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XVI

East St Louis Riot Investigation

Thursday Nov. 8 - 1917

Index

Howard B. Lewis

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Thursday, November 8, 1917.

The committee met at 10.15 o'clock a. m., Honorable Ben Johnson (chairman) presiding.

STATEMENT OF LEE COX (COLORED)
OF JACKSON, TENNESSEE.

The witness was sworn by Mr. Johnson.

Mr. Johnson. What is your name?

Mr. Cox. Lee Cox.

Mr. Johnson. Where do you live?

Mr. Cox. Jackson.

Mr. Johnson. What state?

Mr. Cox. Tennessee.

Mr. Johnson. When did you get to East St. Louis, to this town?

Mr. Cox. I got here Tuesday.

Mr. Johnson. Of this week?

Mr. Cox. Yes, sir.

Mr. Johnson. What time of the day did you get here?

Mr. Cox. About 9.30, I believe.

Mr. Johnson. In the morning or at night?

Mr. Cox. In the morning.

Mr. Johnson. Who came with you?

Mr. Cox. A fellow that brought us up here on passes. I don't know his name--- Allen Something,--- I don't know his name--- know him when I see him.

Mr. Johnson. Did he give you the pass, or did he come along with you and carry the pass for you.

Mr. Cox. He come along with us and brough the pass.

Mr. Johnson. Did the pass carry more than one of you?

Mr. Cox. He brought eleven of us.

Mr. Johnson. All from Jackson, Tennessee?

Mr. Cox. All from Jackson, Tennessee; yes, sir.

Mr. Johnson. What kind of work were you doing at Jackson?

Mr. Cox. Concrete work; making $2.25 working concrete work.

Mr. Johnson. $2.25 a day?

Mr. Cox. Yes, sir.

Mr. Johnson. Did this man Allen hold out any inducement to come to East St. Louis?

Mr. Cox. He said we would get $2 and board, a place to sleep, and pass us home every two weeks.

Mr. Johnson. What do you mean by that?

Mr. Cox. Take us back home every two weeks.

Mr. Johnson. Did he say who was going to employ you after you got here?

Mr. Cox. On th- Southern, I believe; here where they are taking the dirt down and raising the track.

Mr. Johnson. The Southern Railroad?

Mr. Cox. Yes, sir.

Mr. Johnson. When you reached East St. Louis where did you go?

Mr. Cox. We went--- after we got off the train, got off right at the cars--- just had to walk I reckon twenty steps over to a car, and we got off and went over there and

they fixed breakfast for us and we went right on out to work.

Mr. Johnson. What kind of work did you go to doing?

Mr. Cox. Shuffling ties, raising tracks. We went on in at 12 o'clock and we axed him how much he was paying us, and, well, he said paying $1.40.

Mr. Johnson. $1.40 a day. Did he say anything about board and bedding?

Mr. Cox. Had to pay $2.25 apiece for comforts, something to sleep on. We had bought two, that would cost $2.50, and I told all the boys, all of us to say, "Well, he ain't stood up to the promise. We will go to town and see can we find something better. Can't make a living at that and take care
915 of a family. I got a widowed mother to take care of

Mr. Johnson. What would those comforts cost in the South where you came from?

Mr. Cox. $1.25.

Mr. Johnson. How much did they ask for them here?

Mr. Cox. $2.25.

Mr. Johnson. How long did you work for him?

Mr. Cox. We got here about 9.30; ate breakfast and went right out to work.

Mr. Johnson. If you can possibly do so, I would be glad for you to tell us the name of the railroad that you went to work for, or such description of it as later on it may be named by somebody else.

Mr. Cox. We come on the M. & O. They call it the Alton & Southern. I don't know.

Mr. Johnson. They call it the Alton-Southern? Who

called it that?

Mr. Cox. One of the fellows said that was the name of it. He always called it the Mobile & Ohio.

Mr. Johnson. You came on the Mobile & Ohio, and when you got here you went to work for what is called the Alton-Southern?

Mr. Cox. Yes, sir.

Mr. Johnson. Did Mr. Allen go over there with you, deliver you to the work?

Mr. Cox. He was a straw boss out there. He went on out to the works with us.

Mr. Johnson. A straw boss. What is that?

Mr. Cox. That is the boss, you know. He is just around there to see you work.

Mr. Johnson. Did you tell him you were thinking about quitting?

Mr. Cox. Yes, sir; we just told him we wasn't going to work for it.

Mr. Johnson. What did he say?

Mr. Cox. Well, he says, "Well, if you don't work we can put you in jail and make you pay the railroad fare." We just told him, "Well, just put us in jail; we aint going to work for you--- can't make a living at it". I would rather be at home a hundred per cent. I done lost nine dollars on what I could have made at home already.

Mr. Johnson. What other inducements did they hold out to you? Did they tell you anything about voting here?

Mr. Cox. No, sir; they never said anything. Just said they wanted us to work and pay us $2.00 a day and board.

When we got here they told us $1.40. We have to buy our comforts, $2.25.

Mr. Johnson. That was after you got here they told you that, but what did he tell you before you got here, how much you were going to get?

Mr. Cox. $2.25 and board.

Mr. Johnson. And then as soon as you got here you found they wanted to pay you $1.40 a day and make you board yourself?

Mr. Cox. Yes, sir.

Mr. Johnson. And the first thing that he told you that you had to do was to buy some comforts to sleep on?

Mr. Cox. Yes, sir.

Mr. Johnson. And the comforts were priced to you here at a dollar more than you could have bought them down in Tennessee for?

Mr. Cox. Yes, sir.

Mr. Johnson. One dollar apiece more?

Mr. Cox. Yes, sir.

Mr. Johnson. How much money did you have when you got here?

Mr. Cox. Well, all of us had a little money; two or three dollars apiece.

Mr. Johnson. How much did you have?

Mr. Cox. I had two dollars and something.

Mr. Johnson. Not enough to get you back home?

Mr. Cox. No, sir. You know we had to buy something to eat

on the road, and we spent right smart buying something to eat.

Mr. Johnson. How much money did you have when you landed here?

Mr. Cox. $2.20.

Mr. Johnson. And the first thing they wanted you to do was to pay $4.50 for some comforts?

Mr. Cox. Yes, sir.

Mr. Johnson. You didn't have the money?

Mr. Cox. They said we could take them and they would
916 take it out of our wages. If I had had the money to go back, I would have went right straight back.

Mr. Johnson. But you didn't have the money to get back on?

Mr. Cox. No, sir.

Mr. Johnson. Consequently you had to stay here?

Mr. Cox. Yes, sir; or run the risk of hoboeing back and liable to get killed. We had a gang of little boys with us, all of them kinpeople and didn't want to hobo back with them.

Mr. Johnson. How many little boys with ~~them~~ you?

Mr. Cox. Four, 16 and 17 years old--- well, five.

Mr. Johnson. How did they happen to come?

Mr. Cox. They come on a pass with us.

Mr. Johnson. This same Mr. Allen, or whatever is name is, gave them a pass too.

Mr. Cox. Yes, sir. One of them is crying to go back home now. We told him work this week and try to get money to send them back home.

Mr. Johnson. Did you ask Mr. Allen to send them back

home?

Mr. Cox. No, sir; we know no need to ax them. He said they was going to put us in jail and make us work, and I knew he wasn't going to send us back home.

Mr. Johnson. Where did you stay last night?

Mr. Cox. We was working over here on the I. C., working on the section over there. We went to work yesterday, the first day we works. We stayed in the cars down there. This little fellow that brought us treated us mighty nice. We met him and the policeman down there together and they wanted to know what we was hunting--- a gang of us together and it looked sort of suspicious, I suppose, to them,--- and they wanted to see where was we going.

Mr. Johnson. You are not talking about the man who brought you to East St. Louis, but about the man who brought you to this building?

Mr. Cox. Yes, sir. He treated us mighty nice. He asked us, "Well, boys"--- after he found out what was our trouble, the reason we left from up yonder--- we met an colored fellow down there and I told him, and he told this fellow what brought us up here he knew a man what would hire everyone of us and we says, "Well boss, that's better than nothing; we ain't got no job and mighty near broke, and we had better take that." And we went over there and worked.

Mr. Johnson. You just take anything you could get after you found you had been deceived about the first employment.

Mr. Cox. Yes, sir; anything we could get and make a stake and get back home. That's what I want to do.

Mr. Cooper. You don't know the exact name of that man down in Jackson, Tennessee, that asked you to come up here?

Mr. Cox. No, sir; I don't know his exact name.

Mr. Cooper. That did it sound like?

Mr. Cox. Allen--- I don't know; we don't know his exact name. His home is in Tennessee all right enough.

Mr. Cooper. His home is in Tennessee?

Mr. Cox. Yes, sir; he goes back every Saturday night.

Mr. Cooper. Does he come up here, do you think?

Mr. Cox. Yes, sir: he was to go back Saturday night and bring some more boys--- leave there Sunday night with them.

Mr. Cooper. Did he say that?

Mr. Cox. Yes, sir; he promised me they was paying $2 and board.

Mr. Cooper. $2 or $2.25?

Mr. Cox. $2 and board. Well, some of the boys wanted to come with him and he say, "Well, I'll come back and get you
917 all Sunday." They wasn't exactly ready to come either.

Mr. Cooper. And you had work down there?

Mr. Cox. Yes, sir; I was working every day on the M. & O. cutting concrete, $2.25 a day, and was at home where I could sleep in a good bed and get my meals like I want to. Up here have to take them wherever we can get them.

Mr. Cooper. How many of you come up?

Mr. Cox. Eleven.

Mr. Cooper. Eleven of you altogether?

Mr. Cox. Yes, sir.

Mr. Cooper. I guess that's all.

Mr. Foss. How did you happen to meet this man? Has he got an agency there, or an office of any kind in Jackson, Tennessee?

Mr. Cox. No, sir;he has no office.

Mr. Foss. How did you happen to get in touch with him?

Mr. Cox. Well, some of the boys down there about the station--- he was down there and he tried to bring the boys up here once before, and tried to bring us up here once before. We wouldn't come. So when he come back this time we decided we would come.

Mr. Foss. Well, you say you met him down there at the station?

Mr. Cox. Yes, sir.

Mr. Foss. He has no office then that you know of in the town of Jackson?

Mr. Cox. No, sir.

Mr. Foss. Well, did anyone tell you about him originally, the first time you saw him?

Mr. Cox. No, sir; didn't no one tell us. We saw him and he told us he would bring us up here and give us $2 and board.

Mr. Foss. You just happened to meet him there at the station, did you?

Mr. Cox. Yes, sir.

Mr. Foss. Did he come up and state to you first, or did

you speak to him first?

Mr. Cox. We was standing there at the station--- well, you know how it is on Sunday-- just walking around there, and he walked up, and we was standing in a gang, talking, and he walked up to us and told us that.

Mr. Foss. This was last Sunday?

Mr. Cox. Yes, sir.

Mr. Foss. Now then, the time before you said you saw him down there. When was that?

Mr. Cox. That was about two or three weeks ago.

Mr. Foss. Did you have any talk with him at that time?

Mr. Cox. Well, we mmmhm told him we would let him know whether we would go when he came back.

Mr. Foss. Then he came back again?

Mr. Cox. Yes, sir.

Mr. Foss. And this time, Sunday, was the next time that you saw him?

Mr. Cox. Yes, sir.

Mr. Foss. Well now, you saw him three weeks before. How did you happen to meet him there?

Mr. Cox. We wasn't studying about comin . We didn't think we would meet him no more.

Mr. Foss. But the first time you met him; how did you happen to get in touch with him?

Mr. Cox. He was looking for men then.

Mr. Foss. And he was there at the station at that time?

Mr. Cox. Yes, sir. Well, he had been out on the gang, where we was laying ~~work~~ sewers, and he had been out on the gang talkin g

to some of the boys. He had been out on the gang talking to some of the boys ~~on the~~ about work.

Mr. Foss. He had gone around wherever he saw a gang of laboring men, he would go and talk with them?

Mr. Cox. Yes, sir.

Mr. Foss. What time did you get on the train at Jackson?

Mr. Cox. We got on there at 11.05 I think.

Mr. Foss. And you got in here at what time?

Mr. Cox. At 9.30 next morning. I looked at the clock in the kitchen.

Mr. Foss. You say you were working down there in Jackson at the time?

Mr. Cox. Yes, sir; working every day.

Mr. Foss. And these boys here (indicating other negroes)?

Mr. Cox. Yes, sir.

Mr. Foss. You were getting how much a day?

918 Mr. Cox. $2.25.

Mr. Foss. And living at home?

Mr. Cox. Yes, sir; living at home.

Mr. Foss. Have you got a family?

Mr. Cox. Have got a mother, a widowed mother. I have to take care of her, you know; and two or three more little ones.

Mr. Foss. You have to take care of her?

Mr. Cox. Yes, sir.

Mr. Foss. Is your father living?

Mr. Cox. He has been dead eighteen years.

Mr. Foss. Have you any small brothers and sisters?

Mr. Cox. Yes, sir; I got three or four just small ones.

Mr. Foss. Are there any besides yourself working?

Mr. Cox. Yes, sir; another brother working. He worked at Cairo.

Mr. Foss. Was he brought up to Cairo by the same men?

Mr. Cox. No, sir; he brought himself up there. He has been up there two years. He just went up there and back and forth himself. He don't never ride on no pass.

Mr. Foss. You say this man had a pass that you rode on?

Mr. Cox. Yes, sir.

Mr. Foss. Did you see it?

Mr. Cox. Yes, sir.

Mr. Foss. You saw his pass?

Mr. Cox. Yes, sir; he stuck the tickets in our hands himself-- in our hats himself. He had the pass though.

Mr. Foss. Did you see him give it to the conductor?

Mr. Cox. Yes, sir.

Mr. Foss. But he stuck the tickets in your hats himself?

Mr. Cox. Yes, sir.

Mr. Foss. That is, the conductor didn't do it?

Mr. Cox. No, sir; he said he had two tickets left yet.

Mr. Foss. After sticking one in each of your hats?

Mr. Cox. Yes, sir.

Mr. Foss. Did he say that he had been doing this thing right along?

Mr. Cox. He never said he had been doing it right along. He said he had work up here for over a year yet--- had plenty of

work up here for over a year yet.

Mr. Foss. He used to work up here did he?

Mr. Cox. Yes, sir. He has been working up here. He is up here, bringing men up here to work. They tell me there has been gangs of them coming up here and leaving. This ain't the first time they come up here and leave. A gang of them come and walk right on away after they find out what they pay.

Mr. Foss. Did he tell you how many gangs he had brought up here?

Mr. Cox. No, sir; he just say he brings them up here often. He sent one pass down in Mississippi after some, but didn't get anybody down there.

Mr. Foss. Did he say how long he had been in this business?

Mr. Cox. No, sir.

Mr. Foss. Did he say that he had ever worked here or lived in St. Louis?

Mr. Cox. No, sir; he ain't never lived here. His home is in Jackson.

Mr. Foss. You have seen him, have you?

Mr. Cox. Yes, sir; I have seen him, but I never did know his name. I have seen him often.

Mr. Foss. How long ago did you first see him; do you recall?

Mr. Cox. Oh, it has been a good while.

Mr. Foss. A number of years?

Mr. Cox. No, sir; about two years.

Mr. Foss. About two years. You think he has been living

in Jackson for two years?

Mr. Cox. Yes, but he told me at home--- I didn't know his home was there until this time.

Mr. Foss. Did you ever go to his home?

Mr. Cox. No, sir.

Mr. Foss. Do you know where his home is?

Mr. Cox. Not exactly. I don't know where his home is exactly. I forget what street, but he told us what street.

Mr. Foss. Do you recall the name of the street?

Mr. Cox. It is nearly about to the railroad shops,--- M & O railroad shops. I guess it is about four blocks.

Mr. Johnson. Those three boys there behind you, did they come with you?

Mr. Cox. Yes, sir. This boy here is about 16 years old. They are the ones that want to go back home so bad.

Mr. Johnson. You may be excused.

STATEMENT OF GEORGE THORNTON (COLORED)
OF JACKSON, TENNESSEE

The witness was sworn by Mr. Johnson..

Mr. Johnson. What is your name?

Mr. Thornton. George Thornton.

Mr. Johnson. Where is your home, George?

Mr. Thornton. Jackson, Tennessee.

Mr. Johnson. When did you get to East St. Louis?

Mr. Thornton. I got here Tuesday morning.

Mr. Johnson. Of this week?

Mr. Thornton. Yes, sir.

Mr. Johnson. How did you happen to come here?

Mr. Thornton. On a pass. A fellow passed us up here.

Mr. Johnson. Well, when you worked down at Jackson, tell what took place down there that put it into your head to come here?

Mr. Thornton. He said---

Mr. Johnson (Interposing). Who said?

Mr. Thornton. The fellow that passed us up here.

Mr. Johnson. What was his name; do you know?

Mr. Thornton. No, sir.

Mr. Johnson. Would you know him if you saw him?

Mr. Thornton. Yes, sir; I would know him if I would see him.

Mr. Johnson. What did he say to you down there?

Mr. Thornton. He said he would give us $2 a day and board.

Mr. Johnson.. Did he tell you what kind of work you were going to do up here?

Mr. Thornton. Yes, sir.

Mr. Johnson. What kind of work did he say you were going to do?

Mr. Thornton. Railroading.

Mr. Johnson. Did you pay your own way here? Or did he have a pass to bring you on?

Mr. Thornton. He had a pass.

Mr. Johnson. How many of them were there came together?

Mr. Thornton. Eleven.

Mr. Johnson. Did he bring all eleven of you just like he brought you?

Mr. Thornton. Yes, sir.

Mr. Johnson. How much money did you have when you got here?

Mr. Thornton. None.

Mr. Johnson. Did you have anything to eat?

Mr. Thornton. No, sir.

Mr. Johnson. How old are you, George?

Mr. Thornton. Sixteen years old.

Mr. Johnson. Well, when you got here George, what was the first thing you did after you got off the car?

Mr. Thornton. Went up to the camp and eat, and went on to work and worked till 12.

Mr. Johnson. Did this man that brought you from Jackson take you to where you had to go to work? When you got off the cars here he was still with you, was he?

Mr. Thornton. Yes, sir.

Mr. Johnson. Did he take you to the place where you were told to go to work?

Mr. Thornton. Yes, sir.

Mr. Johnson. What did they pay you for working out there, George, in East St. Louis, when you first got here?

Mr. Thornton. $1.40.

Mr. Johnson. $1.40 a day?

Mr. Thornton. Yes, sir.

Mr. Johnson. Did they give you your board free, or did you have to pay for it yourself?

Mr. Thornton. I think he give it to us free, but we had to pay for sleeping clothes.

Mr. Johnson. They gave you something to eat free, but said you would have to pay for your own sleeping clothes?

Mr. Thornton. Had to pay for the quilts.

Mr. Johnson. How much did they say they would charge you for the quilts?

Mr. Thorton. Two dollars and something.

Mr. Johnson. Did you have any money to buy them with?

Mr. Thornton. No, sir.

Mr. Johnson. And you didn't get the quilts, did you?

Mr. Thornton. No, sir. I left there at 12.

Mr. Johnson. How many meals did they give you, George?

Mr. Thornton. One.

Mr. Johnson. How much money did they give you?

Mr. Thornton. None.

Mr. Johnson. You were making money fast, weren't you, George?

Mr. Thornton. Sir? (Laughter)

920 Mr. Johnson. You were making money fast?

Mr. Thornton. I wasn't making none.

Mr. Johnson. Who put the ticket in your hat on the railroad train, George?

Mr. Thornton. The fellow what pressed us up here.

Mr. Johnson. The conductor didn't do that?

Mr. Thornton. No, sir.

Mr. Johnson. He just had the whole eleven of you in charge?

Mr. Thornton. Yes, sir.

Mr. Johnson. What time of the day did you leave Jackson, George?

Mr. Thornton. Tuesday night, eleven o'clock.

Mr. Johnson. And you got here the next morning at 9 o'clock.

Mr. Thornton. Yes, sir.

Mr. Johnson. Did he put you in a sleeping car, George, with a good berth, or not?

Mr. Thornton. After we got up here?

Mr. Johnson. No, coming along on the train. Did you sit up all night, or go in a sleeping car and get a bed and go to sleep?

Mr. Thornton. I sleeped.

Mr. Johnson. Did you have a bed to sleep on, or just the seat?

Mr. Thornton. I slept on a seat.

Mr. Johnson. Did you get anything to eat along the way, George, the next morning before you got off the train?

Mr. Thornton. No, sir.

Mr. Johnson. You didn't have anything to eat?

Mr. Thornton. No, sir.

Mr. Johnson. You got your supper in Jackson, didn't you?

Mr. Thornton. Yes, sir; down in Jackson I eat that day.

Mr. Johnson. That night before you left you had your supper?

Mr. Thornton. Yes, sir.

Mr. Johnson. The next morning when you got here did you have any breakfast?

Mr. Thornton. Yes, sir; he give us our breakfast.

Mr. Johnson. He was willing to give you your victuals for your work, but he wasn't willing to give you your victuals

and clothes? Was that it?

Mr. Thornton. He said we have to buy our clothes.

Mr. Johnson. He wanted to make you buy your own bedding?

Mr. Thornton. Yes, sir.

Mr. Foss. Were you working down in Jackson?

Mr. Thornton. Yes, sir.

Mr. Foss. What were doing there?

Mr. Thornton. Hauling meal.

Mr. Foss. Doing what?

Mr. Thornton. Looking after the oil meal.

Mr. Foss. How much were you getting down there?

Mr. Thornton. $2.25.

Mr. Foss. And living at home?

Mr. Thornton. Yes, sir.

Mr. Foss. Have you got any brothers?

Mr. Thornton. Yes, sir; I have got five.

Mr. Foss. Are any of them in this body of eleven?

Mr. Thornton. No, sir.

Mr. Foss. You are the only one of the family?

Mr. Thornton. Yes, sir.

Mr. Johnson. You may stand aside now.

STATEMENT OF WILLIAM JAMES PERKINS (COLORED)
OF JACKSON, TENNESSEE.

The witness was sworn by Mr. Johnson.

Mr. Johnson. What is your name?

Mr. Perkins. William James Perkins.

Mr. Johnson. Where is your home, William?

Mr. Perkins. My home is in Jackson, Tennessee.

Mr. Johnson. When did you get to East St. Louis?

Mr. Perkins. I got to East St. Louis Tuesday morning.

Mr. Johnson. About nine o'clock?

Mr. Perkins. Yes, sir.

Mr. Johnson. Did you say Tuesday or Wednesday?

Mr. Perkins. Wednesday morning. We all came together on the train.

Mr. Johnson. Eleven of you?

Mr. Perkins. Yes, sir.

Mr. Johnson. Tell how you happend to come here; how you happened to leave Jackson.

Mr. Perkins. Well, this man came down with a pass and said they was paying $2.25 and board.

Mr. Johnson. At East St. Louis?

Mr. Perkins. Yes, sir; and I knowed that was better than what we was getting there, and I just come along with him.

Mr. Johnson. Did you pay your own railroad fare or did he pay it for you.

Mr. Perkins. He paid it for me.

Mr. Johnson. How much money did you have when you landed here?

Mr. Perkins. Not five cents.

Mr. Johnson. When you got up here, William, got off the car,did you know where to go, or did somebody show you where to go?

Mr. Perkins. He showed us where to go.

Mr. Johnson. The man who picked you up down at Jackson showed you where to go?

M

Mr. Perkins. Yes, sir.

Mr. Johnson. Where did he take you to, William?

Mr. Perkins. He taken us to the car first; right off to the camp car.

Mr. Johnson. What di' he take you over there for, William?

Mr. Perkins. To give us our dinner.

Mr. Johnson. To give you your dinner, or breakfast; which was it?

Mr. Perkins. Well, I would call it breakfast, but it was so near dinnertime.

Mr. Johnson. Had you had anything to eat since supper time the night before?

Mr. Perkins. No, sir; we never had anything to eat at all on the train.

Mr. Johnson. Then after they gave you something to eat, where did they take you, William?

Mr. Perkins. Right on out to work.

Mr. Johnson. What kind of work was it?

Mr. Perkins. On the track, raising track.

Mr. Johnson. And you worked until 12 o'clock?

Mr. Perkins. Yes, sir.

Mr. Johnson. Then did you try to find out from anybody else what you were going to get, or did somebody come to you and tell you what you were going to get?

Mr. Perkins. I axed him what he was going to allow me.

Mr. Johnson. What did he say?

Mr. Perkins. He said, $1.40.

Mr. Johnson. What did he say about the board, William?

Mr. Perkins. Well, board, why---

Mr. Johnson. That you would have to pay board out of the $1.40?

Mr. Perkins. Yes, sir.

Mr. Johnson. What did he say about giving you some place to sleep?

Mr. Perkins. You had to pay for your own blankets.

Mr. Johnson. Did he tell you how many comforts you would have to buy?

Mr. Perkins. Yes, sir.

Mr. Johnson. How many?

Mr. Perkins. Two.

Mr. Johnson. Did he say what they would cost?

Mr. Perkins. Cost $2.25 apiece.

Mr. Johnson. What would those same kind of comforts cost you down in Jackson, William?

Mr. Perkins. They cost a little higher than they do here, I think.

Mr. Johnson. Have you bought any down there?

Mr. Perkins. No, sir. I haven't bought any. My mother has got plenty of quilts.

Mr. Johnson. They brought you away from where you had plenty of bedclothes up here where you didn't have any and told you you had to buy them?

Mr. Perkins. Yes, sir.

Mr. Johnson. Did the same men who told you down there at Jackson that you were going to get $2.25 a day here and board here and board, tell you that after you got here that

you were only going to get $1.40 and pay your own board? Was it the same man that told you both these things?

Mr. Perkins. Yes, sir.

Mr. Johnson. Then you told him you were going to quit?

Mr. Perkins. Yes, sir.

Mr. Johnson. And then you did quit?

Mr. Perkins. Yes, sir.

Mr. Johnson. But as you didn't have any money you had to go to work somewhere, and just did the best you could?

Mr. Perkins. Did the best I could. I thought I could find a little better job than that.

Mr. Johnson. Did you find a better job than that?

Mr. Perkins. Yes, sir.

Mr. Johnson. How much better, William?

Mr. Perkins. I think it was a whole lot better.

Mr. Johnson. What are they paying you now?

Mr. Perkins. Out here where I am working now?

Mr. Johnson. Yes.

Mr. Perkins. $2.40.

Mr. Johnson. They are paying you $2.40?

Mr. Perkins. Yes, sir.

Mr. Johnson. And he brought you here and tried to work you for $1.40?

Mr. Perkins. Yes, sir.

Mr. Johnson. You have to pay your board out of that $2.40, don't you?

Mr. Perkins. Yes, sir.

Mr. Johnson. And a place to sleep, too; you have got to pay out of that?

Mr. Perkins. We are staying down there in the car now.

922 Mr. Johnson. When you were down at Jackson you got $2.25 a day and lived at home?

Mr. Perkins. Yes, sir.

Mr. Foss. Did you bring anything with you; any clothes, or anything?

Mr. Perkins. No.

Mr. Foss. You didn't bring any clothes at all?

Mr. Perkins. No, sir.

Mr. Foss. You came just as you are?

Mr. Perkins. Yes, sir.

Mr. Foss. Do you own a home in Jackson?

Mr. Perkins. No, sir.

Mr. Foss. Have you got a family there?

Mr. Perkins. A mother living.

Mr. Foss. Have you got a mother there?

Mr. Perkins. And a sister.

Mr. Foss. You are not married yourself?

Mr. Perkins. No, sir.

Mr. Foss. How long have you lived there in Jackson?

Mr. Perkins. Three years.

Mr. Foss. What have you been doing? What have you been working at all that time?

Mr. Perkins. I have been working out there at the saw mill, and this fall I have been working down there on the concrete. Been working up at Mr. Shafer's mill up there.

Mr. Foss. Have you had steady work right along?

Mr. Perkins. Yes, sir.

Mr. Foss. Or have you been laid off at times?

Mr. Perkins. No, sir; I have had a steady job.

Mr. Foss. When was the first time that you saw this man in Jackson that asked you to come up here?

Mr. Perkins. The first time I seen him was when he brought us the pass. That was the first time I seen him.

Mr. Foss. Did you see him before the day you came up here with him, before you left? Had you ever seen him before?

Mr. Perkins. That was the first time I seen him, when he told me about wanting me to come on a pass.

Mr. Foss. Do you remember when that was?

Mr. Perkins. That was Sunday.

Mr. Foss. That was Sunday. How did you happen to meet him?

Mr. Perkins. He told us to meet him at the depot.

Mr. Foss. He told you for you to meet him at the depot, but didn't you see him before that time? When did he say to meet him there? Or did he send word to you through somebody else?

Mr. Perkins. No, sir; he didn't send word through anybody else. He told us just exactly when he was going to leave.

Mr. Foss. And this was at the depot, was it, that he told you this?

Mr. Perkins. Yes, sir.

Mr. Foss. He told you exactly what time he was going to leave, and if you wanted to go, to be there at that time?

Mr. Perkins. Yes, sir.

Mr. Johnson. You may stand aside.

STATEMENT OF TOMMY LEE BOGAN (COLORED)
OF JACKSON, TENNESSEE.

The witness was sworn by Mr. Johnson.

Mr. Johnson. What is your name?

Mr. Bogan. Tommy Lee Bogan.

Mr. Johnson. How old are you, Tommy?

Mr. Bogan. Sixteen.

Mr. Johnson. Where is your home?

Mr. Bogan. Jackson, Tennessee.

Mr. Johnson. When did you get here?

Mr. Bogan. I got here on Tuesday morning.

Mr. Johnson. About what time?

Mr. Bogan. About 9 o'clock.

Mr. Johnson. How did you happen to leave Jackson and come up here?

Mr. Bogan. A fellow he brought us up here on a pass.

Mr. Johnson. Do you know him?

Mr. Bogan. No, sir; I don't know him. I know him when I see him.

Mr. Johnson. Where did you first see him, Tommy?

Mr. Bogan. I seed him in Jackson.

Mr. Johnson. When?

Mr. Bogan. I seen him Sunday.

Mr. Johnson. This last Sunday?

Mr. Bogan. Yes, sir.

Mr. Johnson. About what time of the day?

Mr. Bogan. It was about---

Mr. Johnson (Interposing). Before dinner or after dinner?

Mr. Bogan. Before dinner.

Mr. Johnson. Thereabouts were you in Jackson when you saw him?

Mr. Bogan. Up here at the depot.

Mr. Johnson. What were you doing when you first saw him?

Mr. Bogan. Just standing around there at the depot.

Mr. Johnson. He come up to you, or did you go to him?

Mr. Bogan. He come up to us.

Mr. Johnson. What did he say?

Mr. Bogan. He asked us if we wanted to go to St.Louis

923 to work.

Mr. Johnson. Then what was said next?

Mr. Bogan. We asked him what he was paying a day, and he told us $2 and board.

Mr. Johnson. And so you came along up here with him?

Mr. Bogan. Yes, sir.

Mr. Johnson. And when you got here, did he show you the way off the cars, this same man?

Mr. Bogan. Yes, sir; he told us to go to the camp in that car where we ate breakfast.

Mr. Johnson. Did he go with you?

Mr. Bogan. Yes, sir.

Mr. Johnson. Did you get some breakfast.

Mr. Bogan. Yes, sir.

Mr. Johnson. What did you get?

Mr. Bogan. We got a loaf of bread and some meat and molassess.

Mr. Johnson. What kind of meat did you get, Tommy?

Mr. Bogan. Fried meat.

Mr. Johnson. Did he give you all you wanted?

Mr. Bogan. Yes, sir.

Mr. Johnson. How much money did you have in your pocket when you got here?

Mr. Bogan. I didn't have no money?

Mr. Johnson. Not a cent?

Mr. Bogan. No, sir.

Mr. Johnson. Several hundred miles away from home, were you? What did you do with your trunk, Tommy, when you got here?

Mr. Bogan. I never had none. I had a suitcase.

Mr. Johnson. What kind of clothes did you have in your suitcase?

Mr. Bogan. I had a coat and pants in it.

Mr. Johnson. When you left the car in which you got your breakfast, where did you go?

Mr. Bogan. He carried us out on the work.

Mr. Johnson. You went to work. When you got out there you went to work?

Mr. Bogan. Yes, sir.

Mr. Johnson. When did you find out after you got here ~~what~~ how much you were really going to get a day?

Mr. Bogan. Just axed him.

Mr. Johnson. When did you ask him; before you went to work or at dinner time?

Mr. Bogan. Just after I went to work.

Mr. Johnson. What did he say?

Mr. Bogan. He told us $1.40.

Mr. Johnson. What did he say about board?

Mr. Bogan. He would board us.

Mr. Johnson. What did he tell you about a place to sleep?

Mr. Bogan. We would have to pay for blankets.

Mr. Johnson. What did he tell you blankets were worth?

Mr. Bogan. $2.25.

Mr. Johnson. What kind of beds did you have there?

Mr. Bogan. I ain't seen no bed--- something nailed up on the side of the car.

Mr. Johnson. You didn't see any blankets did you?

Mr. Bogan. I seen two blankets.

Mr. Johnson. They didn't belong to you?

Mr. Bogan. No, sir.

Mr. Johnson. Well, did you tell him you would work for that, or that you wouldn't?

Mr. Bogan. I told him I wouldn't work for that.

Mr. Johnson. You told him you wouldn't workfor that, and you just had grit enough, without a cent in your pocket and not knowing where you were going to get your next meal, to walk away from that job because he hadn't told you the truth about it?

Mr. Bogan. Yes, sir.

Mr. Johnson. What did he say when you told him you wasn't going to work for $1.40?

Mr. Bogan. He said if we didn't work we had to pay for the passes--- something like that.

Mr. Johnson. If you wouldn't work, you would have to pay for the money it cost to bring you up here?

Mr. Bogan. Yes, sir; they was going to try to make us work.

Mr. Johnson. How did he say he was going to try to make you work?

Mr. Bogan. He said he was going to have us arrested and put in jail.

Mr. Johnson. And right away after that a policeman and another man came to you and told you that they would help you out, didn't they?

Mr. Bogan. Yes, sir.

Mr. Johnson. And that is how you happen to be up here this morning, isn't it?

Mr. Bogan. Yes, sir.

Mr. Johnson. That's all.

Mr. Foss. What were you working at down in Jackson when you came up here?

Mr. Bogan. Working in the oil mill.

Mr. Foss. How much were you getting a day down there?

Mr. Bogan. $2.25.

Mr. Foss. How old are you?

Mr. Bogan. Sixteen years old.

Mr. Foss. Are you living with your mother and father?

Mr. Bogan. Living with my mother.

Mr. Foss. Your father isn't living?

Mr. Bogan. No, sir. My mother married again.

Mr. Foss. When was the first time you saw this man?

Mr. Bogan. The first time was Sunday.

Mr. Foss. There?

Mr. Bogan. At the depot.

924 Mr. Foss. How did you happen to be there?

Mr. Bogan. Come up to meet the train-- just standing around.

Mr. Foss. How did you happen to be there?

Mr. Bogan. Just come up to meet the train.

Mr. Foss. Did anybody tell you to come up there?

Mr. Bogan. No, sir.

Mr. Foss. You just happened to be standing around there at the train?

Mr. Bogan. Yes, sir.

Mr. Foss. And he come up and spoke to you, did he?

Mr. Bogan. Yes, sir.

Mr. Foss. And then asked if you wanted to come up here?

Mr. Bogan. Yes, sir.

Mr. Foss. Was it then an he offered you these inducements, $2.40 a day and board?

Mr. Bogan. Yes, sir; $2.40 a day.

Mr. Foss. What did you do? Did you go back home and get your things?

Mr. Bogan. Yes, sir.

Mr. Foss. Well now, why would you want to come up here if you were getting $2.25 a day and living at home? Why would you want to come up here to a new city for $2 a day and board? What induced you to come up?

Mr. Bogan. Well, he was going to give us our board.

That's why I come on.

Mr. Foss. You thought you would be better off on $2 a day and board than you would be on $2.25 at home?

Mr. Bogan. I didn't think I would be any better off. I just thought I would come on up here.

Mr. Foss. You didn't think you would be any better off but you thought you would like to come up to see East St.Louis?

Mr. Bogan. Yes, sir.

Mr. Foss. You thought you would like to travel a little?

Mr. Bogan. Yes, sir.

Mr. Johnson. You may stand aside.

STATEMENT OF CLARENCE E. POPE (RESUMED)

Mr. Johnson. I believe you desire to make some further statement, Mr. Pope?

Mr. Pope. No, sir: I don't. The last thing I did was to deliver to you the names of the Committee of One Hundred, and the names of those who were present at the mass meeting. ~~Do~~ Possibly you want to interrogate me in regard to that? I don't know.

Mr. Cooper. That is all I understood Mr. Pope was to be here about. He left those the last thing, I believe.

Mr. Pope. Yes, sir; and you requested me to be here Thursday.

Mr. Baker. It will take a little time, but I would like to have it go into the record--- I would like to have go into the record the ~~nma~~ names of the Committee of One Hundred, as part of the record.

Mr. Johnson. You mean by that the list that has been furnished by Mr. Pope?

Mr. Raker. Yes. I am going to ask a question about each man, of Mr. Pope.

Mr. Johnson. Go ahead.

Mr. Raker. Rev. J. T. Allison. Describe his occupation.

Mr. Pope. He is a minister.

Mr. Raker. Dan McGlynn. Describe his occupation.

Mr. Pope. He is an attorney at law.

Mr. Raker. E. C. Kramer.

Mr. Pope. He is an attorney.

Mr. Raker. M. V. Joyce?

Mr. Pope. He is an attorney.

Mr. Raker. Has he any of these negro quarters rented? Does he rent any quarters to negroes?

Mr. Pope. Mr. Joyce is a large property owner, and I am inclined to think he has property that is rented to negroes.

Mr. Raker. And also has the property rented for saloons?

Mr. Pope. Yes, sir.

Mr. Raker. Well is he the man that has the saloon rented that they claim runs with one license, negroes enter at one door and white men enter the other?

Mr. Pope. I think there are two bars in that building.

Mr. Raker. Now where is that building located?

Mr. Pope. That building is located on Main Street and

Broadway, the southwest corner of Main and Broadway. Main Street is the street that the City Hall is on. It runs on the easterly side of the City Hall.

Mr. Raker. Has there been some contention against
925 Mr. Joyce for running that place with one license and maintaining two bars in it, a white bar and a black bar?

Mr. Pope. That I couldn't say.

Mr. Raker. You never heard?

Mr. Pope. No, sir.

Mr. Raker. Does he have any other property rented for saloons?

Mr. Pope. Yes, sir.

Mr. Raker. How many more?

Mr. Pope. Well, he has several. I don't know how many. I know of one place on Main Street that was leased, and I think a saloon is being operated there now. And I think he has several other places, but I don't know where they are.

Mr. Raker. Was Mr. Joyce with you at these meetings that Judge Kramer's office with Mr. Dan McGlynn and the Attorney General and the Assistant Attorney General?

Mr. Pope. I think ~~it~~ he was.

Mr. Raker. And that is the time you planned out the prosecution of the alleged rioters?

Mr. Pope. We were conferring with the Attorney General and making plans; yes, sir.

Mr. Raker. For the prosecution?

Mr. Pope. Yes, sir.

Mr. Raker. Now, Mr. Pope, what was the date of that meeting; do you remember, at Judge Kramer's office in the Murphy Building?

Mr. Pope. I couldn't give you the date, but it was very shortly after the riot.

Mr. Raker. Have you got any means by which you could fix it, Mr. Pope? Is there any way you could find out the date of that meeting?

Mr. Pope. I could ascertain it, no doubt.

Mr. Raker. Well, this is the committee that brought the Attorney General down here, your committee?

Mr. Pope. Yes, sir.

Mr. Raker. The executive committee of the Committee of One Hundred?

Mr. Pope. Well, that committee and others.

Mr. Raker. But the real active spirit behind the matter was the executive committee?

Mr. Pope. No, I can't say that. We acted with others. There were two or three others acted with us, who weren't members of the committee.

Mr. Raker. Well, Louis Schmidt; give us his business.

Mr. Pope. Leon Smith?

Mr. Raker. No, Louis Schmidt?

Mr. Pope. I don't know who that is.

Mr. Raker. Conrad Reeb?

Mr. Pope. He is president of the Southern Illinois National Bank.

Mr. Raker. Has Mr. Reeb any property rented to negroes, or saloons?

Mr. Pope. I don't think he has. He is president of the Chamber of Commerce.

Mr. Raker. H. E. Bader?

Mr. Pope. Henry F. Bader is in the drug business, a former mayor of East St. Louis.

Mr. Raker. C. S. Dodson.

Mr. Pope. C. S. Dodson is a retired man, in no business, but has considerable property here in East St. Louis.

Mr. Raker. Does he rent any of it to colored people?

Mr. Pope. That I don't know.

Mr. Raker. Does he rent any for saloons?

Mr. Pope. I don't know.

Mr. Raker. J. J. Kane?

Mr. Pope. That is probably Jerry J. Kane. He is a native of East St. Louis and is in the employ of the brewery at Granite City,x the Granite City Brewing Company, I believe it is.

Mr. Raker: Robert T. Johns?

Mr. Pope: Mr. Kane iswith the Wagner Brewery at Granite City. Robert E. Johns is a carpenter here who is and has been for some time the business agent of the carpenters here in East St. Louis.

Mr. Raker: Charles A. Eckel?

Mr. Pope: I don't know Charles A. Eckel.

Mr. Raker: D. B. Bertty?

Mr. Pope: D. B. Bertty is a merchant on Missouri Avenue, a dealer in shoes.

Mr. Raker: William Bensinger?

Mr. Pope: I don't know Mr. Bensinger.

Mr. Baker. D. Abraham.

MrPope: He is a merchant here in the feed business.

Mr. Baker: R. M. Gillespie. Is he an attorney-at-law?

Mr. Pope : No, Robert is President of the Illinois State Bank and a brother of Tom Gillespie, the lawyer.

Mr. Baker: F. L. Griesedieck.

Mr. Pope: He is a brewer, connected with the Central Brewery.

Mr. Baker: Where is the brewery located?

Mr. Pope: It is located about eighteen or nineteen hundred East Broadway, East St. Louis.

Mr. Baker: William J. Coyne?

Mr. Pope: He is a grocer at the corner of Tenth and Summit Avenue.

Mr. Baker: H. J. Burke?

Mr. Pope: He is a retired business man, formerly in the drygoods business on Collinsville Avenue.

Mr. Baker: Is he an owner of real estate?

Mr. Pope: Yes, sir; he owns real estate.

Mr. Baker: Is any of that leased to colored people?

Mr. Pope: Not that I know of.

Mr. Baker: For saloon purposes?

Mr. Pope: I think not.

Mr. Baker: T. H. Donse.

MrxPxxxxxxxx?

Mr. Pope: I don't know him.

Mr. Raker: Frank J. Furrus.

Mr. Pope: Frank J. Furrus is in the livery and undertaking business, and has been for many years, in East St. Louis.

Mr. Raker: Louis Berkemeyer?

Mr. Pope: I don't know what business Mr. Berkemeyer is in.

Mr. Raker: Paul Bagby.

Mr. Pope: I don't know him.

Mr. Raker: Frank Keating.

Mr. Pope: Frank Keating is a granitoid contractor, now chief of police.

Mr. Raker. Dr. J. F. Reed.

Mr. Pope: He is connected with the firm of Campbell & Reed, Western Sales Stables, at National Stock Yards, National City, Illinois.

Mr. Raker: Harry Bancroft?

Mr. Pope: I think he is a contractor.

Mr. Raker: Dan Sullivan.

927 Mr. Pope: Dan Sullivan is in the ice business, owner, and working for the Banner Ice Company, East St. Louis.

Mr Raker: Mr. Bancroft, what kind of a contractor is he?

Mr. Pope: A building contractor.

Mr. Raker: Does he own any buildings here?

Mr. Pope: That I couldn't say.

Mr. Raker: J. H. Thomas?

Mr. Pope: I think he is in the ice and coal business.

Mr. Raker: B. I. Bernard.

Mr. Pope: He is a merchant on Broadway, dealing in gent's clothing and gent's furnishing.

Mr. Raker: W. P. Launtz.

Mr. Pope: He is the owner of this building. He is a lawyer of East St. Louis.

Mr. Raker: The building we are in now?

Mr. Pope: Yes, sir.

Mr. Raker: Does he own any more real estate, do you know?

Mr. Pope: I think he does own some more-- not a great deal.

Mr. Raker: Is any rented to colored people?

Mr. Pope: Not that I know of.

Mr. Raker: Or for saloon purposes?

Mr. Pope: No, sir.

Mr. Raker: Robert Bateman?

Mr. Pope: Robert Bateman is manager of the Heim Branch of the St. Louis Brewing Association. He lives on Tenth Street. The Brewery is at Tenth and Illinois Avenue.

Mr. Raker: F. F. Harding?

Mr. Pope: F. F. Harding is in the real estate business.

Mr. Baker: Where is his ~~business~~ office?

Mr. Pope: His office is on Missouri Avenue.

Mr. Baker: Does that firm of which he is a member rent to both races?

Mr. Pope: I think they are engaged principally in developing new additions, rather than in the general real estate business.

Mr. Baker: They are more in the way of promotors?

Mr. Pope: Yes, sir.

Mr. Baker: W. H. Broemaker.

Mr. Pope: I don't know him.

Mr. Baker: George O. Boismenue?

Mr. Pope: Mr. Boismenue is a property owner and not engaged in active business. He owns a cigar store here, and has other interests.

Mr. Baker: Does he have any buildings he is renting?

Mr. Pope: I don't know but one or two that he owns. He has some vacant property.

Mr. Baker: For what purposes are those used that he is renting?

Mr. Pope: Residences for white people.

Mr. Baker: Charles Roger?

Mr. Pope: He is the manager of the J. C. Grant Chemical Company. They make baking powder.

Mr. Baker: F. W. Beckenkroger.

Mr. Pope: He is in the furniture business on

Collinsville Avenue, I think.

Mr. Raker: W. H. Hill?

Mr. Pope: Mr. Hill is in the trick business, having a plant at Murphysboro, Illinois. He lives on Pennsylvania Avenue.

Mr. Raker: Herman Buck?

Mr. Pope: Herman Buck is a grocer at about 13th and St. Clair Avenue.

928 Mr. Raker: A. G. Schlueter.

Mr. Pope: He is a druggist at Collinsville and Illinois Avenue.

Mr. Raker: H. C. Thoene.

Mr. Pope: He has property directly across from Mr. Schlueter. There is a drygoods store there now, and I understand that he has sold that store out. But he was there for quite a number of years.

Mr. Raker: Leon G. Smith?

Mr. Pope: He is a real estate man in the Arcade Building.

Mr. Raker: What kind of real estate do they deal in?

Mr. Pope: He does a general real estate and insurance business.

Mr. Raker: For both white and blacks?

Mr. Pope: I would think so. I don,t think he has much colored business, but no doubt he would handle that class of business if it was offered to him.

Mr. Raker: Fred Giesing.

Mr. Pope: He is in the hardware business on Broadway, near the property of Mr. Joyce that you mentioned awhile ago; and is also a member of the board of fire and police commissioners.

Mr. Raker: E. J. Coffey?

Mr. Pope: E. J. Coffey is the general freight agent of East St. Louis for the Southern Railroad, and is also a merber at present of the board of fire and police commissioners.

Mr. Raker: W. E. Beckwith?

Mr. Pope: He is a real estate man, engaged in general real estate business.

Mr. Raker: W. H. Hawes.

Mr. Pope: William H. Hawes is in the hardware business on Collinsville Avenue, near Missouri Avenue.

Mr. Raker: Harry Gillen, Sr.

Mr. Pope: Harry Gillen, Sr., is in the mule business at National Stockyards. He lives on Pennsylvania Avenue, was formerly a member of the board of Fire and Police Commissioners.

Mr. Raker. He is in the general stock business?

Mr. Pope: No, sir; he is engaged exclusively in the mule business.

Mr. Raker: He buys mules out here at National City?

Mr. Pope: Yes, sir; he buys mules there and at other places, other points, and sells them here at the stockyards. He ~~has~~ handles a good grade of mules.

Mr. Raker: How do these people do their business? Do they buy mules here, sell them here, or are they contracted before they ever get here?

Mr. Pope: Both ways. Some firms will go out to where there are mules, where they are fed, and where they are gathered up~~on~~, and will be bought in the country. Many of them, however, are shipped into the National Stockyards and sold on commission. The commission men will gather at the receiving barns and bid on the mules.

Mr. Raker: At National City?

Mr. Pope: Yes, sir. They will bid on an entire carload, and then they are separated, divided up into the different classes and grades which they have.

Mr. Raker: W. H. Edenmyer.

Mr. Pope: I don't know him.

Mr. Raker: Harry Lieberstein?

Mr. Pope: Harry Lieberstein is a jeweler on Collinsville Avenue, not far from Broadway.

Mr. Raker: James Crow..

Mr. Pope: Fellner Crow, evidently, that is. He
928 is in the drygoods business at the corner of St. Louis and Collinsville Avenue.

Mr. Raker: Fred W. Craft?

Mr. Pope: Fred T. Craft is in the real estate business, formerly president of the school board, and a member of the executive committee of the Committee of 100.

Mr. Raker: Is he a large property owner?

Mr. Raker: No, sir; he is not. He is a small property owner.

Mr. Raker: Dr. H. H. Little.

Mr. Pope: Dr. H. H. Little is a physician here in East St. Louis and the postmaster.

Mr. Raker: Fred Rotas?

Mr. Pope: He is a resident of the south part of the town, a rather large property owner, and in the grocery business.

Mr. Raker: He rents to all classes?

Mr. Pope: I think so.

Mr. Raker. Has he any property rented for saloon purposes?

Mr. Pope: Without knowing positively, I would say that he has, but I am not positive about that.

Mr. Raker: M. C. Reis?

Mr. Pope. M. C. Reis is in the lumber business in East St. Louis.

Mr. Raker. Frank P. Mace.

Mr. Pope: He is a carpenter and contractor, I think.

Mr. Raker: James P. Flannery?

Mr. Pope: James Flannery is a dealer in lime and cement, building materials.

Mr. Raker: William Kelker?

Mr. Pope: He is a contractor, a brick contractor.

Mr. Raker. Fork-Wright?

Mr. Pope: He is president of the National Stock-yards' National Bank.

Mr. Raker: Reverend Howard Bilman?

Mr. Pope: Reverend Howard Pillman is a minister doing some special work, with offices located in St. Louis at this time.

Mr. Raker: Dr. H. J. DeHaun?

Mr. Pope: He is a physician and a large property holder here in East St. Louis.

Mr. Raker: William J. Veach?

Mr. Pope: He is clerk of the City Court, East St. Louis.

Mr. Raker: J. A. Ryan?

Mr. Pope: I don't know that gentleman.

Mr. Raker: A. Reynolds?

Mr. Pope: Mr. Reynolds is a shoe man, engaged in the shoe business.

Mr. Raker: W. E. Patterson?

Mr. Pope: He is president of the Drover's Bank.

Mr. Raker: Henry Renshaw?

Mr. Pope: Mr. Renshaw is in the real estate and insurance business, on Main Street.

Mr. Raker: J. H. Quackenbush.

Mr. Pope: He is general manager of the gas company here.

Mr. Raker: E. P. Feshner?

Mr. Pope: Mr. Feshner is cashier of the Union Trust and Savings Bank, located at Missouri and Collinsville Avenues.

Mr. Raker: E. F. Bistee?

Mr. Pope: He is general manager of the National Stockyards, National City, Illinois.

Mr. Raker: L. C. Haynes?

Mr. Pope: L. C. Haynes used to be vice president and general manager of the electric railways here.

928 Mr. Cooper: May I ask one question there? Whom did you say lived in National City, the manager?

Mr. Pope: E. F. Bistee.

Mr. Cooper: Where does he live?

Mr. Pope: He is general superintendent and manager of the stockyards at National City.

Mr. Cooper: Where is his home?

Mr. Pope: I think he lives here in East St. Louis--no, St. Louis, I am informed.

Mr. Cooper: Well, I thought this Committee of One Hundred was to be composed of residents of East St. Louis, not non-residents.

Mr. Pope: No; it was not.

Mr. Raker: L. C. Haynes.

Mr. Pope: Mr. Haynes is connected with the East St. Louis Railway, the East St. Louis & Suburban Railway, and all of the other railroads here, and the electric light company.

Mr. Raker: Edmund Goeddie.

Mr. Pope: He is in the lumber business.

Mr. Raker: W. C. McLean.

Mr. Pope: W. C. McLean is in the real estate and insurance business just across the street from this

building.

Mr. Baker: W. H. Horner.

Mr. Pope: He is in the real estate business, located on Missouri Avenue.

Mr. Baker: C. E. Pope is yourself?

Mr. Pope: Yes, sir.

Mr. Baker: T. H. Bray.

Mr. Pope: Mr. Bray is an employe of the International Harvester Company.

Mr. Baker: He lives here in East St. Louis?

Mr. Pope: Yes, sir.

Mr. Baker: Fred Lehman.

Mr. Pope: Fred Lehman has a music store on Collinsville Avenue.

Mr. Baker: H. L. Browning?

Mr. Pope: H. L. Browning is a resident of this city, a lawyer, and at present Judge of the City Court, one of the Judges of the City Court.

Mr. Baker: How long has he been Judge?

Mr. Pope: About a year or a little more.

Mr. Baker: T. C. Thrasher.

Mr. Pope: He was president of the All Roofing Manufacturing Company in this city; now deceased.

Mr. Baker: W. A. Woody.

Mr. Pope: He is in the commission business at the National Stockyards. He sells cattle and hogs on commission.

Mr. Raker: Now they bring cattle and hogs to the stockyards and sell them there on commission?

Mr. Pope: They have people who ship to them cattle of all kinds, and this company sells them to whoever wishes to buy, on a commission.

Mr. Raker: Who was that now?

Mr. Pope: Moody.

Mr. Raker: There I want to interpolate a question: Have you heard of any complaint, or has there been any incidents where men have shipped their cattle or their mules or their horses or their hogs or their sheep to the stockyards and they have gotten under the influence of liquor before they sold or after they sold and it has been complained of that many of them have lost their money? Have you heard of any incidents of that kind within the last year and a half?

Mr. Pope: I have heard of no special instances, but I know from time to time that that has occurred.

Mr. Raker: I have been advised that that has occurred a great many times-- many times.

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Mr. Pope: As a rule, where the shippers are here, the amount paid amounts to a considerable sum. The parties will take a few hundred dollars, may be, in cash, and a draft for the balance. Being away from home, they sometimes do what is called "celebrating", become intoxicated and ~~even~~ either lose some of their money here or over in St. Louis.

Mr. Baker: Well, if a man gets a little bit on board and leaves the stockyards and gets on whiskey chute, he is in pretty bad shape, isn't he?

Mr. Pope: Well, there are many saloons on that portion of St. Clair Avenue known as Whiskey Chute.

Mr. Baker: Well, if he gets a little intoxicated, and has money in his pocket, and people watch and know that he goes in there with his stock and gets his money, he is in bad shape, isn't he?

Mr. Pope: There are a rough set of people that inhabit that portion of the city.

Mr. Baker: D. F. Parsons.

Mr. Pope: Mr. Parsons is an active manager of the street railroads and electric light company.

Mr. Baker: In East St. Louis?

Mr. Pope: Yes, sir.

Mr. Baker: Theodore Soellinger.

Mr. Pope: Mr. Soellinger is in the bakery business. He owns a bakery about 18th and Lynch Avenue. He was formerly alderman of the city.

Mr. Baker: C. E. Merker.

Mr. Pope: He is a druggist, having three drugstores here in East St. Louis, a director in the Illinois State Bank, and lives just outside of the city limits.

Mr. Baker: Dr. J. L. Wiggins.

Mr. Pope: Dr. Wiggins is a physician living out at Lansdowne, within the corporate limits of the city.

Mr. Raker: Claude Ozier.

Mr. Pope: He is of the Tri-City Packing Company.

Mr. Raker: M. J. Welch.

Mr. Pope: Mr. Welch is in the livery and undertaking business in East St. Louis.

Mr. Raker: W. W. Stephens.

Mr. Pope: Mr. Stephens, I think, has employment with the state of Illinois; formerly Mayor of East St.Louis, and lives on Pennsylvania Avenue.

Mr. Raker: What is his employment with the State, do you know?

Mr. Pope: He was on the Waterways Commission, but is not any more.

Mr. Raker: W. W. Vandeventer.

Mr. Pope: W. W. Vandeventer is one of the Judges of the City Court, now in his second term.

Mr. Raker: L. V. Wolcott.

Mr. Pope: He is an attorney at law, assistant State's Attorney.

Mr. Raker: R. L. Campbell.

Mr. Pope: R. L. Campbell is a physician.

Mr. Raker: T. L. Coley.

Mr. Pope: Mr. Coley is a lawyer.

Mr. Raker: Barton Peebe.

Mr. Pope: He is a gr-cerygan.

Mr. Raker: Reverend Father Charles Gilmartin.

Mr. Pope: He is a priest in the city of East St.

Louis,in Sacred Heart Parish.

Mr. Raker: J. L. Flannigan.

Mr. Pope: J. L. Flannigan is an attorney at law.

Mr. Raker: Is this the same Flannigan that we have heard so much about?

Mr. Pope: This is the gentleman right here, if that is the one (indicating Mr. Flannigan).

Mr. J. L. Flannigan: I disclaim the honor.

Mr. Pope: No, Alexander is the one you have heard so much about (laughter).

Mr. Raker: I was thinking of the last name.

Mr. Pope: Mr. Flannigan was in the Legislature for some time from this district-- this gentleman here, John L. Flannigan.

Mr. Raker: George Powell.

Mr. Pope: George Powell, I think, is manager of the Railway Steel Spring Company in East St. Louis.

Mr. Raker: That is one of the big concerns here, manufacturing concerns?

Mr. Pope: Well, I should think it employed about 300 men. It is not one of the large factories.

Mr. Raker: Reverend Father W. C. Trendley.

Mr. Pope: He is a priest here in East St. Louis. I don't know what parish-- assistant pastor of St. Patrick's.

Mr. Raker: P. McNit.

Mr. Pope: He is in the wall-paper and decorating business.

Mr. Baker: C. A. Ewing.

Mr. Pope: I believe he is in the Humane Society-- has charge of the Humane Society work-- no, he is in the lumber business.

Mr. Baker: I just wonder if the humane officer was busy these days.

Mr. Pope: I think he is.

Mr. Baker: W. B. Knowles.

Mr. Pope: He is an attorney-at-law, formerly master in chancery of St. Clair County.

Mr. Baker: Marion Ulschmidt.

Mr. Pope: He is manager of Grimm & Gorly's store here, florists.

Mr. Baker: George Lotz.

Mr. Pope: George Lotz is in the grocery and hardware business up on St. Clair Avenue.

Mr. Baker: Now has this Committee of One Hundred called in these lawyers in consultation as to what should be done, these other lawyers that you have named here?

Mr. Pope: They have all been members of the committee.

Mr. Baker: I know, but have you called them in consultation?

Mr. Pope: No, sir; not separately.

Mr. Baker: Have you called together these ministers in consultation with the executive committee?

Mr. Pope: We have not.

Mr. Baker: Have you called in Father Gilmartin

and Father Trendley?

Mr. Pope: No, sir.

Mr. Baker: Have you since last Saturday called your meeting of the Committee of One Hundred together?

Mr. Pope: No, sir.

Mr. Baker: Why haven't you, Mr. Pope?

Mr. Pope: Well, there has been a good many reasons--or some reasons for it.

Mr. Baker: Just give us some reasons why you haven't called them together.

Mr. Pope: One reason is I have been out of town. I have been in Springfield. I left here Monday night and got back last night. The other reason is I don't know of any work that that committee could well do.

Mr. Baker: Well, that settles it.

Mr. Cooper: You heard and saw these negroes that testified just before you?

Mr. Pope: I did.

Mr. Cooper: They testified that immediately on their leaving the train xxxx they went to work shifting ties and doing something else, for what they understood to be the Alton and Southern Railroad.

Mr. Pope: Yes, sir.

Mr. Cooper: That is nothing but a branch or stub, isn't it, into the city?

Mr. Pope: No; the Alton & Southern Railroad is a belt railroad, but there may have been some confusion in regard to that, for the reason that the M. & O. Railroad,

as I understand, is owned, or at least controlled by the Southern Railroad, and it may be that they have got the two confused. I don't know.

Mr. Cooper: Well, has the aluminum plant a branch or stub?

Mr. Pope: The aluminum interests own the Alton & Southern.

Mr. Cooper: Then if they went to work when they got off of that train on that road, they went to work for the Aluminum Company?

Mr. Pope: Well, it is a separate corporation.

Mr. Cooper: Yes, really it is a separate corporation, but in effect they went to work for the Aluminum Company?

Mr. Pope: No, I wouldn't say that they went to work for the Aluminum Company, because--

Mr. Cooper (interposing:) Well, they went to work on property that the Aluminum Company owns?

Mr. Pope: No, the Alton--

Mr. Cooper (interposing:) And controls?

Mr. Pope: The Alton & Southern owns the Alton & Southern.

Mr. Cooper: What does the Aluminum Company own?

Mr. Pope: The Aluminum Ore Company of America owns the plant where the ore is reduced.

Mr. Cooper: I thought you said they owned the stub there-- some railroad?

Mr. Pope: No, sir; I didn't mean to say that.

Mr. Cooper: Does this branch run into their plant?

Mr. Pope: The Alton & Southern is a belt line around the city of East St. Louis, and has connections in the plant of the Aluminum Ore Company.

Mr. Cooper: Well, yes; it has connections-- well, don,t the Aluminum Company build the connection from the Belt Line into the plant?

Mr. Pope: That I couldn,t say. From the Alton & Southern?

Mr. Cooper: Yes.

Mr. Pope: That I don,t know, who built the connection.

Mr. Cooper: Who owns it?

Mr. Pope: I say the same interests who own the Aluminum Company own the Alton & Southern Railroad.

Mr. Cooper: Exactly; the same interests.

Mr. Pope: That is my understanding.

Mr. Cooper: The same interests that own the Aluminum Ore plant own that railroad?

Mr. Pope: That is my understanding.

Mr. Cooper: And then these people, if they went to work on that, went to work on property owned by the Aluminum Ore Company. That is just what you said?

Mr. Pope: No; they are two separate corporations.

Mr. Cooper: Didn.t you say that the Aluminum Ore Company owns--

Mr. Pope (Interposing:) Owns the railroad?

Mr. Cooper: Yes.

Mr. Pope: No, sir.

Mr. Cooper: Well, a subsidiary of the Aluminum Company owns the railroad?

Mr. Pope: No, sir; I say the same interests own both properties. That is my understanding.

Mr. Cooper: The interests that share profits?

Mr. Pope: Well, I couldn't say as to that.

Mr. Cooper: Well, if they are the same interests, of course they share profits.

Mr. Pope: No, not necessarily.

Mr. Cooper: Practically the same men control the stock?

Mr. Pope: I think that is true, yes.

Mr. Cooper: And they control the apportionment of dividends?

Mr. Pope: Well, if the same men own the stock, of course they would control the declaring of dividends, of course.

Mr. Cooper: You heard this testimony of these colored men coming here, utter strangers, without money, poorly clad, innocent of the slightest wrongful intention, didn't you?

Mr. Pope: Yes, sir; I heard that testimony.

Mr. Cooper: Now if they had landed here the morning of July 2nd, the chances are they would have been killed. Isn't that so, if they had been downtown?

Mr. Pope: If they had been downtown where the mob was working, they very likely would have been killed, because there was no protection for them.

Mr. Cooper: I only cited that to show the terrible danger that a mob may kill not only those who are guilty of wrong-doing, but the innocent.

Mr. Pope: Yes.

Mr. Cooper: And the awful responsibility that attaches to anyone who enters the mob as a participator.

Mr. Pope: Yes, sir.

Mr. Cooper: That's all.

Mr. Johnson: We will excuse you, Mr. Pope.

Mr. Baker: One question, Mr. Pope. Your testimony is that this committee was to get $105,000?

Mr. Pope: Yes, sir.

Mr. Baker: I find from the report of the treasury that there has been about forty-some-odd thousand dollars paid in?

Mr. Pope: Yes, sir.

Mr. Baker: Is that all that has been paid in?

Mr. Pope: Well, that I couldn't say. The money was to-- the people who subscribed the money had the privilege of paying it all at one time or so much per month, in five monthly installments.

Mr. Johnson: That is all, Mr. Pope.

STATEMENT OF MR. D. S. ALLEN, of Jackson, Tenn.

(The witness was sworn by Mr. Johnson.)

Mr. Johnson: State your name, please.

Mr. Allen: D. S. Allen.

Mr. Johnson: Where is your home?

Mr. Allen: My present home is in Jackson, Tennessee.

Mr. Johnson: Where do you work?

Mr. Allen: I work for the Mobile & Ohio Railroad Company.

Mr. Johnson: Has this railroad which you have just named a subsidiary road here, another road here in East St. Louis, that it manages or which is under its control?

Mr. Allen: I don't know. It runs into East St. Louis.

Mr. Johnson: Are you associated in any way with the Aluminum Ore Company here?

Mr. Allen: No, sir; I am not.

Mr. Johnson: How often do you go to your home at Jackson, Tennessee?

Mr. Allen: Every two weeks.

Mr. Johnson: What day of the week do you go down?

Mr. Allen: I go on Saturday nights.

Mr. Johnson: And what day do you come back here?

Mr. Allen: Tuesday morning, on No. 4.

Mr. Johnson: What do you do on Monday while you are down at Jackson?

Mr. Allen: I spend the time with my wife and family.

Mr. Johnson: Do you get paid for that day?

Mr. Allen: Yes, sir.

934 Mr. Johnson: There are eleven negro men here present. I wish you would look at them and see whether or not you ever saw them before (indicating eleven negro men in the room?)

Mr. Allen: I don't think I know that one at all (indicating).

Mr. Johnson: You are certain you have seen ten of them before, but you are uncertain about one?

Mr. Allen: Yes, sir; I think I have seen all of them.

Mr. Johnson: Did you ever see them in Jackson, Tennessee?

Mr. Allen: No, sir. If I did, I didn't know it.

Mr. Johnson: Where did you first see them?

Mr. Allen: Oh yes, that is where I first saw them.

Mr. Johnson: When did you first see them?

Mr. Allen: I reckon I first saw them Monday.

Mr. Johnson: Of this week?

Mr. Allen: Yes, sir-- that is, part of them. I never saw all of them until I went to leave there that night about ten o'clock. There was four or five came to my house.

Mr. Johnson: In Jackson, Tennessee?

Mr. Allen: Yes, sir.

Mr. Johnson: Did you pay their way here?

Mr. Allen: No, sir.

Mr. Johnson: Who did?

Mr. Allen: The Mob'le & Oh'o Railroad Company.

Mr. Johnson: Did you have a pass for them?

Mr. Allen: Yes, sir.

Mr. Johnson: For how many?

Mr. Allen: I have a gang pass for 45-- that is, not myself. That is R. L. Teal. I am working under him. He has the gang pass, and I use it going backwards and forwards home.

Mr. Johnson. You always take that gang pass with you when you go home to Tennessee?

Mr. Allen: Yes, sir; I have since I have been on the gang.

Mr. Johnson: How long has that been?

Mr. Allen: Well, I think it will be two months the 16th of this month since I came on the gang-- two months ago.

Mr. Johnson: And every time you go home to Tennessee you are honored with that gang pass?

Mr. Allen: Well, except one time, the first time I went, I believe-- or the second time, I had transportation for myself.

Mr. Johnson: Alone?

Mr. Allen: Yes, sir.

Mr. Johnson: You had authority to use that gang pass, as you term it, by bringing as many as 45 in a gang to East St. Louis back with you?

Mr. Allen: No, sir.

Mr. Johnson: What was your limit?

Mr. Allen: To pick up what I could.

Mr. Johnson: There wasn't any-- suppose you got more than 45?

Mr. Allen: I wouldn't have brought them. In fact, I wouldn't have brought that many.

Mr. Johnson: You wouldn't have brought how many?

Mr. Allen: 45.

Mr. Johnson: How many would you have brought?

Mr. Allen: Well, my instructions was to bring six or eight or twelve or fifteen. Not over fifteen.

Mr. Johnson: That was this last trip you made home you had those instructions?

Mr. Allen: Yes, sir. Well, about all he said last time was pick up what men I could.

Mr. Johnson: When did you get the instructions to bring up eight or ten or twelve or fifteen?

Mr. Allen: Well, I think the last two times I have went in-- or three times.

Mr. Johnson: Every time except once you had instructions to bring them?

Mr. Allen: Twice I went.

Mr. Johnson: Every time you went except twice you had instructions to bring laborers back with you?

Mr. Allen: Yes, sir.

Mr. Johnson: What kind did he tell you to get?

Mr. Allen: Colored labor. The only kind that would work.

Mr. Johnson: He didn't tell you to bring any white

men along to work if you found them wanting work?

Mr. Allen: No, sir.

Mr. Johnson: Who gave you these instructions?

935 Mr. Allen: My foreman, R. L. Teal, gave me the instructions; also the roadmaster.

Mr. Johnson: What is his name?

Mr. Allen: Sam Cheatham. He told me once, I believe the next to the last time I went, to pick up all the men I could.

Mr. Johnson: Do you know whether or not they have anybody else getting negro laborers justas you are getting them?

Mr. Allen: No, I don't.

Mr. Johnson: Have you heard anything about it?

Mr. Allen: No, I have not.

Mr. Johnson: Do you see any other gangs come in except the gangs that you bring in?

Mr. Allen: No.

Mr. Johnson: Could other gangs be brought in and put at other places of labor besides the one at which you work, and you not see them?

Mr. Allen: Yes.

Mr. Johnson: That could happen?

Mr. Allen: Yes, way down in Cahokia yard, and they could come in and I would never know it. I get off at the Alton crossing. Our car is right at the Alton crossing. If any others were brought in they could come in and get off up here and I wouldn't know it. You spoke

about the bringing in of other parties, other parties bringing labor in outside of myself. You have reference to other roads, don't you?

Mr. Johnson: I have reference to any negroes that you may have seen brought here, or any that you may have heard being brought here.

Mr. Allen: Well, we have-- there have been some brought to our gang by negroes. There is transportation given to niggers going down there, and they bring labor back.

Mr. Johnson: Negroes themselves have been sent South from here to go down there and drum up others and bring them up here? Is that your statement?

Mr. Allen: Yes, sir.

Mr. Johnson: Can you give us the names of any of those negroes who went down there after other negroes?

Mr. Allen: No, I can't.

Mr. Johnson: Do you know who sent them?

Mr. Allen: Well, I suppose the foreman, T. L. Teal, sent them.

Mr. Johnson: That is a supposition on your part?

Mr. Allen: Yes, sir.

Mr. Johnson: Do you know how long this habit, this work of bringing negroes from the South to East St. Louis, has been going on?

Mr. Allen: No, I don't.

Mr. Johnson: What was your first knowledge of it?

Mr. Allen: Well, since I have been here now, I

have heard of it.

Mr. Johnson: How long have you been here?

Mr. Allen: I have been here two months.

Mr. Johnson: And you have heard that this was going on before you came here?

Mr. Allen: Yes, sir-- well, in fact I knew it because they hauled them out of there by carloads.

Mr. Johnson: They hauled them out of where?

Mr. Allen: Out of the South. I have seen as high as whole trainloads come up.

Mr. Johnson: You have seen them yourself?

Mr. Allen: Yes, sir.

Mr. Johnson: When did you see that going on?

Mr. Allen: In the past year.

Mr. Johnson: How far back?

Mr. Allen: Well, that would be back six or seven months, I guess, and then farther on back. In the past year there have been a great many hauled out.

Mr. Johnson: Some come from further south than Jackson, Tennessee?

Mr. Allen: Yes, most all of them did, because it is pretty hard to get a nigger away from Jackson. The I. C. hauls a great many over their road.

Mr. Johnson: Now you have identified all of these negroes here-- all of the eleven negroes here except one, and that is the one at the end of the row down there (indicating)?

Mr. Allen: Yes. I don't know whether I know his

face or not.

Mr. Johnson: Well, we will excuse you then, Mr.

936 Allen.

Mr. Cooper: I want to ask just one question. You said the I. C. hauled a good many. You mean what road?

Mr. Allen: The Illinois Central. They hauled the biggest portion of them that I saw.

Mr. Cooper: The Illinois Central hauled the largest proportion of those that you saw?

Mr. Allen: Yes.

Mr. Foss: What did you say to these colored people in Jackson to induce them to come up here? Did you offer them any inducements at all for work?

Mr. Allen: I offered them a job.

Mr. Foss: You offered them a job?

Mr. Allen: Yes.

Mr. Foss: What did you say they could get?

Mr. Allen: Two dollars.

Mr. Foss: Two dollars, and then besides two dollars anything?

Mr. Allen: No.

Mr. Foss: Would they get their board?

Mr. Allen: No; they get it if they pay for it.

Mr. Foss: Well, you brought them up here, did you?

Mr. Allen: Yes, sir.

Mr. Foss: What time did they get here-- did you get here?

Mr. Allen: It must have been 8:30 or 40-- 8:30 anyway.

Mr. Foss: What did you do with them then?

Mr. Allen: Got their breakfast.

Mr. Foss: At the station?

Mr. Allen: No, sir; out at the camp cars.

Mr. Foss: Then what did you do with them after that?

Mr. Allen: Brought them out on the work.

Mr. Foss: Whereabouts?

Mr. Allen: There in Cahokia yards, the north end of Cahokia yards, about half way between the southern crossing and the Alton crossing.

Mr. Foss: And for what purpose?

Mr. Allen: For track work.

Mr. Foss: What was the nature of the track work?

Mr. Allen: Well, it is grading.

Mr. Foss: Putting in ties and laying rails; that part of it?

Mr. Allen: Most of it now is just the grade work. We are raising the tracks on the grade.

Mr. Foss: Where was this? What was the point, did you say?

Mr. Allen: About half-way between this Cahokia crossing, the Alton crossing and the Southern.

Mr. Foss: Did you tell them how much you would give them for their work at that time? Did they ask you?

Mr. Allen: Not after we left Jackson. In fact, only two or three of them asked me then. In fact, I never got all of them. Four or five of them come to my house with another negro that brought them there, and I told them to pick up what men they could to go back. In fact, I never saw-- I wouldn't know the one that even come to my house, because I didn't know them.

Mr. Foss: But you did say that you could get them jobs here that would pay them two dollars a day?

Mr. Allen: Yes; two dollars a day.

Mr. Foss: You are sure you didn't agree to board them besides?

Mr. Allen: No, sir.

Mr. Foss: Well, they did ask you how much they were going to get for this work out there when they got out?

Mr. Allen: No, they did not.

Mr. Foss: How long did they work?

Mr. Allen: They worked till 12 o'clock.

Mr. Foss: And then what happened?

Mr. Allen: They went to dinner, and when I was called to dinner the cook come in and said, "Them new niggers you brought is all gone. They left their grips and hiked up this way." I asked which way they went, and he said "They come this way." I was eating dinner--

Mr. Foss (Interposing:) Didn't they ask you how

much they would receive at all for the work?

Mr. Allen: No, sir; no more than what I had told those that came to my house at Jackson.

937 Mr. Foss: But not here? The question of wages wasn't discussed at all?

Mr. Allen: I don't believe there was a one of the gang spoke to me after we got here, after we come out on the work. I don't believe there was one spoke to me.

Mr. Foss: Now didn't you tell them they would get only $1.40 a day?

Mr. Allen: No, sir; I didn't. There wasn't a one asked me that.

Mr. Foss: Did you say anything about the sleeping accommodations, that they would have to buy their quilts or comforts?

X Mr. Allen: No, sir; I told them that was furnished.

Mr. Foss: Furnished by the railroad company?

Mr. Allen: No, sir; my understanding is that Mr. Teal is furnishing the bedding for the men.

Mr. Foss: Mr. Teal furnishes the bedding for the men?

Mr. Allen: That is my understanding.

Mr. Foss: Didn't you tell them they would have to pay $2.25 for their bedding, for each comforter?

Mr. Allen: No, sir; I didn't.

Mr. Foss: You didn't have any conversation with these men relative to wages, relative to board, or supplying them-- or with regard to their sleeping accommodations,

their comforters, blankets, and things of that sort?

Mr. Allen: Nothing at all, only just like I said before. I told those that came to my house that we paid $2 a day.

Mr. Foss: But you had no talk with them here, I mean?

Mr. Allen: No, sir; I had not.

Mr. Foss: Between the time they arrived and the time when they left the job?

Mr. Allen: Not one of them except one, and I wouldn't know him, asked me if I had a pair of overalls that I could let him have. He come to my car before we left to come up on the work. I told him I didn't.

Mr. Foss: That's all.

Mr. Johnson: What does the company charge them for their meals out there?

Mr. Allen: Sixty cents a day.

Mr. Johnson: So if they paid 60 cents a day for their meals, and got two dollars a day, they would get $1.40 in money?

Mr. Allen: Yes, sir.

Mr. Johnson: And you are not the proper official out there to take charge of bedding them?

Mr. Allen: No, sir; I am not.

Mr. Johnson: So whatever arrangement would be necessary for their bedding, they would have to make with Mr. Teal, and not with you?

Mr. Allen: Well, of course that was my understanding, that that was all pretty good. In fact, his wife

has been trying to buy quilts or blankets and comforts. She hasn't enough, you know, to furnish all the men that we have got, is my understanding; and they furnish the bedding for the men. That is the way I understand it.

Mr. Johnson: Have you still got instructions to bring more here?

Mr. Allen: No, sir; not since I came back here.

Mr. Johnson: But it is probable when you go back on your next trip you will have the same instructions?

Mr. Allen: No, I know I won't bring any more. These all walked off and left me as soon as I got here. I have been bringing them down every time, but this is my last time bringing niggers. I don't make a practice of doing that anyway.

Mr. Johnson: Well, you have been doing it?

Mr. Allen: Only just this time.

Mr. Johnson: This isn't the first time you brought them?

Mr. Allen: Only once before.

Mr. Johnson: But you have tried to bring them in before?

Mr. Allen: Well, there are men there that have worked for me, that I have tried to get on the gang, be- 938
cause they are good men, and I knew they would stick. They live there-- niggers that have worked for me.

Mr. Johnson: You didn't get them?

Mr. Allen: No, sir.

Mr. Johnson: They had some information and didn't come?

Mr. Allen: well, I don't know. They are scared down there about coming up here.

Mr. Johnson: They had better be, hadn't they?

Mr. Allen: A good many of them are.

Mr: Johnson: How many of these darkies that are here now did you tell about this mob up here last July when negroes were killed like rabbits here on the streets?

Mr. Allen: I never told one a thing about it.

Mr. Johnson: All right, sir, you may stand aside.

Mr. Foss: How many have you brought here heretofore? You say you did on other occasions bring some in.

Mr. Allen: Once before.

Mr. Foss: How many did you bring at that time?

Mr. Allen: I only got two that time. And they stayed one day and went across the river.

Mr. Foss: Now you say you took these men out to that work. Did you put them under charge of anybody?

Mr. Allen: No, sir; just me and the other foreman. He was the first one that spoke to them and told them what to do; to go ahead up there where the other men is.

Mr. Foss: What is the other foreman's name?

Mr. Allen: R. L. Teal.

Mr. Foss: Did he talk with these negroes about their wages or sleeping accommodations?

Mr. Allen: well, if he did, he did it when I wasn't present. If he did, it was at the car after we

came in to dinner, because he is never out on the work.

Mr. Foss: But you are sure you did not?

Mr. Allen: I know I didn't.

Mr. Foss: And then they left you, you say, at 12 o'clock?

Mr. Allen: Yes, sir.

Mr. Foss: And when did you see them next?

Mr. Allen: This is the first time I have seen them since.

Mr. Cooper: When did you get these instructions of which you spoke awhile ago, by which you were to bring up only 12 or 15?

Mr. Allen: Well, that I think was probably three weeks ago. We had instructions to increase our gang, you know, allow more men.

Mr. Cooper. Who gave you these instructions to bring up 12 or 15?

Mr. Allen: Well, Mr. Teal told me to bring what I could, eight or ten or twelve-- whatever I might bring.

Mr. Cooper: And every time you went down, you had a ticket to bring back 45, and could have brought back 45 if you had wanted to?

Mr. Allen: Except twice. Well, I could-- of course I could if I had wanted to, but I couldn't have done it because we couldn't have used that many men. We wasn't allowed to work that many men.

Mr. Cooper. But somebody had given you a gang

pass which would have permitted you to bring back this one group of 45 negroes. Isn,t that so? You had a pass for 45?

Mr. Allen: Yes, sir; but I had no instructions, you know, to bring that many men back.

Mr. Cooper: No, but you had a pass which would have permitted you to have brought back that number?

Mr. Allen: Yes, sir.

Mr. Cooper: And the same people gave you the pass, didn't they, that told you to bring back eight or twelve or fifteen only?

Mr. Allen: Yes, sir.

Mr. Cooper: But those instructions were since the riot? They were within the last three or four weeks?

Mr. Allen: Yes, sir.

Mr. Cooper: That is since the riot?

Mr. Allen: Yes, sir.

Mr. Cooper: But before the riot you say you have seen them come up in carloads and trainloads?

Mr. Allen: Yes, sir.

Mr. Cooper: Now you think, don,t you, that when they came up in carloads and trainloads, somebody was with them that had passes a good deal like the one you had?

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Mr. Allen: Sure; either that or labor agents shipped them out. I don't know which.

Mr. Cooper: Either that or they were being shipped out by labor agents that came in carloads and trainloads, however, before the riot?

Mr. Allen: Yes, sir.

Mr. Cooper: Then you got a pass after the riot, three or four weeks ago, which would have permitted you to bring up forty-five, but you received instructions to bring up only eight or twelve or fifteen?

Mr. Allen: Yes.

Mr. Cooper: When this trouble had cooled down enough, and people had begun to forget about the riot, don't you think they would have had you bringing up 45 at a time, if you could?

Mr. Allen: Well, I don't know. I wasn't on the gang at that time, I don't know.

Mr. Cooper: Where did you put these men to work? Where was it exactly?

Mr. Allen: In Cahokia yards, about half way between the Alton Crossing and the Southern.

Mr. Cooper: How far is that from the Aluminum Company plant?

Mr. Allen: Well, it is right opposite. The Aluminum plant is right opposite from the crossing where we are working.

Mr. Cooper: Right across the road?

Mr. Allen: It is probably half a mile over there to it.

Mr. Cooper: But it is the track that leads into their plant, is it?

Mr. Allen: No.

Mr. Cooper: How far from the plant is it?

Mr. Allen: Well, it is half a mile or three-quarters over to the plant.

Mr. Cooper: Is it on the main line, or what is it on?

Mr. Allen: The yard is right on the main line of the Mobile & Ohio Railroad, and the East St. Louis connection comes in on the east side. That is between the M. & O. Railroad and the Aluminum plant.

Mr. Cooper: But this work was done on the Alton and Southern, wasn't it?

Mr. Allen: No, this work I am on?

Mr. Cooper: Yes.

Mr. Allen: No.

Mr. Cooper: What was it on?

Mr. Allen: The Mobile & Ohio.

Mr. Cooper: You said it wasn't easy to get them from Jackson, Tennessee?

Mr. Allen: No, that has always been a hard place to get a nigger away from-- Jackson. It ain't much trouble to get one there-- not much trouble to get one to come there.

Mr. Cooper: They are treated well there?

Mr. Allen: Yes, sir.

Mr. Cooper: Paid well, are they?

Mr. Allen: No, sir; they are not.

Mr. Cooper: Well, they are treated well there?

Mr. Allen: Yes, sir.

Mr. Cooper: But you can get them easily to come from the South, can't you, farther south than that?

Mr. Allen: Yes, sir, because the further south you go the less they pay.

Mr. Cooper: Now the trainloads that you saw, where did they come from?

Mr. Allen: I couldn't tell.

Mr. Cooper: You said you had no doubt that they came guided by agents who went there to get them?

Mr. Allen: Bound to be.

Mr. Cooper: And their transportation was given them?

Mr. Allen: Yes, sir.

Mr. Cooper: How many trainloads of that kind do you think you saw-- carloads?

Mr. Allen: Oh, I wouldn't-- I don't have any idea.

Mr. Cooper: Several?

Mr. Allen: Yes, sir.

Mr. Cooper: When did you first see a carload or a trainload like that coming up here loaded with negroes-- a carload of negroes?

Mr. Allen: It has been a year ago when they first commenced coming up-- a little better than that, I reckon.

Mr. Cooper: Since that time you have seen several trainloads?

Mr. Allen: Yes, sir.

Mr. Johnson: You say the further south you go the poorer they are paid?

Mr. Allen: Yes, sir.

Mr. Johnson: And then you leave East St. Louis and

go south, the further south you go the poorer they are paid?

Mr. Allen: Yes, sir.

Mr. Foss: Do you know what they are paid in Jackson, your home?

940 Mr. Allen: Well, it is $1.50, ten hours' work, one dollar and a half. Some of those corporations pays a little more-- $1.50 and $1.60. I think about $1.50 is the price.

Mr. Foss: How long have you lived in Jackson?

Mr. Allen: I have been there ten years.

Mr. Foss: How long have you been employed by the M. & O. here in East St. Louis?

Mr. Allen: Well, it will soon be two months. I have been working for them sixteen years.

Mr. Foss: You have been working for them sixteen years?

Mr. Allen: Yes.

Mr. Foss: Whereabouts before you came here to East St. Louis?

Mr. Allen: Well, different points along the road. I had charge of the M. & O. yard here.

Mr. Foss: How long ago?

Mr. Allen: I come here in October a year ago.

Mr. Foss: Well, the M. & O. employ a great deal of colored help, does it?

Mr. Allen: Well, most all the labor south of the Ohio River is colored labor.

Mr. Foss: That is common labor?

Mr. Allen: Yes, sir.

Mr. Foss: Is there a demand now, particularly now, for colored labor here?

Mr. Allen: Yes, sir.

Mr. Foss: What are they doing, putting in new track?

Mr. Allen: Yes, sir.

Mr. Foss: How long has that work been going on?

Mr. Allen: I don't know. I think it commenced about June. I have only been on the gang about two months. I don't know exactly when the gang comes here. I think about June, if I am not mistaken.

Mr. Baker: Just step up here, will you? (Addressing a negro.) Your name is T. J. Perkins?

Mr. Perkins: Yes, sir.

Mr. Baker: Can you see this man? Turn clear around and face the witness. Now this witness that is standing here, T. J. Perkins, has been sworn by the Committee and has testified. You see how he is dressed?

Mr. Allen: Yes, sir.

Mr. Baker: He has got on a blue jumper and over that jumper he has got a pair of bib overalls?

Mr. Allen: Yes, sir.

Mr. Baker: A blue jumper and overalls?

Mr. Allen: Yes, sir.

Mr. Baker: And a black hat and a rough pair of shoes. Hold up your hat there. Now put your right foot

up on the table (addressing the negro, W. J. Perkins). You see that, do you? Now what else did this man have when you brought him up here in the way of clothing?

Mr. Allen: I couldn't tell. One or two of them had grips.

Mr. Baker: Now let's hold right to this one. You see him and you see the general condition of the rest. The majority of them are dressed in the same way. What else did this man have when he came here in the way of clothing?

Mr. Allen: Well, I couldn't say.

Mr. Baker: You paid no attention to that?

Mr. Allen: I never noticed. I only noticed a couple of them had grips.

Mr. Baker: You knew you were bringing him away from a warm climate to a climate that was cold?

Mr. Allen: Yes.

Mr. Baker: That he couldn't live and exist in this climate from now on with that kind of clothing unless he bought more? Isn't that right?

Mr. Allen: That is up to him to do that, you know. If he works he will get the clothes.

Mr. Baker: But you weren't interested at all in his welfare?

Mr. Allen: Sure, I am, as much in the welfare of a nigger as I am anybody else.

Mr. Baker: I see you are deeply interested.

941 Mr. Allen: But you give him fifty dollars and he won't buy any more than he has got on now.

Mr. Baker: He wouldn't?

Mr. Allen: No, sir; he wouldn't.

Mr. Raker: And still you are looking for that kind of men to work on your job?

Mr. Allen: Well, no.

Mr. Raker: You are bringing them from the South here to East St. Louis, ~~just~~ dressed as this man was, provided as he was, aren't you, and didn't you?

Mr. Allen: Sure, I did.

Mr. Raker: You didn't take a thought as to his personal welfare?

Mr. Allen: You can't take any thought for their personal welfare. When it comes to clothing, and anything like that.

Mr. Raker: You can't stop to think of the laborer's welfare?

Mr. Allen: Sure I do.

Mr. Raker: Well, you said you didn't take a thought as to their welfare. You meant him, didn't you, with the rest of them?

Mr. Allen: Well, I didn't mean, if I said that, because I do, so far as the personal welfare, but it don't do me any good to think anything about that.

Mr. Raker: It don't?

Mr. Allen: No.

Mr. Raker: Don't you know that the better he is dressed and clothed, and the better he is fed, the stronger he will be and the more work you will get out of him?

Mr. Allen: No, sir.

Mr. Raker: That is not true?

Mr. Allen: No, sir; it isn't. The more you pay that nigger and the better clothes you put on him, the less

you could get out of him. (laughter)

Mr. Baker: Then the theory is to clothe him poorly and feed him but little, and pay him less, you will get more work out of him?

Mr. Allen: Yes, sir. If you take that nigger and clothe him and feed him and put clothes on him he is going to run around and bother somebody else.

Mr. Cooper: Is that the theory of your railroad company?

Mr. Allen: Well, I don't know about that.

Mr. Baker: Well, then, the theory must be in getting these men here, of the kind and character of man that Mr. Perkins is, in the way of his dress, is to get men poorly clad?

Mr. Allen: Well, you will find a great many of them poorly clad when you go south.

Mr. Baker: Well now, I am taking your own testimony under oath, that you said the poorer he was clad, the better it was for the man he was working for.

Mr. Allen: Well now, just take it the other way. Here was some in this gang with a collar and tie on when they come with me-- had on better clothes than I did.

Mr. Baker: That isn't the kind of fellow you are working for; isn't that right?

Mr. Allen: It don't make any difference to me.

Mr. Baker: You just said the better he was dressed the poorer worker he would be.

Mr. Allen: Well, the majority of them; yes, sir.

Mr. Baker: Then to get back again, the poorer he is dressed and the longer you can keep him in that condition, the longer he will stay with you, and the better he is for the company? Isn,t that right?

Mr. Allen: Of course that is up to him, you know. Now they are paid, and if they don't spend their money on clothes and shoes and such like necessary for them to wear and keep warm, that is their own lookout. That is their own fault.

& Mr. Baker: Well, you never made any inquiry of this man to see whether he had any money, did you?

Mr. Allen: No, sir.

Mr. Baker: In other words, the less money he had when you got him at Jackson, Tennessee, and started him here, the surer you felt that you would get him here and keep him?

Mr. Allen: No, I never thought anything about it.

Mr. Baker: Now just think a moment. You said the less money the man had, the poorer he was dressed, the longer he would stay on the job, didn't you?

942 Mr. Allen: Yes , I believe I said that.

Mr. Baker: Well, didn,t you say it?

Mr. Allen: Yes, sir; I said it.

Mr. Baker: Then if that is true now, then the poorer this fellow was dressed in Jackson, Tennessee, and the less money he had when you got him down there, would it make it surer that you would get him here and keep him longer on the job? Isn't that so?

Mr. Allen: No. In fact, I never thought-- that never come to my mind one time, so far as that goes. I never one time thought anything about it, because they are all dressed that way. The majority of them are dressed that way.

Mr. Baker: That's all.

Mr. Johnson: You are sure that these negroes had intelligence enough to know what two dollars was when you told them you would ~~paid~~ pay them two dollars a day?

Mr. Allen: No, I am not sure of that. I am not sure they did.

Mr. Johnson: You are not sure that they know the difference between two dollars a day and one dollar and forty cents a day?

Mr. Allen: No, sir; I am not sure of that.

Mr. Johnson: You may stand aside.

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STATEMENT OF EDDIE F. GRIFFEN, (colored),
Jackson, Tennessee.

(The witness was sworn by Mr. Johnson.)

Mr. Johnson: Where is your home?

Mr. Griffen: Jackson, Tennessee.

Mr. Johnson: How long have you been here?

Mr. Griffen: I came here the other day.

Mr. Johnson: This week?

Mr. Griffen: Yes, sir.

Mr. Johnson: How did you happen to come here?

Mr. Griffen: A fellow brought ~~him~~ me here.

Mr. Johnson: That man on the witness stand just a minute ago, Mr. Allen?

Mr. Griffen: Yes, sir.

Mr. Johnson: What did he say to you to get you here?

Mr. Griffen: He promised me two dollars and my board.

Mr. Johnson: Two dollars a day and your board?

Mr. Griffen: Yes, sir.

Mr. Johnson: When you got here did you get that?

Mr. Griffen: No, sir.

Mr. Johnson: What did you find you were to get after you got here?

Mr. Griffen: One dollar and forty cents, and my board.

Mr. Johnson: He promised you free bedding too, didn't he?

Mr. Griffen: Yes, sir; free bed, comfort wouldn't cost me nothing.

Mr. Johnson: Do you know the difference between $1.40 and $2?

Mr. Griffen: Yes, sir.

Mr. Johnson: And if anybody presumes upon the notion that you don't know the difference between $1.40 and $2 a day, he is mistaken, isn't he?

Mr. Griffen: Yes, sir.

Mr. Johnson: How much were you getting down there?

Mr. Griffen: I was getting $2.40 there, and he

promised me that I would get my board, so I thought I could better myself, and I seen I didn't. I worked at the oil mill: He hired me Sunday.

Mr. Johnson: Which is the harder work, that that they ask you to do here, or that in Tennessee?

Mr. Griffen: This up here is a heap harder. That down there was like setting down. I was up in the lid room, you know. And he told me he would give me $2 and my board, and I come up here, and I didn't get it.

Mr. Johnson: That did they give you to eat out there that morning when you landed here?

Mr. Griffen: Some light bread and 'lasses. That's all they give me.

Mr. Johnson: Did you get any meat?

Mr. Griffen: Got one little piece.

Mr. Johnson: What kind of meat was it?

Mr. Griffen: It was boiling meat. That's what I say it was-- fat meat.

Mr. Johnson: Hog meat?

Mr. Griffen: Yes, sir.

Mr. Johnson: Did they give you all of it you wanted?

943 Mr. Griffen: No, sir; I didn't get all I wanted.

Mr. Johnson: When you ate up the piece that they put out in front of you, that was all of it, wasn't it?

Mr. Griffen: Yes, sir; that was all of it. And I ate that up, and there wasn't no more.

Mr. Johnson: Was that the way you lived down in Tennessee?

Mr. Griffen: No, sir; when I was down there I got just plenty.

Mr. Johnson: You got plenty to eat?

Mr. Griffen: Yes, sir.

Mr. Johnson: What clothes did you bring up here with you?

Mr. Griffen: I bought a pair of Sunday pants and these clothes I have got on.

Mr. Johnson: You brought a pair of Sunday pants and the clothes you have got on?

Mr. Griffen: Yes, sir.

Mr. Johnson: How much money did you have when you landed here?

Mr. Griffen: I had a dollar, I think.

Mr. Johnson: How much have you got now?

Mr. Griffen: I have got fifty cents.

Mr. Johnson: Several hundred miles away from home and you only have fifty cents?

Mr. Griffen: Yes, sir.

Mr. Johnson: That's all.

Mr. Foss: Where are you working now?

Mr. Griffen: I am working over here at the I. C.

Mr. Foss: How much are you getting now?

Mr. Griffen: I'm getting $2.40.

Mr. Foss: Do you pay for your board?

Mr. Griffen: No, sir; I'm boarding my own self now.

Mr. Foss: But you get $2.40?

Mr. Griffen: Yes, sir; $2.40.

Mr. Foss: Well, you say this man promised you two dollars a day and your board down there?

Mr. Griffen: Yes, sir.

Mr. Foss: And your bedding?

Mr. Griffen: Yes, sir.

Mr. Foss: But when you got here you found out you only got $1.40 a day?

Mr. Griffen: Yes, sir.

Mr. Foss: And were you to get your board?

Mr. Griffen: Yes, sir, he surely told me I would get it, $2 and my board.

Mr. Foss: But your bedding, you had to pay for that?

Mr. Griffen: No, sir; he didn't say nothing about that.

Mr. Johnson: He didn't say anything about your having to pay for your bedding? Is that what you mean?

Mr. Griffen: He said I get two dollars and my board. That's what he told me.

Mr. Foss: Well, when did you find out about this new arrangement? When did you find out it was only to be $1.40?

Mr. Griffen: Well, the boy says that's all you get on the gang.

Mr. Foss: Oh, the boys on the gang told you that?

Mr. Griffen: Yes, that's all they would give. He told me I was getting two dollars.

Mr. Foss: Did he tell you that all you were going to get was $1.40?

Mr. Griffen: No, sir.

Mr. Foss: He never told you that?

Mr. Griffen: No, sir.

Mr. Foss: Had you ever had a conversation with him?

Mr. Griffen: No, sir.

Mr. Foss: Did any of these boys, to your knowledge, have any conversation with him that morning after you got here, as to the wages?

Mr. Griffen: He had already told us, and we depended on him, you see.

Mr. Foss: Well, he didn't tell you that here, did he?

Mr. Griffen: No, sir; he told me that down in Jackson.

Mr. Foss: But he didn't tell you anything different you here?

Mr. Griffen: No, sir; I was depending on him, you see.

Mr. Foss: But you heard from the fellows on the gang that it was only $1.40 and board?

Mr. Griffen: Yes, sir; one dollar and forty cents and board.

Mr. Foss: And then you all struck?

Mr. Griffen: Yes, sir; after 12 o'clock.

Mr. Foss: And then at 12 o'clock you struck?

Mr. Griffen: Yes, sir.

Mr. Foss: You didn't ask for any wages that morning for your work that morning, did you?

Mr. Griffen: On the gang?

Mr. Foss: Yes.

Mr. Griffen: No, sir; he had already told us that he would give us two dollars and board.

Mr. Baker: Now you were getting down in Tennessee how much a day?

Mr. Griffen: Two dollars and forty cents in the oil mill.

Mr. Baker: And you board yourself?

Mr. Griffen: Yes, sir.

Mr. Baker: And furnish your own bed?

Mr. Griffen: Yes, sir.

Mr. Baker: Now then, that would be all you would get out of your work?

Mr. Griffen: Yes, sir.

Mr. Baker: And out of that you had to pay for your bedding and your board?

Mr. Griffen: Yes, sir.

Mr. Baker: Now how much did your bedding cost you, and your board, a day, down in Tennessee?

Mr. Griffen: I rented me a house down there.

Mr. Baker: You rented a house and about how much did board cost you a day down there?

Mr. Griffen: Well, it was 50 cents a day.

Mr. Baker: And then of course your bedding would have to be taken out of that also?

Mr. Griffen: Yes, sir; sometimes.

Mr. Baker: But what you were to get here would be two dollars' cash?

Mr. Griffen: Yes, sir.

Mr. Baker: Clear?

Mr. Griffen: Yes, sir.

Mr. Baker: That is, in other words, you would get two dollars for every day's work?

Mr. Griffen: Yes, sir.

Mr. Baker: You wouldn't have to pay any bedding out of that?

Mr. Griffen: There I am working now?

Mr. Baker: No, when you came here to East St.Louis; when this man Allen brought you up here.

Mr. Griffen: No, sir; he promised me two dollars a day.

Mr. Baker: And you wouldn't have any board to pay?

Mr. Griffen: No, sir; wouldn't have a bit of board to pay. All that was clear.

Mr. Baker: Everything was clear?

Mr. Griffen: Yes, sir.

Mr. Baker: Your bed and board?

Mr. Griffen: Yes, sir.

Mr. Baker: And railroad fare up here?

Mr. Griffen: Yes, sir.

Mr. Baker: And then when you got here you would work for $2 a day clear?

Mr. Griffen: Yes, sir.

Mr. Baker: At the end of the week, if you worked six days, you would have $12 clear?

Mr. Griffen: Yes, sir.

Mr. Baker: And your board would have been furnished?

Mr. Griffen: Yes, sir.

Mr. Baker: And your bed would have been furnished?

Mr. Griffen: Yes, sir. I ain't seen no bed, though, when I got here.

Mr. Baker: I see.

Mr. Griffen: I a'n't seen no bed.

Mr. Baker: You haven't seen any bed yet?

Mr. Griffen: No, sir.

Mr. Baker: Well, you understood that that was better than what you were getting down where you were?

Mr. Griffen: Yes, sir; it was what I understood, and he told me that if I didn't like the job he would send me back home. That's what he told me.

Mr. Baker: Oh, that was another condition?

Mr. Griffen: Yes, sir.

Mr. Baker: If you didn't like the job, then he would send you home, but who was to pay the fare?

Mr. Griffen: I reckon he was understood to pay it, I guess.

Mr. Raker: You understood from his statement, now, that he would send you home and it wouldn't cost you anything?

Mr. Griffen: No, sir.

Mr. Raker: That everything was to be satisfactory?

Mr. Griffen: Yes, sir.

Mr. Raker: But when yougot here you found conditions altogether changed?

Mr. Griffen: Yes, sir.

Mr. Raker: What was it you were to get?

Mr. Griffen: Two dollars and my board, but I sure ain't seen no bed.

Mr. Raker: Did they tell you anything ak out there about buying blankets?

Mr. Griffen: No, sir; didn't say anything about blankets.

Mr. Raker: That's all.

Mr. Johnson: You may be excused.

The Committee will take a recess until 2 o'clock this afternoon.

(Whereupon, at 12:45 o'clock p.m., the Committee recessed.)

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A F T E R R E C E S S .

The Committee reassembled at 2 o'clock p.m.

STATEMENT OF BASKIN CARTER (colored),

of Jackson, Tennessee.

(The witness was sworn by Mr. Johnson.)

Mr. Johnson: What is your name?

Mr. Carter: Baskin Carter.

Mr. Johnson: Where is your home, Baskin?

Mr. Carter: Jackson, Tennessee.

Mr. Johnson: When did you get to East St. Louis?

Mr. Carter: Tuesday morning.

Mr. Johnson: How did you happen to come here?

Mr. Carter: That fellow brought us on a pass.

Mr. Johnson: What fellow? That man Allen that was in here awhile ago?

Mr. Carter: Yes, sir.

Mr. Johnson: He brought you up here from Jackson?

Mr. Carter: Yes, sir.

Mr. Johnson: What were you doing down there? What kind of work?

Mr. Carter: Putting in sewers.

Mr. Johnson: What were you getting a day?

Mr. Carter: Two dollars.

Mr. Johnson: What did he promise you if you would come up here?

Mr. Carter: Two dollars and board.

Mr. Johnson: And after you got here, how much did he want to take out for board?

Mr. Carter: He give us two dollars and take out 60 cents for board.

Mr. Johnson: That left you $1.40?

Mr. Carter: Yes, sir.

Mr. Johnson: Which is the most money, $1.40 or $2?

Mr. Carter: Two dollars.

Mr. Johnson: You are sure of that?

Mr. Carter: Yes, sir. (Laughter)

Mr. Johnson: How much money did you have when you got here?

Mr. Carter: I had one dollar.

Mr. Johnson: Where did you get breakfast the morning you got here?

Mr. Carter: He fed us down here on the cars.

Mr. Johnson: What did he give you to eat?

Mr. Carter: Some light bread and molasses, and one piece of meat.

Mr. Johnson: Did you get all you wanted to eat?

Mr. Carter: Well, no sir; we didn't get all we wanted. We had been riding all night and we was pretty hongry.

Mr. Johnson: Did you have a talk down there with this man Allen?

Mr. Carter: Down in Jackson?

Mr. Johnson: Yes.

Mr. Carter: Yes, sir.

Mr. Johnson: Now tell me, in his own words, as nearly as you can, what he said to you about the pay you were to

get up here.

Mr. Carter: He told us-- about six of us sitting out on a truck at the depot Sunday, and he walked up there and axed us if we all wanted jobs. We all told him yes, and axed him what he was paying. He told us two dollars and board.

Mr. Johnson: Did he tell you where it was?

Mr. Carter: East St. Louis, yes.

Mr. Johnson: Well, then, did he make arrangements with you there about bringing you up here?

Mr. Carter: Yes, sir; he told us all to meet him at the train Monday night; to be ready at the train Monday night.

Mr. Johnson: Did he tell you anything about the riot up here in which so many of these niggers got killed?

Mr. Carter: No, sir; he didn't say anything about that.

Mr. Johnson: Had you ever heard about that before you got here?

Mr. Carter: No, sir. Some boys were telling me about it when I got up here.

Mr. Johnson: That's the first you heard of it, after you got here?

Mr. Carter: Yes, sir.

Mr. Johnson: Did he say whether this was a wet town or a dry town?

Mr. Carter: No, sir.

Mr. Johnson: He didn't say anything about that?

Mr. Carter: No, sir.

Mr. Johnson: Did he tell you what sort of accommodations they had here for your living; whether they were good or bad or anything about it?

Mr. Carter: No, sir; no more than he say he would furnish all the covers we needed. I axed him must we bring any quilts, and he says no, don't need them.

Mr. Johnson: When you got here did they give you any quilts or comforts?

Mr. Carter: No, sir.

946 Mr. Johnson: Did he tell you anything about it?

Mr. Carter: No, sir.

Mr. Johnson: Did he tell you if you wanted any, to buy them?

Mr. Carter: yes, sir; told us that.

Mr. Johnson: Who told you that?

Mr. Carter: Mr. Allen, one of the men that come with him that night.

Mr. Johnson: Was there another man with him?

Mr. Carter: Yes, sir, a colored boy. I forget his name.

Mr. Johnson: was he helping to get up some men to come here?

Mr. Carter: Yes, sir; trying to get up some too.

Mr. Johnson: Well, did you know him?

Mr. Carter: No, sir; I don't know him.

Mr. Johnson: Had you ever seen him before you started up here?

Mr. Carter: No, sir.

Mr. Johnson: Do you know whether Mr. Allen took him down there with him or not?

Mr. Carter: No, sir; I don't know whether Mr. Allen took him or not. I know he say he come down Saturday night.

Mr. Johnson: He came down Saturday night from here?

Mr. Carter: Yes, sir.

Mr. Johnson: He was getting colored men to come up here?

Mr. Carter: He went on home and went on back Monday night and got Mr. Allen. His home was in Shannon.

Mr. Johnson: How far is that away from Jackson?

Mr. Carter: That is about 100 miles, I guess.

Mr. Johnson: What State is it in?

Mr. Carter: In Mississippi.

Mr. Johnson: Did he say whether he was going after any help over there or not?

Mr. Carter: That night on the train he hired him and told Mr. Allen, the men said if he wait till Tuesday they come with him, but he couldn't wait till Tuesday.

Mr. Johnson: Did he say anything about trying to get any men over in Mississippi?

Mr. Carter: No more than he says the boys wasn't through gathering corn.

Mr. Johnson: Over in Mississippi?

Mr. Carter: Yes, sir.

Mr. Johnson: The boys over in Mississippi were

not through gathering corn?

Mr. Carter: Yes, sir.

Mr. Johnson: Did he mean by that that that was the reason they didn't come with him?

Mr. Carter: I suppose. I guess so. That's what he told Mr. Allen.

Mr. Johnson: When you got up here and found that you would only get $1.40 a day and board instead of two dollars a day and board, you quit, didn't you?

Mr. Carter: Yes, sir.

Mr. Johnson: Did Mr. Allen or anybody else say anything to you about you would have to work out your railroad fare?

Mr. Carter: We was going off after 12 o'clock, and two of the hands told us if we quit they would have us arrested.

Mr. Johnson: That the people who were employing you would have you arrested?

Mr. Carter: Yes, sir.

Mr. Johnson: Have you arrested and do what with you?

Mr. Carter: Make us work it out, I guess. We told them they would just have to have us arrested then, for I was sure we was going to quit.

Mr. Johnson: And your reason for quitting was because they didn't pay what they promised to pay you before they got you up here?

Mr. Carter: Yes, sir. Then we quit.

Mr. Johnson: Have you got any more clothes here besides what you have got on?

Mr. Carter: I got a pair of pants.

Mr. Johnson: You haven't got any coat?

Mr. Carter: Yes, sir; I have got one coat.

Mr. Johnson: Where is the coat?

Mr. Carter: Down there in them other fellows' houses.

Mr. Johnson: What kind of shoes have you got on? Hold up your foot and let me see.

(The witness did as requested.)

And so from what you could gather, this colored man that was with Mr. Allen, helping to bring you all up here, had been trying to get some hands over in Mississippi, but they couldn't come then because they weren't through gathering corn?

Mr. Carter: Yes, sir; that is where he stayed at, Shannon, Mississippi.

Mr. Foss: Who told you they wouldn't pay two dollars and board here?

Mr. Carter: Well, Mr. Allen told us that after we got tk here that morning.

Mr. Foss: What time of day was it?

Mr. Carter: I don't know exactly what time it was. We got off the train and ate breakfast and went up here to charge clothes, and he was charging too, and he told us. And I told the boys we would go out there and work till 12 and then he would leave, if he wouldn't give us two dollars.

Mr. Foss: Whereabouts was it; at the station?

Mr. Carter: No, sir;we got off way down there somewhere.

Mr. Johnson: You got off out in the yards, where there are a lot of freight cars?

Mr. Carter: No, sir, not a lot of them-- right smart of them too.

Mr. Johnson: You didn't get off at any depot?

Mr. Carter: No, sir; we didn't get off at the depot.

Mr. Foss: You said some of the gang told you that too, didn't you?

Mr. Carter: Yes, sir.

Mr. Foss: Now you are sure Mr. Allen told you that?

Mr. Carter: Yes, sir.

Mr. Foss: There is no question in your mind but what he said that, as well as members of the gang?

Mr. Carter: Yes, sir.

Mr. Foss: How much did you say you were getting down there?

Mr. Carter: In Jackson?

Mr. Foss: Yes, sir.

Mr. Carter: I was getting two dollars, putting in sewers.

Mr. Foss: And you had steady employment down there?

Mr. Carter: Yes, sir.

Mr. Foss: Are you married?

Mr. Carter: Yes, sir.

Mr. Foss: Have you got a home down there?

Mr. Carter: Yes, sir.

Mr. Foss: Do you own it?

Mr. Carter: No, sir, I don't own it. I rent down there.

Mr. Foss: Do you think you could do better by coming up here, leaving your home and your family?

Mr. Carter: I thought I would come up here and work and make some money, and he promised such good profit, two dollars and board.

Mr. Foss: You thought you could make more up here or that than you could down home?

Mr. Carter: Yes, sir; I had to buy wood down there, and coal.

Mr. Baker: And bedding too, down there?

Mr. Carter: Yes, sir; I've got plenty of bedclothes down there.

Mr. Baker: Well, just what did you come up here for?

Mr. Carter: Well, he offered us that and kept on at us-- said he was sure we would get two dollars and our board.

Mr. Foss: Did you talk about anything else?

Mr. Carter: No, sir.

Mr. Foss: Did he say anything about what a nice place it was up here?

Mr. Carter: No, sir; he didn't say anything about that.

Mr. Foss: You were figuring on clearing every day two dollars?

Mr. Carter: Yes, sir.

Mr. Baker: You would get your board and your lodging?

Mr. Carter: Yes, sir.

Mr. Baker: And at the end of every day you would have two dollars in cash clear?

Mr. Carter: Yes, sir.

Mr. Baker: And that appealed to you very strongly?

Mr. Carter: Yes, sir.

Mr. Baker: You were to pay nothing coming up?

Mr. Carter: No, sir.

Mr. Baker: He furnished you a pass coming up here?

Mr. Carter: Yes.

Mr. Baker: Well, supposing you didn't like the job when you got up here, was anything said about giving you free transportation back?

Mr. Carter: He said he would pass us home every two weeks.

Mr. Baker: Send you home every two weeks?

Mr. Carter: Yes, sir.

Mr. Baker: Without any cost to you?

Mr. Carter: Yes, sir.

Mr. Baker: So you would be up here earning two dollars, and every two weeks you would go back home and come back without any cost?

Mr. Carter: Yes, sir; that what's he told us.

Mr. Baker: Then when you got up here in the morning, after you got your breakfast, Mr. Allen said, "Now, you will get $1.40 a day."

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Mr. Carter: Yes, sir.

Mr. Baker: And with that, you said to yourself "I'll

go to work, and at noon I'll quit?"

Mr. Carter: Yes, sir.

Mr. Baker: He deceived you in regard to the board?

Mr. Carter: Yes, sir.

Mr. Baker: He deceived you in regard to the amount you were to get for your day's work? Is that right?

Mr. Carter: Yes, sir.

Mr. Baker: And he deceived you in regard to your lodging?

Mr. Carter: Yes, sir; and sleeping too.

Mr. Johnson: What kind of a bed did he give you?

Mr. Carter: They just had some old planks nailed up there in the car-- called them bunks.

Mr. Johnson: You didn't see any bed then?

Mr. Carter: No, sir.

Mr. Johnson: Now you are right certain that Mr. Allen told you after you got up here that you were only to get $1.40 a day and board?

Mr. Carter: Yes, sir.

Mr. Johnson: Now Mr. Allen says that too, so you and he agree about that?

Mr. Carter: Yes, sir.

Mr. Johnson: Now you understood him clearly and without any sort of mistake when he told you you would get $1.40 a day and board?

Mr. Carter: Yes, sir.

Mr. Johnson: Now didn't you understand him just as

clearly down at the other end of the line when he told you you could get two dollars a day and board?

Mr. Carter: Yes, sir.

Mr. Johnson: You knew the difference?

Mr. Carter: Yes, sir.

Mr. Cooper: Now where did you have this conversation with Mr. Allen after you got up there and got to work, about how much you were going to get? You got to work that morning about nine o'clock, didn't you, somewhere along there, in this city?

Mr. Carter: Yes, sir.

Mr. Cooper: Tell now, when was it you had the talk with Mr. Allen, and where?

Mr. Carter: At the car, before we left the car; before we started to work.

Mr. Cooper: Did you speak to him yourself?

Mr. Carter: Yes, sir.

Mr. Cooper: What did you say to him?

Mr. Carter: I axed him was he still going to hold to them two dollars.

Mr. Cooper: What did he say?

Mr. Carter: He said no, $1.40.

Mr. Cooper: Sixty cents for board?

Mr. Carter: Yes, sir.

Mr. Cooper: Two dollars in all?

Mr. Carter: Yes, sir.

Mr. Cooper: Then you said-- to whom did you say that you would work till noon and then quit? Did you speak to the other boys?

Mr. Carter: Yes; I spoke to the other boys.

Mr. Cooper: You told them that you would work till noon and then quit?

Mr. Carter: Yes, sir.

Mr. Cooper: That's all.

Mr. Foss: Did you meet another man there by the name of Teal, a foreman?

Mr. Carter: Yes, sir.

Mr. Foss: Did you talk with him?

Mr. Carter: No, sir; I didn't have nothing to say tohim, no more than good morning.

Mr. Foss: You didn,t talk with him at all?

Mr. Carter: No, sir.

Mr. Foss: Well, he seemed to be tossing the job too, did he?

Mr. Carter: Yes, sir.

Mr. Johnson: You may stand aside.

Now there are several of you, five of you, I believe, that have not testified. Those five of you who have not testified just step out here in front.

(Five of the colored men stood forward).

Let me swear all five of you at once.

(The five colored men were sworn.)

What is your name?

Mr. Baker: Peter Baker.

Mr. Johnson: Where do you live, Peter?

Mr. Baker: Jackson, Tennessee.

Mr. Johnson: When did you get here?

Mr. Baker: I got here Tuesday morning.

Mr. Johnson: What is your name?

Mr. Houston: Jim Houston.

Mr. Johnson: Where do you live, Jim?

Mr. Houston: Jackson, Tennessee.

Mr. Johnson: When did you get here?

Mr. Houston: Tuesday morning.

Mr. Johnson: What is your name?

Mr. Wood: William R. Wood.

Mr. Johnson: When did you get here?

Mr. Wood: Tuesday morning.

Mr. Johnson: Did you come from Jackson, Tennessee, too?

Mr. Wood: Yes, sir.

Mr. Johnson: What is your name?

Mr. Crawford: Tommy Crawford.

Mr. Johnson: Where do you live, Tommy?

Mr. Crawford: Jackson, Tennessee.

Mr. Johnson: When did you get here?

Mr. Crawford: Tuesday morning.

Mr. Johnson: What is your name?

Mr. Griffen: Napoleon Griffen.

Mr. Johnson: When did you get here, Napoleon?

Mr. Griffen: Tuesday morning.

Mr. Johnson: Do you live at Jackson, Tennessee, too?

Mr. Griffen: Yes, sir.

Mr. Johnson: And all eleven of you boys came here in one bunch?

Mr. Griffen: Yes, sir; every one of us.

Mr. Johnson: Well now, all of you have heard the statements made by the other seven in your crowd. If there is anyone of you that wishes to correct the statements that anyone of those have made, we will hear you; but if the statements that those others have made and you agree that those statements are correct, it isn't worth while to go in the testimony of each one of you separately. If you agree that those statements made by the others are true, we will just let you go in one bunch; but if those statements are not correct, we will hear anyone of you that wants to say anything.

Mr. Griffen: It's all right.

Mr. Johnson: All of you answer that those statements are true, do you?

(The group of negroes answered yes.)

Mr. Johnson: How old are you, Peter?

Mr. Baker: Peter Baker: I don't exactly know, but I guess between 17 and 18.

Mr. Johnson: That's all.

(The five negroes were excused.)

What is your name?

Mr. Cox: Lee Cox.

Mr. Johnson: You just testified here a little while ago on the witness stand?

Mr. Cox: Yes, sir.

Mr. Johnson: Show the Committee the shoes you have on. (The witness showed his shoes to the Committee). You are not very well fixed to come up here, are you?

Mr. Cox: No, sir.

Mr. Johnson (addressing another negro:) What is your name?

Mr. Perkins: William Perkins.

Mr. Johnson: Show your shoes to the Committee.

(The witness showed his shoes to the Committee.)

Mr. Baker: Are those all the shoes you brought with you?

Mr. Perkins: Yes, sir.

Mr. Johnson: All you have got, aren't they?

Mr. Perkins: Yes, sir. They'll do down there but they don't do up here. I would rather be down there right now. I wish I was at home.

Mr. Johnson: You wish you were at home now?

Mr. Perkins: Yes, sir. I am losing now already nine dollars this week.

Mr. Baker: Do you boys want to go back home now?

Mr. Perkins: Yes, sir.

Mr. Baker: You would like to get away?

Mr. Perkins: Yes, sir.

Mr. Baker: How are you going to get back?

Mr. Perkins: I don't know, sir. We'll have to work till we get money to get back.

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Mr. Baker: If that Committee of One Hundred was in here I was going to suggest that they furnish you money and send you back.

Mr. Perkins: We got to work now before we get any money where we are at. We're sleeping out there in the cars on Clover sacks. Ain't got no good way to sleep.

Mr. Johnson: All eleven of you who came up here from Jackson, Tennessee, are now present. Is there anyone that does not want to go back home?

(The group of negroes answered "No, sir.")

All of you want to get back home?

Mr. Perkins: Yes, sir.

950 Mr. Johnson: Sorry you left there, aren't you?

Mr. Perkins: Yes, s'r.

Mr. Cooper: You said something about sleeping on clover sacks.

Mr. Perkins: I said we are sleeping down there yonder now, where we are working at now, on some clover sacks. Ain't made enough money to buy bedclothes to sleep in.

Mr. Cooper: You are sleeping out there, and what are these clover sacks laid on?

Mr. Perkins: Laid on the hard floor, right now. If you don't believe it, go down and see. We had to keep fire all night to keep warm, and work every day. Can't nobody work good that way. Just working till we get enough money to get back home.

Mr. Johnson: You may be excused. Mr. Kirk, will

you come to the stand?

STATEMENT OF J. W. KIRK (resumed).

Mr. Johnson: Now, Mr. Kirk, the Committee yesterday, if I correctly understand you, did not give you the opportunity to make the statement that you desired to make, and if you will proceed in your own way and make such statement as you desire to make, the Committee will be glad to hear you.

Mr. Kirk: There was a statement made here by the representative of a labor organization, Mr. Towers, I believe, who testified that the Journal was unfair to organized labor, and that myself as editor was dominated by the influence of the big interests. I desire to say that there is no truth in either of those statements, absolutely. The Journal has been conducted as really a friend of organized labor. I am that myself, always have been. I believe that organized labor is absolutely necessary, not only to the labor interests but the best method of distributing money throughout the country; and the higher wages that can be paid, that are reasonable, that can be stood by the consumers, the better it is for the country at large. Of course it could arrive at such a point that the consumer couldn't afford to pay it. Then it would defeat the object of labor and the lack of employment.

The policy of the Journal is to give the facts as they occur. Those are the instructions I give to my reporters, and I aim to get them correctly, to give both sides

a fair show, in order to arrive at the truth.

Of course when these strikes occur and violence is resorted to, things are done that organized labor has to bear the ~~blame~~ odium of, and they don't like to have them reported, and I don't presume that they authorized them, but of course they are carried out under-- during the existence of the strike-- and they find fault. Well, we give them such corrections as they want. The corporations, against whom the strikes are carried on, they complain the same way, and that is one reason why I believe that the Journal has given a fair show; that when both sides complain, We are pretty near right in giving the facts. As President Wilson, or Secretary Lansing, said, the best proof of our neutrality at the beginning of the war was that both sides in the great controversy were complaining of the course of the United States.

But I want to emphasize that I have no unfriendliness towards organized labor. On the contrary, I have a strong
951 friendship for it. Some of its faults are likely to occur, and are reprehensible and not to be encouraged; but there are many things that the big interests do that can't be fully endorsed. Those, I suppose, will be eliminated in time.

Now that is about what I desired to say on that point.

Mr. Cooper. Just one or two questions, Mr. Kirb. You say that some things that laboring men demand or that they do are wrong; and some things that the employers, or-

ganized capital, do, are wrong; and those things in time will be righted?

Mr. Kirk: I hope so.

Mr. Cooper. Let me remind you what you heard yesterday. You heard witnesses describe the conditions under which unorganized colored people were working out here at this cottonseed plant?

Mr. Kirk: Yes, sir; I did.

Mr. Cooper: Twelve hours a day, from seven in the morning till seven at night. Then another gang goes on at 7 at night till seven in the morning. Clouds of dust everywhere in the plant and about it for a distance of half a mile; their families living right in that cloud of dust; those men working twelve hours a day, some of them, seven days in the week, and at last those unorganized colored men found the conditions so intolerable that they struck, demanding better conditions, and the reply of the employers was simply the putting in of other colored men who were out of work and were willing to go there. Now that amounts, doesn't it, to industrial war between those employes and those employers?

Mr. Kirk: Yes; it is a sad condition and reprehensible.

Mr. Cooper. It is a sad condition.

Mr. Kirk: Of course I couldn't be able to pass on that matter myself. There may be things that had to be produced under, perhaps, conditions of hardship. It may be that those products are necessary to the country.

Mr. Cooper: But are the conditions necessary to the country?

Mr. Kirk: There ought to be some authority that would correct those conditions, and prevent both the conditions and the necessity of this violent warfare. We are placing upon the parties conducting those establishments - they are hired to conduct them along business lines, and to get returns, and that is about all they think of.

Mr. Cooper: That is it exactly.

Mr. Kirk: There ought to be some power beyond them if the directors of the company or the management don't see fit to improve conditions. We have that, and wherever it has been tried, it has been successful. We have the safety appliance law. There are many things in my own establishment-- many things have been introduced to produce safety, and I don't see why that can't be carried out to a larger extent to prevent this strife, instead of having it remain as primary man was, to settle all disputes by immediate appeal to violence.

Mr. Cooper: Well, men who strike under such circumstances and find their places filled, regardless of what the complexion of those men may be, white or black, inevitably feel a sense of wrong and injustice, when employ-

952 ers, instead of trying to give them shorter hours and help them out, put other men in to take their places?

Mr. Kirk: Well, that is where the difficulty arises. They soon get themselves out of the pale of the

law in trying to enforce their rights.

Mr. Cooper. Now one of the great questions before the industrial world-- and when I use that expression I don't confine my question to the limits of the United States, but I include all the industrial world, wherever human beings, rational human beings, labor in these great plants, whether in this country or Europe, or in Japan or in India-- the great question is as to how to humanize industry, isn't it?

Mr. Virk: Yes, sir; I guess it is. I am not a student on the question-- the matter. I think we ought to be able to humanize it in this country, whether it is really done in India or the Orient.

Mr. Cooper: Of course there comes up the question of competition with the scandalous hours with which they used to, until, very recently-- do now in some parts of the world-- force working men and women to begin and end their labors on each day.

Mr. Virk: Well, to the extent, of course, that they have been brought out of barbarism, and that has to come slowly.

Mr. Cooper: Now then, in this country they haven't been brought out of barbarism. There is a full-fledged civilization--

Mr. Virk (Interposing:) The colored people have come out of barbarism, I guess, more rapidly than any other race I have ever read of.

Mr. Cooper: Yes, but it isn't alone the black

people that complain of conditions. It is very often the white people that complain of conditions, and can you suggest any possible remedy where white laborers, say, declare that the conditions under which they labor are intolerable, and that because of the advanced cost of living they can't live as they ought to be permitted to live with their wives and children, and they present their demands to the employer, and the employer says "If you don't like those ~~xxxx~~ things, you can quit; there are twenty men to take your place." Can you suggest any remedy for that situation?

Mr. Kirk: Well, I don't know that I am capable of suggesting a remedy. I can state what I think ought to be the remedy, and which I have long thought, and that is Government regulation and control, which I believe would do away with all industrial violence and wrongs. It has in all the departments that it has put its hand to, and we cannot rely upon the men themselves to be fair and honest in the distribution of wages. It is better to come that way than by violence.

Mr. Cooper: You have observed, haven't you, Mr. Kirk-- and I take it that you are an observing man-- you have observed within recent years, say the last fifteen or twenty, perhaps twenty-five or thirty years, too much talk occasionally about this class or that class of our people? In other words, a sort of a class feeling arising? You have observed that, haven't you?

Mr. Kirk: Yes, there is a good deal of that.

Mr. Cooper: That is very deplorable in a republic, where all men are equal before the law, in theory at least, isn't it?

Mr. Kirk: Undoubtedly, and worse practically.

Mr. Cooper: Bad in theory, and worse in practice?

Mr. Kirk: Yes, undoubtedly.

953 Mr. Cooper: And therefore, as good citizens, without regard to political party or religious creed or anything else, ought to try fairly and with justice to all, to devise some means to prevent the further growing of this caste or class feeling, so that labor can work under proper conditions, fair wage; capital receive a legitimate return; isn't that so?

Mr. Kirk: That is true, absolutely.

Mr. Cooper: And so it isn't well for the press generally-- and I haven't any reference to the Journal now at all, because I haven't it in mind when I say that, in justice to you, Mr. Kirk, not at all.

Mr. Kirk: Yes, I want to get out all I can.

Mr. Cooper: Well, but I had in mind papers far from here. It isn't well for papers, the very first thing when working men go out, at the distance of a thousand or fifteen hundred or two thousand miles from the place of the publication of the paper, immediately upon the breaking out of the strike, to condemn the attitude of the laboring men as wholly indefensible, is it?

Mr. Kirk: No, and I don't think it is done. It is not done on the Journal.

Mr. Cooper: I know. It ought not to be done anywhere?

Mr. Kirk: And I don't think it is, generally, in my observation.

Mr. Cooper: It isn't generally, no. You don't deny it is sometimes done by some papers?

Mr. Kirk: Well now, the papers that I peruse generally-- those reports, you know, are given out by newspaper agencies, by services that are well managed and couldn't exist if they didn't pursue about the right course in furnishing news to the country.

Mr. Cooper: That is very true.

Mr. Kirk: And they generally try to give, as I find it, the transpirings of what occurs and the attitude of both sides. Now when the thing goes on for a time, things will occur; the interpretation and construction might be placed upon them by either one of the parties as prejudicial to the other interest, but it is only a report of the transpiration.

Mr. Cooper: Well, that is the correct attitude to take, the one you have just set forth. The great mass of the newspapers unquestionably try to do the fair thing, and do.

Mr. Kirk: That is the main thing of those who manage the newspapers, to try to get the facts and the truth. A paper that didn't do that wouldn't exist long. Of course errors will creep in.

Mr. Cooper: You believe that in all those controversies both sides ought to have a fair hearing?

Mr. Firk: Yes, sir.

Mr. Cooper: In order that justice may be done?

Mr. Firk: Yes, sir.

Mr. Cooper: If labor is making wrong demands, it ought not to succeed?

Mr. Firk: Well, I don't think the papers in the reportorial capacity go into that at all.

Mr. Cooper: But you want labor, if it is making wrong demands, not to succeed; and if the other side is refusing just demands, public opinion or somethine else ought to compel the doing of justice to the men in their employ?

Mr. Firk: Yes, sir; that is my belief.

Mr. Cooper: And the only remedy that you can now suggest is the one you did a moment ago suggest?

954 Mr. Firk: Yes, sir.

Mr. Cooper: Public regulation?

Mr. Firk: Yes, sir; I believe that government regulation is the better thing, the best thing that I know of. You see these strikes and these differences between labor and capital are often brought about by very inexperienced men on the part of labor, and their workmen, and they haven't had time to study these things, and they are apt to make demands and may be make them in the wrong way, and on account of their inexperience; and I think that it would be better for these complaints on the part of

labor to go before somebody that has authority and power to hear the complaints and the justice of them, with the privilege of the other side to make their showing and arrive at a conclusion; and if that conclusion isn't just, I don't see where any conclusions are just that we have in organized society.

Mr. Cooper: Well, you don't think that these unorganized laborers, working twelve hours a day in that dust, seven days a week, were inexperienced, do you?

Mr. Kirk: In what?

Mr. Cooper: In what they were compelled to undergo.

Mr. Kirk: No, I think some of it was so patent, but still the necessity of having more redress is great there, and perhaps greater. They had no prestige, you know; they were worse off than some of these others would be.

Mr. Cooper: If they were compelled to work there indefinitely, they would die before they could get the experience?.

Mr. Kirk: Well, what I mean by experience is intelligence and practice, in order to handle things with the world.

Mr. Cooper: But then these bits of elemental justice like that, don't require any elaborate study or very long experience. A man knows he is in that heat and awful dust, and his wife and children are in that heat and dust all the time, with a handkerchief tied around

his face in order that he can breathe, and twelve hours a day, seven days in the week, he don't have to study much.

Mr. Kirk: No; it is perhaps as hard as the making of lucifer matches used to be.

Mr. Cooper: Yes; we tried to stop that and did stop it by Congressional action.

Mr. Kirk: Yes, sir.

Mr. Cooper: Now you say the Government ought to control these?

Mr. Kirk: Under the Constitution of the United States Congress is limited in jurisdiction to matters that affect interstate commerce, and it is a serious question in a constitutional sense how far Congress can go by law in the regulation of industries in a State.

Mr. Cooper: Do you mean governmental regulation, then? Do you mean the United States Government or the State government?

Mr. Kirk: Well, the two together. The Government of the United States seems to be able, if the exigency occurs, to crowd in and get a little justice some way or other. But I don't mean to have my answer just apply to the trouble of the United States. I think the States and the Government cooperating together.

Mr. Cooper: Then you approach another tremendous difficulty, do you not? One state may have a legislature composed of humane, far-seeing, right-spirited men-- and women too.

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Mr. Wirk: Particularly the women.

Mr. Cooper: Yes; because they are already in some of our legislatures, and they may pass laws which will work justice as between the employer and employe in that particular State. Some other state may have less humane laws, and yet the products of the factories in the first State must compete in interstate commerce with the products of the second State, and there you have another serious element in the problem, don't you?

Mr. Wirk: Oh, yes, a problem, but still they got around it in the child labor question.

Mr. Cooper: I notice the lower courts in North Carolina has already held that unconstitutional, the United States District Court, and I wasn't sure whether the Supreme Court of the United States had yet passed on it, but it is pending in the Supreme Court. But the first decision of it is that Congress has no power to do the very thing that you have suggested.

Mr. Wirk: Well, there is no-- there should not be any difficulty in such things as that to strengthen the Constitution.

Mr. Cooper: By constitutional amendment?

Mr. Wirk: Yes, sir. It is a serious and great question, as we look at it.

Mr. Cooper: Well, I present the element to you, the fact that one State may have laws to protect day labor and do justice to capital; another State might not, yet they are compelled to compete against each other, and

the State allowing the hard conditions could undersell, and so forth, and all that sort of thing?

Mr. Kirk: Oh yes.

Mr. Cooper: And therefore you have a competition that is very difficult to meet: But now then you think that if the Constitution of the United States was so amended as to permit the people of the United States, through Congress, to provide a uniform law governing certain things, certain factors, certain industries, or businesses, whose products now go into interstate commerce, that the public opinion of the nation, if properly enlightened and informed, would compel the doing of justice, do you?

Mr. Kirk: I think so, approximately.

Mr. Cooper: Now then you come to another suggestion, and that is all I have to say, because we are coming right to the kernel of this whole controversy, I think. We have no hereditary law-makers in this country. That is true, isn't it?

Mr. Kirk: Yes, sir.

Mr. Cooper: The people elect them all?

Mr. Kirk: Yes, sir.

Mr. Cooper: Therefore the salvation of this country depends ultimately, does it not, upon there being here an intelligent, patriotic, just, public opinion?

Mr. Kirk: Yes, sir; without it nothing can progress.

Mr. Cooper: Without it nothing can endure.

Mr. Kirk: That is what ails East St. Louis.

Mr. Cooper: These things that you and I have been

discussing here just lately involve the essentials of the trouble and the difficulties here in East St. Louis, don't they?

Mr. Kirk: Yes, sir; very largely.

Mr. Cooper: That's all.

Mr. Baker: I would just like to ask a few questions that I overlooked yesterday. I believe you made a few remarks about the administration of the law, both of the county and the city, the County of St. Clair and the City of East St. Louis, relative to the want of enforcement of law in East St. Louis?

Mr. Kirk: Yes, in answer to the questions.

936 Mr. Baker: You made some remarks as to the justice courts, the justices of the peace.

Mr. Kirk: Yes, sir.

Mr. Baker: You don't care to correct those in any way?

Mr. Kirk: About the justices of the peace?

Mr. Baker: Yes.

Mr. Kirk: Well, I believe I said that it was a reprehensible system here-- stood in bad repute?

Mr. Baker: Before the riot?

Mr. Kirk: Before the riot. I noticed one or two things since the riot that didn't strike me very favorably.

Mr. Baker: Have you seen any marked improvement in regard to the enforcement of the law since the riot?

Mr. Kirk: Yes, tremendously so. Attorney

General Brundage did something.

Mr. Baker: Outside of Attorney General Brundage? I mean in regard to the city.

Mr. Kirk: No.

Mr. Baker. City and county. I don't mean Attorney General Brundage's work.

Mr. Kirk: Well, he operated in the county, you know.

Mr. Baker: Well, outside of Attorney General Brundage's work, have you noticed any marked change?

Mr. Kirk: Oh, yes, in the city here, undoubtedly, for the better-- greatly.

Mr. Baker: I find here in the St. Louis Daily Globe-Democrat, Wednesday morning, November 7, 1917, an article as follows:

"SALOON KEEPER HAILED" PUNISHED ENOUGH,

JUDGE RULES, DROPPING CHARGE.

Justice Clark of East St. Louis Was of Opinion that Loss of License and Liquor was Sufficient.

Disregarding the presence of several witnesses, including four members of the Police Department, a charge against Al. Wallace, an East St. Louis saloonkeeper charged with keeping open after midnight, was yesterday morning dismissed without a hearing by Justice E. E. Clark over the protest of Acting City Attorney Martin Drury.

In explanation of the action Justice Clark said yesterday that Wallace's saloon license had been taken up by the police and that the contents of his saloon had been seized on an attachment. "It looks to me as if he had

been punished enough', said Justice Clark, 'and that to impose a fine would be persecution 'nstead of punishment. For that reason I dismissed the case.'

Drury says he did not ask to have the case dismissed nor consent to such action, but that he suggested a continuance because Wallace's Attorney was not present.

In a local afternoon paper Wallace has published an announcement to members of the Mechanics' Home Club, which had headquarters at his saloon, 624 Collinsville Avenue,. The announcement closes with the following: "Also I wish to call your attention that the city dismissed the case against the club, which means for all of us protection in the future, also for all other clubs, namely, Elks, Eagles, Loyal Order of Moose and the Mechanics' Home Club, 624 Collinsville Avenue, East St. Louis, Illinois.'

Regardless of this announcement the police say there is a rough road ahead for Wallace if he attempts to reopen without his license, which has been confiscated."

Now this Merchants' Home Club is comprised of merchants here in East St. Louis?

Mr. Kirk: Why, I don't think so. I never heard of the Home Club. Is that Wallace advertising that home club?

Mr. Baker: I don't know.

Mr. Kirk: I don't know any such club. They form all sorts of clubs, you know, for the purpose of evading the liquor law.

Mr. Baker: That should be "mechanics home club". Do you know anything about a mechanics' home club?

Mr. Kirk: No, I don't.

Mr. Baker: Well, you have just adopted what is known as the commission form of government here, haven't you?

Mr. Kirk: Yes, sir.

Mr. Baker: You want to better the condition of the city?

Mr. Kirk: That is the purpose.

Mr. Baker: Well, you know that in order to better the conditions you can't do it if you elect the same kind of men that have been running things in the past?

Mr. Kirk: No, sir; that is true.

Mr. Baker: It depends upon the kind and character of men who are elected to office?

Mr. Kirk: Yes, sir.

Mr. Baker: And the support given them, of course, afterwards, by the citizens?

Mr. Kirk: Yes, sir.

Mr. Baker: It behooves, then, the men interested in good government, and the women of this town, to get busy and see that they get proper officials elected for commissioners?

Mr. Kirk: Of course on that point there has been so much said about East St. Louis, I would like to state to the Committee that there are just as good people in East

Turner

St. Louis, and as many of them, of the bona fide residents or the older local people ~~are~~ as there are anywhere.

Mr. Baker: Well now, you have made a remark that I am satisfied every one of the Committee believes to be true, but what have they been doing to change conditions?

957 Mr. Kirk: Well, we have been enslaved here by a political machine that has ground them down until the people didn't care, and didn't care. There was no getting out of it.

Mr. Baker. They just felt helpless and gave up?

Mr. Kirk. Helpless; they took no interest in it--- gave up. And generally speaking, the candidates on both sides--- it made no difference which were elected, ~~it~~ they turned out to be the same anyhow.

Mr. Baker. How are you going to remedy conditions under your new form of government?

Mr. Kirk. Well, one way would be that things have got so bad, this riot of course was the a most frightful thing--- I saw things a human being wouldn't expect ever to see, and that aroused the public in a way that they will take an interest in things. The women vote now and of course it is very largely to the credit of the women that the commission form of government was organized.

Mr. Baker. Well then, it will be up to the women and the better element to offset the bad element in this town, to continue things as they ought to be?

Mr. Kirk. Yes, sir, and break the back of the

machine just for the present. Of course they will undoubtedly try to get back, but still the independence of the different branches of government aren't dovetailed as they are now, and which responsibility can be escaped, as under the aldermanic form.

Mr. Baker. You are in favor of giving the women a chance to rejuvenate this town?

Mr. Kirk. Why, they have done it already. They closed the saloons--- or have very largely on Sunday--- and I guess if it weren't for their influence the commission form of government would not have been tried.

Mr. Baker. Then, it is up to them and the good element of the men to elect a competent board of commissioners?

Mr. Kirk. Yes, sir.

Mr. Baker. And carry it out?

Mr. Kirk. Of course we are not wholly to blame for all that has transpired.

Mr. Baker. No, I don't assume that

Mr. Kirk. People here-- East St. Louis grows very rapidly. It has doubled its population every decade since 1860. Of course that leaves a large class --- I have observed in the publication of the paper that people have to live here five or six or seven or eight years before they get much interest in the place, a local pride or interest. Consequently, there is a large class that hasn't got that feeling for the place that they will have after they are here longer.

Mr. Baker. Well, have you got any committee appointed or organized for the purpose of rounding up these classes of people and seeing that the law is applied so that East St. Louis is not a proper place for them to stay or to operate in?

Mr. Wirk. Oh, many of those people are all right, but they just moved in, and they are a population that doesn't become localized. They turn out to be good citizens of course, but you know a man, a family, coming into a place, unknown to anybody, they haven't got those sociabilities or social relations.

Mr. Baker. You have been interested in bettering conditions yourself and through your paper, haven't you?

Mr. Wirk. Yes, sir; I have continuously done that until it got to be a chestnut. It didn't cut any
938 figure. Our offices and machines here dominated the whole thing, both county and city. We didn't know we had any law here until Brundage set the example.

Mr. Baker. Brundage is the man that closed the saloons up on Sunday, isn't he?

Mr. Wirk. Well, the outside.

Mr. Baker. And they took a hint on the inside after he had closed them up on the outside, did they?

Mr. Wirk. No, they closed on the inside first. But he was working here nevertheless, getting items, and people felt that the Attorney General--- they couldn't get beyond the local officers,--- and when the local officer failed to do his duty that was the end of it. Brundage

set the example so that the Attorney General could step in, and he did it.

Mr. Baker. There was sent to Congress a very strong petition from the Committee of One Hundred, citizens of East St. Louis, and on that petition Congress passed a resolution, and I will ask you now if that Committee has been actively engaged in assisting you to bring about better conditions since its organization?

Mr. Kirk. Yes, sir; they brought about the change in the police force, the police department. They got in a very fine police board and police chief, and we now have a good force and a good department.

Mr. Baker. They have helped you in various matters?

Mr. Kirk. Yes, they have helped the city.

Mr. Baker. They have helped the city, but I mean you? They have counseled with you?

Mr. Kirk. No, I never had much talk with them, except individuals. I have never met with them. I got tired of meeting with them.

Mr. Baker. You got tired of it?

Mr. Kirk. I got tired of meeting with local bodies for the improvement of the city.

Mr. Baker. You did?

Mr. Kirk. Yes, sir. It was a waste of time. But they have accomplished a great deal.

Mr. Baker. Did you meet with this Committee of One Hundred?

Mr. Kirk. No, I never met with them.

Mr. Baker. Did any of them ask you to meet with them?

Mr. Kirk. Well, I guess they may have mentioned it, but I don't know-- yes, I was asked. Mr. Reeb asked me.

Mr. Baker. Well, is it your theory now that these saloons should all be closed in East St. Louis?

Mr. Kirk. You mean for good?

Mr. Baker. Yes, for keeps.

Mr. Kirk. Oh, no; I don't go as far as that. I favor the number of saloons being regulated drastically as the law contemplates, with our element here and the conditions I think they might be tolerated with no injury.

Mr. ~~Kirk~~ Baker. Well, it is your theory, as I understand that the saloons and the conditions of the saloons is one of the things that brought about the rioting on May 28th and July 2nd?

Mr. Kirk. The unlawful conduct of the saloons and their conditions surrounding them that are unlawful. But a saloon regulated and complying with the law there would not be this number, you know. I believe we had nearly four hundred saloons here. I presume fifty would have been a great plenty, or seventy-five--- fifty, anyhow. In order for them to live they had to embrace all of the ~~elements of the~~ evils and get all the money from the people that went there in one way or other, in order to live.

Mr. Baker. Well, they have to do something along the same line now in order to live, don't they?

Mr. Firk. Well, if they were regulated and had

959 only a certain number.

Mr. Baker. But I say now, as conducted now, they have to work along somewhat similar lines?

Mr. Firk. I think there are too many now.

Mr. Baker. I know, but let's get at the point now. Do you think they are working along similar lines now, to live?

Mr. Firk. Some of them, yes, I think they are.

Mr. Baker. Half of them?

Mr. Firk. Well perhaps half. They are not complying with the law in all respects. I think many of them are struggling to keep on and perhaps not doing as well expected. There has been a marked improvement. There is no doubt in the last few months there has been improvement along those lines.

Mr. Baker. That's all.

Mr. Foss. I want to ask you a question, Mr. Firk. You are editor and proprietor of the newspaper here?

Mr. Firk. Yes, sir.

Mr. Foss. Is that the only newspaper here in East St. Louis?

Mr. Firk. Well, it is the only daily paper.

Mr. Foss. There has been a great influx of negroes, which you have spoken of, into this community?

Mr. Firk. Yes, sir.

Mr. Foss. And for industrial purposes they have come here, I understand?

Mr. Kirk. Yes, I presume that was the encouragement.

Mr. Foss. Did I understand you to say in your testimony yesterday that you didn't believe that there had been an excess of laborers over the demand for labor here?

Mr. Kirk. In normal times I mean. I want to say that in my experience here of 47 years I have never known really hard times in East St. Louis. We have many industries, in other words. We have every advantage and everything that a place would go out to get to be successful, progressive and prosperous; and notwithstanding that we are the other way, which I attribute to bad municipal government. Now in all these times, generally speaking, throughout all the panics, and so forth, we never had real--- we never had hard times here. There was always plenty of work. Our industries and sources of employment are very diversified.

Mr. Foss. That is to say, there was a job for every man that came here?

Mr. Kirk. Not that came here, but that lived here. And those that would come normally.

Mr. Foss. But during the last year or so, there has been an unusual number of them come here?

Mr. Kirk. Oh, yes, colored men.

Mr. Foss. Now these men came here for work, as

I understand, largely? Did I understand you to say that there had been men brought in here for political purposes?

Mr. Kirk. No, I didn't say for political purposes. If I can get it out just right now--- the demand perhaps existed for a certain amount of labor. These agencies and the salesmen of the industries going through the South probably spread this demand for labor here, a certain amount, in such a manner that it was not wise. They gave them to understand that there was plenty of it here at good wages. The political machines didn't object to them coming here. They took hold of them and welcomed them and used them for what they were worth along their lines.

Mr. Foss. Well, weren't there charges in the public press here that negroes were being brought here last fall for political purposes?

Mr. Kirk. Yes, on the outskirts, yes; the charges have been made.

Mr. Foss. Well, were the statements made in your paper to that effect?

Mr. Kirk. Yes, I guess they were.

Mr. Foss. Did you ever investigate to see whether or not they were true?

Mr. Kirk. The reporters stated that they were true.

Mr. Foss. Out of your own personal knowledge do you know whether or not there was anything like colon'za-tion of negroes here for political purposes?

Mr. Kirk. Well, locally I think there was. That I don't know, however; but they were brought into the voting places--- you see there is a large territory around

here in which the colored people can be employed.

Mr. Foss. But did you make any personal investigation yourself?

Mr. Kirk. Oh, no; I didn't go out myself.

Mr. Foss. You talked with the reporters who made the statements in the paper?

Mr. Kirk. And others that pretended to be familiar with the situation. It was done by both parties.

Mr. Foss. And have you any men in your employ who can testify personally as to the facts in relation to that, whether or not there was colonization of negroes here?

Mr. Kirk. From the immediate vicinity?

Mr. Foss. Yes.

Mr. Kirk. Well, I presume--- I couldn't say positively--- but I presume there are men that can say something about it.

Mr. Foss. Are the same reporters on your paper now that were on last fall?

Mr. Kirk. No, there is one that is not on now. There is one off now that was on last fall; but there are two on that were there then.

Mr. Foss. Well, you are not likely to make any statements in your paper on which you have no facts to base it, are you?

Mr. Kirk. Why, we give the current talk.

Mr. Foss. The current talk?

Mr. Kirk. Yes.

Mr. Foss. That is, you make statements based on rumor?

Mr. Kirk. Well, statements, yes.

Mr. Foss. Without a full investigation into the facts?

Mr. Kirk. Oh, yes; you can go into a judicial investigation of those things and publish a paper. It is very hard work to even get the rumors in.

Mr. Foss. But you of your own knowledge could furnish no facts in relation to the matter?

Mr. Kirk. No, I wasn't personally out.

Mr. Foss. And those facts would have to be gathered from the reporters of the paper?

Mr. Kirk. Yes, and from the statements of those who were interested in the matter. One party would charge the other with colonizing.

Mr. Foss. Well, do you know of anyone who did charge it?

Mr. Kirk. No.

Mr. Foss. Who made charges of that kind?

Mr. Kirk. No, I can't recall now. But of course the colored vote here has been the dominating element here for some years, and lately in both parties. There was a time when of course the Republicans had the negro with them, but now the Democrats, a section of them, are able to split the thing. Not on national issues I don't mean, but on local matters.

Mr. Foss. Well, how did the city go in the last November election?

Mr. Kirk. It went Democratic.

Mr. Foss. You stated you thought there had been a

change in public sentiment here in regard to law enforcement and order?

Mr. Kirk. Yes, sir:

Mr. Foss. And you think that the commission form of government means a good deal in that respect?

Mr. Kirk. Yes, sir.

Mr. Foss. For the future of the city?

Mr. Kirk. Yes, sir; I do.

Mr. Foss. Do you know what the registered vote is here in East St. Louis?

Mr. Kirk. Well now, if I recall, I think, men and women, it may be twenty-five to twenty-seven thousand.

Mr. Foss. Well now, I notice that on the election day--- or the other day--- that only about 7,500 voted--- 7,200. Does that indicate that there is a strong, virile, determined public sentiment here for better things?

Mr. Kirk. Not as strong as I would like to see it.

Mr. Foss. You would like to see them all come out and express themselves?

Mr. Kirk. Yes, sir; that is what I worked for. But still, out of the 7200 we got, I believe, 4700.

361 Mr. Foss. Forty-seven hundred to about twenty-three hundred?

Mr. Kirk. Yes, sir. In these special elections it is pretty hard to get the vote out--- very hard. You have to work tremendously to get the vote out. As an illustration, for a week or two weeks before the election I mean didn't come in contact with but a very few that

weren't for the commission form of government. You would naturally think they would have 20,000 votes for it on election day, but I believe they cast only between one-third and one-fourth of the vote.

Mr. Foss. Now, Mr. Kirk, if you can give the name of any man in your employ at any time, while we are here, that can testify as to the facts of colonization on the part of politicians of either party, or of all parties, of negroes for political purposes, I would be glad to have you give us that name, any time while we are in session here.

Mr. Kirk. Well, I will do the best I can.

Mr. Foss. That's all.

Mr. Cooper. Just one question now. You said in reply to Judge Baker's question that you saw some awful things done here during the riots. Are we to understand from that that you were an eyewitness of some of this violence?

Mr. Kirk. Yes, sir.

Mr. Cooper. Well, will you please tell the committee what you yourself saw in the way of violence on that day?

Mr. Kirk. Well, I saw the worst, I guess, that could be seen. I don't know as I could describe it. I saw the riot that took place on Broadway at the head of Collinsville Avenue, almost under the windows of The Journal office, and I saw them attack negroes, knock them down and hit them with things, take pistols out and shoot

them and throw them down on the street and leave them there. I saw seven or eight at one time lying on the street. I saw a Bellville car come down; saw a man go in there and take his pistol out and heard a shot. I couldn't see, but he pulled the man out, put him on the street there, and I saw a couple of militiamen, three militiamen, come up to try to save him. This large man said something---

Mr. Cooper (Interposing). The man with the pistol?

Mr. Kirk. To the militiamen.

Mr. Cooper. The man with the pistol said something?

Mr. Kirk. Yes, and of course I couldn't hear what was said, but I learned afterwards what he said. He said, "You take your two men off" and the order wasn't given and he said, "Now I won't ask you again." He put his pistol up closer to him, and the militiaman told the other two to stand back, and they kicked man about and took him around on Broadway and shot him and left him in the gutter. That happened for two or three hours there. Women did the same thing. That is, I didn't see any shooting on the part of women, but I saw them attack colored men. Now it was no wild riot, you understand. They stood around there and you wouldn't know they were agitated at all, and that is what made it more heinous. As quick as a negro would show up, maybe a young man or a boy, they would say, "There's a nigger", and immediately they would all start for him, to perform their execution, let him lie there, and then go and stand on the corner again and hobnob with the police and militiamen. That

continued for three or four hours there in the afternoon.

Mr. Cooper. Well, did you see anything else, elsewhere?

Mr. Kirk. No, that is the only place I saw it.

Mr. Cooper. Did you see the burnings?

Mr. Kirk. Yes, I saw it from a distance.

Mr. Cooper. You weren't close to the fires?

Mr. Kirk. No.

962 Mr. Cooper. How many bodies do you suppose you saw all that day long in the street?

Mr. Kirk. Well I saw maybe--- I have an idea I saw five or six. I saw one hanging to a telephone pole or a telegraph pole.

Mr. Cooper. Hanging to a pole where?

Mr. Kirk. On the corner of 4th and Broadway.

Mr. Cooper. What time of day was that?

Mr. Kirk. Well now, I think that must have been about--- five o,clock.

Mr. Cooper. You saw that all from your office?

Mr. Kirk. From my windows.

Mr. Cooper. From the windows of your office?

Mr. Kirk. Yes, sir. Of course there was no attempt made by the militiamen to do anything then.

Mr. Cooper. What was that?

Mr. Kirk. I say there was no attempt on the part of the militia to do anything and attempt to stop that riot at all. It could have been stopped in ten minutes. That is why I want to say that East St. Louis isn't so much

to blame. It would have been no trouble to stop that riot --- it wasn't a riot; it was just an assasination.

Mr. Cooper. Cold-blooded murder?

Mr. Firk. Yes, assasination. Wo wild people there. Late in the evening, when Mayor Wellman turned over the situation to the militia and they got responsibility placed on their shoulders, the riot was stopped immediately by the new man that came on hand. They had no orders to fire. One discharge, one volley there, would have stopped it. Those were all cowards. They never went near where there were any colored people that would fight them. They never invaded their district at all.

Mr. Cooper. Did you see a militiaman that day on the street, and policemen on the street?

Mr. Firk. Did I see them?

Mr. Cooper. Yes.

Mr. Firk. Yes.

Mr. Cooper. Did you see either police or the militia trying to stop the riot?

Mr. Firk. No, not a thing. They were rather encouraging it.

Mr. Cooper. That is all.

STATEMENT OF FRED PELLET,
1133 Market Avenue, East St. Louis, Ill.

The witness was sworn by Mr. Johnson.

Mr. Johnson. What is your name?

Mr. Pellet. Fred Pellet.

Mr. Johnson. Where do you live?

Mr. Pellet. 1133 Market Avenue.

Mr. Johnson. You saw the eleven negroes that were in here today?

Mr. Pellet. Yes, sir; I did.

Mr. Johnson. When did you first see them?

Mr. Pellet. About 1.30 Tuesday of this week.

Mr. Johnson. Before you get to that, what is your occupation?

Mr. Pellet. Machinist.

Mr. Johnson. Where do you work?

Mr. Pellet. At the Medring House plant, Granite City.

Mr. Johnson. How long have you lived here?

Mr. Pellet. I have been here 26 years, I think--- nearly all my life.

Mr. Johnson. Where did you first see the negroes who were in here today?

Mr. Pellet. I seen them on 14th and Baker Avenue.

Mr. Johnson. When?

Mr. Pellet. Tuesday, November 6th about 1.30 in the evening, after dinner.

Mr. Johnson. Tell how you happened to notice them and after you had noticed them what occurred.

963 Mr. Pellet. Well, I was up to the polling place there on 12th Street and there was an officer there-- don't know what his name was--- he seemed to be a new man to me and he said, "I wonder what's going on down at the other corner." That's east of where we was at. He said,

"Let's go down and see." So we went down there and these negroes were looking for a place to stay.

Mr. Johnson. The same ones who were in here today?

Mr. Pellet. Yes, sir; the same eleven negroes in here today. The policeman said to me then, "What do you fellows want?" They said, "We have been flimflammed. A fellow brought us up here to give us a job, and we can't get no job only under conditions they want us to work under, and we don't want to work that way." I says, "Who brought you up here?" They says, "A man by the name of Allen," but they didn't know his first name. So we walked on up to the polling place to telephone there, and called up Chief of Police Keating. Mr. Keating said, "Put them on the Free Bridge and send them to St. Louis." I said to the officer, I will take them down to the Free Bridge and show them where the bridge is at." We had only waited down there a minute or two until an old negro, an old working fellow--- I don't know his name--- he works for Tom Waharrie--- says, "I can get a job for those fellows." I says, "There?" And he says, "With Tom Waharrie". So we took them down and Waharrie agreed to hire them and give them $2.40 a day. He sadd couldn't board them--- got no boarding facilities--- and told them if they worked one day he would see that they got groceries, if they had enough money to hold them up one day.

So they told me this fellow Allen---

Mr. Johnson (Interposing). But if I understand you, before you got away from that, there was no place where

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they could sleep at the place of this man who was hiring them at $2.40 a day?

Mr. Pellet. No, there were no facilities for them to sleep in, only a car and nothing in it.

Mr. Johnson. Just an empty car?

Mr. Pellet. That's all, yes. They told me--- all of them told me the same story, that this fellow came down there,--- I think it was on Sunday, last Sunday--- and told them if they would come to East St. Louis that he would give them a job at $2 a day and board. He talked them into getting on the train and they got on the train and got off out here--- I think it is a mile and a half south of the city limits. They call it the M & O yard, --- or the M & O new yard. He told them it was the Alton & Southern, but it is the M & O. They made a mistake and we had our time finding it.

Mr. Johnson. Did they go with you?

Mr. Pellet. One man went with me this morning.

Mr. Johnson. We identified the place where they got off?

Mr. Pellet. Yes.

Mr. Johnson. Where was that place that they got off the car?

Mr. Pellet. Right at the Alton-Southern and M & O crossing, about a mile and a half from the city limits of East St. Louis south. That's where we found Allen.

Mr. Johnson That's where you found Mr. Allen today when he came up here to testify?

Mr. Pellet. Yes, sir. And they said when they got here he give them a very slim breakfast and they were working, and while working one of them asked the boss, "Tell, boss, are you going to stay with your agreement?" --- or something like that. "Tell", he says, "I give you $1.40 a day and you have to pay for your own comforts." That's about all I know about it.

Mr. Johnson. Where were you on July 2nd?

Mr. Pellet. I started to work on July 2nd. I worked until about 10.30 and somebody called me up and told me to come home. I come on home and my wife and baby had gone.

Mr. Johnson. Where had they gone?

Mr. Pellet. They had gone out to her mother's, out on Roseront, just outside the city limits, north. I stayed around the house. I first called them up, got to the telephone and called them up and told them not to worry about me.

Mr. Johnson. They were at your wife's mother's?

Mr. Pellet. Yes, sir. I stayed home to take care of the property. Her mother owns that house.

Mr. Johnson. And you own the contents of the house?

Mr. Pellet. I own the contents of the house, yes. Late In the evening somebody came up to me, I don't know who, a stranger to me, and says, "Tell; you better not leave; they are going to burn this whole end of town." I says, "Who's going to do it?" He says, "I don't know, but they are going to burn it anyhow," just like that. "Tell", I

says, "I'll stay here till I get burnt out. Then I'll leave". Along about 9.30, or a little bit later, the fire started. The women kept coming around there, around to Mrs. Culp's and our house across the street there, begging to get somewhere for protection. I told them to get all the women and children and put them in the schoolhouse, the Washington School, to put them upstairs. There was a man lived on Pickett Avenue that had a commission as an officer--- you have to have a commission in the State of Illinois before you can carry a gun--- so I went over there and got him. I asked him if he could get some help to keep anybody from going in there to molest those women and children. He said he would. There were about fifteen of them. About that time there must have been three or four houses already burned down on 11th and Bond, and all we could get was garden hose that belonged to a party by the name of Weed, so we went over to Lawrence Godfrey's and got his automobile and went and got five sections of hose.

Mr. Johnson. Where did you go in the automobile?

Mr. Pellet. To No. 5 Engine House, two blocks from there.

Mr. Johnson. Did you get the hose there?

Mr. Pellet. Yes, sir, but we couldn't get no nozzle, the nozzle ~~was~~ unreel gone. I went up town and run across Mike Tobin, and he says, "Go down there and do the best you fellows can, and I'll send an engine company down there right away." In about half an hour or forty-five minutes

No. 7 came down with three men, all wore out, tired out--- couldn't work, because they had worked half of that day, you might say, and all of that night up to 11 o'clock. So we got 15 or 20 other men there and fought the fire. The fire got too far for the houses on 11th Street. We couldn't reach them any more, and the fire started in back from 11th, back on Pond. We finally put that fire out, and about the time we got that fire out,

9683 another fire started on 11th and Trendley, across from the schoolhouse. We went down there to put that fire out with the chemical, and somebody shot about four times at me, and that settled the fire department. We and the fire department had a falling out. They run us away from there, wagon, team and all, and that block burned down all excepting one church.

Mr. Johnson. What you were doing then was fighting the fire?

Mr. Pellet. Fighting the fire, yes.

Mr. Johnson. And while fighting the fire, somebody fired four shots at you?

Mr. Pellet. Yes, told us to "Get to hell away from there"--- away from the fire, he meant.

Mr. Johnson. And you got?

Mr Pellet. I sure did, wagon and all.(Laughter)

Mr. Johnson. Go ahead now and tell anything else in connection with it. You didn't know who that was that shot at you or told you to get away?

Mr. Pellet. No. We loaded the hose back in the wagon, and the chemical hose, about an inch around, we

throwed it back in the wagon and circled the block to get away from there. Later on in the evening, in about half an hour, the block was pretty near burned down, and there was a Hungarian church on the corner of Trendley and 12th street and they come up there begging us to put the fire out and save the church; they didn't have much money and they was afraid it would burn down and they wouldn't be able to replace it. We finally got back into the block later on with the hose and water, and finally got it out and saved the church. That was along about 4 o'clock then.

Mr. Johnson. Four o'clock in the morning?

Mr. Pellet. Yes, sir. I went home and went to bed then, and that is all I know about that.

Mr. Johnson. Where were you on the 1st day of July?

Mr. Pellet. I was out to Rosemont till about 10 o'clock, I believe.

Mr. Johnson. That was on Sunday?

Mr. Pellet. Yes, sir, the day before.

Mr. Johnson. The 1st day of July was Sunday?

Mr. Pellet. Yes, sir.

Mr. Johnson Where were you?

Mr. Pellet. Out to Rosemont until about 8 o'clock.

Mr. Johnson. What were you doing out there?

Mr. Pellet. I was visiting my mother-in-law. I got back home about 10 o'clock at night.

Mr. Johnson. You and your wife?

Mr. Pellet. My wife and boy. And along about a quarter to twelve, I believe-- it seemed to me like I just fell asleep--- I heard about 20 or 25 shots. I jumped out of bed and started out the front door, and there is a big light right on the corner, and just as I opened the door I started to go out and I seen some fellows standing with guns, kind of over his arm, you know, kind of watching-like, it seemed, my door, and the one next to me---

Mr. Johnson (Interposing). A white man or black man?

Mr. Pellet. A negro. It proved to be a man by the name of George Roberts. And I went back into the house and went out the back way, and in the back yard there, there was a fellow standing there, a one-armed boy, and he hollered at me, "Don't shoot."

Mr. Johnson. He hollered at you?

Mr. Pellet. Yes, he says, "Don't shoot." That was Tom Parrett. They had been shooting at him and two other white boys. I jumped over my back fence and went to Mr. Culp and tried to see if he had any gun for protection. I didn't know if we was all going to get murdered.
3366 He said, "I've got a shot gun and only two shells for it." And I said, " Don't want it". That was the only gun there was in that block. Nobody had any protection out there whatever. And those negroes, after they got up part way of the block---

Mr. Johnson (Interposing). How many?

Mr. Pellet. Seventy-five or more, I should think. They must have come up Trendley Avenue and come out-- there is a big light there at the schoolhouse, and they started up Bond Avenue. I run back to the house and called the police department up and told them which way they were going. I telephoned before this time. I telephoned to the police department twice and to Vollman once.

Mr. Johnson. Tell about the first time you telephoned.

Mr. Pellet. When I saw Tommy Barrett I went back to the house and called the police department up.

Mr. Johnson. Whom did you get at the police department?

Mr. Pellet. It sounded like Con Hickey, the night chief.

Mr. Johnson. You only know that from his voice?

Mr. Pellet. Well, I know him pretty well.

Mr. Johnson. Possibly from recognizing his voice?

Mr. Pellet. Yes, sir.

Mr. Johnson. He didn't say who he was?

Mr. Pellet. No, but it sounded like his voice. I talk to him all the time on the telephone and on the street and know his voice. He says, "We've got five men down here and will get them down there as soon as we can." The second time I called them up was when they had started up 11th Street to Bond Avenue and I told them which way they were going. He says, "The machine will be there in just a few minutes," and it seemed like six or seven minutes

when I heard the shooting on the corner where Coppedge was killed. Then I called the Mayor up, and his wife answered the telephone, and he come down.

Mr. Johnson. It has been testified here by several witnesses that the police station was called up but nobody knew by whom the police station was called up. Now you called up the police station twice that night, did you?

Mr. Pellet. Yes, sir.

Mr. Johnson. Do you know of anybody else who called up the police station relative to this matter?

Mr. Pellet. Somebody by the name of Reedy, who used to run a grocery store down in there. I don't know what his first name is. He is a groceryman. I think Mr. Fink knows who he is.

Mr. Johnson. So if Mr. Reedy called up once and you called twice that makes three times that the police station was called up?

Mr. Pellet. Yes, sir. Then I called Wollman up.

Mr. Johnson. The Mayor?

Mr. Pellet. yes, sir.

Mr. Johnson. And you called him up after you called up the police station twice?

Mr. Pellet. Well just about a minute or two after Coppedge got killed--- that is it proved to be Coppedge. I called up Mr. Wollman after these shots were fired on Bond Avenue.

Mr. Johnson. What did you tell the Mayor?

Mr. Pellet. I told him that the negroes was armed, a bunch a negroes out there shooting at everybody that come along. "Well", he says, "I'll go out and see Major Kavanaugh and get the soldiers and be down ~~that~~ there right way".

Mr. Johnson. Major Kavanaugh had some troops out here by the car barns?

Mr. Pellet. Yes, sir, out on State, 21st and State, somewhere along there, I think, if I am not mistaken. He told me a few days after that Kavanaugh couldn't move unless a man by the name of Captain Barry would give him orders. If this Captain Kavanaugh--- whatever rank he is --- would of come when Mayor Hollman asked him to come out there, and had come in from that vacant lot there from 13th street and went towards 11th street and Pond Avenue, I believe they would have caught every man that was in that shooting, because they come back down Pond Avenue after shooting Coppedge. There is a row of houses from 11th to 12th street on Pond Avenue, all two-story houses, about 20 of them, and all them people were out there on their porches, clapping their hands and hollering and rejoicing over the shooting.

Mr. Johnson. Were they colored or white?

Mr. Pellet. All colored people living there. They come on back then on 11th street and got back in the weeds --- or on 12th street-- and got back in the weeds, trying to get the fellow that lived on the corner. There was a two-story house there, a four-family flat--- his name was

Cress. They called him--- shall I tell what they said?

Mr. Johnson. Yes.

Mr. Pellet. They says, "Come on out of there, you white son-of-a-bitch and we'll get you too". And he hollered at me, "Call the police department up." I says, "I can't call them up any more because they ain't going to come down here anyhow. They'll be leaving pretty soon anyhow." A little later on an automobile drove down Market Avenue and blowed a police whistle, and that stopped the shooting. That's all the further they come, as far as 12th Street. You see in there, from my house there must be ten blocks in there that there aint a house in it--- all prairie, you know, but the streets are laid out-- just roads, you know; you might say county roads, and this automobile came out as far as 12th street and stopped.

Mr. Johnson. Have you any theory as to what that automobile was?

Mr. Pellet. I couldn't tell. It was too far away, and it was dark. All I seen was the automobile regulation license on the front.

Mr. Johnson. You heard the police whistle blow?

Mr. Pellet. Something like a police whistle blow, and that ended the shooting right there.

Mr. Johnson. Did it seem that the police whistle was blown from the automobile?

Mr. Pellet. Yes, sir; because in about ten minutes they left, but they didn't come down Market Avenue. They

went back out the other way and didn't pass my house on Market Avenue. They passed the other way, turned around out in the field.

Mr. Johnson. Did you hear the church bell ring that night?

Mr. Pellet. No, I was a little excited. It might have rung and I didn't hear it.

Mr. Johnson. Did you see the mob?

Mr. Pellet. I seen that mob.

Mr. Johnson. Did you see the mob that killed Coppedge?

Mr. Pellet. Well, the mob that went up 11th Street is the mob that done the shooting.

Mr. Johnson. How many people were in that mob?

Mr. Pellet. Well, this was the same mob that came down to where I lived at.

Mr. Johnson. About how many were in that?

Mr. Pellet. Seventy-five or eighty--- somewhere along there. There must have been fully seventy-five of them.

Mr. Johnson. How many of them seemed to be armed?

Mr. Pellet. Well, they seemed to have a good many rifles and shotguns in amongst them. I couldn't tell what they was because I wasn't close enough to see.

Mr. Johnson. Did you see any pistols?

Mr. Pellet. I think one man had a pistol, but it was a short one, shiny, sort of silver. That's about the only one I seen that had a pistol.

Mr. Johnson. It was difficult to see pistols, but

quite easy to see larger guns?

Mr. Pellet. I seen them when the light would shine on them. There was a big light at 11th and Trendley.

Mr. Johnson. Did you recognize anybody in that crowd?

Mr. Pellet. I recognized a tall slim man, a colored fellow. His name was George Roberts.

Mr. Johnson. Do you know whether or not he has been indicted?

Mr. Pellet. He has been indicted and sent to the penitentiary.

Mr. Cooper. You say you were in bed and you heard 25 shots?

Mr. Pellet. Somewhere along about 25 or 30 shots.

Mr. Cooper. You were in bed at that time?

Mr. Pellet. At the time of the shooting? Yes.

Mr. Cooper. And you sprang out of bed?

Mr. Pellet. I jumped out of bed.

Mr. Cooper. And where were you when you heard the discharge of the guns that killed Coppedge?

Mr. Pellet. I got back to my house.

Mr. Cooper. You had gotten back to your house?

Mr. Pellet. Yes, sir.

Mr. Cooper. You how long a time was it between the 25 shots that you heard when you were in bed and the report of the guns that killed Coppedge? About how long?

Mr. Pellet. You mean between the first shots?

Mr. Cooper. Yes.

Mr. Pellet. It must have been about 25 minutes. The first shooting was about 11.45, and about 10 minutes

after 12, as near as I can guess, Coppedge was shot.

Mr. Cooper. How do you know whether or not those 25 shots that you heard when you were in bed were the shots from automobiles, from an automobile which went down through that section there, Pond or Market somewhere, filled with white men, shooting revolvers on both sides?

Mr. Pellet. No, I didn't hear nothing about that.

Mr. Cooper. But you heard the 25 shots?

Mr. Pellet. I heard 25 shots, but we can prove who shot them. They were shot by negroes shooting at three white men on my corner.

Mr. Cooper. But did you hear--- did they hit those white men?

Mr. Pellet. No, they got away. One of them was standing in his backyard when I went out the back way, Tommy Parrett, a one-armed boy, standing in the yard next door.

Mr. Cooper. Did you hear the shots that are said to have been fired from an automobile?

Mr. Pellet. No.

Mr. Cooper. That went down through there?

Mr. Pellet. No, I never seen the automobile. I only seen one automobile. It seemed like they had somebody crippled in it coming down Market Avenue, but I couldn't see who it was.

Mr. Cooper. But you were in bed when the 25 shots were fired?

Mr. Pellet. Yes. That was later on.

Mr. Cooper. Have you ever seen bullet holes in the

houses up there and through the windows?

Mr. Pellet. There is some in the coal sheds in the rear.

Mr. Cooper. Have you in the fronts of the houses that were occupied at that time by negroes on those streets, seen the shot holes through the windows?

Mr. Pellet. There was not a window broken next day in none of them houses; not a window broken. There used to be two nigger families living back of me there, and their house was not molested at all--- that is not molested yet; still standing there.

Mr. Cooper. Do you know that a police officer who is now on the force and was on the force then has testified to seeing--- I think it was on Pond Avenue or Market Street --- a pistol shot go into the front of his house?

Mr. Pellet. Yes, but that was way out--- a half a mile from where I live. He testified on 18th Street.

Mr. Cooper. Well, wherever it was.

Mr. Pellet. Well, that is a long ways from where I live. I live on 12th Street and that is on 19th Street.

Mr. Cooper. How far is that from where you live?

Mr. Pellet. That is about seven blocks, a good seven blocks--- some of those blocks are longer than others.

Mr. Cooper. Have you ever seen the bullet holes in those houses?

Mr. Pellet. I have never been out there.

Mr. Cooper. You have heard the statement made of course?

Mr. Pellet. I read it in the paper. That's the only way I got it.

Mr. Cooper. Well, you have heard it talked about, haven't you, that an automobile went through there?

Mr. Pellet. No, sir; nobody ever said anything to me about it.

Mr. Cooper. You saw the report in the newspapers that an automobile had gone down through there?

Mr. Pellet. The only thing that I ever heard anything about was at the trial over in Belleville, but they never did prove that the automobile went down there.

Mr. Cooper. The Court ruled it out as not proper evidence.

Mr. Pellet. No, they started to introduce that evidence but it was ruled out.

Mr. Cooper. Yes, the Court ruled it out as not germane.

Mr. Pellet. That's all I know about it.

Mr. Cooper. Yes, but I am asking whether you have ever read or heard people talk about that automobile?

Mr. Pellet. I might have read something in the paper about it and overlooked it. But I never heard anybody talking about it.

Mr. Cooper. You read the report in the newspapers about an automobile that had gone down through shortly before Coppedge was killed that night?

Mr. Pellet. I don't believe everything I see in the newspapers in this part of the country.

Mr. Cooper. I am not asking you whether you believe it or not. I am asking you whether you read it.

Mr. Pellet. Yes, I read it.

Mr. Cooper. That is all you are called upon to answer when I asked that question. When did you read it and where?

Mr. Pellet. A couple of days after the race riot.

Mr. Cooper. In what paper?

Mr. Pellet. I think it was in the Post-Dispatch.

Mr. Cooper. Anything else.

Mr. Pellet. No. I take the Post-Dispatch and The Journal once in awhile.

Mr. Cooper. These reports that you read were to the effect that an automobile with men in it had gone down through this place, this street half a mile from your place,-- three-quarters of a mile?

Mr. Pellet. Seven blocks, I believe.

Mr. Cooper. Seven blocks from your residence, and that the men in that automobile that night, about midnight, had fired into houses on both sides of the street as the automobile went down through. Isn't that so?

Mr. Pellet. I read something in the paper here pertaining to that. I never seen nothing like that.

Mr. Cooper. I didn't ask if you saw it. You were in bed.

Mr. Pellet. I thought that is what you were asking me.

Mr. Cooper. I asked if you read about it.

Mr. Pellet. I read a little about it. There wasn't

very much in the paper about it, only where somebody said there was an automobile went through Market Avenue shooting into negro houses.

Mr. Cooper. And the report said, didn't it, that this automobile went down through there before Coppedge was killed?

Mr. Pellet. I never heard no shooting only that shooting on the corner and the one that killed Coppedge.

Mr. Cooper. Did I ask you if you heard anything? I asked you if that report didn't say that automobile went down through there before Coppedge was killed?

Mr. Pellet. Yes, sir.

Mr. Cooper. Exactly. Well now, suppose that some night in your neighborhood, down your street, in front of your house, about midnight there should go along an automobile with negroes in it firing from revolvers into your house and ~~[illegible]~~

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other houses along that street, both sides of the street, would there be anything strange if you and the white people of that neighborhood should get guns and go out on the street and see what was going on?

Mr. Pellet: That is just a supposition, isn't it?

Mr. Cooper: I am asking you what you would do.

Mr. Pellet: Well, I wouldn't go any further than the front gate to protect my own home.

Mr. Cooper: But you would get a gun if you had it, wouldn't you?

Mr. Pellet: If somebody was trying to get into my yard, I sure would try to get a gun if I had one and I think the law gives a man that privilege.

Mr. Cooper: Well, suppose that some of your neighbors and friends in that vicinity whose houses had been shot into, friends and acquaintances whose houses had been shot into by an automobile filled with negroes towards midnight, don't you think that you and your friends might venture beyond your front gate out into the street for mutual protection?

Mr. Pellet: Well, if there was anything ~~to~~ danger of getting any of our women folks ~~killed~~ killed, we might have some reason for doing that.

Mr. Cooper: Exactly. And you wouldn't know whether there was any reason to do it or not, would you, if while you were in bed, crash xxxx through the window

should come a revolver shot, and your neighbor should have a crash through his window in the side of the house, by negroes firing indiscriminately on both sides of the street? You would get up as quick as you could and get what weapons you had and get out into the street?

Mr. Pellet: I did get up.

Mr. Cooper: And you would be ready for anybody that ~~that~~ came back to do it?

Mr. Pellet: I sure would.

Mr. Cooper: Well, that is exactly what the negroes did, isn't it?

Mr. Pellet: I know nothing about that.

Mr. Cooper: The first people to shoot guns in a riotous manner that night were white men in an automobile - at least you read that, didn't you?

Mr. Pellet: It never has been proved.

Mr. Cooper: You said it, didn't you?

Mr. Pellet: I read it, but that is no proof.

Mr. Cooper: I know you are very anxious to take one side of this case.

Mr. Pellet: No, I am not.

Mr. Cooper: I am asking you as a citizen to testify the truth, the whole truth and nothing but the truth. That is your oath.

Mr. Pellet: Yes, sir.

Mr. Cooper: Now, witnesses have come before this Committee who have testified to seeing the bullet holes in those houses and through the windows, but they weren't permitted to testify in the trial in Bellville because

the Court held the testimony is not germain to the issue then before the Court. That is a fact.

Mr. Pellet: I heard them make that remark - ruled it out

Mr. Cooper: Can you think of anything that would alarm you or enrage you much more than to be quietly asleep in your own home, your own wife and child there, and to have somebody ride through the street in front of your home and fire through the window or into the back of the house? Can you think of anything that would alarm and enrage you more than that?

Mr. Pellet: I don't think it would.

Mr. Cooper: Well, are you surprised that the negroes who were asleep in their houses and their neighbors, were alarmed somewhat when white men went through and shot through their windows and into the side of their houses ?

Mr. Pellet: I don't know anything about that.

Mr. Cooper: I know you don't know anything about it, but are you surprised if the negroes were alarmed?

Mr. Pellet: He had a right to protect his life in his own yard. If anybody come to his house and started shooting into his house, he had a perfect right to protect himself. That is my belief. I would do the same thing.

Mr. Cooper: Exactly. That is all.

Mr. Johnson: You may stand aside.

STATEMENT OF CHARLES NAGEL,

XXXXST. LOUIS: MISSOURI.

The witness was sworn by Mr. Johnson.

Mr. Johnson: Please give the stenographer your name, place of residence, and occupation.

Mr. Nagel: Charles Nagel, St. Louis, Mo.; lawyer.

Mr. Johnson: What official position have you held with the United States Government, Mr. Nagel?

Mr. Nagel: I was a member of Mr. Taft's Cabinet.

Mr. Johnson: You wish to make a statement to the Committee, I believe?

Mr. Nagel: I thought perhaps I had better make a statement.

Mr. Johnson. The Committee would be glad to hear it, and you can just proceed in your own way to make it.

Mr. Nagel: I have not the stenographic records, but according to the ~~sent~~ press reports General Dickson had the impression that I had asked him to provide guards to escort employees to and fro between East St. Louis and St. Louis. I know that General Dickson did not mean to attribute to me anything that I did not intend to say. I know him fairly well, but I know also, that somewhere, at some point, a misunderstanding arose because that is precisely the opposite of what I would advocate. In the first place I have no interest in here to serve. I have no interest on this side, and I represented no client. I happened to have been drawn into it by the circumstance that several colored men on the other side came to me in my office to ask me whether I could interest the Red Cross to assist the refugees on the other side. That was easily done. I am a member of

the committee over there, and I communicated with the Red Cross, and Mrs. Hamil, the chairman, was already engaged in the work when I called her up.

The second question was whether there was any fear, any grounds for fear of riots in St. Louis. That looked a little ominous. I communicated with the acting mayor and with the president of the Chamber of Commerce. We had several conferences and we decided that there was no actual danger, and that perhaps the least said about it the better - to let it pass.

Then a meeting was held at Mr. Small's office in the City Hall, to which I was invited.

Mr. Johnson: Who is Mr. Small?

Mr. Engel: Mr. Small is the Commissioner of Public Utilities, I believe. I don't know his precise title. He is in the City Hall.

Mr. Cooper: Is that in this city or over on the other side?

Mr. Engel: Over on the other side, in St. Louis. It was held at the instance of colored people whose interests were entirely genuine, so far as I could judge, that were doing what they could for the protection of refugees that came over, and we were told that a meeting would be held on this side the next day, and it was suggested to me to come over here. Mr. Small and I came over together. We attended the meeting at which General Dickson was present, and the only time I said anything to General Dickson was in the presence of the people assembled there. I don't know who was

there, now, a number of people, and the general situation was talked over. I felt justified in participating, because I didn't think that St. Louis was without some interest, if not responsibility in the matter, because a great many of the proprietors on this side really live on the other side, and we are a good deal closer together than we may think.

To ~~go~~ come back to the original point, I had been asked whether it would be safe for the refugees to come back.

Mr. Johnson: To East St. Louis?

Mr. Nagel: To East St. Louis; and I said I wouldn't answer that question until I had made my own personal observations and satisfied myself as to conditions. After I had heard General Dickson talk and knew that he was in charge, having known him before, I concluded that for the present the situation was safe and that men could come back and their families could come back while he was in charge. But I took the position also that that was a temporary affair, and that so long as any community had to rely upon military protection, the condition was unwholesome, and that there was only one real thing to do and that was to strike at the bottom of the whole strife and evil, which is pretty deep seated. I said that in my judgment if that riot should prove a success we would have repetitions all

over the country because there was bound to be migration of that kind now in view of the immigration and in view of the conditions of the ensuing war. So there was only one thing to do, and that was to have a thorough cure in East St. Louis, and in my judgment it was largely up to the men who had the power and position, because the more I see of affairs in our country, the more I believe that responsibility goes with opportunity. So I advanced the idea that provision should be made for the reimbursement of the very poor people who had lost innocently, everything. There is no satisfaction in bringing a damage suit against a city that can't respond. Some means must be devised to protect innocent people who have lost their life's earnings as the result of a calamity of this kind, and beyond that of course law and order must be established, not under police protection - I mean under Army protection - but under normal conditions; and if that can't be done here, there is no use of looking further or anywhere else.

That was my position, and if General Dickson understood me to suggest that I said, - that I suggested special guards for particular men to go to and from the shops, he misunderstood me absolutely, because I not only did not intend to say it here, but I have actively opposed it on other occasions.

That is all.

Mr. Johnson: Mr. Nagel, you have spoken with some emphasis expressing your entire confidence that the local situation here was well in hand when you became advised that General Dickson was in control. Did you entertain the same feeling of confidence as to the situation which immediately preceding General Dickson's control here in East St. Louis on the 2nd day of July?

Mr. Nagel: Of course I saw nothing of that, but I heard things said during that interview.

Mr. Johnson: Well, the Committee is authorized under the resolution, the Congressional Resolution, to take hearsay testimony, and we would be very gald to have you tell us what information you may have gathered concerning the military or police control immediately preceding the taking over of the situation by General Dickson.

Mr. Nagel: Since you asked me, I am bound to say that I got the impression that conditions were extremely unsatisfactory before he arrived.

Mr. Johnson: And to whom was that unsatisfactory condition, in your opinion, from what you heard, attributable.?

Mr. Nagel: Well, I should say that it was attributable to a combination of circumstances. First, the very unhappy condition that prevailed on this side; and second, to the inability, if not

worse, of some of the military authorities, to do what they had an opportunity to do in the way of restoring order.

Mr. Johnson: We would be glad, Mr. Nagel, if you would more specifically go into that by giving names and facts, as far as you can.

Mr. Nagel: Well, I don't remember the exact titles. // I heard ~~some~~ me gentleman say that he had pointed out - I forget - some thirteen or fifteen men who were dragging one negro; that he had asked the military force to arrest those men because there would be no difficulty about identifying them; ~~but~~ that the military force hadn't arrested them, but had permitted them to disperse and become part of the mob, and then had arrested the whole band of people after all opportunity to identify had been lost.

Mr. Johnson: If you know, please state who told you that?

Mr. Nagel: I forget the title. I think he was the States Attorney.

Mr. Johnson: For the county here, or for some larger district?

Mr. Nagel: Mr. Schumleffel, I think, was his name. //

Mr. Johnson: Have you either knowledge or information concerning the official conduct of Col. Tripp on July 2nd?

Mr. Nagel: I have not, except in so far as General Dickson's statement as to that his plans

h d been and were, which w s bound to have me infer that he w s not satisfied with what had preceded.

Mr. Johnson: And what had preceded him was under the command of Col. Tripp:

Mr. Nagel: Yes, sir.

Mr. Johnson: Did he give expression to that opinion in a general way, or did he go at all into any details? Was there any specific act that he criticised?

Mr. Nagel: He went into no detail, not in my hearing. I was very much impressed with his manner. He thought the situation grave. I think he felt he had it in hand. There was a good deal of uneasiness about the situation. Everybody wanted to know, and by way of giving assurance of what he proposed to do, and meeting the strong contrast of what had happened the day before, or the night before -

Mr. Johnson: (Interposing) When you say the night before, you mean July 2nd?

Mr. Nagel: Yes, July 2nd - perhaps two nights before--July 2nd, - contrasting what he had in mind and what he had to concede had occurred on the night of July 2nd, the inference to my mind was -

Mr. Johnson: (Interposing) You don't mean entirely on the night of July 2nd, but on the whole day of July 2nd?

Mr. Nagel: Yes. The inference to my mind was undeniably that he was not satisfied with what had been done.

Mr. Johnson: Not only not satisfied, but pronouncedly dissatisfied?

Mr. Nagel: No, I wouldn't say that, because I am asked here to say what impression he gave me, and General Dickson is a soldier and I understand his difficulty and his position. I wouldn't speak of this, if you hadn't asked the searching question and I have got to do it, but ~~in~~ he, so far as I am concerned, did not go farther than I have said.

Mr. Johnson: That was that the management of affairs from the military standpoint on July 2nd, was unsatisfactory?

Mr. Nagel: Yes, I think I could say that that was the inference I drew from what he said.

Mr. Johnson: That you were compelled to draw from his manner and his words?

Mr. Nagel: Yes.

Mr. Johnson: You may be excused. Thank you, sir.

STATEMENT OF RUSSELL E. TOWNSEND,
805 N. 22nd St. East St.Louis,Ill.

The witness was sworn by Mr. Johnson.

Mr. Johnson: Mr. Townsend, please give the stenographer your name, and address.

Mr. Townsend: Russel E. Townsend, 805 N. 22nd Street, East St. Louis, Illinois.

Mr. Johnson: And your occupation and official position?

Mr. Townsend: I am a justice of the peace in East St. Louis, and a lawyer.

Mr. Johnson: If I am correctly advised, I understand you desire to make a statement to the Committee?

Mr. Townsend: Yes, sir.

Mr. Johnson: Please proceed with it in your own way.

Mr. Townsend: I have been reading, gentlemen, the testimony and listening to considerable testimony here, and what I desire to say to the Committee is more in reply to what has been said against the justice courts, in East St. Louis, charging them with corruption.

Mr. Johnson: Before you proceed further, Mr. Townsend, you are not "Budd" Townsend, are you?

Mr. Townsend: No, sir. Budd is a colored gentleman. (Laughter). And I presume is in the Chester Penitentiary now. I have had Budd on several occasions before me.

Now the imputation has been that many of the justices of the peace in East St. Louis have been corrupt, and all I want to say to the Committee is that if they can find in my official record - I was elected the first time to fill an unexpired term of Justice Blanchard, who ~~retired~~ died in 1915; then I was elected for a four year term last April,

and if the Committee or anyone else can find corrupt move in my official life, why they are welcome to dig into it. I deny that charge, that all of the justices of the peace are corrupt in this town. I have during my term of office tried to do what I felt was right, and if I have failed to do what was right it has been because of a misjudgment and not because of a corrupt mind or heart.

I was elected to this office two years ago this spring, and I believe that I was the first lawyer that was ever elected as a justice of the peace in the city of East St. Louis, and as such I tried to conduct my court as a lawyer would conduct a court, as far as possible. I met with many oppositions when I was first elected, as well as many surprises. I found that I wasn't getting anywhere when I tried to have the court adhering to, as I consider it, to the rules of evidence; and I had to put up with severe criticism, criticism that you gentlemen would not understand unless you lived on Main Street and did business on Main Street around the police station.

I was not friendly to the liquor interests and never have been, and I had many things to put up with from them that I would not put up with if I did not have to do it.

The Supreme Court of the State of Illinois has very curiously construed the law, our statute

in reference to changes of venue, ~~and~~ if you don't do - if the justice in this town does not do as somebody thinks he ought to do, regardless of whether it is law or anything else, then immediately they change the venue, and then the case passes out of his hands entirely to the next nearest justice, where the case is lost sight of by the justice that it originally started before.

Mr. Johnson: You mean by that, that they swear the justice off the bench?

Mr. Townsend: Yes, sir.

Mr. Johnson: And how much of an affidavit does that require?

Mr. Townsend: They have to make affidavit, when it is required, that they ~~xxxx~~ believe that they cannot get a fair and impartial trial. That can be made by the attorney or by the client himself, by the litigant himself, that he can't get a fair and impartial trial before that justice. That is about the extent of the affidavit.

Mr. Johnson: The attorney can make that, instead of the client being ~~xxxxxx~~ compelled to make it?

Mr. Townsend: Yes, either one can make it. The Supreme Court has construed that - the practice I remember, is that either party may do it, and they have construed that as meaning one party, and they consequently allow but one change of venue, and if a man starts his case in one court and he finds himself, contrary to his will, in another court,

where perhaps he wouldn't - that that party wouldn't receive justice - he is not permitted under the ruling of the court in this state to change the venue, as ~~the~~ I think the statute contemplated he should.

Then another proposition the justice is up against in this town, gentlemen -

Mr. Johnson: (Interposing) Was that affidavit frequently resorted to in your court?

Mr. Townsend: Oh, I would say that half of the cases that come before me are changed, taken away on change of venue. Particularly is that true of the misdemeanors, what we call the criminal cases.

Mr. Cooper: You cited the statute, the language of which is "either party" may make the affidavit.

Mr. Townsend: Yes, as I remember that is the wording of the statute.

Mr. Cooper. Well, does that mean that any civil action, say replevin or promissory note, a plaintiff, after having brought the case before you, or before any other justice, can change the venue?

Mr. Townsend: Yes, sir; and I am coming to that directly. That is one of the evils of the system.

Mr. Cooper. Now, has [illegible] his own justice court in which to bring the case?

Mr. Townsend: Yes, sir.

Mr. Cooper: And do you say that in this case

he can file an affidavit of prejudice against the justice before whom he brought the suit?

Mr. Townsend: Yes, sir; Now that is the ~~factor~~ practice here that makes this thing abominable. There are lawyers in this town that will do this thing purposely. They will take a case where they know they don't want to try it; ~~back~~ start a case there and when the case comes to trial will change the venue and take it where they do want it to go, which could be the next justice; and if that don't suit them, they will subpoena that justice as a witness in the case, to disqualify him.

Mr. Cooper: Exactly. It is perfectly plain on the face of it that they can do that every time.

Mr. Townsend: That has been done on me I suppose twenty-five times in the last two months.

Mr. Cooper: And all they have to do then, is to bring where there is an honest justice, have a crooked justice locate near him; bring the case before the honest justice and then get the case before the man that they went it to be?

Mr. Townsend: That is the system, yes, sir.

Mr. Johnson: Well, now what is the rule relative to striking the justice off the bench in criminal proceedings?

Mr. Townsend: As a rule -

Mr. Johnson: (Interposing) Can the States Attorney get a change of venue in that way?

Mr. Townsend: Well, Mr. Johnson, as to that I never looked into that. They do not.

Mr. Johnson: You never had the State or the City change the venue?

Mr. Townsend: If they are not satisfied they just preemptorily dismiss the case. That is all. And if they preemptorily dismiss the case and they take the witnesses away and they are not there to prosecute, the justice couldn't try the case very well.

Mr. Johnson: I understand that, but ithas frequently occurred in your court where the defendant has filed an affidavit of which you have spoken?

Mr. Townsend: Oh yes, the defendant or his attorney.

Mr. Johnson. Well, go ahead and tell us about that.

Mr. Townsend: Now that is one of the evils of the system. They will start the case and charge the venue, as I have stated. But the greatest problem that the justice courts are up against in this town is the jury.

Mr. Johnson: Either side has the right to demand a jury?

Mr. Townsend. Either side has the right to demand a jury, except preliminary hearings.

Mr. Johnson: What is the size of the jury?

Mr. Townsend: Sir, of course we have it six by statute, but the statute calls for six.

Mr. Baker: Any number under six?

Mr. Townsend: No, any number over six, and I presume they could try it with two, but the usual jury before the justice court is six. Now then they will take a jury and the constable here in the past - we have some very good constables now that will try to do their duty in this regard - the constables are instructed by the justice, I have instructed them myself - to go out and bring in business men, reputable men that will try cases, and they will do that. They will go out and summons these men in, these business men, and they will hand back. They know that there are people on the anxious seat who want to serve on these juries, and they will hang back until the jury has been filled and then they will very obediently appear in the court room in obedience to the summons. And then the business men of this town will meet in their chamber of commerce and in their other organizations - and I don't want to slur any of their business organizations, but they will howl about these things and they will condemn the justices of the peace when they themselves are to blame for this jury system, because I have had many a reputable business man that I have thought to be reputable, come into my court and say they were prejudiced in the matter one way or the other and swear themselves off the jury in order to go back to their business where they

could make some money. They will not serve on the juries. Consequently the thing boils itself down to what is termed on Main Street, a "barrel house jury". There are many waiting down at the bar to serve on these juries, and regardless of the merits of the case, right or wrong they decide according to the way they are paid. I mean by the way they are paid, they are each allowed 50 cents jury fees, and whoever puts up that money will get the verdict. That has been my experience with the jury. (Laughter).

Now when they come here before this Committee and many witnesses come here and tell you ~~xx~~ that the justices are corrupt, they forget, some of them, that the business men are responsible in a great measure for the corruption at last of that jury, because ~~xf~~ they will not stay on that jury. They will swear themselves off and we will have to have a jury, and it finally resolves itself down into the fact that you have got a few barrel house bums on your jury.

Mr. Johnson: And the justice himself has no way to get rid of them?

Mr. Townsend: The justice can't discharge them. He cannot instruct the jury. He can't take the case from the jury. The justice is nothing but a bump on a log there and has no authority at all. He can't instruct the jury, other than to the form of their

verdict, he can do that. other than that he cannot instruct them.

Mr. Foster: You have some juries down here known as "irrigation juries," haven't you?

Mr. Townsend: On the "irrigation jury" - the legitimate jury fees are $1.00 for the constable that serves the venire, and 50 cents each for the jurors which makes $4.00 There is a $5.00 charge. That is either paid to the constabl or it is paid afterwards. Anyway the client that has the trial has to pay $5.00 for the jury and the constable. That is what they term the "irrigation fee" for the jury and after the case is over and the jury finds the verdict, if it is favorable, the fee on that is put up and the jury all file down to the Court Bar and have a drink.

Mr. Foster: Before or after?

Mr. Townsend: That is afterwards, and only in case they return a favorable verdict.

Mr. Johnson: And who treats?

Mr. Townsend: The man that wins the case. And he is invariably the fellow that puts up the $5.00 for the jury fee.

Mr. Baker: What place do they go?

Mr. Townsend: Down to the Court Bar. That is the only saloon along that street.

Mr. Cooper: The Court Bar?

Mr. Townsend: The Court Bar is what it is called because it is called in honor of the justice courts. It is named, I presume, for them.

Mr. Cooper: Has the Circuit Court got a bar

too? (Laughter)

Mr. Townsend: I don't know. I have never located the Circuit Court bar. That is justice on Main Street.

Mr. Foster: And that is where they irrigate?

Mr. Townsend: Yes, sir.

Mr. Baker: There is Geary's place?

Mr. Townsend: That is another saloon on Main Street?

Mr. Baker: Is that the same place?

Mr. Townsend: No, that is further up. That is across from the City Hall.

Mr. Johnson: Who runs the Court Bar?

Mr. Townsend: A man by the name of Watson, and some woman. I don't know what her name is.

Mr. Johnson: Who owns the house,

Mr. Townsend: That I don't know, Mr. Johnson, who owns that building.

Mr. Cooper: Do you say that there is a printed sign up over a saloon in a prominent place in this town, the words "The Court Bar"?

Mr. Townsend: Yes, sir; right across from the police station door, just as open as it can be, known as the Court Bar, and it is so put in the telephone directory.

Mr. Cooper: That is an abominable thing.

Mr. Townsend: I presume that is a 50 foot street there.

Mr. Johnson: Does the official position of those who patronize it suggest it's name?

Mr. Townsend: Well, I don't know, Mr. Johnson. I have been in that Court Bar. I have never been in it for two years. I don,t know what has been going on there for two years.

Mr. Cooper: How long has that sign been up there?

Mr. Townsend: Well, it has been there ever since, - as long as I know anything about the place - four years that I know of. I don't know how long before.

Mr Foster: Is that a barrel house or a bar?

Mr. Townsend: No, it is a saloon, not a barrel house. Now in reference to the city cases being tried, when I first went into office I had a great argument with the city attorney -

Mr. Johnson: (Interposing) What was his name?

Mr. Townsend: Mr. McClynn, Joseph C. McClynn. He is now in the Army. Mr. McClynn and I had this argument: He claimed the right to dismiss any and all cases preemptorily, that he chose to dismiss, and I claimed that he did not have that right.

Mr. Johnson: Your contention was that the court should dismiss?

Mr. Townsend: Yes, it was my theory. Well, he had a falling out right there about that proposition and he undertook to dismiss the cases, and succeeded very well, because when I insisted that they be tried and I called the cases for trial, I had no prosecuting witnesses, and I couldn't proceed. So the cases had to be dismissed. There was no one to prosecute them and the City Attorney

refused.

For another proposition, if the litigants - that is, the people that are arrested on these misdemeanors, these minor charges, the violations of the city code - they will come to the justice and want to know what he is going to do with them.

Mr. Johnson: Before the trial?

Mr. Townsend: I informed one gentleman whose name was mentioned here this afternoon as being the head of this Mechanics Club, which is a gambling organization, -

Mr. Johnson: (Interposing) What is his name?

Mr. Townsend: Wallace, Al Wallace. I informed him, one time, that I would fine him $50. and costs for running that Mechanics Club up there. That was an indiscreet remark on my part, because when he came into court to try the case, he immediately changed the venue and I understand the case was dismissed on payment of the costs - at least I never heard of the case any more.

Mr. Foster: Was the requirement of his dismissal usually the payment of the costs?

Mr. Townsend: That seems to be the rule. Now when you get up against a thing like that, you are powerless.

Mr. Cooper: Where is this Mechanics Club, gambling house?

Mr. Townsend: I don't know Judge; it used to be on Missouri Avenue, the last time it was before me. I don't know where it is now. I never thought anything about the Mechanics Club any more since the time I had

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it before me and since he was last arrested here. The first time I heard anything about it -

Mr. Johnson: (Interposing) That was Wallace's first name?

Mr. Townsend: Al , I believe.

Mr. Yorty: Now, don't you think that is a very forceful use of the words "Aesthetics" putting it with the word "Club", for a gambling house?

Mr. Townsend: Yes, I do. I really think that is at least a misnomer.

Mr. Johnson: Do you know whether this Mr. Wallace is conducting this business on his own property, or on rented property?

Mr. Townsend: On rented property, I would say. I don't think he owns any property.

Mr. Johnson: Do you know who owns the place?

Mr. Townsend: No. As I said a while ago I don't know where it is located now. I just saw it in the paper.

Mr. Johnson: Will you find out where it is located and who owns the property, and come back to the Committee and tell us?

Mr. Townsend: I can find out, yes.

Mr. Yorty: You started to say, when I interrupted you, "now, when one gets up against a thing like that." What were you going to say then?

Mr. Townsend: I mean when he gets up against the circumstances, that I have related, and doesn't make any difference, gentlemen, whether I want to do right in this matter; I will find myself doing it by myself if I do.

That is the proposition. I started into the justice's office as honestly as I knew how, and I have found myself what I would judge a complete failure in being able to accomplish anything, except when I am dealing with honest people. The system is wrong.

Mr. Johnson: That sometimes happens, does it?

Mr. Townsend: Oh yes, there are honest litigants, and I try cases where the attorneys and the clients on both sides, the litigants, are perfect gentlemen and honest, but mistaken about their rights, or they wouldn't be in litigation, and it is a pleasure to try those cases.

During the riot I had nothing to do with any of the people arrested. There were none of them brought before me except one man, a Creek, and I don't remember his name. He was charged with arson. I held him to the Grand Jury under $700 bond and sent him to the county jail. I don't know what became of him. That is the only case I had.

Mr. Johnson: Was he indicted, or do you know?

Mr. Townsend: I don't know.

Mr. Johnson: You don't know how he got out of jail?

Mr. Townsend: I don't know whether he is out of jail or not. I say I sent him to jail. So far as I know officially, he is in jail-- or any other way.

We have another condition where the justice is hired, and I can't exactly see where the place is justified. I have sent men to jail on the charge of vagrancy. There is where we have more power than any other one thing. We

can send a man-- fine him from one dollar to one hundred dollars, or we can sentence him up for not exceeding six months in jail.

Long before the riot here, for two years, we were bothered with a bunch of women, prostitutes, colored prostitutes, who infested what is known as the "old Valley", where they ran the white prostitutes out under the Chamberlain administration, and that filled up with these colored prostitutes, and we were bothered with hold-ups, highway robberies, and I presume that the majority, at least, if not 75 per cent or more of the hold-ups in this town were committed by these negro men. These negro women-- the statute on vagrancy is very broad. It covers most everything in the category of petty crimes or misdemeanors. If a person is an inmate of a house of ill-fame, they are vagabonds; or if they are known to be a thief, or convicted of a felony, or they will loiter around saloons, and all that sort of thing, they are considered vagrants; and I have sentenced these women from thirty days to six months in jail, and next day see them on the street. And I am absolutely powerless, gentlemen, to do anything in that regard. I would inquire about how they got out of jail from the colored detectives, who would inform me that they were gotten out of jail on a writ of habeas corpus. Now what the ground was I don't know. I tried to make all my *mittimuses* conform to the law.

Mr. Cooper: Who issued the writ?

Mr. Townsend: Well, it would be issued in most of

those cases by Judge Crow at Belleville, the Circuit Judge. On what ground Judge Crow did it I don't know. But we as officers to enforce the law were up against that proposition.

Now I sent a man to jail not two weeks ago and gave him a sentence of six months--

Mr. Johnson (Interposing:) For vagrancy?

Mr. Townsend: For vagrancy, and he is out of jail. A lawyer came up to my office and wanted to get the data, a copy of the complaint, a copy of the *mittimus*--

Mr. Johnson (Interposing:) Who was the lawyer?

Mr. Townsend: Joe Grace was the lawyer, and I gave him the necessary information and asked him what he wanted with it, and he said he wanted to get this man out on a writ of habeas corpus. He went to Belleville, he informs me, and when he got to Belleville and inquired for the prisoner they told him he was not there. I don't know what became of him, but anyway I honestly sent that fellow up there for six months, and he is gone (laughter). Now how can a justice, gentlemen, do anything under conditions of that kind? And does he merit the blame that he gets for being absolutely crooked? As I told you, if I ever made a crooked move on that job as far as I have been on it, I did it mistakenly and not knowingly; and as long as we permit those people to jail and we can't keep them there, it is

discouraging.

I have sent men up to jail under hundred dollar fines for disorderly conduct, which isthe limit, and they would be out in a day or two-- three or four days at the limit.

Mr. Cooper: Do you know whether they paid the fine or not?

Mr. Townsend: I don't know. I wouldn't judge they did, from the looks of the prisoner.

Mr. Cooper: The fine could be paid in your court, couldn't it?

Mr. Townsend: Yes, it could be paid there.

Mr. Cooper: And some of these men, then, you say on the streets, you never knew of their paying a fine?

Mr. Townsend: I never knew of them paying a fine. They may have been gotten out on a writ of habeas corpus.

Mr. Cooper: Have you ever heard a statement of the grounds upon which these writs are issued, the reasons assigned for the issuance of a writ of habeas corpus for a person sentenced to incarceration by you?

Mr. Townsend: No, I never did. I would have had to go to Belleville, to the county seat-- I don't think many of them went through the city court here. I never read the writ at all.

Mr. Johnson: Has this current act under which you have been proceeding been declared unconstitutional-- declared by the supreme court of your State unconstitutional?

Mr. Townsend: I don't know, Mr. Johnson, whether there has ever been a decision on it or not. I don't know

whether there has ever been a decision as to its constitutionality.

Mr. Johnson: But you have a right to take it for granted, as long as arrests are being made under it, it has not been so declared?

Mr. Townsend: Yes. I would say that it is a valid statute, in force and effect in this State. I know it is.

Mr. Johnson: And therefore these releases under writs of habeas corpus haven't been because the law has been declared to be unconstitutional?

Mr. Townsend: No; I can't conceive of why they should be released on that ground. As I say, I can't conceive of any ground for their release.

Mr. Cooper: While you were testifying there was one thing you said which made me think that possibly there might be a very severe penalty attached for an offense not of an aggravated character, or any offense at all. Did I understand you to say that if a person had been convicted of a misdemeanor, and say ten years after he happened to be in this community; that fact was known, and the fact that he wasn't working, together with the fact of a previous conviction and sentence made him a vagrant?

Mr. Townsend: A felony, Judge, not a misdemeanor.

981 Mr. Cooper: I misunderstood you. Then if a man, for instance, had been convicted of any offense for which he had been sentenced to State's prison, say, for a year, and should be back in this community out of work, could he be arrested and sent up for six months?

Mr. Townsend: Oh, he wouldn't be sent up for six months, and perhaps he wouldn't be sent up at all, unless his intentions were bad. Now, for instance, we have a man in this community who committed a murder, I believe, and was given fourteen years in the State's prison, and served his term out, and when he was discharged from the penitentiary declared he never would work, and he never has. Now that man has been sent up to the County Jail several times on the charge of vagrancy, because he is a vagrant. He will not work. But he is a man that has been convicted of a felony and now can't give a good account of himself, and he is continually drunk. He merits--

Mr. Cooper (Interposing:) Put suppose a man is arrested as a vagrant. He is found on the street here sober, without money, out of work, asking for work, seeking it in vain, and then he asks somebody for enough to get himself a bite to eat; would that fact-- or those facts in the aggregate, first, prior conviction, the fact that he is without employment, without money and asking for a pittance to get himself something to eat-- would that be sufficient, the proof of those facts, to arrest and convict him?

Mr. Townsend: Well, they wouldn't be sufficient to convict him. I don't think that the law intends that.

Mr. Cooper: Well, but it isn't what it intends. Could a conviction follow if those facts are proven? Would the law permit a conviction?

Mr. Townsend: As a theory, I think it would.

Mr. Cooper: So then it all depends upon the

humanity of the courts?

Mr. Townsend: Exactly.

Mr. Cooper: Well, I can see how a very great injustice might be done in certain cases. Some good men who have committed felonies, have been convicted, repented of it all their days and been good citizens; such a man as that, with the fact of the conviction known, it might make it difficult for him to get employment and he might be honestly doing everything he could to get employment.

Mr. Townsend: I think that is true.

Mr. Cooper: But the law ought not to permit the conviction of a man for having been charged and convicted and punished by imprisonment or otherwise, simply because those facts exist. There ought to be evil intent.

Mr. Townsend: I think so.

Mr. Cooper: And yet you think the law would permit it? As you stated the law in the first instance, it would permit it.

Mr. Townsend: Yes; if the Court were to shut his ears to what was honest and right.

Mr. Cooper: Well, then, it ought not to be left--

Mr. Townsend: I think that our vagrancy statute is too broad.

Mr. Cooper: Isn't the statement I made against it good?

Mr. Townsend: Yes, sir.

Mr. Johnson: Has there been any such case in your court as Judge Cooper has mentioned?

Mr. Townsend: No.

Mr. Johnson: Have you ever heard of one in the community as he states it?

Mr. Townsend: No, I don't know of any. It is natural if a man is sentenced to State's prison, that it haunts him the rest of his life. That is very true, but I don't believe there has been anybody sentenced, that is honestly seeking work and trying to do right. I don't think he is ever jerked up on that charge, Mr. Cooper.

Mr. Cooper: I was thinking about what I read in the
982 paper today or yesterday, a young fellow, married, somewhere up here in Iowa, and getting thirty dollars a month; he and his young wife foolishly followed a show around, and they landed in this town without a x cent and they hadn't had anything to eat for 24 hours. They sat up in the station down here all night, hungry and tired, and finally the young fellow started out to go into a grocery store-- everybody asleep. He told his young wife to wait and he would go into the store and get her something to eat. He was detected in the act, shot at and arrested. That was in St. Louis, not in this city.

Mr. Townsend: I never heard of it.

Mr. Cooper: Now there was a man caught attempting to commit a felony, a very serious offense, and an arbitrary, too severe man in the court might work great injustice on that man.

Mr. Townsend: Well now, as to being arbitrary and severe, that is what I have been criticised for more than

anything else officially, the fact that I am too severe. I have been approached by hundreds of people, good and bad, "Don't be so heavy on these people; let them go lighter". I have had more criticism, and it has been passed around amongst the justices' courts that it-- they will say to one another, "If your case is before Townsend you had better change the venue or he'll send you to jail for the limit." I have been up against that thing. I have no intention of sending a man to jail for the limit unless he justly deserves it.

Mr. Cooper: Well, Mr. Witness, I wouldn't impute anything of that kind to you.

Mr. Townsend: I am telling you what I have been criticised for, to show you that I am helpless in these matters.

Mr. Cooper: I think what the Committee has heard in the testimony, as to the character of the offenses perpetrated here-- I should say that the limit ought to be imposed about 99 times out of a hundred, and then it would be too small.

But what I was thinking about was this charge of vagrancy, just simply the establishment of those facts without any proof of evil intent, being sufficient to convict a man of vagrancy and result in his imprisonment.

Mr. Townsend: The reason I have so many vagrancies here is the fact that this seems to be a sort of clearing house for St. Louis, and fellows on their way to Chicago and to other large cities in the East, most necessarily come

through here to get from the East to the West and still stay in the thread of population-- this part of the country. Consequently they get into this town, and we have to put up with them.

Mr. Cooper: I think when you impose the maximum penalty you are perfectly justified. I haven,t a doubt of it.

Mr. Townsend: I have been criticised for that thing, and if any criticism is due to me on that proposition, I am willing to stand it, but I am making this statement because I infer that the record here will show that the justices of the peace have been accused of this thing, and I think if it isn,t true the justice that stands under that thing is standing under a load that he ought not to stand under. That is the reason I came here to protest against it, because I presume this record will go to Washington before Congress; and if it goes up there without my protest in there against that thing, I practically stand without defense.

Mr. Baker: How many constables are there?

Mr. Townsend: Five in the city of East St. Louis.

Mr. Baker: Do they play favorites to the various

983 courts?

Mr. Townsend: Well, each court-- when each justice is elected he has a constable. That is, there are five justices and five constables. It is left to their discretion as to who they should serve papers for.

Mr. Baker: Left to their discretion?

Mr. Townsend: Yes. They can serve papers for any one justice or for all of them, but they usually take a court, so as to have headquarters.

Mr. Raker: I know, but if you issued five warrants and give them to as many constables, they would all have to scatter out and serve the papers, wouldn't they?

Mr. Townsend: Each constable would have to serve the papers that were given to him, yes. I can call in any constable in St. Clair County.

Mr. Raker: Well, do they play any favorites when an arrest is made, as to which justice they should take it to?

Mr. Townsend: That has been the custom here for years. Every constable will favor a certain justice. They do that.

Mr. Raker: What is the salary of the justice?

Mr. Townsend: The justice is on a fee basis.

Mr. Raker: Well, what is it?

Mr. Townsend: Sometimes it is very poor.

Mr. Raker: What is the fee for the trial of an ordinary vagrancy case?

Mr. Townsend: We get nothing, except as the county board will allow. The county board-- there is a statute under Fees and Felonies that provides that the County Board in their discretion can allow justices and constables fees.

Mr. Raker: Do they?

Mr. Townsend: In their discretion. And they allow us about 67 cents-- about the way it will figure out-- for each vagrancy case.

Mr. Raker: How much for a preliminary examination?

Mr. Townsend: They allow-- I am wrong on that. For a vagrancy case it is 75 cents, and they divide it in three and we get a quarter, 25 cents. Then in a preliminary hearing they allow two dollars, and when they get through dividing-- I don't understand the system the County Board uses-- the judiciary committee of the County Board-- but when it gets back to us, it is about 67 cents for a preliminary hearing.

Mr. Raker: In which you bind over a man to appear before the Grand Jury?

Mr. Townsend: Or before the Circuit Court.

Mr. Raker: Does that apply to all criminal cases and preliminaries?

Mr. Townsend: Yes, sir.

Mr. Raker: And the other applies to all cases that relate to where they are tried in your court, in the justice court?

Mr. Townsend: Yes. Now if we fine a man and collect the fine, of course we collect our costs; but all cases where we commit a man to jail, why if we report that to the County Board in our sworn report, they will allow the fees they have fixed.

Mr. Raker: Which you have designated?

Mr. Townsend: Yes, sir.

Mr. Raker: Are there any fees for handling cases that grow solely out of the city ordinances?

Mr. Townsend: Not a thing; neither city nor county-- no fees for those at all.

Mr. Raker: Is there any favoritism played in the police department in regard to arrests, before which justice the case will be taken?

Mr. Townsend: Oh, yes.

Mr. Raker: How have you stood with the police department in the last two years in regard to the police bringing in cases of men who have been arrested?

Mr. Townsend: Well, I have had many ups and downs on that proposition. I have been discriminated against, I suppose, as muchas anybody else.

Mr. Raker: In what way?

Mr. Townsend: They would take them to other justices of the peace.

Mr. Raker. Instead of bringing them to you?

Mr. Townsend: Instead of bringing them to me.

Mr. Raker: Now before a man is arrested, he is suspicioned-- they have reasonable evidence to believe he is guilty-- that is, the officer didn't see him commit the act, but in the ordinary way, so far as being arrested, an affidavit is filed?

Mr. Townsend: Yes, sir.

Mr. Raker: And then the justice issues a warrant of arrest or a mittimus?

Mr. Townsend: Now that is true where a witness comes before a ~~xx~~ justice and makes his complaint.

Mr. Raker: That is what I am talking about. There must be many of that kind.

Mr. Townsend: The majority of arrests are made by the

police without a warrant.

Mr. Raker: Well, how are you going to-- a man is held up here, and you don't find him. He isn't found until the next day, and some officer must come before the justice and make affidavit that they suspicioned the man and arrested him on that affidavit?

Mr. Townsend: Yes, sir.

Mr. Johnson: Do you have to have a warrant in this State to arrest a felony?

Mr. Townsend: Oh, no. Now here is the way the arrests are made: In the case of a hold-up, if they know who that person is, they pick him up without a warrant.

Mr. Raker: Any place, any time?

Mr. Townsend: Yes, sir.

Mr. Raker: Day or night?

Mr. Townsend: Day or night. Now if they don't know who he is, it is usually turned into the detective department and they locate him, if possible.

Mr. Raker: How has your office stood with the State's Attorney and his deputies?

Mr. Townsend: I have been very friendly with both the State's Attorneys since I have been here.

Mr. Raker: And his deputies?

Mr. Townsend: There is no trouble with the State's Attorney.

Mr. Raker: Do they try cases before your court?

Mr. Townsend: Yes; they have dismissed many cases where I didn't think it ought to be done, but then that--

Mr. Raker (Interposing:) Now that is outside of the City Attorney. You told in your direct examination about the City Attorney. A complaint is filed, and the man charged with a felony. The State's Attorney comes in and moves-- or dismisses it without any order from the court at all?

Mr. Townsend: Oh, yes.

Mr. Raker: And that ends the case?

Mr. Townsend: That ends it. If the justice doesn't like that system, why there will be no witnesses there. There will be no State's Attorney there to prosecute, and necessarily he has to abide by that. The State's Attorney exercises the same power of nolle prossing cases in the Circuit Court. If a man is indicted and brought before the Circuit Court, the State's Attorney has the power to nolle prosse the case.

Mr. Raker: He can't do it without an order of the court, though, can he?

Mr. Townsend: Well, I never heard the Court or the State's Attorney quarrel about the matter.

Mr. Raker: Well, there are very few cases that he can do it in without an order from the court, and showing the reason for it. But I don't know what it is here, and we are not investigating that.

After you find a man guilty and order him imprisoned, in your commitment do you set out a copy of the judgment against the man who has been found guilty, in the commitment that is given to the officer?

985 Mr. Townsend: No, the commitment just merely recites that the man was brought before the court and that the testimony was heard, and that the court found him guilty of the charge of disorderly conduct, stating briefly what that was.

Mr. Raker: An ordinary warrant with a commitment, instead of a copy of the judgment?

Mr. Townsend: Yes, sir; that is it exactly.

Mr. Raker: And that is given to the officer, and he takes charge of him and confines him in the proper place according to the law?

Mr. Townsend: Yes.

Mr. Raker: You say that at one time the buildings opposite from the court-house were inhabited by ladies of easy virtue?

Mr. Townsend: Opposite the police station?

Mr. Raker: Yes.

Mr. Townsend: No, not opposite.

Mr. Raker: Well, state where it was.

Mr. Townsend: Behind, on Third Street. Oh, they are still there.

Mr. Raker: Some one said here the other day that they were all gone, as I understood. That is the reason I was asking you.

Mr. Townsend: Mr. Raker, they are all over this town--prostitutes-- at the present time-- that is, in what we know as the "downtown" district.

Mr. Raker: Well, did the colored women run the whites out and get possession before the rioting?

Mr. Townsend: The city officials abolished what was known as the "segregated district", and then the houses became vacant, and were rented by the owners and real estate men to colored people.

Mr. Baker: After the city had made this designation?

Mr. Townsend: Yes, sir; after they had abolished the segregated district. Then the district filled up with this low element of colored women, and that is in a place where thousands and thousands of men go to work, they necessarily had to pass through that, and have been held up at the point of a gun, razor or some other weapon.

Mr. Baker: Then if it was intended to have been conveyed to the Committee that this 800 alleged crimes by negroes have been committed between, say, the 1st of September, 1916, and the 1st of July, 1917, by negro men, your statement now is that at least part of those were committed by negro women?

Mr. Townsend: Oh yes, many of them.

Mr. Baker: Half of them, you think?

Mr. Townsend: Oh, I wouldn't say that half of all the crimes.

Mr. Baker: Of this particular locality that I am talking about.

Mr. Townsend: Of th hold-up cases, yes. I would say half of them were committed by these negro women.

Mr. Baker: And those cases were right within the shadow of the police station and the courts?

Mr. Townsend: Yes, and all over town.

Mr. Baker: In this particular instance; I want to get

this particular instance. were those cases prosecuted?

Mr. Townsend: Oh, yes.

Mr. Raker: Were there convictions?

Mr. Townsend: No, sir; I have never heard of any one of them being convicted.

Mr. Raker: These hold-ups were not convicted?

Mr. Townsend: No, not so far as I had anything to do with them; that was merely holding a preliminary hearing and binding them over to the Grand Jury. As I get the settings-- it is mailed to me by the Circuit Court-- I get the settings every time they are published, and I run over them, and I noticed a few of them had been indicted, but never any of them convicted.

Mr. Raker: Well, there seems to be a space between
986 the binding over and the indictment, a great latitude. Is that where a great deal of the work appeared to be done, and these people got away between these periods?

Mr. Townsend: Yes, they got away between the justice courts and the final hearing in the Circuit Court, or between that and the Grand Jury.

Mr. Raker: Well, how were you as to bonds? Did you make any effort to get good, valuable bonds?

Mr. Townsend: Oh yes, Mr. Raker: With these colored women that were brought before me I fixed, some time, more of an experiment than anything else-- I fixed her bond at $5,000. That bond was immediately given by a qualified bondsmen.

Mr. Raker: Who were the bondsmen, do you remember?

Mr. Townsend: No, I don't remember. My records would show.

Mr. Baker: Were they white men?

Mr. Townsend: Oh yes; men that were perhaps worth $100,000.

Mr. Baker: They went on these bonds?

Mr. Townsend: Oh yes. That their fees were for going on those bonds I don't know. I don't know what the consideration was, but when they would go on them, we couldn't hold them in jail.

Mr. Baker: Why?

Mr. Townsend: They will give bail. It don't make any difference if you fix it at $10,000, they will give bail and give it within a short space of time comparatively.

Mr. Baker: Well, does there appear to have been professional bondsmen dealing in these kinds of bonds for the last year and a half?

Mr. Townsend: Oh yes, for the last five years that I know of. Since I came here in 1913 there have been professional bondsmen here. There were professional bondsmen here then.

Mr. Baker: Can you give us the names of some of those professional bondsmen?

Mr. Townsend: Oh yes. There was Mr. Gerold, George Gerold, and Fred Gerold. There was a colored man by the name of George Quill. F. I. Marks was a bondsman here for a long time.

Mr. Raker: Where is Mr. Marks now?

Mr. Townsend: Right here (indicating).

Mr. Raker: Is this Mr. Marks here (indicating)?

Mr. Townsend: Yes, sir.

Mr. Raker: Mr. Marks has been in attendance on our Committee now for about two weeks. Mr. Marks was one of the professional bondsmen that appeared for these colored prostitutes?

Mr. Townsend: I wouldn't say that. I am talking about the professional bondsmen.

Mr. Raker: Well, I stepped off too quick when you came to that.

Mr. Townsend: Of course I can't recall whether he signed any of them or not.

Mr. Raker: But Mr. Marks was on the job for general bonds for people charged with offenses?

Mr. Townsend: Yes. They had big signs out. They have been taken down two or three months ago and he quit the business. But he had big signs displayed that everybody could see.

Mr. Raker: What kind of signs?

Mr. Townsend: "F. I. Marks, professional bondsman."

Mr. Raker: Professional bondsman?

Mr. Townsend: No; "qualified bondsman", not "professional". I don't remember what the signs were.

Mr. Raker: Well, did you test their qualifications when you took the bonds?

Mr. Townsend: Not other than to swear them.

Mr. Baker: You took the ordinary affidavits?

Mr. Townsend: Yes. That is all we were required to do.

987 Mr. Baker: Yes, that is the usual proceeding. Did at any time the city attorney or the State's attorney, or anybody else, ever raise the question that these men were not sufficient bondsmen, and therefore required that they should qualify, and a hearing was then had by you and testimony taken as to the property they had?

Mr. Townsend: No, sir; I don't recall any instance of that kind.

Mr. Baker: Well, then, one of these chaps could just come up before the justice and make the ordinary affidavit that he was worth fifty dollars or one hundred dollars, or whatever the amount was, and the bond was taken and the party alleged to have committed the offense was discharged?

Mr. Townsend: Oh yes.

Mr. Baker: Put on bail?

Mr. Townsend: Yes, sir.

Mr. Baker: How is the general social relation existing between yourself and the other justices of the peace of this city?

Mr. Townsend: At the present time?

Mr. Baker: Yes, sir.

Mr. Townsend: Very friendly. I haven't fallen out with any of them.

Mr. Baker: You hobnob and associate together?

Mr. Townsend: Oh, no.

Mr. Baker: Do you meet in each others' offices?

Mr. Townsend: No; just simply meet one another on the street. That's about all.

Mr. Baker: Oh well, of course you meet a fellow on the street and--

Mr. Townsend (Interposing:) No, sir; so far as my knowing what goes on in the other justices of the peace courts, I don't know.

Mr. Baker: That is what I was trying to get at. You don't visit the courts?

Mr. Townsend. No.

Mr. Baker: You don't go in there when they are holding court?

Mr. Townsend: No.

Mr. Baker: You have never followed up one of these cases to see what became of it after you found a man guilty-- or the jury found him guilty and the court carried out the judgment and entered judgment, and he was discharged or was not prosecuted?

Mr. Townsend: No; other than to inquire what was done with the case.

Mr. Baker. You never learned to see whether your commitment or your warrant was insufficient, so that you might correct it?

Mr. Townsend: No; I never followed them at all as to the evidence.

Mr. Baker: Have you ever been advised by the State's Attorney or the City Attorney, or anyone else, that the war-

rant issued by you or the commitment issued by you after judgment were insufficient and defective in any way?

Mr. Townsend: No, sir; I never was told or informed of that at all. If they were, I don't know it.

Mr. Baker: Now let me see if I understand this correctly. A case is set for trial and you subpoena or direct a constable to subpoena 25 jurors, good and lawful men. Is that right?

Mr. Townsend: Well, the subpoena reads that he subpoena six. Of course necessarily he must subpoena more than that in order to get a jury.

Mr. Baker: Now let's see. A case is set for trial tomorrow morning and a jury has been demanded. Don't you make an order for how many jurors shall be in attendance tomorrow at ten o'clock?

Mr. Townsend: The venire never issues until the case is called for trial.

Mr. Baker: I say, the case has been called for trial, and the ~~case~~ trial is set in advance, the next day.

Mr. Townsend: Yes.

Mr. Baker: And a venire issues. Doesn't the justice determine the number of jurors that shall be on that venire?

988 Mr. Townsend: No, if they are going to try the case with six jurors.

Mr. Baker: I didn't ask about six. I want to get this clear, because I have got a couple of important questions that I am going to ask you in regard to it. There has been no agreement as to the number of jurors at all. The statute requires how many?

Mr. Townsend: Six, in a justice court.

Mr. Baker: If there is no agreement?

Mr. Townsend: Yes, sir; if there is no agreement on any other number.

Mr. Baker: You the parties meet this afternoon and agree that they will both be ready to try the case tomorrow at ten o'clock, and demand a jury trial. Do you fix now the number of jurors that shall be in attendance tomorrow as the veniremen for the trial of that case?

Mr. Townsend: No, sir; oh no. The venire issues when the jury is demanded. The statute requires that the jury fees should be paid in advance, and when these fees are paid the venire issues and states that the constables shall summon six men, true and lawful men. Then he goes out and summons perhaps a dozen men, and then the six men fill in the panel, and they are either accepted or eliminated.

Mr. Baker: Let us not slip over that too quick. I cannot concede that. You must not understand my question. The case is not set for trial, but is ready. The man demands a jury trial. He tenders-- makes a deposit, and then does not the venire then issue, preparatory to bringing the jurors in the next day, or the afternoon?

Mr. Townsend: No; it never issues-- suppose a man is arrested today and the case is set for tomorrow at one o'clock. Then tomorrow at one o'clock the venire issues and the men are immediately summoned by the constable. We sit and wait for them.

Mr. Baker: You sit and wait until he brings them in?

Mr. Townsend: Yes, sir. If it takes half a day we sit there and wait. They are challenged for any cause.

Mr. Baker: Well, let's hang on to the six first. I don't want to get confused on this. There is something there that may be all right-- possibly it is. You subpoena six, and those are to be in attendance at a certain time?

Mr. Townsend: It usually reads "forthwith".

Mr. Baker: Well, there is no des'gnated time?

Mr. Townsend: No.

Mr. Baker: Now I am going to be particular on that. You made the statement in your direct examination, and I am going to find out what it means. Now I want you to be particular on it. Now listen to my question. Do you kixk fix an hour or a minute-- in other words, ten minutes after one, when the jurors are to be in attendance?

Mr. Townsend: No, the venire reads that he will demand them to appear forthwith. I usually write that in there, so there will not be any mistake, and the man, the talesman that is summoned, will know he is to come immediately.

Mr. Baker: Then at the same time, instead of subpoenaing the six under the command of the venire and the law, the constable at the same time, having selected six business men, as you told us now, he selects six rounders; is that about right?

Mr. Townsend: No. You see the constable goes out, and I don't know who he subpoenas. That is a matter up to the constable, but I can only judge what he subpoenas by what comes into the court.

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Mr. Baker: Now you have stated in your direct examination-- in your testimony to the Chairman-- that the business men were subpoenaed, but didn't come in; but the others came in in their places and were sworn in, and that gives the business man a chance to get away without being sworn in.

Mr. Townsend: Yes; if he is dilatory about coming immediately, why then the constable-- we are examining these six, and the constable rushes in these other fellows.

Mr. Baker: Well, I am going to stick to that proposition until you give your theory about it. He gets the names of six, does he?

Mr. Townsend: No; they come into the court-room and sit down there, and they are not examined.

Mr. Baker: You don't know who is subpoenaed?

Mr. Townsend: No, absolutely not, until-- these men just come in and sit down in those six chairs, and never have been subpoenaed.

Mr. Baker: As jurors?

Mr. Townsend: Yes, sir.

Mr. Baker: Then they are taken and examined as veniremen?

Mr. Townsend: Yes; they are examined by the attorneys.

Mr. Baker: In other words, the whole jury could volunteer and come in there and be examined and sworn in without being subpoenaed at all?

Mr. Townsend: Yes, many times they do that.

Mr. Baker: In other words, a jury of thieves could come in and take the chairs and be sworn in to try a case to turn a thief lose?

Mr. Townsend: Yes; if they will perjure themselves they can do that.

Mr. Baker: Well, I am not talking about perjury now. That don't seem to amount to anything. And that is the way the matter is conducted?

Mr. Townsend: Yes, sir.

Mr. Baker: Well, it don't leave you much chance, does it?

Mr. Townsend: Not any chance at all; not any chance in the world. The justice is perfectly powerless in the matter, and I know of no authority that the justice has to peremptorily dismiss a man.

Mr. Baker: You have said this saloon across there, the Courts Bar, is run by a man and a woman?

Mr. Townsend: Yes, sir.

Mr. Baker: They both conduct the bar?

Mr. Townsend: They are both in there. As I say, I haven't been in the place for two years. I don't know whether she tends bar or not. I am not a drinking man. I don't attend any of them.

Mr. Baker: Oh well, a man can go into a saloon-- that don't make any difference.

Mr. Townsend: This saloon keeper that runs this saloon ~~xxx~~ used to be a police sergeant on the force here, and whether the license is in his name or the woman's name I

don't know. They both run that saloon. They are both there.

Mr. Cooper: I want to ask just one question only. Were you ever criticised or censured for severity in any penalty imposed by you by the better element of the community?

Mr. Townsend: No, sir.

Mr. Cooper: Or any person known as the better element of the community?

Mr. Townsend: No, sir.

Mr. Foss: I want to ask about the fee system. Do you believe that the abolishment of the fee system would mean a better administration of justice in this community?

Mr. Townsend: Oh much better. The abolition of the
980 justices' courts in this town and the organization of a municipal court such as Cook County or Chicago has would be the thing. Just as long as you have the present system of justice courts in this town you are going to have them abused, because the justice is helpless in the matter.

Mr. Foss: That's all.

Mr. Johnson: You are excused, Judge. The Committee stands adjourned until tomorrow morning at 10 o'clock.

(Thereupon, at 5:10 o'clock p.m., the Committee adjourned until Friday, November 9, 1917.)

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