

VIOLATIONS OF FREE SPEECH AND RIGHTS
OF LABOR

HEARINGS

BEFORE THE

SUBCOMMITTEE OF THE
COMMITTEE ON EDUCATION AND LABOR
UNITED STATES SENATE

SEVENTY-FIFTH CONGRESS

FIRST SESSION

PURSUANT TO

S. Res. 266

(74th Congress)

A RESOLUTION TO INVESTIGATE VIOLATIONS OF THE
RIGHT OF FREE SPEECH AND ASSEMBLY AND
INTERFERENCE WITH THE RIGHT OF
LABOR TO ORGANIZE AND BAR-
GAIN COLLECTIVELY

PART 14

THE CHICAGO MEMORIAL DAY INCIDENT

JUNE 30, JULY 1 AND 2, 1937

Printed for the use of the Committee on Education and Labor



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Ed Dadlow

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III

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

WEDNESDAY, JUNE 30, 1937

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C.

The committee met at 10 a. m., pursuant to call, in the caucus room, Senate Office Building, Senator Robert M. La Follette, Jr., presiding. Present: Senators Robert M. La Follette, Jr. (chairman), and Elbert D. Thomas, of Utah; John J. Abt, counsel for the committee; Robert Wohlforth, secretary of the committee.

Senator LA FOLLETTE. The committee will be in order, please.
Mr. Robert Wohlforth.

TESTIMONY OF ROBERT WOHLFORTH—Resumed

Senator LA FOLLETTE. You have previously been sworn, Mr. Wohlforth, but please state your name and your position for the record.

Mr. WOHLFORTH. Robert Wohlforth, secretary of the committee. At this time, Mr. Chairman, I would like to offer for the record some charts.

Senator LA FOLLETTE. They may be given exhibit numbers.

Mr. WOHLFORTH. The small map, on the easel at the right, is the first chart we wish to enter into the record. It was drawn by the Chicago Guaranty Co. to scale, a plat of the vicinity.

(The chart was marked "Exhibit 1326" and is held in committee files.)

Mr. WOHLFORTH. That map, Mr. Chairman, enlarged, is the large graph that hangs directly in the center of the front of this room.

(The chart was marked "Exhibit 1327" and is reproduced in the appendix on p. 5131.)¹

Mr. WOHLFORTH. On the left, on the smaller easel, is an enlargement of the section of the land at which the Memorial Day incident took place.

(The chart was marked "Exhibit 1328" and is held in committee files.)

Mr. WOHLFORTH. Referring to the large graph in the center, the map is oriented. The north is to the top, the bottom is south.

Green Bay Avenue, which is the road on the right of the chart, runs north and south. In the upper right-hand corner of that graph is a small black mark indicated as Sam's Place. That is a former tavern which is now the strike headquarters for the strikers of the Republic Steel plant.

¹ References to "the chart" in discussion of the location of the plant and scene of the incident in following pages are to this exhibit.

Down Green Bay Avenue, at about One Hundred and Thirteenth Street, dirt roads branch across an open prairie. The two black spots halfway down these roads are baseball diamonds. The road continues on through very flat ground, some of it marshy, until it comes to a ditch which is about 4 feet deep. Those two black spots on the left, or west, of the ditch are gardens without fences. The black spot on the right of the dirt road is another garden. The dotted lines and the cross-hatched lines are fences running down to buildings at the end of the dirt road.

The dirt road runs into a hard-surface road known as Burley Avenue. Burley Avenue runs down to the entrance to the gates of the Republic Steel Corporation.

The plant of the Republic Steel Corporation is bounded, as you see, by the tracks of the Pennsylvania Railroad and a high fence. At the end of the fence there are large scrap-steel piles. At the junction of Burley Avenue and the dirt roads the other houses and fences are indicated there.

East One Hundred and Seventeenth Street runs over to Avenue O, which is the main thoroughfare leading into that vicinity.

That is all I have, Mr. Chairman.

Senator LA FOLLETTE. Commissioner James P. Allman, please.

TESTIMONY OF JAMES P. ALLMAN

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Be seated, please. Will you state your name?

Mr. ALLMAN. James P. Allman.

Senator LA FOLLETTE. Where do you reside?

Mr. ALLMAN. 6237 University Avenue, Chicago.

Senator LA FOLLETTE. And your occupation?

Mr. ALLMAN. Police commissioner, city of Chicago.

Senator LA FOLLETTE. How long have you held that position?

Mr. ALLMAN. Five years and nine months.

Senator LA FOLLETTE. How long have you been connected with the police department or the police force?

Mr. ALLMAN. More than 36 years.

Senator LA FOLLETTE. Will you state briefly for the record, Commissioner, your duties as commissioner of police?

Mr. ALLMAN. To enforce the laws and protect life and property.

Senator LA FOLLETTE. Are you in charge of and responsible for the activities in a general way of the police force of the city of Chicago?

Mr. ALLMAN. Entirely.

Senator LA FOLLETTE. For administrative purposes, is the city divided into districts?

Mr. ALLMAN. And divisions.

Senator LA FOLLETTE. And who is the highest responsible officer in a division?

Mr. ALLMAN. The supervising captain.

Senator LA FOLLETTE. And who is the highest responsible officer in a district?

Mr. ALLMAN. Captain.

Senator LA FOLLETTE. To whom are the district captains immediately responsible?

Mr. ALLMAN. To the supervising captain.

Senator LA FOLLETTE. And the division captains?

Mr. ALLMAN. To the chief of the uniformed force.

Senator LA FOLLETTE. I take it from your response to the last question that the force is divided into uniformed and plain-clothes men, detectives?

Mr. ALLMAN. Yes; we have a detective bureau also.

Senator LA FOLLETTE. Now, are each of the general divisions, that is, the uniformed division and the detective division, under heads who are in charge of them under you?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. Who is in charge of the detective force?

Mr. ALLMAN. John L. Sullivan.

Senator LA FOLLETTE. And who is in charge of the uniformed force?

Mr. ALLMAN. The chief of the uniformed force, John C. Prendergast.

Senator LA FOLLETTE. And what are his duties?

Mr. ALLMAN. His duties are to carry out all of my orders.

Senator LA FOLLETTE. He is your executive officer, so to speak?

Mr. ALLMAN. Yes; and to supervise the work of all other officers.

Senator LA FOLLETTE. What are his duties and responsibilities in relation to the captains in charge of districts?

Mr. ALLMAN. He is in charge of them.

Senator LA FOLLETTE. And the same thing is true of the captains who are in charge of divisions?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. Are you familiar with the location of the plant of the Republic Steel Corporation in Chicago?

Mr. ALLMAN. In a general way.

Senator LA FOLLETTE. Approximately where is it located?

Mr. ALLMAN. About One hundred and Eighteenth Street and Green Bay.

Senator LA FOLLETTE. And in what police district is the plant located?

Mr. ALLMAN. The ninth district.

Senator LA FOLLETTE. Who is in charge of that district?

Mr. ALLMAN. Thomas Kilroy.

Senator LA FOLLETTE. Where are his headquarters?

Mr. ALLMAN. The ninth district headquarters are about One-hundred and First and Union Avenue.

Senator LA FOLLETTE. In which division is Captain Kilroy's district located?

Mr. ALLMAN. Second division.

Senator LA FOLLETTE. And who is the captain in charge of that division?

Mr. ALLMAN. James L. Mooney.

Senator LA FOLLETTE. Where are his headquarters located?

Mr. ALLMAN. Burnside station, Ninetieth and Cottage Grove Avenue.

Senator LA FOLLETTE. For the record, Commissioner, you are familiar with the fact that a strike was called at the plant of the Republic Steel Corporation May 26 of this year?

Mr. ALLMAN. I am.

Senator LA FOLLETTE. When did you first learn that a strike was threatened or contemplated?

Mr. ALLMAN. There were general rumors around for some considerable time, but on Monday or Tuesday, the 24th or 25th, the chief of the uniformed force came to me and said a strike was imminent in the Youngstown Sheet & Tube Co. and also in the Republic Iron Co.

Senator THOMAS. He told you how he found that out, did he?

Mr. ALLMAN. No; he didn't. It was generally rumored all over the city. I told him to make a survey of the conditions and he did that, and sometime in the forenoon of Wednesday he reported to me and said that the strike would probably take place at 3 o'clock that afternoon or 11 o'clock at night.

Senator LA FOLLETTE. That was Wednesday, the 26th?

Mr. ALLMAN. Yes. I told him to make the necessary detail to preserve the peace and to protect life and property.

Senator LA FOLLETTE. Pardon me, Commissioner, I think you said when he came to you the first time and reported the imminence of the strike you asked him to make an investigation?

Mr. ALLMAN. To make a survey of the conditions surrounding it.

Senator LA FOLLETTE. Did he do so?

Mr. ALLMAN. He did.

Senator LA FOLLETTE. Did he submit any report in writing?

Mr. ALLMAN. No.

Senator LA FOLLETTE. He gave you an oral report?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. What was the substance of that oral report?

Mr. ALLMAN. That the strike was apparently imminent, that it looked as though they would strike and he had surveyed the surroundings of both plants.

Senator LA FOLLETTE. Both the Youngstown Sheet & Tube and the Republic?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. What else did he say in his oral report?

Mr. ALLMAN. I don't know of anything else he said.

Senator LA FOLLETTE. That is all you remember?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. Did he describe the physical situation, the location?

Mr. ALLMAN. No; he didn't describe it to me. In the first place, I was fairly well acquainted with the location of both of them.

Senator THOMAS. Did he mention any outside police officers or detective agencies or persons who were cooperating in any way?

Mr. ALLMAN. No.

Senator THOMAS. Who had been investigating whether a strike was to take place?

Mr. ALLMAN. No.

Senator THOMAS. You know of no persons of that type?

Mr. ALLMAN. Do I know of any persons of that type? No, sir; I don't.

Senator THOMAS. Their names or persons never appeared in your records at all?

Mr. ALLMAN. Not only that, I don't know anything of them, never heard of them.

Senator THOMAS. Well, you have heard of the Pinkerton detective agency?

Mr. ALLMAN. I know of it, certainly.

Senator THOMAS. And you know, ordinarily, about similar organizations that take care of industrial difficulties, don't you?

Mr. ALLMAN. No; I don't know that I have ever come in contact with that condition?

Senator THOMAS. Never met any of them?

Mr. ALLMAN. Oh, I have met the men. I know a great many of the Pinkerton men, especially the officers.

Senator THOMAS. Do you know any other agencies working around at this time?

Mr. ALLMAN. I had not heard of any agency working around at that time.

Senator THOMAS. None of your men reported the existence of any man working under independent private detective agencies?

Mr. ALLMAN. No, sir.

Senator THOMAS. What about the company police?

Mr. ALLMAN. I don't know anything of it at that time, or now, even.

Senator THOMAS. Does it exist?

Mr. ALLMAN. I understand it exists. They have a police force or a force of watchmen, whichever you might call it.

Senator THOMAS. Do you know who is the superintendent of that force of watchmen?

Mr. ALLMAN. Which?

Senator THOMAS. Do you know who is the superintendent of that force of watchmen?

Mr. ALLMAN. No; I don't. I know who the superintendent of the Republic Steel mill is at Chicago.

Senator THOMAS. No; I am thinking of the police officers in the steel mill.

Mr. ALLMAN. No; I don't.

Senator THOMAS. Do you know whether they were there under direction of an independent agency or supervised by regular steel officials?

Mr. ALLMAN. I don't know.

Senator THOMAS. And there is no mention in any of the reports about this type of agency?

Mr. ALLMAN. No, sir.

Senator THOMAS. As far as the troubles are concerned between the strikers and the police there are no third parties at all interested?

Mr. ALLMAN. Not that I am aware of.

Senator THOMAS. Just this trouble between the official Chicago policemen and the striking individuals?

Mr. ALLMAN. If you can call it trouble; yes.

Senator THOMAS. Well, trouble means many things.

Mr. ALLMAN. Yes; I know it does.

Senator THOMAS. I hope that it is not a great trouble. Do you see, Mr. Commissioner, what I am trying to get at? Whenever there is a difficulty, if there are only two factions to the difficulty, you can generally break down motives and you can understand a fight if the difficulty goes into a fight. But if there are persons

in the background representing third parties, be they representatives of unions or private detective agencies, or employers, it does not make any difference what—I want to know for this investigation, whether all of the things which were done under the direction of the police had their origin with the police.

Mr. ALLMAN. They did, all of them had their origin with the police.

Senator THOMAS. Then the police are entirely responsible for everything that took place, as far as the policemen are concerned?

Mr. ALLMAN. Absolutely.

Senator THOMAS. What about the strikers—have you carried on an investigation about them?

Mr. ALLMAN. About the strikers?

Senator THOMAS. Yes; to find out who is responsible for that.

Mr. ALLMAN. We are carrying on an investigation; yes.

Senator THOMAS. Was there anyone outside of the strikers themselves interested in this strike?

Mr. ALLMAN. The State's attorney of Cook County is carrying on the investigation.

Senator THOMAS. That is the State?

Mr. ALLMAN. Yes.

Senator THOMAS. But I mean non-State, a non-State group.

Mr. ALLMAN. I don't quite understand what you mean, sir.

Senator THOMAS. Well, a labor union, for example, or a detective agency.

Mr. ALLMAN. We know the labor unions were there, of course.

Senator THOMAS. A labor union that was separate from the strikers?

Mr. ALLMAN. That I don't know.

Senator THOMAS. You haven't heard about that?

Mr. ALLMAN. No; I don't know.

Senator THOMAS. Then, as far as you are concerned in your investigation and your survey, you merely made an investigation and survey of the physical characteristics in relation to the strike?

Mr. ALLMAN. Yes; before the strike.

Senator THOMAS. And not of the probable personal characteristics?

Mr. ALLMAN. I don't quite understand what you mean by "personal characteristics."

Senator THOMAS. Men; living beings.

Mr. ALLMAN. No; we didn't make any investigation before the strike as to the men.

Senator THOMAS. You didn't know how many strikers there would be, probably?

Mr. ALLMAN. I didn't know; no.

Senator LA FOLLETTE. Now, when you had this first talk with Captain Prendergast and he made this oral report to you, was there any discussion between you and Captain Prendergast as to the number of men that might be required?

Mr. ALLMAN. No; he was in the field. I was in my office and had not left it for a great many days. He was in the field and knew how many men would be required.

Senator LA FOLLETTE. As I understand you, you did not give him any instructions when you had this first oral report from him; is that right?

Mr. ALLMAN. I told him to make a survey of the conditions and the whole situation.

Senator LA FOLLETTE. And then he came back after he had made that survey, and did you at that time give him any instructions?

Mr. ALLMAN. Only that he detail sufficient men to preserve the peace and protect life and property.

Senator LA FOLLETTE. Those were the only instructions that you issued at any time prior to Memorial Day?

Mr. ALLMAN. That is all.

Senator LA FOLLETTE. Were those instructions issued in writing or orally?

Mr. ALLMAN. Orally.

Senator LA FOLLETTE. Did you have any conversation with any official or representative of the Republic Steel Corporation at any time prior to the strike?

Mr. ALLMAN. No, sir; I didn't even know the name of an official of the steel company before the strike.

Senator LA FOLLETTE. Did you have any discussion with any representative or official of the Republic Steel Corporation after the strike was called?

Mr. ALLMAN. I had a discussion, or at least I met one of them on the night of the riot.

Senator LA FOLLETTE. You mean the night that the riot took place?

Mr. ALLMAN. The Governor of the State of Illinois called me and asked me to get hold of the superintendent of that mill and bring him down to the Southmoor Hotel, Sixty-seventh Street and Stony Island, and so I got hold of him and brought him there, and there I met him for the first time.

Senator THOMAS. What night was that?

Mr. ALLMAN. Sunday night, the night of the trouble.

Senator THOMAS. What date, the 30th?

Mr. ALLMAN. The 30th; yes.

Senator LA FOLLETTE. Then if I understand your testimony correctly, Commissioner, you had nothing to do with the detail of men, the number of men or how the men were to conduct themselves in the situation?

Mr. ALLMAN. Not in detail.

Senator LA FOLLETTE. Did you issue any instructions, or did you have any discussion with any of your force, Captain Prendergast, or anybody else, with relation to this situation created by the strike, other than the general order which you say you issued orally to Captain Prendergast?

Mr. ALLMAN. That is all.

Senator LA FOLLETTE. Were you aware at the time you issued the orders to Captain Prendergast that police were to be stationed inside of the Republic Steel plant itself?

Mr. ALLMAN. No, sir.

Senator LA FOLLETTE. Did you gather from the discussion you had with Captain Prendergast and was your information generally at the time that the calling of this strike would perhaps precipitate a very serious industrial situation?

Mr. ALLMAN. I rather thought so myself.

Senator LA FOLLETTE. In your long experience as a police officer and official, have you found that strike situations create difficulty and delicate problems of policing?

Mr. ALLMAN. They do.

Senator LA FOLLETTE. Well, then, didn't you anticipate that a major strike in the steel industry would give rise to particularly difficult situations for the police?

Mr. ALLMAN. I thought it would; yes.

Senator LA FOLLETTE. With that knowledge in mind, your testimony indicates, however, that you did not confer, concerning the conduct of the police, or issue any orders indicating the delicacy of the situation, from the police standpoint.

Mr. ALLMAN. It was not at all necessary, and Captain Prendergast and the other officers were as much experienced as I was in the matter.

Senator LA FOLLETTE. You had complete confidence in them?

Mr. ALLMAN. Absolutely.

Senator LA FOLLETTE. It is fair to say, then, that you handled this Republic Steel strike as a more or less routine matter?

Mr. ALLMAN. No; it is not fair to say that.

Senator LA FOLLETTE. Well, you issued only, as I understand you, oral and brief instructions to Captain Prendergast?

Mr. ALLMAN. And I found that was all that was necessary.

Senator LA FOLLETTE. And in those orders all you said to him, or the substance of your orders were that he was to protect life and property?

Mr. ALLMAN. And preserve the peace.

Senator LA FOLLETTE. And preserve the peace. But you object to characterizing that as a routine handling of the matter?

Mr. ALLMAN. It is not a routine matter; no, sir.

Senator LA FOLLETTE. If it were not routine, wouldn't it have been necessary for you to have issued more specific instructions?

Mr. ALLMAN. I think those instructions are as specific as a man could make them.

Senator THOMAS. Just what does "protect property and persons" mean?

Mr. ALLMAN. The law says that very clearly, Senator—life and property both.

Senator THOMAS. What life and what property?

Mr. ALLMAN. All lives and all property within the confines of Chicago.

Senator THOMAS. So that the police go out as a representative of society, then—

Mr. ALLMAN (interrupting). Representatives of the people, of course.

Senator THOMAS. Not interested in taking sides?

Mr. ALLMAN. No, sir; never take sides.

Senator LA FOLLETTE. I assume that when a policeman in Chicago enters the force he takes an oath, does he not?

Mr. ALLMAN. He does.

Senator LA FOLLETTE. And you relied upon that as a sufficiently general guide for their conduct in this delicate situation?

Mr. ALLMAN. In a manner I depended on my officers.

Senator LA FOLLETTE. You depended more on your officers than you did—

Mr. ALLMAN (interrupting). I expected the leadership that they gave.

Senator LA FOLLETTE. Did you receive any further report on Wednesday, May 26, after you issued the orders to assign a detail to the plant?

Mr. ALLMAN. I don't remember that I did.

Senator LA FOLLETTE. Did you personally visit the plant of the company at any time between May 26 and the afternoon of May 30?

Mr. ALLMAN. I did not.

Senator LA FOLLETTE. Prior to Sunday afternoon, did you have any conferences or discussions with any of your subordinates relative to the question of picketing?

Mr. ALLMAN. On the 29th I think it was, Friday, Attorney Lewis and Judge Grant, representing the strikers, came to my office and I sent for the chief of the uniformed force, so that he could participate in the discussion.

Senator LA FOLLETTE. That is Captain Prendergast?

Mr. ALLMAN. Captain Prendergast. They made a claim that men were held in the plant against their will. I told them that was not so, but I told them, so as to be sure, I would have Captain Prendergast go with them to the plant and let them ask whatever they wanted at the plant and get anything they could. Some question of picketing came up then and they said something about pickets and I said, "I don't care how many you have." They mentioned something about 50. I says, "You can have 100 as far as I am concerned so long as they are peaceful." There was no question with me as to the number, it was the peacefulness of the pickets.

Senator LA FOLLETTE. And was that the substance of the conversation you had with Judge Grant and Mr. Lewis?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. And at this conference Captain Prendergast was present?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. Did you have any other discussions with individuals concerning picketing between May 26 and May 30?

Mr. ALLMAN. Not that I can remember.

Senator LA FOLLETTE. Did you discuss the question of picketing with any of the city officials not connected with the police force?

Mr. ALLMAN. Not that I remember.

Senator LA FOLLETTE. Were you familiar with the opinion which Corporation Counsel Barnet Hodes rendered to you on March 31, 1937, relating to the question of picketing?

Mr. ALLMAN. Yes, sir; I read it.

Senator LA FOLLETTE. I offer for the record, and it may be given an exhibit number, a copy of this opinion.

(The document was marked "Exhibit 1329" and appears in the appendix on pp. 5003-5006.)

Senator LA FOLLETTE. Mr. Commissioner, for the record, tell me whether that is the one referred to in your previous answer.

Mr. ALLMAN. It has every appearance of it.

Senator LA FOLLETTE. At the time this opinion was issued did you furnish copies of it to any of the subordinates in the police force?

Mr. ALLMAN. I am quite sure that I sent one to every district.

Senator LA FOLLETTE. You are quite sure that every district captain, then, had received a copy of it prior to May 26?

Mr. ALLMAN. If they received it at all they received it prior to May 26.

Senator LA FOLLETTE. To the best of your recollection, however, you did send copies of it to the district captains?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. I mean to the division captains.

Mr. ALLMAN. Rather to the district captains.

Senator LA FOLLETTE. So that if your recollection serves you correctly, Captains Mooney and Kilroy no doubt had received copies of this opinion prior to May 26, had they not?

Mr. ALLMAN. I don't know. The opinion, if my recollection serves me correctly, was sent to each district. As to whether Captain Kilroy or Captain Mooney read it, I don't know.

Senator LA FOLLETTE. But in any case, if your recollection serves you correctly, copies of it went to them?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. Of course, I am not asking you to testify of your own knowledge whether they read it or not.

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. The entire exhibit may be printed in the record. I read from a portion of it:

From the foregoing, the following definite propositions may be set forth:

1. Labor unions are legal under Illinois and Federal jurisprudence.
2. The strike is a lawful instrument in a lawful economic struggle or competition between employer and employees.
3. Picketing, as the term is generally understood, is lawful in Illinois when peaceable and without the elements of coercion, or intimidation, or disorder.

And further:

Our opinion, therefore, is, in the case presented to us, that the Police Department of the city of Chicago take no action to interfere with picketing when such picketing is conducted in a peaceable manner. If Mr. Falkenberg believes relief is necessary, the action indicated is an appeal to the courts rather than to the Police Department, except if there is disorder or clear probability of disorder, in which case, of course, the police must intervene.

Very truly yours,

BARNET HODES, *Corporation Counsel.*

Now, in the light of this opinion, Commissioner, that peaceful picketing was lawful, I am somewhat puzzled by your statement, given in a previous answer, that the number of pickets was not a matter which you took into consideration.

Mr. ALLMAN. That is true, if they did not become a mob or they did not become unruly, so long as they were peaceful. As a matter of fact, when they mentioned 50 I doubled it and said 100. I have no right to tell them how many pickets they may have.

Senator LA FOLLETTE. Of course, the question as to whether pickets are peaceful or not is a matter of judgment in certain situations, isn't it?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. I am somewhat puzzled by the further fact that you did not think it necessary to discuss with Captain Prendergast or with any of your subordinates who were immediately in charge of this situation the nature of the peaceful picketing which they were to permit and the nature of the unpeaceful picketing which they were to prevent.

Mr. ALLMAN. I could not set any hard and fast rule as to what peaceful picketing was. The men on the scene were the men that could tell that.

Senator LA FOLLETTE. You then believe that the situation must be left entirely to the officers who are on the ground?

Mr. ALLMAN. Generally.

Senator LA FOLLETTE. Are you familiar with the fact that Mayor Kelly issued a statement shortly after the strike was called announcing that picketing would be permitted?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. Did you ever discuss the question of picketing with the mayor?

Mr. ALLMAN. I did, on one occasion.

Senator LA FOLLETTE. When was that?

Mr. ALLMAN. That was after the happening on the 30th.

Senator LA FOLLETTE. It was after the—

Mr. ALLMAN (interrupting). So-called riot.

Senator LA FOLLETTE. So-called riot. What was the substance of your conversation with the mayor?

Mr. ALLMAN. Well, the mayor asked me about picketing and I said, "We are allowing all the peaceful picketing they want", and he was very much in favor of allowing all the peaceful picketing they wanted to do.

Senator LA FOLLETTE. Were there any incidents at the Republic plant on the evening of Wednesday, May 26?

Mr. ALLMAN. There were.

Senator LA FOLLETTE. Did you receive a report on them?

Mr. ALLMAN. I did.

Senator LA FOLLETTE. From whom?

Mr. ALLMAN. Captain Kilroy.

Senator LA FOLLETTE. Were these reports in writing?

Mr. ALLMAN. They were typewritten; yes.

Senator LA FOLLETTE. Have you a copy of that report with you, Commissioner?

Mr. ALLMAN. No; I don't. I thought Mr. Abt or Mr. Wohlforth or Mr. Kramer had copies of all the reports. I gave them all the reports they asked for. I did not anticipate them asking for any other reports.

Senator LA FOLLETTE. Will you furnish us with a copy of that report relating to the Wednesday incidents at the plant of the Republic Steel Corporation?

Mr. ALLMAN. All right.¹

Senator LA FOLLETTE. What occurred on Wednesday?

Mr. ALLMAN. Generally, I understand that there were some 23 persons arrested, I think, and 22 of them were fined for being disorderly.

Senator LA FOLLETTE. What was the nature of the disorder they were fined for?

Mr. ALLMAN. That I don't know. I wasn't there.

Senator LA FOLLETTE. Was that covered in Captain Kilroy's report?

Mr. ALLMAN. I rather think so.

Senator LA FOLLETTE. From this report, did you feel that the police were entirely justified in the action they took on Wednesday?

Mr. ALLMAN. I certainly did.

Senator LA FOLLETTE. Did you receive any protests from anyone concerning your actions on Wednesday, the 26th?

¹ See exhibit 1627-B, pp. 5159-5160.

Mr. ALLMAN. No.

Senator LA FOLLETTE. Did you receive any report on the occurrences at the Republic plant on Friday, May 28?

Mr. ALLMAN. I did.

Senator LA FOLLETTE. From whom?

Mr. ALLMAN. Captain Kilroy.

Senator LA FOLLETTE. Was that report in writing?

Mr. ALLMAN. Typewritten.

Senator LA FOLLETTE. What happened on Friday, Commissioner?

Mr. ALLMAN. On Friday six policemen were injured in the affray that happened there. I don't know how many men were arrested there. I don't remember that.

Senator LA FOLLETTE. Do you know what occurred?

Mr. ALLMAN. Well, I understand—that is, to the best of my memory—I have a report of it—that these strikers advanced en masse and the police tried to hold them back and pushed them back, and finally six policemen were injured.

Senator LA FOLLETTE. Do you know whether any strikers were injured?

Mr. ALLMAN. Yes; there were some strikers injured.

Senator LA FOLLETTE. Do you know how many?

Mr. ALLMAN. I don't remember how many. That is a matter of record, of course.

Senator LA FOLLETTE. From the report that you received from Captain Kilroy with regard to the occurrence of May 28, in which six policemen and some strikers were injured and a number arrested, did you find that you could approve the conduct of the police on that occasion?

Mr. ALLMAN. I did.

Senator LA FOLLETTE. Did you receive any protests from anyone concerning their conduct on Friday?

Mr. ALLMAN. I did not.

Senator LA FOLLETTE. As a result of these two occurrences, on Wednesday and on Friday, concerning which you have testified, did you issue any further instructions to Captain Prendergast or anyone else?

Mr. ALLMAN. No; I did not. I believe that the strikers or anyone connected with them had found that the police department could preserve the peace and intended to preserve the peace, and I thought that would be the last of the occurrence on Friday.

Senator LA FOLLETTE. Did you have any conversations with Captain Prendergast, Captain Mooney, or Captain Kilroy on Sunday, May 30, prior to 4 o'clock in the afternoon?

Mr. ALLMAN. No, sir.

Senator LA FOLLETTE. With whom?

Mr. ALLMAN. No, sir; I said.

Senator LA FOLLETTE. Did you know that the strikers and their sympathizers were planning to hold a demonstration near the Republic plant on Sunday afternoon?

Mr. ALLMAN. I had read it in the newspapers.

Senator LA FOLLETTE. Did you receive information from any other source?

Mr. ALLMAN. No.

Senator LA FOLLETTE. Did you issue any instructions as to the handling of that particular situation after you learned through the newspapers that it was about to occur?

Mr. ALLMAN. I didn't know there was any particular situation.

Senator LA FOLLETTE. You said you knew there was going to be a demonstration.

Mr. ALLMAN. A demonstration and a meeting. They met there regularly, I understood.

Senator LA FOLLETTE. When did you first learn of the encounter which took place between the police and the strikers on Sunday, May 30?

Mr. ALLMAN. About 5:30 or thereabouts.

Senator LA FOLLETTE. And from whom did you hear of it?

Mr. ALLMAN. Captain Kilroy.

Senator LA FOLLETTE. Did he make his report at that time orally?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. In person?

Mr. ALLMAN. Over the telephone.

Senator LA FOLLETTE. Will you give the substance of that conversation?

Mr. ALLMAN. He said the strikers came up, two or three thousand of them, and the police tried to hold them and advised them to go back peacefully, and he said they rushed them with bricks and concrete and pieces of iron and clubs and that some of the police were injured and a number of the strikers—I think two of the strikers were shot.

Senator THOMAS. What do you mean by "concrete" there?

Mr. ALLMAN. Concrete slabs, like broken sidewalks or something of that kind.

Senator LA FOLLETTE. Was that the substance of the report?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. Did you receive any written reports from either or both Captain Mooney and Captain Kilroy concerning the encounter on Sunday, May 30?

Mr. ALLMAN. I went to the East Side station at, I don't know, about 8 o'clock. I received a report then, a preliminary report, and I received a further and fuller report next morning, from Captain Kilroy.

Senator LA FOLLETTE. You received a report in writing?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. I offer for the record the report of Captain Kilroy, dated May 30, 1937 [reading]:

9TH DISTRICT, May 30, 1937.

From: Captain, Commanding 9th District.

To: Commissioner of Police.

Subject: Disturbance, shooting, 116th St. Burley (prairie).

About 4:00 p. m. this date information was received that strikers were forming in the vicinity of 113th Street and Greenbay Avenue to march on the Republic Steel Plant. Four platoons of police under the command of Supervisor Mooney were moved to 117th to add to the patrolmen already stationed in that vicinity.

While the platoons were drawn up on 117th Street the undersigned addressed the men, instructing them to use peaceful methods to disperse the crowd of marchers, and not to use or draw revolvers.

The mob, about twenty-five hundred in number cut across the prairie to effect an entrance at about 116th Street and Burley Avenue. The police moved down to this point.

When the mob reached 116th Street and Burley Avenue (approximate location) the undersigned addressed the more aggressive of the front rank of the marchers, and called upon them in the name of the people of the State of Illinois to disperse, and to return peacefully. The front rank of policemen held the mob at this point for a period of from five to ten minutes during which time the undersigned called upon them to disperse. Officer policemen in the line were urging the crowd to turn back, that no trouble was sought. Suddenly from the crowd a shower of bricks and revolver shots were hurled at the police. The front rank of the mob surged forward, policemen were struck with clubs, short pieces of pipe, and two by four boards.

Police officers who saw members of the marchers with revolvers and who saw shots fired at the police are being sought at the present time. Statements will be taken from them.

Lieutenant Walter Healy reports that about thirty policemen were injured at time of this report, the seriousness of the injuries are not determined.

(Signed) THOMAS KILROY,

Captain, Commanding 9th District.

(The document was marked "Exhibit 1330.")

Senator LA FOLLETTE. I also offer for the record the report of Captain Kilroy dated May 31, 1937. The entire report may be inserted in the record.

(The document was marked "Exhibit 1331" and appears in the appendix on pp. 5007-5009.)

Senator LA FOLLETTE. I read portions of it:

From: Captain, Commanding 9th District.

To: Commissioner of Police.

Subject: Disturbance, shooting, 116th & Burley (Prairie). Supplemental to report dated May 30, 1937.

At about 4 p. m. May 30th, 1937, Supervisor James Mooney, 2nd Division, was notified that a group of marchers were forming in the vicinity of temporary strike headquarters at "Sam's Place" 113th and Greenbay Avenue and that it was the intention of the mob to march upon the Republic Steel Company, 118th & Burley Avenue. The plant has been operating while a number of employees have been on strike.

Under command of Supervisor James Mooney, four platoons of policemen (Lieut. John Ryan, Lieut. Walter Healy, Lieut. Frank Stevens, Lieut. Bart Moran, Lieut. John Lennon with full complement of sergeants and about 128 patrolmen) were ordered out on 117th Street. At this point the undersigned addressed the men, instructing them not to use revolvers, and to use every effort to disperse the mob in a peaceful manner.

The marchers, a very disorganized mob of about twenty-five hundred in number, armed with clubs, bricks, pieces of pipe, boards and pepper, cut across the open prairie to affect an entrance to the strike area about 116th Street and Burley Avenue. The platoons were immediately moved to this point and were drawn up in a firm but peaceful manner when the mob reached the location. The undersigned called upon the mob to disperse in the name of the people of the State of Illinois and to return to their homes in a peaceful manner, a number of times. Other policemen drawn up in line urged the mob to turn back. While this parlying continuing for about five minutes it was interrupted by a shower of bricks and other missiles from the crowd. Shots came from the crowd and the policemen employed their batons to rout the gathering. In the ensuing melee a number of policemen were knocked to the ground by clubs and short pipes; some of the officers on the ground and at the mercy of the mob fired their service revolvers. Pitmn. Walter B. Oakes, #2910 14th District made a statement that while on the flat of his back he fired his revolver at two men about to kick and strike him.

Five members of the mob have been reported dead: Earl Handly, 3307 Michigan Ave. Ind. Harbor, Indiana; Rothmand, Jos. 2857 Belmont Ave. (bullet wound); Causey, Al. 7050 Arizona Avenue, Hammond, Ind. (bullet); two unidentified persons.

The balance of the report shows the names and the assignments of the officers injured and the prisoners, signed by Thomas Kilroy.

Notation: One of the bodies at the County Morgue has been identified late this date as that of Kenneth Reed, 3921 Deal Street, Indiana Harbor, Indiana (Skull fracture).

Now, Commissioner, from what you know of the situation, do you consider these two reports of Captain Kilroy to be a full and fair report of the occurrence on Sunday, May 30?

Mr. ALLMAN. I do.

Senator LA FOLLETTE. And from your information that you received in those reports and otherwise, is it your position that you fully approve the conduct of the police on that occasion?

Mr. ALLMAN. I do.

Senator LA FOLLETTE. Have you made any further independent investigation of the conduct of the police, other than these reports which you received?

Mr. ALLMAN. I have not.

Senator LA FOLLETTE. So your knowledge of the entire affair is based on Captain Kilroy's two reports?

Mr. ALLMAN. It is.

Senator LA FOLLETTE. Now, Captain Kilroy's report of May 30 does not mention the fact that any shots were fired by the police, does it?

Mr. ALLMAN. That I don't remember.

Senator LA FOLLETTE. Will you look at it, please?

(Exhibit 1330 was handed to the witness.)

Mr. ALLMAN. That was the preliminary report.

Senator LA FOLLETTE. The first one you received?

Mr. ALLMAN. No; I don't think it does say that any shots were fired by the police.

Senator LA FOLLETTE. If the police actually did fire any shots you would not consider the report of May 30 a full and fair report, would you?

Mr. ALLMAN. May 30 was not a report. That is the first report; was not a full report.

Senator LA FOLLETTE. The first report does not state that Captain Kilroy himself saw anyone in the crowd fire, does it?

Mr. ALLMAN. That report speaks for itself.

Senator LA FOLLETTE. I have just read it. It does not state that Captain Kilroy saw anyone in the mob, as he describes it, fire any shot. All that it says, and I quote it, is that the "police officers who saw members of the marchers with revolvers and who saw shots fired at the police are being sought at the present time." That is right, isn't it?

(Exhibit 1330 was handed to the witness.)

So it must appear from this first report of Captain Kilroy that his statement that revolver shots were fired at the police is based entirely on rumor and hearsay—he doesn't say he saw it himself?

Mr. ALLMAN. The record speaks for itself.

Senator LA FOLLETTE. And he states that he is looking for the people who said they saw it. Would it be pretty evident from this first report that at that time he had not even talked to anybody who had seen it?

Mr. ALLMAN. The first report—he did not have much time to make an investigation at the first report. That was simply preliminary to the full report.

Senator LA FOLLETTE. All right, let us go to the next report, the one for May 31. [Exhibit 1331 was handed to the witness.]

The captain mentions shots by the police in that report, does he not?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. I want to direct your particular attention to that portion of his report of May 31 which says:

In the ensuing melee a number of policemen were knocked to the ground by clubs and short pipes; some of the officers on the ground and at the mercy of the mob fired their service revolvers. * * * Five members of the mob have been reported dead.

Now, Commissioner, have you ever examined or had a report of the coroner's autopsies on the 10 pickets who died as a result of the wounds inflicted in this encounter?

Mr. ALLMAN. No; the inquests have not been held yet.

Senator LA FOLLETTE. Have you ever requested the coroner for copies of his autopsy examination reports?

Mr. ALLMAN. No; I am waiting for the inquest to be held.

Senator LA FOLLETTE. At a later stage in this hearing I am going to offer the coroner's reports, together with competent medical testimony about them.¹ They show that 7 of these 10 men died of bullet wounds in the back. The remaining three died of side wounds. Assuming that the reports of the coroner are correct, what would you say about the statement in Captain Kilroy's report that some of the officers on the ground and at the mercy of the mob fired their service revolvers?

Mr. ALLMAN. What would I say about it?

Senator LA FOLLETTE. Yes, sir.

Mr. ALLMAN. I think if they were on the ground and at the mercy of the mob they should fire their service revolvers.

Senator LA FOLLETTE. Would you think that the seven men who died would be likely to be shot in the back under those circumstances?

Mr. ALLMAN. I don't know who shot them, if they were shot in the back.

Senator LA FOLLETTE. Well, for the moment just accept my statement that the coroner's reports of the autopsy examinations show that 7 out of the 10 men who died were shot in the back. Can you explain how they would be shot in the back if a police officer was on the ground being clubbed at the mercy of a mob and used his service revolver?

Mr. ALLMAN. I haven't said at all that the police officer shot them in the back. They could easily be shot in the back by their own men. That would be natural that they would be shot in the back by their own men firing revolvers.

Senator LA FOLLETTE. That is a possible and another alternative suggestion as to why they were shot in the back, but your police officers receive training in the use of firearms, do they not?

Mr. ALLMAN. They do; yes, sir.

¹ See testimony of Dr. Lawrence Jacques, beginning on pp. 4817 and 4984.

Senator LA FOLLETTE. They are fairly good shots, are they not?

Mr. ALLMAN. They are.

Senator LA FOLLETTE. If an officer were on the ground and surrounded by men, if he were at the mercy of the mob, if he fired his service revolver at point-blank range at the people who were attacking him or threatening him, do you think they would be shot in the back or in the front?

Mr. ALLMAN. Well, that is a matter of judgment. [Laughter.]

Senator LA FOLLETTE. You are an experienced police officer. What is your judgment as to how men would be wounded under a situation of the kind described in Captain Kilroy's report and obviously given as the justification for the use of their revolvers?

Mr. ALLMAN. I wouldn't care to give an opinion on that. I don't know; I wasn't there; I didn't see the conditions.

Senator LA FOLLETTE. Did you ever investigate the situation further than to read Captain Kilroy's report?

Mr. ALLMAN. And the reports of other officers; yes, who were there.

Senator LA FOLLETTE. As an experienced police officer and official, Commissioner, thinking back to your days when you were an active officer, if you were surrounded by a group of men and you were on the ground and you pulled your revolver and started shooting at them, would you think any of the men you shot would be shot in the back?

Mr. ALLMAN. If I was surrounded by a number of men and they were all trying to hit me at the same time they probably would push themselves aside, each one push the other aside, so you can't tell where a man might be shot, even though the person on the ground fires a revolver, and you can't do target practice while you are on the ground.

Senator LA FOLLETTE. I was not suggesting that it was target practice. [Laughter.]

In reading this report and comparing it with the reports of the coroner's autopsy examinations. I am just absolutely puzzled to understand how, under the situation that Captain Kilroy described in his report of May 31, if officers were on the ground surrounded by men who were threatening them or actually attacking them with clubs and close enough to hit them with a piece of pipe or a club, how those men could be shot in the back.

Mr. ALLMAN. Were the men shot in the back close enough to hit the officers that were down with a club or pipe?

Senator LA FOLLETTE. There were 10 people killed, and of the 10 who died 7 were shot in the back.

Mr. ALLMAN. Were these seven shot all in the same vicinity or in the same melee?

Senator LA FOLLETTE. I can't answer that question.

Mr. ALLMAN. Then I can't answer your hypothetical question.

Senator LA FOLLETTE. It would be very helpful to this committee if you would give us your best judgment, and we are just trying to arrive at the facts.

Mr. ALLMAN. Not knowing conditions as they existed at that time I can't give you my judgment on the matter.

Senator LA FOLLETTE. After all, if these men were in the position described by Captain Kilroy in his report, they were fired on at close range, were they not?

Mr. ALLMAN. I don't know.

Senator LA FOLLETTE. If you are on the ground and you are on your back and a man is close enough to threaten you or hit you with a club, you are not very far away.

Mr. ALLMAN. But was he the man that was shot in the back? It might have been a man 20 feet away that was shot in the back.

Senator LA FOLLETTE. I have assumed from Captain Kilroy's report that this covers the people who were shot.

Mr. ALLMAN. I suppose it does, but that does not say that. They may have been 20 feet away from the officer that was on the ground, if the officer did hit him.

Senator LA FOLLETTE. You mean they had started to run?

Mr. ALLMAN. No; but I mean they might have missed them and hit someone else in the crowd.

Senator LA FOLLETTE. That wouldn't speak very well for their marksmanship.

Mr. ALLMAN. A man on the ground is not a very good marksman, especially when he is on his back.

Senator LA FOLLETTE. As I understand your testimony, you assume sole responsibility and you are charged with the responsibility of the conduct of the entire police force in Chicago?

Mr. ALLMAN. I do and I am.

Senator LA FOLLETTE. And if anything occurs which is not in accordance with your standards of the conduct of police officers, you would be the one who would bring disciplinary action, would you not?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. And you would be the one who would initiate any investigation of any occurrence which you did not believe was in accordance with the rules and good conduct of officers of the police force of the city of Chicago?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. In view of the facts which have just been brought out and in view of the controversy that has arisen over this situation, I am surprised, Commissioner, that you have not conducted any investigation of it. Can you tell us why?

Mr. ALLMAN. I have conducted an investigation of it. I have the reports of Captain Kilroy and of all of the officers that participated in it.

Senator LA FOLLETTE. But you have not conducted any independent investigation?

Mr. ALLMAN. What manner of investigation would you suggest, Senator?

Senator LA FOLLETTE. Just for the sake of the argument—there is a controversy, as you well know, as to what occurred on that day, isn't there?

Mr. ALLMAN. I don't think there is any controversy.

Senator THOMAS. Did you get a report from the policeman that was on his back?

Mr. ALLMAN. I got a report from every policeman that participated in the matter.

Senator THOMAS. You got a report from the policeman that was on his back?

Mr. ALLMAN. I don't ever remember having read it, but I read all of them.

Senator LA FOLLETTE. How many reports were there?

Mr. ALLMAN. I think something around 200.

Senator LA FOLLETTE. Are any of these reports from men who were on their backs?

Mr. ALLMAN. That I don't remember, Senator.

Senator LA FOLLETTE. You didn't think it important to investigate the autopsy reports?

Mr. ALLMAN. I am waiting for the inquest to be held, which is the legal manner.

Senator LA FOLLETTE. You don't think that the reports of the coroner, the autopsies, have any relevancy to the situation?

Mr. ALLMAN. They may have.

Senator LA FOLLETTE. Did you make an investigation of the character of the pickets who were arrested?

Mr. ALLMAN. In general; yes.

Senator LA FOLLETTE. Did you request the lieutenant in charge of the industrial detail to provide you with a list of the known Communists who participated in the Memorial Day incident?

Mr. ALLMAN. The lieutenant in charge of the industrial squad supplied me with that list without my requesting it.

Senator LA FOLLETTE. Why did you think this was an important part of the investigation?

Mr. ALLMAN. Which?

Senator LA FOLLETTE. Ascertaining the political affiliations of the strikers who were involved.

Mr. ALLMAN. I didn't say that I said it was important. I said that the lieutenant of the industrial squad gave me that list without my solicitation.

Senator LA FOLLETTE. Did you ever discuss it with him?

Mr. ALLMAN. He laid the list down on my desk and that was all.

Senator THOMAS. What do you mean by a Communist?

Mr. ALLMAN (after a pause). Well, I have found them to be men who were assaulting our relief stations; that is, a great many Communists were, and who were creating trouble at the relief stations during the last 3 or 4 years.

Senator THOMAS. You mentioned a while back, when I asked you before, that you did not know of any third parties. Were these Communists strikers?

Mr. ALLMAN. No; I don't believe they were—not all of them.

Senator THOMAS. They were, then, belonging to an element on the outside just anxious to make trouble?

Mr. ALLMAN. Yes; and there were a great many others who were not strikers of the Republic Steel plant there. As a matter of fact, I think there were only 13 or 14 men who worked in the Republic Steel plant who were arrested.

Senator LA FOLLETTE. Do you know where your officer got the list of Communists?

Mr. ALLMAN. We have an industrial squad who keeps track of a great many things.

Senator THOMAS. Where did they get their information?

Mr. ALLMAN. That I did not inquire.

Senator THOMAS. Did they get the information from the men themselves?

Mr. ALLMAN. That I don't know.

Senator THOMAS. You have a primary election, for example, and a man wants to vote on the Communist ticket. Does he declare himself?

Mr. ALLMAN. I suppose so.

Senator THOMAS. And then your officers write him down?

Mr. ALLMAN. I don't think so.

Senator THOMAS. They would not be interested in a Communist just because he was a Communist?

Mr. ALLMAN. No; only the men that cause the disturbance they would be interested in.

Senator THOMAS. Then these men were probably not Communists.

Mr. ALLMAN. That I don't know.

Senator THOMAS. But if any other adherent of a political party caused a disturbance would your men write him down?

(No response.)

Senator THOMAS. Do they ever make note of the Republicans and Democrats who have caused a disturbance?

Mr. ALLMAN. Senator, I think you are going far afield. I think the Republicans and Democrats and Communists carry on in a different manner.

Senator THOMAS. I am not going far afield, because I believe that policemen generally are a fine lot of men, and if there is any action on the part of any policeman in your group, I think that action was brought about as a result of some incident or some condition which caused him to do something which is a little bit outside of the line of his duty, and that is why I am asking you these questions all the time. I have never seen a policeman yet in my life who liked to hit a man, have you?

Mr. ALLMAN. Never.

Senator THOMAS. Have you ever seen a policeman that was brutal in his nature?

Mr. ALLMAN. I never have.

Senator THOMAS. Isn't your whole theory of police discipline and police training a theory built upon the notion of cooperation with ordinary people?

Mr. ALLMAN. Yes.

Senator THOMAS. And trying to keep aloof from taking part?

Mr. ALLMAN. Yes.

Senator THOMAS. Your policemen who go into these industrial troubles, do they like it?

Mr. ALLMAN. I never consulted them as to that.

Senator THOMAS. In your own experience?

Mr. ALLMAN. I never liked it; no.

Senator THOMAS. You never liked it?

Mr. ALLMAN. In the first place, it usually entails longer hours and other things that are not very pleasant, such as if it rains you are probably out in the rain.

Senator THOMAS. Aren't there some other reasons; for instance, if you are on flood duty you would probably be out in the rain?

Mr. ALLMAN. Yes.

Senator THOMAS. But a policeman would rather go on flood duty than on industrial duty, wouldn't he?

Mr. ALLMAN. That I don't know.

Senator THOMAS. How about yourself?

Mr. ALLMAN. Well, I was never on flood duty, so I don't know what it is.

Senator THOMAS. Have you ever been on fire duty?

Mr. ALLMAN. I was never a fireman.

Senator THOMAS. I don't mean as a fireman. Policemen take care when there are great fires in big cities, policemen have important duties to perform.

Mr. ALLMAN. Oh, yes; but it does not last very long.

Senator THOMAS. What about those that last 3 or 4 days?

Mr. ALLMAN. We don't have many of them.

Senator THOMAS. They did have some of them in Chicago?

Mr. ALLMAN. I think some considerable time ago, 1871, for instance.

Senator THOMAS. You still don't know of any outside elements that were interested in this incident of the 30th?

Mr. ALLMAN. No; I don't, except that it is a matter of record that a great many people from the State of Indiana were there and a great many of them were injured and some of them were arrested.

Senator THOMAS. Did they take sides?

Mr. ALLMAN. They were in the crowd that assaulted the police and that came forward.

Senator THOMAS. They might have been just bystanders, though?

Mr. ALLMAN. Not likely.

Senator THOMAS. One more question, and this is very important to me: You had trouble on the Wednesday and Thursday before the 30th, didn't you? You made some arrests, you had some trouble on the next day?

Mr. ALLMAN. Yes.

Senator THOMAS. Friday. Now, had there developed bad blood between the policemen and the crowd?

Mr. ALLMAN. Not that I am aware of.

Senator THOMAS. The crowd accepted the incidents before the 30th as completely in line with the policemen's duty?

Mr. ALLMAN. Well, so far as I know.

Senator THOMAS. There were about five or six policemen injured, I think, according to your testimony, Mr. Commissioner. The policemen that were injured, did they feel that they were injured in line of duty?

Mr. ALLMAN. That I don't know. I presume they did.

Senator THOMAS. You did not investigate that?

Mr. ALLMAN. I did not ask individually, of course.

Senator THOMAS. For example, if your policeman comes off sore and mad at a crowd just on general principles you always pay attention to that?

Mr. ALLMAN. Senator, we have some 6,000 or more policemen in Chicago, and, of course, I have a great deal of other work besides talking to individual policemen.

Senator THOMAS. I am speaking to you as any superintendent of policemen.

Mr. ALLMAN. I don't often come in contact with the individual policemen.

Senator THOMAS. But you know of no antagonism that is aroused between these people?

Mr. ALLMAN. No; I don't.

Senator THOMAS. Any evidence at all that the policemen felt that it was necessary for them to bunch up in protection of themselves as policemen?

Mr. ALLMAN. Well, there is a manner, of course, in protecting themselves always. It depends on the manner in which the people who expect to assault them come forward. They use their natural horse sense in the matter.

Senator THOMAS. Do you think in the incidents of the 30th you had well-disciplined policemen, well organized?

Mr. ALLMAN. I think so.

Senator THOMAS. Reserves were properly placed?

Mr. ALLMAN. I think so.

Senator THOMAS. And the crowd was anticipated?

Mr. ALLMAN. I don't know as to the anticipation of the crowd.

Senator THOMAS. But you think the policemen were always well disciplined?

Mr. ALLMAN. I think so.

Senator THOMAS. So that anything any policeman did, the superior was actually responsible for it?

Mr. ALLMAN. Well, you can't say that, because there are individuals—of course, the human element enters into all of it.

Senator THOMAS. That is what I want to find out—when did the human element start on Wednesday?

Mr. ALLMAN. That I don't know.

Senator THOMAS. On Thursday?

Mr. ALLMAN. You misconstrue my meaning, and that is: If I have a body of 500 men, some single individual may do something he was not ordered to do, of course.

Senator THOMAS. You feel, though, that your men were under control all the time?

Mr. ALLMAN. I do.

Senator THOMAS. And that if the captain had whistled they would have immediately retired in response to the order?

Mr. ALLMAN. That depends. I don't know as to that.

Senator THOMAS. Then everything that occurred on the 30th, and also on the days before, that was done by a police officer, the policemen are responsible for it?

Mr. ALLMAN. Who is responsible for it?

Senator THOMAS. The policemen themselves.

Mr. ALLMAN. If they done anything wrong they are responsible for it.

Senator THOMAS. All their actions were initiated by themselves, by the organization?

Mr. ALLMAN. No; not on all occasions—I mean on all occasions that might arise. On the occasion of the 30th I don't know; I wasn't there, and I don't know.

Senator THOMAS. You don't know whether the captain in charge took orders from someone else, do you?

Mr. ALLMAN. What do you mean by that, Senator?

Senator THOMAS. Kilroy, isn't it?

Mr. ALLMAN. Yes. What do you mean by "took orders from someone else"?

Senator THOMAS. Whether he had a suggestion that he ought to protect the plant a little better than he had protected it, or that the mob ought not go in.

Mr. ALLMAN. I don't think so.

Senator THOMAS. He used his own judgment entirely?

Mr. ALLMAN. He had to.

Senator LA FOLLETTE. Now, I offer for the record a memorandum "From: Make Mills—Industrial Detail", to Commissioner Allman, dated June 2, 1937.

(The document was marked "Exhibit 1332" and appears in the appendix on p. 5009.)

Senator LA FOLLETTE. The memorandum reads:

The following are the names of known Communists who took part in the steel-strike riot:

And following that there appear the 13 names. That is a copy of the memorandum, isn't it, which you testified that Mr. Mills left on your desk?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. What rank does Mr. Mills hold, do you know?

Mr. ALLMAN. He is not a policeman, he is in the civilian end of the department now.

Senator LA FOLLETTE. A detective?

Mr. ALLMAN. No; he is a civilian, he is not a police officer.

Senator THOMAS. What do you mean by that? Who pays him?

Mr. ALLMAN. The city of Chicago.

Senator THOMAS. The city pays him?

Mr. ALLMAN. Yes; he hasn't got police authority.

Senator THOMAS. He hasn't police authority, but he has a policeman's rank, has he?

Mr. ALLMAN. No. He was a lieutenant of police until he retired at the age of 63.

Senator THOMAS. Policeman on the retired list, then?

Mr. ALLMAN. He has been retired as a civilian.

Senator THOMAS. He draws regular city money?

Mr. ALLMAN. Yes.

Senator THOMAS. He works for the city?

Mr. ALLMAN. Yes.

Senator THOMAS. So that he is responsible to the city?

Mr. ALLMAN. Yes.

Senator THOMAS. Responsible to anyone else?

Mr. ALLMAN. No one else.

Senator THOMAS. In this capacity was he acting as a detective?

Mr. ALLMAN. No; he would be acting more as an investigator.

Senator THOMAS. Do you know whether these reports went to anyone else but you?

Mr. ALLMAN. That I don't know.

Senator THOMAS. He worked directly under you?

Mr. ALLMAN. No; he worked from the detective bureau, but he reports to me oftentimes.

Senator THOMAS. Do you know whether there are any duplicates of this report?

Mr. ALLMAN. I don't know.

Senator THOMAS. Gone anywhere?

Mr. ALLMAN. I don't know.

Senator THOMAS. Do you think the superintendent of the steel company might have it?

Mr. ALLMAN. I don't think so. That is an intimation that the lieutenant was working hand in hand with the steel company. I don't think so.

Senator THOMAS. That is what I want to find out.

Mr. ALLMAN. I don't think so.

Senator THOMAS. All of your policemen, all of your men that you know of, are working for the city of Chicago?

Mr. ALLMAN. I am thoroughly satisfied as to that.

Senator THOMAS. None of them give any information to anyone else that you know of?

Mr. ALLMAN. Not that I know of.

Senator THOMAS. You are familiar with the investigations that we carried on into spying activities in industry, are you not, Commissioner?

Mr. ALLMAN. Who carried on?

Senator THOMAS. That this committee carried on.

Mr. ALLMAN. No; I am not familiar with it, Senator.

Senator THOMAS. We spent quite a number of days on that, and, of course, we continue with question that we have gathered from other people. Our objectives are quite apart from a personal interest between us at this time.

Senator LA FOLLETTE. Now, pursuant to the request of the counsel for this committee, did you transmit to the committee a memorandum from Lieutenant Mills setting forth the names and all of the facts known to Lieutenant Mills about the known Communists who appear in the previous exhibit?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. I offer for the record a memorandum dated June 16, 1937, from Make Mills, industrial detail to the commissioner of police.

(The document was marked "Exhibit 1333" and appears in the appendix on p. 5010.)

Senator LA FOLLETTE. The first sentence of that memorandum reads:

The following are the names and records of known Communists who took part in the steel strike riot.

Mr. Commissioner, will you look at the last name on that memorandum that I just entered in the record:

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. It reads:

Sam Popovich, killed, not properly identified as yet.

Could you tell us what there is in this statement about Sam Popovich which identifies him as a known Communist?

Mr. ALLMAN. No, sir; I cannot.

Senator LA FOLLETTE. Well, you previously testified that this memorandum covers all the facts that Make Mills had in his possession when he listed the known Communists.

Mr. ALLMAN. I did not say that. I did not know what he had in his possession.

Senator LA FOLLETTE. Well, you testified that in response to the request of the counsel of this committee you furnished us a memorandum from Make Mills giving all of the facts that he had in his possession about the known Communists that had been furnished in the list on the previous exhibit which was given to you under date of June 2.

Mr. ALLMAN. Well, if I said that I was mistaken, because I never asked Make Mills for the explanation on any of them.

Senator LA FOLLETTE. Well, the memorandum says (reading):

The following are the names and records of known Communists who took part in the steel strike riot—

and after the names of each one are given certain facts, obviously listed for the purpose of showing why the previous memorandum listed them as being known Communists. I am only interested, as a matter of fact, in finding out why Sam Popovitch, about whom apparently all Make Mills knew was that he was killed and had not been properly identified, was listed as a known Communist.

Mr. ALLMAN. That I do not know. When the investigators were there I think I brought out the file, the whole file on the riot, and in the file was this list. I have not read it myself. I gave them a copy of that, just like all the rest of the stuff that I had.

Senator LA FOLLETTE. Well, here is—

Ada Leder, held, age 22, American, housewife, married, group picture #10374. Arrested 5-30-37 by Mason & Mayer, 9th Dist., at 116 and Burley, steel mill riot, sec. 139, ch. 38.

Do you know what evidence there was in Make Mills' possession to list her as a known Communist?

Mr. ALLMAN. No; I do not know.

Senator LA FOLLETTE. From reading that?

Mr. ALLMAN. I do not know.

Senator LA FOLLETTE. Now here is—

Lupe Marshall, held, age 31, American, single. Arrested 8-31-35 by Lieutenant Mills & Sq.

I suppose that means "squad" does it not?

Mr. ALLMAN. Probably.

Senator LA FOLLETTE (continuing reading):

at 47th & Prairie, attempted parade demonstration, later released. Arrested, 9th Dist. steel mill riot, sec. 139, ch. 38.

There do not seem to be any facts in the memorandum of Mr. Make Mills to indicate that Lupe Marshall is a known Communist, do there?

Mr. ALLMAN. No; only I have some knowledge of that. The fact that they paraded—they were not given a permit and they tried to parade without a permit, and there was someone arrested on account of that.

Senator THOMAS. Was it a communistic parade?

Mr. ALLMAN. Yes; it was partially communistic, at least.

Senator LA FOLLETTE. How do you know that?

Mr. ALLMAN. Well, because they were the ones that talked about getting the permit.

Senator LA FOLLETTE. Who talked about it?

Mr. ALLMAN. Some of the Communists. I do not remember the individuals now. They asked for the permit and it was not granted.

Senator LA FOLLETTE. Well, how did you know they were Communists?

Mr. ALLMAN. Because they said they were Communists.

Senator LA FOLLETTE. And that parade took place in 1935?

Mr. ALLMAN. It did not take place.

Senator LA FOLLETTE. There was an attempt to have it take place?

Mr. ALLMAN. Yes.

Senator THOMAS. Were there labor troubles then?

Mr. ALLMAN. No; there were not any labor troubles.

Senator THOMAS. What was the purpose of the parade; do you remember?

Mr. ALLMAN. I think the purpose of the parade, if I remember correctly, was to protest against the invasion of Abyssinia by the Italians.

Senator LA FOLLETTE. That would not necessarily identify them as being Communists, would it?

Mr. ALLMAN. If they made an application for a permit to parade it would, Senator.

Senator LA FOLLETTE. You mean if they filled out the application and stated they were Communists?

Mr. ALLMAN. Yes, Senator.

Senator LA FOLLETTE. That was the case, was it?

Mr. ALLMAN. That is my remembrance of it.

Senator LA FOLLETTE. You assumed that everybody that assisted in that demonstration was therefore a Communist?

Mr. ALLMAN. I did not assume it; no.

Senator LA FOLLETTE. Well, I understood from the fact that you stated, in regard to the parade that was attempted in 1935, that the application was made by Communists, that that might be an explanation of why Lupe Marshall was regarded by Lieutenant Mills as a Communist, because she was arrested.

Mr. ALLMAN. It may be an explanation.

Senator LA FOLLETTE. Since you say this report does not contain the full facts will you ascertain and secure for the committee and furnish at your earliest convenience all of the information in ex-Lieutenant Mills' possession which justified him in listing these individuals as known Communists?¹

Mr. ALLMAN. Would you have the secretary give me that so I may have it in full?

Senator LA FOLLETTE. Yes; we will furnish that to you.²

Now, Mr. Commissioner, was there anything in your mind, after this event took place, which may make it important to ascertain and to list the known Communists who might have taken part in it?

Mr. ALLMAN. I never asked for a list of them.

Senator LA FOLLETTE. Well, it was furnished to you?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. Do you know why it was furnished to you?

Mr. ALLMAN. Well, I do not know as to that.

¹ See Exhibit 1627-C, pp. 5160-5162.

² See pp. 5157-5158.

Senator LA FOLLETTE. Did you have any discussion with ex-Lieutenant Mills when he did furnish it to you?

Mr. ALLMAN. I do not believe I was in the office when he laid the list on my desk.

Senator LA FOLLETTE. Do you know whether this information was given out to the press?

Mr. ALLMAN. That I do not know. I did not give it out.

Senator LA FOLLETTE. Did you have any idea in your own mind that if known Communists had participated in this controversy on the 30th, that it might act as some justification in the public mind for the event that took place?

Mr. ALLMAN. I did not understand that question, Senator.

Senator LA FOLLETTE. Read the question.

(The question was read by the reporter.)

Mr. ALLMAN. I do not know; but I might say, in general, that we had plenty of trouble with Communists. We have had plenty of trouble with Communists who tried to take over the relief stations and who tried to parade without a permit, and on occasions the police have had to use force against the force that they used. So it would be very natural to believe that if Communists were included in it that there would be a fight.

Senator LA FOLLETTE. So there might be some justification for what happened then, if known Communists were in the situation and took part in what occurred on the 30th of May?

Mr. ALLMAN. Well, that I could not say.

Senator THOMAS. You haven't any idea as to how many Communists were in the group on the 30th of May, do you?

Mr. ALLMAN. The only matter I have in relation to Communists is that list.

Senator THOMAS. How many Communists do you think there are in Chicago?

Mr. ALLMAN. Well, it all depends on what you call a Communist. [Laughter.] Some people call Communists only those people who pay dues into the party and others might call them Communists if they are inclined to be in the direction of communism. So that is a moot question, as to how many there are in the vicinity of Chicago.

Senator THOMAS. The chances are that those who pay their dues are people who do not cause you very much trouble?

Mr. ALLMAN. Well, I do not know.

Senator THOMAS. You have not been able to break that down?

Mr. ALLMAN. No.

Senator THOMAS. Did you ever make a study to find out how many Communists there were in the parade on the 30th?

Mr. ALLMAN. No; I do not know.

Senator THOMAS. You have not tried to find that out?

Mr. ALLMAN. No.

Senator THOMAS. The men that you think are Communists?

Mr. ALLMAN. No; only the men who were arrested and identified as Communists by Lieutenant Mills.

Senator THOMAS. And that is probably all that he knows about them?

Mr. ALLMAN. Yes.

Senator THOMAS. How many people were there in the demonstration?

Mr. ALLMAN. Well, accounts of it varied. Some said anywhere from 1,800 to 2,300.

Senator THOMAS. There are 14 Communists listed, so that it could not have been a Communist demonstration, I guess.

Mr. ALLMAN. Senator, of the 13 Communists listed—they were all that were arrested, I presume—that was probably one-third or one-fourth of the number of people that were arrested.

Senator THOMAS. Well, they were not arrested because they were Communists?

Mr. ALLMAN. No; I do not think so. I suppose on account of the demonstration.

Senator THOMAS. If Mr. Mills knew of other Communists, the chances are he would have listed them, would he not?

Mr. ALLMAN. You know as much about that as I do, Senator.

Senator THOMAS. What was his objective in listing Communists?

Mr. ALLMAN. That I do not know.

Senator THOMAS. Well, if he was interested in one Communist the chances are he would be interested in another Communist.

Mr. ALLMAN. He is interested in all people who have participated in the unrest movements.

Senator THOMAS. Did he send in any list of other people who had participated in other unrest movements that were not Communists?

Mr. ALLMAN. That I do not know.

Senator THOMAS. You do not know why he singled out the Communists there, do you?

Mr. ALLMAN. Well, because they are always in the unrest movement.

Senator THOMAS. That is, you think that a man, if he is a Communist, would have to belong to the group that the police have trouble taking care of?

Mr. ALLMAN. Not necessarily.

Senator THOMAS. The word "Communist" then I imagine, in your mind, merely means an agitator who is making trouble?

Mr. ALLMAN. The Communist Party is a political party, just as the Democratic Party or the Republican Party, but there are some Communists who are always in the unrest movements and who use force, as a matter of fact, in the unrest movement.

Senator THOMAS. Do you think the unrest movements that we are talking about now were initiated by Communists?

Mr. ALLMAN. That I would not say.

Senator THOMAS. A Communist is not just naturally antipolice, is he?

Mr. ALLMAN. I am rather inclined to think that a great many of them are. I do not say all of them are, but a great many of them are.

Senator THOMAS. Do they have any ideas that if we had a communistic society that we could do away with the force element in society?

Mr. ALLMAN. That I do not know.

Senator THOMAS. In communistic countries what is the proportion of men that represent force to men that represent peace?

Mr. ALLMAN. I do not know.

Senator THOMAS. Are there more soldiers in Russia than there are in America?

Mr. ALLMAN. I do not know.

Senator THOMAS. You do not know that?

Mr. ALLMAN. No; I do not know that.

Senator THOMAS. You do not know whether the standing army in Russia is larger than the standing army in America?

Mr. ALLMAN. I do not know.

Senator THOMAS. Have you an idea?

Mr. ALLMAN. Well, it may be an erroneous idea if I did have one, Senator, so I am not going to give any idea.

Senator THOMAS. This Communist cry is an exceedingly important one, because if communism in America merely means unrest, that is a very, very interesting situation, is it not?

[No response.]

Senator THOMAS. Then there would be an element that we would condemn because the American Government stands for orderly processes, does it not?

Mr. ALLMAN. I thought so.

Senator THOMAS. Is not that the basis for democracy?

Mr. ALLMAN. I think so.

Senator THOMAS. Now, in communistic countries, where the Communists rule, do they rule by peaceful processes?

Mr. ALLMAN. I do not know.

Senator THOMAS. Do you not know?

Mr. ALLMAN. No.

Senator THOMAS. Do you think they would be antipolice or pro-police?

Mr. ALLMAN. I do not know.

Senator THOMAS. Do you think the Communists in Russia would be anti-Government or pro-Government?

Mr. ALLMAN. That I do not know, Senator. I am not in government.

Senator THOMAS. What training do you give your policemen in government?

Mr. ALLMAN. Well, we give them 70 days' training in all the different matters of laws, ordinances, drilling, and all the things that go with government. They must have their training in government before they come to the police department, I mean as to general government. We give them the laws, the ordinances, the drilling, and so forth.

Senator LA FOLLETTE. In all your experience have you had many occasions where a clash between citizens and police had resulted in so many fatalities?

Mr. ALLMAN. No; I have never known of it in Chicago, except during our race riot, on which occasion the troops were called in.

Senator LA FOLLETTE. But, so far as your experience with the police is concerned, the fatalities in this situation were unusual, were they not?

Mr. ALLMAN. They were unusual; of course.

Senator LA FOLLETTE. If I understand your testimony correctly, despite the fact that there were an unusual number of fatalities you relied entirely upon the report of your officers, so far as any investigation that you have made of the situation is concerned?

Mr. ALLMAN. It was an unusual occasion, Senator. It was the first time, in my knowledge, that a mob of 2,000 to 3,000 attempted to get by police lines that were established.

Senator LA FOLLETTE. But so far as any investigation you have conducted is concerned, if I understand your testimony correctly, you relied upon the report of your officers and patrolmen who were involved?

Mr. ALLMAN. Could you, if I may ask the question, suggest any other manner of investigation?

Senator LA FOLLETTE. Well, I could, yes; but I do not think it is important. I am just trying to get the fact as to what occurred. Now that is a correct statement, is it not?

Mr. ALLMAN. Yes.

Senator LA FOLLETTE. And on the basis of your investigation, if I understand your testimony correctly, it is to the effect that you believe that the conduct of your officers and patrolmen on this occasion was fully warranted and justified, and in complete harmony with the practices, regulations, and conduct of the Chicago Police Department?

Mr. ALLMAN. That is correct.

Senator THOMAS. Mr. Commissioner, one more question. What was the general objective of the marchers?

Mr. ALLMAN. Well, I personally do not know, of course, except from the report. It has been reported to me that the cry was, "We will take the mill and chase out the finks."

Senator THOMAS. It was not against the policemen, then?

Mr. ALLMAN. No; it was not against the policemen. I do not believe—I do not know that—but they did, nevertheless, call the policemen the same names that they were calling the people inside, and even fouler names, so far as I heard. Not being there, I could not testify as to that.

Senator THOMAS. Their immediate objective was to break in the gate?

Mr. ALLMAN. In all probability.

Senator THOMAS. What was the main objective of the police?

Mr. ALLMAN. To preserve the peace and protect life and property.

Senator THOMAS. That is just general.

Mr. ALLMAN. That is the objective always.

Senator THOMAS. That is the general objective of all policemen, is it not?

Mr. ALLMAN. Yes.

Senator THOMAS. But the marching had started now and the police in charge were forming for their particular duty. What was their particular duty?

Mr. ALLMAN. To prevent those men from going into that mill and chasing those people out and probably killing more than 100 instead of the number that were killed.

Senator THOMAS. Their objective, then, was to keep the crowd from getting into the gate?

Mr. ALLMAN. Yes.

Senator THOMAS. And the objective of the crowd was to get into the gate, is that right?

Mr. ALLMAN. Yes; I suppose that is so.

Senator THOMAS. If the crowd had attained their objective it would have been easy for them to have gotten the finks out, would it not?

Mr. ALLMAN. I doubt that very much.

Senator THOMAS. Why?

Mr. ALLMAN. Because I think there were more finks inside than in the crowd. They were armed just as easily, and could be armed just as easily. A mill naturally has a great many implements that could be used and it would simply be a massacre if they got inside, no doubt.

Senator THOMAS. Did the police accomplish their objective?

Mr. ALLMAN. Sir?

Senator THOMAS. Did the police accomplish their objective?

Mr. ALLMAN. They did.

Senator THOMAS. They stopped them from going through the gate?

Mr. ALLMAN. Yes.

Senator THOMAS. And in stopping them from going through the gate then, in your opinion, you stopped a general fight between the two factions of the industrialists?

Mr. ALLMAN. I do believe so.

Senator THOMAS. Do you know how many men were on the inside?

Mr. ALLMAN. It has been reported to me there were about 1,200 or 1,300.

Senator THOMAS. Who were these finks?

Mr. ALLMAN. I do not know that there were any finks inside. They were men who were formerly employed and are still employed in the Republic Steel Co.

Senator THOMAS. I have been trying to find out what a fink is here.

Mr. ALLMAN. I do not know that the word "fink" is in the dictionary.

Senator THOMAS. It is in our dictionary that we have arranged here.

Mr. ALLMAN. I know what the meaning of it is.

Senator THOMAS. They are strikebreakers, are they not?

Mr. ALLMAN. Usually.

Senator THOMAS. Were they imported strikebreakers?

Mr. ALLMAN. I understand they were not.

Senator THOMAS. You understand they were not imported strikebreakers?

Mr. ALLMAN. They were men who worked there before and who still continued to work there when the strike was called.

Senator THOMAS. Do you know whose direction they were working under?

Mr. ALLMAN. You mean as to the plant?

Senator THOMAS. Yes.

Mr. ALLMAN. No; I have not the faintest idea.

Senator THOMAS. Whom did they look to as their boss?

Mr. ALLMAN. I do not know. I have no idea on that.

Senator THOMAS. Was there a personnel man who took charge of them?

Mr. ALLMAN. I haven't the faintest idea.

Senator THOMAS. Do you know whether there were any detective agents in there, or agencies?

Mr. ALLMAN. I have never heard that there were.

Senator THOMAS. No one from the outside?

Mr. ALLMAN. Not that I ever heard of.

Senator THOMAS. No representative from any association or organization?

Mr. ALLMAN. Not that I ever heard of.

Senator THOMAS. But you are sure that there were more finks on the inside than there were in the mob?

Mr. ALLMAN. I am not sure of that at all. That is the report that I heard the superintendent of the plant giving to the Governor of the State of Illinois.

Senator THOMAS. And the superintendent was in charge of those men, was he?

Mr. ALLMAN. Well, I do not know, of course.

Senator THOMAS. You do not know that?

Mr. ALLMAN. No.

Senator THOMAS. Did he admit then that they were armed?

Mr. ALLMAN. I do not know that the question was asked.

Senator THOMAS. Well, it would make a whole lot of difference to your police captain for him to know whether the men on the inside were going to be imposed upon or whether they were going to impose upon the crowd, would it not?

Mr. ALLMAN. Well, I do not think there was ever a thought of the men on the inside coming out to impose on the crowd. I do not know of that, of course. That is only my thought.

Senator THOMAS. You have already said that if those on the outside got in that they might have been hurt.

Mr. ALLMAN. They probably would. A great many people would be hurt, there is no doubt about that, both the men inside and the men that came in.

Senator THOMAS. You still do not know the name of the commander of the finks?

Mr. ALLMAN. What is that?

Senator THOMAS. You still do not know the man in command of the finks?

Mr. ALLMAN. The superintendent of the men in the mill. Hyland is his name. The first time I saw him or knew his name was when I met him in the meeting with Governor Horner at the Southmoor Hotel.

Senator THOMAS. You do not know any of his subordinates?

Mr. ALLMAN. I did not know a man in the mill.

Senator LA FOLLETTE. That is all, Mr. Commissioner. You are temporarily excused.

Mr. ALLMAN. Thank you, gentlemen.

Senator LA FOLLETTE. There may be entered in the record a copy of the subpoena of Commissioner Allman.

(The document was marked "Exhibit 1334" and appears in the appendix on p. 5011.)

Senator LA FOLLETTE. Captain Prendergast.

TESTIMONY OF JOHN C. PRENDERGAST

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Captain, you are here under the subpoena of the committee?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. Let a copy of it be inserted in the record.

(The document was marked "Exhibit 1335" and appears in the appendix on p. 5011.)

Senator LA FOLLETTE. Will you please state your full name?

Mr. PRENDERGAST. John C. Prendergast.

Senator LA FOLLETTE. And your residence?

Mr. PRENDERGAST. 928 West Garfield Boulevard, Chicago, Ill.

Senator LA FOLLETTE. What is your occupation?

Mr. PRENDERGAST. Police officer.

Senator LA FOLLETTE. What position do you occupy?

Mr. PRENDERGAST. Chief of the uniformed force.

Senator LA FOLLETTE. How long have you been connected with the Chicago Police Department?

Mr. PRENDERGAST. Thirty years.

Senator LA FOLLETTE. Will you please state briefly for the record what your duties are as chief of the uniformed force?

Mr. PRENDERGAST. Well, my principal duties are to enforce law and order, confer with my captain, my supervisors, who in turn confer with their captains.

Senator LA FOLLETTE. Are you a kind of executive officer under the commissioner?

Mr. PRENDERGAST. Under the commissioner of police.

Senator LA FOLLETTE. You are responsible to the commissioner?

Mr. PRENDERGAST. To the commissioner of police.

Senator LA FOLLETTE. Now, what are the powers and responsibilities of the division and district captains in relation to you?

Mr. PRENDERGAST. Well, they report to me.

Senator LA FOLLETTE. Do you issue the orders to them?

Mr. PRENDERGAST. I issue the orders to them and they in turn issue the orders to their captains.

Senator LA FOLLETTE. And how many uniformed police are under your jurisdiction, approximately?

Mr. PRENDERGAST. Approximately 5,000.

Senator LA FOLLETTE. Now, you are aware that a strike was called at the plant of the Republic Steel Corporation on May 26, 1937, are you not?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. From whom did you first learn that the strike was threatened or contemplated?

Mr. PRENDERGAST. From Captain Mooney.

Senator LA FOLLETTE. When was that, approximately; do you know?

Mr. PRENDERGAST. I think that was on the Saturday previous.

Senator LA FOLLETTE. What information did he give you on Saturday?

Mr. PRENDERGAST. He told me that there was talk of a strike at the Republic Steel Co., and also the Youngstown Sheet & Tube.

Both of these strikes were in the ninth district, I might add, under Captain Kilroy.

Senator LA FOLLETTE. Is that all the information that he gave you?

Mr. PRENDERGAST. That was about all. He said he did not know when it was going to be called.

Senator LA FOLLETTE. Did he make any comment on the situation in relation to what the responsibilities and duties of the police might be?

Mr. PRENDERGAST. I believe he did; that he did not know, that it was talk; it was agitated, he just did not know when it was going to be called.

Senator LA FOLLETTE. Did he indicate whether he thought it was going to be a serious situation, from the police point of view, if the strike took place?

Mr. PRENDERGAST. No; not at that time.

Senator LA FOLLETTE. Did you take any action, upon the basis of his report that you received orally, on Saturday, from Captain Kilroy?

Mr. PRENDERGAST. On Monday I drove out toward the plant. I did not go in the plant on Monday, that is, during the day time, in the morning. Monday night there was strong talk that they were going out, and the steel companies were making arrangements to house the employees that were going to continue to work. So about 10 o'clock, or 9 o'clock Monday night I called at the Republic Steel Co. myself.

Senator LA FOLLETTE. Whom did you call on?

Mr. PRENDERGAST. I met Mr. Hyland.

Senator LA FOLLETTE. Is he the manager?

Mr. PRENDERGAST. I think he is the general manager; yes. While I was there I met maybe 10 or 15 of the superintendents.

Senator LA FOLLETTE. What was the subject of your conversation on Monday night with Mr. Hyland?

Mr. PRENDERGAST. Well, they were uneasy, they did not know when the strike was to be called.

Senator LA FOLLETTE. What did he say?

Mr. PRENDERGAST. He said that they were making preparations to take care of the men that would continue to work.

Senator LA FOLLETTE. What sort of preparations did he say they were making?

Mr. PRENDERGAST. I think they were bringing in beds, and, I suppose, food supplies. They did not mention food supplies but I did hear a word about beds being brought in.

Senator LA FOLLETTE. What else was said, in addition?

Mr. PRENDERGAST. That was all. I waited around there for about an hour and everything was peaceful. I think the second shift goes on at 11 o'clock. I waited around until after 11. Everything was peaceful and I went home.

Senator LA FOLLETTE. Was there any discussion between you and Superintendent Hyland or any of the other supervisory officials, on Monday, concerning the situation, so far as the police were concerned, if a strike should be called?

Mr. PRENDERGAST. No; Just a general conversation.

Senator LA FOLLETTE. Was there any reference made to the action that might be taken, or what precautionary action might be taken by the police in regard to the situation?

Mr. PRENDERGAST. No; there was not. I went there more to be on the ground at the time if there was anything happening.

Senator LA FOLLETTE. Certainly. I can understand why you went out there if you thought there was going to be trouble.

Mr. PRENDERGAST. I could not say trouble. We do not have trouble in all our strikes.

Senator LA FOLLETTE. I will change it to suit you. I say I understand the reason why you went out there. What I am anxious to know is whether or not there was any discussion between you and Superintendent Hyland or any of the other officials of a supervisory character connected with the Republic Steel Corporation concerning the activities of the police in case a strike should take place.

Mr. PRENDERGAST. No.

Senator LA FOLLETTE. That was not mentioned?

Mr. PRENDERGAST. No. That was my job.

Senator LA FOLLETTE. Now what was the next thing that happened in relation to this strike, so far as you were concerned, Captain?

Mr. PRENDERGAST. On Tuesday morning I reported to the commissioner, I called on the commissioner. I reported to the commissioner of police either in person or by telephone, and I called at the commissioner's office and told him that the strike was imminent at the Republic.

Senator LA FOLLETTE. Will you speak a little louder, please?

Mr. PRENDERGAST. I am a little hoarse. I say, I called the commissioner's office Tuesday morning and I told him a strike was imminent at the Republic, and if it was called, why, we would have to make some arrangement for details around there. He told me to make the necessary details.

Senator LA FOLLETTE. That was on Tuesday?

Mr. PRENDERGAST. Tuesday.

Senator LA FOLLETTE. What other instructions did he give you, if any?

Mr. PRENDERGAST. Well, he told me to preserve law and order, and he said there was to be no sit-down strikes. That is not allowed in Chicago.

Senator LA FOLLETTE. It was your responsibility to prevent any sit-down strike that might occur in the plant?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. That was part of your instruction? What other instructions did he give you?

Mr. PRENDERGAST. That was about all. He told me to make a survey.

Senator LA FOLLETTE. He told you to make a survey?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. Did he give you any instructions at all about picketing, or did you discuss that subject with him on Tuesday?

Mr. PRENDERGAST. Not at that time. We never interfered with picketing.

Senator LA FOLLETTE. Have you given us the full substance of your discussion with Commissioner Allman on Tuesday?

Mr. PRENDERGAST. That was about all.

Senator LA FOLLETTE. Concerning the Republic strike?

Mr. PRENDERGAST. That was about all.

Senator THOMAS. Why was the sit-down strike singled out?

Mr. PRENDERGAST. Well, we have not allowed a sit-down in Chicago.

Senator THOMAS. You have not allowed a sit-down strike in Chicago?

Mr. PRENDERGAST. No.

Senator THOMAS. Was there any reason for not allowing it?

Mr. PRENDERGAST. Well, we feel that they are breaking the law when they are doing it. We have never had any trouble with them.

Senator THOMAS. Is it breaking the law in Chicago to have a sit-down strike?

Mr. PRENDERGAST. Well, I think it is.

Senator THOMAS. There is an ordinance which covers the sit-down strike, is there?

Mr. PRENDERGAST. When a man takes over your plant, when he is working for you, why—

Senator THOMAS (interrupting). That probably would be confiscation, would it not?

Mr. PRENDERGAST. It would be that more than anything else.

Senator THOMAS. Why did the word "sit-down" come into your instructions, do you know?

Mr. PRENDERGAST. No, I do not; unless it was general.

Senator THOMAS. Just because it was in the atmosphere at the time?

Mr. PRENDERGAST. Yes.

Senator THOMAS. No particular reason for it?

Mr. PRENDERGAST. No particular reason for it.

Senator THOMAS. Was there any threat of a sit-down strike at the Republic Steel?

Mr. PRENDERGAST. Not at that time; no, sir.

Senator THOMAS. If there had been a sit-down strike it would have been a sit-down on the part of those who were sympathetic with the owners, would it not?

Mr. PRENDERGAST. According to the records, the statement made by the Republic, it would be in sympathy with the owners.

Senator THOMAS. When you went inside of the plant you did not find any antagonism between the workers and the employers there, did you?

Mr. PRENDERGAST. Between the workers and the employers?

Senator THOMAS. Yes.

Mr. PRENDERGAST. The workers that I met in there were very friendly to the employers.

Senator THOMAS. They were there of their own free will?

Mr. PRENDERGAST. Yes.

Senator THOMAS. The employers were not kidnaping them or making them sit down, making them stay?

Mr. PRENDERGAST. No.

Senator THOMAS. They did not provide cots for them, so that they could stay if they wanted to?

Mr. PRENDERGAST. That is right.

Senator THOMAS. And they allowed them to sleep right there?

Mr. PRENDERGAST. Yes.

Senator THOMAS. They fed them?

Mr. PRENDERGAST. I suppose so.

Senator THOMAS. But not against their will?

Mr. PRENDERGAST. I do not suppose so.

Senator THOMAS. But all that were on the inside were antagonistic to all that were on the outside?

Mr. PRENDERGAST. I would not say that.

Senator THOMAS. Then why would the word "sit-down" come into this conversation?

Mr. PRENDERGAST. It was the general run of strikes and sit-downs all over the country.

Senator THOMAS. But it has no place in this particular instance?

Mr. PRENDERGAST. No; it was just mentioned, that is all.

Senator THOMAS. It was just general?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. Now, on Tuesday, when you received these instructions from Commissioner Allman, what did you do pursuant to those instructions?

Mr. PRENDERGAST. I conferred with Captain Mooney and told him if the strike was called we would send in men temporarily to take over the place rather than send a general order out to detail men on the place.

Senator THOMAS. "Take over the place", what do you mean?

Mr. PRENDERGAST. Not "take over the place." Excuse me. Take over the outside of the place.

Senator THOMAS. Preserve law and order?

Mr. PRENDERGAST. Preserve law and order. At the time we went out there, after the detail was made, I understood we had two or three men detailed inside of the plant, and I ordered them out of the plant. I told the captain in charge, I believe it was Kilroy, that our men were detailed outside of that fence.

Senator THOMAS. Who detailed the men inside?

Mr. PRENDERGAST. I do not know.

Senator THOMAS. You do not know who did it?

Mr. PRENDERGAST. No.

Senator THOMAS. Do you think they were there of their own free will, that they just walked in?

Mr. PRENDERGAST. I could not say as to that.

Senator THOMAS. What were their duties when they were on the inside?

Mr. PRENDERGAST. I understood they were protecting, I think, some electrical plant in the plant.

Senator THOMAS. Protecting it against whom?

Mr. PRENDERGAST. Against destruction.

Senator THOMAS. Against destruction?

Mr. PRENDERGAST. Against destruction.

Senator THOMAS. That someone might run into it and hurt themselves?

Mr. PRENDERGAST. I would not say "run into it."

Senator THOMAS. Destruction by whom? Who would destroy the electric plant?

Mr. PRENDERGAST. Well, now, according to the statement issued by the attorney for the Republic Steel Co. to Governor Horner at the

meeting, there were 1,800 on the pay roll and 1,400 of them continued to work. Out of the 1,400 there might be some loyal to the fellows on the outside.

Senator THOMAS. These officers, then, had a detail that was a sort of a detective job, was it not?

Mr. PRENDERGAST. I told the captain, or the lieutenant, and I do not recall which it was—they have their own police department inside that plant—if there was any protection inside that plant to any of their machinery it was the employees' job to look after it.

Senator THOMAS. Do you know whether the plant officials paid your police anything for the work they did on the inside?

Mr. PRENDERGAST. I do not think so.

Senator THOMAS. You do not think they were?

Mr. PRENDERGAST. No.

Senator THOMAS. They paid their own watchmen though, did they not?

Mr. PRENDERGAST. I suppose so.

Senator THOMAS. That is, they were not city watchmen?

Mr. PRENDERGAST. In fact, we issued an order through the commissioner, who called me in after the strike was in progress 2 or 3 days, and he ordered me to notify the captains in charge not to accept any coffee or meals from the plant, and I gave them that order verbally, and later on I gave it to them in writing.

Senator THOMAS. That is very good policy, is it not?

Mr. PRENDERGAST. I find it an excellent policy to remain neutral. I could make a speech here. I could say this, if I may—

Senator THOMAS. I would like to have you do so. We are after information.

Mr. PRENDERGAST. At the meeting of Governor Horner's on Sunday night, that was the night of this May 30—

Senator THOMAS. The night of the riot?

Mr. PRENDERGAST. Yes—the commissioner was present and our labor man, Martin Durkin from the State of Illinois.

Senator THOMAS. Who?

Mr. PRENDERGAST. Martin Durkin.

Senator THOMAS. He is a State official, is he?

Mr. PRENDERGAST. Yes. And Michael Igoe, our Federal prosecutor; the commissioner; myself; Captain Mooney; Captain Kilroy; and several labor officials were there. The Governor discussed with them the advisability of settling the strike.

Senator LA FOLLETTE. Will you speak a little louder, please?

Mr. PRENDERGAST. The Governor talked to them about settling the strike, the advisability of settling the strike. That meeting was held at the Southmoor Hotel at Sixty-seventh and Stoney Island Avenue. The meeting was put over until Monday night, or Memorial Day. The Governor was in town and they talked, but they did not get any place.

After the meeting was over I asked Mr. Van Bittner, who claimed to be the organizer for that district, if I could talk to him. He said, "Yes." We stepped over into one side and I said to him, "Why all the argument with the police department? We do not see the Republic Steel Co. arguing with the police department. I can safely say that 90 percent of the police officers who were detailed at the plant were members of labor organizations. None of us were born with a silver spoon in our mouth. I started off as a laborer in the

American Bridge Co. at Fortieth and Princeton Avenue, I marked iron in the bridge company. I believe the feeling of the policemen is for the laborer." I said, "In these strikes, instead of trying to gain favor with the police, everybody is trying to push them around." I said, "As an organizer—I do not know anything about organizing, but I think if I was handling the strike the first man that I would visit would be the captain of the district, get acquainted with him, and if you did that there would be no disorder, there would be no ill feeling between the striker and the policemen." I said, "We do not want any trouble at the Republic Steel Co., we do not want to bring trouble into Chicago", and I said, "I hope we will not have any more." He turned to me and he said, "There will be no more trouble with the Republic Steel Co. in Chicago", and he has carried out his thought.

On the following Tuesday night we got word from four or five sources that they were coming in from Indiana, they were to dynamite the place, coming in with shotguns; and I got an extra heavy detail ready to cut off the roads leading into the Republic Steel Co., to reroute traffic around the Republic Steel Co. Around, or, 4:30 or 5 o'clock, I think, I had about 300 men there, together with the detail at the plant, and I got a call on the phone from Mr. Bittner and he told me that he had read the newspapers, that he saw where the police were gathering. He said, "You can dismiss your police department. There will be no trouble." I dismissed my police department on his word and there was not any trouble.

Senator THOMAS. Give me the date when you dismissed the policemen. What would be the date?

Mr. PRENDERGAST. That was on Tuesday evening.

Senator THOMAS. That would be the 1st of June, would it not?

Mr. PRENDERGAST. That was the 1st of June; yes, sir.

Senator THOMAS. You have had no trouble since?

Mr. PRENDERGAST. We have had no trouble ever since.

Senator THOMAS. Now, have you any reason to give for the probable antagonism between the police and the crowd on the night of Wednesday and Thursday, and then Sunday?

Mr. PRENDERGAST. Knowing policemen as I do—I started in the police department as a patrolman, I have gone all the way through the ranks—the policeman is mad today and forgets it tomorrow. I do not think there is any antagonism between the strikers, the men out on strike and the police department, I do not think so.

Senator THOMAS. What about the 30th?

Mr. PRENDERGAST. Well, I went to church services in the morning and I got a call from Captain Mooney at my home.

Senator LA FOLLETTE. Speak a little louder please, Captain.

Mr. PRENDERGAST. I have got an awful hoarseness. I got a call from Commissioner Mooney at my home, or Captain Mooney, when I returned. I called him up. I went to his home and met him and he told me there was evidently trouble might happen at the mills that afternoon, that he had ordered the detail. At this mill they work from 12 midnight until 8 o'clock in the morning, from 8 o'clock in the morning to 4 o'clock, and from 4 p. m. to 12 o'clock. He said that he had ordered his detail, that they would report at 4 o'clock p. m. and out at 2:45. He said, "It looks as if there is going to be trouble there." He said, "I would like to stop it."

As testified by the commissioner, on the Friday before I was called to the commissioner's office and I met a Judge Grant and a Mr. Lewis, both from down in the southern part of Illinois, I think Mr. Grant is from Springfield, and I met them at the plant—they had some reports that the men were being held in the plant—I met them at the plant. At that time there were, I think I counted 18 pickets on the street in front of the plant. Nobody interfered with them. I asked them if there was anything that they could object to. Mr. Lewis said, "Well, you have got a lot of policemen around here." I said, "Well, is there anything that you could suggest?" He said, "Well, you will hear from me later."

Either later that day or the following day I got a call from Judge Grant, who is an attorney for this union, or represented himself as an attorney for the union. I did not know just what he wanted, I do not recall now, but he left a telephone number with me.

After I left Captain Mooney on Sunday morning I went back to my office, which is located at Eleventh and State Street—do you know Chicago?

Senator THOMAS. Yes.

Mr. PRENDERGAST. The mill is at One Hundred and Eighteenth Street, and my office is at Eleventh and State Streets. I searched my desk and I found the telephone number to the south Chicago exchange. I tried to get Judge Grant on the wire to see if we could not stop the trouble, if there was going to be trouble, but I could not locate him.

Senator LA FOLLETTE. Well now, on Tuesday prior to the strike, if I understand your testimony, you received oral instructions from Commissioner Allman?

Mr. PRENDERGAST. I did.

Senator LA FOLLETTE. Now, you also testified, I think, that you took the matter up personally with Captain Mooney?

Mr. PRENDERGAST. Yes; we talked about it.

Senator LA FOLLETTE. And what instructions did you give him?

Mr. PRENDERGAST. That when the strike was called I notified my officers—

Senator LA FOLLETTE (interrupting.) This was on Tuesday, I understood.

Mr. PRENDERGAST. Yes; this was before the strike was called.

Senator LA FOLLETTE. Yes.

Mr. PRENDERGAST. When the strike was called I immediately notified my officers that they were detailed for the strike.

Senator LA FOLLETTE. Did you give them any other instructions at that time?

Mr. PRENDERGAST. I think I told them, as directed by the commissioner, to enforce law and order.

Senator LA FOLLETTE. And were there any extra police detailed in this immediate vicinity prior to Tuesday?

Mr. PRENDERGAST. No.

Senator LA FOLLETTE. Were there any detailed there prior to the time that the strike occurred?

Mr. PRENDERGAST. No. I will qualify that by saying that the only man that could really answer that question would be Captain Kilroy, because I did not order the detail there until—I think I have got a copy of the order here.

Senator LA FOLLETTE. What was the next thing that occurred, Captain, after you talked with Captain Mooney on Tuesday?

Mr. PRENDERGAST. Well, we got a call in the evening.

Senator LA FOLLETTE. Tuesday evening?

Mr. PRENDERGAST. May 26.

Senator LA FOLLETTE. Wednesday evening?

Mr. PRENDERGAST. That is the day of the strike.

Senator LA FOLLETTE. Yes.

Mr. PRENDERGAST. We got a call around 6 o'clock that the strike was in progress.

Senator LA FOLLETTE. From whom did you receive that call?

Mr. PRENDERGAST. I did not get it. My secretary got it. I think it came from Captain Mooney's office.

Senator LA FOLLETTE. It came from Captain Mooney's office?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. And what did you do next?

Mr. PRENDERGAST. Well, the south side of Chicago is made up of the first to the twentieth police districts.

Senator LA FOLLETTE. From the first to the twentieth police districts?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. Those are located in south Chicago?

Mr. PRENDERGAST. No; on the south side of Chicago.

Senator LA FOLLETTE. On the south side of Chicago?

Mr. PRENDERGAST. Yes; at 6:02 p. m. I sent out a teletype order. Do you want a copy of it?

Senator LA FOLLETTE. I have a copy of it.

Mr. PRENDERGAST. Have you got a copy of the teletype?

Senator LA FOLLETTE. Yes.

Mr. PRENDERGAST. It reads:

Days off of members of 1st dist. to 20th dists. inclusive are hereby cancelled effective at once.

Senator LA FOLLETTE. Let a copy of that be given an exhibit number.

(The document was marked "Exhibit 1336" and appears in the appendix on p. 5011.)

Senator LA FOLLETTE. What was the next order you issued?

Mr. PRENDERGAST. I am quite sure I told Mooney—

Senator LA FOLLETTE (interrupting). Was that the one at 6:14 p. m. in addition?

Mr. PRENDERGAST. What time is on that?

Senator LA FOLLETTE. 6:02 p. m. is the teletype order canceling leave.

Mr. PRENDERGAST. That is right.

Senator LA FOLLETTE. 6:14 p. m. is another order, or message. I offer for the record message 15223.

(The document was marked "Exhibit 1337" and appears in the appendix on p. 5012.)

Senator LA FOLLETTE. It reads:

To Commanding Officers: Of the 1st Division:

You will send all available uniform patrolmen assigned to post duty to the 6th District at once for duty at the 9th District.

Signed by yourself is that correct?

Mr. PRENDERGAST. Oh, yes; that is right, but Mooney, as the supervisor of the second and third divisions, has control of all the police

officers in that division, and he can order them into a district in either one of those divisions. I believe that he did that. The first division is under another supervisor.

Senator LA FOLLETTE. Now, at any time prior to the issuing of these orders did you discuss with Commissioner Allman or Captain Mooney, or with anyone else, the question of the number of police which would be required to handle the situation?

Mr. PRENDERGAST. No; I think I did that myself.

Senator LA FOLLETTE. Did you discuss with Captain Mooney, or with anyone else, the question of where the police would be stationed in the area?

Mr. PRENDERGAST. They were to be stationed away from the plant. No police officer was to be stationed on duty in the plant; they were not to be stationed in the plant.

Senator LA FOLLETTE. Did you issue those instructions orally?

Mr. PRENDERGAST. Orally, yes.

Senator LA FOLLETTE. Or in writing?

Mr. PRENDERGAST. Orally.

Senator LA FOLLETTE. When did you issue those instructions?

Mr. PRENDERGAST. I think it was the 27th or 28th. The strike was called—I think it was the morning of the 27th.

Senator LA FOLLETTE. The morning after the strike was called?

Mr. PRENDERGAST. I was out myself.

Senator LA FOLLETTE. Then I think you said that you confirmed that order in writing later. Is that correct?

Mr. PRENDERGAST. No; the order I confirmed in writing was for the meals.

Senator LA FOLLETTE. You said, in response to a question by Senator Thomas, that at sometime when you went out there you found that some of the officers were inside the plant.

Mr. PRENDERGAST. That was the morning of the 27th, I am quite sure.

Senator LA FOLLETTE. Guarding the power-house.

Mr. PRENDERGAST. I am quite sure it was the morning of the 27th.

Senator LA FOLLETTE. Did you issue your order before you knew that those men were in the plant?

Mr. PRENDERGAST. No; I learned that when I went out there. I inquired where the men were detailed and learned some of them were detailed inside the plant. So I issued an order—a verbal order.

Senator LA FOLLETTE. Was there any headquarters established out in this area?

Mr. PRENDERGAST. Yes; there was a headquarters established inside the gate.

Senator LA FOLLETTE. Inside the gate of the plant?

Mr. PRENDERGAST. There was a little house there. We took it over as a police headquarters.

Senator LA FOLLETTE. So that your instructions that your men were not to be inside the plant did not go to this house?

Mr. PRENDERGAST. Not to this house.

Senator LA FOLLETTE. Which was located near the gate?

Mr. PRENDERGAST. That is right—inside of the fence; yes.

Senator THOMAS. How were these men fed, Captain?

Mr. PRENDERGAST. They had to feed themselves.

Senator THOMAS. They had to feed themselves?

Mr. PRENDERGAST. Some of them had a little trouble out there getting something to eat, too.

Senator THOMAS. Did the company feed them?

Mr. PRENDERGAST. I think the company wanted to feed them. I think they did feed them one day and we learned about it and stopped it.

Senator THOMAS. Both the men on the inside and the men on the outside, or was it just the men on the inside that were fed?

Mr. PRENDERGAST. I think they wanted to feed them all—they wanted to feed the entire police detail. I took that up with the commissioner.

Senator THOMAS. As a matter of generosity?

Mr. PRENDERGAST. Well, if you want to call it that.

Senator THOMAS. But you do not know that they did feed anyone?

Mr. PRENDERGAST. I do not know.

Senator THOMAS. You issued orders against it?

Mr. PRENDERGAST. Yes, sir.

Senator LA FOLLETTE. Now, I offer for the record a copy of the message numbered 15224 ordering the three shifts, each consisting of 90 patrolmen, 4 sergeants, and 2 lieutenants, to report to Supervisor James Mooney at the ninth district. It may be given an exhibit number and printed in full in the record.

(The document was marked "Exhibit 1338" and appears in the appendix on p. 5012.)

Senator LA FOLLETTE. Will you please look at a copy of this exhibit, Captain?

(The document was handed to Mr. Prendergast.)

Mr. PRENDERGAST. That is right.

Senator LA FOLLETTE. Tell me at what time these men were ordered to report for duty.

Mr. PRENDERGAST. As I stated in the order, these men were to report at 11:45 p. m. on the 26th, going on duty at 12 o'clock.

Senator LA FOLLETTE. And how long does the order provide for this detail to be continued?

Mr. PRENDERGAST. Until the future order, until the follow-up order comes in.

Senator LA FOLLETTE. Do you know how many policemen were on duty at the Republic plant, or I mean in that area, prior to the time that this particular order was issued?

Mr. PRENDERGAST. I would say from 60 to 75 men. That was just a temporary detail.

Senator LA FOLLETTE. Now, I offer for the record a copy of the message dated May 28, 1937, numbered 15467.

(The document was marked "Exhibit 1339" and appears in the appendix on p. 5012.)

Senator LA FOLLETTE (reading):

To Commanding Officers, District 1 to 20.

Detail 2 patrolmen on each shift to the eighth District commencing at 12 o'clock midnight.

Signed by yourself.

What was the occasion for this additional detail?

Mr. PRENDERGAST. That was a reserve detail, so that if there was any trouble that detail was to remain on duty until further orders.

Senator LA FOLLETTE. Now, in accordance with these orders that we have been over, Captain, how many men were on detail at the plant, or in the area surrounding it?

Mr. PRENDERGAST. At the Republic and at the Youngstown there were practically—on the three watches?

Senator LA FOLLETTE. How many on each watch?

Mr. PRENDERGAST. Well, as shown here in this order, 15224, there were 90 patrolmen on each watch.

Senator LA FOLLETTE. Ninety patrolmen on each watch?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. But they supplemented the others who were already on duty, did they not?

Mr. PRENDERGAST. When this order went out it canceled all previous orders?

Senator LA FOLLETTE. It canceled all previous orders?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. So that you had 90 men on each shift, so to speak?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. And 40 in reserve, is that so?

Mr. PRENDERGAST. Not exactly 40, there is no second district and if you will notice under "reserve" I canceled it over the phone as far as the ninth district was concerned. So I think we had 36 on reserve.

Senator LA FOLLETTE. Thirty-six on reserve?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. Now you said you visited the plant on Tuesday prior to the strike.

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. And you testified you visited it again on Wednesday morning.

Mr. PRENDERGAST. Yes. I made 10 or 12 visits to the plant.

Senator LA FOLLETTE. Now, when you went out there on Wednesday morning they had not yet gone out on strike had they?

Mr. PRENDERGAST. That is the 26th?

Senator LA FOLLETTE. Yes.

Mr. PRENDERGAST. No; I do not believe I called there Wednesday morning.

Senator LA FOLLETTE. You do not believe you were there on Wednesday?

Mr. PRENDERGAST. No.

Senator LA FOLLETTE. Were you there on Thursday, the 27th?

Mr. PRENDERGAST. The 27th; yes, I was there the 27th.

Senator LA FOLLETTE. When you were there on Thursday, the 27th, you found that some policemen had been detailed to guard the power-house?

Mr. PRENDERGAST. I think there were two or three policemen detailed in the plant.

Senator LA FOLLETTE. You ordered all those detailed inside of the plant protecting plant property to get outside?

Mr. PRENDERGAST. I told the captain, or the lieutenant, I think it was the lieutenant, that that was the company's job, that we were only interested on the outside of that plant.

Senator LA FOLLETTE. On Thursday morning did you meet any of the plant officials?

Mr. PRENDERGAST. On Thursday morning?

Senator LA FOLLETTE. Yes; the 27th.

Mr. PRENDERGAST. I do not believe I did.

Senator LA FOLLETTE. You did not have any discussion with them?

Mr. PRENDERGAST. No.

Senator LA FOLLETTE. When did you visit the plant the next time after the morning of the 27th, Thursday?

Mr. PRENDERGAST. Well, I was at the plant—is the 28th on Friday?

Senator LA FOLLETTE. Yes.

Mr. PRENDERGAST. Is Friday the 28th?

Senator LA FOLLETTE. Yes.

Mr. PRENDERGAST. I was at the plant the afternoon of the 28th with this Mr. Lewis and a man who represented himself as Judge Grant, who complained to the commissioner that the men were being held inside of the plant.

Senator LA FOLLETTE. Speak a little louder please.

Mr. PRENDERGAST. The commissioner directed me to meet them at the plant and show them what was going on in there.

Senator LA FOLLETTE. Did you meet any of the plant officials at this time?

Mr. PRENDERGAST. No.

Senator LA FOLLETTE. Did you have any discussion with any of the plant officials at any time, after you saw them on Tuesday prior to the strike and before the riot or incident occurred on Sunday?

Mr. PRENDERGAST. Well, I might have talked to some of the lower officials, you know, but not any conversation.

Senator LA FOLLETTE. Did you ascertain, in any conversation you had with people connected with the company, as to the number of private guards that they had?

Mr. PRENDERGAST. No; I did not.

Senator LA FOLLETTE. And other people to protect their property?

Mr. PRENDERGAST. I did not. I saw private guards around there in uniform. I did not pay any attention to them.

Senator LA FOLLETTE. You did not think the number of men that they had had any relation to the instructions which you had received to protect their property?

Mr. PRENDERGAST. I do not know anything about their men.

Senator LA FOLLETTE. Well, you did not think that had any significance in connection with the responsibility of the police?

Mr. PRENDERGAST. It has been my experience where private guards are hired, that they cause you more trouble.

Senator LA FOLLETTE. Now I think you stated that on Saturday you had a conference with Captain Mooney in which he indicated that he was apprehensive that there was going to be trouble.

Mr. PRENDERGAST. Sunday.

Senator LA FOLLETTE. That was Sunday morning?

Mr. PRENDERGAST. That was Sunday morning.

Senator LA FOLLETTE. On Sunday morning you had a conference with Captain Mooney?

Mr. PRENDERGAST. I was to church services. When I returned home there was a telephone call to call Captain Mooney, and I went over to his home.

Senator LA FOLLETTE. You went over to Captain Mooney's home on Sunday morning?

Mr. PRENDERGAST. It was after 12 o'clock.

Senator LA FOLLETTE. It was after noon on Sunday?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. And he indicated to you he was apprehensive that there was going to be trouble in the Republic plant area?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. Did he say upon what he predicated that prediction?

Mr. PRENDERGAST. No; it was just information seeping through, that there was going to be trouble there.

Senator LA FOLLETTE. Did he say what the nature of the trouble was going to be?

Mr. PRENDERGAST. No; he did not. He said, "There may be nothing to it."

Senator LA FOLLETTE. Did he say what the source of his information was?

Mr. PRENDERGAST. No; he did not.

Senator LA FOLLETTE. He did not indicate what he thought the trouble might be?

Mr. PRENDERGAST. No; he just referred to it as trouble at the plant.

Senator LA FOLLETTE. After you had this conversation on Sunday with Captain Mooney, I think you testified that you went to your office at Eleventh and State Streets?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. And you found there a telephone number of someone who had called you?

Mr. PRENDERGAST. That I had gone to the plant with on the Friday previous.

Senator LA FOLLETTE. Mr. Grant, I think you said?

Mr. PRENDERGAST. Yes.

Senator LA FOLLETTE. You tried to reach him but could not do so?

Mr. PRENDERGAST. I could not reach him.

Senator LA FOLLETTE. Did you take any other action, in view of Captain Mooney's statement that he anticipated trouble?

Mr. PRENDERGAST. Due to the fact that Mooney had ordered out an extra force at 2:45, I asked him, I said, "Can you handle the situation?" He said, "Yes." I said, "If it looks like trouble out there I wish you would call me." Then I went to my office. I went home to dinner. I got home a little late for dinner, and about 3:30 I got a call that there might be trouble at the steel plant, or something to that effect. I jumped into my car and I drove out to the ninth district. When I got out there everything seemed to be peaceful.

Senator LA FOLLETTE. About what time was this?

Mr. PRENDERGAST. Oh, I might say around 4 o'clock. I was in there a short while when the telephone rang that trouble at the steel plant. I remained in the ninth district, knowing that Mooney and Kilroy were in charge of the situation out there, and I was the only officer who could give an order, so I remained at the ninth district and took charge of the situation out there.

Senator THOMAS. You mentioned awhile back about having received report of dynamiters in Indiana. That was the same day?

Mr. PRENDERGAST. That was the Tuesday following the thirty-first. Senator THOMAS. The Tuesday following the riot?

Mr. PRENDERGAST. Yes.

Senator THOMAS. It had nothing to do with this incident at all?

Mr. PRENDERGAST. No. It was a false alarm, such as many of these things are in strikes. We get many reports that something is going to happen which never materializes. In Mooney's talk with me, he was not real sure, as I recall, that there was going to be trouble there, but he took the precautions which are necessary in our business, to take ample precautions.

Senator LA FOLLETTE. Did you communicate the information you had received from Captain Mooney on Sunday to Commissioner Allman?

Mr. PRENDERGAST. No; I did not.

Senator LA FOLLETTE. Now, prior to Sunday afternoon did you have any discussion with Commissioner Allman, Captain Mooney, or with any other police officer relating to the question?

Mr. PRENDERGAST. I had a conversation with Commissioner Allman on the Friday that I met Mr. Grant—Judge Grant and Mr. Lewis—out there, and Commissioner Allman said, "Let them have 100 pickets." They were claiming that the place was not being properly picketed. He said, "Allow them 100 pickets; allow them as many as they want."

Senator LA FOLLETTE. Is that the only discussion you had with anybody prior to Sunday afternoon relating to the question of picketing?

Mr. PRENDERGAST. That is all I can recall.

Senator LA FOLLETTE. Are you familiar with the opinion of Corporation Counsel Hodes, which I placed in the record¹ when Commissioner Allman was on the stand?

Mr. PRENDERGAST. I have read it.

Senator LA FOLLETTE. You had a copy of the opinion at the time it was issued?

Mr. PRENDERGAST. Shortly after it was issued. I think I read it in the commissioner's office.

Senator LA FOLLETTE. Do you know whether the contents of this opinion were made known to officers in command of the uniformed police, in addition?

Mr. PRENDERGAST. I haven't got control of that.

Senator LA FOLLETTE. Now, you stated, I think, that when you got to the ninth district headquarters it was about 4 o'clock in the afternoon.

Mr. PRENDERGAST. Around there; yes.

Senator LA FOLLETTE. And judging from Captain Kilroy's report, that is about the time that the so-called clash took place?

Mr. PRENDERGAST. Around there; yes.

Senator LA FOLLETTE. Did you remain at the headquarters or did you at any time go out to the scene of this difficulty during that day?

Mr. PRENDERGAST. No; not at that time.

Senator LA FOLLETTE. You heard Commissioner Allman's testimony, did you not?

Mr. PRENDERGAST. Some of it.

¹ See exhibit 1329, pp. 5003-5006.

Senator LA FOLLETTE. Well, he stated that he had relied exclusively on the report of the officers and patrolmen who were involved on this day.

Mr. PRENDERGAST. I might answer that. After this trouble was over—

Senator LA FOLLETTE (interrupting). Speak a little louder.

Mr. PRENDERGAST. After this trouble was over I directed the men in charge of the police officers at the steel company to get a written report from every police officer who was at that site.

Senator LA FOLLETTE. That is, you instructed Captain Mooney and Captain Kilroy to get a statement?

Mr. PRENDERGAST. I directed that Kilroy come into the station. There were many things to be done. I think I ordered Kilroy to come into the station to make an immediate report to Commissioner Allman, or for Commissioner Allman.

Senator LA FOLLETTE. And from your knowledge of the situation, Captain Prendergast, from these reports which you have read, did the conduct of the police in this encounter, and afterwards, meet with your full approval?

Mr. PRENDERGAST. I would say yes.

Senator LA FOLLETTE. You are temporarily excused. Thank you.

The committee will take a recess until 2 o'clock. The witnesses will please return at that time.

(Thereupon, at the hour of 12:30 p. m., the committee recessed until 2 p. m. of the same day.)

AFTERNOON SESSION

(The hearing was resumed at 2:09 p. m., pursuant to the taking of recess.)

Senator LA FOLLETTE. Captain Mooney.

TESTIMONY OF JAMES L. MOONEY

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Be seated, please. Your full name?

Mr. MOONEY. James L. Mooney.

Senator LA FOLLETTE. M-o-o-n-e-y?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Where do you reside, Captain?

Mr. MOONEY. I live at 836 East Fifty-second Street, Chicago.

Senator LA FOLLETTE. What is your position in the police department?

Mr. MOONEY. Supervisor.

Senator LA FOLLETTE. What division are you directly responsible for?

Mr. MOONEY. Second and third divisions. That includes the eighth and twentieth districts, inclusive.

Senator LA FOLLETTE. And that, for the record, is the district in which the plant of the Republic Steel Corporation is located, is it not?

Mr. MOONEY. It is in the ninth district, a part of the second division.

Senator LA FOLLETTE. Will you look at the chart, an enlargement of which is hung on the wall behind me, and which has already been

offered for the record, and tell me whether, as you understand the physical situation there, the chart is approximately correct?

Mr. MOONEY. That is correct.

Senator LA FOLLETTE. Prior to Wednesday, May 26, when the strike broke out, Captain, did you have any conversation with any officer or representative of the Republic Steel Corporation?

Mr. MOONEY. Prior to Wednesday?

Senator LA FOLLETTE. Yes, sir.

Mr. MOONEY. No, sir.

Senator LA FOLLETTE. When did you first learn that a strike was impending at the Republic plant, approximately?

Mr. MOONEY. I am sure that Chief Prendergast called me Tuesday afternoon and said there might be a strike at the Republic Steel mill.

Senator LA FOLLETTE. That was the first you had heard of it?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Prior to the time that the strike occurred, did you hear anything more about it from anyone?

Mr. MOONEY. No, sir.

Senator LA FOLLETTE. Did any requests come into your office, Captain, from any representative of the Republic Steel Corporation for police protection at the plant?

Mr. MOONEY. No, sir.

Senator LA FOLLETTE. When was the police detail first sent to the plant?

Mr. MOONEY. I received word about a quarter past 4 Wednesday, May 26. I went over there.

Senator LA FOLLETTE. In the afternoon?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. And what did you do when you got there?

Mr. MOONEY. When I went there I met Captain Kilroy and I asked him how many men he had, and he told me, I think, he had 40. I called up Chief Prendergast and asked him to send 60 more men.

Senator LA FOLLETTE. How long had the original detail been on duty, do you know, Captain?

Mr. MOONEY. I inquired, and they had been there about an hour, to the best of my knowledge, maybe a half hour, I wouldn't be so sure about that.

Senator LA FOLLETTE. Was the first detail sent there pursuant to your instructions?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. And when were they issued?

Mr. MOONEY. Around 4 o'clock on Tuesday or thereabouts.

Senator LA FOLLETTE. On Tuesday or Wednesday?

Mr. MOONEY. On Wednesday, May 26.

Senator LA FOLLETTE. After the strike had commenced?

Mr. MOONEY. Been called; yes, sir.

Senator LA FOLLETTE. When you visited the plant what was the situation there, Captain, on Wednesday?

Mr. MOONEY. On Wednesday there was, I would say there was about 1,500 employees, and there was about 200 probably that was not working and that we understood would not go out. So I talked to Captain Kilroy and the management of the steel company wanted

them out, and I asked Captain Kilroy to talk to them and ask them to go out.

Senator LA FOLLETTE. Did you learn from this official of the plant yourself that they wanted them to go out?

Mr. MOONEY. They wanted them out.

Senator LA FOLLETTE. You learned from him?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Who was he?

Mr. MOONEY. Mr. Hyland.

Senator LA FOLLETTE. He is the superintendent, as you understand?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Give us the substance of your conversation with Mr. Hyland.

Mr. MOONEY. He said there was a couple of hundred of them wouldn't go out; and I told him I wouldn't undertake to put them out until I got some more men. In the meantime Captain Kilroy went out and talked to some of the leaders and they went out.

Senator LA FOLLETTE. Did they explain why they wanted these men out? Did Mr. Hyland explain?

Mr. MOONEY. Yes; he said he thought it would cause trouble with the others that wanted to stay, and during that time there was a man that represented the C. I. O. came in and asked me if he could address the employees. I says, "Who do you want to address?" He said, "I want to talk to the C. I. O. men." I said that would be all right. So I had to follow him and he was talking to everybody, and I said, "Oh, no; you can't do that; you can talk to the C. I. O. men but you can't talk to the others."

Senator LA FOLLETTE. Do you know who he was?

Mr. MOONEY. His name was Riffe, or something similar to that name.

Senator LA FOLLETTE. Did these 200 men leave the plant, or how many there were?

Mr. MOONEY. They left; yes, sir.

Senator LA FOLLETTE. Before the additional detail had arrived?

Mr. MOONEY. The additional detail had arrived.

Senator LA FOLLETTE. Where were the police stationed when you arrived there on Wednesday?

Mr. MOONEY. Right inside the gate, within a couple of hundred feet.

Senator LA FOLLETTE. How far is it from the gate to the plant itself?

Mr. MOONEY. There is three or four big buildings—I should say half a block, 400 feet, 300 feet.

Senator LA FOLLETTE. The entire detail was inside the fence?

Mr. MOONEY. Just inside the gate.

Senator LA FOLLETTE. And Captain Kilroy was in charge?

Mr. MOONEY. I was the commanding officer. He is the captain there; yes.

Senator LA FOLLETTE. When you got there, up to that time he had been in charge of the detail?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Was there any discussion, on this day that you were at the plant, with anyone concerning the right of picketing

and what kind of picketing would be permitted or was permitted under the law?

Mr. MOONEY. I knew, Senator, what was permitted under the law.

Senator LA FOLLETTE. I mean, did you discuss it with any of the strikers or any of your subordinates or anyone connected with the plant?

Mr. MOONEY. The occasion had not come up at that time.

Senator LA FOLLETTE. There was no picketing going on at that time?

Mr. MOONEY. Well, now, on Wednesday night after they all went out there was a sound truck out in front of the plant and they were saying, "You scabs in uniform come out of there, get them finks out of the plant." So I said to Captain Kilroy, "Who's got that sound truck going out there? Go out and lock him up." And I went out and looked up and down and I saw about a thousand people walking up and down. I called two platoons and we chased them two blocks, and we had to lock up two or three that would not move, including Mr. Riffe. I said, "We are running these streets and will run them."

Senator THOMAS. What did he mean by "scabs in uniform"?

Mr. MOONEY. He meant the uniformed police officers, Senator. May I continue further with this?

Senator LA FOLLETTE. Just a moment. [Pause.] Proceed, Captain.

Mr. MOONEY. They all went to court and pleaded guilty and they were fined a small fine.

Senator LA FOLLETTE. What were they charged with?

Mr. MOONEY. Unlawful assembly and disorderly conduct.

Senator LA FOLLETTE. Prior to strike had you discussed or had there been any conferences between you and other members of the police department concerning picketing?

Mr. MOONEY. Prior to the strike?

Senator LA FOLLETTE. Yes; and in anticipation of it?

Mr. MOONEY. We had other strikes. We have discussed that, lawful picketing; yes, sir.

Senator LA FOLLETTE. Did you have any discussions in connection with picketing in relation to the impending strike at the Republic plant?

Mr. MOONEY. No; we didn't talk about it. That question had not arisen at that time. We had not said anything about it.

Senator LA FOLLETTE. Are you familiar with the opinion on picketing issued by Corporation Counsel Hodes?¹

Mr. MOONEY. I am, Senator; yes, sir.

Senator LA FOLLETTE. You described to us the incidents that occurred there on Wednesday evening concerning this sound truck and the men who were parading up and down in the street. How many police would you say were outside of the gates of the plant, and outside of the fence at the time that this operator of the sound truck was arrested and these men were dispersed?

Mr. MOONEY. How many did I take out?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. Two platoons.

Senator LA FOLLETTE. And that would be how many?

Mr. MOONEY. Thirty-two men in each platoon—twice that, 64, 2 lieutenants and 2 sergeants with each platoon.

¹ See exhibit 1329, pp. 5003-5006.

Senator LA FOLLETTE. I take it, from your previous testimony, that you had not consulted with anyone concerning an attempt to defend the rights of pickets, or where they could go, or what they could do, and still comply with the law, prior to the time the strike took place on Wednesday, is that correct?

Mr. MOONEY. That I didn't talk to anyone? No; I didn't talk to any of the strikers about it. I discussed the matter with Chief Prendergast.

Senator LA FOLLETTE. What was the subject of your discussion with him?

Mr. MOONEY. He said to allow peaceful picketing.

Senator LA FOLLETTE. Did he say what that was?

Mr. MOONEY. Fifty, 75, a hundred, if they behaved themselves.

Senator LA FOLLETTE. Did you discuss how near the plant they would be permitted to come?

Mr. MOONEY. They would come up as far as the front gate there, within 50 feet.

Senator LA FOLLETTE. Had you known of Commissioner Allman's statement to Captain Prendergast that they could have as many pickets as they wanted to, so long as they were peaceful?

Mr. MOONEY. Well, I understood the Commissioner to say around 100.

Senator LA FOLLETTE. You understand he fixed it at a hundred?

Mr. MOONEY. I understood that; yes.

Senator LA FOLLETTE. You did not understand that he had said they could have as many as they wanted?

Mr. MOONEY. I didn't understand that; no.

Senator LA FOLLETTE. What was the reason, what behavior on the part of the pickets occurred that caused you to issue an order that they should be dispersed on Wednesday night?

Mr. MOONEY. Senator, these were not pickets. This was an organized disorderly mob out in front of that gate, and if I had not put them out of there there would have been a riot that night.

Senator LA FOLLETTE. What were they doing?

Mr. MOONEY. Hollering at the people inside, calling the police department scabs, finks. It does not take much to cause trouble when there are a thousand disorderly people in front. The only reason I put them out was to avoid trouble, and we certainly would have had it if I had not put them out.

Senator LA FOLLETTE. What else did they do besides call names?

Mr. MOONEY. That is all they did.

Senator LA FOLLETTE. How was the picket line dispersed? These two platoons?

Mr. MOONEY. One of them said go ahead, and those that did not move when they were told, we put them in the wagon.

Senator LA FOLLETTE. Do you remember approximately how many were arrested?

Mr. MOONEY. Twenty-three.

Senator LA FOLLETTE. Did you make any arrests personally?

Mr. MOONEY. I took hold of Riffe and told the lieutenant to put him in the wagon.

Senator LA FOLLETTE. What was Riffe doing?

Mr. MOONEY. He was telling them to pay no attention to the policemen they saw there, and I said, "Oh, yes; you will; you will do what we tell you, we are running these streets here."

Senator LA FOLLETTE. Were they originally charged, do you know, with conspiracy?

Mr. MOONEY. No; we did not charge these men with conspiracy.

Senator LA FOLLETTE. They were not booked on a conspiracy charge as well as on a charge of disorderly conduct?

Mr. MOONEY. They were booked for unlawful assembly and disorderly.

Senator LA FOLLETTE. Did any other incidents occur on Wednesday night, Captain, of an untoward nature, after these?

Mr. MOONEY. I don't think so.

Senator LA FOLLETTE. What time did you leave?

Mr. MOONEY. Oh, I left the plant about half past 11—quarter to 12.

Senator LA FOLLETTE. While you were there following the time these people were dispersed, nothing happened?

Mr. MOONEY. Nothing happened.

Senator LA FOLLETTE. Did you visit the plant on Thursday?

Mr. MOONEY. I did.

Senator LA FOLLETTE. In the morning?

Mr. MOONEY. Yes, sir; I did.

Senator LA FOLLETTE. What happened then, or what did you do, or what did you observe?

Mr. MOONEY. Things were quiet on Thursday.

Senator LA FOLLETTE. Were there any pickets out?

Mr. MOONEY. There was a few of them out in front.

Senator LA FOLLETTE. How many, would you say?

Mr. MOONEY. Oh, I would say 8 or 10.

Senator LA FOLLETTE. Were you there more than once on Thursday?

Mr. MOONEY. I was there three or four times.

Senator LA FOLLETTE. And you observed nothing on Thursday of any untoward nature?

Mr. MOONEY. No; I didn't.

Senator LA FOLLETTE. Everything was peaceful and quiet?

Mr. MOONEY. Very quiet.

Senator LA FOLLETTE. Was there any of these pickets that were on duty on Thursday calling any names?

Mr. MOONEY. No; everything was very orderly Thursday.

Senator LA FOLLETTE. Did you visit the plant on Friday also?

Mr. MOONEY. Yes, sir; I did.

Senator LA FOLLETTE. Several times?

Mr. MOONEY. Yes; and I stayed there quite a bit.

Senator LA FOLLETTE. What occurred on Thursday, if anything.

Mr. MOONEY. Nothing happened on Thursday.

Senator LA FOLLETTE. I mean Friday.

Mr. MOONEY. Friday I stayed there all day and I left there about a quarter past five and everything was peaceful.

Senator LA FOLLETTE. Up to that time?

Mr. MOONEY. Up to that time.

Senator LA FOLLETTE. Were there pickets there, too, on Friday?

Mr. MOONEY. Yes; they were there.

Senator LA FOLLETTE. How many would you say?

Mr. MOONEY. There was an attorney came out that, I think, his name was Grant, and Chief Prendergast told him he could have 100 pickets. He proceeded to put them in there. I wouldn't say there was a hundred; there was quite a few. I left at a quarter past 5, and when I got home they called me up and told me there was trouble at the plant. They marched on the plant on Friday, but I did not happen to be there. Captain Kilroy was there.

Senator LA FOLLETTE. When you got this telephone call that there had been trouble there did you take any action of any kind?

Mr. MOONEY. I went right out there.

Senator LA FOLLETTE. What was the situation when you got there?

Mr. MOONEY. Well, it was all over, it was all quiet. I called the fire department ambulance and had three of our fellows taken to the hospital.

Senator LA FOLLETTE. Three officers?

Mr. MOONEY. Yes, and three others I sent home in squad cars and one in a patrol wagon.

Senator LA FOLLETTE. These were policemen?

Mr. MOONEY. Yes, sir; and then I learned there were three of the others arrested.

Senator LA FOLLETTE. Three of the pickets?

Mr. MOONEY. I don't know whether they were pickets; I would call them part of a mob; that is what I would call them.

Senator LA FOLLETTE. Three of the people who were there and supposed to be sympathetic with the strikers?

Mr. MOONEY. Yes; one went to the Bridewell Hospital and the other two are locked up and the case is pending. It will come up on July 20. They are booked for conspiracy and committing an illegal act. That is chapter 38, section 139.

Senator LA FOLLETTE. In relation to this picketing, so I can try to get the picture in my mind, as I understand it, while you limited the number there was no limitation of where they could go, so long as they did not attempt to go inside of the plant property. Is that correct?

Mr. MOONEY. They could go anywhere as long as they did not intimidate anybody going in and out of the plant.

Senator LA FOLLETTE. They could go up and down this Burley Avenue?

Mr. MOONEY. Go up and down Burley Avenue there; yes, sir.

Senator LA FOLLETTE. At any time after the strike occurred did you have any discussion with any representatives of the Republic Steel Corporation with respect to the activities and duties of the police at the plant?

Mr. MOONEY. I received a complaint from Mr. Hyland. He gave me a lot of addresses where they were intimidating the homes of people that were working, and I telephoned them and our division headquarters and told them to tell the captains in this district to look out for these houses.

Senator LA FOLLETTE. And did anything occur there, do you know?

Mr. MOONEY. After we took action on it I did not get any more complaints.

Senator LA FOLLETTE. You got no further complaints and you got no report on anything that had happened after you received this information from Mr. Hyland?

Mr. MOONEY. When we received the report we put men around all these houses and we sent our squad cars around there.

Senator LA FOLLETTE. Were the police divided into shifts, 24-hour shifts?

Mr. MOONEY. Yes; one shift went on at 8 o'clock, one at 4, and one at 12.

Senator LA FOLLETTE. Three 8-hour shifts?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. How many men were on each shift?

Mr. MOONEY. Starting in Thursday morning there were 91 on each shift except on Saturday, on account of this trouble and the trouble we had and we expected at Youngstown and other places—we asked Chief Prendergast for an additional reserve at the eighth district, and he sent 36 up there on each watch.

Senator LA FOLLETTE. After these police were sent out on Wednesday, where were they fed?

Mr. MOONEY. Well, I issued orders they were not to eat in the plant. They wanted to pay for their meals and I said no, they had to eat outside; and somebody went around and said that if these men fed any more policemen they would blow the restaurants up, so I told the policemen to bring their lunch with them.

Senator LA FOLLETTE. Were they at any time fed in the company cafeteria?

Mr. MOONEY. Not to my knowledge. I issued orders to the platoon commanders and the lieutenants that the men could not eat there and they could not buy their meals there.

Senator LA FOLLETTE. When did you issue those orders?

Mr. MOONEY. Saturday morning.

Senator LA FOLLETTE. Were any of them fed in the cafeteria, to your knowledge, either on Wednesday or Thursday?

Mr. MOONEY. Not to my knowledge.

Senator LA FOLLETTE. Do you know whether they were or not?

Mr. MOONEY. I could not say.

Senator LA FOLLETTE. Prior to Sunday afternoon, May 30, did you receive any information that the strikers intended to demonstrate in front of the plant on Sunday, prior to that?

Mr. MOONEY. I received word Saturday evening that they were going to march into the plant on Sunday.

Senator LA FOLLETTE. Where did you receive that information?

Mr. MOONEY. Where did I get it?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. I got it from three or four different sources.

Senator LA FOLLETTE. Can you tell us some of them, one of them?

Mr. MOONEY. Well, I got it from some newspapermen. They did not give me their names.

Senator LA FOLLETTE. They what?

Mr. MOONEY. They did not give me their names; said they represented some paper.

Senator LA FOLLETTE. Do you know what paper they represented?

Mr. MOONEY. No.

Senator LA FOLLETTE. Had you ever seen them before?

Mr. MOONEY. I talked to them on the telephone. We received news every day that they were going to march on the plant and you could never place much credence in it, but on Saturday I did place some credence in it, and after I received that information I called the lieutenants in charge out there and told them to tell the middle watch that comes on at 4 o'clock to report at 3, and I also told the day men to stay there until I personally relieved them.

Senator THOMAS. What made you feel this report was any more serious than any of the others?

Mr. MOONEY. I was really there only 3 days.

Senator THOMAS. You said you received other reports.

Mr. MOONEY. I received other reports on Saturday. I got it from three or four different sources. I asked Lieutenant Healy what he heard, and he heard that they were going to march on the plant on Sunday.

Senator THOMAS. Don't you know those sources?

Mr. MOONEY. No; I don't know.

Senator THOMAS. Whom did they say they were?

Mr. MOONEY. They said they represented the newspapers.

Senator THOMAS. Newspapermen calling up the police?

Mr. MOONEY. Yes.

Senator THOMAS. Did they ask you questions or try to interview you?

Mr. MOONEY. They asked me what I was going to do about it and I told them I had nothing to say over the phone about anything.

Senator THOMAS. They were probably leading you astray?

Mr. MOONEY. I don't think so; not by later developments, Senator.

Senator THOMAS. Do the newspapermen generally do that?

Mr. MOONEY. As a rule they generally tell us when they expect trouble. There is a pretty good lot of newspapermen in Chicago.

Senator THOMAS. There are a pretty good lot of them everywhere.

Mr. MOONEY. Yes; but in that particular town I know all about it. I was born there.

Senator THOMAS. It was a friendly tip-off, wasn't it?

Mr. MOONEY. As later developments proved.

Senator THOMAS. Did later developments prove that?

Mr. MOONEY. It proved that they were correct; that they intended to march on the plant. That proved out the next day.

Senator THOMAS. What other sources, besides the newspapermen, did you get information from?

Mr. MOONEY. That is all I got.

Senator THOMAS. All three or four telephone calls came from different newspapers?

Mr. MOONEY. Some of them might not have been newspapermen, some might have been others. It was common knowledge among a great many people they were going to march on the plant on Sunday, May 30.

Senator THOMAS. Did you try to find out from any of the men who turned out to be marchers whether they were going to be marchers or not?

Mr. MOONEY. Yes; the State's attorney has a lot of that information. I wish I could bring it here. There is going to be a conspiracy trial over this and the people that advised them to go there and march on the police. We had all that. I wish I could bring it here.

Senator LA FOLLETTE. Did you endeavor to ascertain who any of these informants were when they talked to you over the phone?

Mr. MOONEY. No; after I got that information I was busy trying to take care of it the following day.

Senator LA FOLLETTE. You said some of the information you had gotten was unreliable. Didn't you attempt to find out who the individual was giving you the information as to this incident?

Mr. MOONEY. There isn't any way of finding out over the phone, except getting the wire tapped.

Senator LA FOLLETTE. Did you ask who it was on the other end of the wire?

Mr. MOONEY. Yes; I asked, but I didn't find out.

Senator LA FOLLETTE. What did they say?

Mr. MOONEY. Friend.

Senator LA FOLLETTE. Did they say anything else?

Mr. MOONEY. That is all.

Senator LA FOLLETTE. How do you know they were newspapermen?

Mr. MOONEY. They said they were newspapermen, Senator, at the beginning.

Senator THOMAS. Will you name their paper?

Mr. MOONEY. No.

Senator THOMAS. Just a newspaperman?

Mr. MOONEY. I get that over the phone.

Senator THOMAS. Well, are newspapermen just society's general informants? You say you get it over the phone?

Mr. MOONEY. Yes.

Senator THOMAS. They give you tip-offs about everything?

Mr. MOONEY. No; not always. Sometimes they do.

Senator THOMAS. Very valuable?

Mr. MOONEY. We had a murder case in Chicago, that Franks case, and the newspapermen came in very handy there.

Senator THOMAS. But they did not give their names?

Mr. MOONEY. Sometimes they do. In this case they did not.

Senator THOMAS. After they gave you the information did they then start to questioning you as to what you were going to do about it?

Mr. MOONEY. I did not talk to them any further. I wanted to get the wire to make arrangements for the following day.

Senator THOMAS. Did you thank them?

Mr. MOONEY. I am not much on thanking them. I didn't say much about thanking them.

Senator THOMAS. You didn't say "Thanks, George", or anything like that?

Mr. MOONEY. I was trying to get the wire to call up the plant and make arrangements.

Senator THOMAS. You heard the questions that I put to the other gentleman this morning, didn't you?

Mr. MOONEY. I heard a lot of them, Senator.

Senator THOMAS. I have been trying to find out whether there were any outside influences. Now, your testimony about the newspapermen calling you up affords a sort of cue to the thing I am interested in.

Mr. MOONEY. Just what does the Senator want? Maybe I can explain. I will do the best I can. What is it now, and I will try to explain it.

Senator THOMAS. I want to know of the third parties interested in this affair.

Mr. MOONEY. You mean the Communists, the "Reds", is that the idea?

Senator THOMAS. Yes.

Mr. MOONEY. I have been a policeman 43 years in Chicago. Do you want me to tell my experience with the "Reds" up to date?

Senator THOMAS. I don't want all your experience.

Mr. MOONEY. I had a very serious run-in with the "Reds" in 1933, and I put six of the Communists in the penitentiary. They were charged with chapter 38, section 139, conspiracy to do an illegal act, and that was to assault policemen, and that is a felony in Illinois.

Senator THOMAS. That is felony in most States.

Mr. MOONEY. They went to the penitentiary. It seems to me the "reds" and Communists like to assault policemen.

Senator THOMAS. Do you think they are antipolice?

Mr. MOONEY. Absolutely antipolice and antigovernment. All they are doing in this Government is undermining this Government, and they are sending money over to Russia to do it.

Senator THOMAS. Do you think there is anyone in this disturbance on the 30th that was in Russia's pay?

Mr. MOONEY. I wouldn't be surprised.

Senator THOMAS. Do you think there was?

Mr. MOONEY. I couldn't say that, but I wouldn't be surprised.

Senator THOMAS. Mr. Mills sent in a report of Communists that he had discovered that were arrested. Do you think any of these men are paid by Russia?

Mr. MOONEY. I could not say that. By the way, I saw some Communists there locked up after the riot.

Senator THOMAS. How did you identify them as Communists?

Mr. MOONEY. I seen them around at the demonstrations when they had a parade downtown and we had trouble with them.

Senator THOMAS. Do they parade as Communists?

Mr. MOONEY. They give them a permit in Chicago to have a parade once or twice a year.

Senator THOMAS. There is a regular communistic parade, is there?

Mr. MOONEY. I call them "Reds"; I guess some people do call them Communists.

Senator THOMAS. "Reds"—that is all right, I suppose, if you know what it is.

Mr. MOONEY. I will tell you my definition of a "Red", if you will pardon me. He is here to undermine this Government and assault policemen. I don't know whether that is a good definition or not, but that is what I think. I am an American. My grandparents were born here.

Senator THOMAS. Then you think the disturbance on the 30th was a fight between the police and Communists?

Mr. MOONEY. It was brought on over there by "Red" agitators to march down the police and go into the plant and take these men out of there.

Senator THOMAS. The objective was not to get into the gate?

Mr. MOONEY. Get into the plant.

Senator THOMAS. That was the general objective described by the gentleman this morning, but you have said now the fight was actually a fight between Communists and policemen.

Mr. MOONEY. But in order to get into the plant they would have to get by our lines, but we would not let them in. I told every platoon commander to hold those lines.

Senator THOMAS. But if they had wiped out the policemen part of their objective would have been accomplished?

Mr. MOONEY. Yes; and then the loss of life would have been two or three hundred instead of 10.

Senator THOMAS. I agree with you on that. It would have been more, probably. You think this affair—I called it trouble in the beginning of it and I still think that is a good word, but your colleagues did not think so—that this affair was primarily an affair between the police and those persons who we call Communists and that it was not incident to the industrial troubles?

Mr. MOONEY. It wound up between us and the Communists, but their real object was to get the plant and take these men out of it. It was my place as a sworn police officer and the commanding officer of the policemen there and my duty to find out about it and to prevent it, and if I did not do that I could have been indicted and put in prison. I could not let them get by those lines.

Senator THOMAS. So if they had gotten in and accomplished their purpose, if their purpose was to bring the men out, as Communists what would they have accomplished?

Mr. MOONEY. They would have accomplished killing a lot of people in there.

Senator THOMAS. Do you think all people you call Communists want to kill people, that that is one of their objectives?

Mr. MOONEY. Not all of them, but all that I have met. Maybe there is some I have not met.

Senator THOMAS. Do you think that murder is just inherent in their nature?

Mr. MOONEY. Those that I met it seems that way.

Senator THOMAS. They want to murder more people than just the policemen, then, do they?

Mr. MOONEY. I am a policeman and I don't know what they done to others.

Senator THOMAS. I just can't understand that situation, just the desire to kill, because generally you kill for a purpose. If the fight is just one between Communist and the police, then it is a simple fight and we would know how to legislate against it.

Mr. MOONEY. We represent the law, the uniformed police represent the law of the State of Illinois and the city of Chicago, and that is why the Communists go after the police. I don't think it is anything personal, it is the uniform and the opposition we have. I don't think Communists have anything against us particularly, except that we are policemen.

Senator THOMAS. Do you think Communists are against uniforms?

Mr. MOONEY. I am positive they are. We have a policeman in the fifth district who has his leg fractured and another with a plate in his skull. He is an object of pity—all done by the Communists.

Senator THOMAS. Did they say they were Communists?

Mr. MOONEY. I have the names of six of them. They all went to the penitentiary.

Senator THOMAS. They didn't go to the penitentiary because they were Communists?

Mr. MOONEY. I read the section on conspiracy and doing an illegal act, and the illegal act was assaulting policemen.

Senator THOMAS. There have been people who were not Communists who have assaulted policemen, haven't there?

Mr. MOONEY. Not in large numbers.

Senator THOMAS. Not in large numbers?

Mr. MOONEY. No; not 50, 100, or 300 together. I haven't met them yet. The only ones I have met that would do that, and I have been 43 years at it, are "Reds" or Communists.

Senator THOMAS. In the labor troubles before was it a communistic trouble generally?

Mr. MOONEY. In the labor troubles I have had?

Senator THOMAS. Yes.

Mr. MOONEY. This last trouble where they went to the penitentiary, it was a Communist trouble. They were trying to attack the relief station there at Fiftieth and Vincennes Avenue.

Senator THOMAS. That was under the Government, it was a Government relief station, wasn't it?

Mr. MOONEY. Yes; there was a lot of our policemen hurt that time.

Senator THOMAS. Do you think the same people were in this crowd?

Mr. MOONEY. I wouldn't say they are the same—the same caliber, though.

Senator THOMAS. The same objectives?

Mr. MOONEY. Oh, yes.

Senator THOMAS. Then the objectives of these strikers was just destruction?

Mr. MOONEY. Could I make a recommendation that would clarify the mind of the Senate committee?

Senator THOMAS. Yes, sir.

Mr. MOONEY. Deport every one of those Communists and all of those "Reds" out of the country, and then we will get along, they won't be assaulting policemen and dynamiting buildings, and then we will have a good Nation.

Senator THOMAS. Where would you send them?

Mr. MOONEY. Back to Russia; go over there with Lenin.

Senator THOMAS. Where would you send the Americans?

Mr. MOONEY. I didn't know there were so many Americans Communists.

Senator THOMAS. On this list there are two or three marked American.

Mr. MOONEY. I am quite surprised at it.

Senator THOMAS. You think this movement is a foreign movement, primarily.

Mr. MOONEY. It is a foreign government movement.

Senator THOMAS. You actually think they were paid agents of Russia?

Mr. MOONEY. I would say some of them must be. The reason I think so, down in the fifth district some of those way up in the Communist Party have left for Russia to get further instructions.

Senator THOMAS. Do you know what part of Russia they went to?

Mr. MOONEY. They went to the capital.

Senator THOMAS. Where is that?

Mr. MOONEY. Well, where Lenin is.

[Laughter.]

Senator THOMAS. Do you think that these people got their instructions regarding this strike from someone in Russia?

Mr. MOONEY. Well, it is my belief—of course, I am not always right—you asked me if that is my opinion—yes. I think they are the cause of a lot of unrest in this great country of ours.

Senator THOMAS. You think it all has its origin in Russia?

Mr. MOONEY. A lot of it has; yes.

Senator THOMAS. Is Russia bothered with any unrest?

Mr. MOONEY. I see they shot seven or eight generals over there the other day. I don't know how they are getting along. They have big jobs. I really don't know, Senator.

Senator THOMAS. Then that unrest over there would be due to a difference of opinion, wouldn't it, about something?

Mr. MOONEY. Well, if they act anyway over there like the way they act here I don't know how they have got along as far as they are.

Senator THOMAS. You don't believe in just shooting people, like they did in Russia?

Mr. MOONEY. Unjust shooting of people?

Senator THOMAS. Just shooting people, just because they disagree with the leaders?

Mr. MOONEY. I don't believe in shooting or hurting anybody.

Senator THOMAS. You wouldn't like in this policy which you are suggesting for exportation, you wouldn't like for us to shoot the American citizens and just export the foreigners?

Mr. MOONEY. They do that in Russia. I don't believe they will ever do that in America.

Senator THOMAS. Do they export people in Russia?

Mr. MOONEY. I don't know what they did over there and I will never go there to find out.

Senator THOMAS. Do you know whether people can come out of Russia?

Mr. MOONEY. I could not say.

Senator THOMAS. These Communists likely have not come from Russia that are in America, have they?

Mr. MOONEY. I kind of think the fellows we had years ago that they called Anarchists and I. W. W.'s, they all got into this new movement they have under another name.

Senator THOMAS. What is the new movement?

Mr. MOONEY. The Communists, they call it—Anarchists and I. W. W.'s during the war, and now they are Communists.

Senator THOMAS. You think they are all the same?

Mr. MOONEY. I think they are.

Senator THOMAS. You think the I. W. W. movement out in California was instituted by Russia?

Mr. MOONEY. I don't know that; I don't think so.

Senator THOMAS. Do you know anything about the anti-Chinese movement in California, a little while earlier?

Mr. MOONEY. I never was out there—I don't know.

Senator THOMAS. We have had strikes in other places but Chicago. Do you think the Russians have anything to do with the troubles down in Harlan County?

Mr. MOONEY. Except I would be there I don't know.

Senator THOMAS. You believe that they had something to do with the troubles down there?

Mr. MOONEY. I could not say. I really don't know. I never was there. I gave you my reason for thinking so when I said the ring leaders were over in Russia for further instructions.

Senator THOMAS. Have they come back?

Mr. MOONEY. I was transferred out of the district, and I don't know whether they came back or not, and another thing, I wasn't much interested.

Senator THOMAS. If they do come back what do you think their objective will be? Do you think they may come down and destroy the Senate?

Mr. MOONEY. If they are left alone to run this country long enough, I don't know where they will wind up.

Senator THOMAS. How did they come out at the last election?

Mr. MOONEY. You mean the Communists at last election?

Senator THOMAS. Yes.

Mr. MOONEY. I did not look at it. I didn't know they were on the ticket the last election.

Senator THOMAS. As an orderly process, then, they are not much of a problem for us, are they?

Mr. MOONEY. I think they are a bigger problem than we have ever given a thought to.

Senator THOMAS. Have you any Communist city councilmen in Chicago?

Mr. MOONEY. I am glad to say we have not.

Senator THOMAS. Anyone running for city council on the Communist ticket in Chicago?

Mr. MOONEY. He did, but he didn't get four votes. Nobody bothered with him.

Senator THOMAS. He didn't get any?

Mr. MOONEY. No. Communists are not very strong there. They have about 30 units there in Chicago. I am only making a rough guess. I think probably we have 30,000, including the colored.

Senator THOMAS. There are a lot of colored Communists?

Mr. MOONEY. Oh, yes.

Senator THOMAS. Did they come from Russia?

Mr. MOONEY. No; they got the Communists over there teaching them the ideas.

Senator THOMAS. When communism was spreading itself over China a great number of Chinese went to Russia to school. Have any Negroes from America gone over to Russia to study?

Mr. MOONEY. Yes, sir.

Senator THOMAS. How did they get along there, do you know?

Mr. MOONEY. I never heard.

Senator THOMAS. Have you seen any that have come back?

Mr. MOONEY. No.

Senator THOMAS. Do you know of one that went?

Mr. MOONEY. I did know—just offhand I don't remember the names, but I remember one went.

Senator THOMAS. Did they put his picture in the paper that he was going to Russia to study communism?

Mr. MOONEY. I don't take the Daily Worker and I don't know.

Senator THOMAS. But in the regular paper that would be a news item, "American Negro leaves for Russia to study communism"—that would be worthy of news, wouldn't it?

Mr. MOONEY. I don't remember of seeing it in the paper.

Senator THOMAS. Have you any definite information which this committee could use in studying the communist peril, if it is a peril to this country?

Mr. MOONEY. When I go back I will try to get this committee all the information I have on it.¹

Senator THOMAS. We would like to have it, but we would like something definite.

Mr. MOONEY. I will get it for you.

Senator THOMAS. You see we have not even been able to get a definition yet of a Communist. You have come pretty close to it. A Communist, according to your idea, is a man who is against the Government and against policemen. That is a pretty good definition, a little bit better than most of the definitions we have had, but still it would not hold, because all the people that are against government and all the people that are against policemen could not be classified as Communists, could they?

Mr. MOONEY. Not all, no; but, Senator, where they come three or four hundred together or more and assault policemen collectively, the only ones I know that would do that are Communists or "Reds."

Senator THOMAS. Have any policemen been attacked while they were alone in Chicago by groups of men? Is there a raid on policemen?

Mr. MOONEY. They don't get very far there with raids on policemen, Senator.

Senator THOMAS. Have any policemen been hurt on their beats by people that you would identify as Communists?

Mr. MOONEY. No; no. The only trouble we have is in mass formation or trouble like a relief station, or if there is ever a strike, even if the Communists are not interested, they show up and help.

Senator THOMAS. If they were actually against policemen they would try to pick them off one at a time?

Mr. MOONEY. That would be serious to do that.

Senator THOMAS. In other words, they haven't the nerve to do that?

Mr. MOONEY. I wouldn't say what it is, but it is very serious if you do that.

Senator THOMAS. I should think it would be serious.

Mr. MOONEY. Yes; it is.

Senator THOMAS. But you haven't any evidence of their feeling that much hate against policemen that they would do that?

(No response.)

Senator THOMAS. Do the policemen hate the Communists?

¹ This information had not been provided at the time of going to press.

Mr. MOONEY. I don't know whether they hate them or not. I don't think they are crazy about them. [Laughter.]

Senator THOMAS. Do they have any more trouble in arresting Communists than any other lawbreakers?

Mr. MOONEY. They resist every time we have trouble in mass formation. They do put up a battle, and that is why our policemen become injured. In this particular station, the fifth district, one man is walking around with a plate in his head, another one with a cane, and they are put on light duty, and then they are through. We pay them their salary, but they can't do anything. It is really pitiful. Since these six went to the penitentiary in 1933 it stopped that down there in that particular district.

Senator THOMAS. You absolutely think it was good to send them?

Mr. MOONEY. I think the penitentiary stopped them; yes, sir.

Senator THOMAS. They were in the penitentiary when this 30th of May incident took place?

Mr. MOONEY. No. Let me tell you they did not stay in the penitentiary; they got out on a writ of supersedeas, and the appellate court reversed the decision on the ground that the trial judge made some improper remarks. Then they pleaded guilty, after about 5 months in the penitentiary, and they got 30 days in jail.

Senator THOMAS. Were any of these men that have penitentiary sentences facing them now in the strike group the other day?

Mr. MOONEY. I didn't see any, Senator.

Senator THOMAS. You think they were there?

Mr. MOONEY. I could not say. I did not see them.

Senator THOMAS. If there is a big Communist movement and they were actual Communists, they probably would be there, wouldn't they?

Mr. MOONEY. Well, I didn't see them, Senator, I don't know whether they were there or not.

Senator LA FOLLETTE. Captain, after you received this information that there was trouble impending on Sunday, did you communicate that information to Commissioner Allman?

Mr. MOONEY. On the following Sunday, or Saturday night, you mean, Senator?

Senator LA FOLLETTE. Yes; when you heard on Saturday night from these newspapermen or people who said over the phone they were newspapermen, did you communicate that to Commissioner Allman?

Mr. MOONEY. I tried to get him on the phone and could not. The following morning—

Senator LA FOLLETTE (interrupting). Just a minute—did you communicate with Captain Prendergast?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Did you discuss with Captain Prendergast the police measures that should be taken in anticipation of this trouble?

Mr. MOONEY. I told him what I already did in the matter. I just told you what I did about getting the middle watch to come out at quarter of 3, holding the day men and ordering the reserves of South Chicago down there.

Senator LA FOLLETTE. You thought you had enough men ordered to duty to handle the situation?

Mr. MOONEY. I did; yes, sir.

Senator LA FOLLETTE. And did Captain Prendergast agree with you that you had enough men there when you told him what you had done?

Mr. MOONEY. He asked me two or three times if I had enough men and I said I thought I had enough to handle it.

Senator LA FOLLETTE. Did you disclose this information you received on Saturday from these alleged newspapermen, over the phone, to any other official?

Mr. MOONEY. No; I could not because I do not know yet who they are.

Senator LA FOLLETTE. But I mean did you take up the information that you received with anyone else.

Mr. MOONEY. Officially, you mean?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. Not officially; no.

Senator LA FOLLETTE. Did you discuss it with United States Attorney Igoe?

Mr. MOONEY. The United States district attorney is a friend of mine and a neighbor of mine, and I walked over there Sunday afternoon and I said, "I am afraid they are going to march on the plant and I am sorry for it; I am afraid we are going to have trouble. I wish there was somebody who could tell them 'Reds' not to do it."

Senator LA FOLLETTE. I offer for the record a letter under date of June 29, 1937, addressed to myself and signed "Michael L. Igoe, United States attorney [reading]:

MY DEAR SENATOR LA FOLLETTE: In accordance with conversation had with Mr. Robert Sher, of your committee, I am writing to report of a meeting I had with Capt. James Mooney of the Chicago police force on May 30 last.

Captain Mooney came to my home on the afternoon of that day and reported to me that he had been endeavoring to make a contact with some authority which might prevail upon the strikers in the South Chicago area to refrain from marching in mass formation to the premises of the Republic Steel Co. He told me he had been on duty in the strike area, knew the temper of the people of that district and was fearful of what might occur in the event a large group of strikers and their sympathizers were to move toward the property of the steel company. I told him I was without power in my official capacity to prevent the gathering of persons at the point mentioned and expressed the hope that no physical violence would occur. I did not see Captain Mooney thereafter until late in the evening of the same day when he and I were both present at a conference called by Governor Horner of this State.

I might add further, that I presume the reason Captain Mooney called upon me was because he is and has been my close neighbor and friend for a great number of years.

Yours very truly,

MICHAEL L. IGOE,
United States Attorney.

(The document was marked "Exhibit 1340.")

Senator LA FOLLETTE. Does that represent the substance of the conversation, as you recall it?

Mr. MOONEY. Senator, that is correct.

Senator LA FOLLETTE. And at what time on Sunday did you arrive at the Republic Steel plant?

Mr. MOONEY. I got there about 1 o'clock—let's see, wait, I want to get that right. I got there about 2 o'clock, about 2 p. m. Sunday.

Senator LA FOLLETTE. What was the situation at the time of your arrival there?

Mr. MOONEY. Things were very quiet.

Senator LA FOLLETTE. Had you already issued instructions concerning the 4 o'clock shift and the 8 o'clock shift before you got on the ground?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. How many men in all were there when you got there, how many policemen?

Mr. MOONEY. The middle watch had not arrived, of course, at a quarter of 3, but after a quarter to 3 we had approximately 300 policemen there.

Senator LA FOLLETTE. Did you give any instructions to the men or to officers who were subordinate to you concerning the anticipated trouble?

Mr. MOONEY. I called the captains, that is Captain Kilroy of the ninth district and the platoon commanders, that is, lieutenants, and I told them I expected a march on the plant and I expected every man to do his duty and hold that line, that they were not going into that plant. I told the lieutenants they were responsible for every man in the platoon, and I also told Sergeant Lyons to deploy over on the left so they could not get through that railroad gate.

Senator LA FOLLETTE. How many men would he have at that point?

Mr. MOONEY. You mean Sergeant Lyons?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. He had a platoon; 32 men.

Senator LA FOLLETTE. Did you give any other instructions?

Mr. MOONEY. I told Captain Kilroy we expect trouble there, that we may get them to turn back. I said, "What I want to do, we don't want anybody hurt, we will try to talk to them; maybe we can turn them around, but," I said, "I want everybody to hold their head, not use revolvers unless they have to, and when they show up you talk to them and I will talk to them and see what we can do."

Senator LA FOLLETTE. Then you did issue instructions that they were to use firearms only in a situation in order to defend themselves, is that correct?

Mr. MOONEY. That is correct, Senator.

Senator LA FOLLETTE. What kind of arms did the policemen carry on this day?

Mr. MOONEY. They all carried the regulation revolver. It calls for a .38 Smith & Wesson or a Colt, 4-inch barrel.

Senator LA FOLLETTE. Is that what is commonly known as a police special?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. What else were they armed with?

Mr. MOONEY. They were armed with a club.

Senator LA FOLLETTE. With the usual club?

Mr. MOONEY. They call them night-sticks or clubs.

Senator LA FOLLETTE. Was there any gas equipment there?

Mr. MOONEY. There was gas equipment there Friday night, in what we call the temporary police headquarters.

Senator LA FOLLETTE. That was in this little house inside the gate?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. How much gas was there, do you know, Captain?

Mr. MOONEY. The detective division brought out the gas and I did not ask them how much was there, but it was piled kind of high in what they call tin boxes.

Senator LA FOLLETTE. Was this gas out at the place where the police were deployed on that day, do you know?

Mr. MOONEY. I sent for the gas that day.

Senator LA FOLLETTE. And it arrived there before the—

Mr. MOONEY (interrupting). I sent a squad car for it.

Senator LA FOLLETTE. It arrived there before the crowd came?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. And what disposition was made of it, if any?

Mr. MOONEY. You mean when we used it?

Senator LA FOLLETTE. I mean after it arrived from the squad car.

Mr. MOONEY. It was in the squad car.

Senator LA FOLLETTE. It remained in the squad car?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. None of it was distributed to any of the officers?

Mr. MOONEY. No, sir.

Senator LA FOLLETTE. Were the unused portions of this gas returned to the detective bureau afterward, do you know?

Mr. MOONEY. I don't know where the gas came from, Senator. I don't know what gas they used, in the excitement of it or in the hurry. I sent patrolmen in there with a squad car to pick up the gas.

Senator LA FOLLETTE. From the temporary headquarters?

Mr. MOONEY. The police headquarters.

Senator LA FOLLETTE. Temporary?

Mr. MOONEY. Kind of shed, where we had a telephone.

Senator LA FOLLETTE. And you understood that gas had been brought out by a detective squad?

Mr. MOONEY. I presumed it was; yes.

Senator LA FOLLETTE. And did you make that presumption because ordinarily uniformed men do not have gas equipment; is that the reason?

Mr. MOONEY. Some squad cars have gas equipment, but the detectives are the ones that are better equipped to use it, because they are instructed.

Senator LA FOLLETTE. They are trained in the use of gas?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Do you know whether any of the squad cars that were there on Sunday had any gas equipment, aside from this that you sent for to the police headquarters?

Mr. MOONEY. I could not say.

Senator LA FOLLETTE. You wouldn't know?

Mr. MOONEY. I told you, Senator, I didn't see any detective bureau squad cars there.

Senator LA FOLLETTE. Were there members of the detective bureau there on that day?

Mr. MOONEY. If they were, I did not see them.

Senator THOMAS. Whose gas was this?

Mr. MOONEY. I don't know. It may have been city gas or it may have been gas that was in the steel mill. I could not say. I don't know what gas we used.

Senator THOMAS. You mean that the policemen might have used gas that was furnished to them by the steel mill?

Mr. MOONEY. They might have picked up gas there. I don't know what gas they really used. If there was only one gas there, and that was the steel company's gas I would have used it anyhow. I would have used anything to stop that parade, that mob that tried to go through us.

Senator LA FOLLETTE. Prior to the time when this demonstration took place did the strikers have any meeting in this immediate vicinity that you know of?

Mr. MOONEY. They were up at Sam's Place that morning.

Senator LA FOLLETTE. That is that place away up on the righthand corner of the chart?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. How far is that, approximately, from the corner of Burley and East One Hundred and Seventeenth Street?

Mr. MOONEY. About four blocks—five blocks from One Hundred and Eighteenth to One Hundred and Fourteenth and Green Bay Avenue.

Senator LA FOLLETTE. Did you receive any reports from this meeting they had at Sam's Place on Sunday?

Mr. MOONEY. Before the riot?

Senator LA FOLLETTE. Yes, sir.

Mr. MOONEY. No, sir.

Senator LA FOLLETTE. You say you got there, if I remember, around 2 o'clock?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Had you any information after you got on the ground that there was any group forming anywhere in the area?

Mr. MOONEY. I passed that place about 2 o'clock.

Senator LA FOLLETTE. On your way out?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Was there a group there then?

Mr. MOONEY. There looked to be about 1,500 there.

Senator LA FOLLETTE. Will you please help us, Captain, to get a picture of this situation by describing on this chart [indicating exhibit 1327] as best you can just how you dispersed and deployed the men in anticipation of this difficulty?

Mr. MOONEY. Let us start right over here at the entrance to the plant where it says, "Entrance to the plant." There is where the men were when I told Captain Kilroy to fall in the company, four platoons. He fell them in in single formation, and marched out there down Burley Avenue over east on One Hundred and Seventeenth Street. There is where I gave the command to throw them in what we call company front.

Senator LA FOLLETTE. That is a single line of men?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. How close were they standing together?

Mr. MOONEY. Regulation distance—three paces, and the regulation distance from man to man is this way. I gave the command to rest, and I again called the platoon commander—

Senator LA FOLLETTE (interrupting). Just a moment—would you tell us how much territory they covered on East One Hundred and Seventeenth Street in company front formation, approximately?

Mr. MOONEY. About 160 feet.

Senator LA FOLLETTE. From the corner of South Burley Avenue, 160 feet east?

Mr. MOONEY. Yes; that is about right; 160 feet, about.

Senator LA FOLLETTE. There seems to be a building or a house there. Did they cover all the ground between that black mark there around to the corner?

Mr. MOONEY. Right up to about that.

Senator LA FOLLETTE. All right, sir; that is the way they were situated?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. I think you said after you got them in company front formation you called in the—

Mr. MOONEY (interrupting). I called the platoon commanders, and we could see them starting to march from Sam's Place.

Senator LA FOLLETTE. Was it then that you issued these instructions you have testified about?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Now, a detail of about 32 men was told off under Sergeant—

Mr. MOONEY. Sergeant Lyons was sent over to the left, right in there [indicating].

Senator LA FOLLETTE. And that was, as I understood you to say, a portion of the property not protected by a fence?

Mr. MOONEY. It is a railroad gate that can be opened and closed.

Senator LA FOLLETTE. I see—it is another gate and a fence.

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. How were those men distributed, or could you see from where you were?

Mr. MOONEY. I saw they were in what we call skirmish formation.

Senator LA FOLLETTE. Separated a little bit from each other?

Mr. MOONEY. About 2 feet apart.

Senator LA FOLLETTE. How much ground did they cover?

Mr. MOONEY. They covered 60 feet.

Senator LA FOLLETTE. How far, approximately, is it from the place where the main body of the police were located on East One Hundred and Seventeenth Street and the plant gate; that is, the entrance down here where you marched from?

Mr. MOONEY. About a block and a half.

Senator LA FOLLETTE. Is there an 8- or 10-foot tight-board fence, topped with strands of barbed wire, that runs along the east side of the plant?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. And there are two gates in that, if I understand it—one the railroad gate to the north that the sergeant was looking after, and this gate down here marked "Entrance to the plant"?

Mr. MOONEY. That is the main gate.

Senator LA FOLLETTE. And those are the only two breaks in the fence?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Do you know whether the Republic Steel Corporation had any of its own guards on duty on Sunday inside the plant?

Mr. MOONEY. I don't know, but I presume they had. There is no doubt they had, and they do have them there every day, and I don't think they are excused on Sunday.

Senator LA FOLLETTE. At any time when you were out there did you happen to learn how many they had ordinarily?

Mr. MOONEY. I inquired and I heard 21, and then again 30, and which is correct, I don't know.

Senator LA FOLLETTE. Did you learn whether or not they were armed?

Mr. MOONEY. I saw pistols outside of their belts.

Senator LA FOLLETTE. Do you know whether, in addition to the regular company guards, any of the regular employees of the company were armed with anything?

Mr. MOONEY. I could not say; I don't know.

Senator LA FOLLETTE. Did you learn whether there were any men armed with pickax handles?

Mr. MOONEY. Inside the plant?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. I didn't see any, Senator.

Senator LA FOLLETTE. Where were the company guards stationed at this time?

Mr. MOONEY. What I saw of the company guards was right around the front gate inside. They open the gates when cars come in.

Senator LA FOLLETTE. They were mostly at the entrance gate?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Did you see any up at the railroad gate?

Mr. MOONEY. They might have been there but I didn't see them.

Senator LA FOLLETTE. Now, you say after the men had deployed, as you have located them for us on the chart, you say you saw the strikers begin to march from Sam's Place, that place way up there on the right-hand side of the chart. Now, will you describe for us the line of march which the strikers followed?

Mr. MOONEY. They came down this street here, now.

Senator LA FOLLETTE. That is South Green Bay Avenue?

Mr. MOONEY. Yes; and then they zigzagged over to the left.

Senator LA FOLLETTE. Toward the dirt road?

Mr. MOONEY. Over here; yes; and over to the left they zigzagged again; then they went back over about 100 feet and then again over there and then about there—about 200 of them started for this railroad gate, and then Sergeant Lyons—they saw him there and they turned back and joined the main column again. There were various ways of them coming in on this road. The reason they zigzagged, they wanted to come in where the police were not, so finally they decided to come in on One Hundred and Sixteenth and Burley. When I saw them coming I ordered Lieutenant Ryan to stop them, and we went up there with the balance.

Senator LA FOLLETTE. Where did Lieutenant Ryan go?

Mr. MOONEY. He stopped them right there at One Hundred and Sixteenth and Burley.

Senator LA FOLLETTE. Right at the corner of this line of houses there?

Mr. MOONEY. That's about right; yes.

Senator LA FOLLETTE. And then you moved up the rest of the police?

Mr. MOONEY. I moved them up there; yes, sir.

Senator LA FOLLETTE. And did they move up abreast?

Mr. MOONEY. The police department?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. We moved right up company front.

Senator LA FOLLETTE. So, then, you made contact with Lieutenant Ryan at One Hundred and Sixteenth Street?

Mr. MOONEY. We fell in on his left.

Senator LA FOLLETTE. Now, then, will you please describe to us, Captain, where the company front of the main line went in relation to One Hundred and Sixteenth Street? Was it all east of there?

Mr. MOONEY. We were all over here, all east of there.

Senator LA FOLLETTE. To the right?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. And it covered, then, approximately the same amount of territory, of course?

Mr. MOONEY. About the same.

Senator LA FOLLETTE. Now, were a number of Lieutenant Ryan's men west of the road?

Mr. MOONEY. I think a number of his men were west of the road and then Sergeant Burke came in there with the reserve. He was also west of the road.

Senator LA FOLLETTE. So you then had a fairly unbroken line from the railroad tracks right east across the road?

Mr. MOONEY. Fairly; yes.

Senator LA FOLLETTE. Up to the fence?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. And then were some of your men east of the fence, the place right there that he is pointing to now?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Now, when you had come up to this One Hundred and Sixteenth Street point, where were you standing, I mean in relation to the road?

Mr. MOONEY. When I came up to the last place there, east of the line, I said to Captain Kilroy, "Go to the mob and talk to them and ask them in the name of the people of the State of Illinois to disperse quietly."

Senator LA FOLLETTE. As I understand you, you personally were standing off here to the extreme right?

Mr. MOONEY. Extreme right; yes, sir.

Senator LA FOLLETTE. So you would have been about opposite this black mark on the map [indicating]. Were you about out there?

Mr. MOONEY. I was over a little further that way [indicating], about there.

Senator LA FOLLETTE. About there [indicating]?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Were you then on the extreme right?

Mr. MOONEY. I was on the extreme right; yes, sir.

Senator LA FOLLETTE. Well, then, the police must have been in closer formation than they were when they were down on East One

Hundred and Seventeenth Street, because they did not cover as much territory then as they covered before?

Mr. MOONEY. The same distance.

Senator LA FOLLETTE. As I understood you, when they first formed on East One Hundred and Seventeenth Street they came out about as far as that house there [indicating]?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Now, then, I understood you to say that when they got up to One Hundred and Sixteenth Street you were just a little bit to the right of that fence.

Mr. MOONEY. There may be a few feet difference in there, but it is about in there. I did not just measure how many feet, Senator. They were lined up in front, however.

Senator LA FOLLETTE. You said you told Captain Kilroy to go over and talk to the men.

Mr. MOONEY. On the left.

Senator LA FOLLETTE. On the left?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. They were bunched up there then, were they not?

Mr. MOONEY. Yes, sir; and I talked to them on the right.

Senator LA FOLLETTE. Then am I to understand that after Lieutenant Ryan stopped the march at One Hundred and Sixteenth Street that the strikers spread out over the field?

Mr. MOONEY. They did spread out, Senator; yes, sir.

Senator LA FOLLETTE. Was there a whole line of marchers and a whole line of police all in contact?

Mr. MOONEY. Yes; there were about 2,000 of those.

Senator LA FOLLETTE. Were they spread out?

Mr. MOONEY. They were spread out.

Senator LA FOLLETTE. So that practically every member of the police force had some group of strikers directly in front of him?

Mr. MOONEY. Yes. We spread out, too.

Senator LA FOLLETTE. Were there any strikers immediately in front of you when you were standing there?

Mr. MOONEY. Yes; there were.

Senator LA FOLLETTE. Now, Captain Kilroy went over to One Hundred and Sixteenth Street where those houses are?

Mr. MOONEY. Well, I did not watch him exactly where he went. He went over to the left of the police.

Senator LA FOLLETTE. Now, as I understand it from looking at some of these newspaper pictures that were taken, there were two flags being carried by these marchers, is that right?

Mr. MOONEY. I see the flags in the picture.

Senator LA FOLLETTE. Where were you in relation to the people that were carrying the flags?

Mr. MOONEY. I was at the right of them.

Senator LA FOLLETTE. How far?

Mr. MOONEY. I could not say. Maybe 25, 30, 40 feet.

Senator THOMAS. That is at the right of them in the picture?

Mr. MOONEY. Yes.

Senator THOMAS. Of your right?

Mr. MOONEY. No; the flag was on my left.

Senator THOMAS. The flag was on your left?

Mr. MOONEY. Yes, sir.

Senator THOMAS. And you were on the right?

Mr. MOONEY. Yes, sir.

Senator THOMAS. I see.

Senator LA FOLLETTE. Now, how many patrol wagons were out there that day at this time?

Mr. MOONEY. We had either four or five, I could not say. I could look up the records, and get that, though.

Senator LA FOLLETTE. Where were they located?

Mr. MOONEY. We had them on One Hundred and Seventeenth Street, and I brought a couple of them up there right back of us.

Senator LA FOLLETTE. There [indicating]?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Now, will you state, to the best of your recollection, exactly what happened from this point on?

Mr. MOONEY. When they got up on the line I told Captain Kilroy to talk to them on the left, and I stepped up and I said to them, "In the name of the people of the State of Illinois I demand you disperse peacefully and quietly."

Senator LA FOLLETTE. Had you had any discussion with any of these marchers before then?

Mr. MOONEY. No, sir. The only reply I got was a young man there who looked to be about 35 years old, he says, "I will put this"—he had a big club with a meat hook on it—he said, "I will put that through your skull." I looked over to the left and I saw a fellow who looked like a Mexican spit in Lieutenant Ryan's face.

Senator LA FOLLETTE. How far away was he?

Mr. MOONEY. Seventy-five feet, seventy feet. Then we got a barrage of bricks, all kinds of missiles, and I told Lieutenant Moran to throw the gas bombs, so he threw them.

Senator LA FOLLETTE. Where was he standing?

Mr. MOONEY. He was standing 5 feet from me.

Senator LA FOLLETTE. He had the gas with him?

Mr. MOONEY. I gave the order to the lieutenant and he ordered a patrolman to do it.

Senator LA FOLLETTE. Did you see him throw the gas?

Mr. MOONEY. Yes; I saw him, yes.

Senator LA FOLLETTE. Now, can you tell us approximately how much time elapsed, Captain, between the time that contact was made, so to speak, between the police line and these marchers and that the gas was thrown?

Mr. MOONEY. Maybe 4 minutes, maybe 3 minutes.

Senator LA FOLLETTE. And during that period, if I understand you correctly, you had no conversation or discussion with any of these marchers except your statement to them that you demanded that they disperse in the name of the people of Illinois, and the statement of this man with the meat hook on the end of the club, that he would shove it through your skull, is that correct?

Mr. MOONEY. That is correct. Then I heard from the back, "What is holding us up? Why can't we kick the finks out? Are we going to let these coppers stop us from getting in there?" They acted like wild people. I never saw such people in all the years of my experience. They acted out of their heads, completely wild.

Senator LA FOLLETTE. Did they say anything else?

Mr. MOONEY. They used all kinds of bad language. You do not want me to repeat that.

Senator LA FOLLETTE. Profanity?

Mr. MOONEY. The most profane words I ever heard.

Senator LA FOLLETTE. And directed particularly against the police officers?

Mr. MOONEY. Yes. The profanity was terrible. Of course, we are used to that, but I never heard anything worse than I heard that day. They acted as though they were out of their heads.

Senator LA FOLLETTE. Now, then, go on with the events. You ordered the gas thrown?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. And it was thrown?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. As I understand you, to the best of your recollection about 3 or 4 minutes had gone by prior to your issuing the order to throw the gas?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. After you contacted the marchers?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Now, how much gas was thrown, do you know?

Mr. MOONEY. Seven or eight bombs. I am not so positive about that.

Senator LA FOLLETTE. Seven or eight?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. They were thrown simultaneously?

Mr. MOONEY. Yes; as fast as they could throw them.

Senator LA FOLLETTE. Did more than one patrolman throw them?

Mr. MOONEY. One patrolman. As I understand it from Lieutenant Ryan, one patrolman used the gas.

Senator LA FOLLETTE. Do you know whether gas was thrown at any other point along the police line at this time?

Mr. MOONEY. No; I do not. Not to my knowledge, there was not.

Senator LA FOLLETTE. Do you remember which direction the wind was blowing?

Mr. MOONEY. It was blowing in their direction.

Senator LA FOLLETTE. Blowing toward them?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. And away from you?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Was it much of a wind, a breeze?

Mr. MOONEY. Well, it was just enough to take.

Senator LA FOLLETTE. To drift the gas?

Mr. MOONEY. To drift the gas; yes.

Senator LA FOLLETTE. Did you observe whether there were any women in the crowd?

Mr. MOONEY. I saw a few; not very many.

Senator LA FOLLETTE. Did you observe whether there were any children in the crowd?

Mr. MOONEY. Senator, I did not see any children. There may have been some, but what I was looking at, they were all grown men.

Senator LA FOLLETTE. How many women would you say you saw personally?

Mr. MOONEY. Well, I saw three or four.

Senator LA FOLLETTE. Three or four?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Now, as I understood you to say, after you had ordered them to disperse you said that missiles began to fly from the crowd?

Mr. MOONEY. That is correct.

Senator LA FOLLETTE. Bricks, and what else? Stones?

Mr. MOONEY. Stones, part of automobiles, nuts; I never saw so many different kinds of weapons. By the way, Senator, we have some of them here.

Senator LA FOLLETTE. We want those before we finish.

Mr. MOONEY. I would like to take them back after this is over. It is part of our case in the criminal court.

Senator LA FOLLETTE. We will not interfere with them any. Now, prior to the time that you gave the order to throw the gas, was there any massed or concerted movement that you saw to break the police line or to try to get through it?

Mr. MOONEY. Right after that they came forward.

Senator LA FOLLETTE. After the gas was thrown?

Mr. MOONEY. Yes; and the bricks; they came forward. Our platoon commanders went right at them. Then I could not see for the gas. We cleared the field in 10 minutes.

Senator THOMAS. You mean your platoon commanders went right through the gas?

Mr. MOONEY. Right through; yes, sir. They re-formed again after we cleared the field and I brought two platoons up there.

Senator LA FOLLETTE. Let us go along a step at a time or we will get confused.

Mr. MOONEY. All right.

Senator LA FOLLETTE. Now then, Captain, did you hear any shots fired?

Mr. MOONEY. I did.

Senator LA FOLLETTE. When were they fired?

Mr. MOONEY. Right about the time the first barrage of bricks came.

Senator LA FOLLETTE. And that was before or after the gas had been thrown?

Mr. MOONEY. It was right after the gas.

Senator LA FOLLETTE. Right after the gas?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. And was there much shooting or little?

Mr. MOONEY. Well, I heard two or three shots.

Senator LA FOLLETTE. Two or three shots?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. And that is all you heard?

Mr. MOONEY. Right at that time. Then in a few seconds I heard maybe 15 or 20 shots, but you could not see with the gas. We advanced then. I advanced across the field. I ordered the platoon commanders to clear the field and advance, which they did; and as I was advancing—do you want me to go along now?

Senator LA FOLLETTE. Just a minute. As I understood you, you heard two or three shots fired.

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. And that was fired to—or after the gas was thrown?

Mr. MOONEY. After the gas.

Senator LA FOLLETTE. Immediately after the gas?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. You heard two or three shots fired?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Did you, or could you, see where those first two or three shots came from?

Mr. MOONEY. I do not know, Senator, where they came from.

Senator LA FOLLETTE. You could not tell from your own knowledge whether they came from the police or from the crowd?

Mr. MOONEY. I cannot tell. No, sir; I do not know.

Senator LA FOLLETTE. Now, then, you say after these two or three shots were fired there was a barrage of bricks, stone and other missiles thrown from the crowd, is that right?

Mr. MOONEY. It came at intervals. There was a policeman by the name of McManus down along side of me.

Senator LA FOLLETTE. I mean in relation to these first two or three shots.

Mr. MOONEY. Yes.

Senator LA FOLLETTE. The barrage of missiles came immediately after those, if I follow you correctly?

Mr. MOONEY. That is right.

Senator LA FOLLETTE. Then you heard 15 or 20 shots?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Did you hear any other shooting after that?

Mr. MOONEY. I heard some shooting after that; yes.

Senator LA FOLLETTE. When?

Mr. MOONEY. Oh, maybe 2 or 3 minutes later.

Senator LA FOLLETTE. Now, what did you hear then? How many shots would you say?

Mr. MOONEY. Well, some of our patrolmen fired in the air to stop the barrage of bricks.

Senator LA FOLLETTE. How many shots would you say?

Mr. MOONEY. Oh, I heard 25 or 30 shots.

Senator LA FOLLETTE. So that altogether you heard approximately 50 shots?

Mr. MOONEY. Yes, I did.

Senator LA FOLLETTE. In the whole encounter?

Mr. MOONEY. About that; yes.

Senator LA FOLLETTE. Now, in your immediate vicinity, and where you could see, did you see any of the officers shooting? By "officers" I mean patrolmen or anybody in uniform.

Mr. MOONEY. Yes; I saw them shooting in the air.

Senator LA FOLLETTE. You saw them shooting in the air?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Did you see any of them shooting as if they seemed to be shooting at somebody?

Mr. MOONEY. No; I did not see them shoot at anybody. I did not see any of our patrolmen on the ground, except two, when I was going through.

Senator LA FOLLETTE. That is, when you were advancing?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. So that so far as you observed you saw no police officers or patrolmen shooting excepting in the air?

Mr. MOONEY. That is correct, Senator.

Senator LA FOLLETTE. And that was during or immediately after the first barrage of missiles from the crowd?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Is that correct?

Mr. MOONEY. That is correct, Senator.

Senator LA FOLLETTE. Now, then, you heard these three shots, these missiles came from the crowd, there were 15 or 20 more shots, and then you ordered the line to advance and clear the field, is that right?

Mr. MOONEY. I did; yes, sir.

Senator LA FOLLETTE. Now, tell us what happened after that.

Mr. MOONEY. Well, we went through the field, and on the way through I saw a lot of people laying down, maybe 25, maybe 30, but we did not stop, we kept on going until we got about 300 feet, and they had re-formed.

Senator LA FOLLETTE. Tell us as best you can on this chart approximately where they tried to re-form.

Mr. MOONEY. Well, I will put it about there [indicating], over this way a little.

Senator LA FOLLETTE. And how did they re-form? Another line straight across the prairie?

Mr. MOONEY. Yes, sir; and they were throwing rocks at the police department. So I got two platoons and went up there, and we stood there, and I looked back of them—I was going over there to lock them up, that is what I was going to do, but I saw a lot of women and children, and I figured, "Well, we will see what they will do." So we stood there about 5 minutes and they went back.

Senator LA FOLLETTE. And that was the end of the incident, so far as any clash between the marchers and the police on Memorial Day is concerned?

Mr. MOONEY. That was the end.

Senator LA FOLLETTE. Now, may I ask you one other question, Captain? When you gave the order to advance and clear the field, what were the marchers doing then? Were they already in retreat?

Mr. MOONEY. No, no. A lot of my platoon commanders, they were already in action before I gave them the order.

Senator LA FOLLETTE. I mean when this was going on and you were clearing the field were the marchers retreating, or were they resisting the clearing of the field?

Mr. MOONEY. In about 6 minutes they were all running toward Sam's Place, with the exception of those that re-formed, about 300 of them.

Senator LA FOLLETTE. As I understood you, when you took the two platoons up there where they re-formed no further shooting or casualties resulted, so far as you know, at that encounter?

Mr. MOONEY. No.

Senator LA FOLLETTE. You stood there and you saw behind them women and children, and you say they threw rocks and stones?

Mr. MOONEY. Oh, yes.

Senator LA FOLLETTE. How long did that go on after you got up there?

Mr. MOONEY. Fully 3 minutes; 4 minutes.

Senator LA FOLLETTE. Then what happened? They turned and walked away?

Mr. MOONEY. They turned and walked away. They were blaspheming us. I told the officers not to pay attention. I never told them to go up there after that.

Senator LA FOLLETTE. Now, coming back to the situation at East One Hundred and Sixteenth Street, when you heard these first two or three shots did you at any time give any order to the men to use their weapons or to shoot?

Mr. MOONEY. No, Senator. If I gave the order to those men to shoot there would have been 200 shot.

Senator LA FOLLETTE. I am just trying to get the facts.

Mr. MOONEY. I am trying to help you. If any commanding officer gave an order to the platoon to shoot there would have been 100 shot. These policemen that were on the ground—we have statements, the State's attorney has them—they shot to protect themselves. If anyone had me on the ground, standing over me with some of the clubs and rocks that I will show you, I would have done the same as the patrolmen did.

Senator LA FOLLETTE. Therefore, as I understand it, so far as your actual observation of the crowd that day is concerned, you saw no police shooting excepting in the air; is that correct?

Mr. MOONEY. I was not over there where they were on the ground, Senator.

Senator LA FOLLETTE. I did not ask that. I am asking for what you saw yourself.

Mr. MOONEY. All I saw was the shooting in the air, trying to stop the barrage of bricks, iron, and other stuff that they had.

Senator LA FOLLETTE. It is your information, and I understand it to be your best judgment, that the shooting that was done by the police, excepting in the air, where they were actually shooting at people was being done by policemen who were on the ground?

Mr. MOONEY. Defending their lives; yes, sir.

Senator LA FOLLETTE. Defending their lives?

Mr. MOONEY. Defending their lives; yes, sir.

Senator LA FOLLETTE. Now, I want to ask you one other question for the record. Is it your judgment, after long experience as a police officer, that the police on this day used only so much force and weapons, including gas and guns and clubs, as was absolutely necessary to turn back those marchers and to prevent them from crashing the police lines and taking their objective?

Mr. MOONEY. That is the true story; honest, Senator. You just said it right there. I could not add anything to it, or detract anything from it, from what you just said.

Senator LA FOLLETTE. That is your position?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Now, I offer for the record a newspaper photograph, marked with the letter "J", taken on May 30.

(The picture was marked "Exhibit 1341" and is reproduced in the appendix on p. 5132.)

Senator LA FOLLETTE. Now, will you look at that photograph, please, Captain?

(The photograph was handed to Mr. Mooney.)
Senator LA FOLLETTE. After studying it for a moment, would you say that that picture was taken some moments after the outbreak of the encounter?

Mr. MOONEY. It looks to me as though it was; yes, sir. Yes; it was, Senator.

Senator LA FOLLETTE. Now, it would appear from that picture, at least so far as it shows the situation, that the crowd was in retreat, would it not?

Mr. MOONEY. They are in retreat on this picture; yes, sir.

Senator LA FOLLETTE. It would appear from this picture, insofar as it is representative—I mean only so far as it purports to show the scene—that all of the crowd of marchers that were not on the ground were in full retreat, would it not?

Mr. MOONEY. Yes; they are in full retreat, Senator; yes, sir.

Senator LA FOLLETTE. Do you notice that American flag in the picture?

Mr. MOONEY. Yes; I see it.

Senator LA FOLLETTE. That was one of the flags, I assume, that was carried by one of the marchers near the head of the line, was it not?

Mr. MOONEY. Well, I could not say. It looks as if it might be, Senator; yes.

Senator THOMAS. The police did not have a flag, did they?

Mr. MOONEY. No; we did not have any. I never knew the Communists to carry them before, either. They are getting into that racket now, carrying the American flag.

Senator LA FOLLETTE. Will you look at the man who is in close proximity to the flag? He appears to have some officer's insignia on his shoulders. Can you see that?

Mr. MOONEY. Yes; I see that.

Senator LA FOLLETTE. Do you know who that is?

Mr. MOONEY. No; I do not.

Senator LA FOLLETTE. Could it be you?

Mr. MOONEY. No; it is not me, Senator. I wear one star.

Senator THOMAS. You wear one star?

Mr. MOONEY. Yes; I wear a large silver star.

Senator LA FOLLETTE. Who wears two?

Mr. MOONEY. The captain wears two. A lieutenant wears a small star on the shoulders.

Senator LA FOLLETTE. That was one of the captains, then?

Mr. MOONEY. I cannot make out.

Senator LA FOLLETTE. Well, he has got two buttons on there, has he not?

Mr. MOONEY. Captain Kilroy will be here. You can ask him. I know it is not me.

Senator LA FOLLETTE. In that picture, which is marked "J", do you see any striker or marcher whose face is turned toward the police?

Mr. MOONEY. In this picture here that I am looking at?

Senator LA FOLLETTE. Yes, sir.

Mr. MOONEY. It looks to me, Senator, as if they are all going the other way. They are all going the other way.

Senator LA FOLLETTE. Now, will you look at that officer who is over to the right of this commissioned officer and who has his gun in his left hand?

Mr. MOONEY. I see; yes.

Senator LA FOLLETTE. Do you see him?

Mr. MOONEY. Yes; I do.

Senator LA FOLLETTE. Well, now, it is pretty clear, is it not, that he is not shooting in the air?

Mr. MOONEY. Well, you cannot determine where he is shooting, Senator. There were only four lieutenants there. It will not be hard to find out.

Senator LA FOLLETTE. Well, I cannot, of course, be sure that this commissioned officer is looking at him; he may be looking at somebody else; but just looking at the picture yourself, and with your experience with firearms, would you not say, from the entire position and attitude of this man, the position of his hand, that he was obviously shooting toward the retreating crowd?

Mr. MOONEY. Well, now, Senator, I am quite a marksman. I will have to admit that I have been interested in target practice quite a bit. In fact, I shot at some competition teams. If he was shooting there he would have shot that policeman right in front of him. You can look at that yourself there. He would have shot either him or the policeman in front of him in the second rank.

Senator LA FOLLETTE. Now, I could not qualify as the expert that you are on pistol shooting—

Mr. MOONEY (interrupting). I will try and reason it out. He cannot shoot up in the air and then drop down and hit somebody ahead of him. It looks to me as if he would have to shoot the other two policemen right in front of him.

Senator LA FOLLETTE. Of course, it is a little difficult in this picture to get the actual position of the barrel of his gun. What would you think anyone would be doing with a gun in that position at that time?

Mr. MOONEY. Well, he might be like some of the rest of them; he might be trying to stop some barrages there, there might be some barrages of bricks coming there.

Senator LA FOLLETTE. You do not mean he would be shooting at bricks?

Mr. MOONEY. He would be shooting in the air to stop them.

Senator LA FOLLETTE. His gun is not in the air. He has got his arm extended in this position [indicating].

Mr. MOONEY. Well, now, Senator, he could not shoot by that policeman—by those two policemen—and then have it drop down and have it hit somebody in this particular instance. If you shoot you have got to shoot like that [indicating]. You cannot shoot up in the air and then drop down again. It will not be hard to find out. There were only four lieutenants there. It will not be hard to find out whom he was shooting at.

Senator LA FOLLETTE. Now, it is pretty clear, is it not, that man on this officer's right that we have been talking about, I mean this policeman to his right in the picture, that is on our right in the picture, he is pretty clearly shooting up in the air, is he not?

Mr. MOONEY. Yes; it looks as if that is what he has been doing.

Senator LA FOLLETTE. His gun is pointed straight up?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Whereas the other policeman's gun seems to be pointed straight out.

(Short interruption.)

Senator THOMAS. May I ask one question while we are resting? At the beginning of your testimony you said when you moved toward the crowd, Captain, that you did not see any children, and after you got further over you said you saw a number of women and children.

Mr. MOONEY. When they re-formed on us the second time.

Senator THOMAS. The children were staying back?

Mr. MOONEY. They were away up there about a half a block, up near Sam's Place, so I did not go up there.

Senator THOMAS. How many children would you say were there then?

Mr. MOONEY. Oh, I saw seven or eight.

Senator THOMAS. Seven or eight?

Mr. MOONEY. Yes.

Senator THOMAS. How many women?

Mr. MOONEY. Maybe 10 or 12.

Senator THOMAS. How many of your men are represented in this picture, approximately? We can count them, of course, but will you look at the picture and tell us?

Mr. MOONEY. I would say 40 percent of them, 30 percent of them.

Senator THOMAS. Where were the others in relation to that picture?

Mr. MOONEY. They were all around over here [indicating] on the other side.

Senator THOMAS. Back?

Mr. MOONEY. Not back but up here; over here on the right [indicating].

Senator THOMAS. On each side?

Mr. MOONEY. Yes.

Senator THOMAS. All of them were in this one movement, were they? The men that were in the railway gates came over and joined you?

Mr. MOONEY. They stayed over at the railroad gates, Senator.

Senator THOMAS. They stayed there?

Mr. MOONEY. Yes.

Senator THOMAS. Did you have any reserves at all?

Mr. MOONEY. We used approximately 200 men.

Senator THOMAS. You used approximately 200 men?

Mr. MOONEY. Yes.

Senator THOMAS. You kept 100 in reserve?

Mr. MOONEY. Yes.

Senator THOMAS. Where were they kept?

Mr. MOONEY. Well, we had 50 of them around—when we heard they were coming in three different ways, or two different ways, they were going to jump the fence on the south end; we heard a lot of rumors, and we took precautions, we did not put them all here [indicating], we kept them moving.

Senator THOMAS. Was the crowd able, if it had been under leadership, to completely surround you?

Mr. MOONEY. They can't surround the Chicago Police Department, Senator.

Senator THOMAS. I mean in this movement here.

Mr. MOONEY. They never do it in Chicago.

Senator THOMAS. They will not surround you?

Mr. MOONEY. No. We have got as good a police department as there is in the world.

Senator THOMAS. I am not talking about that, I am talking about them all. You had 2,500 people against 300.

Mr. MOONEY. Yes.

Senator THOMAS. The 2,500 people were pretty widely scattered, were they not?

Mr. MOONEY. Yes, sir.

Senator THOMAS. Was there any danger of, say, 500 or 600 of them getting around you?

Mr. MOONEY. I do not think there was.

Senator THOMAS. Did you expect them to?

Mr. MOONEY. No; I did not.

Senator THOMAS. Did you think about the possibility?

Mr. MOONEY. I do not know whether I am egotistical or conceited, but I just had the idea that they would not get around us.

Senator THOMAS. That they would not?

Mr. MOONEY. No, sir.

Senator THOMAS. You felt that they were unorganized to such an extent that they were not working under leadership?

Mr. MOONEY. Yes; they had some kind of leadership.

Senator THOMAS. But it was not leadership that was capable of maneuvering in that way?

Mr. MOONEY. It would take an awfully good leadership, Senator, to get around the Chicago Police Department. We were enough in there. If they had continued we would have come in there with a thousand more men. They won't get away with anything in Chicago, Senator, not a thing.

Senator THOMAS. You mean headquarters knew what you were doing all the time?

Mr. MOONEY. Chief Prendergast was in charge. He would have sent squads in there, if we needed them.

Senator THOMAS. You kept the line open all the time?

Mr. MOONEY. Oh, everything was alright.

Senator THOMAS. None of the crowd made a move to circle you in any way, did they?

Mr. MOONEY. We did not give them a chance, Senator.

Senator THOMAS. Then they did not, did they?

Mr. MOONEY. No, sir.

Senator THOMAS. In other words, this one front attack of yours completely demoralized them, did it not?

Mr. MOONEY. I believe it did, Senator.

Senator THOMAS. Is there a single soul there in that picture who is not running away?

Mr. MOONEY. No; they are all going away.

Senator THOMAS. So they were completely demoralized?

Mr. MOONEY. Yes, sir.

Senator THOMAS. Who is that man in front in civilian clothes? [Referring to exhibit 1341.]

Mr. MOONEY. I do not know.

Senator THOMAS. You do not know who he is?

Mr. MOONEY. No, sir.

Senator THOMAS. Were you taking a chance on that man, do you think?

Mr. MOONEY. I do not think so.

Senator THOMAS. You do not think so?

Mr. MOONEY. No.

Senator THOMAS. You think your officers recognized that he was someone that they could trust?

Mr. MOONEY. Probably a newspaperman, Senator. There were a lot of them around there.

Senator THOMAS. Do they bother you in riots of this kind?

Mr. MOONEY. They do not bother me. They come around there for stories.

Senator THOMAS. What if a striker disguised himself as a newspaperman came around there, he could do an awful lot of damage, could he not, in that position? That man with a gun could have killed 50 cops, could he not?

Mr. MOONEY. I never heard of them doing it.

Senator THOMAS. I never heard of them doing it, and I pray to the good Lord they never will, but could he not do so? Look at the picture.

Mr. MOONEY. He would not get very far, Senator.

Senator THOMAS. He would not?

Mr. MOONEY. No.

Senator THOMAS. It looks to me as if it would be very easy pickings.

Mr. MOONEY. If he had pulled out a gun, or done anything out of the way, he would be in the wagon in 2 minutes.

Senator THOMAS. Where were your reserves to get him?

Mr. MOONEY. He would not get very far, no matter what he had done.

Senator THOMAS. In other words, the police did not take any chances at all in this?

Mr. MOONEY. You asked me about this particular man.

Senator THOMAS. Yes. That is the only one I can see where you did take a chance.

Mr. MOONEY. He would not get very far if he started anything.

Senator THOMAS. Now look on the other side. There is a civilian there with a policeman with his club. Who is he?

Mr. MOONEY. I think it is one of Captain Kilroy's drivers. He will tell you when he comes in. It is one of Captain Kilroy's men. I think, but I am not sure. He looks like it.

Senator THOMAS. He is a police officer, is he?

Mr. MOONEY. Yes, sir.

Senator THOMAS. What is he doing with his right hand?

Mr. MOONEY. I never saw. I never asked him. Of course, I do not know.

Senator THOMAS. What does it look like to you? What does it look like he is doing?

Mr. MOONEY. It looks as if he has got his hand in his pocket, Senator.

Senator THOMAS. If you saw a man doing that, if you were watching him, what would you do?

Mr. MOONEY. Well, has he got his hand in his back pocket or front pocket? That is the question.

Senator THOMAS. I do not know.

Mr. MOONEY. It looks to me like the front pocket. If he had his hand in his front pocket he could get his revolver out, but I cannot see which pocket he has got his hand in.

Senator THOMAS. Here is another civilian who might be a strike sympathizer in this crowd, too, just in front of the man without a coat, the first man I asked you about, on the left of the picture, just the other way.

Mr. MOONEY. I do not recognize him.

Senator THOMAS. Note his position.

Mr. MOONEY. Well, Captain Kilroy might tell you. He is captain in that district. He may have a couple of citizens. I could not tell you who was there.

Senator THOMAS. Who was the man right there in shirt sleeves? Is he a newspaper man, do you think?

Mr. MOONEY. I do not know if he is a newspaperman. I could not say who he is.

Senator THOMAS. A newspaperman?

Mr. MOONEY. I cannot say. He might be or he might not be. There were a lot of them around there.

Senator THOMAS. You repeat again, do you, that you think that the policemen took no chances in this?

Mr. MOONEY. How do you mean that, Senator?

Senator THOMAS. Well, there was nothing for them to fear an attack from the flank or rear, was there?

Mr. MOONEY. I did not say that. I said we were able to handle the situation. We had to handle it. The loss of life would have been terrible if they got into the plant. You know that, Senator.

Senator THOMAS. I think the first duty is to take care of your men. I agree with you on that.

Mr. MOONEY. I did not understand your question about taking care of the men.

Senator THOMAS. Your own men.

Mr. MOONEY. Yes.

Senator THOMAS. Surely the police captain's first duty is to take care of his men, is it not, and only risk them where there is absolute necessity to risk them?

Mr. MOONEY. We had a job to do there, to keep them from coming into the plant, and we did it. I did everything I could to stop them from going in there. We had to stop them here or they would have gotten into the plant.

Senator THOMAS. You thought there was no risk of that mob circling you anyway?

Mr. MOONEY. I took those precautions and stopped them.

Senator THOMAS. There is nobody, or no one trying to circle you here now, is there, in this picture?

Mr. MOONEY. We did not go out there to get circled, Senator.

Senator THOMAS. The crowd is all going exactly the same way that the policemen are going?

Mr. MOONEY. Yes.

Senator THOMAS. There is not a policeman coming back either, is there?

Mr. MOONEY. I do not see any in the picture.

Senator THOMAS. So that everyone in the crowd has his back towards the front of a policeman?

Mr. MOONEY. Yes; it looks that way in the picture.

Senator THOMAS. Excepting those that are on the ground.

Senator LA FOLLETTE. Captain, have you ever had occasion to examine the autopsy reports on the 10 marchers who died as the result of the Memorial Day encounter?

Mr. MOONEY. The coroner has got them, Senator, and the inquest is continued until the 14th of July. As a rule he does not give out that autopsy until the inquest is concluded.

Senator LA FOLLETTE. Now, did you hear me state to Commissioner Allman that these autopsy reports, which will be introduced in evidence later, show that seven of these men died from a wound in the back and the other three from side wounds?

Mr. MOONEY. I heard you; yes, sir, Senator.

Senator LA FOLLETTE. Now, assuming for the moment, until they are introduced in the record, that that statement is correct, will you please give me your explanation of the fact that these men died from back wounds if the police shot only in self-defense and from the ground?

Mr. MOONEY. Well, if a policeman was on the ground battling for his life, which he evidently was, by our statements that we got, their marksmanship is not so good. I know I am a good shot, as I have to admit, and if I am shooting from the ground and there are 8 or 10 of them "Reds" over me and I had a pistol I would not say whether they would get shot in the back or in the front.

Senator LA FOLLETTE. But the thing that puzzles me is that, naturally, it would seem to me that if a man was on the ground—for instance, if I was on the ground and I was surrounded by these people who are attacking me with clubs and so on, that those people would be facing me.

Mr. MOONEY. That is true.

Senator LA FOLLETTE. And if I shot, even in any direction, I would shoot them in the front somewhere and not in the back.

Mr. MOONEY. Of course, there is a possibility of those other fellows that were over them with their clubs, rocks, and other things that they had, they might have turned their backs when the policeman pulled his pistol and they might have been shot. [Laughter.]

Senator LA FOLLETTE. Then if they turned their backs when he pulled his gun—

Mr. MOONEY (interrupting). I did not say that. I said it is possible. Then again he might not be such a good shot on the ground.

Senator LA FOLLETTE. I understand. You can take the poorest marksman in the world, give him a gun, surround him with a bunch of men who are attacking him with clubs and let him shoot, and if he hits anybody I cannot see how he is going to hit anybody in the back. I can see if he is a lousy marksman he might miss everybody, but if he hits somebody I cannot see how he would hit him anywhere except in the front.

Mr. MOONEY. Those people who were hammering the policeman on the ground probably after they saw the pistol they might have started to go away. You know there is a possibility of that. I do not know.

Senator LA FOLLETTE. If they started to go away, of course, that would seem to indicate that the claim of self-defense was not so sound.

Mr. MOONEY. A number of them might start to go away and the other number might still be working on them. I could not describe it.

Senator LA FOLLETTE. Do you think the policeman might accidentally have shot one of those who had begun to go away instead of those who were still there?

Mr. MOONEY. Yes; it was a riot, free-for-all, and they went after the police department, had them on the ground. If there was any shooting, Senator, they shot in self-defense, they shot to save themselves. When they came down there armed with bricks and clubs to go through us, which they had to do to get to the plant, they must have thought something would happen to them. I know I would have if I was a citizen.

Senator LA FOLLETTE. I am not trying to pass judgment on them. This committee is only trying to get all the facts.

Mr. MOONEY. Yes.

Senator LA FOLLETTE. I am sure you must understand it would raise some question in the mind of a person who had had some experience with firearms that it is improbable that men who were surrounding a man, beating him and attacking him would be doing it with their backs turned toward him.

Mr. MOONEY. I did not see the autopsy—I do not know. I did not see the report from the coroner.

Senator LA FOLLETTE. I know you did not, and I haven't even put it in the record, but I was asking you, for the sake of this discussion, to assume that my statement was correct that the autopsy showed that these 7 of the 10 who died were shot in the back and 3 were shot in the side. You can see what my confusion is about.

Mr. MOONEY. I see.

Senator LA FOLLETTE. In relation to the report of the officers that they were shooting in self-defense, on the ground and being attacked, you can see the question that would arise in anyone's mind, can you not?

Mr. MOONEY. Senator, you could shoot at a man 6 feet from you when you are on the ground and miss him and strike somebody 20 feet away, that is possible, too—30 feet away.

Senator LA FOLLETTE. Now from what you know of the situation, you haven't any doubt, have you, Captain, that these men who were shot were shot, however it may have appeared, by police?

Mr. MOONEY. That is my opinion.

Senator THOMAS. Do you know whether the policeman that was on the ground shot anyone?

Mr. MOONEY. We have statements, Senator.

Senator THOMAS. They did shoot somebody?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Did you make any ammunition count after it was all over among the officers to find out how many shots had been fired?

Mr. MOONEY. We got a report, Senator, from everybody who was there, and we got a report from everybody that said they did any shooting.

Senator LA FOLLETTE. Did those reports show how many shots each one of them fired?

Mr. MOONEY. It says so; yes, sir.

Senator LA FOLLETTE. Now, how many shots in all, then, from these reports, would you say were fired?

Mr. MOONEY. I would say there were 100 shots fired.

Senator LA FOLLETTE. One hundred shots fired. Now, if I understood you correctly, you said you saw personally only one officer on the ground. Is that right—one policeman?

Mr. MOONEY. When I was going up, you mean?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. Going through the field, when I was on the right?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. I saw one policeman.

Senator LA FOLLETTE. Did you see any others?

Mr. MOONEY. I did.

Senator LA FOLLETTE. How many?

Mr. MOONEY. Twenty-five or 30.

Senator LA FOLLETTE. Where did you see them?

Mr. MOONEY. As I was going forward there they were lying on the ground.

Senator LA FOLLETTE. As you went forward across the field?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. You saw 25 or 30 officers down?

Mr. MOONEY. Not officers.

Senator LA FOLLETTE. Not officers?

Mr. MOONEY. One policeman and the others were—

Senator LA FOLLETTE (interrupting). Were marchers?

Mr. MOONEY. "Marchers" is a good name for them; yes, sir.

Senator LA FOLLETTE. Did you see any other policemen, aside from this one?

Mr. MOONEY. No, sir.

Senator LA FOLLETTE. Did you recognize him?

Mr. MOONEY. The policeman?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. No, I did not.

Senator LA FOLLETTE. Now after the strikers or marchers, or whatever you want to call them, were driven back and they started marching back towards Sam's Place, did you issue any orders for the care of the wounded?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. What orders did you issue?

Mr. MOONEY. I told them to pick up everybody, and send them to the hospital. I told them to pick up the members of the mob and send them to Bridewell Hospital, and book every one of them.

Senator LA FOLLETTE. Where is the Bridewell Hospital?

Mr. MOONEY. It is over at Twenty-sixth and California.

Senator LA FOLLETTE. How far is that, approximately, from where this took place?

Mr. MOONEY. Seven miles.

Senator LA FOLLETTE. Seven miles. Did you have any ambulances aside from the patrol wagon?

Mr. MOONEY. That is all we had, was patrol wagons.

Senator LA FOLLETTE. Did you call for any after this happened?

Mr. MOONEY. We used our own wagons.

Senator LA FOLLETTE. You used the wagons. How long, approximately, would it take, under normal conditions, for a police patrol to get from this field down to the Bridewell Hospital on Sunday, Memorial Day?

Mr. MOONEY. They ought to be able to go there in 20 minutes.

Senator LA FOLLETTE. Twenty minutes?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Did you examine any of them, or see any of the wounded yourself?

Mr. MOONEY. I did not, Senator.

Senator LA FOLLETTE. You ordered all of the strikers to be taken to Bridewell; is that right?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. Did you give any orders for the administration of any first aid on the field?

Mr. MOONEY. No, sir.

Senator LA FOLLETTE. Do you know whether any was administered?

Mr. MOONEY. On the field?

Senator LA FOLLETTE. Yes.

Mr. MOONEY. I heard they had an outfit up at Sam's Place.

Senator LA FOLLETTE. No; but I mean so far as the police were concerned.

Mr. MOONEY. No, we did not have any.

Senator LA FOLLETTE. You did not administer any first aid?

Mr. MOONEY. No.

Senator LA FOLLETTE. Did you see or get any report, after this happened and before these men who were in this march were transported to the Bridewell Hospital, concerning the condition of any of them, whether they were seriously hurt or not.

Mr. MOONEY. No; I just told them to move them over there. That is the way, Senator, we do this with everybody that is a prisoner. They go to the Bridewell Hospital. Do you know why? We do not have to put a man in the hospital watching him. You see it takes a man on each shift to watch a prisoner in a hospital.

Senator LA FOLLETTE. Now you said you had three patrol wagons there.

Mr. MOONEY. About five.

Senator LA FOLLETTE. Five?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. Do you know how many were wounded, how many of the marchers?

Mr. MOONEY. Yes; I can tell you approximately. About 35.

Senator LA FOLLETTE. Did any of the wagons have to make more than one trip, or did you get them all into the five wagons?

Mr. MOONEY. Well, now, the details on that I do not know, whether we sent for other wagons or not. I had a lot to do. I do not know whether they all went on that one trip or whether we sent for other wagons.

Senator LA FOLLETTE. Did you supervise the loading of the wounded into the patrol wagons?

Mr. MOONEY. No, sir; I did not. That was all done by the lieutenants.

Senator LA FOLLETTE. Do you know whether or not any of the wounded died in the wagons on the way to the hospital?

Mr. MOONEY. I could not say.

Senator LA FOLLETTE. Now, I think you stated that you did not know where the gas came from that the squad brought over before the encounter took place, excepting that it came from the temporary police headquarters.

Mr. MOONEY. That is correct, Senator; yes, sir.

Senator LA FOLLETTE. Whether it was city of Chicago police gas or whether it was company gas, or whose gas it was, you do not know?

Mr. MOONEY. I do not know, Senator; no, sir.

Senator LA FOLLETTE. I offer for the record a letter dated June 26, 1937, from James P. Allman, commissioner of police, to Charles Kramer, a member of the staff of this committee, together with a memorandum attached thereto.

DEAR SIR: Complying with your request of June 23, 1937, I am attaching hereto a list showing the purchases of gas and gas equipment made by the Chicago Police Department since January 1st, 1933.

The letter and the attached memorandum may be printed in the record.

(The documents were marked "Exhibit 1342-A and 1342-B" and appear in the appendix on p. 5013.)

Senator LA FOLLETTE. I read only under the item "Expenditures".

An inventory of the Detective Bureau tear gas stock discloses that there were no grenades or shells expended during the disturbance at the Republic Steel Corporation on Memorial Day, May 30th, 1937.

That would seem to indicate that it must have been gas that did not belong to the police department, would it not, Captain?

Mr. MOONEY. I will look into it, Senator, when I get back. I do not know. I will find out about it.

Senator LA FOLLETTE. I mean this exhibit would indicate that, so far as the inventory of the detective bureau indicates, there was no gas stock used on that day.

Mr. MOONEY. That gas is under the supervision of Colonel Crippen and I will find out from him when I get back.

Senator THOMAS. You do not dispute the authenticity of this statement, do you?

Mr. MOONEY. That is from the detective division?

Senator THOMAS. Yes.

Mr. MOONEY. That is correct; yes.

Senator LA FOLLETTE. That is where the gas would have been expended if it was city of Chicago police gas, would it not?

Mr. MOONEY. That is correct; yes.

Senator LA FOLLETTE. Now I want to offer for the record, to indicate that there was gas on hand at the Republic plant which could have been used, an exhibit showing the purchases of tear and sickening gas and gas equipment by Republic Steel Corporation and subsidiary and associated companies from Federal Laboratories during the week prior to June 1.

(The documents were marked "Exhibits 1343-A to 1343-Q" and appear in the appendix on pp. 5014, 5022.)

Senator LA FOLLETTE. It shows a total of gas and gas equipment aggregating \$43,901.88. Now I want to point out that that is the total purchases made by Republic and its subsidiaries from Federal Laboratories, and, of course, was not all located in Chicago. At East Chicago there were purchases amounting to \$2,767.42, and at the Union Drawn Steel Co., of Chicago, \$2,081.20.

Senator THOMAS. Captain, there is an interesting comparison here, if we look into it, between the amount of gas which the Chicago police force thinks that it has to have on hand to take care of all emergencies—and in the years 1936 and 1937 their total purchases covered 100, 24, 132, 12, and 8 different articles which contained the gas—and the total amount of gas purchased in dollars and cents—of course, is not equivalent—by one company during almost a single month was \$43,900.

Senator LA FOLLETTE. Captain Mooney, I am going to excuse you temporarily from the stand now, but before you leave this evening I would like to give you a set of the pictures which the committee has obtained, and during this evening and before tomorrow I would like to have you examine those pictures carefully and see if you can point out in those pictures any situation, after the encounter started, where you find there is an indication of resistance on the part of the marchers.

At this point I will insert in the record a copy of the subpoena under which you appear here.

(The document was marked "Exhibit 1344" and appears in the appendix on p. 5022.)

Mr. MOONEY. Alright, sir.

Senator LA FOLLETTE. Thank you very much, Captain.

Captain Kilroy, will you come forward, please?

TESTIMONY OF THOMAS KILROY

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Will you please state your full name and address?

Mr. KILROY. Thomas Kilroy, 544 West Thirty-seventh Street, Chicago, Ill.

Senator LA FOLLETTE. And what is your present position with the Chicago Police Department?

Mr. KILROY. Police officer and rank as a captain.

Senator LA FOLLETTE. How long have you held that position?

Mr. KILROY. Eight years as captain of police.

Senator LA FOLLETTE. What are your immediate duties? Are you in charge of a district?

Mr. KILROY. The ninth district.

Senator LA FOLLETTE. Who would be considered as your immediate superior on the force?

Mr. KILROY. Captain Mooney.

Senator LA FOLLETTE. How many policemen and plain-clothes men, if you have charge of plain-clothes men, do you have under your command ordinarily?

Mr. KILROY. I have 6 plain-clothes men and about 72 patrolmen.

Senator LA FOLLETTE. Now, for the record, the Republic Steel plant is located in your district, is it not?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Now prior to Wednesday, May 26, when the testimony shows this strike was called, did you have any occasion to visit the Republic plant or its immediate environs?

Mr. KILROY. Well, I visited the Republic Steel plant about 4 or 5 days previous to Wednesday, and I had a talk with a Mr. Hyland.

Senator LA FOLLETTE. He is the superintendent?

Mr. KILROY. Superintendent. There were rumors there would be a strike there. I talked to him and he said there were no intentions of any strike being called there, so I paid no attention to it.

Senator LA FOLLETTE. That was the sum and substance of the conversation you had with him on that occasion?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Did you have any other occasion to visit the plant or its environs prior to May 26, Wednesday?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. You only went there after you heard that a strike had occurred?

Mr. KILROY. I received a telephone call at the station around 4 o'clock that there was a strike called on the Republic Steel plant, and I immediately went out there to verify the report, and it was correct. I talked to Mr. Hyland there. He said there was a roving crowd of men going from plant to plant and trying to get the rest of the men to go out on strike. So I immediately got in touch with Commissioner Mooney and told him about it. I was there about 20 minutes when the men came from the plant, about 150 of them. They came walking out. I talked to them and asked them, in a peaceful way, to leave, and they left.

Senator LA FOLLETTE. When did you first assign a detail of men to this immediate vicinity?

Mr. KILROY. When I left the station I ordered two Ford cars to follow me.

Senator LA FOLLETTE. So-called squad cars?

Mr. KILROY. Well, they were equipped with patrolmen. They followed and two plain-clothes men went along with me.

Senator LA FOLLETTE. How many was that in all?

Mr. KILROY. Well, that was four—six, and myself was seven, and a third one was a plain-clothes man also, that was eight of us.

Senator LA FOLLETTE. Now did you remain at the plant any length of time on Wednesday?

Mr. KILROY. Yes, I did. I remained there from the time I reached there until about 9 o'clock that night.

Senator LA FOLLETTE. Did you augment or increase the number of men who had come out there with you?

Mr. KILROY. Captain Mooney had taken care of that part.

Senator LA FOLLETTE. And how many men—I have forgotten just now—how many additional men came out Wednesday evening?

Mr. KILROY. Well, I should judge that there could be 60 or 70 men all told. Around 9 o'clock it takes time to bring them in.

Senator LA FOLLETTE. You remained there how late in the evening on Wednesday?

Mr. KILROY. About 9 o'clock, 9:30.

Senator LA FOLLETTE. Nothing happened excepting what you described, these 100 or 150 men coming out and you told them to leave?

Mr. KILROY. Yes, leave peacefully.

Senator LA FOLLETTE. You told them to leave peacefully and they went away from the plant?

Mr. KILROY. They went away from the plant, I should say about 200 feet from the plant.

Senator LA FOLLETTE. They went away about 200 feet?

Mr. KILROY. Yes.

Senator LA FOLLETTE. And how long did they remain there? Until you left?

Mr. KILROY. Well, about 8 o'clock in the evening there was a crowd of about 1,000 people had gathered, and they were very boisterous and intoxicated. There are several saloons right in the vicinity there. I was ordered by Commissioner Mooney to go out and disperse them. I went out and pleaded with them to go away, and they refused to move for us, so we locked them up.

Senator LA FOLLETTE. And about how many were arrested at that time?

Mr. KILROY. Twenty-three.

Senator LA FOLLETTE. Twenty-three?

Mr. KILROY. Yes.

Senator LA FOLLETTE. And did the rest of the crowd then disperse?

Mr. KILROY. We dispersed them, yes.

Senator LA FOLLETTE. Were any policemen injured on that evening?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Did these men resist arrest?

Mr. KILROY. The drunken ones were hard to handle.

Senator LA FOLLETTE. Out of the 23 how many would you say were intoxicated?

Mr. KILROY. Ten or eleven of them.

Senator LA FOLLETTE. Did the others who were not intoxicated offer any resistance?

Mr. KILROY. They all offered resistance. They did not want to move.

Senator LA FOLLETTE. You left about 9 o'clock?

Mr. KILROY. Nine or nine-thirty, yes.

Senator LA FOLLETTE. And it was quiet and peaceful when you left there?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. When did you next go back to the plant? On Thursday?

Mr. KILROY. Yes, I went back Thursday, I was just figuring on what time. Maybe about 2 o'clock in the afternoon.

Senator LA FOLLETTE. Thursday afternoon?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. What was the situation when you got there Thursday afternoon?

Mr. KILROY. Very peaceful and quiet.

Senator LA FOLLETTE. Were there any pickets?

Mr. KILROY. Yes, sir; there were pickets.

Senator LA FOLLETTE. How many would you say?

Mr. KILROY. I would say 15 or 20.

Senator LA FOLLETTE. How were they comporting themselves?

Mr. KILROY. They were going around a circle on Burley Avenue. They would maybe walk 100 feet up and 100 feet back and circle right around.

Senator LA FOLLETTE. Was there any difficulty with the pickets, or any of their sympathizers, or any crowds on Thursday?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. You left the plant about what time on Thursday?

Mr. KILROY. Well, that I really could not say. It may be 6 o'clock, it may be 5 o'clock; I could not just say.

Senator LA FOLLETTE. Along late in the afternoon sometime?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Did you go back again that evening?

Mr. KILROY. No, sir; I went back to my station.

Senator LA FOLLETTE. Then did you go out on Friday?

Mr. KILROY. Yes, sir; I did.

Senator LA FOLLETTE. And you remember about what time that was?

Mr. KILROY. I was in the station around 6 o'clock.

Senator LA FOLLETTE. In the morning or evening?

Mr. KILROY. In the evening. I got a call stating that they were marching on the plant, and I got in an automobile, accompanied by two plain-clothes men. We got as far as One Hundred and Seventeenth Street and Green Bay Avenue, and the police had that blocked there, so I got out of the machine. I stepped in front of the police line and pleaded with the people to turn back in a peaceful way.

Senator LA FOLLETTE. How many would you say there were in that crowd?

Mr. KILROY. I would say there were 400 people. They stood there, and they insulted us with vile language, called us "scabs." I stayed there for 10 minutes and turned around and went back.

Senator LA FOLLETTE. So that on Friday, while you were there, there was no trouble of any kind?

Mr. KILROY. Yes; there was on Friday. On that day there were six police officers injured.

Senator LA FOLLETTE. That was before 6 o'clock?

Mr. KILROY. Yes; it was before I arrived on the scene.

Senator LA FOLLETTE. What, from your knowledge of the report, happened on the prior occasion on Friday, prior to your visit out there?

Mr. KILROY. There was nothing doing until Thursday.

Senator LA FOLLETTE. I mean on Friday, before you went out there around 5 or 6 o'clock in the afternoon.

Mr. KILROY. Yes.

Senator LA FOLLETTE. When you turned back this group of 300 or 400 you said several police officers were injured in some kind of a situation.

Mr. KILROY. Yes.

Senator LA FOLLETTE. What was your understanding about what happened there?

Mr. KILROY. Well, there were four policemen detailed at One Hundred and Seventeenth and Burley, and they could not stop the marchers. The marchers forced the policemen right in front of

them. Sergeant Okie, with seven or eight policemen, arrived at the scene at One Hundred and Seventeenth and Burley and stopped them there, and they had a scuffle, and that is where several policemen were injured, and three strikers were arrested.

Senator LA FOLLETTE. All right. Did anything else happen on Friday evening?

Mr. KILROY. No, sir. The pickets continued to picket there the same as usual.

Senator LA FOLLETTE. Then on Saturday did you have occasion to go to the plant?

Mr. KILROY. I may have gone to the plant on account of it being my district. I could not just say whether I was there or not.

Senator LA FOLLETTE. Did you receive any report about difficulties, or anything at all, on Saturday?

Mr. KILROY. No trouble at all; no, sir.

Senator LA FOLLETTE. Now prior to Sunday, Memorial Day, when did you first get information that there might be trouble on Sunday?

Mr. KILROY. I got no information that there would be trouble on Sunday. It was rumored around that there would be trouble, but there was no information I received that there would be trouble.

Senator LA FOLLETTE. Did you receive any on Sunday?

Mr. KILROY. No, sir. I was ordered out to be there at 3 o'clock by Supervising Captain Mooney, and I arrived there at 3 o'clock.

Senator LA FOLLETTE. But you had not heard the same information that he had received at that time?

Mr. KILROY. No, sir; I had not.

Senator LA FOLLETTE. All you received was an order to be there at a certain time on Sunday afternoon?

Mr. KILROY. On Sunday afternoon.

Senator LA FOLLETTE. Now, you got there about 3 o'clock on Sunday?

Mr. KILROY. Three or a little after 3 o'clock.

Senator LA FOLLETTE. Now, what was the situation upon your arrival there?

Mr. KILROY. Well, I went to headquarters, which was One Hundred and Eighteenth Street, and Captain Mooney was there. We stayed around there for maybe a half an hour, and information came that the march had started. Well, Captain Mooney ordered me to get the men together in squad formation and take them out, and we marched them out to One Hundred and Seventeenth Street.

Senator LA FOLLETTE. Now, you heard Captain Mooney's testimony?

Mr. KILROY. Yes; I did.

Senator LA FOLLETTE. Does that square with your recollection of it?

Mr. KILROY. That is just about it.

Senator LA FOLLETTE. From your point of view, was there anything omitted about how the situation developed and where the police were, and so forth?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Now, where were you in the line when you were formed along East One Hundred and Seventeenth Street, first?

Mr. KILROY. Well, I was about where that initial "E" would be; there [indicating].

Senator LA FOLLETTE. You were about where the initial "E" is on the chart?

Mr. KILROY. Yes; right beside there.

Senator LA FOLLETTE. When the line moved forward up to One Hundred and Sixteenth Street, about where were you then?

Mr. KILROY. I was in front of the second platoon.

Senator LA FOLLETTE. Would that put you on Captain Mooney's left?

Mr. KILROY. Captain Mooney would be to my right.

Senator LA FOLLETTE. Captain Mooney would be to your right?

Mr. KILROY. Yes; he would.

Senator LA FOLLETTE. And you would be on his left?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. And about how far away would you be from Captain Mooney at that time, would you say, approximately?

Mr. KILROY. Well, I would say 60 feet.

Senator LA FOLLETTE. Now, can you direct the pointer to the place of about where you were in relation to the houses and that fence there on that chart?

Mr. KILROY. Well, I was, I judge, about 70 feet from the house.

Senator LA FOLLETTE. To the right of the house?

Mr. KILROY. Well, I would say to the left of the house.

Senator LA FOLLETTE. You mean over that way [indicating]?

Mr. KILROY. Where is the house? Yes; that is the house there. I was to the left of that house.

Senator LA FOLLETTE. There is a road there, isn't there?

Mr. KILROY. Yes; there is a road there.

Senator LA FOLLETTE. You were to the left of the dirt road?

Mr. KILROY. I was to the center of it.

Senator LA FOLLETTE. You were right on the road?

Mr. KILROY. I was right on the road, I should judge.

Senator LA FOLLETTE. What instructions did you receive from your superior officers at the time you came up to this place there, after you had marched out?

Mr. KILROY. He instructed me to go up before the crowd of people and tell them: "In the name of the people of the State of Illinois, I command you to disperse in a peaceful and law-abiding manner."

Senator LA FOLLETTE. Did you receive any instructions other than that?

Mr. KILROY. That is about all.

Senator LA FOLLETTE. And did you give any instructions to the men immediately under you?

Mr. KILROY. Yes. While the men were lined up on One Hundred and Seventeenth Street I instructed them not to use their revolvers and to use all peaceful means to disperse them.

Senator LA FOLLETTE. Do you know whether any of the men under your immediate command were equipped with gas?

Mr. KILROY. No, sir; I could not answer that question.

Senator LA FOLLETTE. You could not answer that?

Mr. KILROY. No.

Senator LA FOLLETTE. Now, after you got your position in the middle of the road there at One Hundred and Seventeenth Street,

will you tell us, from the best of your recollection, just what happened immediately where you were in the line?

Mr. KILROY. Well, I went immediately up in the front line. I was abreast with the marchers, the strikers, whatever we call them, and I pleaded with them. At first I told them, "In the name of the people of the State of Illinois I command you to disperse in a law-abiding manner." I had spoke that way twice, when I was talking to them, pleading with them to go home, and I went over to another part of the crowd and I issued the same orders.

Senator LA FOLLETTE. How far away was that?

Mr. KILROY. I would say from 15 to 20 feet. I pleaded with a woman and a man there to please turn around and go home, in fact all the crowd to please turn around and go home. All I got was just a lot of vile names. When I was pleading with them there was a shower of rocks and a revolver shot, and then it seems that the crowd and police had all met force together.

Senator LA FOLLETTE. Now, could you tell where that revolver shot came from?

Mr. KILROY. I would say it came from the rear ranks of the marchers. That is the best of my knowledge.

Senator LA FOLLETTE. You did not see anyone shoot?

Mr. KILROY. No, sir; I did not see anyone shoot.

Senator LA FOLLETTE. You just heard the shot?

Mr. KILROY. That is all.

Senator LA FOLLETTE. Did you see any gas used near you?

Mr. KILROY. All I could see was the fumes of the gas. I did not see no gas thrown.

Senator LA FOLLETTE. Did the fumes seem to be thrown from over on your right?

Mr. KILROY. I just could not say where it came from. It came from the right most likely.

Senator LA FOLLETTE. The wind was blowing at your back?

Mr. KILROY. Yes; it was.

Senator LA FOLLETTE. And toward the strikers?

Mr. KILROY. Toward the strikers; yes, sir.

Senator LA FOLLETTE. Were the fumes drifting on your right or in front of you?

Mr. KILROY. On my right is right.

Senator LA FOLLETTE. Now, you say these missiles started to come from the crowd?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. After you heard this shot?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. How long was it before you heard any other shots, approximately?

Mr. KILROY. Oh, maybe 10 or 15 seconds, or 20.

Senator LA FOLLETTE. And how many shots did you hear, would you say?

Mr. KILROY. I heard quite a few, 50 or 60.

Senator LA FOLLETTE. 50 or 60?

Mr. KILROY. Yes.

Senator LA FOLLETTE. In rapid succession?

Mr. KILROY. Yes.

Senator LA FOLLETTE. Or was it rather intermittent?

Mr. KILROY. Intermittent, like this [indicating].

Senator LA FOLLETTE. Now, could you tell from the sound of those shots, or anything you saw, where those shots were coming from?

Mr. KILROY. Yes; I could tell you exactly. The policemen that were coming up from the rear were shooting their revolvers in the air.

Senator LA FOLLETTE. That is, after this started reinforcements began to come up, is that it?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Now, before this encounter occurred did you see any women in the crowd?

Mr. KILROY. When I was addressing the crowd there were about three women in the front ranks.

Senator LA FOLLETTE. Those were all that you saw?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Did you see any children?

Mr. KILROY. No, sir; I did not see any children.

Senator LA FOLLETTE. Now, you say that you told two different groups of the marchers to disperse in the name of the—

Mr. KILROY (interrupting). People of the State of Illinois.

Senator LA FOLLETTE. People of the State of Illinois. Did you have, or did you hear any argument between the police and the marchers?

Mr. KILROY. No, sir. The policemen in my line were even pleading with them to return in a peaceful way.

Senator LA FOLLETTE. What I meant was, did you hear any discussion?

Mr. KILROY. No; there was none at all.

Senator LA FOLLETTE. Now, how long would you say it was, Captain, between the time that you first made contact with these people, so that you were close with them, before the missile and the shots, and so forth, took place?

Mr. KILROY. Five minutes.

Senator LA FOLLETTE. About 5 minutes. Did you give any orders to use gas?

Mr. KILROY. No, sir; I did not.

Senator LA FOLLETTE. Did you issue any other orders while this was going on, I mean this clash?

Mr. KILROY. No, sir. Everyone was for themselves in that clash.

Senator THOMAS. You do not mean that, do you?

Mr. KILROY. Well, what I mean by "everyone is for himself", you have to protect yourself; you are looking out for yourself; you cannot go by orders; you could not issue an order there to tell them to do things like that.

Senator THOMAS. You do not mean the police officers lost control of their own men?

Mr. KILROY. No, sir; they had to protect themselves when the clash came, or the riot.

Senator THOMAS. You had such good control of the men that when you commanded them to cease they would have responded, would they not?

Mr. KILROY. Absolutely.

Senator THOMAS. Your men did not become a mob?

Mr. KILROY. They were part of the mob when the mob was around them.

Senator THOMAS. You do not mean that, because you had control of your men all the time, did you not?

Mr. KILROY. Up until the affair started.

Senator THOMAS. Well, even then.

Mr. KILROY. Well, it is kind of hard then, because, as I say, a patrolman is tangled with some of those strikers. That is the way the thing goes.

Senator THOMAS. Will you look at the picture, exhibit 1341¹? There is no evidence there that those policemen are not under control, is there?

Mr. KILROY. No; but they are in a riot.

Senator THOMAS. They are part of a riot?

Mr. KILROY. They are part of a riot.

Senator THOMAS. Surely you do not want to leave the impression that the Chicago police force, 5 minutes after the difficulty starts, is in such a position that it is not under control? I know what you mean, but your words imply that there was a police mob. You do not mean that.

Mr. KILROY. No, sir; I do not mean that.

Senator THOMAS. You think too much of your police and law and order to mean anything like that.

Mr. KILROY. Surely.

Senator THOMAS. There was organization all the time?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Is that your picture there, Captain, just in front of that flag?

Mr. KILROY. My picture? I could not say whether it is or not.

Senator LA FOLLETTE. That is about where you were, is it not?

Mr. KILROY. No; I was more over here to the left [indicating].

Senator LA FOLLETTE. Well, is not this the road?

Mr. KILROY. Yes; it is the road.

Senator LA FOLLETTE. You were in the middle of the road when it started, were you not?

Mr. KILROY. I went from one side to the other. As I said, I went 20 feet from one end to the other. No; that is not my picture.

Senator LA FOLLETTE. Did you hear any orders given at the time for the police to cease firing?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Did you give any such orders?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Had you ever participated in an encounter of this kind before, Captain?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. In all your experience?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. You realized, however, that a conflict which resulted in these casualties, regardless of what happened, was worthy of full investigation, did you not?

Mr. KILROY. Yes. It has been fully investigated.

Senator LA FOLLETTE. Now, I would like to have you look at the copy of your report of May 30, exhibit 1330,² which has already

¹ See p. 5132.

² See pp. 4647-4648.

been submitted in the record. This report entirely fails to mention that any marchers were killed or wounded.

Mr. KILROY. Well, that is just a preliminary report. At the time we sent this report in they may not have been killed. I mean, they may not have died from the gunshot wounds or whatever injuries they received. This is just a temporary report that goes down.

Senator LA FOLLETTE. It does not even mention that anybody was injured, does it?

Mr. KILROY. No; it does not. It is just a sort of a brief report going down. A later one followed it.

Senator LA FOLLETTE. The next day?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. But this one, the first one that reached the commissioner, really was not a very adequate report, was it?

Mr. KILROY. No, sir; not this one here.

Senator LA FOLLETTE. You mention in your first report, however, that the police were injured.

Mr. KILROY. Yes; I do.

Senator LA FOLLETTE. Did you not know at the time you wrote that first report that some of the marchers, or strikers, or the mob, or whatever you want to call them, had been injured?

Mr. KILROY. I did not know the seriousness of their injuries. At that time they were at different hospitals and we did not have the report on them.

Senator LA FOLLETTE. I thought they all went to Bridewell?

Mr. KILROY. They went to several hospitals throughout the city of Chicago, in the southern end of it there.

Senator LA FOLLETTE. I misunderstood Captain Mooney, then.

Mr. KILROY. Yes.

Senator LA FOLLETTE. Did you see any of the wounded after the field had been cleared?

Mr. KILROY. I seen them lying on the ground. I did not know how badly they were wounded then.

Senator LA FOLLETTE. You did not inspect any of them?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Did you see any of them loaded into the wagons?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Did you see where any of them were wounded?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Not a single case?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Did not you consider it part of your responsibility as an officer to see that these people were properly taken care of?

Mr. KILROY. I did do that.

Senator LA FOLLETTE. But you did not inspect them to see whether they were seriously wounded or not?

Mr. KILROY. It would not be proper for me to do. The proper thing is to get them to the hospital as soon as possible.

Senator LA FOLLETTE. Were you near any of the wagons when they were being loaded?

Mr. KILROY. Yes; I was.

Senator LA FOLLETTE. Did you help to put any of the men in?

Mr. KILROY. I directed the officers to do that.

Senator LA FOLLETTE. You did not see any indications—

Mr. KILROY (interrupting). I saw blood on them but I could not tell what kind of a wound it was.

Senator LA FOLLETTE. Well, could you see whether any of them had blood on them in a place where it indicated that they might be vitally or seriously injured?

Mr. KILROY. I saw blood around the head; that is about all, and their arms.

Senator LA FOLLETTE. You did not see any with blood on their body?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Did you see any that had to be carried?

Mr. KILROY. Yes; certainly. The police officers carried them.

Senator LA FOLLETTE. Then you could assume, could you not, that those were more or less seriously hurt?

Mr. KILROY. I could not tell you the extent of their injury, though. That would be impossible for me.

Senator LA FOLLETTE. Did you see any of the injuries to any of the policemen?

Mr. KILROY. Yes; I did.

Senator LA FOLLETTE. On the field?

Mr. KILROY. Yes.

Senator LA FOLLETTE. And what did you observe about their injuries?

Mr. KILROY. I saw one where the forehead was cut [indicating]; another one, his chin was struck by a bolt.

Senator LA FOLLETTE. Were they all able to walk?

Mr. KILROY. Yes, sir; they were.

Senator LA FOLLETTE. Well, then, it is a little difficult for me to understand why you thought it important to mention the fact, in your preliminary report, that these policemen who were all able to walk had been injured, but you did not mention the fact that any of the marchers, some of whom had to be carried to the patrol wagons, were hurt.

Mr. KILROY. As I stated, I did not have the complete report on the injured. I had to wait to get that from different hospitals, and that would not come in until maybe 3 or 4 o'clock in the morning, or maybe the next day we would get them.

Senator LA FOLLETTE. You did not have a complete report on how the policemen were injured when you wrote this?

Mr. KILROY. No; I did not.

Senator LA FOLLETTE. Now, if I understood your testimony correctly, Captain, you said that the first shot you heard, while you did not see who fired it, you thought from the sound that it came from somewhere in the rear of the marchers?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Is that correct?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Well, that was a very important part of this whole situation, was it not?

Mr. KILROY. That was the first shot that was fired.

Senator LA FOLLETTE. I mean from the point of view of what happened afterward it was very important, was it not?

Mr. KILROY. Yes, sir; it was.

Senator LA FOLLETTE. How do you account for the fact that you did not mention that in either this report or what you call your full report to your superior?

Mr. KILROY. It may be that I just overlooked it.

Senator LA FOLLETTE. Was not it pretty important for the man who was responsible for the conduct of the Chicago police department to know, if it was a fact, that the first shot fired, in which 10 people were killed and many injured, had been fired, according to your judgment of the sound of the shot, from someone who was connected with the marchers?

Mr. KILROY. Will you please give me that question again?

(The question was read by the reporter.)

Mr. KILROY. If I am not mistaken, the commissioner of police had a letter to that effect.

Senator LA FOLLETTE. Yes; but it was not in either your report of May 30 or May 31, was it?

Mr. KILROY. No; it was not.

Senator LA FOLLETTE. And yet in your report you gave some hearsay testimony, which you did not have of your own knowledge, that police officers who saw members of the marchers with revolvers and saw shots fired at the police are being sought at the present time?

Mr. KILROY. Well, that we had taken from the reports we had received.

Senator LA FOLLETTE. Well, how could you have received the report from men who were still being sought?

Mr. KILROY. I mean report of the officers.

Senator LA FOLLETTE. You mean that officers reported to you that there were men in their details who had seen strikers with revolvers who had fired the shots?

Mr. KILROY. That is correct.

Senator LA FOLLETTE. And you were seeking those officers, is that the correct interpretation?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Now, when did you write to the commissioner telling him about your hearing this first shot?

Mr. KILROY. I could not say. I say most likely I have written to him.

Senator LA FOLLETTE. You are not sure that you have?

Mr. KILROY. No, sir; I am not.

Senator LA FOLLETTE. You think he had just learned—might have just learned it today for the first time?

Mr. KILROY. That is possible.

Senator LA FOLLETTE. That the first shot you heard you thought came from the marchers?

Mr. KILROY. That is possible.

Senator LA FOLLETTE. Would that seem to indicate, Captain, that a very thorough investigation of the situation had been made by the police department?

Mr. KILROY. We are trying to do it.

Senator LA FOLLETTE. That is a very vital piece of testimony, is it not?

Mr. KILROY. Yes; it is. It is my opinion.

Senator LA FOLLETTE. Well, I mean, for what it is worth, your opinion is pretty important in this situation, is it not?

Mr. KILROY. Yes; it is.

Senator LA FOLLETTE. You were right there?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. And so far as you can say definitely this may be the first time that the responsible head of the police department has ever learned that the shot that you heard, you thought from the sound of it, came from the strikers?

Mr. KILROY. Yes.

Senator LA FOLLETTE. Now, will you look at your report of May 31, the second one to Commissioner Allman, exhibit 1331¹? In this report, Captain, you stated, did you not, among other things, that the marchers were a disorganized mob?

Mr. KILROY. Yes; I did.

Senator LA FOLLETTE. Was that your correct impression?

Mr. KILROY. Yes, it is; because they had clubs, bricks, iron hooks, and other missiles.

Senator LA FOLLETTE. And its deportment, I judge from your report to the commissioner, was the deportment of a disorganized mob, or you would not have so stated; is that correct?

Mr. KILROY. Well, they would become a disorganized mob if they were not.

Senator LA FOLLETTE. Well, you did not say that. What you said was:

The marchers, a very disorganized mob of about two thousand five hundred in number, armed with clubs, bricks, pieces of pipe, boards and pepper, cut across the open prairie to affect an entrance to the strike area about 116th Street and Burley Avenue.

That is a correct assertion, from your point of view, of the mob, is it not?

Mr. KILROY. Yes, sir.

Senator THOMAS. How much pepper did they have, Captain?

Mr. KILROY. There was a small bag of pepper that was found there, taken off a woman, if I am not mistaken.

Senator THOMAS. It was not general throughout the mob?

Mr. KILROY. No, sir. It was brought into the station later on by some officer. I could not say who brought it in.

Senator THOMAS. If they were going to use pepper they would have expected close-up fighting, would they not?

Mr. KILROY. We were very close to them.

Senator THOMAS. Then they were prepared for close-up fighting if they used pepper?

Mr. KILROY. I could not say what they were going to use it for.

Senator THOMAS. They could not use it for anything else, could they?

(No response.)

Senator LA FOLLETTE. Now, Captain, if I understand you correctly, you stated that there was no conversation between the police in your hearing and that you had no conversation with the marchers when you made contact with them at One Hundred and Six-

¹ See pp. 5007-5009.

teenth Street, excepting your order to them to disperse, and their profane epithets hurled in response, is that correct?

Mr. KILROY. I said I pleaded with them to go on and turn around and go back. That is the only conversation I had with them.

Senator LA FOLLETTE. But so far as the marchers were concerned, you heard nothing from them except these profane epithets?

Mr. KILROY. Well, they were using vile language, some of them.

Senator LA FOLLETTE. Is that all that you heard?

Mr. KILROY. That is all.

Senator LA FOLLETTE. Well, how did you know what the objective of the marchers was?

Mr. KILROY. Just my judgment.

Senator LA FOLLETTE. Well, you stated positively, in your full report of May 31, that the marchers "cut across the open prairie to effect an entrance to the strike area about One Hundred and Sixteenth Street and Burley Avenue."

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Now, was it your understanding then, at that time, that the strikers intended to capture the plant or to take possession of it?

Mr. KILROY. Yes; it was my indication that they wanted to get over there.

Senator LA FOLLETTE. You mean it was your understanding?

Mr. KILROY. My understanding, rather.

Senator LA FOLLETTE. That they wanted to get inside of the plant?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. How did you know that?

Mr. KILROY. On the Republic Steel plant there at One Hundred and Sixteenth Street there is no fence there, and they could obtain entrance by cutting over there and get right into the plant.

Senator THOMAS. Is not that where Captain Mooney had part of his men stationed?

Mr. KILROY. No, sir; I do not think there was any man detailed there at all, because that is far away from there. You have to cross the railroad tracks to get in.

Senator LA FOLLETTE. Well, Captain Mooney testified that Sergeant Lyons and a detail of 32 men occupied that position there in order to prevent that, and that during the time of this march about 300 men started over there but when they came near Sergeant Lyons they fell back and joined the main body of the marchers on the dirt road or thereabouts, so how do you know it was their objective to get inside of the plant? If you did not have any conversation with them which indicated that that was their objective, how did you know that was the objective?

Mr. KILROY. It is just my opinion that they wanted to get in there.

Senator LA FOLLETTE. Now, in your report of the 31st, in the third paragraph, you say, among other things—

* * * shots came from the crowd and the policemen employed their batons to rout the gathering.

Your report was then that the police used the clubs to rout the marchers?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. You also stated in your report, among other things that—

* * * a number of policemen were knocked to the ground by clubs and short pipes; some of the officers on the ground and at the mercy of the mob fired their service revolvers.

did you not?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Your report then, Captain, was that police officers used their revolvers only when they were on the ground and in self-defense?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Now, you have heard me discuss this question with Commissioner Allman and Captain Mooney, and I now would like to get your judgment as a police officer: In view of the nature of the wounds that these men received—seven of them shot in the back and three in the side—can you explain to me, from your experience, just how that would happen?

Mr. KILROY. How the supposed marchers got shot?

Senator LA FOLLETTE. How they got shot in the back if they were attacking policemen who were on the ground and who were shooting to defend themselves against this attack with clubs, pipes, and so on.

Mr. KILROY. It would be possible for someone else besides the police officer to shoot them; that would be shooting at the police officer while he was on the ground. [Laughter.]

Senator LA FOLLETTE. Well, did you see anything that indicated that the crowd, or anybody in the marchers, was shooting, aside from this first shot that you heard which you said, from the sound of it, you thought came from the rear of the crowd?

Mr. KILROY. No, sir; I did not.

Senator LA FOLLETTE. Now, I offer for the record copies of four reports signed by Lt. Joseph C. Wilimovsky, Jr., coroner's division of firearms identification. They may all be inserted in the record and given exhibit numbers.

(The documents were marked "Exhibits 1345 to 1348" and appear in the appendix on pp. 5023-5024.)

Senator LA FOLLETTE. I want to read the last paragraph of each of these reports. They are not all alike. I will read each one of them.

As the result of my examination, it is my opinion that the above-mentioned bullet was fired from a Colt .38 special revolver.

This is the bullet that shot Rothmund, who died on the 30th of May.

Then the bullet that shot Otis Jones, who died on June 8, the last paragraph of the report says:

As the result of my examination, it is my opinion that the above-mentioned bullet was fired from a Smith & Wesson .38 special revolver.

Kenneth Reed, who died on the 30th of May:

As the result of my examination, it is my opinion that the above-mentioned bullet was fired from a Colt .38 revolver.

Anthony Tagliori, who died on the 1st of June:

As the result of my examination, it is my opinion that the above-mentioned bullet was fired from a Colt .38 special revolver.

The type of weapon mentioned in each one of these reports is the usual police equipment, is it not, Captain?

Mr. KILROY. Yes, sir; a .38 Colt or Smith & Wesson.

Senator LA FOLLETTE. Now I offer for the record a newspaper photograph, which was given the letter "R", taken on May 30, 1937.

(The picture was marked "Exhibit 1349" and is reproduced in the appendix on p. 5133.)

Senator LA FOLLETTE. Will you look at that photograph, Captain? [The photograph was handed to Mr. Kilroy.] Now, would you say, from looking at that picture, Captain, that it was probably taken several minutes after the outbreak of the encounter?

Mr. KILROY. Several minutes after?

Senator LA FOLLETTE. Yes, sir.

Mr. KILROY. I should think it would be taken immediately after.

Senator LA FOLLETTE. Well, if it was taken immediately after how do you account for the fact that some of these marchers have run so far away by this time?

Mr. KILROY. They might be good runners. [Laughter.]

Senator LA FOLLETTE. Then it is your judgment that this was taken immediately after the outbreak of the encounter?

Mr. KILROY. Well, at certain locations. That is just one part of the picture.

Senator LA FOLLETTE. Well, the crowd is in full retreat here, is it not?

Mr. KILROY. I would not say that is all the crowd.

Senator LA FOLLETTE. I know; but this portion of it?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. They are making time away from the police, are they not?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Now this picture shows that dirt road, does it not, Captain, that we have talked about?

Mr. KILROY. Well, I would not be positive of that.

Senator LA FOLLETTE. Well, there is a willow tree in the foreground. Did you see that on that day?

Mr. KILROY. There were several of them there.

Senator LA FOLLETTE. This looks like a part of that road, does it not, the dirt road? Maybe you can see it better in the smaller one.

(A smaller copy of exhibit 1349 was handed to Mr. Kilroy.)

Mr. KILROY. Yes; I would judge that is the road.

Senator LA FOLLETTE. Now, Captain, would you look at the policeman, the third from the right?

Mr. KILROY. Yes.

Senator LA FOLLETTE. Can you see what he is doing?

Mr. KILROY. It looks like he has got a club in his hand.

Senator LA FOLLETTE. Are you looking at the same one I am?

Mr. KILROY. Right here [indicating], yes. This picture, the large picture, it looks like a club. You can look at it yourself and see.

Senator LA FOLLETTE. Look at the small one.

Mr. KILROY. Yes; I do see that much better.

Senator LA FOLLETTE. If it is not a service revolver I never saw one.

Mr. KILROY. That is a service revolver; that is right.

Senator LA FOLLETTE. In what general direction does he seem to be pointing? Up in the air or at somebody out in the crowd?

Mr. KILROY. I would say the gun is pointed directly at the policeman in front of him.

Senator LA FOLLETTE. You do not think it could be pointed at this man in shirt sleeves who is running?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. All right. Now, will you look at the policeman at the far left of the picture, at the edge of the road?

Mr. KILROY. Yes; the third from the rear. Yes; I see it.

Senator LA FOLLETTE. What would you say he is doing?

Mr. KILROY. Well, he has a revolver in his hand, in the same position, with a policeman in front of him. He must be shooting over his head or he would shoot the policeman.

Senator LA FOLLETTE. The crowd is pretty far away by this time, is it not?

Mr. KILROY. Well, not the way the picture shows them.

Senator LA FOLLETTE. You do not see anybody here in this picture unless it be one man, not in uniform, who has his face toward the police, do you?

Mr. KILROY. That is all.

Senator LA FOLLETTE. Now, Captain, just to the right of the center of the picture do you see a policeman with his gun drawn?

Mr. KILROY. Yes; I do.

Senator LA FOLLETTE. Which way is it pointed?

Mr. KILROY. That is also pointed toward a policeman. There is a citizen in between the two policemen, there is a citizen there, as you call them. If he shot there, if he missed the citizen, or if he was shooting at the citizen he would shoot the policeman.

Senator LA FOLLETTE. Do you think he would shoot a policeman if he shot either one of those two men there that are right in front of the officer who appears about to bring his club down on the head of a person?

Mr. KILROY. The possibility is he would shoot the policeman.

Senator LA FOLLETTE. But he could shoot those two men first, could not he?

Mr. KILROY. Yes; they are closer to him.

Senator LA FOLLETTE. There is no policeman in between him and those men?

Mr. KILROY. No; there is not; but there are policemen in the rear of the two men, where the gun is pointed.

Senator LA FOLLETTE. Well now, I am a little confused about the police department, Captain, because in all the pictures that we have gone over so far, except the one policeman who has his gun pointed in the air, according to the statements we have had from you and Captain Mooney, they seem to be pointing the guns at each other.

Mr. KILROY. That is the way the picture shows up.

Senator LA FOLLETTE. You are willing to go far enough, are you not, to say that this officer that we are talking about, near the center of the picture, could have shot either one of those two men in civilian clothes without shooting the officer?

Mr. KILROY. I would not say that; no. He might shoot wild, something might strike his hand.

Senator LA FOLLETTE. Suppose he did not shoot wild, he is not very far away from him, is he?

Mr. KILROY. I should judge about 5 feet, maybe.

Senator LA FOLLETTE. How do you account for him having this gun in that position?

Mr. KILROY. I could not say.

Senator LA FOLLETTE. You could not say?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Now, in the light of the reports of the coroner showing that the men who were killed were shot in the back, and in the light of the photograph showing the position of the guns of these three officers, do you feel that your reports to Commissioner Allman present a true picture of what took place on Sunday afternoon?

Mr. KILROY. It does not give a perfect report, a direct report as to what occurred there; no, sir.

Senator LA FOLLETTE. Now, I believe you stated that you helped or supervised the gathering up of some of the wounded after the field was cleared, is that right?

Mr. KILROY. Yes. I wanted to see them get medical attention as soon as possible.

Senator LA FOLLETTE. But I think Captain Mooney testified that no ambulances were summoned; is that your understanding of it?

Mr. KILROY. We have no ambulances—just patrol wagons.

Senator LA FOLLETTE. Well, the fire department has ambulances, does it not?

Mr. KILROY. Yes; they do.

Senator LA FOLLETTE. Because we have had Captain Mooney testify that some of the policemen who were injured on Friday night were taken down in fire department ambulances.

Mr. KILROY. Yes; they have one, maybe—

Senator LA FOLLETTE (interrupting). Do you know whether all of the wounded were taken away in the five wagons in one trip or was there more than one trip?

Mr. KILROY. I could not answer that question.

Senator LA FOLLETTE. Were you close enough to see how heavily loaded these wagons were?

Mr. KILROY. Well, they cannot put more than one injured person in a wagon.

Senator LA FOLLETTE. Did you see more than one injured person put in a wagon?

Mr. KILROY. Well, I have seen them sit up in the wagon; yes.

Senator LA FOLLETTE. No, no; I mean this Sunday afternoon.

Mr. KILROY. The injured persons that were not injured seriously we put them in there. If you use a stretcher, that is all you carry, one person in a wagon.

Senator LA FOLLETTE. Ten of these people were shot badly enough so that they died. Do you mean to say that they each got an individual, separate wagon to ride down in?

Mr. KILROY. I could not say; no, sir.

Senator LA FOLLETTE. How many men did you see carried into one particular wagon, men who couldn't walk?

Mr. KILROY. I did not see any of them.

Senator LA FOLLETTE. You did not see any carried?

Mr. KILROY. Not over one at a time, rather.

Senator LA FOLLETTE. But it took 20 minutes, according to Captain Mooney's estimate, for a patrol wagon to go one way, that would be 40 minutes the round trip.

Mr. KILROY. It would take 30 to 40 minutes to make a trip; yes, sir.

Senator LA FOLLETTE. Now, how long was it before the field was cleared of the wounded or the dead?

Mr. KILROY. Well, I would not say they were dead there at the present time they were wounded.

Senator LA FOLLETTE. Well, some of them died on the same day, and I do not know whether they died at the field or in the hospital.

Mr. KILROY. They died at the hospital if they died. I could not just exactly say.

Senator LA FOLLETTE. Well, approximately, Captain, how long would you say?

Mr. KILROY. That they had them out of there?

Senator LA FOLLETTE. Yes.

Mr. KILROY. Half an hour.

Senator LA FOLLETTE. You think they were all out of there in a half hour?

Mr. KILROY. Everyone off in half an hour.

Senator LA FOLLETTE. If you could not put more than one man who was seriously wounded, that could not walk, in each wagon, how could they all have been gotten out of there in a half hour?

Mr. KILROY. It might be a possibility that they used their own automobiles. They had two automobiles there with Red Cross insignia on them to take their own wounded out of there.

Senator LA FOLLETTE. Did you think then that some of the other wounded may have been taken away by the others?

Mr. KILROY. By the strikers.

Senator LA FOLLETTE. I see. Now, is it your testimony that, so far as you observed, only one seriously wounded man was loaded in any patrol wagon that you saw?

Mr. KILROY. I did not see many of them go in there. I only saw one or two wagons, that is all.

Senator LA FOLLETTE. But of the two that you saw you only saw one seriously wounded man put in?

Mr. KILROY. Yes.

Senator LA FOLLETTE. And how many others were in the wagon with him?

Mr. KILROY. There might be maybe three or four.

Senator LA FOLLETTE. That is all?

Mr. KILROY. Yes. You put a really seriously wounded person on a stretcher.

Senator LA FOLLETTE. Did these wagons all have stretchers?

Mr. KILROY. Yes; they all had stretchers.

Senator LA FOLLETTE. Did you see any of the men carried up to the wagons on stretchers?

Mr. KILROY. I could not say that; no.

Senator LA FOLLETTE. Did you see any stretchers out on the field being used to gather up any wounded?

Mr. KILROY. No, sir; I did not see them come off, I did not see them.

Senator LA FOLLETTE. Do you know why they were not used?

Mr. KILROY. No, sir; I could not say whether they were used or not. They could have been used and I did not see them.

Senator LA FOLLETTE. Did you suggest to any of the officers that they might use the stretchers?

Mr. KILROY. The officers themselves know without instructions.

Senator LA FOLLETTE. You did not give any instructions?

Mr. KILROY. No, sir; you do not have to. The wagon man knows all the instructions, what to do with a wounded person.

Senator LA FOLLETTE. Do you know whether any of the wounded died en route to the hospitals?

Mr. KILROY. No, sir; I do not.

Senator LA FOLLETTE. I offer for the record a photograph which was given the letter "U."

(The picture was marked "Exhibit 1350" and is reproduced in the appendix on p. 5134.)

Senator LA FOLLETTE. Will you look at it please?

(The photograph was handed to Mr. Kilroy.)

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. This was taken when the police were in complete possession of the field, was it not?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. It covers quite a lot of territory and you can only see two people in civilian clothes, can you not?

Mr. KILROY. In civilian clothes in this picture?

Senator LA FOLLETTE. Yes.

Mr. KILROY. Yes; they are the wounded, the ones that are injured.

Senator LA FOLLETTE. Do you see a striker lying helpless on the ground covering his head with his arms?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Do you know the officer standing in the center of the picture?

Mr. KILROY. That is a picture of myself.

Senator LA FOLLETTE. And what is the policeman in front of you doing?

Mr. KILROY. It looks like as if he was striking him. Whether he had struck him or not I do not know.

Senator LA FOLLETTE. Could you look at that picture and come to any other conclusion than that that club had just been brought down with a good deal of force?

Mr. KILROY. It looks like the club is in the center of his back there.

Senator LA FOLLETTE. Yes; but look at the position of his arm, his body, and his shoulders. Can you come to any other conclusion than that the club has just been brought down with great force on this man's back?

Mr. KILROY. I could not say. I would not say that.

Senator LA FOLLETTE. You are looking at it?

Mr. KILROY. I am looking right at it. It looks like as if he was posing for a picture there. [Laughter.]

Senator LA FOLLETTE. Do you think that man is posing for a picture with his hands over his head? [Laughter.]

Mr. KILROY. No, sir.

Senator LA FOLLETTE. You want to withdraw that, then, Captain?

Mr. KILROY. Yes, sir, I do; but I say, the way the officer's position is that—

Senator LA FOLLETTE (interrupting). Well, he seems to be concentrated on the business of clubbing this helpless man on the ground. He does not seem to be looking at the camera. Do you see the man who is being jerked to his feet?

Mr. KILROY. Yes; I do.

Senator LA FOLLETTE. By a patrolman?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. What is the patrolman, standing next to this man who is being jerked to his feet, doing with his club?

Mr. KILROY. I would not say he was striking him. It is just held in his hand.

Senator LA FOLLETTE. Does not the end of the club seem to be in contact with the man's elbow?

Mr. KILROY. It looks that way, but I do not think he is striking him there. I would not stand for it.

Senator LA FOLLETTE. Well, it looks very much to me as if in this picture one officer was pulling this fellow off the ground with one hand, by his arm, and that this other officer was giving him a crack on the arm from below. Would you say that these men were using their clubs in self-defense?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Did this sort of police tactics meet with your approval?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Why did you not do anything about it to stop it? You were right there looking on.

Mr. KILROY. Most likely I did stop it.

Senator LA FOLLETTE. You did not stop it, according to the picture.

Mr. KILROY. I may have just walked over to him there.

Senator LA FOLLETTE. The picture does not show you in motion, it shows you standing very still and looking at just that is going on. You were responsible for that immediate situation, were you not? You were the only commissioned officer there, were you not, Captain?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. What have you got to say about that?

Mr. KILROY. I said "yes."

Senator LA FOLLETTE. I mean what have you got to say about that picture?

Mr. KILROY. Well, that picture is not a very good picture.

Senator THOMAS. What were the odds? How many police officers to the two men on the ground?

Mr. KILROY. Well, seven to two.

Senator THOMAS. Then look at the policeman that is standing at the extreme right. He is armed in both hands, is he not?

Mr. KILROY. He has got a club in each hand; yes, sir.

Senator THOMAS. He has got a club in each hand?

Mr. KILROY. Yes, sir.

Senator THOMAS. Is the club in his hand a police regulation club?

Mr. KILROY. No, sir.

Senator THOMAS. What do you think that is?

Mr. KILROY. It might be one picked up off the field.

Senator THOMAS. Will you look at photograph "R", exhibit 1349¹?
Mr. KILROY. Yes, sir.

Senator THOMAS. There is a policeman who may be an ordinary policeman but he seems to have on officer's helmet. Do you see the man in the upper right hand corner running away, with his back to you?

Senator LA FOLLETTE. He has on a dark shirt and white pants.

Mr. KILROY. Dark shirt and white trousers. I would not say he was a policeman, or had a policeman's helmet on.

Senator THOMAS. No; the policeman covers the man who is running away, with his right foot against the other man's foot. Can you tell who that policeman is?

Mr. KILROY. No, sir; I could not tell you.

Senator LA FOLLETTE. Is he an officer?

Mr. KILROY. I could not tell you.

Senator THOMAS. Look at his helmet. It does not look like a regulation policeman's cap, does it?

Mr. KILROY. Would you mark where you mean, please? [The point was indicated to Mr. Kilroy.]

Mr. KILROY. That is a police officer.

Senator THOMAS. Look at the insignia on his collar. Can you see what that is?

Mr. KILROY. No, sir; I cannot distinguish that.

Senator THOMAS. You know this man?

Mr. KILROY. No, sir; I do not.

Senator THOMAS. You do not know him?

Mr. KILROY. No, sir.

Senator THOMAS. But you do see there is a difference between his helmet and the other helmets, do you not?

Mr. KILROY. No; they are practically the same.

Senator THOMAS. Is there any insignia like this man has on his collar on any of the other uniforms?

Mr. KILROY. It may be an old coat, or something of that kind, that he was wearing, that is not regulation.

Senator THOMAS. It could not be a guard from the company force, could it?

Mr. KILROY. No, sir.

Senator THOMAS. You know their uniform, do you?

Mr. KILROY. All I have seen them wear was a grey shirt.

Senator THOMAS. They do not wear a helmet?

Mr. KILROY. No, sir.

Senator THOMAS. Now, just in front there is a policeman that has a regular club on his belt and then he is carrying a white night-stick. Were these night-sticks issued to all of them?

Mr. KILROY. It looks to me to be a branch of a tree of some kind that he has got in his hand.

Senator THOMAS. Is there any reason for giving a policeman two clubs?

Mr. KILROY. No, sir; he might have picked that up off the ground.

Senator THOMAS. Did the men have two clubs?

Mr. KILROY. No, sir.

¹ See p. 5133.

Senator THOMAS. They used their regulation dark-colored clubs and those who did not have them had the white night-sticks, did they not?

Mr. KILROY. We had no white night-sticks.

Senator THOMAS. You had no white night-sticks?

Mr. KILROY. No, sir.

Senator THOMAS. Now look at photograph "U-1" and see the officer who has both the stick and the "tree."

Mr. KILROY. Well, most likely he picked that up off the ground.

Senator THOMAS. The one in his right hand?

Mr. KILROY. Yes.

Senator THOMAS. Is not that regulation?

Mr. KILROY. It looks like a regulation club; yes.

Senator THOMAS. That is not the kind of club that policemen ordinarily carry, is it?

Mr. KILROY. Yes; it is the ordinary club.

Senator THOMAS. The light color?

Mr. KILROY. In the right hand; yes.

Senator THOMAS. Light color?

Mr. KILROY. That could be the cause of the photographer.

Senator THOMAS. Look at the man who has his on his belt under his coat.

Mr. KILROY. That is white also.

Senator THOMAS. Then he has a white one also in his hand, hasn't he, which is quite different from the one under his coat, is it not?

Mr. KILROY. No; I could not say it is different than the regulation club.

Senator THOMAS. Now, you can see your own club. It has a dark color; it photographs dark, does it not?

Mr. KILROY. Yes; it does.

Senator THOMAS. The club of the officer who is hitting the man in the back photographs white, does it not?

Mr. KILROY. Yes; it does.

Senator THOMAS. These white clubs are not Chicago police regulation clubs, are they?

Mr. KILROY. No, sir; white clubs are not the regulation clubs.

Senator THOMAS. Where did they get them?

Mr. KILROY. I could not say, unless they picked them up off the ground. The whorls on the clubs are all alike, the officers' clubs, they are shown exactly like a regulation club.

Senator THOMAS. That is, yours does.

Mr. KILROY. One of the officers here [indicating], this officer right there [indicating], do you notice the whorls around there? That is the regulation police club?

Senator THOMAS. How does it happen to photograph a different color.

Mr. KILROY. I could not say.

Senator THOMAS. You have exactly the same situation in the pictures. The man who has one on his belt under his coat and yours, they must be a different color or they could not photograph that way, must they not?

Mr. KILROY. It may be most likely a different club.

¹ See exhibit 1350, p. 5134.

Senator THOMAS. They are surely different?

Mr. KILROY. Yes; they are different.

Senator THOMAS. What I am interested in, Captain, is this: Were these clubs issued to you by someone else?

Mr. KILROY. No, sir; we got no clubs from someone else; we used our own clubs.

Senator THOMAS. You are sure of that?

Mr. KILROY. Yes, sir.

Senator THOMAS. It is all regulation stuff?

Mr. KILROY. Yes, sir.

Senator THOMAS. Now, here is a man, back in photograph "J-1" who is a civilian, carrying a club, probably a plain-clothes man, right on the extreme right-hand side.

Mr. KILROY. Over here [indicating].

Senator THOMAS. Yes; he has a club with a handle—that is, it is a club that has actually been made for a policeman's use, but it looks like it is a white color. Now, I count at his right, one, two, and then over in the middle of the picture, right by the flag another officer running, and a third, and over at the edge another officer with a white club, four, right next to him, an officer with the regulation colored club on his belt. Now, there are so many of those white clubs that I am wondering where they came from.

Mr. KILROY. The possibility is they could come from the steel mill, maybe. They might have them over there.

Senator THOMAS. They might have come from the steel mill?

Mr. KILROY. Yes; the possibility is they could have.

Senator THOMAS. Does Captain Mooney know where they came from? Is Captain Mooney still here?

(No response.)

Senator LA FOLLETTE. Did you see any men, Captain, when they left the police headquarters to march over in squads of four, or in squad formation, on Sunday, did you see any of them with any pickax handles, or any clubs when they marched out?

Mr. KILROY. Pickax handles; no.

Senator LA FOLLETTE. Any clubs, aside from their own regulation?

Mr. KILROY. They may have had a club; I cannot say.

Senator LA FOLLETTE. Did you see any?

Mr. KILROY. No, sir; I did not.

Senator LA FOLLETTE. All right. I am going to show you another picture, photograph "U-1."

(The picture was marked "Exhibit 1351" and is reproduced in the appendix on p. 5134.)

Senator LA FOLLETTE. What do you see there? You can only see one marcher there, can you not?

Mr. KILROY. That is all.

Senator LA FOLLETTE. Where is he?

Mr. KILROY. There are two of them on the ground.

Senator LA FOLLETTE. They are prone, are they not?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. The one there nearest the policeman with his club raised is half turned over on his belly, is he not?

Mr. KILROY. Yes, sir.

¹ See exhibit 1341, p. 5132.

Senator LA FOLLETTE. What would you say that that cop was about to do to that man?

Mr. KILROY. Strike him.

Senator LA FOLLETTE. Do you justify that kind of conduct on the part of your officers—policemen?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. Are not you ashamed of it? Do you think that is going to do the reputation of the Chicago police force any good as an agency representing the people of the State of Illinois, which you said you did on several days and on that day? Is not that pretty brutal?

Mr. KILROY. Yes, sir; it is.

Senator LA FOLLETTE. That is all.

Senator THOMAS. Now, Captain, did you ever know a brutal policeman?

Mr. KILROY. No, sir.

Senator THOMAS. Neither have I. Who then is responsible for the brutality of this day?

Mr. KILROY. The officer himself most likely would be. In that picture there, he is the one taking it on his own shoulders to do that.

Senator LA FOLLETTE. You do not happen to know anyone of those privates, do you, Captain; in either one of the two pictures we have discussed?

Mr. KILROY. No, sir.

Senator THOMAS. Do you think an officer, a policeman, of his own free will would slug a man that way?

(No response.)

Senator THOMAS. In all your experience with policemen have you ever seen one who had it in his heart to slug a man with his back turned to him?

Mr. KILROY. No, sir.

Senator THOMAS. Neither have I. Did you ever know of one in the Chicago police force?

Mr. KILROY. No, sir.

Senator THOMAS. If you did know of one, how long would he remain a policeman?

Mr. KILROY. Very shortly.

Senator THOMAS. How did it happen that this thing occurred?

Mr. KILROY. This was a riot; most likely they were all excited, and it was one for one.

Senator LA FOLLETTE. In this picture where you were present there were one, two, three, four, five, six to two, and both of the two men on the ground were prone. You were not excited right then, were you? You seem to be looking on there pretty calmly and not doing anything about it to prevent this.

Mr. KILROY. I may have said something there. I would not know it, though.

Senator LA FOLLETTE. You did not say anything that you remember though, do you?

Mr. KILROY. No, sir.

Senator THOMAS. Captain, did you hit anyone?

Mr. KILROY. Yes, sir; I did. When I was on the field, there was a man running along that had a two by four in his hand; he was about to strike me when I struck him with my baton across the back.

Senator THOMAS. You hit him in self-defense?

Mr. KILROY. Yes; I did.

Senator THOMAS. That is, you yourself could not hit anybody in any other way but that way, could you?

Mr. KILROY. No, sir; I would not.

Senator LA FOLLETTE. Now, if he was threatening you with this two by four how did you happen to hit him across the back?

Mr. KILROY. He was going by me and the club flew out of his hand.

Senator LA FOLLETTE. He was not really threatening you, then?

Mr. KILROY. I will explain it to you, if you will let me. When I was on the field there was a man running with a two by four in his hand, and I judge he got 3 feet before me when the club, some way or other, had left his hands, and he went by me and I struck him in the back.

Senator LA FOLLETTE. Then he was not running at you, was he?

Mr. KILROY. Absolutely, he was running right at me.

Senator LA FOLLETTE. You say when he was 3 or 4 feet away his club slipped out of his hands.

Mr. KILROY. In some way the club left his hands.

Senator LA FOLLETTE. There would have been no bodily contact between you and this man unless you hit him in the back with the club, would there?

Mr. KILROY. It was just I or he, that is all.

Senator LA FOLLETTE. You say he was running past you?

Mr. KILROY. He was running toward me with the club in his hands.

Senator LA FOLLETTE. How did you hit him in the back?

Mr. KILROY. When he was going by me. [Laughter.]

Senator LA FOLLETTE. Then he was not coming in contact with you, was he?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. So you were mistaken in your previous statement about that, were you not?

Mr. KILROY. I was trying to defend myself.

Senator LA FOLLETTE. Sure, that is just what you said, Captain. You said you were trying to defend yourself, and you said this man ran by you; as he got 3 or 4 feet in front of you, he dropped his club, and you hit him in his back.

Mr. KILROY. I said he was running toward me with the club in his hands.

Senator LA FOLLETTE. He came toward you?

Mr. KILROY. He was about 3 feet away from me when the club had left his hands, and I had already swung at him and struck him in the back. [Laughter.]

Senator LA FOLLETTE. A man is running toward you; he has a two by four in his hands, and when he gets about 3 or 4 feet away, for some reason or other the club leaves his hands, and then you hit him in the back?

Mr. KILROY. I automatically struck him; yes, sir.

Senator LA FOLLETTE. Tell me how it happened?

Mr. KILROY. I just struck him as he had gone by—struck him in the back.

Senator LA FOLLETTE. As he was going by?

Mr. KILROY. Yes, sir.
 Senator LA FOLLETTE. All right.
 Senator THOMAS. In holding the two by four, he held that with both hands, did he not?
 Mr. KILROY. Surely.
 Senator THOMAS. He could not hold it with one hand? He was coming at you this way [indicating]; the club was raised in the air?
 Mr. KILROY. The club was raised in the air like that [indicating].
 Senator THOMAS. Raised right at you?
 Mr. KILROY. That is the way I judge it was.
 Senator THOMAS. You were right in front of him then?
 Mr. KILROY. Yes; I was very close to him.
 Senator THOMAS. But you did not get a chance to hit him until he had gone by. Did he strike at you?
 Mr. KILROY. That is the way I figured—he was going to strike me.
 Senator THOMAS. You figured he was going to strike when he was coming toward you?
 Mr. KILROY. Absolutely.
 Senator THOMAS. What did you figure he was going to do when he was going past you and going away on his way?
 Mr. KILROY. I just gave him a light tap with the club to keep him going. [Laughter.]
 Senator THOMAS. A sort of an up tip?
 Mr. KILROY. An up tip. [Illustrating.]
 Senator THOMAS. Sideways. Where did you hit him?
 Mr. KILROY. Across the shoulders.
 Senator LA FOLLETTE. Let a copy of the subpoena on which you appear here, Captain Kilroy, be inserted in the record.
 (The document was marked "Exhibit 1352" and appears in the appendix on p. 5024.)
 Senator LA FOLLETTE. You are temporarily excused, Captain Kilroy.
 The committee will take a recess until 10 o'clock tomorrow morning.
 (Whereupon, at 5:30 p. m., a recess was taken until 10 o'clock of the following day.)

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

THURSDAY, JULY 1, 1937

UNITED STATES SENATE,
 SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR,
 Washington, D. C.

The committee met at 10 a. m., pursuant to adjournment, in the caucus room, Senate Office Building, Senator Robert M. La Follette, Jr., presiding.

Present: Senators Robert M. La Follette, Jr. (chairman), and Elbert D. Thomas, of Utah; John J. Abt, counsel for the committee; Robert Wohlforth, secretary of the committee.

Senator LA FOLLETTE. Sergeant Lyons.

TESTIMONY OF LAWRENCE J. LYONS

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Your full name?

Mr. LYONS. Lawrence J. Lyons, L-y-o-n-s.

Senator LA FOLLETTE. And your residence?

Mr. LYONS. 3429 West Sixty-first Place, Chicago, Ill.

Senator LA FOLLETTE. You are a member of the police force of the city of Chicago?

Mr. LYONS. I am.

Senator LA FOLLETTE. Your rank?

Mr. LYONS. Sergeant of police.

Senator LA FOLLETTE. How long have you been connected with the force?

Mr. LYONS. About 17 years.

Senator LA FOLLETTE. To which district are you assigned?

Mr. LYONS. The sixteenth district.

Senator LA FOLLETTE. Is the plant of the Republic Steel Corporation in that district?

Mr. LYONS. No; it is not.

Senator LA FOLLETTE. You were assigned, however, as I understand it, to duty in connection with the strike?

Mr. LYONS. I was put in charge of what we call the reserve platoon on Saturday. On Friday night I was working from 12 to 8, I should judge, and an order came out for me to report to the eighth district at 3:45 on the 29th day of May in charge of the reserve platoon.

Senator LA FOLLETTE. That was on Saturday?

Mr. LYONS. On Saturday evening.

Senator LA FOLLETTE. Who was your immediate superior in this situation—the officer?

Mr. LYONS. Why, my captain—this order was in the commanding officer's book, it is the captain's book where all such orders are placed. I do not know, I do not think it was a teletype order. We have what we call teletype orders and telephone orders. Now, this may have been a telephone conversation to my captain assigning me or assigning one sergeant, I do not know whether it designated my name or not, to report to the eighth district.

Senator LA FOLLETTE. How many men were under your command in this reserve platoon?

Mr. LYONS. The order read that there would be two patrolmen from the first to the twentieth districts, two patrolmen assigned from the first to the twentieth districts. Now, that does not mean that I received that many men. Now, the first and second districts of the police department are combined, so we only received two men from those two districts, and there were two districts, I think they were the eighth—if you allow me to look at my records which I have—

Senator LA FOLLETTE. If you will just tell us approximately, Sergeant.

Mr. LYONS. Well, the eighth and ninth districts did not have any men available.

Senator LA FOLLETTE. About how many men did you have?

Mr. LYONS. I had 38 patrolmen under me and 2 patrol wagons, and among the 38 men were 4 patrol-wagon men, that left me with 34 patrolmen.

Senator LA FOLLETTE. Were you given any instructions regarding your duties and responsibilities in this situation after you were assigned to the reserve platoon?

Mr. LYONS. I took it to be the understanding that I would be assigned on reserve in case I was needed, in case of any violence or any riot of any kind I would be called upon, and these patrol wagons that were assigned there would be the vehicles which would take us to the scene of the riot.

Senator LA FOLLETTE. Where were your headquarters at that time?

Mr. LYONS. Our headquarters at that time were at the eighth district, which is the South Chicago police station.

Senator LA FOLLETTE. And at what time were you ordered on active duty on the 29th, Sunday?

Mr. LYONS. The 30th was Sunday.

Senator LA FOLLETTE. Or the 30th.

Mr. LYONS. The 30th was Sunday. At about 11:45 to 12 o'clock Lieutenant—I really cannot think what his name is now, but he is lieutenant in the South Chicago district.

Senator LA FOLLETTE. Was it Lieutenant Healy?

Mr. LYONS. No. Lieutenant Healy comes in later. I think his name is Fitzgerald or Fitzpatrick. Anyhow, it could be found in the records. It was about time for his men to be relieved and he said, "Sergeant, have your men fall in." I called all my men in. Of course, they were around, probably playing a little pinochle, and so forth. I had them fall in in the squad room, and as we did he said, "Your detail, Sergeant"—and, of course, it was addressed to the patrolmen—"are to report to the Republic Steel plant at One Hundred and Eighteenth and Burley Avenue at 2:45 p. m. tomorrow." That would be the 30th.

Senator LA FOLLETTE. And did you so report there at that time?

Mr. LYONS. I did, sir.

Senator LA FOLLETTE. Was any other statement made, or did you get any additional information regarding the fact that they were anticipating trouble on Sunday from any other source excepting this order?

Mr. LYONS. I did. I arrived at this plant a little bit late. I am not quite familiar with the South Chicago district, because I live on the southwest side of the city, and this is on the southeast side of the city, and in getting to Burley Avenue I took the wrong route.

Senator LA FOLLETTE. Excuse me. What I meant by my previous question was, did you receive any additional information other than this order that trouble was anticipated on Sunday?

Mr. LYONS. I did not hear anything about trouble being anticipated until I reached the plant.

Senator LA FOLLETTE. Now, you reached the plant about what time on Sunday?

Mr. LYONS. The other platoons had already fallen in. As I say, I took the wrong road and it delayed me somewhat. I got there at 2:45, all right, but I did not have time enough to see what was going on. I reported to, I think it was, Lieutenant Moran, and Lieutenant Moran told me that my reserve platoon would fall in over on the side of the road away from the other three platoons of police that were there.

Senator LA FOLLETTE. And how were the men in your platoon armed on this day?

Mr. LYONS. The men in my platoon were armed with their regular clubs—which I wish to put in the report now in regard to the pictures that were shown yesterday. A patrolman's club is yellow and some of them have no paint or stain of any kind upon them. A sergeant's club is a kind of an oak with a little stain on it. I have one of them here with me—I haven't got it here, but I have it in the hotel. A lieutenant's club is mahogany-colored.

Now, there has been some testimony yesterday and some pictures shown where the clubs were supposed to be clubs furnished by the mill. My men did not carry any clubs of that caliber. A patrolman's club rightfully is of yellow color.

Senator LA FOLLETTE. Then your men had just the regulation equipment, as I understand?

Mr. LYONS. Yes, sir; besides the service pistol, which all police officers are supposed to carry.

Senator THOMAS. There are one or two officers, Sergeant, with both clubs. I would like you to explain that for us.

Mr. LYONS. Senator, I can't explain for anybody except my own platoon.

Senator THOMAS. Well, I want you to pick out the regulation club, seeing that you know about these clubs. Here is a dark club that is an ordinary policeman's club, is it not, Sergeant? [Indicating on photograph marked "U", exhibit 1350.¹]

Mr. LYONS. Yes; a patrolman may have a dark club, Senator. I have got a lieutenant's or captain's club of my own at home, which has been given to me, but I am talking about a regulation club. Now,

¹ See p. 5134.

this club here looks to me as if it is dark. It is probably mahogany-colored, but I do not say that the full police department—the regulations call for a certain club for patrolmen, sergeants, and lieutenants of a certain color.

Senator THOMAS. Now, here is another one, Sergeant, which shows the policeman here with his own club on his belt; it is a light-colored one, but he has another in his hand.

Mr. LYONS. He may have picked that up in the prairie. Now, in my testimony I will show that all within my sight, 200 to 300 rioters, held clubs, bricks, limbs of trees.

Senator THOMAS. Would they have regulation police clubs?

Mr. LYONS. No; but they may have taken them off some police officer who dropped in the field.

Senator THOMAS. What is the one which he has? Is that one which they had taken from some officer, in your opinion?

Mr. LYONS. Which one? Now, that looks to me as if this police officer has his regulation club in his holder. We carry usually a ring attached to our belt and our club is fastened to, or slipped into, this ring. It looks to me as if this officer, probably at the time, at the start of the demonstration, probably had the regulation club in his hand, and as he advanced forward he picked up one of the rioter's clubs, which was of heavier material than his regulation club.

Senator THOMAS. Now, would you say the same for this man here [indicating]?

Mr. LYONS. Now, there is a doubt there in my mind as to whether that club is a regulation club or not. Now, I worked in the bureau of identification for a good number of years and I had to study photographs in regard to making identifications, and different things when we identify men by the contour of their ears, their nose, wrinkles in their neck, et cetera. I have a lot of my work here, I think, in this national bureau here in Washington, and my eyes are fairly well trained in that kind of work.

Now, you know as well as I do that the sun has an awful effect, such as these lights have [referring to newspaper photographers' flashlights] in annoying a man when he is trying to talk at this time—in casting a shadow onto a club. Now, the sun will make a dark club look light and it may make a light club look dark.

Senator THOMAS. Well, now, if the mob, as you call it, had regulation policemen's clubs, that would be rather serious, would it not?

Mr. LYONS. I do not think they would have them. They had baseball bats, something much heavier than a patrolman's club.

Senator THOMAS. That is not a baseball bat, is it?

Mr. LYONS. No; I would say that that is an ax handle, or something. I would not say positively. I have no proof. That is just an opinion.

Senator THOMAS. Well, now, this is the sort of club, I imagine, they would have taken from the strikers?

Mr. LYONS. Well, now, there is evidence to show that the police officers did pick up other weapons besides their own weapons, something that was left behind them, left behind by the rioters.

Senator THOMAS. Now, this picture here shows two kinds of clubs, one dark and the other light.

Mr. LYONS. There is another example where he may have picked that up from the ground, where the rioter has dropped it.

Senator, would you please show a photograph where the police officers are standing with their hands behind their backs pleading with the rioters to return, to go back, and all they kept calling us—and I wish you would allow me to whisper into your ear what they called us; they spit in our face, et cetera. I am a man that served in the United States Navy during the World War, have belonged to unions myself; I am not against union labor, or no policemen there. The majority of the policemen in Chicago are men who have worked, sometime or other, in some union.

Senator THOMAS. Sergeant, this is the point I am interested in—of course, we know about these things—there are these extra clubs. Now, where did they come from?

Mr. LYONS. I think that they picked them up on the field of battle.

Senator THOMAS. You mean that the strikers had them?

Mr. LYONS. Yes, sir; I know they had them. I do not think, I know they had them.

Senator THOMAS. Do you think they had regulation clubs?

Mr. LYONS. No, sir; they had baseball bats—

Senator THOMAS (interrupting). Clubs, limbs of trees?

Mr. LYONS. Excuse me, Senator. A patrolman's club I do not think would weigh over, well, maybe—I don't know what the exact weight would be, but probably 8 or 9 ounces; I do not think it would weigh any more. Some of these clubs were 2½ to 3 inches in diameter.

Senator THOMAS. Is not this the type of club they would get from the mob?

Mr. LYONS. There is an example now [indicating].

Senator THOMAS. Now, compare that with this one here, with the policeman standing with the clubs at their backs, holding their clubs as you suggested [indicating].

Mr. LYONS. There is a photograph of the patrolman with his arms folded, with the club swung behind him [indicating]. Here is another officer with his club this way [indicating]. Does he look as if he is a patrolman that is looking for trouble?

Senator THOMAS. I am interested in this club business. Let us stay on this club business, please, because it is very, very important.

Mr. LYONS. Yes, sir.

Senator THOMAS. If, for instance, these strikers had white regulation policemen's clubs, I think you were perfectly justified in taking them away from them. If, on the other hand, the policemen had clubs which were not regulation, which were given to them by some other person or some other institution—that is the sort of thing we want to discuss.

Mr. LYONS. Senator, in this photograph I see only one club which I do not know whether it is regulation or not. There is a sun reflection upon the club which may distort the club and make it look otherwise than a regulation club. Now, if you will look at this photograph closer you will see that yourself.

Senator THOMAS. Yes; I understand that.

Mr. LYONS. The officer may have moved his hand at that moment, which would deflect that club to make it look otherwise. It does look, the way it looks here to me, I will admit, that at the point where his hand is grasping the club, it looks a little bit wider than the end of the club. That officer may have moved his hand a frac-

tion of an inch, which would make—any photographer here, I think, will back me up on that, that if an article is moved the camera will be a little bit—

Senator THOMAS (interrupting). Sergeant, you do not need any backing up.

Mr. LYONS. I am standing up for the police department. My father was a policeman, my brother is a policeman, I married a policeman's daughter. [Laughter.]

Senator LA FOLLETTE. Just a moment. Sergeant, return those pictures to me for a moment.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Not all of them, just these two big ones. Now, I want you to look at picture "E." That picture was taken before there were any hostilities on either side, was it not?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Now, look at that officer who is standing in the second or third rank behind the front line of the police [indicating].

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Look at the club that he has got under his arm.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. You do not think that any kind of camera distortion can account for that being a regulation club, do you?

Mr. LYONS. I could not say.

Senator LA FOLLETTE. Well, cannot you use your eyes and look at that?

Mr. LYONS. I can look at that.

Senator LA FOLLETTE. There is no movement in the picture.

Mr. LYONS. I could not say, because I did not see the club.

Senator LA FOLLETTE. You can see the picture—or can you?

Mr. LYONS. I can see the picture; yes, sir.

Senator LA FOLLETTE. And you have been able to tell just exactly what you thought the other clubs looked like.

Mr. LYONS. It may be—I will not say it is—it may be a club other than a regulation club.

Senator LA FOLLETTE. It is pretty obvious that he did not pick that club up on the field, is it not?

Mr. LYONS. He may have. That club may have been lying on the field as he marched up.

Senator LA FOLLETTE. Were there a lot of clubs lying on that field looking just like that well-turned club that he has got under his arm there?

Mr. LYONS. Senator—

Senator LA FOLLETTE (interrupting). That club has been on a lathe, has it not?

Mr. LYONS. It is rounded; yes, sir.

Senator LA FOLLETTE. Sure.

Senator THOMAS. Here is one that probably is not finished, but it is in the policeman's pocket. It is most intriguing. Note the end; the sharp end.

Mr. LYONS. He may have picked that up on his way up there.

¹ Later entered as exhibit 1400. See p. 5140.

Senator THOMAS. You never saw a policeman's club with a sharp end like that?

Mr. LYONS. I never saw a policeman's club not only with a sharp end like that, but a police officer does not wish to harm anybody. A sharp-ended stick can hurt somebody, and this club looks as if it is a little wider than the regulation club.

Senator THOMAS. Where do you think he got that?

Mr. LYONS. He may have picked that up on his way to the scene.

Senator, this place here, the prairie, has been cultivated in some spots, such as you see—a little garden there, a black spot representing a little garden, and so forth, and there are rocks, there are railroad tracks, there is everything in the vicinity, and limbs of trees and pieces of wood. Of course, I did not see the rioters pick them up, because they must have brought them with them. There were jack handles, pieces of concrete, which they would have picked up over around Green Bay road, with jagged ends on them. I was struck with a rock in the stomach, and the club which I held in my hand was struck by a club and splintered. The first thought that came to my mind when the rocks came through the air was my wife and four children—that is all.

Senator LA FOLLETTE. Now, Sergeant, will you look at picture "F"?

Mr. LYONS. I do sound as if I am getting excited. I do not want to show any disrespect to you men; I do not mean to be disrespectful. I am of a nervous type. Thank God I am able to talk here this morning. I did not think I would be.

Senator LA FOLLETTE. Will you look at the picture, Sergeant?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. That picture was taken before there were any hostilities or before anything happened, was it not?

Mr. LYONS. Yes, sir; that was taken before there were any hostilities.

Senator LA FOLLETTE. All right. Now, on the left center of that picture, looking at the clubs that those two men have with their hands to their backs—

Mr. LYONS (interrupting). I saw that picture before, Senator. We discussed that picture just a few moments ago.

Senator LA FOLLETTE. Look at it again. Let us discuss it some more.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Do you contend that those are regulation clubs in the hands of those two policemen?

Mr. LYONS. I would say that there is one club, as I explained to you before, that the hand may have moved and distorted the club. That is the only club that I would say, on the whole photograph here, may not be a regulation club.

Senator LA FOLLETTE. Look at the club that is partly obscured by the policeman with his arm akimbo on his hip. Do you contend that the club that that officer has in his hand is a regulation club?

Mr. LYONS. Let me see. I do not know which one you mean, Senator. I see one man with his hands behind his back in this manner

¹ Later entered as exhibit 1471 and held in committee files.

[indicating] and one man with the club aslant. If you can point out which one it is you mean—

(The point was indicated to Mr. Lyons on the photograph.)

Mr. LYONS. That one on the right side of the picture, I would say that is a regulation club, positively it is a regulation club.

(The point was again indicated to Mr. Lyons on the photograph.)

Mr. LYONS. I would say that is a regulation club. I could not say otherwise. It is the same color as the club that is hanging from his belt.

Now, here is the point [indicating]. I see your point there, Senator. It does look as if this man has a club at his side. It does appear that way; but it could be possible that the man standing in front of him is holding his club back of him and the club is coming into the photograph. Isn't that possible, Senator?

Senator LA FOLLETTE. Well, it would have to be an awfully long club to reach that far.

Mr. LYONS. Well, it is possible, isn't it? If it is possible, it could be a regulation club.

Senator LA FOLLETTE. It could not be a regulation club, could it?

Mr. LYONS. I would say it is, in my opinion.

Senator LA FOLLETTE. It would have to be about 5 feet long.

Mr. LYONS. No, Senator. That man could stand with the club this way [indicating].

As I say, the men at that time were not expecting—they were prepared for trouble, but they did not expect the crowd to do as they did. It does not look there—you do not see any guns in any men's hands. Our life was at risk. There were men with crowbars in their hands. I picked up a crowbar in that field that long [indicating].

Senator LA FOLLETTE. Did you ever see a regulation patrolman's club that was not rounded on the end opposite the handle?

Mr. LYONS. Opposite the handle?

Senator LA FOLLETTE. Look at the picture again. Are not those clubs sawed off? There is nothing rounded about those clubs.

Mr. LYONS. I could not say that they are sawed off, because the rounding on the end of a patrolman's club is very slight. I would say it may be a quarter of an inch where there would be a part rounded. I wish I had my club with me.

[Laughter.]

Senator LA FOLLETTE. Look at picture "C." The man second from the left of the picture, he has just two clubs, hasn't he?

Mr. LYONS. Second from the left of the picture?

Senator LA FOLLETTE. Yes. He has one in his belt and one in his hand.

Mr. LYONS. It does appear so, Senator. It runs into the stripe of his pants. That may be a crease in that man's pants.

[Laughter.]

Senator, look at this. Senator, I am under oath. I am giving my opinion, that is all I am doing. Could that or not be a crease in the man's pants?

Senator LA FOLLETTE. It positively could not be a crease in anybody's pants.

¹ Later entered as exhibit 1469 and held in committee files.

Mr. LYONS. I say it could be a crease in a man's pants, in my opinion.

Senator LA FOLLETTE. All right. The pictures will be here.

Mr. LYONS. Look at the photograph here. Could that be a crease in the policeman's pants?

Senator LA FOLLETTE. The picture will be here and can be compared at any time by anyone who is interested in your testimony. Now, when you got here at 2:45 on Sunday afternoon, the 30th, where were you instructed to go?

Mr. LYONS. May I start at the start, Senator?

Senator LA FOLLETTE. Well, I think we will get along faster if you answer my questions. You got there at 2:45, did you?

Mr. LYONS. I got there at 2:45 p. m. on Sunday, May 30.

Senator LA FOLLETTE. And you found that the other policemen had already taken their position on East One Hundred and Seventeenth Street, or thereabouts?

Mr. LYONS. They had not, sir; no, they had not.

Senator LA FOLLETTE. Where were they?

Mr. LYONS. They were at the entrance of the gate.

Senator LA FOLLETTE. You joined them at the plant?

Mr. LYONS. I did, sir.

Senator LA FOLLETTE. You marched out with them from the plant?

Mr. LYONS. We called the roll first.

Senator LA FOLLETTE. Did you march out with the other body of men from the plant?

Mr. LYONS. I did.

Senator LA FOLLETTE. Were any instructions given before you marched out?

Mr. LYONS. No, sir; because I did not hear any commanding officer give any instructions until—as I say, I was to the left of them with the reserve platoon. Senator, the first command I received was to fall in with my platoon. I went in the rear of three platoons of police. We marched out of the plant until we reached between One Hundred and Seventeenth and One Hundred and Eighteenth and Burley Avenue.

Senator LA FOLLETTE. I think we can shorten this—

Mr. LYONS. No, Senator; excuse me, will you please. I have to explain this because I left that plant twice. I just want to explain.

Senator LA FOLLETTE. Just a minute. I think we can shorten up the examination and save time if you can answer this question: Did you hear Captain Mooney's testimony yesterday?

Mr. LYONS. I did, sir.

Senator LA FOLLETTE. Now, does his description of how the men were arranged on this field, and the movements that they took, does that conform to your recollection of it?

Mr. LYONS. It does not.

Senator LA FOLLETTE. All right.

Mr. LYONS. I will explain the reason why.

Senator LA FOLLETTE. Then explain the difference.

Mr. LYONS. I will explain the reason why.

Senator LA FOLLETTE. Don't go over his ground, but explain the difference.

Mr. LYONS. May I explain why my testimony may be a little bit different than his?

Senator LA FOLLETTE. Well, just state the difference.

Mr. LYONS. Because I was in a better position to see what happened than Supervisor Mooney of the second police division was. Supervisor Mooney ordered us to march out of that plant.

I will have to go into this, Senator, if I am going to answer questions, because I would answer a question that you ask me and I cannot get my point in.

I left the plant with my platoon in the rear of the three platoons. I will make it fast and snappy. We marched until we were between One Hundred and Seventeenth and One Hundred and Eighteenth and Burley Avenue. I had the rear platoon. Some officer came from the front ranks telling me that Lieutenant Mooney said that I should report back to the plant with my men, to receive orders from Lieutenant Healy.

Now, at this time there were in the reserve platoon—I guess this has got to be brought out, too—the day watch and middle watch, that would make about 55 patrolmen, and Sergeant Burke, who was with me.

We marched out, as I say, between One Hundred and Seventeenth and One Hundred and Eighteenth and Burley Avenue, when this officer came up and said, "Return to the plant and receive orders from Lieutenant Healy." We marched back. I had my men pull out and I told them to stand by. We were there about 5 minutes, with a flivver squad pushed up to the entrance of the plant. I reported to Lieutenant Healy, and I was told to take my men—he says, "Sergeant Lyons, take full command of the reserve platoon. Report at One Hundred and Seventeenth and Burley Avenue at once."

I had my men fall in, and we marched out in squad formation to between One Hundred and Seventeenth and One Hundred and Eighteenth and Burley Avenue, when I noticed in the prairie, at about—not exactly One Hundred and Sixteenth and Burley, but it would be close there—about 8 or 10 patrolmen waving to me frantically. Then I gave the command to draw the batons, which would make it easy for the patrolman to run, if he had the club in his hand instead of on his side to trip over, just as the soldier has to bring his arms from shoulder arms to port if he was running, making it easier for the running, and we advanced to this prairie.

As I came there I saw a crowd of between 2,000 and 2,500 people in a column, at least the main body, the front part of the body were in military formation, in a column of between six and eight men abreast, advancing—

Senator LA FOLLETTE (interrupting). Now, just a moment. Where were you in relation to the other policemen that were stationed on the field at this juncture?

Mr. LYONS. Oh, that is a good point. I forgot to bring that in. Now, Senator, that map does not show a street that comes in between Green Bay Avenue and Burley Avenue. There may be two streets in there, I don't know, but I know it is not built up very good there.

About where that black spot is, that is where Lieutenant Mooney, I mean Captain Mooney, was; they were in that direction, I imagine, they were over on those streets somewhere.

Senator LA FOLLETTE. If you did not see them you will grant that Captain Mooney would better be able to say where he was than you would, will you not?

Mr. LYONS. No; he was not in a better place than I was.

Senator LA FOLLETTE. I do not say that. I say if you did not see where he was you will grant that he was in a better position to testify where he was stationed at any particular time than you are?

Mr. LYONS. He is; but he was east of me and there are houses in between where he was and the scene of the demonstration, and plenty of trees in that vicinity.

Senator LA FOLLETTE. Yes; but he testified that the main group of police had moved north from One Hundred and Seventeenth Street, so that at the time that the marchers got down to the place where they made contact with the police lines he was located, and the rest of the main body of the police were located, in the vicinity of what would be One Hundred and Sixteenth Street.

Mr. LYONS. The main body of police were not at One Hundred and Sixteenth Street at the start; the main body of the police were east on One Hundred and Seventeenth Street. I do not know what street they really stopped at.

Senator LA FOLLETTE. Yes; but they had moved north.

Mr. LYONS. I do not know whether they moved north or south, Senator. I know that they were not within my view, because I was on the double with my men down Burley Avenue to the scene where these 8 or 10 patrolmen were waving to me frantically.

Senator LA FOLLETTE. Now, where were the 8 or 10 patrolmen located on this chart?

Mr. LYONS. The 8 or 10 patrolmen were in the vicinity of the—well, let me outline that—where that house is [indicating]; yes; that house there, right at that corner. That is the scene of the battle.

Senator LA FOLLETTE. All right. Now, go ahead.

Mr. LYONS. The crowd, as I say, were marching as if under commands. They marched east toward Green Bay Avenue for about, to my judgment, 100 feet, when I saw them. Then they started—the leaders who bore the American emblem—two American emblems—changed their course in a southwesterly direction across the field until they reached about One Hundred and Fifteenth Street, where they hesitated for an instant. Now, you see, they haven't got One Hundred and Fifteenth on there; they haven't One Hundred and Fourteenth and One Hundred and Thirteenth. It is a little bit higher than that [indicating]. Of course, there are no streets in there, but it would give you a little better chance to locate it. Come down now. Now, where is Sam's Place supposed to be?

Senator LA FOLLETTE. Up at the top.

Mr. LYONS. I did not see them up there. I did see them, as I say, on my way to the Republic Steel plant; I saw a big crowd of people out in the field close to Sam's Place.

Now, where those baseball fields are—let me see, that is One Hundred and Thirteenth, that would be about One Hundred and Fourteenth Street, I imagine. There was a big crowd of people there and plenty of machines, of course, and, as I say, they advanced until they got to about One Hundred and Fifteenth Street, and they hesitated, and, as if by some order given to them, between two and three hundred of the rioters left the main column—excuse me just a moment—left

the main column and ran toward the railroad track. It does not show on that chart, either, where they could enter into the Republic Steel plant, where they have a brand-new tack factory, or wire factory, I do not know what it is, some kind of a new factory, where they could enter that way. These two or three hundred people ran that way.

At that time I would say there may have been 75 patrolmen there at that time, because about this time Lieutenant Ryan and some men showed up. I don't know where he came from. My face was toward the rioters watching what was going on.

I was the sergeant, the highest man in command, as far as I could see, and I had to deploy my men.

About this time I saw Lieutenant Ryan with some more men. I deployed my men and Lieutenant Ryan deployed his men towards the railroad track. We spread them out.

Now, that is a very wide prairie. As you see, your scale there says 300 feet—I worked on those kind of charts myself, and 300 feet—is not that a full city block? It seems to me it is. It is quite wide. Now, I would say that stretch of the prairie at about One Hundred and Fifteenth would be two to two and one-half city blocks in width, from where they skirmished from the main column towards the railroad. We deployed our men across the prairie at One Hundred and Sixteenth.

Senator LA FOLLETTE. Just a minute. What was the furthest north, on this chart, that your men and you ever got before you had any contact with the rioters?

Mr. LYONS. With the rioters?

Senator LA FOLLETTE. Yes.

Mr. LYONS. We never advanced any further than that house, that house right there [indicating], we never advanced any further than that spot.

Senator LA FOLLETTE. Those two black marks on the chart?

Mr. LYONS. Yes, sir; we never advanced any further than that.

Senator LA FOLLETTE. To the right of that road?

Mr. LYONS. What is that, sir?

Senator LA FOLLETTE. Those two black marks on the chart, to the right of the road?

Mr. LYONS. To the right of the road; yes, sir.

Senator LA FOLLETTE. Now, did your men occupy all of the ground between the road and the railroad track?

Mr. LYONS. Well, Senator, we did as much as we could.

Senator LA FOLLETTE. Well, how much of it did you occupy?

Mr. LYONS. We occupied probably, with a distance of 10 to 15 feet between each patrolman, from that road pretty close to the railroad. There are a lot of ditches. It is swampy ground in there; it was very wet that Sunday, in some spots.

Senator LA FOLLETTE. Now, were all those men under your immediate command who were to the left of the road?

Mr. LYONS. I would not say they were all to the left. Some of them may have stayed on the road. I did not give a command to skirmish, or anything. We had already stood there—

Senator LA FOLLETTE [interrupting]. I am just trying, Sergeant, to find out where the men under your command were located.

Mr. LYONS. They could be located any place from the fence in front of that house to the railroad track.

Senator LA FOLLETTE. Well, they could be, but how far over towards the railroad track, at any time, did any of your men get?

Mr. LYONS. Now, Senator, I could not say positively.

Senator LA FOLLETTE. Well, approximately.

Mr. LYONS. I would say within maybe 50 to 75 feet of the railroad; they may be even on the railroad.

Senator LA FOLLETTE. Now, then, as I understand your testimony, these marchers came down this road [indicating]?

Mr. LYONS. I would not say they came down the road, Senator. I say they got diagonally across the field. I do not know where that road leads up to.

Senator LA FOLLETTE. Well, you said, if I understood you correctly, that when the body of marchers got down near the baseball diamonds, which are the two black spots shown up along the road north—

Mr. LYONS (interrupting). That is where I saw them at first. I did not say that that is where they skirmished from. I said that they skirmished from approximately One Hundred and Fifteenth Street, which would bring it down farther to about—

Senator LA FOLLETTE (interrupting). Now, just a minute. I think we will get this a little straighter if we go step by step. You say the first time you saw them was when they were out near the baseball diamonds?

Mr. LYONS. Well, I did not. Now, I did say that the first time I saw them was on my way to the Republic Steel plant. I saw a lot of them congregated around Sam's Place.

Senator LA FOLLETTE. Yes; I know, but I mean after you saw them approaching.

Mr. LYONS. They were just about in the vicinity of where the pointer is [indicating], near the baseball fields.

Senator LA FOLLETTE. All right. Now, then, what did they do?

Mr. LYONS. I told you that they marched in a southeasterly direction for about 100 to 150 feet.

Senator THOMAS. Southeasterly?

Mr. LYONS. Southeast, toward Green Bay Avenue.

Senator LA FOLLETTE. All right. Across the prairie there?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Then what did they do?

Mr. LYONS. They reversed as if some command was given—not reversed entirely, but they made a right oblique across the prairie, going in a southwesterly direction.

Senator LA FOLLETTE. Toward the dirt road again?

Mr. LYONS. Towards the dirt road again; yes.

Now, listen, Senator, I don't know how far they got over the dirt road. I can't tell you where the dirt road is up there.

Senator LA FOLLETTE. All right; but they marched in the direction of the dirt road, did they not?

Mr. LYONS. I do not know whether they did or not. I do not know where the dirt road is. I know where the dirt road is at One Hundred and Sixteenth Street.

Senator LA FOLLETTE. Look at this chart. It has been surveyed. You said the first time you saw them was up there [indicating]?

Mr. LYONS. By the baseball diamonds?

Senator LA FOLLETTE. By the baseball diamonds.

Mr. LYONS. I don't know where the baseball diamonds are, Senator. I don't know that there are baseball diamonds there. I heard you, or somebody, call those baseball diamonds yesterday.

Senator LA FOLLETTE. Assuming that there are baseball diamonds there, represented by those two large black marks, you say that they then started to march across towards Green Bay Avenue?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Is that right?

Mr. LYONS. They marched towards Green Bay Avenue; yes, sir.

Senator LA FOLLETTE. All right. Then you say that they stopped and started to march in the direction as indicated on this chart, which would be in the direction of this dirt road?

Mr. LYONS. I do not think I said they stopped. I said they made a right oblique.

Senator LA FOLLETTE. All right, they made a right oblique. It would leave them, then, away from Green Bay Avenue and toward the lines on the map which are marked "dirt roads", would it not?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Now, what happened?

Mr. LYONS. As I say, they skirmished, between 200 and 300 skirmished over toward the railroad track and—

Senator LA FOLLETTE. Now, wait a minute. How far down on the chart were they when the 200 or 300 started over toward the railroad track?

Mr. LYONS. At about between One Hundred and Fifteenth—let me see, at about One Hundred and Fifteenth Street. That would bring them, Senator, about where that black mark is, or just above "dirt roads" I imagine, and probably a little below that.

Senator LA FOLLETTE. Where that black mark is on the road?

Mr. LYONS. Yes; just about there, in the vicinity of that. It may be a little bit further, it may be where that black spot is.

Senator LA FOLLETTE. 200 or 300 of them started then—

Mr. LYONS (interrupting). Toward the railroad track, then.

Senator LA FOLLETTE. Toward the railroad track?

Mr. LYONS. Yes, sir; and they advanced. Now, bring the pointer over, please, in the direction to show where they advanced, over toward that road [indicating]. That is it. They advanced at least that far, if not farther, across the prairie.

Senator LA FOLLETTE. Where the arrow is?

Mr. LYONS. Yes, sir; if not farther.

Senator LA FOLLETTE. All right. What did these 200 or 300 do then?

Mr. LYONS. The police officers at that time, under my orders and Lieutenant Ryan's orders, deployed themselves across the field at One Hundred and Sixteenth Street, in a parallel line, to head them off.

Senator LA FOLLETTE. Then, according to the scale on this chart, you must have been approximately four or five or six hundred feet away from these 300 or 400 at that time?

Mr. LYONS. Yes, sir; at least that, I would say that.

Senator LA FOLLETTE. Might even be a little farther?

Mr. LYONS. I do not know. I would not say whether it was farther or closer. I am just giving what I saw. This was a time of excitement, Senator, and distances may not mean very much.

Senator LA FOLLETTE. We are just trying to fix it approximately.

Mr. LYONS. Well, that is all I am doing.

Senator LA FOLLETTE. Now, then, after your men occupied the ground between One Hundred and Sixteenth Street and some distance over toward the railroad tracks, what did the 300 or 400—

Mr. LYONS (interrupting). I did not say 300 or 400, I said 200 or 300. I did not really know the number.

Senator LA FOLLETTE. Well, two or three hundred. What did they do?

Mr. LYONS. As if by some command or other, they were afraid, they ran back to the main column, which had halted.

Senator LA FOLLETTE. So they then rejoined the main body?

Mr. LYONS. Rejoined the main column.

Senator LA FOLLETTE. At that same black spot on the dirt road?

Mr. LYONS. Yes, sir; approximately.

Senator LA FOLLETTE. Now, then, what did they do?

Mr. LYONS. Then the column advanced toward One Hundred and Sixteenth Street and Burley Avenue.

Senator LA FOLLETTE. So we might say, although you do not remember just where those dirt roads were, that they took the general direction—

Mr. LYONS (interrupting). Of the dirt road.

Senator LA FOLLETTE. Of the lines on that chart?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Which are indicated as being "dirt roads"?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Now, then, did your men continue to remain in the same position?

Mr. LYONS. My men at that time came back, I would not say all of them, but the main body of them returned to the vicinity of the dirt road at One Hundred and Sixteenth Street. We will call that One Hundred and Sixteenth Street, because there is no mark in there.

Senator LA FOLLETTE. All right. Now, when you had returned there, where were you in relation to Captain Kilroy's position?

Mr. LYONS. I was about, I would say, probably 15 feet to the left of the dirt road.

Senator LA FOLLETTE. So you were about 15 or 20 feet away from Captain Kilroy?

Mr. LYONS. Yes, sir. I would like to bring this in, Senator, if I may, at this time—

Senator LA FOLLETTE (interrupting). Just a moment. [Pause.] All right. Now, will you please look at picture "G"?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. You notice the dirt road there, you notice the flags, do you?

Mr. LYONS. Yes, sir; I do.

Senator LA FOLLETTE. Do you notice this sergeant standing over on the left of the picture?

Mr. LYONS. Yes, sir; that looks like me. [Laughter.] I saw that in the newspaper myself. I have a copy of that home. [Laughter.]

¹ Later entered as exhibit 1353. See p. 5135.

Senator LA FOLLETTE. Now, this picture was taken, obviously, was it not, before any hostilities had begun?

Mr. LYONS. Yes, sir. Does it show me about 15 feet from the road, Senator? That is in about the position where I was struck with the rock in the stomach, just about that position.

Senator LA FOLLETTE. Now, you have stated that these marchers executed their maneuvers with military precision.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Were they in squad formation?

Mr. LYONS. I said that they were about six to eight abreast. I do not say, Senator, that the whole body of men were in squad formation. I mean by that that the leaders, probably about, I would judge probably 100 to 75, not squads. I would say 50 squads of men in column formation. The heads of the column were, in my judgment, organized in such a way that they were to have commands, or somebody at the lead, and probably they had, as we would call in the Army, sergeants at their side, or file closers peppering them up, telling them what to do.

Senator LA FOLLETTE. Were they marching in step?

Mr. LYONS. I would not say that. They were too far in front of me to see that.

Senator LA FOLLETTE. Well, you saw them when they marched down to the line, did you not?

Mr. LYONS. Senator, I had other things in my mind than to see whether the men were in step or not.

Senator LA FOLLETTE. You said they were "executing their maneuvers with military precision."

Mr. LYONS. I mean in column formation, Senator.

Senator LA FOLLETTE. Now, when you say they were in column formation were there lines with three or four men abreast?

Mr. LYONS. I said there might be six to eight men abreast.

Senator LA FOLLETTE. Supposing there were six men abreast in the first line, do you say that there were six men, each one marching behind the other?

Mr. LYONS. I could not say that. I could only see the front two or four, or six or eight, whatever was there.

Senator LA FOLLETTE. Well, if there were more than six in the first group in line, you would have noticed if there were more in the second line, or in the third line, because they would have been in your line of vision, would they not?

Mr. LYONS. Senator, I would not say those men were drilled like a soldier is, where they would keep in regular column. I mean that they were grouped and probably told to fall in six to eight abreast, and there are bound to be some of those men that would step to one side, that would be a little cowardly, that did not fill out in the front rank. They might step to one side that way, going to take over the plant.

Senator LA FOLLETTE. Of course, all I am interested in is to know what caused you to say in your affidavit¹ that—

All these movements were carried out with a precision that indicated that commands of a military nature had been given and were being carried out.

Mr. LYONS. Is that my wording?

¹ Later entered as exhibit 1356. See p. 5025-5026.

Senator LA FOLLETTE. Yes, sir.

Mr. LYONS. May I see the affidavit, please?

(The affidavit was handed to Mr. Lyons.)

Mr. LYONS. I did say that they were in column formation. What page is that on, sir.

Senator LA FOLLETTE. Page 2.

Mr. LYONS. Now, there is a mistake on the second page, I know there is. I called it to the attention of the stenographer and it was passed off in the rush as a typographical error or something, I know that. There is a mistake in the center of this second page, and I could tell it to you right now, if I wanted to, but we will let that go.

Where did you say that is, Senator, about? Here it is, I see it.

Senator LA FOLLETTE. It begins in the fifth line from the top.

Mr. LYONS. Yes; I see it here. This comes to the point where we are on the field and they skirmished. They saw the police officers were heading them off and they came to a halt, about face. They did about face, gentlemen, as I say, as if they were in squad formation.

Senator LA FOLLETTE. Let me read it. Let us get it all in the record at one time.

Mr. LYONS. May I read the spot that you asked me about?

Senator LA FOLLETTE. Just a minute. Let us read it all and then you comment on it:

That the mob that was coming towards them seemed to come to a halt for an instance, and about two or three hundred of them fell out of the main column going on the double in the direction of the fences and property of the Republic Steel Corporation—

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE (continuing reading):

and to the left of the police; that the police were given orders to move parallel with them; that after they saw that the police officers were heading them off, they came to halt, about faced, and fell into column shortly afterward, started to double in company front of line of skirmishers—

Mr. LYONS. Senator, there is where the mistake is that I am talking about, right at that point.

Senator LA FOLLETTE. Just a minute (continuing reading):

that all these movements were carried out with a precision that indicated that commands of a military nature had been given and were being carried out.

Mr. LYONS. That is my contention. Having been in the United States Navy and having drilled, that is my opinion.

Senator LA FOLLETTE. The point is whether or not the men that you saw marching and that you claim executed these military maneuvers, which you have described in military terms in your affidavit, looked to you, from your experience of having served in the Navy, as acting like a group of marines or soldiers or sailors?

Mr. LYONS. No; they did not.

Senator LA FOLLETTE. All right, that is all I wanted to know.

Mr. LYONS. They were organized, though. They were organized in this way, that they were in a column formation. You could not expect a lot of people, probably foreign extraction, that probably never marched in a parade in their lives, you could not expect them to do it like they do in the Army. I have marched and played on the Chicago police force drum and bugle corps and paraded plenty.

Senator LA FOLLETTE. That is just the point. If they had never even marched in a parade before I was interested in the military terminology—

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. In your affidavit.

Mr. LYONS. Yes, sir. [Laughter.]

Senator LA FOLLETTE. I wanted to find out upon what you based that statement that you made under oath.

Mr. LYONS. I believe it; yes, sir.

Senator LA FOLLETTE. Now, you just testified you could not see back of more than three or four of them.

Mr. LYONS. Senator, I meant I could not—now, listen, let me explain that expression. [Laughter.]

I can explain that very shortly. I can see probably the head of that column, and the sides of the column as they are marching, advancing across the field. You will admit that. I am at One Hundred and Sixteenth and Burley Avenue. As I say, where this maneuver took place, or these maneuvers were carried on, they were a block to a block and a half away from me and they were coming toward me, and I could not—I will admit that probably the rear end of this column formation was, as we would term, in a mob, they were not all in a column formation. But, as I said, 75 to 100, as we will call it, squads, we will say 50 to 75 squads of the column were in a military formation.

Senator LA FOLLETTE. Well, look at that picture "A."¹ Does that group look like any group in military formation that you ever saw?

Mr. LYONS. I would say yes.

Senator LA FOLLETTE. What army was that?

Mr. LYONS. The army of the "Reds."

Senator LA FOLLETTE. Well, that is what you characterize this particular group then; but I asked you when have you ever at any time, and in what army, or in what military organization, seen a group of people marching that way, that you would have said were executing military maneuvers?

Mr. LYONS. The Mexican Army, Senator. [Laughter.] I saw the Mexican Army.

Senator LA FOLLETTE. O. K.

Senator THOMAS. Sergeant—

Mr. LYONS. Yes, sir.

Senator THOMAS. In your military and naval experience have you had any experience with the color guard?

Mr. LYONS. With the color guard?

Senator THOMAS. Yes.

Mr. LYONS. I do not recall ever being a color guard in the United States Navy; no. I don't think I ever was.

Senator THOMAS. Do you know the marching rules whenever the American flag is used in parades?

Mr. LYONS. Well, the American flag should be protected; I understand that; but there would be color guards alongside of the colors.

Senator THOMAS. If you were forming a parade, say, of Boy Scouts and you were going to use the flag at the head of the parade, would not you post a guard with the flag?

¹ Later entered as exhibit 1413. See p. 5141.

Mr. LYONS. I would; yes, sir.

Senator THOMAS. That would be about the first thing in your mind?

Mr. LYONS. The first thing you would think of; yes, sir.

Senator THOMAS. Now, do you think there is any evidence of a guard posted by these two flags?

Mr. LYONS. I would say, yes, sir. [Laughter.] Now, you have as guards—you have three men to the left, or four men to the left of the flag on the left; you have one man with a sign in the center.

Senator THOMAS. Well, do you think that a man who would be carrying a sign would also be assigned to color-guard duty?

Mr. LYONS. Senator, these people, as you will have to admit, were not—I do not believe in this mob there are any ex-service men among them.

Senator THOMAS. Don't you think—

Mr. LYONS (interrupting). Will you excuse me, Senator?

Senator THOMAS. Yes.

Mr. LYONS. The class of people that live and work in these mills—except, I will say, the minority are probably American-born—I will say the majority of these people working in the steel mills are of foreign extraction—I mean are foreigners to this country, or are of foreign extraction, where they have talked the foreign language in their home for years and probably haven't got as much respect for the American flag as I have— [Laughter and hissing.]

Senator LA FOLLETTE. Just a moment. The Chair wishes to admonish the people who are here that they are here as guests of this committee at a public hearing.

Senator THOMAS. One more thing, Sergeant—

Mr. LYONS (interrupting). Pardon me, will you, Senator? Excuse me, on account of the hissing, I want to make one proclamation.

Senator THOMAS. All right.

Mr. LYONS. I did not mean to make any slur against any foreign people, people of foreign extraction, and so forth; I mean no slur against them. My father and mother were born in this country, but my grandparents came from Ireland. I am an American, and I feel that there are people here, probably some of them, who are American, but they are led by a lot of radicals. I do not say that all foreigners are wrong; that they have no respect for the American flag. I have met thousands of them that would die for the American flag.

Senator THOMAS. Now, Sergeant, in this picture "A" there is no idea of any disrespect for the flag being displayed, is there?

Mr. LYONS. No; not intentionally; I would not say that there was; no.

Senator THOMAS. There is no idea of that?

Mr. LYONS. No, sir.

Senator THOMAS. Now, then, the only sort of military formation that this could possibly be would be the sort of type where the leader picks up a flag and says, "Come, follow me", would it not?

Mr. LYONS. No; I would not say that. I would say there are a couple of men that probably were good leaders put in the front of the rank. They are good agitators in the front, good leaders.

Senator THOMAS. Can you pick out the man that corresponds to the colonel of the regiment, for example?

Mr. LYONS. I do not know the gentleman. I would not know him if I saw him.

Senator THOMAS. Is there a man here that looks like a leader in the whole crowd?

Mr. LYONS. In this crowd?

Senator THOMAS. Yes.

Mr. LYONS. Where would he be sitting, approximately?

Senator THOMAS. I cannot find him.

Mr. LYONS. You mean in the photograph?

Senator THOMAS. Yes.

Mr. LYONS. I thought you meant in the room.

Senator THOMAS. I mean in the military formation here.

Mr. LYONS. No; I did not mean that, Senator. I thought you meant you wanted me to pick out somebody in this room.

Senator THOMAS. I mean in this crowd.

Mr. LYONS. As to whether I could identify him from the photograph, that is what I thought you meant.

Senator THOMAS. Whom would you pick out as being the commander of this group?

Mr. LYONS. Well, now, I would say this fellow [indicating], I do not know positively, but there are two men to the right of the picture that look as if they might be leaders.

Senator THOMAS. They just look as if they might be leaders?

Mr. LYONS. There are three of them that look as if they might be leaders. I do not know whether they are leaders or not.

Senator THOMAS. Don't you think you could pick out almost any three others and say the same thing?

Mr. LYONS. No, sir; I do not; because these three men in the front seem to have a determined look on their faces, and if they were not leaders they would not be at the head of the column.

Senator THOMAS. Take picture "F", for example. Look at that, forget all about everything but the picture, Sergeant, and consider yourself a person who has never had anything to do with this at all.

Mr. LYONS. Yes, sir.

Senator THOMAS. You are cooperating with us in carrying on the investigation.

Mr. LYONS. I hope to, sir.

Senator THOMAS. We can't bring back the lives of those poor fellows who were killed.

Mr. LYONS. And the Chicago Police Department is sorry anybody was killed.

Senator THOMAS. And we want to learn something so we can do something about it in the future. That is all we are asking for.

Mr. LYONS. Yes, Senator.

Senator THOMAS. Is there a semblance of any unfriendliness at all on the part of the policemen in this picture?

Mr. LYONS. No, sir; I cannot see any point where a man in that police rank looks as if he is doing any kind of overt act or endangering or even trying to place his hands on a man in the crowd.

Senator THOMAS. Look at the crowd—can you see anyone in the crowd that has even an unfriendly countenance?

Mr. LYONS. There is very few in this crowd here where you can see their facial expressions. I was spat upon.

¹ Later entered as exhibit 1471 and held in committee files.

Senator THOMAS. Wait a minute. You see, I wasn't there. I want you to tell me about this picture so we can judge the picture.

Mr. LYONS. Yes, sir.

Senator THOMAS. Is there any evidence in this picture "G"—have you got "G"?

Mr. LYONS. No; I have "F."

Senator THOMAS. "F" is just as good. Is there any evidence in "F" of any unfriendliness in the crowd?

Mr. LYONS. Senator, I can only make out two or three faces on this picture, and you cannot tell what the expression is, to my idea.

Senator THOMAS. Look at the fringe of the crowd.

Mr. LYONS. To the right or to the left?

Senator THOMAS. The fringe, anywhere.

Mr. LYONS. Yes, sir.

Senator THOMAS. Are they very tense?

Mr. LYONS. I would say they were.

Senator THOMAS. What about the people away in the background? Are they very tense?

Mr. LYONS. Yes, sir.

Senator THOMAS. Are they expecting a fight, do you think, or a brawl?

Mr. LYONS. I do; because some of them are cowardly, they are standing in the rear, some of them away from the main mob.

Senator THOMAS. If the people were expecting a fight, do you think they would come up carrying banners and flags and things of that kind?

Mr. LYONS. Why, Senator, I told you that every man within my sight, 200 or 300—I couldn't say every man in the crowd; I will say everybody within my sight had some kind of weapon in their hands—a club, baseball bat, crow-bar.

Senator THOMAS. Find one, please.

Mr. LYONS. In this photograph?

Senator THOMAS. Yes.

Mr. LYONS. Senator, the backs of the patrolmen, they were covered up in this.

Senator THOMAS. Here is a group over to the side, where you can see everyone.

Mr. LYONS. What picture is this?

Senator THOMAS. "F."

Mr. LYONS. Senator, you can't see whether they have weapons or not. This is a photograph which shows a group with weapons.

Senator THOMAS. I have a photograph of that, and that is very, very different.

Mr. LYONS. Senator, you can't see them on this photograph, whether they have weapons or not.

Senator THOMAS. Can you see one?

Mr. LYONS. I can see one.

Senator THOMAS. Where?

Mr. LYONS. To the left of the photograph. If you will start at the left and go to the second sign. Now, go to the second man to the left of that sign and you will see a club. Do you see a club, Senator?

Senator THOMAS. Yes; that is one.

¹ Later entered as exhibit 1353. See p. 5135.

Mr. LYONS. Now, I will see if I can find another. I see two, I see another one at the first sign. Do you see the first sign to your left?

Senator THOMAS. Yes.

Mr. LYONS. The man holding a club over his shoulder?

Senator THOMAS. Yes.

Mr. LYONS. In a position where he could hit anybody in the head with it?

Senator THOMAS. Is he trying to?

Mr. LYONS. He is not at that time, but he is prepared.

Senator THOMAS. Now, that is two. Look at the people on the edge, where you can see both their hands, their arms around each other, standing at their ease.

Mr. LYONS. Away in the rear, Senator?

Senator THOMAS. Yes.

Mr. LYONS. I don't see them with their arms around each other.

Senator THOMAS. There are two men standing there together with their arms over their shoulders, both of them at rest.

Mr. LYONS. I don't see them.

Senator THOMAS. Do you see the sign with the words "Republic Steel, the people"? That is near the middle.

Mr. LYONS. I am looking to the left. You want me to find "Republic Steel"? Now, where?

Senator THOMAS. Right on top of that, right on the edge on top, you see those two men, they look like great, big burly men, one of them with his arm on the other one's shoulder.

Mr. LYONS. Is this what you mean, where the man has his arm like this?

Senator THOMAS. No, no.

Mr. LYONS. Do you see what I mean—in the center of the photograph, one man standing this way and other this way? Is that what you mean, with his hand on the top of his head?

Senator THOMAS. No; these men are leaning on each other.

Mr. LYONS. Is it to the right or left of that, Senator?

Senator THOMAS. Right above, right on the edge; but that does not matter. We are looking for violent men.

Mr. LYONS. That man could be violent, he could have a club in his hands.

Senator THOMAS. He probably did?

Mr. LYONS. Yes, sir.

Senator THOMAS. But take this picture as evidence.

Mr. LYONS. Is there any evidence in this picture, Senator, where you see a police officer with his club raised or with his hand on another man's shoulder? Do you see any policemen here molesting anybody? All we did was intercede and beg them to return to the plant; and all we heard was, "We are going to take over the plant, you yellow coppers, you yellow so-and-so's." My affidavit has what they called us. I can't express it here for the public, and I heard one of them holler at Supervising Captain Mooney, "How much did you pay for your job?" "Where did you get your job? Let us through, you yellow so-and-so's." They spit in our faces. Where is that photograph with my picture in it? Here it is here, picture "G," Senator.

Senator THOMAS. Yes; I saw it.

Mr. LYONS. I was in the vicinity of that when a rock came flying through the air and struck me in the stomach.

Senator THOMAS. In which direction?

Mr. LYONS. I was facing them.

Senator THOMAS. You are not facing them in this picture.

Mr. LYONS. Well, Senator, it is a still picture. I could have moved a thousand times since that picture was taken.

Senator THOMAS. You heard the testimony yesterday about people being shot in the back?

Mr. LYONS. I did, Senator.

Senator THOMAS. If a rock hit you in the stomach and you were standing at ease with your hands behind you—and you are at ease?

Mr. LYONS. I am.

Senator THOMAS. And if a rock hit you in the stomach, as you say it did—

Mr. LYONS (interrupting). It did, Senator.

Senator THOMAS. I am not disputing that, but if you were in this position where did the rock come from?

Mr. LYONS. I would say the first rock that was thrown came from about 15 to 20 feet in the rear of the rioters, and I believe, Senator—this is my belief, and I heard these things, I heard officers say it, I don't know who they are—that there was an American flag dipped, as if a signal. I did not see that. I am under oath. I heard officers say that, as if it was a signal for the riot to start, and all we heard was, "What are we waiting for, let's take over the plant."

Senator THOMAS. Now, back to the rock. Is there any evidence in that picture that anyone has a rock in his hand?

Mr. LYONS. I cannot see there, Senator, and you can't either.

Senator THOMAS. Then there is no evidence in the picture—

Mr. LYONS (interrupting). Not these photographs. That is very good for the Chicago Police Department. It shows there is not a policeman here. We are all in a tense—well, we are all tense—that is the better way to express it.

Senator THOMAS. Are you tense there?

Mr. LYONS. Yes, sir, very tense; because you would be tense, too, if you saw 2,000 people marching toward you; and I would not say everyone had one, but everybody you could see had some kind of rock or missile or something that could be thrown at you, and you know as a police officer you are there to protect life and property. The oath you take when you go on the police department is to protect life and property.

Senator THOMAS. But there is no evidence in this picture that anyone had a rock, is there?

Mr. LYONS. This picture—the only good this picture is is to be used as evidence by the Chicago Police Department that they were not looking for trouble.

Senator THOMAS. That is just what I wanted you to say a long time ago, that neither side was looking for trouble, according to the picture.

Mr. LYONS. The police officer carries a club and gun, not only for his own protection but for the protection of the public, and when a mob marches toward a police officer with clubs they could be locked up for that, couldn't they? A man would go down to the prairie and peacefully picket, Senator. At the time we left the plant

there was 18 to 20 pickets at One Hundred and Eighteenth and Burley, on the street there at One Hundred and Eighteenth Street, where those strikers come marching two abreast which they have done. I have been out at that steel plant ever since. They were marching there when I marched my men out of the plant, peaceful picketing, 18 to 20 men, and when we marched our men out were they molested? Did we bother them? They were allowed to do peaceful picketing. They have been allowed to do it ever since I have been there, all month. I have met some people there I would call friends among the pickets. I got acquainted with some of them, some of them men with families.

Senator THOMAS. Sergeant—

Mr. LYONS (interrupting). I want to get this point in.

Senator THOMAS. But it is not a point.

Mr. LYONS. To show you they are afraid to go back to work, because they are afraid their homes would be bombed, and this man would, of course, be afraid his home would be bombed, because he is a Greek. There are lots of Greeks and Italians down there, and I am not casting any aspersions on the Greeks and Italians, but the man is afraid to go to his work, and he has his little home, an acre and a half of ground and a wife and children, and he is afraid to go to work, although he wants to work, he is afraid his home will be bombed, and if he does not get a job with the steel company he is out. I have even interceded for that man, when the strike is over, with one of the plant policemen to try to see that when the strike is settled that poor fellow would get his job back.

Senator THOMAS. You mean by that that there is generally good fellowship between the men who are called strikers and the police?

Mr. LYONS. Yes, sir; except for the radical movement that brought these poor people to their destruction—people that were easily led.

Senator LA FOLLETTE. I want to offer and have given an exhibit number this picture "G", Sergeant, in which you are standing with your hands behind your back at the extreme left of the picture, according to your testimony.

Mr. LYONS. Yes, sir.

(The picture was marked "Exhibit 1353" and reproduced in the appendix on p. 5135.)

Senator LA FOLLETTE. Will you please state again about how far on your right Captain Kilroy was at this time?

Mr. LYONS. Well, I don't know just exactly where he was. I have heard Captain Kilroy testify he was about in the center of the road or somewhere in there. I know he was to my right, and I heard him testify, I heard him talking to those people. I could not understand what he said.

Senator LA FOLLETTE. You were 20, 30, or 40 feet to his left?

Mr. LYONS. Maybe 20 or 25 feet. I don't know where he is at in the picture.

Senator LA FOLLETTE. You say you heard his voice, did you?

Mr. LYONS. Well, I did hear voices. We all were interceding.

Senator LA FOLLETTE. Did you hear his voice—Captain Kilroy's voice?

Mr. LYONS. I could not tell you for a fact. I know that Captain Kilroy—I have only come in contact with Captain Kilroy probably—

Senator LA FOLLETTE (interrupting). You said you heard him talking.

Mr. LYONS. Well, I heard—I saw them talking.

Senator LA FOLLETTE. You saw him talking?

Mr. LYONS. Yes.

Senator LA FOLLETTE. But you could not hear what he said?

Mr. LYONS. No; I could not understand what he said.

Senator LA FOLLETTE. Yesterday you heard me read Captain Kilroy's full report dated May 31, submitted to Commissioner Allman?¹

Mr. LYONS. Yes, sir; I know the point you are going to bring out.

Senator LA FOLLETTE. In which he described this crowd as a disorganized mob?

Mr. LYONS. Yes, sir; he meant disorderly, the captain probably—

Senator LA FOLLETTE (interrupting). Don't tell us "probably"—that is the language he used in his report, and he confirmed it in his testimony yesterday.

Mr. LYONS. That is his opinion.

Senator LA FOLLETTE. So Captain Kilroy's opinion and, at least, the opinion expressed in your affidavit, are at variance?

Mr. LYONS. Yes, sir. He meant a disorderly crowd.

Senator LA FOLLETTE. Now, then, what was the first thing that happened?

Mr. LYONS. You mean the first thing that happened? What do you mean, the first thing?

Senator LA FOLLETTE. After the time of this exhibit we are talking about now.

Mr. LYONS. This exhibit here?

Senator LA FOLLETTE. Yes.

Mr. LYONS. The first thing that happened that was in any sense belligerent or rioting was the rocks flying through the air, when I was struck besides other officers.

Senator LA FOLLETTE. Did you hear any shots fired?

Mr. LYONS. I did hear shots fired. I would say—you know this all happened like that [snapping fingers] and you can't think much in a case like that. I would say probably 15 to 20 seconds after that.

Senator LA FOLLETTE. What this committee is trying to do to the best of its ability is to reconstruct what happened. I realize the difficulty involved.

Mr. LYONS. I hope I can help you.

Senator LA FOLLETTE. To the best of your recollection, was the first firing you heard a single shot?

Mr. LYONS. Senator, to the best of my recollection it was probably about, maybe 15 to 20 seconds after the rocks flew through the air, I heard "ping, ping", like that.

Senator LA FOLLETTE. Two shots?

Mr. LYONS. Yes; I would say about two shots.

Senator LA FOLLETTE. Did you have any impression from the sound of those—did you see anybody fire those two shots?

Mr. LYONS. I did not.

Senator LA FOLLETTE. Have you any impression from the sound of those shots where they came from?

¹ See exhibit 1331, pp. 5007-5009.
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Mr. LYONS. The only conception I would have of that sound would be to the right of me. I could not say whether it was in the rear or front.

Senator LA FOLLETTE. Somewhere on your right?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Did you give any orders to the men under your command to fire?

Mr. LYONS. I did not, Senator. I never even brought my gun out of my holster.

Senator LA FOLLETTE. I didn't ask about yours.

Mr. LYONS. If I gave a command to my men to draw their revolvers, I would have drawn mine also.

Senator LA FOLLETTE. Did you see any policemen use their guns?

Mr. LYONS. I did not.

Senator LA FOLLETTE. Were there any shots fired near enough to you so that you could tell by the sound whether or not they were coming from the guns of policemen?

Mr. LYONS. I don't know whether they came from the guns of policemen or not, but I know there were guns fired in the rear of me.

Senator LA FOLLETTE. If they were fired from your rear, they would have come from the police, would they not?

Mr. LYONS. Most likely; yes, sir.

Senator LA FOLLETTE. Is that the only way they could have come?

Mr. LYONS. Senator, I am not saying it was only the police that fired.

Senator LA FOLLETTE. I did not ask you that question.

Mr. LYONS. At that time, as I say, I heard two shots. I explained that. I will tell you, Senator, it sounded to me like, when the shots went off—we were out in an open field—it sounded as if it is the Fourth of July and you had a package of small firecrackers probably an inch long and they were thrown out in the field, and "p-p-p-p" and it was all over.

Senator LA FOLLETTE. You said some of these shots came from the rear?

Mr. LYON. Yes, sir. You see the police officers were shooting in the air, if they were shooting.

Senator LA FOLLETTE. I did not ask you how, but did they shoot?

Mr. LYONS. There must have been some police officers fired some shots.

Senator LA FOLLETTE. Were any of the men under your immediate command equipped with tear gas?

Mr. LYONS. No, sir; I didn't know there was any tear gas there until it was set off.

Senator LA FOLLETTE. You saw tear gas set off?

Mr. LYONS. No, sir; I saw the fumes; I ran into those and was gassed by it myself.

Senator LA FOLLETTE. Did you hear the sound of any tear-gas projectiles?

Mr. LYONS. No, sir; the tear gas, as far as I can recall, went off about the same time as I heard the revolver shots, as if it were simultaneous.

Senator LA FOLLETTE. Now, will you please look at picture "L", which can be given an exhibit number.

(The picture was marked "Exhibit 1354" and is reproduced in the appendix on p. 5136.)

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. The strikers or the marchers are all in retreat in this picture, are they not?

Mr. LYONS. They look as if they are; yes, sir.

Senator LA FOLLETTE. Do you see any that are not?

Mr. LYONS. I can't see all the crowd because the gas fumes have obscured some of the view away from me.

Senator LA FOLLETTE. Let's take those you can see. Do you see any that are not in retreat?

Mr. LYONS. I can see some, I wouldn't say I can see any in the front.

Senator LA FOLLETTE. So far as the great majority of the people you can see in this picture who are in civilian dress, they have their backs to the police line and most of them are running, are they not?

Mr. LYONS. Most of them—there may be some of them standing. I would say there is a couple of them there, probably throwing rocks at the policemen, to the left of the main body of the riot. If you will look where that large building is—you probably have a larger photograph than I have—you can see one man standing there facing with his hand this way, as if he had thrown a rock and it had hit here.

Senator THOMAS. Are you in this picture?

Mr. LYONS. I don't think I am. I should be in there, although I really think I am up in here.

Senator LA FOLLETTE. Where is this man that was throwing a rock?

Mr. LYON. What did you say?

Senator LA FOLLETTE. Where is the man you say you think was throwing a rock?

Mr. LYONS. To the left of that photograph, away at the top—there is 1, 2, 3, 4 men running, and the man in the black suit, about that sixth or seventh man right in front there. Do you see that, Senator? Does that look as if he has thrown something, the position of his arm?

Senator LA FOLLETTE. I don't see any man with his hand in the air.

Mr. LYONS. No, sir; I said as if he had thrown a baseball, a rock—your hand will come down in front of you. He hasn't got it at his side. [Laughter.]

Senator THOMAS. Let's assume you have found such a man. Let's find another one.

Mr. LYONS. There is another one, Senator, about, you see here the—to the right of that.

Senator THOMAS. Yes.

Mr. LYONS. Do you see one man facing us?

Senator THOMAS. Yes; and the other one running.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. And the man that is facing you appears to have his hands clasped in front of him.

Mr. LYONS. You have a magnifying glass and a large photograph.

Senator LA FOLLETTE. That is, his arms in front, hasn't he, they are along the line of his stomach?

Mr. LYONS. He might have a rock getting ready to throw in this position. Is that true or not?

Senator THOMAS. Let's assume it is true. Now, we have two. Find another one, Sergeant?

Mr. LYONS. Don't think I am against some of the good people in this crowd. I am heart and soul—

Senator LA FOLLETTE (interrupting). Just confine your testimony to the questions, or none of the police captains will ever be able to get back to Chicago, and I am trying to accommodate them. If you will just answer the questions.

Mr. LYONS. If we are here a week we are willing to do that if we can show that the police department was not against these people.

Senator THOMAS. Find another one, please, Sergeant.

Mr. LYONS. I am giving up my vacation. I should be up in Lake Geneva today. I am a little bit nervous. (After a pause.) Well, the second man to the left—I don't know whether he is facing frontwards or not. He looks as if he might be.

Senator THOMAS. The second man to the left?

Mr. LYONS. One man is running and the second man is standing. It looks as if he is facing the police officers. Then I see—that is the fellow I said looks as if he had just finished throwing a rock.

Senator LA FOLLETTE. Look at your police officers and see how many you can find with their backs to the crowd.

Mr. LYONS. I can see one starting from the left—I see two.

Senator THOMAS. Then you see three?

Mr. LYONS. Just a minute, now, I see that second man. Where is the third? You are getting away over to the right, are you, now?

Senator THOMAS. No; right to the left of the front where most of the commotion is.

Mr. LYONS. I only see two there, Senator.

Senator THOMAS. There are three that I can see.

Mr. LYONS. I don't see your third man.

Senator THOMAS. You see we have as many policemen turned away from the crowd as we have rioters turned toward the policemen.

Mr. LYONS. Those policemen may have been injured, returning, and probably running back to be taken care of, medical aid, because the police did not turn back.

Senator LA FOLLETTE. Sergeant, do you see that cop there with the club cocked? Do you think he is injured, the one facing this way?

Mr. LYONS. Just a moment, Senator—he may.

Senator LA FOLLETTE. Does it look to you as if he were getting ready to use his club?

Mr. LYONS. There is nobody there he could strike except a police officer.

Senator LA FOLLETTE. Oh, no; there is a fellow there in a white soft hat. He is not very far away from him.

Mr. LYONS. I don't see him, Senator. He must be 15 or 20 feet away from him.

Senator LA FOLLETTE. He is moving very rapidly in his direction, isn't he?

Mr. LYONS. He is moving in the direction of the rear, Senator. The other officers are facing the rear, looking to the right.

Senator LA FOLLETTE. Now, look at the picture again, picture "G".

Mr. LYONS. I am, Senator.

Senator LA FOLLETTE. You studied them last night, I assume?

Mr. LYONS. I did not, very much, because I had seen most of them in the newspapers.

Senator LA FOLLETTE. You studied some of them.

Mr. LYONS. I studied one that I want to have produced.

Senator LA FOLLETTE. Isn't it very clear that out of this crowd of people you described as being 2,500 in number—

Mr. LYONS. I said 2,000 to 2,500.

Senator LA FOLLETTE. All right—2,000 to 2,500.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. That they are in full retreat from the police.

Mr. LYONS. Those that I can see except a few are, as you see, in full retreat. They are reversed.

Senator LA FOLLETTE. And they are making time, too, most of them.

Mr. LYONS. Well, yes; they did make time, Senator, and we made time.

Senator LA FOLLETTE. Now, look at the policeman who is on the extreme left of this picture.

Mr. LYONS. The extreme left of the same picture?

Senator LA FOLLETTE. Yes, sir.

Mr. LYONS. Yes, sir; Senator. I know what you are trying to bring out.

Senator LA FOLLETTE. You see that hand?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. What is in it?

Mr. LYONS. I wouldn't say there is anything in the hand. It may be a rock on the ground, and you have to admit that. Take the magnifying glass and look at it closer—could you say that man has anything in his hand? You could not say that he had anything in his hand.

Senator LA FOLLETTE. It is perfectly clear to me from the position of his hand that he has a gun in it.

Mr. LYONS. I wouldn't say he has; I would say he has not.

Senator LA FOLLETTE. And that he is pointing it directly in the line of fire, so that if he pulled his trigger he would, if he were a decent marksman, hit one of those fleeing people.

Mr. LYONS. No, sir, Senator. Will you look to the right of the spot where you see his hand? You see a black smudge there, as if it might be a rock or anything, just a little to the right of his hand. Could that object that you are calling a gun, could that not be the same little piece of black smudge that is showing up toward the white of his hand? You are taking it for granted that we were murderers. We are not, Senator.

Senator LA FOLLETTE. I am taking nothing for granted.

Mr. LYONS. Excuse me for that, but the hearing here—

Senator LA FOLLETTE. And I am trying to get the facts, but fortunately we have a fairly complete photographic record of this situation.

Mr. LYONS. I am glad you have.

Senator LA FOLLETTE. And a little later you will see some pictures you haven't seen before.

Mr. LYONS. Yes, Senator.

Senator LA FOLLETTE. And I have had some experience with firearms myself, and I say that the shoulder and arm and hand of this man are clearly visible and the thing that is in his hand is obviously a gun and that he is in a position for using it.

Mr. LYONS. I will admit his hand is in that position, but you cannot say that that man has got a gun. It is your opinion that he has a gun?

Senator LA FOLLETTE. This man must have been under your command, was he not?

Mr. LYONS. I wouldn't say; I couldn't say.

Senator LA FOLLETTE. He is in the position where the police were located that were under your command.

Mr. LYONS. Senator, at this time of the riot my police officers, which I can show, and one of our officers who is here told me last night, that there is a photograph he thinks he has, close to the patrol wagon on the right-hand side of the road. These other men came up. I didn't see them, but I know they came up from the rear with Supervising Captain Mooney and Captain Kilroy. I know there were officers came to the rear of us.

Senator LA FOLLETTE. The picture shows these men to be on the left of the road.

Mr. LYONS. To the right of the road, and I am on the left.

Senator LA FOLLETTE. No; facing the road, you were on the left side.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. And this man is on the left side.

Mr. LYONS. Which man?

Senator LA FOLLETTE. This man that has his arm pointed out.

Mr. LYONS. Yes; as you say, a pistol.

Senator LA FOLLETTE. Can you see that that man has been threatened by anybody near him?

Mr. LYONS. No, sir; I cannot. In this photograph, Senator, you cannot tell whether that man is facing even toward the rioters. His head may be turned this way; it may be turned on the side.

Senator THOMAS. Let's talk about one we can see, then, for a minute.

Mr. LYONS. Is that right, Senator?

Senator LA FOLLETTE. No; it is not right.

Senator THOMAS. In this picture you can see his whole arm.

Mr. LYONS. I understand.

Senator LA FOLLETTE. You don't mean to tell me that a man trained on the Chicago police force is pointing a gun in one direction and holding his head in another?

Mr. LYONS. You are the only man that said that. I said I did not think he had a gun in his hand.

Senator LA FOLLETTE. I know that is what you said, but I say I think he did.

Mr. LYONS. Your opinion differs from mine.

Senator LA FOLLETTE. I realize that.

Senator THOMAS. Look at the man down in the lower right-hand part of picture "L."¹

Mr. LYONS. Yes, Senator.

Senator THOMAS. The civilian—that man has a club in one hand, hasn't he?

Mr. LYONS. The right—I think that is a patrolman's club, if you are looking at the same photograph that I am.

Senator THOMAS. We know it is not a patrolman's club, because we have a picture of him in the position just before this.

Mr. LYONS. This one here?

Senator THOMAS. No; the civilian.

Mr. LYONS. I saw that picture; yes, sir.

Senator THOMAS. He has a club in his left hand?

Mr. LYONS. Yes; he has.

Senator THOMAS. What is he doing with his right hand?

Mr. LYONS. I don't know.

Senator THOMAS. Well, look.

Mr. LYONS. He may be drawing a handkerchief.

Senator THOMAS. Out of his holster?

Mr. LYONS. Has he got his hand on his holster?

Senator THOMAS. Look and see.

Mr. LYONS. I wouldn't say that the man has his hand on his holster. You can see his fingers.

Senator THOMAS. Let's go to the next policeman. You see the policeman just to the left and in front of the man with the hat?

Mr. LYONS. Yes, sir.

Senator THOMAS. You see his left hand extended in front of him; looks as if he is almost against—

Mr. LYONS (interrupting). I think that is the hand of the man in front of him.

Senator THOMAS. You do?

Mr. LYONS. Yes, sir.

Senator THOMAS. Did you ever see a hand with the back of the hand where the front ought to be?

Mr. LYONS. If you are looking at the same photograph I am—does he mean this hand where the white hand shows up so plain?

Senator THOMAS. Yes.

Mr. LYONS. I would say that is the hand of the man in front of him, because his thumb—if you see the hand the thumb is this way. I have handled lots of fingerprints.

Senator LA FOLLETTE. To use your own illustration, could the man in front possibly get his thumb in that position that you are contending it is?

Mr. LYONS. Yes, sir.

Senator THOMAS. How? It is his left thumb, isn't it?

Mr. LYONS. It is.

Senator THOMAS. How in the wide world—

Mr. LYONS (interrupting). I see—that is the patrolman that is running?

Senator THOMAS. That is the one.

Mr. LYONS. I say that could be his hand.

Senator THOMAS. He is like this [indicating]?

¹ See p. 5136.

Mr. LYONS. No; like this. It looks as if it is against this man's body.

Senator THOMAS. That could not belong to anybody else but the man I referred to.

Mr. LYON. To my view that could not belong to anybody but the second man—not the first, the second man that looks as if he is on a kind of a dog trot.

Senator THOMAS. Doesn't it belong to the man—where is his right hand?

Mr. LYONS. I wouldn't say it does. I would say it belongs to the man in front of him.

Senator THOMAS. You can see, of course, that both of these men are far removed from the advance of the crowd, are they not?

Mr. LYONS. They are quite a distance from the crowd; yes.

Senator THOMAS. Assume that they are reaching for their guns—and the picture shows that they are.

Mr. LYONS. Who is reaching for the guns?

Senator THOMAS. Both the man in the gray hat and the policeman in front of him.

Mr. LYONS. I don't know whether this first civilian is drawing a gun or not. Senator, if you look at it right close you will see a glint above the hand of that man. He may be drawing his baton, although I explained here the regulation claims a patrolman should carry his baton on the right-hand side.

Senator THOMAS. You have him on the lefthand side.

Mr. LYONS. We have left-handed patrolmen.

Senator THOMAS. Have you ever seen an officer who carried his gun and his club on the same side?

Mr. LYONS. No, sir—yes, sir; I have. That is what I wanted to bring out. I have an officer working in my district. Otto Herman. He is left-handed and he always carries his baton on his right-hand side.

Senator THOMAS. It is hardly regulation.

Mr. LYONS. It is not, and I called him at inspection and told him, "You had better put your baton on the left-hand side." And he said, "I am left-handed; I always carry my baton on the right-hand side." Will you admit, Senator, that that is not a gun? Can't you see the reflection on the end above his hand? Would a man be carrying his gun backward, up in the air like this? Isn't there a glint on the article, whatever that is in his hand, which appears as a club, a glint of light. Isn't there, Senator?

Senator THOMAS. What I see is a gun.

Mr. LYONS. I don't see a gun, Senator, I would say it is a club.

Senator THOMAS. There is a holster on the man with the civilian's hat, isn't there?

Mr. LYONS. His holster is showing, Senator, but he has not at this time got his hand on his gun. His fingers show that he may be going for his gun.

Senator THOMAS. Then you think none of the policemen drew their guns?

Mr. LYONS. I wouldn't say that.

Senator THOMAS. I hope you wouldn't.

Mr. LYONS. No; I wouldn't.

Senator THOMAS. My point here is this: That if these men are drawing guns, they are pretty well back in the rear, aren't they?

Mr. LYONS. And they could not shoot any rioter.

Senator THOMAS. They would have to shoot in the air?

Mr. LYONS. In the air.

Senator THOMAS. And this man over here, if this is a gun, he, too, is not shooting in self-defense?

Mr. LYONS. I don't think it is a gun in his hand; but if he did have a gun and had intentions to shoot, he would be shooting toward the crowd and might hit a brother officer in front.

Senator THOMAS. But he was not shooting in self-defense?

Mr. LYONS. If he was shooting he would not be.

Senator THOMAS. If this man here is drawing his gun he is not drawing it in self-defense?

Mr. LYONS. No, sir; probably to frighten the crowd or disperse them. I have used my own revolver only a few times. I have never pointed my revolver at anybody.

Senator THOMAS. All good officers never do.

Mr. LYONS. I would fire into the air to intimidate a man, to have him halt if I was in his pursuit.

Senator THOMAS. This man here, if he is drawing a gun he is not drawing it in self-defense, is he?

Mr. LYONS. Which man?

Senator THOMAS. The second man—if he is drawing a gun he is not drawing it in self-defense?

Mr. LYONS. He is not, Senator.

Senator THOMAS. Now, Sergeant, there is still another one in a position that he might be drawing and he might—

Mr. LYONS. Where is that, Senator?

Senator THOMAS. That is at the left and a little bit toward you from the middle of the fracas.

Mr. LYONS. The left, a little toward me? You don't see me on the picture there, do you?

Senator THOMAS. No, no; toward where you are looking.

Mr. LYONS. I thought maybe you saw me on the picture.

Senator THOMAS. No; I haven't identified any of these men. We are not interested in that, Sergeant.

Mr. LYONS. All right, Senator, thank you.

Senator THOMAS. This is not a trial.

Mr. LYONS. Yes, it is; the Chicago police department is on trial.

Senator THOMAS. Not in front of the Senate.

Mr. LYONS. Well, no; but in the minds of the people of the country.

Senator THOMAS. Now, look again to this man.

Mr. LYONS. I don't know which man you mean, Senator.

Senator THOMAS. Right there.

Mr. LYONS. This fellow here—yes; I see that fellow.

Senator THOMAS. If he is drawing a gun it is not in self-defense, is it?

Mr. LYONS. Senator, he might not have a gun in his hand.

Senator THOMAS. I say if he is drawing a gun it is not being drawn in self-defense?

Mr. LYONS. No; I would say that that man has his club in front of him, running.

Senator THOMAS. I said if he is drawing a gun.

Mr. LYONS. No.

Senator THOMAS. Look to his right—if the next man who has his hand where his gun generally is, if he is drawing a gun he is not drawing it in self-defense?

Mr. LYONS. No; you can't see his gun, Senator. I didn't think there were that many officers drew their guns, to tell the truth.

Senator THOMAS. But in this whole picture you can't find the picture of an officer drawing a gun in self-defense?

Mr. LYONS. No; I can't. Let me look it over a little bit. You have pointed out several that you thought were drawing guns—not in the rear, no police officer here in the rear is in danger, except from a flying rock or crowbar or railroad spike. That is in the rear, but this man in front—I think I am up here.

Senator THOMAS. None of those in front have guns, have they?

Mr. LYONS. In the front? I don't know, Senator. I don't think a man is going to fire point blank at a man 2 feet away. No Chicago policeman would do that. I would want to quit the police department if I thought they would.

Senator LA FOLLETTE. Now, when you look at the exhibit—

Mr. LYONS (interrupting). I have four little children, two little boys growing up to me.

Senator LA FOLLETTE. Look at this picture, marked "R 1", the man on the extreme right of the picture.

Mr. LYONS. I see one kind of crossing.

Senator LA FOLLETTE. The crowd is already turning away and running, just as in the other picture?

Mr. LYONS. Not all of them, Senator.

Senator LA FOLLETTE. The great bulk of the crowd?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. And this man here, second from the right-hand side of the picture, do you see the man I am talking about?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. With the gun in his hand?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. He hasn't got that gun out in self-defense, has he?

Mr. LYONS. Senator, as I say, he might have been firing in the air.

Senator LA FOLLETTE. I am not asking whether he was firing in the air or how he was firing—he hasn't got his gun out and in his hand at this time in self-defense, has he?

Mr. LYONS. No, sir. Senator, will you leave me on this point? I doubt—I understand in the testimony—

Senator LA FOLLETTE (interrupting). I don't care about what your doubts are; I am asking about the position of this man in relation to this crowd. He is in the back of the front line of policemen. There is no one around him except policemen, and if he has his gun out, as he has, it is not in self-defense.

Mr. LYONS. No; it is not; it was to intimidate.

Senator LA FOLLETTE. You don't know what he was using it for, and neither do I.

Mr. LYONS. No.

¹ Exhibit 1349. See p. 5133.

Senator LA FOLLETTE. But I am simply saying it is perfectly obvious from this picture, isn't it, that this officer, having the gun in his hand, cannot be using it in his own self-defense.

Mr. LYONS. He cannot.

Senator LA FOLLETTE. Now, look at the man near the center of the picture.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Do you see the gun in his hand?

Mr. LYONS. Senator, I see—whose hand do you think that that is in, or do you think it is really a revolver?

Senator LA FOLLETTE. Well, it is perfectly obvious that it is a revolver. If you will look on the smaller picture with a magnifying glass you can see the cylinder on the gun.

Mr. LYONS. If that is a revolver the man is not facing toward the—if it is a revolver—where the gun is pointing. That is held in this position, if it is a revolver. The man's legs are going in this direction and he is facing in this direction—am I correct?

Senator LA FOLLETTE. No. The man I am talking about appears in this picture to be pointing his gun at the man in civilian clothes, who has on a felt hat.

Mr. LYONS. Senator, I think that you think that that hand that belongs to the man that is in front of this man that I say is running, and it shows by this that this man here has a club in his left hand and it is akimbo; it is in the air.

Senator LA FOLLETTE. He has a club in his left hand and a gun in his right.

Mr. LYONS. My goodness; the man is standing this way [indicating] with a club in his left hand; and this other man is facing this way in the opposite direction, Senator. Am I right or wrong, Senator?

Senator LA FOLLETTE. You are wrong.

Mr. LYONS. Senator Thomas, will you look at that picture close, please? I studied one picture last night very thoroughly. You look at that man's left arm. Hasn't he a club in his arm, raised, the man you think has a gun in his hand shooting left-handed?

Senator LA FOLLETTE. No; the club is in his left hand, the gun in his right.

Mr. LYONS. How could the gun be in his right hand when he is standing this way, with his hand over this way, or is he shooting this way?

Senator LA FOLLETTE. He is standing in profile to the camera, so you can see both hands.

Mr. LYONS. I think that is the man that is running the other direction.

Senator LA FOLLETTE. It is perfectly impossible, but anyway, you admit there is a gun there, don't you?

Mr. LYONS. Could this be that man's arm?

Senator LA FOLLETTE. Of course not.

Mr. LYONS. Senator, to my opinion it could be.

Senator LA FOLLETTE. You have all of your opinion in the record several times and it will be there for anybody to read who wants to read it.

Mr. LYONS. Yes, Senator.

Senator LA FOLLETTE. Look at the smaller print of this picture. Will you admit that that is a gun?

Mr. LYONS. It may be a gun, Senator.

Senator LA FOLLETTE. Put the magnifying glass on it again and see the cylinder on it.

Mr. LYONS. I cannot see whether it is a cylinder or not. It is hazy on that point.

Senator LA FOLLETTE. How recently have you passed a physical examination?

Mr. LYONS. For my eyes, Senator?

Senator LA FOLLETTE. Yes.

Mr. LYONS. I had my eyes tested less than 4 months ago. I happened to be looking for a job for a girl and I went up to a doctor's office, and I saw a chart, and he said, "Stand up there and have your eyes tested." I did, and he said, "You have very good eyes for a man who has worked on fingerprints as long as you have, but you are getting to the age where you have to have glasses when you read."

Senator LA FOLLETTE. Thank you. Will you look at this officer on the extreme left of the picture?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Will you admit that is a gun in his hand?

Mr. LYONS. It looks as if it is a gun.

Senator LA FOLLETTE. Do you see anything menacing him in any way?

Mr. LYONS. No, sir; he is pointing to the air.

Senator LA FOLLETTE. He is surrounded by policemen?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. He could not have had his gun out in self-defense?

Mr. LYONS. Only to try to intimidate the crowd to retreat.

Senator LA FOLLETTE. You don't know what he was doing?

Mr. LYONS. I know the Chicago policemen, Senator.

Senator LA FOLLETTE. Your testimony will be taken for what it is worth. You don't know what that man was doing with his gun, because you didn't see him. Now, then, after this was over what part did you play, if any, in taking care of the people who had been wounded?

Mr. LYONS. I called the attention of Supervising Captain Mooney to one man who was lying on the road. He looked as if—well, he had blood on his pants, on the leg of his pants. I don't know whether it was his left or right leg, and we, of course, were still in the pursuit—or not in pursuit, but were advancing a certain distance. [Laughter.]

Listen, don't get that wrong, that we were in pursuit to do people any harm. We wanted to drive this crowd back, I will admit, and we did drive them back, and we had to use force.

Senator LA FOLLETTE. The pictures show you were pretty successful in getting them to run away.

Mr. LYONS. Between 2,000 men, against probably 200 policemen, I think we did a fairly good job.

Senator LA FOLLETTE. That is your opinion. What did you do, if anything, with the people who were wounded?

Mr. LYONS. We aided them.

Senator LA FOLLETTE. What did you do?

Mr. LYONS. I had some officers come up, and two officers bent down, as I say, to this man I said was bleeding in the road. They took the belt off his pants and tried to form a tourniquet above his knee to try and stop the flow of blood, and I saw that man removed in the direction of the patrol wagon. At that time the officers had a chance to pick up anybody who was wounded.

Senator LA FOLLETTE. What other wounded did you supervise or have anything to do with?

Mr. LYONS. I helped to pick up different missiles that were found in the lot.

Senator LA FOLLETTE. No; of the wounded, I said.

Mr. LYONS. Of the wounded? I did not carry anybody to the patrol wagon.

Senator LA FOLLETTE. Did you direct anybody to be carried?

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. Who?

Mr. LYONS. I directed the officers to take care of this one man I am mentioning.

Senator LA FOLLETTE. All right; who else?

Mr. LYONS. I don't know—there was plenty of other officers there to take care of them.

Senator LA FOLLETTE. I asked you if you had anything to do with taking care of the wounded, aside from this man you said you saw a couple of other policemen put his belt around his leg and tried to stop it from bleeding.

Mr. LYONS. They took a little time, Senator; I don't really know how long.

Senator LA FOLLETTE. I am not asking you how much time it took. Did you have anything to do with or did you supervise or direct any care of any other wounded?

Mr. LYONS. Yes, sir; I did direct; yes, sir.

Senator LA FOLLETTE. Who, which ones?

Mr. LYONS. I can't say which. They were there; they were lying in the dirt, and I said to a group of the officers, "Take care of that man; take him to the patrol wagon."

Senator LA FOLLETTE. Did you say that to anybody?

Mr. LYONS. I would say I did.

Senator LA FOLLETTE. How many policemen did you give such orders to?

Mr. LYONS. I don't know, Senator. There might have been three or four to my left and to my right.

Senator LA FOLLETTE. There might and there might not?

Mr. LYONS. Our minds were in a whirl, Senator.

Senator LA FOLLETTE. Can you remember anything you did, aside from the supervision or direction or the care of this one man who was shot in the leg?

Mr. LYONS. Yes, Senator. There were two automobiles with Red Cross signs came down the prairie. I wouldn't say they were Red Cross signs, they had white signs about 12 by 12 with "Red Cross" in the center of them, attached on the front of these automobiles, and they had, at least I think they had, two men on each car bearing white pieces of cloth with a Red Cross emblem on it. They were stopped and asked where they were going, and they said they were going to pick up the injured. I know they picked up some injured.

I saw them return toward the same place, which was their headquarters, and then one more of them came back to the road and stopped, and I asked them where they were going, and they said to pick up some more of their injured. I was very close to them at that time, and I know that I said to myself, "The injured have already been taken care of", because the officers in the rear, of course, when we advanced, I will say we probably advanced to about—you see this battle occurred, it started at about right where those houses are, or probably just a little bit to the rear of them, maybe 10 or 15 feet, and there is cabbage patches there. I know when we advanced we ran into the gas, we were in the vicinity of that cabbage patch, and we probably advanced, oh—that is One Hundred and Sixteenth, we will say, between One Hundred and Fifteenth and One Hundred and Sixteenth Street, and we stopped, and the crowd stopped calling us names and throwing rocks, although they were quite a distance from us, Senator, for probably 2 or 3 minutes, and then we saw that they were not coming, they kind of turned their backs and drifted off, and we gave orders to our patrolmen. I don't know just exactly who gave the orders to go back, and then we went back to the scene of the riot and picked up any missiles we could find in the grounds there, as somebody had sense enough to pick up something we could have—although we didn't do it as an organized crowd, we probably could have picked up more at the time, picked up a few implements to use in the attack against us.

Senator LA FOLLETTE. As I understand it, the only particular case of a person who was wounded that you had anything to do with and supervised or directed—the case of was the man who was shot in the leg; is that right?

Mr. LYONS. Yes; and I know I saw him with that tourniquet afterward. I would say that is the main one.

Senator LA FOLLETTE. Now, then, were the patrol wagons under your charge?

Mr. LYONS. They were not at that time, Senator; no, sir. They were taken from me at the time.

Senator LA FOLLETTE. If you will just let me get my question stated, then perhaps I think we can get a more responsive answer.

Mr. LYONS. I beg your pardon.

Senator LA FOLLETTE. Were the two patrol wagons you testified were assigned to the platoon under your command equipped with stretchers?

Mr. LYONS. I could not say they were, but every patrol wagon in the city of Chicago, as far as I know, has a stretcher and has first-aid remedies, such as iodine, bandages, such as a tourniquet could be made out of. Many a baby has been born in a patrol wagon.

Senator LA FOLLETTE. All right. Did you see any stretchers being used?

Mr. LYONS. I wouldn't say so.

Senator LA FOLLETTE. Well, did you see any?

Mr. LYONS. I did not.

Senator LA FOLLETTE. Now I want to show you a picture of this man with the strap around his leg—¹

Mr. LYONS. Yes, Senator.

¹ Later entered as exhibit 1429. See p. 5144.

Senator LA FOLLETTE. And ask you if you had been wounded similarly and were bleeding profusely whether or not you would have felt you would have been a little better cared for than is indicated by the way in which they are handling that man, if a stretcher had been provided?

Mr. LYONS. Senator, this man was, I should say, about from where the wagons were at One Hundred and Sixteenth Street, just about there—they were about where those houses are. The main part of this riot occurred, as I say, up around these cabbage patches, which I would say is 150 to 200 feet, maybe more, away from the patrol wagons, and every policeman there was in a muddle, Senator, and these officers probably did a better act by picking that man up and carrying him that way than if they took time to run back for a stretcher and come up and bring him there, and probably the stretchers were in use at the time. I will tell you another thing, Senator: That the police station facilities we had there with the patrol wagon, we could handle this man and sent the wagon with this man alone, because there were other people's lives endangered and we had to take as many as we could.

Senator LA FOLLETTE. I just asked you whether you should have taken 1 man on the wagon or 20; I asked you whether or not, because of your experience which you have referred to so many times in the Navy and your long experience in the police department, whether you do not think that a man wounded as seriously as this man obviously is would have been better off if he had been handled on a stretcher instead of the way he is being handled in the picture?

Mr. LYONS. He would if there was a stretcher handy.

Senator LA FOLLETTE. Of course, if there wasn't any stretcher there he could not have been carried on it.

Mr. LYONS. Yes, sir.

Senator LA FOLLETTE. A copy of the subpoena served on the witness and his affidavit may be printed in the record.

(The documents were marked "Exhibits 1355 and 1356" and appear in the appendix on pp. 5025-5026.)

Senator LA FOLLETTE. You are temporarily excused.

Mr. LYONS. Thank you, sir.

Senator LA FOLLETTE. Patrolman Woods.

TESTIMONY OF JACOB C. WOODS

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Your full name?

Mr. WOODS. Jacob C. Woods.

Senator LA FOLLETTE. Your address?

Mr. WOODS. 4930 Prairie, Chicago, Ill.

Senator LA FOLLETTE. You are a member of the Chicago police force?

Mr. WOODS. I am.

Senator LA FOLLETTE. Will you speak a little louder, please.

Mr. WOODS. I will.

Senator LA FOLLETTE. How long have you been a member of the police force?

Mr. WOODS. About 19 months.

Senator LA FOLLETTE. To what district are you assigned?

Mr. Woods. District 5.

Senator LA FOLLETTE. What territory does that district cover?

Mr. Woods. The South Side of Chicago from Thirty-ninth Street on the north to Sixtieth on the south.

Senator LA FOLLETTE. Then the plant of the Republic Steel Corporation is not in that district which you are normally assigned to?

Mr. Woods. No; it is not.

Senator LA FOLLETTE. Were you assigned to strike duty at the plant of the Republic Steel Corporation?

Mr. Woods. I was.

Senator LA FOLLETTE. When did you receive that assignment?

Mr. Woods. Saturday, May 29.

Senator LA FOLLETTE. And when did you first go on duty on the 29th at the plant?

Mr. Woods. I went to the plant on the 30th.

Senator LA FOLLETTE. Were you on duty at the plant on Sunday, the 30th?

Mr. Woods. Yes; I was.

Senator LA FOLLETTE. What time did you go on duty there?

Mr. Woods. Two forty-five.

Senator LA FOLLETTE. Two forty-five—at any time before you left the plant with the other policemen were you given any instructions?

Mr. Woods. No specific instructions; no.

Senator LA FOLLETTE. Were you given any general instructions?

Mr. Woods. Well, we always had general instructions from the start. I was ordered to report there to Sergeant Lyons at 2:45 and we got there about 2:50, and he called the roll at 2:45 and told us to stay in the vicinity.

Senator LA FOLLETTE. You have heard the testimony of Sergeant Lyons about how his platoon marched out and marched back and then what position they took, and so on?

Mr. Woods. Yes, sir.

Senator LA FOLLETTE. Does that testimony conform with your recollection of what took place, so far as the placement of the platoon you were in is concerned?

Mr. Woods. Generally, yes.

Senator LA FOLLETTE. Have you any significant recollections that are different from his testimony?

Mr. Woods. Not in the general placing of them, I haven't.

Senator LA FOLLETTE. Where were you assigned, where were you standing, I mean, after the line was formed?

Mr. Woods. Just to the right of the dirt road, practically against the first house there on the left.

Senator THOMAS. Is this your picture [handing picture marked "A" to the witness]?

Mr. Woods. That looks like me. I should be somewhere in that vicinity.

Senator LA FOLLETTE. That is about where you were?

Mr. Woods. That's about it.

Senator LA FOLLETTE. You are the one walking there, if that is your picture, are you not?

¹ Later entered as exhibit 1413. See p. 5141.

Mr. Woods. I would not be positive about that. It looks like two different ones—could be me, one standing and one walking, but I should be in that vicinity.

Senator THOMAS. There were two Negro officers?

Mr. Woods. There were several of them.

Senator THOMAS. More than two?

Mr. Woods. Sure; plenty.

Senator THOMAS. There are two in this picture.

Senator LA FOLLETTE. Was there any patrol wagon drawn up near the place where you were stationed?

Mr. Woods. Yes; there was, about 10 feet away.

Senator LA FOLLETTE. To your right and behind you, or about on the same line you were on?

Mr. Woods. It was directly behind the line, right against the line, it was.

Senator LA FOLLETTE. When you got out there and took your position, did you receive any orders from anyone as to your conduct at any time prior to the encounter between the marchers and the police?

Mr. Woods. Not after we took our positions.

Senator LA FOLLETTE. Did you receive any before you took your positions?

Mr. Woods. Yes; he gave us several orders.

Senator LA FOLLETTE. What were they?

Mr. Woods. On the way out there he told us to draw our batons and double time, and after we got to the place where the encounter took place he had us form in platoon fronts, something like skirmishers, and that threw me on the extreme right of the line at the time.

Senator LA FOLLETTE. How were you armed?

Mr. Woods. I had a revolver, a baton.

Senator LA FOLLETTE. Did you have anything else?

Mr. Woods. Nothing else.

Senator LA FOLLETTE. What was your position in the line in relation to Captain Mooney?

Mr. Woods. I was on the right of Captain Mooney.

Senator LA FOLLETTE. How far would you say?

Mr. Woods. Well, at one time I was standing right there next to him. At another time 15 feet away from him.

Senator LA FOLLETTE. Where were you when the flags and the head line of these marchers came up to the police lines?

Mr. Woods. About one pace to the right of Captain Mooney.

Senator LA FOLLETTE. Will you describe to the best of your recollection what happened?

Mr. Woods. When the marchers came abreast Captain Mooney he told them, "In the name of the State of Illinois, disperse peacefully"; that the tactics they were using would not get them anyplace; they would do better to act peacefully, put their clubs and arms down, and go back and picket peacefully if they wanted to. Shall I go ahead?

Senator LA FOLLETTE. Yes.

Mr. Woods. After he said that there were numerous remarks made in the rear of the ranks calling all kinds of names. I know one fellow particularly called up to me and pointed a club with a meat hook

in it in my face and said, "I'll get you." I didn't say anything. Captain Mooney proceeded to talk to them.

Senator LA FOLLETTE. What else did he say besides they should disperse; what else did you hear him say?

Mr. Woods. I would not know the exact words, but that was the general run of what he said, along lines like that. So the people in front—I will say the first three or four people—seemed to appear undecided what to do. I turned around and walked over toward the patrol wagon and started to sit down, and just as I squatted to sit a shot was fired and hit the patrol-wagon door where I was—about 2 feet.

Senator LA FOLLETTE. Which door of the wagon was struck?

Mr. Woods. The rear door—it was standing open at the time.

Senator LA FOLLETTE. You say you walked back to sit down?

Mr. Woods. Yes.

Senator LA FOLLETTE. Then you did not anticipate that there was going to be any trouble, did you?

Mr. Woods. Well, I have suffered terribly from my back, and I can't stand on my feet long at a time. I have been suffering since last fall.

Senator LA FOLLETTE. You could not have thought at the time you left the lines that there was going to be hostility, could you?

Mr. Woods. Not at that particular moment.

Senator LA FOLLETTE. Because otherwise, as a good police officer, you would not have left the scene of danger and walked back to sit down, would you?

Mr. Woods. Under no circumstances.

Senator LA FOLLETTE. You say a bullet struck the door of the patrol wagon?

Mr. Woods. It did.

Senator LA FOLLETTE. Then what happened next?

Mr. Woods. From the time that shot was fired, I guess in the space of about 30 seconds, I heard about 10 or 15 others fired; so after the first shot was fired I jumped, and I looked in the direction from which the shot came from, and I saw, oh, seemed to be a general hubbub. Then I didn't know what to do, so I started walking toward the lines of the strikers, and a tear-gas bomb exploded right directly in front of me and temporarily blinded me. I don't know what happened right after that.

Senator LA FOLLETTE. How long were you blind?

Mr. Woods. Oh, I would say a space of about 40 seconds to a minute. When I got so I could see again I proceeded in the direction I was going, which was toward the strikers. In the meantime, the police line has advanced about 30 or 50 feet, and Lieutenant Stevens, who was behind the line with me, ordered me to help pick up the injured.

Senator THOMAS. Pick up the injured?

Mr. Woods. Yes.

Senator LA FOLLETTE. Now, how long after the crowd came near enough so that it was possible for Captain Mooney and other officers to talk to them, how long was it after they got within range where they could speak to each other, how long after that was it, would you say, that you heard Captain Mooney order them to disperse.

Mr. Woods. Would you mind repeating that question?

Senator LA FOLLETTE. Strike it out. I will phrase it again. It is rather involved. After the head of these marchers got up close enough to the police lines so there could be conversation between the police and the people at the head of the line, how long was it, would you say, that Captain Mooney ordered them to disperse?

Mr. Woods. They were within 2 or 3 feet, apparently.

Senator LA FOLLETTE. How much time elapsed?

Mr. Woods. From the time—

Senator LA FOLLETTE. That they got up where they could begin to talk to each other and before Captain Mooney ordered them to disperse.

Mr. Woods. How much time after they got up there before he spoke to them?

Senator LA FOLLETTE. And ordered them to disperse.

Mr. Woods. Oh, there was hardly any time.

Senator LA FOLLETTE. Did you hear him order them to disperse more than once?

Mr. Woods. Yes, sir; several times.

Senator LA FOLLETTE. How long after he had ordered them to disperse the first time would you say that the shot which you spoke of as striking the door of the patrol wagon hit it?

Mr. Woods. Well, I could not correctly judge, but I would say it was about—oh, I don't know, I couldn't judge that time. It may be a minute, it may be 2 minutes, it may be 30 seconds.

Senator LA FOLLETTE. How far was it from where Captain Mooney was standing to the patrol wagon?

Mr. Woods. About 15 or 20 feet.

Senator LA FOLLETTE. And at least enough time had elapsed so that after he ordered them to disperse you had time enough to walk over, with the idea of sitting down, so that you were near the patrol wagon?

Mr. Woods. Right.

Senator LA FOLLETTE. Well, now, I am not sure that I understood one of your previous answers correctly. I understood you to say that you were threatened personally by a man in the crowd who had a meat hook on the end of a stick.

Mr. Woods. I was.

Senator LA FOLLETTE. Did that take place while you were standing in the line?

Mr. Woods. While Captain Mooney was talking.

Senator LA FOLLETTE. Then I don't quite understand, if somebody had threatened you with a meat hook, why you could feel that it was appropriate or proper for you to go back and sit down?

Mr. Woods. He was not only threatening me and every policeman on the line, everyone that was standing in line, he was threatening everyone with his meat hook.

Senator LA FOLLETTE. You could not have been taking that very seriously if, under your own volition, you turned around to go and sit down in the shade?

Mr. Woods. In the district where I worked, Senator, we are bothered with all kinds of people, with "Reds."

Senator LA FOLLETTE. But you obviously could not have taken the man's threat with a meat hook very seriously, could you?

Mr. Woods. He had it there.

Senator LA FOLLETTE. If you had taken his threat seriously you would not have deserted your post of duty and gone back to rest your back?

Mr. Woods. I wouldn't call it deserting my post of duty.

Senator LA FOLLETTE. You left your post of duty.

Mr. Woods. I was not assigned to any particular spot, anywhere along that line was my place of duty.

Senator LA FOLLETTE. You were not assigned to sit on the step of the patrol wagon?

Mr. Woods. Not particularly; no, sir.

Senator LA FOLLETTE. You were not told by anybody to sit down, were you?

Mr. Woods. Right.

Senator LA FOLLETTE. I am just assuming that if you are a good officer you must not have taken the man with the meat hook very seriously or you would not have left Captain Mooney and your fellow officers to go and sit down on the patrol wagon.

Mr. Woods. I did not go back and sit on the patrol wagon.

Senator LA FOLLETTE. You went back to sit down, you said.

Mr. Woods. We were standing with our backs against the patrol wagon. We were right against the line. I would not have had to go back more than one step.

Senator LA FOLLETTE. You said it was 20 feet once before, but regardless of how far it was I am just assuming if you took the threat of the man with the meat hook very seriously you would not have walked back from the line.

Mr. Woods. Senator, may I explain the position of the patrol wagon in relation to the line?

Senator LA FOLLETTE. You can explain it again. You said 20 feet.

Mr. Woods. The patrol wagon was 20 feet from where Captain Mooney was standing, but this line was stretched from the patrol wagon over toward the railroad, but the wagon was practically lengthwise of the line.

Senator LA FOLLETTE. But you left the place and walked over to the patrol wagon, didn't you?

Mr. Woods. Right.

Senator LA FOLLETTE. All I am asking you, Mr. Woods, is whether you could have possibly taken the man with the meat hook very seriously, and immediately thereafter walked over away from where you were standing. You can answer that yes or no, according to your own testimony, under oath. That is all I am asking you to do.

Mr. Woods. I think I took it seriously enough.

Senator LA FOLLETTE. All right—that is your testimony.

Now, there has been testimony here, Mr. Woods, about the shower of missiles that came from the crowd. Did you see those missiles?

Mr. Woods. Plenty.

Senator LA FOLLETTE. When did they come in relation to the shot that hit the patrol wagon door—simultaneously, before, or after?

Mr. Woods. The missiles were being thrown from the time that the crowd was within 100 feet of us.

Senator LA FOLLETTE. All right, then; that came long before this shot?

Mr. Woods. Yes; they did.

Senator LA FOLLETTE. Then is your testimony that all during the time Captain Mooney and Captain Kilroy and those other men were talking to the people and ordering them to disperse there was a shower of missiles continuously falling upon the police or in their vicinity?

Mr. Woods. I wouldn't say there was a shower continuously being thrown, but there were rocks being thrown at all times.

Senator LA FOLLETTE. All right. You said the door of the patrol wagon was open?

Mr. Woods. It was.

Senator LA FOLLETTE. So that, as I understand it, the door would have been swung out so that it was parallel to the police line. Is that correct?

Mr. Woods. Right.

Senator LA FOLLETTE. Did you notice where, on the door, this bullet struck?

Mr. Woods. I did not stop to look.

Senator LA FOLLETTE. Where were you standing, in relation to the door, when the bullet struck?

Mr. Woods. Almost against the door. I wasn't standing; I was in the position of sitting down.

Senator LA FOLLETTE. You were under the door, behind the door?

Mr. Woods. I was on the end of the door.

Senator LA FOLLETTE. You were on the end of the door?

Mr. Woods. Yes.

Senator LA FOLLETTE. About to sit down?

Mr. Woods. Yes.

Senator LA FOLLETTE. On the ground?

Mr. Woods. No; on the patrol-wagon steps. It has a step on the rear end.

Senator LA FOLLETTE. And this shot hit the door, but you don't know where it struck the door?

Mr. Woods. No.

Senator LA FOLLETTE. Just where was the open door, in relation to your position, when the shot struck?

Mr. Woods. I was standing back against the door when the shot was fired.

Senator LA FOLLETTE. You said you were in a sitting position.

Mr. Woods. I say I was in the position of sitting down.

Senator LA FOLLETTE. You were crouching, then, toward the step of the wagon?

Mr. Woods. That's right.

Senator LA FOLLETTE. Where was the door, then, in relation to your position and the crowd; was it between you and the crowd?

Mr. Woods. No. The door and I were even, we were nearly—see, I wasn't behind the door and the door wasn't behind me.

Senator LA FOLLETTE. I haven't got a picture of a wagon with an open door, but this door seems to be a fairly wide door on the back of the wagon, and am I to understand that you could sit on that step and not have the door between you and the line [referring to picture marked "I 1"]?

Mr. Woods. Sure.

¹ Later entered as exhibit 1353. See p. 5137.

Senator LA FOLLETTE. You mean the bottom step sticks out so far that the door can swing out and you can still have full vision toward the line?

Mr. WOODS. You think it is possible, Senator, for a door to be a little that way or a little that way, not all the way open, or it does not have to be all the way closed?

Senator LA FOLLETTE. How was it? That is what I am interested in.

Mr. WOODS. The door was standing far enough open for the shot to hit it. I was not sitting on the step at the time the shot was fired.

Senator LA FOLLETTE. You were just in the position of making contact with the step, weren't you?

Mr. WOODS. That's it.

Senator LA FOLLETTE. What was the position of the door, then?

Mr. WOODS. It must have been standing open.

Senator LA FOLLETTE. Wide open?

Mr. WOODS. I wouldn't say it was wide open. I didn't notice those little things, Senator.

Senator LA FOLLETTE. I beg pardon?

Mr. WOODS. I didn't notice those little things like that.

Senator LA FOLLETTE. All I am interested in knowing is what position this door was in when you say that the shot struck it?

Mr. WOODS. The door was standing open when the shot struck it.

Senator LA FOLLETTE. Were you in a position to see the side of the door with the handle on it?

Mr. WOODS. Sure; the door with the side of the handle on it was toward the police line. It was open in that direction. That is the way the door opens.

Senator LA FOLLETTE. All right; that's the way it opens, but could you see the side of the door that had the handle on it?

Mr. WOODS. It was possible for me to see it.

Senator LA FOLLETTE. Then how could you have been near the step if you were able to see the side of the door with the handle on it, with the door open?

Mr. WOODS. I was near the steps.

Senator LA FOLLETTE. You said you were near enough so that you were just in the position of sitting down on the steps?

Mr. WOODS. I was.

Senator LA FOLLETTE. And yet you say that this door was in such a position that you could see the side that had the handle on it; is that your testimony?

Mr. WOODS. The patrol wagon was on the right of the line.

Senator LA FOLLETTE. I can see it right here.

Mr. WOODS. I am going to try to explain to you the position of the crowd and the patrol wagon. The patrol wagon was on the right of the line and the crowd was directly in front of Captain Mooney, and Captain Mooney was 15 or 20 feet away from the wagon. So a shot fired from anywhere in that crowd, especially the head of it, I don't know where the shot came from, all I know is the direction, could hit that patrol wagon door even if the door was closed.

Senator LA FOLLETTE. I am not asking that. I am just asking you to explain to me what position the door was in in relation to you when the shot hit it.

Mr. WOODS. I could not explain to you the position the door was in right then. I could not explain anything right at that particular moment except that a shot had been fired.

Senator LA FOLLETTE. How do you know it was a shot that hit the door?

Mr. WOODS. I have heard pistols and rifles fired enough to know the sound of a shot from another sound.

Senator LA FOLLETTE. I grant you can tell the report of a gun. I am talking about how you could know it was a shot that hit the door?

Mr. WOODS. I heard the sound of the firing almost simultaneously this bullet struck the door.

Senator LA FOLLETTE. You mean to say you heard the report from the gun, then you heard the bullet hit the door?

Mr. WOODS. It happened almost simultaneously.

Senator LA FOLLETTE. How do you know it was a bullet that hit the door?

Mr. WOODS. I couldn't prove that.

Senator LA FOLLETTE. Then why do you say so?

Mr. WOODS. It is natural for a man to believe a thing like that.

Senator LA FOLLETTE. You said the air was full of missiles and how do you know it was not a rock or a bolt or a nut?

Mr. WOODS. I would have been able to see a rock or a nut or something like that after it hit the door and fell on the ground.

Senator LA FOLLETTE. You said you did not stop to look, you jumped up and ran to the line.

Mr. WOODS. I did; but you could see one of those things anyway, you could not help it; a missile large enough for a person to throw out of his hand is very easily distinguished by a man in any kind of position; running or any other position.

Senator LA FOLLETTE. You were not looking at the door when this thing hit it.

Mr. WOODS. I was not looking for the shot. I had my face toward the road.

Senator LA FOLLETTE. I asked you if you were facing toward the door. You meant you were going to sit down on the step, backing up to the wagon, and the door was open, and you say you could see the side of the door with the handle on it?

Mr. WOODS. I say it was possible for me to see the side of the door with the handle on it.

Senator LA FOLLETTE. Did you see the side of the door with the handle on it?

Mr. WOODS. When I saw this bullet hit it I was not noticing it at that time.

Senator LA FOLLETTE. So you don't know whether a bullet hit the door or not?

Mr. WOODS. I say I could not prove it.

Senator LA FOLLETTE. You don't know, do you?

Mr. WOODS. No; I don't know.

Senator LA FOLLETTE. How long after the bullet or missile or whatever it was hit this door on the patrol wagon did this tear-gas bomb, which you say blinded you, go off?

Mr. WOODS. I suppose about the time it takes for me to jump. I don't know how much reaction there was at the time, because I was

fairly well excited, but I had started toward the lines when this bomb exploded in front of my face; I imagine three or four steps.

Senator LA FOLLETTE. Did it explode in the air or on the ground?

Mr. WOODS. I don't know.

Senator LA FOLLETTE. Did you see the bomb?

Mr. WOODS. I just saw the fumes.

Senator LA FOLLETTE. You just saw the fumes?

Mr. WOODS. Yes.

Senator LA FOLLETTE. Did you hear anything?

Mr. WOODS. Yes; the fumes originated in front of me.

Senator LA FOLLETTE. Well, did you hear anything, was there any detonation?

Mr. WOODS. Yes; I heard it explode.

Senator LA FOLLETTE. You heard the bomb explode?

Mr. WOODS. Yes.

Senator LA FOLLETTE. You didn't see it, though?

Mr. WOODS. No; I wasn't looking for it.

Senator LA FOLLETTE. You didn't see it?

Mr. WOODS. No.

Senator LA FOLLETTE. Then you don't know where the gas bomb came from, do you?

Mr. WOODS. No.

Senator LA FOLLETTE. Were there any of the men that you originally went out there with equipped with tear gas?

Mr. WOODS. If there were, I don't know it.

Senator LA FOLLETTE. You didn't see anybody?

Mr. WOODS. No.

Senator LA FOLLETTE. And you were not equipped with any?

Mr. WOODS. No.

Senator LA FOLLETTE. Did you at any time draw your gun?

Mr. WOODS. No; I didn't.

Senator LA FOLLETTE. You didn't?

Mr. WOODS. No.

Senator LA FOLLETTE. Did you see any of the other policemen using their guns?

Mr. WOODS. No; I didn't.

Senator LA FOLLETTE. How many shots were fired all together, would you say?

Mr. WOODS. I could not hardly estimate—possibly 50 or 100. I could go just as close saying 300.

Senator LA FOLLETTE. You said you heard one report?

Mr. WOODS. Yes.

Senator LA FOLLETTE. How soon after that did you hear others?

Mr. WOODS. Less time than it takes for me to tell it.

Senator LA FOLLETTE. When you heard the others did they come rapidly in succession?

Mr. WOODS. Very rapidly.

Senator LA FOLLETTE. Sound like fire from a good many guns?

Mr. WOODS. Yes.

Senator LA FOLLETTE. I offer for the record, and it may be given an exhibit number, a copy of the affidavit of the witness, subscribed and sworn to before a notary public, in Chicago, on the 23d day of June 1937.

(The document was marked "Exhibit 1357" and appears in the appendix on pp. 5026-5027.)

Senator LA FOLLETTE. Will you look at it and tell me whether that is a copy of your affidavit?

Mr. WOODS (after examining). Yes; that's it.

Senator LA FOLLETTE. This affidavit was made 24 days after the event of May 30, was it not?

Mr. WOODS. Right.

Senator LA FOLLETTE. Who told you to make this affidavit?

Mr. WOODS. They notified me from my station.

Senator LA FOLLETTE. When did they notify you, on the 23d?

Mr. WOODS. The day we made the affidavit.

Senator LA FOLLETTE. Where did you go to make it?

Mr. WOODS. To Ninety-first and Cottage, second division headquarters.

Senator LA FOLLETTE. Who else was there when you made it—a number of other officers?

Mr. WOODS. Yes.

Senator LA FOLLETTE. Who did you make this affidavit before?

Mr. WOODS. Before a notary public and stenographer.

Senator LA FOLLETTE. Were a number of other officers making affidavits at the time?

Mr. WOODS. I suppose that is what they were doing. They were coming in and out of the separate rooms.

Senator LA FOLLETTE. You were in a separate room when you made it?

Mr. WOODS. Yes.

Senator LA FOLLETTE. Who was there with you?

Mr. WOODS. No one; just the three of us.

Senator LA FOLLETTE. Did you discuss your affidavit with anyone before you made it?

Mr. WOODS. No.

Senator LA FOLLETTE. Did you read it before you signed it?

Mr. WOODS. Sure.

Senator LA FOLLETTE. Now, the entire affidavit will be inserted in the record. I wish to read a portion of it:

That Supervisor Mooney stepped forwards and addressed them, telling that this was not the right way to go about settling their troubles, and commanding them, in the name of the people of the State of Illinois, to disperse in a lawful and peaceful manner; that at this instance the mob started to throw brick bats, chunks of rocks and broken bottles; that at the same time a shot was fired from within the mob; that he saw the flash of the gun, but could not see the man that fired, the bullet striking the door of the patrol wagon that was about 2 feet from where he was standing; that a few seconds later a tear gas bomb was hurled from the mob, landing within a short distance of him, the gas temporarily blinding him.

How do you square your sworn statement in your affidavit with the testimony you have just given under oath before this committee?

Mr. WOODS. Which particular instance?

Senator LA FOLLETTE. Well, don't any discrepancies show up in your mind when I read this to you?

Mr. WOODS. Yes, sir; I know one.

Senator LA FOLLETTE. What is it?

Mr. WOODS. I said in my testimony, I said I didn't know where the bomb came from, and in my affidavit I said it came from the mob.

Senator LA FOLLETTE. That is pretty important, isn't it?

Mr. WOODS. Possibly.

Senator LA FOLLETTE. How did you happen to make that mistake your affidavit:

Mr. Woods (after a pause). That bomb could have been hurled from the mob; it could have been from some other place.

Senator LA FOLLETTE. I did not say that.

Mr. Woods. I could not explain that discrepancy.

Senator LA FOLLETTE. How do you explain the fact that in your testimony you stated all you heard was a report, whereas in your affidavit you said you saw the flash of a gun in the mob?

Mr. Woods. I said in my testimony that I heard the report, and in my affidavit I say I saw the flash of the gun?

Senator LA FOLLETTE. Yes.

Mr. Woods. I did see the flash of the gun.

Senator LA FOLLETTE. Then your testimony was in error?

Mr. Woods. Possibly.

Senator LA FOLLETTE. All right, you said that the bullet struck the door of the patrol wagon?

Mr. Woods. Yes.

Senator LA FOLLETTE. And you have admitted under cross-examination that you don't know whether it was a bullet or not?

Mr. Woods. I said I could not swear that it was a bullet.

Senator LA FOLLETTE. You said you could not prove it; said you didn't look to see, but you swore it was a bullet in your affidavit.

Mr. Woods. I know it. I still believe it was a bullet.

Senator LA FOLLETTE. But you swore that a bullet struck the door, and now you admit on the witness stand under oath that you can't prove that it was a bullet or not.

Mr. Woods. I don't see what else it could have been but a bullet.

Senator LA FOLLETTE. I didn't ask you that.

(No response.)

Senator LA FOLLETTE. Now, in your affidavit you did not mention this fusillade of shots that you now testify that took place, did you?

Mr. Woods. I should have if I didn't. It was an oversight.

Senator LA FOLLETTE. You did not?

Mr. Woods. I should have. If I didn't, it was an oversight of the stenographer and not mine.

Senator LA FOLLETTE. You said that you read it over before you signed it.

Mr. Woods. I did.

Senator LA FOLLETTE. You can't pass the buck to the stenographer, then, can you?

Mr. Woods. I am not trying to.

Senator LA FOLLETTE. Now, you testified here this morning that these missiles started to come from the crowd, and when they were 100 feet away from the police line and still marching in their direction. In your affidavit you swore that these missiles came after Captain Mooney had ordered the marchers to disperse.

Mr. Woods. Did I say that they had not started in my affidavit?

Senator LA FOLLETTE. No; you stated that these missiles—the first time you mention any missiles was in the statement in your affidavit that they came after Supervisor Mooney or Captain Mooney, which-

ever is correct, started to—I will read it to you. I am reading from your affidavit:

That Supervisor Mooney stepped forwards and addressed them, telling that this was not the right way to go about settling their troubles, and commanding them, in the name of the people of the State of Illinois to disperse in a lawful and peaceful manner; that at this instance the mob started to throw brick bats, chunks of rock, and broken bottles.

Now, which is correct?

Mr. Woods. Here is what I mean, Senator. Did I say that they were not throwing them, in my affidavit? Did I say they were not throwing them before he did that?

Senator LA FOLLETTE. No; you didn't say that; but you certainly give the impression, in your affidavit, that the time the bricks, bottles, chunks of rock, and so forth, started coming from the mob was during the instant after Supervisor Mooney had ordered them to disperse.

Mr. Woods. I know, but I didn't say in my affidavit that they were not throwing them before.

Senator LA FOLLETTE. I know you didn't, but I assume when you were making out your affidavit you were giving a truthful statement of the facts?

Mr. Woods. I was.

Senator LA FOLLETTE. And I ask you, because of this statement: When was the instant when the mob started to throw the missiles, which is correct, your affidavit or the testimony you gave this morning, that they started throwing rocks and missiles when they were still 100 feet away from the police lines and marching in their direction. That is all I want you to answer. Which is correct?

Mr. Woods. Because that happens to be the first time mentioned on my affidavit does not mean that is when they first started to throw.

Senator LA FOLLETTE. Will you please tell me whether your testimony is that the mob started throwing missiles when they were 100 feet away from the police lines and marching in that direction?

Mr. Woods. They did.

Senator LA FOLLETTE. Or whether it was in the time stated in the affidavit, the instant when Supervisor Mooney ordered them to disperse?

Mr. Woods. They started about 100 feet away.

Senator LA FOLLETTE. I offer for the record a photograph made on June 30, 1937, by a photographer of the Associated Press.

(The photograph was marked "Exhibit 1358" and is reproduced in the appendix on p. 5137.)

Senator LA FOLLETTE. Will you look at the small picture there. Can you identify yourself in this picture, Mr. Woods?

Mr. Woods. I can identify what looks like me. I could not swear it was me.

Senator LA FOLLETTE. That is the closest we can probably come to it. Are you the man in the picture behind the door of the patrol wagon with his baton raised?

Mr. Woods. I think so; I would not be positive.

Senator LA FOLLETTE. But you think that is the one that looks like you, and that was your relative position.

Mr. Woods. I was in that vicinity.

Senator LA FOLLETTE. So this picture must have been taken very shortly after hostilities commenced?

Mr. Woods. I imagine so.

Senator LA FOLLETTE. Isn't that pretty obvious, just from looking at the picture and from seeing your position in it?

Mr. Woods. Yes; it is.

Senator LA FOLLETTE. Now, then, it appears, does it not, that the crowd on the left has not yet apparently become aware of what has happened on the right?

Mr. Woods. That is the way it seems from this picture.

Senator LA FOLLETTE. You can see the people on the left in civilian clothes looking over toward the right of the picture, can't you; that is, a great many of them?

Mr. Woods. Yes; some of them.

Senator LA FOLLETTE. Seem to be craning their necks in that direction, whereas, on the right hand of the picture the entire body of the crowd has started to fall back and has gone some feet away from the police line, hasn't it?

Mr. Woods. Yes; they have.

Senator LA FOLLETTE. And nearly all of them, looking at the picture, seem to be faced away from the police and to be moving up from them, do they not?

Mr. Woods. Nearly all of them, in the front.

Senator LA FOLLETTE. Now, then, this picture, as you say, was obviously taken very shortly if not immediately after hostilities broke out. Can you see any people in the picture on the left, where the crowd has not yet turned and started to run, who seem to be in physical combat with any of the police?

Mr. Woods. On the left of the picture?

Senator LA FOLLETTE. Yes.

Mr. Woods. There is one. I can distinguish one that seems to be in physical combat with the police and one that is still facing the police with a club in his hand.

Senator LA FOLLETTE. Where is that one you think is in physical combat? You mean this man with the dark hair, with no hat on?

Mr. Woods. Yes; I imagine he doesn't have on any police cap. I imagine that is the one.

Senator LA FOLLETTE. You don't think that is a policeman there, do you?

Mr. Woods. I don't see how he could hardly be with his cap off.

Senator LA FOLLETTE. And obviously he hasn't got a uniform on, has he?

Mr. Woods. Not hardly.

Senator LA FOLLETTE. What makes you think this man is having a physical combat with the policeman?

Mr. Woods. He is right up there in front. He is facing the police, two police look like right there in front of him.

Senator LA FOLLETTE. What is he doing?

Mr. Woods. I can't see what he is doing.

Senator LA FOLLETTE. What makes you think he is having physical combat with the policeman?

Mr. Woods. The same thing that makes me think these people here are running backward, they have their backs turned. He is facing the police.

Senator LA FOLLETTE. But there are still other people over here who have not started to run yet.

Mr. Woods. But there is nobody between the man and the police lines.

Senator LA FOLLETTE. But you don't see anything in the picture that indicates a physical combat between this man and anybody else?

Mr. Woods. We can't see anything but the face.

Senator LA FOLLETTE. You can see his body and shoulders, and you can see, apparently, on the picture, he is face to face with the man in the felt hat. Now, do you see any other place on this picture, over here on the left, where there is still any contact in the nature of their being in close proximity to each other, between the police and the marchers, any indication that there is any assault, physical combat, going on?

Mr. Woods. You see that man just to the right of that one that has a club in his hand? He has a white shirt and a white felt hat, I think, from the looks.

Senator LA FOLLETTE. That club is in the hands of a policeman.

Mr. Woods. That is not a policeman.

Senator LA FOLLETTE. You mean that blue coat?

Mr. Woods. No; the white felt hat and the white shirt.

Senator LA FOLLETTE. You don't mean to tell me you think that that man there with that club is nibbling on it, do you?

Mr. Woods. I don't know what he is doing. He is possibly trying to draw it back. This is a still picture.

Senator LA FOLLETTE. The wrist of the man that is holding that club is turned backward. It could not be the wrist of the man who is facing us in the felt hat.

Mr. Woods. I don't know what he is trying to do, although I know he is not a policeman with a club in his hands.

Senator LA FOLLETTE. I know this man in the felt hat is not a policeman; but if you will look down that club to the point where it makes contact with the hand, you will see that the hand is in this position, the wrist is turned up.

Mr. Woods. Isn't that a good way to handle a club, Senator?

Senator LA FOLLETTE. Then if you will look down from the hand to the sleeve you will see that it is a sleeve that is dark; it is on a coat; it is a coat sleeve. This man has no coat on you are talking about.

Mr. Woods (looking at picture with magnifying glass). Yes; I see it now.

Senator LA FOLLETTE. You will grant that that club is in the hands of a man that has got a coat on, won't you?

Mr. Woods. Yes; I see it now.

Senator LA FOLLETTE. So there is no evidence that this man you pointed out to me, just because he happens to still be facing this way, was in combat with the police, because you see he has one arm akimbo on his hip.

Mr. Woods. I can't see the other one.

Senator LA FOLLETTE. If you can't see the other, you can't see that he has a club in it, can you, in this picture?

Mr. Woods. No; you can't see it.

Senator LA FOLLETTE. Now, then, on the right of the picture the crowd is in full retreat, isn't it?

Mr. Woods. Yes; it is.

Senator LA FOLLETTE. What would you say that cloud of light smoke in the midst of the retreating crowd is?

Mr. Woods. I would say it is tear gas, just from observation. I don't know.

Senator LA FOLLETTE. You said, in your affidavit, that this tear gas that you saw came from the crowd, didn't you—

That a few seconds later a tear-gas bomb was hurled from the mob, landing within a short distance of him.

Mr. Woods. Yes; I said that.

Senator LA FOLLETTE. Do you see any cloud of tear gas in your vicinity?

Mr. Woods. That did not have to happen right then.

Senator LA FOLLETTE. What's that?

Mr. Woods. It didn't have to happen right then.

Senator LA FOLLETTE. You have already admitted, in your testimony, that this picture must have been taken very shortly or immediately after the hostilities started.

Mr. Woods. I didn't say how soon after.

Senator LA FOLLETTE. No; but very shortly thereafter.

Mr. Woods. From the second this picture was taken one could have landed right in front of me for all I know.

Senator LA FOLLETTE. You said the tear gas came from the mob. You have got to acknowledge, it seems to me, that the only tear gas in this picture is a long way away from the patrol wagon, out in the prairie and among the mob; isn't that right?

Mr. Woods. Where else could the tear gas come from that fell in front of me?

Senator LA FOLLETTE. I am not attempting to answer that. That is what you said in your affidavit.

Mr. Woods. I still say it.

Senator LA FOLLETTE. But I am talking about the picture. Now, this tear gas obviously must have been thrown by the police, mustn't it?

Mr. Woods. What you see there possibly was; I don't know.

Senator LA FOLLETTE. What's that?

Mr. Woods. What you see there in the picture possibly was; I don't know.

Senator LA FOLLETTE. It is way out there in the crowd, isn't it?

Mr. Woods. Yes; if that is tear gas.

Senator LA FOLLETTE. Now, then, let's try to find out just when this tear-gas bomb blinded you. You have testified you were just about to sit down on the step of the patrol wagon and then a bullet hit the door, you thought, but you could not prove it and you never looked to see?

Mr. Woods. No.

Senator LA FOLLETTE. You have only had time when this picture was taken, to stand up, lift your club, and face the crowd; isn't that correct?

Mr. Woods. Yes.

Senator LA FOLLETTE. All right; you were looking in the direction of this crowd at the time this picture was taken, weren't you—you could see that tear gas out there, couldn't you?

Mr. Woods. If that is what it is. I don't remember seeing any out there.

Senator LA FOLLETTE. All right; you don't see any tear gas around you, do you?

Mr. Woods. No; but does that prove that there wasn't any fell around me?

Senator LA FOLLETTE. I am just trying to get at the facts; that is all I am trying to do. The record will speak for itself. Now, then, will you look over a little way to the left of yourself in the picture? Do you see the officer standing there with his gun in the air?

Mr. Woods. Let me see the glass; I can't see. [Using the magnifying glass.] Yes; I see it.

Senator LA FOLLETTE. He is shooting in the air, isn't he?

Mr. Woods. He must be, if he is shooting.

Senator LA FOLLETTE. Are you sure it wasn't his shot that you heard?

Mr. Woods. This was taken after it started, after the shot was heard. This picture was taken after the shot was heard.

Senator LA FOLLETTE. It looks to me as if the picture was taken just after you jumped up from your seat; but, however that may be, this officer is obviously firing his gun in the air, isn't he—if he is using his gun, it is pointed upward?

Mr. Woods. Yes.

Senator LA FOLLETTE. And if he fired a shot, you would have heard it, wouldn't you?

Mr. Woods. Sure; nothing to keep me from hearing it.

Senator LA FOLLETTE. All right; why didn't you mention in your affidavit that you heard some shots?

Mr. Woods. Didn't I mention that in my affidavit?

Senator LA FOLLETTE. No; you mentioned the shot that you said in your affidavit hit the door, and you testified this morning you can't prove that it hit the door; but why didn't you mention these other shots you have testified about?

(After a pause.)

Senator LA FOLLETTE. Read the question, please.

(The question was read by the reporter.)

Senator LA FOLLETTE. No; you mentioned the shot that you said in your affidavit hit the door, and you testified this morning you can't prove that it hit the door; but why didn't you mention these other shots you have testified about?

Mr. Woods. I don't know.

Senator LA FOLLETTE. Now, when did you first mention to anyone that you thought that the shot hit the door of the police wagon—the patrol wagon?

Mr. Woods. Immediately after the encounter.

Senator LA FOLLETTE. Who did you mention it to?

Mr. Woods. A fellow officer.

Senator LA FOLLETTE. What is his name?

Mr. Woods. Elmer Officer.

Senator LA FOLLETTE. Elmer who?

Mr. Woods. Officer.

Senator LA FOLLETTE. How do you spell his last name?

Mr. Woods. O-f-f-i-c-e-r.

Senator LA FOLLETTE. Was he there with you?

Mr. Woods. He was in the encounter with me.

Senator LA FOLLETTE. Did you make any written statement concerning this alleged shot that hit the police-car door—the patrol-car door—prior to your making your affidavit on the 23d?

Mr. Woods. Yes.

Senator LA FOLLETTE. When did you make that?

Mr. Woods. That was on the second day after the riot. I can tell you in a minute.

Senator LA FOLLETTE. When you made your report?

Mr. Woods. I can tell you when it was—June 6.

Senator LA FOLLETTE. And in what form was that statement made?

Mr. Woods. The form of a statement for the police department.

Senator LA FOLLETTE. Have you a copy of it with you? Let me see it.

(Witness hands statement to Senator La Follette.)

Senator LA FOLLETTE. Who was the person who questioned you?

Mr. Woods. Just another policeman taking the statement.

Senator LA FOLLETTE. What was his name?

Mr. Woods. I don't know his name.

Senator LA FOLLETTE. Well, the entire report may be given an exhibit number and printed in full in the record. It is dated June 6, 1937, and I will read part of it.

(The document was marked "Exhibit 1359" and appears in the appendix on pp. 5027-5028.)

Senator LA FOLLETTE (reading):

I was in the third platoon at One Hundred and Seventeenth and Burley Avenue when a crowd of about 2,000 marchers came from the north. Captain Mooney ordered us to scatter across the prairie. Captain Mooney ordered the marchers to disperse in a peaceful manner. One of the marchers called the captain a _____ and they refused to disperse; rocks began flying from the rear of the marchers, and they fell in the ranks of the policemen. About 10 of the marchers had turned around in response to Captain Mooney's order, and I walked over to a patrol wagon that was parked at the right end of the line; as I reached the door of the wagon, which was standing open, a shot was fired from the ranks of the marchers and struck the patrol-wagon door, on a line with, and about 3 feet from, my face. At this time the marchers attempted to break through the police lines and were assaulting the police with clubs and bricks; there were several more shots fired at this time, but I don't know where they came from. All of the marchers in the front row were armed with clubs or stones of some sort—they numbered about 200 or more. At this time a tear-gas bomb dropped in front of my face and temporarily blinded me. In the meantime the lines had advanced toward the center of the prairie away from the steel company's plant, and I was ordered by Lt. Frank Stevens to pick up the injured. I saw a dull gray-colored Ford V-8 sedan come onto the field with a Red Cross sign on the windshield; there were three people inside of this car; they went through the police line, and a police squad then sent this car back toward the group of marchers and did not leave them pick up any of the injured. The injured were already in patrol wagons. We then reformed in platoons and marched back to the steel corporation plant; on the way back I picked up a 2 by 4, which I handed to Lieutenant Moran. There was one man in the marchers that carried a wooden club with a steel hook on the end of it. I don't know what became of this man, as I couldn't see, as the tear gas blinded me. We were held on reserve until about 11:30 p. m.

Why didn't you mention that this man with the meathook threatened you with it when you made out this report?

Mr. Woods. The affidavit?

Senator LA FOLLETTE. No; this report of June 6. That was a little closer to the event, as far as your recollection was concerned, than the 23d of June, wasn't it?

Mr. Woods. Sure; this was 2 or 3 days afterward.

Senator LA FOLLETTE. Why didn't you mention in this statement of June 6 that you saw the flash of a gun in the crowd here. You said you heard some shots and you didn't know where they came from. That is in your statement of June 6.

Mr. Woods. I spoke about the shots that hit the patrol-wagon door in that statement.

Senator LA FOLLETTE. But you didn't say anything about seeing a flash of a gun in the crowd, and when you made out this statement you didn't say anything about the tear gas, and now you have been on the witness stand and you admit you don't know where it came from.

Mr. Woods. I could not swear where it came from.

Senator LA FOLLETTE. You are temporarily excused. I offer for the record the subpoena served upon Patrolman J. C. Woods.

(The document was marked "Exhibit 1360" and appears in the appendix on p. 5028.)

Senator LA FOLLETTE. The committee will take a recess until 2 o'clock.

(Whereupon, at 1:10 p. m., the committee recessed to 2 p. m.)

AFTERNOON SESSION

(The hearing was resumed at 2 p. m. pursuant to the taking of recess.)

Senator LA FOLLETTE. Officer George Higgins.

TESTIMONY OF GEORGE R. HIGGINS

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Your full name?

Mr. HIGGINS. George Higgins—H-i-g-g-i-n-s.

Senator LA FOLLETTE. And you live where?

Mr. HIGGINS. 5327 South Union Avenue, city of Chicago, Ill.

Senator LA FOLLETTE. You are a member of the uniformed force of the Chicago Police Department?

Mr. HIGGINS. I am, sir.

Senator LA FOLLETTE. And how long, Mr. Higgins, have you been connected with the Chicago Police Department?

Mr. HIGGINS. Eighteen years.

Senator LA FOLLETTE. To what district are you usually assigned?

Mr. HIGGINS. I have been assigned to the nineteenth district about 4 years.

Senator LA FOLLETTE. Is that the district in which the plant of the Republic Steel Co. is located?

Mr. HIGGINS. No, sir.

Senator LA FOLLETTE. Were you at any time assigned to duty in connection with the strike at the Republic plant?

Mr. HIGGINS. I was, sir.

Senator LA FOLLETTE. When were you first assigned?

Mr. HIGGINS. I believe I was on the first call. I just do not recall the date of it—the first date we went out there.

Senator LA FOLLETTE. You went out there on Wednesday, the 26th?

Mr. HIGGINS. Just the date, I do not know. I was one of the first ones out there.

Senator LA FOLLETTE. Who was your superior officer out there when you were there?

Mr. HIGGINS. I was assigned under the command of Lieutenant Stevens.

Senator LA FOLLETTE. Were you given any instructions when you first went out for police duty at the plant?

Mr. HIGGINS. In regard to keeping law and order and preserving the peace.

Senator LA FOLLETTE. Any other instructions?

Mr. HIGGINS. No, sir.

Senator LA FOLLETTE. They were all general in character?

Mr. HIGGINS. That is the general routine; yes, sir.

Senator LA FOLLETTE. Was there any discussion of the picketing or what kind of picketing could be done, or anything of that nature?

Mr. HIGGINS. Not to my knowledge, at that time.

Senator LA FOLLETTE. Were you on duty in this vicinity on the 30th of May?

Mr. HIGGINS. I was, sir.

Senator LA FOLLETTE. Sunday?

Mr. HIGGINS. Yes, sir.

Senator LA FOLLETTE. Were you under Lieutenant Stevens on Sunday?

Mr. HIGGINS. Yes, sir. I was on duty that morning, working days. At 7:45 a. m. I reported.

Senator LA FOLLETTE. And did you march out with the body of the police?

Mr. HIGGINS. I did, sir.

Senator LA FOLLETTE. From the plant headquarters, as described by Captain Mooney?

Mr. HIGGINS. I did, sir.

Senator LA FOLLETTE. You heard his testimony?

Mr. HIGGINS. I did, sir.

Senator LA FOLLETTE. And insofar as it related to the manner in which the police went to the scene of action, and the manner in which they were stationed, and so on, does that conform to your recollection?

Mr. HIGGINS. To the best of my knowledge, sir; yes, sir.

Senator LA FOLLETTE. Now, how were you armed on that day? Did you have the regulation equipment?

Mr. HIGGINS. I carried the regulation baton and service revolver.

Senator LA FOLLETTE. Anything else?

Mr. HIGGINS. No, sir.

Senator LA FOLLETTE. Did anyone in your immediate vicinity, any of the police, have gas equipment?

Mr. HIGGINS. No, sir; I did not see any.

Senator LA FOLLETTE. Now, did you receive any particular instructions when you got out on the prairie?

Mr. HIGGINS. After we had—may I tell it in my own way, Senator?

Senator LA FOLLETTE. I am going to give you a chance to do that. I want to get up to that point first.

Mr. HIGGINS. I received instructions, when we reached East One Hundred and Seventeenth Street, east of Burley Avenue; we came to attention there.

Senator LA FOLLETTE. And what instructions did you receive there?

Mr. HIGGINS. Not to use our revolvers unless in self-defense.

Senator LA FOLLETTE. And who gave those to you?

Mr. HIGGINS. Captain Kilroy and Supervisor Mooney.

Senator LA FOLLETTE. Now, then, where were you stationed after the body moved up to about along where One Hundred and Sixteenth Street is?

Mr. HIGGINS. We were resting then on One Hundred and Seventeenth Street, east of Burley, there. There is a short street, or an alley in there. I am not acquainted with the district. We were there maybe 5 or 10 minutes, about east of Burley Avenue, right where the figure is "East One Hundred and Seventeenth Street", in about there [indicating].

The next command we got was "Attention and draw batons." Lieutenant Stevens leading us out back east out One Hundred and Seventeenth Street to Burley Avenue. We advanced north on Burley Avenue. There is an alley or short street, as I say, east of Burley Avenue there, in back of those houses, and some of us went down in there. It looked like an alley to me. There are a few houses on the end there. I advanced down that way, and I was blocked by a fence of some kind there, right about there [indicating]. I swung west then around the house, the last house, out in front of the house, down toward the dirt road, with other police officers.

Senator LA FOLLETTE. Now, when you finally lined up there, as these pictures seem to indicate, and the testimony indicated, where were you standing in relation to Captain Kilroy, for example?

Mr. HIGGINS. I was east of Captain Kilroy, to my best knowledge.

Senator LA FOLLETTE. And were you near Supervisor Mooney?

Mr. HIGGINS. I was not far from him. I was advancing toward him. He was leading us, he and Captain Kilroy.

Senator LA FOLLETTE. Now, will you look at picture "H"? You see there seems to be a dirt road there in that picture, does there not?

Mr. HIGGINS. I am not acquainted, Senator, with that. I am a stranger there, the same as yourself. I never was out in this locality before.

Senator LA FOLLETTE. Picture "H" seems to have been taken, does it not—obviously, from the way the people look in it—before any hostilities began?

Mr. HIGGINS. It looks like there is no trouble there.

Senator LA FOLLETTE. Now, do you see Inspector Mooney?

Mr. HIGGINS. I do. I recognize the supervisor there.

Senator LA FOLLETTE. The supervisor. Pardon me. Now, can you tell me where you were in relation to him? I do not mean that you can pick yourself out of that picture.

Mr. HIGGINS. I think I had been a little to the right of him.

Senator LA FOLLETTE. A little to the right of where he was standing?

Mr. HIGGINS. Yes. I do not see myself on here at all.

¹ Later entered as exhibit 1397. See p. 5139.

Senator LA FOLLETTE. Now, will you state exactly what took place, according to what you yourself saw, after the police had formed and the marchers had come up to the point where—

Mr. HIGGINS (interrupting). Well, I wanted to relate how we started. We started off from One Hundred and Eighteenth Street, at the plant gate there. In passing over the tracks into Burley Avenue—that is eastbound from the plant—we saw a crowd of about, maybe, 20 or 30 pickets with placards on their back and their chest.

We passed them by down Burley Avenue to One Hundred and Seventeenth Street. We turned in One Hundred and Seventeenth Street east on Burley and remained there a short period of time. I am going back to get past that house up there, the last house. I saw Captain Kilroy across from me with his hand lifted [indicating], and I heard him stating, "Go back; go back, in the name of the city of Chicago and the State of Illinois, go back", he said.

Senator LA FOLLETTE. Now, how far were you from Captain Kilroy at this time?

Mr. HIGGINS. Well, I just cannot relate in feet. I glanced over and I saw him. He is a tall officer, and I knew Captain Kilroy.

Senator LA FOLLETTE. Can you say approximately how far away he was?

Mr. HIGGINS. Well, maybe about from here [indicating] to the corner of the room; probably a little farther. There were a lot of men. The people in front of me were getting in and out, and I did not have a chance to judge distances or anything else.

Senator LA FOLLETTE. Go ahead.

Mr. HIGGINS. As he was talking a barrage of missiles came flying through the air. I tried to save myself the best I could. It is only natural. In that confusion I lost my baton. I had it in my hand advancing up there as orders were given by Lieutenant Stevens.

Senator LA FOLLETTE. That is; he gave the order to advance after the missiles started to fly?

Mr. HIGGINS. No, no; we got our orders to draw our batons.

Senator LA FOLLETTE. Oh!

Mr. HIGGINS. That was when we advanced into the prairie.

Senator LA FOLLETTE. Go ahead.

Mr. HIGGINS. In trying to save myself there, why, I saw one officer go down. I don't know on which side of the head he was struck, but I think it was above the ear, on the temple here [indicating], and blood protruding from the head.

Senator LA FOLLETTE. How far away was he from you?

Mr. HIGGINS. Oh, just a short distance. Maybe just in back of you, to the wall.

Senator LA FOLLETTE. Ten feet; something like that?

Mr. HIGGINS. Ten feet, I should say. I could not measure it. The excitement was on then.

He was knocked to the ground and lay there. I didn't know whether he was hurt seriously, whether he was struck with a missile or was shot. I danced around all through there the best I could to save myself. As I say, I did not have any baton then.

I saw a striker with his arms elevated in this manner [indicating]. I saw a crutch and a pair of rubbers on it. It looked like an inner tube cut down, to my best knowledge. The rubbers were red.

Senator LA FOLLETTE. A slingshot?

Mr. HIGGINS. It was a slingshot that he had. This officer, whom I learned later on was Officer Barber, out of the thirteenth district—I was not acquainted with him, we were all strangers to one another—I saw him grab his face in this manner [indicating], and he was knocked unconscious to the ground. I kind of advanced forward to where this fellow was with the slingshot, to try and grab him. As I advanced I got up closer than he was, and I was pretty active with my feet, I got around there, and I struck him with my fist, knocking him to the ground.

I was still going around, missiles were still flying in the air, our boys falling here and there. I did not know what was wrong, but there was confusion, and I heard somebody holler to my right, as I believe, and I saw an officer flat on his back whom I did not know at that time. I saw a fellow bigger than he bending over him, trying to bend his knee under his throat, here [indicating], or under his chin, rather, at the throat. I advanced toward him to render assistance, and there was another fellow, a big man, going to aid that so-called striker, and when he saw me going toward the officer he started for me. He had a club, maybe about a foot and a half long. It was not as long as our regulation clubs. It seemed to be about 4 inches at one end, then tapered down to probably about 2 inches. It looked like he watched me, to raise it and hit me, and before he got a chance to strike me—I can handle myself—I just cracked him down. I got in on him before he came down with the blow.

Just then I heard a shot ring out. My attention was attracted to the shot. I saw this officer, I looked over when I heard the shot and I saw the fellow that was trying to get his knee in his throat draw back, and he had a nickel-plated revolver in his hand, it was either a .32 or .38 caliber, I do not know, it happened to flash, and I saw him draw back and grab his body like this [indicating], I believe, about the waist line, and then I heard three or four shots one after the other. That man went down.

Senator LA FOLLETTE. Could you see who fired those shots?

Mr. HIGGINS. I did, sir.

Senator LA FOLLETTE. Who fired those shots?

Mr. HIGGINS. I later learned that that officer's name was Oakes.

Senator LA FOLLETTE. Then these several shots that you heard, after this man drew back, were fired by Officer Oakes from the ground; is that right?

Mr. HIGGINS. No; he was rising up. He was still prostrated, but after he had seen that he had gotten the best of his man he was trying to resume his seat, and he fell back again. Then I assisted him to his feet. I said, "Are you hurt?" He seemed to complain about his jaw, and also about his chest; I do not know what injuries he received before I got to him.

Senator LA FOLLETTE. Now, did you see whether any of these shots that Officer Oakes fired at this man who had been kneeling on his throat, whether they took effect or not?

Mr. HIGGINS. Well, as I say, there was excitement, and I am almost positive the first one did, because I saw the man grab his body. The other shot I do not know for sure.

Senator LA FOLLETTE. Well, now, just what position was this striker in when the first shot was fired?

Mr. HIGGINS. You mean the striker that was shot?

Senator LA FOLLETTE. Yes; by Officer Oakes.

Mr. HIGGINS. He was down on the officer, as I say, trying to get his knee up in here [indicating], in his chest, or his throat.

Senator LA FOLLETTE. He was crouched over him?

Mr. HIGGINS. Oh, yes; he had the officer down. The officer was prostrated on the grass.

Senator LA FOLLETTE. He had his knee on his throat?

Mr. HIGGINS. Yes; like as if he wanted to crack him or choke him with his knee, and then this shot was fired by the officer. When I saw that nickel-plated gun, or when the officer on the ground seen it—I don't know whether the officer on the ground seen it—being it was nearer I, then the shot rang out like that [snapping fingers]; everything went so fast.

Senator LA FOLLETTE. You think that shot took effect, because you saw the man draw back his hand on his abdomen?

Mr. HIGGINS. From the indications, yes; but the rest of the shot I am not positive, because the man was staggering backwards in a falling condition, going back.

Senator LA FOLLETTE. Were you ever able to identify this striker later?

Mr. HIGGINS. In the first hearing at the inquest in the county morgue—I was instructed to go over there by my superiors, along with Officer Oakes, Officer Igoe, I think he is out of the sixteenth district, and several other officers. I did not know them all. Just before the hearing was called we went down to the county morgue, downstairs, and one of the coroner's assistants had shown us five bodies there. Oakes recognized the man he shot first.

Senator LA FOLLETTE. And was that the one you saw him shoot?

Mr. HIGGINS. When he recognized him he called to me and Officer Igoe, and when I got over there—of course the body is nude now—I took a good look at him and I said, "Yes, that is the man that nearly got you, that had the nickel-plated gun in his hand."

Senator LA FOLLETTE. Are you positive of your identification?

Mr. HIGGINS. Yes.

Senator LA FOLLETTE. And he was positive of his?

Mr. HIGGINS. Oh, yes. On the toe of the body, which had been identified by some of the relatives, I believe, there was an identification mark with the name "Rothman" or "Rodman";¹ I do not know how they spelled it.

Senator LA FOLLETTE. Was it Rothmund?

Mr. HIGGINS. Rothman or Rodman, I do not know which.

Senator LA FOLLETTE. Were you one of the officers who made a report?

Mr. HIGGINS. To whom, Senator?

Senator LA FOLLETTE. I understood that many of the officers made out reports after the 30th.

Mr. HIGGINS. You mean to my superiors?

Senator LA FOLLETTE. Yes.

Mr. HIGGINS. Or to other gentlemen?

Senator LA FOLLETTE. To your superiors.

Mr. HIGGINS. We made reports immediately after the trouble was over. We went back into the temporary quarters there and each

¹ Properly "Rothmund."

individual submitted a report of what he knew about what took place to our superior in charge, Captain Kilroy and Supervisor Mooney.

Senator LA FOLLETTE. Did you at any time make a report which was written out?

Mr. HIGGINS. I did, sir.

Senator LA FOLLETTE. Have you a copy of that with you?

Mr. HIGGINS. I have not, sir. I believe that was—you mean prior to the one I am speaking of, or after?

Senator LA FOLLETTE. Well, at any time did you make out a report which was taken down?

Mr. HIGGINS. I did, sir; to Captain Kilroy at the temporary quarters back in the mill property.

Senator LA FOLLETTE. Was that typewritten, do you know?

Mr. HIGGINS. Yes.

Senator LA FOLLETTE. You haven't got a copy of it?

Mr. HIGGINS. No; I haven't got a copy; no. That was immediately after the trouble. We went back the same route, we went by the same picket, and there were more of them gathered then, and we passed right by them and went in, and then I submitted my report immediately to the superiors.

Senator LA FOLLETTE. Now, what else happened that you saw?

Mr. HIGGINS. After the missiles went flying through the air back in this crowd somewhere, this crowd of pickets, my attention was attracted when I heard shots scattered about. They were across the field, some in groups like you see here [indicating], and some spreading out. That was before Officer Oakes had met up with his man and before I got up to him at all. After I had left Officer Oakes I swung to the right and got up near Supervisor Mooney. I heard Supervisor Mooney pleading, still pleading at the top of his voice, asking them to go back, and they used profanity that was disrespectful in this room, among our good people, and the words, other than profanity, were "You lousy Chicago coppers, you or nobody else is going to stop us. We are going in that mill and drive out them"—some more profanity—"finks."

Then I heard another one say, "And you, you big"—using more profanity to my superior, Mooney—"I will drive this through your skull." He had something there that looked like a pike pole, and there was a hook on it. I don't know just what kind of a missile it was.

I stayed with my superior then, close by him, and then I encountered a woman, a small-statured woman, whom I did not know, who was hollering and yelling, and I saw something in her arm and she seemed to want to get it open. I did not strike the lady; as a gentleman, I shoved her, and when I did she went toward the grass and the package fell. We have got that package and found it contained pepper. I think it was about a half pound or a pound bag.

I advanced forward then and remained alongside of my superior, Mooney.

Senator LA FOLLETTE. Did you stop to pick up the bag?

Mr. HIGGINS. I got the bag and gave it to some more of the boys. We put it in the squad car and took it back to headquarters.

Senator THOMAS. What kind of pepper was it?

Mr. HIGGINS. I do not know, Senator, I did not look into it in the excitement.

Senator THOMAS. You are sure it was pepper?

Mr. HIGGINS. Oh, yes; it was soft stuff. When we got back into the office there, why, the boys looked into it and saw it was pepper. We have that pepper.

Now, I am up to my superior—

Senator LA FOLLETTE (interrupting). Just a minute. I will show you one of these news photographs that we have, marked "Q.¹" Is that the woman?

(The photograph was handed to Mr. Higgins.)

Mr. HIGGINS. Gentlemen, I could not swear to it under oath, as I say, because of the excitement and confusion. She was small built.

Senator LA FOLLETTE. Here is another picture of her, marked "Q.²"

(The photograph was handed to Mr. Higgins.)

Mr. HIGGINS. There was more than one woman up there, or lady. There she is standing. It looks much like her, gentlemen. I would not say for sure. I would not say for sure whether it was her or not, because there were all sizes.

Senator LA FOLLETTE. All right.

Mr. HIGGINS. Now, I am up near Superior Mooney, my supervisor, and facing that crowd, which scattered across the field, two and three at a time, and individuals. Looking into this crowd, I hollered out to a sergeant, whom I knew, after I saw what I stated to you, "Look out! He has got a shotgun." Before I hollered he did not seem to know the style of carrying a shotgun. He was green at it, in other words. May I define it to you? The gun was like this, from his side [indicating]. From being on squad cars in Chicago and carrying these sawed-off shotguns I know what a sawed-off shotgun is.

Senator THOMAS. His was a sawed-off shotgun?

Mr. HIGGINS. His was a sawed-off shotgun, Senator. I did not put my dead-eye on him until I heard that report, and when it went off he swung, and he swung toward his gang to go back. Then I hollered to Sgt. Jimmie Oakley, "Look out! He has got a shotgun", and he advanced back in his own crowd. He was a tall man, about 6 feet, wearing a blue shirt. He fired it once only.

Senator LA FOLLETTE. You did not see the gun again?

Mr. HIGGINS. No; I did not see him. He went back into the crowd of what I judge to be maybe 2,500 to 3,000. They were spread across the field like wildfire now.

Senator THOMAS. Was anybody hit by that shot?

Mr. HIGGINS. That I could not say, Senator.

Senator THOMAS. Have you any report of shotgun wounds at all?

Mr. HIGGINS. I do not know whether he shot that into the crowd. As I said, when the shot went off then my attention was attracted to it. Whether he pointed it toward the crowd or toward our men, that I do not know.

Senator THOMAS. Of all the men injured none of them were injured by shotgun shot, were there?

Mr. HIGGINS. I did not make any inquiry, Senator. I know there were a lot of our boys hurt. I was one of the fortunate ones, Senator.

Senator THOMAS. You never heard that anyone was shot by shotgun shot, did you?

Mr. HIGGINS. Not to my knowledge.

¹ Later entered as exhibit 1414. See p. 5142.

² Later entered as exhibit 1424. See p. 5143.

Senator LA FOLLETTE. Officer, you made a statement, did you not, to Mr. Kramer,¹ a member of the staff sitting right here?

Mr. HIGGINS. I think I recognize the two gentlemen; yes. I was called to the ninth district station later on, in that zone where the trouble occurred. That is the ninth district, where that is.

Senator LA FOLLETTE. Now, here is a portion of the transcript which Mr. Kramer made of your statement to him:

A second mobster with a short club about 2-foot long, shaped like a wedge, and he's raising the club, right there. And I wait for my chance and measure him off and, sock, I smacked him. Oakes then got up and shot this Rothmund, who we identified at the morgue, and Oakes shot him again and perforated him in the stomach. This was the lousy Communist.

Mr. HIGGINS. That grammar, Mr. Senator, is wrong, positively. I did not use that kind of grammar.

Senator LA FOLLETTE. Is that the substance of the statement that you made about this shooting of Rothmund to Kramer?

Mr. HIGGINS. Not "standing up and perforating the man" and calling him a Communist. I did not know what his belief was. In fact, none of the officers did. I have met a lot of people in this world and I never judge a man. We are up there in trouble, and who is going to come out of it safe? And the good Lord was with me.

Senator LA FOLLETTE. Well, you are temporarily excused.

Mr. HIGGINS. Thank you, sir.

Senator LA FOLLETTE. Mr. Kramer.

Mr. HIGGINS. I wish to add, Mr. Senator, after the gas was thrown, the gas seemed to chase them back. Then we were called to attention and marched back into the plant, and going back into the plant we passed by the so-called pickets over near the plant at One Hundred and Eighteenth Street, just across the railroad tracks, on the city street, still parading with the placards on them, twice as many of them; we passed them.

Senator THOMAS. What was the shape of this package of pepper?

Mr. HIGGINS. It was a bag about so big [indicating].

Senator THOMAS. Was it round?

Mr. HIGGINS. Pardon me?

Senator THOMAS. Was it round or an ordinary paper bag?

Mr. HIGGINS. Yes, sir. It would be sort of oval corners, like a sugar bag.

Senator THOMAS. It was not a long, thin-shaped package?

Mr. HIGGINS. No; I judge it was a bag just about like that [indicating]. We have it here.

Senator THOMAS. Do you remember which arm she had it in?

Mr. HIGGINS. No, Senator, I do not. In the excitement, why—she had something else there, also.

Senator THOMAS. Did she have anything in each arm?

Mr. HIGGINS. No; not to my best knowledge. The other hand was up and she was hollering.

Senator THOMAS. Making gestures at the others?

Mr. HIGGINS. Absolutely.

Senator THOMAS. Do you remember which arm she carried the package in?

¹ Charles Kramer, committee investigator.

Mr. HIGGINS. I believe it was in the left arm, I am almost positive, and the right was up, and she was making declarations there. I did not know whether I was going to get that arm or not, and I pushed her.

Senator THOMAS. When the pepper dropped did everything she had in her arm drop?

Mr. HIGGINS. Well, what attracted me to that bag was she was trying to get into it. As to this other thing that she had there, the two arms went out, so evidently she must have lost other things there, too.

Senator LA FOLLETTE. You are temporarily excused.

Mr. HIGGINS. Thank you, sir.

Senator LA FOLLETTE. Mr. Kramer.

TESTIMONY OF CHARLES KRAMER—Resumed

Senator LA FOLLETTE. Please give your full name, Mr. Kramer.

Mr. KRAMER. Charles Kramer; K-r-a-m-e-r.

Senator LA FOLLETTE. You have been previously sworn, have you not?

Mr. KRAMER. Yes, sir.

Senator LA FOLLETTE. You are a member of the staff of this committee?

Mr. KRAMER. Yes, sir.

TESTIMONY OF ALLEN SAYLER

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Your full name, please?

Mr. SAYLER. Allen Sayler; S-a-y-l-e-r.

Senator LA FOLLETTE. You are a member of the staff of this committee?

Mr. SAYLER. I am.

Senator LA FOLLETTE. You were in Chicago with other members of the staff, among whom was Mr. Kramer, when the staff was making a preliminary investigation leading up to these hearings?

Mr. SAYLER. I was.

Senator LA FOLLETTE. Did you both have an interview with Officer George Higgins?

Mr. KRAMER. Yes, sir.

Senator LA FOLLETTE. Were you present, Mr. Sayler?

Mr. SAYLER. I was.

Senator LA FOLLETTE. Where did that interview take place, Mr. Kramer?

Mr. KRAMER. It took place in the back room of the Ninth district police station, about One Hundred and First Street and Ewing Avenue. We had arranged previously with the commissioner to interview a number of the police officers who had participated in this affair on Memorial Day. We then called the police station and arranged to see 30 officers as a selection of the men who had participated. We saw 15—13; 15 had been arranged for, on late Saturday afternoon, last Saturday, starting about 4:30.

Senator LA FOLLETTE. Well, now, did you make notes of these interviews?

Mr. KRAMER. I took complete notes in shorthand of all the interviews, without exception.

Senator LA FOLLETTE. Are you sufficiently competent in the use of shorthand so that you can take down statements as they are being made?

Mr. KRAMER. Several times I asked them to stop so that I could get down the crucial points. I am not a court reporter.

Senator LA FOLLETTE. But did you arrange these interviews in such a way that, concerning the important statements, you were able to take them in shorthand as they were uttered?

Mr. KRAMER. In shorthand as they were uttered, and in full.

Senator LA FOLLETTE. Now, I read from a portion of a statement which I now show to you. It is dated June 28, 1937, "Memo of interview, George Higgins—Kramer and Sayler." Give it an exhibit number, please.

(The document was marked "Exhibit 1361" and appears in the appendix on pp. 5028-5029.)

Senator LA FOLLETTE. Is that a copy of the typewritten transcript which you made from your stenographic notes of this interview?

Mr. KRAMER. Yes, sir; word for word.

Senator LA FOLLETTE. Now, will you look at page 2? I call your attention to this paragraph which I read to Officer Higgins when he was on the stand. Have you your shorthand notes with you?

Mr. KRAMER. Yes, sir.

Senator LA FOLLETTE. Do your shorthand notes confirm this transcript?

Mr. KRAMER (comparing transcript with shorthand notes). Yes, sir.

Senator LA FOLLETTE. Did you hear Officer Higgins utter these words which are in this exhibit?

Mr. KRAMER. I did.

Senator LA FOLLETTE. What is your recollection of what he said, Mr. Sayler?

Mr. SAYLER. My recollection is that Officer Higgins did utter these remarks that Mr. Kramer had taken down verbatim.

Senator LA FOLLETTE. Does your recollection serve you in regard to this last statement, "This was the lousy Communist"?

Mr. SAYLER. It serves me very well. The statement was made with considerable emphasis.

Senator LA FOLLETTE. That is all.

Dr. Jacques.

TESTIMONY OF DR. LAWRENCE JACQUES

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. I offer for the record a copy of the subpoena under which Dr. Jacques appears here.

(The document was marked "Exhibit 1362" and appears in the appendix on pp. 5029-5030.)

Senator LA FOLLETTE. Please state your full name.

Dr. JACQUES. Lawrence Jacques; J-a-c-q-u-e-s.

Senator LA FOLLETTE. And where do you live?

Dr. JACQUES. In Chicago.

Senator LA FOLLETTE. What is your occupation?

Dr. JACQUES. I am a surgeon.

Senator LA FOLLETTE. From what medical school did you graduate?

Dr. JACQUES. Rush Medical College.

Senator LA FOLLETTE. How long have you been in the practice of surgery?

Dr. JACQUES. Since 1925.

Senator LA FOLLETTE. Where did you take your interne training?

Dr. JACQUES. At the Cook County Hospital in Chicago.

Senator LA FOLLETTE. Is that a hospital where a great many cases are brought in of patients who are suffering from accidents and gunshot wounds, and other things of that nature?

Dr. JACQUES. It is.

Senator LA FOLLETTE. And while you were there did you have some experience with cases of this kind?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. Were you in the vicinity of the Republic Steel plant on Memorial Day?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. How did you happen to be there?

Dr. JACQUES. On the previous day, sir, I received a telephone call from the headquarters of the Steel Workers Organizing Committee in which I was asked if I would be willing to render medical assistance in the strike situation which was taking place at that time.

Senator LA FOLLETTE. What time of day was this?

Dr. JACQUES. It was about 11 o'clock Thursday morning.

Senator LA FOLLETTE. And did you respond to that arrangement?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. And did you go out there on several occasions prior to Sunday?

Dr. JACQUES. Yes, sir; I did.

Senator LA FOLLETTE. You were there also on Sunday?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. And did you receive remuneration from anyone for the services you rendered?

Dr. JACQUES. I put in a bill. I have not received remuneration yet.

Senator LA FOLLETTE. To whom did you render a bill?

Dr. JACQUES. I made out a bill, I meant to say. I am still rendering services and will submit the bill to the Steel Workers' Organizing Committee when I have finished rendering my services.

Senator LA FOLLETTE. I expect to have you on the stand again, and I will go into the other matters. I just wanted, in this connection, to have you on the stand for a short time.

I offer for the record the coroner's protocol relating to the death of Joe Rothmund on May 31, 1937.

(The document was marked "Exhibit 1363" and appears in the appendix on pp. 5030-5031.)

Will you look at that protocol, please, Doctor?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. Can you read that small print there?

Dr. JACQUES. I can, with some difficulty.

Senator LA FOLLETTE. Will you look at that protocol and state what it shows to have been the cause of Rothmund's death?

Dr. JACQUES. Shall I read the coroner's description first?

Senator LA FOLLETTE. Yes.

Dr. JACQUES (reading):

There is a bullet wound of entrance in the back of the level of the fourth lumbar vertebra 1 cm. to the right of the midline. This bullet entered the abdomen, causing perforating laceration of the psoas muscle, parietal perito-

neum, first portion of the duodenum and right lobe of the liver (and was removed by the surgeon at the Bridewell Hospital, from the anterior abdominal wall 2 inches to the right and 2 inches below the umbilicus).

Senator LA FOLLETTE. Now, does this medical statement indicate where the bullet entered Rothmund?

Dr. JACQUES. It does.

Senator LA FOLLETTE. Where?

Dr. JACQUES. The bullet entered, according to this statement, in the back, in the lower part of the back, almost in the exact geometrical center of the lower part of the back, one centimeter to the right of the center.

Senator LA FOLLETTE. Now, will you look at the protocol and tell me whether it mentions or lists any other bullet wounds?

Dr. JACQUES. I see no mention of any other bullet wounds.

Senator LA FOLLETTE. Have you prepared a chart to show the position of the bullet which killed Rothmund?

Dr. JACQUES. I have.

Senator LA FOLLETTE. Will you offer it for the record, please?

(The document was marked "Exhibit 1364" and is held in committee files.)

Senator LA FOLLETTE. Now, I notice that there is a black dot near the center of the back, and also there is a small red mark there.

Dr. JACQUES. The broken red mark, which is supposed to be a broken red line, is the line projected from the point of entrance of the bullet to the point of lodgment in this case. The black dot represents the point of lodgment.

Senator LA FOLLETTE. Now, can you tell from the medical statement on the coroner's protocol, and from such study as you have made of it, anything about the angle at which this bullet entered the body?

Dr. JACQUES. When one projects a line from the point of entrance, according to this description, to the point of lodgment, that line runs almost directly at right angles to the coronal plane of the body.

In other words, it perforates almost directly forward through the body, deviating very slightly to the right, deviating not more than an inch to the right of the point of entrance.

Senator LA FOLLETTE. From the coroner's protocol, is there anything to indicate how near this gun might have been?

Dr. JACQUES. I see no statement which would indicate the distance. If the absence of any statement concerning the presence of stains or burns is to be regarded as positive evidence the interpretation would be that the shot was fired at least from a distance of more than one yard from the patient.

Senator LA FOLLETTE. By that do I understand you to mean that unless a gun is more than one yard away from a person who is shot there will be indications of powder and powder burns?

Dr. JACQUES. Yes; stains from powder and sometimes from grease and a burn from powder.

Senator LA FOLLETTE. Do you know whether it is the practice of the coroner's physician to list or to note burns or grease stains, or anything of that kind in these cases?

Dr. JACQUES. To my best knowledge that would be one of his functions in cases of this type.

Senator LA FOLLETTE. That is all for the present.

Officer Higgins.

TESTIMONY OF GEORGE R. HIGGINS—Resumed

Senator LA FOLLETTE. Officer, can you help the committee any in reconciling your recollection and testimony concerning how this man was shot with the coroner's finding?

Mr. HIGGINS. That was my statement, Mr. Senator, to my superiors, and it is my statement now, from my own eyesight, what I saw and witnessed; there is no addition to that at all.

Senator LA FOLLETTE. You just have to leave the committee then in the dilemma of choosing between the coroner's physician and your visual sight of what happened, according to your testimony?

Mr. HIGGINS. I was there, Senator, and saw, and I cannot and will not tell any lies about it.

Senator LA FOLLETTE. I am not asking you to.

Mr. HIGGINS. I know you are not, Senator.

Senator LA FOLLETTE. You must realize that it is confusing.

Mr. HIGGINS. Very much so.

Senator LA FOLLETTE. It is confusing to parties who are now present to hear your testimony and then to see the coroner's report.

Mr. HIGGINS. I have been on all those cases.

Senator LA FOLLETTE. That is all for the present. Thank you.

Mr. HIGGINS. Thank you, sir.

Senator LA FOLLETTE. Let the subpoena served on Patrolman Higgins be entered in the record and given an exhibit number.

(The document was marked "Exhibit 1365" and appears in the appendix on pp. 5031-5032.)

Senator LA FOLLETTE. Officer Igoe.

TESTIMONY OF PHILIP IGOE

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Your full name?

Mr. IGOE. Philip Igoe.

Senator LA FOLLETTE. How do you spell your last name?

Mr. IGOE. I-g-o-e.

Senator LA FOLLETTE. Will you speak a little louder?

Mr. IGOE. I-g-o-e.

Senator LA FOLLETTE. And where do you live?

Mr. IGOE. 5848 South Trumbull.

Senator LA FOLLETTE. You are a member of the uniformed force of the city of Chicago police department?

Mr. IGOE. I am, sir.

Senator LA FOLLETTE. How long have you been connected with the police force?

Mr. IGOE. 12 years.

Senator LA FOLLETTE. To what district are you assigned?

Mr. IGOE. Chicago Lawn.

Senator LA FOLLETTE. Were you assigned to strike duty at any time in connection with the strike at the Republic Steel plant in May?

Mr. IGOE. The 26th of May, my first day.

Senator LA FOLLETTE. You were sent out on the 26th?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. You were on duty there continuously up to and through Sunday?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. I do not mean you were on duty 24 hours a day, but I mean every day it was your shift, is that correct?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. You heard the testimony of previous commissioned and noncommissioned officers, did you?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. Concerning how the police went out there, how they deployed, and so on?

Mr. IGOE. I did.

Senator LA FOLLETTE. Does that conform with your recollection?

Mr. IGOE. Generally; yes, sir.

Senator LA FOLLETTE. Are there any important discrepancies?

Mr. IGOE. I believe I can enlarge on it, sir, a bit.

Senator LA FOLLETTE. All right.

Mr. IGOE. I would say that when we got up to the scene of where the melee took place that the foremost ones in the first ranks there seemed, to my idea, to be typical agitators that I have encountered a good many times in the police department. I would say that a good many of them were under the influence of marihuana cigarettes.

Senator LA FOLLETTE. What effect does that have on a person?

Mr. IGOE. Did you ever see anybody, Senator, under it?

Senator LA FOLLETTE. No; I have not. That is why I asked you.

Mr. IGOE. I will attempt to give you my idea. They develop certain idiosyncrasies that are pronounced. The eyeballs are red, there is a facial grimace; at times they break out in hilarious laughter while they are kind of frenzied like.

Senator LA FOLLETTE. Did you hear any before?

Mr. IGOE. Yes, sir; a good many.

Senator LA FOLLETTE. Before or after the trouble started?

Mr. IGOE. Before the trouble started. A good many seemed to be under the influence of liquor in cooperation with them. Some of them had a monotonous chant "C. I. O.; C. I. O."

Senator LA FOLLETTE. Is that a symptom of smoking these cigarettes? [Laughter.]

Mr. IGOE. Now, if you remember, Senator, I said, "Some of them", and I also said some of them seemed to me to be under the influence of marihuana. These are all suppositions on my part.

Senator LA FOLLETTE. I realize that. [Laughter.]

Senator LA FOLLETTE. I thought you were still telling me about the symptoms of an addict of marihuana—is that the way you pronounce it—

Mr. IGOE. Yes.

Senator LA FOLLETTE—cigarettes, when you got to this point where you said that they had a monotonous chant, "C. I. O., C. I. O.", and I wondered if that was one of the symptoms that you had noted in people who smoke marihuana cigarettes.

Mr. IGOE. I wish that could be read in the record, Senator. Did not I say some of them were chanting "C. I. O."?

Senator LA FOLLETTE. There isn't any point about it.

Mr. IGOE. I just wanted to see if I made a statement of that kind.

Senator LA FOLLETTE. I thought you were telling me the things that they were doing that led you to believe that they were people who smoked marihuana cigarettes; that you had come to the end of that

list of symptoms and were going on to tell me other things that they did, which had nothing to do with the fact of whether they did or did not smoke marihuana cigarettes. I am keeping up with you and I understand just what you are testifying to.

Mr. IGOE. I see.

Senator LA FOLLETTE. Proceed.

Mr. IGOE. They seemed to be wild men, the first men in the ranks there. I do not believe that any police officers were as nervous, any of them, as I was, to speak to them at all, except Captain Kilroy and Captain Mooney for about 5 or 10 minutes had been trying to—

Senator LA FOLLETTE (interrupting). May I interrupt you there?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. Where were you in the line in relation to Captain Mooney?

Mr. IGOE. Well, the first line we were on was at One Hundred and Seventeenth Street.

Senator LA FOLLETTE. No; I mean the other one, when you got up, when you were in proximity with the marchers.

Mr. IGOE. I was at two different places.

Senator LA FOLLETTE. Where were you?

Mr. IGOE. The first place was east of Burley, in the prairie, and One Hundred and Seventeenth.

Senator LA FOLLETTE. What officer were you nearest to?

Mr. IGOE. What officer?

Senator LA FOLLETTE. Yes; Mooney or Kilroy?

Mr. IGOE. Captain Kilroy, first, and then Lieutenant Moran. The first and second platoon, Company E, pulled back again, because from toward Green Bay road, northeast of where we were, there was a large crowd coming in to where there were no police, so we formed and marched east there. We formed into another line.

Senator LA FOLLETTE. Toward Green Bay?

Mr. IGOE. Yes; toward Buffalo Avenue would be the next street.

Senator LA FOLLETTE. Yes; but in the direction of Green Bay Avenue on the chart?

Mr. IGOE. Green Bay.

Senator LA FOLLETTE. To march east or west?

Mr. IGOE. To march east of where we were.

Senator LA FOLLETTE. Then you marched toward the plant?

Mr. IGOE. We at that time were a little west of Burley Avenue, in the prairie there.

Senator LA FOLLETTE. When you started this march that you are telling me about, did you march toward the plant or toward Green Bay Avenue?

Mr. IGOE. Toward Green Bay Avenue, on a straight line going east.

Senator LA FOLLETTE. All right.

Mr. IGOE. I would say there were three or four hundred rioters coming northeast—coming from the northeast. There were occasional showers of clods.

Senator LA FOLLETTE. Now, how far did you march toward Green Bay Avenue?

Mr. IGOE. I would say a half a block.

Senator LA FOLLETTE. Half a block?

Mr. IGOE. Approximately.

Senator LA FOLLETTE. Then when you stopped where were you?

Mr. IGOE. I would say almost at Buffalo Avenue.

Senator LA FOLLETTE. About there [indicating]?

Mr. IGOE. It is all marshy in there.

Senator LA FOLLETTE. About there where the point is?

Mr. IGOE. Well, I do not know much about that pointer there. There is a house on the end there at Burley Avenue. That would be about 200 feet east of the house.

Senator LA FOLLETTE. Well, you did not march very far then. You were not very far then from the dirt road, were you?

Mr. IGOE. About 200 feet then.

Senator LA FOLLETTE. I got the impression that you took a long march.

Mr. IGOE. That would be then about 100 feet west of Buffalo Avenue.

Senator LA FOLLETTE. All right. Then did you stop there and line up with the rest of them?

Mr. IGOE. We had to go into the line then, because there was a continuous surge forward, and a shower of missiles seemed to be coming from about 100 feet from the rear to the foremost ranks. Every man in the foremost ranks had some form of missile in his hand; some had large paving bricks, staves, iron bars, pieces of wheels, and they kept shouting, "What are we waiting for?"

The reason why no police officers—that is, the patrolmen—spoke to them was because they feared an overt act would precipitate the trouble, see, and from where we were we could see Captain Mooney with his hands up in the air pleading with them to go back. Prior to that, at Burley Avenue and One Hundred and Seventeenth Street is when I heard Captain Kilroy ask them to go back.

Senator LA FOLLETTE. How far were you from Mooney when you heard him speak at this time, Captain Mooney?

Mr. IGOE. I would say 50 feet—30 feet.

Senator LA FOLLETTE. Fifty feet to his right?

Mr. IGOE. Yes; to his right; yes, sir.

Senator LA FOLLETTE. All right. Go ahead.

Mr. IGOE. The last address it seemed that Mooney, Captain Mooney, had given them, there was a larger shower of missiles than ever came over, and back in the ranks about 50 feet I imagine they were kind of serried lines, and the ground is kind of uneven there. There seemed to be a very large fellow continually tearing in and out and stooping like he was picking up stuff. From alongside of him suddenly there came a short man, about 5 foot 4 I imagine, and dark complexioned.

Senator LA FOLLETTE. A little louder, please.

Mr. IGOE. He levelled a nickel-plated gun of some type, whether it was an automatic or revolver I could not swear to.

Senator LA FOLLETTE. You are sure it was a gun?

Mr. IGOE. I know it was a gun because of the report, and then there was smoke ensued from the end of the barrel. He fired maybe three, maybe four, maybe five shots, I could not be sure.

Senator LA FOLLETTE. Were those the first shots you heard?

Mr. IGOE. They were the first shots; yes, sir. The policeman that I was standing alongside of—

Senator LA FOLLETTE (interrupting). Just a minute. After you heard those shots did you hear any others?

Mr. IGOE. Not immediately; no, sir.

Senator LA FOLLETTE. How long a time elapsed before you heard any more, would you say, approximately?

Mr. IGOE. Maybe 5 seconds, maybe 6 seconds.

Senator LA FOLLETTE. Maybe 6 seconds?

Mr. IGOE. Yes. I do not think the whole thing, Senator, took more than a minute.

Senator LA FOLLETTE. You say you saw this man with the nickle-plated gun shoot two or three or four times?

Mr. IGOE. More than two. I would say three to five.

Senator LA FOLLETTE. Three to five times. Then about 5 seconds went by. Then what did you hear in the way of shooting?

Mr. IGOE. If you count time like that it is very hard to be positive.

Senator LA FOLLETTE. I am just asking you to give your best approximation. A few seconds went by?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. Not a long time anyway. And then you heard some more shots?

Mr. IGOE. The way I heard the shots, there were two large men in front of me with long staves that seemed to be from a picket fence, they had sharp points toward the ends, but they were gripping toward the sharp points, and a little behind them there was a fellow with what seemed to be an iron bar. It struck the officer alongside of me on the shoulder, on his right shoulder, and struck me here [indicating] and on the head. My club was knocked to the ground and I was propelled forward on to my face, but I twisted and turned, and while laying on the ground I pulled out my pistol and fired two shots. I was surrounded by about five men, I imagine.

Senator LA FOLLETTE. Could you see whether any of your shots took effect?

Mr. IGOE. The first shot I fired was toward the ankle and the other shot I believe took effect above the knee on this fellow.

Senator LA FOLLETTE. Then did the crowd give way or did they continue to attack you?

Mr. IGOE. Well, there was a gas bomb exploded alongside of me, it seemed to have hit my shoulder. I was kicked in the back, I believe, I could not say, because it all happened so quickly, there was a tussle right along there, but I have a bruise yet that has been there ever since the riot and my star was struck, I believe, by the iron bar at the time. I do not know.

Senator LA FOLLETTE. It was dented?

Mr. IGOE. It was damaged; yes, sir.

Senator LA FOLLETTE. May I see it, please?

(Mr. IGoe handed a star-shaped badge to Senator La Follette.)

Mr. IGOE. I did not know that star was damaged until we had marched back to the plant.

Senator LA FOLLETTE. Have you had it straightened since?

Mr. IGOE. I do not think it is possible to straighten it, Senator, because you see it has the raised part in the center there.

Senator LA FOLLETTE. Where is it damaged?

Mr. IGOE. It is not damaged, it is still a good star, but there is this dent here [indicating], you see, you cannot raise this, because this is a separate piece itself and you cannot straighten it from the back.

Senator LA FOLLETTE. Of course, I am not familiar with that.

Mr. IGOE. This is an individual piece, this here [indicating], see, and it would have to be taken off here and bent up here in the center.

Senator LA FOLLETTE. You mean that is supposed to stick out more than it does?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. Proceed.

Mr. IGOE. I was rather dazed. You could see very well in front of me, it seemed like there was an enormous amount of gas right in the main part there, there was an enormous amount of gas laying around, the visibility was very poor. I got up and took my cap off and wandered along with my cap in my hand.

The main group of policemen—there was a fellow later on said he helped me to my feet; I think I was in perfect command of myself, I could have gotten up, but I was rather dizzy, and he helped me by one arm, but the main body of policemen followed up, I imagine, for two blocks, and I walked up to Burley Avenue in the road there. I saw a fellow lying there and he seemed to have blood on his shirt, and there was a newspaper photographer there, and we looked in his pocket, he seemed to be unconscious, we looked for some means of identification, and he had a card on him, so I handed it to the newspaperman.

Then I walked down to where the main group of policemen were employed in the skirmish formation there.

Senator LA FOLLETTE. Well, now, if I understand you correctly, Officer—and if I do not I want you to indicate where I haven't understood you correctly—you then would have been on the extreme east end of the line just before the trouble had started?

Mr. IGOE. There were some policemen on the right of me.

Senator LA FOLLETTE. There were some?

Mr. IGOE. Yes, sir.

Senator LA FOLLETTE. Did you see a patrol wagon drawn up there?

Mr. IGOE. There was a patrol wagon to the rear.

Senator LA FOLLETTE. Were you to the east or to the right of the patrol wagon?

Mr. IGOE. That I could not say, sir, to be frank with you. I think I was right in front of it, north of it.

Senator LA FOLLETTE. You were right in front of it?

Mr. IGOE. I believe so.

Senator LA FOLLETTE. Now, had you advanced any when you were knocked down, or were you knocked down right in your position?

Mr. IGOE. I had advanced, I imagine, about 8 or 9 feet.

Senator LA FOLLETTE. About 8 or 9 feet?

Mr. IGOE. Yes, of the police lines, see.

Senator LA FOLLETTE. Now, before the trouble started, could you see the flags that they were carrying? I mean, after they got up where they were in contact with your police line, did you see two flags that were being carried anywhere?

Mr. IGOE. You mean American flags?

Senator LA FOLLETTE. Yes.

Mr. IGOE. I saw one American flag.

Senator LA FOLLETTE. Where were you in relation to that flag?

Mr. IGOE. I did not see that flag until we were coming up. They were marching down the dirt road.

Senator LA FOLLETTE. I know.

Mr. IGOE. I did not see the flags when we were up there.

Senator LA FOLLETTE. You did not see the flag after you got in this line?

Mr. IGOE. No.

Senator LA FOLLETTE. The last line?

Mr. IGOE. No.

Senator LA FOLLETTE. Now, I show you picture "I", which has been entered as exhibit 1358.¹ From looking at that picture can you tell whether that is the patrol wagon that you think you were standing in front of?

Mr. IGOE. That I could not say, unless these are policemen just coming up, because there was only a rank or two, a double rank of police at the line at that time. This shows a group of police behind the line there, all in one group. I believe there were four or five wagons there.

Senator LA FOLLETTE. There were four or five there?

Mr. IGOE. Yes, sir. This looks here, in this picture, as if this is the only American flag that is flying right at the time.

Senator LA FOLLETTE. There is one picture that shows two flags close together, but I thought perhaps that would help to locate where you were in relation to those flags. I think your location is pretty clear in the record now. You were on the eastern end of the line.

Mr. IGOE. I was not on the extreme end of the line.

Senator LA FOLLETTE. No; but you were toward the east?

Mr. IGOE. I imagine we were from 100 to 200 feet from the house, that is One Hundred and Seventeenth and Burley, see?

Senator LA FOLLETTE. Now, did you observe anything else? Did you see any other wounded besides the man who was shot in the leg?

Mr. IGOE. No; I did not. I saw several lying in the grass there behind us, after I had walked on.

Senator LA FOLLETTE. After you had advanced?

Mr. IGOE. Yes; but I was practically the last one of the police that walked to the end of the dirt road up there, about One Hundred and Fifteenth Street.

Senator LA FOLLETTE. Were you seriously enough injured so you had to receive medical attention?

Mr. IGOE. No. I had a large bruise on my head here [indicating], which was bathed in the Republic Steel hospital. There were 25 or 30 other officers there, so I could minimize the injuries that I got; they were injured so much that my injuries seemed superficial to me.

Senator LA FOLLETTE. Were there any other incidents that you saw that have not been testified to here that stand out in your mind as being important?

Mr. IGOE. I saw some police officer in the back of me, it seemed, that was lying on the ground.

Senator LA FOLLETTE. You mean when you got up?

Mr. IGOE. No; when I was still down, I believe.

¹ See p. 5137.

Senator LA FOLLETTE. While you were still down, as you looked back you saw another officer on the ground behind you?

Mr. IGOE. Yes. You see, I was like this [indicating] and there was a fellow to the left of me and two fellows to the right.

Senator LA FOLLETTE. When you say "fellows" you mean strikers?

Mr. IGOE. Rioters that were there at the time. I was almost surrounded, but as I was turning, as I was reaching for my gun, it seemed like there was a policeman lying on the ground—I saw a blue uniform about 5 or 6 feet to my rear and over to my left about 7 or 8 feet, I think.

Senator LA FOLLETTE. Were you able to see what was happening to him?

Mr. IGOE. No; I could not.

Senator LA FOLLETTE. A copy of your subpoena may be inserted in the record.

(The document was marked "Exhibit 1366" and appears in the appendix on p. 5032.)

Senator LA FOLLETTE. You are temporarily excused.

Officer John Kelly.

TESTIMONY OF JOHN F. KELLY

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Your full name?

Mr. KELLY. John F. Kelly.

Senator LA FOLLETTE. How do you spell it?

Mr. KELLY. K-e-l-l-y.

Senator LA FOLLETTE. Where do you live?

Mr. KELLY. 2817 East Eightieth Street.

Senator LA FOLLETTE. Are you a member of the Chicago police force?

Mr. KELLY. I am.

Senator LA FOLLETTE. How long have you been connected with the force?

Mr. KELLY. Eight years.

Senator LA FOLLETTE. To what district are you usually assigned?

Mr. KELLY. Ninth district.

Senator LA FOLLETTE. Were you ordered to strike duty in connection with the strike at the Republic Steel plant?

Mr. KELLY. At what date do you mean?

Senator LA FOLLETTE. At any date.

Mr. KELLY. Well, I was on a squad car in the district. I am in charge of car 121. I was always ordered to stay in the vicinity of the strike zone.

Senator LA FOLLETTE. Beginning Wednesday?

Mr. KELLY. Beginning from the first day.

Senator LA FOLLETTE. And were you on duty there on Sunday the 30th?

Mr. KELLY. I was.

Senator LA FOLLETTE. And whose command were you in?

Mr. KELLY. I was under the command of the district station captain, Kilroy, and Lieutenant Leonard, of the station.

Senator LA FOLLETTE. Did you march out, as has been described here, with the others?

Mr. KELLY. No, sir; I did not.

Senator LA FOLLETTE. Were you at any time in the line of police on the prairie?

Mr. KELLY. Yes, sir; I was.

Senator LA FOLLETTE. When did you join them there?

Mr. KELLY. I joined the policemen at One hundred and Seventeenth Street?

Senator LA FOLLETTE. And where did you fall in?

Mr. KELLY. Well, I came up there with the squad there. There were three officers in the squad car, two including myself. We were ordered by Lieutenant Leonard to be sure to leave one man with the squad car. That was at One hundred and Seventeenth and Buffalo Avenue. Me and my other partner got out and we proceeded to fall in with Company C, and we went up to One Hundred and Sixteenth Street and Burley Avenue.

Senator LA FOLLETTE. Where were you, for example, when the lines were formed there at One Hundred and Sixteenth Street, in relation to Captain Mooney?

Mr. KELLY. I was on their left.

Senator LA FOLLETTE. You were on Captain Mooney's left?

Mr. KELLY. Yes.

Senator LA FOLLETTE. And over further toward the plant than they were?

Mr. KELLY. I was pretty far away from the plant. I was just a little off the dirt road.

Senator LA FOLLETTE. I mean the direction of it.

Mr. KELLY. Yes, sir.

Senator LA FOLLETTE. I am just trying to get you to locate it.

Mr. KELLY. Yes, sir.

Senator LA FOLLETTE. Did you see these flags?

Mr. KELLY. I saw them as the marchers were coming through the prairie.

Senator LA FOLLETTE. Did you see them after they got up near the police line?

Mr. KELLY. Yes; I noticed them there.

Senator LA FOLLETTE. Were the flags on your right?

Mr. KELLY. They were on my right.

Senator LA FOLLETTE. You have heard the testimony given by the other witnesses, have you not?

Mr. KELLY. Yes, sir.

Senator LA FOLLETTE. Have you anything that you can add to that?

Mr. KELLY. Well, it is about the same at the start. When the shot was fired and the stones were thrown, Captain Kilroy and other commanding officers were pleading with the men for about between 5 or 10 minutes to go back, and it all seemed to happen within a minute's time, all of it put together.

Senator LA FOLLETTE. How many shots did you hear fired, would you say, altogether?

Mr. KELLY. About 50.

Senator LA FOLLETTE. About 50. Did you see any policemen injured near you?

Mr. KELLY. Well, I would not say they were injured. I saw a few on the ground, but they got up again. I saw several policemen go down. I did not know whether they were injured or not.

Senator LA FOLLETTE. Were you knocked down?

Mr. KELLY. No, sir; I was not.

Senator LA FOLLETTE. After the thing was over, that is in the sense of the thing that you described that happened in about a minute, did you see any other people wounded?

Mr. KELLY. Not at that time, I did not.

Senator LA FOLLETTE. Well, did you later, anywhere on the field, see any wounded?

Mr. KELLY. Yes; after it was all over.

Senator LA FOLLETTE. That is what I am talking about. After it was all over how many would you say you saw?

Mr. KELLY. Well, after the crowd was driven back to where I stated, there were two cars. To me they seemed to be both Chevrolet cars. One was a tan-colored one and the other was dark. I would not be sure what make that was, but the tan-colored car I was sure was a Chevrolet sedan. So, along with a couple of other officers, at the time, I remember, we stopped the car, which had a Red Cross emblem on the windshield, and also a Red Cross emblem on two men standing on the running boards, and they had two men in the car that seemed to be hurt. I asked them what they were going to do. They said they were going to take them back to headquarters for treatment. We told them we would take them for treatment; they were also prisoners, and I helped to take them out of the car. They were able to walk. We marched them all the way back and we put them in the patrol wagon. They did not seem to be injured very much, but the men, as to their names, I could not tell you at this time.

Senator LA FOLLETTE. Did you see any other injured or wounded people taken out of these cars?

Mr. KELLY. On the way back, why, there were a couple of officers carrying a man on the ground, that was picked up from the ground. His leg was bleeding, I noticed that.

Senator LA FOLLETTE. Will you look at this? Give it an exhibit number. It is marked with the letter "Z."

(The picture was marked "Exhibit 1367" and is reproduced in the appendix on p. 5138.)

Senator LA FOLLETTE. Is that the man, would you say?

Mr. KELLY. Yes, sir; that is the man. That is not the picture, though. He is close to the wagon there. Where I met him he was far away from the wagon.

Senator LA FOLLETTE. He is the fellow that you say was taken out of this other car?

Mr. KELLY. Yes. I can tell it by his clothes.

Senator LA FOLLETTE. Will you give this picture an exhibit number?

(The picture was marked "Exhibit 1368" and is reproduced in the appendix on p. 5138.)

Senator LA FOLLETTE. Will you look at that picture, please, Officer? That could not have been one of the men you saw taken out, because he does not seem to be able to stand, does he?

Mr. KELLY. No, sir.

Senator LA FOLLETTE. You are excused. Insert a copy of his subpoena in the record.

(The document was marked "Exhibit 1369" and appears in the appendix on pp. 5032-5033.)

Senator LA FOLLETTE. Mr. Daly.

TESTIMONY OF WILLIAM V. DALY

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Will you please give your full name?

Mr. DALY. William V. Daly.

Senator LA FOLLETTE. And your residence?

Mr. DALY. Chicago, Ill.

Senator LA FOLLETTE. You are connected officially with the prosecutor's office?

Mr. DALY. I am assistant corporation counsel of the city of Chicago, which department acts as the legal adviser of the police department.

Senator LA FOLLETTE. And how long have you held that position, Mr. Daly?

Mr. DALY. I have held that position for approximately 14 years.

Senator LA FOLLETTE. I understood, Mr. Daly, from what you said to me, that you had some law that you would like to bring to the attention of this committee.

Mr. DALY. That is right, and I also have some facts which I would like to present in the form of documentary evidence and, if I may, I would like to say just a few words in commenting on the evidence, just to be helpful.

There are some things, I think, that the chairman has not elicited because, probably, not knowing all the facts; not having talked to the men as I have.

Senator LA FOLLETTE. Of course, we would like to have just the testimony that we can get from people who know about it—not hearsay.

Mr. DALY. I mean I want to call the chairman's attention to a few things that could be explained. We came a long ways here to present this case.

Senator LA FOLLETTE. The record will speak for itself. I would be glad to have you tell us anything that you know of your own knowledge.

Mr. DALY. For example, I would like to call the chairman's attention to the fact that he mentioned the other day, or he asked the police officer about five patrol wagons, why only five patrol wagons were there. I wanted to explain a few things like that, if the chairman found the time, or cared to go into that, to call back these officers. They could explain that.

Senator LA FOLLETTE. I do not see the relevancy of the five patrol wagons, excepting I was trying to find out how many there were.

Mr. DALY. Well, the impression might be created that there were not sufficient wagons there, or machines to take care of the wounded.

Senator LA FOLLETTE. Well, now, of course, if you desire to take this evidence we will be glad to furnish you a copy of it, and if you want to file a brief commenting on it we will be happy to have you do so, but I would like to have your testimony, or any law, or ordinances, or anything you would like to have for the record.

Mr. DALY. Well, I would like to offer at this time some affidavits and, as the chairman suggests, I will attempt to abstract this evidence and submit it.

Senator LA FOLLETTE. We will be very glad to have you do that, and make any deductions or comments that you care to make from the testimony that the committee has adduced.

Mr. DALY. I suppose within the next week or so it will be all right?

Senator LA FOLLETTE. What is that?

Mr. DALY. I suppose within the next week will be sufficient time on that?

Senator LA FOLLETTE. Yes; at your earliest convenience.

Mr. DALY. Yes.¹

Senator LA FOLLETTE. Now, I also would like to ask you, while you are on the stand, to furnish the committee with a complete set of the police reports which were made out by the officers and patrolmen, and any others connected with the police department who participated in the events on May 30. I am speaking now of the statements that were made out, such as the one that we obtained this morning from Officer Woods. I understand they all made out those reports, and the committee would like to have a complete set of them.

Mr. DALY. Those reports, I assume, were made out, and I shall ask the commissioner of police to supply them.²

Senator LA FOLLETTE. We have already asked him to supply them. We have had a good deal of running and phoning back and forth between the staff of the committee and the State's attorney's office and the commissioner's office, but we never got them. We would like very much to have those for the record, if you could help us to obtain them.

Mr. DALY. I will be glad to do the best I can. There may be some information in the hands of the State's attorney's office that would not be available to the police.

Senator LA FOLLETTE. All I am talking about are these reports, which I understand every patrolman and everybody who was there were ordered to make out.

Mr. DALY. Well, we will ask the commissioner to supply those.

Senator LA FOLLETTE. Thank you.

Mr. DALY. Now, if it pleases the chairman, I have here the affidavits. I do not suppose the committee wants to have them read, but to write them into the record.

Senator LA FOLLETTE. We will be very glad to insert them in the record, if you will just make a statement about them, so they can be identified.

Mr. DALY. Well, I have an affidavit here of Anthony C. Prusinski, who is the chief deputy coroner of Cook County and State of Illinois.

Senator LA FOLLETTE. And if any of these affidavits were submitted to the Post Office Committee,³ will you indicate which ones they are?

¹ This information had not been provided at the time of going to press.

² This information had not been provided at the time of going to press. See exhibit 1623-A, pp. 5166-5167.

³ Reference is to hearings on Delivery or Nondelivery of Mail in Industrial Strife Areas, held on June 11-24, 1937, by the Senate Committee on Post Offices and Post Roads on S. Res. 140, 75th Cong., 1st sess.

Mr. DALY. I will do that. This affidavit refers to the situation immediately after the affray was over.

Senator LA FOLLETTE. Give it an exhibit number.

(The document was marked "Exhibit 1370" and appears in the appendix on p. 5033.)

Senator LA FOLLETTE. The next one, Mr. Daly.

Mr. DALY. The next one is the affidavit of a patrolman by the name of Lloyd C. Casey.

Senator LA FOLLETTE. Was he present?

Mr. DALY. He was present.

Senator LA FOLLETTE. I would like particularly to have Mr. Casey's original report.

Mr. DALY. Yes.

Senator LA FOLLETTE. Give it an exhibit number.

(The document was marked "Exhibit 1371" and appears in the appendix on pp. 5033-5034.)

Senator LA FOLLETTE. When were these affidavits made out?

Mr. DALY. They were made out just before I came down to Washington here.

Senator LA FOLLETTE. On this trip?

Mr. DALY. Yes. We attempted to get more of them and did not have sufficient time.

Senator LA FOLLETTE. They were made out on the 29th, or at least they were subscribed to on the 29th?

Mr. DALY. That is right. They were made out the day before and subscribed to on that day.

This is the affidavit of Joseph T. Nowak, also a patrolman of the police department, city of Chicago.

Senator LA FOLLETTE. He was present?

Mr. DALY. All of these officers were present.

Senator LA FOLLETTE. All of them were?

Mr. DALY. That is right, Senator.

Senator LA FOLLETTE. All right. Give it an exhibit number.

(The document was marked "Exhibit 1372" and appears in the appendix on pp. 5034-5035.)

Mr. DALY. We also have the affidavit of Clifford G. Mansfield, a patrolman.

(The document was marked "Exhibit 1373" and appears in the appendix on pp. 5035-5036.)

Mr. DALY. I have an affidavit here of a patrolman [Henry Scholz]—I will take it back. I said they were all present. I think there are two affidavits here that are not from police officers, but they are men who are on the so-called industrial squad, and they have an affidavit as to the fact that some of these men are connected with communistic movements, or revolutionary movements, so I would like to put them in for what they are worth.

Senator LA FOLLETTE. Are they in addition to the evidence that we put in the other day when Commissioner Allman was on the stand, from Make Mills?¹

Mr. DALY. That would probably explain that.

Senator LA FOLLETTE. Do they mention any other names, do you know, besides the 13?

¹ See exhibit 1332, p. 5009.

Mr. DALY. That I do not know, Senator. They do not mention the names, they just say how many were there, but we could get a detailed report from these men, if they haven't already made one out, and forward it to this committee. We will do that immediately.

(The document was marked "Exhibit 1374" and appears in the appendix on p. 5036.)

Mr. DALY. This is an affidavit by Michael Toohey, Michael F. Toohey, in reference to the same matter.

(The document was marked "Exhibit 1375" and appears in the appendix on p. 5036.)

Mr. DALY. Would the committee like to have their report?

Senator LA FOLLETTE. Well, Commissioner Allman said he did not ask for this information from Make Mills, that it was just laid on his desk. These affidavits, as you well know—the two so far—are just exactly alike.

Mr. DALY. That is right.

Senator LA FOLLETTE. They say:

Of the 67 men arrested 12 of said men were to me personally known to be actively engaged in either communistic or subversive movements prior to the time of their arrest—

and they do not furnish the names of any of the persons in those statements.

Mr. DALY. We will have them furnish those names.¹

Senator LA FOLLETTE. Proceed.

Mr. DALY. This is Patrolman Prescott, who was present.

(The document was marked "Exhibit 1376" and appears in the appendix on pp. 5036-5037.)

Mr. DALY. This is Frank Rettinger, Jr., who was present.

(The document was marked "Exhibit 1377" and appears in the appendix on pp. 5037-5038.)

Mr. DALY. This is William A. Hennessy, who was present.

(The document was marked "Exhibit 1378" and appears in the appendix on p. 5038.)

Mr. DALY. This is John Campbell, patrolman, who was present.

(The document was marked "Exhibit 1379" and appears in the appendix on p. 5039.)

Mr. DALY. This is William H. Cannon, patrolman, who was present.

(The document was marked "Exhibit 1380" and appears in the appendix on pp. 5039-5040.)

Mr. DALY. And, Senator, I also have an affidavit here from an employee of the Republic Steel Co. who examined the records, and out of the 67 persons who were arrested only 14 had been employees or were employees of the Republic Steel Co. We offer that because it is the contention of the police that the majority of those who made up the mob, as they called it, were not employees of the Republic Steel Co. at the time the men left the plant or walked out.

(The document was marked "Exhibit 1381" and appears in the appendix on p. 5040.)

Mr. DALY. One here from Sgt. John T. McMahon.

(The document was marked "Exhibit 1382" and appears in the appendix on pp. 5040-5041.)

Mr. DALY. One here from Thomas Ahern.

¹ See exhibit 1627-C, pp. 5160-5162.

(The document was marked "Exhibit 1383" and appears in the appendix on pp. 5041-5042.)

Mr. DALY. Lambert M. Redmond.

(The document was marked "Exhibit 1384" and appears in the appendix on pp. 5042-5043.)

Mr. DALY. One from Bernard M. Harnisch.

(The document was marked "Exhibit 1385" and appears in the appendix on p. 5043.)

Mr. DALY. Michael F. Buckley.

(The document was marked "Exhibit 1386" and appears in the appendix on pp. 5043-5044.)

Mr. DALY. One from Edward Henry Opfer.

(The document was marked "Exhibit 1387" and appears in the appendix on pp. 5044-5045.)

Mr. DALY. One from John J. Reilly.

(The document was marked "Exhibit 1388" and appears in the appendix on pp. 5045-5047.)

Mr. DALY. George H. Barber.

(The document was marked "Exhibit 1389" and appears in the appendix on pp. 5047-5048.)

Mr. DALY. William J. Crawford.

(The document was marked "Exhibit 1390" and appears in the appendix on p. 5048.)

Mr. DALY. Ray Nelligan.

(The document was marked "Exhibit 1391" and appears in the appendix on pp. 5049-5050.)

Mr. DALY. Francis D. Valkenburg.

(The document was marked "Exhibit 1392" and appears in the appendix on p. 5050.)

Mr. DALY. Henry J. Murphy.

(The document was marked "Exhibit 1393" and appears in the appendix on pp. 5050-5051.)

Mr. DALY. Cornelius Regan.

(The document was marked "Exhibit 1394" and appears in the appendix on p. 5051.)

Mr. DALY. James J. Best.

(The document was marked "Exhibit 1395" and appears in the appendix on pp. 5051-5052.)

Mr. DALY. Now, we have some newspaper pictures here. I haven't seen the pictures this committee has, except one.

Senator LA FOLLETTE. We have all newspaper pictures, Mr. Daly. We subpoenaed the pictures in the possession of every newspaper and every news press association or service in the city of Chicago that had anybody there.

Mr. DALY. I see. I won't offer these, then.

Senator LA FOLLETTE. It won't be necessary.

Senator THOMAS. Mr. Daly, of these 67 persons who were arrested, how many were women?

Mr. DALY. Well, that I don't know; but I will furnish you with a list of those who were arrested. I believe I can get that for you before I leave here.¹

Senator THOMAS. Were there any children arrested?

¹ See exhibit 1630, pp. 5168-5169.

Mr. DALY. Oh, I don't think so. I will get the list of those who were arrested for you.

Now, if it please the committee, we maintain that the right of free speech and the right of assembly guaranteed by the Federal Constitution has not been infringed, and neither have any Federal laws relating to collective bargaining, or any other Federal laws been in any way invaded by the police officers. Illinois is still a sovereign State. No person or no group of persons can assail the majesty of its laws with impunity, and those agitators who led and encouraged the assault on the peace and security of its people will not go unwhipped of justice. We stand for liberty within the law, but unbridled license will not be tolerated.

It is our contention that the acts of the police are sanctioned by the law of the State of Illinois. We maintain that the movement of the mob was illegal in its inception. We have an ordinance of the city of Chicago relating to parades and open-air meetings, which I desire to present.

Senator LA FOLLETTE. Give it an exhibit number.

(The document was marked "Exhibit 1396" and appears in the appendix on p. 5052.)

Mr. DALY. It is known as section 979 of the Revised Chicago Code of 1931, and it is entitled, "Processions and Open Air Meetings—Application for Permit."

No permit was ever issued. No permit was applied for.

Now, the Federal Constitution does not guarantee to a man when it says they have a right to free speech or a right of assembly, that does not mean that he has the right to assemble anywhere he chooses. That does not mean he has the right to speak from anywhere he chooses, it does not mean he can use public streets, thoroughfares, or any public place for that purpose. It does not mean that he can use the private property of others for that purpose, and I would like to read some law on that.

Senator LA FOLLETTE. If you will just give us the citation, Mr. Daly, please.

Mr. DALY. I have got several citations here.¹ I would just like to give a brief statement, only one paragraph of what it contains:

People cannot assemble for the purpose of holding meetings in public streets or other public places, because such an assembly would or might be inconsistent with the public uses for which these places are held.

That is *Coughlin v. Chicago Park District* (364 Ill., p. 90).²

Senator LA FOLLETTE. By the way, Mr. Daly, do you know who owns this prairie?

Mr. DALY. I understand the Republic Steel owns it.

Senator LA FOLLETTE. Owns it clear out to Green Bay Avenue?

Mr. DALY. The portion of that ground where this affray took place. Whether they own all of it I am not certain. I also understand the railroad owns a portion of it along the right-of-way.

Senator LA FOLLETTE. Where did you get the understanding the Republic Steel owns part of it?

Mr. DALY. The police officers told me, but it did not make any difference whose property it was, they did not have a right to assemble.

Senator LA FOLLETTE. I am just asking for information. Don't get excited.

¹ For correspondence between the committee and the witness about this and following citations, see pp. 5170-5171.

² In this case the court refused to compel the Park Commission to grant Coughlin a permit to speak in Soldiers Field.

Mr. DALY. No; I am not excited, Senator, not a bit. This also cites (*Commonwealth v. Abrahams* (156 Mass. 57).¹ That opinion was written by the late Justice Holmes (*Davis v. Massachusetts*, 167 U. S. 43)²:

The right to free speech does not extend to the absolute use of public places for this purpose. Neither the prohibition placed on Congress by the first amendment of the Constitution of the United States, whereby it was declared that "Congress shall make no laws abridging the freedom of speech" nor the provision of the Constitution of this State which declares that no law shall be passed curtailing or restraining the liberty of speech, confers any constitutional right to gather crowds and make public orations in the streets of a city regardless of the municipal control over them.

That case is *Harwood v. Trembley* (97 N. J. L., 173).³

Senator LA FOLLETTE. If the Republic Steel Co. owns this prairie, these citations would not seem to apply, would they?

Mr. DALY. Absolutely.

Senator LA FOLLETTE. I gathered they were about streets and public places?

Mr. DALY. Public or private. It said they have no more right to use public places than private places, and no one under the Constitution could confer on any man the right to assemble and make public speeches on another man's private property.

Senator LA FOLLETTE. I didn't say it did, but I was listening to your citation and it seemed to me it applied to streets and public places.

Mr. DALY. No; it says both. I only read a short part of it.

Senator THOMAS. Mr. Daly, were the police on this property at the invitation of the Republic Steel Co.?

Mr. DALY. Well, I would think they naturally would not object to them being there to protect their property, but the police would have a greater right than the general public would have.

Senator THOMAS. I am not interested in the right, but I am interested in knowing whether the police were there as a result of an invitation from the Republic Steel Corporation.

Mr. DALY. I suppose the police went there because of the corporation's fear that there would be trouble. They probably asked for it.

Senator THOMAS. You think they asked for it when they put the men inside their plant to guard?

Mr. DALY. I don't know when they asked for it.

Senator THOMAS. You heard the testimony yesterday?

Mr. DALY. Yes; I heard the testimony.

Senator THOMAS. There were men placed inside to take care of the power lines, and so forth?

Mr. DALY. Do I understand that there were three men stationed at strategic places inside the plant and they were removed; is that what the Senator refers to?

¹ In this case the court affirmed a conviction for violating an ordinance by orating in a public park, holding the ordinance a proper exercise of the commission's power.

² In this case the Supreme Court of the United States held an ordinance requiring a permit to speak on Boston Common a proper exercise of police power.

³ In this case damages were denied in a suit against a mayor for turning a fire hose on a Socialist who persisted in speaking on the public highway after the refusal of a permit.

Senator THOMAS. Yes. Do you know whether these men were asked by the Republic Steel Corporation to go there and do that job?

Mr. DALY. That I cannot say; I don't know.

Senator THOMAS. Does anyone know?

Mr. DALY. I imagine the police officer in charge would know whether or not they were.

Senator THOMAS. The police officer did not know yesterday, you see, because he had them taken out. That is, the police officer on the stand.

Mr. DALY. Well, I don't know.

Senator THOMAS. What I am interested in, Mr. Daly, is the question as to whether there is any contact at all between the police and the Republic Steel Corporation, whether there was any relationship at all, agency, let us say, or the police were taking any orders at all from the corporation officers?

Mr. DALY. It is safe to say that the police took no orders from the corporation officers.

Senator THOMAS. Suggestions?

Mr. DALY. And that they were guided by their own experience and judgment.

Senator THOMAS. Now, Mr. Daly, it was testified to yesterday that the reason the police went there was because they heard a report. Did you know where these reports came from?

Mr. DALY. No, I don't; not any more than what I have heard here yesterday as to reports. I do understand, or was told—that is hearsay—that there was a newspaper article that appeared in the Herald-Examiner, the Chicago Herald-Examiner, that some gentleman by the name of Van Bitner, or some similar name, had been there to the plant previously, and he stated that the police chased him away, but that the next time he would go back prepared and he would get in. I understand that appeared Friday or Saturday.

Senator THOMAS. That would be the Chicago police chased him away, or the police out there?

Mr. DALY. The Chicago police.

Senator THOMAS. Then they were actually acting in defense of the company's property?

Mr. DALY. The police—absolutely, it was their obligation under the statutes, and if they hadn't done it the city of Chicago would be liable in damages.

Senator THOMAS. They are under obligation to protect life, too?

Mr. DALY. That is correct.

Senator THOMAS. So that a striker whose life is imperiled, it would be just as much a duty of the police to protect that life?

Mr. DALY. That's right.

Senator THOMAS. So that law has no bearing upon the question I am asking. You know of no relationship at all between the police and the corporation officers?

Mr. DALY. Absolutely none.

Senator THOMAS. Do you know the origin of any of the weapons which were evidently not regulation clubs?

Mr. DALY. This is the first I heard there were any clubs or any testimony tending to establish it. I understand the clubs used were regulation clubs. I also understand the older policemen had a darker shade club.

Senator THOMAS. You don't know anything about them, where they came from?

Mr. DALY. No.

Senator THOMAS. In your long experience, and having seen their clubs, did you ever see a policeman's club that did not have a rounded end?

Mr. DALY. A rounded end? Yes; I think I have seen such clubs.

Senator THOMAS. You have seen square-ended clubs?

Mr. DALY. Yes; I wouldn't say they are very common.

Senator THOMAS. Evenly sawed off?

Mr. DALY. No; I wouldn't say, it would be smaller than the regular club, cut off short.

Senator THOMAS. Will you provide a copy of the Herald-Examiner you mentioned for us?

Mr. DALY. As I say, this is hearsay, but I will make an effort to get it and forward it immediately.¹

Senator LA FOLLETTE. It would be hearsay after you got the article, wouldn't it?

Mr. DALY. I stated that in answer to the Senator's question; I did not volunteer that. Now, it is also our contention that even if the people who assembled had a right to assemble there, the moment they were ordered to disperse they illegally remained there, and the authority for that is *Spies et al. v. People* (122 Ill. p. 1). There the court said that if the police officers had improperly intruded upon the meeting in question, such intrusion would have furnished no justification for the attack hereinafter mentioned [reading]:

Persons injuriously affected by such improper intrusion or illegal dispersion had their remedies at law for damages sustained; or they could have demanded an investigation before the proper authorities, and, upon proving their charges could have obtained the dismissal of officers guilty of infringement upon the rights of citizens.

Senator LA FOLLETTE. That is the so-called Haymarket Riot case?

Mr. DALY. Yes, sir.

Senator THOMAS. Under that law—we are not interested in the law technically, but under that law, if this group or crowd did start to disperse and then your police officers did take the initiative in some rough stuff, wouldn't that law sustain you in the courts in action against the police officers?

Mr. DALY. I would like to say this, the same as the Army days when the men are withdrawing or retreating, it is good policy to prevent them from reassembling; to drive them back is good policy, far enough to scatter them so they can't reassemble.

Senator THOMAS. The police were not operating under martial law, were they?

Mr. DALY. No; but they do follow the procedure.

Senator THOMAS. Do you think they took military formation?

Mr. DALY. I would say a very large percentage of the police department are ex-soldiers.

Senator THOMAS. Yes; but we asked yesterday about this particular riot. I was extremely interested as to know whether these men were posted in accordance with military regulations?

¹ This information had not been provided at the time of going to press. See exhibit 1628-A, pp. 5166-5167.

Mr. DALY. They have, to a certain degree, to get a certain amount of drilling after they get on the force, and during the course of instructions for several months before they are admitted as police officers.

Senator THOMAS. Have you ever heard of a military man who would shoot in the air?

Mr. DALY. In the air? I would say in riots; yes. They would shoot an enemy in warfare, they would shoot the enemy. I would say yes in riots, they would shoot in the air.

Senator THOMAS. Have you had any connection with any military riots and the suppression of them?

Mr. DALY. Not directly. I have had connection with the Army, but not riots.

Senator THOMAS. Have you ever studied any of the riot duty manuals?

Mr. DALY. No. I studied the manual of arms, but I read a lot of accounts where the National Guard have done that. Of course, the regular troops are seldom used for that purpose. They were used in the great railroad strike we had here some years back, to keep the mails going, but I haven't heard of the regular troops being used since then. But the National Guard does that. I think that is a humane thing to do, to intimidate them, if possible, where the mob is threatening and danger is imminent. That certainly is better to attempt to drive them off if possible. Of course, if it is not effective, extreme measures must be taken.

Senator THOMAS. Well, you have heard the testimony given here that the stray shot which was supposed to have come from the mob is used as justification for the policemen firing back?

Mr. DALY. I would say from the facts, as I deduced them, the police were justified in shooting. The law gives them the right to do it.

Senator THOMAS. I am talking about the military use of shooting in the air?

Mr. DALY. And there was also the question of whether or not the police were justified in pursuing them, of striking them, and also that story of the man that went after Captain Kilroy with the 2 by 4 after he dropped it. I would say, in common sense, as well as in law, he would be justified in striking him, because if a man takes a punch at you you wouldn't put your hands in your pocket, because you would feel he would come back at you, and you would strike first.

Senator THOMAS. Did Mr. Kilroy testify yesterday that he struck that man in self-defense?

Mr. DALY. Yes; that is what he testified to.

Senator LA FOLLETTE. Look at these two pictures, Mr. Daly, and give me your legal opinion on those?

Mr. DALY. This one picture, marked "U-1", looks like they are dragging one of the men. It doesn't show whether they are striking him, it doesn't show whether he is offering resistance.

Senator LA FOLLETTE. You mean that poor devil that is being jerked up there by one arm and hit on the elbow with a night stick by a cop?

Mr. DALY. It doesn't look to me like he is being hit on the elbow.

¹ See exhibit 1351, p. 5134.

You may see more with a magnifying glass. I don't know whether you saw it through the magnifying glass.

Senator LA FOLLETTE. Look at the other one.

Mr. DALY. The man on the ground?

Senator LA FOLLETTE. Look at all of them.

Mr. DALY. I don't know what the situation in this case here is.

Senator LA FOLLETTE. Just look at the situation as the picture shows it.

Mr. DALY. All right; even admitting it, even to admit that it seems to be rather stringent measures, but we must remember the situation as it was. However, in some instances a slap in the face might be considered brutal where it is unprovoked, and while the police officer might not have been justified in striking him, on the other hand, we have to take into consideration the provocation that gave rise to the whole affair. We know that trained soldiers, disciplined soldiers, sometimes go beyond what they call a duty because of the fact that human passion, human emotion, enters in, and that is the thing that legislatures, in their wisdom, try to guard against; that is why they have specifically legislated against mobs, because it is very easy for people who are ordinarily law abiding, who would not do things singly, very easily when they are stimulated by the mob psychology to do things that they would not do if they were alone.

Senator LA FOLLETTE. Doesn't that man on the ground there with his hands up over the back of his head look to you as if he wasn't offering any resistance?

Mr. DALY. I state that even if that was true—

Senator LA FOLLETTE (interrupting). It is pretty clear in that picture that that officer is laying it on, isn't it?

Mr. DALY. I don't know what that man might have done to this police officer immediately before that would arouse his passions, and, as I say, human nature is human nature, and there have been men known to be killed for spitting in another man's face.

Senator LA FOLLETTE. Just a minute; do you know any Chicago policeman who killed anybody for spitting in his face?

Mr. DALY. No; because they have to suffer things ordinary citizens would not suffer.

Senator LA FOLLETTE. Certainly; that is what they are paid for.

Mr. DALY. That's right.

Senator LA FOLLETTE. That is what their uniform means.

Mr. DALY. That's right.

Senator LA FOLLETTE. That is what their oath of office and service means.

Mr. DALY. And a lot of people think they can compel them to suffer any indignity they want, and there is a breaking point in human passions.

Senator LA FOLLETTE. Just forget for a moment, if you can, your connection with the city of Chicago, and look at that picture as a citizen of Illinois and as a decent human being, which I am sure you are, and tell me whether it makes you proud of the representation of the majesty of the State of Illinois and its sovereignty, which you have been discussing here at some length, to see an officer clubbing that helpless man on the ground?

Mr. DALY. A situation like this often gives rise to a condition like this. They do among trained soldiers.

Senator THOMAS. Not often. The men here said this was the first time they found in their experience.

Mr. DALY. The police officers?

Senator THOMAS. The men on the stand yesterday.

Mr. DALY. If trained soldiers would get by—

Senator THOMAS. What trained soldiers in your whole experience, millions of them in the last war, ever did a thing like that?

Mr. DALY. There have been a lot of accounts of it.

Senator THOMAS. Where?

Mr. DALY. In the newspapers.

Senator THOMAS. A trained soldier using a club on a man that is down?

Mr. DALY. Trained soldiers. We don't know what this man done, legally or any other way—we are talking about the human element.

Senator THOMAS. Doesn't the human element work both ways?

Mr. DALY. It does, and that is why the law prohibits people to assemble in that fashion, and that is what the police feared, and that is why they ordered them to disperse, and that is why they had a right to compel them to disperse, to prevent an occurrence like that. Naturally, when men's passions are aroused both sides may go to extremes, and that is the purpose of preventing the assembling of men like that.

Senator LA FOLLETTE. Read the question, please.

(The question was read by the reporter.)

Mr. DALY. I say that the fact that one or a few officers could have gone to extremes is no reflection on the police department. It has to be expected in a situation like that. It is a different thing where we sit here calmly and discuss it, but we don't know what our reactions may have been if we went through the situation these men went through.

Senator LA FOLLETTE. I take it you don't care to answer my question?

Mr. DALY. I have answered it.

Senator THOMAS. Mr. Daly, there is no one on this committee who wants to cast a reflection upon the police of any city.

Mr. DALY. I understand, Senator.

Senator THOMAS. We think if a policeman does not live up to the reputation of his uniform and does not live up to the requirements of the law, it is the policeman that is casting the reflection upon his own organization. Your policemen in Chicago are pretty well self-disciplined, are they not?

Mr. DALY. Yes; they are.

Senator THOMAS. And if a policeman does something wrong you do something about it, do you not?

Mr. DALY. We have a tribunal for that purpose.

Senator THOMAS. And you do that because you want to preserve the esprit de corps and the morale of the policemen?

Mr. DALY. That is correct, Senator.

Senator THOMAS. Then, for example, this episode which happened on the 30th is in itself something which the police of Chicago are not proud of, and the quicker we clean it up the better, isn't it?

Mr. DALY. I don't—

Senator THOMAS (interrupting). You could not defend wrong doing on the part of any one policeman, could you?

Mr. DALY. No, sir.

Senator THOMAS. I have so much faith in policemen, Mr. Daly, that I don't believe there is a single policeman I have ever met and known, and none I have seen here since this hearing started, who would wilfully hit a man over the head. None of them are brutish in their nature, are they?

Mr. DALY. As I stated before, Senator, sometimes—

Senator THOMAS (interrupting). Will you answer that question?

Mr. DALY. No; they are not brutish in their nature.

Senator THOMAS. I want to know why they did it, under whose orders they were working, and how they got themselves in this position that they felt that it was right for them to do what normally policemen never do and what men who have been here testified they have never done. What reason is there for it? That is what we need, you know. We are going to legislate.

Mr. DALY. It is my opinion if these police officers, many of whom I say are ex-service men, many more of whom are members of labor organizations themselves and certainly ought to have the viewpoint of laboring men, didn't do it because of any ill feeling toward the people, toward the mob, certainly not in the beginning.

Senator THOMAS. We tried to bring that out yesterday, to show that it was not a fight between the policemen and the crowd. Now, what was it a fight between?

Mr. DALY. I would say this, I would say that a lot of agitators—call them Communists, call them Anarchists, people who believe in subversive movement and who attach themselves like a barnacle to a ship to any semirespectable organization and use that organization for perpetrating an affray like this.

Senator THOMAS. Yesterday we were given statistics which 14 Communists—

Mr. DALY. Out of 67.

Senator THOMAS. Oh, no; there are 14 employees out of 67.

Mr. DALY. I take that back.

Senator THOMAS. Yesterday there were 14 Communists out of 2,500.

Mr. DALY. No; that is not the situation. As I understand it, those 14 Communists were out of the 67 who were arrested. I am positive that is the situation that they viewed these 67 persons.

Senator THOMAS. Fourteen of them were Communists?

Mr. DALY. And then another situation, a large number of these people were out of State, local police would not know them, a lot of them were from Indiana. The local police would not recognize them if they were Communists or Anarchists or anything. But as I understand it, 14 out of the 67 were Communists, which is a very large proportion.

Now, if it please the committee, I would like to read the statutes on the question of the powers of the police and the right of the police to order people to disperse.

Senator THOMAS. I don't think there is much need in that, because we are not contesting it the least.

Mr. DALY. To show the justification for the police in their action. As a matter of fact, the statutes exempt killing during dispersals, and I would like to read two sections:

SEC. 508. Dispersement of persons unlawfully assembled. When twelve or more persons, any of them armed with clubs or dangerous weapons, or thirty or more, armed or unarmed, are unlawfully, riotously or tumultuously assembled in any

city, village or town, it shall be the duty of each of the municipal officers, constables and justices of the peace thereof, and of the sheriff of the county and his deputies, to go among the persons so assembled, or as near to them as they can safely go, and in the name of the State command them immediately and peaceably to disperse; and if they do not obey, such officer shall command the assistance of all persons present, in arresting and securing the persons so unlawfully assembled; and every person refusing to disperse or to assist as aforesaid, shall be deemed one of such unlawful assembly, and shall be fined not exceeding \$500, and confined in the county jail not exceeding one year; and each such officer having notice of such unlawful assembly, and refusing or neglecting to do his duty in relation thereto, as aforesaid, shall be fined not exceeding \$200 (1874, Mar. 27, R. S., p. 348, div. 1, no. 253).

Mr. DALY. Then I will read section 509, refusal to disperse, armed force.

When persons so riotously unlawfully assembled neglect or refuse, on command as aforesaid, to disperse without unnecessary delay, any two of the magistrates or officers aforesaid may require the aid of a sufficient number of persons, in arms or otherwise, and proceed in such manner as they judge expedient to suppress such riotous assembly, and arrest and secure the persons composing it; and when an armed force is thus called out, they shall obey the orders for suppressing such assembly and arresting and securing the persons composing it, which they receive from the governor, any judge of a court of record, the sheriff of the county, or any two of the magistrates or officers mentioned in the preceding section.

SEC. 510. Killings during dispersal—Justification and liability for: If, in the efforts made, as aforesaid, to suppress such assembly and to arrest and secure the persons composing it, who refuse to disperse, though the number remaining is less than twelve, any such person, or any persons present as spectators, or otherwise, are killed or wounded, said magistrates and officers, and persons acting with them by their order, shall be held guiltless and justified in law. If any of said magistrates or officers, or persons thus acting with them, are killed or wounded, all persons so unlawfully or riotously assembled, and all other persons who refused, when required, to aid such magistrates and officers, shall be held answerable therefor.

Senator LA FOLLETTE. Has that section ever been tested in the courts?

Mr. DALY. Oh, yes; I would like to read—it has been tested not only in the State courts, but I think this was well established, so well established there is no question.

Senator LA FOLLETTE. I am talking about this last section.

Mr. DALY. Even that section—I would like to read from the law—the right of the police officer in a matter of that kind.

Senator LA FOLLETTE. I asked you, do you know whether that particular section of the Illinois statutes has ever been tested in the courts?

Mr. DALY. I wouldn't say that particular section has been passed on by the Supreme Court.

Senator LA FOLLETTE. Has it been passed on by any court?

Mr. DALY. I imagine.

Senator LA FOLLETTE. I didn't ask you if you imagined. Do you know?

Mr. DALY. I could not give you a citation of any case.

Senator LA FOLLETTE. Do you know of any case, do you remember any case?

Mr. DALY. I can't remember any case off-hand, but I would like to read this:

It is the duty of all peace officers to maintain and preserve the peace.

Senator LA FOLLETTE. What are you reading from?

Mr. DALY. I am reading from *Lynn v. The People*, volume 170, page 527.¹

Senator LA FOLLETTE. What section of the statute was involved in that?

Mr. DALY. That is the right of police officers, their powers to resist force with force.

Senator LA FOLLETTE. Do you know what the facts in the case were?

Mr. DALY. It is a general enunciation of the principles of law.

Senator LA FOLLETTE. Did you read the syllabus of the case; do you know what the facts were?

Mr. DALY. In this particular case the police officer was sued; this was an instruction to the jury as to the principle of law.

Senator LA FOLLETTE. What was he sued for?

Mr. DALY. For using force where he was resisted in making an arrest.

Senator LA FOLLETTE. When was that?

Mr. DALY. That is an old case, volume 170, Ill. I will get the volume.

Senator LA FOLLETTE. I would like to see it.

Mr. DALY. I will be glad to do that. I will make a copy of the whole case and send it to you.

Senator LA FOLLETTE. We can get the case from the Library. I just thought it might be helpful if you had read that recently.

Mr. DALY (reading):

It is the duty of all peace officers to maintain and preserve the peace; and, when acting in the exercise of their duty, to quell an affray or prevent a breach of the peace. They are under the peculiar protection of the law, and they are never required to retreat or decline any struggle as against one openly engaged in disturbing the peace, but may stand their ground, and even attack such offenders if necessary to prevent a breach of the peace; and if such an offender is unavoidably killed by such officer in his attempt to prevent a breach of the peace, such killing is justifiable (1 Hale, 494; 1 Hawkins, 82; 1 Foster, 321; 1 East's Pleas of the Crown, 304; *State v. Dierberger*, 96 Mo. 667; *Head v. Martin*, 85 Ky. 482; *State v. McNally*, 87 Mo. 644; *State v. Anderson*, 1 Hill (S. C.), 327).

Senator THOMAS. Now, Mr. Daly, under that ordinance under what circumstances is a police officer allowed to hit a man with his club?

Mr. DALY. Wherever you meet with force they can use force, they can resist with force.

Senator THOMAS. That is, there must be a show of force against the officers?

Mr. DALY. That is true.

Senator THOMAS. That is as far as the law is concerned.

Mr. DALY. That is true.

Senator THOMAS. So that if we were dealing with a legal case and one of these policemen was before us as a court and you were defending the policeman and I was prosecuting him you would show that he acted after some force had been exerted against him, would you not?

Mr. DALY. That is true, and show the force.

Senator THOMAS. Wouldn't that be necessary before you could use this statute or this ordinance in his defense?

¹ In this case the court reversed the conviction of a police officer for shooting an armed dangerous character who threatened and then approached the officer. The court held that the officer had no duty to retreat before such an attack.

Mr. DALY. Will you repeat?

Senator THOMAS. I say, wouldn't it be necessary for you to do that before you could use this ordinance in his defense?

Mr. DALY. Yes.

Senator THOMAS. Then there is nothing in the law which permits a policeman to shout, "Get out of the way," and if no one gets out of the way he hits them. That would be the last resort that the policeman is entitled to?

Mr. DALY. He can use sufficient force to drive them from the place, and if the man stands his ground, he can use every force that is necessary, having regard to the occasion.

Senator THOMAS. If the man stands his ground?

Mr. DALY. Yes; and if the man offers force he can meet force with force and use sufficient force to compel obedience to the law.

Senator THOMAS. But you have always got to show that force has been withstood, have you not?

Mr. DALY. Yes; and I would maintain that has been shown here.

Senator THOMAS. We are not interested in that; I am interested in the law which is now in front of us.

Senator LA FOLLETTE. Mr. Daly, you don't contend that this instruction to the jury in this case you have just read from sustains the legal proposition set forth in section 510, do you?

Mr. DALY. Surely I do.

Senator LA FOLLETTE. Well, then, do you construe section 510 to mean that force on the part of the police officer or officers of the law is only justified when it is used in connection with force which has been directed, or resistance which has been directed against the officers?

Mr. DALY. There would have to be a certain amount of resistance.

Senator LA FOLLETTE. I note in the judge's instructions the word "unavoidable."

Mr. DALY. Yes, sir.

Senator LA FOLLETTE. I don't find that in section 510.

Mr. DALY. Now, that there would be the law without regard to the statute. The statute, I mean, goes further.

Senator LA FOLLETTE. You don't know of any cases that section 510 has ever been tested under?

Mr. DALY. No; I don't.

Senator THOMAS. There must be resistance.

Mr. DALY. That is under that definition of the law.

Senator THOMAS. Say, a man is running away from a policeman and the policeman hits him, is that a position of resistance?

Mr. DALY. As I stated before, the policemen have the right to keep them from reorganizing. You don't have to wait to give the man a chance again, and there are a lot of decisions on that point. You don't have to wait to give the men a chance to reorganize and get a better position.

Senator LA FOLLETTE. Will you look at exhibit 1351¹ again? See that man lying there prone on the ground?

Mr. DALY. I see that.

Senator LA FOLLETTE. Just assume that we could prove that man was still alive and one of the policemen brought his club down on his head and killed him—do you think the policeman was not liable?

¹ See p. 5134.

Mr. DALY. I would not want to indulge in any assumption.

Senator THOMAS. In the light of this law, what about this man's situation? Could you use that law in defense of that man?

Mr. DALY. I certainly believe a jury would find him not guilty, having taken into consideration the fact that the police officers were subjected to danger themselves, they were attacked and assaulted without any provocation.

Senator THOMAS. Answer the chairman's question, for my benefit. Forget about the personalities and persons in this but think of your law. Would you use the law to defend a policeman that had got in this position, assuming that, as Senator La Follette said, that blow there actually kills the man that is on the ground?

Mr. DALY. And the man offered no resistance at all—he is lying there? I would not say that would, but that is an assumption that the picture does not bear out.

Senator THOMAS. I am not interested in that; I am interested in this law. That is the thing that is before us.

Mr. DALY. That would be a question of fact for a jury to decide whether it was reasonable, whether or not it was reasonable force under the circumstances, and that is a question of fact.

Senator LA FOLLETTE. All right; go ahead, Mr. Daly.

Mr. DALY. In *Dougherty et al. v. People* (4 Scammon, Illinois Reports, 179) the court said:

Our law defines a riot to be where two or more persons actually do an unlawful act, with force or violence, against the person or property of another, with or without a common cause of quarrel, or even do a lawful act, in a violent and tumultuous manner.

So that is to bear out the point that even if they had the right to be where they were and they were ordered to disperse and they refused to disperse, they were violating the law.

Another proposition, the proposition of the protection of property—I would like to read section 511 of the Criminal Code:

Injury to property by persons unlawfully assembled—Punishment.—If any persons thus unlawfully and riotously assembled, pull down or begin to pull down or destroy any dwelling house, building, ship or vessel, or perpetrate any premeditated injury, not a felony, on any person, such person or persons so offending shall be imprisoned in the penitentiary for a term of not less than one year nor more than five years, or fined not exceeding \$500, and shall also be liable to any person injured in an action of trespass to the full amount of damages by him sustained.

SECTION 515. *Mob—Damage by violence—Penalty—Action against municipality.*—Any person or persons composing a mob under the provisions of this act, who shall by violence inflict material damage to the property or serious injury to the person of any other person upon the pretense of exercising correctional powers over such person or persons, by violence and without authority of law, shall be deemed guilty of a felony, and shall suffer imprisonment in the penitentiary not exceeding five years; and any person so suffering material damage to property or injury to person by a mob shall have an action against the county, park district or city in which such injury is inflicted, for such damages as he may sustain, to an amount not exceeding ten thousand (\$10,000) dollars.

Now, the city of Chicago has been sued in numerous instances and judgments secured against the city for damage done to property by mob violence, and it is no defense to municipality that the police do their best. It is our contention if the police did not stop the mob when they did, it might have resulted in serious damage to property as well as loss of lives, and the city of Chicago would have been liable

for the damage; these police officers were obligated under their oath of office not only to protect this property but also the lives of those within. If these police officers thought that the lives of the men who were in that plant were in jeopardy, it was their duty to take extreme measures to protect their lives.

The Supreme Court of the United States, in the case of the *City of Chicago v. Sturges* (222 U. S. 313), says:

Primarily governments exist for the maintenance of social order. Hence it is that the obligation of the government to protect life, liberty and property against the conduct of the indifferent, the careless, and the evil-minded may be regarded as lying at the very foundation of the social compact. A recognition of this supreme obligation is found in those exertions of the legislative power which have as an end the preservation of social order and the protection of the welfare of the public and of the individual. If such legislation be reasonably adapted to the end in view, affords a hearing before judgment, and is not forbidden by some other affirmative provision of constitutional law, it is not to be regarded as denying due process of law under the provisions of the Fourteenth Amendment.

The law in question is a valid exercise of the police power of the State of Illinois. It rests upon the duty of the State to protect its citizens in the enjoyment and possession of their acquisitions, and is but a recognition of the obligation of the State to preserve social order and the property of the citizen against the violence of a riot or a mob.

The State is the creator of subordinate municipal governments. It vests in them the police powers essential to the preservation of law and order. It imposes upon them the duty of protecting property situated within their limits from the violence of such public breaches of the peace as are mobs and riots. This duty and obligation thus entrusted to the local subordinate government is by this enactment emphasized and enforced by imposing upon the local community absolute liability for property losses resulting from the violence of such public tumults.

The Supreme Court further says:

Such a regulation has a tendency to deter the lawless, since the sufferer must be compensated by a tax burden which will fall upon all property, including that of the evil-doers as members of the community. It is likewise calculated to stimulate the exertions of the indifferent and the law-abiding to avoid the falling of a burden which they must share with the lawless. In that it directly operates on and affects public opinion, it tends strongly to the upholding of the empire of the law.

I would like to read here a charge or enunciation of law by Judge King in the Court of Quarter Sessions for the City and County of Philadelphia, volume IV, page 31. It is considered as sufficient authority to be set out in *Corpus Juris*:

Every tumultuous disturbance of the public peace by two or more assembling together of their own authority, with an intent mutually to assist one another against any who shall oppose them in the execution of some private object, and afterward executing the same in a violent and turbulent manner to the terror of the people, whether the act intended is lawful or unlawful, is a riot. For rights are not to be asserted, nor laws vindicated, by a tumultuous mob. If any man or body of men, civil or religious, violate the law, the tribunals of the State are the proper source to be applied to by those who are or fancy themselves aggrieved. The justice of the country is not to be taken into the hands of unauthorized multitudes, who act under no responsibilities, and rarely are under any influences, other than those of their own unbridled passions. The lessons of history teach us that when inflamed masses attempt the vindication of the public law they never fail to run into excesses more deleterious to the public safety than the evils they profess to remedy.

It is not necessary that any person, in order to bring himself into the perilous position of a rioter, should be a chief actor in the scene of outrage. The common law, founded on the teachings of centuries, holds that if any person, seeing others actually engaged in the riots, joins himself to them, and assists therein, he is as much a rioter as if he had first assembled with them for

that purpose; inasmuch as he has no pretense that he came innocently into the company, but appears to have joined himself to them with an intention of seconding them in the execution of their unlawful enterprise. And it would be endless, as well as superfluous, to examine whether every particular person engaged in a riot was in truth one of the first assembly, or had a previous knowledge of their design. Every person who encourages, or promotes and takes part in the riots, whether by words, signs, or gestures, or by wearing the badge or ensign of the rioters, is himself to be considered such— for, in this crime, all concerned are principals.

All these consequences flow from unauthorized multitudes assuming upon themselves the authority to redress supposed wrongs, and punish supposed offenders. May the mournful lessons of the past deeply impress all with the certain truth, that neither peace, safety, nor security can prevail in any community except under the guarantees of law and order; and that the first and greatest duty which every citizen owes to his country, is a reverential regard for these sacred and holy elements of true civil liberty.

The security of person and property from violence and unlawful spoliation; the maintenance of public peace and order, are the peculiar objects of social organization; and to protect and conserve these are the chief uses and ends of all social law. Riotous and tumultuous popular assemblages associated for the purposes of destroying of life, strike not merely at individual rights, but at the law itself; and daringly usurping its place, assume to exercise those powers over both, without limit or stint, which are sparingly parted with, under the most cautious guarantees, to government itself. The dividing line between such tumultuous meetings and treason, the highest of crimes against society, will be found on investigation so exceedingly narrow, that the perpetrators of the one are oftener than they would suppose running in to the consequences of the other. Even where tumultuous public assemblies are associated for the accomplishment by force of objects, much more plausible and defensible than those apparently moving the recent riots, it perpetually happens that the counsels of the violent and irresponsible, prevail over those of the more cautious and respectable, and the multitude swept along has some momentary excitement madly plunge into the commission of acts, which they would have shrunk from in the first instance, and which they subsequently regard with horror and shame. When once men are prevailed upon, either by the evil counsels of others, or by those of their own bad passions, to engage in such flagrant violations of law, all history and experience prove that they never fail to transcend any previous limit of wrong beyond which they had determined not to go.

Now, we maintain that the cause of this whole affair was agitators. We believe, and I think that the records probably, if they were here, of the number of employees that were out on strike would prove it, that very few of those men were employees, that as professional agitators they took advantage of the situation so that they might attain their own ends.

Senator, I was interested the other day when you asked the question whether or not they attacked the policemen when they were acting singly. I don't think that is the way they act. They generally act in mobs. They generally identify themselves rather with crowds, groups of people that are either respectable or semi so, for those people gather in crowds where they can make the public feel that they are being abused, so that they make them feel that they are martyrs to the cause.

Senator THOMAS. Among the people killed, have you identified any as agitators, of those that are now dead?

Mr. DALY. I think this man Rothmund has been identified as a professional agitator.

Senator THOMAS. Any others?

Mr. DALY. That I don't know, but I will supply that also, I will be glad to do that.¹ There is one other thing I would like to bring out.

Senator THOMAS. I think you should, because you have made the statement that in your opinion this trouble was started by agitators.

Mr. DALY. I base that on the fact that it is hard to believe that the ordinary everyday American, a man that works for a living, because he is out on strike, would assemble and march armed with rocks, stones, and clubs and even with guns, as has been stated here. I don't think that is the way the average American working-man attempts to secure those rights he is entitled to, both under the law of the land and the moral law, and also because of the fact that only 14 out of the 67 who were arrested were employees of the company, I think it is a logical deduction, and the fact that the mob was so numerous that they certainly must have numbered 3 or 4 times the number of employees that have left the company.

Senator THOMAS. You have never made any statistics to find out whether that same proportion runs through the whole mob or not, have you?

Mr. DALY. The police don't know those that were not arrested, they got away, they could not be identified.

Senator THOMAS. They have been identified as foreigners, for example?

Mr. DALY. It is easy to ascertain if a man speaks in broken English or to see a man that, for instance—as I understand, there were some there who were probably Mexicans, you could tell by their conversation, also by their appearance. It is easy to determine that; I think they generally have some sort of accent. I suppose that is what the police based it upon. Of course, the mere fact that they were foreigners would not mean that they were not law-abiding. That in itself would be no crime.

Senator THOMAS. No crime in being a foreigner, is there?

Mr. DALY. That is right.

Senator THOMAS. No crime in being a Communist, is there?

Mr. DALY. Not a peaceful one. As I say, I did not designate them as "Communists."

Senator THOMAS. There is no crime in being a peaceful agitator, is there?

Mr. DALY. That is what we maintain, and I don't know whether that has been brought out clearly enough. Another thing I would like to suggest is this—that the police officers, when they marched on this day, marched out beyond the line of pickets, and when they marched back the line of pickets were still there; they were never interfered with. These men were not pickets. The pickets were not interfered with. They are still there.

Senator THOMAS. The pickets did not join in the fight, then?

Mr. DALY. No; they did not; they were still there when the police marched back into the plant.

Senator LA FOLLETTE. Thank you very much, Mr. Daly.

Mr. DALY. May I make one more suggestion? The commissioner of police was asked about his personal knowledge of this and his orders. I just want to call attention to the fact that the police com-

¹ See exhibit 1627-C, pp. 5160-5162.

missioner has 6,000 men and a pay roll of possibly \$20,000,000, and his duty is to safeguard the lives and property of 3,000,000 people, and that number, I believe, exceeds the population of the State of Utah and Wisconsin together.

Senator LA FOLLETTE. Mr. Ralph Beck.

TESTIMONY OF RALPH BECK

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name?

Mr. BECK. Ralph Beck.

Senator LA FOLLETTE. How do you spell your last name?

Mr. BECK. B-e-c-k.

Senator LA FOLLETTE. Where do you live?

Mr. BECK. Chicago, Ill.

Senator LA FOLLETTE. What is your address?

Mr. BECK. 4937 North Ridgeway Avenue.

Senator LA FOLLETTE. What is your occupation?

Mr. BECK. Part-time reporter for the Chicago Daily News.

Senator LA FOLLETTE. What do you mean by "part-time reporter"?

Mr. BECK. Well, from the first of 1936, from January 1936, I covered the University of Chicago campus for them part time. When the steel strike broke out I was used there at the Republic plant in the emergency.

Senator LA FOLLETTE. As a reporter there?

Mr. BECK. Yes.

Senator LA FOLLETTE. When did you first visit the plant of the Republic Steel Co.?

Mr. BECK. About 9 o'clock in the evening of May 26.

Senator LA FOLLETTE. Had the walk-out taken place when you got there?

Mr. BECK. It had.

Senator LA FOLLETTE. What did you find upon your arrival?

Mr. BECK. I found a company of police, a number of strikers outside the gates at the corner of One Hundred and Seventeenth and Avenue O, and a number of Chicago policemen detailed directly around the gates of the plant, One Hundred and Eighteenth and Burley, several within the gates, and a number of plant policemen—company policemen.

Senator LA FOLLETTE. How many company policemen did you see?

Mr. BECK. Through the evening I believe I saw there their full force of about 21 police.

Senator LA FOLLETTE. How were they dressed—the company police?

Mr. BECK. They were dressed in Oxford gray whipcord breeches, leather puttees, high shoes, gray working shirts.

Senator LA FOLLETTE. Were the company guards armed?

Mr. BECK. They were.

Senator LA FOLLETTE. With what?

Mr. BECK. Thirty-eight Colt revolvers and clubs.

Senator LA FOLLETTE. In addition to the police you saw inside the gate and in addition to the company guards you saw there, did you see any other people armed with anything?

Mr. BECK. Yes; the company had shut down its wire mill so as provide dormitories for the men staying in the plant, and they had taken the men nominally working in the plant and armed them with riot sticks and clubs and had them patrolling the company fence.

Senator LA FOLLETTE. About how many of them would you say there were?

Mr. BECK. Oh, through the evening, I imagine, I saw between 50 and a hundred of them.

Senator LA FOLLETTE. Did these company guards wear caps?

Mr. BECK. Yes; they did.

Senator LA FOLLETTE. What did they look like?

Mr. BECK. Same type as worn by the Chicago motorcycle police.

Senator LA FOLLETTE. What arms were the uniformed city police carrying you saw out there?

Mr. BECK. They were carrying their regulation revolvers and clubs.

Senator LA FOLLETTE. Regulation batons?

Mr. BECK. Yes.

Senator LA FOLLETTE. Did you see any of them with anything else?

Mr. BECK. No; not anything.

Senator LA FOLLETTE. Did you make any other trips to the plant prior to Sunday?

Mr. BECK. I was at the plant from Wednesday night continuously until about 5 Friday morning, and I returned there—

Senator LA FOLLETTE (interrupting). During that time, from Wednesday night to Friday morning, where were the police headquarters located?

Mr. BECK. They were located within the company gates and in a small building adjoining the company's gatehouse or guardhouse.

Senator LA FOLLETTE. And where did the police eat, if you know, at this time?

Mr. BECK. The police during this time ate at the company's cafeteria.

Senator LA FOLLETTE. To your own knowledge, how long did they continue to eat in the plant cafeteria?

Mr. BECK. For about a week or 10 days.

Senator LA FOLLETTE. Did you actually see them in the cafeteria eating?

Mr. BECK. Yes.

Senator LA FOLLETTE. On each of the 10 days?

Mr. BECK. Yes.

Senator LA FOLLETTE. Did you go to the vicinity of the plant on Sunday?

Mr. BECK. I did.

Senator LA FOLLETTE. About what time?

Mr. BECK. I first arrived in the vicinity of the plant—the closest I got to it before the evening was at about 3:30, at a meeting at Sam's Place, but I didn't get there any closer to the plant until the excitement was over.

Senator LA FOLLETTE. All right; you got to Sam's Place about 3:30 Sunday afternoon, the 30th?

Mr. BECK. That is right.

Senator LA FOLLETTE. What was going on at Sam's Place when you got there?

Mr. BECK. There was a mass meeting being held in the open yard adjoining Sam's Place.

Senator LA FOLLETTE. Were you there in your capacity as a reporter covering it?

Mr. BECK. I was.

Senator LA FOLLETTE. How many people would you say were congregated there, approximately?

Mr. BECK. In the yard there were approximately a thousand people—filled to capacity, overflowing into the sidewalks and streets around.

Senator LA FOLLETTE. What proportion of the crowd at Sam's Place, out in the yard, would you say were women?

Mr. BECK. Perhaps 15 percent.

Senator LA FOLLETTE. Did you see any children?

Mr. BECK. Yes; there were quite a number of small children.

Senator LA FOLLETTE. What was your impression of this?

Mr. BECK. The typical crowd that I have seen since in various strike mass meetings, taking in everything that the speakers had to say and giving them attention, while others gathered in small groups outside and discussed the issues involved.

Senator LA FOLLETTE. Did you hear any of the speakers?

Mr. BECK. Yes; I heard a man who has been identified to me as Nicholas Fontecchio.

Senator LA FOLLETTE. Who else did you hear?

Mr. BECK. I heard the chairman of the meeting, who could not be identified for me.

Senator LA FOLLETTE. Who else?

Mr. BECK. That was all I heard.

Senator LA FOLLETTE. What was the subject of the speakers that you heard?

Mr. BECK. They were principally attacks on their own—they were principally attacks on the police, indirectly in this respect; and they would identify East Chicago and Indiana Harbor, Ind., as being a part of the United States, but that Chicago, apparently, to quote, "was a part of Germany or Italy. The mayor told us we could picket, and the police won't let us through. Mayor Kelly gave us his decision publicly, and we have a right to peaceful picketing, and the police are not letting us through; and in Indiana Harbor and in East Chicago the mayor is giving us his full cooperation, and the police are cooperating with him."

Senator LA FOLLETTE. Was that the substance of everything you heard?

Mr. BECK. That was the substance of everything I heard; yes. There was a chant about steel barons and "We will win the fight" and "Organization is what we need if the fight is to be won."

Senator LA FOLLETTE. During the time you were there, did you hear any one of the speakers exhorting the crowd to storm the plant?

Mr. BECK. No; not at all.

Senator LA FOLLETTE. Was there any discussion by the speakers of trying to establish their right to picketing in some of the plants?

Mr. BECK. No; that right had been given them by the mayor.

Senator LA FOLLETTE. What happened at the conclusion of the meeting?

Mr. BECK. At the conclusion of the meeting those still in the lot on the sidewalk walked out on the street and joined those who had assembled a little before the meeting was over, to establish mass picketing in front of the plant.

Senator LA FOLLETTE. Did you hear anyone suggest that that be done?

Mr. BECK. Yes; there was a motion made at the meeting.

Senator LA FOLLETTE. After the speakers were finished?

Mr. BECK. After the speakers and resolutions were finished, yes; the concluding action of the meeting, prior to the motion that they establish mass picketing, was in the nature of resolutions unanimously passed, to be sent to the mayor and to the State's attorney and to the Governor, demanding that the police be further instructed to permit peaceful picketing, that the mayor had given his decision and nothing had been done about it, and they had constitutional and civil rights.

Senator LA FOLLETTE. Did you see the person who made the motion?

Mr. BECK. It was a man I could not identify now; it was a man in the crowd.

Senator LA FOLLETTE. Can you remember the substance of his motion?

Mr. BECK. Yes. He said, "I will make a motion that we all line up right now and establish mass picketing in front of the Republic plant."

Senator THOMAS. Then, according to that motion, the objective was not to get through the gates?

Mr. BECK. No.

Senator LA FOLLETTE. When these people lined up did you observe the crowd that had lined up for the march?

Mr. BECK. Yes; I did.

Senator LA FOLLETTE. What percentage of them were women, if any?

Mr. BECK. I should imagine about 10 percent, roughly estimated.

Senator LA FOLLETTE. Did you see any children among the marchers?

Mr. BECK. No; I didn't.

Senator LA FOLLETTE. Did you observe any arms of any description in the possession of the marchers?

Mr. BECK. Some of them had clubs and pieces of rusty iron pipe.

Senator LA FOLLETTE. Would you say that a large percentage of them had clubs and pipes?

Mr. BECK. I saw only about 35 or 40 myself.

Senator LA FOLLETTE. Did you observe the line carefully?

Mr. BECK. Yes; I made it a point to look for it.

Senator LA FOLLETTE. What kind of clubs did you see?

Mr. BECK. There were some rough pieces of tree limbs and pieces of small one-by-two and one-by-four, typical construction lumber, that had apparently been picked up from the vicinity there.

Senator LA FOLLETTE. How many pieces of pipe did you see in the hands of the people?

Mr. BECK. Not more than eight.

Senator LA FOLLETTE. What did you do next?

Mr. BECK. I ran ahead of the crowd and got in a press photographer's car and rode with him over to the police line, which was

then forming over at One Hundred and Seventeenth and Green Bay Avenue.

Senator LA FOLLETTE. And then what happened?

Mr. BECK. Then we stood there and watched the strikers, coming on down Green Bay Avenue, and the police drew up their patrol wagons and sent back for additional wagonloads to the site of the intersection, which was the site of the two previous outbreaks. And then suddenly the marchers cut off in the diagonal, running across the prairie.

Senator LA FOLLETTE. Shown in the dirt road there?

Mr. BECK. Yes. The police were sent back to One Hundred and Seventeenth and Burley and started to enter the prairie a short distance away.

Senator LA FOLLETTE. Did you follow with the police?

Mr. BECK. Yes; I followed to the last house, and I went up on the porch to observe the people coming across the prairie.

Senator LA FOLLETTE. Did you see three or four hundred people leaving the main body and starting over toward the railroad tracks and the exposed end of the plant, where it was not fenced?

Mr. BECK. No; I didn't. I understand and I have seen a fence around the plant.

Senator LA FOLLETTE. Did you see any group of three or four hundred people break away from the main body of the marchers up there on the dirt road, at any time, and move east over toward the plant, or in the direction of the plant?

Mr. BECK. No; but there was a line of about 20 or 30 that swung up that way and came on down, that were all separated from the plant and were apparently avoiding a marshy spot. They came right ahead, they did not go ahead to the plant fence.

Senator LA FOLLETTE. Did they come back to the main body after they went around this place?

Mr. BECK. Yes; they came in the direction of the main body.

Senator LA FOLLETTE. And you saw those people?

Mr. BECK. Yes.

Senator LA FOLLETTE. Did they impress you as executing the maneuvers with military precision, on the double?

Mr. BECK. No; they impressed me as being the same as a group of picknickers out to avoid a swamp in a path through the woods. They were unarmed and seemed to be the only crowd in the distance that was not in the chant they were carrying on across the prairie, of "C. I. O."

Senator LA FOLLETTE. You said you got up on this porch. Were you near any uniformed commissioned officer?

Mr. BECK. Not at that time; no.

Senator LA FOLLETTE. Besides just what you saw from the porch?

Mr. BECK. The marchers came on across the prairie down the dirt road and the police camped a short distance in, and just as they met I jumped out from the porch and ran into the police lines, halting alongside Captain Kilroy.

Senator LA FOLLETTE. As you saw these people marching, from the porch, the main body of the marchers, did they seem to you to be in military formation?

Mr. BECK. No; they didn't; not any semblance of it.

Senator LA FOLLETTE. What did they look like to you?

Mr. BECK. They looked like a group of just a mass of people marching. It is rather a crude and perhaps an unjust and unfair comparison, but it is the type of march, unorganized, that one sees on May Day—on Labor Day, if that is better.

Senator LA FOLLETTE. Did you hear anything that they were saying or doing, singing, as they came along?

Mr. BECK. They were not singing. They were maintaining a monotonous chant of "C. I. O., C. I. O."

Senator LA FOLLETTE. Do you know the song that is called the "Internationale"?

Mr. BECK. Yes; I do.

Senator LA FOLLETTE. Did you hear that song sung?

Mr. BECK. No; I didn't.

Senator LA FOLLETTE. Now, you say that when the crowd got to the police lines you jumped off the porch and ran to the line near Captain Kilroy?

Mr. BECK. Yes.

Senator LA FOLLETTE. How far away were you from Captain Kilroy?

Mr. BECK. Perhaps 8 inches.

Senator LA FOLLETTE. Were you standing right back of him?

Mr. BECK. Yes; right alongside to his right and a little bit back.

Senator LA FOLLETTE. And by the time you got up there and within a few inches of Captain Kilroy, had the crowd come up to the police lines?

Mr. BECK. Yes; they were at the police lines then.

Senator LA FOLLETTE. How much time elapsed from the time you left the porch until you got up next to Captain Kilroy?

Mr. BECK. Not more than perhaps 2 minutes.

Senator LA FOLLETTE. What was the situation when you got up to the police lines?

Mr. BECK. Captain Mooney, farther west in the line, was talking to a few of the strikers in the front, asking them to go back, and he stopped and Captain Kilroy took up the plea.

Senator LA FOLLETTE. What was the substance of what they said?

Mr. BECK. Asking them in soft tones to please turn around and go back:

We can't let you go any farther; you simply can't pass; you can't go on. Please tell your people to turn around and go back. We don't want any trouble here.

Senator LA FOLLETTE. Was that in a conversational tone of voice or in a loud tone of voice?

Mr. BECK. In a conversational tone, to first one and then another individual in the front line.

Senator LA FOLLETTE. In your judgment—you were standing right there—could people back in the lines of the crowd of the marchers have heard what they said?

Mr. BECK. No; they could not. In fact, they were pressing around the front lines to hear what the police were saying to their leaders, and to those that were in the front lines, that is.

Senator LA FOLLETTE. Will you look at this exhibit, which may be given a number?

(The picture was marked "Exhibit 1397"¹ and is reproduced in the appendix on p. 5139.)

Senator LA FOLLETTE. Can you see yourself in this picture?

Mr. BECK. I can.

Senator LA FOLLETTE. Where are you?

Mr. BECK. There is a bareheaded chap who has slick hair, shows through the right center of the picture, front line of strikers. Do you see the sign there, "Republic Steel Violates" something?

Senator LA FOLLETTE. "Labor Disputes Act"—yes; I see that sign.

Mr. BECK. To the left of that sign there is a slick-haired chap.

Senator LA FOLLETTE. Yes.

Mr. BECK. The officer immediately to his left that is, right in the picture, is Captain Kilroy. The next head is that of the city detective, wearing a white shirt and felt hat, and I am standing with my hand on my hip in front of the city detective, next to Kilroy.

Senator LA FOLLETTE. Did you hear anything that was said by any of the marchers who were talking to Captain Kilroy?

Mr. BECK. Yes; I heard those that were talking directly to him.

Senator LA FOLLETTE. What did they say?

Mr. BECK. They said that "we have our civil rights, we have our constitutional rights, and Mayor Kelly said we could go through. We want to establish mass picketing there. There is no law against it, we are perfectly right and legally entitled to our picket lines and we want to go up and picket the plant."

That was the substance of all remarks made. They were repeated. They were excited and hot and kept repeating the same thing over again, as did the police.

Senator LA FOLLETTE. How long would you say this conversation went on?

Mr. BECK. From the time the strikers lined two abreast of the police line, perhaps between 5 and 10 minutes—certainly not more than 10 minutes.

Senator LA FOLLETTE. So far as these men in the crowd who were talking to Captain Kilroy and whom you could hear, did you hear any threats made?

Mr. BECK. I didn't hear any; no.

Senator LA FOLLETTE. And during this conversation that you say took 5 or 10 minutes, did you see any indication of hostility in the line immediately in front of you on the part of the marchers?

Mr. BECK. No; none at all. It was more one of pleading, pleading as man to man. They told the captain they realized he had his job to do, but they just wanted to establish peaceful picketing and "Please let us through."

Senator LA FOLLETTE. Did you hear any of those immediately in front of Captain Kilroy and who were directing their remarks at him use foul epithets toward him?

Mr. BECK. No; I didn't.

Senator LA FOLLETTE. What was your position in the line with reference to the flag bearers?

Mr. BECK. I was east of the flag bearers.

¹ This photograph bore the letter "H."

Senator LA FOLLETTE. Did you observe a patrol wagon in the police line on the dirt road?

Mr. BECK. Yes; there were several of them there as I came down from the porch.

Senator LA FOLLETTE. And was there one near you, behind you?

Mr. BECK. Not that I remember.

Senator LA FOLLETTE. Was there one over to your right?

Mr. BECK. There was one to my right rear; yes.

Senator LA FOLLETTE. How far away from you would you say it was?

Mr. BECK. Perhaps 30 feet.

Senator LA FOLLETTE. Could you see these marchers who were in the front line immediately in front of you, could you see through the police line? In other words, so you could see the people who were in the immediate vicinity and among the marchers?

Mr. BECK. Yes.

Senator LA FOLLETTE. How were they armed?

Mr. BECK. Those in the front line were not armed, those that I saw in the front line.

Senator LA FOLLETTE. Didn't you see any with clubs in their hands?

Mr. BECK. Not in the front line; no. That is what I was surprised about there, because those with clubs had been in the lead when the group left headquarters at Sam's place.

Senator LA FOLLETTE. Were the marchers in the front ranks scattered out or were they closely pressed together?

Mr. BECK. They were closely pressed together around the police captain so as to hear what was being said.

Senator LA FOLLETTE. In your opinion, would it have been possible for those in the front line, assuming that they had clubs, to wield them? Did they have enough space around them?

Mr. BECK. No; they were much too tightly pressed together to have any arm space at all.

Senator LA FOLLETTE. You say that you joined the police at one Hundred and Seventeenth Street and Green Bay Avenue?

Mr. BECK. Yes.

Senator LA FOLLETTE. And you accompanied them over to One Hundred and Sixteenth and South Burley?

Mr. BECK. A Hundred and Seventeenth and South Burley and then on into the prairie.

Senator LA FOLLETTE. Did you observe any police carrying any equipment not regulation?

Mr. BECK. Yes; some of the police had ax handles.

Senator LA FOLLETTE. What did they look like; were they light in color?

Mr. BECK. Yes; they were unpainted; that is, just a plain white wood ax handle.

Senator LA FOLLETTE. How many would you say you saw with pickax handles?

Mr. BECK. They were not pickax handles; they were short hatchet handles.

Senator LA FOLLETTE. With short hatchet handles, approximately how many?

Mr. BECK. Approximately 40.

Senator LA FOLLETTE. Were those the same kind of hatchet handles that you had seen the employees of the plant armed with when you had been there on previous days?

Mr. BECK. Yes.

Senator LA FOLLETTE. And that is, you say, before any trouble started?

Mr. BECK. Yes.

Senator LA FOLLETTE. Your answer is "yes"?

Mr. BECK. Yes.

Senator LA FOLLETTE. Now, please describe, to the best of your recollection, what happened from this point on.

Mr. BECK. Captain Kilroy spoke first, and spoke to one chap, then to another, some curly-haired chap, sleeves rolled up midway between his elbow and shoulder, white shirt open, the last chap he spoke to. He apparently had them convinced they could not get through the police line; they would have to turn around and go back.

Senator LA FOLLETTE. Why do you say that?

Mr. BECK. Because of the look on the chap's face; and he was turning around, he was about halfway turned around as though to address the people in the rear of them, when from my right to the strikers' line, about 20 feet back, someone threw a branch of a tree being carried as a club over the heads of the strikers in the direction of the police. About eight police to my right in the front line shouted, "Watch out", and the next thing I heard was a shot from the rear of me, about 15 feet, roughly, the spot where the club would have landed, and I turned around and saw a policeman's revolver pointing in the air over the heads of the other officers. No sooner had the first shot or two been fired, perhaps three, than this rain of rocks and clubs came from the strikers. There appeared to be a concentration of them coming just from my left and about 4 or 5 feet back and about 50 feet back in the strikers' ranks.

At the same point a large number of policemen immediately around me and to my rear drew their guns and fired—those in the rear, firing into the air, and I saw a few on the front line fire point-blank into the crowd. There was a total volley of 200 shots fired. The mob broke and ran. The police—no one of whom reloaded his gun to shoot it again—put their revolvers back in their holsters, those who had them out, and started to work with their clubs. Those who had not trained their guns set to work immediately with their clubs.

Senator LA FOLLETTE. Set to work on whom?

Mr. BECK. On the strikers.

Senator LA FOLLETTE. I thought you said they broke and ran after these shots were fired.

Mr. BECK. Yes; they did, but because of their proximity there were a few of those that the police were able to get at right away. The largest body of them were able to make it across the prairie.

Senator LA FOLLETTE. Did you see any of the police using their clubs on the marchers?

Mr. BECK. Yes; I did.

Senator LA FOLLETTE. Were these marchers clubbing the police in return?

Mr. BECK. No; they were not. They were trying to do their darndest in order to get away from them and get back across the prairie, where they would be safe.

Senator LA FOLLETTE. Did you see any single instance where an individual who was being clubbed by the police was trying to resist or fight back?

Mr. BECK. They were all resisting, but none were fighting back; they were just trying to protect themselves.

Senator LA FOLLETTE. You mean by resisting—what do you mean by resisting?

Mr. BECK. If the policemen held them, they were trying to pull away. They were not trying to injure the policemen in any way; they were just trying to get away for their own safety.

Senator LA FOLLETTE. Will you go back again, please, Mr. Beck, and trace for me the time factor in relation to the clubbing, the shot that you heard behind you from the police, the shower of missiles, and the couple of hundred shots you heard, some of those you say firing point blank into the retreating crowd?

Mr. BECK. Well, the first shot was fired—

Senator LA FOLLETTE. The club came first, didn't it?

Mr. BECK. The club came first. The club had not reached the peak of its arc when the first shot was fired.

Senator LA FOLLETTE. And that was fired by a policeman standing in the rear?

Mr. BECK. Yes, sir.

Senator LA FOLLETTE. How long would you say before this storm of missiles, clubs, bricks, rocks, and whatnot came?

Mr. BECK. They took them as a cue, apparently. It certainly wasn't more than 3 or 4 seconds at the most, if that long, because practically instantaneously, as time would allow them to draw back their arms and throw.

Senator LA FOLLETTE. Then how soon did the volley or fusillade of shots from the police come?

Mr. BECK. That came while the majority of missiles were still in the air.

Senator LA FOLLETTE. Did you see any incidents where the police continued to club marchers who were on the ground?

Mr. BECK. Yes; the greatest of the instances were those.

Senator LA FOLLETTE. Most of the clubbing you saw was where the marchers were on the ground and the police were belaying them with their clubs?

Mr. BECK. That's right. There were just a few who were caught as they ran by and were clubbed by the policemen.

Senator LA FOLLETTE. Did you see any instance of any policeman being on the ground?

Mr. BECK. I saw one or two policemen who had been dropped to the ground after being hit in the face by rocks.

Senator LA FOLLETTE. Did you see them surrounded by strikers, being assaulted?

Mr. BECK. No; no striker would stay around there with the police concentrating on them. They were all doing their utmost to get back across the field and out of the range of police guns and clubs.

Senator LA FOLLETTE. Did you observe any use of gas in this situation?

Mr. BECK. I didn't see it thrown; I saw it land in the strikers' midst.

Senator LA FOLLETTE. How soon did the gas get in there after the shooting?

Mr. BECK. The gas apparently was thrown by someone at the same time that others were doing the shooting.

Senator LA FOLLETTE. What were the tactics of the police? Did they seem to work any sort of general tactics?

Mr. BECK. Well, their only practice seemed to be that they would not attack the strikers individually; no police would go without another one or two or even three accompanying him to any two strikers lying on the ground.

Senator LA FOLLETTE. Did you see any of the gas explode in the ranks of the police?

Mr. BECK. After the main skirmish was over and the marchers had retired across the field, police led by Captain Mooney and Captain Kilroy reassembled and advanced down the field for a distance of perhaps two or three hundred feet, and someone came up from the rear with a carton containing perhaps two dozen tear-gas bombs.

Senator LA FOLLETTE. A police officer?

Mr. BECK. Police officer, yes—wait a minute—I don't know whether it was a police officer or not. I didn't see him, I just saw them being set down there. I saw the bombs and they held my attention for a moment, and in the meantime the party retreated. They were in olive-drab cans, and some policeman said, "Here is some more tear gas", and there was a group of policemen made a rush to get one of the bombs, and one of them who did get it was asked by a police sergeant standing near me whether he knew how to use it, and he said "No." The sergeant explained to him that you pushed one thing down and then pull a pin and throw it; and the officer asked if he could push the thing down and pull the pin and hold it in readiness to throw it, and as soon as he threw it, whether it would go off, and the sergeant said "Yes", he could do that. As a consequence, the officer pulled the pin and held this piece down and the bomb popped in his hand and dropped at his feet immediately in the front ranks of the police, and the bomb proceeded to discharge its gas.

Another officer standing to his right about 10 feet thought that that was a signal, or that an order had been given to drop or throw the bombs, and in his excitement, apparently, he left his go and threw it a distance of perhaps 10 or 15 feet in front. The police retreated about 5 or 6 feet, just so they could be away from the fumes and then returned to their positions. The gas that was thrown earlier might well have got into the lungs of some of the police. There were newspapermen there who later told me they got some of it; newspaper photographers, they got them to take pictures of some of the clubbing that was going on.

Senator LA FOLLETTE. Captain Mooney testified yesterday, Mr. Beck, that if the police had not acted as they did the strikers would have stormed and entered the plant. From your observation of the situation, do you agree with Captain Mooney's conclusions?

Mr. BECK. No; I don't. On Thursday and Friday preceding there had been meetings with the police lines at One Hundred and Seventeenth Street and Green Bay Avenue. That was on Thursday evening; the police had asked about 300 of them to turn around and go

back, and they could not go any further. They did this peacefully and without any trouble. When we returned to the plant after that about-face on the part of the pickets, there was a group of about 100 plant employees standing at the company gate, armed with pick handles and riot sticks, as though waiting for whoever came to enter the plant or to approach it, and at the same time they had called out the complete force of company police, some of whom had been off duty at the time. When we returned on May 30 from the outbreak in the field there were again a number of the plant employees at the plant gates, and again the full force of company police standing by. At the same time there was a small reserve detail of city police at the gates.

Senator LA FOLLETTE. Now, Mr. Beck, on the other days that you were at the plant, did you see pickets there?

Mr. BECK. Yes; I did.

Senator LA FOLLETTE. Were they permitted to picket there peacefully?

Mr. BECK. They were.

Senator LA FOLLETTE. On Wednesday, Thursday, and Friday?

Mr. BECK. There were none there on Wednesday night. They came out first on, I believe it was Thursday, and they remained Friday and Saturday, and so on right through.

Senator LA FOLLETTE. Were they at the plant gate?

Mr. BECK. They were not directly at the plant gate; they were in Burley Avenue in front of the plant gate.

Senator LA FOLLETTE. About how many pickets did you see there?

Mr. BECK. They varied—usually between 12 and 18. Sometimes they were able to rally a larger number. They had perhaps 22 or 24, seldom more than that.

Senator LA FOLLETTE. Will you look at exhibit 1358? I will give you the original and I will give you an enlargement that was made from it. It is an A. P. photo.

Are you able to find yourself in this picture?

Mr. BECK. I am.

Senator LA FOLLETTE. Where are you?

Mr. BECK. I am about five feet to the right-rear of Captain Kilroy, who is running with his cap in his hand. Between us is, again, a city detective.

Senator LA FOLLETTE. Now, where are you in relation to the plain-clothes man with the felt hat on?

Mr. BECK. Who is behind Captain Kilroy? You can just see my hat there, about 3 feet to the right of the plain-clothes man.

Senator LA FOLLETTE. Will you please closely observe this picture and tell me how soon after the shot and the trouble started you think it was taken?

Mr. BECK. I should say it was taken just about the time, perhaps, the fourth or fifth shot was being fired; just at the time—no; wait a minute—not that late, perhaps the second or third time, just before there was a general revolver fire. I believe the club that I saw has not yet landed on the group of policemen near the patrol wagon ducking their heads. You can see the various missiles coming through the air.

¹ See p. 5137.

Senator LA FOLLETTE. Do you see the officer with his gun pointed in the air?

Mr. BECK. Yes; I believe I do. There is a small knot gathered right around the northwest corner of the patrol wagon, and he is about 2 feet directly west of the last man in that group with his revolver in the air.

Senator LA FOLLETTE. A copy of the subpoena under which Mr. Beck appears here will be printed in the record.

(The document was marked "Exhibit 1398" and appears in the appendix on pp. 5052-5053.)

Senator THOMAS. Will you look at this picture, "R¹", Mr. Beck, and the officer or the individual here with a helmet that is different from the others? Did that happen to be a company helmet?

Mr. BECK. No; that is not a company helmet.

Senator THOMAS. It is a policeman, isn't it?

Mr. BECK. It is a policeman. The company officers are all slender.

Senator THOMAS. Their uniform is a different color, too, isn't it?

Mr. BECK. Yes; it is Oxford gray whipcord, and on that day they were not wearing their coats.

Senator LA FOLLETTE. You are temporarily excused from the stand, Mr. Beck, and the committee will take a recess until 10 o'clock tomorrow morning.

(Whereupon, at 5:30 p. m., a recess was taken until tomorrow, Friday, July 2, 1937, at 10 a. m.)

¹ See exhibit 1349, p. 5133.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

FRIDAY, JULY 2, 1937

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C.

The committee met at 10 a. m., pursuant to adjournment, in the caucus room, Senate Office Building, Senator Robert M. La Follette, Jr., presiding.

Present: Senators Robert M. La Follette, Jr. (chairman), and Elbert D. Thomas, of Utah; John J. Abt, counsel for the committee; and Robert Wohlforth, secretary of the committee.

Senator LA FOLLETTE. John Riffe.

TESTIMONY OF JOHN RIFFE

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name, please?

Mr. RIFFE. John V. Riffe.

Senator LA FOLLETTE. How do you spell your last name?

Mr. RIFFE. R-i-f-f-e.

Senator LA FOLLETTE. Where do you live?

Mr. RIFFE. 2924 East Ninety-second Street, Chicago, Ill.

Senator LA FOLLETTE. By whom are you employed?

Mr. RIFFE. Steel Workers' Organizing Committee.

Senator LA FOLLETTE. Do you hold any position with that committee?

Mr. RIFFE. A subdistrict director in South Chicago.

Senator LA FOLLETTE. What are your duties?

Mr. RIFFE. Well, I have some five or six organizers under me, to direct the work of those organizers and to settle grievance cases, go out and settle grievance cases with the companies that we have contracts with.

Senator LA FOLLETTE. How long have you held this position?

Mr. RIFFE. For a year.

Senator LA FOLLETTE. What were you doing prior to that time?

Mr. RIFFE. Working for the United Mine Workers of America.

Senator LA FOLLETTE. As an organizer?

Mr. RIFFE. Yes, sir.

Senator LA FOLLETTE. In what district?

Mr. RIFFE. District 17, southern West Virginia.

Senator LA FOLLETTE. How long had you been with the United Mine Workers of America?

Mr. RIFFE. Six years.

Senator LA FOLLETTE. Were you a miner?

Mr. RIFFE. Yes, sir.

Senator LA FOLLETTE. When was the strike at the Republic Steel plant in South Chicago called?

Mr. RIFFE. Senator, on May 14 we had a meeting.

Senator LA FOLLETTE. Who had a meeting?

Mr. RIFFE. The employees of the Republic Steel Co. They voted in that meeting at that time to give the authority to the Steel Workers' Organizing Committee any time they deemed necessary and they thought negotiation was completely broke down, they could get into the negotiations or at any time they deem it necessary to call a strike—they left it in the hands of the Steel Workers' Organizing Committee to call that strike—voted on May 14 to that effect.

Senator LA FOLLETTE. Did this organization have any designation that voted this authority to the organizing committee?

Mr. RIFFE. They was connected, that was part of the Steel Workers' Organizing Committee, known as the Amalgamated Association of Iron, Steel, and Tin Workers.

Senator LA FOLLETTE. What I meant was this: A meeting of a local or just a group of people?

Mr. RIFFE. A meeting of Local 1033, Blue Eagle Lodge.

Senator LA FOLLETTE. Is that a local composed entirely of employees of the Republic?

Mr. RIFFE. Right.

Senator LA FOLLETTE. What time was the strike called?

Mr. RIFFE. On Wednesday, May 26, for 11 o'clock that night.

Senator LA FOLLETTE. What was the reason for calling the strike?

Mr. RIFFE. The company would not meet with the representatives of the employees to negotiate wages and working conditions.

Senator LA FOLLETTE. How long had you been attempting to get into negotiations?

Mr. RIFFE. For about 6 months.

Senator LA FOLLETTE. When did the strike actually start?

Mr. RIFFE. The strike was called for 11 o'clock, as I say.

Senator LA FOLLETTE. Eleven in the morning or 11 at night?

Mr. RIFFE. Night, on May 26. We was having a meeting which was called at 4:30, the men who worked on the night shift. While we were having that meeting, something around 5 o'clock, someone came from the plant and said the Republic plant was on strike, went on strike around 3:30. We asked them why, there was no strike called until 11 o'clock, and they said, "Well, the bosses and the foremen in the plant came around through the plant telling the men, 'Well, the strike is on at the change of shifts.' They have two shifts of workers in there, they have as many men in the plant as they possibly could."

Senator LA FOLLETTE. You learned this from someone else?

Mr. RIFFE. It came from the plant, came out of the plant on strike. We adjourned the meeting and went to the plant, arriving at the plant—

Senator LA FOLLETTE (interrupting). About what time did you get there?

Mr. RIFFE. Around just 6:30, arrived at the plant and found some 50 men and women on the outside of the plant. On the outside of the plant there was 150 policemen, maybe more. Some 200 men and women went from the meeting over to the plant. There seemed

to be tension between the police and the strikers. I asked some of the police who was in charge of the police force there. They informed me that Captain Mooney was. I asked if I could see him. They said yes, taking me inside the plant, a small building.

Senator LA FOLLETTE. You mean inside the gate?

Mr. RIFFE. Inside the gate, yes; in a small building where they had temporary headquarters set up. Captain Mooney and two or three, maybe four plain-clothes men and some uniformed police was in there. I talked to him and I told him our people who are on strike here is going to conduct this according to law. We don't want any trouble. We have the right to strike and picket, and we hope the police will give us the same consideration and the same treatment we give them. He said, "There is a sit-down strike in this plant. Will you clean these people out of here?" I said, "I will. Will you go along with me?" He said, "No; but I will send someone." He sent two or three plain-clothes men who said they were detectives, maybe a uniformed police or two inside of the plant. I think I seen some 150 to 200 police in there.

Senator LA FOLLETTE. You mean uniformed city police?

Mr. RIFFE. Uniformed city police, I well know. I got out to the first mill, which is known as the 10-inch mill. There was some two or three hundred men employees standing around there. I asked them if they knew me and they said "Yes." I said, "Well, the management and the captain have requested me to ask you men to all leave this plant, they don't want any sit-down strike and we don't want any of our men violating the law." I said, "Now, come on out of the plant, we will picket on the outside."

Captain Mooney stopped me, he got to me at that time, he said, "You can't do that. Take your men out of here." I said, "How do I know our men from the rest of them?" He said, "You can't take anyone out. Go on and get out."

I went back to headquarters and he said to me, "We are going to run this plant whether you like it or not, you and the strikers, too", and cussed when he said it. I went outside the plant. I said, "Where can we picket? We don't want any disturbance, no run-in with the police." He said, "As long as you stay across the railroad you can picket, you won't be bothered."

I went to the strikers and informed them to stay across the railroad, which is some 30 or 40 yards away from the plant gate. There was none of the strikers across the railroad. Some men came out of the plant, some three or four hundred, maybe five or six at a time, and as they came out the strikers would cheer them and they would join the picket line.

Senator LA FOLLETTE. Across the railroad?

Mr. RIFFE. Across the railroad, over on Burley. So we stayed there until around 8 o'clock. I call the officers of the lodge in a building across the street, having a meeting and deciding on picketing, assigning men on picket duty, and I heard noises outside. I got up and walked out, and about 100 to 150 police was walking out of the mill gate in three groups abreast. They walked down next to the strikers and they began swinging clubs, "Get back, get back, you can't interfere with this gate here." That is where they told us to be.

Senator LA FOLLETTE. Had any of the pickets crossed the railroad?

Mr. RIFFE. They had not, Senator, at no time.

Senator LA FOLLETTE. What instructions, if any, did you give to the pickets at this time?

Mr. RIFFE. I got to them about the time the police reached them, maybe a second or two later. I said to the pickets, "Don't break your picket line, hold your picket line. We have a right to picket."

Captain Mooney and one more officer grabbed me. Captain Mooney called me a Bolshevik and cursed me and said, "If you cheep again we'll bust your head in", and he took me to the patrol wagon and put me in the patrol wagon, which was across toward the plant. I could see the pickets through the front of the patrol wagon. They kept beating them back, pushing them back, hitting at them with their sticks, breaking the picket line. Some of the pickets was pushed up to One Hundred and Eighteenth Street to the streetcar line. They was broke. Back of One Hundred and Eighteenth Street you can see the streetcar line. The crowd of the pickets was pushed down South Burley. They kept fighting and pushing at them.

Senator LA FOLLETTE. Just a moment—were you able to see this?

Mr. RIFFE. I was. The wagon was sitting at the gate and turned down that way. Then, when they pushed them out of my sight down Burley Avenue I could not see them. I could see those going up One Hundred and Eighteenth Street. I sit in the wagon awhile. They arrested a man by the name of Englum.

Senator LA FOLLETTE. How do you spell that?

Mr. RIFFE. E-n-g-l-u-m, I believe, who lived just across Burley Avenue in one of those houses you can see there. He was going toward his home and I seen them arrest him and put him in the wagon. A minute or two later they brought another man and put him in the wagon. They drove the wagon out on South Burley down toward One Hundred and Seventeenth, where the crowd was. You can see where One Hundred and Seventeenth Street turns east there. A group of strikers back over the curve there, someone said, "Sit down." So they all sit down. When they did that the police charged them, grabbed them, and begin to put them in the wagon. Mr. Pitzel, Joe Pitzel, which was one of the organizers—

Senator LA FOLLETTE. How do you spell his name; do you know?

Mr. RIFFE. P-i-t-z-e-l—was kicked in the back and hit in the back and jabbed in the back with a club until he was completely out.

Senator LA FOLLETTE. Did you see this?

Mr. RIFFE. I did. They brought him and throwed him in the wagon with about 12 or 14 others. They completely broke the picket line.

Senator LA FOLLETTE. Where were you taken then?

Mr. RIFFE. South Chicago police station.

Senator LA FOLLETTE. Were you booked?

Mr. RIFFE. I was not. No one could see me until the next morning or talk with me.

Senator LA FOLLETTE. When were you released?

Mr. RIFFE. On Thursday morning, 6:30 or 7 o'clock.

Senator LA FOLLETTE. What were your activities after you were released, did you go back to the plant?

Mr. RIFFE. I did not on Thursday. I spent most of the day getting the rest of the group bonded, out on bond.

Senator LA FOLLETTE. What were you charged with?

Mr. RIFFE. With disorderly conduct and illegal assembly.

Senator LA FOLLETTE. Is your case still pending?

Mr. RIFFE. It is not.

Senator LA FOLLETTE. Was it dismissed?

Mr. RIFFE. No; we was fined \$1 each.

Senator LA FOLLETTE. You pleaded guilty to the charge, then?

Mr. RIFFE. Right.

Senator LA FOLLETTE. Did you see the march on Sunday, May 30?

Mr. RIFFE. I did.

Senator LA FOLLETTE. Where were you?

Mr. RIFFE. I was on the right side of that dirt road coming down from Sam's Place, back toward the middle of the line, possibly back further.

Senator LA FOLLETTE. Will you describe, briefly, what you saw?

Mr. RIFFE. Well, from where I was at, Senator, I could not see the front of the line when the police and the strikers had the run-in.

Senator LA FOLLETTE. Well, testify only to what you saw.

Mr. RIFFE. I could only hear the gun reports which came. I thought it was 40 or 50 shots, the first volley of shots, and I seen the fumes from gas bombs—I thought it was—which was between where I was at and the police. Then just in a second or two after that more shots from the police came. The crowd came running back then up toward Sam's Place—all of them that was able. Those that was not able was on the field. Then, as soon as I could, I got back to Sam's Place or close to it where there was quite a lot of cars parked. I asked the men who owned the cars to drive down the field, go and help pick up the injured. Some two or three cars that drove down picked up the injured and brought some of them back to headquarters. There was a doctor there, we had called a doctor, I think it was on Thursday, to give first-aid to those he could; and those seriously injured, we rushed them on to the hospitals.

Senator LA FOLLETTE. You saw this situation there on Wednesday. Did you go back to the plant at any time prior to Sunday?

Mr. RIFFE. I did. I was there Friday.

Senator LA FOLLETTE. Were the pickets permitted to picket, as has been testified here?

Mr. RIFFE. They were not, Senator.

Senator LA FOLLETTE. Were they not picketing there?

Mr. RIFFE. They was. Sometimes we was allowed five men, sometimes we was allowed six men—just whatever Captain Mooney told us could be there. If we put in more than that or attempted to drive them down there we was stopped at One Hundred and Seventeenth or Green Bay or Avenue O. That is as close down as we could get.

Senator LA FOLLETTE. Where were the pickets permitted to go that were allowed to picket?

Mr. RIFFE. They was on Burley Avenue there in front of the plant, say between the railroad and Burley Avenue, around there in a round circle. They give us strict orders that we would march around in a round circle, we would not stop, we had to have signs on every picket, we was not to open our mouth, silent at all times on the picket line, not even speak or anything.

Senator LA FOLLETTE. Were you permitted to distribute any literature?

Mr. RIFFE. I did not attempt to distribute any that I know of there at the gates.

Senator LA FOLLETTE. Were these pickets allowed to go near the gates?

Mr. RIFFE. They was not.

Senator LA FOLLETTE. How far away did they have to stay?

Mr. RIFFE. Well, something around 40 yards.

Senator LA FOLLETTE. Have you ever had any experience on picket lines before?

Mr. RIFFE. I have.

Senator LA FOLLETTE. Would you say that in this situation the pickets were allowed less or more liberties and privileges than in these other situations you are familiar with?

Mr. RIFFE. Mr. Chairman, I say that in all of my working for a labor organization that the pickets at the Republic Steel was allowed less privilege than any pickets I have ever dealt with. We was allowed less privilege in that strike. We was confined to smaller territory than any group of pickets I ever handled before.

Senator LA FOLLETTE. I offer for the record a copy of the subpoena under which you appear before this committee. It may be given an exhibit number.

(The document was marked "Exhibit 1399" and appears in the appendix on p. 5053.)

Senator THOMAS. Where were you born, Mr. Riffe?

Mr. RIFFE. At Jenkins, Ky.

Senator THOMAS. When?

Mr. RIFFE. March 15, 1904.

Senator THOMAS. On Sunday, you said, you stayed back near Sam's Place. Did you have any reason for staying back there?

Mr. RIFFE. I did not, Senator. After the meeting broke there at Sam's Place—we have the place leased where we held the meeting, it was our property under lease.

Senator THOMAS. What do you mean by "our property"?

Mr. RIFFE. It is under lease, the Steel Workers' Organizing Committee has a lease on it.

Senator THOMAS. So that it is the union headquarters?

Mr. RIFFE. That's right, and all that property around that place where we were holding the meeting.

Senator THOMAS. When you saw the march going did you tell the people where you would be?

Mr. RIFFE. I don't know that I did, Senator. I was in the building at the time. Just before the meeting adjourned I left the platform and went in the building and when the motion was made to proceed down to the Republic plant and peacefully picket, I did not learn that until they started.

Senator THOMAS. Were you presiding over the meeting?

Mr. RIFFE. I was not.

Senator THOMAS. Who was?

Mr. RIFFE. Joe Weber.

Senator THOMAS. What is he?

Mr. RIFFE. He is a local organizer in Indiana Harbor at the present time, but he was transferred from Indiana Harbor to South Chicago.

Senator THOMAS. When you decided to help take care of the wounded or those that were injured, were you recognized as a leader at all by the people you asked to bring their automobiles?

Mr. RIFFE. I was.

Senator THOMAS. And they brought their automobiles down?

Mr. RIFFE. They did.

Senator THOMAS. Did you, as a leader, have anything to do with the march?

Mr. RIFFE. I did not, more than join the march and go down with them as far as we got down.

Senator THOMAS. How far did you go?

Mr. RIFFE. I went down to, I imagine, possibly 200 feet back from where the front of the line was.

Senator THOMAS. How was it you were not in the front line?

Mr. RIFFE. I started to state that, Senator. I was in the building near the line as it started. The majority of the group was gone down the road before I got out of the building. I guess I saw 1,200 to 1,500 people there that day. That is why I was back from the front of the line.

Senator THOMAS. You don't think there were 2,500 people?

Mr. RIFFE. No; there could not have been, Senator.

Senator THOMAS. Twelve to fifteen hundred?

Mr. RIFFE. That's right.

Senator THOMAS. Did you have any connection with the front-line men at all, from where you were?

Mr. RIFFE. I did not.

Senator THOMAS. Did you post anybody in between you and the persons in front?

Mr. RIFFE. I did not.

Senator THOMAS. Did you have any connection with headquarters?

Mr. RIFFE. You mean the headquarters at Sam's Place?

Senator THOMAS. Yes.

Mr. RIFFE. Yes.

Senator THOMAS. Did you have some men between you and headquarters?

Mr. RIFFE. You mean directing the work? Yes; I had four men.

Senator THOMAS. What did they do?

Mr. RIFFE. They took care of picket lines, had been since the strike had been on, directed the pickets in carrying the eats there for the pickets—that is, feed them—and they would work generally around the struck plant and the headquarters.

Senator THOMAS. Were you enough of a leader so if you had called to the marchers to stop and asked them to return they would have obeyed your command?

Mr. RIFFE. Yes; I believe they would have if they could have heard me. But even if I had attempted that they were so far gone I could not have stopped them, and I didn't think we were doing anything wrong; I didn't think we were violating the law.

Senator THOMAS. That is not the question. You see, we have been told about this crowd, that it was up to 2,500, and now you estimate between 1,200 and 1,500?

Mr. RIFFE. That's right.

Senator THOMAS. And I am interested in what kind of organization it had, if the organization was there. How many of your leaders was in the crowd?

Mr. RIFFE. Well, I could not state exactly. There was some three or four of them, though. I can say this—if I had been where the crowd could have heard me and asked them to turn back I am sure they would have turned back.

Senator THOMAS. Of the people that came in from Indiana, how many belonged to your organization?

Mr. RIFFE. I will say practically all the people who came in from Indiana were members of our union.

Senator THOMAS. How many do you think came over the line for that meeting?

Mr. RIFFE. I could not say, Senator, not a great lot, though.

Senator THOMAS. Were there enough of them so those people would have been the controlling influence?

Mr. RIFFE. From Indiana? I don't think so; I think the majority of the people at that meeting there that day was Republic employees and Youngstown Sheet & Tube.

Senator THOMAS. How many do you think came from Indiana in numbers—50?

Mr. RIFFE. Why, possibly 150.

Senator THOMAS. How many employees do you think there were there?

Mr. RIFFE. Republic Steel?

Senator THOMAS. Yes.

Mr. RIFFE. Well, I would say around 1,000.

Senator THOMAS. Around a thousand?

Mr. RIFFE. Yes.

Senator THOMAS. How many women and children?

Mr. RIFFE. About 25 percent of them.

Senator THOMAS. That would mean a quarter of 1,500?

Mr. RIFFE. Maybe 15 percent of them was women and children.

Senator THOMAS. Were there any women strikers, were there any women employees at the Republic Steel out on strike?

Mr. RIFFE. I don't think so.

Senator THOMAS. No children?

Mr. RIFFE. No; no children.

Senator THOMAS. You think 15 percent of the crowd were women?

Mr. RIFFE. Possibly that much. I wouldn't say.

Senator THOMAS. That would not leave very many people who are nonstrikers then, would it?

Mr. RIFFE. From the Republic plant?

Senator THOMAS. Yes.

Mr. RIFFE. I don't think so. There could not have been many.

Senator THOMAS. Had you passed out any literature before the time of the trouble?

Mr. RIFFE. Yes; I think so. We passed out a leaflet calling the meeting.

Senator THOMAS. What kind of literature generally did you pass out—just the call?

Mr. RIFFE. I believe it was a leaflet stating the protest meeting against the activities of the police on Friday and Wednesday would be held on Sunday.

Senator THOMAS. Did you see any communistic literature passed out by anybody?

Mr. RIFFE. I didn't at no time.

Senator THOMAS. How many Communists do you think were there in that mob?

Mr. RIFFE. I could not state, Senator, but I don't think there was but very few. I say this: That if there was they was good citizens, what I know of them since I have been in Chicago.

Senator THOMAS. Was there any communistic propaganda being carried on?

Mr. RIFFE. There wasn't, at no time.

Senator THOMAS. No organized communistic movement?

Mr. RIFFE. They wasn't.

Senator THOMAS. Any Red movement?

Mr. RIFFE. They wasn't.

Senator THOMAS. Any radical movement?

Mr. RIFFE. Not that I know of.

Senator THOMAS. Were there any speeches that had anything to do with any subject other than the strike?

Mr. RIFFE. Nothing at all.

Senator THOMAS. What was the main objective of the crowd as they marched toward the gate?

Mr. RIFFE. To try to get down in front of the plant where we had been allowed to have pickets before that, to establish a picket line.

Senator THOMAS. So, if you had gotten in to the gates what would you have done?

Mr. RIFFE. We didn't have any idea of going into the gates. It was never discussed. I am sure if the gate had been left open, unguarded, not a man who was going down to that plant would have marched into that plant.

Senator THOMAS. Your aim was purely one of picketing, then?

Mr. RIFFE. That's right; nothing else.

Senator THOMAS. What was to be accomplished on that day by picketing?

Mr. RIFFE. To establish our picket lines permanently.

Senator THOMAS. Not many workers were coming in and out, were there?

Mr. RIFFE. The change of shift would be around 3:30 or 4 o'clock.

Senator THOMAS. Primarily you wanted to maintain your strike discipline?

Mr. RIFFE. That's right.

Senator THOMAS. Merely to keep the thing in what you considered good strike order?

Mr. RIFFE. That's right. That was our intention.

Senator THOMAS. Are any of your associates in this union foreigners?

Mr. RIFFE. Senator, what do you mean by foreigners, now—foreign-born or foreign descent?

Senator THOMAS. Yes; foreign-born—let's get those.

Mr. RIFFE. You mean the officers or the leaders of the union?

Senator THOMAS. Yes.

Mr. RIFFE. They are not.

Senator THOMAS. They are nearly all Americans, are they?

Mr. RIFFE. All of them.

Senator THOMAS. American-born?

Mr. RIFFE. Yes, sir; every one of them.

Senator THOMAS. Your leadership is American, then?

Mr. RIFFE. Citizens of the United States.

Senator THOMAS. The most of them born in the United States?

Mr. RIFFE. All of them; practically all of them. Maybe one or two wasn't.

Senator THOMAS. When the crowd went down toward the gate did it go down in an organized fashion?

Mr. RIFFE. It did not, Senator.

Senator THOMAS. How did you happen to have the flags?

Mr. RIFFE. We had the flags there at the headquarters. Someone went in and got them when the motion was made to go down and picket, so we thought it was right to take the flags along with us in front of the crowd that was walking down.

Senator THOMAS. For what purpose—why did you use a flag in the demonstration?

Mr. RIFFE. Well, I think so that people who met the crowd would respect them more and show that they were peaceful, not wanting any trouble, not going for any trouble. That was our intention of using the flags.

Senator THOMAS. Did you post a flag guard?

Mr. RIFFE. I am not sure, but I believe there was.

Senator THOMAS. You think there was?

Mr. RIFFE. Yes; I think there was.

Senator THOMAS. Was there anyone in the crowd that could be recognized as a leader in leading the group down?

Mr. RIFFE. I could not state that, Senator.

Senator THOMAS. Any of your associates that would have been respected?

Mr. RIFFE. Yes; I can say that.

Senator THOMAS. Did any of these men get hurt?

Mr. RIFFE. I don't believe so.

Senator THOMAS. Those that were killed, are they members of your organization?

Mr. RIFFE. They are.

Senator THOMAS. All of them?

Mr. RIFFE. All of them.

Senator LA FOLLETTE. Now, one other question. In the portion of the crowd which you were able to observe the marchers, how many did you see that were armed with sticks or clubs or rocks or pieces of pipe?

Mr. RIFFE. I didn't see anyone armed with stick, rock, club, or piece of pipe.

Senator LA FOLLETTE. On the way down you didn't see anyone?

Mr. RIFFE. I didn't see anyone at all.

Senator THOMAS. When the crowd came running back did you see anyone with clubs or pipe or sticks in their hands?

Mr. RIFFE. I don't think I did. The only sticks or clubs of any kind I seen, which you call clubs—I wouldn't call them clubs—was what the banners was tacked on.

Senator LA FOLLETTE. Will you look at this exhibit, picture "E", which may be given a number.

(The picture was marked "Exhibit 1400" and is reproduced in the appendix on p. 5140.)

Senator LA FOLLETTE. This is the head of the line with flags, and I can see Captain Mooney in the picture, which will help to locate its position on the line. I can only see the bodies, the full view of 1, 2, 3, 4, 5, 6, 7 men, and I can count 1, 2, 3, 4 good heavy-looking sticks, although they are not machined, and one man here looks as if he had a rock in his hand. Will you look at that picture?

(The picture was handed to the witness.)

Mr. RIFFE (after examining). Senator, I think, as has been stated here, that part of this prairie has been farmed in gardens and they had left sticks, rocks, and things like that in the gardens.

Senator LA FOLLETTE. It is pretty obvious that those men in the front ranks that we can see, in any case, have provided themselves with sticks, and one of them looks as if he had a rock in his hand, doesn't he?

Mr. RIFFE. That's right, but I don't think—

Senator LA FOLLETTE (interrupting). You say, so far as the portion of the crowd you saw, they didn't have any?

Mr. RIFFE. They didn't.

Senator LA FOLLETTE. You are excused.

Gus Yuratovac.

TESTIMONY OF GUS YURATOVAC

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name?

Mr. YURATOVAC. Gus Yuratovac.

Senator LA FOLLETTE. How do you pronounce it?

Mr. YURATOVAC. Yuratovac.

Senator LA FOLLETTE. What is your address?

Mr. YURATOVAC. Avenue M, Chicago, Ill.

Senator LA FOLLETTE. What is your occupation?

Mr. YURATOVAC. Machinist.

Senator LA FOLLETTE. Where have you been employed?

Mr. YURATOVAC. Republic Steel plant.

Senator LA FOLLETTE. For how long?

Mr. YURATOVAC. About 4 years.

Senator LA FOLLETTE. Where were you employed before that?

Mr. YURATOVAC. Good Humor Ice Cream Corporation.

Senator LA FOLLETTE. In Chicago?

Mr. YURATOVAC. Chicago.

Senator LA FOLLETTE. How long have you lived in Chicago?

Mr. YURATOVAC. Twenty-eight years.

Senator LA FOLLETTE. Were you born there?

Mr. YURATOVAC. Born and raised there.

Senator LA FOLLETTE. Are you a member of the Steel Workers Organizing Committee?

Mr. YURATOVAC. I am a member of the organization, Amalgamated Association.

Senator LA FOLLETTE. Do you hold any office in the Republic union?

Mr. YURATOVAC. I am the president of the lodge.

Senator LA FOLLETTE. Speak a little louder, please, Mr. Yuratovac. Now, when did you leave the plant?

Mr. YURATOVAC. 3:30, May 26.

Senator LA FOLLETTE. Mr. Riffe testified that the strike had been called for 11 p. m. Why did you leave before the strike was called?

Mr. YURATOVAC. Why did I leave? That was my time to go home. I worked the day shift.

Senator LA FOLLETTE. It was the shift?

Mr. YURATOVAC. Yes.

Senator LA FOLLETTE. When you left the plant did you notice anything?

Mr. YURATOVAC. I noticed a sound truck and handbills being distributed out there for a meeting to be called that night.

Senator LA FOLLETTE. Was the sound truck in operation?

Mr. YURATOVAC. Yes; it was.

Senator LA FOLLETTE. And what was being said over the loud speakers?

Mr. YURATOVAC. Telling the men to come down to the meeting to-night and to join the union.

Senator LA FOLLETTE. Where did you go when you left the plant?

Mr. YURATOVAC. I was told to go right down where one of the men was passing out handbills.

Senator LA FOLLETTE. One of the pickets?

Mr. YURATOVAC. No, organizers; there wasn't any pickets out there.

Senator LA FOLLETTE. When you got to headquarters did you talk to anybody?

Mr. YURATOVAC. Yes; I did.

Senator LA FOLLETTE. Who did you talk to?

Mr. YURATOVAC. Joe Germano.

Senator LA FOLLETTE. Spell that name.

Mr. YURATOVAC. G-e-r-m-a-n-o.

Senator LA FOLLETTE. Does he hold any position in the union?

Mr. YURATOVAC. Organizer for the Steel Workers' Organizing Committee.

Senator LA FOLLETTE. What did he say?

Mr. YURATOVAC. He asked me if I know there was a strike. I said no. I said, "Is there a strike?" He said, "Somebody called him up and said there was a strike." I said if there was a strike to cancel the meeting. He said he could not do it, he had to hold the meeting. I saw the sound truck, and I said, "How about sending the sound truck down there?" He says he could not do that, and John Riffe came down there and I asked Riffe if I could use the sound truck to keep those pickets in order. Riffe said yes, and just as soon as we got there an officer came up.

Senator LA FOLLETTE. Did you go down with the truck?

Mr. YURATOVAC. With the sound truck; and the officer says we would have to keep moving with the sound truck some way or the other, and the guy driving the sound truck said, "But this is not the law." And the officer pushed us on and we wanted to know why, and he said because we had no permit.

Senator LA FOLLETTE. Where were you taken?

Mr. YURATOVAC. They didn't take me; they took the driver. I got off the sound truck.

Senator LA FOLLETTE. Then what happened?

Mr. YURATOVAC. We stayed around there until about 6 o'clock. The fellows came down from the meeting and they tried to get the pickets in line and keep them in order, and we practically stayed there until 9 o'clock, and we was chased away.

Senator LA FOLLETTE. What became of the sound truck?

Mr. YURATOVAC. They kept the sound truck there.

Senator LA FOLLETTE. You mean you kept it?

Mr. YURATOVAC. No; the police officers.

Senator LA FOLLETTE. You were not permitted to use it?

Mr. YURATOVAC. I was not permitted to use it.

Senator LA FOLLETTE. Did you stay near the plant?

Mr. YURATOVAC. I was about 40 yards away from the gate.

Senator LA FOLLETTE. Across the railroad tracks?

Mr. YURATOVAC. Yes.

Senator LA FOLLETTE. How many others were there with you, would you say?

Mr. YURATOVAC. Oh, I imagine there was about four or five hundred outside at that time.

Senator LA FOLLETTE. Will you describe, briefly, what happened?

Mr. YURATOVAC. And just as the men was going out of the gate the men would cheer them and shake hands with them, and they kept moving back and forth, and lots of them was standing there. There was police officers outside. They was talking to the police officers, and the guys wanted to get inside the plant and they could not get through, because there was too big a crowd, and they told the men not to go inside, they told them the men was on strike, and they went back. A lot of them asked if they was allowed to go in there, and they said they was allowed to but it would not be right because of us fellows being on strike, and they turned about, and about 9 o'clock that night the police officers chased us away. They run us down One Hundred and Seventeenth south on Burley to One Hundred and Seventeenth and Avenue O. That is a State road.

In the meantime, when I stationed these here pickets I had told the men not to go any further than the State road. We had our cars parked on the road and we went back to get our cars and one officer would not let me get my car. I got in my car there and I didn't get it right away, and I went in the saloon there with two or three more pickets, and the officer came there and locked the saloonkeeper and his son up, and I stayed there until 11 o'clock. I came out of the saloon, and went down to One Hundred and Sixteenth and Avenue O, and I could not see anybody around there, and I went to headquarters and couldn't see no one there. So I circled around and came back and found a body of them in that prairie at One Hundred and Eighteenth and Green Bay.

Senator LA FOLLETTE. What time was this?

Mr. YURATOVAC. Twelve o'clock at night. We sent two of the strikers down to see Captain Kilroy or Captain Wheeler, one of them, to give us permission to use eight pickets in the picket line in front of the gate. So we sent eight of our men down there and they was there about 15 minutes and they chased them away. So we stopped in that prairie afterwards that night.

Senator LA FOLLETTE. What happened on Thursday?

Mr. YURATOVAC. On Thursday I went back to One Hundred and Thirteenth and Green Bay and somebody had rented Sam's Place for strike headquarters and we used that for headquarters; and as the men was coming up we had two or three hundred gathered around there by afternoon, and the paper came out and stated that Mayor Kelly would allow peaceful picketing. It was on the front page of the Daily Times, so we thought we would exercise our rights by going down and see if we could picket the plant with three or four hundred men. We formed a line and went down towards One Hundred and Seventeenth and Green Bay and we met several officers and they asked us where we were going. We said we were going to picket the gate. He said, "You cannot do it." We showed him the paper. He used profane language toward the paper and he asked if Mayor Kelly was higher than they was. So they asked us to go back, and we turned around and went back and nothing happened that day.

Senator LA FOLLETTE. Did you report this incident to your superior officer in the union or on the organizing committee?

Mr. YURATOVAC. Yes; I did.

Senator LA FOLLETTE. And what instructions did you receive from those organizers?

Mr. YURATOVAC. They said, "Stay here, don't go back there any more."

Senator LA FOLLETTE. Not to try to picket again?

Mr. YURATOVAC. Not to try to picket again. I guess they sent a telegram to Mayor Kelly to find out if they was right.

Senator LA FOLLETTE. Was any attempt made to picket the plant on Friday, do you know?

Mr. YURATOVAC. Yes.

Senator LA FOLLETTE. What happened?

Mr. YURATOVAC. On Friday we had a little meeting.

Senator LA FOLLETTE. You mean you gathered at Sam's Place?

Mr. YURATOVAC. That was our headquarters and we decided we would try to picket again, so there was an American flag in there and we took it and walked out and formed another march, and the officers at One Hundred and Seventeenth and Green Bay wouldn't allow us to go through, and we told them we was going through to picket that plant, and they said we wasn't. Somebody said, "Let's go", so we went on and we go up to One Hundred and Seventeenth and Burley Avenue, and there was a squad car there and the police got out to club the men, and I ran through one of these yards there.

Senator LA FOLLETTE. What was done on Saturday?

Mr. YURATOVAC. There wasn't nothing done on Saturday, just to have a meeting and have a protest meeting against the Chicago police.

Senator LA FOLLETTE. That is, you decided on Saturday to hold a meeting at Sam's Place, a mass meeting?

Mr. YURATOVAC. For Sunday afternoon.

Senator LA FOLLETTE. Did you attend that mass meeting?

Mr. YURATOVAC. I was there at the mass meeting, yes; I was in the hall. The mass meeting was outside.

Senator LA FOLLETTE. You were not out in the yard?

Mr. YURATOVAC. No.

Senator LA FOLLETTE. Did you see the march start?

Mr. YURATOVAC. I did.

Senator LA FOLLETTE. Did you join it?

Mr. YURATOVAC. Yes.

Senator LA FOLLETTE. Where were you in the line?

Mr. YURATOVAC. I was up in the front line until we got to the prairie, and I had instructions to keep these men in line, so I kept them in line and I fell in line, the twenty-fifth man back, about, and we got down to about right in the middle of the prairie there, about One Hundred and Sixteenth Street. The police started coming along the railroad tracks from the gate, One Hundred and Seventeenth and Burley. They were running single file and some of these men were scared they were going to surround these pickets and club them. As these fellows were in that field they probably picked up clubs, most of them did, 10 or 15, because the cops had their clubs out, because they figured they would surround them, as they did on Friday. My job was to get these men back into the line again, and that is what I did. I got them back and they proceeded to march, and when they got to Captain Mooney they stayed there about 10 or 15 minutes.

Senator LA FOLLETTE. How far away were you from the front line?

Mr. YURATOVAC. Two hundred yards away off over there, I was out in the prairie getting these people together again, and all I could hear was shots and tear gas, and the people started running. I said I didn't think the police would shoot people. I told the people they had better not stay there, they had better go back, and they went back, and the shots started to come again.

Senator LA FOLLETTE. These men, you say, picked up these clubs when they saw these officers running up the railroad tracks? Were they in the front line?

Mr. YURATOVAC. I was far in the back.

Senator LA FOLLETTE. I want to show you exhibit 1400.¹ It is pretty obvious the men in the front line there have sticks, isn't it?

Mr. YURATOVAC. Yes; they have.

Senator LA FOLLETTE. Doesn't that look to you that one of them had a pretty good-sized hunk of rock or concrete in his hands?

Mr. YURATOVAC. It might be one.

Senator LA FOLLETTE. He has something pretty big in his hand there, hasn't he?

Mr. YURATOVAC. Yes, he has. I can't make out what it is.

Senator LA FOLLETTE. It looks like a rock to me. How many other people did you see with sticks or stones or clubs?

Mr. YURATOVAC. I just seen the ones that picked them up off the road.

Senator LA FOLLETTE. How many, would you say?

Mr. YURATOVAC. About 10 or 15.

Senator LA FOLLETTE. How many pickets did you have at any one time, or were you permitted to have at any one time, on Thursday, Friday, or Saturday?

Mr. YURATOVAC. I guess it was Thursday morning about eight pickets were out there, and Friday morning I went in and saw Captain Mooney and I asked him about the law. I told him that

¹ See p. 5140.

we did not want to violate any law and wanted to know how many pickets we were allowed to have and what the law required, so we would not be breaking any law. I told him we wanted it in writing, and he said the only way we could get it in writing was from the corporation counsel. I didn't know where that was at, and I asked how many pickets we would be allowed and he said 16.

Senator LA FOLLETTE. Were you permitted, at any time after you had this conversation with Captain Mooney, to have 16 pickets?

Mr. YURATOVAC. We had 16 pickets; we put them there.

Senator LA FOLLETTE. They stayed there Friday, Saturday, and Sunday; is that right?

Mr. YURATOVAC. They did; they changed shifts there.

Senator THOMAS. Look at that one club with the sawed-off end in the hand of the striker. What does that look like to you?

Mr. YURATOVAC. It looks like a club, all right. It is a club.

Senator THOMAS. How can you account for that sawed-off end?

Mr. YURATOVAC. I don't know.

Senator THOMAS. Look at the policeman's club under his arm, over at the extreme right edge. What kind of club is that?

Mr. YURATOVAC. It don't look like a city police club.

Senator THOMAS. That white one?

Mr. YURATOVAC. Yes.

Senator THOMAS. Looks like what?

Mr. YURATOVAC. It don't look like a city police club.

Senator THOMAS. What does it look like?

Mr. YURATOVAC. An ordinary round club.

Senator THOMAS. A round club sawed off straight?

Mr. YURATOVAC. Yes.

Senator THOMAS. Have you ever seen that kind of a club before?

Mr. YURATOVAC. No, sir.

Senator THOMAS. Do you know where that came from?

Mr. YURATOVAC. No, sir.

Senator LA FOLLETTE. The subpoena under which you appear before this committee will be printed in the record and given an exhibit number. You are excused.

(The document was marked "Exhibit 1401" and appears in the appendix on pp. 5053-5054.)

Senator LA FOLLETTE. George Patterson.

TESTIMONY OF GEORGE A. PATTERSON

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name, please?

Mr. PATTERSON. George A. Patterson.

Senator LA FOLLETTE. Where do you live?

Mr. PATTERSON. 7622 Coles Avenue, Chicago, Ill.

Senator LA FOLLETTE. By whom are you employed?

Mr. PATTERSON. By the Steel Workers' Organizing Committee.

Senator LA FOLLETTE. How long have you held that position?

Mr. PATTERSON. About 10 months.

Senator LA FOLLETTE. What was your previous occupation?

Mr. PATTERSON. I was a roll turner in the South Works, Carnegie Illinois Steel, South Chicago.

Senator LA FOLLETTE. How long were you employed by them?

Mr. PATTERSON. Twelve years.

Senator LA FOLLETTE. Prior to May 26, 1937, were your main activities organizing in the Carnegie Illinois plant in South Chicago?

Mr. PATTERSON. That is correct.

Senator LA FOLLETTE. When did you first learn that there was to be a strike at the Republic Steel plant?

Mr. PATTERSON. I learned definitely Wednesday morning of the 26th.

Senator LA FOLLETTE. Did you go to the vicinity or to the plant, the Republic plant?

Mr. PATTERSON. I went there in the evening, about 7 o'clock.

Senator LA FOLLETTE. What was the occasion for your going there?

Mr. PATTERSON. About 6:30 or so, when I came down from the South Chicago office of our organizing committee, I heard that the strike already had been started. I had been given to understand that it would not be called until about 11 o'clock in the evening. As soon as I learned that the strike had evidently been pulled off a little too fast I immediately went down to the Republic Steel.

Senator LA FOLLETTE. Describe what you found when you arrived there.

Mr. PATTERSON. I got there about 7 o'clock. There was close to about a thousand people, in my estimation, standing outside of the plant, and there were men walking out of the plant who were evidently going on strike, and each time they did a cheer would go up, and they would be encouraged and men would run forward and shake their hands.

Senator LA FOLLETTE. Where was this crowd of people in relation to the gate of the plant?

Mr. PATTERSON. They were directly opposite the gate, across the railroad tracks, about 40 yards on Burley Avenue.

Senator LA FOLLETTE. Was there any disorder at the time you were there?

Mr. PATTERSON. No; there was no disorder at any time.

Senator LA FOLLETTE. What did you do after you arrived at the plant?

Mr. PATTERSON. I looked around for the other organizers but I could not locate them. Later I found that John Riffe had been in the plant. I didn't know that at the time. I thought to myself it was time there was a good picket line established inside of the crowd just standing there cheering people coming out. So I got up on top of an automobile and talked to the crowd. I told them I thought it was time we should get an established picket line and I asked for volunteers from the strikers, those in Republic Steel who felt that they would like to lead the picket lines. About 20 men came forward and said they would volunteer, so we went into the back room of the tavern across the street and tried to hold a little meeting.

I assigned the various men in the meeting who had volunteered and they vouched, to make sure they were union men and in good standing in the union, I assigned them each to a certain shift. They were going to work 8-hour shifts, and the first two men that volunteered to work from about 9 to 12 that evening, we immediately sent them out to get men who worked in their own department and who

were union men out on strike, to act as pickets. These men went out and then I stayed there and assigned the others to their various shifts, and about 9 o'clock we went out and there I found a pretty well-established picket line.

There were two ranks of workers stretching along Burley Avenue directly in front of the gates on this side of the tracks, however. I congratulated the leaders who had done such a fine job, and just about that time the gates of the Republic Steel plant were flung open and the police marched out.

Senator LA FOLLETTE. At the time the police marched out had the crowd crossed the railroad tracks or approached near to the plant gate?

Mr. PATTERSON. No; they never crossed the railroad tracks; they stayed on this side at all times.

Senator LA FOLLETTE. On the far side from the gate?

Mr. PATTERSON. Correct.

Senator LA FOLLETTE. Had any disorder occurred in the crowd?

Mr. PATTERSON. None whatsoever.

Senator LA FOLLETTE. Proceed.

Mr. PATTERSON. So when these policemen came out of the gate they came up to our picket lines and began to push the pickets back. I was right in amongst the pickets and I asked the policeman, "What are you going to do?" He said, "We are going to disperse the crowd, get back, get back." And I said, "You know we have a right to have a picket line here." And whenever we showed any resistance or some argument he started hitting with a club, not hurting, just tapping me and driving me back. The other pickets were driven back 10 yards from where they were at, so that we were finally mingled with the crowd and the police were coming with the crowd.

Just about this time I saw John Riffe step up and talk to the police officers and demand the right to picket. At least that is what I think—and the policemen grabbed hold of him rather roughly and run him into the wagon.

Senator LA FOLLETTE. As a matter of fact, you could not hear what he said?

Mr. PATTERSON. Not definitely, no.

Senator LA FOLLETTE. So you don't know?

Mr. PATTERSON. No; but I could imagine.

Senator LA FOLLETTE. Just testify to what you know.

Mr. PATTERSON. I saw him being treated rather roughly and put in the wagon. In the meantime the police were slowly driving us back and we were trying to tell the police we had a right to picket, but they would not listen to us. Whenever any man showed any resistance at all they just treated him rather rough and hit him on the buttocks and the back with a club. So finally we got to the houses and the tavern on the side of Burley Avenue, and some of us thought, "Well, we will go into the tavern and be allowed to stay on the scene of action", but we discovered that the taverns were closed, no one was allowed to go into the tavern.

Finally, some of us decided we will climb up on the porch of the private homes there. The policemen came right up on to those porches and drove everyone away. They even took people who lived in the houses and drove them away, people who owned property—

Frank Englum is his name, who lived right there. He, himself, finally wound up in jail with me when we were arrested.

It took the police about an hour to drive us that full block from One Hundred and Eighteenth to One Hundred and Seventeenth Street, and they cleaned the street and no one was allowed on the porches, no one was allowed anywhere.

When we got to One Hundred and Seventeenth Street I found a bunch of the men sitting down there, so I sat down along with them. When I sat down there was one sergeant in this group of policemen who was very vicious, it seemed to me, and he was ordering the policemen to put men into the patrol wagons; and suddenly he saw a young lady in front of me standing just to my right, and he said, "Let's take a woman." She was not doing a thing. He said, "Let's take a woman." They grabbed her and they run her into the wagon. So I said to him, "Well, if you are taking a woman I am going to go along and see that she is treated all right." And he says, "Who are you?" And he grabbed me and run me into the wagon also.

When I got into the wagon I found about 13 people there; and whilst I was standing in the wagon there was scarcely room for anybody else, I could not sit down; there was 15 of us, I later learned, shoved into that wagon. Then suddenly someone got flung into the wagon, they didn't walk in, they were flung head first, and I looked down and there I found it was one of our organizers. He seemed to be unconscious, laying on the floor there. They slammed the door of the wagon and we began to tell the officer who stood in the back of the wagon, we told him, "You had better open this door; here is a man who has evidently fainted or something." But he wouldn't open the door. They started the wagon up, they took us first to the East Side police station, but they did not let us out there. The reason, I got it, was that the police station cells were all filled, so they took us down to South Chicago, and there we were put into the cells. They put three or four of us in each cell.

I was released the following day about 1 o'clock.

Senator LA FOLLETTE. Were you booked on a charge?

Mr. PATTERSON. When I was released I was booked on a charge then of disorderly conduct and unlawful assembly.

Senator LA FOLLETTE. Then you got out on bail?

Mr. PATTERSON. Yes; I got out on bail.

Senator LA FOLLETTE. Is your case still pending?

Mr. PATTERSON. No; this case was tried on June 1; and they got a bunch of us down in court, and Judge Borelli, who tried the case, evidently came to some agreement because of the fact—the first thing they agreed was the State's attorney there agreed that they would dismiss the charges of unlawful assembly, so that was one charge dismissed on us. On the disorderly conduct it seemed there was a compromise arranged between our attorneys and the judge. I later learned we were fined \$1 and no costs, and the reason this was done, it was easier and a faster way to get the case off the records of the court, and they seemed to be busy that day, I was told by our attorneys, and they were quite willing to settle it for \$1 and no costs.

Senator LA FOLLETTE. What did you do there on Thursday after you were released?

Mr. PATTERSON. On Thursday, about 2 o'clock, I found that I had left my car parked right opposite the Republic Steel gates on the parking lot there.

Senator LA FOLLETTE. You mean the night you were arrested?

Mr. PATTERSON. Yes; the night I was arrested I had to leave my car and I was worried about it. So I immediately went back to our south Chicago office when I got out of jail there and I had someone take me down to the strike headquarters at Sam's Place. That is the first I learned there was a headquarters established at Sam's Place. That evidently had been established, and there I met a man who drove me down and I got my car.

In the meantime, those men who were on strike—I found them picketing at One Hundred and Fourteenth and Green Bay Avenue, away up. I asked the reason for that and they told me that no one was allowed to picket down in front of the gates. I said, "Where else are your picket lines?" They said on One Hundred and Seventeenth and Avenue O, just two or three blocks from the gates. Then they also had a picket line at One Hundred and Fourteenth and Avenue O. No one was being allowed to picket on Thursday afternoon near the plant gates at all.

So I asked the reason for that and they said the police had driven them away. So I gave a little talk to the pickets, telling them that they must be disciplined, they must obey the rules and regulations, if the police came along they should be courteous to them, and that they should challenge everyone who wanted to go down to that plant and find out what his business was there.

The pickets were very orderly and obedient and they said they would do just exactly what I asked them to do, and I left and went back home to rest.

Senator LA FOLLETTE. What was your general understanding with respect to picketing at the Republic Steel plant?

Mr. PATTERSON. At that time?

Senator LA FOLLETTE. Yes.

Mr. PATTERSON. My understanding was that there was no picketing being allowed at all.

Senator LA FOLLETTE. I mean after that, what was your understanding?

Mr. PATTERSON. After that I heard no one definitely give me the information, but there was no more than six pickets there Thursday evening or Friday morning. Six pickets would be about all that I know were allowed to be there.

Senator LA FOLLETTE. From your own knowledge, what was the attitude of the police toward the pickets on Thursday?

Mr. PATTERSON. Very hostile and belligerent. They assumed a dictatorial attitude. They told us what we could do and what we could not do. Even though we were nice to them they were rather rough in their comments back at us.

Senator LA FOLLETTE. Did you have anything to do with the picketing Friday, May 28?

Mr. PATTERSON. Yes; I did.

Senator LA FOLLETTE. What was the attitude of the police on that day, from your own knowledge?

Mr. PATTERSON. They were just as belligerent as ever.

Senator LA FOLLETTE. What happened on Friday?

Mr. PATTERSON. Friday morning I began to wonder just exactly what the rule or law was that prevented us from picketing. So I got hold of Gus Yuratovic and another party, another steel worker who belonged to the union, I do not know his name, I have forgotten. I took them aside and talked to them. I said, "Suppose we do the following, suppose we ask permission to go through to the plant and we ask for the captain in charge and find out what this ordinance is that prevents us from picketing?"

They said they were willing to go. So we drove down to One Hundred and Seventeenth and Green Bay Avenue, and we were challenged by the police as usual, and we asked permission to go through and see the captain. They said Captain Mooney was in charge. So they allowed me to go through. I drove right up to the plant gates of the Republic Steel. I said to the two Republic plant workers—Gus Yuratovic and the other man, "You had better go in, because you work in Republic Steel, you talk and ask him for a copy in writing of this ordinance that seems to prevent us from having unlimited peaceful picketing."

They did this. They were in quite some time talking to Captain Mooney. When they came out I asked them what the results were, and they said that the captain had said, "If you want a copy of that you will have to go and see the corporation counsel, Barnet Hodes. We have no copy to give you."

Now Captain Mooney also said, "You can have picketing all right. You can picket at the various intersections."

So we thought we would take them up on this idea and we would send down as many pickets as we could to the various intersections.

We left there. We went back and gathered together quite a few pickets and sent them down.

Senator LA FOLLETTE. How many would you say?

Mr. PATTERSON. We got about six pickets at each intersection. There are about three or four intersections. We wanted to picket on the road, but when we sent them down the police turned them back and would not allow them through there.

Senator LA FOLLETTE. Was the meeting called on Friday?

Mr. PATTERSON. Yes.

Senator LA FOLLETTE. A mass meeting?

Mr. PATTERSON. Yes; I understand there was a mass meeting called in Eagles Hall Friday afternoon, about 3 o'clock, I believe.

Senator LA FOLLETTE. Were you there?

Mr. PATTERSON. I was down in that vicinity, but I was not at the meeting. I went down there and I saw the crowd gathering very fast, going into the meeting, and then I went back to strike headquarters because I was in charge of the pickets, and I went back there.

Senator LA FOLLETTE. Now what happened at the meeting?

Mr. PATTERSON. When I went back to strike headquarters, I was back there about a half hour when some man came and said that the meeting had adjourned down in Eagles Hall because it was packed to capacity and there were men standing out on the street, so they said that the meeting was adjourning from Eagles Hall and would reconvene in front of Sam's Place. About a half hour after I received that message hundreds of people came to Sam's Place and gathered there, and, if I recall rightly—I am a little hazy about

this because I was busy with pickets at the time—I think it was Joseph Germano, who was organizer for Republic Steel and that was his duty, I believe, he got up to address the crowd and a motion was made that they go down and peacefully picket. Mayor Kelly had issued the statement that we could have unlimited peaceful picketing.

The meeting never started. The group immediately started to march behind an American flag there. Someone took the American flag off of a trellis work that was right there at Sam's Place. They started to walk down Green Bay Avenue, and it seemed just automatically that people from the crowd fell in behind and, I, myself, got in line. I walked right down to One Hundred and Seventeenth and Green Bay Avenue.

Senator LA FOLLETTE. Did you see any of the marchers on Friday carrying any weapons, clubs, sticks, bricks, or rocks?

Mr. PATTERSON. No; I did not see any.

Senator LA FOLLETTE. What was the demeanor of this crowd on Friday?

Mr. PATTERSON. The marchers?

Senator LA FOLLETTE. Yes.

Mr. PATTERSON. They seemed very friendly and in a happy sort of spirit as they marched down there.

Senator LA FOLLETTE. Where did they march?

Mr. PATTERSON. They marched straight down Green Bay Avenue to One Hundred and Seventeenth. That would be four blocks from Sam's Place.

Senator LA FOLLETTE. Were they walking down the street?

Mr. PATTERSON. No; they were not. I, myself, was out there in front and I felt we must obey the laws and regulations, and I kept yelling, "Keep in two lines." The result was that one line walked down one edge of the street and the other walked down the other edge so if an automobile or any traffic came they could pass right through. The only one who kept in the road was the flag bearer, he was walking down the center of the road. It was a very orderly crowd all the way down.

Senator LA FOLLETTE. How far down Green Bay Avenue did you go?

Mr. PATTERSON. We arrived at One Hundred and Seventeenth Street and there three or four of us got in the front line there because we would meet the police, and we met the police and said to the police, "We are going through to picket. Mayor Kelly has issued the statement in the newspapers that we could peacefully picket." The policemen did not say very much. They put their hands up like this [indicating], but we just kept on walking, and they fell along in line with us, and we turned off on One Hundred and Seventeenth Street, we got perhaps three-quarters way down there, when suddenly we saw the police—it was not suddenly, we could see the police gathering there before, we could see a couple of cars there, but as we approached we could see the policemen come from out the side of the buildings. There are a few buildings right about where that E is at East One Hundred and Seventeenth Street [indicating on chart]. There the police lined right across the road.

I was just right along with the flag bearer. We walked right up to the police lines. They put their hands up like this [indicating],

they were shoulder to shoulder, and our flag bearer went right to them. He tried to get through between the policemen, but the policemen just held their hands up and blocked us. As soon as he touched one of the policemen to walk through, this policeman—I don't know which, there were two policemen that he tried to go through—one of them raised his club and hit. He put out the flag he was carrying and hit the flag staff, and the flag fell. The next second he hit the flag bearer with the club and he went down. Just as soon as that happened the policemen on every side started to club the crowd which had pushed out.

While I was standing there I could see this. Suddenly one of the squad cars shot through. They seemed to single me out, and they chased me down the road with the squad car. I jumped in the ditch which was shallow in this park and there was no water in it, and the car came into the ditch. I jumped out of the ditch onto the road, across the road; I shot across the road, and then finally they left me alone.

By this time I could see people being clubbed all around me. There was one shot, I believe, and two other shots fired in the air. I could smell the powder burning. I was sort of isolated from the crowd. The policemen were not near me, because the squad car had sort of isolated me. I was not clubbed in any way, but people on the other side and just a little bit ahead of me were being clubbed.

Pretty soon they caught up with me, those who had been in front, and we all started to run back, and we got back to One Hundred and Seventeenth Street and Green Bay Avenue. When we got there the police had driven all of us back. When we got on Green Bay we stopped there, because the police evidently did not want to cross the line. They stopped right on One Hundred and Seventeenth Street and lined up right at the intersection there.

So we stood there. We began to call them a few names, because they had been so rough and brutal. They just lined up and did not do anything, just stood looking at us, a very solid line of them, swinging their clubs back and forth.

I think it was Captain Mooney—I believe it was Captain Mooney—who came out and stood there, and pretty soon a few of our wounded began to trickle through around the edge of the police to our line. They were bleeding very badly, their heads were split wide open, the blood was running down.

There were two or three ladies there, and one of these ladies was carrying the American flag, which had been knocked down by the police. We stayed right in front, and I came forward and pointed to the man who was bleeding so badly, and I told the police: "This is what you have done to us in the fight we had. We only asked for our right to go through and picket peacefully. You should not have done this to us." They just stood there looking at us.

We stood there, and one or two other wounded came through. They were being brought from behind the ranks, where they evidently had fallen unconscious, and someone had gathered them up and brought them back.

We stood there maybe 10 minutes talking to the police. Some of the people were telling them what they thought about them because of what they had done. Finally, I said to the group there: "Let us

go back. We evidently cannot get through here and picket." So we went back to Sam's Place.

Senator LA FOLLETTE. Give this picture an exhibit number.

(The picture was marked "Exhibit 1402" and is held in committee files.)

Senator LA FOLLETTE. Look at exhibit 1402 and tell me if you can identify yourself in that picture.

Mr. PATTERSON. Yes; I can.

Senator LA FOLLETTE. Are you the man there with the felt hat on, with his mouth open, talking?

Mr. PATTERSON. That is right.

Senator LA FOLLETTE. Is the man on your right in the picture the man you said was hit over the head with the club?

Mr. PATTERSON. That is correct.

Senator LA FOLLETTE. Did you use profanity when you were talking to the police?

Mr. PATTERSON. No; I did not.

Senator LA FOLLETTE. Did you hear profanity used toward them?

Mr. PATTERSON. I believe I did, a little bit. [Laughter.]

Senator LA FOLLETTE. Well, wasn't it pretty rough?

Mr. PATTERSON. This profanity?

Senator LA FOLLETTE. Yes.

Mr. PATTERSON. No; I would not say it was rough.

Senator LA FOLLETTE. Well, that is a matter of opinion. [Laughter.]

Now, give this picture an exhibit number.

(The picture was marked "Exhibit 1403" and is held in committee files.)

Senator LA FOLLETTE. Will you look at exhibit 1403. Can you identify yourself in that picture?

Mr. PATTERSON. Yes.

Senator LA FOLLETTE. Is that a part of the group of people who marched with you on Friday?

Mr. PATTERSON. Yes; it is.

Senator LA FOLLETTE. Do you know where that picture was taken?

Mr. PATTERSON. Yes. That was taken just about the same time that this other picture was taken.

Senator LA FOLLETTE. You mean that is after you had started to march back from the police line?

Mr. PATTERSON. Yes; this is the same man. He is holding his head by this time, where it has been bleeding.

Senator LA FOLLETTE. All right.

Senator THOMAS. Where were you born, Mr. Patterson?

Mr. PATTERSON. Where was I born?

Senator THOMAS. Yes.

Mr. PATTERSON. Hamilton, Scotland.

Senator THOMAS. How long have you been in this country?

Mr. PATTERSON. About 13 years.

Senator THOMAS. On the first day, when the police came out of the gateway from the inside, how many were there in the group?

Mr. PATTERSON. I would say 50, at least. Maybe later there were about 100 police altogether.

Senator THOMAS. But how many came out of the plant?

Mr. PATTERSON. I would say 50, at least.

Senator THOMAS. Then you are sure there were 50 men inside the plant who came out through the gates?

Mr. PATTERSON. Oh, it was 50 all right.

Senator THOMAS. Were there any of the company police that came out with them?

Mr. PATTERSON. Not that I saw. They were all in uniform.

Senator THOMAS. They were all Chicago uniformed policemen?

Mr. PATTERSON. That is correct.

Senator THOMAS. What kind of equipment did they have?

Mr. PATTERSON. The equipment they had was a baton, they had their guns, and they always have blackjacks in their back pockets.

Senator THOMAS. Did they have any white clubs at all?

Mr. PATTERSON. No; I did not see any white clubs.

Senator THOMAS. You did not see any white clubs?

Mr. PATTERSON. No.

Senator THOMAS. Just the regulation club?

Mr. PATTERSON. Just the regulation club.

Senator THOMAS. Thank you.

Senator LA FOLLETTE. You are temporarily excused, Mr. Patterson. I want to place in the record, before you leave the stand, a copy of the subpoena under which you appear before this committee.

(The document was marked "Exhibit 1404" and appears in the appendix on p. 5054.)

Senator LA FOLLETTE. Mr. Orlando Lippert.

TESTIMONY OF ORLANDO LIPPERT

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. State your full name, please.

Mr. LIPPERT. Orlando Lippert.

Senator LA FOLLETTE. How do you spell your last name?

Mr. LIPPERT. L-i-p-p-e-r-t.

Senator LA FOLLETTE. Where do you reside?

Mr. LIPPERT. Chicago, Ill.

Senator LA FOLLETTE. What is your occupation?

Mr. LIPPERT. News-reel cameraman.

Senator LA FOLLETTE. By whom are you employed?

Mr. LIPPERT. Paramount Newsreel.

Senator LA FOLLETTE. Were you at the plant, or in the vicinity of the plant, of the Republic Steel Co. in the course of your professional duties at any time between May 26 and May 30?

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. When were you there?

Mr. LIPPERT. On Thursday morning previous to Memorial Day, and also on Memorial Day, Sunday.

Senator LA FOLLETTE. Did you take any pictures on Thursday?

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. Will you state, briefly, the nature of the pictures you took on Thursday?

Mr. LIPPERT. On Thursday the pictures of the pickets marching on Avenue O were made.

Senator LA FOLLETTE. At what time did you arrive at the scene in the vicinity of the plant on Sunday?

Mr. LIPPERT. About 10 a. m.

Senator LA FOLLETTE. What pictures did you take on that day?

Mr. LIPPERT. On that day I made a long shot of the plant, a picture of the entire plant, several scenes of the police lined up on One Hundred and Seventeenth Street, and also the combat scenes between the demonstrators and the police.

Senator LA FOLLETTE. At what time, approximately, did you start taking the picture of the encounter between the pickets and the police?

Mr. LIPPERT. Immediately after 4 o'clock in the afternoon.

Senator LA FOLLETTE. Where were you located when you first started to take pictures?

Mr. LIPPERT. The first scenes were made on One Hundred and Seventeenth Street, just a little bit west of Green Bay Avenue.

Senator LA FOLLETTE. Did you have sound apparatus with you on that day?

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. Was your camera and sound apparatus mounted on the usual truck that we see with the name of the news-reel companies on the side?

Mr. LIPPERT. It was mounted on the news-reel truck; yes.

Senator LA FOLLETTE. Now, will you tell us just what sequences you filmed subsequent to the time the police lined up on Burley Avenue, and your positions at the time you filmed them?

Mr. LIPPERT. The first scenes, on Burley Avenue?

Senator LA FOLLETTE. Yes.

Mr. LIPPERT. At One Hundred and Seventeenth Street I made some scenes of demonstrators out in the open prairie and the police lined up across that same field. Then when the demonstrators moved toward the east I removed the truck east on One Hundred and Seventeenth Street and made one more scene of police lining the road. The demonstrators, in the meantime, had come back to their original position and I returned to my original position, which was an extension of Burley Avenue.

Senator LA FOLLETTE. Now, did you return to the dirt road a second time?

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. And was that as the marchers were approaching the police lines?

Mr. LIPPERT. No. When I returned the second time the marchers were at the police line.

Senator LA FOLLETTE. And what were the relative positions of the police and the marchers at that time?

Mr. LIPPERT. The relative positions—they were at right angles to Burley Avenue, stretched in a line from some houses that are in that vicinity, west over to the vicinity of the railroad tracks.

Senator LA FOLLETTE. Well, how soon were you set up at this position and taking pictures, in relation to the time that the marchers contacted the police line?

Mr. LIPPERT. The marchers had already contacted the police line when I first noticed this situation, and I proceeded to that point.

Senator LA FOLLETTE. Could you give an approximation of how long it was after they contacted this line before you started taking scenes of this?

Mr. LIPPERT. It was only a matter of a few minutes.

Senator LA FOLLETTE. Now, did you film continuously from the time you arrived, on the second occasion, at the dirt road which we have just been discussing, until the actual outbreak of the encounter?

Mr. LIPPERT. No; I made a few scenes of the two lines closely together and also made some close-up shots of demonstrators and policemen talking together.

Senator LA FOLLETTE. Now, for the record, when you changed from your lens which took in more of the field and the situation you had to change, did you not, down to a close-up lens?

Mr. LIPPERT. That is right.

Senator LA FOLLETTE. Now, describe just what happened.

Mr. LIPPERT. The first scene that I made was a long shot of the demonstrators and police. Then I made two or three individual close-ups—not individual close-ups, but closer up shots of the police and the demonstrators talking. There, naturally, is a lapse of time between changing lenses.

Senator LA FOLLETTE. How long does it take?

Mr. LIPPERT. Oh, possibly 3 or 4 seconds, depending upon what it is necessary to do. If it is necessary to focus the lens and to stop it down, it requires a little more time. Sometimes those things are set as you look at them and shove them into the camera.

Senator LA FOLLETTE. Can you tell, from your recollection, or any of your notes, how much time elapsed, approximately, from the time you were taking this general scene, I mean the time you were taking these closer up shots, and the time the outbreak occurred?

Mr. LIPPERT. The lapse of time in my film is approximately 7 seconds.

Senator LA FOLLETTE. Am I to understand from that, then, that approximately 7 seconds of the inception of the outbreak is not shown in your film?

Mr. LIPPERT. Not necessarily. There is a possibility that only about 5 seconds, 4 or 5 seconds, of the actual riot scenes are not shown.

Senator LA FOLLETTE. Well, in any case, are you able to tell me whether or not a 7-second lapse of time during which you did not get any picture of the outbreak of the occurrence would be a generous allowance?

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. It was under 7 seconds and not over in any case?

Mr. LIPPERT. That is right.

Senator LA FOLLETTE. All right.

Senator THOMAS. That means that the only break that there is can be no longer than 7 seconds?

Mr. LIPPERT. That is about right; yes.

Senator LA FOLLETTE. Now, if I understand you, you missed the first 4 or 5 seconds after the encounter occurred and then filmed continuously for two or three minutes, with a 7-second interval for another lens change?

Mr. LIPPERT. That is approximately correct.

Senator LA FOLLETTE. What further shot, if any, did you take after that?

Mr. LIPPERT. After that I made some general news-reel build-up, long-lens shots of picking people up off the ground and putting them into the patrol wagons, and other general build-up.

Senator LA FOLLETTE. Now, Mr. Lippert, have you seen the film which is to be shown in this committee room?

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. Will you state just what sequences are contained in that film, and to refresh your recollection you may refer to any notes which you made at the time, or subsequently.

Mr. LIPPERT. The first scene in the picture, as it is now, was made last. It was a general view of the plants. That is followed by the picket scenes which were made on Thursday previous to the Memorial Sunday following that, and there are scenes of the police lined up on One Hundred and Seventeenth Street, and then the material which was made in the field on the extension of Burley Avenue.

Senator LA FOLLETTE. Now, Mr. Lippert, have you studied this film carefully during the times that you have seen it?

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. As you know, this committee is engaged in making as complete an investigation of the occurrence of Memorial Day as is possible.

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. Under all the circumstances.

Mr. LIPPERT. Yes.

Senator LA FOLLETTE. The committee, therefore, would like to have you state any further incident which you observed which either qualify or add to the record made by your camera.

Mr. LIPPERT. There is only one other incident, and that is after the close-up, the last close-up, was made, previous to the combat between the police and the demonstrators. I glanced up and noticed missiles coming through the air from approximately 100 feet behind the front line of demonstrators. At the same time a small group of demonstrators, I would say roughly 20 of them or so, were pushed by those in the rear of them into the police line. This apparently was the fuse that ignited the situation out there.

Senator LA FOLLETTE. And can you give us any approximation of how much time elapsed between these events that you are describing before the general hostilities began?

Mr. LIPPERT. Well, I glanced up for possibly a second or two and noticed the two events simultaneously occurring, and I immediately got busy putting in my other lens, and that took up the 7-second interlude between the close-up and the actual combat.

Senator LA FOLLETTE. Thank you very much. I want to offer in the record at this point the subpoena under which Mr. Lippert appears before this committee. You are excused.

(The document was marked "Exhibit 1405" and appears in the appendix on pp. 5054-5055.)

Senator LA FOLLETTE. Mr. Wohlforth.

TESTIMONY OF ROBERT WOHLFORTH—Resumed

Senator LA FOLLETTE. Mr. Wohlforth, we have a second film which will be shown. Will you describe exactly how it has been made from the original?

Mr. WOHLFORTH. Mr. Chairman, the second print of this film was made at the direction of the committee. It shows the first part, which Mr. Lippert has described, in its usual action or speed. At the outbreak of the violence the picture has been slowed down, in slow motion. That is to say, each frame of the picture has been printed twice so that the action is one-half as fast.

In addition to that approximately 14 selected scenes from the last part of the picture have been printed so that the action is stopped. In other words, the picture will appear on the screen as a still. This second version of the film, because of the slow motion, is not recorded with sound. The first version, as turned over by Paramount News to the committee and as described by Mr. Lippert, is with sound all the way through.

Senator LA FOLLETTE. Now, Mr. Wohlforth, in the second print, which you have just been describing, have any frames of the original been eliminated?

Mr. WOHLFORTH. No, sir; they are all there. They have simply been printed twice, so as to give slow motion, and the frame stopped down in order to give the committee a better opportunity to examine it.

Senator LA FOLLETTE. Are these films hooked together?

Mr. WOHLFORTH. Yes, sir; they run one right after the other, with some blank film in between.

Senator LA FOLLETTE. There will be a short pause, however, which will indicate that the original film, at its ordinary tempo, has been shown before the film which is an exact duplicate of it, with a slower motion, is shown; is that correct?

Mr. WOHLFORTH. That is correct, Mr. Chairman.

Senator LA FOLLETTE. You are excused.

Mr. Younger,¹ will you please arrange it so that Commissioner Allman, Captains Kilroy and Mooney, Captain Prendergast, and Mr. Daly may get a position somewhere where they can look directly at the screen?

The chairman now wishes to make a statement for the record. It is obvious to anyone that an investigation after the fact of acts of violence of the nature which occurred on Memorial Day in South Chicago, near the plant of the Republic Steel Corporation, are difficult to reconstruct. The committee has made an effort to produce testimony from witnesses who were present. In the conduct of this investigation the committee has been greatly assisted in endeavoring to arrive at an approximation of the facts leading up to the events which took place because of the large number of still pictures taken by news cameramen, and also because of this sound moving picture taken by Paramount Newsreel.

The chairman wishes to express, for the record, the appreciation that the committee feels for the cooperation that it has received from the news-camera concerns, from the newspapers who were subpoenaed for all of their pictures, and for the Paramount Newsreel Co.

I also wish to make an announcement that no pictures are to be taken by anyone during the time that the films are run, either with flash bulbs or candid cameras or with any other kind of cameras. Anyone who is found using a camera will have to be asked to leave the committee room.

¹ Thomas L. Younger is custodian of the Senate Office Building.

(There was a projection of the film between the hours of 11:45 a. m. and 12:10 p. m. The film was marked "Exhibit 1406" and is held in committee files.)

Senator LA FOLLETTE. The witnesses are requested to remain. The committee will please be in order.

Mr. Levin.

TESTIMONY OF MEYER LEVIN

(The witness was sworn by Senator LA FOLLETTE.)

Senator LA FOLLETTE. Give your full name, please.

Mr. LEVIN. Meyer Levin, L-e-v-i-n.

Senator LA FOLLETTE. How do you spell your first name?

Mr. LEVIN. M-e-y-e-r.

Senator LA FOLLETTE. Where do you live?

Mr. LEVIN. 5630 Ellis Avenue, Chicago, Ill.

Senator LA FOLLETTE. What is your occupation?

Mr. LEVIN. I am a novelist.

Senator LA FOLLETTE. Have you ever done any newspaper work?

Mr. LEVIN. I have.

Senator LA FOLLETTE. With what papers?

Mr. LEVIN. Chicago Daily News, Chicago Evening American. I was a correspondent for quite a time abroad for the Chicago Daily News, and I have corresponded for various other magazines and newspapers.

Senator LA FOLLETTE. Were you present during the encounter between the police and pickets near the Republic Steel plant on Memorial Day?

Mr. LEVIN. I was.

Senator LA FOLLETTE. How did you happen to be there?

Mr. LEVIN. May I explain that a little fully? While gathering material for my last book I had a series of experiences with the police department which alarmed me very much as to the state of civil liberties in Chicago. I felt that, especially in instances where groups of citizens were involved, and especially where there were labor situations, or they involved people making an effort at some kind of protest, the police were likely to take an attitude extremely hostile toward the public, and because of repeated examples I began to watch labor situations.

Senator LA FOLLETTE. Please confine yourself to the matters under immediate inquiry. How did you happen to be out in South Chicago, near the Republic plant on Sunday, May 30?

Mr. LEVIN. Well, I followed labor situations, and I knew that there was a strike there, so I went out there.

Senator LA FOLLETTE. Had you been there before Sunday?

Mr. LEVIN. I had been there three or four times.

Senator LA FOLLETTE. Between Wednesday and Sunday?

Mr. LEVIN. Yes.

Senator LA FOLLETTE. What time did you arrive in this vicinity?

Mr. LEVIN. I arrived about 3 o'clock.

Senator LA FOLLETTE. And where did you go first?

Mr. LEVIN. I went to Sam's Place.

Senator LA FOLLETTE. Did you arrive before the meeting in the yard had started, the speaking had started, or was the meeting in progress?

Mr. LEVIN. The meeting was in progress.

Senator LA FOLLETTE. Did you hear any of the speakers?

Mr. LEVIN. I heard part of the speech which was going on when I arrived.

Senator LA FOLLETTE. Do you know who it was that spoke?

Mr. LEVIN. Krzycki.

Senator LA FOLLETTE. How do you spell his name?

Mr. LEVIN. I am not certain, but I think it is K-r-z-y-c-k-i.

Senator LA FOLLETTE. Then did you hear any others?

Mr. LEVIN. There was Mr. Fontecchio.

Senator LA FOLLETTE. What was the substance of the speeches you heard at the meeting at Sam's Place on Sunday?

Mr. LEVIN. First, they stressed the point of winning the strike, and, secondly, they stressed the point of the right to picket and the fact that the mayor had issued a statement guaranteeing that right.

Senator LA FOLLETTE. Did you hear anything else that was not in relation to the strike?

Mr. LEVIN. Not that I recall.

Senator LA FOLLETTE. What did the meeting decide to do after the speeches were concluded?

Mr. LEVIN. After the speeches were concluded there was a motion made, I am not quite sure of the exact wording, but the sense of it was that "We now proceed to peacefully picket in front of the Republic Steel plant."

Senator LA FOLLETTE. Then what happened?

Mr. LEVIN. The motion was carried and people began to go out from the yard toward the point at which Green Bay Avenue intersects with that dirt road. At that point two men with flags were standing and waiting for the people to assemble behind them, and about 10 or 15 minutes passed while the people drifted into some sort of line behind the two men with the flags.

Senator LA FOLLETTE. Will you describe the appearance of the crowd as you saw it gathering?

Mr. LEVIN. It was extremely casual at that point. There were men and women, many of them who seemed to be in an almost holiday atmosphere, that is, they seemed a little dressed up for Memorial Day, and it looked as if people had come there in families on Memorial Day afternoon. There were others who were obviously strikers, who did not have a casual appearance at all. Many of them were carrying signs. There was, however, no difference in their formation in the line. That is, all sorts of people seemed to be mixing into line there without any order whatsoever.

Senator LA FOLLETTE. Now did you see any of the marchers armed with sticks, or clubs, or pieces of pipe?

Mr. LEVIN. As the march started I walked along the line and I saw, I should say, between 15 and 20 marchers carrying some sort of sticks or stones. I did not see any pipes. I saw one man carrying a baseball bat.

Senator LA FOLLETTE. Will you please tell me, after the crowd started to move down the road, or across the prairie, where were you in relation to the front of the marchers?

Mr. LEVIN. I was on the west of the line, and my relationship to the front varied because I walked back and forth there a bit as the march was going on. At one point I was about 50 feet back of the flag bearers, and then I came up toward them, and when they

were about in the middle of the dirt road I think I was almost up to the flag bearers.

Senator LA FOLLETTE. Will you describe what you saw?

Mr. LEVIN. Well, during this time I tried to listen to comment among the people. There was some discussion as to whether or not they should pick up these stones. Some of the men did, and there was some admonition to drop them, and a few of them dropped them, others did not.

The group went along until they came to within about 200 feet, I think, of the police line. At that time numbers of people in the rear ranks were spreading out over the prairie, evidently with the desire to see just what was going on in front, and they began to spread until it looked like just a crowd of people walking across the field, and the line on the dirt road was almost broken up.

At that time the flag bearers halted and the people were called back into line. The flag bearers stood still until practically everybody that had spread from the dirt road onto the prairie came back onto the dirt road behind them, although quite a good distance back were some people spread out on both sides of the dirt road who were obviously not considering themselves as among the assembly behind the flag bearers but just spectators.

When this line had reassembled the walk began again, until the flag bearers came face to face with the police.

Senator LA FOLLETTE. Where were you at that time?

Mr. LEVIN. At that time I was still on the west side of the line, I should say about 20 or 25 feet back from the police line. I remained there for perhaps 2 minutes. It seemed that nothing at all was happening. The line was rather quiet.

I should have said that as we came up the dirt road some of the people, rather dispiritedly, were singing "Solidarity", and this song was sung by perhaps as many as 25 people for about a minute, and the singing had stopped by the time they approached the police.

As I stood on the west side of the line I could not see what was going on between the police and the spokesmen for the strikers, so I moved through the group onto the east side and I approached the line of police and strikers. I came to within about 4 feet of the police line on the far east side of the line near a house there. I stood there for perhaps a minute and still could not catch anything except that there seemed to be a quiet discussion going on.

Then a police captain came just opposite me, I should say he was 6 feet from me. I did not know at that time who he was, but later I recognized that he was Captain Mooney. He said, in a conversational tone, "I order you, in the name of the State of Illinois, to disperse", or something legal-sounding to that effect.

When I heard that I felt it was a formal announcement that might precede some activity, so I turned and stepped back, I should say about 20 feet, and went again among the people, and over to the west side, and just as I reached the west side of the line I heard an outbreak of shooting. I thought at that time that it was tear-gas shooting. I turned and I did see a cloud of tear gas, and out of that came a man who had his hands over his eyes and seemed to be stumbling, did not know in what direction he was going. I turned him toward Sam's Place. I made some remark about tear gas, the

effect of it, and I think he said something about "shot", I do not know exactly.

Then I turned back to see what was happening, and a man in a blue shirt fell to the grass beside me. I thought he was just taking precaution, but I went on a few steps and remembered how he had fallen, I thought perhaps he was shot, and I turned back to look at him, but I saw the police advancing, so I turned again to Sam's Place and started to run. I ran a little distance when I heard a child say, "Pa, I am shot", and I saw the child a few feet behind me, and a small man pick the child up and began to run with him. I ran almost parallel to them for about 30 or 40 feet. I thought at that time that the man who was carrying the child was its father, because I heard him call, "Pa, I am shot." I found out later that he was not. This man became exhausted, so I took the child from him and carried the child, running toward Sam's Place for quite a distance.

I then saw a car with a Red Cross sign on it going toward Sam's Place and I went to it, I tried to put the child in, but it was full of wounded and there was no room, so I continued to carry the boy farther, until I was exhausted, and then two other men took him from me.

Senator LA FOLLETTE. How old would you say he was?

Mr. LEVIN. About 10. I reached Sam's Place and went into the building and saw several people lying on the floor face down, bleeding, with their clothes torn, a number of people on cots, more than one person to a cot, who had bullet wounds, and a great many people who were bleeding from the skull and down the face.

There was some attempt being made to give them first aid, and I began to help carry people into cars that were taking them to hospitals. I carried three or four people who had bullet wounds, that is, I helped carry them, put them in the cars.

A little while later there was a call for volunteers. It was announced that one of the hospitals was understaffed and asked for 12 men to come and act as orderlies, to help keep the patients on their beds. I volunteered and went in the first of two cars to the Burnside Hospital. When we arrived there police were at the doors and refused us admission. I stated that we had come in response to a call for help, and asked the police to take a message to the head nurse who had given this call, stating that the men had arrived and if she wanted us we would come in. The officer refused to take any message.

We remained there for about 20 minutes making effort to make our presence known, but we could do nothing. During that time several police cars, and I think two patrol wagons, arrived on the street. Four men were taken out of the hospital, they were bandaged up, and one of them had difficulty in walking, and they were put into the patrol wagon. A few minutes after that we left and went back to Sam's Place.

We had been there a few minutes when another call was made for volunteers for blood transfusions. I went in a car with volunteers and we went to the South Chicago Hospital. At the door of the South Chicago Hospital someone recognized me—I think it was a Mr. Sargent. I am not quite sure. There were several people there whom I knew. I went into the hospital and found Dr. Jacques,

whom I knew, and he was having difficulty with some police officers and some plain-clothes men who wanted to take some of the wounded from the hospital and put them under arrest, and Dr. Jacques was refusing to allow them to be taken out, saying that he could not answer for their lives, and he asked me if I knew of any authority whom we could get so that the police would stop their insistence that he release the wounded, and I made some telephone calls in an effort to locate someone in authority, and finally we received a return call from a lawyer with whom we were acquainted. He instructed Dr. Jacques to make a written statement in regard to his opinion. By that time, however, about an hour had elapsed and the police had more or less ceased their insistence and had simply put a guard in the hospital.

I remained there and watched operations, one on Anderson and one on Tagliori, both of whom had wounds in the abdomen, and after that I went home.

Senator LA FOLLETTE. Now, going back to the time when this encounter broke out, did you see anyone in the crowd near you hurling missiles?

Mr. LEVIN. I saw no one near me hurling anything.

Senator LA FOLLETTE. Did you see anything hurled?

Mr. LEVIN. I saw what I took to be a stone sailing through the air toward the police line. It appeared to me it fell beyond the police line. It was quite high in the air.

Senator LA FOLLETTE. That was while this conversation was going on?

Mr. LEVIN. No; that was after or simultaneous with the shooting. I cannot determine the exact instant. I was at that time again on the west side of the line, and I had just arrived there. I do not know whether I heard shooting first and saw this in the air or whether it was at the same moment or what the relation was.

Senator LA FOLLETTE. The incident, however, of your seeing this missile flying in the air was very close to the time you heard the shot; is that correct?

Mr. LEVIN. Yes.

Senator LA FOLLETTE. Now, after the shooting started, what did the crowd do?

Mr. LEVIN. The crowd instantly turned and ran. It appeared to me that everyone was running from the police.

Senator LA FOLLETTE. Now, did you see any encounters between the police and marchers or strikers, where they were resisting the police?

Mr. LEVIN. I saw no encounters at all, because I was a little farther back than the place where the encounters, if any, would have taken place.

Senator LA FOLLETTE. Did any of the police come near you after the crowd broke?

Mr. LEVIN. The police were pursuing the crowd, and at one or two times I had stopped to look back and see what was going on; and the police were constantly approaching in pursuit, so I would not remain very long; I would turn and run farther.

Senator LA FOLLETTE. I will insert in the record at this time a copy of the subpoena under which you appear before this committee. You are excused.

(The document was marked "Exhibit 1407" and appears in the appendix on p. 5055.)

Senator LA FOLLETTE. Rev. Chester Fisk.

TESTIMONY OF CHESTER B. FISK

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name, please?

Mr. FISK. Chester B. Fisk.

Senator LA FOLLETTE. Where do you live?

Mr. FISK. 7407 Yates Avenue, Chicago, Ill.

Senator LA FOLLETTE. What is your occupation?

Mr. FISK. I am a minister.

Senator LA FOLLETTE. What denomination?

Mr. FISK. Congregational.

Senator LA FOLLETTE. How long have you been in Chicago?

Mr. FISK. I have been in Chicago 10 years, with the exception of 1 year when I was abroad.

Senator LA FOLLETTE. And how long have you been a minister in Chicago?

Mr. FISK. I have been a minister the last 5 of those 10 years.

Senator LA FOLLETTE. Were you present during the encounter between the police and the marchers on Memorial Day, Sunday, May 30, 1937?

Mr. FISK. Yes.

Senator LA FOLLETTE. How did you happen to be there?

Mr. FISK. I had received a telephone call at the home of my father-in-law, Dr. Albert W. Palmer, intended for him, and I took the call from Raymond Sanford. He told me they wanted a minister to attend the meeting at Sam's Place, and he asked me to come there as an impartial observer to observe what occurred that day.

Senator LA FOLLETTE. Did he explain why he wanted an impartial observer?

Mr. FISK. Yes; there are quite a number of us in Chicago who are concerned about the treatment of strikes and other situations, involving the denial of civil liberties. He knew I was interested. We knew all about the trouble on Friday and wanted impartial testimony as to what might happen on Sunday.

Senator LA FOLLETTE. What time did you arrive at Sam's Place?

Mr. FISK. I explained to Mr. Sanford I probably could not get to the meeting, I had my family, at my father-in-law's with me and was late in getting away, and I got to the scene of the trouble after the meeting was over. I arrived some time between 4 and 4:30.

Senator LA FOLLETTE. Then the march had already begun when you got there?

Mr. FISK. The march had already begun.

Senator LA FOLLETTE. What did you do then?

Mr. FISK. I parked my car on Avenue O, somewhere around One Hundred and Fifteenth Street, probably a little south of One Hundred and Fifteenth Street. As I parked my car the parade was almost due west, just at about the place where those three lines run

together and then go out again into three lines [indicating on chart]. I crossed the dirt road immediately behind the parade. I was already a little bit west of Green Bay at the time the parade was going by me there.

Senator LA FOLLETTE. Then, as the crowd went on down toward the place where the police were stationed, what did you do?

Mr. FISK. After the parade had passed on the diagonal road I crossed at their rear and went farther west into that open field and then turned south and walked down toward where the parade and police would normally come together.

Senator LA FOLLETTE. And how close did you get to that place where they might normally come together?

Mr. FISK. At one time, I believe, I may have been about as close as 40 yards. I went back and paced that off some days later. For the most part I was 50 or 60 yards away.

Senator LA FOLLETTE. Now, will you tell us exactly what you saw?

Mr. FISK. May I add here about the motion-picture camera, because that has something to do with the story?

Senator LA FOLLETTE. Go ahead.

Mr. FISK. I had a motion-picture camera with me. I had been using it in the afternoon to take pictures of my children at my father-in-law's residence. I had gone directly to the spot in my car and had the camera with me. I did not want to leave the camera in the car because it was rather valuable. I held it under my arm when I walked into the prairie.

When I reached a point about 50 yards away from the police line the parade had come up and had come to a stop, I should say at that time about 8 or 10 feet away from the police line, and I was edging in to hear what was being said. I could tell there was a conversation between them but was too far away to hear anything.

I had a light meter with me and decided at that time that there might be something worth taking pictures of, and I got a reading on the light value and set my camera.

Then, as I looked up, I noticed a double file of policemen, I imagine a platoon, marching east in that open space near the red house in what seemed to be a flank attack on the left-hand side of the parade. Immediately after that there was a backward motion at the head of that crowd. I could not tell what caused it at all, but could tell immediately that the people were giving way at the very head. Then, simultaneously, explosions broke out at the head of the column, which I could not identify as tear gas or revolver shots, I did not know which, and simultaneously with that a shower of stones and other missiles flew out of the rear of the column 100 or 150 feet back.

Senator LA FOLLETTE. Now, what occurred after the first volley of shots, that you saw?

Mr. FISK. Well, just as soon as I saw these missiles being thrown I got my camera up and I thought I had taken pictures of that volley of stones. They do not actually show on the film, but I did take pictures immediately afterward. I got my camera up to my eyes and I could see where the tear gas was breaking out near the crowd, and I could see the people at the very head of the column go down, dozens and scores of them, falling to the ground. I kept on taking pictures, I took a panorama shot down the police line, where they were charging on the left-hand side of the police line,

then following along the police line to the place where the marchers were beginning to run away. The tear gas at that time was already so bad, though, that I could not see very much behind it, and I stopped taking pictures at that point.

Senator LA FOLLETTE. Then what happened?

Mr. FISK. Well, when these shots had broken out, or these explosions, very shortly after I heard them, I realized that it was not only tear gas, but that there were some revolver shots. I noticed, out of the corner of my left eye, a young fellow standing 30 or 40 feet behind me and to my left that had fallen. He was standing still for a time and then he dropped. So when there were no longer any pictures to be taken, I retreated this 30 or 40 feet and standing rather near him about 10 feet away, I took pictures of him lying with his face on the ground. I could tell he had been shot by bloodstains on the back of his shirt.

Then I looked up. I had already seen policemen chasing strikers across the field in the distance, striking them from behind.

Very close to me, not more than 40 yards away, I saw two policemen chasing one young fellow, who was running as fast as he could go, and shouting over his shoulder, "I'm going, I'm going. I'm doing what you told me to do. I'm going as fast as I can." He came to the ditch very close to the two gardens, tried to jump across it, stumbled and these two policemen coming up on him simultaneously struck him down behind a little clump of bushes and then stood there for a couple of minutes slugging him. I have pictures of them standing over him hitting him with their clubs five or six times after he was down and apparently unconscious.

Senator LA FOLLETTE. Well, what happened then?

Mr. FISK. By that time the police on the left side of the police line had come up. I was still standing there with my camera under my arm, I had finished taking these pictures of them beating the chap on the ground, and two young policemen came up to me in succession and apparently realized I was not a demonstrator, that I was no part of the parade, or of the strike, and spoke to me rather casually and conversationally. We discussed the tear gas and how terrible the whole incident had been, and after both of those men had gone away a third policeman had come up to me, a rather older policeman, who still had his gun out in his hand, and he said, "What the hell are you doing here?" I said, "I am a preacher. I was asked to come down here as an impartial observer to see what happened today." He said, "Well, this is a hell of a place for a preacher to be." I made some comment, the exact wording of which I am not sure, that I thought perhaps it was a good place for a preacher to be. He said, "Well, get the hell out of here." So I turned to my left to go back in a northeasterly direction, to the point where I had left my car, and he said something like, "You better come back this other way." I said, "Just tell me where you want me to go and I will go there." We walked together back through the scene of the disorder, where the wounded and dead men were still lying, into the open space where the patrol wagons were drawn up.

At that time I had no idea I was under arrest, I had not been placed under arrest at all. We got into that open space and I was taken up to the first patrol wagon which was shown in the movie, and the patrolman who was standing near there said, "What about

this guy?" Only then did the policeman beside me say, "Oh, we might as well run him in too." That patrol wagon was so full of wounded prisoners that I could not even get into it. Then I was taken, perhaps 30 feet, to the second patrol wagon, which also was full, and I was put into it.

Senator LA FOLLETTE. Were you taken to a police station?

Mr. FISK. Yes. Very shortly after that the patrol wagon went out into Avenue O. By a very roundabout route we went first to the East Side station, and there I and one other man got out of the patrol wagon. The policemen there said there was no room in the station for us, to get back into the wagon. At that time one man who was standing there, I think a plain-clothes man, said, "This guy does not belong in there, does he?" Another fellow said, "Sure he does. Get in." So I got back into the wagon and we went to the South Chicago Station.

Senator LA FOLLETTE. And were you booked?

Mr. FISK. I was not booked. Arrest slips were filled out, however, at the station.

Senator LA FOLLETTE. When were you released?

Mr. FISK. I was released at noon on Monday.

Senator LA FOLLETTE. Do you know whether any charge was ever entered on the blotter?

Mr. FISK. I know that no charge was ever entered on the blotter.

Senator LA FOLLETTE. So far as you are concerned?

Mr. FISK. No. No charges were placed against any of the men up to the time I was released from the jail.

Senator LA FOLLETTE. How many people were in the wagon with you when you left the field?

Mr. FISK. Including myself there were 11 in the patrol wagon.

Senator LA FOLLETTE. Any wounded?

Mr. FISK. Yes; almost all of them were hurt in some way. There was one man, possibly two other men, besides myself who had not been hurt.

Senator LA FOLLETTE. Were any of them seriously wounded?

Mr. FISK. Yes; I would say that four were desperately wounded. Two of them had their heads laid open in several places so you could hardly see their hair for the blood on their heads, and their shirts were so soaked in blood that you could have wrung them out. Two other men were beaten so nearly into unconsciousness that they were sitting on the seats of the patrol wagon in a daze, rocking back and forth, almost falling out of their seats.

Senator LA FOLLETTE. Did you make any effort on Sunday night to communicate with anyone?

Mr. FISK. Yes; I did. When we first arrived at the station, and even before that, at every opportunity I explained to a policeman who I was and asked to see men in authority, and each time was denied that privilege. At the time the arrest slips were filled out I told who I was; why I had been there at that time, and the captain, or the supervising captain who was in the station said, "Well, he was with them, wasn't he? Put him in," and would not listen to my story at all.

After we got in the cell at every opportunity I asked the lockup man for a chance to see the captain. I was given that chance after a couple of hours; I am not sure just how long, and the captain

listened to my story and told me he would do everything he could for me, but I was sent back to the cell at that time.

Senator LA FOLLETTE. How was your release effected, do you know?

Mr. FISK. I was taken out at about 10:30, 5 or 5½ hours after my arrest, and asked if I would make a statement, which I did, and at that time was allowed to call my wife, and only until then did she know where I was. She immediately got busy getting in touch with people who had influence, to see what could be done about the situation. I was allowed to see her at 7 o'clock the next morning very shortly, and at noon they were finally able to make contact with the proper authorities to have me released.

Senator LA FOLLETTE. What happened to your camera?

Mr. FISK. About an hour after we had been put in the cell, possibly a shorter time, the lockup man came in and said he would have to have my camera. I objected. He said a receipt would be given to me. The camera was taken away and the receipt was given to me, but not before I had insisted that I get the camera back exactly as I had given it. He asked some things about whether the camera was locked, and I remember explaining to him that you must not push the trigger release—it had no guard on it, so the film would be exposed if it were tampered with.

Senator LA FOLLETTE. When was your camera returned to you?

Mr. FISK. My camera was returned to me at noon the next day, when I was released.

Senator LA FOLLETTE. Was the film in it?

Mr. FISK. The film was not in the camera.

Senator LA FOLLETTE. The film had been removed?

Mr. FISK. Yes. There is one other thing I might add to that. When I made my statement at 10:30 that night—there had been a family picnic planned for the next day, and I asked Lieutenant O'Donnell, who was listening to my testimony, if I could get the camera back in time to take some family pictures the next day, and all the lieutenant said was, "You will get your camera back, but I do not think he will let you have your film." That was the first intimation I had that the film might be confiscated. I made strenuous objections at that time against the removal of the film.

Senator LA FOLLETTE. Have you since recovered the film?

Mr. FISK. No; I have not recovered the film. The film was subpoenaed by the Senate committee, was obtained by them, and copies were made of my pictures, but the original went back to the police. I have had no success whatsoever in getting any assistance toward recovering them at all.

Senator LA FOLLETTE. But you have a print of the pictures?

Mr. FISK. No; I have not. I have nothing.

Senator LA FOLLETTE. Now, you saw the news-reel moving pictures here this morning?

Mr. FISK. Yes.

Senator LA FOLLETTE. Does your film add anything material to what was shown in those shots?

Mr. FISK. I think it adds possibly three things. When I saw it it seemed to me that on the right-hand side of the picture there was an instance of a policeman shooting at long range at the retreating strikers in that demonstration. Others have said they saw it. I

thought I saw it, but I want to see it more closely before I make a positive statement about it.

Another statement I want to make is about this man lying on his face. He was 100 yards from the police line and I guess an equal distance from the parade, yet he was cut down by a bullet and badly wounded, if not killed.

The third thing is this incident of police brutality, which was absolutely inexcusable, chasing this man into the field a distance of 50 or 60 yards, possibly 100 yards from the police line and there beating him into unconsciousness. There was no resistance at all on the part of that man.

Senator LA FOLLETTE. You are excused. Let a copy of the subpoena under which Reverend Fisk appeared before the committee be inserted in the record.

(The document was marked "Exhibit 1408" and appears in the appendix on pp. 5055-5056.)

Senator LA FOLLETTE. Frank McCulloch.

TESTIMONY OF FRANK W. McCULLOCH

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Please state your full name.

Mr. McCULLOCH. Frank W. McCulloch.

Senator LA FOLLETTE. Where do you live?

Mr. McCULLOCH. 2236 Orington Avenue, Evanston, Ill.

Senator LA FOLLETTE. What is your occupation?

Mr. McCULLOCH. I am a lawyer. After 5 years of active practice in the legal profession I became associated with the Council for Social Action of the Congregational Christian Churches of America. This is the national board of the Congregational Churches interested in furthering the activities of the churches and developing interests in social problems. I am associated with them as the industrial relations secretary.

Senator LA FOLLETTE. Were you present at the scene of the clash between the marchers and the police on Sunday, May 30?

Mr. McCULLOCH. Yes; I was.

Senator LA FOLLETTE. How did you happen to be there?

Mr. McCULLOCH. In my capacity as industrial relations secretary of the Council for Social Action I had learned that there was to be a meeting at Sam's Place of the Steel Workers' Organizing Committee. I had likewise heard of the difficulties on the previous Friday in establishing what the union claimed was its lawful picketing rights.

Senator LA FOLLETTE. What time did you get there?

Mr. McCULLOCH. I came down to Sam's Place about 3 o'clock.

Senator LA FOLLETTE. Was the meeting in the yard then in progress?

Mr. McCULLOCH. It was.

Senator LA FOLLETTE. Who was speaking, do you remember?

Mr. McCULLOCH. Leo Krzycki was speaking.

Senator LA FOLLETTE. Did you hear that other gentleman's speech also—the one that followed him?

Mr. McCULLOCH. I heard the bulk of the remarks of Mr. Fontecchio also.

Senator LA FOLLETTE. What was the substance of what you heard the speakers say?

Mr. McCULLOCH. The substance of the remarks of both speakers dealt with the need of supporting the union, supporting the C. I. O. and winning the strike. I can recall that Mr. Krzycki mixed into his speech some rather jocular remarks, he was in the nature of joking with the crowd, telling them that they looked rather healthy, they had been out under the sun and gotten sunburned, that they looked healthier than they had been looking for some time when they were working in the mills. He said some of them looked almost like they had visited some of the neighbors' cellars. The mood of the crowd during the speech was quite friendly, they were laughing at his jokes. Then he spoke to them in a more serious vein, he asked them to support the C. I. O., to help organize, that under the Wagner labor-relations law they had a right to organize.

Senator LA FOLLETTE. Did you hear any remarks from the speakers, or any statements, which were not related to the strike?

Mr. McCULLOCH. Only insofar as they dealt more generally with the rights of the workers to organize under the Wagner labor relations act. I think I remember Mr. Krzycki saying that he hoped the time would come when the workers throughout the country would have a larger purchasing power, when they could share more generously in the wealth of the country than at present. That was closely related to the issues before them.

Senator LA FOLLETTE. Did you hear the chairman, Mr. Weber, say anything?

Mr. McCULLOCH. While I was there I heard him say nothing that was not related to the specific issues before the meeting. I heard Mr. Fontecchio talk. His remarks seemed to be more closely related to the immediate situation. They dealt with the activities of the previous Friday night; they were critical of the police, whom he contended had denied them their lawful rights of picketing. I noted that he made reference to the mayor's statement about the rights of the union to carry on the ordinary union activities.

Senator LA FOLLETTE. Was he abusive in his remarks concerning the police?

Mr. McCULLOCH. At no time. I heard nothing in the remarks of either of them which could be construed as directly or indirectly an incitement to attack either upon the police or upon the property of the company.

Senator LA FOLLETTE. What happened next?

Mr. McCULLOCH. I circulated in the crowd around Sam's Place. I talked also with Mr. Sanford. As I was circling in the crowd during Mr. Fontecchio's speech I noticed that some of the men were in Green Bay Avenue with their signs up, and I anticipated then that there was probably going to be another effort to picket. I walked, therefore, down Green Bay Avenue myself, before Mr. Fontecchio's speech was over, to observe the situation down near the plant. I went down to One Hundred and Seventeenth Street, then west on One Hundred and Seventeenth Street, looking at the police lines as I went.

Senator LA FOLLETTE. You were behind the police lines then, at this time?

Mr. McCULLOCH. That is correct.

Senator LA FOLLETTE. Then where did you go?

Mr. McCULLOCH. After pausing at One Hundred and Seventeenth Street to nod to one or two of the reporters whom I happened to know merely by face and not by name, I went over to Burley Avenue and looked there at the situation, seeing a few police lined up along about One Hundred and Sixteenth Street across the prairie.

Senator LA FOLLETTE. Now, what could you see, and where were you when the marchers finally got up to where the police were lined up?

Mr. McCULLOCH. When the marchers approached the police lines I had been trying to stay out of the way of the activities of the police behind the lines, and some of the companies had been coming out of One Hundred and Seventeenth Street to increase the numbers up on Burley Avenue and One Hundred and Sixteenth Street, and in order not to interfere with the police lines I sought some other means of observation and went along One Hundred and Seventeenth Street at just about the time that the marchers were approaching the police lines, and then turned up the first alley, which you can see directly to the right on that map [indicating] of the little black line of barns, or whatever they were, sheds, back there on that alley. I was then turning into the alley, I should judge, at the time the two lines came together.

Senator LA FOLLETTE. And how close would you say that was to the lines?

Mr. McCULLOCH. Oh, that was some 150 yards, probably, away from the lines.

Senator LA FOLLETTE. Back?

Mr. McCULLOCH. Back.

Senator LA FOLLETTE. Now, tell us what you saw.

Mr. McCULLOCH. My view of the direct line of contact was also obscured by the barns to which I made reference. As I went into the alley another squad of police came running up the same alley. One of them told me to stand out of the way, which I did. They proceeded up to the end of the alley, which is marked up there on your map with a little line with some sort of dots on it. At the end of that alley is a fence. I came up toward it. Then, after the police squad had gone ahead, I was posted possibly 8 yards or so behind the policemen who were standing at the end of the alley, and my view of the direct position of contact between the police and the marchers was obscured by the barn there at the end of the alley.

The events that then took place, as nearly as I can put them together, were that the men at the end of the alley, the policemen there, and there were a few other bystanders, had their attention directed over to the left, to the place where the line of contact was. All of them seemed very much wrapped up there. Then a series of events took place so quickly that I can hardly tell in what order they took place.

Senator LA FOLLETTE. Do your best.

Mr. McCULLOCH. It was the beginning of a backward movement, uncertainty, apparently, in the ranks of the marchers. The marchers, you will understand, were cut off from me and from the police squad in the alley by this first fence, by a garden probably 30, 40, or 50 feet broad, and then by some swamp land beyond that.

Then I saw a rock come from the ranks of the strikers and hit the fence at the end of the alley. Almost at the same time I became aware of clouds of smoke, which were, apparently, from the gas bombs which had been fired, and the shooting was taking place almost at the same time.

I know that it was directly after the throwing of the rock that hit the fence at the end of the alley that one of the policemen at the end of the alley took out his gun and fired it in the direction of the marchers who were by that time almost in full flight.

Senator LA FOLLETTE. Are you sure he was not shooting up in the air?

Mr. McCULLOCH. His gun was pointed directly in the direction of the men and not up in the air.

Senator LA FOLLETTE. What did you see him do next?

Mr. McCULLOCH. He emptied his gun, and when he had taken it down he reached for another clip of cartridges, and by that time another policeman came over to him. They exchanged some words which I could not hear. The workers seemed to be quite far away by that time.

Another policeman came over to me and asked me what I was doing there, and upon learning he told me I better get out from behind the police lines, and escorted me part of the way back from out behind the police lines.

I took one picture in the alley. I confess that things happened so quickly that I did not have the newspaper photographer's sense of taking it at any strategic moments. All it does is establish my own presence there and shows the policemen at the end, one of them who had stopped firing, and the other one talking to him, and another in the foreground coming after me.

Senator LA FOLLETTE. Let me see the picture.

(The picture was handed to Senator La Follette.)

Mr. McCULLOCH. An enlargement of a section of that picture was made by Rev. Clayton Gill, who is a friend of mine, of the two policemen standing at the end of the alley.

Senator LA FOLLETTE. Was this policeman in any danger at the time he used his gun?

Mr. McCULLOCH. Not in my opinion. He was, oh, more than 50, 60, 70 feet from any of the marchers. He was cut off by two fences and a swamp from the men who were in the column of the marchers.

Senator LA FOLLETTE. Give the picture and the enlargement exhibit numbers.

(The pictures were marked "Exhibit 1409 and 1410." Exhibit 1409 is reproduced in the appendix on p. 5140. Exhibit 1410 is held in committee files.)

Senator THOMAS. Why did the officer shoot?

Mr. McCULLOCH. I thought at the time that he might be firing blanks in an effort to frighten the men and do completely the job of breaking up the column.

Senator THOMAS. You could not see what he was shooting at; whether he was shooting at anything in particular?

Mr. McCULLOCH. His arm was raised, I should say, at least 6 feet high, and I believe above the level of the fence. The fence is just about 6 feet high there, possibly a little less.

Senator THOMAS. Was he excited or deliberate?

Mr. McCULLOCH. I was so excited myself I can hardly tell whether he was excited or deliberate. I cannot answer that question.

Senator THOMAS. Now, in your experiences with the strikers before the combat, you mentioned that there were some antipolice remarks made. Just how much of an impression did that make on you at that time?

Mr. McCULLOCH. The remarks, as I recall them, did, as one of the previous witnesses has testified, contrast the action of the Chicago police with that of some of the Indiana police in this particular situation.

Senator THOMAS. Do you think it had gotten to the state that you could recognize a feud between the strikers and the police?

Mr. McCULLOCH. It did not seem so to me. The group, as it was listening, was rather idly listening. The men were all attentive but not tense. There were women and children in the crowd, and the whole feeling of the people, as I walked among them, as I say, was not one of intense hatred, so far as I could judge by their outward action.

Senator THOMAS. Were they against the police because they thought the police had taken sides, or was it just an out-and-out dislike of police because they were police?

Mr. McCULLOCH. Well, that is an inquiry as to motives, which is hard for me to judge. So far as their outward actions were concerned, and so far as the speech of the speaker was concerned, it seemed to center on the refusal by the police of what he claimed were their lawful rights.

I have seen some mighty good policing in the city of Chicago, and I have seen some policing that I did not approve of.

I should say for the record here, so the committee may know frankly my situation, that the police haven't always approved of my conduct. After participating in one picket line in the city of Chicago on one occasion, a very similar picket line 5 days later was broken up by plain-clothes policemen and I was apprehended. I want the committee to know that. That may be a possible basis of prejudice on my part. I was, of course, charged later with disorderly conduct and then finally with parading without a permit. The charges were finally nolle prossed.

At that time, I might add, the assistant corporation counsel of the city stated that an investigation made in his office indicated some doubt about the constitutionality of the ordinance relating to parades because of the large delegation of powers made to the commissioner of police in that particular ordinance.

Senator LA FOLLETTE. What was the name of the assistant corporation counsel?

Mr. McCULLOCH. I could get it. I could recognize his face but I cannot tell you the name at the present time. If the committee would like me to send that in I will do so.

Senator LA FOLLETTE. You may.

Mr. McCULLOCH. Being one of the principals, of course, I had a lawyer handling the case. I tell you this to indicate that there may be a feeling that I am prejudiced against the police because of that run-in of mine.

I have had contact with them on other occasions. I have seen them handle large groups of unemployed where the policing has been,

in my opinion, of a very excellent nature, but on other occasions we have had much fault to find with the police activities that were shown. This was one case where I felt what I did observe was quite inexcusable.

Senator THOMAS. When you were back of the police did you notice any of them carrying any club or any weapon which was not regulation?

Mr. McCULLOCH. I noticed no kind of weapon that did not appear to meet the regulation. I did see some, what I thought were probably gas bombs, being handed back and forth in the hurry of the men running up to bolster the police line.

Senator THOMAS. Where did they come from?

Mr. McCULLOCH. As I recollect, one policeman was handing them to another. I do not recall them coming from any other source than one policeman handing them to another.

Senator THOMAS. You do not know their origin?

Mr. McCULLOCH. No; I have no idea of their origin, what their origin was. That was at the time I was still at the corner of the prairie and One Hundred and Seventeenth and standing out of the way of a policeman running up to bolster the line.

Senator LA FOLLETTE. At the time the crowd assembled and before you left it up on Green Bay Avenue did you see any weapons in the crowd, sticks, stones, bricks, gas pipe, or any kind of pipe?

Mr. McCULLOCH. I noticed no weapons at all at that time or at any other time, because, of course, I could not see the line of marchers after they began because of my position. They had signs, a number of placards that they were holding up and were apparently ready to start with their placards.

Senator LA FOLLETTE. Let this picture marked "KK" be given an exhibit number.

(The picture was marked "Exhibit 1411" and is held in committee files.)

Senator THOMAS. Will you look at that, please, Mr. McCulloch? Did you see any clubs like that one [indicating]?

Mr. McCULLOCH. I did not notice any clubs like the one carried by the officer on the left.

Senator THOMAS. You would have noticed it, do you think?

Mr. McCULLOCH. I am not sure that I would. My experience with riots is not so long that I have had occasion to look for those things.

Senator THOMAS. Does that look like a policeman's billy club?

Mr. McCULLOCH. In that picture it does not look like a policeman's billy club. I did not have a chance to see any of those during the time I was back there.

Senator THOMAS. In your wanderings around you did not get the origin of any of these clubs, did you?

Mr. McCULLOCH. No; I did not.

Senator THOMAS. You do not know anything about them?

Mr. McCULLOCH. I had gone down originally to look at the meeting, and when I was behind the police lines I expected to see the progress then of the marchers perhaps in front of the plant. I just did not anticipate what happened as well as the photographers and press men did. Possibly I was a little more cautious than they, because I had no press card, either.

Senator LA FOLLETTE. Let a copy of the subpoena under which Mr. McCulloch appears before the committee be inserted in the record and given an exhibit number.

(The document was marked "Exhibit 1412" and appears in the appendix on p. 5056.)

Senator LA FOLLETTE. The committee will take a recess until 2 o'clock.

(Whereupon at the hour of 1:10 p. m. the committee recessed until 2 p. m. of the same day.)

AFTERNOON SESSION

(The hearing was resumed at 2 p. m., at the conclusion of the recess.)

Senator LA FOLLETTE. Mr. Stewart.

TESTIMONY OF JAMES STEWART

Senator LA FOLLETTE. Mr. Stewart, what is your full name?

Mr. STEWART. James Stewart.

Senator LA FOLLETTE. How do you spell your last name?

Mr. STEWART. S-t-e-w-a-r-t.

Senator LA FOLLETTE. Where do you live?

Mr. STEWART. 1761 East Seventy-second Place.

Senator LA FOLLETTE. Chicago?

Mr. STEWART. Chicago, Ill.

Senator LA FOLLETTE. What is your occupation?

Mr. STEWART. Electrician by trade. My position right now is head motor room operator, Carnegie-Illinois Steel Co., South Works.

Senator LA FOLLETTE. How long have you been employed in the Carnegie-Illinois Steel Co.?

Mr. STEWART. Since October 1926.

Senator LA FOLLETTE. Where did you work before that?

Mr. STEWART. Before that I worked in the G. H. Hammond Co. stockyard.

Senator LA FOLLETTE. Chicago?

Mr. STEWART. Chicago.

Senator LA FOLLETTE. Are you a member of any union?

Mr. STEWART. I am a member of the Amalgamated Association of Iron, Steel, and Tin Workers.

Senator LA FOLLETTE. Do you hold any position in the union?

Mr. STEWART. I am president of Lodge 65.

Senator LA FOLLETTE. Is that the Carnegie-Illinois Steel lodge?

Mr. STEWART. That is the Carnegie-Illinois Steel lodge, South Works.

Senator LA FOLLETTE. Do you have any collective bargaining agreement with that company?

Mr. STEWART. We have.

Senator LA FOLLETTE. How long has that been in effect?

Mr. STEWART. Since last March. I think that that is when we signed that agreement.

Senator LA FOLLETTE. Did you take any part in any of the activities in connection with the strike of the Republic Steel plant which began on May 26?

Mr. STEWART. I was present on Sunday, May 30. That was my first.

Senator LA FOLLETTE. Did you attend the meeting that was held at Sam's Place on Sunday, the 30th?

Mr. STEWART. I did.

Senator LA FOLLETTE. How did you hear about that meeting?

Mr. STEWART. I heard about that over at headquarters.

Senator LA FOLLETTE. Why did you go? You were not a member of the Republic. Why did you go out to the Republic meeting?

Mr. STEWART. I went to hear the meeting and also to lend moral support to my brother trade unionists.

Senator LA FOLLETTE. Approximately what time did you get to Sam's Place on Sunday, the 30th?

Mr. STEWART. About 2 o'clock.

Senator LA FOLLETTE. And how many people were there when you got there, would you say?

Mr. STEWART. I would say, around a thousand men, at that time.

Senator LA FOLLETTE. Had the meeting been called to order yet?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. You were there during the entire meeting?

Mr. STEWART. Yes, sir.

Senator LA FOLLETTE. Were you out in the yard where you could hear the speeches and could hear any statements made by the people who participated in the meeting?

Mr. STEWART. Most of the time. At the last, when the last speaker got on the platform, I went inside and talked with my wife, who was serving in the kitchen.

Senator LA FOLLETTE. You say your wife was serving in the kitchen?

Mr. STEWART. Yes, sir.

Senator LA FOLLETTE. Were they serving lunches out there at that time?

Mr. STEWART. They served lunches all the time there.

Senator LA FOLLETTE. Whom did you hear speak?

Mr. STEWART. Joe Weber was chairman, and then I heard Mr. Krzycki speak, and I heard the beginning of Mr. Fontecchio's speech.

Senator LA FOLLETTE. Tell us the substance of every one of those speeches that you heard there.

Mr. STEWART. The substance of all the speeches was along trade union lines; talking about the labor movement, the strike. Most of them stressed our right to peaceful picketing under the United States Labor Relations Act.

Senator LA FOLLETTE. Did you hear any statements made concerning the police?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. Did you hear any uncomplimentary references to the police by any of the speakers?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. Or the chairman?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. Did you hear any suggestion made by anybody who was speaking at the meeting that it would be a good idea to go down and storm the plant or take the workers who were still in the plant who had not come out on strike, out of the plant?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. What did you understand, from the speeches that were made, were the objectives of the march?

Mr. STEWART. I understood that the objective was partly to protest against the treatment that we had had on Wednesday night, I think, or Friday night, rather, when they were attacked by the police. I understood it was purely a protest meeting.

Senator LA FOLLETTE. Did you understand what they proposed to do, what the objective of the march was? Did you understand it to be in relation to picketing or in relation to an attack on the plant or an attempt to capture the plant?

Mr. STEWART. I understood it as a meeting to establish our right to peaceful picketing.

Senator LA FOLLETTE. Did you hear anything said at any time by anybody before the march started or after it started before you got down to the police lines, which indicated that anybody that you heard in the crowd had the objective of attacking the plant or getting into the plant or molesting or attacking any of the employees who had not gone out on strike and were still in the mills?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. Where were you when the march started?

Mr. STEWART. As I said, when Mr. Fontecchio started to speak, I left the meeting and went inside. I was talking with my wife when I heard the strikers starting to march past the plant. So I immediately came out. They were forming out on the road there. So I went forward and went into the very front ranks of the marchers.

Senator LA FOLLETTE. When you walked up along the line to get in the front rank, how many sticks, stones, clubs, and pieces of gas pipe did you see?

Mr. STEWART. I didn't see any at that time. Later on, after we, when we were contacted by the police, I did see several men with what I would say would be a part of a limb of a tree.

Senator LA FOLLETTE. I will offer picture "A", which will be given an exhibit number.

(The picture was marked "Exhibit 1413" and is reproduced in the appendix on p. 5141.)

Senator LA FOLLETTE. Can you identify yourself in that picture?

Mr. STEWART. I can.

Senator LA FOLLETTE. Are you the man with the white shirt and no coat with the wrist watch on your left arm, with the banner that says, "Bullets and batons instead of protection at Republic Steel"?

Mr. STEWART. That is me.

Senator LA FOLLETTE. And you are on the right of the man who is carrying the second of the American flags, reading from left to right in the picture?

Mr. STEWART. Yes, sir.

Senator LA FOLLETTE. That is correct?

Mr. STEWART. That is correct.

Senator LA FOLLETTE. When was this picture taken, would you say, in relation to the time of contact with the police by the marchers?

Mr. STEWART. I would say just a few seconds before we came to a halt.

Senator LA FOLLETTE. What was the demeanor of the crowd? How did they behave while they were marching down the road and across the prairie? Or could you see, because you were in the front rank?

Mr. STEWART. Being in the front rank, I could not see what was going on behind me. But I heard a lot of good-natured banter among the marchers.

Senator LA FOLLETTE. Some of the affidavits of the policemen indicate that the crowd was singing "The Internationale." Do you know a song by that name when you hear it?

Mr. STEWART. I do.

Senator LA FOLLETTE. Did you hear that sung?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. Did you hear any song sung?

Mr. STEWART. "Union Makes Us Strong."

Senator LA FOLLETTE. What piece of music are those words set to?

Mr. STEWART. I never sang that. I couldn't say. I just recall how it starts.

Senator LA FOLLETTE. What are the words again?

Mr. STEWART. I believe that those are the words, not the name of it.

Senator LA FOLLETTE. What is it that makes you strong?

Mr. STEWART. Union makes us strong.

Senator LA FOLLETTE. Does it sound anything like "The Internationale"?

Mr. STEWART. No, sir.

Senator LA FOLLETTE. You were in the front rank and must have been among those who were the first to come within conversational distance of the police lines. Is that not correct?

Mr. STEWART. That is correct.

Senator LA FOLLETTE. Tell us exactly what happened that you saw and know of your own knowledge.

Mr. STEWART. We walked up until we came close to the police, I would say, about one step from them. The front line stopped there. I personally started talking with the two policemen directly in front of me. The crowd seemed to come from the rear and spread out to the side of me.

A policeman came to me and said, "Why don't you go back, go home?" I said, "Why, we are only going to march past the plant and establish our right to peaceful picketing."

"Well," he said, "I am only trying to do my duty."

I said, "I have no doubt about that, but we have our rights under the law."

"Well," he says, "we don't want any trouble."

I said, "Neither do we. We don't intend to give any trouble. We only want to march past the plant and establish our right to peaceful picketing."

Senator LA FOLLETTE. Was this a patrolman that you were talking to?

Mr. STEWART. It was.

Senator LA FOLLETTE. Or a commissioned officer?

Mr. STEWART. A patrolman.

Senator LA FOLLETTE. Were there any commissioned officers near where you were standing at this time?

Mr. STEWART. I can't recall seeing any of them, but there may have been.

Senator LA FOLLETTE. Did you hear any conversation between any of the other marchers and the police?

Mr. STEWART. I heard voices going on. I was not conscious of what was being said.

Senator LA FOLLETTE. Proceed.

Mr. STEWART. While I was talking to them I could hear a voice over to my left going on steadily as though reading something. The crowd from behind seemed to crowd over to where that reading was going on. There was quietness for a bit, as though they were listening.

As he stopped reading, as the reading ceased, the policeman right in front of me swung his baton on me; and it hit the sign I was carrying and slid down on my right shoulder.

At the same time the policeman I had been talking to, he swung at me too. I ducked and put my arm over my head in this fashion [indicating]. The baton hit me over the forearm here [indicating]. From there on it was confusion.

Senator LA FOLLETTE. Just a moment. Going back to the time when you say you heard some one reading, or speaking in a manner which led you to believe that he was reading from something, how about these missiles, stones, and sticks?

Mr. STEWART. I did not see any.

Senator LA FOLLETTE. You didn't see any, notice anything thrown before you were hit?

Mr. STEWART. No, sir. There was nothing in my immediate vicinity. I cannot account for what was going on behind me. But right in front of me. I was engaged in talking with these two policemen and explaining why we was there and what we intended to do.

Senator LA FOLLETTE. Then you say that you were struck and there was confusion?

Mr. STEWART. Yes, sir.

Senator LA FOLLETTE. Tell us, to the best of your recollection, insofar as it serves you well enough, what happened.

Mr. STEWART. I remember hearing the crackling of shots going on to my left. The policeman immediately in front of me, after he had swung on me, then he started drawing his gun, which I had a distinct impression in my mind after it was over that he was having quite a struggle to get it out. It was a brand new holster.

While he was struggling to get the holster—to get the gun out of the holster, I, of course, turned and started to run. I got several blows on my back while I was running.

After I got a little bit clear of the crowd, a man alongside of me dropped. I thought he had just stumbled, as I had done myself several times. But as I passed him up, he shouted, "I am shot."

So I immediately stopped and went back to him, and two other men on my right who were running, they came over; and the three of us picked the man up. I took one of his legs and another man took a leg and one took a shoulder, and we carried him along with us until a car came up. We put the man in the car.

By this time the massacre was over. The police had formed back in line again, and the few stragglers of the marchers who were left,

they also came back into line, I would say roughly, about 100 yards apart.

We stood looking at each other for, say, a minute. The police started to advance on us, so we retreated. This happened, I would say, two, possibly three times.

Then some one in about the center of the police ranks attempted to throw a gas bomb; but he fumbled it and it dropped right at his feet, and the police themselves were enveloped in the gas which, of course, caused laughter from the crowds of the marchers.

We stood there for, I would say, 5, probably about 5 minutes; and then we decided that the best thing to do was to go back to Sam's Place. Somebody shouted, "Go back to Sam's Place." So we straggled back there.

Senator LA FOLLETTE. This man that you picked up, who cried that he was shot—did you see where he was hit?

Mr. STEWART. I didn't see where he was hit.

Senator LA FOLLETTE. While you were talking to the police, what was their attitude, those that you saw?

Mr. STEWART. I would say they were highly nervous. There were some ladies immediately behind me, and during the conversation they started to shout, "C. I. O., C. I. O." right over my shoulder. There seemed to be a shiver of tension that went through the police at that time. I have a distinct recollection of that.

Senator LA FOLLETTE. Did you recognize any of the police?

Mr. STEWART. No. I cannot recognize any of them.

Senator THOMAS. Why should a shiver go through the police when this lady shouted "C. I. O."?

Mr. STEWART. Well, I don't know. It seemed to be sort of a tension, like they were going to take action.

Senator THOMAS. Is that cry a battle cry or anything of that kind?

Mr. STEWART. No, sir.

Senator THOMAS. This cry caught the attention of all the police, did it?

Mr. STEWART. I can only state for the ones that were immediately in front of me; I would say three or four.

Senator THOMAS. You are sure that they noticed that?

Mr. STEWART. Yes.

Senator THOMAS. That the shiver came from that cry?

Mr. STEWART. Yes.

Senator THOMAS. Mr. Stewart, will you take this picture, please?

Senator LA FOLLETTE. Give picture "O" an exhibit number.

(The picture was marked "Exhibit 1414" and is reproduced in the appendix on p. 5142.)

Senator THOMAS. This picture is not in any way related to any of your testimony, Mr. Stewart; but I want you to answer some questions about it. How many civilians can you see standing up there on their feet in this picture?

Mr. STEWART. I see one lady.

Senator THOMAS. Can you find another right near the center back?

Mr. STEWART. There is one there on his feet. I wouldn't say whether he is a policeman or not. He has no hat on.

Senator THOMAS. That is a man, though?

Mr. STEWART. Yes.

Senator THOMAS. A civilian? He is not in uniform, is he?

Mr. STEWART. It seems he has got some clothes on. He has a few buttons on his sleeve, and he has got no hat.

Senator THOMAS. He may be a policeman, then?

Mr. STEWART. I would say he would be a policeman.

Senator THOMAS. Then there is only one civilian standing up?

Mr. STEWART. That is what I would say.

Senator THOMAS. And that is a woman?

Mr. STEWART. That is a woman.

Senator THOMAS. How many are prostrate, lying down?

Mr. STEWART. I would say, seven.

Senator THOMAS. Is it hard to count them?

Mr. STEWART. Seven or eight, probably.

Senator THOMAS. Is it hard to count them?

Mr. STEWART. No, sir. It is a matter of picking out the forms.

Senator THOMAS. Are they lying separate from one another?

Mr. STEWART. No. They are in a heap.

Senator THOMAS. They are in a heap?

Mr. STEWART. Yes, sir.

Senator THOMAS. Are they all men?

Mr. STEWART. There is one lady distinct there.

Senator THOMAS. Is she under any one else?

Mr. STEWART. Yes, sir.

Senator THOMAS. Others are piled on top of her, are they?

Mr. STEWART. Others are piled on top of her.

Senator THOMAS. Which way is she facing in the picture?

Mr. STEWART. Facing in the direction the marchers are running.

Senator THOMAS. You cannot see her face?

Mr. STEWART. You cannot see her face, but I would say, from her position with the police, that she is facing away from them.

Senator THOMAS. That is, facing away from the police?

Mr. STEWART. Yes.

Senator THOMAS. Do the group, all of those who are in the group, do they all look injured?

Mr. STEWART. It is logical to assume that they are injured when they are on the ground.

Senator THOMAS. Look at the man in the gray suit with the hat. Does he look injured to you?

Mr. STEWART. By the position of his arm I would say that he was unconscious.

Senator THOMAS. You think he is unconscious?

Mr. STEWART. I would say so. Yes.

Senator THOMAS. What about the man in front of him, with a hat, with his face toward you, that you can see is facing you?

Mr. STEWART. He looks in a relaxed position, too.

Senator THOMAS. In what position are his hands?

Mr. STEWART. His right hand is on a level with his face. His left hand is partly doubled on his breast.

Senator THOMAS. How are his fingers in the hand, where you can see his fingers? Are they relaxed or are they tensed?

Mr. STEWART. They are doubled up.

Senator THOMAS. Is there any one of the persons on the ground that shows any life at all?

Mr. STEWART. I wouldn't say so.

Senator THOMAS. Look at the man who is holding his hand up and facing the police.

Mr. STEWART. He may give the impression of trying to recover himself, trying to.

Senator THOMAS. What is the policeman opposite him, over him, doing?

Mr. STEWART. He is holding a club.

Senator THOMAS. What color club?

Mr. STEWART. There is one club that is light in the picture. I wouldn't say whether it was that color or not.

Senator THOMAS. It is lighter than the rest of the picture, isn't it?

Mr. STEWART. Lighter than the rest.

Senator THOMAS. And from the expression of his face what is he doing?

Mr. STEWART. Do you mean—

Senator THOMAS. The policeman with the club lifted up.

Mr. STEWART. He looks like he was tense or something.

Senator THOMAS. Whom is he looking at?

Mr. STEWART. He is looking down at the man in the heap there.

Senator THOMAS. What is the man in the heap doing?

Mr. STEWART. He has got his hands up in a gesture of warning, to shove him off.

Senator THOMAS. Well, it looks as if those two men are at least paying attention to each other, are they not?

Mr. STEWART. Yes, sir.

Senator THOMAS. What is the woman that is standing up doing?

Mr. STEWART. It looks like she is gesticulating or arguing with some one.

Senator THOMAS. How many policemen can you see in this picture?

Mr. STEWART. Fifteen, and one doubtful.

Senator THOMAS. The one doubtful is the one you mentioned before?

Mr. STEWART. Yes.

Senator THOMAS. What about this one here [indicating]? Does that look like a policeman?

Mr. STEWART. I am taking him for a policeman on account of his dark clothes.

Senator THOMAS. Now, judging from the way that these people have fallen on the ground and from what you have seen of the contest yourself, having been in it, did they all go down together, do you think?

Mr. STEWART. It looks more or less to me like the result of people stumbling, people being pursued, and the front ones stumbling and the rest piling up on top of them.

Senator THOMAS. Is there any evidence of any one willfully piling up?

Mr. STEWART. No, sir.

Senator THOMAS. There is still one lady standing, isn't there?

Mr. STEWART. There is one lady standing.

Senator THOMAS. What is the condition of the man right in front with the white shirt, with his back to you, on the ground?

Mr. STEWART. This one here [indicating]?

Senator THOMAS. Yes.

Mr. STEWART. He looks like he was lying out unconscious.

Senator THOMAS. He is completely out, isn't he?
 Mr. STEWART. He is completely out.
 Senator THOMAS. He has all the appearance of a dead man?
 Mr. STEWART. He has the appearance of it.
 Senator THOMAS. Thank you, Mr. Stewart.
 Senator LA FOLLETTE. Now, Mr. Stewart, how many women did you see in the crowd?
 Mr. STEWART. I would say there were a dozen behind me when we started marching.
 Senator LA FOLLETTE. And how many women did you see as you walked down the line of march to get up near the front?
 Mr. STEWART. Well, the ones behind me stayed there until we contacted the police. I don't know how many more crowded forward after that.
 Senator THOMAS. One more question, Mr. Stewart. How many men can you count that are piled on top of that one woman?
 Mr. STEWART. I would say, two. There seems to be one across her legs and one in the middle of her back.
 Senator THOMAS. And the one that has his—
 Mr. STEWART (interrupting). Three, rather.
 Senator THOMAS. He is on her, too?
 Mr. STEWART. He is on her, too.
 Senator THOMAS. She is not on the ground, is she?
 Mr. STEWART. No; it seems like there is some one in below her.
 Senator THOMAS. There is definitely someone under her chest, isn't there?
 Mr. STEWART. Yes, sir.
 Senator THOMAS. The rest of the body does not show. Does her head look as if she is out, too?
 Mr. STEWART. Yes, sir.
 Senator THOMAS. Where were you born, Mr. Stewart?
 Mr. STEWART. Glasgow, Scotland.
 Senator THOMAS. How long have you been in America?
 Mr. STEWART. Since the 1st of March 1923.
 Senator THOMAS. Are you a citizen?
 Mr. STEWART. First papers.
 Senator LA FOLLETTE. Let a copy of the subpoena under which the witness appears before this committee be inserted in evidence.
 (The document was marked "Exhibit 1415" and appears in the appendix on p. 5057.)
 Senator LA FOLLETTE. Mr. Weber.

TESTIMONY OF JOE R. WEBER

(The witness was sworn by Senator La Follette.)
 Senator LA FOLLETTE. What is your full name?
 Mr. WEBER. Joe R. Weber.
 Senator LA FOLLETTE. How do you spell your last name?
 Mr. WEBER. W-e-b-e-r.
 Senator LA FOLLETTE. Where do you live?
 Mr. WEBER. 6102 Eberhart Avenue, Chicago.
 Senator LA FOLLETTE. By whom are you employed?
 Mr. WEBER. Steel Workers' Organizing Committee.
 Senator LA FOLLETTE. How long have you been working for the Steel Workers' Organizing Committee?

Mr. WEBER. Since August 19, 1936.
 Senator LA FOLLETTE. Where did you work prior to that time?
 Mr. WEBER. Ingersol Steel & Disc Co., in Chicago?
 Senator LA FOLLETTE. For how long?
 Mr. WEBER. For a period of approximately 18 months.
 Senator LA FOLLETTE. Where did you work before that?
 Mr. WEBER. I picked up odd jobs repairing cars and did a bit of selling.
 Senator LA FOLLETTE. Will you describe briefly the nature of the duties that you perform on the Steel Workers' Organizing Committee?
 Mr. WEBER. For a period of approximately 6 months I was in charge of a branch office of the Steel Workers' Organizing Committee in the southwest end of Chicago. That took in some of the suburbs of Chicago, namely, Blue Island, Harvey, Riverdale, West Pullman, and vicinity.
 Senator LA FOLLETTE. And who was your immediate superior on the committee?
 Mr. WEBER. Mr. Nicholas Fontecchio.
 Senator LA FOLLETTE. Were you ever assigned, definitely, to the work of organization of the Republic Steel plant in South Chicago?
 Mr. WEBER. Not specifically to the Republic Steel Co. I was assigned to the South Chicago office.
 Senator LA FOLLETTE. Now, after the strike started on Sunday, the 26th, were you assigned by the committee to do any work in connection with the strike?
 Mr. WEBER. I first appeared in South Chicago following the strike, on Friday afternoon, to address a meeting; and was attached to the South Chicago office for an indefinite period on Saturday morning.
 Senator LA FOLLETTE. Now, when did you first go out to the area where the plant is located after the strike started?
 Mr. WEBER. The first time I went in the neighborhood of the Republic Steel plant was on Sunday, Memorial Day.
 Senator LA FOLLETTE. And who assigned you there?
 Mr. WEBER. I was designated by Mr. Riffe as chairman of the Memorial Day meeting.
 Senator LA FOLLETTE. And at what time did you get out to Sam's place on Sunday?
 Mr. WEBER. I arrived there a few minutes before 3 o'clock on Sunday afternoon.
 Senator LA FOLLETTE. Was there any discussion among the organizers or officials of the local, the Blue Eagle Local, concerning a contemplated march or demonstration prior to the mass meeting on Sunday?
 Mr. WEBER. Prior to my arrival in South Chicago a protest meeting was planned and advertised.
 Senator LA FOLLETTE. I am sorry, but what I am trying to find out is, did you take part in any discussions with any of the other responsible organizers or officials of the organizing committee or of the local about a march, after the protest meeting, prior to the time that the meeting was convened and the speaking began?
 Mr. WEBER. Yes. I met with the strike strategy committee on Saturday morning, prior to the meeting.

Senator LA FOLLETTE. Tell us what happened there.

Mr. WEBER. I was given specific instructions by my immediate superior, Mr. Fontecchio, to go into South Chicago for an indefinite period, to take up with the leadership of the strike there, that is, the strike committee, two matters.

First, a telegram was received both at our district headquarters at Indiana Harbor, and Mr. Riffe had received a similar telegram from Philip Murray, chairman of the Steel Workers' Organizing Committee, with definite instructions on certain matters in connection with the strike.

Senator LA FOLLETTE. Have you a copy of that telegram with you?

Mr. WEBER. I have.

Senator LA FOLLETTE. Let me see it.

(The witness handed a telegram to Senator La Follette.)

Senator LA FOLLETTE. Give that an exhibit number.

(The document was marked "Exhibit 1416" and appears in the appendix on p. 5057.)

Senator LA FOLLETTE. You may read it.

Mr. WEBER (reading):

Mr. John Riffe, Eagles Hall, 9233 Houston Avenue, Chicago—

Senator LA FOLLETTE. Where is the telegram dated?

Mr. WEBER. Pittsburgh, Pa., on the 28th of May, 3:02 p. m.

Meetings of strikers should be arranged as soon as possible to appoint committees to register all strikers by taking name, address, where employed, department, number of dependents. Each striker should be required to present proof of union membership at meetings, and if not a member should be requested to sign application in usual manner. Important every possible striker be recruited for union membership. Steps should also be taken to form local committees composed of representatives from friendly unions and sympathizers with C. I. O. for purpose mobilizing assistance property owners and others to provide bail in event extensive arrests of strikers and pickets. This necessary to supplement bail arrangements already made if same prove inadequate because possible larger number arrests and high bail requirement.

(Signed) PHILIP MURRAY, *Chairman*.

In compliance with the telegram my specific duty was first to make arrangements with the responsible strike committee of Republic Steel and Youngstown Steel & Tube of South Chicago for the registration of all of the strikers. My understanding of these instructions was that if the strike became a prolonged affair, that the Steel Workers' Organizing Committee would give whatever strike aid it could.

The second matter discussed at the strike committee meeting on Saturday, strategy, was to organize a system of picketing in South Chicago such as had been successfully inaugurated in both Chicago Heights as well as Indiana Harbor.

In the steel industry, of course, there are three shifts. We, of necessity, had to organize continuous picketing throughout the day and night. With such a large number of men involved, running into the thousands, we had to organize a four-shift system of picketing.

With the strike strategy committee of Republic Steel we worked out a system where one or a group of departments would be charged with the responsibility of picketing the plant in a given shift, and so on.

After we had worked out this system of picketing, we mimeographed this system; and I have a copy of the shifts and departments and the strategy committeemen who were responsible for their respective shifts.

Senator LA FOLLETTE. Let me see that.

(The witness handed a paper to Senator La Follette.)

Senator LA FOLLETTE. Give it an exhibit number and let it be included in the record.

(The document was marked "Exhibit 1417" and appears in the appendix on pp. 5057-5058.)

Senator LA FOLLETTE. Was there any discussion by this strategy meeting, at this Saturday meeting, of this mass meeting that was to be held at Sam's Place on the following day?

Mr. WEBER. There was mere mention of the meeting on Sunday incidental to the principal order of business at that meeting.

Senator LA FOLLETTE. Was there any discussion there of the possibility of having the people who attended the meeting then march down toward the plant?

Mr. WEBER. There was none whatsoever.

Senator LA FOLLETTE. Was there any such discussion, in your hearing, at any time on Sunday, in Sam's Place or elsewhere, among the people who had something to do with the strike?

Mr. WEBER. Not to my knowledge.

Senator LA FOLLETTE. As to such a march.

Mr. WEBER. Not to my knowledge.

Senator LA FOLLETTE. You say you got out to the meeting about 2 o'clock?

Mr. WEBER. Just before 3 o'clock.

Senator LA FOLLETTE. Now, tell us, briefly, what happened at the meeting.

Mr. WEBER. I arrived at Sam's Place with Mr. Fontecchio and a few other people. We drove over from Eagles Hall, or South Chicago S. W. O. C. headquarters.

We noticed a girl on the platform. She was entertaining the crowd singing prior to the opening of the meeting. Some announcements were also made by one of our staff people from Indiana Harbor, Mr. Anderson.

About 5 minutes after our arrival there Mr. Riffe asked me to act as chairman of the meeting.

Senator LA FOLLETTE. Did you do so?

Mr. WEBER. I did.

Upon opening the meeting, I spoke 4 or 5 minutes. The substance of my remarks was about as follows:

On the preceding day the Monroe, Mich., plant of the Republic Steel Co., according to press reports, had gone out on strike 100 percent. I made that announcement to the audience and said that that was an answer to the arrogant position of Thomas Girdler and the Republic Steel Co. in their refusal to deal with their workers through the Steel Workers' Organizing Committee in collective bargaining.

I thereupon proceeded to announce, addressing myself particularly to the strikers, and read the system of picketing and read the various departments, so that each of the Republic strikers would know what

shift his particular department was to report for picket duty, and who the strategy committee members were that were responsible for that given shift.

Following that, I introduced the first speaker of the meeting, Mr. Leo Krzycki.

Senator LA FOLLETTE. In your remarks in opening this meeting, did you make any reference to the Chicago police department for its conduct during the strike?

Mr. WEBER. I did not.

Senator LA FOLLETTE. All right. Now, tell us briefly the substance of the speech made by Mr. Krzycki.

Mr. WEBER. Mr. Krzycki dealt with his labor experience, among other things, in the Flint, Mich., strike of General Motors, of the South Bend, Ind., strike of Bendix; and gave a general picture of the progress of the C. I. O. in the Nation. That essentially was the burden of the remarks of Mr. Krzycki aside from certain humorous matters that he brought in to cheer up the crowd.

Senator LA FOLLETTE. Did you hear any reference to anything that was not related to the strike situation?

Mr. WEBER. No, other than speaking of the progress of the C. I. O. in other industries.

Senator LA FOLLETTE. Did he make any reference to the Chicago police department or the police?

Mr. WEBER. I don't recall. In the portion of the speech that I heard Mr. Krzycki make I don't remember him having made any remarks pertaining to the Chicago police force.

Senator LA FOLLETTE. All right. Then whom did you introduce?

Mr. WEBER. And then Mr. Fontecchio, our district director, was introduced as the principal speaker of that afternoon's meeting.

Senator LA FOLLETTE. And you heard his address?

Mr. WEBER. I heard the biggest portion of his address.

His remarks, to begin with, as I remember, dealt with the historical development of the Steel Workers' Organizing Committee since the launching of the drive in July of last year. He mentioned the phenomenal growth of the Amalgamated Association of Iron, Steel & Tin Workers. From a membership of 65 dues-paying members in the Calumet region in July of 1936, he reported at present we have 75,000 members in the organization.

There was some criticism of the brutality of the police, since that was the purpose of the meeting, by Mr. Fontecchio, who compared the behavior of the city authorities in Indiana Harbor with that of the attack of the police in Chicago on Friday preceding the meeting.

Senator LA FOLLETTE. Did he make any remarks concerning the Chicago police which might have had the effect of arousing the animosity of the crowd toward the police?

Mr. WEBER. I would not construe any of Mr. Fontecchio's remarks that would arouse hostility or animosity toward the police or anyone else.

Senator LA FOLLETTE. Were you on the platform when the motion was made that they should form the march?

Mr. WEBER. Yes. After Mr. Fontecchio had spoken, we had two resolutions that were prepared, short resolutions that were prepared, in the form of a telegram, one to be sent to Senator La Follette of the Civil Liberties Committee requesting an investigation of the

situation in Chicago, the police brutality, etc. The other, as I remember it, went to Governor Horner, protesting against the action of the Chicago police force.

Senator LA FOLLETTE. Now, in anything that you said or anybody or anything that any of the speakers said, was the suggestion made, directly or indirectly, that there should be a march made on that day after the meeting?

Mr. WEBER. There was no reference made to any march by any of the speakers or the chairman at that meeting.

Senator LA FOLLETTE. Now, tell us what happened when Mr. Fontecchio got through with his speech.

Mr. WEBER. After the resolutions were read and unanimously adopted, a man in the audience asked for recognition. I recognized him, and he made the motion to the following effect, as best I can remember it: He made reference to Mayor Kelly's statement that had appeared in the press in all of the papers in Chicago that peaceful picketing would be permitted; and in conformity with that statement, he made a motion that the assemblage shall proceed to peacefully picket. I heard his motion and repeated it. The question was called for. I put the motion, which was unanimously adopted; and with that, the meeting adjourned.

Senator LA FOLLETTE. Now, what happened then?

Mr. WEBER. On the speakers' stand—an old truck served as the speakers' stand—on either side of the microphone that we used there were flags. After my having adjourned the meeting, two men came forward. Each took a flag and proceeded to Green Bay Avenue, which is adjoining Sam's Place; and the crowd fell in behind them.

Senator LA FOLLETTE. Did you accompany the marchers?

Mr. WEBER. I did not. I was given instructions to proceed to our South Chicago headquarters at Eagles Hall, by Mr. Riffe, to keep the place open. During the meeting the headquarters there was closed.

Senator LA FOLLETTE. And when did you first learn of the clash between the police and the marchers?

Mr. WEBER. Mr. Fontecchio and two or three other people and myself went to Eagles Hall. We had been there no more than 7 or 8 minutes when we received a frantic call that an attack had been made by the police upon the pickets.

Senator THOMAS. Where were you born, Mr. Weber?

Mr. WEBER. San Francisco, Calif.

Senator THOMAS. When?

Mr. WEBER. 1904, March 10.

Senator THOMAS. Have you ever been out of America?

Mr. WEBER. I have not.

Senator THOMAS. Will you take picture "P 1", Mr. Weber, and tell me some of the things that you see as I ask you questions.

In the pile-up of persons who are knocked down, how many women do you see?

Mr. WEBER. I can distinctly discern two women on the ground and one standing.

Senator THOMAS. Look at the woman in front who is facing downward, and look at the figure just back of her. Isn't that a woman?

Mr. WEBER. Yes; that is a woman.

¹ Later entered as exhibit 1418. See p. 5142.

Senator THOMAS. Then how many women are piled up?

Mr. WEBER. Well, I notice that there are two.

Senator THOMAS. Then look at the one right in the middle of the picture, on top of the crowd.

Mr. WEBER. That woman is not yet down, as far as I can see, the one in the center [indicating].

Senator THOMAS. All right. But the one further over?

Mr. WEBER. Yes. That is another woman.

Senator THOMAS. Then there are three women knocked down?

Mr. WEBER. Yes; there are three.

Senator THOMAS. Will you look in the crowd and see if you can find any others?

Mr. WEBER. It is pretty difficult to tell whether they are women or not.

Senator THOMAS. About how many men would you guess are piled up there, men and women together?

Mr. WEBER. I would say 15 or 20, at least.

Senator THOMAS. More than that, are there not?

Mr. WEBER. Possibly more.

Senator THOMAS. How many police can you see in this picture?

Mr. WEBER. I can see fully three policemen.

Senator THOMAS. Are they in action?

Mr. WEBER. Very much so.

Senator THOMAS. All of them?

Mr. WEBER. Yes.

Senator THOMAS. Is there anyone resisting any of these policemen at all?

Mr. WEBER. I don't see a single person resisting any officer.

Senator THOMAS. The woman who is standing—which way is she facing?

Mr. WEBER. She is facing away from the police.

Senator THOMAS. What is she doing with her right hand?

Mr. WEBER. She appears to have been struck and seems dazed.

Senator THOMAS. Do you think that that is a good conclusion? Look at her legs. How are her knees pointing?

Mr. WEBER. She seems to be crouching.

Senator THOMAS. Yes. How are her feet pointed?

Mr. WEBER. Away from the police.

Senator THOMAS. Yes. But as far as toes are concerned, is she pigeon-toed?

Mr. WEBER. I would say that; yes.

Senator THOMAS. She is definitely standing in a rather sick position, isn't she?

Mr. WEBER. Quite right.

Senator THOMAS. Now, how many clubs can you count in the picture?

Mr. WEBER. I can see four clubs.

Senator THOMAS. How many?

Mr. WEBER. Four.

Senator THOMAS. And how many policemen's clubs can you count?

Mr. WEBER. Well, I included that.

Senator THOMAS. You included that? Well, how did you only count four, then? The big one down in front is definitely the handle of the banner, isn't it?

Mr. WEBER. It seems that way.

Senator THOMAS. But the handles could be actively used as clubs in a brawl—among the men that are down or the men that are retreating, how many can you find?

Mr. WEBER. I can see in the middle of the picture, some distance away, something that appears to be a club.

Senator THOMAS. It seems to be held by someone, all right?

Mr. WEBER. Yes.

Senator THOMAS. In this part of the picture you see one, too, do you not [indicating]?

Mr. WEBER. Yes.

Senator THOMAS. Can you observe a baseball bat?

Mr. WEBER. I see just in front of one policeman what appears to be a baseball bat.

Senator THOMAS. That is apparently in the hands of a man who has a handkerchief tied around his head, isn't it?

Mr. WEBER. It doesn't appear to me like it is in anybody's hands. It is standing upright between the two.

Senator THOMAS. Between one man who is prostrate and the man who has a handkerchief tied around his head?

Mr. WEBER. That is correct.

Senator THOMAS. Do you know who that man is who has the handkerchief around his head?

Mr. WEBER. I do not.

Senator THOMAS. He has been identified in other pictures, so we have seen him right in the first. I was merely curious if you had seen the same club that I had seen.

Those in the picture who are knocked down—are they in motion?

Mr. WEBER. They seem to be making a quick get-away from the cops.

Senator THOMAS. The man who holds the club right in front—he is going about as hard as he can go, isn't he?

Mr. WEBER. Yes.

Senator THOMAS. He is definitely in retreat.

What is the condition of the woman nearest to you?—who is following with her head toward you, near the Republic Steel sign?

Mr. WEBER. She seems to be lying on the victim to her left, knocked out.

Senator THOMAS. Her eyes are definitely not functioning, are they?

Mr. WEBER. It appears that way.

Senator THOMAS. Her head is prostrate, isn't it?

Mr. WEBER. Yes. Right.

Senator THOMAS. She is down. Now, on the right-hand back shoulder of the other woman who is lying flat on the ground, in the middle of the picture, what are those marks?

Mr. WEBER. Which marks?

Senator THOMAS. Is her waist stained?

Mr. WEBER. I am unable to say.

Senator THOMAS. Does it look like a shadow in the picture to you?

Mr. WEBER. It appears to me like she has a dark blouse. I am unable to discern any stains on that.

Senator THOMAS. You think it just a wrinkle, do you?

Mr. WEBER. I don't know.

Senator THOMAS. This policeman in the middle with the club—what position is he in?

Mr. WEBER. He is in a position to bring down a terrific blow on somebody.

Senator THOMAS. Can you see what he is hitting at?

Mr. WEBER. I cannot.

Senator THOMAS. Thank you.

Senator LA FOLLETTE. Give this picture that has been under discussion an exhibit number.

(The photograph was marked "Exhibit 1418" and is reproduced in the appendix on p. 5142.)

Senator LA FOLLETTE. I will insert at this point in the record the subpoena under which the witness is before the committee:

(The document was marked "Exhibit 1419" and appears in the appendix on p. 5058.)

Senator LA FOLLETTE. Mr. Patterson.

TESTIMONY OF GEORGE A. PATTERSON—Resumed

Senator LA FOLLETTE. You have previously been sworn. State your name again for the record, please.

Mr. PATTERSON. George A. Patterson.

Senator LA FOLLETTE. Were you in charge of the pickets on Sunday morning, May 30?

Mr. PATTERSON. I was.

Senator LA FOLLETTE. And when did you first learn that there was to be a mass meeting on Sunday?

Mr. PATTERSON. About 12 o'clock I got a telephone call. It was not—someone came and told me that there was—a telephone call had come through—and I should prepare a platform for them for the meeting that was to be held that afternoon.

Senator LA FOLLETTE. Did you arrange for the truck to be used for a platform?

Mr. PATTERSON. Yes. I did.

Senator LA FOLLETTE. Did you attend the meeting?

Mr. PATTERSON. I was there at the beginning of the meeting. When I found out it had started all right and that the lodge speakers were all right, I went inside Sam's Place and ate my dinner.

Senator LA FOLLETTE. About what time did you get down to Sam's Place?

Mr. PATTERSON. It would be between 4 and 5.

Senator LA FOLLETTE. What was happening then?

Mr. PATTERSON. When I came out, I saw people preparing to go and march on the road there. I saw two American flags going there. So I went in line with them.

Senator LA FOLLETTE. Were you near the front rank?

Mr. PATTERSON. Yes. I was out just behind the American flag.

Senator LA FOLLETTE. Do you see any of the strikers or marchers carrying sticks, stones, pieces of gas pipe, or any other missiles or weapons?

Mr. PATTERSON. Out in the front lines I didn't see any.

Senator LA FOLLETTE. Did you see any anywhere?

Mr. PATTERSON. No. Not a soul.

Senator LA FOLLETTE. Look at this picture, exhibit 1400¹ [handing a photograph to the witness].

Mr. PATTERSON. Yes, sir.

Senator LA FOLLETTE. That picture evidently was taken shortly after the first front line of marchers contacted the police, was it not?

Mr. PATTERSON. I believe so.

Senator LA FOLLETTE. You see that some of the marchers have clubs in their hands there, do you not?

Mr. PATTERSON. Yes.

Senator LA FOLLETTE. Or sticks, or at least branches?

Mr. PATTERSON. Quite evident.

Senator LA FOLLETTE. Did you see any when you were standing there?

Mr. PATTERSON. No. I was over to the left of this picture.

Senator LA FOLLETTE. You were to the left of this picture?

Now, were you close enough to the front ranks so that when the contact was made or they came up to the police line, you were able to hear what went on?

Mr. PATTERSON. Yes.

Senator LA FOLLETTE. Describe what happened, from what you saw and heard.

Mr. PATTERSON. I was just behind these American flags, a little to the left of this picture.

When we came to the police, I recognized some of the police that I had seen Friday night. They were in the front again.

So I looked along the line as the people were beginning to crowd—you know, the crowd just coming down, beginning to come down—and I saw an officer to my left. I walked through the crowd and moved toward this officer, and I walked up to him. It took me perhaps a minute or two to walk through the crowd.

I walked to him, and he just seemed to have gotten through talking to the people there. So I spoke to him. I said to him—it was Captain Mooney—I said to him, "I don't see any reason why we should not get through and picket here. We came peacefully, and we would like to just pass through and picket the gates of the Republic Steel plant."

He just looked, and immediately turned his back on me. And just as I took about two steps or so, I suddenly saw the police come at us.

Senator LA FOLLETTE. Did you see any missiles flying through the air from the crowd?

Mr. PATTERSON. Not me. No. None.

Senator LA FOLLETTE. I hand you exhibit 1358.² Look at that and tell me if you can identify yourself. If you cannot, see if you can tell me from your relationship to the flags there where you were standing.

Mr. PATTERSON. No. I cannot identify myself, but I know my position fairly well.

Senator LA FOLLETTE. Where were you?

Mr. PATTERSON. I am in this group that is already in flight. I am in that group that is already in flight. Very definitely that is where I was at.

¹ See p. 5140.

² See p. 5137.

Senator LA FOLLETTE. Now, you say that the first thing that you noticed was that Captain Mooney turned away after you had spoken to him, and then the police—

Mr. PATTERSON. Were at us.

Senator LA FOLLETTE. In what way did they come at you?

Mr. PATTERSON. They just surged at us with their clubs. Just at this same time that they started to swing their clubs, they started to shoot.

I ran back, I would say, 50 yards; and suddenly about 4 or 5 or 6 gas bombs fell all around me.

I looked at them and I got away from them, because I thought they would explode. But I found out that gas bombs don't explode. Gas comes out in greater volumes. At least, they didn't explode, and I saw the gas fumes coming out more and more.

I was to the right and the wind was blowing across the field. So I just stepped on this side of them, and I didn't get gassed or anything.

I started to look back at this time and I could see the police clubbing left and right. They were still shooting. After I had run about 50 yards there were still shots going on.

I could see them clubbing one old man especially. I would say that he was quite an old fellow, because he couldn't run very well. And this policeman was following him up, belaboring him on the back. The old man was turning and telling him: "Don't do that."

I could see all kinds of clubbing going on where people had still fallen.

Then the gas began to get rather heavy, and the police had come forward, and they had formed a line.

And then there was another fusillade of gas after these bombs had fallen. There was still some of the first gas going, and that obstructed all the view. There was quite a lot, quite a barrage of gas at the finish.

Senator LA FOLLETTE. Did you see any of the marchers resisting the police or fighting with them?

Mr. PATTERSON. No, sir.

Senator LA FOLLETTE. Did you see any of the marchers throw anything at the police?

Mr. PATTERSON. Yes; I did. About this time that I was standing there after having run back, there was quite a few fellows around there who were looking for stones; and they were starting to throw them back, and I said to them, "Don't be silly. It is futile for you to throw stones."

One man came up and he said, "You are an organizer for the C. I. O. What is the matter with you? Why don't you lead the men on and go through with it"; and I said, "Listen, take it easy." I said, "We cannot butt our heads against a stone wall." I said, "Take a look at those police." I said, "It would be death."

I didn't know, by the way, that the shots that I had heard—it didn't dawn on me for quite some time that they were actually bullets that were being shot. I had been there on Friday night and saw the police fire right at us and nobody was hit. I actually thought they were blanks until I saw the men fall when nobody was near. And then it began to dawn on me that they actually were bullets that were being fired.

Senator LA FOLLETTE. What did you do then?

Mr. PATTERSON. I stood there, and this man came up and he talked to me, as I said, and quite a few people recognized me as being an organizer and asked me what to do.

I had a hard time talking with some of them. Some of them were thoroughly hysterical. I myself didn't feel any too good. But I had to talk with them and try to calm them down.

Finally, a few other people came forward, and they seemed sort of sensible. We began asking the strikers to go back.

Also, I saw the first-aid cars come down the field about that time and a few other incidents that happened. But we got them to go back to Sam's Place finally.

Senator LA FOLLETTE. Were you arrested in connection with the Memorial Day riot?

Mr. PATTERSON. Yes; I was.

Senator LA FOLLETTE. When?

Mr. PATTERSON. The following Saturday I was driving over to the Roseland office of the Steel Workers' Organizing Committee to get a contract to present to the Burnside Steel Foundry plant. When I turned off Commercial Avenue on to Ninety-fifth Street, I noticed four big men in a car following me.

I thought to myself, "Now, who are they?" So I stepped on it a little bit, and they stepped on it; on the gas, I mean.

And as I turned the corner, I saw them coming up close behind me; and I wondered who they were. I thought, perhaps, they were thugs or gunmen. I wasn't sure.

But very soon they drew alongside of me and flashed a badge; and I immediately ran into the side of the road.

They came out and opened up the door and said "Get out." So I got out.

They searched me up and down and found nothing on me. Then they began to look for weapons in the car, evidently, because they searched my car. They found nothing there.

So they told me to open up the trunk of my car. They commanded me to do this.

So I opened it up. They looked inside and they asked me what this was in here. I had all my tools that I have been carrying around from the time that I was a steel worker there. So they looked at them, and they opened my tool box. They saw the hammer and stuff with it, the equipment.

And then I had a bundle of papers, a bundle wrapped up in the car. They said, "Open that up." I opened it up.

They said, "What are these? Is this literature 'red'?" I said, "No. Not that I know of." This was a magazine known as "Fight."

So they said, "What is in these other little bundles there?" I said, "There is pamphlets in there." They said, "What kind of pamphlets?"

I said, "I will open it and show you."

I took it out and it was "A Blueprint of Fascism."

They said, "What is in the others?"

I said, "That is a pamphlet called 'Fascist Internationale.'"

So they didn't seem very interested, and they left them there.

In the meantime one of the officers had gone across to a station, a filling station, and called; and he came back and said, "We will

take him in. The assistant State's attorney says to take him in for questioning."

So one officer got in alongside me, and we drove over to the Burnside police station.

Senator LA FOLLETTE. Were you booked?

Mr. PATTERSON. No. I was held here for about 2 hours. This was about 11 in the morning.

About 1 in the afternoon I was sitting in—they had moved me from one room to another in that police station. About 1 in the afternoon a man came in and was introduced as the assistant State's attorney, Mr. Napoli. He said, "I am going to ask you some questions."

So while he said that, two officers came inside and said, "Give us the key to your car."

So they took the keys to my car, and the State's attorney asked me a few questions. And when he got through, I said to him, "Well, now, I have got a meeting to go to at 3 o'clock." I said, "I would like to go to the meeting."

He said, "I am afraid you are not going to any meeting. You are not telling the truth," in answering the questions he had asked me.

I said, "Now, I don't know how you can do that."

So he said to the officers there, "Take him away."

So I was placed in a cell. I was held there until 12 o'clock at night, when I again was taken out of the cell and taken upstairs. From the cell it would be about three flights of stairs I went up. And I was placed in a room there, where I found about eight large police officers sitting in a circle with lights shining on me.

I was again introduced—I recognized Napoli. He said, "This is Assistant State's Attorney Myers here. He is going to ask you some questions."

So he asked me questions. I said I would answer them to the best of my ability. So he asked me questions.

And when they got through—I might say that they had searched my car again—those police officers; and they had brought the keys to my car back to me. They had found in a compartment of my car two Daily Workers and a Literary Digest.

I had just taken those out of my mail box. I subscribe to those papers, and I had taken them out of my mail box that morning; and I had them with me to read if I had any time.

They produced one of the Daily Workers while they were questioning me and never asked me any questions about it. They just opened it up and stood reading it. Myers said, "We won't use that right now." So they folded up the paper and put it away.

Senator LA FOLLETTE. Did they take the Digest out and read that?

Mr. PATTERSON. No. They did not. [Laughter.] They did not take that.

They produced a small visiting card. I have an identical card in my pocket [producing card].

This card is the business card of the Steel Workers' Organizing Committee's attorney, Paul P. Glaser, and then some initials after his name, and then "lawyer", and his address and business telephone; and on the back was written "C. I. O. forever. Soviet America." Then there is an American flag, and underneath this American flag

is a little pennant; and under the pennant is a drawing of what looks to me like a hammer and sickle.

So they showed me this card. This is what I recall of it. I have drawn this card over again, what I can remember of what I saw. And they said, "Did you ever see this before?" I said, "No." But I had seen the card, because I saw the officers pick it up off the floor of my car when I was first arrested. They had handed it to me and asked if it was mine, and I said "No."

They said, "Well, how could it get in your car?"

I said, "Most likely some one of those pickets I had been driving—I have been driving hundreds of pickets to the line—had dropped it. That is the only way I can explain it." I had driven hundreds of people down to the picket line.

Senator LA FOLLETTE. How far would you drive them?

Mr. PATTERSON. I would take them from One Hundred and Thirteenth Street to One Hundred and Eighteenth Street.

Senator LA FOLLETTE. Just kept going back and forth?

Mr. PATTERSON. Just kept going back and forth at the change of shifts. That is the identical card.

Senator LA FOLLETTE. Was the card that they showed you—did it have what you saw on the back printed on the back?

Mr. PATTERSON. I don't recall. This is just from what I can remember of it. I think it might have been printed.

Senator LA FOLLETTE. Did you ever hear of Paul P. Glaser, Ph. D., D. C. L., lawyer, 610 Broadway, Gary, Ind., before you saw this card?

Mr. PATTERSON. Oh, yes. I know him.

Senator LA FOLLETTE. Who is he?

Mr. PATTERSON. He is the attorney for the Steel Workers' Organizing Committee and has acted in several cases where the police of Chicago had arrested us for distributing Steel Workers' Organizing Committee literature. I have been arrested because we went to the gates of various plants and gave out a magazine or a newspaper called Steel Labor, which is published by the C. I. O.

Senator LA FOLLETTE. If I understood your answer correctly, you said that what appears on the back of this card, that you are not sure whether it was printed, what appears there, or whether it was written with pen and ink?

Mr. PATTERSON. Oh, definitely it was with pen and ink.

Senator LA FOLLETTE. It had not been printed on a printing press?

Mr. PATTERSON. No. It was just similar to that, in ink. I know that much.

Senator LA FOLLETTE. Give the card an exhibit number.

(The document was marked "Exhibit 1420" and appears in the appendix on p. 5058.)

Senator LA FOLLETTE. Then what happened?

Mr. PATTERSON. After they got through questioning me that night, an officer grabbed me by the arm, and just as roughly as they had run me up the stairs, this officer ran me down the stairs.

I got downstairs, and there was a photographer there, and he snapped my picture as I went past. And they put me in a cell.

But I was just in there about a minute, then they came back again, and I was rushed out and bundled into a patrol wagon; and I later

learned that the station that they took me to was the Engleside police station.

There I was held incommunicado; saw nobody other than some of the other prisoners who came in the cell for disorderly conduct.

They didn't offer me any food down there. I was there quite a long time, and I actually got some of the visitors to the other prisoners to give me some food. And finally I gave them some money to bring a sandwich to me.

I was held there until Monday morning at about 8 o'clock, from Saturday night at 12 until Monday morning at 8 o'clock.

Senator LA FOLLETTE. How did you get out?

Mr. PATTERSON. Well, the officers came in and they seemed to have a long debate as to what to do with me. Nobody would talk to me or tell me anything.

And finally they said, "You are going to the State's attorney's office." So they allowed me to wash my face, and they took me out and put me in a patrol wagon. But instead of going downtown I noticed that I was going back south. I wondered where they actually were going to take me.

So they took me out—they had handcuffs on me, on both my hands. And they took me out, and I found it was at the Grand Crossing police station.

They took me right in the police station there, and I found Joe Weber, who also had been arrested. They took one of the bracelets off my arm and put it on him.

Then they put the two of us back in the patrol wagon and took us down to the county jail, I believe it is, a small court building at Twenty-sixth and California. We arrived there around 10 o'clock, I would say; and they took us up the back entrance and put us in a big sort of cell with bars all around it, and there were other prisoners there.

They held us there, and finally our names were called, and we were brought out; and we found that we were in the courthouse, the felony court. Both Joe and I came out, and were in the felony court.

So we found an attorney from the Steel Workers' Organizing Committee, and they said we would be arraigned.

So they tried the case, and the State's attorney, Napoli, demanded \$5,000 bond be set on us. And our attorneys debated with them and told the judge that this was exorbitant. Finally the judge said, "We will call the bail \$1,000 and \$200 cash on each of them."

Then the attorneys asked if the case would be tried or would be tried with the other people who had been arrested on the Memorial Day raid. He said that would be perfectly all right.

So we were released on bond, and finally I left the courthouse there and went on home.

Senator LA FOLLETTE. Are you out on bail now?

Mr. PATTERSON. I am.

Senator LA FOLLETTE. What are you charged with?

Mr. PATTERSON. I am charged with conspiracy to commit an illegal act.

Senator LA FOLLETTE. When you got out of the court building and got off, did you find that anything had been said about you in the press while you had been held incommunicado?

Mr. PATTERSON. That is correct. I found all kinds of people running up to me and telling me that I was an avowed Communist. I said, "What is this all about?"

"Why", they said, "you admitted it to the State's attorney evidently, because it is published in the press. They found a Communist Party membership card on you and all kinds of literature, communistic, right in your car."

So I could only come to the conclusion that it must have been that literature issued by the League Against War and Fascism that they were talking about.

Senator LA FOLLETTE. I read from the Chicago Tribune under date of June 6. The headline is "Army orders steel workers to leave plant. Owners determined to operate mill." And here in the body of the article it says, "George Patterson, 38 years old, of 7622 Coles Avenue, a S. W. O. C. organizer, in march on plant. He admitted he was on the scene, but said he stepped to the rear when the fight began. Police said he carried a Communist membership card."

Is that a sample of the stories that were printed?

Mr. PATTERSON. I believe so. That is what I heard.

Senator LA FOLLETTE. Now, during the time that you were locked up did you make any effort or did you make any request to be permitted to communicate with your family or with counsel?

Mr. PATTERSON. Yes. I did.

Senator LA FOLLETTE. Both or which one?

Mr. PATTERSON. Whilst I was in the cell I asked them, "How is it that you can keep me incommunicado? Isn't there a law that says when you keep me here 24 hours for something, it allows me to make one telephone call?"

They just ignored me. The police would not pay much attention to me at all.

Senator LA FOLLETTE. Did you admit at any time, when you were under questioning, that you were a Communist?

Mr. PATTERSON. No.

Senator LA FOLLETTE. Did you have in your possession any Communist membership card?

Mr. PATTERSON. No. I did not.

Senator THOMAS. You are a citizen, are you not, Mr. Patterson?

Mr. PATTERSON. Yes. I am a citizen of the United States.

Senator THOMAS. When did you become a citizen?

Mr. PATTERSON. About 6 years after I arrived in the United States.

Senator THOMAS. When was that?

Mr. PATTERSON. I arrived in 1924.

Senator THOMAS. You became a citizen in 1930?

Mr. PATTERSON. About 1930 or 1931. Somewhere around there.

Senator THOMAS. Did the judge ask you anything about communism then?

Mr. PATTERSON. I don't recall. No; I don't think so.

Senator THOMAS. Is there a communistic movement in Scotland?

Mr. PATTERSON. Well, I was only 16 when I left there, and I don't recall hearing any Communist talk at any time.

Senator THOMAS. Is there one now?

Mr. PATTERSON. That I could not say. I have not kept up with any movements in Scotland.

Senator THOMAS. Are you associated in this Fascist movement?

Mr. PATTERSON. No. I am not.

I might explain how I happened to have this literature in my car. A request came from the union—I think it was from one of the committee at the South Works, of which I am organizer—that literature of an educative nature should be obtained and sold to union members.

So more or less through some member of the League Against War and Fascism I heard about that, and they came to me and said that they had some literature that they felt would be very instructive to the workers in the steel mills. And they sold me this literature, and I in turn was going to give it to the lodge secretaries for them to see if they could sell it to the members of the union lodges at South Works.

Senator LA FOLLETTE. How much did you pay for it?

Mr. PATTERSON. \$6.50, I think. I have that receipt, by the way, in my pocket. Would you care to see that?

Senator THOMAS. How many pieces of material, then, did you have? \$6 is quite a bit, isn't it?

Mr. PATTERSON. Yes; it is. I don't recall. I never bothered to look at it. But I do know that I have got about 500 copies, I guess, of this magazine.

Senator THOMAS. What is the magazine Fight?

Mr. PATTERSON. I don't know personally. I have seen it a couple of times around strike headquarters. I have 100 copies of the magazine Fight.

Senator THOMAS. Who publishes that?

Mr. PATTERSON. I would take it for granted that the American League Against War and Fascism, 189 West Washington Street.

Senator THOMAS. It is not a pugilistic magazine, then?

Mr. PATTERSON. No. It is not pugilistic.

Senator THOMAS. What is it that they want us to fight?

Mr. PATTERSON. I have never read the magazine. I would take it for granted—I know a little bit about fascism. They are opposed to it. So I take it that the magazine articles are all telling you what to prepare for and what to watch in the way of fascism developing in the United States.

Senator THOMAS. Is this a peace society primarily?

Mr. PATTERSON. I personally don't know whether this American League Against War and Fascism stands for peace. But I would take it for granted that it does. It is against war.

Senator THOMAS. It is against war?

Mr. PATTERSON. Yes. It says "American League Against War." I don't know a great deal about this league.

Senator THOMAS. Where is it published?

Mr. PATTERSON. I couldn't tell you.

Senator THOMAS. How did you happen to buy it, Mr. Patterson? If I came to you and tried to sell you a bundle of Congressional Records, could I sell them to you?

Mr. PATTERSON. I will tell you just exactly how I happened to buy them. I have been talking over this literature question with several members of the union lodges; and if I recall right, I believe that some time or other at one meeting a delegate from this league came and said to some of the lodges—

Senator THOMAS. By "delegate" you mean what?

Mr. PATTERSON. A delegate from the League Against War and Fascism.

I have seen in our headquarters a little certificate that says that one of the lodges was a member or a subscriber or something of this league. I have seen that up on the wall somewhere in our headquarters.

Whilst I was talking there someone suggested that that was good union literature. There was other union literature that they suggested, I recall. I know there was other literature. I just cannot recall what it was.

Senator THOMAS. Did you get your \$6 back?

Mr. PATTERSON. No. My literature was taken. It has never been returned to me. The police still have it.

Senator LA FOLLETTE. I don't think that it is relevant to this inquiry, but since I read the excerpt from the Chicago Tribune, I am going to ask you this question. Are you a registered voter in Illinois?

Mr. PATTERSON. Yes. I am.

Senator LA FOLLETTE. Under the Illinois law do you have to declare your party affiliation when you register what party you belong to?

Mr. PATTERSON. At the primaries; yes.

Senator LA FOLLETTE. How are you registered in the State of Illinois? What party?

Mr. PATTERSON. I believe I am registered as a Democrat.

Senator LA FOLLETTE. That is all.

Senator LA FOLLETTE. Mr. Goldasic.

TESTIMONY OF ANTON GOLDASIC

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name?

Mr. GOLDASIC. Anton Francis Goldasic.

Senator LA FOLLETTE. How do you spell your last name?

Mr. GOLDASIC. G-o-l-d-a-s-i-c.

Senator LA FOLLETTE. Where do you live?

Mr. GOLDASIC. 505 Emyln Place, East Chicago.

Senator LA FOLLETTE. What is your occupation?

Mr. GOLDASIC. Chipper.

Senator LA FOLLETTE. What is that?

Mr. GOLDASIC. Chipman in a steel mill.

Senator LA FOLLETTE. Are you at the present time employed?

Mr. GOLDASIC. I am.

Senator LA FOLLETTE. Were you ever employed by the Republic Steel Co.?

Mr. GOLDASIC. Never have been.

Senator LA FOLLETTE. Are you a member of any union?

Mr. GOLDASIC. I am.

Senator LA FOLLETTE. What is the name of it?

Mr. GOLDASIC. C. I. O.

Senator LA FOLLETTE. Just a general member of the C. I. O.?

Mr. GOLDASIC. Yes.

Senator LA FOLLETTE. You don't belong to any particular lodge or union?

Mr. GOLDASIC. Well, they have certain locals in certain districts. I don't know, but I have my card here and I could tell you.

Senator LA FOLLETTE. I think that is sufficient.

Now, were you present at the mass meeting at the strike headquarters in South Chicago on Sunday, May 30?

Mr. GOLDASIC. I was.

Senator LA FOLLETTE. After the meeting was over, what happened?

Mr. GOLDASIC. Well, we all got in line. I was in line before the meeting was over. A group of us, a number of us, got in line before the meeting was over.

Senator LA FOLLETTE. Where did you line up?

Mr. GOLDASIC. I was about the third from the front.

Senator LA FOLLETTE. Prior to the time that you left to march across the prairie, did you see any of the people around you with sticks, stones, clubs, pieces of gas pipe, or any other kind of weapon or missile?

Mr. GOLDASIC. I did not.

Senator LA FOLLETTE. Did you see any with any such weapon or missile at any time?

Mr. GOLDASIC. I did not.

Senator LA FOLLETTE. Now, what did you understand the purpose of the parade to be?

Mr. GOLDASIC. Well, my understanding was that if the majority of the people inside—if the people inside saw the majority on the outside and that they were marching for the C. I. O., I figured that they would come out and join us. That was my intention.

Senator LA FOLLETTE. What did you understand the purpose of making this march was to be?

Mr. GOLDASIC. To establish a peaceful picketing line.

Senator LA FOLLETTE. Did you at any time have in your mind the possibility of getting inside the plant?

Mr. GOLDASIC. No, sir; never had.

Senator LA FOLLETTE. Did you hear anybody else suggest that?

Mr. GOLDASIC. Not that I can recall.

Senator LA FOLLETTE. Well, search your recollection. Did you hear anybody say anything—

Mr. GOLDASIC. No, sir.

Senator LA FOLLETTE. That would be indicative that they wanted to get inside the plant, saying that they wanted to attack the workers who were still inside the plant, who had not come out on strike?

Mr. GOLDASIC. No, sir; I am positive on that.

Senator LA FOLLETTE. You are positive of that?

Mr. GOLDASIC. Absolutely.

Senator LA FOLLETTE. What happened to your position in the line by the time it got down to where you could talk to the police? Where were you then?

Mr. GOLDASIC. Well, I was right up in the front there, about two or three rows from the front, from the flag. In fact, I was right behind the flag somewhere.

Senator LA FOLLETTE. Could you hear what happened?

Mr. GOLDASIC. Yes.

Senator LA FOLLETTE. Could you hear any discussion?

Mr. GOLDASIC. Well, I heard several of the boys or a number of the boys leave the picket—leave the line and try to get the police to

spread out so we could establish a picket line and march through peacefully. But they were not successful.

So me being the person that I am, I always try to find out for myself just what is going on. So I left the line and I walked up to the policeman and I asked who was in charge, and he wouldn't reply. He wouldn't give me no answer.

So I turned to several policemen to his left, and they pointed me to Captain Mooney. I didn't know him at that time, but later on I found out that he was Captain Mooney.

So I walked up and smiled and put my hand on his shoulder and I says, "I can't understand why you fellows don't leave us march through and establish a picket line."

And he says, "I can't let you fellows go through. You men have got rocks and bricks and whatnot."

And I says, "Well, I don't see any. But", I says, "if there is any, I will see that they drop them if your men will spread out and let us march through."

And he says, "No. I can't let you do that." He says, "I have to follow orders."

And I says, "Well", I says, "naturally", I says, "you have to follow orders. If you don't, it is your job."

As I was saying that, he backed away; and as he backed away why, I kind of looked aside to see if I could see any of our friends that I was with. Not being able to see them, I turned to the police again and I said, "I can't understand why you fellows don't leave us go through. We don't want any trouble. All we want to do is to march through this and establish a peaceful picket line."

So the fellow looked at me without answering.

One of the police I noticed had a felt hat on, a plain-clothes man. I don't know whether he was a detective or what he was, or whether he was a company man. He says, "Who are you?"

I says, "I am one of the boys marching." He says, "Oh, you are a member of the C. I. O. Are you an official of any kind?" I says, "No." I says, "I am just a union man and belong to the union."

Naturally I have a badge on, and he can see it, and he said, "You have no business here." He says, "Get the hell out of here before you know what is good for you."

Senator LA FOLLETTE. Who said that?

Mr. GOLDASIC. The plain-clothes man.

Senator LA FOLLETTE. Will you look at exhibit 1353,¹ a picture? Here is an enlargement of it. Can you see yourself in that picture?

Mr. GOLDASIC. Yes, sir. Right here [indicating].

Senator LA FOLLETTE. Where are you?

Mr. GOLDASIC. To the right. To my right.

Senator LA FOLLETTE. You are to the right of the flag?

Mr. GOLDASIC. To your left of you, sir.

Senator LA FOLLETTE. You are on this side of this flag [indicating], are you not?

Mr. GOLDASIC. That is right.

Senator LA FOLLETTE. Is there an officer there with gold braid on his cap?

¹ See p. 5135.

Mr. GOLDASIC. There is.

Senator LA FOLLETTE. Do you know who that is?

Mr. GOLDASIC. Captain Mooney.

Senator LA FOLLETTE. Are you the fellow with a grin on his face?

Mr. GOLDASIC. Yes, sir.

Senator LA FOLLETTE. Are you smoking marihuana cigarettes?

Mr. GOLDASIC. I don't smoke.

Senator LA FOLLETTE. You don't smoke at all?

Mr. GOLDASIC. No, sir.

Senator LA FOLLETTE. That is a genuine grin; not a synthetic one?

Mr. GOLDASIC. That is a friendly grin.

Senator LA FOLLETTE. And which is the officer that told you to get out of there if you knew what was good for you?

Mr. GOLDASIC. He didn't tell me that. It was a plain-clothes man that told me that.

Senator LA FOLLETTE. A plain-clothes man?

Mr. GOLDASIC. Just as he said that, the first thing I heard was bombs to the rear, the bombs, what you would call them, or guns, and clubs swinging. Naturally I turned and went my way.

Senator LA FOLLETTE. Did you see anyone attack any of the police?

Mr. GOLDASIC. I have not.

Senator LA FOLLETTE. Did you see anyone throw anything at them?

Mr. GOLDASIC. I have not.

Senator LA FOLLETTE. Did you see any bricks or stones going through the air?

Mr. GOLDASIC. I have not. I was not in a position to see that, as I was in the front, and I was busy watching the policemen.

Senator LA FOLLETTE. What else did you see?

Mr. GOLDASIC. Well, as I was running back naturally, I was just about the last one that left the police line there, and I know they were—oh, I would say every bit of 200 people laying down on the ground, and many of them that I had to jump over, and one particular fellow I noticed, I gave him a good look, and to my knowledge I think he was dead as a doornail, and I passed him. I think I pushed a couple of them over or aside, so I could make a way for myself, as a football player would do.

Senator LA FOLLETTE. You were in a hurry to get away from there?

Mr. GOLDASIC. That is right; yes, sir.

Senator LA FOLLETTE. Were you injured in any way yourself?

Mr. GOLDASIC. Yes; I was—later on they caught up with me, and as I turned, and I was struck on the hand twice, to protect my head.

Senator LA FOLLETTE. How far had you run before they caught up with you?

Mr. GOLDASIC. Oh, I would say about 50 or 80 feet, perhaps a hundred.

Senator LA FOLLETTE. And did you stop then when they hit you?

Mr. GOLDASIC. Well, he swung at me twice, and seeing that he could not locate my head, so he grabbed me, and when he grabbed me, of course, my next thing to do was to get away, or else. So I noticed them two policemen were coming, so I got away, some way

or another, I don't know how, but I got away, and I went about my business.

Senator LA FOLLETTE. Did you hear the police say anything just immediately prior to the time when this shooting and clubbing started?

Mr. GOLDASIC. Well, I heard profane language right along.

Senator LA FOLLETTE. Coming from whom?

Mr. GOLDASIC. Well, at the people—at, as they called—some people—"the mob", which I would call "the marchers."

Senator LA FOLLETTE. And what else did you hear if anything?

Mr. GOLDASIC. Well, that is all that I can recall.

Senator LA FOLLETTE. That is all.

Let a copy of the subpoena served on the witness be incorporated in the record.

(The document was marked "Exhibit 1421" and appears in the appendix on pp. 5058-5059.)

Senator LA FOLLETTE. John Lotito.

TESTIMONY OF JOHN WILLIAM LOTITO

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name?

Mr. LOTITO. John William Lotito.

Senator LA FOLLETTE. How do you spell your last name?

Mr. LOTITO. L-o-t-i-t-o.

Senator LA FOLLETTE. Where do you live?

Mr. LOTITO. 9800 Commercial.

Senator LA FOLLETTE. What is your occupation?

Mr. LOTITO. Well, I was running a tractor in the yard department. I do not know what you would call it.

Senator LA FOLLETTE. Where?

Mr. LOTITO. In the Republic Steel.

Senator LA FOLLETTE. How long had you worked there?

Mr. LOTITO. Well, I was reemployed the last time. I have been back there about 5 months now, but I worked there about 2 years, before.

Senator LA FOLLETTE. Where did you work before?

Mr. LOTITO. In the blooming mill.

Senator LA FOLLETTE. Where?

Mr. LOTITO. In the blooming mill, in the Republic, you know.

Senator LA FOLLETTE. Altogether?

Mr. LOTITO. About two and a half years altogether.

Senator LA FOLLETTE. Are you a member of any union?

Mr. LOTITO. Yes.

Senator LA FOLLETTE. Which one?

Mr. LOTITO. Lodge 1033 of the C. I. O.

Senator LA FOLLETTE. When did you first learn of the strike at the Republic Steel plant?

Mr. LOTITO. Well, I was off that Wednesday, and when I come home, around 7 or 8 o'clock in the evening, I guess.

Senator LA FOLLETTE. Whom did you hear it from?

Mr. LOTITO. I heard it out in Thornton. That is where I was.

Senator LA FOLLETTE. Did you stay out from that time on?

Mr. LOTITO. Yes; I did.

Senator LA FOLLETTE. Didn't go back to work?

Mr. LOTITO. No.

Senator LA FOLLETTE. Were you at the strike headquarters on Sunday, May 30?

Mr. LOTITO. Yes; I was.

Senator LA FOLLETTE. What time did you get there?

Mr. LOTITO. Around 2 or 3 o'clock. I don't know, somewhere around there.

Senator LA FOLLETTE. Was the meeting going on in the yard?

Mr. LOTITO. Yes.

Senator LA FOLLETTE. When you got there?

Mr. LOTITO. Yes.

Senator LA FOLLETTE. And did you join the marchers?

Mr. LOTITO. Yes; I did. I was carrying the flag.

Senator LA FOLLETTE. You were in the front? Were you in the front rank?

Mr. LOTITO. Yes; I was.

Senator LA FOLLETTE. Will you look at exhibit 1413¹ and tell me if you can identify yourself there?

Mr. LOTITO. Yes.

Senator LA FOLLETTE. Which one are you?

Mr. LOTITO. I am the little fellow carrying the flag. [Laughter.]

Senator LA FOLLETTE. And are you on Stewart's left, right next to Stewart?

Mr. LOTITO. Yes.

Senator LA FOLLETTE. What happened when you reached the police line?

Mr. LOTITO. Well, we stopped. There was a bunch of policemen in the way. You couldn't get through.

Senator LA FOLLETTE. And did you say anything to the police?

Mr. LOTITO. Well, I asked why we couldn't get through to picket the plant.

Senator LA FOLLETTE. And what did they say?

Mr. LOTITO. I was talking to a young officer there, a young patrolman, and he says, "Buddy, I don't know any more about it than you do", he said. He said, "I don't like to be out here."

Senator LA FOLLETTE. What did you say—anything more?

Mr. LOTITO. I says, "Well then, why don't they open up and let us through?" I said, "We ain't going to cause no trouble. We are just going to go up to the corner there and show them people inside that we are on strike out here."

Senator LA FOLLETTE. Was anything else said by any of the police in your hearing?

Mr. LOTITO. No.

Senator LA FOLLETTE. Did you hear anyone else talking to the police?

Mr. LOTITO. Well, a lot of them in the front there were talking to them, but I couldn't make out what they were saying.

Senator LA FOLLETTE. Will you speak a little louder, please? Did you hear anybody in the crowd curse the police?

Mr. LOTITO. No; I did not.

Senator LA FOLLETTE. Did you curse the police?

¹ See p. 5141.

Mr. LOTITO. I did not.

Senator LA FOLLETTE. Did you see anybody in the crowd, while you were standing there before the trouble started, threaten the police?

Mr. LOTITO. No; I didn't.

Senator LA FOLLETTE. Did you see a man with a meat hook on the end of a stick?

Mr. LOTITO. I did not.

Senator LA FOLLETTE. Did you see any of the people around you with sticks or clubs or stones?

Mr. LOTITO. I did not.

Senator LA FOLLETTE. Look at exhibit 1400.¹ Some of the marchers have branches of trees and sticks there, have they not?

Mr. LOTITO. Yes; they have.

Senator LA FOLLETTE. Where are you in that picture?

Mr. LOTITO. I am right up in the front, can't see myself, but I can see the flag sticking up. [Laughter.]

Senator LA FOLLETTE. There is one.

Mr. LOTITO. You know there was a lot of signs around me, couldn't see what—

Senator LA FOLLETTE. All right. Did you see Captain Mooney while you stood there in front of the police?

Mr. LOTITO. I think Captain Mooney was standing on a side where the other flag was—that is, to my left.

Senator LA FOLLETTE. Did you see what he was doing?

Mr. LOTITO. Well, he had his hands up like this here. He was talking to the strikers. His lips were moving anyway. I couldn't hear what he was saying.

Senator LA FOLLETTE. You could not hear what he was saying?

Mr. LOTITO. No.

Senator LA FOLLETTE. About how long would you say you stood there?

Mr. LOTITO. Oh, maybe 5 minutes.

Senator LA FOLLETTE. All right. Now, tell me exactly, from your own knowledge, what happened at the end of this 5-minute period.

Mr. LOTITO. At the end of the 5-minute period? Well, I was talking to this policeman there, and the first thing I knew I got clubbed, while I was talking to him.

Senator LA FOLLETTE. And then what happened?

Mr. LOTITO. I got clubbed and I went down, and my flag fell down, and I went to pick up the flag again, to get up, and I got clubbed the second time. I was like a top, you know, spinning. I was dizzy. So I put my hand to my head, and there was blood all over. I started to crawl away, and half running and half crawling and I didn't know what I was doing, to tell you the truth. After I got up, why there was shots, and everything I heard, I didn't know which way to run. Anyway, I retreated back that way.

Senator LA FOLLETTE. You mean back toward Sam's Place?

Mr. LOTITO. And then I got shot in the leg.

Senator LA FOLLETTE. How far away were you from the place where you had been standing talking to the police when you were shot in the leg, would you say?

¹ See p. 5140.

Mr. LOTITO. Oh, I got quite a ways from there, all right.
 Senator LA FOLLETTE. Can you approximate how far?
 Mr. LOTITO. Maybe 30 or 40 yards away I got.
 Senator LA FOLLETTE. Were you running at the time?
 Mr. LOTITO. Yes; limping, you know, kind 'of. I mean dizzy, falling. I fell down a couple of times before I got over there.
 Senator LA FOLLETTE. When you were hit were you down or were you running, or were you standing?
 Mr. LOTITO. When I got hit I was standing up.
 Senator LA FOLLETTE. You were standing up?
 Mr. LOTITO. Yes.
 Senator LA FOLLETTE. Had you stopped?
 Mr. LOTITO. No; I didn't stop. I tried—
 Senator LA FOLLETTE. Did you face toward the police?
 Mr. LOTITO. I was running backward, running toward Sam's.
 Senator LA FOLLETTE. And where were you hit in the leg?
 Mr. LOTITO. In the calf [exhibiting right leg]. Is that what you call it, below the knee?
 Senator LA FOLLETTE. The back part of your leg, below the knee?
 Mr. LOTITO. Yes; went in from the back, come out the front.
 Senator LA FOLLETTE. What did you do then?
 Mr. LOTITO. Then I was—there was two fellows near me, and I said, "Help me out here, I am shot", and they grabbed hold of me. I couldn't hardly make it, you know, and the cops were still coming. I thought I would get plugged again if I didn't get out of there fast enough, so I wanted to get away as fast as I could, and they put me in a machine that was coming up the road, put me in a machine, and they brought me to Sam's Place, and a couple of women in there put some cold towels around my leg, and started to wash my head off there, and gave me a glass of water, I guess, and then they brought me to the hospital. I was in the hospital a week.
 Senator LA FOLLETTE. Were you arrested?
 Mr. LOTITO. Yes. There was three cops by my door watching me all the time. [Laughter.]
 Senator LA FOLLETTE. And are you out on bail now?
 Mr. LOTITO. Yes; I am.
 Senator LA FOLLETTE. What are you charged with, do you know?
 Mr. LOTITO. Conspiracy, I guess.
 Senator LA FOLLETTE. At any time did you see any of the marchers attack the police or defend themselves against the police?
 Mr. LOTITO. Well, no; I didn't. I believe I was one of the first ones that got clubbed, and I didn't see none of that.
 Senator LA FOLLETTE. Where were you born?
 Mr. LOTITO. South Chicago, Ill.
 Senator THOMAS. Where was your father born?
 Mr. LOTITO. In Italy.
 Senator THOMAS. When were you born?
 Mr. LOTITO. November 3, 1913.
 Senator THOMAS. You have never been out of the country?
 Mr. LOTITO. No, sir.
 Senator LA FOLLETTE. Let a copy of the subpoena served on the witness be incorporated in the record.
 (The document was marked "Exhibit 1422" and appears in the appendix on p. 5059.)

Senator LA FOLLETTE. You are excused.
 Mr. LOTITO. Thank you.
 Senator LA FOLLETTE. Max Guzman.

TESTIMONY OF MAX GUZMAN

(The witness was sworn by Senator La Follette.)
 Senator LA FOLLETTE. What is your full name?
 Mr. GUZMAN. Max Guzman.
 Senator LA FOLLETTE. How do you spell your last name?
 Mr. GUZMAN. G-u-z-m-a-n.
 Senator LA FOLLETTE. Where do you live?
 Mr. GUZMAN. 8927 Commercial.
 Senator LA FOLLETTE. Chicago?
 Mr. GUZMAN. Chicago, Ill.
 Senator LA FOLLETTE. What is your occupation?
 Mr. GUZMAN. Steel worker.
 Senator LA FOLLETTE. Where have you been employed?
 Mr. GUZMAN. Republic Steel Corporation.
 Senator LA FOLLETTE. How long have you worked there?
 Mr. GUZMAN. I worked since 1927 in the same mill.
 Senator LA FOLLETTE. Are you a member of the Steel Workers' Organizing Committee?
 Mr. GUZMAN. Yes, sir.
 Senator LA FOLLETTE. Were you present at the mass meeting in the yard near Sam's Place on Sunday?
 Mr. GUZMAN. I was.
 Senator LA FOLLETTE. Were you in the parade?
 Mr. GUZMAN. Yes. I was carrying a flag, a flagbearer.
 Senator LA FOLLETTE. Look at exhibit 1413¹ and tell me if you can identify yourself in that picture?
 Mr. GUZMAN. Yes. I am to my right, right here, where I am looking.
 Senator LA FOLLETTE. You are the one that is carrying the flag, on the right of the picture?
 Mr. GUZMAN. Yes, sir.
 Senator LA FOLLETTE. But on the left hand of the column as it marched toward the police?
 Mr. GUZMAN. Yes; that is right.
 Senator LA FOLLETTE. Did you see anybody in the crowd as you were marching down there, at any time, who had any clubs, gas pipes branches of trees, stones, bricks, rocks, or other missiles or weapons?
 Mr. GUZMAN. No; I didn't.
 Senator LA FOLLETTE. Look at exhibit 1400.² Can you tell from the position of those flags which one you were carrying?
 Mr. GUZMAN. Yes.
 Senator LA FOLLETTE. The one further away from the picture?
 Mr. GUZMAN. Yes; that is right.
 Senator LA FOLLETTE. But you see that some of the men in that picture had branches of trees and sticks, do you not?
 Mr. GUZMAN. Yes.
 Senator LA FOLLETTE. You say you did not see them?

¹ See p. 5141.² See p. 5140.

Mr. GUZMAN. I did not see any when we started marching.

Senator LA FOLLETTE. Well, did you see any during the time you were marching down there?

Mr. GUZMAN. No.

Senator LA FOLLETTE. Did you have any conversation with any of the police in the line?

Mr. GUZMAN. Yes; I did.

Senator LA FOLLETTE. State the conversation that you had with them.

Mr. GUZMAN. Just when we got to the line of the policemen there was a plain-clothes man, and he talked in a low tone, slow. He say, "Lucky you are carrying that flag or you would have been shot." That is what he told me. Then I explained to him that we were just peaceable demonstrators in a parade, and that we wanted to go through, and if they will escort us by, to see that nothing would happen, and they can march alongside of us. That is all the conversation I had with the police.

Senator LA FOLLETTE. And did you hear any other remarks before the trouble started?

Mr. GUZMAN. Someone from the back say, when the police told me, he say, "You should have a permit to go by", and then somebody from the back, I don't know who, he said, "This is a strike, and we have a right to picket peacefully." That is all the remarks I heard.

Senator LA FOLLETTE. Did you see any missiles, bricks, or anything thrown at the police?

Mr. GUZMAN. No, sir.

Senator LA FOLLETTE. Did you hear any profanity from the crowd toward the police?

Mr. GUZMAN. No; not that I heard.

Senator LA FOLLETTE. What happened next?

Mr. GUZMAN. Well, as we were talking to the police there, meaning we were, some of us were talking to them, when we got to the line there, the crowd spread out, and the people all seemed well spread, and then the shooting started, and then I went down.

Senator LA FOLLETTE. Why did you go down?

Mr. GUZMAN. The policeman on the front clubbed me down as soon as the first shots started, and I went down and I remained down. They all passed—the policemen passed where I was lying, and then, when I was just about to pick myself up another policeman grabbed me by my jacket and took me in the patrol wagon.

Senator LA FOLLETTE. Do you know whether you were struck more than once?

Mr. GUZMAN. Yes; I was struck on the head the first blow. Then when they picked me up they struck me twice on the shoulders—once on each shoulder.

Senator LA FOLLETTE. How many people were in the patrol wagon?

Mr. GUZMAN. When I entered the patrol wagon there was only one other.

Senator LA FOLLETTE. How many were in it at the time it started away from the field?

Mr. GUZMAN. There were about, say, about 10 or 11. I couldn't say.

Senator LA FOLLETTE. Any seriously wounded with you?

Mr. GUZMAN. Yes; there was about five of them that I remember that were pretty bad, and the other ones were, oh, Guiseppi, another, Mr. Fisk, he wasn't wounded bad, not at all. He was not bleeding, and the rest of them were almost every one of them bleeding.

Senator LA FOLLETTE. Now, at any time during this event did you see any of the marchers resisting or striking or attacking or throwing anything at the police?

Mr. GUZMAN. No, sir.

Senator LA FOLLETTE. Where did they take you in the patrol wagon?

Mr. GUZMAN. Well, they took a long way around. We were on Avenue O all the way to Hegewisch, and then back to the Irondale, and then to the East Side police stations. That is about—say about 5 miles out of the way, where the first police station is located.

Senator LA FOLLETTE. How long would you say it took to get there?

Mr. GUZMAN. Well, I say, at least, it took a half hour to the first station.

Senator LA FOLLETTE. Had any of the people in the wagon with you, who were injured, received any medical attention up to that time?

Mr. GUZMAN. No.

Senator LA FOLLETTE. Any first-aid attention?

Mr. GUZMAN. No. I myself gave a handkerchief to a fellow that was bleeding very bad.

Senator LA FOLLETTE. Do you know whether or not any of these people who were more seriously injured received medical attention later?

Mr. GUZMAN. Yes. We were put in cells, and then the police come around in about 20 minutes or half an hour after, and the ones that were very serious they took them to the hospital, and I didn't want to go right away, and another fellow didn't go right away. Then we asked to be taken to the hospital anyway.

Senator LA FOLLETTE. How long were you held at the South Chicago police station?

Mr. GUZMAN. From Sunday night till Wednesday morning, till about 9 o'clock.

Senator LA FOLLETTE. Did you have any interviews with any of the police or any of the city or county officials?

Mr. GUZMAN. Yes. I gave my statement to the police.

Senator LA FOLLETTE. And state, to the best of your knowledge and recollection, the questions they asked you and your answers.

Mr. GUZMAN. Well, they asked me where was I born, and what was I doing at the place of the meeting, and where was I employed. I told them, and if I was married; I told them also; and if I was a citizen of the United States. I told them. And they asked how long was I married. I told them, told them 9 years, and when I told them 9 years—I gave my age as 26 years old—they said "Well, did you have to lie to get your license?" I say, "Yes." "Why did you do that?" "Well, I wanted to get married. That is about all", I said. They said, "Did you ever have any run with your wife before you got married, and going around with her—do anything?" "Well", I say, "I think that is a little out of the question." They told me, "Well, all we wanted to know, if you had run around in

any way. We are not going to tell anybody about it." I said, "Well, anyway, that is a personal question I wouldn't like to answer."

And then they asked me if I had any weapons, guns, or knives, or what did I do with them? I told them I did not have any. Then they told me I was a Communist. I told them no, that I don't even know what the word Communist meant, and they said when they finished with my statement, they said "Where is the gun you were carrying? Did you have any fight with the police? Did you do any shooting?" I said, "No, I didn't. I didn't carry any gun, or you would have found it on me"—something like that. That is about all this thing.

Senator LA FOLLETTE. Did they attempt to threaten you or intimidate you in any way?

Mr. GUZMAN. Well, the only thing they did, when they asked me if I was a citizen of the United States, I told them that I was not, that I was raised in this country, but that I was not born here; so they told me as long as I was not a citizen of the United States they could send me back to Mexico any time they felt like it.

Senator LA FOLLETTE. Did you ask to talk to any friends or relatives while you were confined in the police station?

Mr. GUZMAN. Yes; I did—the same Sunday night. I asked to be allowed to talk to my wife, but I was not permitted to.

Senator LA FOLLETTE. You were not permitted to?

Mr. GUZMAN. No, sir.

Senator LA FOLLETTE. Did any of the other prisoners ask for similar privileges, to your knowledge?

Mr. GUZMAN. Yes; they did.

Senator LA FOLLETTE. Was it granted to them?

Mr. GUZMAN. No.

Senator LA FOLLETTE. When were you brought into court?

Mr. GUZMAN. Wednesday morning at 9 o'clock.

Senator LA FOLLETTE. Do you know what bond was set in your case?

Mr. GUZMAN. Yes; \$500. Then finally my wife or a friend of mine arranged for \$500 cash bond, so I went out.

Senator LA FOLLETTE. And after the court hearing where did you go? Were you put back in jail again?

Mr. GUZMAN. Yes; put back in the cell, waiting room.

Senator LA FOLLETTE. And what happened there?

Mr. GUZMAN. Well, they took us to the county, and they had our fingerprints taken again, and then they started calling me out around 6 o'clock in the evening, and I didn't know I was going out, and that is when they released me. The bond was already set.

Senator LA FOLLETTE. Did you have to sign any kind of statement before you left?

Mr. GUZMAN. Well, just a doctor; physical examination.

Senator LA FOLLETTE. And what was the purpose of that statement, did you understand?

Mr. GUZMAN. No; I didn't. The only thing, the doctor examined me and gave me an O. K., and he asked me to sign, so I did.

Senator LA FOLLETTE. Let a copy of this witness' subpoena be inserted in the record.

(The document was marked "Exhibit 1423" and appears in the appendix on p. 5059.)

Senator THOMAS. How long have you been in America?

Mr. GUZMAN. Seventeen years.

Senator THOMAS. Seventeen years?

Mr. GUZMAN. Yes, sir.

Senator THOMAS. Is your wife a Mexican?

Mr. GUZMAN. She is a Mexican. She was born in the United States.

Senator THOMAS. She is an American citizen, then?

Mr. GUZMAN. Yes; that is right.

Senator LA FOLLETTE. Mrs. Marshall.

TESTIMONY OF MRS. LUPE MARSHALL

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name, please?

Mrs. MARSHALL. Lupe Marshall.

Senator LA FOLLETTE. How do you spell your first name?

Mrs. MARSHALL. L-u-p-e.

Senator LA FOLLETTE. And how do you spell your last name?

Mrs. MARSHALL. M-a-r-s-h-a-l-l.

Senator LA FOLLETTE. What is your occupation?

Mrs. MARSHALL. At the present time, a housewife and volunteer social worker.

Senator LA FOLLETTE. Could you speak a little louder, please?

Mrs. MARSHALL. At the present time I am a housewife and volunteer social worker.

Senator LA FOLLETTE. Where do you work as a volunteer social worker?

Mrs. MARSHALL. Throughout Chicago.

Senator LA FOLLETTE. Have you any connection with Hull House?

Mrs. MARSHALL. Yes; of some sort.

Senator LA FOLLETTE. Are you a member of any labor organization?

Mrs. MARSHALL. I am not.

Senator LA FOLLETTE. Did you go to the strike meeting at Sam's Place on Sunday, May 30?

Mrs. MARSHALL. Yes; I did.

Senator LA FOLLETTE. How did you happen to go there?

Mrs. MARSHALL. I am very much interested in studying and doing research work among the Mexican people, relative to their attitude within the organized labor movement.

Senator LA FOLLETTE. Well, are there many Mexicans employed normally at the Republic Steel plant?

Mrs. MARSHALL. I do not know how many Mexicans are employed in the steel plant, at the Republic plant, but I do know that there are 5,000 Mexican families in South Chicago.

Senator LA FOLLETTE. What time did you get to the meeting?

Mrs. MARSHALL. About 3:15.

Senator LA FOLLETTE. Was speaking going on when you arrived there?

Mrs. MARSHALL. Yes; there was.

Senator LA FOLLETTE. Did you join the marchers?

Mrs. MARSHALL. Yes; I did.

Senator LA FOLLETTE. Where were you in the parade when it started?

Mrs. MARSHALL. At the side. I was speaking to a young writer that was with me, that had invited me to go to that meeting, and he was busy with his notes, and I didn't know just where I should be in order to get the best account of the thing, and I joined a group of women that seemed to be going toward the front.

Senator LA FOLLETTE. And as the parade went on across the prairie what position did you occupy in relation to the head of the column?

Mrs. MARSHALL. Right near the front.

Senator LA FOLLETTE. Near the front?

Mrs. MARSHALL. Right near the front.

Senator LA FOLLETTE. And anytime during the time when you were standing there, or before the parade started, or during the time that they marched across the prairie, did you see any of the marchers armed with sticks, stones, pieces of gas pipe, or any other missiles or weapons?

Mrs. MARSHALL. No; I didn't. What I did see though was that as I walked back and forth, trying to find a place, to place myself, I heard a man behind me yell at another in an angry tone, "Drop that stone, we don't want that stuff here."

Senator LA FOLLETTE. Now, when the crowd of marchers got down so that they contacted the police line where were you?

Mrs. MARSHALL. I was right at the front. I was right next to one of the flags.

Senator LA FOLLETTE. Will you look at exhibit 1358¹ and see if you can find yourself there?

Mrs. MARSHALL. Yes; I do. I find myself.

Senator LA FOLLETTE. Where are you?

Mrs. MARSHALL. I am to the left of the marcher that is carrying the flag; to the right facing the picture.

Senator LA FOLLETTE. Now, how many other women did you see in this march would you say?

Mrs. MARSHALL. Oh, there were many women.

Senator LA FOLLETTE. You say "many"—how many would you say you saw, yourself?

Mrs. MARSHALL. Oh, you mean right in the picture here?

Senator LA FOLLETTE. No; not in the picture. I mean in the crowd of marchers—approximately.

Mrs. MARSHALL. Oh, I would say about 200 women.

Senator LA FOLLETTE. Did you see any children?

Mrs. MARSHALL. Yes; I did.

Senator LA FOLLETTE. How many?

Mrs. MARSHALL. I couldn't say how many, but while the meeting was going on there were children running around buying ice cream and popsicles there in the—

Senator LA FOLLETTE. Did you see any children in the march?

Mrs. MARSHALL. Yes, I did; some of the women that were in the group that I joined had children with them.

Senator LA FOLLETTE. What was the general character of the crowd would you say?

Mrs. MARSHALL. Jubilant. As the march proceeded, that is what made me join the group of women, they were singing, and some of

¹ See p. 5137.

the fellows were kidding each other and patting themselves on the back as we went along.

Senator LA FOLLETTE. Did you hear any remarks made which indicated that the objective of the parade was to storm the plant?

Mrs. MARSHALL. No; I didn't.

Senator LA FOLLETTE. Or to work injury upon the workers who had not come out on strike?

Mrs. MARSHALL. No; I didn't.

Senator LA FOLLETTE. Did you hear any remarks indicating hostility toward the Chicago police?

Mrs. MARSHALL. No. The only remark that can be construed as such would be one remark that came from the speakers, from one of the speakers, in which they referred to the police as being part of the city; the police were to protect the city, and it seemed as if in this case they were protecting the company instead of the workers that were on strike.

Senator LA FOLLETTE. Now, you were near the front line. Did you have any conversation with any of the police prior to the difficulty?

Mrs. MARSHALL. Yes; I did.

Senator LA FOLLETTE. Who did you talk to?

Mrs. MARSHALL. I talked to the officer that testified here on this chair, addressed by the Chair as "Higgins", Officer Higgins.

Senator LA FOLLETTE. And what was the substance of your conversation with Officer Higgins?

Mrs. MARSHALL. I did not address him. He addressed me. From my recollections the marchers did not reach the police, but the police advanced toward us in a running step, when we were about 15 or 20 feet away from them, and the people in back of us kept marching, and the police came toward us, so that we were pressed together, the police and the marchers, and I could touch Officer Higgins with a paper which I was carrying under my arm, and as soon as we approached he called me a vile name—the women around us—called us a vile name, told us to get back.

Senator LA FOLLETTE. Had anything been said to Officer Higgins?

Mrs. MARSHALL. No; we had just come in contact when he addressed us.

Senator LA FOLLETTE. Did you hear any other conversation?

Mrs. MARSHALL. Yes; I did.

Senator LA FOLLETTE. Tell me all that you can remember.

Mrs. MARSHALL. I couldn't see the individual that was carrying the flag on the other side of me, but I heard some conversation in a serious tone, and I thought it was the leader of the marchers that was addressing some official on the other side. He said something about picketing and going in front of the plant. I heard, also from the back, snatches. Somebody hollered, "Mayor Kelly said it is all right to picket." Others said, "We have got our rights." But the confusion was such that it was really difficult to catch the whole phrase of what was going on. Some of the officers further to my left as I was facing them seemed to be addressing the men. I heard something about "Get back! Get back!" And as these things were being said the officers kept going like this with their clubs [indicating an up and down motion]. They were swinging their clubs like this [indicating] in front of our faces.

Senator LA FOLLETTE. I want to ask you one other question, before you go any further. In your hearing, did any of the people in the crowd of marchers use any vile or abusive language toward the police?

Mrs. MARSHALL. No; they did not.

Senator LA FOLLETTE. Did you see any of them threaten or make any threatening gestures toward the police?

Mrs. MARSHALL. No; they did not, not those that I could see in my immediate vicinity.

Senator LA FOLLETTE. Did you see any shower of missiles of rocks or bricks?

Mrs. MARSHALL. No; I didn't.

Senator LA FOLLETTE. Now tell us what happened next?

Mrs. MARSHALL. As I was addressing one of the officers in front of me, Mr. Higgins had moved away somewhat. The police were closing in, closing their ranks and crowding us, pushing us back all this time, and I said to one of the officers in front of me, I said, "There are enough of you men to march alongside of these people, to see that order is kept." And he answered me, "Like hell! Like hell! Like hell! Like hell there are!" There is an officer that was directly in front of me that had his gun out, and I recognized him in the picture in another scene, that he laughed real sarcastically in my face, and said something about sending these [blanks] back. He said a vile word there. And this happened so suddenly that it seems that I was still talking to these officers in front of me, when I heard a dull thud toward the back of the—of my group, and as I turned around there was screaming and going on in back, and simultaneously a volley of shots. It sounded more like thunder. I heard that, and I couldn't—for a minute I couldn't imagine what was happening. I had seen this man with his revolver out, but I couldn't believe that they were shooting, so I turned around to see what was happening, and the people that were standing in back of me were all lying on the ground face down. I saw some splotches of blood on some of the fellows' shirts. I tried to run, but I couldn't; the road was closed by these people there, and I didn't want to step on them, so I sort of held back.

Senator LA FOLLETTE. Give picture "Q" a number.

(The picture was marked "Exhibit 1424" and is reproduced in the appendix on p. 5143.)

Senator LA FOLLETTE. Can you recognize yourself in that picture, Mrs. Marshall?

Mrs. MARSHALL. Yes; I can.

Senator LA FOLLETTE. Where are you?

Mrs. MARSHALL. I was walking or running, rather, around the people that had fallen in back of me.

Senator LA FOLLETTE. Now, will you look at exhibit 1418.¹ Do you see that picture?

Mrs. MARSHALL. Yes; I do.

Senator LA FOLLETTE. Now, looking at those two pictures, exhibits 1424 and 1418, look at 1424, the one shown you first. Then look at 1418, and tell me whether you can tell which one of those pictures was taken first.

¹ See p. 5142.

Mrs. MARSHALL. 1418 was taken first.

Senator LA FOLLETTE. 1418 was taken first?

Mrs. MARSHALL. First.

Senator LA FOLLETTE. And 1424? Now, in your opinion, 1418 was taken after 1424?

Mrs. MARSHALL. No; 1424 was taken after 1418.

Senator LA FOLLETTE. Now, will you look at 1414,¹ and tell me when do you think that picture was taken in relation to the others?

Mrs. MARSHALL. This picture was taken before I was aware of what had happened.

Senator LA FOLLETTE. Then you think that 1418 was taken? Is that correct?

Mrs. MARSHALL. Yes; and then 1424.

Senator LA FOLLETTE. Is the officer you are talking about in 1414 the one you think you saw in the moving picture?

Mrs. MARSHALL. The officer that has the gun.

Senator LA FOLLETTE. Then these people were shot down from around you, as shown in 1414, and piled up in this heap, before you even knew what had happened?

Mrs. MARSHALL. Yes, sir.

Senator LA FOLLETTE. And by the time 1418 had been taken you had turned around to look at the people who had been with you?

Mrs. MARSHALL. I had been knocked down by a club. My head had been broken open, and I was raising myself up from the heap of these people—1418.

Senator LA FOLLETTE. And in 1424 you had recovered sufficiently and are fleeing; is that correct?

Mrs. MARSHALL. Yes.

Senator LA FOLLETTE. Now, did you see any policeman come near this group of people who had fallen in a heap, as is shown in all of these "stills" and as is shown in the moving picture, at any time before you left the scene?

Mrs. MARSHALL. Well, I was somewhat dazed, and all I was aware of was that I wanted to get away from these people and walked back to where the field seemed to be clear. There were not so many policemen over on that side.

Senator LA FOLLETTE. Now, Officer Higgins testified that you dropped a bag of pepper out from under your arm. He testified at least that a woman did.

Mrs. MARSHALL. He said it looked like me, but he was not sure.

Senator LA FOLLETTE. Officer Higgins, will you come forward, please.

TESTIMONY OF GEORGE HIGGINS—Resumed

Senator LA FOLLETTE. Will you please take a good look at the witness upon the stand, and tell me whether she is the woman that dropped the bag of pepper?

Mr. HIGGINS. Will you have her stand up, Senator, please?

Senator LA FOLLETTE. Yes; certainly.

Mr. HIGGINS. That is the height of the lady. All right.

Senator LA FOLLETTE. Be seated. Thank you.

¹ See p. 5142.

Mr. HIGGINS. You are welcome, sir.

Senator LA FOLLETTE. Did you have a bag of pepper?

Mrs. MARSHALL. No; I didn't.

Senator LA FOLLETTE. What did you have under your arm?

Mrs. MARSHALL. I had the regular purse I carry when I am out on the field and two newspapers, folded just like the ones I have now.

Senator THOMAS. What color is the "regular" purse?

Mrs. MARSHALL. It is a blue leather. It is like a portfolio. It is usually where I carry my notebook.

Senator LA FOLLETTE. Is that the one shown in 1424?

Mrs. MARSHALL. That is the one.

Senator LA FOLLETTE. You are positive that you can testify under oath that you had no pepper in your possession at all on Sunday?

Mrs. MARSHALL. I did testify under oath that I did not have any pepper on Sunday.

Senator LA FOLLETTE. Were you successful in your efforts to get away from the police?

Mrs. MARSHALL. No; I was not. After I evaded these policemen that were immediately in front of me in the picture and shown in 1424, I was aware that my head was bleeding. I noticed that my blouse was all stained with blood, and that sort of brought me to, and I started walking slowly toward the direction from which we had started when the march originated, when I noticed that a policeman had just clubbed an individual, and this individual dragged himself a bit and tried to get up, when the policeman clubbed him again. He did that four times.

Senator LA FOLLETTE. While he was on the ground?

Mrs. MARSHALL. While he was trying to get up. Every time he tried to get up the policeman's club came down on him. Then he took him by the foot and turned him over. When the man finally fell so he could not move, the policeman took him by the foot and turned him over on his back, and started dragging him. As he turned him over, I noticed that the man's shirt was all blood stained here on the side, so I screamed at the policeman and said, "Don't do that. Can't you see he is terribly injured?" And at the moment I said that, somebody struck me from the back again and knocked me down. As I went down somebody kicked me on the side here, a policeman kicked me on the side here.

Senator LA FOLLETTE. How can you be sure they were policemen?

Mrs. MARSHALL. Well, I could see from the sides. I could not identify the particular policemen that did it, but I could see their uniforms, and I could see the edges, the ends of the clubs from the side of my eyes.

Senator LA FOLLETTE. How much do you weigh, Mrs. Marshall?

Mrs. MARSHALL. I weigh 92 pounds now. I weighed 97 when this happened.

Senator LA FOLLETTE. And how tall are you?

Mrs. MARSHALL. 4 feet 11.

Senator LA FOLLETTE. Go ahead.

Mrs. MARSHALL. So, after he kicked me I tried to get up, and they hit me three times across the back, and then somebody picked me up and took me to the patrol wagon. As we were walking along to the patrol wagon I noticed men lying all over the field. Some of

them were motionless. Some were groaning, but nearly all of those that were lying down had their heads covered with blood, and their clothing was stained with blood. They took me to one patrol wagon, and as I was walking toward it the policeman is dragging me by the arm. As I was walking toward it, one man that I presumed was a newspaper reporter asked my name.

Senator LA FOLLETTE. Was that in the motion picture? I noticed that the policeman jerked you away from him.

Mrs. MARSHALL. Yes, yes. He asked me for my name, and I said "Lupe Marshall"; and I gave him my address as quickly as I could, and I was about to give him my telephone number when he twisted me around, and he said, "Come on, get going!" And as we approached the patrol wagon I noticed that it was full, so they said, "No, we can't get her in there."

Then they took me to the other patrol wagon, and that patrol wagon was filled also, so they took me to a distance and at that moment a patrol wagon drove in, or got into position, but it was in motion, and it stopped right in front of us, and they opened the door, and I was going to step in. I had one foot on the step when a policeman put his hand on my back, on my buttocks, and shoved me in there, so that if I had not put my hands across my face I would have struck the grating of the window in the front of the patrol wagon in there. After I poised myself I walked out in the wagon and sat next to the door, and observed out as much as I could. When the policemen started to pick up those men that had been lying approximately where I had been standing when the thing started, they started bringing them in by their feet and their hands, half dragging them and half picking them up, and there was one man that they brought, the first one that they put in the wagon, he was a heavy-set fellow. He weighed about 200 pounds, blonde fellow. They grabbed him, and shoved him in the wagon like that [indicating], and I noticed that he had two red stains about the size of a penny, one on the upper side of his abdomen and one lower, and immediately after that other policemen started bringing the other wounded men, and that is the confusion in which they threw every one of the men that were in the wagon with me. None of the men that were in the wagon with me were able to sit up. None of them sat on the benches. I had to lift my feet up on to the bench to allow them to put the men in there.

Senator LA FOLLETTE. Did they pile them one on top of another?

Mrs. MARSHALL. They piled them one on top of the other. There were some men who had their heads underneath others. Some had their arms all twisted up, and their legs twisted up, until they filled the wagon up, and one man said, "Well, I guess that's all", and they shut the door.

Senator LA FOLLETTE. How many would you say were in the patrol wagon at this time?

Mrs. MARSHALL. 16 men—16 men, besides myself.

Senator LA FOLLETTE. Were there any others seriously wounded in the wagon?

Mrs. MARSHALL. They were all seriously wounded. On the way to the hospital—

Senator LA FOLLETTE. Just a moment. Had any of them, could you see, received any first aid?

Mrs. MARSHALL. No; none of them, because I saw where they were picking them up from. They were picking them up from the original position in which they laid there. They were bringing them into the wagon.

Senator LA FOLLETTE. Now tell us about the trip, and where you went.

Mrs. MARSHALL. As soon as the wagon started, and they had closed the door, one of the policemen stepped on the step of the wagon and held his hands on it while we were driving. Well, as soon as the wagon started I started helping these men that were in the wagon. I started straightening out their heads and lifting their arms from underneath, and I noticed that there was one particular fellow there who looked very gaunt and haggard, and he seemed to be in a terrible position. There was a heavy-set man that had fallen on top of him, and this fellow was pinned completely with his head over his knees. I straightened him out, managed to get his head on my lap, but when I did that I noticed that his face was getting cold and was black, turning black, and he was motioning to his pocket, his shirt pocket. He had a package of cigarettes there, and I understood he wanted me to light a cigarette for him, but I had no matches, and when I did get the cigarette out it was stained with blood, and it was cloaked with blood, so he said, "Never mind, kid", he says, "You are all right. You are a good kid." He says, "Never mind. Carry on." And he started to say "mother"—but didn't finish, and he stiffened up, and I became somewhat hysterical. I told the patrolman that was in the back of the wagon, I said, "I hope you get the medal for this." I said, "Your children and your wife must be very proud of you." And he says, "I didn't do that", he says, "I wouldn't do that. I am just doing here what I can for you now. I am trying to help you as much as I can. That is all I have to do, is to see that you get medical care now", he says, "But I wouldn't do that." And as he said that I noticed the tears rolling down his eyes.

Well, it seemed we drove all over the city of Chicago before we got to the hospital. It was ages before we were able to get there, and every time the patrol wagon jolted, these men would go up about a foot or so, and fall on top of each other, and there was the most terrible screaming, groaning, and going on in that wagon! Finally we got to the hospital. I later found out it was Burnside Hospital, and they took me out first, and not very gently either. The policeman that handled me said, "Come on, get in there", and took us into the dispensary in the basement of this hospital.

As soon as I was in there I told the nurse—there was one nurse there—I said, "There are a lot of men coming in", I said. "They are all seriously wounded." She says, "Oh, my goodness! We haven't nurses. We haven't got doctors on the floor." Then the policemen started bringing them in, bringing the men in in the same manner in which they had put them in the wagon. They were bringing them by the feet and hands, and laying them on the concrete floor.

The reason why I can estimate that there were 16 there is because I counted them, so as to be able to see if I could recognize

any of them later on for their families. I really feared that none of those men that were in there were going to live.

There were four men put in the X-ray room, in back of the X-ray room, and the man that I am sure died on my lap on the way to the hospital was put there, and there were four men laid out there, and four men were laid inside of the dining room, and were placed on chairs in the dining room, but they just hung limp there. They couldn't control their position at all.

Well, as soon as we got to the hospital—it seemed that immediately after our wagon got there, other wagons came up and other people were coming in. A woman came in with a small child that had been shot in the heel, in the leg, and the doctors seemed to be coming now, and giving attention. I told the doctor that I first saw, I said, "Please go in there and see if you can do something for this man. I think he is very bad." He looked at the man and didn't even touch his pulse. He looked at the man, and he said, "Never mind. You go out in the hall and sit down." He said, "Take it easy. Sit down and rest." But when I saw how many wounded men were there, with not enough nurses to take care of them, I went into the dining room. Oh, but first I must say that the minute I walked into the dispensary I noticed the telephone in a little office, and I went in there and shut the door and started calling up three telephone numbers that the men that were in the wagon had given me, and I called up my home. I told my brother what had happened, and he said, "Never mind. Do not say anything until your lawyer gets there", he said. So while I was calling up, a policeman in there was banging on the door, and saying, "Get out!" because the door locked as you shut it. He said, "Get out of there, you (blank)." So when I got out I went into the dining room, and as the table was set for the nurses' supper I pushed aside all I could and gathered the tablecloths and napkins, all that I could, and the pitcher of water, and started helping the men that were wounded, and putting these wet packs on their wounds; when a detective from some place—I imagine it was from downtown, since that was the only place where they had detectives—came in, and made a terrible noise. He screamed at these policemen that were standing at the doorway there. He said, "Who the hell ordered this (such and such) shooting?" He swore at them, and the other fellows started to answer, but the policeman that had been advised to watch me—one policeman had been assigned to watch me—said, "Shut up your mug! They are not all dead yet"—and he went like this [indicating] to me, motioning to me.

Every time I made an effort to help the wounded, to light their cigarettes, this policeman would come and set me down, until the doctor went to dress the little boy's leg. I walked in there and asked him if I could help him. He said, "Yes"; so I was holding the boy's leg and distracted him, when this policeman came and said, "Come on, you have to come out here and sit down in the hall", and this doctor was very irritated at this. He said, "You have done enough to these people. Now we are trying to do what we can for them. Now please get out of here and stay out." And then the policeman walked out and left me alone for a while.

Senator LA FOLLETTE. How old would you say this child was?

Mrs. MARSHALL. Eleven years old. The mother told me the child was 11 years old. Then the doctor wanted to dress my wound, but

I would not let him. I told him to take care of the other men there. There was one man that had his head opened in five places. He had a wound here [indicating the forehead]. The doctor said, "That is a skull fracture", and he put his finger in there, and the doctor's finger went into that dent there in his forehead, so the doctor said, "Well, if you feel that you can stand it, I think it better to take care of these other men."

Then when it came my turn—I was the last one of all those people that had been brought into the dispensary. I was the last one to be taken care of. I had been sewed all ready. The doctor in charge there said that he did not want me to go to the dispensary because he was afraid my wound was not a club wound. He was afraid it was a bullet graze. He said, "I am going to look you over", and he was very nice. He told the nurse not to let me walk, that I had lost a lot of blood, that she should have X-rays taken of me; but all this time the policemen were insisting that I go with them, because my head had been bandaged all ready, so the doctor said, "Have X-rays taken. Then take her upstairs to the operating room."

They took me upstairs, and the policeman had spoken to a detective, before they took me up there, and the detective had said, "For God's sake! Get her name." He said, "We have got to get these names for the records." Well, on the way up the nurse took me in a wheel wagon. She would not let me walk, and took me on the elevator.

Well, the policeman talked to some nurses there, and said, "Get all the information you can." The nurses came and started to question me when the doctor was fixing my head, and the doctor said, "Can't you see this lady is ill? Let her alone." They said, "Well, doctor, we have to have information." He said, "Those records can wait; if she can wait to have her head dressed those records can wait." He said, "Now don't annoy her any more."

When I came up, the doctor said he wanted me to sit still, because he wanted to see me again. I was being bothered with gas in my stomach. I was feeling terribly sick at this time, so the nurse took me downstairs and sat me on a chair. I asked to be taken to the bathroom, because I was feeling ill, and the nurse said, "All right, just wait there." I wanted to get up. She said, "No; don't get up. Just wait." She brought the wheel wagon again and took me up to the elevator, and the policeman wanted to go up with us, but there was no room for him on the elevator. He ran up the steps and got there before we got there, and as I walked into the bathroom the policeman started walking in, and the nurse said, "You can't go in there." He said, "Well, I have got to—I have got to watch her. She is dangerous."

So the nurse laughed. The nurse laughed and said, "She is too ill to want to do anything right now, and she certainly cannot jump out of that window." There was a window about the size of this picture here [indicating].

So the nurse said, "If she needs watching, all right, I will watch her. I will stay here and I will watch her for you."

The nurse stayed with me until someone called "Nurse!" and she ran out of the bathroom, and the minute the nurse ran out of the bathroom the policeman walked in and grabbed me by the arm and

said, "Now, come on. Quit your stalling", he said, "Get going", and started dragging me through the hall, and as we passed the elevator he hesitated. He stopped in front of the elevator, hesitated, and said, "No; I guess you can walk it", and he ran me down the steps just as fast as he could.

As we were coming out of the drive of the hospital, he said, "What is your name?" I said, "I have called my lawyer already. He is on his way, and as soon as he arrives you will have all of the information that you need." He said, "Give your name or else—" and he lifted his club over my head. I said, "No, officer; you can't do that", I said, "because you officers have to be more within the law than ordinary citizens." "Oh, you are real smart", he said. "Huh!" But at this time we had reached the sidewalk and he put me in the patrol wagon. He took me to the Burnside station, and when we got to the station they put me in charge of a police matron, Miss Falkenberg. She was very nice. She asked me some questions, and I gave her the same answer I had given to the policeman, that my lawyer was on his way, and she searched my purse and returned it to me and put me in a cell.

When a policeman came and asked her if she got the record ready, she said, "No; I didn't get any information from her." She said, "Her lawyer is coming out." So I went in the cell, and I went to lie down. I was feeling very ill, and as I was going to lie down a policeman came in and said, "Come on, girlie. We want you out here." They took me out and started to question me. I refused to give them any information. Four times they took me out to question me, and twice to fingerprint me. They took me out and fingerprinted me, and I asked them why that was done, and they said, "Oh, it is going to come in handy." So the last time they took me out, the matron said, "The captain wants to see you." So they took me to the office—I had not been taken there before—they took me to the office there, and there was a tall gentleman with a mustache, and he was in shirt sleeves, and he said, "What is your name?" And I told him that my lawyer was on his way already, and he said, "What is your address?" And I repeated the same thing, and then he said, "You know it is going to go hard with you", so I said, "Will you, please, tell me if I have to give a statement now? Do I have to give a statement?" And he said, "Take her away. Take her away." And that was the last time I was annoyed by them.

Senator LA FOLLETTE. How long were you held?

Mrs. MARSHALL. I was held till Wednesday morning.

Senator LA FOLLETTE. Were you booked on any charge on the blotter?

Mrs. MARSHALL. No; I wasn't.

Senator LA FOLLETTE. You were just released?

Mrs. MARSHALL. Well, I know I wasn't booked, because I don't know what they put down on their records. The only thing is that the matron had told me I could not see anyone until I was booked, and the next morning she said that my lawyer had been there, but he could not see me because I was not booked, so she said, "You know that is the law, and we cannot break it. No one that is not booked can see anyone or read any newspapers", and before they took me to the captain's office they came and asked me for my purse again, and they took me to the matron's quarters, and they opened

my purse, and the policeman said, "What have you got there?" So the nurse took out two leaflets that I had folded up, and she said, "Communist stuff." I said, "Miss Falkenberg, you had better look it over." So she opened them up, and one was the leaflet from the C. I. O. for the protest meeting that I had attended, and the other one was an auction sale from the United States Post Office. So they said, "Well, we will want this", and they took away my address book, and they have not returned it to me yet. They have it there.

Senator LA FOLLETTE. Do you know whether you were charged with anything?

Mrs. MARSHALL. I did not know I was charged until Tuesday night at 9 o'clock.

Senator LA FOLLETTE. And what were you charged with?

Mrs. MARSHALL. Conspiracy to commit an illegal act.

Senator LA FOLLETTE. And you are out on bail?

Mrs. MARSHALL. No; on my own recognizance.

Senator LA FOLLETTE. Are you an American citizen?

Mrs. MARSHALL. No; I am not.

Senator LA FOLLETTE. How long have you been in this country?

Mrs. MARSHALL. I have been in this country since 1917. I have been here since I was 10 years old.

I want to add that after Miss Falkenberg, the matron, had told us we could not see anyone until after we were booked, Tuesday morning a gentleman came to the cell door, and Miss Falkenberg said, "Girls, there is somebody here to see you." I said, "Good! That means we are booked." She said, "No, you are not booked, but he got permission at the desk, so I guess it is O. K. He is from the I. L. D.", she said. I said, "From where?" "Well", she said, "you talk to him. If you want to talk to him, talk to him, otherwise that is your affair." So the man approached us. There was another woman in the cell with me, a pregnant woman. He said, "Well, girls, I am from the I. L. D. I will see what I can do for you." I said, "What is your name?" He did not answer my question. Instead he said, "Where are you girls from? Are you from the C. P.?"

I said, "From the what?" And the girl next to me said, "No, we are not from the C. P." So he said, "Well, are you from the Y. C. L.?" I said, "From the what?" And he said, "From the Y. C. L.?" The girl said "No, we are not from the Y. C. L."

So he said, "Well, are you from the University of Chicago?" [Laughter.] I said, "No." I said, "No; it is a long time since I was at the university." And he said, "Well, I want to give you"—Oh, the girl said, "I am from the Women's Auxiliary", the girl that was there said, and he said, "Oh." So he said, "Well, I want you girls to give me your names—your right names, and the names you have given here."

I said, "Well, I haven't given any name at all, but", I said, "my lawyer knows about it already." I said, "He is coming, and the one thing you can do for me", I said, "will you please call Hull House and tell Miss Edwards, the dramatic director, that I shall not be able to handle the rehearsal that I was scheduled to handle" that night "because I am indisposed?" I said, "And tell her that she should put the thing in somebody else's charge indefinitely." He

said, "Yes; I will do that. Who did you say? Miss Edwards, Hull House?"

I said, "Yes." So he said, "Oh, O. K.", and he walked out, right out of the room. I had given my name, so the next thing I heard was that Miss Rich, the head resident of Hull House, had sent her secretary to see what was the matter, and to put up any bond that they wanted on my case. Miss Chatfield, the secretary, was made to wait from 8 o'clock in the morning until 9 o'clock that evening, until we were booked, because she could not see us "until we were booked."

We were taken, also, down here to the investigation bureau, I do not know what they called it, to have our pictures taken and to be fingerprinted again.

I want to add that the treatment we received while we were in the hands of the police department was absolutely indecorous. They were ungentlemanly. It was vulgar, and it was certainly not what you would expect from an officer, from a representative of the law.

There is one thing I would like to add, that I pleaded with the matron to put one telephone call through. The call I had gotten through at the hospital was to my brother, that I knew was rehearsing at Hull House at the time, Sunday afternoon, but my children had been left in charge of someone else, and I wanted to put one call through to the children before my brother got there, so as to let them hear my voice, to make them feel that everything was all right, before my brother got there and told them that I was not coming.

Senator LA FOLLETTE. How many children have you?

Mrs. MARSHALL. I have three children.

Senator LA FOLLETTE. What are their ages?

Mrs. MARSHALL. 15 years old, 8 years old, and 4.

Senator LA FOLLETTE. Let a copy of the subpoena under which this witness appears before the committee be put in the record.

(The document was marked "Exhibit 1425" and appears in the appendix on p. 5060.)

Senator LA FOLLETTE. You are excused, Mrs. Marshall.

Commissioner Allman, would you mind coming up here again? Senator Thomas wants to ask you some questions, and he has to leave.

TESTIMONY OF JAMES P. ALLMAN—Resumed

Senator LA FOLLETTE. Commissioner, you have been sworn previously?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. Will you please be seated?

Senator THOMAS. Commissioner, these are not questions. They are things which I wish you would do for me and for the committee, to help clear up some of the ideas I have been trying to bring out. Will you investigate, from all sources that you can, and try to learn what number of clubs that were carried by the policemen were not regulation, and also the origin—any sort of stick which showed in the picture to be like a pickax stick, or hatchet handle, or any stick which is not like the regulation policeman's club?

Mr. ALLMAN. Yes, sir.¹

¹ See exhibit 1627-A (item 3), pp. 5158-5159, and exhibits 1627-D-1627-G, pp. 5162-5165.

Senator THOMAS. I would like you to do that.

Mr. ALLMAN. I shall do so, and I can promise you a thorough investigation of that.

Senator THOMAS. I would like you to contact all of the men. Then I would like you to find out from all of your men where they got these sticks. That, I think, is very, very important. The next thing is, will you help us to clear up, and also make clear the testimony in regard to the number of police that were inside the gates at any time? Get that information from all the men for us.

Mr. ALLMAN. Yes.¹

Senator THOMAS. Then the next thing that I am interested in is any connection that you know of, or that any of your men know of, between the Chicago police and company officials, or any non-police organization of any kind, or detectives.

Mr. ALLMAN. So far as I am concerned, Senator, I can answer you right now that there is absolutely no connection.

Senator THOMAS. I would rather have you do all the investigating you can, because we need that.

Mr. ALLMAN. I shall do so.²

Senator THOMAS. And, incidentally, you have already answered that question. I realize it. That is one reason why I ask it here, Commissioner.

Then will you try to identify and inform us of the number of plain-clothes men that took part in the combat in any way, and learn if there were any who were not connected with your force?

Mr. ALLMAN. Yes, sir.

Senator THOMAS. And find out if any of those plain-clothes men carried anything but nonregulation sticks, clubs, or guns?

Mr. ALLMAN. Yes, sir.³ May I have that, Senator, in your language? If the reporter would give me that in your language so that I am sure of getting what you want—

Senator THOMAS. Oh, yes. We will have our secretary submit this request to you in a formal way.⁴

Mr. ALLMAN. All right, sir.

Senator THOMAS. I merely bring it up here because I want it in the record.

Mr. ALLMAN. And how soon will you want that, Senator?

Senator THOMAS. We are in no hurry for it. Get it back when you have completed your investigation.

Mr. ALLMAN. I can assure you a thorough investigation in the matter will be made.

Senator THOMAS. Also, Mr. Commissioner, if you do not have it, will you please make an investigation of the amount of munitions expended at any time during this trouble? What we would like to do is to check up on all of the bullets that can be found.

Mr. ALLMAN. I think that will be exceedingly difficult and practically impossible, in all probability. Every man is required to supply his own bullets, except for target practice, and in that event we supply the bullets for target practice, but he expends those bullets.

Senator THOMAS. Will you do the best you can?

¹ See exhibit 1627-A (item 4), pp. 5158-5159.

² See exhibit 1627-A (item 5), pp. 5158-5159.

³ See exhibit 1627-A (item 6), pp. 5158-5159.

⁴ See exhibit 1626, pp. 5157-5158.

Mr. ALLMAN. I will.¹

Senator THOMAS. Ask the men, please.

Mr. ALLMAN. Yes, sir.

Senator THOMAS. If we can in any way discover the number of shots, we would like to do so. We have records of them, you see, from the sound film, so many, and we would like to clear that up if we can.

Mr. ALLMAN. I will do the best I can on that.

Senator THOMAS. Thank you very much, Mr. Commissioner.

Senator LA FOLLETTE. Harry Harper.

TESTIMONY OF HARRY N. HARPER

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. Your full name, please.

Mr. HARPER. Harry N. Harper.

Senator LA FOLLETTE. And where do you live?

Mr. HARPER. Up until May 30, I lived at 3110 West Fifty-eighth Street.

Senator LA FOLLETTE. Where do you live now?

Mr. HARPER. At the present time I am living with my wife's folks at 7324 Maplewood Avenue.

Senator LA FOLLETTE. What is your occupation?

Mr. HARPER. I am a boilermaker, welder, acetylene and electric.

Senator LA FOLLETTE. Where have you been employed?

Mr. HARPER. I have been employed at the Interlake Iron Corporation, located at 112 Torrence Avenue.

Senator LA FOLLETTE. Did you go out to Sam's Place on Sunday, May 30?

Mr. HARPER. Yes, I did.

Senator LA FOLLETTE. How did you happen to be there?

Mr. HARPER. On Sunday morning my wife and I decided to go and visit our folks, which we customarily do on weekends or semimonthly. We got our little youngster ready. We stopped at my wife's mother's place first, which is closer to our home, approximately 2 miles from our home. We had an early dinner, and, shortly after, we left for my folks' home, which is located in what is commonly called "East Side", approximately a half mile from the Republic Steel Corporation.

When we arrived there I saw my mother sitting down on the front porch. She greeted us and we greeted her. She seemed to be rather downhearted. I asked her what was the matter. Mother said, "You know that there is a strike at the Republic Steel Co." I said, "Yes, I know that." I said, "How are the boys?" Incidentally, I had two brothers working at the Republic Steel Co. One was an older brother named Peter, who was living at home with my aged mother, and the other's name is Matthew, who was married and living approximately half a mile south of my folks. She started to cry and she said, "Matthew is out on strike, but Peter has stayed in." She said, "I do not know why. It is not a question of money." She said, "I have heard so many rumors that he may be held against his will." She cried quite a bit. It hurt. Mother is in ill health, has been for several years, and still under a physician's care.

¹ See exhibit 1627-A (item 7), pp. 5158-5159.

Senator LA FOLLETTE. Well, then, because of this situation, did you decide to go out and see if you could find your brother?

Mr. HARPER. I didn't want to bother her any more. I changed the subject, in regard to the weather. A short while later I said I was going over to Matt's home, the brother that was out on strike, and find out what the nature of my brother Peter's being in the plant was.

Senator LA FOLLETTE. Now, what time did you get out to Sam's Place? Was the meeting over?

Mr. HARPER. No; my brother was not at his home. His wife was there, and she told me that there was a mass meeting being held at Sam's Place, and that my brother was over there, if I cared to see him. So I walked over to Sam's Place, which was approximately four or five blocks from their home. There was a mass meeting in session. I was there approximately 15 minutes before the meeting was over.

While I was there I went through the crowd inquiring about my brother. I met old acquaintances there, and they said they had seen him a short while before, but at the present time they could not tell me where I could find him. Well, the meeting came to an end. There was a man that seemed to me to be the chairman. He addressed a crowd and read off some papers. One particular paper seemed to be about Mayor Kelly, in regard to allowing peaceful picketing.

Senator LA FOLLETTE. Mr. Harper, we have been over that and I want to save you as much strain on the stand as I can, because of your physical condition, and I think if you will just answer some of my questions I can shorten the length of time that it will be necessary for you to stay on the stand.

After the meeting was over did you join those who were marching across the prairie?

Mr. HARPER. Not immediately. The parade was formed on the street commonly known as Green Bay Avenue. I was still looking for my brother, so I walked up and down the sidewalk. I could not locate him. Then the parade started, and they proceeded through the prairie.

I was still standing on the side, watching the parade go by. I thought probably I could recognize him, when an acquaintance called me to come over in the parade. I went there, and he had with him his mother and his father. He introduced me to them, and I inquired of him if he had seen him, and he said no.

So I stayed in the parade. The parade marched down diagonally from where the speakers' platform was, and had stopped about half-way down the prairie, or probably a little more. I got out of the parade again and looked to see if I couldn't find him, and walked up forward, and walked back. I couldn't find him. So the parade started again.

At this time I was not in the same position that I had left. I think it was just about 50 feet farther to the front end of the parade. The parade started up through the prairie, and they came up to the officers, who seemed to be formulating a semicircle, some through the prairie on the right, and on the left of Burley Avenue.

The parade stopped in front of the officers, and I saw a number of men in the plant—that is, I could detect some sort of a location on

that map, when I was sitting there.¹ It seemed like the southwest end of the railroad track. They numbered approximately 200. I craned and stretched my neck. I thought probably I could identify my brother that stayed in. I thought probably I could wave at him, but I could not distinguish anyone at that distance, so I walked closer. In fact, I walked to the head of the line, and that was not close enough to distinguish anyone, so I walked up in front of the flag bearers, approximately a few feet to the left, and I spoke to an officer.

I told him I had a mission here, I had a message from my mother, that if I could possibly reach the office or get to the office of the Republic Steel Corporation, that I had enough identification in my pocket to identify me as a brother of Peter Harper. He shook his head no. I asked him if it would not be possible for one or two policemen to go along with me. It was just a shaking of the head.

Then an officer just a little to my left said to one of the men alongside of me, or a trifle to my back, I do not know who it was—cursed and said, "Stand back you (so and so), or I will fill you full of lead!" That remark made me stand up and take notice.

I looked at the officers' faces to my right and to my left. The faces were drawn, the lips quivering, and they seemed to be intoxicated with something that is hard for me to explain. Maybe if I used the interpretation of a football player that was waiting for the last signal to charge the line, that would express it. I think I displayed some fear, because one of the officers stated, "What are you afraid of?" I was on the verge of saying—I do not know whether I got it out of my mouth—I was going to say, or I did say, "I do not know. It must be in the air." I think before I got that last statement out of my mouth, it seemed to me like a blast of a whistle, and then all hell seemed to have let loose. Immediately I was struck on the side, my left side. I went down, I think, to my knees.

Senator LA FOLLETTE. The left side of your head?

Mr. HARPER. The left side of my head. It was very painful. The blood was gushing out of my face. It was running in my mouth. I went back and held my hand above my eye. I was in a crouching position so the blood would not strangle me. It was running into my mouth. I tried to retreat and go back, but, as I was going back, I had vision in my right eye, but I had no vision in my left eye. There were shots fired, and I saw people in front of me going down. They were paraders that were in back of the flag, and in back of me. It seemed as though they were going down, as though being mowed down with a scythe.

I was wondering what was doing that, and I looked to my right. I saw the officers on the right with their revolvers drawn, not shooting in the air, but pointing point blank into that crowd. I do not know how far I ran. I saw a ditch, looked probably like a culvert. I fell into that ditch. The instinct of self-preservation came over me. I thought I was going to get some bullets in the back.

I lay there not very long. While I was lying there, to my left I heard a voice, stating, "Help me, buddy. I am shot." I said I was helpless. I was lying in a position like this [indicating] when a

¹ Before testifying the witness sat near where exhibit 1327, a chart showing the Republic Steel plant and environs, was hanging.

green ball of fire fell to my right, a few inches from my face. It was spitting blue smoke. It affected this eye a little [indicating the right eye] and it was choking me. I had to make one more futile attempt to go back—to go back. When I got up a terrible trembling feeling came over me and a sickening feeling in the pit of my stomach. I do not know whether it was the gas or the loss of blood, but I went back groping.

I lost the vision of the right eye. I called for help: "Help me!" Someone grabbed me, grabbed me under the arms. I could not go then. My legs failed me, and then I remember hearing them calling for more help, and then they carried me, and then carried me back. How far I cannot say. I could not see any more. I was taken and placed in a machine. I remember it being a machine. There were a few more fellows put in there with me. I heard their voices. One man that was put in alongside of me was moaning. One man directed the car to go to the hospital—"To the nearest hospital." He started the car. I heard the car in motion and felt it going, bumping. Where it was going I could not say.

Senator LA FOLLETTE. Mr. Harper, I think maybe I can help you. Did you subscribe to an affidavit under date of June 24?

Mr. HARPER. Yes, sir, Mr. Senator.

Senator LA FOLLETTE. The entire affidavit may be given an exhibit number and printed in the record.

(The document was marked "Exhibit 1426" and appears in the appendix on pp. 5060-5063.)

Senator LA FOLLETTE. I will read the balance of this affidavit to you, and then I will ask you a few questions about it (reading).

And then that long journey started. Whether there were one or two officers, I cannot say who was there. But I am positive there was one man lying down on the floor of the patrol, if not two. And this gentleman who was sitting, I think he was shot in the leg, he was one of the strikers. He was begging the officers to take us to the nearest doctor or hospital but the officers refused. But I do think he made one stop. It might have been the South Chicago Hospital. I am not positive. I was begging them to give me first aid and told them I was in agony. The officers said, "We will take care of you"—so he slammed the door. I do not know whether anyone got out or not, but I do remember he slammed the door and started off. He said, "Shut up, you son-of-a-bitch. You got what was coming to you." So they proceeded to drive on. The driver seemed to be strange—he did not know where he was going or could not operate the motor. The motor was in poor condition. He stalled the motor several times. And this man who was still conscious and sitting on the seat, he was begging them to stop at a doctor's because these men were still breathing. He used a plural term—whether he meant me or the two people on the floor—you understand I could not see at the time.

We finally got there. It seemed like ages to me—and what I have heard since it was 3 hours. When we got to the Bridewell Hospital they opened the door and told me to get up. I said I could not. I had no control over my legs. I said, "I am terribly weak." I could not see; my left eye was out and my right eye was closed entirely, and my face was a mass of blood. Blood was trickling onto the floor, onto the bodies that were lying there. And my wife saw all my clothes—they were all soaked with blood. I did not move when he commanded me to get up. Then he said, "We will take this one on in. We will take the others to the morgue—no use bothering with them." There was no doctor to see whether these men were still breathing; they had been breathing for some time because this gentleman who was conscious and who was begging for first aid when we were near to the Bridewell, he said, "Oh, they stopped breathing."

Then they dragged me out by my legs. I bumped my back coming down. I made a futile attempt to get on my feet. I could not stand; I could not see. So one man, I do not know whether it was an officer or not, got me under the arms and dragged me up and down steps. Where I was going I did not know. Finally they had me in the building somewhere—I assume it was the Bride-

well. They sat me down with no attention for quite awhile. Then someone came along and stripped me of all my clothing, so I sat there for another length of time—I do not know how long—before they brought clothing to me. I told them I was cold, freezing and shivering—they ignored me—and finally brought a little short jacket to slip on. And then they took me away. They finally washed the blood off my face. I do not know how many men opened both my eyes and looked at them and mumbled something. Then they bandaged my eyes and put me to bed. They left me that way. My head was bandaged up; at times I was delirious. My stomach had been abused. I do not know whether it was through abuse or gas bombs that made me deathly sick, or the loss of blood, but I could not see.

They sat food—very scant food—in front of me. They told me, here is your meal. I could not see to eat and when one of the other patients tried to help me he was sent back to bed with very abusive language. I could not eat. I pleaded for a glass of milk, which was denied me. I pleaded for them to contact my wife and relatives. They refused that. They absolutely gave me no attention whatsoever until Wednesday, June 2. They took the bandage off my right eye. I was able to see a very little at the time, due to the swelling in my right eye.

Tuesday night, June 1, it must have been about 8 or 9 o'clock approximately, they took me somewhere and made a futile attempt to stitch the lower lid of my left eye. The doctor or interne gave me a shot in the arm, and he took one stitch and then he walked out. It seemed like he was contracting a business deal in the next room. It seemed like ages before he came back in again. He asked me if I felt sleepy, and I said, "No." He took another stitch, which was very painful. I guess that was all he did to the eye, put back the bandage and put me to bed.

In the meantime, between the first and second stitches, one of the orderlies came in twice and asked me if the doctor was through. My eye was open, exposed all this time. I said I did not know. He said, "Gee, it is taking a long time to do this." Evidently he had been sent down to take me up. Then I was put to bed and I asked for a glass of water, which was denied me.

On Wednesday, after the bandage was off my eye, I was able to taste food, and the first bite of food was the day my wife came in and I was just in the act of eating, and she can probably tell more about conditions than I.

Furthermore, I did not move bowels from the time I came in to the time I left. I felt bloated and in pain. I asked for an enema. I was refused that.

When I left they gave me my clothes in a sack and told me to go into the washroom and dress. I do not know how I ever managed to get there and dress. I thought my wife would bring clean clothes, but they made me put on the bloody clothes I had. They sat me on a bench and told me to wait. My wife came up about a half hour later.

I do not remember from then on. I was taken home on Wednesday evening in a cab. I was taken from 7324 Maplewood Avenue to the Michael Reese Hospital in an ambulance. I also want to state that I went from 160 pounds down to 130 pounds.

When I went to the Michael Reese Hospital they washed out the eye, and the house physician, Dr. Kaufmann,¹ gave me first aid, put in a solution, and also gave me an enema and cleaned out my system and gave me a hypo to put me to sleep. Dr. Kaufmann came in the next day and treated the eye, looked at it, and made arrangements for an operation of what was left. My wife had seen what was left of the eye and he contacted her and told her what had to be done. They consulted me. We agreed to it, and they operated on me on Saturday, June 5. They had to build up my strength, as I was too weak for an operation. The eye was knocked out and they removed the remnants of it. I have been receiving treatment every other day, and the doctor just committed himself to say what condition it was in when the first examination was made. Infection had set in my eye. Then Dr. Kaufmann said because of this he had to be very conservative in his operation. They refused all visitors at Michael Reese Hospital. I was at the Michael Reese Hospital about a week and a half. I left on Saturday, June 12, a week after the operation.

In the march on Sunday, May 30, I walked directly in front of the flags. We stood there approximately 5 minutes. I heard no conversation between the other strikers and the police officers. There was a colored officer who said to one gentleman and I heard him—he said, "Get back, you son-of-a-bitch or I will shoot you full of lead." That statement made me feel uneasy, but I was too late. I think I could identify this colored officer.

¹On July 28, 1937, Mr. Harper indicated this physician's name is Sugar.

I was not armed. I was dressed in my good clothes. I did not see any sticks, guns, or clubs. If I had seen any I would not have walked over with the crowd. If there had been a possibility of trouble I would not have gone over. I have a wife and child and there was nothing for me to gain by going there if there had been trouble. The crowd was jolly—they asked every one to come in and form a peaceful line. Women and children were in the parade. Men had their wives. Some of the boys had their sweethearts. There was no intention of trouble. I do not see why a man would take his wife, sweetheart, son, or daughter, father or mother to this parade if they had expected trouble. One man took his mother and father.

As I was talking to this officer, I sensed danger facing them. The parade was in back of me. It seemed that it was a planned attack. They were tense, waiting for some—just like a football player—waiting for a signal to go. I was still in conversation when the blast of the whistle was blown. It sounded like a police whistle. I was so close I could not pick the officer who—something struck me, whether it was a club, bullet or shot, I could not say. I went down and was trampled upon. I do remember seeing that the police had their guns out. I heard the shots and I looked to my right and they were coming forward with their pistols drawn.

I signed some paper at the Bridewell Hospital. I could not read it. They said it was necessary for me to sign this paper to be released from the Bridewell Hospital. I told them I could not see and he said that he would read it for me. He guided my hand. He told me I could not get out unless I signed it.

Subscribed and sworn to before me this — day of June 1937.
_____, Notary Public.

Senator LA FOLLETTE. Is that a portion of the affidavit which you made?

Mr. HARPER. Yes, Mr. Chairman.

Senator LA FOLLETTE. Is there anything material to be added to the affidavit that I have read?

Mr. HARPER. Yes. Out of fairness to my wife and little youngster and our friends, when I was stripped of my clothing I heard the officers say, "Look for communistic literature." I had no communistic literature, I am sure, in my pockets, but I am positive that they found my wallet with my identification card, name and address, who to notify, and in case of an accident notify a priest. Neither one of these was done.

The statement I am about to make, as much as I hate to do it—as I said, it is out of fairness to my immediate family. Incidentally, I am of the same faith of some of these officers who were present at that horror of horrors. I was christened in the Catholic church, attended parochial school as a boy, was married in a Catholic church, and attended the Catholic church regularly. When I was a boy attending the parochial school I was taught the Ten Commandments. One of those commandments stands out uppermost in my mind today is, "Thou shalt not kill." I wonder if some of these officers have not forgotten that.

Senator LA FOLLETTE. That is all, and the subpoena under which you appeared before this committee may be inserted in the record. (The document was marked "Exhibit 1427" and appears in the appendix on p. 5063.)

Senator LA FOLLETTE. Archie G. Paterson.

TESTIMONY OF ARCHIBALD G. PATERSON

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name?

Mr. PATERSON. Archibald G. Paterson.

Senator LA FOLLETTE. How do you spell your last name?

Mr. PATERSON. P-a-t-e-r-s-o-n.

Senator LA FOLLETTE. What is your occupation?

Mr. PATERSON. I am employed in the electrical department as a motor-room operator.

Senator LA FOLLETTE. Where?

Mr. PATERSON. In the Carnegie Illinois Steel Co., Chicago, South Works.

Senator LA FOLLETTE. How long have you worked there?

Mr. PATERSON. For 11 years.

Senator LA FOLLETTE. Are you a member of the Amalgamated Association of Iron, Steel, and Tin Workers of America?

Mr. PATERSON. I am.

Senator LA FOLLETTE. How long have you been a member of the union?

Mr. PATERSON. Since last August.

Senator LA FOLLETTE. Do you hold any position in the union?

Mr. PATERSON. I am the financial secretary of Lodge 65.

Senator LA FOLLETTE. Were you present at Sam's Place on Sunday, May 30?

Mr. PATERSON. I was. I was.

Senator LA FOLLETTE. How did you happen to go there?

Mr. PATERSON. On Sunday? It was announced by pamphlet handed around the mill that there would be a mass meeting there to protest against the action of the police on the previous Friday.

Senator LA FOLLETTE. And about what time did you get there?

Mr. PATERSON. Roughly, between 3 and 4 p. m.

Senator LA FOLLETTE. What was going on when you arrived?

Mr. PATERSON. The meeting was just commencing. There was a lady singing a song about C. I. O. on the platform.

Senator LA FOLLETTE. And you have heard the testimony of other witnesses concerning the speeches and the resolution as to the formation of the parade. Does that conform to your recollection of it?

Mr. PATERSON. Yes, sir; absolutely.

Senator LA FOLLETTE. Now, then where did you line up in the parade? Were you in the head of it?

Mr. PATERSON. Well, I will have to make a little explanation about that, sir, because I did not join in the parade, because it was unexpected. I did not know they were going to parade, and I happened to be inside the strike headquarters when somebody came in and said they were going to parade.

Senator LA FOLLETTE. Go on.

Mr. PATERSON. Somebody came into strike headquarters and said they were going to parade, so I ran out to see what was happening, and they were going onto the road there, Broadway and Green Bay Avenue, commencing to form a column. At that time I asked a few boys what they were going to do, and they said they were going down to parade, peacefully to picket at the front of the plant; so I heard some of the officials of the local there telling the boys: "All right;

if you are going to do that, be sure to be orderly. Do not argue with the police, and do not carry weapons." I personally took a small stick off a man, about 2 feet long. It was a little piece of a limb of a tree, and a small twig.

Senator LA FOLLETTE. Did you see any other weapons, missiles, or gas pipe?

Mr. PATERSON. No, sir; if I had done so, I would have taken it from them.

Senator LA FOLLETTE. Now, you have heard the testimony about how the marchers came down across the prairie. Does that conform to your recollection of it?

Mr. PATERSON. Yes, sir.

Senator LA FOLLETTE. Did you see anything in the parade that looked like any "military precision"?

Mr. PATERSON. If it was, it must have been as the constable said, sir, a Mexican army.

Senator LA FOLLETTE. It did not look like any military formation that you had ever seen before?

Mr. PATERSON. It looked like a bunch of schoolboys going on a picnic, sir.

Senator LA FOLLETTE. Where were you, in relation to the head of the parade, when it got up to the proximity of the police?

Mr. PATERSON. I was about halfway along the line of march. I had previously, as the last thought before the march commenced—

Senator LA FOLLETTE. What were you able to see or what happened? Anything?

Mr. PATERSON. I was driving my car at that time, sir, and when I arrived halfway along the line of march I heard shots and saw a small cloud of gas. That is when I jumped out of the car to get a better view, and then I saw everybody was streaming by at that time. Everybody had turned, and I looked as far ahead as I could, saw the police running after the marchers, and clubbing them as they ran, firing their revolvers. I saw one man who was coming on his hands and knees. He got up twice, and each time, as he got up, he was clubbed down again. The third time he lay still. So I got a little excited, then, and grabbed up a stick and ran forward. I soon realized it would be suicide to try to help him, so I ran back to my car and, followed by some other volunteered cars behind, which had seen what was happening, we rushed across the prairie and rescued the retreating strikers from the police, who were advancing and clubbing the men lying on the ground as they advanced.

Senator LA FOLLETTE. You say you rescued them. How did you effect any rescues?

Mr. PATERSON. The rescue act was probably owing to the speed of our cars, because the police were advancing; and any men they came in contact with, they were clubbing them indiscriminately, and we were dashing forward with the cars and grabbing them, a few of them. They were able to take them in the cars and take them back to the headquarters.

Senator LA FOLLETTE. Did you see any of the wounded?

Mr. PATERSON. Yes; I did. I made two trips. On the first trip out I lifted three men, one of whom was apparently shot in the leg, because the seat of the car was soaked with blood afterward.

Senator LA FOLLETTE. Give picture "QQ" an exhibit number and show it to the witness.

(The picture was marked "Exhibit 1428" and is reproduced in the appendix on p. 5144.)

Senator LA FOLLETTE. Can you see yourself in that picture anywhere?

Mr. PATERSON. Yes.

Senator LA FOLLETTE. Where are you?

Mr. PATERSON. I am behind another man I recognize. I am on the other side of the blanket, with the small sporting hat on, hunting cap.

Senator LA FOLLETTE. What is in the blanket?

Mr. PATERSON. That was a man I drew alongside on my last trip out. The last trip out I picked one slightly wounded man, and I was about to turn around again when somebody shouted that there was a badly wounded man behind the police, but they said the police were advancing in scattered formation. I had the slightly wounded man inside, and the fellow assisting me was standing outside, so I tried not to give the police any chance to stop us, so I shouted to my assistant to jump on the running board and went right on through the lines. We drew alongside this man that was being carried in the blanket. There were one or two civilians standing around him, and in a larger circle around the civilians were other police. At a glance I saw the man was in a bad way. His right leg was saturated with blood from the hip to the ankle. From the appearance of his face he was losing blood rapidly. I saw a strap lying across his knees, so I grabbed it and attempted to make a tourniquet around it, around the main artery in the right thigh. I had difficulty in adjusting it. I asked some of the police to give me something better, or assist me. They only laughed at us and swore at us. I got out just as quick as I could. I ran back to the car and got the blanket there, which I had previously taken off a bed in strike headquarters, and asked these men to give me a hand. They put him in our car, in the back seat. I turned about, ready to go back, and I was going away when a policeman on my left pulled his gun and told me to stop. Another policeman on my right said, "We will get one of the sons (so-and-sos), anyway." He said, "Get him out of there." So I pleaded with them and told them that this man was in such condition that if he did not get medical attention or first aid at once he would die in a few minutes. Strike headquarters was only a 2-minute drive away, but he kept on repeating, "We will get one of those (so-and-sos anyway)." So they dragged him out; also two other wounded men, one of whom had his left eye gouged out and was nearly unconscious. There was only one constable there who was the most persistent. The others did not seem to care whether I took him away or not; so they dragged him out, sat him on the ground, and I asked them to put him in the blanket. They swore at us again. Four constables got hold of the man, one by each arm, and one by the left knee, and one by the tourniquet I had put on his right thigh.

Senator LA FOLLETTE. Give picture "X" an exhibit number.

(The picture was marked "Exhibit 1429" and is reproduced in the appendix on p. 5144.)

Mr. PATERSON. As he grabbed the tourniquet, it slipped to the knee, and I could see the man. That is the man there [indicating], and

the blood was pouring at this time out of the top of his trousers, not out of the leg of the trousers, owing to the position they were carrying him in, and you can see the man on the left there is carrying him by the tourniquet, which had slipped to his knee.

Senator LA FOLLETTE. You mean the policeman?

Mr. PATERSON. Yes, sir.

Senator LA FOLLETTE. Do you recognize any of the policemen in that picture?

Mr. PATERSON. I do not recognize them from seeing them that day, sir.

Senator LA FOLLETTE. Did you ever identify this man who was shot in the leg?

Mr. PATERSON. No, sir; but I saw him twice after that.

Senator LA FOLLETTE. Where did you see him?

Mr. PATERSON. I saw him at the South Chicago Hospital about 50 minutes later, when the police wagon arrived with him. He was dead, had not been attended to, and the tourniquet was still around his knee. Later I saw him again at the county morgue.

Senator LA FOLLETTE. Do you know what his name was?

Mr. PATERSON. I do not, sir. I am not sure.

Senator LA FOLLETTE. Did you identify the policeman who was so persistent in getting him out of the car?

Mr. PATERSON. I did, sir; three times.

Senator LA FOLLETTE. How did you identify him?

Mr. PATERSON. By getting his number; his badge number.

Senator LA FOLLETTE. Do you know what his name is?

Mr. PATERSON. I do not know his name. I know what the number is, but not the name.

Senator LA FOLLETTE. What is the number?

Mr. PATERSON. 7181.

Senator LA FOLLETTE. Did you see the moving picture—the Paramount News picture—this morning?

Mr. PATERSON. Yes; I did.

Senator LA FOLLETTE. Could you see yourself? Did you see yourself anywhere in that picture?

Mr. PATERSON. Yes, sir; I did.

Senator LA FOLLETTE. Was it your car they were loading that man into?

Mr. PATERSON. Yes, sir.

Senator LA FOLLETTE. Which man was that?

Mr. PATERSON. That was the man shown in this photograph.

Senator LA FOLLETTE. Let a copy of the subpoena under which this witness appears here be inserted in the record.

(The document was marked "Exhibit 1430" and appears in the appendix on p. 5064.)

Senator LA FOLLETTE. Mr. Paterson, how long have you lived in this country?

Mr. PATERSON. 11 years, sir.

Senator LA FOLLETTE. Are you an American citizen?

Mr. PATERSON. First papers, sir.

Senator LA FOLLETTE. That is all.

Robert Fleming.

TESTIMONY OF ROBERT FLEMING

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name, please?

Mr. FLEMING. Robert Fleming.

Senator LA FOLLETTE. Where do you live?

Mr. FLEMING. 11635 Burley Avenue.

Senator LA FOLLETTE. By whom have you been employed recently?

Mr. FLEMING. Republic Steel.

Senator LA FOLLETTE. Are you a member of any union?

Mr. FLEMING. C. I. O.

Senator LA FOLLETTE. How long?

Mr. FLEMING. Two months.

Senator LA FOLLETTE. Are you on strike?

Mr. FLEMING. I am.

Senator LA FOLLETTE. I hand you an aerial view of the vicinity of the Republic Steel plant. That will be given an exhibit number.

(The picture was marked "Exhibit 1431" and is reproduced in the appendix on p. 5146.)

Senator LA FOLLETTE. Will you look at exhibit 1431? Can you pick out your house in that picture?

Mr. FLEMING. I can.

Senator LA FOLLETTE. Where is it?

Mr. FLEMING. It is right over at the corner; right where that dirt road comes in.

Senator LA FOLLETTE. Is it the house farthest out in the prairie?

Mr. FLEMING. It is that one there on the map, there, right where the—

Senator LA FOLLETTE. Well, looking at the picture, we see one right here [indicating].

Mr. FLEMING. Right on the corner.

Senator LA FOLLETTE. Where the road seems to have a sort of bypass or swing in it?

Senator LA FOLLETTE. No. It is back this way; back a little bit. It is the last house.

Senator LA FOLLETTE. Give picture CC a number.

(The picture was marked "Exhibit 1432" and is held in committee files.)

Senator LA FOLLETTE. Will you look at that exhibit 1432? Do you recognize that picture?

Mr. FLEMING. I do.

Senator LA FOLLETTE. What is it?

Mr. FLEMING. That is my home.

Senator LA FOLLETTE. Now, your residence, then, is nearest, the house that is nearest the prairie, or, in fact, it is right out in the prairie, is it not?

Mr. FLEMING. The last house from the road.

Senator LA FOLLETTE. Were you in your home on Sunday afternoon, May 30?

Mr. FLEMING. I was.

Senator LA FOLLETTE. What were you doing?

Mr. FLEMING. Listening to the ball game.

Senator LA FOLLETTE. Did anything attract your attention on the outside?

Mr. FLEMING. I heard a noise outside and I looked out the window, and directly below me the police were forming in line, and they were talking pretty loud.

Senator LA FOLLETTE. And where were you then?

Mr. FLEMING. Right in the window.

Senator LA FOLLETTE. On the first floor?

Mr. FLEMING. On the second floor.

Senator LA FOLLETTE. On the second floor? And from the second floor of your house can you get a full view of the prairie?

Mr. FLEMING. You can see clean up to Sam's Place.

Senator LA FOLLETTE. How long have you lived in this house?

Mr. FLEMING. A year and a half.

Senator LA FOLLETTE. What is the nature of the prairie there opposite your house?

Mr. FLEMING. Well, it is marshy to the west, and also to the east, back to those ball diamonds, and in along the railroad tracks there is a ditch with 4 or 5 feet of water in it, and it is impossible to cross through there, to get to the tracks.

Senator LA FOLLETTE. Now, as you looked out of the window, when you saw the police forming there, did you see anything of the marchers?

Mr. FLEMING. I saw a crowd up at Sam's Place.

Senator LA FOLLETTE. You have heard the other witnesses testify about the manner in which they came down across the prairie?

Mr. FLEMING. I have.

Senator LA FOLLETTE. Did you watch them come down?

Mr. FLEMING. I did.

Senator LA FOLLETTE. Does their testimony conform to your impressions of how they came?

Mr. FLEMING. Well, there were different statements made there, but the way that I saw it, they came down in a straggling formation.

Senator LA FOLLETTE. They did not look like a military company out drilling?

Mr. FLEMING. No; they did not. It was far from that.

Senator LA FOLLETTE. Did you see them execute any maneuvers, double-quick, and any obliques, and about faces?

Mr. FLEMING. No; they did not. They did not do anything of the sort.

Senator LA FOLLETTE. No about faces?

Mr. FLEMING. No such thing.

Senator LA FOLLETTE. Did you see any file closers?

Mr. FLEMING. No.

Senator LA FOLLETTE. How far was the police line from where you were in your house?

Mr. FLEMING. I would judge from 20 to 35 feet.

Senator LA FOLLETTE. After the marchers got up where the police were, how long did they stand there after reaching this line?

Mr. FLEMING. It was very shortly; just in a few minutes.

Senator LA FOLLETTE. What happened next?

Mr. FLEMING. The crowd came up there, and the police stopped them right where the V of the road lies, and ordered them back. They were using some pretty vulgar language for anyone to hear.

Senator LA FOLLETTE. Who was?

Mr. FLEMING. The officers. It was in the center. I do not know who he was, but he was right in the center, and he ordered them back, and they had drawn clubs, and ordering them back, right then, and the crowd was singing "C. I. O., C. I. O." the girls, boys, women, and men that was in through the crowd there, and they kept telling them to get back, and all of a sudden he said, "Give it to them, fellows. Let them have it."

Senator LA FOLLETTE. Who said that?

Mr. FLEMING. The officer in the back, there.

Senator LA FOLLETTE. You heard that distinctly?

Mr. FLEMING. I sure heard that. He was right under my window. I could not miss it. And the windows were all up.

Senator LA FOLLETTE. Do you know whether this was a policeman, a patrolman, or was he an officer?

Mr. FLEMING. Well, their backs were all turned to me, and I could not tell who they were.

Senator LA FOLLETTE. What happened then?

Mr. FLEMING. He gave the orders, simultaneously they came shooting and the gas blew from every angle, blew through what was in over here [indicating] and back to this side, and the wind was kind of a southeast wind, and they threw it over there and it blowed into the crowd. They threw some into the crowd. I judge it was 10 thrown at that particular minute with the shots.

Senator LA FOLLETTE. Did you see the crowd throw missiles at the police?

Mr. FLEMING. No, sir; they did not. If they had they would have broken those windows. There are six windows in the side of the house, and if they had gone over there they would have broken those windows.

Senator LA FOLLETTE. What did the marchers do when the shooting began and the gas was released?

Mr. FLEMING. They ran. Some of them had gas in their eyes, they did not know where they were going. They ran in every angle to get away, and the police ran after them, clubbing them.

Senator LA FOLLETTE. Did you see any marchers attacking the police after the trouble started?

Mr. FLEMING. No; some of them ran back, and they had their hands up in the air, and trying to give up. They would club them down anyhow. They would not accept any of them for giving up.

Senator LA FOLLETTE. Now, you heard Mrs. Marshall testify that some of the women were struck. Did you see any of the women struck?

Mr. FLEMING. I did. I saw them strike one woman in particular. I also saw them striking Mrs. Marshall. She was over to the side of the road. You cannot see it from here, from this picture, but she was over here [indicating] on a little mound right near the ditch. They struck her. They shoved her down and hit her at about the same time they shoved another woman back over there [indicating], and her slipper came off, and they struck her, and she went across the ditch and ran away without her slipper. I went out afterward and got the slipper for the lady, and I gave it to her when she came back.

Senator LA FOLLETTE. Were you able to observe how the wounded were taken care of after it was over?

Mr. FLEMING. Yes. They dragged them and partially carried them and threw them along the road.

Senator LA FOLLETTE. Did you see any strikers' cars attempt to help?

Mr. FLEMING. I did.

Senator LA FOLLETTE. What did they do?

Mr. FLEMING. I saw one car come up there and a few men pick a wounded man up and carry him over in the car. The policeman walked over there and pulled him out. They said, "Come on, get him out of there. He is our prisoner." And they took him out of the car and dropped him back in the grass again.

Senator LA FOLLETTE. Let these two pictures be marked with a number. One is an enlargement of the other.

(The picture was marked "Exhibit 1433" and is reproduced in the appendix on p. 5145.)

Senator LA FOLLETTE. Did you see the scene that is in that picture?

Mr. FLEMING. I did.

Senator LA FOLLETTE. Did you see the strap hanging from the man's leg there?

Mr. FLEMING. I surely did.

Senator LA FOLLETTE. Now, the window of your house shows up in that picture?

Mr. FLEMING. Yes, sir.

Senator LA FOLLETTE. Which window were you in?

Mr. FLEMING. I can see myself right in the window now. I am in the second window.

Senator LA FOLLETTE. In that upper dormer?

Mr. FLEMING. Right up in there. And my daughter is in this window, at this time. She fainted later, and then I went back in there. Here I am, right in here [indicating].

Senator LA FOLLETTE. Now, after the injured were removed, did you observe anything else?

Mr. FLEMING. After the injured were removed, they gathered up the sticks and what rocks they could find. Over to the side there is a little hole there where they dump rubbish and old bottles, and so forth. There is practically everything in that little ditch there. It is just over to the side of where that patrol wagon is standing [indicating].

Senator LA FOLLETTE. Do you agree, then, with the testimony of Sergeant Lyons, that the prairie is strewn with all kinds of rubbish, sticks, stones, and bricks?

Mr. FLEMING. Yes; it is. I had a lot of sticks out there for putting up tomato plants, and so forth, and they were all taken away. I do not know where they went to, or where they did not go, but they were taken away and left there.

Senator LA FOLLETTE. Who were they taken by?

Mr. FLEMING. Why, 20 officers. They gathered up a milk bottle there that I had with water in, on about a Wednesday—a Wednesday or Thursday. I had it in the garden there with water, and a fellow came along and I went to talk to him, and I dropped it in, right on the grass spot there, just on the other side where the patrol is down there [indicating].

Senator LA FOLLETTE. Did you see anybody pick that up Sunday?

Mr. FLEMING. I did.

Senator LA FOLLETTE. Who picked it up?

Mr. FLEMING. One of the officers.

Senator LA FOLLETTE. Did you see them pick up any tomato sticks?

Mr. FLEMING. Yes, sir. They took them all away from the garden.

Senator LA FOLLETTE. Did you see them pick up any stones?

Mr. FLEMING. I did. A piece of slag, and so forth, that was dumped in the yard for a fill. The lad next door, George Jolly, was hired to straighten the yard up. He straightened that up out there. Instead of scattering them them around, he just threw them in the driveway.

Senator LA FOLLETTE. You saw the officers pick them up?

Mr. FLEMING. Yes; they gathered everything they could find of that sort.

Senator LA FOLLETTE. Let a copy of the subpoena under which this witness appears be inserted in the record and given an exhibit number.

(The document was marked "Exhibit 1434" and appears in the appendix on pp. 5064-5065.)

Senator LA FOLLETTE. Mr. Jolly.

TESTIMONY OF GEORGE C. JOLLY, JR.

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your name?

Mr. JOLLY. George C. Jolly, Jr.

Senator LA FOLLETTE. Where do you live?

Mr. JOLLY. 11641 Burley Avenue.

Senator LA FOLLETTE. Will you look at exhibit 1431,¹ and pick out the place where you live on it?

Mr. JOLLY. It is hidden by trees. It is next door to Mr. Fleming's house.

Senator LA FOLLETTE. Next door to Mr. Fleming?

Mr. JOLLY. Yes, sir.

Senator LA FOLLETTE. Are you south of Mr. Fleming?

Mr. JOLLY. Yes, sir.

Senator LA FOLLETTE. What is your occupation?

Mr. JOLLY. High-school student. I work on the papers on Sundays. I am still a high-school student.

Senator LA FOLLETTE. How old are you?

Mr. JOLLY. Seventeen.

Senator LA FOLLETTE. Now, did you see the parade on Sunday?

Mr. JOLLY. Yes; I did.

Senator LA FOLLETTE. Where were you?

Mr. JOLLY. I was in the driveway leading from the prairie into our yard.

Senator LA FOLLETTE. And did any police speak to you while you were standing there?

Mr. JOLLY. Well, there were some police, I will say about 10 police, came through the alley and through our yard, and as they went through the driveway there they says, "Where do you belong?" I says, "I live next door there." He says, "Well, you better get over

¹ See p. 5145.

there. You may get hurt." So I started to walk over there. They kept on going, so I walked back to my original stand.

Senator LA FOLLETTE. Were you able to see the place where the police and marchers met?

Mr. JOLLY. Yes, sir.

Senator LA FOLLETTE. What did you see?

Mr. JOLLY. Well, as the marchers were coming down the prairie a lot of them had signs, and the police were spread across the prairie there, and the marchers came to a stop. They seemed to be talking. I do not know what they were talking about.

Senator LA FOLLETTE. And then what happened?

Mr. JOLLY. Well, I went upstairs to Mr. Fleming's house. I looked out of the window there for a second. He had practically the whole window covered, his daughter was there, so I went down again and watched what was going on. After they talked about 3 to 5 minutes, I do not know just the exact time, and all of a sudden there was people started to fall, and some shots. You could see the tear-gas fumes flowing through the air. I do not know how many shots there were. A lot of people fell and a lot ran back.

Senator LA FOLLETTE. Previous to Sunday, May 30, had you ever had occasion to walk across this prairie and around this place where this took place?

Mr. JOLLY. Yes. We used the driveway in going to the store and back home again.

Senator LA FOLLETTE. What was the condition of this prairie in this immediate vicinity? What is the condition ordinarily of the ground?

Mr. JOLLY. Well, there is a lot of weeds growing, and a few little trees toward the houses, and on one side of the road, I would say 20 yards, it is all marsh until it gets to One Hundred and Fifteenth Street where it starts getting solid again, and on the left side, along the track, it is all water.

Senator LA FOLLETTE. Now, you heard Mr. Fleming's testimony about there being rocks and sticks and stones and slag and that sort of thing ordinarily around there. Is that true or not true?

Mr. JOLLY. Yes, sir; that is true.

Senator LA FOLLETTE. That immediate vicinity is used as a sort of dumping ground by people when they clean up things, is it?

Mr. JOLLY. Every time when somebody cleans the yard, or something, they just dump things out there. No outsiders dump there, except maybe a couple of trucks from the Republic Steel dump there.

Senator LA FOLLETTE. Did you ever find any pieces of iron there?

Mr. JOLLY. Yes. When I used to go junking, when I would walk through the prairie I would find all kinds of iron there.

Senator LA FOLLETTE. What kind of iron?

Mr. JOLLY. Little pieces of iron, bolts, nuts, of various kinds.

Senator LA FOLLETTE. Do you know how that got there?

Mr. JOLLY. No, sir; I do not.

Senator LA FOLLETTE. Now, after the thing was all over, did you see any police doing anything?

Mr. JOLLY. Yes. There were three officers picking up everything they could find as evidence, and I got their numbers and I gave them to Mr. Ellis. He told me to get the numbers and I gave him

the numbers. Mr. Ellis turned them in. As I looked in the pile I saw the American flag there with a couple of C. I. O. signs.

Senator LA FOLLETTE. What pile?

Mr. JOLLY. The pile that they had alongside of the road as evidence. They had stones that I recognized as what I had thrown out a few days before as I cleaned up our yard. Then the officers later picked up the flag, took it from the stick it was on, and folded it up neatly.

Senator LA FOLLETTE. Will you please insert in the record a copy of the subpoena under which this witness appears?

(The document was marked "Exhibit 1435" and appears in the appendix on p. 5065.)

Senator LA FOLLETTE. You are excused.

Captain Mooney.

TESTIMONY OF JAMES L. MOONEY—Resumed

Senator LA FOLLETTE. Now, Mr. Mooney, I think you mentioned that you had with you some of the stuff that had been picked up. Will you have it brought in, please?

(A number of sticks, rods, etc., were brought into the hearing room and placed on the witness's table.)

Senator LA FOLLETTE. Now, Captain Mooney, who is most familiar with these exhibits? Who would be most familiar with what is in the trunk?

Mr. MOONEY. I would be familiar with it; yes, sir.

Senator LA FOLLETTE. Will you be seated, please, Captain. You stated, I believe, that you desired to take these exhibits back with you?

Mr. MOONEY. Yes.

Senator LA FOLLETTE. So will you kindly describe the general nature of the exhibit, which is in the trunk, and the samples that are here on the table before us?

Mr. MOONEY. Do you want me to tell where we got them?

Senator LA FOLLETTE. Have you an inventory of it?

Mr. MOONEY. I have, yes, sir.

Senator LA FOLLETTE. May I see that? Have you a copy of this?

Mr. MOONEY. I will see that you get a copy of it.

Senator LA FOLLETTE. Will you give this inventory of the material that was picked up by the police an exhibit number?

(The document was marked "Exhibit 1436" and appears in the appendix on pp. 4065-4067.)

Senator LA FOLLETTE. If you desire to keep your copy you may furnish us one.

Mr. MOONEY. Yes, sir, I will.

Senator LA FOLLETTE. Now, will you tell us, Captain Mooney, very briefly, what the general nature of this material seems to be?

Mr. MOONEY. Well, it is just as you see, it is wood, iron, and there are also a lot of two-by-fours with those signs on them. Here is one with a razor blade in it. It is all a miscellaneous lot of stuff. It was picked up right after the trouble.

Senator LA FOLLETTE. May I see the one with the razor blade in it?

(The exhibit was handed to Senator La Follette.)

Senator LA FOLLETTE. Now, will you tell us just what you understand as to how this particular exhibit, 1436, was obtained; that is, how the material that is inventoried in this exhibit was obtained?

Mr. MOONEY. We picked it up on the prairie where we had the trouble on May 30, and I ordered Lieutenant Moran, of the eleventh district, to pick it up, and we sent it to our temporary police headquarters, and from there we sent it to the eleventh district, and we had it inventoried.

Senator LA FOLLETTE. Well, now, you have heard the description of these witnesses and you heard the testimony of Sergeant Lyons concerning the general character of the ground. I suppose there is no way of telling how much of this material may have been on the ground before the situation ever developed and how much of it may have been carried there by the marchers, is there; I mean from the matter of actual legal testimony?

Mr. MOONEY. No; we picked it up on the ground right after the trouble.

Senator LA FOLLETTE. Has any attempt been made to find fingerprints on any of this material, or was it handled too much by the police?

Mr. MOONEY. It was handled too much by the police department.

Senator LA FOLLETTE. All right, sir. I would like to have you look at that picture. Give it a number.

(The picture was marked "Exhibit 1437" and is held in committee files.)

Senator LA FOLLETTE. And this picture.

(The picture was marked "Exhibit 1438" and is reproduced in the appendix on p. 5146.)

Senator LA FOLLETTE. Tell me whether or not that is a picture which is fairly representative of the material which is in the trunk.

Mr. MOONEY. Yes, Senator; that is a good picture.

Senator LA FOLLETTE. Thank you. That is all for the present. Those exhibits may be returned.

Mr. Selenik.

TESTIMONY OF LOUIS F. SELENIK

(The witness was sworn by Senator La Follette.)

Senator LA FOLLETTE. What is your full name, please?

Mr. SELENIK. Louis F. Selenik.

Senator LA FOLLETTE. How do you spell your last name?

Mr. SELENIK. S-e-l-e-n-i-k.

Senator LA FOLLETTE. Where do you live?

Mr. SELENIK. 9733 Avenue L.

Senator LA FOLLETTE. What is your occupation?

Mr. SELENIK. Crane operator.

Senator LA FOLLETTE. Crane operator?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Where were you employed?

Mr. SELENIK. At the Republic Steel.

Senator LA FOLLETTE. Are you a member of any labor union?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Did you go out on strike?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Did you go to Sam's Place to the meeting?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Did you join in the parade?

Mr. SELENIK. Yes, sir; I was in all the marches.

Senator LA FOLLETTE. You have heard the testimony of the other people who were in the parade, and the other testimony?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Does that conform to your recollection of what happened?

Mr. SELENIK. Everything; yes.

Senator LA FOLLETTE. And where were you, in relation to the front line, the head of the column of marchers, when they got up to where the police were?

Mr. SELENIK. That is on Sunday?

Senator LA FOLLETTE. Yes; on Sunday.

Mr. SELENIK. I was a little bit to the left of the flag there that was on the left.

Senator LA FOLLETTE. Did you have any conversation with any of the police yourself?

Mr. SELENIK. No; I did not.

Senator LA FOLLETTE. Did you hear any conversation between the marchers and the police?

Mr. SELENIK. Well, there was a conversation going on there, but I was back and I could not hear.

Senator LA FOLLETTE. You could not hear?

Mr. SELENIK. I could not hear.

Senator LA FOLLETTE. What happened?

Mr. SELENIK. Well, I still cannot very well explain to this day why I had moved away from that position and went over to where I did go, unless I heard an order to flank out.

Senator LA FOLLETTE. Given by whom?

Mr. SELENIK. I do not know. I heard that said, anyway. I stayed there for a little while and I looked around, and for some reason or other I went west, and I was in amongst a line of policemen practically all by myself, and, well, I wasn't there very long until I heard a lot of shots and I saw the police start charging, going into the mob, or the paraders, and I did not know just what to do. I was carrying a placard. I dropped my placard and I started walking in between the police lines. I do not know just how many policemen passed me, but there were quite a few that did pass me, and I do not know whether I tripped or was tripped, but anyway I found myself on the ground, and while I was down I thought with all that shooting going on the best thing for me to do would be to stay down. So I stayed down, and I do not know for what reason I covered up my head with my arms as much as I could. I had my arms up over my head this way [indicating]. While I was in that position I felt a couple of wallops on my head and it was a little later that I started getting clubbed on the back.

Senator LA FOLLETTE. While you were on the ground?

Mr. SELENIK. While I was on the ground. Then I had a few more wallops down a little lower.

Senator LA FOLLETTE. Did you know who was hitting you?

Mr. SELENIK. No; I did not. I had my face to the ground. It was not very long afterwards, I do not know, I could not say just

how much time elapsed, but I know I was picked up and put in the patrol wagon. I was the first man in the patrol wagon. I do not know whether it was the first patrol wagon or the second. I do not know just how long I was on the ground there.

Senator LA FOLLETTE. Then were you taken to a police station?

Mr. SELENIK. Not right away.

Senator LA FOLLETTE. You mean you sat in the wagon a while?

Mr. SELENIK. Yes.

Senator LA FOLLETTE. I mean after the wagon was loaded up were you taken to a police station?

Mr. SELENIK. Yes.

Senator LA FOLLETTE. Which one?

Mr. SELENIK. We went to the South Chicago police station. I might add in there that ordinarily I think I could make that run in about 10 minutes drive. They took a roundabout way. They went south in through Hegewisch, and I believe we went to Burnham Avenue and then from Burnham Avenue we went to Torrence Avenue and on Torrence Avenue north again.

Senator LA FOLLETTE. How long do you think it took them to make the trip which you say you could make in 10 minutes?

Mr. SELENIK. Oh, it was every bit of 35, 45 minutes.

Senator LA FOLLETTE. Were there any injured persons in the wagon?

Mr. SELENIK. There were.

Senator LA FOLLETTE. How many?

Mr. SELENIK. Well, there were four of them that, I think, were pretty badly injured.

Senator LA FOLLETTE. Were you injured as the result of this clubbing?

Mr. SELENIK. Well, I had a wound on the scalp that required two stitches.

Senator LA FOLLETTE. You say you were taken to this police station. Were you kept there?

Mr. SELENIK. Well, before we got into the cells, why, the desk sergeant, I think it was, asked for our names and addresses, and I do not know what else he asked us, and then they put us back into the cell. We all did not go into one cell, we were kind of split up. Now, I do not know just how long we stayed in there until they sent a patrol wagon, but it seems to me as though it was anywhere between a half hour and an hour, and when they finally did come in to take us out of the cell they wanted to take me along with them. I did not think that I was hurt very seriously, because the bleeding had stopped, my back did not seem to bother me any, and I thought they had some more wounded or injured in the other cells that they could take.

Senator LA FOLLETTE. Well, how long were you held after you were arrested?

Mr. SELENIK. I got out Thursday morning.

Senator LA FOLLETTE. Thursday morning?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Was any charge lodged against you, do you know?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. What was it?

Mr. SELENIK. The nature of it was conspiracy to commit an illegal act.

Senator LA FOLLETTE. And you are now out on bail?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Did the police contact you again after you were released on Thursday following the Sunday that the trouble occurred?

Mr. SELENIK. They did.

Senator LA FOLLETTE. Where?

Mr. SELENIK. On Ninety-second and Houston Avenue.

Senator LA FOLLETTE. When?

Mr. SELENIK. On Monday.

Senator LA FOLLETTE. The 7th of June?

Mr. SELENIK. Yes.

Senator LA FOLLETTE. The Monday following the week of the Sunday that the trouble occurred?

Mr. SELENIK. Yes.

Senator LA FOLLETTE. Who contacted you?

Mr. SELENIK. There were two plain-clothes men, I believe, they were sent out from the State's attorney's office.

Senator LA FOLLETTE. Did you know either one of them?

Mr. SELENIK. I found out one of the fellow's name was Jerry Querin, or something similar to that.

Senator LA FOLLETTE. What did they say when they contacted you?

Mr. SELENIK. They said, "Louis, we were just over and seen your wife. We had a talk with her, and incidentally," he said, "we found out that you were down here." That my wife knew that they were coming after me, and then he told me that the State's attorney would like to talk to me. I asked him about what. He said he did not know. So I was kind of worried and doubtful whether they did get in contact with my wife. I insisted that I get a chance to call her up, which they did. We stopped on the way and called her, and I could not get my wife on the phone at that time, so I thought, "Well, that is all right, anyway. I will take your word for it." I thought they really did call up.

Senator LA FOLLETTE. Where did they take you?

Mr. SELENIK. They took me to the Burnside police station.

Senator LA FOLLETTE. Whom did you see there?

Mr. SELENIK. I saw first, I believe it was Napoli, Assistant State's Attorney Napoli.

Senator LA FOLLETTE. What did he say to you?

Mr. SELENIK. Well, he started asking me if I would not agree to give him a true statement of all the things that I knew up to this parade Sunday, the riot.

Senator LA FOLLETTE. Did you agree to respond to his request?

Mr. SELENIK. Well, not right away. I told him, I says, "I want to see my wife." He explained in detail then that I was supposed to go with him down to Twenty-sixth and California Avenue, into a place that they call the witness room. I later found out from the inmates that were up there that the underworld calls that the stool-pigeons' paradise?

Senator LA FOLLETTE. Why do they call it that? Do you know?

Mr. SELENIK. Well, the gist of the talk that I got from the fellows there was that is where they keep the men that are involved in some crime and in order to save their own hides, why, they turn State's evidence.

Senator LA FOLLETTE. And it is called the stoolpigeons' paradise?

Mr. SELENIK. By the underworld.

Senator LA FOLLETTE. Well, what happened when you got there? Were you interviewed by anybody?

Mr. SELENIK. Was I what?

Senator LA FOLLETTE. Were you interviewed? Did anybody ask you any questions?

Mr. SELENIK. Well, this is still at the Burnside police station. In the meantime my wife did come there. Well, they arranged to send these two detectives to my home to pick up my wife. So they did get there with my wife.

Then, I think it was along about then, that Captain Mooney came into the picture, and, well, he started asking me for a true picture also of this whole thing, and he also said—no; I made the mention first that the 17th was pay day out at the plant and I still had a check coming. This was a check from before the strike. I said that I would like to get my check before I went down there. So he mentioned, he said, "Never mind, Louis", he says, "I will take care of that", he said, "I will see that you get your check." I inquired how. "Well", he said, "I will send these two men." He says, "I will detail these two men to go for your wife anytime she wants to go any place"—no; anytime she wanted to come down to visit me while I was in this detention, that he would detail those two men to pick up my wife next morning and make arrangements, I do not know how, to get my check.

Then the conversation was going on and one thing led to another, and I asked him how long I would have to stay there. He said he did not know. I said, "What if the strike should end in a day or two and I would be detained down there, what would I do for my wages? I could not very well afford to lose any time unnecessarily." "Well", he says, "as far as your wages are concerned, don't worry", he says, "you will be well taken care of."

Senator LA FOLLETTE. Who said this?

Mr. SELENIK. Captain Mooney. Then one thing led to another and I don't know just what the whole gist of this conversation was, but anyway he hinted that in case things got too tough for me, or something pertaining to that, that the Republic Steel Co. has plants a thousand miles away and that they would move me and my family out there.

Then Mr. Napoli started showing me some pictures of four organizers who were supposed to have been attached with the Communist Party somehow or other, I do not know how, and he asked me if I knew those men. I looked at the picture and I identified two of our organizers. It was Joe Weber and George Patterson. The other two fellows I did not know. Then he showed me some notations on the back of those photographs, and I did not know just what the notations meant, if anything. I did not pay any attention to them. Anyway, they were supposed to have been Communists.

Then the gist of the talk turned into: "Well, don't you know, Louis, that these fellows are a bunch of Communists, a bunch of

agitators, and they are just coming along and pick on fellows like you, and they get out there and incite you fellows to riot, and that is how you got into this awful mess." He said, "I'll bet you that them fellows were not up in the parade on Sunday."

Then he showed me a statement which he claimed was made by John Riffe, pertaining to something that they had on the order of Joe Weber, inciting this riot at a meeting, and that John Riffe did not agree with Joe Weber's tactics along these lines. I later found out from John Riffe that he had made no such statement to the State's attorney's office at no time.

Senator LA FOLLETTE. Mr. Riffe, did you make any statement?

Mr. RIFFE. I did not, Senator.

Senator LA FOLLETTE. Go ahead.

Mr. SELENIK. So I thought, "Well, these fellows here, they want to get a straight story", and I knew darn well that I was not going to tell no lies. I was afraid that if they did get in contact with somebody else, somebody that was unreliable and that probably would have made a false statement, something that would have hurt the union, so I agreed to go along with them and give them a true statement of what happened.

I also told him then that I would give him a true statement, that I would not, under no circumstances, or under no conditions, go against the union.

So, anyway, they agreed, they took me down to this stoolpigeon's paradise anyway, and on the way down this Jerry Querin—they treated me all right down there, treated me swell, and I wish all the jails in Chicago were like that. [Laughter.]

Jerry Querin was telling me what a swell place this was. I may describe the rooms. They were darn nice rooms, and each room had a shower. The room I was in had individual washbowls, a nice, big mirror; in addition to that they had a gymnasium up there, a library with a radio in it, and as soon as I got up there—

Senator LA FOLLETTE (interrupting). How was the food?

Mr. SELENIK. Well, Jerry Querin was promising, or telling me, that anytime I wanted a steak or chicken, or anything, all I would have to do is just get hold of the man in charge up there and just tell him what I wanted. I thought to myself, "Well, I will see anyway."

So, as soon as I got into the place, why, the fellows did not say much, you know, they were not very communicative.

So I got up there. It was after dinner. The sergeant, I believe it was, got up and said, "Say, did you have anything to eat?" I says, "No; not yet." "Well," he says, "what will you have?" "Well, what will I get?" [Laughter.]

He said, "Dinner is over now." He said, "I'll tell you what I will do", he said, "I will send out for something. What will you have?" "Oh", I says, "I don't care." "Well", he said, "how would a couple of nice, big pork-chop sandwiches be?" I said, "Fine." So he went out and he got me some sandwiches and a bottle of coffee.

This was Monday. Tuesday morning I got up, dressed up and everything, took a shower, and then pretty soon went in for breakfast. They had a big room. I understand that they converted that room into a kitchen. It used to be another big bedroom, but they had discontinued that for a bedroom so they converted it into a

kitchen, more or less like a dining room. The food is all cooked down in the county jail.

By that time it was breakfast, and I had breakfast there. I do not know what it was; anyway, it was a fairly good meal.

Senator LA FOLLETTE. Now, were you interviewed by anybody while you were there?

Mr. SELENIK. Yes. I am just coming to that. State's Attorney Napoli sent word up that he wanted to see me on Tuesday. So then a man came across from the Criminal Court Building, he goes up to the stoolpigeons' paradise and tells the sergeant who he wants, and the sergeant comes down and gets you. Well, this man takes you down the elevator, takes you across the street to the Criminal Court Building, takes you right into the office. Then they started questioning me there.

Senator LA FOLLETTE. Now, did they question you about the encounter between the strikers and the police, as to what happened and all that?

Mr. SELENIK. No; they did not in particular want any of that.

Senator LA FOLLETTE. What did they want?

Mr. SELENIK. What I think they wanted most was about the Communists.

Senator LA FOLLETTE. Don't tell us what you think they wanted. What did they ask you?

Mr. SELENIK. The thing they referred most to was who attended the meetings, they wanted the names, whether I knew of any communistic activities. Before I started telling them about any of the meetings there he asked me who was there, and all this and that, and I kind of stumbled on a few things, and he pulled out a sheaf of papers there and he showed me a list of all our officers, the members of the committees and also down in the corner on the sheet, on the bottom lefthand corner, there was a little insertion of our trustees, of which we have three.

Senator LA FOLLETTE. Are those matters of public record, public information?

Mr. SELENIK. They were not supposed to be, to my knowledge.

Senator LA FOLLETTE. Did the State's attorney indicate where he had gotten them?

Mr. SELENIK. No; he did not.

Senator LA FOLLETTE. Did they ask you any questions about what happened on Sunday, that is, about the clash?

Mr. SELENIK. No; they did not ask much about that. What they were mostly interested in was the meeting which took place on Sunday, and they were also interested in the meetings that we had Saturday morning.

There was another thing that they did not want to know anything about, was the Friday peaceful picketing parade, of which I was the flag bearer.

They asked me who was in charge of all this so-called military training.

Senator LA FOLLETTE. What did you tell them?

Mr. SELENIK. Well, I asked him what he called military training. He said it is known that at sometimes there were a bunch of men grouped together and going through some sort of maneuvers, which I did not know anything about, that they seen was going across the street there at one time, where we had a little—I forget what

it was, something that was just supposed to have been known by certain men, that they may have seen that. Well, I don't really know just what they could claim that were these military maneuvers. Then he referred to the newspapers and to the drilling, and everything. So I told him about this Friday demonstration, of which they did not want to hear anything about.

Senator LA FOLLETTE. Well, had you at any time, during the strike or before, ever seen any drilling or anything of that kind among your men?

Mr. SELENIK. Not that I know of, and I practically lived there day and night, up until Sunday.

Senator LA FOLLETTE. Now, how long did they keep you at this place?

Mr. SELENIK. Well, they kept me there from Saturday until Sunday morning. He questioned me first on Tuesday and then again on Thursday.

Incidentally, my wife came. She was allowed to come down to see me. She was there Wednesday, and then again Friday. So on Saturday I got to feeling that I should get out of there. So I got hold of Sergeant Steffen, he is sergeant in charge on the day turn, and I told him I would like to make an appointment with Mr. Napoli, that I wanted to get out of there; which he did. Before they released me they asked me a few questions on how I happened to get down to this stoolpigeons' paradise. Of course, I told them it was voluntary. They asked about the treatment that I received from them.

Then he also said, "Well, now, you are asking us to be dismissed from that place, or released, and", he said, "we are going to do that. We just want you to sign this statement." I says, "Sure, I will sign anything to get out of here." So then it was just at that time that Mel Coghlan was appointed on this case. There was a coincidence there that Mel and I went to school together. I had not seen him for 20 years. As soon as I walked in there, why, Mel, of course, he started talking about old times, school days, and they also inserted that into this statement which I signed.

Senator LA FOLLETTE. Well, did you read the statement before you signed it?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Give this affidavit an exhibit number.

(The document was marked "Exhibit 1439" and appears in the appendix on pp. 5067-5075.)

Senator LA FOLLETTE. Will you look at exhibit 1439 and tell me if that is your signature?

Mr. SELENIK. That is.

Senator LA FOLLETTE. Will you look it over? Is that the affidavit you made?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. It was subscribed to on the 24th of June?

Mr. SELENIK. Yes, sir.

Senator LA FOLLETTE. Did you make that affidavit of your own free will?

Mr. SELENIK. I did.

Senator LA FOLLETTE. Let it be inserted in the record. That is all. Also, let a copy of the subpoena under which you appear be inserted in the record.)

(The document was marked "Exhibit 1440" and appears in the appendix on p. 5075.)

Senator LA FOLLETTE. Dr. Jacques.

TESTIMONY OF DR. LAWRENCE JACQUES—Resumed

Senator LA FOLLETTE. Dr. Jacques, you have been previously sworn, have you not?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. Please state your full name again, for the record.

Dr. JACQUES. Lawrence Jacques.

Senator LA FOLLETTE. You have previously testified that you are a surgeon?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. How long have you been in that practice?

Dr. JACQUES. I have been in practice since 1925.

Senator LA FOLLETTE. Where did you receive your professional education?

Dr. JACQUES. At the University of Chicago, and Rush Medical College.

Senator LA FOLLETTE. Did you study abroad?

Dr. JACQUES. Yes; I spent most of 1928 abroad.

Senator LA FOLLETTE. Where?

Dr. JACQUES. Vienna, Paris, Edinburgh, and visited some clinics in Germany and Switzerland.

Senator LA FOLLETTE. Have you been connected with any medical school since you came into the practice?

Dr. JACQUES. Yes; I taught in the department of surgery at Northwestern University for about 8 years.

Senator LA FOLLETTE. And are you connected with any hospitals?

Dr. JACQUES. I have been connected with the Cook County Hospital, first as interne, later as a member of the associate surgical staff. I have also been a member of the surgical staff of Michael Reese Hospital and Wesley Memorial Hospital.

Senator LA FOLLETTE. Now, Doctor, you stated that you were at strike headquarters, and I think you explained why you were there, and that you considered yourself to be rendering service for pay, and that you expect to render a bill for your services to the steel workers' organization; is that correct?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. Now, you got to Sam's Place about what time?

Dr. JACQUES. About 3:30.

Senator LA FOLLETTE. Did you have any cases that day scheduled?

Dr. JACQUES. You are speaking of Sunday now?

Senator LA FOLLETTE. Yes.

Dr. JACQUES. No, sir.

Senator LA FOLLETTE. You were at the strike headquarters on Thursday, May 27?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. You were there for how long on Thursday?

Dr. JACQUES. About an hour.

Senator LA FOLLETTE. Were you there again on Friday?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. How did you happen to go out again on Friday?

Dr. JACQUES. I received a telephone call to the effect that there were some injured people who needed medical attention and I was asked to come out.

Senator LA FOLLETTE. What did you find when you got there on Friday?

Dr. JACQUES. I found about 15 or 16 men suffering chiefly from minor injuries, particularly lacerations of the scalp, in Sam's Place.

Senator LA FOLLETTE. Did you treat them?

Dr. JACQUES. I did.

Senator LA FOLLETTE. When did you next visit strike headquarters?

Dr. JACQUES. Sunday afternoon about 3:30—no; pardon me, Saturday evening, I returned to do some dressings, about 7 o'clock Saturday evening.

Senator LA FOLLETTE. To dress the same men you dressed before?

Dr. JACQUES. Some of the men who needed dressings the following day.

Senator LA FOLLETTE. You went out again on Sunday and got there about 3:30?

Dr. JACQUES. About 3:30.

Senator LA FOLLETTE. Had anyone suggested that you go out there on Sunday?

Dr. JACQUES. Not on Sunday; no.

Senator LA FOLLETTE. How did you happen to go?

Dr. JACQUES. I had read in the papers that there was going to be a demonstration there. Based on my experiences of Friday, I felt there might be some need for my services.

Senator LA FOLLETTE. Did you bring any surgical or medical equipment with you on Sunday?

Dr. JACQUES. I did not. I left my surgical or medical equipment on the previous Friday.

Senator LA FOLLETTE. And what did that consist of?

Dr. JACQUES. Some mercurochrome, some iodine, and some cotton, and some gauze, and some aspirin tablets.

Senator LA FOLLETTE. What was going on when you first got there on Sunday?

Dr. JACQUES. A crowd was in Sam's Place, out in the court, and speeches were being made.

Senator LA FOLLETTE. Did you hear any of the speeches?

Dr. JACQUES. I heard only a fragment of Mr. Fontecchio's speech.

Senator LA FOLLETTE. You heard the testimony of other witnesses who were there?

Dr. JACQUES. Yes.

Senator LA FOLLETTE. So far as the fragment of what you heard was concerned does the other testimony conform with your recollection or otherwise?

Dr. JACQUES. It is in conformity.

Senator LA FOLLETTE. Now when the meeting broke up and the marchers started to form and march across the prairie, what did you do?

Dr. JACQUES. I stood around there, watched the crowd assemble, watched them go down the road, watched them go down the dirt road and followed them down, followed the end of the line down about 100 feet, and then turned around and began to walk slowly back toward Sam's Place.

Senator LA FOLLETTE. Did you observe anything after the strikers reached the police line, or were you walking in the other direction at that time?

Dr. JACQUES. They were just about reaching the police line when I turned around, and then not more than a minute, it seems to me, after I turned around I heard a report which sounded to me almost like machine-gun fire, a rapid succession of explosions. I looked back and I noticed a cloud of blue smoke, a few puffs of white smoke, and a little after that—as I looked back the first time the crowd seemed to reverse itself almost like the slats of a venetian blind, they turned around and seemed to be rushing again to Sam's Place, and I walked toward Sam's Place myself.

Senator LA FOLLETTE. What happened next?

Dr. JACQUES. I went into Sam's Place wondering what sort of cases I was going to have to handle. I felt it must be tear gas, it could not possibly be gunshot fire. I thought I could not possibly be confronting—

Senator LA FOLLETTE. Can you speak a little louder?

Dr. JACQUES. I thought I could not possibly be confronting the possibility of treating gunshot wounds. I expected to find some tear-gas cases and I was thinking how I would handle them.

Senator LA FOLLETTE. What happened next?

Dr. JACQUES. Within a few minutes after I reached Sam's Place the injured began to be brought in. Within 4 or 5 minutes there were approximately 30 or 40 bleeding, groaning, screaming, dying, and, I thought, one dead person.

Senator LA FOLLETTE. Did you make an examination of the injured at the time?

Dr. JACQUES. I noticed immediately that there were many gunshots, perhaps 15 or 20; there were many lacerations; and I realized at once it was futile to try to take care of most of the cases. I, therefore, gave instructions that all gunshots, without exception, were to be removed immediately to the hospital, beginning with those who looked sickest, while all other cases were to remain behind and be cared for later.

Senator LA FOLLETTE. Were there any other doctors at the headquarters with you?

Dr. JACQUES. Yes, sir; there were two.

Senator LA FOLLETTE. What were their names, if you know?

Dr. JACQUES. One was Dr. Miller, and one was Dr. Neckerman.

Senator LA FOLLETTE. Do you know why they happened to be there?

Dr. JACQUES. No, sir; I do not. I never met Dr. Miller before. Dr. Neckerman was there because he was interested in the situation. I had spoken to him about my experience the previous Friday.

Senator LA FOLLETTE. After you had administered first aid what did you do?

Dr. JACQUES. I had just begun to administer first aid, and those who had been wounded by gunshot fire were still being removed, when an emergency call came from the South Chicago Hospital to the effect that they were overwhelmed there, they needed doctors and asked me to rush down. So I went to the South Chicago Hospital.

Senator LA FOLLETTE. What did you find when you got there?

Dr. JACQUES. I found the emergency room crowded tightly with carts on which injured people were lying, with internes and nurses squirming between carts trying to treat them. There were quite a few officers present. I noticed there were two men who seemed to be desperately wounded.

Senator LA FOLLETTE. Did you identify them later?

Dr. JACQUES. I did.

Senator LA FOLLETTE. What were their names?

Dr. JACQUES. Hilding Anderson and Tony Tagliori.

Senator LA FOLLETTE. How long did you remain at the South Chicago Hospital taking care of these cases?

Dr. JACQUES. I remained there until midnight.

Senator LA FOLLETTE. Were you constantly at work upon patients?

Dr. JACQUES. Yes; I was. During the course of these hours I gave a blood transfusion to Mr. Anderson, operated on Mr. Tagliori. They were both shot in the abdomen.

Senator LA FOLLETTE. We will go into that later.

Now, did you have any occasion to talk to any of the police while you were at South Chicago Hospital?

Dr. JACQUES. I did.

Senator LA FOLLETTE. What conversation, if any, did you have with them?

Dr. JACQUES. I was called away from the work that I was doing several times, and a plain-clothes man told me that they wanted to get some of these men out, which ones could go, and they wanted to get them out, I understood, to jail. I told them that, in my opinion, it would be neither safe nor humane to move any of them, and I refused permission.

Senator LA FOLLETTE. Were they insistent?

Dr. JACQUES. They were insistent to the extent that they called me from the work that I was doing several times.

Senator LA FOLLETTE. Now, after Sunday, did you continue to treat any of the wounded marchers?

Dr. JACQUES. I did.

Senator LA FOLLETTE. Did you keep summaries on the cases which you treated?

Dr. JACQUES. I did; yes, sir.

Senator LA FOLLETTE. What was the occasion for your seeing additional patients after Sunday?

Dr. JACQUES. On, I think, Tuesday or Wednesday, I suggested to Mr. Emil Koch, who I think is the chairman of the strike committee, that since the situation was so complicated and so many loose ends were lying about it would be a good idea for somebody to try to get such loose ends together, from the medical point of view, and I offered to perform that service.

Senator LA FOLLETTE. Then what occurred? Did you treat additional patients?

Dr. JACQUES. I saw possibly 15 patients in consultation in Burnside Hospital, and thereafter I saw perhaps 10 or 15 in various capacities.

Senator LA FOLLETTE. Now, in addition to the cases which you saw in the hospitals, have you seen any injured who were not hospitalized?

Dr. JACQUES. It is my impression that 10 or 15 of those cases in which minor injuries were present, which I saw at Sam's Place right after the affair, were not hospitalized. I also saw, I think, three or four more.

Senator LA FOLLETTE. Now, excluding, for the moment, those marchers who had gunshot wounds, will you describe generally the character and nature of the injuries of the others?

Dr. JACQUES. The others had what we call lacerations, and contusions, which are bruises. There were about 30 cases of this type which were hospitalized, and it is my impression that there were somewhere in the neighborhood of 25 or 30 which were never hospitalized. The great majority of these cases consisted in lacerations of the scalp. These were jagged lacerations. A laceration is a linear defect. There were jagged lacerations of the type produced by blows with a blunt instrument. The vast majority were of that type. Among the injuries other than gunshot wounds was one skull fracture and the eye injury¹ that has been here this afternoon.

Senator LA FOLLETTE. Now, Doctor, how many cases of gunshot wounds did you personally examine?

Dr. JACQUES. I personally examined 27 cases of gunshot wounds.

Senator LA FOLLETTE. Of the 27, did any prove fatal?

Dr. JACQUES. Four of these proved fatal.

Senator LA FOLLETTE. Now, in addition to the gunshot wounds which you examined, have you any information about any other marchers who received gunshot wounds?

Dr. JACQUES. I have.

Senator LA FOLLETTE. What is the nature of that information?

Dr. JACQUES. I have studied six autopsy records in fatal gunshot cases. I have received reports personally from two other physicians who took care of these cases, and I have studied five rather inadequate reports of gunshot cases from the hospitals, five hospital records.

Senator LA FOLLETTE. So that, as far as your information goes, Doctor, either by personal examination or by examination of the coroner's autopsies, consultation with other physicians or by examination of hospital records, what were the total number of persons who received gunshot wounds that you know of?

Dr. JACQUES. According to our present figures there were 40 gunshot cases.

Senator LA FOLLETTE. Now, Doctor, will you state what your previous professional experience has been, if any, in the observation and treatment of gunshot wounds?

Dr. JACQUES. As an interne at the county hospital, I had the opportunity to see such gunshot wounds as one sees in civil life in Chicago. [Laughter.]

Senator LA FOLLETTE. That would be at least average, would it not?

¹ That of William N. Harper, who testified earlier in the day.

Dr. JACQUES. Yes; I should say so. Also, in my capacity as an associate on the surgical staff at the county hospital, from 1931 to 1933, I had an opportunity to see such wounds. During my teaching experience, I had occasion to review and to include in my didactic lectures discussions of gunshot injuries.

Senator LA FOLLETTE. Now, Doctor, on the basis of your previous experience, if you know the point of entry and of lodgment of a bullet, is it possible to determine the position which the wounded was in with reference to the point of fire at the time he was shot?

Dr. JACQUES. Within certain limits it is possible.

Senator LA FOLLETTE. Will you explain how such a determination is possible, and what the limits of such a determination are?

Dr. JACQUES. In the first place, the path taken by a bullet discharged from a service revolver, that is, the trajectory may be assumed to be a straight line, particularly in point-blank short-range shooting.

In the second place, the path taken by the bullet within the tissues of the victim, the path taken from the point of entrance to the point of exit, or lodgment, may also be considered to be a straight line, in most cases.

In the case of a round musket ball that is not so true, because the musket ball is easily deflected by the tissues.

Senator LA FOLLETTE. Also, it mushrooms?

Dr. JACQUES. It mushrooms: yes. In the case of a small caliber short-nosed bullet it is more true; in other words, the line between the point of entrance and exit is more likely to be straight.

I would say, in the case of the round-nosed bullet used in the police service revolver, that that is generally true, not quite as true as it is in the case of the rifle bullet. Since the line of the trajectory of the bullet may be considered as a straight line, and since the line taken by the bullet within the tissues, that is the tract, as I described, may be considered to be a straight line, in my opinion when one joins the line of the trajectory of the bullet with the tract taken, with the course within the body, the body must assume the position in which it was at the time the bullet penetrated. I can illustrate that with a model which we have been using in trying to determine our own findings.

Senator LA FOLLETTE. All right, let us see it.

Dr. JACQUES. This is a Washington rag doll [indicating]; this is an ice pick [indicating].

Senator LA FOLLETTE. What is a Washington doll?

Dr. JACQUES. It was bought here for the purpose of studying these cases. The handle of the ice pick represents the barrel of the gun; the metal of the ice pick represents the trajectory of the bullet.

To take an illustrative case, the case of Mr. Rothmund, which we discussed yesterday—the point of entrance was practically in the midline point; the point of exit was almost straight across. I assume that in that case Mr. Rothmund was standing at approximately this position [indicating]. I have now joined the line of the trajectory of the bullet with the line of the bullet's tract within the patient, and the figures which I have are based on the assumption that under those conditions the patient would have to be in this position [indicating].

Senator LA FOLLETTE. Could he have been lying on the ground on his belly?

Dr. JACQUES. Yes. What I mean is that the relationship of the axis of the path taken by the bullet to the axis of the body would be this [indicating]. This is also possible [indicating], or any position.

Senator LA FOLLETTE. But not probable on the prairie. He either must be standing or prone, must he not?

Dr. JACQUES. Yes. What I mean is, there is a right angle between the course of the bullet and the coronal plane of the patient.

If I may illustrate one more case, and then I think I shall finish.

Senator LA FOLLETTE. Yes, sir.

Dr. JACQUES. The case of Hilding Anderson, whom I saw that night. The point of entrance is what might be called on the front; that is, when the patient faces you you can see the point of entrance, but the point of exit is directly on the opposite side in the back. According to our studies, the studies on which these statistics are based, that is called a side wound. In other words, the patient is moving at right angles to the course of the bullet. That is the classification which we have adopted.

Senator LA FOLLETTE. All right, sir. I offer for the record at this time copies of the coroner's protocols of the following nine fatal cases. They may be given exhibit numbers.

Dr. JACQUES. There are 10 fatal cases.

Senator LA FOLLETTE. Rothmund is already in.

Dr. JACQUES. I am sorry.

Senator LA FOLLETTE. Nine fatal cases, which may be given exhibit numbers seriatim. Alfred Causey, Lee Tisdale, Otis Jones, Anthony Tagliori, Kenneth Reed, Hilding Anderson, Leo Francisco,¹ Sam P. Popovich, and Earl Handley. These protocols, together with the tenth protocol for Rothmund, which has previously been offered in evidence,² were furnished to the committee by the Cook County coroner under subpoena.

(The documents were marked "Exhibits 1441 to 1449" and appear in the appendix on pp. 5075-5088.)

Senator LA FOLLETTE. Doctor, these protocols have previously been furnished to you by the committee and examined by you, have they not?

Dr. JACQUES. Yes, sir.

Senator LA FOLLETTE. And I think you testified you personally treated four of these cases?

Dr. JACQUES. Yes.

Senator LA FOLLETTE. Which four?

Dr. JACQUES. Hilding Anderson, Tony Tagliori, and I was in consultation on Otis Jones, and I took care, during his last few days, of Leo Francisco.

Senator LA FOLLETTE. Have you classified the wounds as front, back, or side wounds?

Dr. JACQUES. I have.

Senator LA FOLLETTE. And you have explained, with the use of the ice pick and the Washington doll, the theory upon which those classifications were based?

Dr. JACQUES. I have.

¹ There was also a report on this case. See exhibit 1447-A, p. 5085.
² See exhibit 1345, p. 5023.

Senator LA FOLLETTE. Now, Doctor, on the basis of these protocols, and your personal observation of the four men whom you treated, will you state what wounds each of these men received, distinguishing nonfatal from the fatal wounds? Will you just describe, please, the case of Hilding Anderson?

Dr. JACQUES. Hilding Anderson had what we call a side wound. The wound of entrance is on the right side in the front, the wound of exit on the left side in the front. During its course the bullet produced large tears, several large tears, in the large bowel. He died of peritonitis several days later.

Senator LA FOLLETTE. Let the chart be given an exhibit number.

(The chart was marked "Exhibit 1450" and is held in committee files.)

Senator LA FOLLETTE. Will you now describe the case of Alfred Causey?

Dr. JACQUES. Alfred Causey was shot four times. The fatal wound has its entrance in the abdomen, on the left side, in front.

Senator LA FOLLETTE. Do you classify that as a side wound?

Dr. JACQUES. The point of exit on the right side and back. It is classified as a side wound. Shall I make it briefer?

Senator LA FOLLETTE. Yes.

Dr. JACQUES. The other wounds are in the chest, leg, and arm.

Senator LA FOLLETTE. All gunshot wounds?

Dr. JACQUES. There are four gunshot wounds, and there are also rather extensive lacerations on the scalp and back of the head. Death occurred from the abdominal gunshot wound.

(The chart was marked "Exhibit 1451" and is held in committee files.)

Senator LA FOLLETTE. Will you now describe the case of Leo Francisco?

Dr. JACQUES. Leo Francisco was taken to the Bridewell Hospital. The autopsy record in this case is not clear, because one of the wounds, either the exit or entrance, was not discernible at the autopsy because of the surgical procedures that had to be carried out. In my opinion, the wound of entrance was in the back. We tried to get additional information from the Bridewell Hospital. In the opinion of a doctor there, the wound of entrance was on the front. Because of additional evidence which I have derived from conversations with this patient shortly before he died, in my opinion, the wound of entrance is in the back, and I have therefore classed this, as I think, a side or back wound; I forget which one this is—it is a back wound.

(The chart was marked "Exhibit 1452" and is held in committee files.)

Senator LA FOLLETTE. Now, will you describe the case of Earl Handley?

Dr. JACQUES. Earl Handley was shot in the back of the right thigh. The wound of exit is on the medial aspect of the right thigh. The bullet perforated the femoral artery and vein—a rather large perforation of the femoral artery and vein of the leg—and he died from a hemorrhage from this perforation.

Senator LA FOLLETTE. In your opinion, Doctor, could proper and timely medical treatment have saved this man's life?

Dr. JACQUES. The effective application of a tourniquet could certainly have saved his life; that is, the effective and prompt application of a tourniquet.

Senator LA FOLLETTE. Do you think carrying him along without the tourniquet helped any?

Dr. JACQUES. I think it may have contributed to his death.

(The chart was marked "Exhibit 1453" and is held in committee files.)

Senator LA FOLLETTE. Will you now describe the case of Otis Jones?

Dr. JACQUES. Otis Jones was shot directly in the back, right in the midline, about the fourth spine, in the dorsal region. That is the part of the spine related to the chest. The bullet cut across the spinal cord, destroying it for a distance of 2 or 3 inches. He was completely paralyzed from this level down during the 10 days he lived. He died on the 10th day from pneumonia.

(The chart was marked "Exhibit 1454" and is held in committee files.)

Senator LA FOLLETTE. Will you next describe the case of Sam P. Popovich?

Dr. JACQUES. Sam Popovich was shot right in back of the head, the bullet entering on the right side of the back, going right through the right lobe of the brain, coming out on the right side just above the brow. Death apparently occurred from this wound. The skull was extensively shattered, apparently by the bullet wound. In addition, the scalp was laid widely open—it was torn widely open—so that the underlying fractures were exposed. It is difficult to say whether the blunt blow which produced the wound exaggerated or increased the amount of shattering of the skull.

(The chart was marked "Exhibit 1455" and is held in committee files.)

Senator LA FOLLETTE. Will you next describe the case of Kenneth Reed?

Dr. JACQUES. Kenneth Reed was shot three times, once in the arm, once in the chest in the front. These were superficial wounds. The wound producing death had its entrance on the left side in the back, passed through the liver in the first part of the intestine, and came out on the right side in front. That is a back wound. He died, I think, immediately.

(The chart was marked "Exhibit 1456" and is held in committee files.)

Senator LA FOLLETTE. Will you next describe the case of Joe Rothmund?

Dr. JACQUES. Joe Rothmund was shot almost directly in the midline in the back. The bullet went almost at right angles to the transverse plane of the body, lodged just below and to the right of the navel, went through the liver and through part of the intestines; and as I understand, death occurred within a couple of hours after or during operation.

Senator LA FOLLETTE. Will you next describe the case of Anthony Tagliori?

Dr. JACQUES. Anthony Tagliori was shot in the back, the left buttock. The bullet went forward and transversely and lodged in the opposite thigh, perforating the bowel, also the bladder. He died of peritonitis several days later.

Senator LA FOLLETTE. How do you classify that, Doctor?

Dr. JACQUES. That is a back wound.

(The chart was marked "Exhibit 1457" and is held in committee files.)

Senator LA FOLLETTE. Will you now describe the case of Lee Tisdale?

Dr. JACQUES. Lee Tisdale was shot in the thigh. Information concerning the point of entrance is not clear. The autopsy record is not clear, and what records I have are not convincing. The police record states that he was shot in the back of the thigh. The autopsy record is not decisive on this point. We classify this as a side wound. It shattered the femur or large bone of the thigh. The fracture became infected, and he died of streptococcus septicemia, blood poisoning, several days later, a few days later.

Senator LA FOLLETTE. Do you think prompt treatment would have been of any help in this case? That is very difficult to say, is it?

Dr. JACQUES. I do not know whether it would have been decisive. It is hard to say.

(The chart was marked "Exhibit 1458" and is held in committee files.)

Senator LA FOLLETTE. Now, Doctor, have you prepared a series of composite charts showing the nature of the wounds of these 10 men?

Dr. JACQUES. Yes; I have.

Senator LA FOLLETTE. Give chart V an exhibit number.

(The chart was marked "Exhibit 1459" and is reproduced in the appendix on p. 5147.)

Senator LA FOLLETTE. All right; looking at exhibit 1459, will you explain that chart, please, Doctor?

Dr. JACQUES. Chart 1459 is a composite chart showing the wounds of entrance and those wounds which were classified as back wounds in the fatal cases.

Mr. Francisco's wound is included here, because, in my opinion, that should be regarded as a back wound. The names of the patients represented are Popovich, Jones, Rothmund—

Senator LA FOLLETTE (interrupting). As you call them off, just give the medical term for the part of the body where the entrance took place.

Dr. JACQUES. Popovich, in the back of the head; Jones, in the spine; Rothmund, in the back, perforating the abdomen; Handly, through the thigh; Tagliori, in the buttock; Francisco, back of thigh.

Senator LA FOLLETTE. Give chart VI an exhibit number.

(The chart was marked "Exhibit 1460" and is reproduced in the appendix on p. 5147.)

Senator LA FOLLETTE. Please explain chart 1460.

Dr. JACQUES. Chart 1460 is a composite chart of the side wounds, showing the points of entrance in those three fatal cases which we classify as side. Anderson, on the side of the abdomen—that is, the entrance on the right side; Causey, side of the abdomen, entrance on the left side; and Tisdale, on the side of the thigh, as shown. I have also included here Francisco's point of entrance, as claimed by the physician who saw him at the Bridewell Hospital. I am accepting, on the basis of my own judgment, this as the point

of entrance in this case [indicating]. There is room for a reasonable difference of opinion between qualified physicians in the case of Francisco.

Senator LA FOLLETTE. Will you bring forward chart VII?

(The chart was marked "Exhibit 1461" and is reproduced in the appendix on p. 5147.)

Senator LA FOLLETTE. Will you explain this chart, please, Doctor?

Dr. JACQUES. This chart was just simply made in order to complete the record. It is a front view and shows that there were no points of entrance on the front view in the fatal cases.

Senator LA FOLLETTE. All right. Now, coming to the nonfatal gunshot cases, how many were there in all, so far as you know?

Dr. JACQUES. Thirty.

Senator LA FOLLETTE. Thirty in all. Doctor, have you prepared a series of composite charts showing the gunshot wounds in all of the gunshot cases, fatal and nonfatal?

Dr. JACQUES. I have.

Senator LA FOLLETTE. Give chart I an exhibit number.

(The chart was marked "Exhibit 1462" and is reproduced in the appendix on p. 5148.)

Senator LA FOLLETTE. Will you describe that chart, please, Doctor?

Dr. JACQUES. To make this clearer, I will have to say that there were 40 patients who were shot. Since 2 patients had more than 1 gunshot wound, there were altogether 45 gunshot wounds; nevertheless, we only have adequate information on 40.

Exhibit 1462 is a front view, showing those wounds which, according to our classification, are to be regarded as front wounds.

Senator LA FOLLETTE. How many are there?

Dr. JACQUES. There are four.

Senator LA FOLLETTE. Now, I notice, Doctor, before you leave exhibit 1462, that two of those are on the extremities—there are three on the extremities; so if we are trying to find out the position, it is a little difficult to say what it is, is it not?

Dr. JACQUES. For purposes of simplicity I have arbitrarily regarded all wounds in the upper extremities in which the points of entrance are in what we have called the front, as front wounds. It is particularly hard to analyze the wounds of the upper extremities since the position of the arms may be so variable. This [indicating], incidentally, is a lodged bullet, right at this point, so we can say definitely it is front. It did not go anywhere. It hit the front and stayed there.

Senator LA FOLLETTE. Will you take chart II, which will be given exhibit number 1463, and explain this chart?

(The chart was marked "Exhibit 1463" and is reproduced in the appendix on p. 5148.)

Dr. JACQUES. This exhibit shows those wounds which we regarded as back wounds. There are, altogether, 27 of these. The jagged lines on the head represent the lacerations of the scalp which were present on these patients.

Senator LA FOLLETTE. Now, explain chart III, which will be given exhibit number 1464.

(The chart was marked "Exhibit 1464" and is reproduced in the appendix on p. 5149.)

Dr. JACQUES. Chart III represents the side wounds where the point of entrance was on the right, with one exception, and that is this wound here [indicating], which is on the right leg, on the inner aspect, and we represented it by dotted lines [indicating].

Senator LA FOLLETTE. Now, chart IV, which will be given exhibit number 1465—will you please explain that chart?

(The chart was marked "Exhibit 1465" and is reproduced in the appendix on p. 5149.)

Dr. JACQUES. That represents the side wounds with the points of entrance on the left. There are three of these. One of them is a grazing wound, which went directly across the head this way [indicating]. This graze was a streak which represents the course of the bullet.

Senator LA FOLLETTE. Across from left to right?

Dr. JACQUES. Yes; I guess so. I think it came from right to left, but I am not sure. Mr. Kruga knows; he is here. There is nothing much to show. I think that is all.

Senator LA FOLLETTE. All right, Doctor; you can come back to your seat now. Did any of the nonfatal cases receive injuries in addition to gunshot wounds?

Dr. JACQUES. Yes, sir; they did.

Senator LA FOLLETTE. Will you state how many persons received such additional injuries and describe, generally, their nature?

Dr. JACQUES. Of the total number of 30 nonfatal cases there were additional injuries—I do not see them in my notes at this moment. May I state it from memory, and then later correct it?

Senator LA FOLLETTE. Yes.

Dr. JACQUES. There were, as I remember, in the whole series, nine cases in which there were injuries additional to the gunshot wounds. Of these additional injuries seven were lacerations and two were contusions.

Senator LA FOLLETTE. Now, you have analyzed these gunshot wounds in terms "front", "back", and "side." In your examination, did you find any significant facts relating to the position of the wounds, generally, as between right, left, head, chest, abdomen, or extremities?

Dr. JACQUES. The wounds are fairly evenly divided according to such determinations as left, right, upper, and lower halves.

Senator LA FOLLETTE. Can you draw any conclusions from that fact?

Dr. JACQUES. The only conclusion I might draw is that these individuals were exposed to a fairly uniformly distributed spray of bullets.

Senator LA FOLLETTE. To summarize, will you state what percentage of the total of 40 gunshot wounds received front wounds, what percentage received side wounds, and what percentage received back wounds?

Dr. JACQUES. Ten percent received front wounds; 22.5 percent received side wounds, and 67.5 percent received back wounds.

Senator LA FOLLETTE. Did any minors receive gunshot wounds?

Dr. JACQUES. Yes, sir; Leo Francisco, who was 17; and an unidentified girl.

Senator LA FOLLETTE. He was one of the fatal cases?

Dr. JACQUES. Yes.

Senator LA FOLLETTE. And an unidentified girl?

Dr. JACQUES. Who was 15. I treated her and don't have her name. I do remember she was 15. She told me at the time.

And an 11-year-old boy.

Senator LA FOLLETTE. Did any women receive gunshot wounds?

Dr. JACQUES. Yes, sir; two, including the unidentified girl.

Senator LA FOLLETTE. Who was the additional woman?

Dr. JACQUES. Mrs. Catherine Nelson.

Senator LA FOLLETTE. Will you state, generally, the present condition of the nonfatal cases who received gunshot wounds?

Dr. JACQUES. Of the nonfatal cases, four are still in the hospital. One, Mr. Skultety, has developed an abscess.

Senator LA FOLLETTE. How do you spell that?

Dr. JACQUES. S-k-u-l-t-e-t-y. Another, Frank Stenken, who had an injury of the principal vessels of the thigh, has a gangrenous process which involves the foot, extending slightly past the ankle; and he will, within the near future, require an amputation of that leg.

Another, according to the report I have, is Mr. Luna, who had a skull fracture involving some manifestation resulting from brain injury.

Mr. Hensley, who received a gunshot wound of the head and lacerations of the scalp, is in the hospital with a mental derangement due to brain injury; and the report which I got just before leaving Chicago, from a psychiatrist who was called in in consultation, is that there is a substantial chance that he may have permanent mental changes.

Those are the four in the hospital.

To summarize, there was one case of established permanent disability among the gunshot cases who have survived, and that is Mr. Stenken.

There are, in addition, eight cases of probable permanent disability; that is, there is a fair degree of probability that they will be permanently disabled. One case of a gunshot fracture extending into the knee joint. Another, a case of weakness or partial paralysis of the right leg. The case which I mentioned, Mr. Hensley, with the mental changes. The 11-year-old boy, Levrich, who was shot in the right heel and the heel bone has been fractured. Mr. Mrkonijich, with a gunshot, an extensive type of gunshot fracture of the right ulna, one of the bones of the forearm. Mr. Emil Riccio, who has a gunshot fracture of the right shoulder blade, with limitation of the motion of the right shoulder joint. Mr. Stenken, who has gunshot fractures of three toes of the left foot; and there is a question of some permanent disability there, the likelihood is not great. And Mr. Nelson, whose initials I do not have, had a gunshot fracture of the hand; and here again the possibility of permanent disability is not great, it is merely possible.

Senator LA FOLLETTE. Have you examined Mr. Harper, who was on the stand here?

Dr. JACQUES. I have not. I have received—I have discussed the case with the doctor who has been treating him.

Senator LA FOLLETTE. Well, what is your medical opinion as to the situation so far as his present condition is concerned and the loss of his eye, had he been given prompt and competent medical attention? Or can't you give any?

Dr. JACQUES. I think I can say something about it. As I have been given to understand, the injury is a ragged destructive type. The eye lid has been destroyed. During those first hours when care was not adequate, it became infected, and the presence of infected remnants always threatens the condition of the other eye. The presence of the infection over a period of time led to the formation of scars, which may necessitate further operation before an artificial eye can be used.

I therefore feel that it is certainly within the limits of probability that more prompt care and effective treatment might have saved some of his trouble.

Senator LA FOLLETTE. Aside from the gunshot cases, how many cases of injuries were hospitalized, to your knowledge?

Dr. JACQUES. Twenty-eight.

Senator LA FOLLETTE. And from your observation, how many additional cases, other than gunshot wounds, did not receive hospital treatment?

Dr. JACQUES. From my observations and the discussions which I have had with other doctors, I would say that approximately 25 or 30 such cases exist.

Senator LA FOLLETTE. Now, Doctor, will you briefly summarize the results of your medical survey?

Dr. JACQUES. There were 40 gunshot—40 individuals were shot; a total of 45 gunshot wounds. Of these 40 individuals, 10 have died from their wounds. There were 28 injuries other than gunshots which required hospitalization; and approximately 25 or 30 injuries other than gunshots which were not hospitalized. An approximate total of the number of individuals, numbers of paraders injured, is 100. In addition to 10 deaths, there are two cases of established permanent disability, one the gangrenous leg and the other the destroyed eye; and there are eight cases of possible permanent disability.

Senator LA FOLLETTE. I offer for the record department of police accident reports for 35 Chicago policemen reported injured during the Memorial Day encounter. These reports were furnished to the committee by Commissioner Allman.

(The documents were marked "Exhibit 1466-A to 1466-II" and appear in the appendix on pp. 5090-5124.)

Senator LA FOLLETTE. I also offer for the record a résumé of the hospital records of seven of the policemen included among the accident records previously offered. These reports were obtained from the hospitals and are all of the hospital reports which the committee to date has been able to obtain.

(The documents were marked "Exhibit 1467-A to 1467-H" and appear in the appendix on pp. 5125-5129.)

Senator LA FOLLETTE. Have you examined these accident reports and hospital records with reference to the policemen that were injured at the time, on this occasion?

Dr. JACQUES. I have.

Senator LA FOLLETTE. Does it appear from the accident reports which officers were hospitalized?

Dr. JACQUES. It does.

Senator LA FOLLETTE. From your examination of the accident reports, how many policemen appear to have been hospitalized?

Dr. JACQUES. It appears that nine policemen received treatment in hospitals. Of these nine, six were ambulatory, according to the hospital records; so that three were actually hospitalized, that is, three, according to the records which I have seen, were actually hospitalized.

Senator LA FOLLETTE. Now, of these nine policemen, how many of their hospital reports have you examined?

Dr. JACQUES. Those which are in the possession of the committee; seven.

Senator LA FOLLETTE. Seven. Now, from your examination of the accident reports and hospital records, will you state the extent of the injuries received by these 35 policemen?

Dr. JACQUES. These injuries—there were no gunshot injuries recorded in any of these records. Of the injuries recorded, all except one can be recorded as lacerations, which are linear defects in the skin or contusions, which are bruises. Of the lacerations, four occurred in the fingers and hands, three in the scalp, one in the leg. Of the contusions, 12 occurred in the lower extremities, and the rest were divided in the trunk, head, and upper extremities, the greatest number being in the trunk.

Senator LA FOLLETTE. How many head contusions were there?

Dr. JACQUES. There were two head contusions. In addition, there were four sprains and five gas cases.

According to the records which I have examined, one patient was taken care of by his private physician, and the injury is described as a rupture. I read from the police accident report: "Patient H. Murphy taken care of by his private physician; diagnosis, rupture." And the remark, "Kicked in groin. Unaware of injury at the time."

Senator LA FOLLETTE. Are there any other accident reports there that you wish to call attention to?

Dr. JACQUES. The laceration in the case of J. Nugent is described as a laceration of the right thumb.

The laceration in the case of C. Brush is described as a laceration of the thumb.

The laceration of B. Harnisch—or rather, contusion; contusion of the knuckles of the right hand and the left palm. The description of the accident is "while breaking up an unpermitted parade, participant tripped, causing above injury." [Laughter.]

I neglected to say of the 35 cases which we are discussing, in one the injury was inflicted enroute to the scene of the accident. I read from the police accident report: "While dispatching reserve men to scene of riot, left leg was caught in middle upright of main gate." [Laughter.]

Senator LA FOLLETTE. Order, please.

Dr. JACQUES. The actual number of injuries, therefore, sustained in the conflict is 34, rather than 35.

There were several, I think three of the contusions were described as resulting from blows in the stomach.

Senator LA FOLLETTE. Have you any comment to make on the nature and probable causes of these injuries to the police?

Dr. JACQUES. I would say that in general, with few exceptions, they appear not to have been inflicted by instruments of any great weight or size or by blows of great force. The nature of some of these injuries suggests that they have been incurred during the process of the conflict and were not inflicted by anybody else.

Senator LA FOLLETTE. That is all, Doctor.
Commissioner Allman.

TESTIMONY OF JAMES P. ALLMAN—Resumed

Senator LA FOLLETTE. Be seated, please, Commissioner. You have previously been sworn?

Mr. ALLMAN. Yes, sir.

Senator LA FOLLETTE. Commissioner, in addition to some of the information that Senator Thomas asked you to furnish, I would like to ask you to furnish me the name, assignment, and record of the officer who carries badge no. 7181.

Also, will you please furnish, and in affidavit form, the date of booking and the charge of each person arrested.

Now, Commissioner, when you were on the stand first—

Mr. ALLMAN. May I ask, Senator, that your secretary give me—

Senator LA FOLLETTE. We will see you are furnished with an exact statement—

Mr. ALLMAN. Of what you want? ¹

Senator LA FOLLETTE. Of what is required.

When you were on the stand previously, Commissioner, you stated—and I am not attempting to quote your words exactly, but to give the substance of them—that the conduct of the police in handling the situation and during and after the clash between the paraders and the police on Memorial Day met with your full approval. Do you still adhere to that position?

Mr. ALLMAN. I do.

Senator LA FOLLETTE. Have you any comment you care to make upon the testimony which has been taken since you were on the stand?

Mr. ALLMAN. I would like to say that this affair was not orderly and calm the same as it is in this room where every man takes his own time and thinks it over. This was a riot and almost war, and I don't believe that a man can give exactly what happened the same as what happened in this room where you think it over and all that. You didn't think it over there; that was a riot.

Senator LA FOLLETTE. Anything else?

Mr. ALLMAN. That is all.

Senator LA FOLLETTE. That is all.

Captain Prendergast.

TESTIMONY OF JOHN PRENDERGAST—Resumed

Senator LA FOLLETTE. Captain, be seated, please. You have been previously sworn?

Mr. PRENDERGAST. I have.

Senator LA FOLLETTE. At the time when you were previously on the stand you stated, in substance, that the conduct of the police, the manner in which they handled the situation both before and after the clash between the paraders and the police on the 30th day of

¹ See pp. 5157-5158.

May in South Chicago, met your full approval. Do you still adhere to that position?

Mr. PRENDERGAST. My statement is about the same as the commissioner's.

Senator LA FOLLETTE. Have you any comment you care to make upon the testimony?

Mr. PRENDERGAST. Not at this time.

Senator LA FOLLETTE. You are excused.

Captain Mooney.

TESTIMONY OF JAMES L. MOONEY—Resumed

Senator LA FOLLETTE. You have previously been sworn, Captain?

Mr. MOONEY. Yes, sir.

Senator LA FOLLETTE. When you were on the stand previously, I asked you whether or not the conduct of the police on the 30th day of May at or near the plant of the Republic Steel Corporation in South Chicago before, during and after the clash between the paraders and the police met with your full approval; and you indicated that it did.

Mr. MOONEY. That is correct.

Senator LA FOLLETTE. Do you still adhere to that position?

Mr. MOONEY. Yes; I do.

Senator LA FOLLETTE. Have you any comment you care to make on this testimony?

Mr. MOONEY. No; I have not.

Senator LA FOLLETTE. You are excused.

Captain Kilroy.

TESTIMONY OF THOMAS P. KILROY—Resumed

Senator LA FOLLETTE. You have been previously sworn?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. When you were on the stand previously I asked you if the conduct of the police before, during, and after the clash between the paraders and the police on the 30th day of May at or near the plant of the Republic Steel Corporation in South Chicago met with your full approval.

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. And you stated that it did?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Do you still adhere to that position?

Mr. KILROY. Yes, sir.

Senator LA FOLLETTE. Have you any comment to make on the testimony?

Mr. KILROY. No, sir.

Senator LA FOLLETTE. You are excused.

The Chair now offers for the record a full set of the unexhibited pictures, the still pictures, which will be given exhibit numbers seriatim.

(The photographs were marked "Exhibits 1468 to 1625." Exhibits 1469-1471, 1473, 1475, 1477, and 1500 appear in the appendix on pp. 5150-5156. All others are held in committee files.)

Senator LA FOLLETTE. A number has been reserved for the committee's copy of the Paramount Newsreel film, and the slow motion copy of that film.

(The film was previously marked "Exhibit 1406.")

Senator LA FOLLETTE. Material requested from the Chicago Police Department and the corporation counsel may also be entered in the record.

(The documents were marked "Exhibits 1626-1632" and appear in the appendix on pp. 5157-5171.)

Senator LA FOLLETTE. All subpoenas issued by the committee in connection with this series of hearings remain in full force and effect. The witnesses, however, are excused from further attendance in the presence of this committee, and if their further attendance is desired they will be notified.

The committee will take an adjournment subject to the call of the Chair.

(Whereupon, at 7:50 p. m., the committee adjourned subject to the call of the Chair.)

APPENDIX

EXHIBIT 1326

(Held in committee files. See text, p. 4635.)

EXHIBIT 1327

(See p. 5131.)

EXHIBIT 1328

(Held in committee files. See text, p. 4635.)

EXHIBIT 1329

[Copy]

CITY OF CHICAGO,
LAW DEPARTMENT,
March 31, 1937.

Re Picketing in Labor Disputes.

Honorable JAMES P. ALLMAN,
Commissioner of Police.

DEAR SIR: The Department of Law is in receipt of your communication of March 29th in which you state:

"I am forwarding you herewith a copy of a letter from Mr. Charles V. Falkenberg, attorney, 221 N. La Salle Street, relative to a strike against the Bowling Proprietors Assn. of Greater Chicago called by members of the Ten Pin Setters Federal Labor Union. Mr. Falkenberg requests that picketing by the strikers be prohibited. Kindly render me an opinion in the matter."

The letter of Mr. Falkenberg sets forth:

1. That there has been formed, under the auspices of the American Federation of Labor, a new union of ten pin setters;
2. That negotiations have been in progress for settlement of demands for increased wages by the members of the union;
3. That a strike was called by the pin setters, despite the fact that a federal conciliator and an organizer representing the American Federation of Labor urged that the pin boys accept a settlement tendered by the employers; and
4. That the strike was called despite the fact that the employers had no objection to the organization of a union.

Mr. Falkenberg's letter contains the statement: "There is no controversy between the pin boys who are working and the employers." He further states that the employers of bowling alleys whose pin setters have not gone on strike "don't like the pickets parading before their places of employment, because it causes people who know them to believe they are acting as strikebreakers."

Mr. Falkenberg further comments: "As I understand the law pertaining to picketing, and the decisions of the courts construing the law, no picketing will be countenanced or permitted unless there is a bona fide, legitimate controversy between the employees of a business and the employer."

Present economic conditions, and the recent wave of industrial disputes manifested by strikes appear to make it worth while for the Department of Law to go somewhat thoroughly into the question raised by your request for this opinion, this is an effort to clarify certain matters relating to the labor question that are inherent in this particular case. This seems all the more desirable since a study of the published Opinions of the Corporation Counsel and Assistants of Chicago reveals that not since 1916 has there been any thorough discussion of the subject of picketing by this department (9 Op. Corp. Counsel 774 and 975). In the twenty-one years that have passed, both the laws of Illinois and the attitude of the courts have undergone considerable change with regard to the general labor question. This is true of most of the other states in the Union, and also true of the attitude of the United States Supreme Court and the lesser federal Courts.

It might be helpful to recognize that historically there has been a constant change in this particular field of law—although, to be sure, there has not been any change with regard to the vital necessity that law and order be maintained and preserved for the welfare of the general public regardless of the rights of any particular private parties in any controversy. The rights of the public, of course, are paramount in law and reason. However, it also is plain that labor, through the years, has won increasing recognition of increasingly greater rights. The old theory that labor is a commodity and may be treated as such, has definitely been rejected in enlightened quarters and perhaps no one in this age would wish to go back to the old order in that respect.

Moreover, it is now an accepted principle of jurisprudence in this country that economic and social facts may be considered, in addition to abstract legal principles, in determining matters of this kind. Emphasis toward this view was given by the United States Supreme Court in the very recent decision in the *West Coast Hotel Company of Seattle case* (Decision reported March 29, 1937) involving minimum wage laws for women, as, for example, this language:

"It is unnecessary to cite official statistics to establish what is common knowledge through the length and breadth of the land. While in the instant case no factual brief was presented, there is no reason to doubt that the state of Washington has encountered the same social problem that is present elsewhere. The community is not bound to provide what is in effect a subsidy for unconscionable employers."

In other words, the law recognizes social and economic realities.

In line with this approach, we may also take cognizance of views on social matters from accepted sources, as for example, the recent Encyclical of the Vatican (March 18, 1937) in which it was said: "The wage earner is not to receive as alms what is his due in justice," and that there should be recognized "the inalienable right of the working man to a salary sufficient for himself and his family." It is proper to consider testimony such as this.

At one time in Anglo-Saxon jurisprudence, labor unions themselves were deemed unlawful and a strike was held criminal *per se*. This was true in England until the repeal of the Combination Acts in 1824 and 1825. It was not until 1842 that an American state, Massachusetts, clearly held that workmen could voluntarily quit their employment in a body. Illinois has probably followed, generally speaking, although with certain noteworthy exceptions, the trend in other states of the Union. However, it was not until 1893 that the Illinois General Assembly, which established the public policy of the state, passed a bill (Laws of 1893, p. 98) definitely guaranteeing the right of employees to belong to a labor organization. This act declared it unlawful to prevent workers from joining a union. While the Illinois Supreme Court declared this act unconstitutional (*Gillespie v. People*, 188 Ill. 176 (1900)), the court decided the issue on other grounds than the legality of labor unions themselves. As will be seen from other decisions, it has been accepted that labor unions are legal in Illinois.

Some laws have been passed in Illinois, notably the so-called LaSalle Black Law of 1863, which prohibited strikes under certain circumstances, but in 1912, the Illinois Supreme Court rendered a decision which in particularly clear language recognized the strike as a legitimate activity. This was the case of *Kemp v. Division 241 of the Amalgamated Association of Street and Electric Railway Employees* (255 Ill. 213 (1912)). Some of the language of the court in that case was:

"Labor unions have long since been recognized by the courts of this country as a legitimate part of the industrial system of this nation. The ultimate purpose of such organization is, through combination to advance the interests of the members by obtaining for them adequate compensation for their labor, and it has been frequently decided by the American courts that the fact that this purpose is sought to be obtained through combination or concerted action of employees does not render the means unlawful."

In this same case, Mr. Justice Cooke said:

"If it is proper for workmen to organize themselves into such combinations as labor unions, it must necessarily follow that it is proper for them to adopt any proper means to preserve that organization. If the securing of the closed shop is deemed by the members of the labor union of the utmost importance and necessary for the preservation of their organization, through which, alone, they have been enabled to secure better wages and better working conditions, and if to secure that is the primary object of the threat to strike, even though in the successful prosecution of the object of the combination injury may result incidentally to non-union men through the loss of their positions, that object does not become unlawful. * * * It was only incumbent upon them to act in a peaceful and lawful manner in carrying out their plans." (Ibid., pp. 226-227.)

With regard to the specific question of picketing, the position of the Illinois courts, viewed historically again, has been somewhat checkered. In 1902, the Appellate Court, in the case of *Beaton v. Tarrant* (102 Ill. App. 124) ruled that picketing was lawful, if peaceable. The court said:

"Workmen may use the streets and highways in a manner not inconsistent with public travel for the purpose of entreaty, inducement, and peaceable persuasion in good faith, and a patrol or picket may not necessarily imply force or a threat of bodily harm."

However, in 1905, the Appellate Court in the case of *Franklin Union No. 4 v. People* (121 Ill. App. 647) held that there could be no such thing as peaceful picketing. The court stated:

"It is idle to talk of picketing for lawful persuasion purposes. Men do not form picket lines for the purpose of conversation and lawful persuasion. * * * Its use is a form of unlawful coercion."

This view was sustained by the Illinois Supreme Court in the same case (220 Ill. 355 (1906)), but with a dissenting opinion. In 1908, the Illinois Supreme Court again held that a peaceful picket line was unlawful, also with a dissenting opinion. (*Barnes v. Chicago Typographical Union No. 16*, 232 Ill. 424). As recently as 1921, an Appellate Court decision asserted flatly that in Illinois there is no such thing as peaceful picketing, that the very act of picketing means intimidation and was unlawful (*American Cigar Co. v. Berger*, 221 Ill. App. 299).

This was the law in this state, despite vigorous protests by organized labor and the general trend elsewhere, until 1925, when the State of Illinois adopted the so-called Anti-Injunction Act (Ill. Laws, 1925, p. 378, and Smith-Hurd, Ch. 48, sec. 2a, 1935). The language of this statute reads as follows:

"2a. *Issuance of injunctions prohibited.*—No restraining order or injunction shall be granted by any court of this State, or by a judge or the judges thereof in any case involving or growing out of a dispute concerning terms or conditions of employment, enjoining or restraining any person or persons, either singly or in concert, from terminating any relation of employment or from ceasing to perform any work or labor, or from peaceably and without threats or intimidation recommending, advising, or persuading others so to do; or from peaceably and without threats or intimidation being upon any public street, or thoroughfare or highway for the purpose of obtaining or communicating information, or to peaceably and without threats or intimidation persuade any person or persons to work or to abstain from working, or to employ or to peaceably and without threats or intimidation cease to employ any party to a labor dispute, or to recommend, advise, or persuade others so to do."

This statute represents the public policy of Illinois, which is that workers should not be interfered with by the authorities in the conduct of lawful strikes lawfully conducted, with recognition that picketing may be a part of the strike methods.

There existed reasonable basis for controversy over the validity of this statute for nearly nine years, until, in the case of *Fenske Brothers v. Upholsterers' International Union of North America, Local #18* (358 Ill. 239 (1934)), the court definitely held the act constitutional and refused to enjoin peaceable picketing.

In that case the court quoted at length from the United States Supreme Court decision in the *American Steel Foundries v. Tri-City C. T. Council* (257 U. S. 184 (1921)) and concluded that the law in the majority of states in the country is that peaceable persuasion and peaceable picketing, not amounting to coercion, are lawful. (Ibid., p. 256.) This is now indisputably the law in Illinois, although it should be observed that some lower courts have exercised considerable discretion in determining the question of when picketing is or is not peaceable. However, in the latest case on this subject, the Appellate Court of the First District, in an opinion written by Mr. Justice Matchett, followed the ruling of the *Fenske case* with complete agreement with the spirit of that case. (*Rosen v. United Shoe and Leather Workers Union*, 287 Ill. App. 49 (1936)). It may be noted in passing

that since the passage of the Illinois Anti-Injunction Act, Congress, in 1932, adopted a similar act known as the Norris-LaGuardia Anti-Injunction Act (USC, Title 29, secs. 101-15).

From the foregoing, the following definite propositions may be set forth:

1. Labor unions are legal under Illinois and federal jurisprudence.
2. The strike is a lawful instrument in a lawful economic struggle or competition between employer and employees.
3. Picketing, as the term is generally understood, is lawful in Illinois when peaceable and without the elements of coercion, or intimidation, or disorder.

With regard to the point raised by Mr. Falkenberg that "no picketing will be countenanced or permitted unless there is a bona fide, legitimate controversy between the employees of the business and the employer," even if this were the law, the point appears not to be pertinent in this case on the facts as presented by Mr. Falkenberg in his letter. There obviously has been a dispute in the industry, if not with all of the firms involved.

There appears to be no pertinent Illinois law on this particular point, although the weight of opinion in other jurisdictions seems to indicate that no immediate dispute is necessary for picketing to be lawful if it is done in furtherance of improved labor conditions for employees in the industry. In a New York case involving picketing of shops in which there was no strike, in which the decision was written by a justice who is now a member of the United States Supreme Court, this language is found:

"The legality of defendant's conduct is not affected by the fact that no strike is in progress in any of the plaintiff's shops. If the defendant believes in good faith that the policy pursued by the plaintiff and by the shops united with the plaintiff is hostile to the interests of organized labor, and is likely, if not suppressed, to lower the standards of living for workers in the trade, it has the privilege by the pressure of notoriety and persuasion to bring its own policy to triumph." (*Nann v. Raimist*, 225 N. Y. 307, 174 N. E. 690 (1931)).

The late Chief Justice William Howard Taft took a similar position in the case of *American Steel Foundries v. Tri-City C. T. Council* (257 U. S. 184 (1921)):

"Union was essential to give laborers opportunity to deal on equality with their employer. They united to exert influence upon him and to leave him in a body, in order, by this inconvenience, to induce him to make better terms with them. They were withholding their labor of economic value to make him pay what they thought it was worth. The right to combine for such a lawful purpose has, in many years, not been denied by any court. The strike became a lawful instrument in a lawful economic struggle or competition between employer and employees as to the share or division between them of the joint product of labor and capital. To render this combination at all effective, employees must make their combination extend beyond one shop. It is helpful to have as many as may be in the same trade in the same community united, because in the competition between employers, they are bound to be affected by the standard of wages of their trade in the neighborhood. Therefore, they may use all lawful propaganda to enlarge their membership, and especially among those whose labor at lower wages will injure their whole guild. It is impossible to hold such persuasion and propaganda, without more, to be without excuse and malicious."

Our opinion, therefore, is, in the case presented to us, that the Police Department of the City of Chicago take no action to interfere with picketing when such picketing is conducted in a peaceable manner. If Mr. Falkenberg believes relief is necessary, the action indicated is an appeal to the courts rather than to the Police Department, except if there is disorder or clear probability of disorder, in which case, of course, the police must intervene.

Very truly yours,

BARNET HODES, Corporation Counsel.

EXHIBIT 1330

(See text, pp. 4647-4648.)

EXHIBIT 1331

MAY 31, 1937.

9th District.

From: Captain, Commanding 9th District.

To: Commissioner of Police.

Subject: Disturbance, shooting, 116th & Burley (Prairie).

Supplemental to report dated May 30, 1937.

At about 4:00 P. M. May 30th, 1937, Supervisor James Mooney, 2nd Division, was notified that a group of marchers were forming in the vicinity of temporary strike headquarters at "Sam's Place" 113th and Greenbay Avenue and that it was the intention of the mob to march upon the Republic Steel Company, 118th & Burley Avenue. The plant has been operating while a number of employees have been on strike.

Under command of Supervisor James Mooney, four platoons of policemen (Lieut. John Ryan, Lieut. Walter Healy, Lieut. Frank Stevens, Lieut. Bart Moran, Lieut. John Lennon with full complement of sergeants and about 128 patrolmen) were ordered out on 117th Street. At this point the undersigned addressed the men, instructing them not to use revolvers, and to use every effort to disperse the mob in a peaceful manner.

The marchers, a very disorganized mob of about twenty-five hundred in number, armed with clubs, bricks, pieces of pipe, boards and pepper, cut across the open prairie to affect an entrance to the strike area about 116th Street and Burley Avenue. The platoons were immediately moved to this point and were drawn up in a firm but peaceful manner when the mob reached the location. The undersigned called upon the mob to disperse in the name of the people of the State of Illinois and to return to their homes in a peaceful manner, a number of times. Other policemen drawn up in line urged the mob to turn back. While this parlying continued for about five minutes it was interrupted by a shower of bricks and other missiles from the crowd. Shots came from the crowd and the policemen employed their batons to rout the gathering. In the ensuing melee a number of policemen were knocked to the ground by clubs and short pipes; some of the officers on the ground and at the mercy of the mob fired their service revolvers. Ptlmn. Walter B. Oakes, #2910 14th District made a statement that while on the flat of his back he fired his revolver at two men about to kick and strike him.

Five members of the mob have been reported dead:

Earl Handly, 3307 Michigan Ave, Indiana Harbor, Ind.
Rothmand, Jos, 2857 Belmont Ave. (bullet wound)
Causey, Al, 7050 Arizona Ave. Hammond, Ind. (bullet)
2 unidentified persons.

The following named police officers injured in the disturbance have made accident reports at the 9th District:

Sergt. Oakey, Jas.	Star 949	16th Dist.
" Nugent, John	663	13th "
Ptlmn Morrel, Frank	943	4th "
" Margolis, Samuel	140	4th "
" Buckley, Michael	6878	4th "
" Larson, Henry	1690	6th "
" Kelly, Bernard	7246	8th "
" Brush, Cyrus	5348	8th "
" McCain, Daniel I.	3946	9th "
" Prescott, John	7072	9th "
" Noonan, Wm P.	6665	9th "
" Barber, Geo. H.	5338	13th "
" Oakes, Walter	2910	14th "
" McMahon, Bryon	2033	14th "
" Edwards, Marland	7032	14th "
" Casey, John	2250	18th "
" Kerrigan, Edward	4057	19th "
" Budil, Theo.	7093	20th "
" Meade, John	4892	20th "

Following the dispersing of the mob auto patrols moved the injured marchers to the Bridewell and other south side hospitals for first aid. Five prisoners presently in the Bridewell Hospital are reported in a serious condition.

Clubs, pieces of pipe, bricks and other missiles used by the mob during the affray and abandoned upon the scene were picked up by officers and under instruction of Supervisor Mooney were marked for future identification.

5008 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

The following arrests were made:

PRISONERS HELD AT 8TH DISTRICT

Marie Doe..... No address.
 Ada Lerer..... 2200 Roosevelt Road.
 John Sorak..... 8813 Buffalo Avenue.
 Chester Fisk (Rev.)..... 7407 Yates Avenue.
 Teo Filo..... 2251 W. Roosevelt Road.
 Jake Kocoloski..... 9235 University Ave.
 Max Guzman..... 8927 Commercial Ave.
 John Teliek..... 13226 Baltimore Ave
 Joe Koosis..... Indiana Harbor, Indiana.
 Wm Vidovik..... 9828 Commercial Avenue
 Johana Johnson..... 5143 Prairie Avenue.
 Louis Selenik..... 9733 Avenue "L".
 Jack Sekulich..... Indiana Harbor, Indiana.
 Clarence Biscan..... 9804 Avenue "L".
 Geo. Starceovich..... 10400 Avenue "N".
 Walter Miles..... 13110 Brandon Avenue.
 Wathur Bender..... 3876 Madison St. Gary, Indiana.
 Dan Hecimovich..... 8716 Buffalo Ave.
 Wm Hess..... 3731 Cataipa Ave, Ind. Harbor, Ind.
 Geo. Zwok..... 10639 Avenue "O".
 Hugh McShane..... 3802 Euclid Ave. Ind. Harbor, Ind.
 Bruno Carmine..... 7704 Avalon Ave.

PRISONERS HELD AT 10TH DISTRICT

Cacsar Searanello..... 815 E. 76th St.
 Peter Simich..... 13240 Buffalo Ave.
 Jas. Row..... 4435 Sheffield Ave Hammond Ind.
 Chas. Messina..... 7736 Greenwood Avenue.

PRISONERS HELD AT 11TH DISTRICT

Jos. Bandura..... 6911 Escanaba Avenue.
 Jos. Guitierrez..... 3323 Woodbine, East Chicago, Ind.
 Ed. Czarnecki..... 5006 Reading St. East Chgo, Ind.
 Russell Blumquist..... 9542 Avenue "L".
 Daniel Isidrio..... 3314 Watling St. Ind. Harbor, Ind.
 Jos. Hemsley..... 3406 "M" Street East Chgo. Ind.
 Jos. Jugovich..... 3925 Cataipa St. East Chgo. Ind.
 Mike Levich..... 10934 Ewing Avenue.

PRISONERS HELD AT BURNSIDE HOSPITAL 11TH DIST.

Frank Skultery..... 10636 Mackinaw Ave.
 Nick Leuvich..... 10934 Avenue "N".
 Clyde Patchins..... 4331 Euclid Avenue. Ind. Harbor, Ind.
 Otis Jones..... 13211 Buffalo Avenue.
 Max Luna..... 3936 Pulaski, Ind. Harbor, Ind.
 Frank Stenken..... 10435 Ave "J".
 Jas. Wunk..... 13044 Houston Avenue.
 Pete Konich..... 9828 Commercial Avenue.
 Jos. Hickey..... 2828 E. 91st Street.
 Paul Ducker..... No address.
 Philip Morengo..... 3231 Michigan Ave. Ind. Harbor, Ind.

PRISONERS HELD AT THE BRIDEWELL HOSPITAL

Jos. Messina..... 7645 Greenwood Avenue.
 John Morrel..... 10645 Greenbay Ave.
 Mike Kolember..... 3265 E. 92nd Street.
 Lee Tisdale..... 5604 S. State Street.
 Jos. T. Rothmand..... 2857 Belmont Ave. Did 9:15AM 5-31-37.
 Jos. Memth..... 3506 Elm Street, Ind. Harbor, Ind.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5009

Harry Harper..... 3110 W. 58th Street.
 Lee Francisco..... 10012 Commercial Avenue.
 Mike Dolie..... 9018 Buffalo Avenue.
 Ameleo Bonent..... 956 E. 76th St.
 Victor Anderson..... 9919 Ewing Avenue.
 Nick Kruga..... 3028 E. 96th Street.
 Stanley Laskowski..... 5028 Reading, East Chgo. Ind.

PRISONERS HELD AT SOUTH CHICAGO HOSPITAL

Hilding Anderson..... 7944 Mainistee Avenue.
 Arthur Dorfey..... 1504 Amy Ave.
 Raymond Haren..... 3108 Block Ave East Chgo. Ind.
 John Lotito..... 9800 Commercial Ave.
 John Meirs..... 2714 East 96th Street.
 Carl Nelson..... 2927 Alder, East Cho. Ind.
 Emil Rocco..... 9804 Ave "L".
 Wm Stanko..... 13348 Buffalo Avenue.
 Anthony Tagliori..... 615 East 74th Street.

Immediately following the affray Alexander Napoli, Assistant State's Attorney, was consulted concerning subsequent prosecution of the marchers. He will consult his immediate superiors at the States Attorney Office and advise the 9th Dist. of the charge to be placed against members of the mob now in custody.

Districts holding prisoners were notified to cause all such persons to be fingerprinted. The Bureau of Identification reports no record on the dead at the County Morgue.

Statements were taken from all prisoners concerning their part in the affray. Statements from thirty-three police officers who have substantial evidence to contribute in a later criminal proceeding against the persons arrested were taken. Inquest to be held at the County Morgue, Tuesday, June 1st, 1:30 P. M.

All statements of police officers and prisoners are available at the 9th District.
 (Signed) THOMAS KILROY,
 Captain, Commanding 9th District.

NOTATION.—One of the bodies at the County Morgue has been identified late this date as that of Kenneth Reed, 3921 Deal Street, Indiana Harbor, Indiana. (Skull fracture.)

EXHIBIT 1332

[Copy]

JUNE 2, 1937.

From: Make Mills—Industrial Detail.
 To: Commissioner of Police.
 Subject: Steel strike riot.

The following are the names of known Communists who took part in the steel strike riot:

Joseph Rothmund, killed.
 Paul Tucker, alias Luskier, alias Bornstein, seriously injured, at Burnside Hospital.
 John Teliek, alias John Telac, held.
 George Starcevuch, held.
 Jack Sekulich, held.
 Ceaser Scarmella, held.
 Carl Nelson, held.
 Henry Johnson, alias Joshua Johnson, colored, held.
 Ameleo Bonante, held at Bridewell Hospital.
 Tillie Brazil, alias Tillie Lurye, released.
 Ada Leder, held.
 Lupe Marshall, held.
 Sam Popovich, killed, not properly identified as yet.

(Signed) MAKE MILLS.

EXHIBIT 1333

[Copy]

JUNE 16, 1937.

From: Make Mills—Industrial Detail.
To: Commissioner of Police.
Subject: Steel strike riot.

The following are the names and records of known Communists who took part in the steel strike riot:

JOSEPH ROTHMUND, killed, age 48, married, German, Baker. Arrested at eviction proceeding at 6129 Henderson, for resisting officer, by Officers Ignatius Brandt and Lawrence Brown, March 7, 1933; charge V. S. Par. 499 CH.; found guilty by jury, fined \$2.00 and \$3.00, Judge Dunne, 3-22-33. Daily Workers salesman, see Daily Worker 8-13-34.

PAUL TUCKER, alias Lusker, alias Bornstein, group picture #5825. Seriously injured, at Burnside Hospital. Aged 34 years. Arrested for part in attempted demonstration in front of Japanese Consulate, 1-28-33, turned over to Immigration. Member of the Federations of Unemployed Organizations of Cook County (Communist). Arrested 9-24-33 by Lt. Mills & Sq. at 44th and Harrison Sts., charge 4210; attempting to organize Belden Wire Mfg. Co. Turned over to Ciro, States-Attys. office 9-25-33. Discharged 10-13-33. Arrested 9-1-33 by Off. 23rd Dist., at the plant of Kimball & Co., 263 W. 26th St., charge 4210; discharged; matter pending in Superior Court Judge Friend violation of injunction. Held in contempt of court, Judge Friend, in above case, Daily News 12-14-33. Sentenced to 30 days in jail by Judge Friend, see Daily Worker 3-27-34. Communist Party section organizer at South Bend, Ind. (May 1935). Wrote article Daily Worker 1-27-36 p. 4. See Daily Worker 4-15-36 p. 6.

JOHN TELICK, alias John Telac, held. Republic Steel Fireman. Joined the Steel & Metal Workers Industrial Union (Communist) 10-8-33.

GEORGE STACEVUCH, held. Machinist. Joined the Steel & Metal Workers Industrial Union (Communist) 10-8-33.

JACK SEKULICH, held. See Daily Worker 2-3-30.

CEASER SCARBELLA, held. Age 39, Italian, Tailor, Local #270. Daily Worker subscriber. Member of Unemployed Council #36 (subsidiary of the Communist Party).

CARL NELSON, held. Gary steel worker. Delegate to Soviet Union, see Daily Worker 10-12-32.

HENRY JOHNSON, alias Joshua Johnson, colored, held, age 32, married. Assistant Sec'y., of the International Workers Order, see Daily Worker 7-23-35 p. 2 c. 1. Acted as chairman at "Hands off Ethiopia" meeting held at 700 Oakwood Blvd., 8-30-35. Arrested 3-30-36 by Offs. 5th Dist., at Bowen & Cottage Grove Ave., charge 4210; discharged 3-31-36 Judge Scheffler. See Daily Worker 7-16-36 p. 3 c. 4.

HENRY JOHNSON, alias Joshua Johnson, continued: Steel organizer see Daily Worker 8-26-36 p. 2 c. 8. See Daily Worker 5-28-37 supplement p. 1 c. 3.

EMIL BONANTE, held at Bridewell Hospital. Age 34, Italian, laborer. Member of Unemployed Council #36 (Communist Party subsidiary).

TILLIE BRAZIL, true name Tillie Lurye, age 26, American. Arrested 7-30-30 by 24th District for distributing communist literature; charge Sec. 366 Mun. Code; discharged Judge Jonas 7-31-30. Speaker at Sept. 1st demonstration at Washington Square, 1930. Arrested by 26th District on 8-1-31 prior to Anti-War Day Demonstration at Randolph and Ogden Avenue; charge Sec. 2655 C. C.; fined \$100 & costs Judge Borrelli. Arrested 7-24-31 by Offs. 25th District, charge 2655 C. C. Left Chicago for New York in 1931 and returned in 1935. Applied for permit for open-air meeting for the Young Communist League, 6-17-35. See Daily Worker 7-9-36 p. 3 c. 2. Collecting signatures for communist party election campaign, see Daily Worker 8-7-36 p. 3 c. 1.

ADA LEDER, held, age 22, American, housewife, married, group picture #10374. Arrested 5-30-37 by Mason & Mayer, 9th Dist., at 116 Burley, steel mill riot, Sec. 139 Ch. 38.

LUPE MARSHALL, held, age 31, American, single. Arrested 8-31-35 by Lt. Mills & Sq. at 47th & Prairie, attempted parade demonstration, later released. Arr. 9th Dist. steel mill riot, Sec. 139 Ch. 38.

SAM POPOVICH, killed, not properly identified as yet.

MM/JP.

(Signed) MAKE MILLS.

EXHIBIT 1334

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To JAMES P. ALLMAN,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
*Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.*

[Endorsement on back:]

JUNE 29, 1937.

I made service of the within subpoena by handing the subpoena to Commissioner Allman at Chicago City Hall, Chicago, Ill., at two o'clock p. m., on the twenty-third day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted:

(Signed) JAMES P. ALLMAN.

EXHIBIT 1335

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To JOHN PRENDERGAST,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
*Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.*

[Endorsement on back:]

JUNE 29, 1937.

I made service of the within subpoena by handing the subpoena to Commissioner Allman, at Chicago City Hall, Chicago, Ill., at two o'clock p. m., on the 23d day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted:

(Signed) JAMES P. ALLMAN.

EXHIBIT 1336

Message #15222.

To Commanding Officers:

Days off of members of 1st dist. to 20th dists. inclusive are hereby cancelled effective at once.

JOHN C. PRENDERGAST,
Chief of Uniform Force.

6:02 p. m. May 26th, 1937.

EXHIBIT 1337

Message 15223.

To Commanding Officers of the 1st Division:

You will send all available uniform patrolmen assigned to post duty to the 6th District at once for duty at the 9th District.

JOHN C. PRENDERGAST,
Chief of the Uniform Force.

6:14 p. m. May 26, 1937.

EXHIBIT 1338

Message #15224

To Commanding Officers:

Detail in uniform with batons to report to Supervisor James Mooney at 9th District the following number of men:

1st Dist. 6 Ptlmn. on each shift
3rd Dist. 8 Ptlmn. on each shift
4th Dist. 6 Ptlmn. on each shift
5th Dist. 7 Ptlmn. on each shift
6th Dist. 8 Ptlmn. on each shift
7th Dist. 6 Ptlmn. on each shift
8th Dist. 6 Ptlmn. on each shift
11th Dist. 3 Ptlmn. on each shift
12th Dist. 3 Ptlmn. on each shift
13th Dist. 2 Ptlmn. on each shift
14th Dist. 6 Ptlmn. on each shift
15th Dist. 8 Ptlmn. on each shift
16th Dist. 6 Ptlmn. on each shift
17th Dist. 6 Ptlmn. on each shift
18th Dist. 3 Ptlmn. on each shift
19th Dist. 3 Ptlmn. on each shift
20th Dist. 3 Ptlmn. on each shift

These men will report at 11:45 P. M.—7:45 A. M. and 3:45 P. M. starting at 11:45 P. M. this date and continuing until further orders.

In addition you will detail the following:

1st shift, 1 Lieut. from 4th and 1 Lieut. from 6th Dist.
2nd shift, 1 Lieut. from 7th and 1 Lieut. from 8th Dists.
3rd shift, 1 Lieut. from 15th and 1 Lieut. from 17th Dists.
1st shift, 1 Sergeant from 4th 5th 7th Dists.
2nd shift, 1 Sergeant from 8th 11th 12th 13th Dists.
3rd shift, 1 Sergeant from 14th, 16th 18th 19th Dists.
This detail will also start at 11:45 P. M. this date.

JOHN C. PRENDERGAST,
Chief of the Uniform Force.

6:27 P. M. May 26th, 1937.

EXHIBIT 1339

Message #15467.

To Commanding Officers, District 1 to 20.

Detail 2 patrolmen on each shift to the 8th District commencing at 12 o'clock midnight.

JOHN C. PRENDERGAST,
Chief of the Uniform Force.

10:43 P. M. May 28th, 1937.

EXHIBIT 1340

(See text, p. 4699.)

EXHIBIT 1341

(See p. 5132.)

EXHIBIT 1342-A

EDWARD J. KELLY
Mayor

JAMES P. ALLMAN
Commissioner

CHICAGO POLICE DEPARTMENT

OFFICE OF THE COMMISSIONER OF POLICE

ROOM 505, CITY HALL, CHICAGO

JUNE 26TH, 1937.

Mr. CHARLES KRAMER,
Investigator, Subcommittee of the Committee on Education and Labor under
S. R. 266.
Room 1558-20 N. Wacker Drive, Chicago, Ill.

DEAR SIR: Complying with your request of June 23rd, 1937, I am attaching hereto a list showing the purchases of gas and gas equipment made by the Chicago Police Department since January 1st, 1933.

Very truly yours,

(Signed) JAMES P. ALLMAN,
Commissioner of Police.

JPA
jbc

EXHIBIT 1342-B

MEMO OF PURCHASES

	Purchased from
Jan. 15th, 1933—245 Large Lake Erie Tear Gas	Lake Erie Chemical Co., Cleveland, Ohio.
Aug. 1st, 1933—20 Large Size Tear Gas Candles	Do.
May 31st, 1934—50 Small Hand Grenades (Tear Gas)	Federal Laboratories, Pittsburgh, Pa.
July 20th, 1934—50 Large Size Tear Gas Grenades	Lake Erie Chemical Co.
Aug. 13th, 1934—12 Large Range Shells (Tear and Knockout Gas)	Do.
5 1.5 Calibre Tear Gas Guns	Do.
Aug. 16th, 1935—24 Large Size Tear Gas Candles	Do.
Nov. 11th, 1935—50 Large Size Tear Gas Candles	Do.
Nov. 21st, 1935—12 Large Range Combined Tear and Knockout Gas	Do.
Nov. 27th, 1935—26 Large Size Candles (Tear Gas)	Do.
July 3rd, 1936—100 Large Size Candles (Tear Gas)	Do.
June 5th, 1937—24 Large Tear Gas Grenades, Jump- ing type.	Do.
132 1.5 Cal. Tear Gas Shells	Do.
12 1.5 Cal. Tear Gas and Sickening Gas Shells.	Do.
8 1.5 Cal. Tear Gas Guns	Do.

EXPENDITURES

An inventory of the Detective Bureau tear gas stock discloses that there were no grenades or shells expended during the disturbance at the Republic Steel Corporation on Memorial Day, May 30th, 1937.

***All above purchased from the Lake Erie Chemical Company, of Cleveland, Ohio, with the exception of the third item (May 31st, 1934) which was purchased from the Federal Laboratories of Pittsburgh, Pa.

5014 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1343-A

PURCHASES OF TEAR AND SICKENING GAS AND GAS EQUIPMENT

by

REPUBLIC STEEL CORPORATION AND SUBSIDIARY & ASSOCIATED COMPANIES

from

FEDERAL LABORATORIES, INC.

May and June, 1937

Republic Steel Corporation.....	Cleveland, Ohio.....	6/7/37	\$5,745.00
Do.....	do.....	6/7/37	3,003.00
Do.....	Canton, Ohio.....	6/1/37	2,450.12
Do.....	Warren, Ohio.....	6/1/37	3,077.82
Do.....	Youngstown, Ohio.....	6/1/37	2,531.82
Do.....	East Chicago, Ill.....	5/29/37	2,707.42
Do.....	Buffalo, N. Y.....	6/1/37	2,129.06
Total for Republic Steel Corporation.....			21,743.84
Union Drawn Steel Co.....	Chicago, Ill.....	6/2/37	2,081.20
Do.....	Massillon, Ohio.....	6/1/37	1,847.66
Do.....	Beaver Falls, Pa.....	6/1/37	1,352.66
Truscon Steel Co.....	Cleveland, Ohio.....	6/1/37	2,749.22
Do.....	Youngstown, Ohio.....	6/1/37	2,868.02
Corrigan McKenney Co.....	Cleveland, Ohio.....	6/1/37	2,953.32
Steel and Tubes, Inc.....	do.....	6/1/37	2,791.32
Upton Company.....	do.....	6/1/37	2,884.22
Niles Steel Products Co.....	Niles, Ohio.....	6/1/37	2,630.42
Grand total.....			43,901.88

EXHIBIT 1343-B

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Republic Steel Corp., Date: June 1st, 1937.
Youngstown, Ohio. Attn: Capt. Our order no.: 34183.
Earl Butler. Invoice no. 33009.
Sold to: Your order no.
Shipped via: Date shipped: 6/1/37.
Terms: 30 days. Agent: Baxter.
F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1.	8	1 1/2" cal. riot guns.....	60.00	480.00
2.	40	1 1/2" cal. long range projectiles, CN.....	7.50	300.00
3.	85	1 1/2" cal. long range projectiles, DM.....	8.00	680.00
4.	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5.	50	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	650.00
6.	50	Grenades, Jumbo Spedeheat, DM.....	12.00	600.00
7.	3	Type "GB" gas masks.....	22.50	67.50
		10% excise tax on item #1.....	48.00	2,921.50
		20% excise tax on items 2-3-4-5 & 6.....	474.80	522.80
		10% excise tax on items 1-2-3 and 4.....		2,398.70
				133.12
		DUPLICATE INVOICE		2,531.82

Payments to be made only to Federal Laboratories, Inc., Pittsburgh, Pa.
All claims for shortage or damage must be made within 5 days of receipt of goods
Goods returned without our permission will not be accepted

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5015

EXHIBIT 1343-C

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Republic Steel Corp., Can- Date: June 1st, 1937.
ton, Ohio. Attn: J. L. Gilroy. Our order no. 34181.
Sold to: Invoice no. 33007.
Shipped via: Your order no.
Terms: 30 days. Date shipped: 6/1/37.
Agent: Baxter.
F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1.	40	1 1/2" cal. long range projectiles, CN.....	7.50	300.00
2.	85	1 1/2" cal. long range projectiles, DM.....	8.00	680.00
3.	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
4.	75	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	975.00
5.	75	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	900.00
		Less 20% discount.....		2,900.00
				569.80
		10% excise tax on items 1-2 and 3.....		2,399.20
				80.92
		DUPLICATE INVOICE		2,489.12

EXHIBIT 1343-D

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Republic Steel Company, Date: June 1st, 1937.
Warren, Ohio. Our order no.: 34186.
Attn: Capt. Hanna. Invoice no. 33012.
Sold to: Your order no.
Shipped via: Date shipped: 6/1/37.
Terms: 30 days. Agent: Baxter.
F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1.	8	1 1/2" cal. riot guns.....	60.00	480.00
2.	50	1 1/2" cal. long range projectiles, CN.....	7.50	375.00
3.	75	1 1/2" cal. long range projectiles, DM.....	8.00	600.00
4.	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5.	138	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	1,794.00
6.	12	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	144.00
7.	3	Type "GB" gas masks.....	22.50	67.50
		10% discount on #1.....	48.00	3,604.50
		20% discount on items 2-3-4-5-6.....	611.40	659.40
		10% excise tax on items 1-2-3 and 4.....		132.72
		DUPLICATE INVOICE		3,077.82

EXHIBIT 1343-E

Invoice

FEDERAL LABORATORIES, INC.
PROTECTION ENGINEERING
General Offices & Factory 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Republic Steel Company Date: June 7, 1937.
Cleveland, Ohio. Our order no. 34210.
Sold to: Invoice no. 33024.
Shipped via: Your order no.
Terms: 30 days. Date shipped:
Agent: Baxter.
F. o. b.

Item	Quantity	Description of articles	Unit price	Amount
1.	20	1½" cal. riot guns.....	60.00	1,200.00
2.	269	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	3,497.00
3.	250	1½" cal. long range projectiles, DM.....	8.00	2,000.00
				6,697.00
		Less 10% discount on item 1.....	120.00	
		Less 20% discount on item 2, 3.....	1,099.40	
				1,219.40
				5,477.60
		10% excise tax on items 1, 2.....	268.00	
				5,745.60

EXHIBIT 1343-F

Invoice

FEDERAL LABORATORIES, INC.
PROTECTION ENGINEERING
General Offices & Factory 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to Republic Steel Company, Date: June 7, 1937.
Cleveland, Ohio. Our order no. 34211.
Sold to: Invoice no. 33025.
Shipped via: Your order no.
Terms: 30 days. Date shipped:
Agent: Baxter.
F. o. b.

Item	Quantity	Description of articles	Unit price	Amount
1.	15	1½" cal. riot guns.....	60.00	900.00
2.	300	1½" cal. long range projectiles, DM.....	8.00	2,400.00
				3,300.00
		Less 10% discount on #1.....	90.00	
		Less 20% discount on item #2.....	480.00	
				570.00
				2,730.00
		10% excise tax.....	273.00	
				3,003.00

EXHIBIT 1343-G

Invoice

FEDERAL LABORATORIES, INC.
PROTECTION ENGINEERING
General Offices & Factory 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Republic Steel Company, Date: May 29, 1937.
East Chicago, Illinois. Our order no. 34129.
Att: Capt. Hieb. Invoice no. 32952.
Sold to: Your order no.
Shipped via: Date shipped:
Terms: 30 Days. Agent: Baxter-Greig.
F. o. b.

Item	Quantity	Description of articles	Unit price	Amount
1.	3	1½" cal. riot guns.....	60.00	180.00
2.	125	1½" cal. long range projectiles, DM.....	8.00	1,000.00
3.	24	1½" cal. short range cartridges, DM.....	6.00	144.00
4.	150	Grenades, Jumbo Triple Chaser, DM, 116M.....	13.00	1,950.00
5.	1	Type "GB" gas mask.....		22.50
				3,296.50
		Less 10% quantity discount on item 1.....	18.00	
		Less 20% quantity discount on items 2, 3, & 4.....	618.80	
				636.80
				2,659.70
		10% excise tax on items 1, 2, 3.....		107.72
				2,767.42

EXHIBIT 1343-H

Invoice

FEDERAL LABORATORIES, INC.
PROTECTION ENGINEERING
General Offices & Factory, 185 Forty-first St.

PITTSBURGH, PA., U. S. A.

Shipped to: Republic Steel Company, Date: June 1st, 1937.
Buffalo, New York. Our order no. 34187.
Attn: Capt. Todd. Invoice no. 33013.
Sold to: Your order no.
Shipped via: Date shipped: 6/1/37
Terms: 30 days. Agent: Baxter.
F. o. b.

Item	Quantity	Description of articles	Unit price	Amount
1.	3	1½" cal. riot guns.....	60.00	180.00
2.	100	Grenades, Triple Chaser, DM 116M.....	13.00	1,300.00
3.	125	1½" cal. long range projectiles, CN.....	7.50	937.50
4.	12	1½" cal. short range cartridges, DM.....	6.00	72.00
5.	1	Type "GB" gas mask.....		22.50
				2,512.00
		Less 10% discount on Item #1.....	18.00	
		Less 20% discount on Items 2-3-4.....	461.90	
				479.90
				2,032.10
		10% excise tax on items 1-3 and 4.....		96.86
				2,129.00
		DUPLICATE INVOICE		

5018 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1343-I

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-first St.

PITTSBURGH, PA., U. S. A.

Shipped to: Niles Steel Products Com- Date: June 1st, 1937.
pany, Niles, Ohio. Our order no. 34185.
Sold to: Invoice no. 33011.
Shipped via: Your order no.
Terms: 30 days. Date shipped: 6/1/37.
Agent: Baxter.
F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1.	2	1 1/2" cal. riot guns.....	60.00	120.00
2.	40	1 1/2" cal. long range projectiles, CN.....	7.50	300.00
3.	85	1 1/2" cal. long range projectiles, DM.....	8.00	680.00
4.	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5.	75	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	975.00
6.	75	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	900.00
7.	1	Type "GB" gas mask.....		22.50
				3,141.50
		Less 10% on Item #1.....	12.00	
		Less 20% on Items 2-3-4-5 and 6.....	599.80	
				611.80
		10% excise tax on items 1-2-3 and 4.....		2,529.70
				100.72
				2,630.42
		DUPLICATE INVOICE		

EXHIBIT 1343-J

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-first St.

PITTSBURGH, PA., U. S. A.

Shipped to: Upton Company, Cleve- Date: June 1st, 1937.
land, Ohio. Our order no. 34177.
Attn: Bob Moorehead. Invoice no. 33003.
Sold to: Your order no.
Shipped via: Date shipped: June 1st, 1937.
Terms: 30 days. Agent: Baxter.
F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1.	3	1 1/2" cal. riot guns.....	60.00	180.00
2.	40	1 1/2" cal. long range projectiles, CN.....	7.50	300.00
3.	85	1 1/2" cal. long range projectiles, DM.....	8.00	680.00
4.	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5.	75	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	975.00
6.	75	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	900.00
7.	1	Type "GB" gas mask.....		22.50
8.	6	M-38 billies.....	22.50	135.00
9.	36	M-38 billy cartridges, CN.....	1.50	54.00
				3,390.50
		Less 10% on item #1.....	18.00	
		Less 20% on items 2-3-4-5-6.....	599.80	
				617.80
		10% excise tax on items 1-2-3-4- & 9.....		2,772.70
				111.52
				2,884.22
		DUPLICATE INVOICE		

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5019

EXHIBIT 1343-K

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-first St.

PITTSBURGH, PA., U. S. A.

Shipped to: Steel and Tube Company, Date: June 1st, 1937.
Cleveland, Ohio. Our order no. 34176.
Sold to: Invoice no. 33002.
Shipped via: Your order no.
Terms: 30 days. Date shipped: June 1st, 1937.
Agent: Baxter.
F. o. b.:

Unit	Quantity	Description of articles	Unit price	Amount
1.	6	1 1/2" cal. riot guns.....	60.00	360.00
2.	40	1 1/2" cal. long range projectiles, CN.....	7.50	300.00
3.	85	1 1/2" cal. long range projectiles, DM.....	8.00	680.00
4.	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5.	49	Grenades, Jumbo Triple Chaser, CN 115M.....	11.00	539.00
6.	101	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	1,212.00
7.	2	Type "GB" gas masks.....	22.50	45.00
				3,280.00
		Less 10% on item #1.....	36.00	
		Less 20% on items 2-3-4-5 & 6.....	575.00	
				611.00
		10% excise tax on items 1-2-3 & 4.....		2,669.00
				122.32
				2,791.32
		DUPLICATE INVOICE		

EXHIBIT 1343-L

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Corrigan McKenney Com- Date: June 1st, 1937.
pany, Cleveland, Ohio. Our order no. 34178.
Sold to: Invoice no. 33004.
Shipped via: Your order no.
Terms: 30 days. Date shipped: June 1st, 1937.
Agent: Baxter.
F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1	5	1 1/2" cal. riot guns.....	60.00	300.00
2	60	1 1/2" cal. long range projectiles, CN.....	7.50	450.00
3	90	1 1/2" cal. long range projectiles, DM.....	8.00	720.00
4	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5	75	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	975.00
6	75	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	900.00
				3,489.00
		Less 10% on item #1.....	30.00	
		Less 20% on items 2-3-4-5 & 6.....	637.80	
				667.80
		10% excise tax on items 1-2-3 and 4.....		2,821.20
				132.12
				2,953.32
		DUPLICATE INVOICE		

5020 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1343-M

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Truscon Steel Company, Date: June 1st, 1937.
Youngstown, Ohio.

Sold to: Our order no. 34184.

Shipped via: Invoice no. 33010.

Terms: 30 days. Your order no.

Date shipped: 6/1/37.

Agent: Baxter.

F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1	6	1 1/2" cal. riot guns.....	60.00	360.00
2	40	1 1/2" cal. long range projectiles, CN.....	7.50	300.00
3	85	1 1/2" cal. long range projectiles, DM.....	8.00	680.00
4	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5	75	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	975.00
6	75	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	900.00
7	1	Type "GB" gas mask.....		22.50
				3,381.50
Less 10% on item #1.....			36.00	
Less 20% on items 2-3-4-5-6.....			599.80	
				635.80
				2,745.70
10% excise tax on items 1-2-3 and 4.....				122.32
DUPLICATE INVOICE				2,868.02

EXHIBIT 1343-N

FEDERAL LABORATORIES, INC.,

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Truscon Steel Company, Date: June 1st, 1937.
Cleveland, Ohio.

Sold to: Our order no. 34179.

Shipped via: Invoice no. 33005.

Terms: 30 days. Your order no.

Date shipped: 6/1/37.

Agent: Baxter.

F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1	4	1 1/2" cal. riot guns.....	60.00	240.00
2	40	1 1/2" cal. long range projectiles, CN.....	7.50	300.00
3	85	1 1/2" cal. long range projectiles, DM.....	8.00	680.00
4	24	1 1/2" cal. short range cartridges, DM.....	6.00	144.00
5	75	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	975.00
6	75	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	900.00
7	1	Type "GB" gas mask.....		22.50
				3,261.50
Less 10% on item 1.....			24.00	
Less 20% on items 2-3-4-5-6.....			599.80	
				623.80
				2,637.70
10% excise tax on items 1-2-3 and 4.....				111.52
DUPLICATE INVOICE				2,749.22

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5021

EXHIBIT 1343-O

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-First St.

PITTSBURGH, PA., U. S. A.

Shipped to: Union Drawn Steel Com- Date: June 1st, 1937.
pany, Beaver Falls, Penna.

Attn: Capt. Gilroy. Our order no. 34188.

Sold to: Invoice no. 33014.

Shipped via: Your order no.

Terms: 30 days. Date shipped: 6/1/37.

Agent: Baxter.

F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1	30	1 1/2" cal. long range projectiles, CN.....	7.50	225.00
2	45	1 1/2" cal. long range projectiles, DM.....	8.00	360.00
3	40	Grenades, Jumbo Triple Chaser, 116M.....	13.00	520.00
4	35	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	420.00
5	12	1 1/2" cal. short range cartridges, DM.....	6.00	72.00
6	1	Type "GB" gas mask.....		22.50
				1,619.50
Less 20% on items 1-2-3-4-5.....				319.40
				1,300.10
10% excise tax 1-2 and 5.....				52.56
DUPLICATE INVOICE				1,352.66

EXHIBIT 1343-P

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-first St.

PITTSBURGH, PA., U. S. A.

Shipped to: Union Drawn Steel Com- Date: June 1st, 1937.
pany Massillon, Ohio.

Sold to: Our order no. 34180.

Shipped via: Invoice no. 33006.

Terms: 30 days. Your order no.

Date shipped: 6/1/37.

Agent: Baxter.

F. O. B.:

Item	Quantity	Description of articles	Unit price	Amount
1.	3	1 1/2" cal. riot guns.....	60.00	180.00
2.	30	1 1/2" cal. long range projectiles, CN.....	7.50	225.00
3.	90	1 1/2" cal. long range projectiles, DM.....	8.00	720.00
4.	12	1 1/2" cal. short range cartridges, DM.....	6.00	72.00
5.	40	Grenades, Jumbo Triple Chaser, DM 116M.....	13.00	520.00
6.	35	Grenades, Jumbo Spedeheat, DM 113M.....	12.00	420.00
7.	1	Type "GB" gas mask.....		22.50
				2159.50
Less 10% on item #1.....			18.00	
Less 20% on items 2-3-4-5-6.....			391.40	
				409.40
				1750.10
10% excise tax on items 1-2-3 and 4.....				97.56
DUPLICATE INVOICE				1847.66

EXHIBIT 1343-Q

FEDERAL LABORATORIES, INC.

PROTECTION ENGINEERING

General Offices & Factory, 185 Forty-first St.

PITTSBURGH, PA., U. S. A.

Shipped to: Union Drawn Steel Com- Date: June 2nd, 1937.
pany, Chicago, Illinois. Our order no. 34175.

Sold to: Invoice no. 33001.
Your order no.
Date shipped: June 2nd, 1937.
Agent: Baxter-Greig.
Terms: 30 days. F. o. b.:

Item	Quantity	Description of articles	Unit price	Amount
1.	6	1 1/4" cal. riot guns.....	60.00	360.00
2.	150	1 1/4" cal. long range projectiles, CN.....	7.50	1,125.00
3.	50	1 1/4" cal. short range cartridges, CN.....	4.50	225.00
4.	60	Grenades, Jumbo Triple Chaser, CN 115.....	11.00	660.00
5.	24	.38 cal. S & W spec. cartridges, CN (doz.).....	4.00	8.00
				2378.00
Less 10% discount on item #1.....			36.00	
Less 20% discount on items 2-3-4.....			402.00	
				438.00
10% excise tax on items 1-2-3 and 5.....				1940.00
				141.20
DUPLICATE INVOICE				2081.20

EXHIBIT 1344

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To JAMES P. MOONEY,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee
on Education and Labor under S. R. 266.

[Endorsement on back:]

JUNE 29, 1937.

I made service of the within subpoena by handing it to Commissioner Allman at Chicago City Hall, Chicago, Ill., at 2 o'clock p. m., on the 23d day of June 1937.

Service accepted.
James P. Allman.

DANIEL F. MARGOLIES.

EXHIBIT 1345

CORONER'S BULLET FILE #1155

OFFICE OF THE CORONER OF COOK COUNTY, ILLINOIS,
Chicago, June 26th, 1937.

FRANK J. WALSH
Coroner.

Subject: Report of Firearms Identification Examination re: JOSEPH ROTHMUND (Deceased 5/30/37).

To: Coroner Frank J. Walsh.

The following exhibit was submitted to this office for examination.

1-fired .38 Special Lubaloy coated lead bullet said to have been recovered from the body of Joseph Rothmund on May 30th, 1937 by Dr. R. Hass, M. D. of the Bridewell Hospital.

Information was requested as to the make, calibre and type of weapon used to fire this bullet.

As the result of my examination, it is my opinion, that the above mentioned bullet was fired from a Colt .38 Special Revolver.

(Signed) Lieut. Jos. C. WILIMOVSKY, Jr.,
Coroner's Division of Firearms Identification.

JCW/ms

EXHIBIT 1346

CORONER'S BULLET FILE #1153

OFFICE OF THE CORONER OF COOK COUNTY, ILLINOIS,
Chicago, June 26th, 1937.

FRANK J. WALSH
Coroner.

Subject: Report of Firearms Identification Examination re: OTIS JONES (Deceased 6-8-37).

To: Coroner Frank J. Walsh.

The following exhibit was submitted to this office for examination.

1-fired .38 Special plain lead bullet said to have been recovered from the body of Otis Jones by, Dr. W. R. Schussler of the Burnside Hospital on June 1st-1937.

Information was requested as to the make, calibre and type of weapon used to fire this bullet.

As the result of my examination, it is my opinion, that the above mentioned bullet was fired from a Smith and Wesson .38 Special Revolver.

(Signed) Lieut. Jos. C. WILIMOVSKY, Jr.,
Coroner's Division of Firearms Identification.

JCW/ms

EXHIBIT 1347

CORONER'S BULLET FILE #1151

OFFICE OF THE CORONER OF COOK COUNTY, ILLINOIS,
Chicago, June 26th, 1937.

FRANK J. WALSH
Coroner.

Subject: Report of Firearms Identification Examination re: KENNETH REED (Deceased 5/30/37).

To: Coroner Frank J. Walsh.

The following exhibit was submitted to this office for examination.

1-fired .38 Special plain lead bullet said to have been recovered from the body of Kenneth Reed on May 31st, 1937 by Coroner's Physician J. J. Kearns, M. D.

Information was requested as to the make, calibre and type of weapon used to fire this bullet.

As the result of my examination, it is my opinion that the above mentioned bullet was fired from a Colt .38 Special Revolver.

(Signed) Lieut. Jos. C. WILIMOVSKY, Jr.,
Coroner's Division of Firearms Identification.

JCW/ms

EXHIBIT 1348

CORONER'S BULLET FILE #1152

OFFICE OF THE CORONER OF COOK COUNTY, ILLINOIS,
Chicago, June 26th, 1937.

FRANK J. WALSH
Coroner

Subject: Report of Firearms Identification Examination re: ANTHONY TAG-
LIURI (Deceased 6/1/37).
To: Coroner Frank J. Walsh.

The following exhibit was submitted to this office for examination.
1-fired .38 Special plain lead bullet said to have been recovered from the
body of Anthony Tagliuri on June 1st, 1937 by Coroner's Physician J. J.
Kearns, M. D.
Information was requested as to the make, calibre and type of weapon used to
fire this bullet.

As the result of my examination, it is my opinion that the above mentioned
bullet was fired from a Colt .38 Special Revolver.

(Signed) Lieut. Jos. C. WILIMOVSKY, Jr.,
Coroner's Division of Firearms Identification.

JCW/ms

EXHIBIT 1349

(See p. 5133.)

EXHIBIT 1350

(See p. 5134.)

EXHIBIT 1351

(See p. 5134.)

EXHIBIT 1352

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To THOMAS J. KILROY,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the
Sub-Committee of the Committee on Education and Labor of the Senate of the
United States, on June 30, 1937 at 10 o'clock a. m., at their committee room
No. 247-C Senate Office Building, Washington, D. C., then and there to testify
what you may know relative to the subject matters under consideration by said
committee and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties
in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the
year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

JUNE 29, 1937.

I made service of the within subpoena by handing the subpoena to Commissioner
Allman at Chicago City Hall, Chicago, Ill., at two o'clock p. m., on the 23 day
of June, 1937.

Service accepted:

(Signed) DANIEL F. MARGOLIES.

(Signed) JAS. P. ALLMAN.

EXHIBIT 1353

(See p. 5135.)

EXHIBIT 1354

(See p. 5136.)

EXHIBIT 1355

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To SERGEANT L. LYONS,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the
Sub-Committee of the Committee on Education and Labor of the Senate of the
United States, on June 30, 1937, at 10 o'clock a. m., at their committee room
247-C, Senate Office Building, Washington, D. C., then and there to testify what
you may know relative to the subject matters under consideration by said commit-
tee, and not to depart without leave of said committee.

Hereof fail not, as you will answer your default under the pains and penalties
in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 30th day of June, in the
year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor under S. R. 266.

[Endorsement on back:]

June 30, 1937.

I made service of the within subpoena by handing it to the within-named Sgt.
L. Lyons, at the Senate Office Building, at 4:15 o'clock p. m., on the 30th day of
June 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1356

(Copy.)

STATE OF ILLINOIS,
County of Cook, ss:

Lawrence J. Lyons, being first duly sworn, upon his oath deposes and says that
he is a sergeant of the Chicago Police Department, assigned to the 16th District,
and has been a member of the Chicago Police Department for a period of seventeen
years, during which time he has been called upon in line of duty to be present at
various outbreaks, riots and other disturbances of the peace; and that he was also
a member of the U. S. Navy for twenty-two months, the greater part of which
time he spent in overseas service in the American Patrol Detachment, during
which time he was in active service. He also states that prior to his enlistment
in the U. S. Navy and during his enlistment, he was a member in good standing
of the Chicago Street Car Men's Union, Local 241; and that on May 30, 1937, he
was assigned to part of the detail guarding the property of the Republic Steel
Corporation, being in charge of the Reserve Platoon of thirty-eight patrolmen
and two patrol wagons; that he received orders from Lieut. Healy to place his men
in their regular positions around the property of the Republic Steel Corporation
and he marched them out in column formation to fulfill his orders; that after
marching them for a short distance he noticed a number of uniformed policemen
waving their arms and beckoning him towards them; that at that time he could
see nothing wrong as several buildings obstructed his view; that he turned his
column of men, marching them towards the police officers that had beckoned him,
and when he arrived in the near vicinity of them, he could see a mob of approxi-
mately 2,000 to 2,500 people coming towards them, across the prairie, in column
formation, headed by two men carrying American flags. Affiant states that he
ordered his men to form a company front so as to spread them over the longest
possible distance, and yet so as to keep a compact front in the direction from

which the mob was coming; that at the same time that this happened, other police platoons were marching up to increase the number forming the company line; that the mob that was coming towards them seemed to come to a halt for an instance, and about two or three hundred of them fell out of the main column going on the double in the direction of the fences and property of the Republic Steel Corporation and to the left of the police; that the police were given orders to move parallel with them; that after they saw that the police officers were heading them off, they came to halt, about faced and fell into column shortly afterwards started to double in company front of line of skirmishers; that all these movements were carried out with a precision that indicated that commands of a military nature had been given and were being carried out; that the mob kept advancing toward the affiant's platoon and other platoons of police officers; that when within about three feet of the police, Captain Kilroy of the Chicago Police Department and Supervisor Mooney of the Second Police Division, stepped forwards and raised their hands and some conversation took place but he could not hear what was said, but the mob was growing belligerent and shouting: "Forward, we will take the plant"; "What are we waiting for?" "Kill the lousy coppers;" "You ———

——— let us through. That the entire front line of this mob that was directly opposite affiant's platoon and as far as on either side as he could see, carried weapons of various kind, some having baseball bats, other jack handles, small crowbars, brick bats, lumps of concrete iron bolts, meat hooks, bottles with the ends broken off forming a jagged surface and some clubs had sharp pieces of metal attached to them; that, as if by a prearranged signal, missiles of every description came from the mob—brick bats, rocks, iron bolts, broken bottles, etc.—were thrown into the ranks of the police; one rock struck affiant in the left side of his groin; another his baton which was held in his right hand, splintering the baton; that officer McMahon of affiant's platoon was struck with a missile over the right ear and knocked to the ground unconscious, blood spurting from his head and covering his face; that at the same time the men in the front rank of the mob raised their clubs to strike the officers in a effort to get through; that the police officers defended themselves with their batons; that at this time revolver shots were heard by the affiant, but he could not see from where they came; that the police line closed up and advanced towards the mob in an attempt to disperse them; that some of the mob stood and fought and others turned and ran; that the ones that stayed were subdued as we marched forward until the field was cleared; that the police placed as many under arrest as it was possible for them to handle with their limited personnel; that the main body of the mob retreated to another section of the field about three-quarters of a block away and there re-organized in company front again; they continued to throw rocks and shouting but did not advance and the police formed a company front about three-quarters of a block away and stood there; that after a period of three or four minutes, the police started to retire, picking up the injured officers and also the injured members of the mob and placing them in such vehicles as were available to the police and sending them to various hospitals; that two automobiles drove on the field, coming from the place where the mob had originally formed; that these automobiles bore Red Cross signs and the men standing on the running boards bore Red Cross arm bands; that the police stopped them and questioned them as to their purpose and they stated that they had been waiting for such an emergency to arise and that they were going to pick up their injured and take them to headquarters for treatment; that the police allowed them to do so; that as the members of the mob had retreated to their headquarters the affiant ordered his men to pick up the various missiles and clubs that had been used by the mob in attacking the police; that the police then formed in columns and marched back to the gates of the steel corporation and stayed there until the tour of duty was ended.

LAWRENCE J. LYONS.

Subscribed and sworn to before me this 23 day of June, A. D., 1937.

T. A. HAGEDORN, Notary Public."

EXHIBIT 1357

[Copy]

STATE OF ILLINOIS,
County of Cook, ss:

Jacob C. Woods, being first duly sworn, upon his oath deposes and says that he is a patrolman in the Chicago Police Department assigned to the 5th District; that as part of his duty as a patrolman he was assigned to strike duty at the

plant of the Republic Steel Corporation; and that on May 30, 1937, on or about the hour of 4:30 p. m., the company to which he was attached was ordered to fall in and proceed to march towards Burley Avenue in column formation; that he was directly under the command of James P. Mooney, Supervisor, Second Division, Chicago Police Department, and that he saw approaching over the field, towards the Republic Steel Corporation plant, a mob of men numbering about 2,000; that an order was given for police officers to form company front, which they did, standing in parallel lines so as to cover the entire front of the mob which was advancing rapidly toward the police; that as the mob drew closer he could see that most of the members of it were armed with clubs, pieces of iron pipe, meat hooks, iron bars, razors, brick bats, bottles, chunks of concrete, sling shots and iron bolts; that they came within about three feet of the ranks of the police and stopped; that Supervisor Mooney stepped forwards and addressed them, telling that this was not the right way to go about settling their troubles; and commanding them, in the name of the people of the State of Illinois to disperse in a lawful and peaceful manner; that at this instant the mob started to throw brick bats, chunks of rocks and broken bottles; that at the same time a shot was fired from within the mob; that he saw the flash of the gun, but could not see the man that fired, the bullet striking the door of the patrol wagon that was about two feet from where he was standing; that a few seconds later a tear gas bomb was hurled from the mob, landing within a short distance of him, the gas temporarily blinding him; that when he could again see some of the mob had started to retreat, but others were fighting the police using the weapons which he had seen in their hands with which to assault the police; that the police gradually advanced, subduing the members of the mob who were fighting and arresting some, that after the field was cleared, the main body of the mob had gone about a block away and there reformed their ranks, shouting and hurling missiles at the ranks of the police, but no one was struck as the distance was too great; then some of the police were detailed to take care of the injured, and others were told to pick up the weapons that had been left on the field by the mob; that the police stayed in company formation until the mob a block away started to leave, and the police then marched back to the Republic Steel Corporation gates.

(Signed) JACOB C. WOODS.

Subscribed and sworn to before me this 23rd day of June 1937.

[SEAL]

F. A. HAGEDORN, Notary Public.

EXHIBIT 1358

(See p. 5137.)

EXHIBIT 1359

JUNE 6th, 1937.

5th District.

Statement of Ptlmn. Jacob Woods—4938 S. Prairie Ave.—Ken. 2420 5th District—Star #7294—taken at the 11th District Police Station by Ptlmn. David Nelligan.

Q. What is your name, address and telephone number?

A. Jacob Woods—4938 S. Prairie Ave.—Kenwood 2420.

Q. What is your Star and District Number?

A. Star #7294—5th District.

Q. Were you detailed at the republic Steel Corp. Plant, May 30th, 1937.

A. Yes.

Q. Were you detailed in uniform at the Republic Steel Corp. May 30th, 1937.

A. Yes.

Q. Did you suffer any injuries?

A. No.

Q. Did you fire any shots?

A. No.

I was in the 3rd Platoon at 117th & Burley Ave. when a crowd of about 2,000 marchers came from the north—Captain Mooney ordered us to scatter across the prairie—Captain Mooney ordered the marchers to disperse in a peaceful manner—One of the marchers called the Captain a son of a bitch and they refused to disperse—Rocks began flying from the rear of the marchers and they fell in the ranks of the police men—About 10 of the marchers had turned around in response to Captain's Mooney's order and I walked over to a Patrol Wagon

that was parked at the right end of the line as I reached the door of the wagon, which was standing open a shot was fired from the ranks of the marchers and struck the Patrol Wagon Door—on a line with and about 3 feet from my face. At this time the marchers attempted to break through the Police lines and were assaulting the police with clubs and bricks—there were several more shots fired at this time but I don't know where they came from—All of the marchers in the front row were armed with clubs or stones of some sort—they numbered about 200 or more. At this time a Tear Gas Bomb dropped in front of my face and temporarily blinded me. In the meantime the lines had advanced towards the center of the prairie away from the Steel Co. Plant, and I was ordered by a Lieut. Frank Stevens to pick up the injured. I saw a Dull Grey colored Ford V 8 Sedan come on to the field with a Red Cross sign on the wind shield—there were three people inside of this car—they went through the police line and a Police Squad then sent this car back towards the group of marchers and did not leave them pick up any of the injured. The injured were already in Patrol Wagons. We then reformed in Platoons and marched back to the Steel Corp. Plant—on the way back I picked up a two-by-four, which I handed to Lieut. Moran. There was one man in the marchers that carried a wooden club with a steel hook on the end of it. I don't know what became of this man as I couldn't see as the tear gas blinded me. We were held on reserve until about 11:30 P. M.

EXHIBIT 1360

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To Patrolman J. C. Woods,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Subcommittee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 30th day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LAFOLLETTE, JR.,
Chairman, Subcommittee of Committee
on Education and Labor Under R. S. 266.

[Endorsement on back:]

6/30, 1937.

I made service of the within subpoena by handing it to the within-named J. C. Woods at the Senate Office Building at 4:15 o'clock p. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1361

Memo of interview June 26—Chicago Shootings. JUNE 28, 1937.
Kramer and Sayler—George Higgins, Patrolman, 19th District.

Patrolman HIGGINS. I am attached to the 19th District, and have been on the force for 18 years. I was assigned to strike duty at Republic from the beginning, the first day, immediately the strike was called.

I was assigned to Lieutenant Stevens, the first platoon, first squad. We were on duty that day. We marched out of the plant and marched down to Burley Avenue and fell in in military formation on 117th Street, facing north. And we seen our mob coming towards us. They started down on the sidewalk from Sam's Place. And all of a sudden they cut across the field like a whirlwind. They had banners four feet in depth and 3 foot long.

Captain Kilroy was on my left, with Lieutenant Ryan and Lieutenant Moran; that's to the west of where I was. The mob wanted to come in the tail end of the plant.

We got orders to fall into squad formation and we marched down 117th Street, and tried to march through that little alley down below Burley, but some of that so-called mob was in the alley, it looked like a blind alley, so we went around to Burley and 117th. As we marched up, bricks, God knows what, was coming over, ball bearings, bullets, coming out at us. We took the right flank of the police line and came alongside of Captain Mooney and before that I seen Captain Kilroy with his hands up telling them to go back, "You're not going to get into that plant, get back." Then I heard one hard-boiled guy say, "We're going to go into that goddam plant and drive those goddam finks out of there."

From the back of the marchers I heard shots. I saw one lousy pup with a sawed-off shotgun. He had a blue shirt on him. I don't think he was using anything but scatter shots, beebees, 'cause I saw some of the marks they left on your chin. George Barber, of the 13th District, was the first man I saw go down, shot in the jaw with this slingshot. I seen this lousy pup coming with the gun at me and I had lost my club in this scrap, and this fellow came in at me, and I waited for him to get set, and then [standing up and gesturing with fist in palm], I smacked him. I seen a patrolman down on his back, Walter Oakes was his name, with a fellow on top of him trying to gouge his neck with his knee. A second mobster with a short club about two foot long, shaped like a wedge, and he's raising the club, right there. And I wait for my chance and measure him off and, sock, I smacked him [again gesturing]. Oakes then got up and shot this Rothmund, who we identified at the morgue, and Oakes shot him again and perforated him in the stomach. [Again gesturing, in a circle of shots.] This was the lousy communist.

One lousy pup picked up one of the gas bombs and threw it back at us, yelling, "you sons of bitches."

The Porto Rican woman, she was a Communist. I shoved her on her feet and she went down; I didn't hit her, and I picked up a bag of pepper that she had and turned it in. They still defied us. Some other fellow in the mob had either a 32 or a 38 black Colt gun.

Q. Did you see them fire?

A. As soon as they'd let go one, as soon as they'd fire one at us, he'd slip back into the crowd.

Q. Any police firing?

A. We couldn't fire because there was those women and children in the crowd. Them banners were a camouflage; as soon as they came off, there was a shillelagh. I didn't do any shooting. Phil Igoe was hit with a club, he shot his man. He got his man.

It was the tear gas that really checked them. It was the old slaughter house trick, the billy goats led the lambs to slaughter. You could tell they was all set for us. I picked up about 40 hats and caps and inside of them was just loaded down with paper. For protection, see?

After it cleared up a bit, along comes this home made red cross car. We let him come down and he asks, just like that, if anybody is injured and I said, "Get out of there, you goddammed rat." Another one come along and we wouldn't let him come through.

If they had got into the steel plant that day, they would have been murdered, they was all set for them.

I been in that race riot, I been in that stockyards strike with all them foreign savages out there, but this beats them.

EXHIBIT 1362

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To LAWRENCE JACQUES,
804 E. 58th St., Chicago, Ill., *Greeting:*

Pursuant to lawful authority, you are hereby commanded to appear before the Subcommittee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room

No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee; and not to depart without leave of said Committee.

Hereof fail not, as you will answer to your default under the pains and penalties in such cases made and provided.

To Charles Kramer to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LAFOLLETTE, JR.,
Chairman, Sub-Committee of the Committee on
Education and Labor Under S. R. 266.

6/24/37; 6:50 p. m.

[Endorsement on back:]

JUNE 24, 1937.

I made service of the within subpoena by personal service the within-named Lawrence Jacques, at 1558-20 N. Wacker Drive, Chicago, Ill. at 6:50 o'clock p. m., on the 24th day of June, 1937.

(Signed) CHARLES KRAMER.

Accepted service:

(Signed) LAWRENCE JACQUES, M. D.

EXHIBIT 1363

CORONER'S PROTOCOL

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

#146 of May

Name, Joe Rothmund. Date of death, 5/31/37.
Address, 2857 Belmont Ave. Aut., Yes; Cert., No. —; Inq., Yes.
Date of exam., 5/31/37. Cor. phy., J. J. Kearns.
Sex, Male; Age, 48. Length, 5'6"; Weight, #150.
Race, White; Nat'lty, American. Exam. at Cook County Morgue.
Autopsy performed by: J. J. Kearns, M. D.
Signature of identifier: Morgue Records. Officer Ridel, Star #3570, 24th District Police. Wife, Margaret.
History of cause of death: Admitted to House of Correction (Bridewell Hospital) 5/30/37 5:10 P. M. expired 5/31/37 9:15 A. M. In shock. Operated and bullet removed. Condition did not improve. To Morgue by Officer Ridel, Star #3570, 24th District Police. 9th District Police Case. Injured in riot at Republic Steel Mill.

Anatomic diagnosis:

1. Bullet wound of the abdomen causing perforating laceration of the psoas muscle, small bowel, and right lobe of the liver.
2. Hemoperitoneum.
3. Extensive parieto-peritoneal hematoma.
4. Hyperemia and edema of the lungs.
5. Cloudy swelling of the myocardium, liver, kidneys, and spleen.
6. Slight fibro-plastic thickening of the mitral and aortic leaflets.

The following order of description will be followed on this and succeeding pages:

- | | | |
|----------------------------------|--------------------------|--------------------------|
| 1. External findings (in detail) | 8. Upper Digestive Tract | 17. Pelvic Organs |
| 2. Thoracic Cavity | 9. Stomach | 18. Testicle—Ovary |
| 3. Abdominal Cavity | 10. Intestines | 19. Skull |
| 4. Upper Respiratory Tract | 11. Liver—Gall Bladder | 20. Meninges |
| 5. Lungs | 12. Pancreas | 21. Brain |
| 6. Heart Aorta | 13. Spleen | 22. Miscellaneous |
| 7. Blood Vessels | 14. Lymph Glands | 23. Chemical Microscopic |
| | 15. Adrenals | 24. Bacteriologic |
| | 16. Kidneys | |

External examination (Inspection)

Development of skeleton { Slender
Medium**
Powerful
Deformed

Musculature, medium developed; Panniculus adiposus (subcutaneous), 1½ cm.

Skin—Color, white; edema none

Pigmentation none; bed sores none

Signs of death:

Body Heat, absent; lividity, dorsal; rigor-mortis, present

Cornea { Turbid } { Shrunk } cloudy; Putrefaction none
 { Cloudy } { Dry }

Color of hair, brown streaked with gray

Size of pupils, dilated; Color of Iris, blue; Color of Sclera, gray

Size and shape of neck { Long } { Slender } medium
 { Short } { Medium }
 { Slender } { Thick }

Size and shape of thorax { Deformities } { Mammæ }
 { Symmetric } { Vertebral } symmetric
 { Asymmetric } { Column }

Abdomen { Flat
 Hernia
 Distended distended
 Retracted

Evidences of External Injury, with description: There is an abrasion of the skin, 1 x 1 cm., over the mastoid bone, 3 cm. above the tip of the mastoid on the right side. There is a recent right rectus surgical incision in the anterior abdominal wall, with a gutta percha drain in the lower angle. There is a bullet wound of entrance in the back at the level of the 4th lumbar vertebra 1 cm. to the right of the midline. This bullet entered the abdomen causing perforating laceration of the psoas muscle, parietal peritoneum, first portion of the duodenum and right lobe of the liver (and was removed by the Surgeon at the Bridewell Hospital, from the anterior abdominal wall 2" to the right and 2" below the umbilicus).

CHEST: The lungs were subcrepitant and on multiple surfaces made by cutting were purple red, covered with dark bloody frothy fluid. The trachea and bronchi contained dark bloody frothy fluid. The tracheo-bronchial lymph nodes were swollen, studded with anthracotic areas.

HEART: The pericardial sac contained about 100 cc. of amber colored fluid. The heart weighed 325 grams. The myocardium was grayish brown, soft. There was slight thickening of the mitral and aortic leaflets. The intima of the aorta and coronary arteries contained a few atheromatous and hyaline plaques.

ABDOMEN: The abdominal cavity contained about 200 cc. of clotted and fluid blood. There was an extensive retro-parieto-peritoneal hematoma between the diaphragm and the ileo-pectoneal line on the right side. The liver, kidneys and spleen were swollen, pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals were not remarkable. The pancreas was pale gray brown, mottled dusky red, semi-firm. The lower genito-urinary tract was not remarkable. The mucous membrane of the esophagus, stomach and duodenum was swollen, gray brown mottled dusky red.

EXHIBIT 1364

(See text, p. 4819.)

EXHIBIT 1365

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To Patrolman GEORGE HIGGINS,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

5032 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

To Daniel F. Margolies to serve and return.
Given under my hand, by order of the committee, this 30 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937

I made service of the within subpoena by handing it to the within-named George Higgins at the Senate Office Building at 4:15 o'clock p. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1366

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES
To Patrolman PHIL IGOE,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 30 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937

I made service of the within subpoena by handing it to the within-named Phil Igoe at Senate Office Building at 4:15 o'clock p. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1367

(See p. 5138.)

EXHIBIT 1368

(See p. 5138.)

EXHIBIT 1369

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To Patrolman JOHN KELLY,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5033

Given under my hand, by order of the committee, this 30 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937

I made service of the within subpoena by handing it to the within-named John Kelly at Senate Office Building at 4:15 o'clock p. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1370

STATE OF ILLINOIS,
County of Cook, ss:

ANTHONY C. PRUSINSKI, being first duly sworn on oath deposes and says that he is Chief Deputy Coroner of Cook County and State of Illinois.

That on May 30, 1937 I received a call at home that there was some trouble in the vicinity of the Republic Steel Company plant at South Chicago, Illinois, and was advised to proceed to the premises immediately; I drove to the premises, arriving there about 6:15 P. M. on the above date. This was in the vicinity of 113th street and Green Bay avenue. There was a building there which resembled a tavern around which were gathered at this time about five hundred people, included in this number were a few women. There was also a frame shack located there on which there was a card board sign with large lettering which read "FIRST AID". I heard the men cursing the police and using vile language. I saw men who were milling about with large clubs in their hands about four feet in length and about the thickness of a heavy end of a baseball bat. On one club I particularly noticed were nailed two razor blades on the opposite side of the end of the club. I also heard these men saying that they would like to crack open the skulls of the police. I then went over and talked to some police officers about 300 to 400 feet from this place, told them who I was and they stated that they had the thing well in hand.

(Signed) ANTHONY C. PRUSINSKI.

Subscribed and sworn to before me this 29th day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public.

EXHIBIT 1371

STATE OF ILLINOIS,
County of Cook, ss:

LLOYD C. CASEY, having been first duly sworn, upon his oath deposes and says:

That he is a patrolman, assigned to the 7th District of the Chicago Police Department, and that prior to his employment as a Chicago Police Officer, he was a member in good standing of the Chicago Street Car Men's Union, Local 241.

That on May 30, 1937, as part of his duties as a police officer, aforesaid, he was detailed to strike duty at the Republic Steel Corporation.

That on or about the hour of 4:30 o'clock, p. m. on said day, he saw coming across a field which adjoins the Republic Steel Corporation's plant, and which is part of the Republic Steel Corporation's property, a mob of about 2,000 people.

That prior to this time, on driving to his detail he had seen a large crowd of people gathered at a place called "Sam's Place," which was headquarters for the strikers; a speaker was addressing the mob from a truck and gesticulating with his arm, at about 2:20 o'clock, p. m.

As the mob approached across the field, I ran to my lieutenant and informed him what was happening; he formed his men into a column, and I fell in, and we were marched out towards the approaching mob. As we neared the mob, we could see that they were armed with various kinds of weapons; some carried clubs with nails driven through the ends, others had crowbars, jack handles, pieces of iron pipe, baseball bats, chunks of concrete, brickbats, slingshots and metal bolts and broken bottles and various other weapons.

When the mob got within about three feet of the police, the mob stopped. Supervisor Mooney stepped out in front of the line of police and started to talk to them. I was too far away to hear what he said.

While he was talking to the mob, I heard someone say "What are we waiting for?" And a shower of brickbats, concrete chunks and bottles were hurled by the mob at the police. I heard the report of a revolver being fired and saw the flash of a gun within the ranks of the mob. I could not distinguish who had fired.

I saw several police officers knocked to the ground by missiles and clubs. We started to advance, and part of the mob turned to retreat. Some, however, stayed and fought with their weapons. As fast as we could, we rounded them up and subdued them, placing as many as we could handle, under arrest. In the meanwhile, the mob retreated to a distance of about a block, where they stopped and re-formed into a compact body and continued to hurl brickbats and stones and other missiles in our direction. However, these fell short and we did not advance any further.

An order was given for some of us to place the wounded in patrols and send them to hospitals, and for other police officers to pick up the weapons left on the field by the mob, to be held as evidence. After this was done, we were ordered to fall in. I was detailed to go with the 12th District Wagon to the Bridewell Hospital, which I did.

(Signed) LLOYD C. CASEY.

Sworn to and subscribed to before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1372

STATE OF ILLINOIS,
County of Cook, ss:

JOSEPH T. NOWAK, being first duly sworn, deposes and on oath says as follows: That he is a patrolman of police of the City of Chicago, assigned to the 19th District, and has been so employed for the last 14 years.

That prior to his employment on the Chicago Police Department, and during the World War, he was a member of the 131st Infantry for a period of 26 months, serving as a Corporal, saw active service in France for one year, engaging in the Battle of the Meuse, The Sommes and the Argonne Woods, also serving six months in the Army of Occupation in Germany.

That as a part of his duties as a police officer he was detailed to the Republic Steel Corporation Plant for strike duty on the 27th of May, 1937 and was assigned to squad car number 175 and that his duties were to patrol the immediate vicinity of the Republic Steel Corporation.

That on May 28, 1937 he was in the vicinity of 114th and Green Bay Avenue and saw two formations of men drilling and executing military maneuvers. One formation consisted of approximately 75 or 100 men and the other formation about 35 to 40 men. These men drilled and marched at varying intervals of from one-half hour to one hour, in and out of their headquarters at Sam's Place, at 114th and Green Bay Avenue, and upon disbanding, were followed by other formations which assembled and marched in the same fashion. This drilling continued throughout the day on the 28th and 29th of May.

On the 30th of May, 1937, a large number of automobiles drove up to headquarters located at Sam's Place, bearing license plates of the State of Illinois and other states. About 2,500 people had gathered around Sam's Place and in the vacant property to the south by early in the afternoon. Speakers were talking to the crowd through loudspeakers attached to the outside of Sam's Place.

About 3:45 o'clock, p. m. we went in to get relief but were told to stay on reserve.

At about 4:30 o'clock, p. m. the second platoon was ordered to fall in by Lieutenant Moran of the Chicago Police Department and we started to march in a column of four toward the mob which was approaching in our direction.

An order being given to form company front, we formed a parallel line to the left side of the approaching mob and when the mob reached about three feet of our column, they halted. The mob was armed with brickbats, pieces of stone, slingshots, bottles, baseball bats, iron pipes, and other weapons, and as we stood there a few missiles were thrown at us.

In the meanwhile the mob was cursing and screaming and using vile and abusive language when, all of a sudden a big shower of missiles were thrown from the mob and struck the police and several police officers were knocked to the ground and injured. The mob advanced, swinging clubs and we started to advance.

Shots were fired that sounded to me like they came from the mob, approximately fifty feet from the front lines. The police advanced further and most of the mob then turned and fled, although some of them stayed on and fought the police.

When the police got the situation in hand, we arrested a large number of those participating in the rioting. The Lieutenant ordered the police to pick up the clubs and missiles used by the mob, which was done. We were then ordered to take care of the injured, which was done, and the injured were removed in patrol wagons from the scene of the rioting.

Two cars came across the field bearing crosses on their windshields, and signs reading "FIRST AID"; these automobiles came from headquarters at Sam's Place.

We were marched to the Republic Steel Company's main gate, where we remained on reserve duty until after 10:00 o'clock, p. m.

(Signed) JOSEPH T. NOWAK.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1373

STATE OF ILLINOIS,
County of Cook, ss:

CLIFFORD G. MANSFIELD, having been first duly sworn, deposes and says on oath as follows:

That he is a police officer assigned to the 19th District and that he has been a police officer of the City of Chicago for eleven years.

That prior to being a police officer, he was a member of the Brotherhood of Locomotive Firemen and Enginemen.

That he served as a private in the 81st Division of the 318th Field Artillery of the United States Army, during the World War and was on active duty in France for a period of nine months.

That as part of his duties as a police officer of the City of Chicago, he was detailed to strike duty at the Republic Steel Company Plant in Chicago on the 30th day of May, 1937; that about 4:30 p. m. on said day he was ordered to fall in with the first platoon under the command of Lieutenant Moran, and that the first platoon was marched out onto a field to meet an oncoming mob of about twenty-three hundred men approaching in the direction of the Republic Steel Company plant. The order was given "Company front", the police officers extended themselves in a parallel line to the oncoming mob; that he could and did see the mob was armed with various weapons, including baseball bats, clubs with nails driven through their heads, meat hooks, crowbars, pieces of iron pipe, slingshots, iron bolts, bottles, chunks of concrete, brickbats and various other weapons.

The mob kept approaching until it stopped a distance about three feet of the police ranks. The mob was cursing and swearing and using vile language, some of them spitting on the police officers; some of them were throwing rocks and iron bolts at the police officers, and without warning a barrage of missiles were hurled at the police officers and the mob charged the police officers.

I saw a man from within the mob fire an automatic revolver in my direction. Police officers were knocked to the ground on both sides of me as we used our batons to defend ourselves. We advanced slowly, breaking the mob up into small groups and most of them turned and ran. Some of them, however, stayed and fought. They were surrounded by us and arrested.

The police ranks continued to advance until the field was cleared and the mob had retreated several hundred feet distant and re-formed. We stood in company formation until the mob started to disperse a second time.

In the meantime, two automobiles with red crosses on them drove across the field from in back of the mob and were stopped by some police officers. Some of our men were loading the injured in patrol wagons and some were picking up the clubs and other weapons left on the field by the retreating mob. Shortly

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after this the order was given to march back to the gates of the Republic Steel Company, where we stayed on reserve duty until we were dismissed.

(Signed) CLIFFORD G. MANSFIELD.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1374

STATE OF ILLINOIS,
County of Cook, ss:

HARRY SCHOLZ, having been first duly sworn, deposes and says on oath as follows:

That he is a police officer assigned to the Detective Bureau of the City of Chicago, and that he is one of the members of the Industrial Squad, assigned to the suppression of anarchistic and communistic revolutionary movements, and that as part of his duty he viewed all of the persons arrested that took part in the riots near the Republic Steel Corporation's Plant on the 30th day of May, 1937; that of the 67 men arrested, 12 of said men were to me personally known to be actively engaged in either communistic or subversive movements, prior to the time of their arrest on the 30th day of May, 1937.

(Signed) HARRY SCHOLZ.

Sworn to and subscribed before me this day 29 of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1375

STATE OF ILLINOIS,
County of Cook, ss:

MICHAEL F. TOOHEY, having been first duly sworn, deposes and says on oath as follows:

That he is a police officer assigned to the Detective Bureau of the City of Chicago, and that he is one of the members of the Industrial Squad, assigned to the suppression of anarchistic and communistic revolutionary movements, and that as part of his duty he viewed all of the persons arrested that took part in the riots near the Republic Steel Corporation's Plant on the 30th day of May, 1937; that of the 67 men arrested, 12 of said men were to me personally known to be actively engaged in either communistic or subversive movements, prior to the time of their arrest on the 30th day of May, 1937.

(Signed) MICHAEL F. TOOHEY.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1376

STATE OF ILLINOIS,
County of Cook, ss:

JOHN E. PRESCOTT, having been first duly sworn, deposes and says on oath as follows:

That he is a police officer of the City of Chicago, assigned to the 9th District. That as part of his duties as a police officer he was assigned on squad car 121 on the 30th day of May, 1937; reported to his station at 4:00 o'clock, p. m. and was sent to the plant of the Republic Steel Corporation; that about the hour of 4:30 o'clock, p. m. on that day he was ordered to fall into one of the platoons which were forming, and upon doing so was marched in the direction of Green Bay Avenue, from which direction a mob of about two thousand people were marching across the prairie towards the Republic Steel Company Plant; that as the mob drew near the police spread out in a double line and halted; the mob continued to approach until it reached about two feet of the police ranks, when it stopped.

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I saw in the front line of the mob men armed with baseball bats, two-by-fours with nails driven through the end, pieces of pipe, jack handles, crowbars, meat hooks, chunks of concrete, bottles, stones, brickbats and other deadly weapons.

I saw Captain Kilroy address the mob and plead with them to disperse. I could only hear part of his remarks, as the mob was screaming and cursing at the top of their voices. Meanwhile they had been throwing rocks and brickbats at us, when all of a sudden a shower of missiles was hurled at our ranks and the mob came towards us swinging clubs and other weapons.

Several police officers near me were knocked to the ground. I stooped to assist a police officer from the ground, where he had been knocked down by a club, and I was struck and knocked and fell to the ground myself. We both got to our feet and started to advance, when the man who hit me ran back into the mob. By this time most of the mob had started to run away, with the exception of those who were fighting with other police officers.

After we had subdued these men and placed some of them under arrest, we re-formed our ranks and stood our ground. The main body of the mob had retreated about one block away, where it re-formed and continued to hurl stones and rocks at us. Meanwhile, the injured were put into patrol wagons and weapons used by the mob gathered from the field. We remained on the field until the mob was entirely dispersed and we then marched back to the Republic Steel Company's plant. I was taken to the first aid station in the Republic Steel Company's plant and received treatment for my injuries and returned to duty.

(Signed) JOHN E. PRESCOTT.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1377

STATE OF ILLINOIS,
County of Cook, ss:

FRANK RETTINGER, JR., having been first duly sworn, deposed and stated on oath:

That he is a patrolman of police of the City of Chicago, assigned to the 19th District, and has been so employed for the last 14 years.

That during the World War he was a sergeant in the 68th Field Artillery of the United States Army for about 9 months.

That as a part of his duties as a police officer he was detailed to the Republic Steel Corporation Plant for strike duty on May 27, 1937 and that he was assigned to Squad Car No. 175; that his duties were to patrol the immediate vicinity of the Republic Steel Corporation.

That on May 28, 1937 he saw in the vicinity of 114 and Green Bay Avenue, two formations of men drilling in military formation, one formation consisting of about 75 to 100 men and another formation consisting of 35 to 40 men. These men drilled and marched from periods of one-half to one hour, then marching into their headquarters at Sam's Place, at 114th and Green Bay Avenue and disbanding. Following their disbanding, other formations marched out and went through similar military drilling and maneuvers. This drilling continued throughout most of the day on May 28 and 29th. When our squad car passed near these men who were drilling, they booed us.

On May 30, 1937, I noticed a large number of automobiles driving in to their headquarters at Sam's Place bearing licenses of other states. By the early part of the afternoon, a crowd of about 2500 people had gathered around Sam's Place and in the vacant property to the south. I saw speakers talking to the crowd and loudspeakers attached to the outside of Sam's Place. About 3:45 o'clock, p. m. we went in to get relief and were told to stay on reserve; and at about 4:30 o'clock, p. m. the second platoon was ordered to fall in by Lieutenant Moran of the Chicago Police Department, and we started to march in columns of four toward a mob which I saw approaching in our direction. There appeared to be about 2500 people in this mob.

An order was given to form company front and we deployed in a line parallel to the left side of the approaching mob. When the mob reached within about three feet of us, they stopped. The mob was armed with brickbats, stones, branches of trees, slingshots, bottles, baseball bats, iron pipes and other weapons, and as we stood there a few missiles were being thrown at us. In the meanwhile

the mob was cursing and screaming, using profane words and vile and obscene language. All of a sudden a big shower of missiles struck our ranks and several police officers were knocked down. The men with clubs commenced to swing them at us and we started to advance. I heard shots fired that sounded like they came from within the ranks of the mob.

The police advanced and most of the mob turned and ran, but some of them stayed and fought with us.

As soon as we got things under control we arrested some of the mob. About this time, two automobiles bearing red crosses on their windshields came across the field from Sam's Place. Lieutenant Moran ordered us to take care of the injured and pick up the clubs used by the mob and keep them for evidence.

We then marched back to the Republic Steel Company's main gate and stayed on reserve duty until 10:30 o'clock, p. m.

(Signed) FRANK RETTINGER JR.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1378

STATE OF ILLINOIS,
County of Cook, ss:

WILLIAM A. HENNESSY, having been first duly sworn, deposes and says on oath the following:

That he is a police officer of the City of Chicago, 17th District, having been a police officer attached to the department for 18 years.

That during the World War he was a member of the infantry of the United States Army for a period of eight months.

That as part of his duties as police officer of the City of Chicago he was assigned to strike duty at the Republic Steel Company Plant in Chicago, Illinois.

That about 4:30 o'clock, p. m. on May 30, 1937, he was attached to the third platoon under Lieutenant Ryan at the Republic Steel Company's Chicago plant.

Orders were given to fall in and we were marched in an eastwardly direction towards a mob of about twenty-four hundred men and that as the mob approached, the police were ordered to and did spread out into company front, and stopped the mob. The mob approached the police and stopped within two feet, where they halted.

Lieutenant Ryan ordered the mob to stop, in the name of the State of Illinois and the City of Chicago, and told them to disperse in a lawful and peaceful manner. Meanwhile, the men in the mob were swearing and cursing and yelling that they wouldn't stop for the G—— d—— scab protectors. Some of them were throwing bricks and rocks at us and others were waving all kind of clubs and iron bars which they carried in their hands. All of a sudden they started hitting us with their clubs and throwing more bricks and stones. Right around me a couple of officers were hit with rocks and clubs and I heard shots coming from the rear of the mob. We started to go forward, fighting with our batons, and soon we had them on the run. We chased them for a few hundred feet and then stopped to give our men a chance to pick up those that were laying on the ground and also to gather up some of the clubs that the mob had dropped when they ran away.

A couple of cars came across the field from where the strikers had been gathered, these cars bearing red crosses, with men hanging on the running boards of the machines with red crosses on their hats and bands on their arms. They said they had come to pick up their wounded.

We stayed in formation until the mob broke up and left and we marched back to the Republic Steel Company's plant where I stayed until I went off duty.

(Signed) WM. A. HENNESSY.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1379

STATE OF ILLINOIS,
County of Cook, ss:

JOHN CAMPBELL, having been first duly sworn, deposes and on oath says as follows:

That he is a police officer of the City of Chicago, assigned to the 8th District, and having been so employed for the last eight years.

That as part of his duties of police officer, on May 28, 1937, he was assigned to strike duty at the Republic Steel Corporation Plant;

That at about 6:25 o'clock, p. m. on May 28, 1937, he was ordered to the intersection of 117 Street and Buffalo Avenue, in company with sixteen other police officers in charge of Sergeant Oakie;

That upon arriving there he saw a large mob of people approaching down 117th Street, singing the Internationale, and in front of the mob were several police officers backing up and keeping immediately in front of the mob, and upon reaching us these police officers joined us. Sergeant Oakie called out to the mob to halt in the name of the law, but the mob continued to advance, cursing and singing and yelling "We'll kill the ——— scab protectors and hang the scabs." Immediately to our rear was the Republic Steel Company Plant. When the mob got within ten feet of us they charged us. Most of them were armed with rocks, clubs, pieces of pipe, slingshots, pieces of concrete, which they started to throw at us and strike us with. Some of our men were knocked to the ground and injured. I was struck numerous times, but kept on my feet. We used our batons and finally succeeded in breaking up the mob, scattering its members, and making several arrests. After this was done we returned to our posts and remained there until relieved at 12:00 o'clock, midnight.

(Signed) JOHN CAMPBELL.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1380

STATE OF ILLINOIS,
County of Cook, ss:

WILLIAM H. CANNON, being first duly sworn, deposes and says on oath:

That he is a police officer of the City of Chicago, attached to the 19th District, and has been so employed for the past 15 years.

That during the World War he was a corporal in the United States Army, assigned to the 31st Division, 124th Infantry; that he saw active duty in France for a period of 9 months.

That prior to his employment by the Chicago Police Department, he was a member of the Livestock Handlers' Union.

That on May 30, 1937, at about 4:30 o'clock, p. m., as part of his duties as a police officer of the City of Chicago he was assigned to strike duty at the Republic Steel Corporation and was attached to the first platoon of the Chicago Police Department, under the direct command of Lieutenant Stevens of the Chicago Police Department; that his platoon was ordered to and did fall in column formation and marched towards an oncoming mob of about two thousand people coming across a prairie towards the Republic Steel Company's plant.

That as they neared the mob, order was given to form company front and advanced towards the mob which was still advancing and that he saw that members of the advancing mob were armed with all sorts of weapons, including meat hooks, stones, brickbats, baseball bats, clubs with nails protruding, jack handles, iron pipes, broken bottles and many other dangerous instruments.

The mob kept coming towards us until they were within two or three feet, then they stopped. They were cursing and yelling at the police and telling them what they were going to do to them and the men in the Republic Steel Company's Plant. Rocks and brickbats were being thrown, some of which struck the police. Then they came forward, swinging their clubs and weapons.

I heard several shots fired from about the center of the mob. After the second shower of stones and brickbats had been thrown by the mob, the police advanced and broke the mob up into small groups and got them on the run and kept them running until they were about a block away from us, where they stopped.

We stopped and helped put the injured into patrol wagons. In the meantime the rest of the mob had dispersed and we marched back to the steel company's plant, where we stayed until relieved from duty.

(Signed) WILLIAM H. CANNON.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN
Notary Public, Cook County, Illinois.

EXHIBIT 1381

STATE OF ILLINOIS,
County of Cook, ss:

FRANK A. LAUERMAN, having been first duly sworn, deposes and says on oath as follows:

That he is an employe of the Republic Steel Corporation and holds the position of Management's Representative in the Chicago District, having charge of industrial relations work; that in this position he has access to the employment records of the Republic Steel Corporation in the Chicago District and that he has made a diligent check of the aforesaid employment records.

Deponent has examined a list of names, being the names of the persons arrested on the 30th day of May, A. D. 1937 on the property of the Republic Steel Corporation, charged with participating in the rioting on said date; that deponent has compared these said names, being 67 in number, with the employment records of the Republic Steel Corporation, and deponent states that only the following 14 named persons were on the 26th of May, A. D. 1937, or at any time thereafter, employes of the Republic Steel Corporation; and that none of the balance of the 67 persons so arrested on said date were at said time employes of said Republic Steel Corporation; and the said 14 persons employed, as aforesaid, were as follows:

Max Guzman, 8927 Commercial Avenue
John Telick, 13226 Baltimore Avenue
Louis Selenik, 9733 Avenue L
Bruno Carmine, 7704 Avalone Avenue
Caesar Scaramello, 815 East 76th Street
Peter Simich, 13240 Buffalo Avenue
Chas. Messina, 7736 Greenwood Avenue
Jos. Bandura, 6911 Escanaba Avenue
Jas. Wunk, 13044 Houston Avenue
Jos. Messina, 7645 Greenwood Avenue
Mike Kolember, 3265 East 92d Street
John Lotito, 9800 Commercial Avenue
John Meirs, 2714 East 96th Street
Anthony Taglioria, 615 East 74th Street

(Signed) FRANK A. LAUERMAN

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN
Notary Public, Cook County, Illinois.

EXHIBIT 1382

STATE OF ILLINOIS,
County of Cook, ss:

Sgt. JOHN T. McMAHON, being first duly sworn, upon his oath deposes and says:

That I am a police officer of the City of Chicago, Illinois, with which I have been connected for 15 years; that I was in the U. S. Navy during the World War and was on overseas duty; that prior to the time of his joining the police department of the City of Chicago, I was a member in good standing of the Electrical Workers Union, Local No. 134, and that at the present time I am a sergeant in the department of Police of the City of Chicago, Ill., connected with the 24th District:

That on May 30, 1937, at or about the hour of 4:40 Pp M., while driving in his automobile, in citizen's dress, in a private car, as he came down Green Bay Avenue in said City of Chicago, he saw a mob of several hundred persons approaching across a field; that the mob intercepted me as I drew abreast of them, stopping

my car and commanded me to help them carry their injured off the field. This mob of men were armed with clubs, with razor blades in the ends thereof, nails also were driven through the ends of these clubs and iron bars. I did not dare disclose my identity due to the fact of the belligerency of the mob, and when I was asked to help them in their activities, I stated that I was not mixed up in the affair and did not want to become involved. The mob did not know at this time that I was a police officer. Several of the men in the mob took it upon themselves to act as spokesmen and told me that if I did not help them, that they would force me to surrender my automobile to them for their use as they saw fit. Confronted with this situation, I permitted the mob to place in my car an injured man, one of their number, who had been shot in the right arm. This man's description is as follows: About 5 feet, 5 inches in height, about 42 years of age, dark swarthy complexion with an Italian accent. I struck up a conversation with this injured member of the mob who I was forced to carry in my car and found the injured man very voluble, and in the course of conversation he stated, in part, as follows: That he had been born in Italy; had been in this Country for about six years and that he was an employe of the Inland Steel Co. in Indiana Harbor, and that he and numerous other men had been ordered by the C. I. O. organizers to be present at their meeting place near the Republic Steel plant early in the afternoon of May 30, 1937. This injured member of the mob said to me that they had formed a mob at a place called "Sam's Place" and that they had marched from there toward the Republic Steel Corporation plant, all of their mob being armed with such weapons as they had brought with them or could procure in the immediate neighborhood before the march started; and he stated to me that it was their purpose to take over the plant of the Republic Steel Corporation and to beat up the scabs within its walls. I then asked him how he expected to get by the police officers, and he said that they had intended to knock down the police officers, to wrest their revolvers from them and then continue their march to the Republic Steel Corporation's plant. I proceeded to drive this man to the Burnside Hospital where he was turned over to other police officers already there and placed under arrest. He also made a statement that when he got out of the hospital that he would see to it that he got revenge for what had happened, from both the police department and the Republic Steel Corporation.

(Signed) JOHN T. McMAHON.

Subscribed and sworn to before me this 28th day of June A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Ill.

EXHIBIT 1383

STATE OF ILLINOIS,
County of Cook, ss:

THOMAS J. AHERN, being first duly sworn, upon his oath deposes and says that he is a patrolman in the Department of Police of the City of Chicago, assigned to the 9th district; and that, as part of his duties as a patrolman, he was assigned with Captain Kilroy, commander of the 9th district; and that on or about the hour of 4:30 on May 30, 1937, he accompanied Captain Kilroy and two companies of police officers to the near vicinity of 117th street and Burley Avenue, which is a large vacant plot of ground, and on which, coming in the direction of the plant of the Republic Steel Corporation he saw a mob of people approximately 2,500 in number; that as the mob marched towards the police the police spread out in company formation to intercept the passage of the mob; that as the mob got within a few feet of the police officers, Captain Kilroy stepped one pace ahead of the line of police, holding up his hand, and ordering the mob to disperse, in the name of the People of the State of Illinois, and to do so in a lawful and orderly manner, as he stated that he did not want to have any trouble; that as the mob kept advancing toward the line of police officers and prior to the order by Captain Kilroy for them to disperse, it could be seen that all the members in the front line of this mob were armed with clubs, crow bars, jack handles, base ball bats, brick bats, chunks of concrete, broken bottles and iron bolts, the members of the mob carrying these pieces in their hands; that affiant was directly alongside of Captain Kilroy, and as the latter finished his announcement for the mob to disperse, all hell broke lose, and brickbats, chunks of concrete, broken bottles and metal bolts were hurled at the police officers; that affiant's partner, Officer O'Brien, jerked Captain Kilroy to one side as several missiles were hurled at him; that numerous

police officers in the ranks were knocked to the ground, and the mob advanced with clubs flailing at the police officers' heads and bodies; that in the meantime the police officers had drawn their clubs and held a steady line stopping the advance of the mob; that shots were fired but that in the heat of the excitement affiant could not tell whether the shots came from the mob or from the police officers; that the line of police started to advance; that some of the mob dispersed, running toward the rear, while others stayed and fought with the weapons which they had in their hands; that as many of these were arrested as it was possible for the police to handle at that time, and we saw the rest of the mob stopping about a block away and reform into ranks, and they continued to hurl missiles which fell short of the police the ranks of which had also halted; that the police took care of their injured and of the injured of the mob, placing them in conveyances to be taken to the nearest hospital and then proceeded to pick up as evidence the missiles and clubs that had been used by the mob and placing prisoners in patrol wagons; that after a short time the mob dispersed for the second time and the police marched back to their posts.

(Signed) THOMAS J. AHERN.

Subscribed and sworn to before me this 28th day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public.

WNB.

EXHIBIT 1384

STATE OF ILLINOIS,
County of Cook, ss:

LAMBERT M. REDMOND, being first duly sworn, upon his oath deposes and says:

I am a patrolman assigned to the 12th District of the Department of Police of the City of Chicago, Illinois, and I have been a member of said police department for about 8½ years; that I was a member in good standing for a period of about three and a half years of the Brick Layers Union prior to becoming a member of said police department;

That on May 30th, 1937, as a part of my duties as a patrolman in the police department of the City of Chicago, I was assigned to strike duty at the Republic Steel Corporation, being a member of the Second Platoon under the direct command of Lt. Bart Moran of the Chicago Police Department; that on said date, at or about 4:30 p. m., my platoon was marched in column formation a short distance towards Burley Avenue, in said City of Chicago, where a mob of approximately 2000 people were coming across the field toward the Republic Steel Company's plant; an order was given to my platoon to form company front and extend parallel to the advancing mob. When this mob reached a distance of about three feet they halted; in the meanwhile, I could see that most of the men in the front line of the mob were armed with various weapons, such as clubs, baseball bats, pieces of iron pipe, bricks, sling-shots, metal bolts, chunks of concrete and broken bottles. In the meanwhile, several officers to the right of us had stepped to the front of the police ranks and were addressing the mob. I could not hear what the police officers were saying at that time. The mob was shouting and screaming curses and vile language at the police officers, and all of a sudden, a shower of bricks and chunks of concrete and broken bottles were hurled from the mob at the police officers. At the same time I heard a shot from within the ranks of the mob, and later, other shots were fired from that direction as well as from the ranks of the police officers. I saw a number of men in the mob go down after being struck on their heads by rocks and other missiles that had been thrown from their rear and had failed to reach the ranks of the police officers. The men in the mob started to use their clubs and other weapons to strike the officers in an attempt to break up our lines, whereupon, we started to advance and use our clubs. In a few minutes the line of the mob had broken and they were retreating and those who stood and fought were surrounded and as many of them as we could handle were arrested. The main body of the mob retreated for about a block and there reformed, again throwing missiles in our direction. These missiles, however, fell short of our ranks and we halted parallel to them about three quarters of a block away from them. Meanwhile, Lt. Jack Lennon had ordered me and other officers to pick up the injured and get them into conveyances to be sent to the Hospital and then to pick up as many weapons from the field that had been dropped by the mob, and to pile same when

collected, in one place, to be held as evidence. Among the weapons so picked up by me was a five pound bag (with about one pound of black pepper left in it) which had been left on the field by the mob.

After this was done, we marched back to the Republic Steel Corporations' plant and stayed there until our tour of duty was over.

(Signed) D. M. REDMOND.

Subscribed and sworn to before the undersigned authority on this, the 28 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1385

STATE OF ILLINOIS,
County of Cook, ss:

BERNARD M. HARNISCH, having been first duly sworn, deposes and says on oath as follows:

That he is a police officer of the City of Chicago, assigned to the 9th District. That as part of his duties as such police officer he was touring his post in the 9th District in squad car 121, accompanied by Officers Prescott and Noonan, at about 6:00 o'clock, p. m. on May 28, 1937, when he saw a mob of men marching west on 117th Street; that he immediately drove to the nearest police call box and notified his district, and then drove the squad car around to head the mob off; that when he reached 117th Street and Buffalo Avenue there were about fourteen policemen under the command of Sergeant Oakie, formed two-abreast across 117th Street; we joined the ranks of these police officers and waited for the mob to reach us. The mob was drawing closer and singing the Internationale; some of them were cursing and using vile language to the police.

Sergeant Oakie stepped to the front and commanded the mob to stop in the name of the law, and as he did so, the mob hurled rocks, brickbats, pieces of concrete and other objects at the police and brandished clubs and lengths of pipe which they held in their hands; they then charged the police, knocking several to the ground and striking them about the head and shoulders. The police fought back with their batons, and finally broke the ranks of the mob into small groups. When this happened, the mob began to run in all directions, but still continued to hurl missiles at the police. As soon as the mob was dispersed I was taken to the South Chicago Hospital and treated for my injuries, after which I returned to the police station in my regular tour of duty.

(Signed) BERNARD M. HARNISCH.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1386

STATE OF ILLINOIS,
County of Cook, ss:

MICHAEL F. BUCKLEY, being first duly sworn, deposes and says that he is a patrolman in the department of police of the City of Chicago and has been so employed for a period of eighteen months;

That prior to that time he was employed as a janitor and was a member of the Chicago School Board Janitors' Union.

That on May 30, 1937, as a part of his duties as patrolman, he was detailed to the premises of the Republic Steel Corporation at 118th and Burley Avenue; that he was assigned to reserve duty with first platoon, second company, under the immediate command of Lieutenant Stevens.

At about 4:00 o'clock p. m. on this day a squad car came in and announced that a mob was approaching the premises, and Lieutenant Stevens ordered the platoon to fall in.

We marched out of the main gate, a half block to Burley Avenue at 118th Street and turned north on Burley Avenue to 117th Street, where we halted. At this point we could see over a prairie across which a dirt road run diagonally and along which road I saw a huge crowd of men numbering approximately 2,500.

To the right of the men I could also see a few women.

After about fifteen minutes we then turned to the east on 117th Street and marched across into the prairie. We halted, in formation, about four feet from the front ranks of the mob that were approaching the premises of the Republic Steel Corporation. All of the men that I could see, that is those in the front ranks, were armed with clubs, two-by-fours, automobile jack handles, baseball bats, sticks, and one of these clubs had fastened on the end of it a curved iron or steel hook resembling hooks used for hanging meat in butcher shops.

At this time Captain Kilroy stepped forward and addressed the mob and stated:

"We don't want any trouble, go back to your homes."

The mob then began to scream and curse at us, calling us son of a b——, finks and many other vile names. Then the Captain again shouted:

"In the name of the People of the State of Illinois, I order you to disperse."

Then there were shouts of: "Let's get the Coppers," "We'll take the plant", and "Get the fink coppers, the lousy ———."

At the same time rocks, stones, bottles, and steel railroad spikes were hurled at the ranks of the police by the mob, and three or four policemen to my immediate right fell as a result of being struck by these missiles.

The mob also propelled iron bolts at the police by means of slingshots.

The front rank of the mob then broke and about three or four ranks back I saw a swarthy individual about five feet, five inches in height with a shotgun which he raised to his shoulder; then we charged him but he ran into the mob.

Up to this time no shots had been fired.

The missiles came so thick and fast that it was necessary for the police officers to keep one of their arms upraised to protect themselves.

While attempting to dodge a brick, a member of the mob struck me across the left cheek with a club and knocked me down and I was so dazed that it was necessary for a policeman to assist me to my feet.

Missiles came from the center and the rear of the mob, but the front ranks charged the police with clubs and jack handles.

I then heard a number of shots but could not tell whether the shots were fired by the police or members of the mob.

We charged the mob with our batons. The mob retreated about a half block. The police then halted. Some men who appeared to be the ringleaders shouted orders to the mob, ordering them to re-form their lines and to hold their ground. They also hollered to the police, defying them to advance any further.

At this time I saw two automobiles approaching with placards bearing Red Cross symbols and men hanging on the running boards with bands on their arms which bore a Red Cross imprint.

The police officers asked them what their purpose was, and a man hanging on to the first car stated: "We were told to be here and pick up our injured."

Then we waited there about five minutes and were ordered back to the plant. We picked up a number of clubs and other implements that were carried by the mob; we assisted the wounded into ambulances and patrol wagons.

As a result of being struck on the jaw, my mouth was swollen and was cut on the inside.

I made two visits to the doctor for treatment.

(Signed) MICHAEL F. BUCKLEY.

STATE OF ILLINOIS,
County of Cook, ss:

Sworn to and subscribed before me this 28th day of June A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1387

STATE OF ILLINOIS,
County of Cook, ss:

EDWARD HENRY OFFER, having been first duly sworn, deposed and stated under oath as follows:

That he is a patrolman of police of the City of Chicago, assigned to the 14th District, and has been so employed for the last 14 years.

That prior to his employment with the Chicago Police Department he was a member of the International Association of Machinists.

That as a part of his duties as such police officer he was detailed on strike duty at the Republic Steel Corporation Plant on May 28, 1937. The post he was assigned to was at the corner of 117th and Avenue O. On this post were also assigned five other police officers. At about 6:15 o'clock, p. m. he saw a mob of about 750 men, with a few women, coming down Green Bay Avenue towards 117th Street. The mob had been forming in front of a place known as "Sam's Place", located at 114 and Green Bay Avenue. That he and the other five police officers went over to Green Bay and 117th Street, forming a line across Green Bay Avenue, waiting for the mob to approach.

As the mob neared them, deponent could see they were armed with various kinds of clubs, pieces of pipe, jack handles, baseball bats, slingshots and other weapons. The mob approaching were singing the Internationale, which they continued to sing until they got within a few feet of the police officers. I was in the middle of the road and called to them to halt and told them to go home and as I said this, they started cursing and swearing and shouting "Kill the scab protectors"—"On with the C. I. O."—"We're going to get the finks and string 'em up".

They then rushed us and I was knocked to the ground and trampled on. The other police officers were also knocked and trampled upon. In the meanwhile, the mob had turned on 117th Street which leads directly to the Republic Steel Corporation's plant, and as soon as we got to our feet, I and the other police officers ran into the field to get ahead of the mob. One of the police officers had been hurt so bad from being knocked down, that he was left behind.

We kept going until we reached 117th and Buffalo Avenue, where we met Sergeant Oakie with about sixteen more police officers. There we formed a double line across 117th Street and waited for the crowd to come up. They were still singing the Internationale and when they got near us they started to curse and swear at us, saying that we could not stop them; that they were going to get the scabs from the Republic Steel Corporation's plant and string them up. When they were within fifteen feet of us Sergeant Oakie commanded them to stop, in the name of the law, and they started to rush us. They started swinging clubs at us. Some that were not armed, used their fists and feet and attacked us. I was struck on the forehead by a two-by-four and knocked to the ground. I got to my feet and was struck across the shoulder and neck with other clubs, but I stayed on my feet. I was struck all over my body. They were coming too fast for me to tell where I was hit. Meanwhile, we were using our clubs and finally got the mob broken up and retreating.

After the fighting was over, myself and four other policemen were taken in a patrol wagon to the South Chicago Hospital for medical treatment. I had three stitches taken in my scalp where it had been split open by a club in the hands of the mob. My body was bruised from head to foot and I was taken home.

(Signed) PTLM EDWARD H. OFFER.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1388

STATE OF ILLINOIS,
County of Cook, ss:

JOHN J. REILLY, having been first duly sworn, deposes and says on oath as follows:

That he is a patrolman, assigned to the 7th District of the Chicago Police Department, and has been so employed for the past eight years.

That as a part of his duties as such police officer, he was assigned to squad car 151, detailed to the Republic Steel Corporation's Plant at Chicago and to tour the immediate vicinity of the strike area.

That on the 28th of May, 1937, while cruising in the vicinity of 114th and Green Bay Avenue, accompanied by Officer Kenneth Dewey, he saw two bodies of men congregating in the immediate vicinity of a place called "Sam's Place", located at 11327 Green Bay Avenue in the City of Chicago. Sam's Place was the headquarters of the C I O.

That on May 28, 1937, while cruising in the neighborhood of Sam's Place he saw two different groups of men in military formation, there were about 40 men in one group, and about 16 men in the other group. This was in the morning,

some time before noon. At several other times during the same day I noticed groups of men, sometimes three and four different groups, on 114th Street and on Green Bay Avenue, executing military drills.

On May 29, 1937, at about 11:00 o'clock, a. m. we were going south on Green Bay Avenue, and just south of 114th Street there was a crowd of about one hundred men in military formation, drilling on the street. They took up most of the street and forced our car to pull away over to the left of the road and we passed them slowly because there was not very much room left in the road, and the side of the road was very rough. I heard one man shouting commands and orders, which were obeyed by these men.

As we neared the head of this formation, I saw a man out in front to the right of them and heard him halt the men. He spoke to one man in front and he says: "You are the end man. You are the pivot man. You are supposed to hold the pivot when you do squads right."

Throughout the entire day we saw other bodies of men drilling in the immediate vicinity of Sam's Place and we saw different groups, when they broke up and disbanded, return to C I O headquarters at Sam's Place.

On May 30, 1937, in the early part of the day they started congregating earlier than usual, and at about 9:00 o'clock, a. m. there was quite a crowd gathered, numbering approximately eight or nine hundred people, and right off the reel they started drilling in several groups, as many as five and six different groups, up and down most of the surrounding streets.

I saw numerous cars bearing license plates from other States, parked near the C I O headquarters.

I also noticed there was a lean-to or shack that had been erected on Sam's Place, and on the shack was a large banner with a red cross symbol, and also below that there was a smaller banner printed with black letters "FIRST AID".

Later in the day a meeting was called at Sam's Place and by this time the crowd numbered about 2500. Loudspeakers had been attached to the outside of Sam's Place and a man was addressing the crowd from a truck. This man was waving his arms. I heard him shout:

"March on the Republic Steel and we'll throw every fink out and take control until the Republic Steel sees fit to meet our demands—and as for the police, don't let them hinder you in any way."

"We are going through."

He further stated:

"We are going to throw these scabs out, and they will never belong to a union in the United States and will be blackballed for life."

I went into the police headquarters and notified Lieutenant John Ryan of what we had learned and we continued on our tour of duty until about 3:45 o'clock, p. m. on that day. We were relieved then by another squad car and I was held on reserve duty in the police headquarters at the Republic Steel Company Plant.

At about 4:30 o'clock, p. m. on May 30, 1937 orders were given by Lieutenant Ryan to fall in column formation. We were ordered over to 117th and Burley and as we got out on an open prairie, just a half block south of 117th Street, I saw a mob of people coming from the northeast, diagonally across this prairie on a dirt road towards the Republic Steel Company Plant.

We were pulled up about a half block into this prairie and halted and police lines were formed and we waited for this mob to advance. As they stopped within four feet of our lines, there was about two thousand people in this mob, armed with every kind of conceivable weapon, clubs, stones, rocks, slingshots, clubs with razor blades on the ends, iron hooks, pieces of lead pipe and pieces of heavy solid steel.

Captain Mooney asked a man who appeared to be a leader, a swarthy Mexican, who was carrying a big club in his hand, where he was going. He says:

"We are going over to the steel mill. We are going over there and we are going to throw those G— damned scabs out."

"We are going over there and take charge and we will take charge until such time as that outfit will meet our demands and sign up with the C I O."

While this man was talking, the crowd were all mumbling their assent and shouting:

"Let's go. What are we waiting for?"

Captain Mooney attempted to reason with the crowd and asked them to go home. He says:

"You will have to settle your matters in a different way and in a more lawful way. There is other ways to settle these things besides force and violence. You people are all prepared for violence here."

The mob started to holler and curse and in the meantime while this was going on they were throwing heavy rocks at the police, and some of these hit the police officers; they came with such force and speed that they must have been thrown with slingshots that I saw in the hands of the men in the mob when I was first halted there.

Captain Mooney said:

"I command you to disperse in the name of the people of the State of Illinois."

He shouted this at the top of his voice.

The mob was screaming and hollering and cursing— "The G— d— rotten police, we can take care of them. Let's go through."

Immediately after Captain Mooney commanded them to disperse, the shower of missiles increased and the second time Captain Mooney shouted at the top of his voice, commanding them to disperse in the name of the People of the State of Illinois.

At this time some man says:

"Oh—the hell with this G— d— fooling around";

and he made a pass at Captain Mooney and attempted to strike him with a piece of pipe. At the time this man made a pass at Captain Mooney, this mob advanced very quickly and jumped on us, fighting with their clubs and other weapons.

There were two lines of policemen in front of me. I was acting as a file closer. I was in the third row back.

When the clash first came, I heard two pistol shots and saw smoke coming from about twelve feet back in the mob. I saw one of the members of the mob who apparently stepped into the line of fire, who threw out his hands and slumped to the ground immediately after this shot had come from behind him and from the ranks of the mob. The second shot I heard fired was apparently the one that struck this man.

Policemen to the front of me and to my left and right were knocked to the ground. I moved up in front, using my baton to defend myself, and helped to disperse this mob, which retreated about one hundred yards and stopped, where they re-assembled, defying the police to come up and meet them.

Then we were ordered by our commanding officers to immediately pick up the injured, put them in patrol wagons and to make arrests and put what persons we had, in patrol wagons.

During this time of picking up and attending to the injured, there was a Ford sedan with a red cross placard on the windshield that came on to the field. There was a man in white pants and white shirt standing on the runningboard, wearing an arm band with a red cross on it. I heard one of our commanding officers, when this car stopped to pick up an injured man, ask them what they were doing. He replied: "We are taking care of our injured."

When this Ford sedan left the field it returned to CIO headquarters.

We returned to our headquarters and stayed there until we were relieved from duty.

(Signed) JOHN J. REILLY.

Sworn to and subscribed this 29th day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1389

STATE OF ILLINOIS,
County of Cook, ss:

GEORGE H. BARBER, having been first duly sworn, deposes and says on oath as follows:

That he is a police officer of the City of Chicago, 13th District, having been on the force for 16 years.

I enlisted in the United States Army and went to France with the 415th Telegraph Battalion, Signal Corps, and saw active service 18 months in France.

That as part of his duties as police officer of the City of Chicago he was assigned to strike duty at the Republic Steel Company Plant at Chicago, Illinois, in the second platoon under command of Lieutenant Moran.

Upon orders from Lieutenant Moran I, with others, formed ranks and marched out into a field adjoining the steel plant, where we halted and waited for the advance of an oncoming mob of approximately two thousand.

The advancing mob moved within a very few feet of the line of police. I heard Captain Kilroy ask the people to disperse and that if they did not, he would be forced to make arrests. While the Captain was talking to the mob, they were booing the police and using vile language and making threats of violence.

A shower of bricks came from the mob, and others of the mob advanced upon the police with drawn clubs, two-by-fours, pipes, long poles with iron hooks attached and an assortment of crude and dangerous weapons.

The police were attacked with these weapons in the hands of the mob and I was struck on the chin by a piece of steel, which cut a gash on my chin, knocking me to the ground. Officer Higgins assisted me to my feet and I continued in the fighting until the rioters had been routed. After being repulsed, the mob retreated a short distance and re-formed their ranks and again attacked us. Then we cleared the field and kept them on the move until we broke the mob up into small groups, after which they retreated towards their headquarters.

After the police had the situation well in hand, we picked up objects carried onto the field by members of the mob, we then helped those off the field who could not walk without assistance, and I returned with the other police officers to the steel plant where I received first aid for my wounds and had stitches taken where I had been struck by the missile of steel. I was later given medical treatment by the police doctor.

(Signed) GEORGE H. BARBER.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1390

STATE OF ILLINOIS,
County of Cook, ss:

WILLIAM J. CRAWFORD, having been first duly sworn, deposes and on oath makes the following statement:

That he is a patrolman in the Chicago Police Department assigned to the 17th District, and has been a member of the department for 13 years;

That during the World War he was a quartermaster in the United States Navy for 13 months.

That he has been a member of Local No. 241 of the Streetcar Men's Union, was also a member of Local No. 753 of the Milk Wagon Drivers' Union;

That on May 30, 1937, as part of his duties as a police officer he was assigned on strike duty at the Republic Steel Company Plant and was attached to reserve platoon stationed at the steel plant; that at about 4:30 o'clock, p. m., his platoon was ordered to fall in column of twos and was marched toward an oncoming mob headed in the direction of the Republic Steel Company's plant. After having marched a short distance, we were deployed in company front, in a line parallel to the oncoming mob.

Deponent says that he saw that the mob was armed with clubs and iron bars and other deadly weapons and carried brickbats, chunks of concrete and broken bottles. The mob continued to approach until it got within a few feet of the police lines, when it stopped.

The mob started to throw rocks and brickbats at the police and suddenly a large number of rocks were thrown and the mob started to advance on the police, raising their clubs and other weapons and striking the police officers. I heard some shots come from the direction of the mob and saw several police officers knocked to the ground.

We started to advance and the mob broke up into small groups, most of them running to the rear, while others stayed and fought the police.

The mob numbered about two thousand at the start of the fight and all but several hundred ran. Of those that stayed we made as many arrests as were possible and the rest finally ran to the rear where they joined with the rest of the mob and re-formed their ranks.

We stopped about four hundred feet from them and kept our lines intact while some of our men assisted in placing the injured in patrol wagons.

As soon as the mob dispersed we were marched back to the steel company's plant and remained there until the end of our tour of duty.

(Signed) WILLIAM J. CRAWFORD.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1391

STATE OF ILLINOIS,
County of Cook, ss:

RAY NELLIGAN, having been first duly sworn, upon his oath deposes and says: That he is a Sergeant of Police of the City of Chicago, assigned to the 12th District and has been a member of the Chicago Police District for 13 years.

That prior to such employment by the Chicago Police Department, he was a member in good standing of Local No. 308 of the A. A. of Street and Elevated Employees of America.

That, as part of his duties as a police officer he was detailed to the Republic Steel Corporation Plant for strike duty on May 27, 1937 and was on duty from time to time until June 2, 1937; and as part of his duties as patrol sergeant on May 28, he was patrolling the immediate vicinity of the Republic Steel Corporation Plant in police car 175 and that on or about the hour of 12:00 o'clock, Noon, while making one of his tours of inspection, he saw two bodies of men in the vicinity of 114th and Green Bay Avenue marching in a military formation; one body of men consisted of about 100 men; the other consisting of about 30 men.

Upon seeing these men drilling, deponent ordered the police car stopped, so as to better ascertain what was being done. Both bodies of men were marching in columns, and at a gesture given by the leader they would wheel and turn and execute various military maneuvers.

He continued to watch these maneuvers for about twenty minutes, ascertaining that they were not headed in the direction of the steel company's plant. He then returned to the plant and advised Supervisor Mooney as to what he had observed.

Supervisor Mooney ordered me to keep close watch on the movements of these men and to inform him of any new developments.

These drills continued from time to time throughout the entire day of May 28. I noticed from where we were parked that different men drilled at different times.

On May 29 I again observed the same thing taking place, and again noticed that on each occasion new men were being drilled in military formation.

On May 30 I went on duty at 8:00 o'clock, a. m. Around noon a steady stream of cars started to come in to a place called "Sam's Place" located at 11327 Green Bay Avenue, the headquarters for the strikers. A great number of these cars bore Indiana and Ohio license plates. Also I noticed a number of Illinois license plates which did not bear Chicago vehicle tags, indicating they were from out of the City of Chicago.

About 3:00 o'clock, p. m. I saw a large crowd assembled to the south of "Sam's Place", loud speaker horns were attached to this building and a man was addressing the crowd from a truck. We were not close enough to hear what the speaker was saying, but from time to time the crowd would shout as the speaker gesticulated.

We returned to the steel plant, as we were supposed to be through at 3:45 o'clock p. m., but were ordered to remain in reserve until further notice.

At about 4:30 o'clock, p. m. on the 30th of May, word was brought to us that a mob was advancing over the fields toward the Republic Steel Corporation's Plant. As part of my duties as a sergeant, myself and Lieutenant Moran ordered the second platoon to form ranks. Upon forming ranks, we marched out towards the approaching mob. When nearing the mob, orders were given to form company front in a line parallel with the front of the mob, which was done. We continued to advance, and so did the mob, until within a distance of about three feet apart, when the mob and the police halted. I saw that the members of the mob were armed with all kinds of weapons. Some carried baseball bats, others had clubs with spikes driven through the ends, others carried iron bars, pieces of iron pipe, jack handles, clubs with meat hooks attached, brickbats, chunks of concrete and bottles.

Captain Kilroy addressed the mob, pleading with them to disperse in a lawful and peaceful manner. Meanwhile, the mob were throwing missiles at us. Then Captain Kilroy said:

"I command you to disperse in the name of the People of the State of Illinois, in a lawful and peaceful manner."

At this time, a regular barrage of missiles were hurled at our ranks, several of our men being struck and knocked to the ground. The strikers rushed at us with upraised clubs, striking a number of police officers on their heads and shoulders.

At this time I heard a number of shots fired from among the ranks of the mob. The entire police line was slowly but steadily advancing, clearing the field. Most of the mob turned and retreated, but others stayed and fought the police. We gradually subdued them and arrested as many as possible. After we had

cleared the field and had started to pick up the injured, placing them in conveyances to be taken to hospitals, we saw two automobiles coming from the direction of Sam's Place, bearing red cross insignias on their windshields, bearing the words "FIRST AID". There were men standing on the running boards, wearing arm bands with red crosses on the arm bands. We stopped them and questioned them and they stated they had come to pick up their injured. They were informed that that had already been done, and they turned around and returned to the mob's headquarters at Sam's Place.

In the meanwhile, our men had picked up the weapons that had been dropped on the field by the mob, and held them for evidence.

We returned to the steel company's main gate and remained on reserve until 10:30 o'clock, p. m. that night.

(Signed) RAY NELLIGAN.

Sworn to and subscribed before me this 29 Day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1392

STATE OF ILLINOIS,
County of Cook, ss:

FRANCIS D. VALKENBURG being first duly sworn on oath deposes and says that he is a police officer and was assigned to the premises of the Republic Steel plant on May 30, 1937; that he appears in a motion picture which depicts him striking with his club into a bush. One of the mob had thrown several large rocks striking patrolman Joseph Hooley in the chest and head knocking him to the ground. I ran to the assistance of Officer Hooley and attempted to raise him to his feet. This man continued to throw rocks at us, causing me to desist in my efforts to raise Officer Hooley from the ground. I chased this man and was also joined by another police officer in chasing him. He stumbled into a bush. When I reached him he attempted to strike me with a bottle. I struck him on the arm a couple of times knocking the bottle out of his hands. He then attempted to seize a stone and I struck him on the arm again.

(Signed) FRANCIS D. VALKENBURG

Subscribed and sworn to before me this 29th day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public

EXHIBIT 1393

STATE OF ILLINOIS,
County of Cook, ss:

HENRY J. MURPHY, having been first duly sworn, deposes and on oath makes the following statement:

That he is a police officer of the City of Chicago, attached to the 14th District, and has been so employed for the past 12 years.

That prior to his employment by the Chicago Police Department he was a member of the Tracklayers' Union.

That as part of his duties as such police officer he was assigned to guard the property of the Republic Steel Corporation on May 30, 1937, and at about 4:30 o'clock, p. m. he was ordered to fall in line, and his platoon started to march toward a mob of about 2000 people coming across a field toward the police. As the mob neared the police, the police formed a single line parallel with the oncoming crowd and continued advancing until they were within about one foot of each other.

Captain Kilroy asked them in a nice way to disperse and go back to their homes. The crowd was yelling and swearing and throwing things at us. Finally the Captain said:

"I command you, in the name of the People of the State of Illinois, to disperse in a peaceful and lawful manner."

At this time a shower of rocks and milk bottles, hunks of concrete and other things were thrown at us; they rushed us with clubs and pieces of pipe. I was surrounded by four or five of them, knocked to the ground, and someone kicked me in the groin, I staggered to my feet, swinging my baton. Again I was knocked

to the ground and again I got up, and at this time other police officers had come to my assistance. We kept advancing until the field was cleared and the mob had withdrawn to about a block distant where they re-formed and continued to throw missiles at us.

Some of our men kept their formation and others were detailed to assist those who had been injured and to pick up the weapons that had been left on the field by the mob. When the mob finally broke up, we returned to the steel company's plant. Meanwhile, my side was hurting. When I got home I went to Dr. Somerville, who examined me and found that I had been ruptured.

(Signed) HENRY J. MURPHY

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1394

STATE OF ILLINOIS,
County of Cook, ss:

CORNELIUS REGAN, having been first duly sworn, deposes and makes this statement under oath:

That he is a police officer of the City of Chicago, 17th District, and has been a police officer of the City of Chicago for 20 years.

That during the World War he was attached to the Provost Guard, Military Police, in the United States Army, 86th Division.

That prior to becoming a member of the police department of the City of Chicago, he was a member of the Brotherhood of Boilermakers and Iron Shipbuilders of America, Local No. 1, from 1904 to 1917.

That on May 30, 1937, as part of his duties as a police officer he was assigned to strike duty at the Republic Steel Company Plant and was attached to second platoon, stationed at the steel plant, under the command of Lieutenant Moran.

That at about 4:30 o'clock, p. m. on that date, his platoon was ordered to fall in column of twos and was marched toward an oncoming mob advancing in the general direction of the Republic Steel Company's plant. This mob numbered about twenty-five hundred. After we had marched a short distance we were ordered to form company front and made a line parallel to the oncoming mob.

The mob started throwing rocks and other objects at the police and while a shower of these missiles was falling all around us, the mob advanced on us, raising clubs and other weapons and striking the police officers.

I heard some shots fired and saw the flash coming from the middle of the mob and saw several police officers knocked to the ground by members of the mob.

We advanced and the mob broke up and fled in small groups, most of them running to the rear, while others fought with the police.

Of those that stayed to fight, we made as many arrests as were possible and the rest finally ran to the rear where they joined together and re-formed their ranks.

We stopped about four or five hundred feet from them and kept our lines and some of our men assisted in caring for the injured and assisting them into patrol wagons.

When the mob dispersed we marched back to the steel company's plant and remained there until the end of our tour of duty.

(Signed) CORNELIUS REGAN.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1395

STATE OF ILLINOIS,
County of Cook, ss:

JAMES J. BEST, having been first duly sworn, deposes and on oath says:

That he is a member of the Chicago Police Department, assigned to the 13th District, and has been so employed for 15 years, and during his service with the Chicago Police Department has been called upon in line of duty to help handle

numerous crowds, riots and other public disturbances, and that during the World War he was a member of the 19th Infantry for 23 months and that he was wounded in active service.

That on May 30, 1937 he was detailed on strike duty at the plant of the Republic Steel Corporation; that his assigned post was about 115th Street and the Pennsylvania Railroad tracks. At this place there is no fence around the Republic Steel Corporation Plant. At about 4:30 o'clock, p. m. Officer Green and three other police officers, myself being one, saw a mob of about twenty-two hundred people approaching across the field adjoining the Republic Steel Corporation towards the main gate. After they had advanced for some distance, and had stopped, confronted by a line of police officers, about 150 men broke from the mob and started in our direction, led by a man wearing a blue shirt. As these men broke from the main mob and started towards us, I saw the leader wearing a blue shirt turn and fire in the direction of the police officers; they continued running in our direction and when they were about 15 feet from us, one of the mob threw a cold chisel at me, striking me in the stomach, knocking me unconscious. When I regained consciousness, police reinforcements had arrived and the fighting was at an end. I returned to the Republic Steel Corporation plant and received medical attention and was sent from there to the Auburn Park Hospital.

(Signed) JAMES J. BEST.

Sworn to and subscribed before me this 29 day of June, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public, Cook County, Illinois.

EXHIBIT 1396

979 Revised Chicago Code of 1931 provides as follows:

"979. *Processions and open-air meetings—application for permit.*—No parade or procession shall be allowed upon any street or public way in the city, nor shall any open-air public meeting be held in or upon any street or public way in the city or upon any ground abutting upon any street or public way in the city, until a permit in writing therefor shall first be obtained from the police department. Application to conduct such parade or procession or open-air meeting shall be made in writing to the commissioner of police by the person or persons in charge or control thereof, or responsible therefor, and such application shall set forth the route along which such parade or procession is to proceed, the time of starting, and the name of names of the person or corporation or society in control thereof or responsible therefor, and the purpose of such parade and procession; and, in case of an open-air meeting, such application shall specify the place at which it is desired to hold such meeting, the purpose thereof, and the name of the person, corporation or society in control thereof or responsible therefor, the time at which such public meeting is to be held, and the probable duration thereof. Upon such application being made, the commissioner of police shall investigate or cause to be investigated the person, corporation or society making such application and the truth of the statements made in such application regarding the purpose or object of such parade, procession or open-air meeting is not to be held for any unlawful purpose and will not in any manner tend to a breach of the peace, or unnecessarily interfere with the public use of the streets and ways of the city or the peace and quiet of the inhabitants thereof, he shall issue such permit to the person, corporation or society making application therefor, without fee or charge."

EXHIBIT 1397

(See p. 5139.)

EXHIBIT 1398

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To RALPH BECK,

4937 N. Ridgeway, Chicago, Ill., Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room

No. 247-C Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Charles Kramer to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

I made service of the within subpoena the 25 day of June, 1937.

(Signed) CHARLES KRAMER.

Accepted service 6/25/37; 5 p. m.

(Signed) RALPH BECK.

EXHIBIT 1399

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To JOHN V. RIFFE,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room No. 247-C Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsed on back:]

June 29, 1937

I made service of the within subpoena by handing it to the within-named John Riffe at SWOC Hdqtrs. Houston and 92d St., Chicago, Illinois at 3 o'clock p. m., on the 17th day of June, 1937.

(Signed) DANIEL F. MARGOLIES

Service accepted.

(Signed) JOHN V. RIFFE.

EXHIBIT 1400

(See p. 5140.)

EXHIBIT 1401

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To GUS YURATOVIC,
Chicago, Illinois, Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room No. 247-C Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

5054 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 30th day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937.

I made service of the within subpoena by handing it to the within-named Gus Yuratovic, at Senate Office Bldg. at 2 o'clock p. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1402

(See text, p. 4886.)

EXHIBIT 1403

(See text, p. 4886.)

EXHIBIT 1404

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To GEORGE A. PATTERSON,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/29, 1937.

I made service of the within subpoena by handing it to the within-named George Patterson at SWOC Hdqtrs. on Houston Ave. & 92d St., Chicago, Ill. at 3:30 o'clock p. m., on the 17th day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted.

(Signed) GEORGE A. PATTERSON.

EXHIBIT 1405

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To ORLANDO LIPPETT,
Chicago, Illinois, Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room No. 247-C Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5055

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 24th day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937.

I made service of the within subpoena by handing it to the within-named Orlando Lippert at Senate Office Building at 10 o'clock a. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1406

(Exhibit 1406, a Paramount Pictures, Inc., newsreel, is held in committee files. See text, p. 4892.)

EXHIBIT 1407

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To MEYER LEVIN,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 25 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937

I made service of the within subpoena by handing it to the within-named Meyer Levin at Senate Office Bldg. at 10 o'clock a. m., on the 30th day of June, 1937

(Signed) DANIEL F. MARGOLIES

EXHIBIT 1408

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To CHESTER FISK,
7407 Yates Ave., Chicago, Ill.,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

5056 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

To Charles Kramer to serve and return.
Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Subcommittee of Committee on
Education and Labor under S. R. 266.

[Endorsement on back:]

Accepted service, 6/25/37, 12:05 p. m.

(Signed) CHESTER B. FISK.

I made service of the within subpoena the 25th day of June, 1937.

(Signed) CHARLES KRAMER.

EXHIBIT 1409

(See p. 5140)

EXHIBIT 1410

(Held in committee files. See text, p. 4905.)

EXHIBIT 1411

(Held in committee files. See text, p. 4907.)

EXHIBIT 1412

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To FRANK W. McCULLOCH,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee; and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 25 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Subcommittee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937.

I made service of the within subpoena by handing it to the within-named Frank McCulloch at Senate Office Building at 10 o'clock a. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1413

(See p. 5141.)

EXHIBIT 1414

(See p. 5142.)

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5057

EXHIBIT 1415

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To JAMES STEWART,
Chicago, Illinois, Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies, to serve and return.

Given under my hand, by order of the committee, this 30th day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/30, 1937.

I made service of the within subpoena by handing it to the within-named James Stewart, at Senate Office Building at 2 o'clock p. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES

EXHIBIT 1416

[Western Union Telegram]

PITTSBURGH, PENN., May 23, 1937

EAGLES HALL,
9233 Houston Ave South.

Meetings of strikers should be arranged soon as possible to appoint committees to register all strikers by taking name, address where employed, department number of dependents. Each striker should be required present proof of union membership at meetings, and if not a member should be requested to sign application in usual manner. Important every possible striker be recruited for union membership. Steps should also be taken to form local committees composed of representatives friendly unions and sympathizers with C. I. O. for purpose mobilizing assistance property owners and others to provide bail in event extensive arrests of strikers and pickets. This necessary to supplement bail arrangements already made if same prove inadequate because possible large number arrests and high bail requirements.

(Signed) PHILIP MURRAY, Chairman.

EXHIBIT 1417

REPUBLIC STEEL PICKETING SHIFTS

SHIFT NO. 1, 12 MIDNIGHT TO 6 A. M.

Open hearth: Louis Selenik, Nick Kruga, Ted Bilar, Joe Zarkovich.
Yard: John Billich, Joseph Abbott.

SHIFT NO. 2, 6 A. M. TO 12 NOON

Blooming mill and 21-inch mill: Ed Dainty.
Mechanical department: Gus Yuratovac.
Electric shop: R. J. Rogers, Gus Damas.
Spike and heat treatment: Frank Rucker.

5058 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

SHIFT NO. 3, 12 NOON TO 6 P. M.

12-inch mill: Mike Mrkovich, Pete Zanko.
10-inch mill: Emil Badornae.
Wire mill: Fred Grewenig.

SHIFT NO. 4, 6 P. M. TO 12 MIDNIGHT

Billet dock: Sparky Alo, Emil Santelli, Sam Curatola, C. Johnson.

EXHIBIT 1418

(See p. 5142.)

EXHIBIT 1419

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To JOE WEBER,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Subcommittee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock, a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.
Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
*Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.*

[Endorsement on back:]

JUNE 29, 1937.
I made services of the within subpoena by handing the subpoena to the within-named Joe Weber at S. A. O. C. Headquarters Indiana Harbor, Indiana at 4 o'clock p. m., on the 25th day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted.

(Signed) J. R. WEBER.

EXHIBIT 1420

PAUL P. GLASER, PH. D., D. C. L.

LAWYER

Office Phone Gary 2-6722
Home Phone Hobart 245

610 Broadway
Gary, Indiana

[In ink on reverse side:] "C. I. O. Forever. Soviet America." Also, American flag over hammer and sickle triangular pennant on staff.

EXHIBIT 1421

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To ANTON GOLDASIC,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5059

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
*Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.*

[Endorsement on back:]

6/30, 1937.
I made service of the within subpoena by handing it to the within-named Anton Goldasic at Senate Office Bldg. at 10 o'clock a. m., on the 30th day of June, 1937.
(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1422

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To JOHN LOTITO,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room No. 247-C Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 25th day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
*Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.*

[Endorsement on back:]

6/30, 1937.
I made service of the within subpoena by handing it to the within-named John Lotito at Senate Office Bldg at 10 o'clock a. m., on the thirtieth day of June, 1937.
(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1423

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To MAX GUZMAN,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937 at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
*Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.*

[Endorsement on back:]

6/30, 1937.
I made service of the within subpoena by handing it to the within-named Max Guzman, at Senate Office Building at 10 o'clock a. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1424

(See p. 5143.)

EXHIBIT 1425

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To LUPE MARSHALL,
Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Subcommittee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies, to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
*Chairman, Sub-Committee of the Committee on
Education and Labor Under S. R. 266.*

JUNE 29, 1937.

[Endorsement on back:]

June 29, 1937.

I made service of the within subpoena by handing the subpoena to the within-named Lupe Marshall, at Room 247-C of the Senate Office Building, at Six o'clock P. m., on the twenty-ninth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted.

(Signed) LUPE MARSHALL.

EXHIBIT 1426

STATE OF ILLINOIS,
County of Cook, ss:

The undersigned, being duly sworn, upon his oath deposes and says:

My name is Harry Harper. I now live with my mother-in-law at 7324 S. Maplewood Avenue, Chicago. I work for the Interlake Iron Corporation at 112th and Torrence Avenue.

We were visiting my folks on Sunday, May 30, 1937. We usually go there week-ends or semi-monthly. They live approximately one-half mile from the scene of this massacre. I stopped and saw my folks and asked how my brothers were. I have two brothers working at Republic Steel. I learned from my mother that one of them was out on strike and the other was not. The one that was out on strike is married and he lives about one-half block from my folks and the one that stayed in the plant lived with my folks.

My mother seemed very much disappointed that my brother had stayed in and I knew she felt hurt. She knew it would hurt the rest of the family. She felt that there was a misunderstanding.

I left my wife and child with my mother and took it upon myself to inquire from my other brother and his wife told me that he had gone to this meeting, if I went down to the meeting I would find him there. I went there and the speakers were in session. I inquired from a number of the boys if they had seen my brother. They said, "No". It was approximately fifteen or twenty minutes when the speakers were through and a gentleman made a motion that a peaceful picket line be formed and parade along the steel plant. The motion was seconded and it was passed unanimously. He also read a letter from Mayor Kelly stating that the police would not interfere with peaceful picketing. They all formed a line with banners and flag bearers in the front, with the strikers following immediately behind the banners and flags. I should judge it was about a mile long. They started and paraded through the prairie towards the gate, diagonally from where they were speaking.

I met several of the boys working in the plant and they asked me to go with them. We paraded peacefully down the prairie when the banner carriers and flag carriers reached the police and they were stopped. They did not get to their destination, which was to parade by the gates so the boys in the plant and those on the buildings could see their signs which stated: "Come out, Fellow Workers. Join our workers. We are still with you."

Seeing these boys in the plant when the parade stopped, I thought I would walk up a trifle closer and probably I would be able to recognize my brother. I walked up closer and still I could not distinguish my brother. So I came to the police officers and was asking them if I could not possibly—I had a message from my mother—if I could not get in the plant and talk to my brother. I asked for an escort of a policeman or two, or if they would recommend some other means by which I could talk to my brother.

As I was talking to the officers I realized the danger I was in. My subconscious mind told me there was going to be trouble. I saw it in the officers themselves. Their lips were trembling. They were white. It also seemed that they were intoxicated with something and were waiting for some signal to go. As I sensed that danger, I guess I displayed some fear. One of the officers said, "What are you afraid of?" I said, "I do not know. I do not know. It must be in the air." Just as I got that last word out there was a signal—it seemed like a blast from a policeman's whistle—when that signal went off they charged like a bunch of demons. No one had a chance in the world. I was knocked down by the impact of the officers surging forward. I received a blow that struck me in the face. I went down. I tried to get up and blood was streaming out of my left eye. It also affected the right eye partially but I still had a little vision. I managed to run a little, covering my face with one hand. With the right eye I could see officers charging in a circle, shooting with revolvers—not up but right into the crowd—I realized the danger I was in. I feared I was going to be shot so I fell into a hole. Before I fell into this hole I saw people being mowed down, like with a scythe. I fell into a culvert thinking that would protect me from any future danger. As I fell into this culvert there was a party lying in there already. He said to me, "Help me, buddy. I am shot." And I said, "I am helpless. I cannot help you." I could not stay there much longer because just then a gas bomb fell into my face. It was choking me so I made one more attempt to go into the safety zone. But then I lost all sense of reasoning and I think someone grabbed me and they started carrying me. Then I remembered being placed in an automobile. There were several other victims in there and they were going to get me to first aid.

The car was in motion. Where it was going or just what direction I could not say because I could not see. But they did not get very far when several officers jumped on the running board and halted the driver and they dragged every occupant out of that machine and threw them in the patrol wagon.

And then that long journey started. Whether there were one or two officers, I cannot say who was there. But I am positive there was one man lying down on the floor of the patrol, if not two. And this gentleman who was sitting, I think he was shot in the leg, he was one of the strikers. He was begging the officers to take us to the nearest doctor or hospital but the officers refused. But I do think he made one stop. It might have been the South Chicago Hospital. I am not positive. I was begging them to give me first aid and told them I was in agony. The officers said, "We will take care of you"—so he slammed the door. I do not know whether anyone got out or not, but I do remember he slammed the door and started off. He said, "Shut up, you son of a bitch. You got what was coming to you." So they proceeded to drive on. The driver seemed to be strange—he did not know where he was going or could not operate the motor. The motor was in poor condition. He stalled the motor several times. And this man who was still conscious and sitting on the seat, he was begging them to stop at a doctor's because these men still were breathing. He used a plural term—whether he meant me or the two people on the floor—you understand I could not see at the time.

We finally got there. It seemed like ages to me—and what I have heard since it was three hours. When we got to the Bridewell Hospital they opened the door and told me to get up. I said I could not. I had no control over my legs. I said, "I am terribly weak." I could not see; my left eye was out and my right eye was closed entirely, and my face was a mass of blood. Blood was trickling onto the floor, onto the bodies that were lying there. And my wife saw all my clothes—they were all soaked with blood. I did not move when he commanded me to get up. Then he said, "We will take this one on in. We will take the others to the morgue—no use bothering with them." There was no doctor to see whether these men were still breathing; they had been breathing for some

time because this gentleman who was conscious and who was begging for first aid when we were near to the Bridewell, he said, "Oh, they stopped breathing."

Then they dragged me out by my legs. I bumped my back coming down. I made a futile attempt to get on my feet. I could not stand; I could not see. So one man, I do not know whether it was an officer or not, got me under the arms and dragged me up and down steps. Where I was going I did not know. Finally they had me in the building somewhere—I assume it was the Bridewell. They sat me down with no attention for quite a while. Then someone came along and stripped me of all my clothing, so I sat there for another length of time—I do not know how long—before they brought clothing to me. I told them I was cold, freezing and shivering—they ignored me—and finally brought a little short jacket to slip on. And then they took me away. They finally washed the blood off of my face. I do not know how many men opened both my eyes and looked at them and mumbled something. Then they bandaged my eyes and put me to bed. They left me that way. My head was bandaged up; at times I was delirious. My stomach had been abused. I do not know whether it was through abuse or gas bombs that made me deathly sick, or the loss of blood, but I could not see.

They set food—very scant food—in front of me. They told me, here is your meal. I could not see to eat and when one of the other patients tried to help me he was sent back to bed with very abusive language. I could not eat. I pleaded for a glass of milk, which was denied me. I pleaded for them to contact my wife and relatives. They refused that. They absolutely gave me no attention whatsoever until Wednesday, June 2. They took the bandage off my right eye. I was able to see a very little at the time, due to the swelling in my right eye.

Tuesday night, June 1st, it must have been about eight or nine o'clock approximately, they took me somewhere and made a futile attempt to stitch the lower lid of my left eye. The doctor or interne gave me a shot in the arm and he took one stitch and then he walked out. It seemed like he was contracting a business deal in the next room. It seemed like ages before he came back in again. He asked me if I felt sleepy. I said, "No." He took another stitch, which was very painful. I guess that was all he did to the eye, put back the bandage and put me in bed.

In the meantime, between the first and second stitch, one of the orderlies came in twice and asked me if the doctor was through. My eye was open, exposed all this time. I said, I did not know. He said, "Gee, it is taking a long time to do this." Evidently, he had been sent down to take me up. Then I was put to bed and I asked for a glass of water, which was denied me.

On Wednesday, after the bandage was off my eye, I was able to taste food and the first bite of food was the day my wife came in and I was just in the act of eating, and she can probably tell more about conditions than I.

Furthermore, I did not move my bowels from the time I came in to the time I left. I felt bloated and in pain. I asked for an enema. I was refused that.

When I left they gave me my clothes in a sack and told me to go into the washroom and dress. I do not know how I ever managed to get there and dress. I thought my wife would bring clean clothes but they made me put on the bloody clothes I had. They sat me on a bench and told me to wait. My wife came up about a half hour later.

I do not remember from then on. I was taken home on Wednesday evening in a cab. I was taken from 7324 Maplewood Avenue to the Michael Reese Hospital in an ambulance. I also want to state that I went from 160 pounds down to 130 pounds.

When I went to the Michael Reese Hospital they washed out the eye and the house physician, Dr. Kaufmann, gave me first aid, put in a solution, and also gave me an enema and cleaned out my system and gave me a hypo to put me to sleep. Dr. Kaufmann came in the next day and treated the eye, looked at it, and made arrangements for an operation of what was left. My wife had seen what was left of the eye and he contacted her and told her what had to be done. They consulted me. We agreed to it and they operated on me on Saturday, June 5. They had to build up my strength as I was too weak for an operation. The eye was knocked out and they removed the remnants of it. I have been receiving treatment every other day, and the doctor just committed himself to say what condition it was in when the first examination was made. Infection had set in my eye. Then Dr. Kaufmann said because of this he had to be very conservative in his operation. They refused all visitors at Michael Reese Hospital. I was at the Michael Reese Hospital about a week and a half. I left on Saturday, June 12, a week after the operation.

In the march on Sunday, May 30, I walked directly in front of the flags. We stood there approximately five minutes. I heard no conversation between the other strikers and the police officers. There was a colored officer who said to one gentleman and I heard him—he said, "Get back, you son-of-a-bitch or I will shoot you full of lead." That statement made me feel uneasy but it was too late. I think I could identify this colored officer.

I was not armed. I was dressed in my good clothes. I did not see any sticks, guns, or clubs. If I had seen any I would not have walked over with the crowd. If there had been a possibility of trouble I would not have gone over. I have a wife and child and there was nothing for me to gain by going there if there had been trouble. The crowd was jolly—they asked everyone to come in and form a peaceful line. Women and children were in the parade. Men had their wives. Some of the boys had their sweethearts. There was no intention of trouble. I do not see why a man would take his wife, sweetheart, son or daughter, father or mother to this parade if they had expected trouble. One man took his mother and father.

As I was talking to this officer, I sensed danger facing them. The parade was in back of me. It seemed that it was a planned attack. They were tense, waiting for some—just like a football player—waiting for a signal to go. I was still in conversation when the blast of the whistle was blown. It sounded like a police whistle. I was so close I could not pick the officer who—something struck me, whether it was a club, bullet, or shot, I could not say. I went down and was trampled upon. I do remember seeing that the police had their guns out. I heard the shots and I looked to my right and they were coming forward with their pistols drawn.

I signed some paper at the Bridewell Hospital. I could not read it. They said it was necessary for me to sign this paper to be released from the Bridewell Hospital. I told them I could not see and he said that he would read it for me. He guided my hand. He told me I could not get out unless I signed it.

Subscribed and sworn to before me this — day of June 1937.

_____, Notary Public.

EXHIBIT 1427

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To HARRY HARPER,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States on June 30, 1937, at 10 o'clock a. m., at their committee room 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22 day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, Jr.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back.]

JUNE 25, 1937.

I made service of the within subpoena by personally handing it to the within-named Harry Harper, at his home at 7324 S. Maplewood Ave., Chicago, at 7 o'clock p. m., on the twenty-fifth day of June, 1937.

DANIEL F. MARGOLIES.

EXHIBIT 1428

(See p. 5144.)

EXHIBIT 1429

(See p. 5144.)

EXHIBIT 1430

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To ARCHIE PATERSON,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, JR.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

JUNE 30, 1937.

I made service of the within subpoena by handing it to the within-named Archie Paterson at Senate Office Building at 10 o'clock a. m., on the thirtieth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

EXHIBIT 1431

(See p. 5145.)

EXHIBIT 1432

(Held in committee files. See text, p. 4969.)

EXHIBIT 1433

(See p. 5145.)

EXHIBIT 1434

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To ROBERT FLEMING,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, JR.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

6/29, 1937.

I made service of the within subpoena by handing it to the within-named Robt Fleming at his home in Chicago, Ill., at 1 o'clock p. m., on the 25th day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted:

(Signed) ROBERT FLEMING.

EXHIBIT 1435

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES,

To GEORGE JOLLY,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the Sub-Committee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies to serve and return.

Given under my hand, by order of the committee, this 25th day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LA FOLLETTE, JR.,
Chairman, Sub-Committee of Committee on
Education and Labor Under S. R. 266.

[Endorsement on back:]

JUNE 29, 1937.

I made service of the within subpoena by handing it to the within-named George Jolly, at Rm 247-C, Senate Office Bldg., at 9 o'clock p. m., on the 29th day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted:

(Signed) GEORGE JOLLY.
6/29/37—8:00 P. M.

EXHIBIT 1436

List of evidence picked up after riot 5-30-37 at Republic Steel Company, photographed by Film. Ralph Moore & John Donohue—B. of I. Case #6121

NEGATIVE #1

Description	Weight	Length	Size
	Pounds	Inches	
1 Pc Iron Pipe.....	2	21	¾ inch.
1 Iron Crank Rod.....	2	20	¾ inch.
1 Pr Iron Tongs.....	2¾	32½	½ inch.
1 Iron Hatchet.....	1¼	13½	
1 Crank Handle.....	2	21	½ inch.
1 Iron Bolt.....	1¼	12	¾ inch.
1 Iron Fender Bracket.....	1¾	19	2½ inches.
1 Iron Pipe with Stand.....	2	18½	¾ inch.
1 Pc Iron Pipe.....	5	27	1¼ inches.
1 Pc Iron Tubing.....	1¼	25	1¼ inches.
1 Auto Tie Rod.....	3¼	37	¾ inch.
1 Pc Iron Tubing.....	1¼	25	1¼ inches.
1 Auto Spring Leaf.....	2	25½	1¾ inches.
1 Auto Spring Leaf.....	3½	31	1¾ inches.
1 Knife.....		9	4¼ inches blade.

5066 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

List of evidence picked up after riot 5-30-37 at Republic Steel Company, photographed by Pilm. Ralph Moore & John Donohue—B. of I. case #6121—Continued

NEGATIVE #2

Description	Weight	Length	Size
	Pounds	Inches	
1 Pc Window Sash with "Gem" blade embedded in top. Initial "H" cut in side 5 inches below blade.	1½	39	2 inches x 1½ inches.

NEGATIVE #3

1 Pc Wood.....	2	67	1½ x 1½ inches.
1 Pc Flooring.....	2¾	54	2½ inches x ¾ inch.
1 Pc Wood.....	4	44½	2 inches x 4 inches.
1 Pc Wooden Sash.....	2	40	1½ inches x 2 inches.
1 Pc Wooden Sash.....	2	40	1½ inches x 2½ inches.
1 Indoor Bat.....	2¼	35	1 inch.
1 Tree Branch.....	¾	47	31
1 Pc Window Sash.....	1¾	28	1½ x 2¼ inches.
1 Pc Window Sash.....	1¾	28	1½ inches, pointed edge.
1 Round Wood Club.....	1½	36	1½ inches x 1¼ inches.
1 Fence Picket.....	1	37	1½ inches x 1¼ inches.
1 Round Wood Club.....	2	34½	1½ inches.
1 Round Wood Club.....	1	36	1½ inches.
1 Tree Limb.....	1¾	29	2 inches, hooked end.
1 Tree Limb.....	1½	25	2½ inches.
1 Tree Limb.....	2	29	2½ inches.
1 Tree Limb.....	1	20	2 inches, whittled end.
1 Tree Limb.....	1¾	28	¾ inches.
1 Tree Limb.....	1	31	1¼ inches.
1 Tree Limb.....	1½	36	1¼ inches.
1 Tree Limb.....	1	34	1¼ inches.
1 Round Wood Club.....	1¼	34	1 inch.
1 Broken shovel handle.....	1½	23	2½ inches, whittled end.
1 Round Wood Club.....	1	19	Iron handle.
1 Round Wood Club.....	1	33	1¼ inches.
1 Fence Picket.....	1¼	33	1¼ inches, metal clamp.
1 Fence Picket.....	1¼	26	2½ inches x ¾ inch.
1 Fence Picket.....	1¼	26	2½ inches x ¾ inch.
1 Fence Picket.....	1¼	27	2½ inches x ¾ inch.
1 Fence Picket.....	1¼	31	1¼ inches x ¾ inch.
1 Pc Wood Sash.....	1¼	23	1¼ inches x ¾ inch.
1 Pc Wood Sash.....	1¼	34½	1¼ inches x ¾ inch.
1 Tree Branch.....	1¼	38	¾ inch.
1 Wood Club.....	2	27	3 inches x 1¼ inches.
1 Wood Club.....	1½	19	1 inch x 1¼ inches, whittled handle.
1 Wood Club.....	1½	19	1 inch x 1¼ inches, whittled handle.
1 Wood Club.....	1¼	25	1¼ inches.
1 Pc Window Sash.....	1¼	22	1¼ inches x ¾ inch.
1 Pc Window Sash.....	1¼	31	1¼ inches x ¾ inch.
1 Pc Window Sash.....	1¼	29	1¼ inches x ¾ inch.
1 Pc Window Sash.....	1¼	10	2½ inches x ¾ inch, 2 nails in end.
1 Pc Window Sash.....	1¼	24	1¼ inches x 1½ inches.
1 Pc Window Sash.....	1	24	1¼ inches x 1½ inches, whittled handle.
1 Chair Rung.....	1½	17½	1½ inches.
1 Pc Wood.....	1¼	20	1 x 1½ inches.
1 Pc Wood Club.....	1	29	1½ inches x 1 inch, whittled handle.
1 Pc Wood Club.....	1¾	32	1 x 1¼ inches, whittled handle.
1 Pc Wood Club.....	2	33	1½ inches x 1½ inches, whittled handle.
1 Pc Wood Club.....	2	31	2 inches x 1¼ inches, whittled handle.
1 Pc Wood Club.....	1½	32	1½ inches x 1¼ inches, whittled handle.
1 Pc Wood Club.....	2	35	1¼ inches x 1½ inches, whittled handle.
1 Pc Wood Club.....	1	35	1¼ inches x ¾ inch.
1 Pc Wood Club.....	1	29	1½ inches x 1¼ inches, whittled handle, nails in end.
1 Pc Wood Club.....	1¾	32	1¼ inches x 1¼ inches, whittled handle.
1 Pc Wood Club.....	1½	32	1¼ inches x 1¼ inches, whittled handle.
1 Pc Wood Club.....	1¾	32	1¼ inches x 1¼ inches.
1 Pc Wood Club.....	1¾	28	1¼ inches x 1 inch.
1 Pc Wood Club.....	1¾	32	1½ inches x 1¼ inches.
1 Pc Wood Club.....	1¾	32	1¼ inches x ¾ inch.
1 Pc Wood Club.....	1½	32	1½ inches x 1 inch.
1 Pc Wood Club.....	1¾	32	1¼ inches x 1 inch, whittled handle.
1 Pc Wood Club.....	1½	32	1¼ inches x 1 inch, whittled handle.
1 Pc Wood Club.....	1½	29	1¼ inches x ¾ inch, pointed end.
1 Pc Wood Club.....	1	28	1¼ inches x 1 inch, whittled handle.
1 Pc Wood Club.....	1¾	26	1½ inches x 1½ inches, whittled handle.
1 Pc Wood Club.....	1	27	1¼ inches x 1 inch; blood stain 9 inches from marked end.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5067

List of evidence picked up after riot 5-30-37 at Republic Steel Company, photographed by Pilm. Ralph Moore & John Donohue—B. of I. Case #6121—Continued

NEGATIVE #4

Description	Weight	Description	Weight
	Pounds		Pounds
2 Qt "Hunding Dairy" milk bottles.....	1	1 Pc Stone.....	1
1 Qt "Meadowmoor" milk bottle.....	1	1 Pc Stone.....	1½
2 Pt "Swiderski" Pop Bottles.....	1	1 Pc Stone.....	1
1 Pc Fire Brick.....	3½	1 Pc Stone.....	¾
1 Pc Fire Brick.....	5½	1 Pc Stone.....	¾
1 Pc Fire Brick.....	2¾	1 Pc Stone.....	1½
1 Pc Fire Brick.....	5	1 Pc Stone.....	1¼
1 House Brick.....	4¼	1 Pc Stone.....	1
1 House Brick.....	3¾	1 Pc Stone.....	1¼
1 Pc House Brick.....	2	1 Pc Stone.....	¾
1 Pc House Brick.....	2¾	1 Pc Stone.....	1½
1 Pc Stone.....	2½	1 Pc Stone.....	1
1 Pc Stone.....	3	1 Pc Stone.....	¾
1 Pc Stone.....	3	1 Pc Stone.....	1½
1 Pc Stone.....	2½	1 Pc Stone.....	¾
1 Pc Stone.....	1¼	1 Pc Stone.....	1½
1 Pc Stone.....	2	1 Pc Stone.....	1
1 Pc Stone.....	2	1 Pc Stone.....	1½
1 Pc Stone.....	2½	1 Pc Stone.....	1½
1 Pc Stone.....	1¾	1 Pc Stone.....	1½
1 Pc Stone.....	2	1 Pc Stone.....	1
1 Pc Stone.....	1½	1 Pc Stone.....	2¼
1 Pc Stone.....	1¼	1 Pc Stone.....	¾

1 Blood stained.

56 Placards

4 "I. W. O." Placards

2 Men's Straw Hats
15 Men's Felt Hats (various colors)
1 Lady's Brown felt hat
10 Men's caps (various colors)

NEGATIVE #5

NEGATIVE #6

23 Copies "Daily Worker"

NEGATIVE #7

1 White uniform cap
2 Blue zipper jackets
1 Brown coat
1 Gray Jumper

EXHIBIT 1437

(Held in committee files. See text, p. 4976.)

EXHIBIT 1438

(See p. 5146.)

EXHIBIT 1439

STATE OF ILLINOIS,
County of Cook, ss:

The undersigned, being duly sworn, upon his oath deposes and says:
My name is Louis Selenik. I reside at 9733 Avenue "L", Chicago.
I have worked for the Republic Steel Corporation for about thirteen years. At the Friday meeting we decided to vote on the strike so we had another meeting on Monday night to get out signals—how we were going to go on strike. So our signal was that if the eleven to seven turn did not start coming in at the usual time we usually started by ten thirty, we would absolutely know that there was nobody coming in. We would know the strike was called. That was all our signal. The shop committeemen and officers were working. I was working and I saw the commotion on the floor and I jumped off my job and ran back of the furnace to see what the commotion was. I did not see anything. So I got to thinking that there was something wrong. I thought there would be trouble before eleven

o'clock. I went to the washroom and changed clothes. Then I went back on the floor and the boys asked me, "What is the matter, Louie? Aren't you going to work any more?" I said, "Sure, there is no strike yet." I went back on the job, working for a while. Pretty soon the superintendent came up and said, "Hey, you are a heck of a union man." I said, "Why?" He said, "Don't you know the strike is called?" I said, "No. I did not." Then I told him, I said, "Listen, you are trying to put something over on me. Trying to get me to walk off the job and then get fired. We are not supposed to go on strike until eleven o'clock." He said, "I am telling you the truth." I took him for his word and walked off. As soon as I got outside, I knew the strike was on. I saw all of the people who were still inside. The whole turn in my department, the seven to three turn, was supposed to have gone home at three o'clock and they were still hanging around. I walked a little further around near the office. The men were trying to come to some kind of an agreement. I went over and talked to a couple of fellows. They started telling me the strike was called off. They started blaming one of the officers of our lodge. We all went outside the gate. We were outside of the gate for quite a while and we had a pretty nice picket line. The picket line formed after we got out of the gate.

In the meantime, there were machines going in all of the time with fellows going to work—scabs. The police were going in—paddy wagon load after paddy wagon load, going through the line. A couple of fellows tried to go through the line but we turned them back and they did not try to get in.

I do not know how long we were there until the police—I would say about three hundred of them—that is my own opinion—came out and started pushing our line back. They pushed back little by little and then pretty soon they started pushing us down the street and kept pushing us way out until we were about five blocks away from the plant—pushed us way out to Avenue "O".

After we got over to Avenue "O" and 117th Street, the pickets dissolved—some went home, some beat it. I do not know where they all went. There were a few who remained—about twenty of us altogether. We drove around to 114th and Greenbay, that is the little street that comes directly south of Strike Headquarters. We were on that corner all night and we had a few fellows out on picket line. We could not get any satisfaction from the police at that time as to how many pickets we were allowed so we were always in a quandary trying to find out how many pickets we could have. The police would tell us one thing; we would send the men out, the number we were allowed to have; when we got the line out there, why the police would chase them away—would say we had too many. That went on Thursday and Friday. Thursday we would not get a definite answer as to how many pickets. So on Friday we thought there should be a demonstration to see how far we could get with peaceful picket lines. On Friday we decided to hold a meeting and have a peaceful demonstration with a parade to see if we could get to the gate without any police interference. The main idea of the parade was to protect the camera men who were taking pictures in back of the flag bearer—colored man. Our line was two abreast and in between there were sixteen men. We had picked out good husky men who were to protect the camera men to see that nothing happened to the camera. I think there was another camera man on the side.

We got down as far as 117th between Burley and, I think, Mackinac Avenue. That is where the police reserves were. We had met a few police on 117th street and they ran back to about Mackinac Avenue where they were re-inforced. I was carrying the flag and my orders were to keep going until I got stopped, which I did. That is still not clear in my mind just what happened when I got up there. I do not know whether I used the flag on a policeman's head or whether it was broke from back of me. All I know is that I had a piece of flag pole in my hand about twenty inches long. Anyway, the flag went down. I do not remember hitting a policeman with the flag. I do remember I threw the little piece of stick toward the police. I remember the flag pole breaking. It was not a regular flag pole. It was a 1 x 2 soft wood. I do not think that I hit a policeman. The story I got was the policeman had hit the flag pole from behind. When I got to the police line I kept on. I was among the police—some of them were in back of me and I was going right on just walking. I held the flag just in front of me. It was broken off. What the picture shows I do not know. I never did find out. Anyway, I know I had the little piece and threw it in the mob of policemen. It could not have hurt anyone. When I started walking on I walked into a little swamp on the road. I got a little wet. I was on the south side of the road and kept going over to the north side. I kept going through the marshes. I got hit right after I lost the flag. I was hit with a policeman's club.

We did not have any clubs in our crowd. I was hit in the back. A big lump as big as a sausage formed on my back.

I finally got back to Strike Headquarters and the crowd started coming back. They were all worried about me. I heard a rumor that I was killed so I was afraid my wife was going to find it out. So I beat it home to show her I was not. That is about all of the Friday affair. I remember one thing as I was ducking across the street. I glanced East and I saw a policeman, whether or not he was firing blanks I do not know, but I saw a policeman firing in the crowd with his pistol. I do not know whether he was shooting blanks. I have not heard of anyone being shot that day. That was just as I went into the ditch. I heard the shots and then I did go.

The Strategy Committee is supposed to be running the strike. It is a strike strategy committee. They were elected and appointed. I was on the committee. All shop committeemen automatically become strategists and I am a shop committeeman. There were a few who were elected.

We had a meeting of the Strategy Committee on Saturday morning following the Friday affair, at Sam's Place, strike headquarters. The Strategy Committee and the organizers. We received instructions as to picking out some captains for the Sunday parade. Each member of the Strategy Committee was to pick five men to act as Captain directly under the strategists. They were to be responsible for order, and the most important thing was the captains were to look around to see if there were any guns or firearms. It was discussed at the Strategy Committee meeting, I believe it was Joe Weber who gave the order to see that there were no weapons, no guns. The Strategy Committee was to instruct the captains to that extent.

Then on Saturday, after we got back to Sam's Place we started picking out the captains. And then all of these captains were instructed to be at Eagles Hall on Sunday morning at ten o'clock along with the strategists. On Sunday morning they also received the same orders that the Strategy Committee had received on Saturday. The only way it was brought out that there was to be any kind of so-called arming was that there would be a piece of wood used on which our placards were nailed. Our placards were nailed on pieces of wood. We were carrying the same kind of signs the pickets are carrying now. Joe Weber said that the only way we were to use the sticks was in case the police started any trouble. These were the sticks carrying the placards. Joe Weber told us under no circumstances should we start any battle. Leave that up to the police. That was the instructions to the captains and the Strategy Committee. The strategists had a little red ribbon with the word "Strategy" on it, and the captains, I believe, they had a white band with blue wording. But anyway, it had "Captain"; that was on the sleeve. One captain was to take care of a certain number of men. We had no figures on how many would be there. The Strategy Committee itself was in charge and it would go around seeing that the captains were well posted and order kept.

At the mass meeting at Sam's Place on Sunday, May 30, I was on special detail and I did not get to hear or see very much of the speaking that was going on. I had a special job at headquarters. There was a little strategy that we were to use in order to confuse the police. I was to get sufficient men and machines and take them down around Hegewich and leave our machines parked at Hegewich and ride the street car down to about 125th street. We were going to leave the street car there (at 125th street) and walk. We were trying to time ourselves so that we could get to a certain point to attract the police to confuse them, to make the police believe that there was a march coming from the other direction. As soon as the police would start coming after us it was our job to run through the prairie and get back to the point where we had left our machines. The idea was to confuse the police so they would not know what it was all about. We were without anything—without placards. None of these plans went through. This was the only plan I knew anything about. I could not get enough men and machines. That is why the plan did not go through. It was thought up after a short notice—just a little before the meeting and speaking started. A few of us had a meeting—Joe Germano and Hank Johnson, organizer, and myself. We thought it would be a good piece of strategy to confuse the police but this did not go through.

Along about that time the parade was just about getting under way. Beings that I was a strategist, I was going through the lines and asking the captains, talking to the men, against any unnecessary battle, particularly if they had any guns to leave them behind. None of them had any guns. The captains were frisking the crowd to see that they had no weapons. Five men I had do this. I know this for a fact. I went along with them. They did not find any guns.

I was going up and down the lines. I ended up near the front line of march. By this time the line got to the police. I was in front. I do not know for what reason, but I heard the order to flank out. The police lines were like this—someone gave the order to flank out. I do not know where I heard this. But the lines flanked out. There were more people in back than in front and the police had a line—a wing across the prairie. The line at the back straggled toward the west and it came back again.

For some reason or other, I still don't know why I did it, but I got away from the crowd and walked down fifty or seventy-five feet away from any of the strikers and walked toward the plant. I was there by the police all by myself towards the plant. I had a placard. For what reason I was there I do not know. I no sooner got there than the firing started. Right after the firing started I heard all that shooting going on and I thought, this is no place to use a placard. I threw it down and walked. I do not know how many policemen I passed. They did not bother me.

I do not know whether I tripped or what, but I was on the ground. I was going south. The police were coming north. I kept on going south until I tripped. As soon as I tripped I heard all the firing so I just stayed down. While I was down there I got hit on the head after I had fallen down. I covered my head with my hands. My head was buried almost but not quite. They started banging on my head and then hit me on the right elbow, on my back and shoulders. I do not remember whether I was trying to get up.

I do not remember what was on my placard. Then I remember a couple of police got hold of me, one under each arm, and shoved me in the patrol wagon. There were ten people in the same wagon. Nick Krugar was there. That was a fellow who was shot in the head and clubbed in the back. There was a colored man, Jayson Johnson. Max Guzman was in the patrol wagon with me. That was the first wagon which took such a long time to arrive at the police station. There was one woman, Ada Lader. She had on a low head dress. Reverend Fisk was in the patrol wagon. I remember when the policeman pushed him in the wagon someone said "Oh, boy, you have got something there". Whether a policeman or someone on the opposite side said that I do not know. I saw that Rev. Fisk had a little camera. We were sitting there until they had it loaded and I heard all the shooting going on. I saw all the gas floating around. I saw one fellow that was laying down with a great big hole in his abdomen that was terrible. I think this man's name was Taglero but I do not know for sure. He was real close to the patrol wagon. I looked out the window. It was terrible.

Instead of taking us right from the battle field down directly to the South Chicago police station, or wherever they wanted to take us—the hospital would have been the thing—they drove around to Sibley Boulevard, and they drove around to Torrenz Avenue, turned North on Torrenz Avenue to 106th street, then over to Ewing Avenue, then from Ewing Avenue to 92nd and Baltimore, and from there we finally got to South Chicago police station. It took us 45 minutes anyway to make this trip.

I was bleeding. Nick Krugar was bleeding. This girl was bleeding. I understand someone died in this wagon but I am not sure. One of the fellows was hurt pretty bad. We were in the South Chicago jail for over an hour before they took any of them to the hospital. They first got our names and addresses and I do not remember what else we were asked. Then they put us in the cell. After they had locked us up they sent the wagon to the battle field and we had to wait until another one came back to take the injured to the hospital. They told anyone who was hurt to get in. I told them I was not hurt bad and I would stay in, that they could take those who were more injured first, that I would go later. What really happened they took me to the South Chicago hospital, had two stitches in my head, then they took me back to jail; and Max Guzman was with me. Tuesday night in jail the jailer came and told me there was someone out there who wanted to see me. It was Bob Warden; he is the editor of the Daily Calumet. He was there along with Captain Pendergrast. My sister-in-law used to be a nurse for Mrs. Warden. My sister-in-law called her and asked her what they could do about getting me out. Mr. Warden and Captain Pendergrast were there. I do not know whether they came together, but anyway Bob Warden introduced me to Captain Pendergrast. I had never met either of them before. My discussion was mostly with Captain Pendergrast. It took place in one of the offices of the South Chicago police station. There were two men and Captain Pendergrast's chauffeur. Captain Pendergrast started asking me how I felt, started patting me on the back. I said, "Never mind how I feel. I feel all right. There is nothing wrong with me, but there are many men in the cell

who have no business being there. They should be in a hospital." Then he said do you mean to tell me that some of these cops allowed anything like that to happen? That any of these men who needed medical attention to be in the police station here? I said I do not know, but nevertheless they are here and Captain Pendergrast said that if he knew who was responsible for that he would knock the cop's head off. So immediately he got the telephone and called up somewhere and told them to hurry up and get a doctor there. Shortly afterwards a doctor did come there, and he looked at me first, but I had some kind of a bandage—it was not just tape; he said it would be too hard to take it off. He said it looked pretty good. It didn't bother me. Then the doctor parked his chair in front of my cell and started calling out all of those who were really hurt, and I saw him look at all of these fellows, put a little medicine on, or something on, and he told them as he went along that their wounds were coming along nice—nothing to worry about. I think he was a police doctor. I do not know who he was. He was a city doctor. They had had first-aid treatment on Sunday and this was the first treatment since that time and this was on Tuesday night.

A little later State's Attorney Napoli and State's Attorney Miers—I found out later who he was—they came in and asked me for a statement, so I gave them a statement. It covered most everything I told you here—the same line. I did not sign it. They took it down.

There was one thing that I did sign. That was a statement I made to the police on Sunday night. Whether it was the desk sergeant, I do not know. Everyone signed that. That was the only statement I signed.

On Wednesday morning, it was early, they herded us all out, put us in one patrol wagon. That was something that really got my goat. Some of the fellows were shot in the leg and were wounded, and were packed in this paddy wagon. We were packed like sardines. There were 17 or 18 in one wagon. Then they took us down to the criminal court building and we appeared before Judge Padden, and that is where Judge Padden raised heck about one man who was shot through the leg—that was John Nemoth. He could hardly walk. We had to help him. The Judge asked what was wrong with that man there. We told him he was shot in the leg. He could hardly walk. The Judge said "Do you mean to tell me that you have a man like that in this crowd?" I know the judge ordered them to move the men over in the jury box. They moved over and John Nemoth got that seat. He was sitting down in court. The Judge also ordered that he be released on his own signature and be taken out and put in the hospital. After the trial there, or hearing, or whatever it was, we were all ordered back into a bull pen in the big room outside the judge's chambers. That is barred off to hold prisoners. I think it is called the bull pen. We were in there until four o'clock, and then we were taken to the county jail. That was a better place. They got us out of jail about four o'clock on Thursday morning. I was sore, because that was the best night's sleep I had had up until that time. I finally got home Thursday morning. Monday morning, after I left the Eagle's Hall, I started walking towards my home, and there were two state's attorney detectives in plain clothes parked across the street. One of the fellows knew me from seeing me this night with Captain Pendergrast. His name was Jerry Gurino—or something like that. He called me over and said the state's attorney would like to talk to me. I asked what they wanted. He said he didn't know. And, well, I didn't know the law—whether they could pick me up—, and I thought the best thing I could do was go along with them. After having all the trouble with the police at the picket line, I thought we didn't have any rights. Before I got in the car I told them I wanted to see my wife. They said they had already been there, and that she had told them that I was down at Eagle's hall and they came down and picked me up. Then I finally got into the car and told them I would like to call my wife any and find out for sure whether they had seen her. Then I found out they had really called my wife. Anyway, as soon as we got to Burnside police station I told them that I wanted my wife to come down. I wanted her to see what this was all about, so while we were waiting for my wife, Napoli showed me a statement which he claimed was made by John Rife. There was a whole bunch of papers which he turned over and showed me one page. It was a legal sized page, typewritten, double spaced. It was not signed. The name of Rife appeared on it several times. They just showed me that particular thing which they wanted me to see—where Rife was purported to have made a statement to the state's attorney that they didn't agree with Webber's on his tactics in sending the mob out armed the way they were with clubs. He made the statement that he didn't agree—or that is what the statement showed. The thing that Napoli wanted to get after more than anything else was Communism. He indi-

cated that Rife was all right, that they didn't have anything on him, that he was a pretty good fellow, that Rife wanted to wash his hands of the whole thing, and I assume that they wanted me to wash my hands of it also.

Later I talked to Rife and asked him if he had made such a statement to the state's attorney and he said no. But all of the time I really thought it was Rife's statement because I know that it was Rife, Joe Webber, George Patterson, and Pickovich. Anyway I know that these four men were picked up together and Webber and Patterson were held, and Rife and Pickovich were let go. I thought that if I agreed to the same statement that they said Rife had made that it wouldn't hurt me and would not hurt anyone else, and that the thing that they wanted the most—the state's attorney—was a true statement of everything that happened. I thought that the state's attorney's office would have a true story coming from me rather than if they had picked up somebody else, that they would not have got the true story. Someone else also might have sold us out, and I was put under the impression—by the state's attorney's office—that is what they wanted. I was put under this impression by Captain Mooney. He was down there.

My wife was there. I was telling the state's attorney and also Captain Mooney that I would give them the straight story, that under no circumstances would I go against the union, but Captain Mooney insisted that I go along with the state's attorney and give them my statement in true form. Napoli was there alone at Burnside and his stenographer. Mooney was already there. Napoli showed me the statement of Rife and showed me a picture of Webber, Patterson, and two other fellows, where they were supposed to have Communist records. He said do you know any of these fellows? I said that was Webber, and that was George Patterson, and the other two fellows I do not know. It was a big picture. They had some notations with pencil on the back with records. I do not know what the records pertained to. I told him I knew Webber and Patterson. He said "Do you know these two fellows are Communists?" I said I didn't know, that I hadn't known either one of them very long, and that if they were I didn't know it. I told him that I knew as far as Lodge #1033 was concerned there was no Communist activity there. We were not interested in Communism; we were interested in our union. That satisfied him.

They asked me if I could not agree to go down voluntarily with them for a few days. They knew that I was an officer and a member of the strategy board. I do not know how they found out. When they questioned me there was a lot of things I pretended that I didn't know. He would go through a sheaf of papers and show it to me.

After they showed me the picture they asked me if I would be willing to go down and stay with them voluntarily. I said "O. K." Mooney was there going in and out all of the time. After I agreed with state's attorney Napoli to go with him—Mooney was in the room—I started to worry about my pay check. Mooney told me not to worry about that, that he would see to it personally that I would get my pay check. He sent Jerry Gurino and his partner. They had an appointment with the wife, picked her up, drove to the plant, walked in, got my check, and brought it to me. I asked how long the detention was going to last, told them if we got back to work in a few days I could not afford to lose a few days' work. He said (Mooney) that he would see to it that I was reimbursed, and he also said that if anybody was put under the wrong impression that I was selling out to them, that the Republic Steel has plants 1,000 miles away, and that they would see that my family was moved. He didn't say how he would take care of that. I kept telling him that I was not selling out, but he came in with this anyway, figuring that I would fall for it. I have never done a thing like that and by God I think I am too old for new tricks.

After this conversation with Mooney I agreed to go down voluntarily without notifying anyone but my wife, and I went down there and I made them about the same kind of statement I made here.

I got there Monday night about six or seven o'clock. These two detectives took me—Guermi and the other one and they were telling me what a swell time that I could have—steak or chicken or anything if I hollered for it. I did not ask for it. I took what they gave me. They told me that anyone the State's Attorney took care of would get that kind of treatment. Napoli made the statement that I was going to have a lot of company, but there was no one who came up.

I finally ended up at 26th and California—the building right back of the Criminal Court building, in front of the County Jail—between the Criminal Court and the County Jail. The Warden and the Jailer and the Jury room is there. The Jury has a diningroom there. On the top floor they have what they

call the witness room. While I was there I found out from the fellows who were in there that the underworld knows it as "the stools paradise". There are fellows in there who had turned state's evidence. I was the only one connected with the steel strike. I raised hell with Napoli when I got there. I said you sure put me in fine company. Why those fellows can't even trust themselves.

They were nice bedrooms—baths, and every man had his own wash bowl, soap and gymnasium up there—a large radio and easy chairs. I tell you one thing: I rested up there after the way I was beaten up with the cops, being without sleep until Wednesday.

I was in a room—a large room—about 100 feet long and about 20 feet wide. There were five beds in there and there were four of us there. That evening I came in late—supper was over. They sent out and got me two big pork chop sandwiches, coffee and a piece of pie.

The next time I saw Napoli was Tuesday. I gave him the same statement. I was down there more than two hours on Tuesday. There was no one there but Napoli and his stenographer. They did not ask me anything that would help us. They did not ask me why I joined the union or why the paraders incited riot or anything. Did not ask why anything should have happened. They were trying to find out what they could against us. The thing they wanted to find out most was who attended all the union meetings—strategy meetings—and what was said—who were members of the strategy committee—who presided over them and who made the motions. If there was anything I did not know he pulled out a piece of paper and, by god, they had everything right there—all of the names of those who attended. I only told them that Nick Kruga. They had him already. I saw his name on a piece of paper. They were asking who the organizers were. They had them and I agreed with the paper. They did not argue with me at all. Did not cross question me on anything. Took everything down. No hard feelings or anything harsh. If I could not remember they would show me a paper and ask if that would help me. They had it all lined up. I got the impression that the whole story was in their hands and they were checking it with me.

The only thing he questioned me on was the placards. He mentioned something about stones. I told him I did not know a thing about it. The way he interpreted Rife's statement that is what the placards were for—to be used as clubs—and I agreed with the statement and I said Rife is right in his analysis and that Weber is wrong.

They had notes of the meetings. Just from the strike. They had notes on meetings, the strategy committee held. They were hollering about communism. The one fellow who was shot—Rothmund. They said that when they investigated Rothmund. They said they found a lot of communistic literature and that his wife admitted he was a communist. He was not a steel worker. He was down there as a sympathizer. He said: "Don't you know there were communists there?" And I said there probably was. I said I did not know them. I said: If there was you were as welcome as they were. It was a mass meeting. It was an open meeting. They said that they had information that Weber and Rife were communists—they were the only two of the organizers. It was in the statement that Rife disagreed with the tactics used by Weber. I read the statement.

They would ask me which was organizers who were in the parade and which of the speakers were in the parade. I told them I could not place any of the speakers. I told them I knew that Patterson, Ingersoll, Germano, Rife, and Weber was all in the line of march. They claim that the leaders were not in the march.

He questioned me closely on Weber. I said I did not know for sure—that I thought he was there—that the mob was pretty big. He asked me how many were there on Sunday. I told them I was not good at estimating crowds, but I thought about three or four thousands.

They were particularly interested in this meeting and in communism. I am not a member of a communist party. I go to the Catholic church every Sunday. I do not know anything about communism. They were trying to get something on this drilling—that we are supposed to have men drilling and militarized. They were under the impression that we are drilling the men. I think where they got the impression—on Friday before we went down we formed the line to see how the men would act; how the people would act and then we called them all back. We all came back in the yard and then we called them out again and then we started marching down. We did it to see if they were disciplined. They did not know about this until I told them.

They did not ask me anything about the Friday demonstration or did not want anything to do with it. I insisted they put it down. I figured that if

our attorneys wanted to they could put me back on the witness stand after I got through with the States Attorney. Our attorneys could cross question me and get our version of the whole thing.

On Wednesday no one saw me. My wife was there. She was there again on Friday. On Thursday I was in the States Attorney Napoli's office and his stenographer was there. He was friendly. I could not remember anything. He said to go back and think it over until I call you again and maybe your mind will be refreshed about who all attended the meetings. When I came back on Thursday I still said I could not think of anyone on the strategy committee. But Nick Kruga—I got a glance at his paper and he had Nick's name on it. He did not tell me where he got the paper. I asked and then he said: They were there on Friday. My wife came down. I told her that I had had enough of this. I told her I wanted to get out of here. I told her I did not think he could find out anything and they cannot find anyone and I want to get out. They let me read the statement they had. They were not signed. It was just plain stationery—typed. They were clipped together. I could not see the heading. Most of the stuff was all names, and their position. Just like you take a list of names. Here is one in particular the shop committeemen and officers of lodges like: Blue Eagle Lodge #1033—Gussie Yuratovac. Nothing looked like minutes of meetings; no copies of speeches or motions—pretty fragmentary—just names of committees.

I am under the impression that there is a spy. There is a lot of things that leaked out of headquarters that they had that only came from headquarters. They had the names of the captains in the march—not all, but quite a few of the names; the names of the members of the Strategy Committee; they had every meeting covered, also who attended and where it was held. But they did not have who presided or who talked.

There was only one meeting that they were interested in. That was Saturday afternoon and Sunday morning. They wanted to know who had the floor. Napoli put me under the impression that they did not know anything. I am sure that they had the names and they showed it to me. There was only one name that they got from me. That was Nick Kruga and I saw that they had his name. They had the name of Emil Koch. He is on everything. He is an officer and a trustee.

Kruga's name was on the bottom of the list. He did not show me. I just happened to see it. That is all they had. A list of names. The only thing they showed me on Communism was the one picture with the four fellows.

I did not speak to Lieutenant Mills.

I made no statement to any newspaper reporter. The only thing, one photographer came to the house. He actually busted into the house, walked right in and claimed he was a Times photographer or reporter, I do not know which. He wanted my picture and I became a little snappy. I raised heck.

They asked me for addresses. I told them I did not know. They did not ask me what went on inside the plant. They did not ask me if there were any weapons at headquarters. They asked me if there were any guns in the crowd on Sunday. They did not show me on Thursday the statement that I made on Tuesday. They had it all typewritten. I did not sign a statement on Tuesday or Thursday.

They had good meals. They seemed to be unsatisfied as to the statement I gave them. They showed me names. I told them I could not remember. They would show me a list to refresh my memory and I would agree.

They did not try to persuade me to stay longer. Friday I made up my mind I wanted to get out. Saturday morning I waited until about ten o'clock and I got hold of Sergeant Steffen and I talked to him. I told him I did not know why I was being detained. I wanted to get out of here. I had a lot of work to do at home. I told him to get in touch with Napoli. I told him I wanted to see him. I did about an hour later. I went to Napoli's office and Mal Coglein was there with him—a coincidence—I used to go to school with Coglein. I have not seen him in twenty years. I told him I wanted to get out. I did not want to hang around with the rats. He said, "O. K. Louie." Napoli said, "All right, Louie, we will fix you up." Napoli said, "Louie, we wondered if you would sign a statement for us personally in writing, reference to getting release." I told him I did not think it would hurt to sign that. He said, "On Monday we picked you up, had a talk with you, we asked you if you would not come down and give the true facts of what happened. You voluntarily agreed to come down here" and things like that.

They did not reimburse me for the time I lost. I got my meals and cigarettes. Coglein asked me—he had not seen me for twenty years. They put that in the release. Coglein's name was mentioned in the release. That is about all there was.

They did not give me a witness fee. I have not seen them since. They did send two detectives down last Monday afternoon trying to get Nick Kruga's address. I told them I did not know where he lived. He lived out by the gas house. Kruga is on the committee going around from store to store collecting foods, etc. All they asked about was Nick. I told them—adding that I did not think that he was in town that he was on vacation.

I do not know who made the signs or where they got the signs that were used in the parade on Sunday. I do not know who was in charge. It is customary to carry signs in parades.

(Signed) LOUIS F. SELENIK.

Subscribed and sworn to before me this 24th day of June 1937.

JOHN J. BROWNLEE, Notary Public.

EXHIBIT 1440

UNITED STATES OF AMERICA, CONGRESS OF THE UNITED STATES

To LOUIS SELENIK,

Greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the subcommittee of the Committee on Education and Labor of the Senate of the United States, on June 30, 1937, at 10 o'clock a. m., at their committee room No. 247-C, Senate Office Building, Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and not to depart without leave of said Committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel F. Margolies, to serve and return.

Given under my hand, by order of the committee, this 22nd day of June, in the year of our Lord one thousand nine hundred and thirty-seven.

ROBERT M. LAFOLLETTE, Jr.,
Chairman, Subcommittee of the Committee on
Education and Labor under S. R. 266.

[Endorsement on back:]

June 29, 1937.

I made service of the within subpoena by handing the subpoena to the within-named Louis Selenik at the N. L. R. B. office, Rm. 1558, 20 No. Wacker Dr., Chicago, Ill., at 1 o'clock p. m., on the twenty-fourth day of June, 1937.

(Signed) DANIEL F. MARGOLIES.

Service accepted.

(Signed) LOUIS F. SELENIK.

EXHIBIT 1441

#140 of May

CORONER'S PROTOCOL

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Alfred Causey.	Date of death, 5/30/37.
Address, 7050 Arizona Ave., Indiana Harbor.	Aut., Yes; Cert., No.; Inq., Yes.
Date of exam., 5/31/37.	Cor. Phy., J. J. Kearns.
Sex, male; age, 43.	Length, 5'10"; Weight, #185.
Race, white; Nat'l'ty; American.	Exam. at Cook County Morgue.

Autopsy performed by J. J. Kearns, M. D.
Signature of identifier (morgue records), E. Lundgren, Clerk; wife, Gladys.
History of cause of death: Shot in riot at Republic Steel mill. Pronounced dead at Bridewell Hospital. To morgue by Officer Ralph Gregersen, star #3056, 12th district police.

Anatomic diagnosis:

1. Thru and thru bullet wound of the chest causing comminuted fracture of the 6th rib, perforating laceration of the lower lobe of the left lung, comminuted fracture of the 11th rib, left side.

2. Thru and thru bullet wound of the abdomen causing perforating laceration of the gastro-colic omentum, one of the transverse colon, one of the jejunum and mesentery near its root.
3. Thru and thru bullet wound of the right thigh and grazing bullet wound of the left forearm.
4. Unilateral left hemothorax.
5. Hemoperitoneum.
6. Hemorrhagic softening of the myocardium, liver, kidneys, and spleen.
7. Anemia and edema of the brain.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium, powerful,** deformed); musculature, well developed; panniculus adiposus (subcutaneous), 3 cm.; skin—color, white; edema, none; pigmentation, none; bed sores, none.

Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.

Color of hair, brown; size of pupils, dilated; color of iris, hazel; color of sclera, gray; size and shape of neck (long, short, slender; medium, thick), medium; size and shape of thorax (deformities, symmetric, asymmetric; mammae, vertebral, column), symmetric; abdomen (flat, hernia, distended, retracted), flat.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

There is an inguinal herniotomy scar on the right side. There is a gaping wound 3 by 1 cm. parallel to the sagittal suture over the parieto-temporal area on the right side and a gaping stellate cut 3 by 1 cm over the parietal area, 3 cm to the right of the midline. There is a gaping cut 5 by 0.3 cm. beginning in the midline and extending to the right, over the parietal area.

1. Grazing bullet wound, 3 x 1 cm., in the postero-lateral aspect, midpoint, of the left forearm.

2. Thru and thru bullet wound of the right thigh. This bullet entered in the postero-medial aspect at the junction of the middle and lower thirds, passed through the soft tissues, leaving through an opening in the middle of the posterior aspect lower third of the thigh at a point 2 cm. below the wound of entrance.

3. Bullet wound of entrance in the chest wall on the left side. This bullet entered the chest through an opening over the 5th rib in the anterior axillary line, causing comminuted fracture of the 6th rib, perforating laceration of the lower lobe of the left lung, comminuted fracture of the 11th rib, leaving through an opening over the 11th rib in the posterior axillary line on the left side.

4. Bullet wound of entrance in the abdominal wall just below the costal arch, anterior axillary line, on the left side. This bullet entered the abdomen causing perforating laceration of the gastro-colic omentum, one of the transverse colon, one of the jejunum, and mesentery near its root, leaving through an opening in the posterior axillary line 4 cm. above the crest of the ilium, on the right side.

Head: There was a hematoma in the deep scalp tissues over the parietal area on the right side. The cranial bones revealed no traumatic changes. On multiple surfaces made by cutting the brain was pale.

Chest: There were several hundred cc. of clotted and fluid blood in the left pleural cavity, causing compression of the lower lobe of the left lung. The upper lobe of the left lung and the right lung were subcrepitant and on multiple surfaces made by cutting were pale, covered with pale bloody frothy fluid. The trachea and bronchi contained pale bloody frothy fluid. The tracheo-bronchial lymph nodes were soft, studded with anthracotic areas.

Heart: The pericardial sac contained strawcolored fluid. The heart weighed 325 grams. The myocardium was pale and soft. The cardiac leaflets were not remarkable. The intima of the aorta and coronary arteries contained a few atheromatous and hyaline plaques.

Abdomen: There were several hundred cc. of clotted and fluid blood, mixed with small and large bowel contents, in the abdominal cavity. The gastro-colic omentum, transverse colon, jejunum and mesentery were lacerated as described above. The liver, kidneys, and spleen were pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals and pancreas were pale. The lower genito-urinary tract was not remarkable. The mucous membrane of the esophagus, stomach, and duodenum was pale.

EXHIBIT 1442

CORONER'S PROTOCOL

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Lee Tisdale.	Date of death; 6-19-37.
Address, 5624 So. State St.	Aut., x; cert., ----- inq. x.
Date of exam., 6-19-37.	Cor. phy., Dr. Matthew J. Kiley.
Sex, male; age, 50 yrs.	Length, 5'8"; weight, 130.
Race, Negro; nat'l'ty, American.	Exam. at, St. Luke's Hospital.

Autopsy performed by Dr. Matthew J. Kiley.

Signature of identifier, St. Luke's Hospital records.

History of cause of death: Entered St. Luke's Hospital on June 15, 1937. On May 30, 1937, patient was shot in the back of the right thigh and received a head injury at the Republic Steel strike.

ANATOMIC DIAGNOSIS

1. Recent draining bullet wound of the right thigh.
2. Bullet fragments in the deep tissues of the thigh.
3. Extensive comminuted fracture of the shaft of the right femur.
4. Osteomyelitis of the shaft of the femur.
5. Suppurating surgical wound of the right thigh.
6. Cellulitis of the tissues about the fracture of the right thigh.
7. Hemolytic streptococcus septicemia.
8. Acute thrombo-ulcerative endocarditis of the leaflets of the aortic valve.
9. Recent infarcts of the spleen, liver, lung, kidney.
10. Petechial hemorrhages of the conjunctivae, mouth, large and small bowel, renal pelvis and ureters, pericardial sac, peritoneum, stomach, duodenum, trachea, bronchi, and larynx.
11. Ecchymotic hemorrhages of the bowel and myocardium.
12. Focal subpial hemorrhages of the brain.
13. Acute purulent leptomeningitis.
14. Acute pero-fibrinous pleuritis.
15. Acute sero-fibrinous pericarditis.
16. Purulent peritonitis.
17. Acute fibrinous perisplenitis.
18. Acute hyperplasia of the spleen.
19. Fibroplastic myocarditis.
20. Bronchopneumonia of the lungs.
21. Acute purulent bronchitis.
22. Cloudy swelling of the myocardium, liver, and kidneys.
23. Diminution of the yellow lipid substance of the cortex of the suprarenal glands.
24. Diminution of the myeloid tissue of the skull.
25. Icterus of the sclerae, conjunctivae, mucous membranes of the mouth, lips, lining of the right auricle, auricular appendage and ventricle, tunica albuginea, renal pelvis and ureters, dura, and jugular veins.
26. Hyperemia of oral and nasopharynx, esophagus, trachea, bronchi, lungs, prostate and urinary bladder.
27. Edema of the brain, lungs, tracheobronchial lymph nodes and testes.
28. Fatty changes of the aorta, pulmonary, internal mammary and coronary arteries.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|--------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscope. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium*, powerful, deformed); musculature, med.; panniculus adiposus (subcutaneous), 1 plus; skin—color, brown; edema, x; pigmentation, -----; bed sores, -----
 Signs of death: Body heat, present; lividity, dors.; rigor-mortis, abs.; cornea (turbid, cloudy; shrunk, dry), -----; putrefaction, -----
 Color of hair, black; size of pupils, irreg. dil.; color of iris, brown; color of sclera, -----; size and shape of neck (long, short,* slender; slender, medium,* thick); size and shape of thorax (deformities, symmetric,* asymmetric, mammar, vertebral, column); abdomen (flat, hernia, distended,* retracted).

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

29. Lymphoid tissue hyperplasia of the lymph nodes of the posterior auricular chain, right axilla, periaortic abdominal region and biliary region, posterior cervical triangle, and tissues of the base of the tongue.
30. Recent laceration of the scalp.
31. Red dye-staining of the urinary bladder (presumably prontosil).
32. Chronic syphilitic aortitis.
33. Epitheliosis of the esophagus.
34. Gas distention of the stomach.
35. Furring of the tongue.
36. Hematoma at the base of the nail of the right index finger.
37. Atrophic right testis and tonsils.
38. Small umbilical hernia.
39. Chronic folliculitis of the forearms.
40. Scars of the skin of the legs.
41. Irregularly dilated pupils.
42. Relaxed inguinal and femoral rings.
43. Encapsulated fibrocaseous tuberculous nodules of the lung.
44. Hypertrophy of the gums.
45. Dental caries.
46. Discoloration of the skin over the right scapula.
47. Healed scar of the left elbow.
48. Arcus senilis.
49. Absent teeth.
50. Depigmentation of the skin of the arms.
51. Callosities of the dorsum of the toes and soles of the feet.
52. Autolytic changes of the tissues of the lesser omentum, pancreas, esophagus, suprarenal medulla, stomach, oro- and nasopharynx.

EXHIBIT 1443

#43 of June

CORONER'S PROTOCOL

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Otis Jones.	Date of death, 6/8/37.
Address, 13211 Buffalo St.	Aut., yes; cert., no; inq., yes.
Date of exam., 6/9/37.	Cor. phy., J. J. Kearns.
Sex, male; age, 33.	Length, 5'10"; weight, 145.
Race, white; nat'l'ty, American.	Exam. at Cook County Morgue.

Autopsy performed by J. J. Kearns, M. D.

Signature of identifier (morgue records), E. Lundgren, Clerk.

History of cause of death: Injured in riot at Republic Steel mill, 5/30/37. Died in Burnside Hospital. 9th district police.

Anatomic diagnosis:

1. Bullet wound of the back causing perforating fracture of the spine and laminae of the 5th thoracic vertebra with laceration of the spinal cord and traumatic hematomyelia.
2. Bilateral basal and confluent bronchopneumonia.
3. Cloudy swelling of the myocardium, liver and kidneys.
4. Septic softening of the spleen.
5. Cord bladder.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium,** powerful, deformed); musculature, medium; panniculus adiposus (subcutaneous), 1½ cm.; skin—color, white; edema, none; pigmentation, none; bed sores, none.

Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.

Color of hair, brown; size of pupils, dilated; color of iris, blue; color of sclera, gray; size and shape of neck (long, short, slender, medium, thick), slender; size and shape of thorax (deformities, symmetric, asymmetric; mammar, vertebral, column), symmetric; abdomen (flat, hernia, distended, retracted), distended.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

There is a contraction scar in the lateral chest wall between the level of the 3rd to 10th ribs, on the left side. There is a recent surgical incision transversely across the spine of the 5th thoracic vertebra. There is a bullet wound in the back at the level of the spine of the 5th thoracic vertebra 3 cm. to the right of the midline, this bullet entered the back causing perforating fracture of the spine and laminae of the 5th thoracic vertebra with laceration of the spinal cord (and was removed during operation at Burnside Hospital). The spinal cord between the level of the 3rd and 6th thoracic vertebra was replaced by hemorrhage consisting of fluid and soft clots.

Chest.—The lungs were subcrepitant, contained nodular areas in the lower lobes, the nodular areas ranging in size up to 3 cm. in diameter. On multiple surfaces made by cutting the lungs, the nodular areas were dusky red, granular, stellate in outline, slightly elevated; the remainder of the lungs were purple red, covered with blood stained viscid fluid. The trachea and bronchi contained blood stained viscid fluid. The tracheo-bronchial lymph nodes were swollen, studded with anthracotic areas.

Heart.—The pericardial sac contained amber colored fluid. The myocardium was brownish red, swollen and soft. The cardiac leaflets, aorta and coronary arteries were not remarkable.

Abdomen.—The surfaces were smooth and dry. The liver, kidneys and spleen were swollen, pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals showed only postmortem softening. The pancreas was grayish brown mottled dusky red. The mucous membrane of the esophagus, stomach and duodenum was swollen, grayish brown mottled dusky red. The urinary bladder was distended, up to the umbilicus. The wall of the

urinary bladder was edematous, the mucosa was atrophic. The prostate and urethra were not remarkable.

Microscopic examination.—Spinal cord: There are numerous hemorrhages in the substance of the spinal cord, both gray and white matter, in the region of which the cellular elements of the cord show degenerative and necrotic changes. The meninges are swollen, the blood vessels are congested and infiltrated with round cells, and in some instances the round cells are arranged around the small blood vessels.

EXHIBIT 1444

CORONER'S PROTOCOL

#6 of June

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Anthony Tagliori.	Date of death, 6/1/37.
Address, 615 E. 74th St.	Aut., yes; cert., no; inq., yes.
Date of exam., 6/2/37.	Cor. phy. J. J. Kearns.
Sex, male; age, 26.	Length, 5'8"; weight, 175.
Race, white; nat'l'ty., American.	Exam. at Cook County morgue.

Autopsy performed by J. J. Kearns, M. D.
Signature of identifier (morgue records) E. Lundgren, clerk; 9th district police.
History of cause of death: Died in South Chicago Hospital. Injured in riot at Republic Steel mill. 9th district police.

Anatomic diagnosis:

1. Bullet wound of the left hip causing perforating laceration of the soft tissues of the hip, perforating fracture of the iliac bones on both sides, thru and thru perforating laceration of the terminal ileum and urinary bladder.
2. Cloudy swelling of the myocardium, liver and kidneys.
3. Septic softening of the spleen.
4. Subcutaneous emphysema in the soft tissues of the neck, trunk, thighs, and scrotum.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium, powerful**, deformed); musculature, well developed; panniculus adiposus (subcutaneous), 2 cm.; skin—color, white; edema, none; pigmentation, none; bed sores, none.

Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.

Color of hair, brown; size of pupils, dilated; color of iris, hazel; color of sclera, gray; size and shape of neck (long, short, slender, medium, thick), medium; size and shape of thorax (deformities, symmetric, asymmetric; mammae, vertebral, column), symmetric; abdomen (flat, hernia, distended, retracted), distended.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTIONS

There is dusky red discoloration of the skin with subcutaneous emphysema in the scrotum, thighs, trunk and neck. There is a recent right rectus surgical incision in the anterior abdominal wall, closed with skin clips. There is a bullet wound of entrance in the left buttock at the level of the coccyx 10 cm. from the midline.

This bullet passed upward thru the soft tissues and iliac bone, causing thru and thru perforating laceration of the urinary bladder and terminal ileum, perforating fracture of the right iliac bone and was found (38 calibre lead bullet) in the soft tissues opposite the greater trochanter, medial aspect, of the right thigh.

Chest.—The lungs were voluminous, subcrepitant, and on multiple surfaces made by cutting were covered with dark bloody frothy fluid. The trachea and bronchi contained dark bloody frothy fluid. The tracheo-bronchial lymph nodes were swollen, soft, studded with anthracotic areas.

Heart.—The pericardial sac contained about 50 cc. of amber colored fluid. The myocardium was pale and soft. The cardiac leaflets, aorta and coronary arteries were not remarkable.

Abdomen.—Contained about 100 cc. of blood stained fluid with a uriferous odor. The small bowel, 15 cm. from the ileo-cecal junction, had been surgically sutured for a distance of 5 cm. There was a saucerizing perforation $1\frac{1}{4}$ x 1 cm. in the posterior wall of the urinary bladder near the fundus. The liver, kidneys, and spleen were swollen, pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals and pancreas were not remarkable. The mucous membrane of the esophagus, stomach, and duodenum was swollen, grayish brown mottled dusky red.

EXHIBIT 1445

CORONER'S PROTOCOL

#139 of May

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Kenneth Reed.	Date of death, 5/30/37.
Address, 3921 Deal St., Indiana Harbor.	Aut., yes; cert., no; inq., yes.
Date of exam., 5/31/37.	Cor. phy., J. J. Kearns.
Sex, male; age, 23.	Length, 5'7"; weight, 140.
Race, white; nat'l'ty., American.	Exam. at Cook County Morgue.

Autopsy performed by J. J. Kearns, M. D.
Signature of identifier (morgue records), E. Lundgren, clerk; wife, Josephine.
History of cause of death: Injured in riot at Republic Steel mill. Died in Burnside Hospital. To morgue by Officer Louis DesJardins, star #4819, 6th district police.

Anatomic diagnosis:

1. Thru and thru bullet wound of the left arm.
2. Thru and thru bullet wound of the anterior chest wall on the right side.
3. Bullet wound of the chest wall, left side, causing perforating laceration of the diaphragm, spleen, stomach, gastro-colic ligament, left and right lobes of the liver and 6th intercostal space.
4. Bilateral hemothorax.
5. Hemoperitoneum.
6. Hemorrhagic softening of the myocardium, liver, kidneys, and spleen.
7. Anemia and edema of the lungs.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium, powerful, deformed); musculature, medium; panniculus adiposus (subcutaneous), $1\frac{1}{2}$ cm.; skin—color, white; edema, none; pigmentation, none; bed sore, none.

Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.
Color of hair, brown; size of pupils, dilated; color of iris, brown; color of sclera, gray; size and shape of neck (long, short, slender); (slender, medium, thick), medium; size and shape of thorax (deformities, symmetric, asymmetric); mammae, vertebral, column), symmetric; abdomen (flat, hernia, distended, retracted), flat.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

1. Thru and thru bullet wound of the upper end of the left forearm, entering in the antero-lateral aspect, passing thru the subcutaneous tissues leaving thru an opening in the midline of the left cubital fossa.

2. There is a bullet wound of entrance in the anterior chest wall over the 3rd rib, 1 cm. to the right of the midline. This bullet passed thru the subcutaneous soft tissues, leaving thru an opening in the 4th interspace anterior axillary line on the right side.

3. Bullet wound of entrance in the posterior axillary line in the 10th intercostal space on the left side. This bullet entered the chest causing perforating laceration of the diaphragm, spleen, stomach, gastro-colic omentum, left and right lobes of the liver and 6th intercostal space and was found (38 calibre lead bullet) under the skin over the 6th intercostal space anterior axillary line on the right side.

Chest.—Each pleural cavity contained about 100 cc. of clotted and fluid blood. The lungs were subcrepitant and on multiple surfaces made by cutting were covered with pale bloody frothy fluid. The trachea and bronchi contained pale bloody frothy fluid. The tracheo-bronchial lymph nodes were studded with anthracotic areas.

Heart.—The pericardial sac contained straw colored fluid. The myocardium was pale and soft. The cardiac leaflets, aorta and coronary arteries were not remarkable.

Abdomen.—There are about two liters of clotted and fluid blood in the abdominal cavity. The diaphragm, spleen, stomach, gastro-colic omentum, left and right lobes of the liver were lacerated as described above. The liver, kidneys and spleen were pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals, pancreas, lower genito-urinary tract and gastro-intestinal tract were not remarkable.

#16 of June

EXHIBIT 1446

CORONER'S PROTOCOL

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Hilding Anderson.
Address, 7944 Manistee Ave.
Date of exam., 6/4/37.
Sex, male; age, 29.
Race, white; nat'l'ty, American.

Date of death, 6/4/37.
Aut., yes; cert., no; inq., yes.
Cor. phy., J. J. Kearns.
Length, 5'11"; weight, 175.
Exam. at Cook County Morgue.

Autopsy performed by J. J. Kearns, M. D.

Signature of identifier (morgue records), S. Anderson, clerk; 9th district police.
History of cause of death: Died in South Chicago Hospital. Injured in riot at Republic Steel mill. 9th district police.

Anatomic diagnosis:

1. Thru and thru bullet wound of the abdomen causing perforating laceration of the cecum, sigmoid colon and superficial laceration of the urinary bladder.
2. Bilateral hemothorax (diapedesis).
3. Diffuse sero-sanguino-fibrino-purulent peritonitis.
4. Severe cloudy swelling of the myocardium, liver, and kidneys.
5. Septic softening of the spleen.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium, powerful,** deformed); musculature, well developed; panniculus adiposus (subcutaneous), 2 cm.; skin—color, white; edema, none; pigmentation, none; bed sores, none.

Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.

Color of hair, brown; size of pupils, dilated; color of iris, hazel; color of sclera, gray; size and shape of neck (long, short, slender; slender, medium, thick), medium; size and shape of thorax (deformities, symmetric, asymmetric); mammae, vertebral, column), symmetric; abdomen (flat, hernia, distended, retracted), distended.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

There is a recent right rectus surgical incision in the lower abdominal quadrant. There is a bullet wound of entrance in the anterior abdominal wall 12 cm. to the right of the midline 2 cm. above the inguinal ligament. This bullet entered the abdomen causing perforating laceration of the cecum, superior-posterior aspect wall of the urinary bladder and superior lateral aspect of the sigmoid colon (surgically sutured), leaving thru an opening 12 cm. to the left of the midline at the level of the crest of the ilium.

Chest.—There was about 200 cc. of blood stained fluid in each pleural cavity. The lungs were subcrepitant and on multiple surfaces made by cutting were covered with dark bloody frothy fluid. The trachea and bronchi contained dark bloody frothy fluid. The tracheo-bronchial lymph nodes were swollen, studded with anthracotic areas.

Heart.—The pericardial sac contained straw colored cloudy fluid. The myocardium was pale and soft. The cardiac leaflets, aorta and coronary arteries were not remarkable.

Abdomen.—Contained about 100 cc. of bloody material consisting of fluid and soft clots. Loops of small bowel were adherent to each other and to the parietal peritoneum. The liver, kidneys, and spleen were swollen, pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals showed only postmortem softening. The pancreas was swollen, grayish brown mottled dusky red. The mucosa of the urinary bladder was pale. The mucosa of the esophagus, stomach, and duodenum was swollen, grayish brown.

EXHIBIT 1447

#73 of June

CORONER'S PROTOCOL

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Leo Francisco.
Address, 10012 Commercial Ave.
Date of exam., 6/16/37.
Sex, male; age, 17.
Race, white, nat'l'ty, American.

Date of death, 6/15/37.
Aut., Yes; Cert., no; Inq., yes.
Cor. phy., J. J. Kearns.
Length, 5'7"; weight, 130.
Exam. at Cook County Morgue.

Autopsy performed by J. J. Kearns, M. D.

Signature of identifier (morgue records), E. Lundgren, Clerk.

History of cause of death: Gunshot wound sustained in riot 5/30/37. Removed from Jackson Park Hospital. Admitted 6/9/37 12:30 p. m. from Bridewell

Hospital (House of Correction), expired 6/15/37, 3:40 p. m. To morgue by 10th district police.

Anatomic diagnosis:

1. Thru and thru bullet wound of the abdomen causing perforating laceration of the parietal peritoneum, ureter and perforating fracture of the iliac bone, on the left side.
2. Focal sero-fibrino-purulent peritonitis.
3. Acute membranous cystitis.
4. Hypertemia and edema of the lungs.
5. Cloudy swelling of the myocardium, liver, and kidneys.
6. Septic softening of the spleen.

The following order of description will be followed on this and succeeding pages

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender**, medium powerful, deformed); musculature, medium; panniculus adiposus (subcutaneous), 1 cm.; skin—color, white; edema, none; pigmentation, none; bed sores, none. Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.

Color of hair, brown, size of pupils, dilated; color of iris, brown; color of sclera, gray; size and shape of neck (long, short, slender; slender, medium, thick) slender; size and shape of thorax (deformities, symmetric, asymmetric; mammae, vertebral column), symmetric; abdomen (flat, hernia, distended, retracted), distended.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

There is a scar in the anterior wall left lower quadrant of the abdomen 2 cm. medially and 4 cm. below the anterior-superior spine of the ilium on the left side; this measured 0.5 cm. in diameter. There was a wound 1½ cm. in diameter, such as a bullet wound of exit makes, in the left buttock at the level of the coccyx 12 cm. from the midline. There is a gaping incision 10 x 2 cm. in the abdominal wall 2 cm. to the right of the midline just above the inguinal ligament; there is a gaping incision 10 x 2 cm. parallel to and 2 cm. below the inguinal ligament on the right side. There is a supra-pubic midline incision between the umbilicus and the pubis. These incision exposed the abdominal cavity. The margins of these incisions were covered with a foul smelling purulent material; the floor of the incisions were formed by loops of small bowel which were loosely adherent to each other and to the parietal peritoneum at the site of the incisions and to the urinary bladder. There were gutta percha drains in the incisions which extend into cavities formed by loops of small bowel.

Chest.—The lungs were subcrepitant and on multiple surfaces made by cutting were purple red, covered with dark bloody frothy fluid. The trachea and bronchi contained dark bloody frothy fluid. The tracheo-bronchial lymph nodes were swollen, soft, studded with a few anthracotic areas.

Heart.—The pericardial sac contained amber colored fluid. The myocardium was swollen, pale and soft. The cardiac leaflets, aorta and coronary arteries were not remarkable.

Abdomen.—In addition to the above description. When the loops of small bowel were separated the cavities were exposed and found to contain foul smelling brownish yellow purulent material, the cavities contained from 1 dram to 3 drams of this material. On the left side of the abdomen there were loops of small bowel adherent to the anterior, lateral and posterior parietal peritoneum in the lower abdominal quadrant by soft adhesions. When these adhesions were separated pockets of brownish yellow purulent material were exposed; these pockets contained from 1 dram to 5 drams of this material. The parietal peritoneum on

the left side, anteriorly, laterally and posteriorly, was swollen, discolored purplish blue. The serosa of the urinary bladder was similarly affected. The sub-parietal peritoneal tissues on the left side were friable, pale, infiltrated with brownish yellow material. The ureter on the left side was traumatically divided just above its junction with the urinary bladder. There was a perforating fracture of the left iliac bone posteriorly. The mucosa of the urinary bladder was swollen, studded with punctate and ecchymotic hemorrhages which were covered with a soft grayish brown material; these areas measured from pin head to split pea size. The liver, kidneys and spleen were swollen, pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals showed postmortem softening. The pancreas was swollen, grayish brown mottled dusky red. The mucous membrane of the esophagus, stomach and duodenum was swollen, grayish brown mottled dusky red.

EXHIBIT 1447-A

CITY OF CHICAGO

HOUSE OF CORRECTION

Edward J. Kelly, Mayor; Edward J. Denemark, Superintendent

CHICAGO, June 29th, 1937.

Re: Leo Francisco.

Hon. EDWARD J. DENEMARK,

Supt., House of Correction, 2800 So. California Ave., Chicago, Ill.

DEAR SIR: The one, Leo Francisco was brought on a stretcher to the House of Correction Hospital by the 12th District Police on 5-30-37 at 5:10 P. M. and was released from the Hospital on a bond 6-9-37 at 11:25 A. M.

At the time of admittance he was suffering with a through and through gunshot wound of the abdomen. The point of entrance was situated on the anterior surface of the right thigh two inches below the right anterior superior spine of the iliac crest with the point of exit being on the left posterior lateral surface of the buttock at the level of the greater trochanter.

At the time an examination disclosed the presence of gross blood in the urine and the abdomen was opened and explored by a midline incision. No gross pathology was found and the abdomen was closed and a indwelling catheter was inserted into the external urethra and the urinary bladder was kept decompressed and cleaned by daily irrigations. The patient made an uneventful recovery except for the presence of a urinary fistula which developed about the fourth post operative day at the point of the bullet entrance.

From clinical observation we concluded that the right ureter was probably severed and injured by the course of the bullet.

A bond was made and the patient was released from the House of Correction Hospital the ninth post operative day. His condition was good, pulse 88, temperature 98.6, respiration 22, and the abdomen was soft and the incision wound was clean.

Yours very truly,

(Signed) A. J. TOMAN, M. D.,
Medical Superintendent.
(Signed) CHARLES MRAZEK, M. D.

EXHIBIT 1448

CORONER'S PROTOCOL

#142 of May

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Sam P. Popovich.	Date of death, 5/30/37.
Address, 3604 Deodar St., Indiana Harbor.	Aut., yes; cert. no.; Inq. yes.
Date of exam., 5/31/37.	Cor. phy., J. J. Kearns.
Sex, male; age, 50?	Length, 5' 10"; weight, #185.
Race, white; nat'lty, American.	Exam. at Cook County morgue.

Autopsy performed by J. J. Kearns, M. D.

Signature of identifier (morgue records), S. Anderson, clerk; cousin, Sam Popovich, 2743 Bosworth St.

History of cause of death: Injured in riot at Republic Steel Mill, died at Burnside Hospital. Officer J. Patterson, 20th district police, brought body to morgue.

Anatomic diagnosis.

1. Bullet wound of the head causing perforating fracture of the parietal bone, shattering fracture of the temporal and frontal bones, on the right side; extensive extra-dural, sub-dural, and sub-arachnoid hemorrhage over the right cerebral hemisphere.
2. Anemia and edema of the brain.
3. Hyperemia and edema of the lungs.
4. Hemorrhagic softening of the myocardium, liver, kidneys, and spleen.
5. Atherosclerosis of the aorta and coronary arteries.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium, powerful, ** deformed); musculature, well developed; panniculus adiposus (subcutaneous), 3 cm.; skin—color, white; edema, none; pigmentation, none; bed sores, none.

Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.

Color of hair, brown, streaked with gray; size of pupils, right larger than left; color of iris, brown; color of sclera, gray; size and shape of neck (long, short, slender; slender, medium, thick), medium; size and shape of thorax (deformities, symmetric, asymmetric; mammae, vertebral, column), symmetric; abdomen (flat, hernia, distended, retracted), flat.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

The eyelids of both eyes were swollen and discolored purple red. There was a superficial abrasion of the skin 5 x 1 cm. across the forehead in the midline. There is a bullet wound of entrance in the head 12 cm. above the tip of the mastoid process on the right side. This bullet entered the head causing perforating fracture of the underlying parietal bone, perforating laceration of the underlying parieto-frontal lobes of the right cerebral hemisphere, bursting fracture of the parieto-temporo-frontal bones, leaving thru an opening 1 x 5 cm. in the forehead 4 cm. above the supra-orbital ridge 1½ cm. to the right of the midline. There were linear cuts, one of which measured 8 cm. long, parallel to the sagittal suture line in the scalp 2 cm. to the right of the midline in the parietal area, the other 1 x 0.3 cm. in the scalp over the parieto-frontal area 2 cm. to the right of the midline, separated from the first cut by a bridge of skin and subcutaneous tissue 0.5 cm. wide, which exposed the underlying bursting fracture.

Head.—In addition to the above description. There was an extensive extra-dural, subdural, and subarachnoid hemorrhage over the right cerebral hemisphere. On multiple surfaces made by cutting, the remainder of the brain was pale and soft.

Chest.—The lungs were subcrepitant and on multiple surfaces made by cutting were dusky red in the inferior and posterior aspects, covered with bloody frothy fluid. The trachea and bronchi contained bloody frothy fluid. The tracheo-bronchial lymph nodes were soft, studded with anthracotic areas.

Heart.—The pericardial sac contained straw colored fluid. The heart weighed 375 grams. The myocardium was pale and soft. The cardiac leaflets were not remarkable. The intima of the aorta and coronary arteries contained atheromatous and hyaline plaques.

Abdomen.—The surfaces were smooth and moist. The liver, kidneys, and spleen were pale, soft. The gall bladder and biliary passages were patent. The adrenals, pancreas and lower genito-urinary tract were not remarkable. The mucous membrane of the esophagus, stomach, and duodenum was swollen and pale.

EXHIBIT 1449

#138 of May

CORONER'S PROTOCOL

FRANK J. WALSH—CORONER—COOK COUNTY, ILL.

Name, Earl Handley. Date of death, 5/30/37.
Address, 3307 Michigan Ave., Indiana Harbor. Aut., yes; cert., no; inq., yes.
Date of Exam., 5/31/37. Cor. Phy., J. J. Kearns.
Sex, Male; age, 37. Length, 5'8"; weight 200.
Race, White; Nat'l'ty, American. Exam. at Cook County Morgue.

Autopsy performed by J. J. Kearns, M. D.

Signature of identifier (morgue records), E. Lundgren, clerk; brother, John, 44 W. 114th St.

History of cause of death: Shot in riot at Republic Steel mill. Pronounced dead at South Chicago Hospital. To morgue by Officer A. Mullany, star #4254, 20th district police.

Anatomic diagnosis:

1. Thru and thru bullet wound of the right thigh causing perforating laceration of the femoral artery and vein.
2. Eccentric hypertrophy of the myocardium.
3. Rheumatic aortic endocarditis.
4. Meckel's diverticulum.
5. Hemorrhagic softening of the myocardium, liver, kidneys, and spleen.
6. Anemia and edema of the lungs.

The following order of description will be followed on this and succeeding pages:

- | | |
|-----------------------------------|---------------------------|
| 1. External findings (in detail). | 13. Spleen. |
| 2. Thoracic cavity. | 14. Lymph glands. |
| 3. Abdominal cavity. | 15. Adrenals. |
| 4. Upper respiratory tract. | 16. Kidneys. |
| 5. Lungs. | 17. Pelvic organs. |
| 6. Heart aorta. | 18. Testicle—ovary. |
| 7. Blood vessels. | 19. Skull. |
| 8. Upper digestive tract. | 20. Meninges. |
| 9. Stomach. | 21. Brain. |
| 10. Intestines. | 22. Miscellaneous. |
| 11. Liver—gall bladder. | 23. Chemical microscopic. |
| 12. Pancreas. | 24. Bacteriologic. |

External examination (inspection): Development of skeleton (slender, medium, powerful**, deformed); musculature, well developed; panniculus adiposus (subcutaneous), 4 cm.; skin—color, white; edema, none; pigmentation, none; bed sores, none.

Signs of death: Body heat, absent; lividity, dorsal; rigor-mortis, present; cornea (turbid, cloudy; shrunk, dry), cloudy; putrefaction, none.

Color of hair, brown; size of pupils, dilated; color of iris, brown; color of sclera, gray; size and shape of neck (long, short, slender; slender, medium, thick), medium; size and shape of thorax (deformities, symmetric, asymmetric; mammae, vertebral, column), symmetric; abdomen (flat, hernia, distended, retracted), flat.

EVIDENCES OF EXTERNAL INJURY, WITH DESCRIPTION

There is a bullet wound of entrance in the postero-lateral aspect of the right thigh at the junction of the upper and middle thirds. This bullet passed thru the soft tissues causing perforating laceration of the femoral artery and vein in the adductor canal, leaving thru an opening in the antero-medial aspect of the thigh at the junction of the middle and lower thirds. There was an extensive hematoma in the soft tissues in the path of the bullet wound.

Chest.—The lungs were subcrepitant and on multiple surfaces made by cutting were pale grayish red, covered with pale bloody frothy fluid. The trachea and

bronchi contained pale bloody frothy fluid. The tracheo-bronchial lymph nodes were studded with anthracotic areas.

Heart.—The pericardial sac contained straw colored fluid. The heart weighed 425 grams. The myocardium was pale, soft, thickened. The aortic leaflets were thickened, the commissure between the posterior and left cusps was obliterated by thickening of the leaflets which contained calcific deposits and firm pea sized warty excrescences. The intima of the aorta and coronary arteries contained atheromatous and hyaline plaques.

Abdomen.—The surfaces were smooth and pale. The liver, kidneys, and spleen were pale, soft, the markings were indistinct. The gall bladder and biliary passages were patent. The adrenals, pancreas, and lower genito-urinary tract were not remarkable. The mucous membrane of the esophagus, stomach, and duodenum was swollen and pale. There was a finger-like out-pouching 10 x 1 cm in the anti-mesenteric border of the ileum about 100 cm from the ileo-cecal junction.

EXHIBIT 1450

(Held in committee files. See text, p. 4991.)

EXHIBIT 1451

(Held in committee files. See text, p. 4991.)

EXHIBIT 1452

(Held in committee files. See text, p. 4991.)

EXHIBIT 1453

(Held in committee files. See text, p. 4992.)

EXHIBIT 1454

(Held in committee files. See text, p. 4992.)

EXHIBIT 1455

(Held in committee files. See text, p. 4992.)

EXHIBIT 1456

(Held in committee files. See text, p. 4992.)

EXHIBIT 1457

(Held in committee files. See text, p. 4993.)

EXHIBIT 1458

(Held in committee files. See text, p. 4993.)

EXHIBIT 1459

(See p. 5147.)

EXHIBIT 1460

(See p. 5147.)

EXHIBIT 1461

(See p. 5147.)

EXHIBIT 1462

(See p. 5148.)

EXHIBIT 1463

(See p. 5148.)

EXHIBIT 1464

(See p. 5149.)

EXHIBIT 1465

(See p. 5149.)

EXHIBIT 1466-A

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT 9TH DISTRICT

Date of accident, 5-30-37; time 4:40 p. m. Date of report, 6-1-37.
Name, Healy, Walter; Address, 8313 Ada St.; age, 46; sex, m.; nativity, Am.;
occupation, lieut. of police; married or single, M.
Place of occurrence: Main gate, Rep. Steel Co. at 118th St.
Nature and extent of injuries: Bruised and torn attachment left knee.
Taken to Emerg. Hos. Rep. Steel Co. by Sgt. Walsh, 14th dist.
Reporting officer: Sgt. Fred Kelly, #155.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1. Make and type: License No.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License No.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: While dispatching reserve men to scene of riot,
left leg was caught in middle upright of main gate.

Names of witnesses	Addresses	Phone No.
1. Sgt. John Walsh	14th Dist.	
2.		
3.		

Commanding Officer: Kilroy; per McGrath.
Coroner's verdict

[Reverse side]

Types of vehicles involved	Vehicle	What was the pedestrian doing?	X	Road condition	X
Check (X) in column 1 or 2 whatever applies	1 2	Leave blank if injured was a passenger or driver		0. Road in good condition	
1. Private passenger car		1. Waiting for, or getting on or off street car on safety zone		1. Defect in roadway	
2. Truck or commercial		2. Same, no safety zone		2. Road under repair	
3. Taxicab		3. Getting on or off other vehicle		3. Obstruction not lighted	
4. Motorbus		4. Crossing at intersection with signal		Road surface	
5. Motorcycle		5. Crossing at intersection against signal		4. Dry surface	
6. Bicycle		6. Crossing at intersection—no signal		5. Wet surface	
7. Street car or elevated		7. On safety isle		6. Muddy surface	
8. Horse drawn vehicle		8. Adult in street—not at crossing		7. Snowy surface	
9. Railroad		9. Child under 15 in street—not at crossing		8. Icy surface	
10. Other vehicle		10. At work in roadway		Weather conditions	
What was driver doing?		11. Hitching on vehicle		1. Clear	
Check one item (X) for each driver		12. Not on roadway		2. Cloudy	
0. Driving properly		13. In alley		3. Fog or mist	
1. Exceeding speed limit		14. Playing in street		4. Rain	
2. On wrong side of road				5. Snow	
3. Did not have right-of-way				Light conditions	
4. Cutting in				6. Daylight	
5. Skidding				7. Dusk	
6. Passing standing street car				8. Artificial light good	
7. Improper turn				9. Artificial light poor	
8. Passing on wrong side				10. Darkness	
9. Failed to signal				Railroad crossing	
10. Backing				1. Gates not down	
11. Cutting left corner				2. Guarded crossing	
12. Disregarded signal				3. Unguarded crossing	
13. Through street—fail stop				4. Car ran through gates	
14. Drove off roadway				5. Driver disregarded signal	
15. Drove through safety zone				6. Watchman not on duty	
16. Car parked or standing still				7. Signal not given	
17. Avoiding pedestrian or vehicle				State how call was received	
18. Inattentive					
19. Drive asleep					
Condition of vehicle					
0. In apparent good condition					
1. Brakes defective					
2. Steering mechanism defective					
3. Other defects					
4. Glaring headlights					
5. One or more headlights out					
6. Tail-light out or obscured					
7. Headlights dim					
8. No chains—on wet and slippery road					
9. Puncture or blowout					
How many were injured in this accident?					
Arrested					
Additional remarks					

Motor vehicle should always be entered and checked as vehicle No. 1

EXHIBIT 1466-B

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT 9TH DISTRICT

Date of report, 5-30-37

Date of accident, 5-30-37.

Name, Lyons; Lawrence J.; address, 3429 W. 61st Pl.; age, 43; sex, M.; nativity, Amer.; occupation, sgt. of police; married or single, M.

Place of occurrence: 117th & Burley.

Nature and extent of injuries: Struck in stomach with brick and inhalation of tear gas.

Taken to home by self.

Reporting officer, L. J. Lyons, sgt. #150.

Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License No.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: During demonstration at 117th & Burley Ave., was struck by a brick in stomach, thrown by unknown person; also suffered from tear gas inhaled used to disperse rioters.

Names of witnesses	Addresses	Phone no.
1. Sgt. James Oakey	16th Dist.	
2. Sgt. Jos. Burke	11th Dist.	
3. Sgt. Albert Jenner	18th Dist.	

Commanding officer: Thos. Kilroy; per McGrath.

Coroner's verdict-----

[Reverse side of printed form clear.]

EXHIBIT 1466-C

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-30-37; time, 4:30 p. m.

Name, Nugent, John J.; address, 6753 Elizabeth St.; age, 56; sex, M.; nativity, Amer.; occupation, police sergt.; married or single, M.

Place of occurrence: 115th & Burley Ave.

Nature and extent of injuries: Laceration of right thumb.

Taken to Emergency Hosp. by himself.

Reporting officer: L. Cello, #392.

Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at 115th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos. Kilroy; per McGrath.

Coroner's verdict-----

[Reverse side of printed form clear.]

EXHIBIT 1466-D

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-30-37; time 4:15 p. m.
Name, Oakley, James; address, 6055 Talman; age, 38; sex, M.; nativity, Amer.;
occupation, police sergt.; married or single, -----
Place of occurrence: 117th & Greenbay Road.
Nature and extent of injuries: Sprained and lacerated left ankle.
Taken to Republic Steel hosp. by 9th dist. patrol.
Reporting officer: F. Budil, #7193.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: Injured during riot at 117th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos. Kilroy; per McGrath
Coroner's verdict-----

[Reverse side of printed form clear.]

EXHIBIT 1466-E

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-31-37.

Date of accident, 5-30-37; time, 4:30 p. m.
Name, Barger George; address, 11343 Hermosa Av.; age, 43; sex, M.; nativity,
Am.; occupation, ptlmm; married or single, M.
Place of occurrence: 117th & Burley Av.
Nature and extent of injuries: Laceration of left chin, abrasions on chest.
Taken to Cook County Hos.
Reporting officer: Ptlmm Barger, 13th dist.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: Injured during riot at 117th & Burley.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos. Kilroy; per J. Cannon.
Coroner's verdict-----

[Reverse side of printed form clear]

EXHIBIT 1466-F

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-31-37.

Date of accident, 5-30-37; time, 4:30 p. m.
Name, Battle, James F.; address, 7410 Rhodes Av.; age, 38; sex, M.; nativity, Amer.; occupation, ptlm; married or single, -----
Place of occurrence: 117th & Burley.
Nature and extent of injuries: Laceration on right wrist.
Taken to Rep. Steel Co. Emerg. Hos. by self.
Reporting officer: Jas. Battle, #4430.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----	-----	-----
Name and address of owner-----	-----	-----

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----	-----	-----
Name and address of owner-----	-----	-----

Cause (description) of accident: While on strike duty, was cut on right wrist by some unknown person.

Names of witnesses	Addresses	Phone no.
1. -----	-----	-----
2. -----	-----	-----
3. -----	-----	-----

Commanding officer: Thos. Kilroy; per Buckley.
Coroner's verdict-----

[Reverse side of printed form clear]

EXHIBIT 1466-G

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 6-8-37.

Date of accident, 5-30-37; time, 3:30 p. m.
Name, Best, James; address, 6606 S. Green St.; age, 42; sex, M.; nativity, Amer.; occupation, ptlmn; married or single, M.
Place of occurrence: 117th & Burley Av., steel strike.
Nature and extent of injuries: Arch of left foot hurt at steel strike.
Taken to home by self.
Reporting officer: J. Best.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----	-----	-----
Name and address of owner-----	-----	-----

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----	-----	-----
Name and address of owner-----	-----	-----

Cause (description) of accident: Hurt left foot at riot at steel mill strike.

Names of witnesses	Addresses	Phone no.
1. -----	-----	-----
2. -----	-----	-----
3. -----	-----	-----

Commanding officer: Thos. Kilroy; per Kelly.
Coroner's verdict-----

[Reverse side of printed form clear]

5098 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1466-H

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT 9TH DISTRICT

Date of accident, 5-30-37; time, 4:30 p. m. Date of report, 5-31-37.
Name, Buckley, Michael; address, 7142 Parnell Ave.; age, 32; sex, M.; nativity, Amer.; occupation, police officer; married or single, M.
Place of occurrence: 1160 Burley Ave.
Nature and extent of injuries: Bruised left jaw.
Taken to Rep. Steel Co. first aid by himself.
Reporting officer: Michael Buckley.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: Received above injury in a disturbance at 116th and Burley Ave.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos Kilroy; per T. J. Connors, sgt.
Coroner's verdict-----

[Reverse side of printed form clear]

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5099

EXHIBIT 1466-I

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of accident, 5-30-37; time, 4:30 p. m. Date of report, 5-30-37.
Name, Budil, Theodore; address, 6028 S. Richmond St.; age, 34; sex, M.; nativity Amer.; occupation, patrolman; married or single, M.
Place of occurrence: 117th and Greenbay.
Nature and extent of injuries: Gassed by tear gas.
Taken to Republic Steel Hosp. by himself.
Reporting officer: T. Budil, # 7193.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: Injured by tear gas at riot at 117th & Burley.

Names of witnesses	Addresses	Phone no.
1. Frank Morrall-----	4th dist	
2. Sam Margolis-----	4th dist	
3. -----		

Commanding officer: Kilroy; per McGrath.
Coroner's verdict-----

[Reverse side of printed form clear]

5100 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1466-J

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 15TH DISTRICT

Date of report, 6-1-37.

Date of accident, 5-30-37; time, 4:30 p. m.
Name, Buletty, Stuart; address, 1651 W. 78th St.; age, 29; sex, M.; nativity, Amer.; occupation, patrolman; married or single, M.
Place of occurrence: In prairie at 117th & Burley.
Nature and extent of injuries: Bruises on left arm and shoulder.
Taken to Little Co. of Mary Hosp. by self.
Reporting officer: Stuart Buletty.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: In riot with steel strikers was hit with pick axe handle, causing the above injuries.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: Thos Kilroy; per J. Deasey.
Coroner's verdict

[Reverse side of printed form clear]

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5101

EXHIBIT 1466-K

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-31-37.

Date of accident, 5-30-37; time, 4:30 p. m.
Name, Brush, Cyrus; address, 8129 Ellis Ave.; age, 38; sex, M.; nativity, Amer.; occupation, pthmn.; married or single, M.
Place of occurrence: 116th & Burley Av.
Nature and extent of injuries: Thumb on left hand split.
Taken to Emergency Hos., Rep. Steel Co.
Reporting officer: Cyrus Brush, 8th Dist.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at 116th and Burley.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: Thos. Kilroy; per J. Cannon.
Coroner's verdict

[Reverse side of printed form clear]

EXHIBIT 1466-L

DEPARTMENT OF POLICE, CHICAGO
ACCIDENT REPORT, 9TH DISTRICT

Date of accident, 5-28-37. Date of report, 5-28-37.
Name, Byrne, Daniel; address, 9241 Clyde Av.; age, 39; sex, M.; nativity, Amer.;
occupation, ptoln.; married or single, M.
Place of occurrence: 117th & Burley Av.
Nature and extent of injuries: Possible fracture of left wrist.
Taken to So. Chicago Hos. by car 131, 12th Dist.
Reporting officer: Fortin.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

Cause (description) of accident: Was struck by some unknown person with a club in a mob.

Names of witnesses	Addresses	Phone no.
1. Michael Feary.....	1st Dist.	
2. Elmer Kirk.....	7th Dist.	
3.		

Commanding officer: Kilroy; per McGrath.
Coroner's verdict.....

[Reverse side of printed form clear.]

EXHIBIT 1466-M

DEPARTMENT OF POLICE, CHICAGO
ACCIDENT REPORT, 9TH DISTRICT

Date of accident, 5-28-37; time, 6:10 p. m. Date of report, 5-28-37.
Name, Campbell, John; address 7086 So. Chgo. Av.; age, 39; sex, M.; nativity,
Amer.; occupation, ptlmm.; married or single, S.
Place of occurrence: 117th & Burley Av.
Nature and extent of injuries: Bruise on right knee.
Taken to Rep. Steel Co. first aid stat. by 16th D. ptl.
Reporting officer: John Campbell, no. 6216.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

Cause (description) of accident: Was kicked in right knee in disturbance at above address, causing above injuries.

Names of witnesses	Addresses	Phone no.
1. Ptlmm. Daniel Byrne.....	8th D. Police.....	
3. Ptlmm. Jessie Boldt.....	8th D. Police.....	
3. Ptlmm. Geo. Johnson.....	16th Dist. Police.....	

Commanding officer: Kilroy; per J. McGrath.
Coroner's verdict.....

[Reverse side of printed form clear.]

EXHIBIT 1466-N

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-30-37; time, 5:20 p. m.
Name, Carrigan, Edw.; address, 8107 Rhodes; age, 50; sex, M.; nativity, Amer.;
occupation, ptlmm.; married or single, M.
Place of occurrence: 116th & Burley.
Nature and extent of injuries: Gas burns of nose and eyes, sprained ankle.
Taken to: Kept working.
Reporting officer _____
Who was notified? _____

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at Rep. Steel Co.

Names of witnesses	Addresses	Phone no.
1. _____		
2. _____		
3. _____		

Commanding officer: Thos. Kilroy; per McGrath.

Coroner's verdict _____

[Reverse form of printed form clear]

EXHIBIT 1466-O

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-30-37; time 5 p. m.
Name, Casey, John; address, 725 Englewood Av.; age, 31; sex, M.; nativity,
Am.; occupation, pol. officer; married or single, M.
Place of occurrence: 116th & Burley.
Nature and extent of injuries: Left side of chest bruised.
Taken to Rep. Steel hos. by self.
Reporting officer _____
Who was notified? _____

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at Rep. Steel Co.

Names of witnesses	Addresses	Phone no.
1. _____		
2. _____		
3. _____		

Commanding officer: Kilroy; per McGrath.

Coroner's verdict _____

[Reverse side of printed form clear]

5106 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1466-P

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of accident, 5-30-37; time, 4 p. m. Date of report, 6-7-37.
 Name, Cleary, Peter J., #1; address, 7431 S. Stewart; age, 58; sex, M.; nativity, Am.; occupation, ptlmm; married or single, M.
 Place of occurrence: In prairie at abt. 116th & Burley Av.
 Nature and extent of injuries: Bruise on forehead, sprain of back & right ankle.
 Taken to Auburn Pk. Hosp.; by 8th D patrol.
 Reporting officer: E. Foster, #3828; J. Spratt, #7329.
 Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

Cause (description) of accident: While attempting to hold back gang of strikers trying to enter Repub. Steel Co. plant, some one of them threw a piece of iron, causing above injury.

Names of witnesses	Addresses	Phone no.
1. Bryan McMahon.....	14th dist.....	
2.		
3.		

Commanding officer: Thos. Kilroy; per McGrath.
 Coroner's verdict.....

[Reverse side of printed form clear]

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5107

EXHIBIT 1466-Q

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of accident, 5-28-37; time, 6:20 p. m. Date of report, 5-29-37.
 Name, Condon, Arthur; address, 6829 S. Wabash; age, 33; sex, M.; nativity, Amer.; occupation, ptlmm; married or single, M.
 Place of occurrence: On 117th St. bet. Burley and Buffalo.
 Nature and extent of injuries: Bruises on left knee and left leg.
 Taken to So. Chgo. Hos. by Sgt. Kelly.
 Reporting officer: Art Condon, #2959.
 Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

Cause (description) of accident: Was attacked and kicked by strikers at 117th & Burley, causing above inj.

Names of witnesses	Addresses	Phone no.
1. Edw. Stepanek.....	4th Dist.....	
2. J. Triner.....	4th Dist.....	
3.		

Commanding officer: Thos. Kilroy; per J. McGrath.
 Coroner's verdict.....

[Reverse side of printed form clear]

EXHIBIT 1466-R

DEPARTMENT OF POLICE, CHICAGO
ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-31-37.

Date of accident, 5-30-37; time, 4:45 p. m.
Name, Edwards, Maryln; address, 2449 W. 80th St.; age, 33; sex, M.; nativity, Amer.; occupation, polm; married or single, M.
Place of occurrence: 116th & Burley Ave.
Nature and extent of injuries: Bruise on top of head, bruises on inside of right forearm.
Taken to home by self.
Reporting officer: Maryln Edwards.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: Received the above injury in a disturbance at 116th & Burley.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Kilroy; per T. J. Connors.
Coroner's verdict-----

[Reverse side of printed form clear]

EXHIBIT 1466-S

DEPARTMENT OF POLICE, CHICAGO
ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-29-37.

Date of accident, 5-28-37; time, 6:20 p. m.
Name, Harnisch, Bernard; address, 9513 Ave. M; age, 29; sex, M.; nativity, Amer.; occupation, ptlmm; married or single, M.
Place of occurrence: 117th & Buffalo.
Nature and extent of injuries: Abrasions on knuckles of right hand and on palm of left.
Taken to So. Chgo. hosp. by self.
Reporting officer: Bernard Harnisch, #7230.
Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: While breaking up an unpermitted parade participant tripped, injured causing above.

Names of witnesses	Addresses	Phone no.
1. Ptlmn John Prescott-----	9th Dist.-----	
2. -----		
3. -----		

Commanding officer: Kilroy; per McGrath.
Coroner's verdict-----

[Reverse side of printed form clear]

5110 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1466-T

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-30-37; time, 4:20 p. m.
 Name, Kelly, Bernard; age, 35; address, 121 E. 70th St.; sex, M.; nativity, American; occupation, police officer; married or single, M.
 Place of occurrence: 115th & Burley Avenue.
 Nature and extent of injuries: Bruised right shoulder and right leg.
 Taken to Republic Steel hosp. by himself.
 Reporting officer: Bernard Kelly, #7246.
 Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

Cause (description) of accident: Struck on right shoulder and right leg with club, by rioters.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: Thos. Kilroy; per McGrath.
 Coroner's verdict

[Reverse side of printed form clear.]

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5111

EXHIBIT 1466-U

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 6-1-37.

Date of accident, 5-28-37; time, 6:15 p. m.
 Name, Kirk, Elmer; age, 29; address, 8059 Ellis; sex, M.; nativity, Amer.; occupation, ptm.; married or single:
 Place of occurrence: 117th and Burley Av.
 Nature and extent of injuries: Contusion of left thigh.
 Taken to So. Chicago Hos. by 12th D., car 131.
 Reporting officer: Fortin.
 Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver.....		
Name and address of owner.....		

Cause (description) of accident: Was struck by some unknown person in a disturbance at above.

Names of witnesses	Addresses	Phone no.
1. Ptln. Ray Burch.....	7th dist.....	
2. Ptln. Dan Byrne.....	8th dist.....	
3.		

Commanding officer: Kilroy; per McGrath.
 Coroner's verdict

[Reverse side of printed form clear.]

EXHIBIT 1466-V

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-30-37; time, 4:20 p. m.
Name, Larson, Henry; age, 38; address, 4621 Woodlawn Ave.; sex, M.; nativity, American; occupation, patrolman; married or single, S.
Place of occurrence: 116th & Burley Ave.
Nature and extent of injuries: Blow struck in stomach.
Taken to Republic Steel hosp. by himself.
Reporting officer: B. Harnisch, #7230.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at 116th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: Thos. Kilroy; per McGrath.
Coroner's verdict

[Reverse side of printed form clear.]

EXHIBIT 1466-W

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-31-37.

Date of accident, 5-30-37; time, 6 p. m.
Name, McCain, Daniel; address, 6131 Evans Ave.; age, 35; sex, M.; nativity, Amer.; occupation, police officer; married or single, M.
Place of occurrence: 117th & Burley Ave.
Nature and extent of injuries: Deep laceration on scalp, left hand, subject to dizziness after injuries.
Taken to Republic Steel hosp.
Reporting officer: Ahern & O'Brien, 9th dist.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at 117th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: Thos. Kilroy; per J. O'Connor.
Coroner's verdict

[Reverse side of printed form clear.]

5114 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

EXHIBIT 1466-X

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 14TH DISTRICT

Date of report, 6-1-37.

Date of accident, 5-30-37; time, 4:30 p. m.
 Name, McMahon, Bryan; address, 7250 Marshfield Ave.; age 48; sex, M.; nativity, Amer.; occupation, patrolman; married or single, M.
 Place of occurrence: In prairie north of 115th & Burley Ave.
 Nature and extent of injuries: Laceration on left side of head and over ear and right knee.
 Taken to Republic Steel hosp.
 Reporting officer: B. McMahon, 14th dist.
 Who was notified? 14th dist. police.

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at above location.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: James J. Fleming; per E. H. Gavin.
 Coroner's verdict:

[Reverse side of printed form clear]

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5115

EXHIBIT 1466-Y

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-31-37.

Date of accident, 5-30-37; time, 5 p. m.
 Name, McGuire, Hugh; address, 8122 S. Paulina St.; age 59; sex, M.; nativity, Amer.; occupation, patrolman; married or single, M.
 Place of occurrence: 116th & Burley Ave.
 Nature and extent of injuries: Bruise on left shoulder, by brick.
 Taken to Republic Steel hosp.
 Reporting officer: Hugh McGuire, 14th Dist., star #2087.
 Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at 116th & Burley Ave., by a brick.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: Thos. Kilroy; per J. Connor.
 Coroner's verdict:

[Reverse side of printed form clear]

EXHIBIT 1466-Z

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-30-37; time, 4:45 p. m.
 Name, Margolis, Samuel; address, 3958 W. 19th St.; age, 36; sex, M.; nativity, Amer.; occupation, police officer; married or single, M.
 Place of occurrence: 117th & Greenbay Ave.
 Nature and extent of injuries: Gassed by tear gas.
 Taken to Republic Steel hosp. by himself.
 Reporting officer: Samuel Margolis.
 Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: Injured during riot at Republic Steel Co., 116th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos. Kilroy; per McGrath.
 Coroner's verdict-----

[Reverse side of printed form clear]

EXHIBIT 1466-AA

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-31-37.

Date of accident, 5-30-37; time, 4:30 p. m.
 Name, Meade, John; address, 7805 S. Ada St.; age, 50; sex, M.; nativity, American; occupation, police officer; married or single, M.
 Place of occurrence: 116th & Burley Ave.
 Nature and extent of injuries: Abrasion of right leg between knee and thigh.
 Taken to home by himself.
 Reporting officer: John Meade.
 Who was notified?-----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver-----		
Name and address of owner-----		

Cause (description) of accident: Received the above injury in a disturbance at 116th and Burley Ave.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos. Kilroy; per F. J. Connors (sergt.).
 Coroner's verdict-----

[Reverse side of printed form clear]

EXHIBIT 1466-BB

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-30-37.

Date of accident, 5-3-37; time, 5 p. m.
Name, Morrall, Frank; address, 8513 Sangamon St.; age, 50; sex, M.; nativity,
Amer.; occupation, -----; married or single, S.
Place of occurrence: 117th & Grand Bay Road.
Nature and extent of injuries: Gassed by tear gas.
Taken to Republic Steel hosp. by himself.
Reporting officer: -----
Who was notified? -----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot at Republic Steel Company,
116th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos. Kilroy; per McGrath.
Coroner's verdict: -----

[Reverse side of printed form clear]

EXHIBIT 1466-CC

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 6-16-37.

Date of accident, 5-30-37; time, 4:30 p. m.
Name, Murphy, Henry; address, 8735 Throop St.; age, 43; sex, M.; nativity,
Amer.; occupation, police officer; married or single, M.
Place of occurrence: 116th & Burley Ave.
Nature and extent of injuries: Rupture.
Taken to no place. Unaware of injury at time.
Reporting officer: Injured.
Who was notified? -----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: While detailed at Republic Steel strike, was
engaged in riot which took place and was kicked in groin. Examined by Dr.
Wm. Sommerville, 8911 Loomis St., on June 11th, 1937.

Names of witnesses	Addresses	Phone no.
1. -----		
2. -----		
3. -----		

Commanding officer: Thos. Kilroy; per Ptlmn. J. P. O'Connor.
Coroner's verdict: -----

[Reverse side of printed form clear]

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EXHIBIT 1466-DD

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 5-28-37.

Date of accident, 5-28-37; time, 6:15 p. m.
 Name, Neary, Michael; address, 7720 Langley Ave.; age, 36; sex, M.; nativity, Amer.; occupation, patrolman; married or single, M.
 Place of occurrence: 117th & Burley Ave.
 Nature and extent of injuries: Injury to right hand, right knee, and left leg.
 Taken to So. Chicago Hosp. by Squad 131, 12th dist.
 Reporting officer: Fortin.
 Who was notified? -----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Was struck on hand with club and kicked on legs by unknown person in a mob disturbance.

Names of witnesses	Addresses	Phone no.
1. Daniel Byrne	8th dist.	
2. Elmer Kirl	7th dist.	
3.		

Commanding officer: Thos. Kilroy; per McGrath (sergt.).
 Coroner's verdict: -----

[Reverse side of printed form clear]

EXHIBIT 1466-EE

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 6-7-37.

Date of accident, 5-30-37; time, 4:30 p. m.
 Name, Noonan, Wm. P.; address, 1323 W. 78th St.; age, 30; sex, M.; nativity, Amer.; occupation, police officer; married or single, S.
 Place of occurrence: 116th & Burley.

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5121

Nature and extent of injuries: Dislocated left wrist.
 Taken to Rep. Steel Co. hosp. then Auburn Pk. Hos. by 8th D patrol.
 Reporting officer: Wm. Noonan.
 Who was notified? -----

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: License no.: Direction of travel:

	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: While trying to stop a disturbance at 116th & Burley Ave., received the above injuries.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: Kilroy; per Wragg, actg.
 Coroner's verdict: -----

[Reverse side of printed form clear]

EXHIBIT 1466-FF

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 14TH DISTRICT

Date of report, 6-1-37.

Date of accident, 5-30-37; time, 4:20 p. m.
 Name, Oakes, Walter; address, 4407 N. Lincoln St.; age, 45; sex, M.; nativity, Amer.; occupation, patrolman; married or single, M.
 Place of occurrence: 11th & Burley Ave.
 Nature and extent of injuries: Bruised right leg.
 Taken to Dr. Creighton, 801 W. 63rd St., by himself.
 Reporting officer: W. Oakes, 14th dist.
 Who was notified? 14th dist. police.

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GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type:	License no.:	Direction of travel:
	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type:	License no.:	Direction of travel:
	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Injured during riot in vicinity of 116th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: James J. Fleming; per E. H. Gavin.
Coroner's verdict

[Reverse side of printed form clear]

EXHIBIT 1466-GG

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 14TH DISTRICT

Date of accident, 5-28-37; time, 6:15 p. m.
Name, Opfer, Edward; address, 1501 W. 100th Pl.; age, 37; sex, M.; nativity, Amer.; occupation, patrolman; married or single, M.
Place of occurrence: 117th & Buffalo Ave.
Nature and extent of injuries: Cut on top of head and bruises from punches.
Taken to So. Chicago Hosp.
Reporting officer: E. Opfer, 14th dist.
Who was notified? 14th dist. police.

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type:	License no.:	Direction of travel:
	Age	Sex
Name and address of driver		
Name and address of owner		

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5123

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type:	License no.:	Direction of travel:
	Age	Sex
Name and address of driver		
Name and address of owner		

Cause (description) of accident: Hit on top of head by man carrying flag. Punches on stomach and side.

Names of witnesses	Addresses	Phone no.
1.		
2.		
3.		

Commanding officer: James J. Fleming; per E. H. Gavin.
Coroner's verdict

[Reverse side of printed form clear]

EXHIBIT 1466-HH

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of accident, 5-30-37; time, 4:30 p. m.
Name, Prescott, John; address, 7654 Essex Ave.; age, 32; sex, M.; nativity, Amer.; occupation, patrolman; married or single, M.
Place of occurrence: 116th & Burley Ave.
Nature and extent of injuries: Blow struck in stomach.
Taken to Republic Steel hosp., by himself.
Reporting officer: B. Harnisch, #7230.
Who was notified?

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type:	License no.:	Direction of travel:
	Age	Sex
Name and address of driver		
Name and address of owner		

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type:	License no.:	Direction of travel:
	Age	Sex
Name and address of driver		
Name and address of owner		

5124 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

Cause (description) of accident: Injured in riot at 116th & Burley Ave.

Names of witnesses	Addresses	Phone no.
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

Commanding officer: Thos. Kilroy; per McGrath.

Coroner's verdict: _____

[Reverse side of printed form clear]

EXHIBIT 1466-II

DEPARTMENT OF POLICE, CHICAGO

ACCIDENT REPORT, 9TH DISTRICT

Date of report, 6-4-37.

Date of accident, May 30th; time, 4:30 p. m.
Name, Sullivan, Michael S; address, 8019 Rhodes Av.; age, 48; sex, M.; nativity, Am.; occupation, police officer; married or single, M.
Place of occurrence: 117th & Burley Av.
Nature and extent of injuries: Bruised and skinned on right shin.
Taken to home (unassisted) by self.
Reporting officer: M. S. Sullivan, #4627.
Who was notified? _____

GIVE FOLLOWING INFORMATION IF VEHICLE WAS INVOLVED

Vehicle 1: Make and type: _____ License no: _____ Direction of travel: _____

	Age	Sex
Name and address of driver _____	_____	_____
Name and address of owner _____	_____	_____

IF ANY OTHER VEHICLE WAS INVOLVED

Vehicle 2: Make and type: _____ License no.: _____ Direction of travel: _____

	Age	Sex
Name and address of driver _____	_____	_____
Name and address of owner _____	_____	_____

Cause (description) of accident: While trying to stop a disturbance, was struck with a brick.

Names of witnesses	Addresses	Phone no.
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

Commanding officer: Thos. Kilroy; per Wragg (actg.).

Coroner's verdict: _____

[Reverse side of printed form clear]

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5125

EXHIBIT 1467-A

SOUTH CHICAGO COMMUNITY HOSPITAL

2325 East Ninety-second Place

CHICAGO, ILLINOIS

ADMISSION REPORT

Date: May 28, 1937.

Hour: 7:30 p. m.

Register No. 50112.
Name, Daniel Byrne; address, 9241 Clyde.
Telephone no., Sag. 6491; religion, Cath.; sex, male.
Color or race, white; nationality, Amer.
Birthplace, _____; city or town, _____; State or country, _____.
Age, 39; date of birth, _____; month, _____; year, _____.
Years in U. S. A., _____; years in city, _____.
Married or single, married; if married, widowed or divorced, husband (or wife) of Sylvia Byrne.
Employer, #1060, policeman, Chgo.; address of employer, _____.
Occupation, _____; check no., _____.
Where is husband or father employed, _____; address of employer, _____.
Any member of family employed in local industries, _____; name of industry _____.
Nearest relative or friend, Sylvia Byrne; address, same.
How related, wife; telephone no., same.
Service of doctor, Finsky-Jacques; examined by doctor, _____.
Admitting diagnosis, contusion of left wrist—abrasion. T. _____ P. _____ R. _____.
Brought in by, _____; manner, ambulatory.
Maiden name of mother, _____; where born, _____; town, _____; State, _____.
Name of father, _____; where born, _____; town, _____; State, _____.
Has patient ever served in military or naval service of U. S. A., _____.
Assigned to room, _____; or ward, _____.
Report filed in by C. Boughner.
Discharge diagnosis, _____; date of discharge, 5-28-37; hour, 7:30 p. m.; by whom discharged, _____.
True copy.

(Signed) C. BOUGHNER, Record Clerk.

EXHIBIT 1467-B

SOUTH CHICAGO COMMUNITY HOSPITAL

2325 East Ninety-second Place

CHICAGO, ILLINOIS

ADMISSION REPORT

Date: May 29, 1937.

Hour: 6 p. m.

Register No. 50130.
Name, Arthur Condon; address, 6829 Wabash.
Telephone no., none; religion, Cath.; sex, male.
Color or race, white; nationality, Irish.
Birthplace, _____; city or town, _____; State or country, _____.
Age, 33; date of birth, _____; month, _____; year, _____.
Years in U. S. A., _____; years in city, _____.
Married or single, married; if married, widowed or divorced, husband (or wife) of Ellen Condon.
Employer, #2595, policeman, Chgo.; address of employer, _____.
Occupation, _____; check no., _____.
Where is husband or father employed, _____; address of employer, _____.

5126 VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR

Any member of family employed in local industries, -----; name of industry, -----
 Nearest relative or friend, Ellen Condon; address, same.
 How related, wife; telephone no., none.
 Service of doctor, Finsky; examined by doctor, -----
 Admitting diagnosis, severe contusion of left leg. T. -----; P. -----; R. -----;
 Brought in by, -----; manner, ambulatory.
 Maiden name of mother, -----; where born, -----; town, -----; State, -----
 Name of father, -----; where born, -----; town, -----; State, -----
 Has patient ever served in military or naval service of U. S. A., -----
 Assigned to room, -----; or ward, -----
 Report filled in by C. Boughner.
 Discharge diagnosis, -----; date of discharge, 5-29-37; hour, 6:15 p. m.; by
 whom discharged, -----
 True Copy.

(Signed) C. BOUGHNER, *Record Clerk.*

EXHIBIT 1467--C

SOUTH CHICAGO COMMUNITY HOSPITAL

2325 East Ninety-Second Place

CHICAGO, ILLINOIS

ADMISSION REPORT

Register No. 50110. Date: May 28, 1937.
 Name, Bernhard Harnich; address, 9513 Ave. M. Hour: 6:45 p. m.
 Telephone no., none; religion, Prot.; sex, male.
 Color or race, white; nationality, Amer.
 Birthplace, -----; city or town, -----; State or country, -----
 Age, 29; date of birth, -----; month, -----; year, -----
 Years in U. S. A., -----; years in city, -----
 Married or single, married; if married, widowed or divorced, husband (or wife)
 of -----
 Employer, #3230, policeman, Chgo.; address of employer, -----
 Occupation, -----; check no., -----
 Where is husband or father employed, -----; address of employer, -----
 Any member of family employed in local industries, -----; name of industry, -----
 Nearest relative or friend, Helen Harnich; address, same.
 How related, wife; telephone no., none.
 Service of doctor, Finsky, J.; examined by doctor, -----
 Admitting diagnosis, abrasion on hand. T. -----; P. -----; R. -----
 Brought in by, -----; manner, ambulatory.
 Maiden name of mother, -----; where born, -----; town, -----; State, -----
 Name of father, -----; where born, -----; town, -----; State, -----
 Has patient ever served in military or naval service of U. S. A., -----
 Assigned to room, -----; or ward, -----
 Report filled in by C. Boughner.
 Discharge diagnosis, -----; date of discharge, 6-28-37; hour, 7:15 p. m.;
 by whom discharged, -----
 True copy.

(Signed) C. BOUGHNER, *Record Clerk.*

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5127

EXHIBIT 1467-D

SOUTH CHICAGO COMMUNITY HOSPITAL

2325 East Ninety-Second Place

CHICAGO, ILLINOIS

ADMISSION REPORT

Register No. 50114. Date: May 28, 1937.
 Name, Elmer E. Kirk; address, 8059 Ellis. Hour: 7:30 p. m.
 Telephone no., Rad. 7339; religion, Cath.; sex, male.
 Color or race, white; nationality, Amer.
 Birthplace, -----; city or town, -----; State or country, -----
 Age, 29; date of birth, -----; month, -----; year, -----
 Years in U. S. A., -----; years in city, -----
 Married or single, married; if married, widowed or divorced, husband (or wife) of
 Doris Kirk.
 Employer, #1550, policeman, Chgo.; address of employer, -----
 Occupation, -----; check no., -----
 Where is husband or father employed, -----; address of employer, -----
 Any member of family employed in local industries, -----; name of industry, -----
 Nearest relative or friend, Doris Kirk; address, same.
 How related, wife; telephone no., same.
 Service of doctor, Finsky; examined by doctor, -----
 Admitting diagnosis, contusion of left thigh. T. -----; P. -----; R. -----
 Brought in by, -----; manner, ambulatory.
 Maiden name of mother, -----; where born, -----; town, -----; State, -----
 Name of father, -----; where born, -----; town, -----; State, -----
 Has patient ever served in military or naval service of U. S. A., -----
 Assigned to room, -----; or ward, -----
 Report filled in by C. Boughner.
 Discharge diagnosis, -----; date of discharge, 5-28-37; hour, 7:45 p. m.; by
 whom discharged, -----
 True copy.

(Signed) C. BOUGHNER, *Record Clerk.*

EXHIBIT 1467-E

SOUTH CHICAGO COMMUNITY HOSPITAL

2325 East Ninety-second Place

CHICAGO, ILLINOIS

ADMISSION REPORT

Register no. 50113. Date: May 28, 1937.
 Name, Michael Meary; address, 7720 Langley. Hour: 7:30 p. m.
 Telephone no., Rad. 4926; religion, Cath.; sex, male.
 Color or race, white; nationality, Irish.
 Birthplace, -----; city or town, -----; State or country, -----
 Age, 26; date of birth, -----; month, -----; year, -----
 Years in U. S. A., -----; years in city, -----
 Married or single, married; if married, widowed or divorced, husband (or wife) of
 Julia Meary.
 Employer, #3942, policeman, Chgo.; address of employer, -----
 Occupation, -----; check no., -----

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Where is husband or father employed, -----; address of employer, -----.
Any member of family employed in local industries, -----; name of industry, -----.
Nearest relative or friend, Julia Meary; address, same.
How related, wife; telephone no., same.
Service of doctor, Finsky; examined by doctor, -----.
Admitting diagnosis, abras. of fingers of R. hand & abras. of R. knee & shin. T. -----; P. -----; R. -----.
Brought in by -----; manner, ambulatory.
Maiden name of mother, -----; where born, -----; town, -----; State, -----.
Name of father, -----; where born, -----; town, -----; State, -----.
Has patient ever served in military or naval service of U. S. A., -----.
Assigned to room, -----; or ward, -----.
Report filled in by C. Boughner.
Discharge diagnosis, -----; date of discharge, 5-28-37; hour, 7:45 p. m.; by whom discharged, -----.
True copy.

(Signed) C. BOUGHNER, *Record Clerk.*

EXHIBIT 1467-F

SOUTH CHICAGO COMMUNITY HOSPITAL

2325 East Ninety-second Place

CHICAGO, ILLINOIS

ADMISSION REPORT

Register no. 50109. Date: May 28, 1937.
Name, Edward Opfer; address, 1501 W. 100th Place. Hour: 6:45 p. m.
Telephone no., none; religion, Prot.; sex, male.
Color or race, white; nationality, German.
Birthplace, -----; city or town, -----; State or country, -----.
Age, 38; date of birth, -----; month, -----; year, -----.
Years in U. S. A., -----; years in city, -----.
Married or single, married; if married, widowed or divorced, husband (or wife) of Anna Opfer.
Employer, #5683, policeman, Chgo.; address of employer, -----.
Occupation, -----; check no., -----.
Where is husband or father employed, -----; address of employer, -----.
Any member of family employed in local industries, -----; name of industry, -----.
Nearest relative or friend, Anna Opfer; address, same.
How related, wife; telephone no. same.
Service of doctor, Finsky; examined by doctor, -----.
Admitting diagnosis, scalp lacerations. T. -----; P. -----; R. -----.
Brought in by, -----; manner, ambulatory.
Maiden name of mother, -----; where born, -----; town, -----; State, -----.
Name of father, -----; where born, -----; town, -----; State, -----.
Has patient ever served in military or naval service of U. S. A., -----.
Assigned to room, -----; or ward, -----.
Report filled in by -----.
Discharge diagnosis, -----; date of discharge, 5-28-37; hour, 7:15 p. m.; by whom discharged, -----.
True copy.

(Signed) C. BOUGHNER, *Record clerk.*

VIOLATIONS OF FREE SPEECH AND RIGHTS OF LABOR 5129

EXHIBIT 1467-G

THE LITTLE COMPANY OF MARY HOSPITAL

REPORT OF EMERGENCY CASE

Case No. 192; May 30, 1937; Hour, 11:15 p. m.
Name, Stewart Buletti, officer; room or ward, out pt.
Address, 1651 W. 78th St.; Phone, Vin. 5211; color, white.
Age, 29; sex, m.; nationality, American; religion, Cath.
Occupation, police officer, star #7113; ambulance, -----.
Responsible party, -----; emergency charges \$1 courtesy o. k. M. M. D. Ent.
Employer's name, city police.
Employer's address, Englewood Station.
Brought by, self; automobile no. -----.
Witnesses: -----.

Signature of nurse: Sister M. Felix.

PHYSICIAN'S REPORT

Diagnosis, hematoma of left deltoid muscle. Possible fracture of left humerus.
Treatment, heat advised; X-ray in a. m.
Administrations of tetanus, -----; given, no.; units, -----.
Was tetanus ever administered before? -----; when, -----; refused by whom? -----.
Minors, -----; authorized by, -----.
State where and how accident occurred, injured at Republic Steel Co. (in riot).
Struck by pick handle.
Patient's general condition, or other remarks: -----.
State what disposition was made of case: Referred to Dr. Jansen.
Dispensary, -----; home, yes.
Hospital, -----; police, -----.
Signature of physician: E. L. Jansen; sig. of intern, -----.
The following memoranda to be made out by clerk:
Police notified? -----; hour, -----; by whom, -----.
Coroner notified? -----; hour, -----; by whom, -----.
Relatives notified? -----; hour, -----; by whom, -----.
APPROVED: Mrs. MARIE ENGEL,
Record Librarian.

EXHIBIT 1467-II

THE LITTLE COMPANY OF MARY HOSPITAL

X-RAY LABORATORY

Case No. 1259. Date: May 31, 1937.
Name of patient: Buletti, Officer Stuart, 1651 W. 78th St.; room, O. P.; ward, -----; bed, -----.
Attending physician:
Examination of left shoulder.
Findings, left shoulder: The roentgenogram taken anteroposteriorly does not show any definite evidence of fracture.
(Signed) W. W. FUREY, M. D.

EXHIBIT 1468

(Held in committee files. See p. 5000.)

EXHIBIT 1469

(See p. 5150.)

EXHIBIT 1470

(See p. 5151.)

EXHIBIT 1471

(See p. 5152.)

EXHIBIT 1472

(Held in committee files. See p. 5000.)

EXHIBIT 1473

(See p. 5153.)

EXHIBIT 1474

(Held in committee files. See p. 5000.)

EXHIBIT 1475

(See p. 5154.)

EXHIBIT 1476

(Held in committee files. See p. 5000.)

EXHIBIT 1477

(See p. 5155.)

EXHIBITS 1478-1499

(Held in committee files. See p. 5000.)

EXHIBIT 1500

(See p. 5156.)

EXHIBITS 1501-1625

(Held in committee files. See p. 5000.)

EXHIBITS 1626-1632

(Supp. 5157-5170.)

EXHIBIT 1327

SITUATION PLAN
IN THE VICINITY OF
PLANT OF REPUBLIC
STEEL CORPORATION
CHICAGO, ILLINOIS

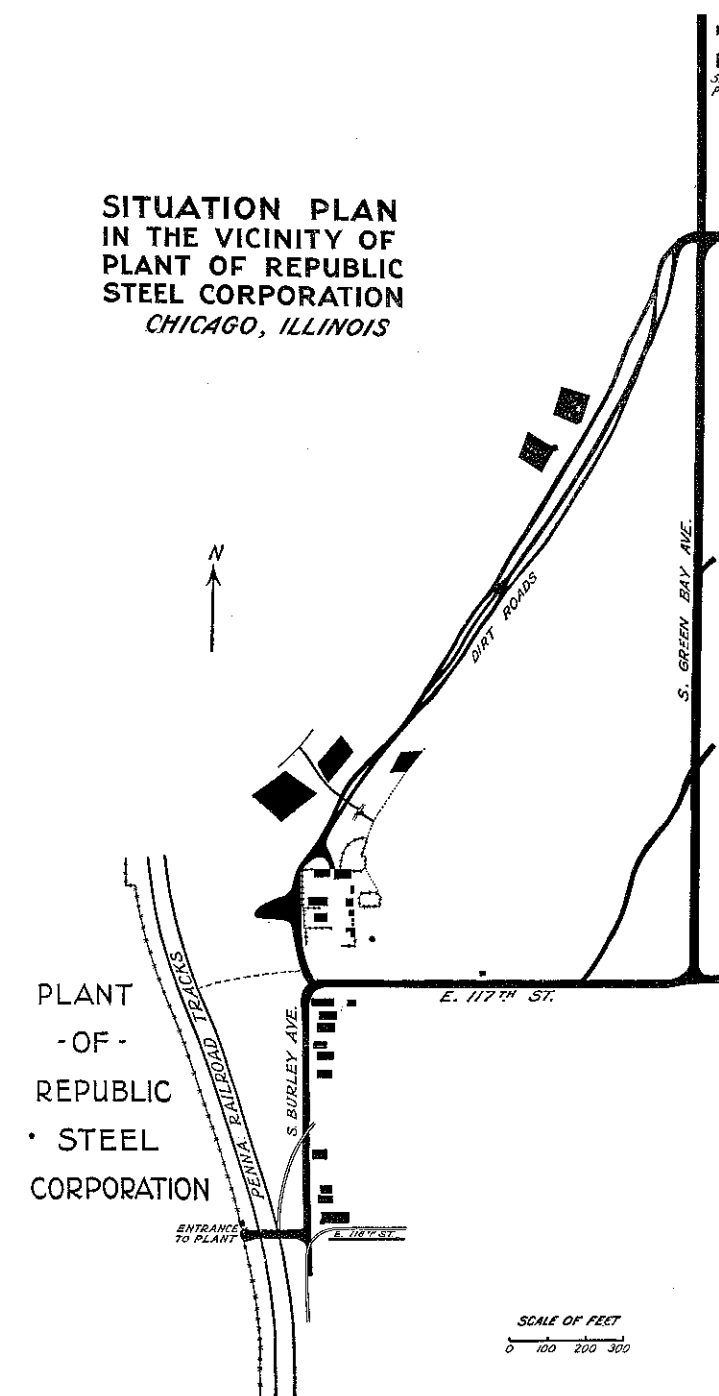


EXHIBIT 1341



EXHIBIT 1349



EXHIBIT 1350



EXHIBIT 1351



EXHIBIT 1353



Exhibit 1354



Exhibit 1358

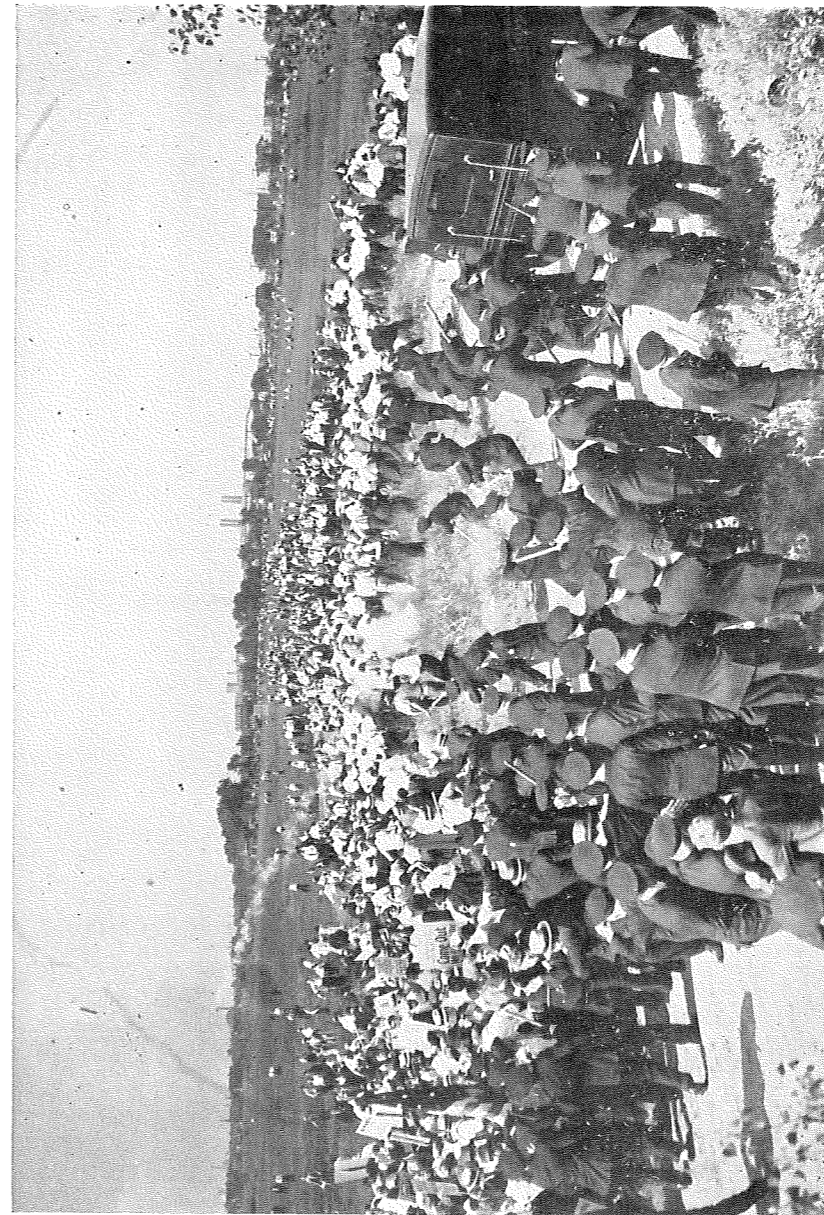


EXHIBIT 1367



EXHIBIT 1368



EXHIBIT 1397



EXHIBIT 1400

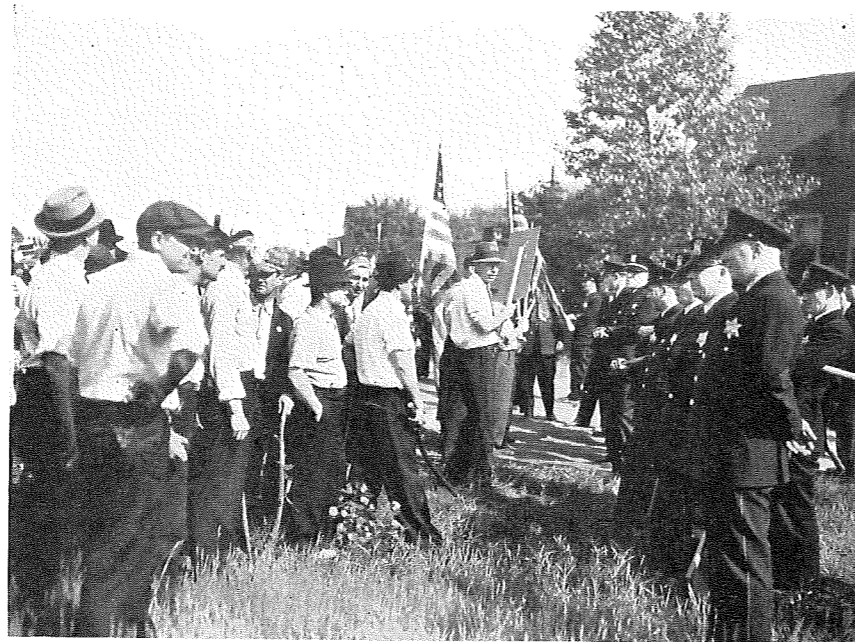


EXHIBIT 1409



EXHIBIT 1413



EXHIBIT 1414



EXHIBIT 1418



EXHIBIT 1424



EXHIBIT 1428



EXHIBIT 1429



EXHIBIT 1431



EXHIBIT 1433

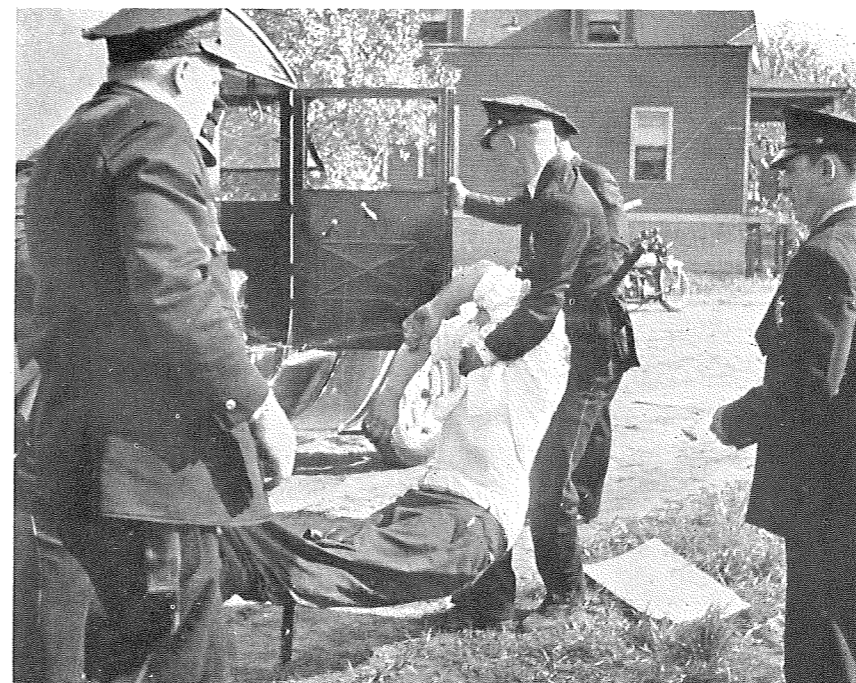
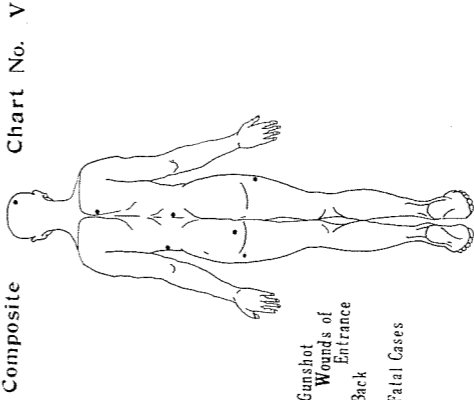


EXHIBIT 1438



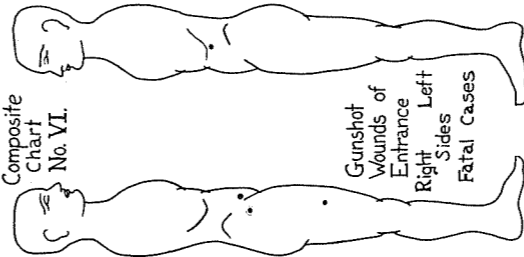
EXHIBIT 1459



Gunshot
Wounds of
Entrance
Back
Fatal Cases

The dots in this exhibit, reading from top to bottom, represent the wounds of: Popovich, Jones, Reed, Rothmund, Tagliori, and Handley.

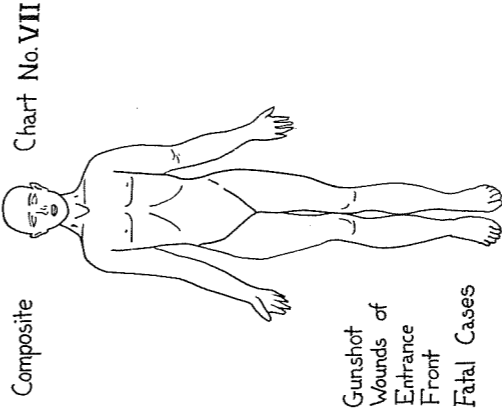
EXHIBIT 1460



Gunshot
Wounds of
Entrance
Right Left
Sides
Fatal Cases

The dots in this exhibit, reading from top to bottom, represent the wounds of: Anderson, Francisco, Tisdale, and Causey.

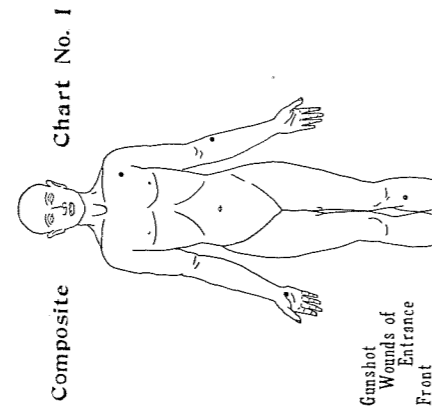
EXHIBIT 1461



Gunshot
Wounds of
Entrance
Front
Fatal Cases

There were no wounds of this description.

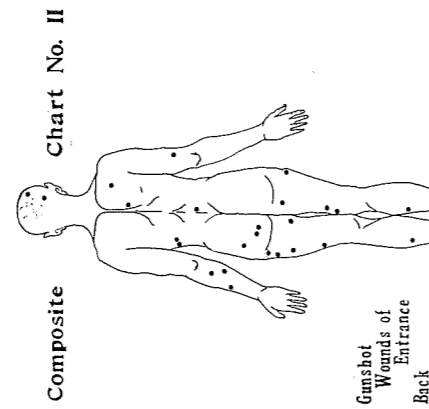
EXHIBIT 1462



The dots in this exhibit, reading from top to bottom, represent the wounds of: Causey, Reed, Nelson, and Massina.

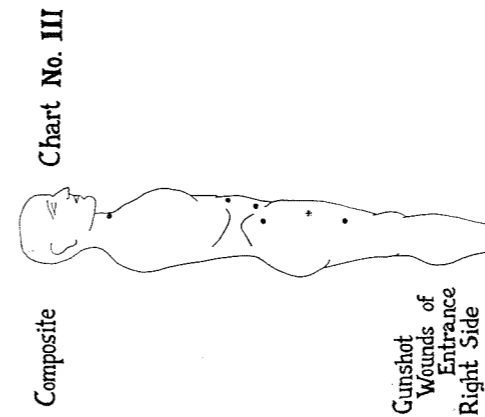
Republic Steel Strike
May 30, 1937

EXHIBIT 1463



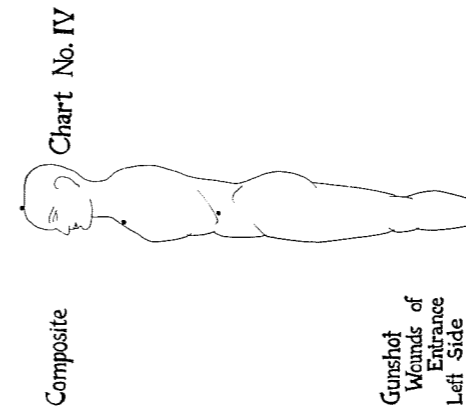
The dots in this exhibit, reading from top to bottom, represent the wounds of: Popovitch, Hensley, Riccio, Jones, Bonante, Wunk, Reed, Rothmund, Causey, girl, Mokojich, Tucker, Tagliori, Doloc, Francisco, Jugovitch, Patchin, Handley, Rock, Harden, Stenken, Morosovic, Causey, Latido, C. Nelson, Levitch, and Biscan.

EXHIBIT 1464



The dots in this exhibit, reading from top to bottom, represent the wounds of: Dorfy, Scultety, Anderson, Francisco, Czarnecki, and Tisdale.

EXHIBIT 1465



The dots in this exhibit, reading from top to bottom, represent the wounds of: Kruga, Reed, and Causey.

EXHIBIT 1469



EXHIBIT 1470



EXHIBIT 1471



EXHIBIT 1473



EXHIBIT 1475



EXHIBIT 1477



EXHIBIT 1500



EXHIBIT 1626

[At the request of Commissioner James P. Allman (see p. 4999), the following letter embodying all requests made upon him and William V. Daly, assistant corporation counsel of the city of Chicago, was written by the secretary of the committee]:

JULY 7, 1937.

MR. JAMES P. ALLMAN,
Commissioner of Police,
City Hall, Chicago, Ill.

MY DEAR COMMISSIONER: At the hearings before this committee on June 30 to July 2 inclusive, you were requested to furnish further information and certain documents or exhibits as follows:

1. Reports from Captain Kilroy relating to incidents occurring at the South Chicago plant of the Republic Steel Co. on Wednesday, May 26, 1937, and arising out of the strike.
 2. All of the information in the possession of Make Mills relating to the identification of 13 persons involved in the disturbance of May 30, 1937, in South Chicago as known Communists. Two memoranda from Make Mills to you, one dated June 16, 1937 (Committee Exhibits 1332 and 1333), classify 13 dead, injured, or arrested persons as known Communists. Complete information concerning the details which served as the basis for these memoranda is desired.
 3. Complete information concerning the number of nonregulation sticks, clubs, or billies used by or issued to the police at South Chicago on May 30, 1937, and the source of supply and origin of such sticks, clubs, or billies.
 4. Complete information concerning the number of policemen stationed, quartered, detailed, or assembled, whether on duty or not, within the gates or confines of the plant of the Republic Steel Co. at South Chicago from time to time from May 25 to June 30, 1937.
 5. Complete information based on further investigation concerning relations between the officials or members of the Chicago police force and the agents, employees, and officials of the Republic Steel Co., and between the Chicago police and any private detective agency or non-police organization of any kind, with particular reference to all correspondence, communications, and cooperation between the Chicago police and such persons, agencies, or organizations, insofar as such relations, correspondence, or communications are concerned with the present strike in the steel industry in Chicago and with the growth or prevalence of radical activities among the steel employees in Chicago.
 6. Complete information concerning the identity and number of plainclothesmen, detectives, private investigators, or guards, whether connected with the Chicago police force or not, who took part or were involved in the incidents occurring on May 30, 1937, near the South Chicago plant of the Republic Steel Company, and also concerning the clubs, billies, pistols, or other arms carried or used by such person in the incidents of May 30, 1937.
 7. Complete information concerning the amount and nature of the ammunition expended by members of the Chicago police force during the violence of May 30, 1937, at South Chicago, with particular reference to the number of shots and the caliber and description of the cartridges or bullets fired.
 8. The name, assignment, and record of the Chicago police officer who carried badge number 7181 on May 30, 1937.
 9. A certified copy of the police records concerning the arrests made as a result of and in the course of the investigation of the encounter between the police and the demonstrators on May 30, 1937, in South Chicago, showing in particular the dates of arrest and booking and the charge entered for each person so arrested.
- In addition to these requests made to you personally, certain requests were made of Mr. William V. Daly, assistant corporation counsel of the city of Chicago, for information and records. Inasmuch as the records and data requested of Mr. Daly would seem to be peculiarly in the possession or knowledge of the Police Department you are directed to furnish them to this committee as soon as is conveniently possible. The requests made of Mr. Daly were as follows:
1. A complete set of the written statements, reports, or affidavits made by officers, patrolmen, or other persons connected with the Police Department of Chicago, with reference to the events of May 30, 1937, in South Chicago.
 2. Detailed reports from Harry Scholz and Michael F. Toohey, members of the Industrial Squad of the Detective Bureau of the City of Chicago, substantiating the statements made in their affidavits of June 29, 1937 (Committee Exhibits

1374 and 1375), to the effect that 12 of the arrested participants in the riot of May 30, 1937, in South Chicago were active in communistic or subversive movements, showing the names of such persons and the facts or data indicating their activity in such movements.

3. A copy of an article appearing in the Chicago Herald-Examiner on May 28 or 29, 1937, mentioned by Mr. Daly in his testimony, to the effect that Mr. Van Bittner, or some person with a similar name, had unsuccessfully attempted to enter the Republic Steel plant, and was planning to make another attempt.

4. Complete information concerning the identification of any persons killed in or dying as a result of the riot of May 30, 1937, at South Chicago as agitators, or as active in any communistic or subversive movements.

You are also directed to furnish this committee with all information concerning the source of supply, ownership, character and manufacturer of the tear gas bombs or candles used by the police force during the riot of May 30, 1937, in South Chicago.

Since this committee is desirous of completing its record in this investigation, it will be much appreciated if you will collect and forward all the data, information, records, and documents mentioned in this letter as soon as possible. In particular, you are requested to furnish item 9 of the requests made of you, and item 1 of the requests made of Mr. Daly, as set forth on page 2 of this letter, by the end of this week.

Very truly yours,

(Signed) ROBERT WOHLFORTH,
Secretary, Subcommittee of the Committee on Education and Labor
under Senate Resolution 266.

EXHIBIT 1627-A

[The following reply, with the attached documents, was received from Commissioner Allman with the exception of the ninth item in the letter, the affidavit of Sgt. Jones L. Oakey]:

EDWARD J. KELLY, Mayor

JAMES P. ALLMAN, Commissioner

CHICAGO POLICE DEPARTMENT

OFFICE OF THE COMMISSIONER OF POLICE

Room 505, City Hall

Chicago, August 3rd, 1937.

Mr. ROBERT WOHLFORTH,
Secretary, Subcommittee of the Committee on Education and Labor,
under S. R. 266, Washington, D. C.

DEAR SIR: In reply to your request for information and certain documents which are enumerated in your communication, please be advised that we are enclosing herewith the following:

1. Report of Captain Kilroy relating to incidents occurring at South Chicago plant of the Republic Steel Company, on May 26th, 1937.

2. Report of Mr. Make Mills giving information concerning details that served as a basis for Exhibits 1332 and 1333.

3. Affidavits of Lieutenants Lennon, Moran, Healy and Ryan, Platoon Commanders, concerning the inspection of service revolvers and batons carried by members of their platoons. In addition to these affidavits the individual patrolmen were questioned. From these affidavits and an independent investigation it has been determined that all men carried regulation batons when they marched out to meet the rioters with the exception of two plain clothes officers who, under the regulations are not required to carry batons, and therefore picked up the first available weapon with which to defend themselves. Later on in the field several police officers picked up clubs that were dropped by the members of the mob. The clubs carried by policemen are not of a uniform shade; many clubs issued are of natural wood color without stain.

4. With the exception of a few men who were detailed on the Republic Steel Company property, along the river where the property was unguarded by a fence, no police officers were detailed within the gates or confines of the plant of the Republic Steel Company between May 25th, 1937 and June 30th, 1937. There was a shed immediately inside the gate of the plant which served as a temporary police headquarters; the use of this shed being necessary as there was no other place where telephone or other communications could be sent or received. At

this temporary headquarters the platoons were assembled and inspected before taking their respective posts. Also a small body of men was kept on reserve at temporary police headquarters for any emergency that might arise outside the plant. The few men who were detailed on the grounds along the river were withdrawn on order of the Chief of the Uniform Force before May 30th, 1937.

5. After a further investigation concerning relations between officials or members of the Chicago Police Force and agents and employees of the Republic Steel Company, and between Chicago Police or any private detective agency or non-police organization, we find no evidence of any correspondence or communication which was exchanged between them with the exception, as has been stated, as to the request of the President of the Steel Company for police protection, and the complaints received from officials of the Steel Company that the families of the employees were threatened and intimidated. The relationship between the police and the Republic Steel Company and its officers and employees was solely the relationship that exists between the police department and any citizen of Chicago who has reason to believe they need police protection. There is no evidence that any private detective agency or non-police organization were in any way associated with the Chicago Police Department, nor did the members of any non-police organization or private detective agency participate in the Memorial Day Riot.

6. There were only four plain clothes officers who participated in the Memorial Day Riot, they being Patrolmen Daniel McCain, Thomas Ahern, Leo O'Brien and Richard Sheehy. These men were not engaged in the capacity of detectives but acted as either secretaries or chauffeurs for Supervisor Mooney and Captain Kilroy. No private investigators or guards participated in the riot. There were men in citizen dress who appeared in the pictures who acted as newspaper reporters, cameramen, or runners for newspaper men. The plain clothes officers carried regulation thirty-eight calibre police special revolvers; they carried no "billies"; two of them secured regulation police batons from squad cars. Officers McCain and Ahern had no batons and picked up the first available stick with which to defend themselves.

7. The policemen buy their own ammunition and are required, by rules and regulations of the Department of Police, to carry one load and twelve extra cartridges. These bullets are of thirty-eight calibre, lead, and the revolvers are either of Colt or Smith and Wesson make. After making inquiry we ascertain that eighty shots were expended.

8. Patrolman William E. Harvey, Jr., wore star #7181, he is assigned to the 6th Police District and on May 30th, 1937 was detailed to the 9th Police District. He was born December 9th, 1903 and joined the Police Department August 17th, 1935. Record, clear.

9. The enclosed affidavit of Sergeant James L. Oakey sets out in detail the answer to Question #9.

Kindly advise if this information is filed as part of the record of the sub-committee on Education and Labor, and if so, please forward to me the numbers given these exhibits at your earliest convenience.

In regard to the requests made of Mr. William V. Daly, Assistant Corporation Counsel, for information and records this matter has been turned over to him for reply.

Yours very truly,

(Signed) JAMES P. ALLMAN,
Commissioner of Police.

JPA
ibc

EXHIBIT 1627-B

9TH DISTRICT,
May 27th, 1937.

From: Captain, Commanding 9th District.

To: Commissioner of Police.

Subject: Reports.

About 4:00 P. M., May 26th, 1937, I received a telephone call stating that a strike was in progress at the Republic Steel Company, 118th Street and Burley Avenue, to verify the telephone call about the strike I immediately left the station for the steel company plant by automobile in company with Officers Leo F. O'Brien and Thomas J. Ahern, also Ford Cars 121 and 192. On my arrival I met and talked to one Mr. Hyland, Supt. of the plant, he stated a strike had been called

and about one hundred and fifty men were roving through the plant. Supervisor Mooney, 2nd Division arrived at about 5:00 P. M.

I, Captain Kilroy addressed about one hundred or more strike men inside of the plant. I spoke to them and I said, "Why don't you fellows go out in a peaceful way?" They said alright we will go, and so they left. About 6:30 P. M., one Mr. Riff who represents the C. I. O. wanted permission to address the men in the plant, he was allowed the permission to address a group of men in the plant. In addressing the men he wanted all men to leave the plant, he was told to leave, and he did so.

About 7:30 or 8:00 P. M., a crowd of about one thousand people or more were blocking traffic and refused to move on, and were told by Mr. Riff they did not have to disperse. Orders were given by Captain Mooney, Supervisor, 2nd Division to disperse the crowd, twenty one arrests were made of those who refused to comply with police orders, also one sound truck. The following is a list of those arrested.

Name & Address	Date Booked.	Charge.
Kezycki, Gene, 9233 Houston Avenue.....	May 27th, 1937.....	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Stanley, Robert, 3026 E. 80th Street.....	" " "	V. S. 4210 C. C.
Petersen, Elmer, 7220 Wentworth Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Thompson, Marjene, 7400 Essex Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Riffi, John, 2024 East 92nd Street.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Engels, Harry, 11755 Burley Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Meagher, William, 7606 Lafayette Avenue.....	" " "	V. S. 4210 C. C.
Radich, Joseph, 9453 Commercial Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Wonte, Alex, Hammond, Indiana.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Grabizyk, Edward, 10556 Corlis Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Smith, Xavier, 8721 Escanaba Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Pitzele, Niel, 9233 Houston Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Bass, Leo, 13412 Buffalo Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Ehnetm, Joseph 9325 Manistee Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Jordan, Frank, 11307 Michigan Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Maiscki, William, 9206 Crandon Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Ostrowski, Walter, 9942 Ave. "M".....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Dolec, Frank, None.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Patterson, George, 7622 Coles Avenue.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Rueker, Frank, 917 E. 78th Street.....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.
Reckler, Douglas, 10627 Avenue "O".....	" " "	Sec. 507, Ch. 38, & V. S. 4210 C. C.

THOMAS KILROY,
Captain, Commanding 9th District.

EXHIBIT 1627-C

From: Make Mills—Industrial Detail.
To: Commissioner of Police.
Subject: Information.

Answering the attached communication requesting information in detail concerning the thirteen names of Communists as given in my communication of June 16th, 1937. In this connection wish to advise that the information is derived from four different sources, namely:

Source one: Persons frequently seen at Communist meetings, partake in parades and demonstrations sponsored by the Communist Party.

Source two: Persons arrested at disturbances fomented by the Communist Party.

Source three: Admission of persons that they are members of the Communist Party.

Source four: Persons whose names appear in the Official Organ, Communist Party of the U. S., the Daily Worker, linking them up with the Party; write articles or letters, etc.

The above references are used in the brief history of the persons arrested, injured or released on or after May 30, 1937, during the steel riot.

In the case of John Telick, alias John Telac, and George Starcevuch, where they are named as joining the Steel & Metal Workers Industrial Union (Communist) on 10-8-33. This data was listed in the minutes of the meeting of the S. & M. W. I. U. found in the possession of a person arrested whose name I do not recollect.

Ceaser Scarmella and Emil Bonante, listed as member of Unemployed Council #36 (Communist). This information was obtained from their own admission that they are members of Unemployed Council #36, and also that they are members of the Communist Party.

Attached you will find a report substantiating affidavits made on June 29, 1937, by Officers Michael Toohey and Harry Scholz of this detail.

(Signed) MAKE MILLS.

JUNE 16, 1937.

From: Make Mills—Industrial Detail.
To: Commissioner of Police.
Subject: Steel strike riot.

The following are the names and records of known Communists who took part in the steel strike riot:

JOSEPH ROTHMUND, killed, age 48, married, German, Baker. Arrested at eviction proceedings at 6129 Henderson, for resisting officer, by Officers Ignatius Brandt and Lawrence Brown, March 7, 1933; charge V. S. Par. 499 CH.; found guilty by jury, fined \$2.00 and \$3.00, Judge Dunne, 3-22-33. Daily Worker salesman, see Daily Worker 8-13-34.

PAUL TUCKER, alias Lusk, alias Bornstein, group picture #5825. Seriously injured, at Burnside Hospital. Age 34 years. Arrested for part in attempted demonstration in front of Japanese Consulate, 1-28-33, turned over to Immigration. Member of the Federations of Unemployed Organizations of Cook County (Communist). Arrested 9-24-33 by Lt. Mills & Sq. at 44th and Harrison Sts., charge 4210; attempting to organize Belden Wire Mfg. Co. Turned over to Ciro, States-Attys. office 9-25-33. Discharged 10-13-33. Arrested 9-1-33 by Offs. 23rd Dist., at the plant of Kimball & Co., 2631 W. 26th St., charge 4210; discharged; matter pending in Superior Court Judge Friend violation of injunction. Held in contempt of court, Judge Friend, in the above case, Daily News 12-14-33. Sentenced to 30 days in jail by Judge Friend, see Daily Worker 3-27-34. Communist Party section organizer in South Bend, Ind. (May 1935). Wrote article Daily Worker—127-36 p 4. See Daily Worker 4-15-36 p 6.

JOHN TELICK, alias John Telac, held. Republic Steel Fireman. Joined the Steel & Metal Workers Industrial Union (Communist) 10-8-33.

GEORGE STARCEVUCH, held. Machinist. Joined the Steel & Metal Workers Industrial Union (Communist) 10-8-33.

JACK SEKULICH, held. See Daily Worker 2-3-30.

CEASER SCARMELLA, held. Age 39, Italian, Tailor, Local #270. Daily Worker subscriber. Member of Unemployed Council #36 (Communist).

CARL NELSON, held. Gary steel worker. Delegate to the Soviet Union, see Daily Worker 10-12-32.

HENRY JOHNSON, alias Joshua Johnson, colored, held, age 32, married. Assistant Sec'y., of the International Workers Order, see Daily Worker 7-23-35 p 2 c 1. Acted as chairman at "Hands off Ethiopia" meeting held at 700 Oakwood Blvd., 8-30-35. Arrested 3-30-36 by Offs. 5th Dist., at Bowen & Cottage Grove Ave., charge 4210; discharged 3-31-36 Judge Scheffler. See Daily Worker 7-16-36 p 3 c 4.

HENRY JOHNSON, alias Joshua Johnson, continued: Steel organizer see Daily Worker 8-26-36 p 2 c 8. See Daily Worker 5-28-37 supplement p 1 c 3.

EMIL BONANTE, held at Bridewell Hospital. Age 34, Italian, laborer. Member of Unemployed Council #36 (Communist).

TILLIE BRAZIL, true name Tillie Lurye, age 26, American. Arrested 7-30-30 by 24th District for distributing communist literature; charge Sec. 366 Mun.

Code; discharged Judge Jonas 7-31-30. Speaker at Sept. 1st demonstration at Washington Square, 1930. Arrested by 26th District on 8-1-31 prior to Anti-War Day demonstration at Randolph & Ogden Avenue; charge Sec. 2655 C. C.; fined \$100 & costs Judge Borrelli. Arrested 7-24-31 by Offs. 25th District, charge 2655 CC. Left Chicago for New York in 1931 and returned in 1935. Applied for permit for open-air meetings for the Young Communist League, 6-17-35. See Daily Worker 7-9-36 p 3 c 2. Collecting signatures for communist party election campaign, see Daily Worker 8-7-36 p 3 c 1.

ADA LEDER, held, age 22, American, housewife, married, group picture #10374. Arrested 5-20-37 by Mason & Mayer, 9th Dist., at 116th & Burley, steel mill riot, Sec. 139 Ch. 38.

LUPE MARSHALL, held, age 31, Mexican, single. Arrested 8-31-35 by Lt. Mills & Sq. at 47th & Prairie, attempted parade demonstration, later released. Arrested by 9th Dist., steel mill riot, Sec. 139 Ch. 38.

(Signed) MAKE MILLS.

MM/JP.

EXHIBIT 1627-D

AFFIDAVIT

STATE OF ILLINOIS,

County of Cook, ss:

JOHN J. LENNON being first duly sworn deposes and says:

That he is a lieutenant in the police department of the City of Chicago; that on Saturday, May 29 and May 30 I was detailed to the premises of the Republic Steel Corporation plant; I reported there on Saturday at 3:45 P. M. At this time there were approximately forty pickets patrolling in front of the men at 118th and Burley avenue, Chicago, Illinois. These men remained there until 12 midnight Saturday. During this time the pickets were patrolling the premises, and were not interfered with by the police. I again reported to the Republic Steel Corporation plant on Sunday, May 30 at 2:45 P. M. I commanded the detail of the outside post men which was inspected by Walter Healy at 2:45 P. M. I was present during the time he inspected the platoons and revolvers and each man carried only the regular baton and the regulation 38 caliber either Colt or Smith & Wesson revolver; the ammunition is only inspected at monthly revolver practice. The ammunition is not inspected either after or before the affray and it is therefore impossible to accurately determine how much ammunition was expended. I saw no man carrying a pick handle or a handle of a pickax prior to and during the affray and subsequent to it. Approximately forty men constantly picketed the plant. There was no interference by the police with any of these pickets.

(Signed) JOHN J. LENNON.

Subscribed and sworn to before me this 16th July, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public.

At no time did I give any order to police officers under my command to fire a revolver.

(Signed) JOHN J. LENNON.

Subscribed and sworn to before me this 16th day of July, A. D., 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public.

EXHIBIT 1627-E

AFFIDAVIT

STATE OF ILLINOIS,

County of Cook, ss:

BARTHOLOMEW J. MORAN, being first duly sworn deposes and says:

He is a lieutenant in the Department of Police of the City of Chicago; that he was detailed for duty at the Republic Steel Corporation plant at 118th Street and Burley Avenue, Chicago, Illinois, on May 26 from seven p. m. until one a. m., on May 27th from eight a. m. to four p. m., on May 28 from eight a. m. to twelve midnight, on May 29 from eight a. m. to four p. m., on May 30 from eight a. m. to twelve midnight.

On May 27 and 28 there was approximately twenty to twenty-five pickets bearing signs of the CIO patrolling the vicinity of the main gate of the Republic

Steel Corporation through which all employees enter and leave and at no time was there any interference with those pickets.

That on Saturday and Sunday May 29 and 30 the plant was picketed by approximately thirty-five or forty men; that these men were picketing the plant at the time we received word that a mob was advancing on the plant. We went out to the riot and when we came back these same pickets were on duty in front of the plant. At no time was there any trouble between these pickets, on any day, with the police, to my knowledge.

At four o'clock we had orders from Supervisor Mooney to have our platoon fall in. I gave orders to the second platoon, of which I was in charge, to fall in, and the men were inspected, and they all had the regular police batons. We then proceeded to 117th Street and Green Bay Avenue. Lieutenant Stevens' platoon had preceded mine to 117th and Green Bay Avenue. My platoon was just west of Lieutenant Stevens' platoon. Lieutenant Ryan's platoon was stationed at 117th and Burley Avenue. We were not sure which way the rioters were going to approach the plant. We stood there for a short while and when it was definitely decided that they were coming in over Burley Avenue Lieutenant Ryan's platoon advanced into the prairie on Burley Avenue and the second platoon, of which I was in charge, was given orders to follow Lieutenant Ryan's platoon in on the prairie. When we arrived in on the prairie Lieutenant Ryan and his platoon had the rioters stopped.

We started in to go to the left of Lieutenant Ryan's platoon when I got an order from Supervisor Mooney to go over to the right of Lieutenant Ryan's platoon. We gave the proper order and brought the platoon over to the right. I was then given an order by Supervisor Mooney, who had been talking to the rioters telling them that they were doing an unlawful act and to disperse. When they refused to disperse Supervisor Mooney gave me the above order to get a wagon. I turned around and walked back so that I could holler to the wagon crew, which had stopped back some distance, to come up to the police line. The wagon came up to the police line. There had been rocks and stones thrown at the police.

I talked to Supervisor Mooney for a few seconds. There was a great volley of rocks and stones. All the policemen were ducking. Then Captain Mooney had given me an order to have one of the policemen to throw some tear gas bombs into the ranks of the strikers. I had selected Officer Kirby of the 16th District to handle the bombs and it was decided that we take them over to the eastern side of the police lines so that the bombs would be thrown in the proper direction.

When we got over there I told Kirby to throw the bombs. He did. The crowd on the right started to retreat. Previous to this I had heard two shots fired and they came from the direction of the strikers. Shortly after the bombs were thrown the police and the strikers clashed. It was a free-for-all fight for just a few seconds. I gave the police officers around me orders to arrest the members of the mob and also instructions to help pick up those that were laying on the ground and those that were wounded to be taken to the hospital. At no time did I give any order to police officers under my command to fire revolvers.

On the morning of May 30, 1937, and on all previous days I held an inspection of my platoon. Each man of that platoon had a service revolver which was a 38-caliber regulation, either a Colt or a Smith & Wesson. They each had two extra rounds of ammunition, which is a police rule. They furnished their own ammunition. I did not inspect the revolvers after the riot and I cannot determine the amount of ammunition expended.

(Signed) BARTHOLOMEW J. MORAN.

Subscribed and sworn to before me this 23 day of July, A. D. 1937.

[SEAL]

EDWARD SULLIVAN,
Notary Public.

EXHIBIT 1627-F

AFFIDAVIT

STATE OF ILLINOIS,

County of Cook, ss:

WALTER HEALY, being first duly sworn deposes and says that:

He is a lieutenant of the police department of the city of Chicago; that he was assigned to duty at 4 P. M. to midnight in the vicinity of the Republic Steel Corporation plant at 118th Street and Burley Avenue, Chicago, Illinois on Thursday May 27, 28, 29 and 30, 1937; that during all of this time the pickets were wearing placards on their backs and chests and were constantly patrolling in the immediate

vicinity of the plant of the Republic Steel Corporation; that on Friday evening, May 28 the police officers, some of whom were injured, arrested demonstrators who were disturbing the peace, unlawfully assembled and inciting to riot; that the pickets were peaceful and not disturbed or interfered with by the police; that on Saturday, May 29, at or about 5 P. M., I received a call from a man who stated his name was Riff and wanted to know why a car load of pickets was stopped by the police about two blocks away—117th Street and Green Bay Avenue. These persons approached the Republic Steel Corporation plant in an automobile and having no identification marks or credentials to show they were pickets, I sent a squad to 117th and Green Bay Avenue to tell the police to permit them to approach the plant. Prior to this telephone call there were approximately 40 pickets patrolling the premises peacefully and undisturbed by the police.

On Sunday, May 30, 1937 about the hour of 4 P. M., I received notice that a huge mob was approaching the plant carrying clubs and various other implements. At the time I received this notice the Republic Steel plant was picketed by approximately forty men; these pickets were not interfered with and when the police marched out to halt the mob these pickets remained at their posts and after the melee was over these men were still picketing the Republic Steel Corporation plant having remained there during the entire affray. At no time did the police interfere with the pickets.

I received orders from Supervisor Mooney on May 29, 1937 that they were permitted to have as many pickets as they wanted as long as they were peaceful. These men confined themselves to a small area in front of the main gate which is the only entrance used by employees entering and leaving the plant. However, as to how wide an area the pickets might cover has never been restricted by the police.

Upon receiving notice a little after 4 P. M. that the mob was advancing toward the plant, I ordered my platoon to fall in and to draw batons. I walked along the line of the platoon inspecting batons. Each man carried a regulation baton and no other club. At 2:45 P. M. on this date, as is customary at roll call I inspected batons at which time I also inspected revolvers. Each man carried a 38 calibre regulation police revolver manufactured either by Colt or Smith & Wesson Co. The men, according to regulations, carried 38 calibre lead bullets. The ammunition, however, was not inspected at this time. Inspection of ammunition usually takes place at monthly revolver practice; neither did I inspect weapons after the affray was over. As the men purchase their own ammunition, it would be impossible to accurately determine how much ammunition was expended.

(Signed) WALTER F. HEALY.

Subscribed and sworn to before me this 14th day of July, A. D. 1937.

[SEAL]

MARGARET M. SMITH,
Notary Public.

EXHIBIT 1627-G

STATE OF ILLINOIS,
County of Cook, ss:

AFFIDAVIT

JOHN H. RYAN, being first duly sworn deposes and says that:

He is a lieutenant in the department of police of the city of Chicago; that he was detailed to duty at the Republic Steel Corporation plat at 118th street and Burley avenue, Chicago, Illinois, from 8 A. M. to 4 P. M. on May 27, 28, 29 and 30; that on May 27 and 28, approximately twenty pickets bearing signs of the C. I. O. patrolled the vicinity of the main gate of the Republic Steel Corporation through which all employees enter and leave and there was no interference with these pickets; that on Saturday and Sunday, May 30, the plant was picketed by approximately 40 men; that these men were picketing the plant at the time we received word that a mob was advancing on the plant. These men continued to picket when we marched over to meet the advancing mob. They were there during the melee and were still picketing when we marched after the mob had withdrawn. At no time was there any trouble between the men who were acting as pickets and the police officers. I knew some of the pickets personally and they called me by name; others of them would wave. Our relations with the pickets were friendly. Upon receiving word of the advance mob at 4 P. M., I lined up my platoon and ordered them to present batons. I walked along the line of the platoon inspecting batons and ordered them to return batons; all the batons carried by me platoons were regulation ones. On the morning of May 30, 1937 I held a revolver inspection; each men of my platoon was armed with a 38 calibre

regulation revolver, either Colt or Smith & Wesson make. This is a procedure we follow at roll call; the ammunition is inspected at revolver practice which takes place monthly. The men purchase their own ammunition which is supposed to be 38 lead bullets. The men, according to regulation, are to carry two extra rounds of ammunition. Some of these batons were lighter in shades than others; the latest issues of batons are natural wood color. None of my platoon carried any club other than the regulation baton. However, I noticed a number of the mob carrying pickax handles.

On May 31, 1937 a man who claimed to be a C. I. O. organizer by the name of Orstrosky, came to the plant. He addressed Lieutenant Moran and myself asking why he could not have more pickets: I asked him how many he wanted; he said fifty. I told him to count how many there were; there were approximately fifty then; I counted at least 47; I said, "how is that?" He said "O. K." Orstrosky said, "Can we have as many as we want?" I said "Yes." I then asked him what happened with your leaders yesterday, and he stated that it was mismanaged.

At no time did I give any order to police officers under my command to fire a revolver.

(Signed) JOHN H. RYAN.

Subscribed and sworn to before me this 16th day of July, A. D. 1937.

[SEAL]

EDWARD SULLIVAN, Notary Public.

EXHIBIT 1627-H

2ND DIVISION HDQTS.,
July 13th, 1937.

From: Supervisor, 2nd Division.
To: Commissioner of Police.

Subject: re; Request of United States Senate Committee on Education and Labor.

Submitted herewith is list of total number of police officers detailed at the Republic Steel Company from May 26th to June 30th, 1937 inclusive. These figures include all ranks and all patrolmen assigned to Departmental vehicles such as squad cars, auto patrols and motorcycles.

For a two day period, six patrolmen were assigned to guard the unfenced portion of the Republic Steel Company plant fronting on the Calumet River. This assignment was cancelled by verbal order of the Chief of the Uniform Force.

With the exception of the assignment mentioned above no police officers were stationed, quartered or detailed within the confines of the Republic Steel Company plant. On dates mentioned approximately half of number of police officers listed, each shift, were held on reserve duty inside gate of Republic Steel Co. plant. It was the only convenient point in the vicinity where police officers could be held on reserve without involving a possible problem for peaceful picketing which continued on the scene from May 27th to date.

Date—1937	12 M-8 A. M.	8:00 A. M.- 4:00 P. M.	4:00 P. M. to 12 Mid.
May 25th.....	None	None	None.
May 26th.....	None	None	approx. 100
May 27th.....	77	106	136
May 28th.....	125	118	140
May 29th.....	121	114	138
May 30th.....	120	125	*194
May 31st.....	120	112	137
June 1st.....	104	97	137
June 2nd.....	325	329	323
June 3rd.....	325	329	323
June 4th.....	325	329	323
June 5th.....	325	329	323
June 6th.....	325	329	323
June 7th.....	325	329	323
June 8th.....	325	329	323
June 9th.....	167	165	168
June 10th.....	167	165	168
June 11th.....	167	165	168
June 12th.....	167	165	168
June 13th.....	167	165	168
June 14th.....	167	165	168
June 15th.....	167	165	168
June 16th.....	147	156	157

*Includes 57 police officers previously held at 8th District and removed to vicinity of plant in expectation of trouble May 30th.

Date--1937	12 M-8 A. M.	8:00 A. M.- 4:00 P. M.	4:00 P. M. to 12 Mid.
June 17th.....	147	156	157
June 18th.....	147	156	157
June 19th.....	147	156	157
June 20th.....	147	156	157
June 21st.....	147	156	157
June 22nd.....	146	146	157
June 23rd.....	146	156	157
June 24th.....	146	156	157
June 25th.....	146	156	157
June 26th.....	146	156	157
June 27th.....	147	156	157
June 28th.....	147	156	157
June 29th.....	147	156	157
June 30th.....	147	156	157

(Signed) JAMES E. MOONEY,
Supervisor, 2nd & 3rd Divisions.

EXHIBIT 1627-I

AUGUST 2, 1937.

From: Supervisor, 2nd Division.
To: Commissioner of Police.
Subject: re; Men in Citizen Dress present at riot of May 30th, 1937.

The following is the identity and number of men present at the riot at the Republic Steel Co. plant on May 30th, 1937, who were on duty and on the scene at that time.

These were the only ones connected with the police department who were present in citizen dress and to my knowledge there were no other guards plain-clothesmen or detectives from any other corporation.

Present

Rank	Name	Star #	District
Ptlnn.....	McCain, Dan.....	3946	9th Dist.
"	Ahern, Thos.....	2004	" "
"	O'Brien, Leo. F.....	2746	" "
"	Sheehy, Richard.....	3614	2nd Div. Hdqtrs.

(Signed) JAMES L. MOONEY,
Supervisor, 2nd Division.

EXHIBIT 1628-A

[Assistant Corporation Counsel William V. Daly replied as follows]:

118 L. D. 166 10M 4-37
EDWARD J. KELLY, Mayor

BARNET HODES, Corporation Counsel

CITY OF CHICAGO
DEPARTMENT OF LAW
511 CITY HALL
Telephone Randolph 8000

AUGUST 5, 1937.

Mr. ROBERT WOHLFORTH,
Secretary, Sub-Committee of the
Committee on Education and Labor under S. R. 266,
Washington, D. C.

DEAR SIR: In reply to the request directed to the undersigned for certain information and documents, please be advised as follows:

Answering question #1. The statements of all officers are in possession of the State's Attorney for use in the prosecution of the persons arrested in the Memorial

Day Riot. These cases are still pending. This data is essential in the prosecution of cases.

Answering question #2. This information has already been supplied by the answer of the Commissioner of Police to question #2 directed to him.

Answering question #3. I made a diligent search of the issues of the Herald-Examiner for the days succeeding the riot but was unable to find the particular article.

Answering question #4. This information has already been supplied by the Commissioner of Police in replying to question #2 directed to him.

If any further information is desired in reference to questions 2 and 4 propounded to me, I shall be glad to secure the same.

I am enclosing information desired by the Committee concerning the use of gas on May 30, 1937.

Yours very truly,

(Signed) WILLIAM V. DALY,
Assistant Corporation Counsel.

EXHIBIT 1628-B

[Copy]

AUGUST 2, 1937.

From: Lieutenant Bartholomew Moran.
To: William V. Daly, Assistant Corporation Counsel.
Subject: Use of gas on Memorial Day Riot.

When we left the Republic Steel Co. plant we marched out to 117th street and Green Bay avenue where we saw a large number of people marching across the field carrying clubs, missiles and other dangerous weapons. I suggested to Supervisor Mooney that it might be advisable to obtain gas and he agreed with my suggestion. I then instructed Officers Barry and Karik of Squad 175 to procure the gas. The aforementioned officers secured the gas and returned to report the same to me. The gas was left in the squad car under the control of John B. Kirk who was assigned to throw the gas.

Accompanying this report is the report of Officer John F. Karik as to where he obtained this gas.

(Signed) BARTH J. MORAN.

EXHIBIT 1628-C

[Copy]

AUGUST 2, 1937.

From: Patrolman John F. Karik.
To: William V. Daly, Assistant Corporation Counsel.
Subject: Gas used on Memorial Day Riot.

On May 30, 1937 I received instructions from Lieutenant Moran to secure gas from the temporary police headquarters immediately inside the gate of the Republic Steel Co. plant. Inside this gate was a shed which was used as a temporary headquarters by the police as it was the only available place for the police to secure telephone service or other communications.

I was accompanied by Officer Barry who was in charge of the squad and who is now on his furlough; we drove in the squad car to the temporary police headquarters. There was a patrolman standing in the temporary police headquarters. I asked him if they had some gas bombs and he said, "Yes, there they are in a cardboard container sitting on the desk. "I do not know who this officer was. I took ten bombs out of the container, placed them in the squad car and reported back to Lieutenant Moran who assigned the gas to Patrolman John B. Kirk who threw seven of these bombs. There were approximately 24 bombs in the carton.

(Signed) JOHN F. KARIK.

EXHIBIT 1629-A

EDWARD J. KELLY, Mayor

JAMES P. ALLMAN, Commissioner

CHICAGO POLICE DEPARTMENT

OFFICE OF THE COMMISSIONER OF POLICE

Room 505, City Hall, Chicago, August 9th, 1937.

Mr. ROBERT WOHLFORTH,
Secretary, Subcommittee of the Committee
on Education and Labor Under S. R. 266,
Washington, D. C.

DEAR SIR: I am forwarding herewith affidavit of Sergeant James Oakey, which, through an error on the part of a clerk in this office, was not attached to my letter of August 3rd.

I am exceedingly sorry for this oversight and hope it has caused you no serious inconvenience.

Very truly yours,

JPA.
jbc.

JAMES P. ALLMAN,
Commissioner of Police.

EXHIBIT 1629-B

STATE OF ILLINOIS,
County of Cook, ss:

JAMES L. OAKEY, being first duly sworn, deposes and says that he is a Sergeant of Police in the City of Chicago, that he has examined the records pertaining to the persons arrested in the Memorial Day Riot, the dates of arrests, the dates of booking, the charge on which they were booked, and the present disposition of their cases, and that the above and foregoing list is, to the best of his knowledge and belief, a true and accurate record of the same.

(Signed) JAMES L. OAKEY.

Subscribed and Sworn to before me this 16 day of July, A. D. 1937.

JOHN DELANTY, Notary Public.

[SEAL]

EXHIBIT 1630

Name & address	Date of arrest	Date booked	Charge	Disposition
Kruga, Nick, 3028 E. 96th St.	May 30, 1937	June 1, 1937	Par. 139, Chap. 38 Smith-Hurd Ill. Revised Statutes of 1935, entitled "To do an illegal act" * * *	Pending in Felony Ct.
Laskowski, Stanley, 5028 Reading Av., East Chicago, Ind.	do	do	do	Do.
Bruno, Carmine, 7704 Avalon Av.	do	do	do	Do.
McShane, Hugh, 3802 Euclid Av., Indiana Harbor.	do	do	do	Do.
Zwok, George, 10639 Ave. "Q"	do	do	do	Do.
Hess, William, 3731 Catalpa Av., Indiana Harbor, Ind.	do	do	do	Do.
Hecimovich, Dan, 8716 Buffalo Av.	do	do	do	Do.
Bender, Arthur, 3876 Madison, Gary, Ind.	do	do	do	Do.
Koosis, Hoe, Indiana Harbor	do	do	do	Do.
Kocollski, Jake, 9235 University Av.	do	do	do	Do.
Gallard, Teofilo, 2251 W. Roosevelt.	do	do	do	Do.
Leder, Ada, 2237 Roosevelt.	do	do	do	Do.
Nemeth, Joseph, 3506 Elm St., Indiana Harbor, Ind.	do	do	do	Do.
Dolie, Mike, 9018 Buffalo Av.	do	do	do	Do.
Marshall, Lupe, 2251 Roosevelt Rd.	do	do	do	Do.
Doe, Mary, No Address.	do	do	do	Do.
Biscan, Clarence.	do	do	do	Do.
Johnson, Jochua, 5143 Prairie Av.	do	do	do	Do.
Starovich, Geo., 10400 Ave. "M"	do	do	do	Do.
Miles, Walter, 13110 Brandon Av.	do	do	do	Do.
Sekulich, Jack, Indiana Harbor.	do	do	do	Do.
Guzman, Max, 8927 Commercial.	do	do	do	Do.
Selenik, Louis, 9733 Ave. "L"	do	do	do	Do.
Sorak, John, 8813 Buffalo Av.	do	do	do	Do.

Name & address	Date of arrest	Date booked	Charge	Disposition
Vedovich, Wm., 9828 Commercial Av.	May 30, 1937	June 1, 1937	Par. 139, Chap. 38 Smith-Hurd Ill. Revised Statutes of 1935 entitled "To do an illegal act"	Pending in Felony Ct.
Telick, John, 13226 Baltimore Av.	do	do	do	Do.
Messina, Joseph, 7654 Greenwood Av.	do	do	do	Do.
Kolamber, Mike, 3265 E. 92nd St.	do	do	do	Do.
Bonont, Almeleo, 956 E. 76th St.	do	do	do	Do.
Morrel, John, 10645 Greenbay Av.	do	do	do	Do.
Anderson, Victor, 9919 Ewing Av.	do	do	do	Do.
Harper, Harry, 3119 W. 58th St.	do	do	do	Do.
Mires, John, 2714 E. 96th St.	do	do	do	Do.
Nelson, Carl, 3927 Alden St., Indiana Harbor.	do	do	do	Do.
Dorfy, Arthur, 1504 Amy Av., Whiting, Ind.	do	do	do	Do.
Riccio, Emil, 9804 Ave. "L"	do	do	do	Do.
Hardia, Ray, 3108 Block Av., East Chicago Ind.	do	do	do	Do.
Stomko, William 13348 Buffalo Av.	do	do	do	Do.
Latito, John, 9800 Commercial.	do	do	do	Do.
Simich, Pete, 13240 Burley Av.	do	do	do	Do.
Messina, Charles, 7736 Greenwood Av.	do	do	do	Do.
Scarnella, Ceser, 815 E. 76th St.	do	do	do	Do.
Row, James, 4435 Sheffield Av., Hammond, Ind.	do	do	do	Do.
Gutierrez, Jos., 3223 Woodline Av., E. Chicago, Ind.	do	do	do	Do.
Levick, Mike, 10934 Ewing Av.	do	do	do	Do.
Jugovich, John, 3925 Catalpa St., E. Chicago, Ind.	do	do	do	Do.
Hemsley, Joseph, 3406 N E Street, E. Chicago, Ind.	do	do	do	Do.
Isedrir, Daniel, 5314 Watling, Indiana Harbor, Ind.	do	do	do	Do.
Blumquist, Russel, 9542 Ave. "L"	do	do	do	Do.
Czarnecki, Edw., 5006 Reading Ave., E. Chicago, Ind.	do	do	do	Do.
Bandura, Joseph, 7911 Escanaba Av.	do	do	do	Do.
Morengo, Phillip, 3231 Michigan Av., Indiana Harbor.	do	do	do	Do.
Wunk, James, 13044 Houston Av.	do	do	do	Do.
Hickey, Joseph, 2838 E. 91st St.	do	do	do	Do.
Dunker, Paul, 1238 S. Avers Av.	do	do	do	Do.
Markovich, Pete, 9828 Commercial.	do	do	do	Do.
Skultery, Frank, 10636 Mackinaw Ave.	do	do	do	Do.
Luna, Max, 3936 Pulaski Rd., Indiana Harbor.	do	do	do	Do.
Patchins, Clyde, 4331 Euclid Av., Indiana Harbor.	do	do	do	Do.
Stenken, Frank, 10435 Ave. "J"	do	do	do	Do.
Fisk, Chester, 7407 Yates Ave.	do	do	do	Do.

¹ (Released May 31, 1937, Supervisor Mooney.)

NOTE.—The following named were all arrested on May 30th, 1937, and booked on June 1st, 1937, and charged with Par. 139, Ch. 38, Smith-Hurd, Illinois Revised Statutes of 1935, entitled "To do an illegal act**"

Name and address.—Francisco, Leo: Died June 15, 1937—Jackson Park Hospital, 10012 Commercial Av.

Tisdale, Lee: Died June 19, 1937—St. Lukes Hospital, 5624 S. State St.

Anderson, Hilding: Died June 3, 1937—So. Chicago Hospital, 7944 Manistee Av.

Jones, Otis: Died June 8, 1937—Burnside Hospital, 13211 Buffalo Av.

The following two men were also taken into custody and held open and before they were booked, death resulted:

Rothmand, Joseph: Arrested May 30, 1937, taken to Bridewell Hospital, 2857 Belmont Av. charge OPEN, died 9:15 a. m., May 31, 1937, at above Hospital.

Tagliori, Anthony: Arrested May 30, 1937, taken to So. Chicago Hospital, 615 E. 74th St. charge OPEN, died June 1, 1937, at 6:25 p. m. at above Hospital.

There were no other arrests made other than those enumerated above, that was directly connected with the May 30th, 1937, incident.

EXHIBIT 1631

AUGUST 14, 1937.

WILLIAM V. DALY, ESQ.,
Assistant Corporation Counsel, City of Chicago,
Chicago, Ill.

MY DEAR MR. DALY: After receiving your corrected galley proofs of your testimony before the committee, we checked the legal citations given by you for typographical accuracy, and found certain minor discrepancies, as follows:

The quotation on page 10211 (see p. 4835) of the stenographic transcript of your testimony of July 1, from *Coughlin v. Chicago Park District* (564 Ill. 90) does not appear to be a direct quotation from that case. The closest similar passage is a quotation therein from 156 Mass. 57: (see p. 4836) "The court said in affirming his conviction" (for an oration in a public park without a permit) "The defendant admits that the people would not have the right to assemble for the purposes specified in the public streets, and might not have such a right in the public garden or on the Common, because such an assembly would or might be inconsistent with the public uses for which these places are held."

None of the opinions cited on page 10212 (see p. 4836) of the transcript were written by Justice Holmes, although you state that one of them was. Further, the quotation given appears in none of these cases, although the second sentence may be found in *Fitts v. City of Atlanta*, 121 Ga. 567, 49 S. E. 793 (see p. 4836).

The quotation appearing on page 10233 (see p. 4844) of the transcript (incorrectly numbered 10230), from 170 Ill. 527, which you stated to be an instruction to the jury, is from the argument of counsel for the defendant.

We would be pleased to hear from you with reference to the above by Wednesday, so that corrections may be included in our printed record.

Very truly yours,

ROBERT WOHLFORTH,
Secretary, Subcommittee of the Committee on,
Education and Labor Under S. R. 266.

EXHIBIT 1632

CITY OF CHICAGO
DEPARTMENT OF LAW,
August 16, 1937.

MR. ROBERT WOHLFORTH,
Secretary, Subcommittee of the Committee on
Education and Labor Under S. R. 266,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of August 14, 1937, in which you refer to the *Coughlin v. Chicago Park District* case and give the citation as 564 Ill. 90, please be informed that the correct citation should be 364 Ill. 90. The authority cited there in the language used is adopted by the Supreme Court of Illinois as its view of the law. The court stated on page 107:

"No authorities from our own State are cited on the point, but we are convinced of the soundness of the views expressed in the above mentioned decisions to the effect that no citizen has a right to use at his pleasure or on his own terms, public property belonging to and under the control of a municipality, without a permit from a designated officer of such municipality or its executive officers."

Therefore, the Supreme Court having adopted the view quoted by me in my argument before the Subcommittee, it was, therefore, not incorrectly stated to be the principle of law enunciated by the Supreme Court of this State.

After the sentence on page 10212 of the reporter's record, "This also cites *Commonwealth v. Abrahams*, 156 Mass. 57." This sentence should follow up with, "This principle is also laid down by the late Justice Holmes in *Commonwealth v. Davis*, 162 Mass. 410, and affirmed by the Supreme Court of the United States in *Davis v. Massachusetts*, 167 U. S. 43." The record should read as above. Justice Holmes wrote the opinion in *Commonwealth v. Davis* above cited. On the same page, instead of *Harwood v. Trembley*, 97 J. N. 173, it should read *Fitts*

v. City of Atlanta, 121 Ga. 567, and should further read "See also *Harwood v. Trembley*, 97 N. J. Law, 173."

Regarding *Lynn v. The People*, 170 Ill. 527, you state that the principle of law as quoted by me was merely in the argument of counsel for the defendant. While counsel for the defendant did cite this principle of law it was adopted by the court. On page 536, the Supreme Court stated in condemning an instruction, to the jury by the trial judge that a person when assailed is required to decline the combat in good faith, if by so doing he could put himself out of danger, and use all means to procure his safety.

"Is it true that an officer whose duty it is to preserve the peace is required to decline a combat when resisted, and should put himself out of danger? Clearly not. The court should give the law as applicable to the facts in evidence in the case. An officer lawfully in the discharge of his duty would be protected where a different rule would prevail as to private individuals. In 1 Russell on Crimes (sec. 3, p. 447, Sharswood's 4th Am. ed.) the author says: 'Ministers of justice, as bailiffs, constables, watchmen, etc., while in the execution of their offices are under the peculiar protection of the law,—a protection founded in wisdom and equity and every principle of justice, for without it the public tranquillity can not possibly be maintained or private property secured, nor, in the ordinary course of things, will offenders be amenable to justice. For these reasons the killing of officers so employed has been deemed murder of malice prepense, as being an outrage willfully committed in defiance of the justice of the kingdom.' The same author, on page 547, says: 'Amongst the acts done by permission of the law, for the advancement of public justice, may be reckoned those of the officer who, in the execution of his office, either in a civil or criminal case, kills a person who assaults or resists him. The resistance will justify the officer in proceeding to the last extremity. So that in all cases, whether civil or criminal, where persons have a right to arrest and imprison, and, using the proper means for that purpose, are resisted, in so doing they may repel force with force and need not give back, and if the party making resistance is unavoidably killed in the struggle this homicide is justifiable.'"

From the foregoing quotation it is seen that the principle of law that I stated to the Subcommittee is the same as laid down by the Supreme Court of Illinois in *Lynn v. The People*.

Thanking you for calling this to my attention and hoping that the matter is now clarified, I am

Yours very truly,

(Signed) WILLIAM V. DALY,
Assistant Corporation Counsel.

WVD:RF