hear any explosions that evening?
A. Yes, sir.

Q. About when did you hear them?
A. It was about 9 o'clock I think.

Q. How many did you hear?
A. I think there were two.

Q. What was the character of those explosions with reference to being severe or not?
A. They were very noticeable but not particularly severe.

Q. They were unusual?
A. Yes.

Q. Did you know or suspect or believe that those explosions came from that mine or in that vicinity?
A. Yes, that was what I supposed when I heard them.

Q. Did you learn in any way what the fact was as to where the explosions took place?
A. No, sir.

Q. You did not learn that until later. You know now they were blowing up steam shovels there, do you not?
A. Yes.

Q. When you left the main part of the city to go home, did you notice any crowds gathered here?

A. There was quite a large number of people around the streets.

Q. Did you see crowds together in the streets?

A. They were bunched up in several places around the square.

Q. Did you know at that time that there were two men from that strip mine over here in jail?

A. No, sir.

Q. When did you learn that?

A. I think it was yesterday in the evidence given here.

Q. You did not learn that before?

A. No, sir.

Q. What were these men doing that were gathered here?

A. Just milling around and talking.

Q. Did you hear any conversations?

A. No, sir.

Q. Did you hear them say anything?

A. No, sir.

Q. Did you gather from anything they did say to others as to what they were talking about?

A. I took it for granted they were talking about trouble at the mine.

Q. Did you learn as a matter of fact what they were talking about, why they were gathering?

A. No, I did not. I just assumed that was the principle subject.

Q. They were gathering in unusual manner or numbers here?

A. Yes, unusual number.

Q. It was apparent to you that something unusual was going to take place, was in their mind?

A. Yes.

Q. Did you hear anything about the shooting or attack upon the truck carrying non-union men from Carbondale?

A. Yes, we heard that report.
Q. Did you have that report at the time of your meeting at
the Greater Marion Association room?
A. Yes, sir.
Q. Did that matter discussed then?
A. Yes.
Q. Did you learn anything of the details of that attack?
A. None of the terms.
Q. Did you learn that several men had been wounded?
A. Yes, that was reported.
Q. Did you, also, learn that there were gatherings over at
Harrisburg and other places?
A. Yes, sir.
Q. Did you learn that armed forces were coming in automobiles?
A. No, sir.
Q. Did you know they came through the city that evening at 6
o'clock?
A. No, sir, I did not know that.
Q. About what time did you learn of the shooting at the mine?
A. The beginning of the shooting there?
Q. Yes, when you learned there were two or three union men
killed. What time of the day was that?
A. I think that was between 3 and 4 o'clock.
Q. And do you think you heard of it about as soon as it
occurred?
A. Yes.
Q. Did you go out next day after this was over?
A. No, sir.
Q. That is all.

FURTHER EXAMINATION BY MR. IGOE.
Q. Are you an operator, Mr. Mitchell?
A. Yes, sir.
Q. Usually the operator and mine workers agree as to their
difficulties. They don't have any trouble running the mines?
A. Very little.
Q. All matters of legislation you folks have agreements that on, they are arranged by representatives of both sides?
A. Yes, sir.
Q. Infact, that is the way you get all your legislation through the general association. It is usually be an agreement?
A. There is a joint agreement between executive officers and miners and operators.
Q. And the operation of mines in Illinois had been interrupted last year, hadn't it?
A. Yes, sir.
Q. Why was that?
A. The agreement under which mines had been operated expired on the 31st of March and negotiations were pending to either renew or make a new agreement.
Q. And while those negotiations were pending, operations merely ceased and no attempt was made to run the mines?
A. No attempt was made.
Q. When was a new agreement signed between the operators and miners?
A. An agreement was made to continue the old agreement in force on the 21st of August.
Q. And until the 21st of August there were no mines operating in Illinois?
A. No.
Q. As I understand, this Lester Strip mine, the owner of that mine came in here and attempted to operate despite the fact all other mines were shut down?
A. Yes sir.
Q. And he had some sort of an agreement which would permit him to take off surface earth by steam shovel before he reached the coal?
A. That is what I understand.
Q. And that was agreeable to the miners?
A. Yes, sir.

Q. He trouble while he was doing that?
A. None.

Q. Then, as I understand it the trouble arose because after he had taken the earth off of the coal he then attempted to do something that the miners thought was in violation of the agreement?
A. Yes, sir.

Q. And what was he attempting to do that was in violation of that agreement?
A. He was attempting to load and ship coal.

Q. In what manner?
A. With steam shovel.

Q. And was he using the same men to shovel coal as he did to strip it?
A. No.

Q. He brought in a different crew.
A. Imported labor.

Q. How long was he engaged in work of throwing up earth before he reached the coal?
A. That work had been going on for several months and up until the forepart of June.

Q. That was work of several months?
A. Yes.

Q. And then when he finished throwing up the earth, he then discharged the union steam shovel men and then brought in some other steam shovel men and attempted to dig coal and load that coal with steam shovel on cars and ship it out?
A. Yes, sir.

Q. And was it at that time he put armed guards around?
A. I understood the guards came when labor came, when non-union labor came.

Q. With them came armed guards?
A. About the same time.

Q. There was not any objection to his taking the earth off of
That coal there?

A. No, sir.

Q. And no one interposed any objection to his doing that?
A. No.

Q. But all miners around here were out of work and all mines shut down at the time. He then brought in non-union men under guard and attempted to dig and market coal out of the strip mine?
A. Yes, sir.

Q. What is a strip mine?
A. A strip mine is where the vein of coal comes near to the surface and near enough so that the over-burden can be stripped off.

Q. In other words, you do not sink a shaft?
A. No.

Q. And do not dig in from the side?
A. No.

Q. It is much cheaper to mine coal than to dig it out of a shaft?
A. Very much.

Q. And the profit of course, would be very much greater to a man with a mine of that kind?
A. Yes, sir.

Q. Were there men in the union who did do that work at that time?
A. Load coal during the suspension?

Q. Yes?
A. No, sir.

Q. In other words, he could not have gotten any union men to do that work at that time?
A. No, sir.

Q. If I understand it, there are union men operating that strip mine?
A. Yes, sir.

Q. And the difference now and then is there is a general agreement
At that time we had no agreement covering the operation and no scale of wages to apply.

Q. And, therefore, no miner, under an agreement the men had among themselves, could be operated in Illinois?
A. No, sir.
Q. And they would consider any one worked as a non-union worker?
A. Yes, sir.
Q. That developed this situation, that of all coal mines around in this community and I believe there are more here than in any other part of Illinois, the only mine working was the Lester strip mine?
A. Yes, sir.
Q. And that was being operated by non-union men under an armed guard?
A. Yes, sir.
Q. That would not tend to create any enthusiasm either among the operators or miners in this community?
A. No, sir.
Q. In other words, the operators were just as much out of pocket as the miners themselves?
A. Yes, sir.
Q. It is pretty well conceded that you cannot run a non-union mine in Illinois?
A. Oh, yes.
Q. That cannot be done in this state?
A. I don’t think any operator would attempt that.
Q. It is futile to attempt to run a mine with non-union workmen in Illinois?
A. Yes, sir.
Q. And outside of that mine, do you know of any other mine that was attempting to be operated by non-union men in this state?
A. No, sir.
Q. And in ordinary times, take for instance the times in which
we are living at present, when an operator and miners are in an agreement and are mining coal harmoniously, it would be exceedingly dangerous to go out and attempt to operate the mine even at the present time with non-union men, wouldn't it?

A. Yes, sir.

Q. But at that time everything in Illinois, from a coal mining standpoint, was absolutely shut down?

A. Yes, sir.

Q. And that was shut down because of the expiration of an agreement that had been entered into between the mine workers and the operators?

A. Yes, sir.

Q. And you folks were meeting with the miners in Chicago?

A. Yes, sir.

Q. And you were attempting to determine either on the old agreement or new agreement?

A. Yes, sir.

Q. And you continued terms of the old agreement?

A. Yes, sir.

Q. And that was about August?

A. Yes, sir.

Q. Now, the mine workers who are operating that mine there now, they belong to the miners' union?

A. Yes, sir.

Q. They work differently than men that work in the shaft?

A. A different scale of wages applies to that class of work.

Q. But they are miners?

A. Yes, sir.

Q. Strip miners?

A. Yes, sir.

Q. So there is not any reason why this man Lester could not have paid really an exorbitant wage and still make a nice profit on the running of that mine at the place where this occurred?
A. Yes.

Q. About how many cars of coal can they load out there with those steam shovels in a day?

A. I am not positive but they should load 25 cars a day.

Q. And how many men are required for that operation?

A. I really don't know. I am not familiar with stripping operation.

Q. You mean one shovel ought to load 25 or 30 cars?

A. Yes.

Q. And about what is the average tonnage of a coal car?

A. 30 tons.

Q. What is the average production of a miner in the shaft?

A. About ten tons per day. That is a very good average.

Q. What do you pay miners?

A. The mining rate is 97 cents a ton, that is machine miners.

Q. Getting back to this day you were over in the office of the Greater Marion Association, Mr. Mitchell, you saw Colonel Hunter there?

A. Yes, sir.

Q. And did you hear him telephoning to Springfield at all during the day?

A. Yes.

Q. But as I understand it, you are not sure what he telephoned?

A. No.

Q. You were there when reports came in that men had been ambushed over by Carbondale?

A. Yes.

Q. You heard that report and while you were there you, also, received information as to men having been killed out at the mine?

A. Yes.

Q. How frequently did you see Colonel Hunter around here during the days preceding the disaster?

A. Oh, I think I saw him at some time the following day. I
You saw him Wednesday preceding the disaster?
A. Yes.

Did you see him any day before Wednesday?
A. No.

How frequently were you around the offices of the Marion Association on that day?
A. I was in and out of the office from about 2 o'clock until 7 or 7:30.

Were you the President of the Greater Marion Association then?
A. Yes, sir.

Did Hunter appear to be doing all he should have done in order to perform his duties here?
A. Yes, sir, he did.

He seemed to be honestly trying to avert trouble?
A. Yes, sir.

You did not encounter the Sheriff that day, did you?
A. Yes, sir.

FURTHER EXAMINATION BY THE CHAIRMAN

Mr. Mitchell, do you remember what time Mr. Hunter called General Black?
A. Indefinitely. It was between 5 or 6, late in the afternoon.

During that time did you discuss the feasibility of calling troops with Mr. Hunter or other men?
A. No, I don't recall that was discussed.

That suggestion was not discussed in the conference you were in?
A. No, it was confined entirely to ways and means of preventing trouble locally.

CHAIRMAN: Any other questions?
Mr. IIO: I believe I asked you when the agreement between the operators and miners expired?

A. March 31st.

Q. And a new agreement went into effect in August?

A. Either the 21st or 22d of August. I think the 21st, 1922, and we continued operating under the old scale.

Q. That is all.
WILLARD RILED

HAVING BEEN FIRST DULY SWEAR, WAS EXAMINED IN CHIEF BY
CHAIRMAN MC CARTHY, AND TESTIFIED AS FOLLOWS:

Q. What is your name?
A. Willard Ridlen.

Q. Where do you live?
A. Route 4, Marion.

Q. On a farm?
A. Yes, sir.

Q. Where is that with reference to Hosea Borum's farm?
A. Well, it is about a mile southeast of his place.

Q. And where is your home with reference to the city of Marion?
A. About four mile and a half south and east.

Q. How far from Herrin - that is, the city of Herrin?
A. 15 or 16 miles, I suppose.

Q. Where is that with reference to the Lester strip mine where the trouble occurred?
A. You mean from Herrin or Marion?

Q. No, from where you live to where the Lester strip mine is.
A. I judge it to be 11 or 12 miles.

Q. You remember that they had some trouble out there?
A. Yes, sir.

Q. And that occurred on a Thursday?
A. It did.

Q. It was on Thursday, June 22nd. Now, do you remember where you were that day?
A. I was working at the Longbell Lumber Co.
Q. Where were you on the afternoon of that day?
A. Well, I worked part of the afternoon and went home sometime between two and three o'clock.

Q. Who went home with you?
A. I think Borum and Harley Hudgins.

Q. Do you know where Hudgins is now?
A. He lives in town somewhere.

Q. Have you seen him?
A. Something like a week since I seen him.

Q. When you were coming home with Hosea Borum, did you see any officials of this county whom you knew?
A. I seen one I knew.

Q. What was his name?
A. I seen John Schaffer.

Q. Do you know who it was with him?
A. No, only Hosea Borum said it was Sheriff Thaxton.

Q. How long have you known Mr. Schaffer?
A. Quite a while. I just seen him around town and knew him.

Q. But you know him by sight?
A. Yes, sir.

Q. Where did you see him with reference to where you live?
A. About a mile and a quarter from my home.

Q. And at what place? Do you know the name of the road? That is, where the road leads to?
A. It is just a road connecting between two main roads. You might say a byroad.

Q. Connecting what main roads?
A. This South Main road and South 4th Street road.

Q. And where do those two roads lead to and from?
A. From Marion to Elizabeth.

Q. FURTHER EXAMINATION BY MR. PIERCE.

Q. Where did you see these people - Schaffer and
We were off of the railway. You know where the C & E I R.R. runs south - just off there.

Q. How far out from Marion?
A. It was about three mile and a half.

Q. And were they on the public highway at the time you saw them?
A. It is a road across - I don't know whether you would call it a public highway.

Q. What were they doing?
A. Just driving along.

Q. What sort of rig were they in?
A. A Ford car.

Q. Were they together?
A. Yes, sir.

Q. Anyone else with them?
A. Not that I saw.

Q. Which way were they going?
A. East.

Q. Coming toward Marion?
A. Yes, sir.

Q. What time of day?
A. Three o'clock.

Q. How do you fix that time?
A. Partly by the time I quit work.

Q. You know the time you quit work?
A. Yes, 2:00 o'clock.

Q. And were you on the way home?
A. Yes, sir.

Q. Which way do you go home?
A. West. We were taking the other fellow home who was with us.

Q. You were in a Ford?
A. Yes, sir.
Q. There were three in the car?
A. Yes, sir.
Q. You recognized Schaffer?
A. Yes, sir.
Q. You know him well enough to know it was him in the car?
A. Yes, sir.
Q. There was one man with him?
A. Yes, sir.
Q. Where did you go after you met them?
A. Took the fellow a quarter mile on home and came back the byroad and then went on south.
Q. Do you know where the Lester Strip Mine is?
A. Yes, sir.
Q. How far was it from where you met them on the road to the Lester Strip mine?
A. Somewhere around 10 or 12 miles.
Q. And the Lester Strip mine is about 4 miles out from Marion?
A. I should judge about 6 miles.
Q. It is half way between here and Herrin and Herrin is 8 miles.
A. I couldn't say, I thought it was farther.
Q. If you were about 3 miles in the country, it would be the distance between where they were from Marion and the distance on to the Lester Strip mine, which is 4 miles. In other words, where they were, was not in the vicinity of the mine?
A. No, sir.

FURTHER EXAMINATION BY MR. RICE.

Q. You say you saw them three miles west of Marion?
A. No, three miles south of Marion.
CHAIRMAN: What time do you lose today?
A. Lost a day.
Q. What do you earn?
A. $6.86.
Q. How far from here to the mine?
A. 4 or 5 miles.
Q. What is your address?
A. Route 4, Marion, Illinois.

CHAIRMAN: You will receive a check for the amount you have lost.
A. A. MOSELEY

having been first duly sworn, was called as a witness, examined in chief by Chairman McCarthy, and testified as follows:

Q. Please state your name?
A. A. A. Moseley.

Q. What is your business?
A. Retail hardware man.

Q. Where is your place of business?
A. On West Main.

Q. In the city of Marion?
A. Yes, sir.

Q. How long have you been a hardware dealer?
A. 20 years for myself.

Q. And were you conducting a retail hardware store here on the 21st day of June, 1922?
A. Yes, sir.

Q. Just state to the committee what occurred on that day, any unusual occurrences that you saw transpire relative to your hardware store.
A. Well, I hardly know what to say. Of course there was some fellows came in and wanted some guns.

Q. What time of day?
A. Along about the middle of the afternoon.

Q. How many?
A. 18 or 20.

Q. And what did they say to you?
A. Said they wanted to get my guns.

Q. Want to purchase them?
A. No.

Q. What did they do, demand the guns?
A. Yes, sir.
They said they wanted my guns. I didn't know what to do, and told them they would have to pay and they said I would get my pay for them. I told them they would have to give me some authority -

Q. Then what happened?
A. They said I could call up Davis. I think it was Davis at Herrin.

Q. Who was Davis?
A. I don't know. I told them I didn't know Davis. They said, "You know Hugh Willis" and I told them I didn't know Hugh Willis. They started to get them and I told them to go to some other hardware stores and not take all the guns I had, but go and get some from some of the others, and one said, "All right boys, lets do that" and while they were gone I phoned the sheriff and they said there was nothing they could do for me, and then I phoned the city police and Mr. Vinson and another gentleman came down there.

Q. Mr. Vinson is chief of police?
A. Yes, sir. While they were gone the police came and after they left they came back and said they couldn't find any guns and I let them have what I had.

Q. How many did they get?
A. Nine.

Q. What kind were they?
A. Cheap shot guns.

Q. Any ammunition?
A. Shot gun shells and revolver cartridges.

Q. Do you know Sheriff Thaxton?
A. Yes, sir.

Q. Do you know Mr. Storme?
A. No, sir, but I do now.
Q. Was Mr. Storms the man you got on the phone?
A. I couldn't tell, it was some man.
Q. What did you tell him?
A. I wanted protection from the men who came to get my guns.
Q. After they came back for the guns, what did you do?
A. I didn't do anything.
Q. Did you make a record of the guns taken?
A. Yes, sir, I did at that time.
Q. Have you that record?
A. I think I have.
Q. Does that record contain the names of the people?
A. No, sir, it does not.
Q. Did you know the persons?
A. I did not.
Q. Who else was present in the store when they first came there?
A. I don't think there was anyone when they came the first time.
Q. Who was there when they got the guns?
A. I don't know as anyone was there outside of my clerk, Herman Slater.
Q. Where is he?
A. At the store.
Q. He and you are the only two there in the store?
A. Yes, sir.
Q. And he was there when they came back and actually got the guns?
A. Yes, sir, I think he was.
Q. What did they say?
A. They said they couldn't find guns any place else
Q. What were the words they used? What I am trying to get at is whether they actually demanded the guns or asked for them?

A. Well, I told them to divide it up and they came back and said they would have to take mine.

Q. Prior to this time you knew there was some trouble brewing? You knew there were guards at the mine?

A. I heard of it.

Q. What time was it when they first came to the store?

A. About the middle of the afternoon. I judge about 2:30 or 3:00 o'clock.

Q. And what time was it when they actually got the guns?

A. I judge 20 minutes afterwards.

Q. Prior to that time had you heard of the killing of Union miners at the mine?

A. No, sir, I hadn't heard it.

Q. Had you heard of the shooting of a truck at Carbondale?

A. I think I had, I am not sure.

Q. What did these men look like?

A. They were young men and boys.

Q. What did they say they wanted to use guns for?

A. Said they wanted to go out and clean up those scabs.

Q. Did you report that to the sheriff's office?

A. When I phoned to him, I told him that they wanted guns for trouble at the Lester mine.

Q. After they went out with the guns and ammunition, what did you do?

A. Didn't do anything.

Q. Did you know any of these boys?

A. No, they said they were from Herrin.

Q. Why did you let them have the guns?
A. I thought they would take them anyway.

Q. You were afraid they might do some violence?
A. I thought it was best to let them have them.

FURTHER EXAMINATION BY MR. IGONE:

Q. Were you ever paid for those guns?
A. The insurance company paid me for them. Riot insurance.

Q. How long had you carried that insurance?
A. I had taken it out about the middle of March 1922.

Q. Had you been expecting trouble down here?
A. No.

Q. Had you always carried riot insurance?
A. No.

Q. This was the first time you took it out?
A. Yes, sir.

Q. Was that the time they started to strip earth from the mine at Lester?
A. I don't know whether at that time they had or not.

Q. That was the time the agreement expired, wasn't it?
A. Not until the 31st.

Q. You took it out in March?
A. About the 15th of March.

Q. Were you expecting trouble?
A. Not at that time.

Q. What caused you to take out the insurance?
A. I guess because the insurance agent talked me into it, more than anything else.

Q. And you were fully paid for the guns?
A. Yes, sir.

Q. Don't you know who Mr. Davis is?
A. I heard since that he was one of the mine officials.

Q. He is secretary or something in the miners' organization at Herrin, isn't he?
A. I couldn't tell you. I don't know.
Q. Do you know Senator Sneed?
A. I know him when I see him.

Q. Do you know Mr. Davis who is connected with him in the miners' organization?
A. I couldn't say.

Q. Do you know Hugh Willis?
A. I know him when I see him. I didn't know the people they were at that time.

Q. And they told you to call Davis at Herrin and you said you didn't know him?
A. Yes, sir.

Q. Did they tell you where Hugh Willis was located?
A. No.

Q. Did you tell the Chief of Police everything that happened?
A. Yes, sir.

Q. And how long did his assistant remain with you?
A. I judge maybe five minutes.

Q. And before you called the chief of police you called the sheriff's office?
A. Yes, sir.

Q. And you got someone with a male voice. Did you tell him what had happened?
A. Yes, sir.

Q. And that person told you there wasn't anything he could do?
A. Yes, sir.

Q. Did he advise you what to do?
A. Told me to let them have the guns if they paid for them.

Q. Told you to let them have the guns if they could pay for them?
A. Yes, sir.

Q. Did you testify at either of the trials here?
A. Yes, sir.
Q. On which side?
A. For the State.
Q. At both of the trials?
A. Yes, sir.
Q. Don't you know any persons around the square?
A. Yes, sir.
Q. Were you around the square?
A. No, sir.
Q. What time did you go home?
A. 6 o'clock.
Q. What time did the crowd gather?
A. I couldn't tell.
Q. Did you hear any explosion?
A. Yes, sir.
Q. Were your lights out?
A. I don't know. I was out in the yard.
Q. What were you doing?
A. Just sitting there.
Q. Nothing unusual around your House?
A. No, sir.
Q. Did you have any feeling of apprehension as to what might happen?
A. I don't know. I didn't think of anything happening.
Q. Did you know of anything outside of town?
A. I thought there might be at the mine.
Q. Did any of the officials appear to be doing anything to prevent that trouble?
A. I didn't pay any attention. I was in the store and wasn't up town.

FURTHER EXAMINATION BY MR. PIERCE:

Q. What insurance company have the riot policies?
A. I couldn't tell you. Their agent is Allsbrook Bros.
Q. They are here in Marion?
A. Yes, sir.

Q. How you reported to the insurance company that these guns had been taken?
A. Yes, sir.

Q. That was after the riot?
A. Yes, sir.

Q. You made proof to show it was necessary - your policy provided against riots and protected you?
A. Yes, sir.

Q. Did they send you a check direct for that loss?
A. Their agent brought it down to me.

Q. What did you sign for that check?
A. Nothing. The insurance company sent an adjuster and I signed a paper for him.

Q. You knew you signed that agreement?
A. Yes, sir.

Q. When did that adjuster come with reference to the time the riot occurred?
A. The best I remember it was about six weeks.

Q. Did he come before or after you filed claim?
A. After.

Q. How did you happen to file claim?
A. With the agent here?

Q. Yes. Did the agent ask you to file it?
A. I went to the agent.

Q. When, with reference to the riot?
A. I spoke to him three or four days after it happened.

Q. Did he tell you to file claim?
A. He said I would have to do that.

Q. Did he give you blanks?
A. He did later.

Q. And about six weeks after that an adjuster came here?
A. Yes, sir.
Q. How long before?
A. About three days.

Q. Was that feeling three days before the riot?
A. Yes, it seemed that there might be trouble.

Q. There was sort of an atmosphere that something was going to occur and you felt the impress of it about three days before?
A. Yes, sir.

Q. And acting upon the impression you put away part of your arms?
A. Yes, sir. Put away the best of them.

Q. Did this man at the sheriff's office tell you to let them have the guns if they would pay for them?
A. Yes, sir.

Q. And that was his statement after a full disclosure from you as to what the guns were for?
A. Yes, sir.

Q. Don't you know who the man was in the sheriff's office?
A. No, sir. I know the deputy sheriff Storme, but I don't know whether it was him or not.

Q. Do you know him well enough to speak to him?
A. No, sir.

Q. Did you vote for him?
A. No, sir.

CHAIRMAN: I want to inform the committee that Mr. Friess was on duty last evening but I am informed that several deputies have gone to his house today and he can not be found. It was first reported that he was asleep and finally they got into the house and they tell us there he hasn't come back from work. They also tell us if they find him they will let us know. Mr. Storme, who we have sent for re-examination, is in Kansas City. Left yesterday noon on account of his brother's health.
TESTIMONY OF OLDHAM PAISLEY?

BEFORE THE HERRIN MASSACRE INVESTIGATION COMMITTEE

HOUSE OF REPRESENTATIVES

AT

MARION, ILLINOIS

April 28, 1923.
having been first duly sworn, was examined in chief by Mr. Igoe

and testified as follows:

Q. State your name.
A. Oldham Paisley.

Q. And you reside?
A. In Marion, Illinois.

Q. What is your position or occupation?
A. Newspaper man.

Q. How long have you lived in Marion?
A. About eight years.

Q. Were you in the city of Marion during the month of June, 1922?
A. I was.

Q. Were you here all of that month?
A. Yes, sir.

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

Q. What night was that, Mr. Paisley?
A. On Monday.

Q. Monday, June 19th?
A. Yes, sir.

Q. What, if anything, happened the next day?
A. I don't remember anything out of the ordinary next day at the present. There was some apprehension that there might be and
I remember that night, that is Tuesday night of going to the street car and talking with the conductors and asking them what the situation was and they told me that things were quiet along the car line.

Q. That is the car line that runs between here and Herrin?
A. Yes.

Q. Had you seen Colonel Hunter that day?
A. I am not positive that I saw him on Tuesday. On Monday he gave me a statement, a written statement which we printed in the paper.

Q. What was the substance of that statement?
A. I can read it to you in full. This statement was handed me by Colonel Hunter in the presence of Major Robert Davis and reads as follows: (Reads statement)

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

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

"It is not true that troops *will* be used at this time as the situation is in the hands of the local authorities and it is not General Black's policy to use troops until such time as the emergency gets beyond the control of the civil law officers, and we feel confident that the civil authorities of Williamson County are entirely competent to handle any emergency. We have every confidence in their performing every official duty."
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"It is not true that troops will be used at this time as the situation is in the hands of the local authorities and it is not General Black's policy to use troops until such time as the emergency gets beyond the control of the civil law officers, and we feel confident that the civil authorities of Williamson County are entirely competent to handle any emergency. We have every confidence in their performing every official duty."
4. That statement was given to you by Colonel Hunter on Monday, June 19th?

A. Yes, sir.

4. Then, as I understand it, you did not see the Colonel any more until Wednesday?

A. I am not positive. I don't recall now seeing him although I may have.

4. And then do you recall anything unusual that happened on Tuesday of any kind?

A. I don't know.

4. On Wednesday, June 21st, did you see Colonel Hunter?

A. I did.

4. Where was he when you first saw him that day?

A. In the Gem Restaurant I believe was the first. May I start in and lead up?

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

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

At the Greater Marion Association office Colonel Hunter was trying to get some information and I told him I thought perhaps, knowing people in these other communities, I might be able to get information quicker for him, so I made calls and talked with
the hardware store men at Herrin and obtained from them the names of the stores that were raided, the number of guns that were taken and approximate rounds of ammunition that were taken, which information I gave to Colonel Hunter as fast as I got it and he made notations accordingly.

Q. About what time of the day was that?
A. That was awfully hard to figure then. I should estimate that was 1:30 or 2 o'clock. It was awfully hard to tell.

Q. What was the next thing happened?
A. Colonel Hunter, during the afternoon, made three or four calls for Adjutant General Black from that office and on the first call that I heard, he was talking with General Black and turned to me and asked me for some further information concerning the guns and ammunition and I gave that to him and he repeated that over the phone to whoever he was talking to and who I believe was General Black. That was the information about stores being robbed.

Q. About how many guns and rounds of ammunition were taken?
A. I am positive in my mind that he told him about stores being raided and I am under the impression that he told him as to the number of guns taken and amount of ammunition.

Q. Did he tell him anything about the truck at that time?
A. Not that I recall. You see that was an hour or two hours after I told him about the truck information so I don't know whether he may have done that before. At that conversation I don't recall anything about the truck.

Q. Before you learned any men had been killed at the mine, was it? What is the next thing?
A. We kept trying to get information. I worked over that phone for him and went across the hall to do phoning from there so as not to block one phone on calls coming in and I suppose half an hour later it occurred to me that there might be an attempt to raid the Marion stores and so I went to the phone and
called each of the Marion hardware stores and at Mr. Mosely's
they told me I was already too late. They had already been there.
At one store they already told me they put their guns away and
at another store they thanked me and I understood later, five
minutes later a mob came in and seeking guns, but they had removed
their guns. It was approximately this same time that Edrington
and I decided, I don't know who originated the idea, to get rid
of the Legion rifles, especially after Mosely had been robbed,
and Mr. Edrington got the key for the closet in the police office,
and we carried the rifles in there and put them in this closet,
which was locked up. Not more than 15 or 20 minutes after that
a big number came in there. I happened to be in the main room at
that time and they demanded the American Legion rifles. The exact
words I don't remember. Approximately: We want the Legion rifles.
And I told them the Legion rifles were not there. They thought I
was lying and I took them over to the boxes where the rifles were
and showed them the boxes. They picked up some cartridge belts
and started away with those and I said: "They can be of no value
to you and we will have to pay for them." And one of the crowd said:
"That is right," and took them back and they took nothing.

Q. Was that the occasion someone drew a gun on Mr. Edrington?

A. No, sir. That was the second time, and I took particular
pains to look over the crowd to see if any one I knew. I was
interested to see if any of our Legion members were in the crowd.
There was no one in the crowd that I knew nor any one I have since
recognized. Some of the men, I recall at that time, told me or
wanted to know if I was for or against them and they said there were
nine of our men killed and they had to have the rifles. I told them
the rifles were not there.

Q. As I understand it, this office is just across the hall
from the office of the Chief of Police of this City, same building?

A. Same floor. The police door is probably 20 or 25 feet from
the door of the Greater Marion Association.
Q. Base building and same floor?
A. Yes, sir.
Q. And where is the Mayor's Office?
A. Well, the mayor has no office. The Council Chamber is down stairs and I presume you might call that the Mayor's office.
Q. Where there any city officers around there that day?
A. This police officer Thornton allowed us to put rifles in. I don't know where he came from or where he went to but my impression was he was on the street. The city officers would not be upstairs.
Q. Did any one report any of those happenings to the Sheriff's office?
A. I am not positive. I was in the Sheriff's office later. I don't know whether later or before. I remember one instance following a telephone call that Colonel Hunter had with some one that I presume was Springfield. He asked me if I would go to the Sheriff's office and ask the deputy to come over and I went over and asked Mr. Storme, Deputy Sheriff to come over, and Mr. Storme did go over but I was not there at the time Colonel Hunter talked with Mr. Storme. The second time Mr. Hunter asked me to find the Deputy Sheriff for him I went to the office but there was no one in the office at that time.
Q. About what hour was that?
A. I couldn't say. My estimate is 5 o'clock, second one and the other one between 3 and 4. During the afternoon at 3:15 we received a call from the mine. My impression is that McDowell and he talked with Colonel Hunter and he said that they had been fired upon and about 500 shots had been fired. I think I am correct on that time. My impression is we looked it up at the time it happened and I got that report in the afternoon paper. They must have been fired on before 4 o'clock.
Q. 500 shots had been fired?
A. Yes, sir.
Q. Anybody wounded or killed?
A. Not at that time.

Q. What was the next thing that happened?
A. Well, we went out and brought up our supper. I don’t think Colonel Hunter left the office. Some one brought sandwiches up for him. We ate sandwiches and a glass of milk and did not go out for supper.

Q. Did you not receive the report about the killing of men at the mine before you had supper?
A. We received a report that a man had been killed and I got the information from one of the Herrin undertakers that it was Jordie Henderson, and later verified it was Jordie Henderson, but what time that was I have no idea. It was during the time I was up there.

Q. While you were up there did the telephone call come in and state that some more men had been killed?
A. No, sir. I don’t recall knowing of the third man being either killed or wounded until late that night and then did not verify it until next day. But the wounding of Pitts Cavots we heard about some time that night but the wounding of Hudgens I learned about during late that evening and did not verify it until next day because I heard the report that he was shot in a buggy, passing along and it sounded fishy.

Q. Did Colonel Hunter call up Springfield again when you were up there?
A. He made either three or four calls while I was up there. It might have been two but I am under the impression three.

Q. What conversations did you hear him have over the telephone?
A. I recall this information about the stores being raided. I am not positive as to what other reports he did make.

Q. Did he report anything about a truck being attacked over at Carbondale?
A. Not while I was there, but that report I would have thought
would have been made before.

4. Did he report anything about killing at the mine?
A. Not that I recall. I know he made a call while I was away, which is the call that Mr. Under testified to. I was not there when that call was made.

4. That is at 8 o'clock?
A. I think that is the time he placed it.

4. Did McDowell call up and request assistance while you were there?
A. McDowell called and asked for troops and I heard Colonel Hunter pass on that information to Springfield.

4. Did Crowell call up and ask for troops?
A. Yes, sir.

4. That was after you received the report about 500 shots being fired there?
A. Yes, sir.

4. And after some information about Henderson being killed?
A. I believe not.

4. But anyhow after 500 shots had been fired, McDowell did call up and ask for troops?
A. Yes, sir.

4. And then you heard Hunter convey that information to Springfield?
A. Yes, sir.

4. Do you remember the words he used?
A. Approximately this: McDowell made a request to me for troops. That is approximately.

4. In that conversation did Hunter report about 500 shots having been fired?
A. I don't remember.

4. But you had had a previous conversation between Hunter at Springfield?
A. Yes, sir.
Q. At which he told about the situation down there?
A. About stores being raided.
Q. And ammunition and guns being taken?
A. Yes, sir.
Q. What is the next thing that happened, Mr. Faisley?
A. I was out two or three times looking for the Sheriff and I never found him but I was over to the jail and I do not know what time it was. It must have been in the neighborhood of 8 or 9 o'clock and they told me he had come back in town but I did not locate him then, but 
I know the Sheriff had come from the scene of this truck shooting and I was trying to find him for Colonel Hunter at that time. I know he was not back at 6 because I was over in that proximity and it was 8 or 9 when they told me he was back.

Q. Hunter sent you out to endeavor to locate the Sheriff?
A. No specific orders. We were all working together to gather what information we could.

Q. Were you present at the office of the Greater Marion Association when some attempt was made to organize a citizens' committee?
A. No, sir. I returned, I don't know the hour, but when I went up to the office, Colonel Hunter told me he had arranged for a truce and he stated he had talked to the mine, that they were to cease firing and put up a white flag and that he had talked to the miners' sub-district office and I recall now Hugh Willis and Fox Hughes were to go to the mine with a white flag on their car.

Q. When were they to go?
A. My understanding was to go at once.

Q. That was that afternoon?
A. That evening at 7 or 8 o'clock when I heard that.

Q. Did Hunter arrange a truce over the telephone from the office of the Greater Marion Association?
A. I don't know how it was arranged. He told me.
Was there any time made as to when that truce was to be affected?

A. That is all I ever knew about the truce. I left then. The city newspapers were hounding the life out of myself and everybody and so I went back and reported that to the city papers, that a truce had been arranged and that I thought and believed that peace was going to be restored all over. It was my honest opinion then, so much so, that I did not think they needed send any special men down and I got called down for that the next day.

Q. What is the next thing that happened?

A. I made those calls from my office and when I came out from my office somewhere in the neighborhood of midnight, and started out to see what I could find out again, and I met a crowd coming down from Duty's office. They seemed to think, I gathered, that it was over. The crisis was past and I went on home. I came down next morning a little earlier than usual, about 6:30 or 7.

Q. Were there any crowds in the street around the court house that night?

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

Q. Your office is on the same side of the square with the office of the Greater Marion Association?

A. We are both on the east side of the square. Different ends of the square.

Q. And Mr. Duty's office?

A. At that time Mr. Duty's office was in an office adjacent to our building.

Q. Did you hear any loud noises that night?

A. Yes, sir.
About what time?
A. I have no idea. I lost all idea of time. I don't know. It must have been 9, 10 or 11 o'clock.

Q. Were any lights out there that night?
A. Yes, sir.

Q. How long?
A. I made my calls with candle light.

Q. Did the lights appear to be out all over the city?
A. They were out. There was a break in the transmission line from Carrier Mills.

Q. That is an unusual occurrence?
A. No, sir.

Q. How frequently does this happen?
A. We get our power and light from a plant at Muddy right near Harrisburg and during the war it got so bad we had to put in an engine to pull our machines. They had so many lights, and since then we had frequent occurrences of power and light off.

Q. When you saw men coming down from Mr. Dutty's office, did you talk with them as to how things had been settled?
A. Yes. I knew previous to that time about this truce having been arranged and as I recall now, I got some additional information from them, and presuming there was later information, and they had not heard whether it was carried through or not.

Q. Was Hugh Willis in that gathering?
A. I don't remember any one except I walked home with John Schaffer that night.

Q. You don't know whether the truce had been carried out?
A. I did not.

Q. Did you know telephone wires at the mine had been cut?
A. I did.

Q. When did you find that out?
A. Between 6 or 7. I knew we could not get calls through from the mine any more.
Q. There was no way of communicating with the mine?
A. No, sir.
Q. And so far as you know there was no information in-town as to whether or not that truce has been carried out?
A. No, sir. I am sure I would see Mr. Willis there because if I had I would have asked him what the fulfillment of the truce has been because I knew about his name having been mentioned. He may have been there but I did not see him.
Q. Do you know Fox Hughes?
A. I don't know.
Q. You know Hugh Willis then?
A. I did then.
Q. You don't recall his coming?
A. No, sir.
Q. And then you went home during the night?
A. Yes, sir.
Q. You reached your place of business around 6:30 or 7?
A. That is my guess.
Q. What were the happenings that day?
A. I started out on the usual news rounds to clear that up early and I was in the office of Hunter, the Police Magistrate, with T. E. Craig, city editor of the other paper and we were getting police force record when three or four men came in and said: We came up to get the Legion rifles, and I told him the rifles were not there, and they said: "All right. We are going to get them," and marched out. They did not seem to be under any stress of excitement as other crowds had been.
Q. That was on Thursday?
A. Thursday morning at approximately 7:30. Then after that I left and went down to the square and wrote up what little news I
had and heard the report that men had been killed in the woods.
I went up to the Greater Marion Association to see what information
Colonel Hunter had, if he was there and found he was there, and
I think that he had heard the same report, but he did not have
any verification of it, so Judge Hartwell, Major Davis, Colonel
Hunter and myself hired a taxi and started out to find out. I
think we were delayed one half hour or so over phone calls that
Colonel Hunter was making. I am not positive about that and we
were half an hour or more late in getting away and we must have
left here very close to 11 o'clock. We told the man we wanted
to go to the woods and he evidently did not know the way because
he took us to the mine first and we went on around past Crenshaw
Crossing and up to the woods. At the Power House Woods all of
us got out of the car. All of us asked if the bodies were still
there because we saw such a crowd around there. We knew the report
must be true and they said: "No, the bodies had been taken to Herrin."
So Colonel Hunter was not ready to go on, as he was talking to some
one and I wanted to verify my facts and I ran down in the road and
cought an automobile headed towards Herrin, got into Herrin, went
to the morgue and verified the fact that the men had been killed
and went from there to telephone the office, and called my office,
which was between 12 and 11 o'clock, some time. Then I went back
to the morgue and found some Marion men that I knew who were ready
to go back to Marion and came back with them.

Q. Is that about all you know?
A. I think that is about all.

4. Any further questions?

FURTHER EXAMINATION BY THE CHAIRMAN:

Q. Mr. Paisley, On Monday when you were with Colonel Hunter
and the Sheriff was there any troops mentioned?
A. On Monday?

Q. Any talk as to the advisability of calling troops?
A. I never heard any discussion at that time that I
Q. But you do not know what time that was?
A. I do not remember what day. There were so many talking and so much excitement that placing direct days and times is rather difficult.

Q. On Wednesday do you remember there was any talk about the situation, it had become so tense that troops ought to be called?
A. I do not recall troops being mentioned on Wednesday.

Q. Were you at the Greater Marion Association offices at the time the Citizens Committee was there?
A. Well, I was there while those various persons were up there.

Q. Was there any talk there?
A. I don't recall troops mentioned while the Citizens Committee was there. We were all there together and I remember Mr. Hamilton being there, Mr. Lester, Mr. Mix, Mr. Mitchell. We were all working towards a common end.

Q. But at no time did they talk about troops.
A. In none of the telephone conversations do I recall troops being requested except to pass on this request of McDowell's.

Q. That McDowell said he wanted troops sent out there?
A. Yes, sir.

FURTHER EXAMINATION BY MR. BACKER, ATTORNEY FOR General Black.

Q. May I ask Mr. Faisley, do you remember the time that the stores were visited, was it 2, or around 4 o'clock. Do you know what time they were visited at Herrin, what approximate time?
A. The approximate time must have been 1:30 or 2. As I recall now, that was the first information I obtained. No, it was earlier than that, because I recall that one man I talked to stated...
he was not there at the time that the store was raided, that he
was home at dinner, so whether he goes to dinner from 12 to 1
or what time I don’t know. At the time I obtained the report
it was very close to 2 o’clock, but it had happened before that.

Q. You obtained this report some where around 2 o’clock?
A. That is my best recollection as to the time.

Q. You stated that after obtaining this report you notified
the store here?
A. Some time later. It might have been an hour. In fact, it
did not occur that at the time it was that serious.

Q. Do you recall of any conversation where Colonel Hunter
asked General Black that he thought troops ought to be sent?
A. No, sir, I do not.

Q. Were you in the Greater Marion Association all the time
so that you could have heard all conversations between General
Black and Colonel Hunter?
A. No, sir, I could not have heard all of them. I under­
stand it was a 3 o’clock call and I know I was not there at that call.

Q. Do you remember the approximate time when McDowell made a
request for troops?
A. No my guess as to the time would be in the proximity of
3 o’clock. No, it would have been later than that if he reported
that the men had attacked the mine. It might have been the same time
but I am under the impression it was later.

Q. In regard to this truce, do you remember what was your
opinion when you thought the truce was going through. Do you
remember about the approximate time? Was that in the evening?
A. No, I do not.

Q. Do you remember the first time when, in your own mind,
you felt as though a truce was going to be accomplished?
A. When Colonel Hunter told me.

Q. That was about 6 o’clock?
A. That is my nearest guess.

Q. At that time do you believe Colonel Hunter thought a
truce would be arranged and there would be no trouble?
A. Yes, sir.

Q. Did Colonel Hunter ever say anything to you which would indicate he thought this truce would be arranged and there would be no trouble?
A. Our conversations lead me to believe he felt that way.

Q. Did he, at any time, say anything to you about any information to be given out in the paper regarding the truce?
A. He told me there was no objection to giving that out.

Q. Did he ever say anything he thought he had been very successful in arranging the truce and he wanted that brought out to the attention of the public?
A. He said he had no objections to my sending out the fact that the truce had been arranged.

Q. Did he say anything about any articles regarding the truce?
A. Articles were not mentioned.

Q. Did you have any conversation with Colonel Hunter regarding what he thought he might have done and that it ought to be brought out in an editorial or write-up?
A. Colonel Hunter said he had arranged for this and that there was no objection to sending it out.

Q. This is what I mean: Did Colonel Hunter tell you that he had arranged this truce and he wished that when you wrote up the article that proper attention be given to the part he had done towards the arranging of it?
A. That was the substance of it.

Q. That is all.

FURTHER EXAMINATION BY MR. IGGE:

Q. You thought Colonel Hunter had done about all he could down here to avert this trouble?
A. That is not a fair question. Hind-sight is better than foresight. At that time it may be all that could be done. I don't know.

MR. RICE: Let me ask you: When this Greater Marion Association
was in conference and Citizens Committee, so to speak, you were in and out?

A. Yes, sir.

Q. Getting such information as you could?

A. Yes, sir.

Q. Did you hear anything said in that conference by anybody with reference to securing or attempting to secure the cooperation of the Sheriff and his deputy?

A. At the Citizens Conference? No, I do not recall now. I remember this, of going to the Sheriff's office and asking Mr. Storme to go over there and of going another time and finding no one in the Sheriff's office. As to the conversation regarding the Sheriff or Sheriff's deputy, I do not recall now. If I get your point.

Q. Did Storme go over to this conference on the afternoon of the 21st?

A. He went over to talk to Colonel.

Q. He requested him. Did you go with him there?

A. I did not.

Q. Did you hear any of the conference?

A. I do not think so.

Q. Do you know whether Storme was advised by Colonel Hunter or advised by you of what you had learned of the situation?

A. He was advised by Colonel Hunter.

Q. You do not know of your own knowledge that he was advised of the situation?

A. No, sir, I do not.

Q. But you do know he was put in communication by Hunter and that was at your request?

A. I know he went over there. I talked with him in the Sheriff's office and we came out of the door together and I went to my office and he went to the other office, and he was still up there when I got back there.

Q. Did you tell Storme what you thought about the situation?
A. I have no idea whether I did or not.
Q. Did you tell him anything about what you had learned from Colonel Hunter with reference to when and how troops could be called?
A. No, sir.
Q. They had been in conference before I knew that.
Q. Was it not your understanding you did not get any understanding from Colonel Hunter that the Sheriff was the only man that could ask for troops, did you?
A. That was the way I understood it, yes.
Q. Was it not rather that they did expect the Sheriff to exhaust all of his powers?
A. I know now that is the law, I did not then.
Q. Was that not your understanding of the meaning of what Hunter said to you?
A. My understanding was that the Sheriff had to request the troops. At the time I thought that rather unusual but I did not know the law. I thought he did.
Q. You got the understanding, at any rate from your conversation to Hunter concerning troops, that before troops could be called, that the Sheriff must demand it?
A. That was my understanding.
Q. You learned this differently since, so that you know that is not so?
A. Yes, sir, I have looked up the law since then.
Q. That is all.

CHAIRMAN: I want to report to the Committee that Mr. Friess, night watchman has been found at his daughter's house. One of the Sergeant of Arms served subpoena and he refuses to come. He says he does not know anything about it and the deputy returned without him. My judgment is that the deputy should return and bring him back here. If he does not come voluntarily he should have a rig and bring him in. If there is no objection we will give the Sergeant at Arms that order. While we are looking that up we have three short witnesses: I think we should hear them.
having been first duly sworn, was called as a witness, examined in chief by Chairman McCarthy, and testified as follows:

Q. What is your name?
A. Ed. Morgan.

Q. What is your position?
A. County Judge.

Q. Are you connected with any social organization in the City of Herrin?
A. We are connected with several organizations. I suppose you have reference to the Lions Club.

Q. Do you recall a dinner given by the Lions Club on Tuesday June 20, 1922, at which Col. Hunter talked?
A. I do.

Q. Do you remember the subject upon which he talked?
A. Well, I couldn't repeat the words verbatim. He talked on the riot situation.

Q. Could you give the substance of what he said with reference to the situation - what it was there?
A. He prefaced his remarks with the statement that he was friendly to organized labor and that the military authorities wanted to co-operate with the civil authorities in this matter and that, so far as he could see at that time, there was no necessity to call in troops.

Q. Did he say anything about having made an investigation?
A. He said he had been down a day or two and had been looking the situation over.

Q. Was there any report of the talk made by him at that time?
A. You will find it in the Herrin News of that date.
FURTHER EXAMINATION BY MR. IOOE:

Q. Did Col. Hunter call on the members of the Lions Club to ask them to co-operate with him.
A. It was just a general discussion and everybody agreed they would do all they could to smooth matters over between disinterested parties.

Q. Were you in Herrin on June 21, that was Wednesday?
A. Yes, sir. I was in Herrin till about 10:00 o'clock.
Q. Where did you go then?
A. Out to the Country Club.
Q. Had any stores been robbed up to that time?
A. They had not.
Q. About what time did you get back?
A. About a quarter to six.
Q. Any excitement?
A. Many automobiles were going through town at a fast rate of speed.
Q. In what direction?
A. Going south.
Q. Towards Lester strip mine?
A. Yes, sir.
Q. Any effort to ascertain where they were going and why they were going?
A. I heard immediately after supper that there had been a truce arranged and that the firing had stopped and everything settled.
Q. And did the machines keep on going through town after that?
A. Yes, sir, they did. They continued until after I went to bed about 10:30 or 11:00 o'clock.
Q. Who is Mr. Davis?
A. I suppose you refer to William G. Davis, Secretary of the miners' organization in this county.
Q. There is an organization in the county?
A. Yes, it is a separate district.
Q. And William G. Davis is Secretary?
A. Yes, sir.
Q. What position does Senator Sneed hold?
A. He is president in this district.
Q. Was Senator Sneed in town that day?
A. I think not. He was called to Springfield on a constable bill and he left Tuesday evening.
Q. Constable bill? Coming up when?
A. He said there was some kind of a bill coming up and he had to vote on it. It seemed to me he said something about a constable bill.
Q. That was the Constitutional Convention?
A. I don't know what it was. I remember him leaving town.
Q. When did he leave town?
A. As I recollect, it was Tuesday.
Q. When was the meeting at the Lions Club?
A. Tuesday noon.
Q. Was he there?
A. No, he is not a member.
Q. He left town the same day?
A. I think he did.
CHAIRMAN: Was the question of troops brought up?
A. Only in this way, that he wanted the people to know that they were trying to co-operate with the local authorities.
Q. Was anything said at the meeting about asking the sheriff to swear in deputies?
A. Not that I recall.
Q. Did he say the sheriff of Williamson County told him he had the situation well in hand?
A. Well, from the statements he made, I gathered that the local authorities were able to handle the situation and he wanted that word passed out through the town.

Q. He gave you that impression at the Lions Club?
A. Yes, sir.

Q. And he wanted cooperation of the Lions Club?
A. As I remember it, the general sentiment of the Club was to keep down these rumors of violence that were false and to keep down any disputes that might occur on the streets by saying they were false.

Q. The false rumors were with relation to the incoming of troops?
A. That was what had been circulated.

Q. That was the only rumor that bothered anybody?
A. I don't remember any particular rumors. There were various things in the air, and the idea was to quiet that down.

Q. What rumors were there outside of the coming of troops?
A. I don't remember any other rumors of any kind.

Q. Hadn't the miners' organization gone to Sunnyside to hold a meeting?
A. I heard of it in the papers, but know nothing else about it.

Q. When was that meeting held?
A. I don't know.

Q. Tuesday or Wednesday?
A. I don't know.

Q. Was that meeting held Tuesday, the same day as your meeting?
A. I couldn't tell you.

Q. What is Sunnyside?
A. A mining camp just west of Herrin - just on the outskirts.