1923

Herrin Massacre Investigation Proceedings, 0901-1001

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Q. What kind of traffic?  A. Automobiles and people.
Q. Any more than usual amount of traffic?  A. Sure, everybody was in town.
Q. All gathered around in that locality?  A. Yes, sir.
Q. Were those crowds excited?  A. Didn't seem to be.
Q. Any of them armed?  A. Didn't see any.
Q. Didn't see anybody with guns?  A. No, sir.
Q. What was the crowd doing?  A. They wanted to see the dead people.
Q. How many dead people were there?  A. I think there were about 18 there.
Q. Where were the dead people?  On the corner of Monroe and 14th?  A. Yes, sir.
Q. In the building?  A. Yes, sir.
Q. Were there live ones there?  A. Why, sure.
Q. Pacing back and forth through there?  A. Yes, sir.
Q. Was any officer in charge of the morgue?  A. I was called in there.
Q. And did you remain there the rest of the day?  A. I remained there till I went to supper at 4:30.
Q. Who took your place?  A. I don't know whether Mr. Davis the day chief told me to go to supper.
Q. Did you learn where the men were killed?  A. I didn't have time to ask anybody.
Q. Couldn't you ask somebody that was passing?  A. We kept them moving.
Q. Couldn't you have asked somebody when they were moving?  A. I suppose I could.
Q. Did you want to know how they were killed?  A. I suppose I could.
Q. Did you find out how they were killed?  A. What do you mean by finding out?
Q. Who killed them and how they were killed?  A. They were shot, I suppose.
Q. Did you see the wounds?  
A. Yes, sir.

Q. Did you find out who killed them?  
A. I heard they were killed at the strip mine.

Q. Did you learn of the killing by the cemetery?  
A. I did long afterwards.

Q. When afterwards did you learn of it?  
A. I couldn't tell you.

Q. Did you make inquiry how many were killed near the cemetery?  
A. I did not.

Q. Afterwards, after you got through taking care of these bodies, how long did you stay?  
A. I stayed until they got through embalming them.

Q. Did you make any inquiry as to where the crimes were committed?  
A. I didn’t make any. I didn’t see the chief of police after I went to supper.

Q. Did you ever make inquiry to find out who committed the crimes?  
A. Why, sure not.

Q. Didn’t try to find out?  
A. It didn’t concern me.

Q. The fact that 15 or 20 men were killed didn’t concern you?  
A. My business was in the city.

Q. The crimes were committed, weren’t they?  
A. Wasn’t committed in the city. I wasn’t no court.

Q. As a citizen didn’t you think it necessary to investigate who was committing the crimes?  
A. If I had asked they would told me none of my business and then what?

Q. I suppose that would have confirmed you it wasn’t your business?  
A. Why, sure.

Q. I suppose you are in the same category as the rest. That is all.
Q. You say you went to your home about 6 o'clock?
A. Yes, sir.
Q. And the city hall is on 14th street?
A. It faces 15th street.
Q. And on what street is your home?
A. 14th street.
Q. What direction is your home from the city hall?
A. A little northeast.
Q. As you were going to your home, you would go north and then east some?  A. No, I would go east a block and then north two blocks and a half.
Q. That would take you toward 13th street?  A. Yes, sir.
Q. Before you went to your home that morning, did you get any information about trouble at the mine? Had anybody come in at all?  A. I didn't see anybody.
Q. Did you have any information about what was taking place at the mine?  A. No, sir.
Q. You heard explosions about 4 o'clock in the morning?  A. I couldn't say.
Q. Any officers with you at that time?  A. No, sir.
Q. Any discussion as to what it was?  A. No, sir.
Q. You didn't ask one another as to what it was?  A. No, sir.
Q. Sounded like it was in the south, toward Lester strip mine?  A. I couldn't say.
Q. You say this sound apparently came from the south?  A. Yes, sir.
Q. You heard only one?  A. Only one.
Q. Did you hear any during the night?  A. No, sir.
Q. Were you on the street during the entire night?  A. Yes, sir.
Q. Wasn't sitting in the city hall where you couldn't hear any noises?  I usually drop around the city hall and sit down and rest a few minutes.
Q. And you have no remembrance of the lights going
out in Herrin about nine o'clock?  A. No, sir.
Q. Where were you from noon till six o'clock on the
evening of Wednesday?  The afternoon of Wednesday prior
to this fatal day of Thursday the 22nd?
A. I was home in bed.
Q. What time did you get up?  A. I get up about
supper time, about five o'clock.
Q. When you came on duty about six o'clock Thursday
evening, did you hear rumors of anything out at Lester mine?
A. I heard there was a bunch of fellows out there
trying to get settlement out of them.
Q. What else did you hear?  A. I asked some of them
if they thought they would get settlement out of them and
they thought they would.
Q. During the evening didn't you hear that arrangements
had been made for a settlement - a flag of truce had been
arranged?  Didn't you hear that?  A. No, sir.
Q. Didn't you hear anything about that at Herrin in
the evening?  A. No, sir.
Q. Did you see Mr. Hugh Willis along about six o'clock?
A. No, sir.
Q. Do you remember seeing him in Herrin that evening?
A. I couldn't say whether or not I did.
Q. And the first information that you got of these men
being at the hospital on Thursday evening was what time?
A. As I came to work.
Q. Did you go over to the hospital?  A. Yes, sir.
Q. Did you go in?  A. Yes, sir.
Q. Did you see any persons in there?  A. Yes, sir.
I saw one. The fellow I saw was killed.
Q. Was he a union man or a strike breaker?  A. Union man.
Q. Do you remember his name?  A. No, sir, I don't.
Q. Was there anyone else wounded?
A. They said there was. I didn’t see them.
Q. Did you talk to the wounded? A. No, sir.
Q. Did anybody give you information as to how the men were injured - as to the circumstances?
A. No, sir, they was just shot at Lester mine was all I heard.
Q. On the next morning you say you didn’t know anything about the trouble until about noon when your wife wakened you and told you? A. No, sir.
Q. Then you came to the city and the rest you have detailed? A. Yes, sir.
Q. During the time you were there, did you see the sheriff in town Thursday after you came up town? A. I couldn’t say.
Q. Was there any deputy sheriffs at the morgue building assisting you? A. I don’t remember whether there were or not. I know the police were there.
Q. How many police? A. Me and Mr. Herrin.
Q. I believe that is all I care to ask Mr. Sadler. We will excuse you.
having been first duly sworn, was called as a witness, examined in chief by Acting Chairman Rice, and testified as follows:

Q. What is your name?
A. Monroe Smith.

Q. What is your occupation?
A. Night Police.

Q. Were you night police officer in Herrin the month of June 1922?
A. Yes, sir.

Q. Did you work nights at that time?
A. Yes, sir.

Q. Who were the day policemen?
A. Bob Herrin was chief, Jake Jones was first and they had a street cop Harry Howell.

Q. You worked nights with the gentleman who just left the stand? (Wm. Sadler)
A. Yes, sir.

Q. You remember June 21st, 1922?
A. Yes, sir.

Q. What hour do you go on in the day?
A. Six o'clock.

Q. And when do you go off duty?
A. Six o'clock.

Q. Were you on duty the morning of the 22nd?
A. Yes, sir.

Q. Anything unusual occur that night?
A. Not in Herrin.

Q. Outside of Herrin?
A. I heard they killed a Union man at Lester strip mine.

Q. Did they bring the bodies to Herrin?
A. Yes, sir.

Q. They were Union miners?
A. They said that they were.

Q. Are you a member of the Union now?
A. No, I have been.

Q. I take it you were a member of the Union until you entered the police service?
A. Yes, sir.

Q. Was there anything done by police in regard to Union miners being brought to Herrin?
A. Nothing.

Q. What were you doing the night of June 21st?
A. Paroling the streets.
Q. Did you go with this old gentleman?
A. Part of the time, I was with him, and part of the time I was alone.

Q. Did you hear any strange noises?
A. There were people on the streets practically all night.

Q. Nothing unusual about having people on the streets all night long?
A. There was a larger crowd than usual.

Q. Why was the crowd there that night? A. I don't know.
Q. Did you ever find out why the crowd was there?
A. I suppose over this trouble.

Q. Did you question any of the crowd? A. No, sir.
Q. You supposed they were there on account of the trouble? A. Yes, sir.
Q. What were they doing? A. Just walking around the street.

Q. In what fashion? A. Just like anybody else would.
Q. Some would have a reason for walking up and down streets of your city that night. Do you ever stop people from walking up and down the streets at night?
A. Not unless they are drunk.
Q. Is it in violation of your ordinance to carry concealed weapons in your city? A. Yes, sir.
Q. You never stop anybody for that? A. I have.
Q. Did you stop anybody that night? A. Not that night.
Q. How many people were there? A. Possibly a thousand.
Q. What is the population of Herrin? A. 18,000; last census I believe it was 15,000, something like that.
Q. And you saw a thousand people on the street that night? A. Yes, sir.
Q. Did you hear about the lumberstores being raided?  
A. There was no report to me.

Q. No report at the police station, so far as you know?  
A. No, sir.

Q. Do you go to the police station when you go on duty?  
A. I do.

Q. What time did they bring the bodies of the Union miners into Herrin?  
A. I do not know.

Q. Was it before you went on duty?  
A. I believe they brought Guy Hudgins in a little after six o'clock.

Q. Did you find out what happened to Guy Hudgins? Did you talk to him?  
A. No, sir. I found out from people who brought him in there.

Q. These other bodies were in the undertaker's parlors?  
A. Yes, sir.

Q. They didn't cause any excitement?  
A. Not so much.

Q. How much did it cause?  
A. I don't know. I noticed people going down to the undertakers to see the dead people.

Q. Did you go down there?  
A. Yes, sir.

Q. How many people went down there?  
A. Possibly half a dozen.

Q. Did they go in and out all night?  
A. I don't know. I didn't stay there.

Q. Did those people have guns?  
A. Not that I saw.

Q. You didn't search them?  
A. No, sir.

Q. You went about on duty all night?  
A. Yes, sir.

Q. No unusual noises?  
A. No, sir, not in Herrin.

Q. And your lights burned all night?  
A. I didn't notice them being out.
A. I don't know whether I did or not. I didn't hear any explosion in Herrin.

Q. You didn't hear any explosion and the lights burned all night long, and, so far as you know, they burned on uninterrupted all night?
A. I can't recall whether they did or not.

Q. Did anybody ask for protection that night?
A. I didn't hear anybody. Some others might have.

Q. How many others? A. Three till midnight and two after midnight.

Q. Did you go back to the station that night?
A. I was back there.

Q. Was there anybody in jail? A. Yes. There was some men in jail when I got there at six o'clock.

Q. Who were those men? A. I don't know.

Q. What did they look like? A. Like American people.

Q. How dressed? A. In work clothes.

Q. Did you inquire why they were in jail?
A. They said they came in from the strip mines and the day man arrested them and put them in jail.

Q. Arrested them and put them in jail?
A. I suppose they arrested them as they were in jail.

Q. How long did they stay there?
A. They were there when I went off duty at six o'clock.

Q. And they were there when you went on at six o'clock the night of the 21st? A. Yes, sir.

Q. Where do you live? A. 716 S. Park Street.

Q. Where is that with relation to South 14th street?
A. First street west of 14th street.

Q. So you are two blocks west of 13th street?
A. Yes, sir. 700 block south on Park Avenue.

Q. South of the railroad track? A. South of the I.C. track.

Q. You go down 13th street and you cross the I.C.
A. Yes, sir.
Q. You live about a block from the school building?
A. No, I live about a half block.

Q. What time did you go to bed the morning of the 22nd?
A. About half past six.

Q. What time did you get home?  A. About 15 minutes after six.

Q. Eat any breakfast? A. No, sir.

Q. You don't eat when you go home? A. No, sir.

Q. Who lives with you?  A. My wife and four children.

Q. Were they up when you reached the house?  A. No, sir.

Q. What time do they arise? About seven.

Q. About half an hour after you got home and went to bed?  
A. Yes, sir.

Q. Did you awaken anybody when you went in? A. My wife.

Q. Did she stay up? A. Yes, sir.

Q. What time did you get up? A. Three o'clock in the evening.

Q. What were you doing at eight o'clock in the morning?  
A. I was in bed.

Q. Did you hear anything about a mob going by your house? Q. I did at three o'clock in the evening.

Q. Who told you? A. My wife.

Q. Where was your daughter? A. She wasn't at home.

Q. Does she work? A. She goes to Brown's Business College in Marion.

Q. She wasn't home that night? A. No, sir.

Q. Your boy wasn't at home? A. Yes, sir.

Q. Neither your wife or boy told you anything about a mob passing your house half a block away? A. Not till I got up.

Q. What did they tell you when you got up?  
A. They said they heard there was some trouble at the mine.

Q. Couldn't you see the school house from your house? A. Could if it wasn't for the buildings.

Q. Could you hear a loud noise if it were made at that corner? A. Why sure.
Q. If a thousand people came, couldn't you hear that?
I suppose so.

Q. You weren't more than two blocks away were you?
A. No, sir.

Q. All back of the school is open? A. No, sir.

Q. Do you think you might have heard mutterings of a mob on 13th street from where you live? A. I might have if I had been up listening.

Q. Your wife didn't hear it? A. She never told me. I didn't ask her.

Q. Your little boy didn't hear it or tell you? A. No, he didn't tell me.

Q. What did your wife tell you? A. She said she heard that a mob out at the Lester strip mine was causing trouble and I asked her where the boys were and she said they are here at home. They have been here all day.

Q. Why were they at home all day? A. I don't allow my boys to roam the streets.

Q. That was a school day, wasn't it? A. I don't remember.

Q. Think about it now. A. If it was a school day they were in school.

Q. You said your wife said they were home all day.
A. They were home when I got up.

Q. You don't allow your boys to go out on the streets or to play in the school yard which is just across the street from your house? A. They don't play on the school ground after school is out.

Q. Do you allow them to play there during vacation?
A. No, sir. They don't allow it - the school board.

Q. They don't allow the children to play on the playground in the school yard, why not? A. You will have to talk to the school board about that. I don't know.
Q. How did you happen to get up at three o'clock that day? A. I just woke up.

Q. What time do you usually wake up? A. 2:30 or 3:00 every day.

Q. Nobody called you that day? A. No, sir.

Q. Was anything unusual occurring in town that day? A. I was not down town.

Q. What time did you report for duty that night? A. About six o'clock.

Q. Just as you reported every other day? A. Yes, sir.

Q. Do your boys go to that school on 13th street? A. Yes, sir.

That is all.
TESTIMONY OF FOX HUGHES

BEFORE THE HERRIN MASSACRE INVESTIGATION COMMITTEE

HOUSE OF REPRESENTATIVES

AT

MARION, ILLINOIS

April 28, 1923.
FO X H U G H E S,

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

Q. State your name, please.
A. Fox Hughes.

Q. Where do you live, Mr. Hughes?
A. In Herrin, Illinois.

Q. What is your business?
A. I work for the Miners' Organization.

Q. In what capacity?
A. Vice-President of this sub-district in Williamson County.

Q. Drawing your attention to the month of June, 1922, where were you on June 21st of that year?
A. June 21st, about noon until around 6 o'clock I was in the Miners' office in Herrin.

Q. From noon until 6 P.M.? A. Yes, sir.

Q. During that time did you receive any communication of any kind relative to a truce proposed for the trouble at the mine?
A. Around about 6 o'clock the telephone rang and I answered it and the party on the other end said it was Colonel Hunter and he was inquiring for Mr. Willis or Mr. Snead. Mr. Snead was in Springfield and Mr. Willis had just stepped out of the office. I answered the phone and he said it was Colonel Hunter talking and he told me he had arranged with Mr. Lester and Mr. McDowell to hoist a flag of truce and said we ought to do what we could to stop the trouble there, and I agreed we should do that if trouble was reported as I heard, so he told me for me to get hold of Mr. Willis. I just laid the receiver down and I could not see Mr. Willis, so I went back and said that Mr. Willis was not there, and then he talked and said Mr. Lester and Mr. McDowell had agreed to hoist a flag of truce, and he said: You go over to the mine and see what you can do to try and stop trouble, or in other words he said there will...
I did not see the white flag and people were going up and down this road, a great mob of people. I looked for the flag but could see nothing. Shots were being fired in the direction of the southwest from the dump. I could see smoke from there and I heard several bullets whiz by me. I looked for the flag there for some time and there was no flag, so I turned and went back to Crenshaw Crossing, and a man drove me back to town. I did not know who the man was. I did not find Mr. Burklow and he was not where I left him.

Q. What time did you get back to Herrin that night?
A. It must have been 15 or 20 minutes to 8.

Q. Did you communicate with Hugh Willis that night?
A. No, sir. When I got back to Herrin I had been informed that Mr. Hunter had gotten hold of Hugh Willis and he was on the way to meet Colonel Hunter when I got back to Herrin?

Q. Some one in the office told you?
A. Some one in the office or on the stairway said Hugh had gone to Marion.

Q. Is that all you ever knew about the terms of this truce?
A. That is all I know about it.

Q. Did you ever hear about the men planning to come out the next morning?
A. I did not know anything about that until it was all over.

Q. You do not know whether Mr. Willis knew about that?
A. I do not know.

Q. The only truce you knew anything about was such as you testified to at the present time?
A. That is all I know of the truce.

Q. This farm house that is west of this mine, which one is that?
A. I had a fair view of the west dump from there.
Q. And that is the road you went up with your flag of truce?
A. Yes, sir.
Q. About what hour did you get out there?
A. It must have been 6:30, maybe something like that.
Q. And you got back to Herrin about 8:15 or 7:45?
A. 7:30, I think.
Q. You say there were a lot of people going up and down that road?
A. Yes.
Q. That is the road that went by the mine, isn't it?
A. No.
Q. That road went around the mine?
A. No.
MR. RICE: That is the road we came out, came down from the road, went west and turned north on Crenshaw Crossing. It is the road west of the mine some little distance and we turned north passed this house.
MR. IGOE: What, if anything, did you do that night in Herrin after 7:45?
A. I was around the office there and around town until possibly 10.
Q. Then you retired?
A. Then went home. Did not get back to town the next morning until 9:15.
Q. Do you live in the city of Herrin?
A. I live in the northwest part of the city.
Q. When did you next communicate with Willis?
A. I did not see Willis until next day.
Q. What time?
A. It must have been possibly 10 or 11 o'clock.
Q. Now, when those people were going up and down that road, did you give them any information as to your purpose there?
FURTHER EXAMINATION BY JUDGE PIERCE.

Q. Just about what time of day was it that you got out there to the Crenshaw Crossing?

A. About 6:30, I believe.

Q. Perfectly light yet, the sun was up?

A. Yes, a beautiful day.

Q. You had been told by Colonel Hunter that a flag would be displayed on the west dump?

A. Yes.

Q. You went down there for the purpose of ascertaining whether that had been done?

A. Yes, sir.

Q. You had a flag with you? A. Yes, sir.

Q. Where were you to display yours?

A. He told me to watch for the flag on the west dump. It would be up on my arrival at the mine and when I did not see that flag of course, and firing was still going on in the southwest, I made no effort to do anything further. If I had seen a flag I would have done what I could to have stopped trouble so far as I would have been able.
A. I saw men going up and down that road.

Q. About how many men?
A. I could not say. Well, possibly 100, I judge, maybe more.

Q. Were they armed?
A. Some were and some were not.

Q. Some had guns?
A. Yes.

Q. Rifles?
A. Yes.

Q. Shot guns?
A. Yes.

Q. Revolvers?
A. Yes.

Q. This road they were on was the road that was west of this mine?
A. Yes.

Q. Runs north and south?
A. Yes.

Q. They were on that road.
A. Filling me from this Crenshaw house and seemed to be going further south on down.

Q. Did you know how many men there were in that mine at that time?
A. No, I did not.

Q. Had you learned?
A. No, I had a rumor.

Q. What rumor had you had?
A. That was this: Some said 30, some 50 and so on. I had no way of knowing.

Q. When you were there during that ten or fifteen minutes were men advancing or coming in from this direction?
A. I could not say that was while I was at Crenshaw House. They were going backward and forth down that road.

Q. You think about 100?
A. I guess that many, maybe more or maybe less.

Q. Did you say anything to those men at all? A. No, sir.

Q. Did they know who you were?
A. I do not know they did.

Q. Did you know who any were?
A. I know several faces.
A. Yes, sir.

Q. Did you call Hunter up and tell him you did not discover the flag? A. No, sir. When I got back to Herrin I understood Hunter had got hold of Hugh Willis so I did not report to him.

Q. Hugh Willis did not know what you had discovered? A. I do not know.

Q. He had not been out there? A. Not that I know of.

Q. He was not away that day? A. He had been in the office some time before I answered the telephone.

Q. But he had been there all day? A. He had been out and in all day.

Q. He had not been out to the scene of this riot? A. Not that I know of.

Q. So that you came in with the information you had reason to believe Willis did not possess, is that right? A. I do not think so.

Q. Did you tell Willis about it?
A. I was told he was gone to meet Hunter.

Q. Why didn't you call Hunter and tell them there had been a failure on their part to display the flag and a crowd was assembling out at the mine.

A. I thought this: That Colonel Hunter, in the first beginning was trying to get hold of Sneed and Illis and since I had gone out and returned and he had got hold of Hugh, that that thing would be worked out.

Q. Didn't you think it would be important for Colonel Hunter to know or to ascertain that terms were not being carried out by men at the mine?

A. Well, I do not know. If was important I suppose, yes. The fact is I had never met Colonel Hunter the man talking at the other end said he was Colonel Hunter.

Q. He told you where he was, didn't he?

A. Said he was at Marion, that he had made arrangements with McDowell and the owner of the mine.

Q. And told you what they were going to do and when you found it had not been done and their directions had not been carried out, do you not think you should have called him up and told him about it?

A. I did not know where to call Colonel Hunter.

Q. You could have tried to call him at Marion, couldn't you?

A. I did not know where to locate him in Marion. He did not tell me where he was calling from.

Q. Did he not tell you he was here at the Greater Marion Association Rooms.

A. I do not remember.

Q. Didn't he tell you that he had gotten an agreement of those parties that they were going to cease operation, that they were willing to display a flag of truce and that they were willing to march out of the mine and stop operation?

A. He told me, as I stated in the beginning, that Mr. Lester and McDowell had agreed to cease operation and hoist a white
immediately?
A. Well, I do not know.
Q. Didn't you have every reason to believe it?
A. I knew there was a lot of people coming and going out.
Q. Didn't you want to verify it?
A. I did everything I could.
Q. What did you do?
A. But after I got there and did not see the white flag and
seen that they were still firing from that mine--
Q. But you knew then either Hunter was deceiving you or
they were deceiving Hunter?
A. I thought this in my own mind they were deceiving Hunter.
Q. Then was it not your place to call Hunter and let him
know they were deceiving him and in consequence a disaster might
happen. Was that not your duty?
A. It might have been.
Q. Can you tell us why you did not do it?
A. I did not know where to get hold of Colonel Hunter.
Q. Couldn't you have tried?
A. I possibly could.
Q. Couldn't you have driven over to Marion?
A. I thought, as I said, that inasmuch as he evidently
had gotten hold of Mr. Willis and Mr. Willis had gone to Marion
to meet Colonel Hunter, that possibly they could get things fixed
up, and when I was unable to see a white flag and did not know
where Colonel Hunter called from, I could not let him know.
Q. Mr. Hugghees, you knew that Mr. Willis did not know what
you had ascertained, you knew that or believed that?
A. At that time I did not see Mr. Willis.
Q. You knew that he had not been out there, didn't you?
A. I did not think he had.
Q. That was your view of it and you believed he had not
been out there. You had been there and knew the situation and
A. Yes, I was told that on my arrival in Corrin.

Q. Were you acquainted with Colonel Hunter at all?

A. No, sir, I was not.

Q. Did you ever meet him?

A. I met him on the day, the 22d.

Q. Did you know when he called you up what he was doing here, who he was representing, what official capacity he was occupying?

A. Not until he called by phone.

Q. Did he tell you what he was?

A. He said he was Colonel Hunter, but not who he was representing or what his capacity was.

Q. And he said he had secured an agreement with the owner and the superintendent of that mine to suspend hostilities and to declare a truce, and asked you to do what you could do to assist in bringing it about, didn't he? To carry it out, stop hostilities, stop further firing at the mine, that is what he told you, wasn't it?

A. Yes, he told me that.

Q. When you were there they were shooting weren't they, shooting at each other?

A. There was some shooting going on.

Q. You heard bullets pass all in your neighborhood, they were shooting out of the mine then, weren't they? A. Yes.

Q. Didn't you think it was important Hunter should know that if he was representing anybody at all?

A. As I said before, I thought that by him getting hold of Willa, the man he first called for, when they got together he would find out those things.

Q. How could they find it out?

A. I do not know.

Q. Couldn't you give them better information?

A. If I could have seen them I possibly could.

Q. You did not make any effort to get hold of them?
Sheriff's office at "array? A. No, sir.

Q. Did you address the minors at Herrin on the night of the 21st? A. No, sir.

Q. On the 20th? A. No, sir, I did not.

Q. Was there a meeting of minors on the 21st at Herrin? A. Not at Herrin.

Q. At Sunnyside? A. I have been told that they had a meeting out west of town at Sunnyside.

Q. How far is that from Herrin? A. It must be something like three miles, 2 1/2 miles.

Q. When was that meeting held? A. I am not sure. It must have been around about the 20th possibly.

Q. You do not know who addressed that meeting? A. No, I do not.

EXAMINATION BY MR. RICE

MR. RICE: Mr. Hughes, are you a member of the Lions Club at Herrin? A. No, sir.

Q. You were not present at this meeting of the Lion's Club at Herrin on the 20th? A. No, sir.

Q. You did not meet Colonel Hunter at Herrin on the 20th. He was over there trying to arrange some kind of a truce? A. No, sir.

Q. Now, on this occasion, when you got this word from Colonel Hunter you acted in good faith about it and started out to carry out the understanding, is that right? A. Yes, sir, I did.

Q. Did you understand that both sides would cease firing and stop their fighting and these men would be taken out? A. I did not understand the men would be taken out. All Colonel Hunter said to me, as I remember, was he had this understanding with Lester and McDowell that they would agree to cease
those surrender and they would be given safe-conduct in getting out of the county?

A. That conversation did not take place over the phone between Hunter and myself.

Q. Did you understand both sides would put up a white flag so as to indicate a willingness to cease warfare?

A. That was my understanding, yes.

Q. That is, you went out with your flag and were expecting to see theirs up, is that right? A. Yes, sir.

Q. Was that a part of the arrangement over the phone with Colonel Hunter, that both sides should display a white flag?

A. In substance, I think that is what he meant.

Q. That is, you went there and you did not see their flag?

A. No.

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

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

Q. Do you not think it would have been the part of wisdom for you to have dropped into some nearby telephone and at least called up and tried to get into communication with McDowell or with Hunter, that you were there with your flag and wanted them to put up theirs?

A. If there is any telephone in that vicinity I do not know anything about it.

Q. I am a stranger about here as well as you and do not know that. You did go out with the intention of displaying a flag to meet with their display and then the idea was to cease operations?

A. That was my intention.

Q. And you felt if you could do that both sides display a flag of true that you could assist in controlling the situation?
I do not know how far I could have gone.

But unfortunately you did not see any flag?

A. The flag was not there or I would have seen it on that west dump. I had a plain view.

Q. And of course, you could not tell just how far or how minute the details for an arrangement between Hunter and McDowell and between yourself and Hunter, what those arrangements really were?

A. No, I just remember I gathered in substance as to what Colonel Hunter had in mind and the information or impression on my mind when I went out there.

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

A. I think there was, of course, the men further south. These men in these roads I seen were not firing. They were going to and coming from some place south that I had no view, to see where they were stopping because of some woodlands on the north, but I could see plainly the dump and I thought I could hear firing from the south.

Q. Now, let me ask you if this is not true with regard to the geography of the situation. This west dump that faced your Crenshaw house was really a high fortification for the entire mine wasn't it?

A. Yes.

Q. And that if the outside assailants expected to make any effective assault upon that stronghold they would have to get further south where they would not be obstructed by this fortification, is that not true?

A. Yes, I think so.

Q. So that the persons further south then, where you are from the Crenshaw house would have a better opportunity of shooting into the vicinity of the mine than they would be if shooting from the Crenshaw House?

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

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

Q. And it did not occur to you to communicate as speedily as possible to find out if they did not, but you were there and ready to carry out your part?

A. The only way I thought to communicate was to tell Mr. Willis but on my arrival back I was told that Colonel Hunter got hold of Hugh Willis and he had gone to Marion.

Q. Who gave you that information?

A. I do not remember. It was someone in the office or someone on the stairway.

Q. You were informed that Hugh Willis had gone to Marion?

A. Yes, in other words I thought that Colonel Hunter had got hold of Hugh, the fellow he was first calling for, and he was an Executive Board Member.

Q. And it did not occur to you to give them any further information of what you learned out there? A. No.

MR. RICE: I do not know anything further.

MR. STONE (Attorney): I just want to ask you Mr. Hughes if there were any trees or obstructions between you and the dump on the west side that would have prevented your seeing the white flag?

A. No, not from where I was.

Q. Were you not advised by Colonel Hunter that there would be a flag on the dump when you got there?

A. Yes, that was the way I was advised, if I remember it.

MR. RICE: I would suggest just one other thing. It did not suggest itself to you, Mr. Hughes, that although instructions were that the flag would be on the west dump that possibly that
... No, I did not think so. I thought the north dump was the plainest view to be seen.

Q. Do you know whether there was a flag accordingly displayed there at any time?

A. No, I do not. I know on that particular occasion there was no flag. If it had been there I would have seen the flag on that west dump.

MR. RICE: Any further questions? If not, the witness may be excused.
TESTIMONY OF CHARLES R. EDINGTON

BEFORE THE HERRIN MASSACRE INVESTIGATION COMMITTEE

HOUSE OF REPRESENTATIVES

AT

MARION, ILLINOIS

April 30, 1923.
having been first sworn, was examined by the clerk and testified as follows:

1. What is your name, 
2. residence, 
3. Where do you live, 
4. familiar. 
5. What is your business? 
6. Common: Secretary. 
7. How long have you been in the city or vicinity? 
8. Since December 20, 1891. 
9. Where were you prior to this time? 
11. You are secretary of the Greater Union Association in

this city
12. I am.
13. You have held that position during all time you have been

here. 
14. Yes, sir.
15. State are the offices of the Greater Union Association

located with reference to the other houses?
16. They are on the second floor, known as the city hall,

building which is on the northwest corner of the park square.
17. Do you remember the contents of the letter, with all

you remember when you first heard of any difficulties at the

mine, and any direct knowledge of it?
18. I have first direct knowledge I had of any operation of the

mine at all was on the morning of Sunday 19th.
19. Just state who told you knowledge of what

you know about the entire transaction.
A. The fact was brought to my attention that the mine was in operation on that day and many rumors were circulating as to the alleged activities of guards, workers, etc. out there. These rumors became more substantial during Tuesday the 20th and Wednesday morning the 21st at about 10:30, Colonel Hunter and Sheriff Thaxton came to my office to talk over the situation. It was finally agreed at that meeting that we were to get a citizens committee together, the same to be composed of business and professional men, coal operators and mine workers and union officials. The Sheriff left the office right after we came to an understanding and he called the various members of the citizens committee together for a meeting at 12 with the Sheriff and Colonel Hunter.

Q. Can you give us the names of that citizens committee?
A. Those that came, yes. R. B. Mitchell, Wm. H. Warder, Wm. Nix, Oldham Feisley.

MR. NICE: I was going to suggest that you tell the business each one was engaged in at that time it would give color and also information to the committee.

A. R. B. Mitchell at that time was General Manager of the Osagrove Coal interests. Wm. H. Warder, an attorney. Wm. Nix, President of the Marion Trades Council and Superintendent of the City water works. Oldham Feisley, City Editor of the Republican Leader. A. B. McLaren, Financier and retired coal operator, and myself. That was the personnel of the committee. Most of this committee arrived about on time and we waited there for the Sheriff to return. We waited until probably 12:20 or thereabouts before we began to make any inquiries as to the absence of the Sheriff. He promised to be back at 12 but had not arrived.

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

Along about 1 o'clock or thereabouts, we began to receive
reports from Herrin of a meeting at that time they said, and there
as about 1,000 men attending this meeting at the Herrin cemetery.
Then we received reports about the same time from Herrin stating
that hardware stores had been looted and their supplies of guns
and ammunition taken by the mob. Mr. Faisley called up the local
hardware dealers here and warned them of what was going on in Herrin.
They were advised for their own protection to dispose or to do away
with such stocks of guns and ammunition that they had in their stores.

About 1:30 or thereabouts, Colonel Hunter put in a call for Adjutant
General Black at Springfield. In his conversation to General Black,
the exact words he used I cannot remember. However, his statement
was substantially this: He explained what had transpired. The
apparent threatened attack which was looming up and would probably
take place at the mine, the looting of the hardware stores in Herrin
and the assembling of the mob, and the attack on the truck of workers
near the county line. Placed special stress on that phase of the
situation and apparently Black must have asked him a question which
caused him to say that in his estimation the local authorities were
Event transpired so rapidly after that that the whole thing
the rest of the afternoon is just one continuous round of activity.
Various reports kept coming in and finally the Colonel called the
mine of the Southern Illinois Coal Company. He got Superintendent
McDowell on the phone, talked with him, told him of what he had
heard just prior to that concerning the looting of hardware stores
and the attack on the truck, the formation of mobs over at Herrin
at the Herrin cemetery. A short time later McDowell called back.
In the first conversation Colonel Hunter told McDowell what telephone
number he could reach him at at all times. A short time later
McDowell called back and said there was quite a crowd or mob surrounding
the mine and approximately 500 shots had been fired up to the
time he called him. Said that several shots had come through the
office building from which he was telephoning?

CHAIRMAN: Do you remember about the time of day of that
telephone call?

A. It was somewhere in between 1:30 and 3 o'clock. Some
where during that hour and a half intervening between those two
times. The Colonel got in touch with the Sheriff's office, if I
remember rightly, I had called the Sheriff's office myself and got
Mr. Storme on the phone. Mr. Storme, at that time I believe, was
office deputy and asked him to come over to our office. He came
over. Colonel Hunter told him at that time just what had taken
place according to the information he had received.

Q. Just relate as near as you can the substance of the con­
versation between Colonel Hunter and Deputy Storme?

A. I told him what had transpired up to that time.

Q. What did he tell him?

A. He told him that mobs had formed in Herrin.

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

Q. What is your best recollection as to the time of the conversation between Colonel Hunter and Storme?

A. It must have been prior to 3 o'clock. In the meantime, several calls had taken place between the mine and our office. I answered several of them and turned the phone over to Colonel Hunter and then did not talk to the mine at all, and shortly after 3 Colonel called General Black on the phone and told him again what was taking place, told him of the attack at the mine, the shots that had been fired and of the lack of cooperation on the part of the Sheriff's office, his failure to obtain any assistance from them. He told General Black that he frankly believed that the Sheriff's office was not on the job and were not able to cope with the situation. Understand, I am not giving you exactly his words but the sense of his conversation and he told him in his estimation he thought troops would be necessary. That was the only time troops were mentioned that I know of, was that one time. Neither the conversation before nor after that with General Black over the phone, carried any conversation that I know of concerning troops. Troops could have been mentioned or anything could have been mentioned at that time.
A. He told him that mobs were forming in Herrin and the attack on the mine, looting of hardware stores. He told him he thought it would be necessary for him to go at once, taking a bunch of deputies and go out to the mine and put a stop to it, asked him to swear in as many deputies as necessary and to do it at once. What reply Storm made to that I have not been able to remember, if he made any. However, he left the office and from that time on we were unable to get in communication with anybody connected with the Sheriff's office during the balance of the afternoon. I called once after that and somebody answered the phone and informed me there was no one there connected with the office.

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anu would probably have missed the notice of some of us or myself although I was sitting closer to Hunter than anyone else.

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

Q. As near as you can remember, what was the time of this telephone message?

A. Some time in between 3 and 3:30.

FURTHER EXAMINATION BY ATTORNEY BRENNAN:

Q. Was that telephone message from Hunter to Black?

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

Q. When you say we, who do you mean?

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

Q. Do you remember the time about, or that conversation of the time McDowell made that report?

A. Some time after 3 o'clock. Just the time I don't know. From 3 o'clock on it seems like the time from then up to 4:30, we were just in a line of the general activity, receiving calls, from here and there, everywhere. About 4 o'clock McLaren went out and looked around town for a Mr. Hamilton. Mr. Hamilton, I believe, at one time, had been a partner of Lester, the owner of this strip mine, and while Mr. Hamilton had got in touch with Lester at Chicago, I think at the Great Northern Hotel, and told him of the seriousness of the situation and urged him to order McDowell to cease his operations out there. Hamilton came back up with orders from Lester so he was going to tell McDowell to stop operations. This he did. This must have been some time between 4 and 4:30. He called McDowell on the phone and told him of his conversation with Lester and McDowell agreed to stop if we could get other fellows to stop.

Q. This was the conversation between Hunter and McDowell?

A. No, this was between Hamilton and McDowell and McDowell agreed to stop operations if we could get the other side to stop. And then from that time on to 6 o'clock was taken up with calling the mine workers' headquarters in Herrin and perfecting of a truce.

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

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

A. After 5 o'clock. I know we allowed sufficient time for Mr. Hughes to get out to the mine had started at the time we supposed he would. So we called back again. If my recollection does not fail me, Hughes had not left as yet.

MR. RICE: This call you say you called back when?

A. To miners' headquarters, to Hughes and were informed there that Hughes had not gone as yet but was starting right away. From that time on we just simply kept up one call back and forth to the mine and to the miners' headquarters and were finally informed that Hughes had gone and Willis was started. As far as my recollection is concerned they must have left fifteen minutes apart, Hugh Willis and Fox Hughes, according to statement.

MR. RICE: Left for what place?

A. Left for the mine to carry out the truce. Around 6 o'clock or thereabouts, we were unable to get any further connection with the mine. It seemed like the wires had been cut. At any rate connection was cut off. And from that time on there was confusion. In the meantime many of the members of the committee had left. Mr. McLaren, Mr. Faisley, Mr. Rix, Mr. Warder, and I think Mr. Mitchell and I and Colonel were only ones left at that time. The Colonel called General Black again about 6:30.
Mr. Mitchell: Before you go into that call, will you try and tell us as near as you can remember, the words of Colonel Hunter in his communication to the miners' headquarters at Herrin?

A. No, I do not believe I could do that.

Q. The understanding of it as you understood it. The details of the information and carrying out of the truce?

A. My understanding of that was that in that conversation, he impressed on somebody going out to the mine, Mr. Hughes to go out to the mine with a white flag. He was to approach the mine with his white flag raised and they were to parley and go into a truce to be effective that night.

Q. Was anything detailed in that conversation as to where the truce was to be, so that the miners inside would know where the flag was to be?

A. That I don't recall.

CHAIRMAN: Or where Mr. Hughes was to display his flag?

A. He was to proceed to the mine with his white flag, on down to the entrance of the mine and McDowell was informed of those details and was instructed not to fire upon that flag or bearer when it came on down towards the mine.

About 6:30 or thereabouts Colonel Hunter put in another call for General Black. While this call was being put through we heard a commotion in the square, Mr. Mitchell and I, and he went to one window and I went to another. Our windows overlook the square. We saw mobs over in front of Cox's hardware company. We saw them try to get into the store. They found it locked. Five or six of them left the mob as a whole and went on around the corner and down South Market Street. Mr. Mitchell and I continued to watch their activities and they came back in a very short space of time with, I think it was Harry Cox. It looked like him from that distance. At any rate he went to the store and opened it up. Several went in with him and came out right away and lead by Fountinetti they came across the square and they came to our office. While we were
looking out of the window Colonel Hunter was talking on the phone to Springfield and when we saw the mob was headed our way, Mr. Mitchell and I went out in the outer office and closed the door behind us where we met the mob and finally disposed of them.

The conversation to Springfield was over, that is Colonel's conversation when we went back again. It never occurred to the mob at any time that there might be something in the inside office that they were looking for. They did not know where we had these guns concealed. We finally out-talked them, told them the guns were not there and made them believe it. They left there and from that time on matters are more or less hazy to me.

We sent out and had lunch sent in to us. Mr. Mitchell and I and the Colonel and all this time Colonel was trying to get hold of the Sheriff of the County or some of his representatives. He tried that throughout the afternoon and evening.

Q. In what way?
A. By calling on the phone.

MR. BRENNAN: Whenever you refer to Colonel you refer to Colonel Hunter?
A. Yes.

MR. RICE: At any time during that time was Major Davis present or when did he appear?
A. Major Davis did not appear until after 9 o'clock that night. He came in on the train that arrived from Carbondale at 9:05. He had been here on Monday but had gone back to Carbondale but came back on the 9:05 I.C. train that night, Wednesday night. All of these events transpired on that date that I am speaking of now.

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

Q. What did you discuss at that time?
A. Discussed the truce and general situation.

Q. Did you discuss what had occurred at the State's Attorney's office? Did Colonel Hunter detail to you or give you any intimation of what happened over there?
A. No, he said he met the Sheriff there. That was all, the Sheriff and State's attorney but went no further into detail, nor did I ask him to. I did not consider it my business.

Q. What I am getting at is the topic of your conversation at that time.
A. The topic at that time was about the same topic that any two or three or four men would go into after just getting through with a siege we had come through.

Q. Was the question of the advisability of troops discussed at that time?
A. No.

Q. Was the question of the advisability of the Sheriff swearing in extra deputies discussed at that time?
A. I do not recall whether it was or not. I will be perfectly frank with you just what we talked about, which was all done in a general way. I could not state definitely. Just a general conversation.

Q. During the afternoon of the 21st then you and Colonel Hunter were at the Greater Marion office practically all of the time during the afternoon?
A. Colonel Hunter came there about noon. I did not leave again until he went to the State's Attorney's office that night.

Q. That was about what time, did you say?
CHAIRMAN: So that during that afternoon, all that you stated here transpired in the Greater Marion Association office and who was present at those different times between 1 and 6 o'clock?

A. Those men I have just stated.

Q. They were there practically all the time?

A. In and out. Mr. Mitchell, after coming, stayed there until right around 7 o'clock or a little later. I was the only one who stayed throughout the whole session. The rest have to go to their place of business, etc., drew them away from time to time.

Q. During the afternoon, did any telephone calls come to your office for Colonel Hunter?

A. Many of them.

Q. Did any long distance calls come in that you remember?

A. No, I don't remember of any long distance calls. You are speaking of the afternoon, of course.

Q. Did you hear or did you know whether Mr. Lester had communicated with Colonel during the afternoon?

A. I knew that Mr. Lester had communicated with Colonel Hunter, had not communicated with Colonel Hunter but had communicated with Mr. Hamilton. He in turn verbally communicated his message to Colonel Hunter. We got the mine on the phone at that time, as I stated before. Mr. Hamilton told Mr. McDowell Superintendent what Mr. Lester had told him to tell him.

MR. RICE: I want to get in a few questions.

CHAIRMAN: When you saw this mob over in front of Cox's store, what did you estimate to be the number of people composing it?

A. Which one do you mean, the last or first?

Q. The first one.

A. Oh, probably 30 or 40.

-12-
Better than double what I imagined.

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

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

You were in the front office when you saw the men and Colonel Hunter was there and these other men?

Yes.

And when the mob came you closed the door and met them at your main door?

That is the second mob, I did, not the first. Understand, there were two mobs.

What time was the second mob there?

About 5:30.

Is that when you stated that Colonel Hunter was phoning to Springfield?

Yes.

Did you, at that time, notify Colonel Hunter that the mob was coming that way or did he see it himself?

He couldn't have seen it as I stated, he was talking over the phone at the time. He had put the call in. We saw the mob out there, perhaps Mr. Mitchell and I did call his attention to the fact that the mob was out there. However, we were both sitting in the window looking out at the square at the mob, but when they headed our way, then the Colonel was using the phone and talking. We might have said something to him while he was talking.

Did he know the mob was at the door while he was telephoning?

I could not swear to that. I don't know. I shut the door behind me before they had an opportunity to get into the
after the mob had left and he finished his conversation, did you talk with him concerning a mob coming up there?

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

Q. In undertaking to find the Sheriff during the afternoon and evening just what was done?

A. Why, everything was done by telephone conversation, all of our attempts to locate him.

Q. Did any person go to the Sheriff's office or jail to ascertain to find the Sheriff or deputies?

A. We did not consider that necessary insofar as we could use the telephone at both places and had been told he was out of the city.

Q. You had gotten persons on the phone at each time?

A. Up until shortly after Mr. Storme left the office we were not able to get anybody at the Sheriff's office after that, except at one time when some one not connected with the office had answered the phone.

Q. And I believe you said about 3 o'clock?

A. Some where in that neighborhood. After that we called the jail several times and, of course, our calls were answered by parties, stating they were servants and there was nobody connected with the jail.

Q. You stated, I believe, in the conversation about 3:30 that Colonel Hunter told General Black he thought troops were necessary?

A. Yes, sir.
A. I already made one statement on that. As I recall the conversation was just simply a general survey of the situation up to that time and that he did not believe the Sheriff's office was able to cope with the situation and they did not have the situation in hand at all.

Q. Did he say that [REDACTED] troops should be sent immediately what did he say?

A. His conversation was more or less general.

Q. Let us have what he said as near as you can remember his words in regard to the necessity for or sending of troops?

A. The atmosphere built up for the [REDACTED] sometimes of one word will suffice. He built the atmosphere up by telling of what happened.

Q. I want to know what he said.

A. I have stated that several times.

Q. You undertook to state the substance of it. I want you to state as near as you can his exact words.

MR. HICK: Let me suggest that you put yourself in the attitude of Colonel Hunter talking to General Black and as near as you remember, tell the words as you remember he said to him. I think that is what you want, Mr. Chairman, to get.

A. That is a very difficult request, Mr. HICK. You are asking me to assume another personality and I cannot do that. The exact conversation at a time like that could be really difficult to remember when it must be transcribed. However, I have told you in a general way just about what was said.

MR. HICK: Just a minute, let us have as near as you can remember the exact words that Colonel Hunter used. You might miss one or two but what we are getting at is the exact words used by Colonel Hunter at that time.
Mr. RICE: In answer to a question like this, what did Colonel Hunter say, as you remember it?

A. He said just exactly what I have said in this record a dozen times.

CHAIRMAN: You have undertaken, Mr. Edington, to use Colonel Hunter's words. What we want you to tell us now is what he said.

Mr. RICE: In substance as you remember it.

A. I am under the impression that he did say that.

CHAIRMAN: Let us have it again. Just a minute. We are not going to burden this record with a lot of argument. Give us the exact words of Colonel Hunter as near as you can in that conversation, with reference to his speaking to General Black concerning troops.

A. Would you rather I started at the beginning of that conversation?

Q. Detail it all as near as you can.

A. On that phone conversation, which was the second phone conversation of the afternoon to General Black by Colonel Hunter, he told him of the events that had transpired up to that time.

Q. What did he tell you?

A. We are getting to that. He told him of the mobs attacking the mine, of McDowell's report of the same, McDowell's report of approximately 500 shots having been fired up to that time. He told him of his futile efforts to get any assistance from the Sheriff's office. I stated before, right in here, that apparently General Black must have asked him what he thought about the Sheriff's office taking care of the situation, at least I surmised that must have been what he asked him from the reply made by the Colonel. Colonel Hunter told him he did not think the Sheriff's office had things in hand at all. He told him of his conversation with Deputy Storme, and, also, of his
inability to get any one connected with the sheriff's office after Storme had left their office, and told him he thought troops were necessary. That is in substance as nearly as I can remember the conversation.

CHAIRMAN: Was anything said about looting stores?

A. That had been told him the first time concerning Merrin and in this phone message concerning Marion stores. I think my former statement contains this explanation.

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

A. No, I could not state that.

Q. Do you have any recollection of anything of that sort?

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

Q. Did Colonel Hunter at that time make a statement to General Black that he could not call troops unless requested by the Sheriff?

A. He might have made that statement, I don't recall.

Q. Did he ever make that statement during the afternoon?

A. It seems like that conversation came up, yes, before

Q. That/troops could be called it was necessary that civil authorities request them?

A. It seems like his information on that score had been obtained from General Black. That is according to conversation.
Do you remember testifying before the Grand Jury?
A. Yes, sir.

Q. Do you remember what you said there regarding a request for troops?
A. No, I do not.

Q. At the time you testified before the Grand Jury your remembrance of these things possibly was better than it would be at this time?
A. It should have been.

Q. And if the statements you made at the Grand Jury would conflict with the statements you have made here, the Grand Jury statements would be more liable to be more accurate than the statements here?
A. From a point of time that is certainly true because that statement before the Grand Jury was made shortly after these events were transpiring and were very fresh in my mind.

Q. Then, if you made the statement before the Grand Jury that you did not think that Colonel Hunter had asked for troops for himself, that would be more liable to be correct than the proof you have given here today?
A. Yes, indeed. I would absolutely state that whatever my Grand Jury testimony was, that I would stand by it.

Q. Now, Mr. Edrington, at the time the so-called truce was arranged, did you hear anything discussed about anybody going out to the mine the next morning and taking charge of the safe conduct of the non-union miners and guards out of the county?
A. No, because of the fact that our understanding was that a truce was arranged at the meeting at Luty's office in the evening, the terms of the truce.

Q. Most of those arrangements had already been made over there, at the State's attorney's office?
A. So far as I understand with Hugh Willis.
Q. I understand so, yes.

Q. And they would be the ones who would take charge of a situation of that kind?

A. Yes, naturally.

Q. Now, I want to get into the record what you had proposed the Citizens Committee should do with reference to taking some decisive step to end the situation at the mine, in stopping further collecting of rioters and prevailing mob violence if possible?

A. I don't think the Citizens Committee ever really did know that we had proposed to do because what we had proposed to do had been talked of before Sheriff Thaxton.

Q. Let me refresh your recollection: Was not a statement made, was not this suggestion made later that they deputize—

A. I am getting up to that now. I doubt very much whether members of the Committee knew what was going to be done. The suggestion was that we deputize members of the Committee and proceed to the mine and try to induce McDowell to stop operation, showing him the futility of it and, also, show him how his activities out there up to that time were constituting a menace to the people of the community. Our ultimate intentions were to place McDowell and his men under arrest. They had certainly enjoined the law to warrant that, and bring them into town and thereby stop operations and hold down any violence that might come up. As I say, those things were discussed really before the Committee got there and after the Committee got there we were so anxious to get the Sheriff there to go ahead and lay out our plans that I doubt very much whether we discussed those details or not until the Sheriff got there. We wanted to wait until he got there.
Q. Did you not get a chance to talk that up with the Sheriff?

A. No, because the Sheriff never came back.

Q. Can you tell us any other suggestions that were made regarding the situation outside of the chattel mortgage and the swearing in of the Citizens Committee to take charge of the situation?

A. There were no reports presented to me further for any suggestions on our part or for any discussion because events began to transpire so rapidly that they run away with the situation.

Q. You were in touch with the general situation, the general sentiment of the community at that time?

A. I thought I was.

Q. In your opinion, if some such decisive action as you proposed here had been taken, do you think this trouble would have been averted?

A. Well, a man is entitled to think what he pleases. I think it would have been.

Q. You believe if somebody had taken hold of the situation and really taken it out of the hands of the civil authorities here that the matter could have been averted, inasmuch as the civil authorities were not active?

A. No, I don't think that. I think if we could have worked with the civil authorities in this matter that this whole thing could have been averted.

Q. Do you believe if the civil authorities had done their duty this thing could have been averted?

A. Argue that in this way, that in view of the acts that had been committed out at the mine by their employes, I think the Sheriff of this county would have been justified in going out there, arresting who ever was in charge of that operation and such men as had been guilty.
... all, referring to what happened at the mine, you mean shooting of union miners?

A. No, I mean events that lead up to that. Starting out with their firing on people and bulldozing people around the mine, stopping roads up and diverting traffic and all of these fellows insulting travelers. Things that were illegal. That have

Q. Would that have justified some drastic action on the part of the Sheriff, in your opinion?

A. In my opinion, yes.

Q. Take for instance, after the shooting of union miners, which occurred about noon out there, if the Sheriff had then taken some decisive action, do you believe trouble would have been diverted?

A. Not up until the time of the truce. I do not believe the Sheriff and all his deputies he had could handle the situation up to the time of the truce.

Q. You were watching the situation pretty close. Can you state what decisive action or otherwise could stop any further trouble or prevent any disaster. Do you know of any action he took?

A. Indirectly, I know he went to the mine on Monday.

Q. I am speaking of Wednesday.

A. No, excepting to come up to my office and the conversation I testified to.

Q. He came to your office on Wednesday morning with Colonel Hunter. Was the question of troops discussed at that time?

A. Not that I recall.

Q. Any further questions.

FURTHER EXAMINATION BY MR. RICE:

Q. When was the first time that you met with Colonel Hunter in connection with this matter?

A. You mean in connection with the whole affair?
-22-

A. On Monday, he came to my office on Monday afternoon. He was looking for Senator Sneed. He went out in the car and tried to find State Senator Sneed. That was my first meeting with him and not again until Wednesday morning.

Q. As I understand then, you knew of his being on the ground as early as Monday?

A. I knew he arrived on Sunday. I saw him in uniform on the streets. I didn't know who he was then.

Q. Then referring again to the time that you spoke of, at 6 o'clock to 6:30 on Wednesday evening, while Colonel Hunter was talking to Springfield and this mob appeared on the outside. From that time on during the evening did you remain in your office?

A. I did not leave my office until 2 A.M. Thursday morning.

Q. How long did Colonel Hunter remain in your office from that time, 6:30 on?

A. It must have been 9:00 when he went in answer to a call from the State's Attorney's office.

Q. Prior to his going to the State's Attorney's office and subsequent to the call at 6:30, to General Black, was there any other telephone communication between Colonel Hunter and General Black from 6:30 up until the time he went to Duty's office?

A. Not that I know of.

Q. How many different times, as you remember it was, Colonel Hunter called on the phone in connection with State Attorney's Duty's office?

A. Was he called from State Attorney's Duty's office?

Q. Yes?

Q. I don't know of any but that one time in the evening that I know of.

Q. How soon after the call, the one time, was it until Colonel Hunter left your office?
It seemed like he left immediately. Then I was called a little earlier and they made arrangements to meet at a certain time.

Q. If there had been any conversation or telephone message between Colonel Hunter and General Black after 6 o'clock up to the time that he left your office for Luty's office, would you have known about such communication?

A. I imagine I would because I was right in the same office with him. He sat out in the outside office the larger portion of the time after 7 o'clock.

Q. That is where your telephone is located?

A. We have a telephone in both offices and I surmise I would have heard him.

Q. Do you know Colonel Hunter made his headquarters during the time he was supposed to take an active part in this matter? Did he have any headquarters in Marion?

A. I think your question is a little too general for me to answer. He made his headquarters during the day of the 21st, from about 12 o'clock on until 2 o'clock in the morning of the 22d in my office.

Q. Do you remember the occasion in the afternoon when Colonel Hunter called for the Sheriff's office and immediately following that, Deputy Sheriff Storme came to your office?

A. Yes, sir. However, I think I happened to be the one instead of the Colonel that called the Sheriff's office. I called at his suggestion.

Q. And Deputy Sheriff Storme came to the office?

A. That is right.

Q. And the conversation then took place between Colonel Hunter and Storme in your office?

A. Yes, sir.

Q. Can you state in substance as near as you can remember, in the language of Hunter, what Hunter said to Storme and what
A. I can tell you what Hunter said to Storme but what
Storme said to Hunter is doubtful. I know he left the office
after that time. Colonel Hunter told Storme of the attack on
the mine, looting of hardware stores in Kerrin, etc. and told him
there was open warfare going on at the time and advised him to
swear in deputies and take them out to the line and put a stop
to it. Whether Storme said he would or not, I don't remember.
However, Storme left the office.

Q. I believe that is all I care to inquire about.

FURTHER EXAMINATION BY MR. BRENNAN:

Q. Captain Edrington, from the title that you bear, may
I ask where did you receive that title?

A. In the Army of Intelligence.

Q. What experience have you had in the military line?

A. My only experience as an officer, attached to the Military

Q. In what service?

A. The late war.

Q. May I ask you, Captain, if it is not true that on the day
of the 21st you gave up your office business in order to assist
Colonel Hunter in handling the situation here as you found it?

A. I might say this in reply to that question, that about
12 o'clock, when Mr. Mitchell arrived at my office, we talked the
situation over and we told him at that time of the seriousness
of it. He suggested we lay aside our regular business, as this
seemed to be a calamity that was impending and that we turn our
activities over.

Q. Captain, did you do that?

A. I was ordered to do that. I was bringing myself about
to show you that I was ordered by my executive officer to turn my
activities over.

Q. Tell me, Captain, did you give over all activities and
devote all your time and attention during the afternoon of the
A. Every minute.

4. So that you did know what transpired in your office while Colonel Hunter was there?

A. Yes, sir.

4. You say along about 3 o'clock Colonel Hunter put in a call for General Black at Springfield?

A. That is right, somewhere around that time.

4. It is the conversation you detailed here as the second conversation there that afternoon? Just tell the Committee, Captain, if it is true or not true, whether or not he advised General Black fully as to the situation in this district?

A. He did.

4. You were asked about impressions, Captain, may I ask you if, from the conversation that was delivered at that time, it was your impression that troops were to be sent and you may state further if you were not expecting troops to be sent after the 3 o'clock call?

A. Well, I would hardly say. That would only be a conclusion.

4. Your conclusion?

A. My conclusion would be that General Black, after receiving information that had been transmitted to him, knew the seriousness of the situation and knowing it, would at least take steps to avert any further trouble.

4. From what you heard Colonel Hunter tell General Black over the phone, you may tell this Committee if, in your judgment, troops should have been sent.

A. I think so.

4. Now you have, also, been asked, Captain, if Colonel Hunter told you that before troops could be sent that they had to be asked for by civil authorities. Is it not true that Colonel Hunter told you that was the information he had received from General Black?
A. And I stated in the record, there seemed to be a conversation concerning that first but the second time the conversation was general.

Q. Is it not true, Captain, that Colonel Hunter told you that he was of the opinion that troops could not be sent until civil authorities demanded them?

A. I could not state positively.

Q. Did he tell you, Captain, that General Black had given him that impression?

A. As I stated a moment ago, that seemed to be the impression we all received.

Q. After this 6:30 call in the evening, you say about 9 o'clock when Colonel Hunter and Major Davis went over to the State Attorney's office?

A. About 9 o'clock.

Q. And when did they return, as near as you remember?

A. I think Major Davis came back first by himself.

Q. About what time did Colonel Hunter return to your office?

A. The exact time I could not say. It must have been somewhere between 11 and midnight.

Q. When he did return at midnight or shortly before, he stayed at your office with you until about 2 o'clock in the morning?

A. Yes.

Q. During that time you talked over the situation as you had been doing in the afternoon?

A. Generally speaking, yes.

Q. Did Colonel Hunter tell you or did any one tell you that Colonel Hunter had put in a call to General Black's office to Springfield while he was over to State's Attorney's office?

A. There was no mention made of it.

Q. Was mention made of that conversation by anybody in your office at that time?

A. No. There probably would be no occasion for making
Was there any mention made of it?

A. No, none whatever.

Q. Captain, may I ask if from what you have seen in this work and your observation of the activities of Colonel Hunter, his reports to General Black to Springfield, in your opinion, did he do his duty?

A. I think he did everything he could do to handle the situation, hampered as he was.

Q. Did you find anything or was there anything in his conduct that would suggest to you that he had been negligent in any respect?

A. I don't see how he could have been negligent.

CHAIRMAN: I want to say, I think that is a matter for the committee to decide.

MR. BRENNAN: But the committee could decide only from impressions that you have asked the witness for.

MR. BACKER: I think questions on cross-examination are leading questions.

CHAIRMAN: The chairman will handle that situation. We are not adhering to strict rules of law and do not want to, and yet, we do not want Mr. Edrington to assume the functions of the Committee.

MR. BRENNAN: The committee could only be governed by impressions that you know, and if one impression is permitted to go into the record, I could see no reason why no more impressions along the same line should not be put in the record and properly so.

CHAIRMAN: Our powers are very broad and we will probably, so far as general impressions are concerned - it is a matter entirely for the committee.

MR. BRENNAN: Surely, to be gleaned only from evidence you get from the witness on the stand and whatever other evidence you had. The impression this witness or any other witness might
give to this committee might not have any other bearing on the
committee and as long as you have gone into impressions and I
have shown the witness on the stand is a man trained in military
affairs, who was on the job all the afternoon of the 21st, actively
assisting Colonel Hunter in work to be performed, that there is
any one who could give an impression as to a man performing his
duty or otherwise, that it would be this witness and for that
reason I am going to ask that the question be answered and the
answer, whatever it may be, will only be considered by the
committee in the light in which it is given.

CHAIRMAN: I will say this to counsel. I don't want to
open the door whereby this class of testimony might be profusely
used with the understanding of that fact the Chairman will rule
that he may answer this question.

(Question read by reporter)

CHAIRMAN: I would rather you would ask a more general question.

MR. BRENNAN: Captain, in the activities of Colonel Hunter, so
far as making a full and complete report of what had happened in
this vicinity to General Black, would you say he reported fully
the situation?

CHAIRMAN: So far as you know?

A. Yes.

MR. BRENNAN: The reports that he made, did they, in your
judgment, warrant General Black or any other officer in charge,
sending troops to this district?

MR. RICE: I object to that.

CHAIRMAN: Objection is sustained.

MR. BRENNAN: Captain, I will ask you if from conversations
that were delivered over the phone, Colonel Hunter had made it
clear, in your judgment, that the civil authorities were unable
to cope with the situation and that some other assistance was
necessary?

A. I have answered that question several times by saying Yes.
FEITKNECH EXAMINATION BY JUDGE FIERCE:

Q. Captain, at the time you called the offices of the minors' union at Herrin on the afternoon of the 21st, you got hold of Fox Hughes, did you?

A. I called the first time and got hold of Fox Hughes, yes.

Q. Did you know Fox Hughes, had you ever met him before?

A. I don't believe I had. I might have met him but I doubt it.

Q. Did you tell him his name was Hughes when you called?

A. He said his name was Fox Hughes.

Q. You called for Hugh Willis?

A. I don't recall. I called for Colonel Hunter. I got the connection.

Q. Did you tell Fox Hughes who was talking to him?

A. Yes.

Q. Who did you tell him?

A. I told him this was Ridlington of the Greater Marion association.

Q. Located where?

A. Marion, Illinois.

Q. Did you tell him you were talking from Marion, Illinois?

A. No, I assumed he would know that.

Q. Was there anything in your conversation up to the time Colonel Hunter took the conversation up, indicated to Hughes where you were talking from?

A. I had no conversation with him. I merely called for Colonel Hunter.

Q. You did have a conversation with him up to the 6 o'clock you have already testified to, which you, in that conversation indicated in any way, so he might know who was talking to him and where from?

A. I indicated who it was.

Q. You told him Colonel Hunter wanted to talk with him?
You called Colonel Hunter to the phone and did Colonel Hunter say to him where he was and who he was?

A. I don't recall the exact conversation.

Q. Didn't Colonel Hunter say this is Colonel Hunter?

A. Naturally he would say a thing like that.

Q. He was attempting to make a truce there. He must have said something.

A. He said lots of things there.

Q. Did he say: This is Colonel Hunter?

A. Yes.

Q. Did he say what his position was?

A. That I could not say.

Q. He undertook to make an agreement there to a so-called or supposed leader or officer of a miners' union that were implicated in this mine. Did he make it definite to that officer who he was and what he was doing?

A. Certainly.

Q. You took it and assumed that a man talking on the other end would know who he was talking with and why?

A. I would imagine he would.

Q. Do you remember the substance of what Colonel Hunter said to him?

A. In a general way, yes.

Q. In a general way, but give it as specifically as you think you would be justified.

A. I told him of conversation Mr. Hamilton had with Lester and Lester's orders to Hamilton to order McDowell to close the mine, stop operation and how he had arranged for him for a truce. If it were mutual and conditions mutually agreed upon. That is the sense of the conversation. The exact wording I could not tell you.

Q. Did you hear anything in that conversation about a flag of truce being displayed.
A. I was sitting right behind it. I was within the same distance as the stenographer is to me now.

Q. Stayed there all of the time?
A. Yes.

Q. In that conversation did you hear Hunter say to him that McDowell or men at the mine would display a white flag on the west dump?
A. I know he told who the fellow he was talking to, that McDowell would display a white flag. As to the exact location I don't recall.

Q. Did you hear west dump mentioned?
A. I never heard there was such a thing as west dump.

Q. Hughes said there was a west dump and the flag was to be displayed on top of the west dump. Do you know where that is?
A. I was out there. You mean mound of dirt. Is that what you call a dump?

Q. Did you hear anything about that at all in the conversation?
A. That is the first time I ever heard of dump being mentioned in any shape or form.

Q. You say that Hughes was to display a white flag on his automobile?
A. I did not say that. He was going in an automobile we surmised and would approach the mine. What on foot horse-back, or in an automobile, I don't know.

Q. He was to approach the mine with a white flag?
A. That is it.

Q. Hunter did not tell him to put the flag in his bosom?
A. It would not have been displayed if he had. I believe
You do not recollect he was to be acknowledged by a white flag from the other side?

A. Oh, yes.

Q. He was to get recognition as he approached with a flag?
A. Absolutely.

Q. You are satisfied with the conversation that Hughes was in some manner to display a white flag so that he and his premises could be discovered?

A. I felt satisfied that would take place. That was the understanding.

Q. And by display of that flag by Hughes they might know he was a man in authority coming there to effect that truce or aid it?

A. Yes, sir.

Q. After that conversation would Hunter call Hughes or call the miners' union headquarters at Herrin to find out whether that had been carried out?

A. Yes, I think twice after that.

Q. What talk did you hear him have about that the second conversation was to the effect he tried to endeavor to see if he was going?

A. I don't think he was the one.

Q. Who was he talking to?
A. I surmise Hughes.

Q. You did not call that time
A. Hunter made his own call then.

Q. And he was talking with somebody that responded to a call sent over to the miners' headquarters at Herrin?

A. Yes, sir.

Q. And in that conversation did he ask what had been done in the way of carrying out the original agreement or arrangement that was made?
And from where did you get it that Hughes had gone or was about to go?

A. The way I got it, he had not left yet.

Q. And you got it over that second phone call that Willis had arrived on the scene over there?

A. Yes.

Q. That Willis and Hughes were going together?

A. No, I received the impression that they left separately. Hughes went first and Willis following. My impression was that Hughes had left before Willis got there. That is my impression of it.

Q. About what time was that, if you have some notion?

A. Somewhere in between 4:30 and 5:30, I should judge.

Q. Did you see anything of Willis after that, here in Marion?

A. I have never met Mr. Willis in my life until the meeting at Herrin later.

Q. Did you see anything of Hughes after that in Marion that night?

A. Oh, no, not that night.

Q. Did Hunter call after that, the office in Herrin to find out what had been done in the way of carrying out the truce?

A. Let me get that question right.

Q. Did Hunter call Herrin again that night after the second call to find out what had been done or what, if anything, had been done in the way of carrying out the terms of that truce?

A. Yes.

Q. When?

A. Shortly after the second one.

Q. What did he ascertain at that time?

A. My impression was he ascertained the fact that both Willis and Hughes had gone, probably 10 or 15 minutes apart, it seemed like.
between Hunter and Hughes with reference to Hughes notifying Hunter later the result of his going out there and his activity in the way of seeking to restore a truce?

A. I don't recall that, Mr. Pierce.

Q. What did Hunter say with reference to where he was or where he could be reached, if anything, to Hughes in that conversation?

A. He told him he could be reached at our office.

Q. Did he tell him that?

A. Yes.

Q. Did he give the phone number?

A. Yes, he gave that phone number. That was in the first conversation.

Q. And you heard him say that he was Colonel Hunter talking?

A. Yes.

Q. You heard him say he was at 599, phone number?

A. Either 599 or Greater Marion Association. He told him where he was.

Q. He told him Greater Marion Association?

A. Yes.

Q. In Marion, Illinois or in Marion?

A. I do not say he said Marion, Illinois.

Q. Was it not your understanding, from the first conversation, or from conversation after that, the second or third, that Hunter was to get some information later on as to what had been done by Hughes in the way of reaching these miners and the crowd and what he had done with reference to restoring peace and bringing about terms of the truce?

A. No, I have no definite understanding of that. I surmise such would be the case. As to an actual conversation, I could not say as well as I would have then.

Q. Hunter could not know of the situation at the mine after
information or that source, unless he went out there?

A. I don't recall of hearing any direct reference to that?

Q. Do you not think it would have been necessary, in order to have known how to cope with the situation in the way of formations of mobs, etc., to know whether or not those parties had accomplished the truce?

A. Certainly, I do. I certainly believe it would be necessary and was done. I am saying I did not directly hear of it.

Q. You were there at the headquarters, as I understand and continued there up until 2 o'clock in the morning?

A. I certainly was.

Q. You heard all of the conversation over the telephone between Hunter and everyone else?

A. Yes.

Q. Did you hear anything of that kind?

A. Yes, I do not recall hearing that. There were many things said I do not recall.

Q. Do you recall of more than three telephonic conversations with Herrin?

A. With the mine workers' office, no. There were more than three telephonic conversations with Herrin itself.

Q. What were those concerning?

A. Concerning information we were receiving about guns being stolen, ammunition.

Q. I am speaking now of this truce?

A. No, none that I know of.

Q. Then you people were without information from the time of the third telephone call, which was some time at 6 or 6:30 in the evening and the next morning or 12 or 2 o'clock that night or morning, you were without any information as to whether or not
the terms of the truce had been agreed to and there had been accomplished, won't you?

A. You said in the first part "you people". Do you refer to me or everyone?

Q. The people in your room.

A. I was absolutely without any information after the telephonic communication I just spoke of. Colonel Hunter probably got his information later over at this meeting at the State's Attorney's office.

Q. But you did not get any different information?

A. How could I?

Q. Then you received from the conversation that occurred in the three telephone calls from your office to the Herrin office of the miners unions all that information?

A. Yes.

CHAIRMAN: Let me ask one question. Mr. Edrington, do you know whether or not Colonel Hunter or anybody else got in direct communication with Mr. Willis?

A. No, I do not.

Q. How was it you got the impression that Willis had left afterwards?

A. I got the impression that Willis had left afterwards by the fact that who ever answered the phone at the Herrin office said that Hughes had gone first and Willis afterwards. That is the only way I got that information.

MR. STONE: (Attorney for some witnesses) That Mr. Willis had gone to the mine or gone to Herrin or which?

A. Left the office to follow Mr. Hughes.

Q. Did anybody say he had followed him, left the office or gone to Marion? What did they say that gave you the impression?

A. He was following Hughes to the mine. I cannot recall that conversation, Mr. Stone. I don't remember whether it was I
or Colonel Hunter that talked the last time or not. I don't recall.

Q. You know or were advised that a little later Mr. Willis appeared in Marion?

A. So I was advised a little later on in the evening in the State's Attorney's office.

Mr. RICE: At the time that you had the last communication with Fox Hughes, did you understand that he had gone to carry out, as best he could, the arrange for the truce?

A. That was the impression I had of it, yes, sir.

Q. Later on in the evening you were unable to get into communication with the mine at all?

A. Yes, sir.

Q. Was there anything occurred after that time that gave you the impression that the truce was not being carried out?

A. I heard nothing that would lead me to believe that.

Q. Did you hear any explosions in Marion that evening?

A. It seemed like about 9:30 or 9 o'clock I heard some sort of a very light explosion. I remember I went to the side window and looked out but did not pay any further attention to it. That is a very faint rumble, just once.

Q. Now then, from the time this arrangement for the truce was made, then you were under the impression that everything at the mine was being carried out as had been arranged?

A. That was my opinion up to the time I received the news of the murder the next morning.

Q. That is all.

FURTHER EXAMINATION BY MR. BACKER:

Q. Mr. Edrington, did Colonel Hunter have offices with you during Monday or Tuesday?

A. No.

Q. In all these conferences that Colonel Hunter had with different parties, you were present?
A. No, I could not say that. What do you mean?

Q. In all telephone conversations you were present especially at the time he called Fox Hughes or General Black?

A. You have another telephone conversation in this record here. If you will be specific as to the time and place I will answer it.

Q. At the time he talked with Fox Hughes regarding the truce which was to be arranged, you were present in the office?

A. I was, yes.

Q. How close to Colonel Hunter were you sitting?

A. Probably 4 or 5 feet.

Q. But you do not remember exactly what was said?

A. Only as I have testified.

Q. At the time that Colonel Hunter talked with General Black you were about the same distance from Colonel Hunter were you not?

A. Just about the same, yes.

Q. At that time, in the first conversation or the first talk he had with General Black did you hear him make any mention of troops?

A. In the first conversation, no. You are speaking of what transpired in my office on the afternoon of the 21st? I did not on the first conversation.

Q. Did he say anything to General Black that would indicate to General Black that he thought troops would be needed?

A. What conversation are you speaking of now? The first conversation? Did he say anything to General Black that would indicate that he thought troops might be needed?

A. You are asking me to draw a conclusion again.

MR. RICE: I think he has already answered it. I have no objection but I think he has already answered.

A. That is just because I had been stopped before on practically the same impression. If it is your will I reply
to that I will be very glad to do that.

(Question read by reporter)

CHAIRMAN: Now, state, Mr. Witness, as near as you can.

A. What I will state will be merely my conclusion that the conversation he had with him, he told him of what had transpired. I, myself, thought troops would be necessary from his conversation. I would take it that way.

MR. BACKER: At the second telephone conversation between Colonel Hunter and General Black you stated he expected troops would be necessary or did he say troops would be necessary?

A. That question has been answered.

CHAIRMAN: Answer the question if you can.

WITNESS: Yes.

MR. BACKER: Did he say troops would be needed or he expected troops would be needed?

A. He thought troops would be needed. That is not the exact wording but that is the impression I received from what he told him.

Q. At the time of that phone communication you were sitting right across where you could hear his side of the conversation with General Black?

A. If he had been paying closer attention I would, yes.

Q. Were you paying close attention at the time he was making his report?

A. As much as I could. At the time we were all talking more or less to him at the time.

Q. You were paying close enough attention so that you heard him make the statement that troops would be necessary?

A. Yes.

Q. It would be impossible for you to have heard him say he told some one else troops would be necessary or he heard some one else say troops would be necessary?
You stated in the first part of your examination that you did not hear Colonel Hunter talk with General Black or did not hear the substance of the report or of the consultation he had with General Black at 6:15?

A. It was a little later than 6:15.

Q. At that time of the day did you believe or did you have reason to believe that a truce had been arranged and that the same would be observed?

A. Yes, I did.

Q. The general feeling at that time was that a settlement had been arranged and one that could be carried out?

A. I cannot say how general that opinion was. That opinion prevailed in the minds of those men in my office, Mr. Mitchell, Colonel Hunter and myself. How general that opinion was, Mr. Backer, I don't know.

Q. After Colonel Hunter had been called over to the State's Attorney's office you stated he did not return until after 12 o'clock?

A. No, I did not state that.

Q. What did you say?

A. Some time between 11 and 12.

Q. How late was Colonel Hunter in your office?

A. Until 2 o'clock Thursday morning, the 22d.

Q. Was anybody else there besides your wife and yourself?

A. Major Davis was there and my stenographer.

Q. Do you know whether Major Davis was in the State's Attorney's office during the time Colonel Hunter was there?

A. Positively no.

Q. Did Colonel Hunter and Major Davis come in together?

A. I could not say as to that. I could not answer that question. I don't remember.

Q. After Colonel Hunter came back to your office did you...
say he did not say anything about the conference which they had in the State's attorney's office?

A. I did not say he did not say anything about it. I said we had a general conversation about the whole situation. What was specifically said would be an impossibility for me to tell.

4. At the time Storme was in your office did you hear Colonel Hunter request that he swear in additional deputies?

A. "Well, I don't know he said swear in additional deputies, he said to take deputies out there.

4. At that time did he say anything to Storme about getting troops?

A. I answered I did not know of any such conversation as that before. I do not remember any thing like that.

4. How long have you known Colonel Hunter?

A. Since Monday, afternoon, June 19th?

4. At that time you got pretty well acquainted with him, did you not?

A. May I answer that question as I wish. Place two men in a like position for twenty-four hours and you will get pretty darn well acquainted with each other.

4. And you got to be pretty good friends, did you not?

A. No, I would not say close friends. We are acquaintances. I consider the Colonel my friend and I suppose he considered me his friend if that is what you mean.

MR. A. C. LEWIS: May I ask one question? In the conversation of the Colonel with Fox Hughes, do you remember whether or not that he informed Fox Hughes that a flag would be raised at the mine and he would see that on his arrival?

A. That is my recollection.

CHAIRMAN: Any further questions? I want to state at this time if any of the parties interested have any witnesses they would like subpoenaed we will be glad to do that now. That is all.
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. George J. Turner.

Q. And you live at Herrin?
A. Yes, sir.

Q. You are in the hardware business?
A. Yes, sir.

Q. How long have you been engaged in the hardware business?
A. Since 1907.

Q. And you were in business during the month of June 1922?
A. Yes, sir.

Q. Do you remember the occurrences on June 21st which was Wednesday preceding the killing?
A. Yes, sir, I remember.

Q. Just tell the committee what happened there with reference to any unusual occurrences at your store on that day.

A. Possibly around ten o'clock my wife called me. I was away, but working on a furnace prospect and my wife called me and told me I had better come to the store. The excitement was practically over when I got there. They reported there had been a crowd of possibly thirty men who came in the store all at once and demanded guns and ammunition and they got what they wanted. My son-in-law, my wife and another clerk were in the store.

Q. What did they get? A. Mostly cartridges.

Q. How many guns? A. Not more than a few guns. We located a gun in the back room, which is sort of a store room, possibly in October we found the gun and we never knew just how it got there.
Q. You stated that your wife called you, Mr. Turner. What did she say?
A. She said to come to the store. "We are having some excitement and you need to be here."

Q. How long after the telephone message did you get to the store? A. Possibly ten minutes. It was four or five blocks and I went as fast as I could walk.

Q. How many men were there when you arrived? A. No one except my wife and the clerks.

Q. And after examining the stock, did you find the ammunition had been taken? A. Yes, sir.

Q. Have you received any pay for that ammunition? A. No, sir.

Q. Had you any riot insurance? A. No, sir.

Q. Then what did you do in reference to what occurred? A. We went away. We didn't know what to do.

Q. Did you talk with anybody about what occurred? A. Various parties came in and asked us questions about it.

Q. Who were the parties? A. O, customers, traveling men.

Q. Did the police officers come in? A. I don't remember.

Q. Did you make a report of this to anybody? A. So far as the amounts of the loss are concerned, I couldn't say that I did, except in answering questions which were asked us.

Q. Was this ammunition charged on the books to anybody? A. No, sir.

Q. Did the people in the store know who got the stuff? A. No, sir.

Q. Never found out? A. No, sir.

Q. Did you report this matter to the chief of police? A. I couldn't say that I did. We were all aware that he knew it. We were not the only place that was raided.
Q. The general opinion was that the chief knew that
the ammunition was taken from your store? A. Yes, sir.
Q. You got the impression that everybody around town
knew it? A. Yes, sir.
Q. Every person who came in town knew that ammunition
had been taken from the store? A. Yes, sir.
Q. Did you believe that ammunition had been stolen?
A. I believe that it was taken through mob violence.
Q. And that was the same as stealing? A. Yes, sir.
Q. Ordinarily, if anybody came into your store and stole
ammunition or guns, or a washing machine, ordinarily you
would report it to the police? A. Yes, sir.
Q. What we want to find out, Mr. Turner, was why you
didn't report this to the police? A. Because there was
so much excitement in Herrin that the policemen were busy
and I stayed at the store because my presence was necessary
there. In December, to explain, I went to the store one
morning and found that during the night a lot of guns had
disappeared. I walked to the telephone and told the police
because that was a different matter. But to take the ammuni-
tion in broad daylight when the streets were filled with
people, I didn't consider it necessary to make any effort
to report it because everyone in town knew it. A traveling
man who lives somewhere in Indiana told me he saw in a paper
that I was knocked down and gagged, so I suppose everybuddy
knew about something happening. I confess I didn't make a
report because it was such a public affair.
Q. You stayed in your store during the afternoon, because
you feared there might be further trouble? A. Yes, sir.
Q. What caused you to fear that? A. We realized, most
of us, that the community was wrought up and they were still mak-
ing raids, up and down the streets. About 3 o'clock seven men
came in my store. They were all strangers to me. One of the
party had on part of a soldiers' uniform and he said, "We want
some 33's, and I said we haven't got it. There were six other
Q. About how many rounds of ammunition did they get?
A. I couldn't answer that.

Q. Estimate it. A. That is pretty hard to do.

Q. When you got back to the store, did you know what they were going to use this ammunition for? A. Well, no, I had an idea.

Q. What was your opinion? A. I had an idea they were going toward Lester strip mine, for what purpose I couldn't say. The strip mine conditions had become current gossip.

Q. The mob marching around, could they be seen by everybody? A. I suppose so.

Q. There was an unusual crowd of men, wasn't there?
A. I suppose so.

Q. Did you see any unusual crowd when you came to the store? A. No, sir.

Q. When in the afternoon did you notice unusual crowds? A. Around three o'clock. It was when the news came back that Jordie Henderson was killed.

Q. There wasn't any doubt in your mind that what they wanted was to avenge the death of Jordie Henderson? I think so.

Q. They were attempting to operate the mine with armed guards, and that is what you thought they were after?
A. That is what I think.

Q. In the afternoon at three o'clock, how large crowds were congregating? A. They were coming and going south part of them. The streets were full of cars and people passing. It would be a hard matter for me to estimate how many. There were a good many strangers in town.

Q. When did you leave your store that day? A. After 6 o'clock.
Q. What did you notice then on the streets?
A. I went straight home to supper and didn’t go downtown that night.
Q. Did you notice any armed men on the streets?
A. Not after those men came in the store.
Q. They were armed?
A. One had something like an army gun.
Q. Was it a high powered rifle?  A. It might have been.
C. T. Shaffer

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

Q. State your name.
A. C. T. Shaffer.

Q. Where do you live?
A. Herrin.

Q. How long have you lived at Herrin?
A. About 18 years.

Q. What is your business?
A. I am in the mercantile business, manager of the
hardware department, Herrin Supply Company.

Q. Did you hold that position during the month of
June 1922?
A. Yes, sir.

Q. Calling your attention especially to Wednesday the
21st day of June, the date preceding the killing, just state
what occurred in your store in reference to people coming
for ammunition.

A. Well, in the morning between 10:00 and 10:30 there
were three fellows came in and they asked my cousin, who was
clerk, if they could get guns and ammunition and he called me
and they said, "We want to know whether you will let us have
the guns?" They didn't ask for ammunition. They said,
"The Local is good for it." I said, "No, I can't let you
have any guns. I don't own the place and you will have to
have an order or pay for them to get the guns." "Well,"
they said, "Herrin Local is good for it" and I said, "Nothing
doing here boys without an order" and they went out. Then
someone called me up over the telephone and they said "We
want to know if you are going to let us have those guns,"
and I said, "Bring an order" and they said, "Order or no order
we are going to get them."

Q. What time was that? A. About 11 o'clock. Then there
was a large crowd came - seemed to be about twenty-five -

and some of these same fellows I recognized were in the

lead and I said, "Boys, you will have to have an order.

They are going to give you an order if you go back after it."

That was a lie concocted by me to stall them off. One said,

"We haven't got time now to get an order for all these men,"

and I said, "They can give you an order good for the whole

lot." Then I had another telephone call and a gentleman said

He was Hugh Willis and he said, "Some of the boys want to

get ammunition to shoot some birds, and he said you let them

have it and just keep a copy of the tickets." I says, "They

want to get some guns too," and he says, "I will talk them out

of that, but just let them have the ammunition." So I made

several trips to hide some guns in the back and I left a few

guns in the case, but I have a stock of 40 or 50 guns but

hid all but 15 or 20. I went over to the First National Bank

because I was intending to leave for Chicago that night and

while I was away someone said to me, "They have started to

your store" and when I got there I couldn't get in the front
door. Finally I worked my way through the crowd and there

were some fellows behind the counters and my cousin was in

there. They tried to argue with him and they took guns and

also the ammunition.

Q. How many guns?  A. I think there was 18 guns, 6
revolvers and a big stock of ammunition.

Q. How much, several thousand rounds?  A. Yes, sir.
I got in there just as they were turning around and pushing out. I left for Chicago that evening.

Q. Did they say anything to you?

A. I said, "Here, what's the matter, don't break that
case" and one of the boys said, "Get back, don't break the
man's show case" and zapped they were handing out the guns.

Q. Did you recognize any man?  A. One or two I recog-
nized in there - one of the fellows that held the crowd back
and said "Don't break those cases."
Q. What was his name?
A. Ed Williams was his name.

Q. Then they left the store? A. Yes, sir.
Q. Then what did you do? A. I didn't do anything that I remember, right then.

Q. Did you report the affair to someone?
A. Someone called up and asked if they had been there. He said "I am calling for the Adjutant General's office. Was there fellows there who took ammunition?" and I said, "Yes, sir."

Q. What time was that? A. About 11:30.
Q. Did you see any policemen when this was going on?
A. I didn't notice any.
Q. Did you see them any time during the afternoon?
A. No, sir.
Q. Did you report the matter to the police headquarters or to the sheriff? A. No, sir, I figured everyone knew it.
Q. These crowds had been going around the streets for some time, hadn't they? A. Yes, sir.
Q. And anybody on the square or in the downtown district knew just what they were doing?
A. Well, they knew they were congregating around there.
Q. When they came for ammunition, it was very apparent what they were going to use it for?
A. I figured what they were going to use it for.
Q. You knew that out at the Lester mine they were attempting to operate the mine with non-union labor, and you knew that was the purpose they were going to use it for? A. Yes, sir.
Q. Do you know Hugh Willis personally? A. Yes, sir.
Q. How long have you known him? A. Ten years.
Q. And you knew that he was the man in authority there?
A. Yes, sir, I knew he was an officer of the Local there.
Q. And if he told you to give anybody ammunition you knew it would be paid for?
   A. I knew if he told me it would be all right.
   Q. He was a substantial man in a business way?
   A. Yes, sir.
   Q. So when he called you on the phone and told you that you knew somebody was responsible and you knew that he was a man in authority in the Local?
   A. I knew he was an officer in the Local.
   Q. And you knew he was a responsible man? A. Yes, sir.
   Q. You knew that if he ordered you to give them to anybody you were safe in doing that? A. I didn't turn them over.
   Q. But if he ordered a washing machine you would send it down without a question? A. Yes, sir.
   Q. That is in business the practice and very customary?
   A. Yes, sir.
   Q. You say you have known Hugh Willis how long?
   A. Ten years.
   Q. Have you talked with him a good many times in that ten years?
   A. Yes, sir.
   Q. You could recognize him if you saw him in the street?
   A. Yes, sir.
   Q. You could recognize his voice? A. I might.
   Q. When he called you that morning you were fully satisfied it was Hugh Willis talking?
   A. Well, I thought it was Hugh Willis talking.
   Q. From your acquaintance and having talked with him, you were satisfied it was his voice talking at the other end of the telephone? A. Yes, sir.
   Q. And when he called you he said it was Hugh Willis?
   A. He said, "This is Hugh Willis talking."
   Q. Supposing somebody came in your store and took a washing machine, what would you have done in reference to that? Ordinarily you would have reported it to the police, wouldn't you?
   A. Yes, sir.
Q. Why didn't you report this theft? It was a theft, wasn't it? Or did you consider it a sale?

A. No, I didn't consider it a sale.

Q. You considered it a theft, why didn't you report it to the police?

A. Probably because there was a big crowd there and everyone knew that the police wouldn't have very much chance to do anything with a crowd like that. I never thought about called the police.

Q. Was it your opinion that any policemen knew what was going on in reference to the stores being looted because of the general excitement and the general knowledge the public had?

A. I figured the police knew the crowd was in town, but don't think they figured guns was to be taken.

Q. Do you think that during the day the police knew that the ammunition was being taken?

A. I don't know.

Q. That was the general talk in the business district, around the square, wasn't it?

A. I suppose so.

Q. Everybody knew it?  

A. Yes.

Chairman: Any further questions?

Mr. Stone: Tell the Committee, Mr. Shaffner, you said you concluded the person talking over the phone was Mr. Willis?

A. I said he said it was Mr. Willis.

MR. STONE: Did you draw that conclusion from the voice or his saying it was Hugh Willis?  

A. Yes, sir.

MR. STONE: Because he said it was Hugh Willis?

A. Yes, sir.

MR. STONE: You recognized it was Willis' voice?

A. I don't know whether I could say. I thought it was his voice because he said it was Hugh Willis.

Q. You were called for a witness by the prosecution during the trial?  

A. Yes, sir.

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

Q. State your name. A. B. F. Bracey.
Q. What is your business, Mr. Bracey?
A. Hardware business.
Q. And you are situated in the city of Herrin, Williamson County, Illinois? A. Yes, sir.
Q. You were in business during the month of June, 1922? A. Yes, sir.
Q. Do you remember the trouble resulting in the killings out near the Lester strip mine on June 22nd? A. Yes, sir.
Q. Prior to that time your store was entered by certain people and certain ammunition taken? A. Yes, sir.
Q. Will you just tell the committee what happened at those times?
A. Well, about all I can tell is they came in there and took what stuff they wanted and left.
Q. When was the first time anybody came to your store?
A. Between 9:00 and 10:00 o'clock on June 21st.
Q. And how many were there in that group?
A. I would estimate something like 40 or 50 people at that time.
Q. What did they say to you? A. Said they wanted all the guns I had.
Q. What did you say to them? A. I told them they could search the premises but I didn't have guns on display.
Q. Had you previously expected a visit? A. I was playing safety first and put them away, what I did have.
Q. Did they get any guns or ammunition at that time? A. No, sir.
Q. What happened after that? A. At the noon hour, between 12:00 and 1:00, I was alone and the mob came in the store and asked for all the heavy cartridges and shells I had.
I told them I didn't have any and they said they wanted to see what I did have and they said they would help themselves to what they wanted and they did.

Q. Did they take ammunition at that time? A. Yes, sir.
Q. Did you know the parties? A. No, sir.
Q. Did they pay for what they got? A. No, sir.
Q. About how many were there in that crowd?
A. I would judge at least one hundred men, or men and boys. They filled the aisles full, clear back to the back of the store.

Q. Had you seen men congregated in the streets before that time? A. No, sir, I hadn't.
Q. Do you know where they went after they left your store? A. To other hardware stores.
Q. What did you do after they left your store?
A. I closed my store and went to the drug store to get a drink. When I was over there they told me there was a crowd forming in front of my store and seeming to batter the door in. Somebody said I had better not go over there, but I went over and unlocked the door and they said they didn't get everything they wanted and that was the last of it.

Q. That forenoon and during the noon hour there was quite a lot of excitement around the streets of Herrin?
A. I would judge so. I didn't pay attention to anything different from any other day. I was busy working and didn't pay any attention.
Q. You knew there was trouble brewing at the Lester mine? you knew they were operating the mine with non-union miners?
A. Yes, sir.
Q. It was apparent and common knowledge that there was liable to be trouble? A. Yes, sir.
Q. When they got this ammunition there wasn't any doubt in your mind what they were going to use it for? A. No, sir.
Q. You felt there was to be trouble at Leuter's. After they left the last time, what did you do with reference to reporting this to the civil authorities?
A. I didn't do anything.
Q. Did you talk to any persons about it?
A. Nobody in particular. I talked to my help about it.
Q. Did you discuss it generally on the street? Discuss it with the drug store man?
A. No, sir.
Q. Most anybody could see the people at your store?
A. Yes, sir.
Q. Why didn't you report it? A. At that time I never thought anything about it. I don't know whether I was scared or what was the matter, I didn't think about reporting it.
Q. If somebody had taken a washing machine would you report it to the police? A. They have taken a good many things I haven't reported to the police, besides ammunition.
Q. You figured they had stolen whatever they got?
A. I figured they had taken them. To be honest, I don't know why, but I didn't think it was stealing.
Q. Did they refer to a person who might pay for it?
A. No, sir.
Q. Did you ask them to pay for it? A. No, sir.
Q. Didn't think it would do much good? A. No, sir.
Q. It was common knowledge about the streets of Herrin and all over the county that there was trouble brewing and ammunition taken. Everybody discussing it and wondering what was going to happen? A. Yes, sir.
Q. Did you figure that the police knew about the trouble? A. I did, yes sir.
That is all.
TESTIMONY OF CHARLES F. HAMILTON
BEFORE THE Herrin MASSACRE INVESTIGATION COMMITTEE
HOUSE OF REPRESENTATIVES
AT
MARION, ILLINOIS.

April 30, 1923.
having been first duly sworn, was examined in chief by Chairman McCarthy and testified as follows:

Q. Please state your name?
A. Charles F. Hamilton.

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

Q. How long have you lived there?
A. About a year. I came out first in May, 1921, two years ago this May.

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

Q. What business were you engaged in at that time?
A. Coal stripping business.

Q. In what properties were you interested at that time?
A. I was operator of what is known as Enterprise mine near Moak Station.

Q. Where is that with reference to the Lester Strip Mine.
A. About one and one-fourth miles south.

Q. Did you know Mr. Lester?
A. Yes, sir.

Q. How long had you known him?
A. About 38 years.

Q. How long have you been engaged in the coal business?
A. About three years.

Q. And your activities have been in Illinois?
A. Yes, sir.

Q. And you are acquainted with the general surroundings of the mines in this locality as to their method of operating?
A. Yes, sir.

Q. In order to get what we are driving at I will ask a few questions. In this community the mines are operated almost entirely by union labor?
Do you ever know of any other mine being run by non-union labor?
A. I do not.
Q. In fact, this is one of the strongest union labor districts in the state, isn't it?
A. I have not had experience anywhere by here, sir.
Q. But it is very strong here?
A. Yes, sir.
Q. Had you ever been over to the Lester Strip mine prior to June 22d?
A. Yes, sir.
Q. How often had you been there during the month of June?
A. I don't think I was at the mine only once during the month of June. Was east during the month of June. I got back here on Tuesday afternoon, the 20th.
Q. How long was that previous to the 20th that you visited the mine?
A. I don't think I had been there during the month of June.
Q. When you came back on Tuesday, the situation generally in this locality was not very good, was it?
A. No, sir.
Q. And the excitement was caused mostly by the attempt of Mr. Lester to operate this mine with non-union labor, was it now?
A. So far as I knew, yes, sir.
Q. Did you have occasion to visit the mine on Tuesday or Wednesday?
A. I was there Wednesday morning.
Q. Who did you go to the mine with?
A. Mr. Osborn, our bookkeeper.
Q. Did you see Mr. Lester on either Tuesday or Wednesday?
A. No, sir.
When you wore out to the mine, what was the situation there?

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

Q. In other words, from your experience in this community you believed the action taken by Mr. Lester to undertake to operate his mine with non-union labor was futile?

A. Absolutely, I told him so the month before.

Q. Where was he when you told him that?

A. In Chicago.

Q. Had you seen him here at Marion after that time?

A. I think I had. Yes, sir, once.

Q. Had he informed you he was going to undertake to operate the mine?

A. He had not an hour discussion in Chicago, I think was some time early part of April. He told me he had an idea he might attempt this and I attempted to persuade him it was absolutely impossible according to my judgment and that he and I had been here long enough to know something of the conditions and after considerable talk and argument I said to him (He was a partner of mine out at the Hamilton-Lester Coal Company) and I said: "If you are going to make an attempt of this kind, I do not want to know anything more about it and I want an option in the Hamilton-Lester Company and I do not want this in any way to be connected up with the Hamilton-Lester company, and I do not want to be a party in such as you contemplate."
when you told him that had you, at that time or some other time, explained to him the conditions in this locality with reference to operating the mine?

A. I had to quite a little afterwards. He was a very busy fellow and had a great many irons in the fire and was not here. I was down here and out to the mine practically all the time in this county and very naturally knew the minds of the men and their feelings in regard to this situation and in regard to unionism and I felt I was probably in a much better condition to judge the situation and what he contemplated doing.

Q. And you explained to him why it was in your judgment unsafe?

A. I told him he could not pull it, in the language of the street.

Q. Now, on Tuesday, I believe you said you were to the mine?

A. Tuesday morning.

Q. While you were there you noticed armed guards being used, did you see any around?

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

Q. Did you discuss with him the situation with reference to operation of the Lester Strip mine at that time?

A. No.

Q. Or the dangerous position they were in?

A. I simply told him I thought the condition was extremely tense from the short time I had been in here, that was from
1 o'clock on Tuesday and this was Wednesday morning.

Q. And did he make any statements as to what he thought the situation was?
A. No.

Q. Where did you go from there?
A. I went over to the Hamilton-Lester office. That is about some 2,000 feet almost due west of the little station of Maak on the street car.

Q. How long did you stay there?
A. It was along about 3 o'clock I believe when I got ready to leave. I was pretty busy and I had the superintendent and office men and we worked until 3 o'clock and we heard over the telephone there was a mob gathered over the roads and gathering at the Southern Illinois mine.

Q. Was that the first you noticed or heard of anything unusual happening?
A. Yes, it was and you would realize how impossible it would be to hear anything. We were in a hole and we were down working and you could not see 100 or 150 feet from the office as the office itself is in a hole.

Q. At 3 o'clock you got word there had been some trouble then, what did you do?
A. We started for Marion.

Q. Then what happened?
A. We drove into town. We stopped a few minutes out where we could see, could see cars. We started for town, drove in here and got over the corner of the Citizens Trust and Banking Company and Mr. McLean stopped me and told me really more of the conditions of what was happening, than I knew then and asked if I would go up into the Greater Marion Association to a meeting of some of the citizens and Colonel Hunter, which was then in session, which I did.

Q. What happened there?
A. Probably first of all Lester and were down here as a company - Hamilton-Lester company and he had this Southern Illinois Coal Company in which I had never had any financial interest or interest of any other kind. I am not very well acquainted, but probably a little better than he, but some of the men in the meeting seemed to have an idea that I had some interest in this Illinois proposition, which I attempted to deny, and told them I would be very glad, indeed, to be of any service within my power to prevent any trouble and it was suggested that I get Mr. Lester on the telephone, which I did. I had rented Mr. Frank Pool's house, 205 E. Main St. for the summer. I went down there and called Mr. Lester at the Great Northern Hotel in Chicago. Told him I had just come from a meeting of some of the leading citizens of town and Colonel Hunter and the situation down here was very tense and almost anything was likely to happen from what I had learned, and it seemed the opinion of the committee that the only possible way to avoid trouble was for him to agree to shut down operations and to desist from any further work until after the strike was settled.

Q. Can you tell us about the time of that telephone conversation?

A. Between 4 and 5 o'clock.

Q. What did you hear from Mr. Lester?

A. He wanted to know what I thought and I told him my opinion had not changed from what I told him and I told him he would have to act and act darn quick, and he said: All right, and report back that I will quit. And I went back to the office and gave that information to the committee, the gathering, I do not know it was a committee. I knew quite a number of men there, and some I don't know.

Q. There was a Mr. Rix, Mr. Mitchell?
A. I knew Mr. Warder, Mr. A. C. McLaren, Colonel Hunter and Mr. Edrington. I guess that is as far as my knowledge of the men was. There was some elderly gentleman which I think was either the president of some thing, Mr. Nix, I guess.

Q. When you talked with Mr. Lester, did he ask you to communicate with the mine or McDowell?

A. Yes, he did.

Q. What did he say?

A. He said: I will quit and he said: Get word to the Committee and tell Mack, that was Mr. McDowell.

Q. What did you do in regard to informing him?

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

Q. And you figure that this was about 6 o'clock?

A. It was prior to 6 o'clock, I think a little. It was very close to 6 o'clock. I know I got dinner that evening about 6:30 and I went from the Greater Marion Association to the pool house, calling up McDowell, cleaned up a little and went on and ate some dinner.

Q. When you left the Greater Marion Association rooms were crowds gathered on the streets, unusual crowds?

A. I cannot say there were a lot of people around the square. It was not so very much different than it had been during the period of cessation of work here.

Q. After that time, did you have occasion to come down on the square?

A. No, I did not. Fortunately.
During any of this time did you see any armed men on the streets?
A. I saw some armed men. Yes, I did. I saw some that evening, a couple of boys with some rifles. They were small guns.
Q. Any further questions?

EXAMINATION BY JUDGE PIERCE:
Q. Were you at the meeting in State's Attorney's Duty's office that evening?
A. No, sir.
Q. Did you know of that meeting?
A. No, sir.
Q. You had gone home about 6 o'clock?
A. About 6 to 6:30.
Q. After you got your dinner?
A. I went back to the house.
Q. Did not come down again that evening?
A. No, sir, not downtown.

CHAIRMAN: When you were at the office of the Greater Marion Association, how long did you stay there?
A. I was there twice. I was there only a few minutes, possibly 15 minutes the first visit and then I went down to my house, called Chicago and came back. The second time I was there longer than three-fourths of an hour, anyway something like that.
Q. You spoke something of a truce, Mr. Hamilton. What was that you referred to?
A. Upon receiving this words, which I communicated to the committee from Mr. Lester, some one was sent over from this Sheriff's office to find the party thinking that he was the proper party to head the party of truce that was to go out there and report was brought back he was not in his office and could not be found, and then this gentleman, whom I mentioned, Mr. Rix, said he would go out on the street and see if he could find
committee and in the course of ten minutes or so he came back and said he had found no one he believed were proper parties and then Colonel Hunter called up headquarters of the Union at Herrin and finally he was supposed to have Mr. Hughes on the other end of the line. He asked for Willis. He was not there and finally got Mr. Hughes. He advised Mr. Hughes of the situation and of the decision to shut down the mine and requested him to form a party of men well known in the locality to go out there and there would be a white flag awaiting them, and they could go into the mine and clean things up without any trouble at all, and according to my understanding of the conversation, that was agreed to and feeling that I had done all I could do, I left.

Q. Do you remember when they were to carry out the terms of the so-called truce?

A. The effort was to be made to get in there and get things fixed up before dark came on.

Q. Was anything said there about arranging safe passage for men in the mine to get them out?

A. Yes, there was an understanding they were to be conducted safely out of the county, I believe as part of the truce. They were not to be hurt seriously.

Q. What do you know of the situation Mr. Hughes was to proceed to this mine immediately and carry out the truce?

A. Mine would only be an impression. Colonel Hunter was doing the telephoning but that is what I supposed would be done.

Q. Nothing further was done towards carrying out the truce?

A. No, sir.

Q. That is all. Did Colonel Hunter give Hughes any instructions as to how to display his presence in approaching that mine?
A. I think he said there would be a white flag displayed at the mine and he was to display a white flag.

Q. Did he give him any instructions as to how to display it so it would be recognized?

A. I do not recall as to that. Mr. McDowell knew Mr. Hughes and Mr. Hughes knew McDowell so it was supposed one saw the other at a distance, they would know the purpose of coming in.

Q. Did Hunter know these two men were acquainted?

A. I could not say as to that.

Q. The fact that they might have been acquainted, Hunter would not have a right to assume that unless he had some information of that kind?

A. I think there was something said in regard to that in the conversation between Colonel Hunter and Mr. Hughes at the time of the truce. He said he knew McDowell or something of that kind?

Q. Did you gather from the conversation there were to be two flags, one displayed by the men at the mine and that flag approached by another flag.

A. That was my impression. Each party was to have a flag.

Q. You do not recall details as to how the flag was to be displayed that approached that mine?

A. No, sir.

Q. Did you hear anything about where the flag at the mine was to be located?

A. No, sir.

Q. Did you hear anything said about west bank of the mine?

A. I do not recall it. I don't know where it was, except I knew they must have been around the office because he had talked with McDowell.

Q. That is all.
TESTIMONY OF M. MYRTLE STEBER
BEFORE THE HERRIN MASSACRE INVESTIGATION COMMITTEE
HOUSE OF REPRESENTATIVES

AT

MARION, ILLINOIS

April 30, 1923.
having been first duly sworn, was examined in chief by Mr. Brennan, Attorney for Colonel Hunter, and testified as follows:

CHAIRMAN: I will be pleased to have Mr. Brennan conduct the examination.

MR. BRENNAN: State your name, please.

A. M. Myrtle Steber.

Q. Where do you live?

A. 109 W. College, Marion.

Q. How long have you lived in Marion?

A. 7 years.

Q. In what business are you engaged, if any?

A. Clerk at the telephone office at Marion.

Q. And what is the name of that telephone company?

A. Murphysboro Telephone Company.

Q. How long have you been engaged in that line?

A. Five years since last June.

Q. Consecutively?

A. All the time.

Q. Will you tell the committee what your duties are?

A. Well, cashier and take care of tickets. I have an assistant.

Q. Mrs. Steber, will you give us some little information in regard to the operations of your office insofar as tickets are made, where the calls come in and going out and the keeping of books?

A. Tickets that are talked on one day are brought down to our office at 9 o'clock and we bill them.

Q. What are on those tickets?

A. To different stations, the telephone talked from, the party talked to, what time and who was calling.

Q. From your system of keeping records are you able to tell from your records the time of any call that goes from the
office?
A. Yes, sir.
Q. Also, the party who sends the call?
A. Yes, sir.
Q. And the party to whom the call is delivered?
A. Yes, sir.
Q. I will ask you to look at a memorandum that I had you and ask you if you have ever seen that before?
A. Yes, sir. (Looking at memorandum)
Q. You may tell the committee what that memorandum consists of.
A. This is an account of tickets that Colonel Hunter called General Black on the 21st or 22d.
Q. Have you made a personal examination of the records of your office?
A. Yes, sir.
Q. And at the request of different parties since this came in?
A. Yes, sir.
Q. And that includes request of Colonel Hunter?
A. Yes, sir.
Q. Request of State's Attorney Duty's office?
A. I recall him wanting one ticket that was talked of but we were not able to find it.
Q. Also, request from gentlemen representing General Black?
A. Yes, sir.
Q. And you have spent considerable time in an endeavor to get all information they wanted?
A. Yes, sir.
Q. And did you get that information?
A. No, sir.
I mean, did you get all the information your office had?
A. Yes, sir.

From the memorandum you had before, will you tell the committee on what dates Colonel Hunter called General Black and the time?

CHAIRMAN: Shorten that by referring to that and we will let it go into the record.

MR. BRENNAN: First let me ask you this memorandum you have prepared before you, tell how it was prepared and who prepared it.
A. This was prepared from the record we have and by my assistant under my jurisdiction and at my request.

CHAIRMAN: Do you know that is the true and correct record as shown by your office at this time?
A. Yes, sir.

MR. BRENNAN: Are there any records in your office showing calls by Colonel Hunter from Marion to General Black on the date of June 21st, other than set forth in that?
A. No, sir.

MR. BRENNAN: Then I offer that, Mr. Chairman, for the purpose of showing different times and the dates of calls between Colonel Hunter, who was at Marion at that time and General Black at Springfield.

CHAIRMAN: Mark it Exhibit A of April 30, 1923 and it will be admitted in the record.

WHEREUPON said document was duly marked "Exhibit A" April 30, 1923, and made a part of the record herewith.

MR. BACON: Mrs. Steber, since your preparation of this record, I called at your office and you gave me a copy of a certain ticket dated June 22, 1922, the time was at 11 o'clock. Was it you that prepared this copy? I want to introduce the original of this copy in the records.
A. My assistant prepared it but I was there at the time.
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**Totals**

| Received Payment for The Company | $9.52 |

Make All Checks Payable to the Company's Order
...the ticket which you have itemized in your statement as being of that 11 A.M. on the 22d day of June?

A. No that is not. I have not got this down here.

MR. BRENNAN: There is not any mistake because the record will show that same call in connection with others as 11 A.M. and we got a bill from the company for the 11 A.M. call.

MR. BACKER: This was a ticket that she made.

CHAIRMAN: Exhibit A of this date does not show the ticket referred to either on the 21st or the 22d. I will hand you the paper marked Exhibit B. I hand you Exhibit B of this date and ask you if you know what that document is.

A. It is a copy of a ticket at 11:06 P.M.

Q. From whom and to whom?

A. 599, Colonel Hunter to General Black.

Q. On what date?

A. 22d of June, 1922.

Q. And I refer you to the bottom part of the ticket. What does that have reference to?

A. The girl had put the rate on there but later she crossed out the rate.

Q. What is the time of sending marked on that part of the ticket?

A. It was placed on 11:05 but does not say when it was talked on.

MR. BACKER: In your record does it show any conversation had between Colonel Hunter and General Black referred to as Exhibit A at 11 P.M. on the 22d?

A. No, there is no record there.

Q. You have no record of any conversation had on the 22d at 11:05 P.M.?

A. No, there is not anything on there.

MR. BRENNAN: Does that Exhibit you have in your hand, B, show where that call was made?
A. Greater Marion Association.

Q. That record Exhibit B, you have in your hand then discloses a call from the Greater Marion Association to whom?
A. General Black.

Q. And this is of what date?
A. June 22d.

Q. But there is no record of any kind in your office, nor was there any call, so far as you can determine, from the examination of your records at any time already made of June 21st other than you have set forth in this exhibit?
A. No, sir, there is not.

CHAIRMAN: Let me ask this question: Basing this on the conflict of testimony, might it not have been possible that this call would have been put in at some other office and the party talked at a different office?
A. If it is we make a notation on the ticket.

MR. BRENNAN: And there is no such notation on this ticket?
A. No, sir.

Q. There is no such notation on any ticket you have in your office?
A. No, sir.

MR. RICE: This paper marked Exhibit B of April 30, 1923, is the original memoranda of a call taking place on June 22, 1922 is that correct?
A. Yes, sir, that is a copy.

Q. That Exhibit A was copied from what?
A. From the tickets we have in the office?

Q. Have you them there now?
A. Yes, sir.

Q. There is nothing wrong as to the day or date as regards the date at which that memoranda is made?
A. June 22, 1922.

Q. You have no record then of the corresponding hour as shown