

Department of Justice

Division of

COMMUNICATIONS AND RECORDS

**MATERIAL MUST NOT BE
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TO THIS FILE**

By order of the Attorney General

50-18-12

BY ~~DATE~~ **SCREENED** 7-2-28 68

**PLEASE USE TRANSFER SLIP
WHEN TRANSFERRING THIS FILE**

See also Nos.

EM:HAS:ML

50-18-12

March 3, 1939.

MAR 10 1939

Thurgood Marshall, Esquire,
Assistant Special Counsel,
National Association for the
Advancement of Colored People,
69 Fifth Avenue,
New York, New York.

Dear Sir:

Your letter of January 26, 1939, in which you refer to a letter from the Department dated December 10, 1936, concerning alleged peonage conditions in Macclenny, Florida, was received and inquiry made into the matter.

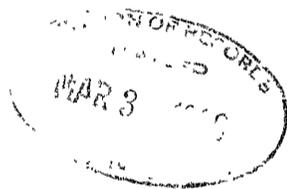
Will and Earl Knabb, Fred Jones, and Edward Stewart Hall, Jr., were prosecuted for violation of the peonage statute. On May 28, 1937, a verdict of not guilty was returned as to William Knabb, Jones and Hall, and on the same day the charges were dismissed as to Earl Knabb. At the conclusion of the trial it was determined to make investigation as to perjury believed to have been committed by a witness for the defendants, William D. Strickland. He was taken into custody and released on bail in the sum of \$2,000.00. It is expected that the case against him and others believed to have been involved will be presented to the Federal Grand Jury convening at Tampa, Florida, in May of this year.

Respectfully,

For the Attorney General,

(signed) Brien McMahon

BRIEN MCMAHON,
Assistant Attorney General.



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**NATIONAL ASSOCIATION FOR THE
 ADVANCEMENT OF COLORED PEOPLE**

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4-8551

Official Organ: The Crisis



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January 26, 1939.

Fisher

Mr. Brien McMahon,
 Assistant Attorney General,
 Department of Justice,
 Washington, D.C.

My dear Mr. McMahon:

We have received several requests for information from R.K.O. Pictures concerning peonage in the turpentine camps in Florida.

On checking our files I find that we received a letter from you dated December 10th, 1936, copy of which is enclosed. I am wondering if there were any later developments in this case and would appreciate being so advised.

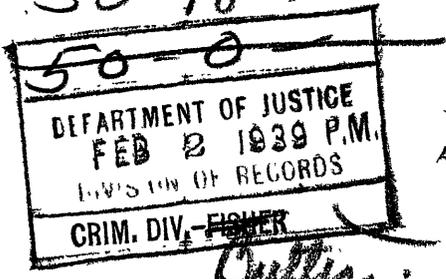
We thank you in advance for any information.

Very truly yours,

Thurgood Marshall per a

Thurgood Marshall
 Assistant Special Counsel

50-18-12



RECORD

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TM:FEA
 Enclosure: (1)

MAR 10 1939
2/27/39

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK
 30th ANNUAL CONFERENCE, RICHMOND, VIRGINIA, June 27th - July 2nd, 1939

DEPARTMENT OF JUSTICE

WASHINGTON, D.C.

BM

BM:MR

December 10, 1936.

Mr. Walter White, Secretary,
National Association for the
Advancement of Colored People
69 Fifth Avenue,
New York, New York.

Dear Mr. White:

The Attorney General has requested me to reply to your letter of December 8, 1936, in which you urge the prosecution of certain persons, who are alleged to have held a number of persons at Macclenny, Florida.

You are assured that this matter will receive proper attention.

I wish to thank you for your expression of satisfaction on the Peacher conviction in Arkansas.

Very truly yours,

Signed: Brien McMahon
Assistant Attorney General

50-18-12
MAR 10 1939

EM:BWB:ilh

50-18-12

JAN 31 1939

January 30, 1939.

Mr. David E. Clendenin,
Secretary-Treasurer,
Workers Defense League,
112 East 19th Street,
New York, New York.

Dear Sir:

This is to acknowledge receipt of your letter of January 24, 1939, asking for information concerning the case in the Southern District of Florida involving Will Knabb, Earl Knabb and others, as well as William D. Strickland, who was a witness in the peonage case involving the aforementioned persons.

The records of this Department disclose that on May 28, 1937, a verdict of not guilty was returned as to William Knabb, Fred Jones, and Edward Stewart Hall, Jr., and on the same day the charges were dismissed as to Earl Knabb. At the conclusion of the trial Judge Ervin recommended that an investigation be conducted as to perjury committed by witness for the defendants, William D. Strickland. On May 28, 1937, Strickland was taken into custody by virtue of a warrant issued for his arrest based on a complaint filed on that date charging him with having committed perjury. He was released on temporary bail in the sum of \$2,000. #

There is nothing in the Department's file to show that the case against Mr. Strickland was ever presented to a grand jury.

Respectfully,

For the Attorney General

(signed) Brien McMahon

BRIEN McMAHON
Assistant Attorney General

BMB

JAN 30 1939

WORKERS' DEFENSE LEAGUE

112 EAST 19TH STREET

NEW YORK CITY

ALBONQUIN 4-4954-5

RECEIVED
JAN 26 1939
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Treasurer

Butler

January 24th, 1939

Mr. Brian McMahon
Assistant Attorney General
Department of Justice
Washington, D. C.,

Re: BM-50-18-12

NATIONAL COMMITTEE

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728

Dear Sir:-

In running through our files relative to peonage cases in the South, I have recently come across the case involving Will and Earl Knabb and others who were tried in U. S. District Court, Jacksonville, Florida, in May, 1937. According to our records three of the defendants were acquitted by the jury and the fourth, Earl Knabb, was dismissed on motion of District Attorney Herbert Phillips.

I should be grateful if you could inform me of any further action the government or Department of Justice has taken in this case, if any. In addition, it is not clear whether your department prosecuted the case under the peonage statute, or whether the prosecution was at the instance of the Boyd brothers aided by the District Attorney's office.

I further understand that U.S. Commissioner Carl Noble, at the conclusion of the trial, ordered William D. Strickland, one of the witnesses, held under \$2,000. bond to answer charges for perjury. Have you any information as to the disposition of this particular action?

Thanking you for your cooperation,

Very sincerely yours,

David L. Clendenin
David L. Clendenin,
Secretary-Treasurer.

JAN 31 1939

dlc/fth
#16
uopwa

50-18-12
DEPARTMENT OF JUSTICE
JAN 26 1939 A.M.
DIVISION OF RECORDS
CRIM. DIV.-BUTLER

RECORDED

UNITED STATES ATTORNEY
Southern District of Florida
Jacksonville, June 25, 1937

CRIMINAL DIVISION

JUN 28 1937

Report of Disposition of Criminal Case

RECEIVED

United States v. William Knabb alias Will Knabb, Earl E. Knabb and Fred Jones

Peonage - 5655-J Cr. - December Term 1936

(Nature of case: Docket number: and term)

The Attorney General,
Washington, D. C.

Sir:

I desire to report that on May 28, 1937, the above case was disposed of as to the defendants William Knabb, Earl E. Knabb and Fred Jones charged with violating 18 U. S. C. 444,

as follows:

Date of trial and results: 5/24 to 28/37 - Verdict of not guilty as to William Knabb and Fred Jones

Plea: 5-24-37 - Each deft: not guilty

Disposed of otherwise: 5-28-37 - Case dismissed as to Earl Knabb

Sentence:

Respectfully,

HERBERT S. PHILLIPS
United States Attorney

By:

Damon G. Yerkes
Damon G. Yerkes,
Asst. United States Attorney

File

JUN 28 1937

50-18-12
DEPARTMENT OF JUSTICE
JUN 28 1937 A.M.
DIVISION OF RECORDS
CRIM. DIV. FISHER

MD

UNITED STATES ATTORNEY
Southern District of Florida
Jacksonville, June 25, 1937

CRIMINAL DIVISION

JUN 28 1937

Report of Disposition of Criminal Case **RECEIVED**

United States v. William Knabb alias Will Knabb, Earl Knabb, Fred Jones
and Edward Stewart Hall, Jr.

Conspiracy to hold certain persons to condition of peonage - 5657-J Cr. Dec. Term
(Nature of case: Docket number: and term) 1936

The Attorney General,
Washington, D. C.

Sir:

I desire to report that on May 28, 1937, the above
case was disposed of as to the defendant s William Knabb, Earl Knabb,
Fred Jones and Edward Stewart Hall, Jr.,
charged with ~~violating~~ conspiracy to violate 18 U.S.C. 444

as follows:

Date of trial and results: 5/24 to 28/37 - Verdict of not guilty as
to William Knabb, Fred Jones and Edward Stewart Hall, Jr.
Plea: 5-24-37 - Each deft: not guilty

Disposed of otherwise: 5-28-37 - case dismissed as to Earl Knabb

Sentence:

Respectfully,

HERBERT S. PHILLIPS
United States Attorney

By: *Danney S. Yerkes*

Asst. United States Attorney

File

JUN 28 1937

50-18-12
DEPARTMENT OF JUSTICE
JUN 28 1937 A.M.
DIVISION OF RECORDS
CRIM. DIV.-FISHER

W17

IN REPLY
PLEASE REFER TO

EH-g

DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

Jacksonville, June 14, 1937

RECORDS DIVISION

JUN 16 1937

Hon. S. A. Andretta,
Acting Administrative Assistant to
The Attorney General,
Washington, D. C.

Re: United States v. William Knabb, et al

Sir:

Reference is respectfully made to your letter of June 8, 1937 under symbols ERB 50-18-12 relative to the purchase from the court reporter of a transcript of the testimony of three witnesses in the above case, namely William Davis Strickland, Abraham B. Shaw and Parks M. Carmichael.

The court reporters, Dowling and Pattison advise us that the cost of said transcript was figured at the rate of 25¢ per folio (100 words).

These reporters were employed for this trial by the defendants and the reporters advise us that the said rate of 25¢ per folio is according to the agreement they had made with the defendants at the time they were employed.

Respectfully,

Herbert S. Phillips
United States Attorney

By: *Edith House*
Edith House,
Asst. United States Attorney

JUN 21 1937

50-18-12
DEPARTMENT OF JUSTICE
JUN 15 1937 P.M.
DIVISION OF RECORDS
Admin. Asst. to The Atty. Gen.

RECORDED

Mr. DIV. - FISHER

Admin. Asst. to The Atty. Gen.

50-18-12

June 8, 1937.

JUN 10 1937

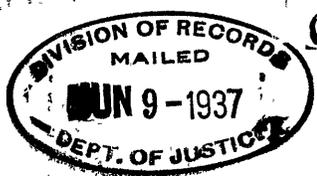
Herbert S. Phillips, Esq.,
United States Attorney,
Jacksonville, Florida.

Sir:

The Department is in receipt of your request on Form 25 B, to incur the expense of \$60.50 for the purchase, from Dowling and Pattison, court reporters, Jacksonville, Florida, of a transcript of the testimony of three witnesses, namely William Davis Strickland, Abraham B. Shaw and Parks M. Carmichael, which testimony was given during the trial of the case of United States vs. William Knab, et al. It is understood that this testimony will be used in connection with other testimony in an effort to have the witnesses indicted for conspiracy.

You are requested to advise the Department as to the folio, or page, rate to be paid for the transcript. This information should always be given when a request of this nature is made.

Respectfully,



(Signed) S. A. Andretta

S. A. Andretta,
Acting Administrative Assistant
to the Attorney General.

WITNESS ARRESTED AS PERJURER, 2ND HELD FOR CONTEMPT

JACKSONVILLE, May 28. (Special)—William Knabb, head of Knabb Turpentine company, MacClenny, and his two woods riders, Fred Jones and Edward S. Hall, late today were acquitted by a Federal court jury of charges in a Federal peonage indictment. The jury deliberated less than 30 minutes before reaching the not guilty verdict.

Before the case went to the jury the arrest of William D. Strickland, Gainesville, on perjury charges and the issuance of a bench warrant charging A. B. Shaw, also of Gainesville, with contempt of court, brought a dramatic trial to a sensational close.

Earl Knabb, son of the operator, William Knabb, was dismissed from the case upon motions by District Attorney Herbert Phillips, who declared the evidence offered did not involve him.

Strickland's arrest was based on testimony yesterday, in which he swore Ed Baker had written a letter to Parks Carmichael, a Gainesville attorney, asking the lawyer to handle certain monies they were to get out of this case. In rebuttal, the government introduced evidence to prove Baker could neither read nor write. Strickland was held under \$2,000 bond and hearing date set for Tuesday.

Strickland's arrest was followed by the issuance of a bench warrant for A. B. Shaw, Knabb company bookkeeper, who is alleged to have asked Strickland to persuade the negroes to write the incriminating letter to Carmichael.

The government charged William Knabb, his son, Earl, and two of Knabb's employes, Edward Stewart Hall and Fred Jones, with holding three negroes in a condition of peonage. The defense contended the charges grew out of the rivalry between turpentine operators and were precipitated by attempts to recruit labor from the Knabb camp. Testimony was offered by defense counsel intimating a \$16,000 "hush money" demand had been made by lawyers representing W. G. Boyd, rival operator who allegedly preferred the first charges against the Knabbs.

The government summoned both J. J. Getzen and Sam Getzen, Bushnell attorneys, to the stand and while J. J. Getzen admitted having telephone conversations with H. L. Anderson, defense attorney, both denied ever having mentioned a \$16,000 "pay-off."

The jury was charged late this afternoon, and began its deliberations at 5 p. m.

In reply please
refer to:
HSP:eh

DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

Jacksonville, May 29, 1937.

CRIMINAL DIVISION

JUN 2 1937

RECEIVED

The Attorney General,
Washington, D. C.

Re: United States v. William Knabb et al
Your file: BM 50-18-12

Sir:

During the trial of this case, which consumed all of this week, three witnesses testified for the defendants, namely, William D. Strickland, Abraham B. Shaw and Parks M. Carmichael. Cross-examination of these witnesses developed what I think is a conspiracy to interfere with the administration of justice in connection with the above styled cause. I therefore request authority to have a transcript of the testimony of these three witnesses made in order that I may use the same in connection with other testimony in an effort to have said three witnesses indicted for conspiracy to interfere with the administration of justice. Form 25 B is inclosed.

After Shaw and Strickland had testified the Court issued a bench warrant for Shaw of his own motion and I had a warrant sworn out for Strickland before the commissioner, which was approved by the Court.

Respectfully,

Herbert S. Phillips
Herbert S. Phillips,
United States Attorney.

Incl.

JUN 10 1937

RECORDED

50-18-12
DEPARTMENT OF JUSTICE
JUN 1 1937
CRIM. DIV. - FISHER
DIV. OF ACCOUNTS

m8

Department of Justice.

Southern District of Florida

Jacksonville, Fla., May 23, 1937
(Place and date)

The ATTORNEY GENERAL,
Washington, D. C.

SIR: Authority to incur the following-described expense is hereby respectfully requested:
Nature of expense: (Describe fully, explaining the necessity—if for personal services giving proposed rate of pay, probable duration of employment, etc.)

To purchase from Dowling and Pattison, Court Reporters, Jacksonville, Fla., transcript of the testimony of three witnesses, namely William Davis Strickland, Abraham E. Shaw and Parks M. Carmichael, which testimony was given during the trial of the case of United States versus William Knabb, et al. Your file # 50-18-12.

SEE INSTRUCTIONS ON REVERSE SIDE

Estimated total expense:
(a) Personal compensation \$ _____
(b) Personal expenses _____
(c) Other items _____ **60.00**

Edith House
Edith House
Asst. United States Attorney
(Official title of officer.)

DEPARTMENT OF JUSTICE,
WASHINGTON, D. C.

ERB:MHH

50-18-12

Approved: *NAJ*

JUN 18 1937
50-18-12
DEPARTMENT OF JUSTICE
JUN 25 1937
DIVISION OF RECORDS
CRIM. DIV.-FISHER DIV. OF ACCOUNTS

You are authorized to incur the above expense, at a rate not exceeding 25¢ per hour.

The United States Marshal for the said District is hereby directed to make payment under the above authorization upon the presentation of accounts in duplicate properly prepared. Payment to be made from the appropriation "Miscellaneous Expenses, U. S. Courts, 1937".

DIVISION OF RECORDS
MAILED
JUN 18 1937
DEPARTMENT OF JUSTICE

For the Attorney General:

(signed) *Brien McMahon*

Brien McMahon,

Assistant Attorney General.

Funds Available

26248

JUN 18 1937 L

9

Department of Justice
Office of the Assistant to the Attorney General
Washington

May 19, 1937

MEMORANDUM FOR MR. COLLINS

The attached is self-explanatory.

I have not seen any request from the United States Attorney for an investigation of the jury panel in the case referred to.

Unless there are more compelling facts than appear on the surface, I am unalterably opposed to such procedure.

Matthew F. McGuire

Matthew F. McGuire,
Special Assistant to the Attorney General.

^{MF}
FILED
BY ~~AI~~
O- JUL 22 1954

*I concur -
Memo to Mr. Hoover.
no investigation
until further facts
presented. Jno*

50-18-12	
14	21 1954
RECORDED	

FILE
RECORDS RETIREMENT UNIT

In reply
Please refer to:
DGY:RM
5657-J-Cr

DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

CRIMINAL DIVISION

MAY 3 - 1937

Jacksonville, April 29, 1937. RECEIVED

FILE - H. A. F.

The Attorney General,
Washington, D. C.

In re: U. S. vs. William Knabb, et al.,
Your symbols: HB: 50-18-12.

50-18-12
DEPARTMENT OF JUSTICE
APR 30 1937
U. S. DEPT. OF JUSTICE
CRIM. DIV. - FISHER

S i r :

MAY 11 1937

In further reply to your letter of March 12th, this office advises that hearing on the motion of the defendants for bill of particulars in the above cause was held before Judge Strum this morning.

Judge Strum ruled with the government on all material matters in the motion, granting the motion in so far as the government is required to give the names of the three peons whom the government will introduce evidence to show the defendants conspired to hold, arrest, and return, to a condition of peonage, the approximate dates, and county in which they were held in peonage.

These matters are all set forth in the two substantive indictments, and we do not have any evidence tending to prove the holding in peonage of any other persons so that we are not in any manner embarrassed or do we have to divulge any of our case by complying with this order.

This case is set for trial on May 24th, and undoubtedly will be tried on that date.

We are enclosing herewith a copy of Judge Strum's order just delivered to this office.

Respectfully,

HERBERT S. PHILLIPS,
United States Attorney.

Damon G. Yerkes
Damon G. Yerkes,
Assistant U. S. Attorney

Encl

In reply
Please refer to:
DGY:RM
5651-J-Cr

DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

CRIMINAL DIVISION
MAY 1 1937
RECEIVED

Jacksonville, April 28, 1937.

The Attorney General,
Washington, D. C.

In re: U. S. vs. William Knabb, et al.
Nos. 5651-J-Cr.; 5655-J-Cr.; and 5657-J-Cr.

S i r :

In further reply to your letter of March 12th, (Symbols: HB 50-18-12), this office advises that the Honorable Louie W. Strum, United States Judge, on the 24th day of April, 1937, overruled the demurrer in the three above enumerated cases; also denied the motions to quash the indictments.

Subsequently, on April 27, 1937, the defendants filed their motion for bill of particulars. This motion will be argued Thursday, April 29, 1937.

This office will advise the ruling of the Judge on the motion for bill of particulars.

Judge Strum has set the above cases for trial on May 24th.

We are enclosing herewith copy of motion of bill of particulars.

L. G.

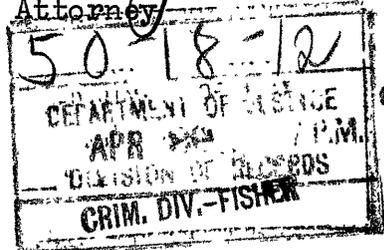
Respectfully,

HERBERT S. PHILLIPS,
United States Attorney.

Damon G. Yerkes
Damon G. Yerkes,
Assistant U. S. Attorney

Encl.

MAY - 4 1937



IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE SOUTHERN DISTRICT OF
THE STATE OF FLORIDA

#5657

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

WILLIAM KNABB, et al.,)

Defendants.)

- - - - -v- - - - -

MOTION FOR BILL OF PARTICULARS

Come now defendants William Knabb, Earle E. Knabb, Fred Jones and Edward Stewart Hall, Jr., named as defendants in the indictment now pending against them, charging a conspiracy and designated by Clerk's No. 5657, and after the Court has overruled the demurrers of these defendants to said indictment, and after the Court has denied a motion to quash the said indictment, respectfully moves the Court for an order requiring the District Attorney to file in this cause, and deliver copies to the counsel of record for these defendants, a bill of particulars which will set forth with clearness and certainty, the following matters:

-1-

The names and places of residence of all of the witnesses, which the Government will cause to be sworn at the trial in this action, and by whom the Government

the Government expects to prove:

(a) The existence of the conspiracy alleged against these defendants, and

(b) Each and every the overt acts charged in the indictment, and/or any other or further overt acts or related facts or circumstances tending to establish the existence of the conspiracy or any act or acts done by either of the defendants, the times and places when said acts were done or any word of mouth uttered by either of the defendants in this cause.

-2-

Whether the Government expects to introduce proof at trial to show any related acts or circumstances or other overt acts not laid in the indictment.

-3-

Whether the Government expects to introduce proof at trial to prove all or any of the overt acts set out in said indictment.

-4-

If it is intended to prove any act, word or utterance or anything done by either of the defendants tending to prove any related acts or circumstances competent in evidence under said indictment, the names of the persons involved in such related incidents or circumstances or occurrences; the place where any

In reply
Please refer to:
DGY:RM
(5657-J-Cr)

DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

CRIMINAL DIVISION

APR 23 1937

Jacksonville, April 21, 1937.

RECEIVED

The Attorney General,
Washington, D. C.

Attention: Brien McMahon,
Assistant Attorney General.

In re: U. S. vs. William Knabb, et al.,
Your symbols: BM

S i r :

In reply to your letter of April 10, 1937,
in reference to the above case, this office ad-
vises that argument was set before Judge Strum
tomorrow morning on motions and demurrers hereto-
fore filed by the defendants.

A. B. F.

This office will immediately advise you
of the ruling of Judge Strum.

Respectfully,

HERBERT S. PHILLIPS,
United States Attorney.

Damon G. Yerkes
Damon G. Yerkes,
Assistant U. S. Attorney.

File 1937

APR 27 1937

50-18-12
DEPARTMENT OF JUSTICE
APR 22 1937 P.M.
SOUTHERN DISTRICT OF FLORIDA
CRIM. DIV. - FISHER

EM

HAF:LCB

50-18-12 ✓

APR March 27, 1937.

5 1937

Mr. William Green, President,
American Federation of Labor,
A. F. of L. Building,
Washington, D. C.

Dear Sir:

Receipt is acknowledged of your letter of
March 25th requesting to be advised of the status of the
complaint as to alleged charges of peonage against certain
persons in the vicinity of Jacksonville, Florida.

Indictments were returned at Jacksonville in
the case of United States v. William Knabb, et al., charging
violations of the Peonage Statute. Motions and demurrers were
filed to these indictments and while the hearing on these mo-
tions and demurrers was set for March 22d, a continuance was
granted because the attorney for the defendants was engaged in
the trial of a case in the State court.

The United States Attorney, Jacksonville, advised
that the Knabb Case has been tentatively set for trial on
April 7th, but it is doubtful whether the case will be reached
at that time, due to the postponement of the hearing of the
motions and demurrers.

Respectfully,

For the Attorney General,

(signed) Erien McMahon

ERIEH McMAHON,
Assistant Attorney General.



RM



AMERICAN FEDERATION OF LABOR

Executive Council

President, WILLIAM GREEN

Secretary-Treasurer, FRANK MORRISON
A. F. of L. Building, Washington, D. C.

First Vice-President, FRANK DUFFY,
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Fourteenth Vice-President, GEORGE E. BROWNE,
Earle Building, Washington, D. C.

Fifteenth Vice-President, EDWARD FLORE,
426 Woodbridge Avenue, Buffalo, N. Y.

LONG DISTANCE TELEPHONE NATIONAL 3870-1-2-3-4
CABLE ADDRESS, AFEL.

Washington, D. C.

March 25, 1937.

Hon. Brien McMahon,
Assistant Attorney General,
Department of Justice,
Washington, D. C.

My dear Mr. McMahon:

On December 4, in reply to my letter of November 28, you assured me that the Department of Justice would very carefully look into the situation of alleged charges of peonage against certain persons in MacClenny, near Jacksonville, Florida. If there is any information which you are prepared to give me as to the result of this investigation I would appreciate it greatly.

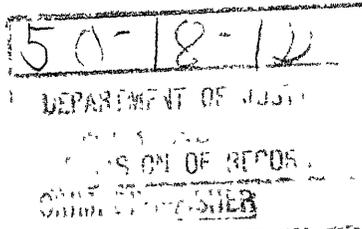
Sincerely yours,

President,
American Federation of Labor.

APR 5 1937

ME

50-18-12



ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

March 26, 1937.

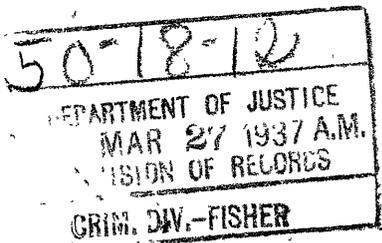
MEMORANDUM FOR MR. FISHER

I have read over the indictment and Mr. Jackson's memorandum rather hurriedly. I am inclined to think that we should let the case go to argument Monday and see what the Judge does with it. Personally, I don't feel that the indictment charging Smith was held in a condition of peonage is objectionable. Neither do I think that the second count which charges that the defendant arrested Smith to a condition of peonage, compelling him, etc., is objectionable, except perhaps that in the second count the language is rather vague. I am inclined to think the court would sustain it and it would probably stand up in the Circuit Court of Appeals after verdict.

The third count, however, to my mind is objectionable, since it does not specifically allege that Smith had ever been in a condition of peonage, and therefore it lacks the essential element of an indictment charging a return to a condition of peonage.

The indictment is certainly not very carefully drawn, but I feel quite confident that the first two counts of it will stand up under demurrer. Perhaps the defendant is entitled to a bill of particulars as to the time, place, and mode of compulsion. I would be inclined to let the thing go to argument. If we lose, then we can reindict.

J. M. Knab



G. D.

CHICAGO

HAF:LG8

EM
50-10-12

PRIORITY

March 26 1937

MAR 31 1937

Herbert S Phillips Esq
United States Attorney
Jacksonville Florida

Litigated March eighteenth re William Knabb indictment stop Department inclined
to view that demurrers and motions filed should go to argument stop If indictments
held defective there appears to be sufficient time to secure new ones stop Keep
Department advised

BRIEN McMAHON
Assistant Attorney General.

✓

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

PM

50-18-12

March 25, 1937

MEMORANDUM FOR ASSISTANT ATTORNEY GENERAL BRIEN McMAHON

50-18-12
DEPARTMENT OF JUSTICE
MAR 27 3 57 AM
DIVISION OF RECORDS
CRIM. DIV.-FISHER

Re: United States v. William Knabb, et al.

I believe that all of the counts in Nos. 5651-J Cr., 5655-J Cr. and 5657-J Cr. to be subject to the demurrers which have been levelled at the said indictments.

No. 5651-J Cr. was returned by the grand jury in the February, 1937 term. The first count charges that Edward Stewart Hall, Jr., unlawfully, wilfully, knowingly and feloniously held a certain person, to wit, Arthur Smith, in a condition of peonage, compelling him, the said Arthur Smith, against the will of him, the said Arthur Smith, to perform labor and work to and for the said William Knabb in payment of a debt claimed by the said Knabb to be due from the said Smith. The second count charges this defendant with "unlawfully, wilfully, knowingly and feloniously, arrest a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him, * * *".

The third count charges that the defendant "did * * * return a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him * * *". It will be noted that in each of the counts, it is nowhere alleged that the peon was held, arrested, or returned by force or threats which I think is necessarily essential to this indictment. The third count, in which it attempts to charge a return, is clearly not sufficiently pleaded to show that the peon had been, prior to the time of the alleged return, in fact in a condition of peonage.

Clyatt v. United States, 197 U. S. 207, 218, provides:

"Three distinct acts are here mentioned -- holding, arresting, returning. The disjunctive 'or' indicates the separation between them, and shows that either one may be the subject of indictment and punishment. A party may hold another in a state of peonage without ever having arrested him for that purpose. He may come by inheritance * * * and he simply continues the condition * * *. He may also arrest an individual for the purpose of placing him in a condition of peonage. * * * Or he may, after

one has fled from a state of peonage, return him to it, * * *."

This case is quite helpful, for it has set out, in page 209 of the report, the count of the indictment purporting to charge return. The court, at page 219, says:

"Now a 'return' implies the prior existence of some state or condition * * *. It is essential, therefore, under the charge in this case to show that Gordon and Ridley had been in a condition of peonage, to which, by the act of the defendant, they were returned. We are not at liberty to transform this indictment into one charging that the defendant held them in a condition or state of peonage, or that he arrested them with a view of placing them in such condition or state. * * * "

I think it naturally follows that if it is an element of the offense of "return to peonage" that the proof must show this, it is necessary that it be pleaded in the indictment. It is obvious that an indictment should charge all of the elements of the offense. Clyatt case, supra.

The record on appeal failed to show a prior state of peonage and the cause was therefore reversed.

An indictment charging the holding in peonage of a person was approved by the Fifth Circuit Court in the well considered case of Bernal v. United States, 241 Fed. 339, 340. The count of the indictment is set out on this page and was the subject of demurrer. The Circuit Court sustained the action of the lower court in overruling the demurrer.

In the conspiracy indictment, No. 5657-J Cr., the defendants are charged with conspiring to commit certain offenses against the United States and sets out the offense as violations of Section 444, Title 18, U.S.C., in four paragraphs on page 2 of the indictment. It is observed that nowhere in the paragraphs does it appear that the conspiracy was to "by force and threats" and it is believed that that is an essential charge. It is not enough that the peon is held against his will. "It is the holding of persons in unwilling servitude in payment of debt that is the gist of the offense denounced by the statute". United States v. Clement, 171 Fed. 974, 976. It is unlawful

to compel such performance (contract for labor) by force or intimidation. Idem.

It is believed that the criticism to the above indictments applies with equal force to cause 5655-F Cr. It is not necessary to set out means by which a crime is committed unless act is one which may be criminal or otherwise.

United States v. United States Brewers Association,
239 Fed. 163,
Mark Yick Hee v. United States,
223 Fed. 732

Plainly, all holdings, arrests or return of persons are not necessarily unlawful. There are certain persons, like miners, apprentices, seamen, wards and others, who may be and are lawfully held, arrested and returned.

"Compel" does not necessarily impart elements of compulsory payment.

Singer Sewing Machine Company v. Teasley,
198 Ala. 673, 73 S. 969, 971.

"Arrest" is usually interpreted as being the taking of a party into custody to answer an alleged or suspected crime,

County of Montgomery v. Robinson, 85 Ill. 174,
Ex Parte Sherwood (Tex.), 15 S.W. 812,

although in modern times, it is suggested that the word "arrest" more often applies in civil matters and the word "apprehension" is used in criminal procedure.

"Return" means to bring, carry, or send back; to place in the custody of; to restore; to re-deliver; to send back.

Maxwell Implement Company v. Fitzgerald, 85 Ind. Ap. 206,
146 N.E. 883, 885.

An indictment must directly and positively allege every fact necessary to constitute the crime.

United States v. Philadelphia Railway Company,
232 Fed. 953

Where definitions include generic terms, indictment must state particulars.

Krauer v. United States, 237 Fed. 8,
United States v. Bapp, 230 Fed. 723.

I suggest that the United States Attorney consult In Re Lewis, 114 Fed. 963, and read the opinion of Judge Shelby and observe the indictment, which is set out in full on pages 967 and 968, charging conspiracy and return.

It is therefore suggested that inasmuch as the offenses charged are of recent date, that is to say, in October, 1936, and January, 1936, and there is no question of limitation, new indictments should be prepared on the lines herein suggested and presented. I think the court would be entirely justified in sustaining the demurrers filed herein.

Your attention is especially invited to the fact that Judge Strum has set the demurrers for hearing on Monday, March 29, 1937, and that prompt action should be taken.

Respectfully submitted,



DAN M. JACKSON,
Special Assistant to the
Attorney General.

DEPARTMENT OF JUSTICE

CIVIL DIVISION

In reply
Please refer to:
DGY:RM

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

MAR 26 1937

Jacksonville, March 24, 1937. RECEIVED

The Attorney General,
Washington, D. C.

Attention: Hon. Brien McMahon

In re: U. S. vs. William Knabb, et al.
Nos. 5651-J Cr.; 5655-J Cr.; and 5657-J Cr.

S i r :

In further reply to your letter of March 12th, (Symbols: BM: 50-18-12) in reference to the above case, and supplementing my letter of March 18th, this office advises that the Hon. Louie W. Strum, United States District Judge, has just advised the writer that the hearing on motion and demurrer, set for Monday, March 22nd, has been continued on account of the fact that H. L. Anderson, Attorney for the defendants, is engaged in a trial of a murder case in a state court, and will be so engaged for several weeks longer.

The Knabb case has been tentatively set for trial on the 7th day of April. However, we are very doubtful whether or not ~~this case~~ will be ready for trial before Judge Strum on account of the postponement of the hearing of motions and demurrers directed against the indictment.

This office will keep you advised as to the progress of this case.

Respectfully,

HERBERT S. PHILLIPS,
United States Attorney.

Damon G. Yerkes
Damon G. Yerkes,
Assistant United States Attorney

50-18-12

DEPARTMENT OF JUSTICE
MAR 25 1937 P.M.
DIVISION OF RECORDS
CRIM. DIV. - FISHER

RECORD

In Reply
Please Refer To:

DGY-g

DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

Jacksonville, March 18, 1937

CRIMINAL DIVISION

MAR 22 1937

RECEIVED

The Attorney General,
Washington, D. C.

Attention: Hon. Brien McMahon

Re: United States v. William Knabb, et al
Nos. 5651-J Cr.; 5655-J Cr.; 5657-J Cr.

50-18-120
DEPARTMENT OF JUSTICE
MAR 20 7 A.M.
DISTRIBUTION
CRIM. DIV.-FISHER

Sir:

In reply to your telegram of March 15th in reference to the above cases, this office wishes to advise that all defendants were notified to appear for arraignment on Monday, March 15th, at which time attorneys for the defendants filed motions and demurrers. Copies of the three indictments, together with motions and demurrers are enclosed herewith.

Upon receipt of your telegram at my home I immediately telephoned a reply to you at Miami, however, I later ascertained that this telegram had not been delivered to you there. I am therefore writing you at Washington, and have also requested that the original telegram be forwarded to you there.

These motions and demurrers have been set for argument before Judge Strum on Monday, March 29th. In this connection will say that counsel for the defendants is now engaged as chief counsel in a murder trial which will take some weeks and it may be that Judge Strum will grant him an extension of time for hearing the motions and demurrers.

I would appreciate your going over the indictments and the motions and demurrers filed thereto and writing this office as to any matters you feel would be of benefit to the court in its consideration of these matters.

Respectfully,

Herbert S. Phillips
United States Attorney

By:

Damon G. Yerkes
Damon G. Yerkes,
Asst. United States Attorney

Encls.

HAF:LOB

RM

URGENT

March 15 1937

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4578*

Herbert S Phillips Esq
United States Attorney
Jacksonville Florida

Advise present status of case against William Knabb etal involving peonage

BRIEN McMAHON
Assistant Attorney General

RECORDED

MAR 17 1937

50-18-12
DEPARTMENT OF JUSTICE
MAR 15 1937 A.M.
DIVISION OF CRIMINAL JUSTICE

MAR 17 1937

A. PHILIP RANDOLPH
INTERNATIONAL PRESIDENT

MILTON P. WEBSTER
1ST INTERNATIONAL VICE-PRESIDENT
4231 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS

BENNIE SMITH
2ND INTERNATIONAL VICE-PRESIDENT
2355 EIGHTEENTH STREET
DETROIT, MICHIGAN



AN INTERNATIONAL UNION

AFFILIATED WITH THE A. F. OF L.

36 WEST 135TH STREET
NEW YORK CITY

PHONE
TILLINGHAST 5-1843, 4
NIGHTS, SUNDAYS AND HOLIDAYS
TILLINGHAST 5-8652
333

ASHLEY L. TOTTEN
INTERNATIONAL SECRETARY TREASURER

E. J. BRADLEY
3RD INTERNATIONAL VICE-PRESIDENT
11 NORTH JEFFERSON STREET
ST. LOUIS, MISSOURI

C. L. DELLUMS
4TH INTERNATIONAL VICE-PRESIDENT
1716 SEVENTH STREET
OAKLAND CALIF.

March 18, 1937

Mr. Brien McMahon
Assistant Attorney General
Department of Justice
Washington, D. C.

Dear Sir:

Permit me to thank you for your letter
of March 12th, informing me that the question
of the investigation of peonage at MacClenney,
Florida, is in charge of the United States
Attorney at Jacksonville.

Very truly yours,

A. Philip Randolph
A. Philip Randolph
International President

BS&AU
12646

MAR 8 1937

RECEIVED

50-18-12

DEPARTMENT OF JUSTICE
MAR 7 1937 A.M.
DIVISION OF RECORDS
CRIM. DIV.-BUTLER

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HAF:LCB

50-18-13

March 12, 1937.

MAR 16 1937

Mr. A. Philip Randolph,
International President,
Brotherhood of Sleeping Car Porters,
36 West 135th Street,
New York, New York.

Dear Sir:

Receipt is acknowledged of your letter of March 5th
submitting a report of an investigation of peonage at MacClenney,
Florida.

As you are probably aware, this matter is already
receiving the attention of the United States Attorney at Jacksonville,
Florida, and your letter has been forwarded to him for consideration.

Respectfully,

For the Attorney General,

(signed) Brien McMahon,

BRIEN McMAHON,
Assistant Attorney General.



A. PHILIP RANDOLPH
INTERNATIONAL PRESIDENT

MILTON P. WEBSTER
1ST INTERNATIONAL VICE-PRESIDENT
4231 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS

BENNIE SMITH
2ND INTERNATIONAL VICE-PRESIDENT
2355 EIGHTEENTH STREET
DETROIT, MICHIGAN



ASHLEY L. TOTTEN
INTERNATIONAL SECRETARY TREASURER

E. J. BRADLEY
3RD INTERNATIONAL VICE-PRESIDENT
11 NORTH JEFFERSON STREET
ST. LOUIS, MISSOURI

C. L. DELLUMS
4TH INTERNATIONAL VICE-PRESIDENT
1716 SEVENTH STREET
OAKLAND CALIF.

CRIMINAL DIVISION
MAR 10 1937
RECEIVED

AN INTERNATIONAL UNION
AFFILIATED WITH THE A. F. OF L.
36 WEST 135TH STREET
NEW YORK CITY

PHONE
TILLINGHAST 5-1843, 4
NIGHTS, SUNDAYS AND HOLIDAYS
TILLINGHAST 5-2652
335



March 5, 1937

Hon. Homer Cummings
United States Attorney General
Department of Justice
Washington, D. C.

Dear Attorney General:

At the American Federation of Labor in Tampa, Florida, the following report of an investigation of peonage at MacClenny, Florida was made: "We first interviewed a school teacher who informed us of the conditions of the schools. In her department there were 52 children in one room. A majority of the children come to school barefooted. Attendance falls off in the coldest months because the pupils do not have enough clothes to keep warm. She was prevailed upon to talk only through interventions of Dr. Duncan, who assured her that no harm would befall her but that it was her duty to speak freely. The houses (if you can call them that) in which these people live are all owned by Will Knabb, turpentine operator, and the workers live in constant fear of reprisals."

"Next we talked with several turpentine workers who talked freely but only after much persuasion. They stated categorically that all the negro people in this community were held in slavery. None is allowed to leave the place. The owner has two stool-pigeons who keep him informed of everything that goes on in the quarters. These informers even slip under the shacks at night and listen in on the conversation to see if they may detect some hint of dissatisfaction, which might indicate that someone was harboring thoughts of "escape". One of these informers is named Cobb. After almost two hours in the quarters, Cobb detected our party and immediately ran to the clerk of the commissary to notify him that someone was prying around."

"The turpentine workers are forced to toil from daylight until they can no longer see at night. For their labor they receive pay ranging from 60 cents per day to \$1.00. A very few receive as much as \$1.25 a day. They are forced to purchase their supplies at the commissary owned by Knabb. Prices at this commissary are almost double regular retail prices. For example, white bacon, which can be

MAR 18 1937

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3/11/37

50-18-12

RECORD

DEPARTMENT OF JUSTICE
MAR 8 1937 P.M.
DIVISION OF RECORDS
CRIM. DIV.-FISHER

From A. P. Randolph
To Hon. H. Cummings
March 5, 1937
Page 2

bought in Tampa stores for 15¢ per pound, cost 25¢ per pound in Knabb's Commissary. Six pounds of plain flour cost 40¢ in the commissary and the same grade can be bought for 24¢ at the retail stores. When the wages of the turpentine workers are translated into purchasing power it is easy to see that many of them are working for 25¢ per day. One man spent \$2.00 outside the commissary a little while back and was told that his pay of \$10.00 would be held up until he purchased all his goods at the commissary.

"Any desire on the part of the inmates to escape is effectively thwarted by the realization of possible consequences. Men may suffer beatings, their very lives may be threatened if they attempt to leave. By a system of camps which surround the community they are able to head off any fleeing slave.

"As soon as we had secured this information, which we considered adequate, we decided it would be safer to leave. The informer had notified the commissary of our presence and we could see a small cluster of white men gathering. Wisdom seemed to dictate departure and so we left after about two hours in the quarters."

"Here is an evidence of exploitation of the Negro workers. Why? Because there is no labor organization in the South that has the strength and power to prevent the exploitation of Negro and white workers."

This report was compiled by Dr. C. F. Duncan of Jacksonville, a colored man, President of the National Association for the Advancement of Colored People, a colored insurance man, colored journalist, and Frank McAllister, a white man of the Workers' Defense League. They went to MacClenney, Florida, on the 15th day of November, at ten o'clock in the morning, and made the investigation.

Before the Convention adjourned or during the while, the Executive Council of the A. F. of L. was in session in Tampa, the following telegram was transmitted to Governor Scholtz, then Chief Executive of Florida; by Mr. William Green, President of the American Federation of Labor: "It was reported to me that a state of peonage exists among Negro workers employed in a section of the turpentine producing industry at MacClenney, Florida. I officially protest against such a policy of exploitation and oppression. Will you please investigate the situation and if the facts developed show peonage and exploitation, take such action as may be necessary to stop it immediately?"

Governor Scholtz replied to this message promptly as follows: "Your telegram date received and I appreciate your having called the matter to my attention. An immediate investigation will be ordered as peonage is not to be countenanced in Florida and if it is found to exist you may be sure that every facility of the State Government will be used to the end that it may be discontinued."

According to information received from responsible persons in Jacksonville, the investigation which was to have been made by Governor Scholtz has not resulted in the elimination of peonage at MacClenney.

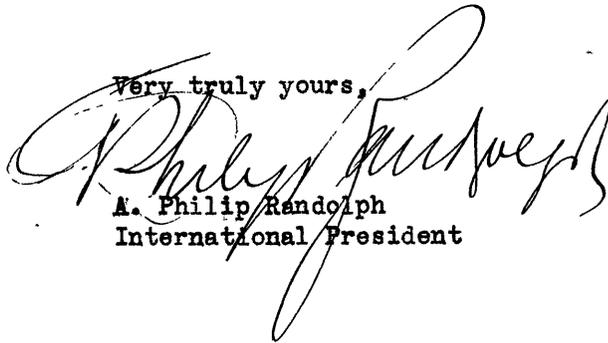
Because peonage is a form in involuntary servitude which is in violation of the Thirteenth Amendment to the Federal Constitution, I wish, herewith, earnestly to urge

From-A. P. Randolph
To Hon. H. Cummings
March 5, 1937
Page 3

that you institute in investigation of peonage in MacClenney, Florida, with a view to its elimination. May I say that the Brotherhood of Sleeping Car Porters, and I am sure the American Federation of Labor, through President William Green, will be glad to be of service in assisting in this investigation.

May I request you to inform me as to what disposition the Department of Justice will make of this matter?

Very truly yours,



A. Philip Randolph
International President

BS&AU
12646

DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

HSP-lap

Tampa, March 17, 1937

CENTRAL DIVISION

MAR 22 1937

RECEIVED

The Attorney General,
Washington, D. C.

Sir:

Re: United States vs. William Knabb, et al,
Alleged Peonage.

This acknowledges receipt of department letter dated the 12th instant, under symbols BM, 50-18-12, inclosing a photostatic copy of a letter from A. Philip Randolph, International President, Brotherhood of Sleeping Car Porters, New York City, for consideration in connection with the facts already in hand with respect to the above case.

Thanking you for the same, I am,

Respectfully,

H. S. Phillips
HERBERT S. PHILLIPS,
United States Attorney.

MAR 23 1937 FILE - H. A. F.

RECORD

50-18-12
DEPARTMENT OF JUSTICE
MAR 19 1937 A.M.
DIVISION OF RECORDS
CRIM. DIV. - FISHER

8

EM

HAF:LCB

50-18-12

March 12, 1937.

Mar 18 1937

Herbert S. Phillips, Esq.,
United States Attorney,
Jacksonville, Florida.

Dear Mr. Phillips:

Reference is made to previous correspondence in the matter of United States v. William Knabb, et al., involving alleged peonage.

There is enclosed a copy of a letter from A. Philip Randolph, International President, Brotherhood of Sleeping Car Porters, New York City, containing information on this subject for your consideration in connection with the facts in your possession.

Respectfully,

For the Attorney General,

. T.

(Signed) Brien McMahon,
BRIEN McMAHON,
Assistant Attorney General.

Enclosure #48532.



STANDARD FORM No. 14A
APPROVED BY THE PRESIDENT
MARCH 10, 1926

CRIMINAL DIVISION
MAR 17 1937
RECEIVED

DEPARTMENT OF JUSTICE
RECEIVED
MAR 17 1937 PM
TELEGRAPH OFFICE

TELEGRAM

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GOVERNMENT PRINTING OFFICE 7-1488

WK19 33 NL GOVT 5 EXTRA= JACKSONVILLE FLO MAR 15 VIA MB
CORALGABLES FLO MAR 17 1937

BRIEN MCMAHON=

IN RE WILLIAM KNABB ETAL STOP MOTION AND DEMURRER FILED BY
DEFENDANT TODAY STOP EXPECT TO ARGUE MOTION AND DEMURRER
MONDAY MARCH TWENTY SECOND STOP LETTER TO YOU TOMORROW=

DAMON G YERKES ASSISTANT US ATTORNEY.

File
ad
RECORD
pd

50-18-12
DEPARTMENT OF JUSTICE
MAR 18 1937 A.M.
DIVISION OF RECORDS
CHAS. W. FISHER

CLASS OF SERVICE DESIRED	
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WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

1217-A

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TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

copy

28 NL GOVT

MAR 15 1937

737P

BRIEN MCMAHON

ASSISTANT ATTORNEY GENERAL AN ANSWER DATE MIAMI FLO
INRE WILLIAM KNABB ETAL STOP MOTION AND DEMURRER FILED
BY DEFENDANT TODAY STOP EXPECT TO ARGUE MOTION AND DEMURRER MONDAY
MARCH TWENTY SECOND STOP LETTER TO YOU TOMORROW

DAMON G YERKES ASSISTANT U S ATTORNEY

AW 32780 EXT 188 SUB

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE SOUTHERN DISTRICT OF
THE STATE OF FLORIDA

No. 5651

UNITED STATES OF AMERICA,
Plaintiff,

vs.

WILLIAM KNABB, et al.,
Defendants.

DEMURRER

Comes now Edward Stewart Hall, Jr., defendant named in that certain indictment returned into this Honorable Court under Clerk's Case No. 5651, and says that said indictment is bad in substance and demurs to the same, and each the first, second and third counts thereof, separately and severally, and for substantial matters of law to be argued, assigns the following:

1. The averment in each of said counts of feloniously holding Arthur Smith to a condition of peonage is a conclusion of law and of the pleader only.

2. No facts are averred to evince to the Court or these defendants:

(a) What constitutes a condition of peonage.

(b) The word "by" does not precede the word "compelling him, the said Arthur Smith against his will to perform labor."

(c) Compelling him, the said Arthur Smith to perform labor is a conclusion of the pleader, and contains no facts to show compulsion.

(d) Compelling him, the said Arthur Smith to perform labor, against his will, does not set forth in an issuable form nor does said averment set forth any compulsion with clearness

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or directness.

(e) The agreement "to perform labor and work to and for William Knabb" is unintelligible, vague, uncertain and indefinite.

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We, the undersigned attorneys, certify that in our opinion as attorneys at law, that the foregoing demurrer is well founded in law.

STATE OF FLORIDA

COUNTY OF DUVAL

W. A. DOPSON, and H. L. ANDERSON, having first been sworn, says each for himself: That he is attorney for the defendants named in the foregoing indictment; that the said defendants are not now in Duval County, Florida, and that the foregoing demurrer is not interposed for delay.

Sworn to and subscribed before me this _____ day of March, 1937.

Notary Public, State of Florida.

IN THE UNITED STATES DISTRICT
COURT IN AND FOR THE SOUTHERN DIS-
TRICT OF THE STATE OF FLORIDA

#5651

UNITED STATES OF AMERICA,

Plaintiff,

-VS-

WILLIAM KNABB, et al.,

Defendants.

MOTION TO QUASH

Comes now Edward Stewart Hall, Jr., named as defendant in that certain indictment lately returned into this Honorable Court, under Clerk's Case No. 5651, by which this defendant is charged with an offense against the United States of America, and this defendant respectfully moves the Court to quash said indictment, and each count thereof upon each of the several grounds herein enumerated:

-1-

Said indictment is so drawn that it does not advise this defendant of the nature of the charge against him.

-2-

The averment "to a condition of peonage" is vague and uncertain, and does not inform this defendant what a condition of peonage is.

-3-

No facts are set out in an issuable form to define or advise this defendant of what a condition of peonage means.

-4-

The language "to a condition of peonage, compelling Arthur Smith to perform labor to and for William Knabb" is confusing, vague and uncertain and does not advise the defendant

of the nature of the charge against him.

-5-

The word "by" before the words "compelling him, the said Arthur Smith," is omitted from each count of the indictment.

-6-

The words "compelling him, the said Arthur Smith," do not constitute a direct averment that this defendant did compel the said Arthur Smith against his will, and no facts are set out to show the nature of the alleged compulsion on the part of this defendant.

-7-

"Compelling" is a conclusion of law, and no facts are set out to show in what manner, or by what means the defendant is alleged to have compelled the said Arthur Smith to perform labor and work.

-8-

The averment "to perform labor to" in said indictment is unintelligible and confusing.

-9-

The averment "arrest a certain person, to-wit, Arthur Smith to a condition of peonage" is unintelligible and confusing, and no facts are set forth to advise this defendant what is meant by the word arrest.

-10-

The indictment does not set forth that a condition of peonage existed at the time or place averred in the indictment to which condition of peonage it is averred this defendant held, arrested or returned said Arthur Smith.

-2-

Said indictment and each count thereof, is so vague and indefinite as to mislead the defendant, and to prevent the defendant from preparing his defense to said indictment.

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA
IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA
FEBRUARY TERM THEREOF, A. D., 1937
HELD AT TAMPA, FLORIDA.

The grand jurors of the United States of America, duly impaneled, sworn and charged to inquire within and for the Southern District of Florida, upon their oaths present:

That heretofore, to-wit, on the 19th day of October, A. D. 1936, at, to-wit, Baldwin, in Duval County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, EDWARD STEWART HALL, Jr., did unlawfully, wilfully, knowingly and feloniously, hold a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him, the said Arthur Smith, against the will of him, the said Arthur Smith, to perform labor and work to and for the said WILLIAM KNABB alias WILL KNABB in payment of a debt claimed by the said WILLIAM KNABB alias WILL KNABB to be due the said WILLIAM KNABB alias WILL KNABB from him, the said Arthur Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

SECOND COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 19th day of October, A. D. 1936, at, to-wit, Baldwin in Duval County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, EDWARD STEWART HALL, Jr., did unlawfully, wilfully, knowingly and feloniously, arrest a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him, the said Arthur Smith, against the will of him, the said

Arthur Smith, to perform labor and work to and for the said WILLIAM KNABB alias WILL KNABB in payment of a debt claimed by the said WILLIAM KNABB alias WILL KNABB to be due the said WILLIAM KNABB alias WILL KNABB from him, the said Arthur Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

THIRD COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 19th day of October, A. D. 1936, at, to-wit, Baldwin, in Duval County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, EDWARD STEWART HALL, Jr., did unlawfully, wilfully, knowingly and feloniously, return a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him, the said Arthur Smith, to perform labor and work to and for the said WILLIAM KNABB alias WILL KNABB in payment of a debt claimed by the said WILLIAM KNABB alias WILL KNABB to be due the said WILLIAM KNABB alias WILL KNABB from him, the said Arthur Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

Asst. U. S. Attorney

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE SOUTHERN DISTRICT OF
THE STATE OF FLORIDA

No. 5657

UNITED STATES OF AMERICA,
Plaintiff,

vs.

WILLIAM KNABB, et al.,
Defendants.

Comes now William Knabb, Earle Knabb, Fred Jones and Edward Stewart Hall, Jr., defendants named in the indictment against the said defendants heretofore returned into Court, and filed under Clerk's Case No. 5657, and demur to the indictment so returned against them, and show to the Court that said indictment is bad in substance, and for substantial matters of law to be argued, the defendants say:

-1-

A conspiracy to violate laws of the United States is of, itself, a substantive offense.

-2-

The averment to commit certain offenses against the "United States of America," that is to say;

(a) To feloniously hold, arrest and return persons to a condition of peonage lacks particularity in statement sufficient to advise these defendants of the nature of the charge against them.

(b) To wilfully hold persons to a condition of peonage against the will of said persons, and to require them to perform labor or work, to and for the defendants in payment of a debt claimed by the defendants to be due from the persons held in violation of Section 444, Title 18, United States Code

50-18-12

Annotated, is a general charge without specification, designation or other description of the persons whom it is averred the defendants confederated to require "said persons" to perform labor or work, and the charge to feloniously arrest persons to a condition of peonage, lacks the essential elements of clearness as to the persons to be arrested in pursuance of said alleged conspiracy.

(c) The names or other designation of the persons to be arrested "to a condition of peonage" are not set forth in said Paragraph "C" nor in any other part of the said indictment so as to advise these defendants of the name or other designation of the persons whom it is averred these defendants conspired to arrest to a condition of peonage.

(d) To feloniously return persons to a condition of peonage lacks the essential elements to advise these defendants of the names or designation of the persons sought to be returned to a condition of peonage in said Paragraph "D" nor in any other part of said indictment so as to advise these defendants of the name or other designation of the persons whom it is averred these defendants conspired to return to a condition of peonage.

-3-

The averment of fact set out in Paragraphs 1,2,3,4 and 5 as constituting "overt acts" committed in pursuance of the conspiracy charged against these defendants, and each of them, are insufficient in matter of substance and as matters of law to constitute an act done by all or either of these defendants, either an arrest or a holding and returning the persons named in said paragraphs to a condition of peonage, or to constitute a return of any of said persons named in said paragraphs into a condition of peonage.

-2-

It is not averred that in the doing of any of the overt acts described in Paragraphs 1, 2, 3, 4 and 5 of said indictment either:

(a) That a condition of peonage existed to which said persons named therein were arrested, held or returned to involuntary service,

(b) There is no averment set out in Paragraphs 1, 2, 3, 4 and 5 of said indictment, that at the time of the occurrence of any of said matters set out in said paragraphs, either of the persons was then actually indebted to William Knabb, or either of the other defendants, or that either of the defendants named in said indictment claimed an indebtedness against either of the several persons named in said paragraphs.

Neither of the acts set out in said Paragraphs 1, 2, 3, 4 and 5 of said indictment show or tend to show that a condition of peonage existed at the places and times mentioned in said indictment, or either of them.

Attorneys for Defendants.

We, the undersigned attorneys, certify that in our opinion, as attorneys at law, that the foregoing demurrer is well founded in law.

STATE OF FLORIDA

COUNTY OF DUVAL

W. A. DOPSON, and H. L. ANDERSON, having first been sworn, says each for himself: That he is attorney for the defendants named in the foregoing indictment; that the said defendants are not now in Duval County, Florida, and that the foregoing demurrer is not interposed for delay.

Sworn to and subscribed
before me this ____ day
of March, 1937.

Notary Public, State of Florida.

IN THE UNITED STATES DISTRICT
COURT IN AND FOR THE SOUTHERN
DISTRICT OF THE STATE OF FLORIDA

5657

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM KNABB, et al.,

Defendants.

MOTION TO QUASH

Come now William Knabb, Earl Knabb, Fred Jones and Edward Stewart Hall, Jr., named as defendants in that certain indictment lately returned into this Honorable Court, under Clerk's Case No. 5657, by which these defendants are charged with a conspiracy to commit offenses against the United States of America, and these defendants respectfully move the Court to quash said indictment upon each of the several grounds herein enumerated:

-1-

The felony consisting of an alleged conspiracy charged against these defendants by said indictment is, of itself, a substantive offense, and by said indictment under Sub-paragraphs (a), (b), (c), and (d) these defendants are charged with feloniously conspiring to hold, arrest and return "persons to a condition of peonage in violation of Section 444, Title 18, United States Code Annotated, to hold "persons" to a condition of peonage; to arrest "persons" to a condition of peonage; to return "persons" to a condition of peonage and to require said persons to perform labor or work in payment of debts claimed by the defendants from

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the persons so arrested, held or returned to a condition of peonage, and the conspiracy charged against these defendants is alleged to be continuous from the 1st day of January, 1936, up to the date of the filing of the indictment, and these defendants point out to the Court that the persons whom these defendants are charged with arresting, holding and returning to a condition of peonage in Paragraphs 1,2,3,4 and 5 of said indictment, are not the only persons who, under said indictment, the Government at trial could produce as witnesses of other and further overt acts proveable under said indictment.

-2-

These defendants are not and cannot be informed of the nature and character of the offense charged against them by said indictment.

-3-

A conviction or acquittal of the defendants upon trial of said indictment would not protect these defendants against another indictment charging these defendants with a conspiracy to arrest, return or hold persons other than those named in Paragraphs 1,2,3,4 and 5.

-4-

The general, broad charge contained in said indictment of a conspiracy, having for it's purpose to hold, arrest and return "persons" to a condition of peonage without naming the persons so intended to be held, arrested and returned, makes it uncertain what persons these defendants are charged with conspiring to hold, arrest and return to a condition of peonage, and said indictment is so drawn that it does not inform or advise these defendants of the nature of the charge against them.

-2-

-5-

The averments of holding, arresting and returning persons to a condition of peonage are so uncertain, and vague that these defendants are not advised of the nature of the charge against them.

-6-

The averment of holding, arresting or returning "persons" to a condition of peonage constitutes a conclusion of law, and no sufficient facts are set out in the indictment to inform these defendants of what constitutes a condition of peonage.

-7-

The averments in each Sub-paragraphs (a), (b), (c) and (d) "to require them to perform labor or work to and for the defendants in payment for debts" is unintelligible and renders the charge in said indictment so uncertain as not to inform the defendants of the nature of the charge against them.

-8-

The averments in Sub-paragraphs (a), (b), (c) and (d) "in payment for debts claimed by the defendants to be due from the persons held," is so vague and indefinite in that it does not set forth, with certainty, who or which of the defendants claimed a debt against the persons alleged to have been arrested, held or returned to a condition of peonage.

-8-

It is not averred to whom "debts" claimed by the defendants to be due from the persons held means debts due to all of the defendants jointly, or to anyone of the defendants.

-9-

The alleged overt acts set out in Paragraphs 3, 4 and 5 of said indictment do not support the general averment in said indictment that "to effect and accomplish the object of said indictment, and with the intent and for the purpose of

-3-

effecting and accomplishing the object thereof, said defendants did do and commit the following overt acts," set out in Paragraphs 1, 2, 3, 4 and 5 of said indictment.

-10-

The several acts set out in said Paragraphs 1 to 5, inclusive, do not constitute an arrest, a holding or returning to a condition of peonage.

-11-

The forcing of R. T. Boyd to take money which had been delivered to Earl Knabb by R. T. Boyd in the payment of a debt due from Alfred Smith to William Knabb, does not support the allegation in the indictment of a conspiracy to hold, or return either the said Boyd or the said Alfred Smith to a condition of peonage.

-12-

The alleged forcing of Boyd and Simpson to drive a truck containing personal effects of Alfred Smith to a house occupied by Edward Baker to be unloaded at Baker's house, does support the indictment of arresting, holding or returning to a state or condition of peonage.

-13-

The alleged forcing of Edward Baker to assist in unloading the personal effects of Alfred Smith at Baker's house, does not support the charge of conspiracy by the defendants to arrest, hold or return any person to a state or condition of peonage.

-14-

The allegation that Edward Stewart Hall, Jr., "pursued Alfred Smith and attempted to catch him," does not support the indictment for a conspiracy to arrest, hold or return Alfred Smith to a condition of peonage.

-4-

-15-

The averment that Edward Stewart Hall, Jr., forced Arthur Smith to get into an automobile, and go to McClenney, Florida, does not support the alleged conspiracy to hold, arrest or return Arthur Smith to a condition of peonage.

-16-

None of the acts of any of the defendants set forth as overt acts in Paragraphs 1,2,3,4 and 5 of said indictment support the indictment of a conspiracy to arrest, hold or return the persons named in said Paragraphs to a condition of peonage.

-17-

The word "forced" used in each of the Paragraphs 1 to 5, inclusive, is a conclusion and no facts are set forth:

(a) To show that each of the persons named in said paragraphs did not voluntarily do or perform or agree to the so-called overt acts set out in said Paragraphs 1 to 5, inclusive.

(b) It is not averred that the said persons did the acts charged in either of said Paragraphs against the will or consent of said persons.

-18-

Said indictment is so drawn that these defendants will be unable to prepare their defenses to said indictment in advance of trial.

Attorneys for the Defendants

5657-8 w.

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA
IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA
FEBRUARY TERM THEREOF, A. D., 1937
HELD AT TAMPA, FLORIDA.

The grand jurors of the United States of America, duly impaneled, sworn and charged to inquire within and for the Southern District of Florida, upon their oaths present:

That on, to-wit, the 1st day of January, A. D., 1936, the real and exact date of which is to the grand jury and these grand jurors unknown, and from which time and continuously at all times thereafter up to and including the filing of this indictment at and near Macleenny, Baker County, Florida, Baldwin, Duval County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, and at divers other places in said District to this grand jury and these grand jurors unknown, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL KNABB, FRED JONES, and EDWARD STEWART HALL, Jr., did unlawfully, wilfully, knowingly, and feloniously, conspire, combine, confederate, and agree, together and with divers other persons whose names are to the grand jurors unknown, to commit certain offenses against the United States of America, that is to say:

(1)

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(a) To wilfully, unlawfully, knowingly, and feloniously, hold, arrest, and return, persons to a condition of peonage, in violation of Section 444, Title 18, United States Code Annotated.

(b) To wilfully, unlawfully, knowingly, and feloniously, hold persons to a condition of peonage against the will of said persons and to require them to perform labor or work, to and for the defendants in payment for debts claimed by the defendants to be due from the persons held, in violation of Section 444, Title 18, United States Code Annotated.

(c) To wilfully, unlawfully, knowingly, and feloniously, arrest persons to a condition of peonage, in violation of Section 444, Title 18, United States Code Annotated.

(d) To wilfully, unlawfully, knowingly, and feloniously, return persons to a condition of peonage, in violation of Section 444, Title 18, United States Code Annotated.

And the grand jurors aforesaid, upon their oaths aforesaid, do further allege, charge, find, and present:

That said conspiracy, combination, confederation, and agreement, between the said defendants and said divers other persons whose names are, as aforesaid, to the grand jurors unknown, was continuously throughout all of the time, from and after, to-wit, the 1st day of January, A. D., 1936, and at all times thereafter and herein mentioned and referred to, and particularly at the time and times of the commission and consummation of each and all of the overt acts in this indictment set forth, up to and including the times of the filing of this indictment, in existence and process of execution.

Against the peace and dignity of the United States of America and contrary to the form of the statute of the United States of America in such case made and provided.

And the grand jurors aforesaid, upon their oaths aforesaid, do further allege, charge, find, and present:

That in pursuance of said conspiracy, combination, confederation, and agreement, herein in this indictment set forth, and to effect and accomplish the object thereof, and with the intent and for the purpose of effecting and accomplishing the object thereof, the said defendants did do and commit the following overt acts, to-wit:

1. That on, to-wit, the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB forced R. T. Boyd to take money which had been delivered to EARL KNABB by R. T. Boyd in payment of a debt due from Alfred Smith to WILLIAM KNABB alias WILL KNABB;

2. That on, to-wit, the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, EARL KNABB and FRED JONES forced R. T. Boyd and William Simpson to drive to a truck on which the personal effects of Alfred Smith had been loaded to the house occupied by Ed Baker, so that Ed Baker's personal effects could be unloaded at Ed Baker's house;

3. That on, to-wit, the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida,

in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB forced Ed Baker to assist in unloading of the personal effects of Alfred Smith at the house of the said Ed Baker;

4. That on, to-wit, the 19th day of October, A. D., 1936, at, to-wit, Baldwin, in Duval County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, EDWARD STEWART HALL, Jr., pursued Alfred Smith and attempted to catch him;

5. That on, to-wit, the 19th day of October, A. D., 1936, at, to-wit, Baldwin, in Duval County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, EDWARD STEWART HALL, JR., forced Arthur Smith to get into an automobile and go to Macclenny, Florida;

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

Assistant U. S. Attorney

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UNITED STATES DISTRICT COURT.
SOUTHERN DISTRICT OF FLORIDA.
JACKSONVILLE DIVISION.

UNITED STATES OF AMERICA

vs.

#5667 - J. - Cr.

WILLIAM KNABE, ET AL.

O R D E R.

Defendants' motion (filed April 27, 1937) having been considered, it is -

ORDERED AND ADJUDGED:

1. Said motion is granted to the extent that the United States is required on or before May 3, 1937 to file herein, and furnish defendants' counsel with a copy of, a bill of particulars showing the names of all persons whom the United States will claim by its evidence herein the defendants conspired to hold in peonage; the approximate dates when, and the county within which, such persons were to be so held in peonage.

2. In all other respects said motion is denied.

DONE AND ORDERED at Jacksonville, Florida,
April 29, 1937.

Louis W. Strum,
U.S. District Judge.

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IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE SOUTHERN DISTRICT OF
THE STATE OF FLORIDA

NO. 5655

UNITED STATES OF AMERICA,
Plaintiff,

vs.

WILLIAM KNABB, et al.,
Defendants.

DEMURRER

Comes now William Knabb, Earle E. Knabb and Fred Jones named as defendants in that certain indictment returned against them under Clerk's Case No. 5655, and say that said indictment against them is insufficient in matters of law to be replied unto, and demur to each and every, the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th and 9th counts of said indictment separately and severally, and for substantial matters of law to be argued, assign the following as to each of said counts:

-1-

"Holding to a condition of peonage" is a conclusion of law only.

-2-

Compelling the person to perform labor against his will is a conclusion of the pleader, and no facts are set forth to show the manner or means by which said person was compelled.

-3-

The word "compelling" the person to perform labor is not set forth in an issuable form.

-4-

The averment "to perform labor to" is unintelligible.

50-18-12

The averment "arrest to a condition of peonage" is unintelligible, and no facts are set forth:

- (a) To show the purpose of the alleged arrest.
- (b) The language of the statute is insufficient to advise the defendants of the nature of the charge against them.

The defendants are not advised of the nature and character of the offense with which they are charged.

Attorneys for the Defendants

We, the undersigned attorneys, certify that in our opinion as attorneys at law, that the foregoing demurrer is well founded in law.

STATE OF FLORIDA
COUNTY OF DUVAL

W. A. DOPSON, and H. L. ANDERSON, having first been sworn, says each for himself: That he is attorney for the defendants named in the foregoing indictment; that the said defendants are now now in Duval County, Florida, and that the foregoing demurrer is not interposed for delay.

Sworn to and subscribed
before me this _____ day
of March, 1937.

IN THE UNITED STATES DISTRICT
COURT IN AND FOR THE SOUTHERN
DISTRICT OF THE STATE OF FLORIDA

#5655

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM KNABB, et al.,

Defendants.

MOTION TO QUASH

Come now William Knabb, Earl Knabb and Fred Jones, and move the Court to quash the indictment returned against them under Clerk's Case No. 5655, and each and every the several counts thereof, separately, upon the following several grounds, to-wit:

-1-

Said indictment is so drawn as not to advise these defendants, or either of them of the nature of the offense charged against them.

-2-

The averment "to a condition of peonage" is vague and uncertain, and does not inform these defendants what a condition of peonage is.

-3-

No facts are set out in an issuable form to define or advise these defendants of what a condition of peonage means.

-4-

The language "to a condition of peonage, compelling the persons named in said indictment to perform labor to and for William Knabb," is confusing, vague and does not advise the defendants of the nature of the charge against them.

-5-

The word "by" before the words "compelling them, the several persons named in said indictment," is omitted from each count of the indictment.

-6-

The words "compelling them, the several persons named in said indictment, " do not constitute a direct averment that these defendants compelled the said persons against their will, and no facts are set out to show the nature of the alleged compulsion on the part of these defendants.

-7-

"Compelling" is a conclusion of law, and no facts are set out to show in what manner or by what means these defendants are alleged to have compelled the said persons named in said indictment to perform labor and work.

-8-

The averment "to perform labor to" in said indictment is unintelligible and confusing.

-9-

The averment "arrest a person to a condition of peonage" is unintelligible and confusing, and no facts are set forth to advise these defendants what is meant by the word arrest.

-10-

The indictment does not set forth that a condition of peonage existed at the time or place averred in the indictment to which condition of peonage it is averred these defendants held, arrested or returned said persons named in said indictment.

-11-

Said indictment and each count thereof, is so vague, and indefinite as to mislead these defendants, and to prevent these defendants from preparing their defense to said indictment.

Attorneys for the Defendants.

5655-8 ev.

IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA
IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA
FEBRUARY TERM THEREOF, A. D., 1937
HELD AT TAMPA, FLORIDA

The grand jurors of the United States of America, duly impaneled, sworn and charged to inquire within and for the Southern District of Florida, upon their oaths present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, hold a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him, the said Arthur Smith, against the will of him, the said Arthur Smith, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Arthur Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

SECOND COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, hold a certain person, to-wit, Alfred Smith, to a condition of peonage, compelling him, the said Alfred Smith, against the will of him, the said Alfred Smith, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Alfred Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

THIRD COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D ., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, hold a certain person, to-wit, Edward Baker, to a condition of peonage, compelling him, the said Edward Baker, against the will of him, the said Edward Baker, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Edward Baker.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

FOURTH COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, arrest a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him, the said Arthur Smith, against the will of him, the said Arthur Smith, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Arthur Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

FIFTH COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, arrest a certain person, to-wit, Alfred Smith, to a condition of peonage, compelling him, the said Alfred Smith, against the will of him, the said Alfred Smith, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Alfred Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

SIXTH COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, arrest a certain person, to-wit, Edward Baker, to a condition of peonage, compelling him, the said Edward Baker, against the will of him, the said Edward Baker, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Edward Baker.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

SEVENTH COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, return a certain person, to-wit, Arthur Smith, to a condition of peonage, compelling him, the said Arthur Smith, against the will of him, the said Arthur Smith, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Arthur Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

EIGHTH COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, to-wit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, return a certain person, to-wit, Alfred Smith, to a condition of peonage, compelling him, the said Alfred Smith, against the will of him, the said Alfred Smith, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Alfred Smith.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

NINTH COUNT

And the grand jurors aforesaid, upon their oaths aforesaid, do further present:

That heretofore, to-wit, on the 14th day of October, A. D., 1936, at, toewit, Macclenny, in Baker County, Florida, in the Southern District of Florida and within the jurisdiction of this Court, WILLIAM KNABB alias WILL KNABB, whose first real and true name is to this grand jury and these grand jurors unknown, EARL E. KNABB, and FRED JONES, did unlawfully, wilfully, knowingly, and feloniously, return a certain person, to-wit, Edward Baker, to a condition of peonage, compelling him, the said Edward Baker, against the will of him, the said Edward Baker, to perform labor and work to and for him, the said WILLIAM KNABB alias WILL KNABB, in payment of a debt claimed by him, the said WILLIAM KNABB alias WILL KNABB, to be due him, the said WILLIAM KNABB alias WILL KNABB, from him, the said Edward Baker.

Contrary to the form of the statute in such case made and provided and against the peace and dignity of the United States of America.

United States Attorney

EM

HAF, LCB

50-18-12

FEB 4 1937

February 2, 1937.

Mr. Aron S. Gilmartin,
Executive Secretary,
Workers' Defense League,
112 East 19th Street,
New York, New York.

Dear Sir:

Replying to your letter of January 21st, in which you inquire concerning the charges against Will and Earl Knabb and others, involving alleged violation of the peonage statute, I beg to advise you that a hearing was had before the United States Commissioner at Jacksonville, Florida, and the parties accused have been held for the grand jury. The next grand jury will convene about February 15th.

Respectfully,

For the Attorney General,

(signed) Brien McMahon

BRIEN McMAHON,
Assistant Attorney General.

NAZ



WORKERS' DEFENSE LEAGUE

112 EAST 19th STREET
NEW YORK CITY

ALGONQUIN 4-0346

ARON S. GILMARTIN
Executive Secretary

Representatives of S. T. F. U.
HOWARD KESTER
WILLIAM R. AMBERSON
W. E. SMITH
WILEY HARRIS
S. L. GOLLEHON
H. L. MITCHELL

Hon. Homer Cummings
Attorney-General of the U. S.
Department of Justice
Washington, D.C.,

Dear Mr. Cummings:-

Some time ago we wrote you about conditions of "peonage" in and near Macclenny, Florida. Our official report of such conditions was presented to the recent Convention of the American Federation of Labor.

At that time United States Commissioner Carl Noble was holding a preliminary hearing on charges against Will and Earl Knabb, Fred Jones, and E. S. Hall. We should like to know his decision on these cases, and what further action, if any, the Department of Justice plans to take in this matter. We feel that whether or not the charges against these four men are sustained or not, that the findings of our investigation are of such nature as to warrant a full and complete investigation by your Department. We strongly urge that such action be taken.

Very truly yours,

Aron S. Gilmartin

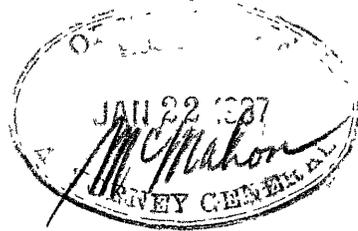
Aron S. Gilmartin,
Executive Secretary.

asg/fth
bs&au
12646

FEB 4 1937

50-18-12

THE WORKERS' DEFENSE LEAGUE IS THE ONLY ORGANIZATION AUTHORIZED TO SOLICIT CONTRIBUTIONS FOR THE
SOUTHERN TENANT FARMERS' UNION DEFENSE FUND



CRIMINAL DIVISION January 21st, 1937

JAN 27 1937

RECEIVED

CRIMINAL DIVISION

JAN 22 1937

RECEIVED

CRIMINAL DIVISION

JAN 27 1937

Department of Justice.

RECEIVED

Southern District of Florida

Jacksonville, Fla., Jan. 20, 1937
(Place and date.)

The ATTORNEY GENERAL,
Washington, D. C.

SIR: Authority to incur the following-described expense is hereby respectfully requested: O. B.

Nature of expense: (Describe fully, explaining the necessity—if for personal services giving proposed rate of pay, probable duration of employment, etc.)

To - W. T. Coleman, Sheriff, Sumter County, Fla. - Fee - Arrest of John Handley on Jan. 5, 1937 as follows:

Arrest, \$2.00, Return, 25¢, Commitment, \$1.00, Release (Jan. 11, 1937) 50¢,	
Total - - - - -	3.75
Mileage, 18 x 3 x 12½¢ per Mi. (18 Mi. N. of Bushnell) - - - - -	6.75
Board 6 days @ 65¢ per day - - - - -	3.90
	<u>\$14.40</u>

REMARKS: The above named defendant was arrested by Sheriff W.D. Coleman, Bushnell, Fla. for violation of Section 37 Penal Code (Intimidating a witness in a case pending before U.S. District Court) on instructions from Local U.S. Marshal's office on instructions from Jacksonville, Florida, January 5, 1937, and was turned over to Deputy U.S. Marshal Howard I. Brown on warrant issued by U. S. Commissioner, (Jan. 11, 1937) "Section 4588 Comp. General Laws of the State of Florida, 1927" State Stat. authorizing fees of Sheriffs, etc.

Estimated total expense:

(a) Personal compensation \$ _____

(b) Personal expenses _____

(c) Other items _____ 14.40

[Signature]
 (Name)
 U. S. Marshal

SEE INSTRUCTIONS ON REVERSE SIDE

95-18-21

DEPARTMENT OF JUSTICE,
WASHINGTON, D. C.

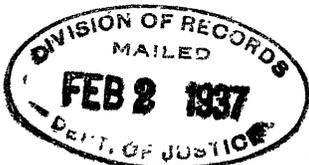
ERB:fec

Approved: *[Signature]*

February 2, 1937.

50-18-12
 FEB 2 1937
 311

You are authorized to incur the above expense.



RECORDED

The United States Marshal for the Southern District of Florida is hereby directed to make payment under the above authorization upon the presentation of accounts in duplicate properly prepared. Payment to be made from the appropriation

"Salaries, Fees and Expenses of Marshals, U.S. Courts, 1937".

For the Attorney General:

[Signature] Brian McMahon

Brian McMahon,

Assistant Attorney General.

EM

HAF:LCB

60-18-12

January 7, 1937.

Mr. F. G. Boyd,
Coleman, Florida.

Dear Sir:

The Department acknowledges receipt of your letter of December 28th, with enclosures, relative to the matter of United States v. Knabb, et al., involving alleged pecuniary, and the statements contained therein have been noted.

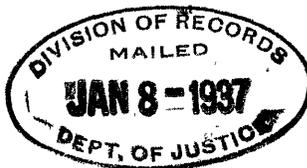
Your letter has been referred to the United States Attorney, Jacksonville, Florida, for his consideration.

Respectfully,

For the Attorney General,

(signed) Erien McMahon

ERIE MCMAHON,
Assistant Attorney General.



EM

HAP:LCB

50-18-12

JAN 9 1937

January 7, 1937.

Herbert S. Phillips, Esq.,
United States Attorney,
Jacksonville, Florida.

Dear Mr. Phillips:

Reference is made to previous correspondence in the matter of United States v. William Knabb, et al., involving alleged passport.

In this connection there is enclosed herewith for your consideration a copy of a letter from Mr. W. G. Boyd of Coleman, Florida, together with copies of the correspondence which accompanied his letter.

As heretofore requested please keep the Department currently advised as to the progress of this case.

Respectfully,

For the Attorney General,

(Signed) Erien McMahon

ERIE MCMAHON,
Assistant Attorney General.

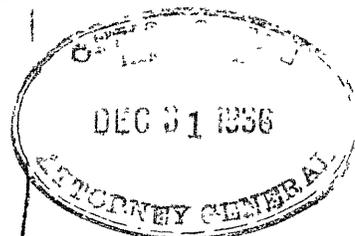
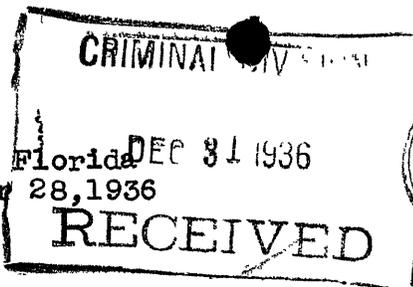
A. B. F.

Enclosure #27557.

Haj



Coleman, Florida
December 28, 1936

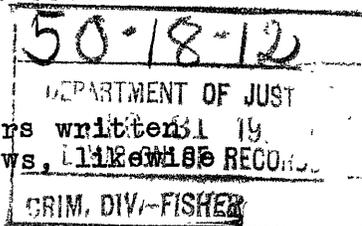


Hon. Homer Cummings
Attorney General
Washington, D. C.

Re: U. S. vs. Knabb, et al.

Dear Attorney General Cummings:-

Enclosed you will find copies of letters written to U. S. Senator Claude Pepper and C. O. Andrews, Congressman Lex Green.



The reason this letter has been written is because I have been reliably informed by parties close to some of the defendants in the above case that the hopes of said defendants in this matter were through political pressure; that the matter has been taken up or will be taken up immediately through the officers named in behalf of said defendant to try to smear the matter in this case over as prejudice between turpentine operators which is unwarranted, as neither myself or my brother who was insulted at the point of pistols, own a turpentine still nor do I have any personal grievances against any of the defendants whatever.

In addition to political pressure, which more than likely will be brought by the defendant, Knabb, they having plenty of money and influence in their locality; there are steps being taken at this time, as I have reported to the Department of Justice, in contacting the government witnesses to buy them off and if not successful, I feel sure there will be intimidation.

I have given the Department of Justice in Jacksonville full details of the actions which are being taken at this time in the contacting of said witnesses, which has already been done.

The importance of this case means a lot to the labor situation here in Florida. The eyes of the turpentine operators are turned on the outcome of this case. If the defendant are brought to Justice, the situation will be cleared up. If the United States does nothing, then Mr. Knabb will be bigger than the Federal Government. For that reason, together with the fact that Mr. Knabb has money, I would appreciate that the merits of this case be gone into fully and that if Mr. Knabb and the defendants are innocent that they be turned loose, but if they are guilty, which I am sure they are as they are plenty of eye witnesses willing and ready to testify in this particular case besides others that are willing to testify in other cases, whereby Knabb has been sought to be brought to justice and never could be done, let them pay the price of confinement as any other poor devil would should he have done the same actions as these defendants.

Hon. Homer Cummings
December 28, 1936
Page #2.

The Preacher incident in Arkansas is a slight case and a minor incident compared with the uphanded methods that have been carried on by Mr. Knabb in the operation of his various turpentine enterprizes. I noticed your comment in the paper on the conviction of Mr. Preacher and you and your department will also gain recognition in these actions if this matter is carried fully to proper justice.

Please accept my apology for writing this lengthy letter, but I would like for you to investigate this matter and see that none of the witnesses are bought over, intimidated or that political pressure is brought in in any way, shape or form in this matter, if so that you will be in a position to combat same.

Thanking you in the above, I am

Sincerely yours,



W. G. Boyd.

Copy to:
J. E. Hoover
Washington, D. C.
Department of Justice
Jacksonville, Florida

Enclosures 3.

Coleman, Florida
December 28, 1936

Hon. J. Edgar Hoover
Department of Justice
Washington, D. C.

Re: United States vs.
Knabb, et al.

Dear Mr. Hoover:-

Enclosed you will find copies of letters written to attorney general Gummings, also copies of letters written to Senators Claude Pepper, C. O. Andrews and Congressman Lex Green, representatives of this state relative to the above matter.

These letters have been written because as you will notice political pressure is now being sought to interfere in the above case. Such has been the information received by the writer from close authorities of the defendants. Also because various actions are being taken to contact the government witnesses here in Coleman by men who we know are close to Mr. Knabb and the defendants and we feel sure that unless we give you and your department this information that the defendant might not be willing to give the information that they have when the proper time comes. It is very easy when negroes are offered money or either intimidated to forget what they know.

This case means a great deal here in the State of Florida, and to the labor situation, and the outcome of this case is being watched closely by the citizens of this State. If the defendants are brought properly before justice, then the Federal Government is a higher hand and a strong power, than Mr. Knabb. If the case dies at its present status, then Mr. Knabb as heretofore is stronger than all of the ones who interfere with him. For that reason I hope that you and the department of justice will bend every effort to see that this matter is completed to the end just like the Preacher matter was in Arkansas.

I give you this information in order to let you know that possibly political influence might be brought to bear on same.

With personal regards and best wishes, I am

Sincerely yours,

W. G. Boyd.

Copy to:
Hon. Homer Gummings
Washington, D. C.
Department of Justice
Jacksonville, Fla.

Coleman, Florida

December 28, 1956

Hon. Claude Pepper
United States Senator
Tallahassee, Florida

Dear Senator Pepper:-

I have been informed that political pressure will be sought through you, Senator Andrews, Congressman Lex Green and possibly other representatives of the people in Washington in behalf of Mr. Knabb and others of McClenny who have been arrested in a peonage case.

I am sure that you are aware that the case is serious enough that the Federation of Labor at its convention has taken steps to have the matter properly aired out, likewise other citizens in the State of Florida who are interested in the labor conditions as they now exist in this state.

I hope that the information that I have been given is wrong and that neither you nor any other of our representatives will interfere with any justice that might be due in this case. I think that the department of justice should, as a government agency, be left clear of politics. It has been my understanding up to this time that it was. I hope that Florida representatives of the people will not be first in the obstruction of this department in their duties.

I would like to say that I voted for you because I think you are qualified to represent the people and my interest, whether I'm rich or poor, I still have such confidence in you and I hope that it will be my pleasure to vote for you many times in the future as Senator to represent this State based upon your qualifications and fair mindedness.

I again apologize for writing you this letter and if the matter has not been brought to your attention by any of the defendants, please ignore this letter unless you are interested in the case sufficient to look into the merits of same, in which case if the merits warrant your action I hope you will assist in seeing that justice is carried. If it does not, well then please ignore the matter altogether. If it has been brought to your attention, I again ask that you go into the matter fully and not bring political pressure of any nature against the proper handling of same.

Hon. Claude Pepper
December 28, 1956
Page #2

With kindest personal regards and best
wishes for the New Year, I am

Sincerely yours,

W. G. Boyd.

Copy to:
Hon. Claude Pepper
Washington, D. C.

Hon. Homer Cummings
Washington, D. C.

Hon. J. Edgar Hoover
Department of Justice
Washington, D. C.

Coleman, Florida
December 28, 1936

Hon. G. G. Andrews
Senator,
Orlando, Fla.

Dear Senator Andrews:-

I have been informed that political pressure will be sought through you, Senator Pepper, Congressman Lex Green and possibly other representatives of the people in Washington in behalf of Mr. Knabb and others of McClenny who have been arrested in a peonage case.

I am sure that you are aware that the case is serious enough that the Federation of Labor at its convention has taken steps to have the matter properly aired out, likewise other citizens in the State of Florida who are interested in the labor conditions as they now exist in this State.

I hope that the information that I have been given is wrong and that neither you nor any other of our representatives will interfere with any justice that might be due in this case. I think that the department of justice should, as a government agency, be left clear of politics. It has been my understanding up to this time that it was. I hope that Florida representatives of the people will not be first in the obstruction of this department in their duties.

I would like to say that I voted for you because I think you are qualified to represent the people and my interest, whether I'm rich or poor, I still have such confidence in you and I hope that it will be my pleasure to vote for you many times in the future as Senator to represent this State based upon your qualifications and fair mindedness.

I again apologize for writing you this letter and if the matter has not been brought to your attention by any of the defendants, please ignore this letter unless you are interested in the case sufficient to look into the merits of same, in which case if the merits warrant your action I hope you will assist in seeing that justice is carried. If it does not, well then please ignore the matter altogether. If it has been brought to your attention, I again ask that you go into the matter fully and not bring political pressure of any nature against the proper handling of same.

Hon. C. O. Andrews
December 28, 1936
Page #2.

With kindest personal regards and best
wishes for the New Year, I am

Sincerely yours,

W. G. Boyd.

Copy to:

Hon. Charles Cummings
Washington, D. C.
Hon. J. Edgar Hoover
Department of Justice
Washington, D. C.

Hon. C. O. Andrews
Washington, D. C.

Coleman, Florida
December 28, 1936

Hon. Lex Green
U. S. Congressman
Starks, Florida

Dear Congressman Green:-

I have been informed that political pressure will be sought through you, Senator Andrews and Senator Pepper and possibly other representatives of the people in Washington in behalf of Mr. Knabb and others of McGlenney who have been arrested in a peenage case.

I am sure that you are aware that the case is serious enough that the Federation of Labor at its convention has taken steps to have the matter properly aired out, likewise other citizens in the State of Florida who are interested in the labor conditions as they now exist in this State.

I hope that the information that I have been given is wrong and that neither you nor any other of our representatives will interfere with any justice that might be due in this case. I think that the department of justice should, as a government agency, be left clear of politics. It has been my understanding up to this time that it was. I hope that Florida representatives of the people will not be first in the obstruction of this department in their duties.

I again apologize for writing you this letter and if the matter has not been brought to your attention by any of the defendant, please ignore this letter unless you are interested in the case sufficient to look into the merits of same, in which case if the merits warrant your action I hope you will assist in seeing that justice is carried. If it does not, well then please ignore the matter altogether. If it has been brought to your attention, I again ask that you go into the matter fully and not bring political pressure of any nature against the proper handling of same.

With kindest personal regards and best wishes,
I am

Sincerely yours,

W. G. Boyd.

Copy to:
Hon. Homer Cummings
Hon. J. Edgar Hoover
Washington, D. C.
Hon. Lex Green, Washington, D. C.

EM

HAF:LCB

50-18-12

December 24, 1936.

Herbert S. Phillips, Esq.,
United States Attorney,
Jacksonville, Florida.

H. W. B.

Dear Mr. Phillips:

Replying to your letter of the 17th instant in the matter of United States v. William Knabb, et al., involving pecu-
nary, I beg to enclose herewith for your information copies of indictments under the pecu-
nary statute, together with a memorandum as to the law on the subject.

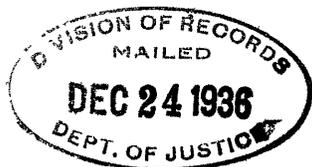
Respectfully,

For the Attorney General,

(signed) Brien McMahon

BRIEN McMAHON,
Assistant Attorney General.

Enclosure #48994.



DGY:RM
J-1635-J.

DEPARTMENT OF JUSTICE

CRIMINAL DIVISION

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA

DEC 21 1936

Jacksonville, December 17, 1936.

RECEIVED

The Attorney General,
Washington, D. C.

In re: United States v. William Knabb, Earl
E. Knabb, Fred Jones, and Edward Ste-
wart Hall, Jr., involving peonage.

Your symbols: BM 50-18-12

S i r :

In reply to your letter of December 11th, the writer is handling the above case and will state definitely that this case will be presented to a grand jury for indictment the early part of February. The grand jury is to be held at Tampa, Florida, the exact date in February has not yet been set by the judges.

The writer would very much appreciate the Department forwarding memorandums and forms of indictments under the peonage statute.

Respectfully,

HERBERT S. PHILLIPS,
United States Attorney.

Damon G. Yerkes
Damon G. Yerkes,
Assistant United States Attorney

DEC 28 1936

RECORDED

50-18-12
CRIM. DIV.-FISHER

3

EM

EM:MR

December 10, 1956.

50-18-12

S. L. B.

FILE M. U. HEALY

P
Mr. Walter White, Secretary,
National Association for the
Advancement of Colored People,
69 Fifth Avenue,
New York, New York.

Dear Mr. White:

The Attorney General has requested me to reply to your letter of December 8, 1956, in which you urge the prosecution of certain persons, who are alleged to have held a number of persons at Macolenny, Florida.

You are assured that this matter will receive proper attention.

I wish to thank you for your expression of satisfaction on the Peacher conviction in Arkansas.

Very truly yours,

Brien McMahon,
Assistant Attorney General.

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TREASURER
MARY WHITE OVINGTON

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE

69 FIFTH AVENUE, NEW YORK

TELEPHONE: ALGONQUIN 4 3551

Official Organ: The Crisis

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JUANITA E. JACKSON SPECIAL ASSISTANT TO THE SECRETARY

CRIMINAL DIVISION



DEC 9 1936

December 8, 1936

RECEIVED

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Waco, Texas	R. D. Evans
Washington	Sterling A. Brown Charles Edward Russell

My dear Mr. Attorney General:

Will you permit me, on behalf of the National Association for the Advancement of Colored People, to express the hope and to urge that your Department determinedly and vigorously investigate and proceed against those persons responsible for holding a considerable number of Negroes in peonage at Macclenny, Florida.

We are in possession of the report of an investigation made by several individuals, one of them Dr. C. F. Duncan, President of our Jacksonville, Florida, Branch, which sets forth that a turpentine operator by the name of Will Knabb, holds these Negroes imprisoned, allows none of them to leave the place, utilizes spies and stool-pigeons, one of them by the name of Cobb; that he forces the turpentine workers to work from day-break to darkness, forces them to purchase all supplies at a commissary which is owned by Knabb, beats and otherwise mistreats them when they attempt to leave, and apprehends all persons who do flee by a system of camps which surround the community.

This is the case which was presented to the recent convention of the American Federation of Labor at Tampa, and the facts, we understand, have been placed in detail before your Department.

We sincerely hope and believe that the Department of Justice will proceed as vigorously and successfully in this instance as it did in the recent Peacher conviction in Arkansas, upon which we wish to express our congratulations and appreciation.

Ever sincerely,

Secretary

Hon. Homer S. Cummings
Department of Justice
Washington, D. C.

50-18-12

DEPARTMENT OF JUSTICE
MAR 7 1939 A.M.
DIVISION OF RECORDS
CRIM. DIV.-BUTLER

ENDORSED BY THE NATIONAL INFORMATION BUREAU, 215 FOURTH AVENUE, NEW YORK

How do your Candidates for the Senate and House of Representatives stand on Federal Anti Lynching Legislation?

HAF:FF

EM:

50-18-18-

December 15, 1936.

DEC 16 1936

Mr. W. G. Boyd,
Coleman,
Florida.

Dear Sir:

This Department acknowledges receipt of your letter of December 1, 1936, concerning alleged peonage in the vicinity of McGlenney, Florida, and the statements contained therein have been noted.

As you are no doubt aware, this complaint is already receiving attention by the United States Attorney at Jacksonville.

Respectfully,

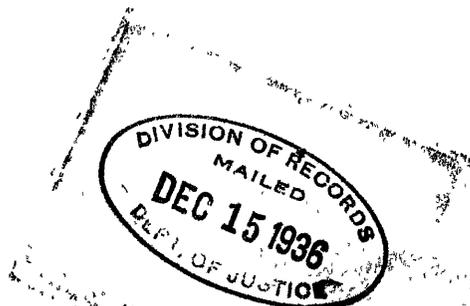
For the Attorney General,

(signed) Brien McMahon

BRIEN McMAHON,
Assistant Attorney General.

F. B. V.

W. G. B.



CRIMINAL DIVISION

DEC 7 1936

RECEIVED

Coleman, Florida
December 1, 1936.



50-18-12
DEPARTMENT OF JUSTICE
DIVISION OF INVESTIGATION
CRIM. DIV.-FISHER

DEC 16 1936

Hon. Homer S. Cummings
U. S. Attorney General
Washington, D. C.

Dear Attorney General Cummings:-

Some days past I read with interest where Mr. Preacher was convicted in Arkansas for slavery of negroes. I read this with interest because of the fact that the State of Florida and the Federal Government has the same situation to contend with here. I likewise read an article or a statement in the paper whereby you were greatly pleased with said conviction.

I wish to call your attention to matters as they exist here in Florida at this time, particularly regarding a matter of slavery and peonage which has taken place in McClenney Florida, same being a fair example of what is going on in other places.

At this time Mr. Carl Nobles, United States Commissioner at Jacksonville Florida has under his advisement a hearing wherein Mr. Will Knabb and Earl Knabb together with Fred Jones and Mr. Hall, Knabb's assistants, are under charge of peonage. The circumstances under which these parties were arrested was related to the Department of Justice who investigated and found facts sufficient to make the arrest above, and on the 19th day of November 1936 a preliminary hearing was had. At this hearing only sufficient facts were presented as thought necessary to bind these defendants over. At this hearing, there was, in addition to the two eye witnesses who testified to the mistreatment given out by the two Knabbs and their assistants, three other eye witnesses present plus other witnesses who had been mistreated at Knabb's hands.

I would appreciate very kindly if you would make further investigations and see that this case is investigated fully and every effort is made to bring around the true facts and true conditions herein.

Please do not misunderstand me in saying that I do not think the Department of Justice is making every effort they can to bring about a binding over and later an indictment on the Knabbs, likewise the District Attorney's office, through their able assistant, nevertheless, I do know that there is plenty of money behind the two Knabb persons and I do know that money talks as it has talked in the past in this slavery and peonage and servitude which has existed here in Florida. I do know that if the Federal Government fails in this attempt at this time to bring about justice what will take place hereafter in the turpentine and operation of same, slavery and servitude here in Florida. It will show that the Knabbs not only control the territory surrounding McClenney but that they are bigger than the Federal Government as they have often made their brags.

Hon. Homer S. Cummings
December 1, 1936
Page 2.

If you or any of your workers, regardless of what Department they might be in, desire further and fuller information relative to the circumstances, facts and evidence of servitude as administered by the Knabbs of McClenney, I will be glad to furnish same, and if any of it is found to be of a selfish motive or of a prejudicial type on my part, I will ask you to go no further.

Thanking you very kindly in the above and assuring you further that we have circumstances that exist here in Florida a great deal worse than the Preacher slavery in Arkansas.

Very truly yours,



W. G. BOYD.

Copy to:
Department of Justice
Jacksonville, Florida
Mr. Damon Yerkes
U. S. District Atty.
Jacksonville, Florida
Hon. Dave Sholtz
Governor, Tallahassee, Fla.
Hon. William Green, Pres.
American Federation of Labor
Washington, D. C.
Hon. J. Edgar Hoover
Washington, D. C.

Coleman, Florida
December 1, 1936.

Department of Justice
Jacksonville, Florida

Attention:- Mr. Nathan:

Dear Mr. Nathan:-

Enclosed you will find various copies of letters that I have written pertaining to the Knabb matter. Since the Federation of Labor, since Governor Shelts and since Attorney General Cummings were so well pleased in the Preacher conviction had in Arkansas, I see no reason why we could not get these same authorities interested in the Knabb matter and pressure and investigation and assistance be given you and your department and Mr. Yerkes and his office. For that reason I took it upon myself to ask these authorities to investigate fully the conditions which have existed at McClenney and the urgent need of this particular case being properly presented before all authorities for Florida's sake, for labor's sake together with humanity's sake.

Don't misunderstand any of my intentions because I realize that you and your Department, together with Mr. Yerkes and his office have been most diligent in this case, but I just feel like that with all the evidence available in this case if conviction can not be had it would be futile to go forward with other cases which might arise here in Florida. The outcome of this case means so much not only to the State of Florida, but likewise to labor and its condition.

Assuring you that I appreciate all past favors and if there is anything I can do, please do not hesitate to call upon me.

Thanking you very kindly, I am

Very truly yours,

W. G. BOYD.

Copy to:
Attorney General Cummings
J. Edgar Hoover
Washington, D. C.
Mr. Damon Yerkes
Jacksonville, Fla.

Coleman, Florida
December 1, 1936.

56-18-12
Hon. Dave Sholts
Governor
Tallahassee, Fla.

DEC 16 1936

Dear Governor Sholtz:-

I have read for the last two days articles in the paper wherein president Green of the American Federation of Labor and other parties connected with labor have asked that you give a thorough investigation to circumstances existing here in Florida pertaining to peonage and slavery servitude.

I am indeed glad to see that you and the State of Florida intends to investigate same because there is now existing at McLenney and possibly other places circumstances which should not exist anywhere and particularly the State of Florida.

You will find copy of a letter herein written to Attorney General Cummings relative to the matters had recently up before Commissioner Nobles in Jacksonville and to be decided upon soon wherein the two Mr. Knabbs were arrested with their assistants for peonage in the handling of negroes and in this instance the maltreatment of white parties.

I write you this letter to ask that you and your investigators call upon me and I will be glad to assist you and them in every respect together to get at the bottom of this matter.

Thanking you very kindly in the above and assuring you that I hope this matter will be properly cleaned up and that it will be an example to the other operators in the State of Florida who have been making such practices as the Knabbs.

Very truly yours,

W. G. BOYD.

Copy to:
J. Edgar Hoover
Washington, D. C.
Attorney General Cummings
Washington, D. C.
William Green, Pres.
American Federation Labor
Mr. Damon Yerkes
Jacksonville, Fla.

Coleman, Florida
December 1, 1936.

Hon. William Green, Pres.
American Federation of Labor
Washington, D. C.

Dear Mr. Green:-

I have read in the papers for the past several days the action which you and labor took on the peonage and slavery servitude condition as they now exist here in Florida. I make particular reference to the McClenney matter which I have full information on, it having been my brother who was maltreated and kicked around at the point of guns by the Knabb parties and their two assistants under arrest by the Federal Government at this time.

I would appreciate if you and your labor organization would continue to make efforts to clean up the situation which now exists in not only Florida but possibly other places. I do know that there is sufficient evidence if properly presented to the right authorities to bring about conviction in this McClenney case, and that this will be an example to all other operators if Mr. Knabb and his two assistants can be convicted, notwithstanding all of the money they have to stave off conviction, it will be a victory for not only labor but for the United States Government.

Thanking you again for the part which labor has taken and I feel sure will take in pushing this matter to justice, I am

Very truly yours,

W. G. BOYD.

Copy to:
Hon. Dave Sholtz
Tallahassee, Florida
Attorney General Cummings
Washington, D. C.
Hon. Dan McFarlan
Jacksonville, Florida .

Coleman, Florida
December 1, 1936.

Hon. Damon G. Yerkes
Assistant U. S. Attorney
Jacksonville, Florida

Dear Mr. Yerkes:-

Enclosed you will find copies of letters written to Attorney General Cummings, Mr. J. Edgar Hoover, Governor Shultz and Mr. Green of the American Federation of Labor and to the Department of Justice wherein I hope these people can get aroused sufficient whereby further assistance can be given you and the Department of Justice and bring about the proper conviction which should be had in this Knabb matter. I see no reason in the world with the amount of evidence which we have that these parties should not be bound over and if bound over, I feel confident that when the matter is presented to a grand jury that indictments will be properly brought.

If I had the time I would have asked you personally whether it was proper to write these letters because I would do nothing which would make you think that proper and diligent efforts had not been had by you and your office because they have and I have tried to make myself clear in the letters which I have written that you office and the Department of Justice are doing their duties. Nevertheless, I hope you will appreciate my position in that I want justice to be brought about in this particular case due to the fact that there is so much money behind it and they have made the brags that the Government and others had tried to reach them before and it could not be done and it would not be done in this instance.

Thanking you very kindly to let this continue to have your diligent and conscientious efforts as it has in the past, I am

Very truly yours,

W. G. BOYD.

Copy to:
Attorney General Cummings
J. E. Edgar Hoover
Washington, D. C.
Department of Justice
Jacksonville, Florida.

EM

50-18-12

DEC 12 1936

HAF:LOB

December 11, 1936.

Herbert S. Phillips, Esq.,
United States Attorney,
Tampa, Florida.

Dear Mr. Phillips:

The Department acknowledges receipt of your letter of December 4th relative to the case of United States v. William Knabb, Earl E. Knabb, Fred Jones, Edward Stewart Hall, Jr., involving postage. In this connection I desire to inform you that the Department has memoranda and forms of indictments under the postage statute and will be glad to furnish you with the same if desired.

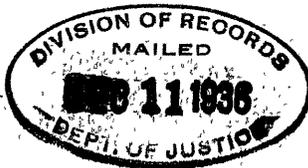
This case is considered important and it will be appreciated if you will keep the Department promptly advised with respect to the same.

Respectfully,

For the Attorney General,

(signed) Brien McMahon

BRIEN McMAHON,
Assistant Attorney General.



DEPARTMENT OF JUSTICE

CRIMINAL DIVISION

DGY:RM

UNITED STATES ATTORNEY

SOUTHERN DISTRICT OF FLORIDA

DEC 8 1936

Jacksonville, December 4, 1936.

RECEIVED

The Attorney General,
Washington, D. C.

In re: United States v. William Knabb, Earl
E. Knabb, Fred Jones, Edward Stewart
Hall, Jr.
Your symbols: BM 50-18-12

S i r :

In reply to your letter of December 1st, the writer appeared before Carl Noble, United States Commissioner, on the 19th day of November, 1936, at which time the government introduced testimony in the above case. This office and the Federal Bureau of Investigation, working together at the hearing, decided to put on only two of the witnesses so that the whole of the government's case would not be disclosed to the defendants as certain of the witnesses might be tampered with if it was known that they were material witnesses.

At the close of the government's case, attorneys for the defendants moved that the defendants be released. The Commissioner took the case under advisement and this morning handed down the decision that the motion to release the defendants was denied, indicating that he would hold the defendants under the same bond, the United States having moved the court at the time of hearing to increase the bonds of each of the defendants to \$5000.00. At this point, attorneys for the defendants moved the court for time within which to produce witnesses, whereupon the Commissioner set a hearing on the 11th day of December, 1936, at which time the defendants will be allowed to produce such witnesses as they desire.

This office has received full reports from the Federal Bureau of Investigation, and the case is

RECORDED

50-18-12

DEPARTMENT OF JUSTICE
DEC 7 1936 P.M.
DIVISION OF RECORDS
CRIM. DIV.-FISHER

DEC 12 1936

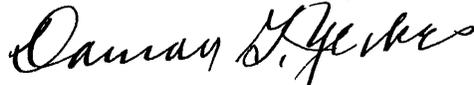
The Attorney General,
December 4, 1936.

-2-

on the complaint docket. An indictment will be prepared and the case presented to the next grand jury which will be held in Tampa, the exact date of which has not been set by the judges of this District.

Respectfully,

HERBERT S. PHILLIPS,
United States Attorney.



Damon G. Yerkes,
Assistant U. S. Attorney

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

EM

50-18-12

DEC 12 1936

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

HAF:LCB

December 9, 1936.

*Hugh
Please
talk to
me*

MEMORANDUM FOR MR. McMAHON.

Referring to your memorandum of the 4th instant concerning the peonage cases arising out of the turpentine camps in Florida, there is attached a letter from the United States Attorney, dated December 4th, showing the status of the matter, and also a letter from Mr. W. G. Boyd of Coleman, Florida, who was the original complainant. According to the Bureau report Mr. Boyd is an intelligent young man with clean cut appearance and would make an excellent witness.

DM

From the facts so far submitted it looks to me as though this is a good case, and while the Commissioner at the first hearing denied the defendants' motion for their release, it does appear their attorneys moved the court for time within which to produce witnesses, and the Commissioner set a hearing for the 11th instant, at which time the defendants will be allowed to produce such witnesses as they desire.

It is my opinion that a Special Assistant should be assigned to handle this case.

Respectfully,

HAF

H. A. FISHER.

DEC 12 1936

50-18-12
DEPARTMENT OF JUSTICE
DEC 12 1936 A.M.
DIVISION OF REVENUE
CRIM. DIV.-FISHER

EM

EM:MR

50-18-12

December 4, 1936.

S. L. B.

x
Mr. William Green, President,
American Federation of Labor,
Tampa, Florida.

My dear Mr. Green:

The Attorney General has asked me to acknowledge your letter of November 28th with respect to the charges of peonage which have been made against certain persons in Macclenny, near Jacksonville, Florida.

I assure you that we shall look into the situation very carefully.

Very truly yours,

Erien McMahon,
Assistant Attorney General.



AMERICAN FEDERATION OF LABOR

Executive Council

President, WILLIAM GREEN
Secretary-Treasurer, FRANK MORRISON
A. F. of L. Building, Washington, D. C.

First Vice-President, FRANK DUFFY,
Carpenters' Building, Indianapolis, Ind.
Second Vice-President, T. A. RICKERT,
621 Bible House, New York, N. Y.
Third Vice-President, MATTHEW WOLL,
570 Lexington Ave., New York, N. Y.
Fourth Vice-President, JOHN COEFIELD,
Machinists' Building, Washington, D. C.
Fifth Vice-President, ARTHUR O. WHARTON,
Machinists' Building, Washington, D. C.
Sixth Vice-President, JOSEPH N. WEBER,
1450 Broadway, New York, N. Y.
Seventh Vice-President, G. M. BUGNAZET,
1200 Fifteenth St., N. W., Washington, D. C.

Eighth Vice-President, GEO. M. HARRISON,
Railway Clerks' Bldg., Cincinnati, O.
Ninth Vice-President, DANIEL J. TOBIN,
222 East Michigan Street, Indianapolis, Ind.
Tenth Vice-President, HARRY C. BATES,
815 Fifteenth St., N. W., Washington, D. C.
Eleventh Vice-President, EDWARD J. GAINOR,
408 A. F. of L. Building, Washington, D. C.
Twelfth Vice-President, W. D. MAHON,
260 Vernor Highway, East, Detroit, Mich.
Thirteenth Vice-President, FELIX H. KNIGHT,
400-403 Carmen's Bldg., Kansas City, Mo.
Fourteenth Vice-President, GEORGE E. BROWNE,
Earle Building, Washington, D. C.

Fifteenth Vice-President, EDWARD FLORE,
426 Woodbridge Avenue, Buffalo, N. Y.

LONG DISTANCE TELEPHONE NATIONAL 3870-1-2-3-4
CABLE ADDRESS, AFEL

Washington, D. C.

Tampa, Florida,
November 28, 1936.

McMahon
1936
NOV 28 1936

Sir:

I officially request you to institute an investigation of charges of peonage among negro workers employed in the turpentine production industry at Macclenny, Florida.

I will greatly appreciate such action as you may find it possible to take in this particular matter.

Respectfully submitted,

President,
American Federation of Labor.

Honorable Homer S. Cummings,
Attorney General of the United States,
Department of Justice, Washington, D.C.

50-18-12
DEPARTMENT OF JUSTICE
DEC 7 1936
DIVISION OF INVESTIGATION
CHIEF DIV. FISHER

DEC 7 1936

E

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C. BM:MR

BM

December 4, 1936.

MEMORANDUM FOR MR. FISHER

We had better watch the peonage cases arising out
of the turpentine camps in Florida pretty carefully.

Do you think it necessary to assign a Special
Assistant?

B. McMahon

Brien McMahon,
Assistant Attorney General.

*See memo in reply Dec 9.
Recomm suggesting assignment of Special Asst.
File 442*

J. H. E.
DEC 17 1936

50-18-12
DEPARTMENT OF JUSTICE
DEC 11 1936 A.M.
DIVISION OF RECORDS
CRIM. DIV.-FISHER

7

WORKERS' DEFENSE LEAGUE

112 EAST 19th STREET
NEW YORK CITY

ALGONQUIN 4-0346

CRIMINAL DIVISION

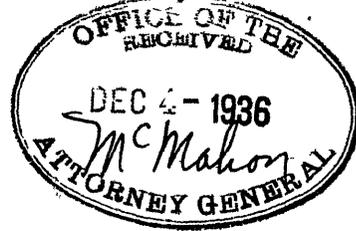
DEC 4 1936

RECEIVED

ARON S. GILMARTIN
Executive Secretary

Representatives of S. T. F. U.
HOWARD KESTER
WILLIAM R. AMBERSON
W. E. SMITH
WILEY HARRIS
S. L. GOLLEHON
H. L. MITCHELL

December 3rd, 1936



Mr. Ugo Carusi, Exec. Asst to
Homer S. Cummings, Attorney-General
Office of the Attorney General
Washington, D.C.,

Dear Mr. Carusi:-

Thank you for your letter of December 1st.

We shall await with a great deal of anticipation the results
of your investigation at Macclenny.

We shall be glad to hear from you at that
time.

Very truly yours,

WORKERS' DEFENSE LEAGUE

By: *Aron S. Gilmartin*
Executive Secretary.

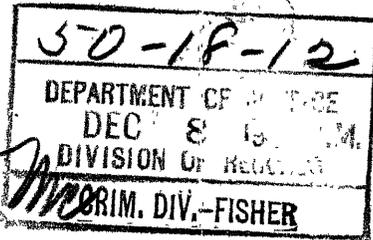
DEC 9 1936

J. H. E.

J. H. E.

asg/fth
bs&au
12646

RECORDED



THE WORKERS' DEFENSE LEAGUE IS THE ONLY ORGANIZATION AUTHORIZED TO SOLICIT CONTRIBUTIONS FOR THE
SOUTHERN TENANT FARMERS' UNION DEFENSE FUND

UC:JW

December 1, 1936.

50-18-12

DEC 7 1936

Mr. Aron S. Gilmartin,
Executive Secretary,
Workers' Defense League,
112 East 19th Street,
New York City.

My dear Mr. Gilmartin:

The Attorney General has asked me to acknowledge your letter of November 24 with respect to the charges of peonage which have been made against certain persons in Macclenny, near Jacksonville, Florida.

We appreciate your sending us the information which has come to you, and assure you that we shall look into the situation very carefully.

Yours very truly,

Executive Assistant
to the Attorney General.

From
THE ATTORNEY GENERAL

to

Official indicated below by check mark

<i>Solicitor General Reed</i>	
<i>Assistant to the Attorney General Keenan</i>	
<i>Assistant Attorney General Dickinson</i>	
<i>Assistant Attorney General Jackson</i>	
<i>Assistant Attorney General Morris</i>	
<i>Assistant Attorney General Blair</i>	
<i>Assistant Attorney General McMahon</i>	<input checked="" type="checkbox"/>
<i>Assistant Solicitor General Bell</i>	
<i>Mr. Hoover, Director of Investigation</i>	
<i>Mr. Bates, Director of Prisons</i>	
<i>Mr. Martin, Director of War Risk Bureau</i>	
<i>Mr. Lawrence, Taxes and Penalties</i>	
<i>The Administrative Assistant</i>	
<i>Mr. Holtzoff, Special Assistant</i>	
<i>Mr. Miller, Advisory Committee on Crime</i>	
<i>Board of Parole</i>	
<i>Mr. Lyons, Pardon Attorney</i>	
<i>Mr. McClure, General Agent</i>	
<i>Mr. Donaldson, Chief Clerk</i>	
<i>Mr. Moore, Division of Records</i>	
<i>Mr. Sornborger, Appointment Clerk</i>	
<i>Mr. Suydam</i>	
<i>Mr. Carusi</i>	
<i>Mr. Gates</i>	
<i>Miss O'Brien</i>	
<i>Miss Lamke</i>	
<i>Mr. Willard</i>	
.....	
.....	
.....	

MEMORANDUM

Please see letter from
Worker's Defense
Committee & my reply
to them under this date.

[Signature]
12-1-36

50-18-12

DEPT. OF JUSTICE
DEC 2 1936 A.M.
RECORDS DIV.

DEC 14 1936

50-18-12

WORKERS' DEFENSE LEAGUE

112 EAST 19th STREET
NEW YORK CITY

ALGONQUIN 4-0346

NOV 25 1936
McMahon
PROPERTY CLERK

ARON S. GILMARTIN
Executive Secretary

Representatives of S. T. F. U.
HOWARD KESTER
WILLIAM R. AMBERSON
W. E. SMITH
WILEY HARRIS
S. L. GOLLEHON
H. L. MITCHELL

November 24th, 1936

Homer T. Cummings
Attorney-General, U.S.A.
Department of Justice Building
Washington, D.C.,

DEC 14 1936

50-18-12
DEPARTMENT OF JUSTICE
DIVISION OF INVESTIGATION
CRIM. DIV. - FISHER

Dear Sir:-

Your department has been investigating and holding hearings on a charge of "peonage" brought by two Negroes against Will and Earl Knabb and others, owners or operators of a turpentine refinery in Macclenny near Jacksonville, Florida.

We understand that the two Negroes base their charge on the fact that they were prevented from leaving their jobs in the refinery by threats and other intimidation by their employers.

The Workers' Defense League has had made a preliminary investigation of conditions in the town of Macclenny. This report shows, and we feel sure that any thorough investigation of the situation would bear it out, that "the entire Negro population of Macclenny working in the turpentine refinery are held in a condition of virtual peonage and slavery. None is allowed to leave the place and all live in a constant fear of violence".

It is generally believed that the owners maintain a spy system whereby they are kept informed of everything that goes on in the Negro "quarters". Also, these informers even slip under the shacks at night and eavesdrop on the conversation of the people within to see if they may detect some hint of dissatisfaction which might indicate that someone was harboring thoughts of "escape".

It is further stated by our informers:

"The turpentine workers are forced to toil from daylight until they can no longer see at night. For their labors they receive pay ranging from 50 cents per day to \$1.00. A very few receive as much as \$1.25 per day. They are forced to purchase their supplies at the commissary owned by Knabb. Prices at this commissary are almost double regular retail prices. For example, white bacon, which can be bought in Tampa stores for 15 cents per lb., cost 25 cents per lb., in Knabb's commissary. Six pounds of plain flour cost 40 cents in the commissary and the same grade can be bought for 24 cents at the retail stores. When the wages

5
12-1-36
10/26/36
RECD. BY LETTER, DATED 12-1-36

THE WORKERS' DEFENSE LEAGUE IS THE ONLY ORGANIZATION AUTHORIZED TO SOLICIT CONTRIBUTIONS FOR THE SOUTHERN TENANT FARMERS' UNION DEFENSE FUND

11/24/36

of the turpentine workers are translated into purchasing power it is easy to see that many of them are working for 25 cents per day. One man spent \$2.00 outside of the commissary a little while back and he was told that his pay of \$10.00 would be held up until he purchased all his goods at the commissary.

"Any desire on the part of the inmates to escape is effectively thwarted by the realization of possible consequences. Men may suffer beatings, their very lives may be threatened if they attempt to leave. By a system of camps which surround the community they are able to head off any fleeing slave."

We say that if these charges are true, then slavery and peonage exists as surely in the state of Florida as in Arkansas.

We ask of you and your department, to make a thorough-going investigation into the conditions at Macclenny to ascertain these facts for yourselves and the American people who are wont to believe that the Civil War and Amendments to the Constitution subsequent thereto put an end to slavery in America.

Very truly yours,

WORKERS' DEFENSE LEAGUE

By: *Ann S. Gilman*
Executive Secretary.

This letter has also been sent to:

Gov. Dave Scholtz
State Capitol
Tallahassee, Florida

Sen. Robert LaFollette
Com. for Investigation of Civil Liberties
Washington, D.C.,

asg/fth
bs&au
12646

BM

GD:bpm

November 7, 1936.

Herbert S. Phillips, Esquire,
United States Attorney,
Jacksonville, Florida.

Dear Mr. Phillips:

The Department is advised that on November 4, 1936, Will Knabb, Earl Knabb, Fred Jones, and Edward Hall, of Macclenny, Florida, were arraigned before the United States Commissioner at Jacksonville, Florida, on charges of violating the federal peonage laws.

Please advise this Department immediately of the facts in the case and under what sections of the federal law it is proposed to charge these defendants. The Department has a rather complete collection of indictments and legal memoranda relating to the peonage statutes which may be of help to you in the drafting of the indictment and the prosecution of the case.

Respectfully,

For the Attorney General,

(signed) Brien McMahon
BRIEN McMAHON,
Assistant Attorney General.

GD

NOV 12 1936

50-18

12-
~~13~~

Line

EM

Press Penney
Penney

GD:bpm

November 7, 1936.

**MEMORANDUM FOR MR. J. EDGAR HOOVER,
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION**

Press reports which have come to the attention of this Division indicate that on November 4, four persons were arrested and arraigned before the United States Commissioner at Jacksonville, Florida, on charges of violating the federal peonage statutes. The prisoners named are Will Knabb, Earl Knabb, Fred Jones, and Edward Hall.

This Division has not been informed of the case except through press reports. You are requested to furnish this Division with an investigative report of this case at an early date, in order that the indictment may be intelligently drawn and the prosecution adequately conducted.

BRIEN McHARON,
Assistant Attorney General.

File
G.D.

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