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East St. Louis Riot Investigations

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THURSDAY, November 15, 1917.

The Committee met at 10 o'clock a.m., Hon. Ben. Johnson (Chairman), presiding.

Mr. Foster: Mr. Chairman, Mr. W. A. Miller, secretary of the Railroad Y.M.C.A., informs the Committee that Mr. Florence, the ex-policeman who killed detective Trafton, is not a deputy sheriff, but is working at one of the steel plants here in the city of East St. Louis. He desires to make this correction of his testimony that he is a deputy sheriff.

Mr. Johnson: Mr. Giessing, will you come to the stand, please?

STATEMENT OF FRED. GIESSING,

255 Morris Place, East St. Louis, Illinois.

(The witness was sworn by Mr. Johnson.)

Mr. Johnson: Please give the stenographer your full name.

Mr. Giessing: Fred Giessing.

Mr. Johnson: Where do you live, Mr. Giessing?

Mr. Giessing: I reside at 255 Morris Place.

Mr. Johnson: What is your occupation?

Mr. Giessing: Hardware merchant.

Mr. Johnson: Mr. Giessing, please tell the Committee what you know about police conditions, past and present, in the city of East St. Louis.

Mr. Giessing: Well, past conditions-- that is very far back-- I don't know very much about. The hardware

business keeps me very close to my store on Broadway, and it was very seldom that I ever got around the police stations. Not having any business there, of course I didn't go there. I knew very few of the men on the beat, and hardly knew the heads of the departments, except one or two of them at different times.

After the trouble of July 2nd I was informed one morning that I was appointed as one of the police commissioners. I had no knowledge of it before, but I was appointed and confirmed before I knew anything about it. Of course I didn't want to take the job, because of the conditions of the city; and I didn't hardly feel that I was equal to the condition, but at the request of a great many of the good people, and the urgent solicitation of the Mayor, I finally agreed on certain conditions, that I would serve with the other two gentlemen who were appointed, if they would do likewise.

Mr. Johnson: What were the conditions that you laid down?

Mr. Giessing: Well, we had a conference with the Mayor, and I and the other two gentlemen felt the same way, that we must know exactly what we were to do-- what we could do-- and the first thing was, there was no funds to build up a police department, and until we got sufficient funds and felt that we could give the department what they needed, and that there was no interference from the Mayor or any of his friends or anyone else, that we could take a hold of the department and build it up as best we saw fit. We got some funds and we got the assurance

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and the promised cooperation of the Mayor, and on those conditions I accepted to go on the board.

Mr. Johnson: Have any policemen been dismissed by the new board of which you are a member?

Mr. Giessing: Well, the first thing we did, we asked for the resignations of the heads of the department, the day chief, the night chief and the chief of the detective department.

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Mr. Johnson: Take each one of them and state why you asked for his resignation.

Mr. Giessing: Well, we thought that on account of the public criticism, that we couldn't build up a department with the old heads.

Mr. Johnson: What had each of them done to merit the criticism of which you have spoken, and upon which you based your request for his resignation?

Mr. Giessing: Well, it was of course rumors that the department was demoralized.

Mr. Johnson: Take each one of them separately now.

Mr. Giessing: We called in Chief Payne and explained to Chief Payne.

Mr. Johnson: What did you tell him?

Mr. Giessing: We told him that ^{we thought} it would be for the best of the service if he would give us his resignation, which he did.

Mr. Johnson: Why did you think it would be best for the service? What had he done, or what had he not done in his official capacity which made his removal de-

sirable?

Mr. Giessing: Well, of course the reports were that the police department was demoralized, and that he had no control over the men, and we felt--

Mr. Johnson (Interposing:) Go into his case more specifically and state just exactly what you knew and what you heard concerning his official career-- everything in detail.

Mr. Giessing: Of course we told him that as a new board we had no charges to make against him, because there were no specific charges except that the Department --- a number of men--- had quit, and the department seemed to be very much demoralized; and we told him that we didn't hardly think that he would be fit to reorganize the department.

Mr. Johnson: In what way was he unfit?

Mr. Giessing: Well, we figured that he was unfit because he hadn't been able to control the department in the manner that it should have been.

Mr. Johnson: Upon what occasion had he been unable to control the police force?

Mr. Giessing: Well, it seemed like on the day of the trouble the police didn't seem to be very active.

Mr. Johnson: You mean active in suppressing the riot?

Mr. Giessing: Yes.

Mr. Johnson: Well, from the rumors that you gathered, and from the way his subordinates acted, was it

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the opinion that he couldn't control his men and through them suppress the riot, or that he hadn't tried to do so?

Mr. Giessing: Well, of course I couldn't say whether he had made an effort.

Mr. Johnson: I didn't ask you to say. I asked you what the rumors were respecting that.

Mr. Giessing: Well, the rumors, of course, that I heard, was that he was unable to control his men to suppress the riot. Of course what orders they had I know nothing about that. But as a new board we felt that we ought to have a new deal and new head.

Mr. Johnson: Well, all that is so general that it doesn't mean anything.

Now you have spoken of Mr. Payne. Who is the next officer whose removal you asked?

Mr. Giessing: The night chief, Mr. Hickey.

Mr. Reker: Why did you ask for his resignation?

Mr. Giessing: Well, I don't know that I can say much more about him than I can about Chief Payne, because what we had in mind was about the same of all the heads of the departments.

Mr. Johnson: You can stand aside, sir. A public official ought not to have to be pumped for every word that is gotten out of him respecting the good government of his own city. Here is a public official called upon to help the city out in the greatest hour of distress it has ever seen or ever will see, and when he is called on to tell why he has removed certain public officials, he puts his hand up to his mouth and is able to tell nothing good for the

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public welfare. There were reasons for asking for the resignations of these men, or they wouldn't have been asked for, and if there were no reasons, then the men have been done a great injustice.

Is Mr. Bader in the room?

STATEMENT OF H. F. BADER, 1105 Raugh Avenue,
East St. Louis, Illinois.

(The witness was sworn by Mr. Johnson.)

Mr. Johnson: Please give the stenographer your full name.

Mr. Bader: H. F. Bader.

Mr. Johnson: Where do you live, Mr. Bader?

Mr. Bader: 1105 Raugh Avenue, East St. Louis.

Mr. Johnson: What official position do you hold in East St. Louis, Mr. Bader?

Mr. Bader: I hold none now.

Mr. Johnson: What official position have you held in East St. Louis?

Mr. Bader: I have been Mayor of the City. I have Postmaster and Chairman of the Board of Election Commissioners.

Mr. Johnson: Mr. Bader, do you know anything, either from your own knowledge or hearsay, about the operation of the levee board?

Mr. Bader: Well, just from hearsay-- rumor.

Mr. Johnson: I asked you that question, if you know anything of your own knowledge or hearsay. Will you please

say what you have gathered in that way about it.

Mr. Bader: Well, the general impression is that the Levee Board has been able to continue itself in office by corrupt methods, by creating slush funds, corrupting the voters on election day.

Mr. Johnson: Go into particulars, please, Mr. Bader, and state just what common rumor and reputation gives in detail concerning these operations. Now it is quite evident that you have heard more than just that one general rumor. Have you heard in any way just what kind of methods they resort to in order to accomplish the ends of which you have spoken?

Mr. Bader: Why, buying up voters on election day.

Mr. Johnson: On what election day did you hear that they bought votes, and who had bought them? Which one of the Board?

Mr. Bader: I don't know, except that the money was raised, I understand, and used generally among the colored people.

Mr. Johnson: How was the money raised?

Mr. Bader: The general impression is that the money is provided by a bank in the city here.

Mr. Johnson: What bank?

Mr. Bader: The Illinois State Bank.

Mr. Johnson: Who is president of it?

Mr. Bader: I believe it is Mr. Gillespie.

Mr. Johnson: Do you know who is vice-president of it?

Mr. Bader: No, sir.

Mr. Johnson: Do you know who is cashier of it?

Mr. Bader: No, I don't remember.

Mr. Johnson: Well, go ahead now and state.

Mr. Bader: The moneys of the Levee Board have for years been deposited with this institution, and also the bonds, and there has never been any evidence to show that they have ever paid to the Levee Board for the benefit of the people any interest on the money and bonds deposited with that bank; and the supposition is that that bank provides the money for the slush fund with which the voters are corrupted on election day, in order to perpetuate that board in power.

Mr. Johnson: And what would be their object, the object of that bank rather, in furnishing the money to corrupt the election? Would it be that they might continue to get the deposits?

Mr. Bader: Certainly.

Mr. Johnson: From what source, or out of what moneys, is this slush fund supposed to be raised?

Mr. Bader: Why, when they fail to pay any interest on that money, they can well afford to contribute liberally towards the campaign fund. That has never been done.

Mr. Johnson: That has never been done?

Mr. Bader: Any interest charged or for the benefit of the people-- or allowed. This Levee Board made an appeal to the United States Government a couple of years ago for an appropriation to assist them in building this levee, and I

believe something like \$60,000 has been appropriated and allowed; and if this interest which properly belongs to the people, which they should get, had been paid for these many years, it would not have been necessary to ask the United States Government to contribute anything towards the construction of that levee.

Mr. Cooper: What do you know of your own knowledge, or as a matter of general report, of the political alliance more or less close between certain so-called democratic and other so-called republican politicians in this city?

Mr. Bader: That has obtained here for a good many years.

Mr. Cooper: Well, now, who is the democrat, and who is the republican, in your city affairs here, that manipulates things together?

Mr. Bader: Well, the present combination or alliance, as I understand it, is Mr. Fred Gerold and possibly certain members of the republican committee here, on the one hand, and Mr. Locke Tarlton and his associates, on the other.

Mr. Cooper: Mr. Gerold is the former treasurer here under whose administration the city lost over a hundred thousand dollars, or about that?

Mr. Bader: I believe so, approximately.

Mr. Cooper: At least there was that loss out of the funds in that office?

Mr. Bader: Yes, sir.

Mr. Cooper: There has been something of an adjust-

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ment, has there, or pretended adjustment of that since, or don't you know, of that loss?

Mr. Bader: I believe there was an adjustment and a settlement made at about 21 cents on the dollar. In that connection I will say, gentlemen, that some five years ago several gentlemen, citizens here, including myself, instituted proceedings against the various ex-treasurers and their bondsmen to recover moneys that they had illegally appropriated to their own use, and which belonged to the city-- that is, two per cent of the amount of taxes collected by them, and after the suit had been instituted and it became evident that we meant business, and it became dangerous for them, a friendly suit-- accent on the "friendly"-- was instituted by the city against those various treasurers, and settlement effected in court on the basis of about 21 per cent.

Mr. Cooper: Let's get that perfectly clear in the record. You and other citizens here proposed to institute-- or did institute?

Mr. Bader: we did institute.

Mr. Cooper: You did institute a suit against these treasurers who, as you claimed, had misappropriated the funds of the city of East St. Louis, and you brought that suit for the purpose of making them--

Mr. Bader: . Of making them disgorge.

Mr. Cooper: And then after you had brought this suit and the situation appeared dangerous to these men, the defendants, a friendly suit, as you said-- with the accent

on the word "friendly"-- was instigated by the city officials?

Mr. Bader: Yes, sir.

Mr. Cooper: After your suit was brought?

Mr. Bader: Yes, sir.

Mr. Cooper: And it was the friendly suit which resulted in the compromise or settlement of 20 cents on the dollar?

Mr. Bader: Exactly.

Mr. Cooper: So that, if your suit had gone to judgment and you had recovered the whole amount, you would have recovered four-fifths of the money, wouldn't you?

Mr. Bader: Yes, sir.

Mr. Cooper: Instead of one-fifth?

Mr. Bader: Yes, sir.

Mr. Cooper: Well, if any man or gang of men get several thousand dollars and can settle, as they call it, by paying a fifth of what they misappropriate, and keep four-fifths, that is a direct inducement to keep on robbing the city, is it?

Mr. Bader: Yes, sir.

Mr. Cooper: That is one of the methods, and one of the surest methods, to help themselves perpetuate themselves in power, and continue to rob the taxpayers of this city, isn't it?

Mr. Bader: Yes, sir; that has been our misfortune for years.

Mr. Cooper: Worse than a misfortune; it is a

calamity. Don't you think that it is an unspeakable calamity to bring up boys and girls in a community where deliberate disregard of law is winked at by men in public places?

Mr. Bader: Certainly it is.

Mr. Cooper: It means the ruin of boys and girls, doesn't it?

Mr. Bader: Yes, sir.

Mr. Cooper: Boys and girls become the men and women of the future.

Mr. Bader: Of late it has become almost an accepted condition. Everybody looked at it as a matter of fact, and you couldn't expect otherwise.

Mr. Cooper: And you began to feel hopeless here?

Mr. Bader: Yes, sir.

Mr. Cooper: And, as is apt to be the case, almost inevitably the case, people struggling along to make a living, simply gave up to this crowd?

Mr. Bader: Disgusted and disappointed.

Mr. Cooper: Unable to help themselves. Now what do you know about the reputation of that Commercial Hotel?

Mr. Bader: Only by newspaper reports.

Mr. Cooper: And conversations among citizens?

Mr. Bader: Yes, sir.

Mr. Cooper: Are you well acquainted with its reputation in past years?

Mr. Bader: Yes, s'r; in that manner.

Mr. Cooper: What has it been?

Mr. Fader: It has been very disreputable.

Mr. Cooper: You are aware, are you, of the fact that Mr. Canavan and Mr. Tarlton, one of the leaders in this political alliance, collected rent for that building for many years?

Mr. Fader: I wasn't aware of it until I seen it recently in the paper.

Mr. Cooper: Is it your judgment that Mr. Tarlton could have collected money for that disreputable place year in and year out here without knowing what an unspeakably disreputable place it was?

Mr. Fader: I don't think so.

Mr. Cooper: Yet he is one of the political leaders in this city?

Mr. Fader: Yes, sir.

Mr. Cooper: Was this alliance between Mr. Gerold, the republican, and Mr. Tarlton, the democrat, made after this money disappeared from the city treasury funds?

Mr. Fader: Yes, sir.

Mr. Cooper: It was made after that?

Mr. Fader: Yes, sir.

Mr. Cooper: Do you know whether those two men supported Mr. Schaumleffel for State's Attorney?

Mr. Fader: I don't know that. I presume they did.

Mr. Cooper: Schaumleffel was one of Gerold's attorneys, wasn't he?

Mr. Fader: I am not certain of that.

Mr. Cooper: Wasn't Schaumleffel one of the attorneys

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for Gerold?

Mr. Baker: Yes, he was.

Mr. Cooper: He was one of the attorneys for Gerold in the criminal case, wasn't he?

Mr. Bader: yes, I think he was. I think I have heard he was the attorney, and never was paid for his services.

Mr. Cooper: what's that?

Mr. Bader: As I recollect it, I have heard he has made the statement that he was one of the attorneys for Gerold and had never been paid for his services. Now that is my recollection. I think I am right.

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Mr. Cooper: Do you know what the conditions of the police department was as to efficiency on the 2nd of July last, at the time of the riot?

Mr. Bader: well, I think it was very inefficient.

Mr. Cooper: what makes you think that?

Mr. Bader: The general inactivity on the part of the police department, the heads.

Mr. Cooper: Did you see any of the violence on that day?

Mr. Bader: Some of it, not the most active. I didn't see any murder committed.

Mr. Cooper: Did you see any assaults?

Mr. Bader: Yes, I seen one or two-- a couple of assaults.

Mr. Cooper: Where?

Mr. Bader: Right in front of my place of business.

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Mr. Cooper: where is that?

Mr. Rader: 341 Broadway.

Mr. Cooper: Just tell what you saw. About what time was it?

Mr. Rader: I would judge this was about one o'clock, mid-day. They rushed a negro into the barber-shop just across the street from my store, and a policeman happened to be there, and he grabbed the negro and held him, and it was the only evidence of activity shown by any member of the police department on that day that I seen, where they attempted to perform their duty in the least, and he held that negro and held the mob at bay, and immediately after that there was a street car came along with several negroes in it, and the crowd made a rush for that street car, and the negro was taken in the back, through the barber-shop, and let out the back way and escaped, as I understood. That was one.

Then later in the day there was an old negro whom I have known around here for a good many years but don't know his name. I saw him at the corner of Fourth and Broadway assaulted, kicked, knocked down, and beaten, but the crowd surrounded him and I wasn't able to see the finish of it, but an ambulance came a short time afterwards and I presume that he was put into that ambulance and taken to a hospital. I have seen the negro since on the street. In fact, he has been in the store.

Mr. Cooper: He was an inoffensive citizen?

Mr. Rader: Yes, sir.

Mr. Cooper: How long had he lived here?

Mr. Rader: Well, I have seen the old darkey, I guess,

for fifteen or twenty years, off and on.

Mr. Cooper: A peaceable, law abiding man?

Mr. Bader: Yes, sir.

Mr. Cooper: Trying to struggle along and make a living?

Mr. Bader: Yes, sir.

Mr. Cooper: And the mob set upon him and beat him?

Mr. Bader: Yes, sir.

Mr. Cooper: Anything else?

Mr. Bader: Later in the evening-- I closed my store.

The conditions became so bad along in the afternoon that I concluded to close my store and go away, go home. I closed up, and after getting home I reentered some papers that I had down at the store that I didn't care to leave-- in fact, I was called up on the telephone and told that a fire was raging just in the rear of the store on the other side of the alley, and I came down to the store-- I had a friend of mine bring me down in his machine. I came down to the store to get those papers. Then while in there I heard the mob howling. I raised up and looked out, and I seen them raising-- pulling up this colored man on the rope.

Mr. Cooper: Hanging him?

Mr. Bader: Hanging him; yes, sir.

Mr. Cooper: By the neck?

Mr. Bader: I think, however, that he was dead when they pulled him up, because he showed no signs of life whatever. And shortly after that, when I came out of the store, the militia came along with quite a number of prisoners. I

don't know how many they had corraled, possibly fifty or one hundred-- possibly more than that. They took them up to the station. That was the only time where the militia showed any activity on that day, too.

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Mr. Cooper: Now, Mr. Bader, during that day--- forenoon or early part of the afternoon-- did you see militiamen about where these acts of violence were being perpetrated?

Mr. Bader: Right in front of my store there was quite a number of them.

Mr. Cooper: At the time this man was assaulted?

Mr. Bader: Yes, sir.

Mr. Cooper: What did they do while this assault was going on?

Mr. Bader: They done nothing-- remained perfectly inactive.

Mr. Cooper: Looking on?

Mr. Bader: Looking on, fraternizing with the members of the mob as they would come along there; talking to them-- very friendly with them. And in connection with that I want to say that it has been said that the militia on that day had no ammunition. I can state to you positively that I seen two members of the militia in the vestibule of my store unload their guns and take the cartridges out of their guns that day. They did have ammunition.

Mr. Cooper: That is exceedingly important testimony. You saw militiamen while a negro was being assaulted in the street, helpless, on the ground, stand around while this

act was going on?

Mr. Bader: Yes, sir.

Mr. Cooper: And you saw militiamen-- they were in uniform?

Mr. Bader: Yes, sir.

Mr. Cooper: Rifles and bayonets?

Mr. Bader: Yes, sir.

Mr. Cooper: You saw militiamen in the vestibule of your store deliberately take the cartridges out of their rifles?

Mr. Bader: Yes, sir.

Mr. Cooper: That enabled them then, if they were so disposed, to go out on the street and show people that they hadn't any ammunition?

Mr. Bader: Yes, sir.

Mr. Cooper: That would let the mob do just as they pleased?

Mr. Bader: Yes, sir.

Mr. Cooper: And that would enable these militiamen, if they chanced to be in sympathy with the rioters, afterwards to claim that they hadn't any ammunition and were helpless?

Mr. Bader: Yes, sir; it was quite evident that the most of them-- those that I seen, were in sympathy with the mob.

Mr. Cooper: Certainly, the two men that took their cartridges out of their rifles did that for the mob.

deliberate purpose of making it appear that they were helpless?

Mr. Rader: I think so.

Mr. Cooper: That shows, probably, does it not, how this rumor started, that the militiamen didn't have any ammunition?

Mr. Rader: Possibly.

Mr. Cooper: They deliberately wanted it to appear that they hadn't any, didn't they?

Mr. Rader: It looks that way. It looks as though they were afraid they might be called upon to shoot, and they wouldn't be able to shoot.

Mr. Cooper: They didn't want to be able to shoot?

Mr. Rader: No, they didn't want to be able to shoot.

Mr. Cooper: You saw them talking and fraternizing with the members of the mob?

Mr. Rader: Yes.

Mr. Cooper: While this assault was going on?

Mr. Rader: Yes.

Mr. Cooper: What time of day was it that the negro was hanged?

Mr. Rader: That was about seven o'clock in the evening.

Mr. Cooper: In broad daylight?

Mr. Rader: It was light enough to be seen. It was getting dusk.

Mr. Cooper: The sun hadn't set at that time, on the 2nd of July.

What do you know, Mr. Fader, about the way that justice is administered or not administered in the courts of your city?

Mr. Fader: It is generally regarded as a farce.

Mr. Cooper: In justice courts, you mean?

Mr. Fader: Yes, sir.

Mr. Cooper: It is generally regarded as a farce.

Now tell why.

Mr. Fader: Well, I am not thoroughly familiar with the conditions there. I never get in there, but it is just understood that the justice of the peace follows the instructions of the police department. They fine a man or release a man just as they tell them to do. They are told in advance how much money the prisoner may have, and they fine him accordingly-- and such things as that.

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Mr. Cooper: In other words, in your view, it isn't with a view to punish the man or by his punishment protect the public?

Mr. Fader: It is just a matter of dollars and cents, graft.

Mr. Cooper: Just a matter of dollars and cents and graft for police officials?

Mr. Fader: Yes, sir.

Mr. Cooper: Well, do you think-- or do the majority of people in this town think, or have you heard it said, that some of this graft goes to the people higher up?

Mr. Fader: Oh, we have heard rumors to that effect, yes, sir.

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Mr. Cooper: What do you know about these valleys in this city, Death Valley or Black Valley? What is the reputation of those parts of your city?

Mr. Bader: You mean the valley where the disreputable houses are?

Mr. Cooper: Yes.

Mr. Bader: Well, I have never been in it. I have never seen it. I have only heard of it. It was bad as it could be, as anything could be, from all reports-- robbery, murder, and every kind of vice.

Mr. Cooper: About how many years had that condition existed there-- had it enjoyed that reputation?

Mr. Bader: About five or six years.

Mr. Cooper: Do you know anything about Brooklyn?

Mr. Bader: Only in a general way.

Mr. Cooper: Do you know anything about the dens of vice out there?

Mr. Bader: No, only what I have heard, newspaper reports, and so forth. Knowing the general character of the men they usually elect to office there, ~~as~~ I am not surprised at anything you hear.

Mr. Cooper: Just what do you mean by that?

Mr. Bader: Well, the manner of conducting elections. Formerly they had the supervisor would act as judge of election, and only such men-- when men come in there to vote he would prepare the ballot for them, and he generally would carry the election just to suit himself.

Mr. Cooper: Well, what was the character of the man

or men elected? what was his reputation?

Mr. Rader: well, he had the reputation of being a smooth politician.

Mr. Cooper: Did he have the reputation of being an honest man?

Mr. Rader: well, I couldn't say that.

Mr. Cooper: Did he have the contrary reputation?

Mr. Rader: I wouldn't say that, Judge.

Mr. Cooper: I know you wouldn't. I see the reason; but you don't feel that you can say, either, that he has had the reputation of being an honest man?

Mr. Rader: No, sir.

Mr. Cooper: That's all.

Mr. Raker: Mr. Rader, what is your present business?

Mr. Rader: I am in the drug business.

Mr. Raker: How long ago was it that this suit was commenced against the various city treasurers and the townsmen to collect the money that had been misappropriated or unaccounted for?

Mr. Rader: In 1912.

Mr. Raker: And what was the amount, approximately, in round numbers, that was complained to be due?

Mr. Rader: I don't remember that. I think probably it was \$150,000, possibly-- something like that.

Mr. Raker: And who was associated with you?

Mr. Rader: Why, Mr. J. W. Kirk, M. M. Stephens, T. J. Daniels, Harry Bernard, C. R. Hirsch, and C. P. Carrol.

Mr. Raker: Who was your attorney?

Mr. Bader: John Hay.

Mr. Raker: Now where did you commence that suit?
In the district court at Belleville, or in the city court?

Mr. Bader: My recollection is it was brought in the
Belleville Court.

Mr. Raker: That would be the District Court-- the
Circuit Court?

Mr. Bader: Yes, sir.

Mr. Raker: Now was the suit commenced by the city
for practically the same amount?

Mr. Bader: I didn't understand you.

Mr. Raker: Was the suit that was afterwards com-
menced by the city against the same officials for the
same reason, the same defalcation, for practically the same
amount?

Mr. Bader: Well, I don't know what amount it was
brought against them for. I presume it was the same amount.
It must necessarily have to be the same amount.

Mr. Raker: That is what I was trying to get at. So
there were ^{two} suits pending for the same thing, the same defal-
cations, against the same defendants?

Mr. Bader: Yes, sir.

Mr. Raker: And who was the attorney representing the
city in those suits?

Mr. Bader: Representing the city?

Mr. Raker: Yes.

Mr. Bader: I don't know, unless it was the special
counsel or the city attorney.

Mr. Raker: That is what I wanted to know.

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Mr. Bader: I don't know. I don't remember that.

Mr. Baker: And the city suit was compromised without your knowledge or consent?

Mr. Bader: Yes, sir. They didn't consult us at all regarding it.

Mr. Baker: And you woke up and found that the whole thing had been compromised and a judgment entered on the compromise?

Mr. Bader: Yes, sir.

Mr. Baker: And of course then there having been one judgment entered, it left you folks high and dry?

Mr. Bader: Well, our suit proceeded regardless of that. We continued our suit, and it is still pending, so far as that is concerned. I haven't heard anything recently regarding it, but we went to the appellate court, and it was remanded and renewed again in the circuit court, but I don't know just what the status of the case is today.

Mr. Baker: Have you had any help on the present suit by the present city attorney?

Mr. Bader: None at all.

Mr. Baker: Or by the State's Attorney?

Mr. Bader: No, sir.

Mr. Foster: Mr. Bader, when were you mayor of the City of East St. Louis?

Mr. Bader: From 1895 to 1897.

Mr. Foster: Just one term?

Mr. Bader: Yes, sir.

Mr. Foster: How many saloons did you have at that time?

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Mr. Bader: I don't remember; probably 150; something like that. I wouldn't judge there were any more at that time.

Mr. Foster: What was the condition of Death Valley then?

Mr. Bader: Well, we didn't have any valley then.

Mr. Foster: And these disreputable houses came up since that time and established themselves?

Mr. Bader: Yes, sir; just about six or eight years ago.

Mr. Foster: When were you postmaster of the city of East St. Louis?

Mr. Bader: I was appointed in 1901.

Mr. Foster: How long did you serve?

Mr. Bader: I served five years. I was appointed in 1901 and again in 1905, but resigned after serving one year of the second term.

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Mr. Foster: Now you said the banks provided the money for the election of this Levee Board?

Mr. Bader: I said that was the general understanding.

Mr. Foster: It was rumored that that was the case. Now under the Illinois State law the banks are examined by the auditor's office, aren't they?

Mr. Bader: I presume so. I think so.

Mr. Foster: Was that ever called to the attention of the state Auditor?

Mr. Bader: Not that I am aware of.

Mr. Foster: Well, if the bank contributed the money they would have to take it out of their earnings during that year?

Mr. Bader: I believe so, yes, sir.

Mr. Foster: So that the auditor's office would show-- ought to show from the banks' books certain donations made for some particular purpose, wouldn't they?

Mr. Bader: Yes, sir.

Mr. Foster: You never looked that matter up to see, in your suits, or things of that kind, whether there was anything of that kind?

Mr. Bader: No, sir.

Mr. Foster: And whether they were covering up any funds?

Mr. Bader: No, sir.

Mr. Foster: Where donations might have been made?

Mr. Bader: I was told that Mr. Tarlton told another gentleman a few days ago-- or a gentleman told me just a day or two ago-- that Mr. Tarlton had told him after the election, the last levee board election, that election had cost them \$12,000. He also told him before election that he wouldn't spend any of his money, and that unless the bank got behind him he wouldn't be a candidate.

Mr. Foster: Unless the Illinois State Bank got behind him?

Mr. Bader: He didn't mention the Illinois state bank when he told him.

Mr. Foster: But the bank that would be the presumption

tion from your testimony, would be the bank you have been speaking of?

Mr. Bader: Yes, sir. That is the only one that is favored with the deposits. I would think so.

Mr. Foster: And unless the bank got behind him he wouldn't be a candidate?

Mr. Bader: Yes, sir.

Mr. Foster: You think that meant that they would have to raise sufficient money to see that the Levee Board was put into office, and then in return, the deposit should be made in that particular bank?

Mr. Bader: Yes, sir; that is the way we construe it.

Mr. Foster: And they amount each year to a considerable sum of money?

Mr. Bader: Sometimes hundreds of thousands of dollars.

Mr. Foster: A pretty valuable account?

Mr. Bader: Yes, sir.

Mr. Foster: Upon which they paid no interest?

Mr. Bader: None that we know of.

Mr. Foster: Has that ever been called to public attention here in East St. Louis?

Mr. Bader: I think so. I think during one campaign that was made clear to the people here.

Mr. Foster: That didn't affect the election?

Mr. Bader: It didn't affect the election.

Mr. Johnson: The public advertisement of the fact that they had \$12,000 to spend would have affected it,

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wouldn't it?

Mr. Bader: A whole lot of people, yes.

Mr. Foster: There were a good many people here that
right have been influenced?

Mr. Bader: We have a floating vote here.

Mr. Foster: They might be influenced in their privi-
lege of an American citizen in the election?

Mr. Bader: yes, sir.

Mr. Foster: Now you said that the United States
Government had built part of this levee. Do you mean the
levee up here? I don't know from this direction which
way it is located, but I take it above here-- whatever
direction that is.

Mr. Bader: It is a part of the East Side Sanitary
and Levee District. The members of the board, of this levee
board, went to Washington, as I remember, some two years
ago, and appealed to the Government to assist them to pro-
vide funds to help build the levee, and the Government did
appropriate something like \$60,000, which was allowed and
used in part.

Mr. Foster: In part payment for that?

Mr. Bader: Yes, sir.

Mr. Foster: Now let me ask you this. There is a
levee, a part of a levee, down here, built, as I remember it,
near the Free Bridge, to the right as you come over.

Mr. Bader: Yes.

Mr. Foster: Now that levee was built by the United
States Government, wasn't it?

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Mr. Bader: I don't know. That is part of the East Side Levee, I presume.

Mr. Foster: That is what I wanted to get at. That is part of what you are speaking about?

Mr. Bader: Yes, sir; it extends from way up in Madison County down below St. Clair County.

Mr. Foster: This levee that is built down here below the Free bridge was the levee that the United States Government built?

Mr. Bader: I don't know what part the Government built.

Mr. Foster: I don't know that either. I am just trying to find out if you know whether that was the case. I understood it was.

Mr. Bader: I don't know whether it was put in the general fund of the Levee Board.

Mr. Foster: Of course if the United States was going to spend that money, the Government would do it itself.

Mr. Bader: Well, I didn't so understand it.

Mr. Foster: Well, I thought that if that is what was done, the United States Government would have supervision of it and would let the contracts and do that work.

Mr. Bader: Possibly so. I don't know that.

Mr. Foster: But anyhow this is a part, this levee that is built down here below the Free Bridge, is a part of the same Levee District that you are speaking of?

Mr. Bader: Yes, sir.

Mr. Foster: So that that levee down there would be a part of the Levee District of the United States on the

Mississippi River, which used to be all confined to the river below Cairo, and afterwards the law was changed to make it apply above Cairo, which takes in this large drainage district up here; so I was trying to get whether that was the levee that the United States Government had built.

Mr. Bader: No, I know our levee is entirely independent of the other levee. It is a levee district of its own.

339 Mr. Foster: I understand that, but I was wondering whether this piece of levee that I observed a few days ago down here below the Free Bridge is the levee that the Government built.

Mr. Bader: I don't know just what part of the levee the Federal Government has built.

Mr. Foster: Well, I understood that that was the part that the Federal Government built.

Mr. Bader: Or whether it was merely money appropriated and devoted or allowed for that purpose.

Mr. Foster: No, I don't think that the Government would do that. It is all under the Mississippi River Commission, which is located in St. Louis. But I think you will find that the Government built that itself down there.

Mr. Bader: Has the Government been building this levee along here that the railroads control, too?

Mr. Foster: No, up to two or three years ago the Federal Government did not have charge of any levee building above Cairo; but the law was afterwards changed to include north of Cairo on the Mississippi River, and that has only been a short time.

Mr. Raker: So that the Government and private concerns both build these levees and then turn them over to the railroads?

Mr. Bader: That has been done here.

Mr. Foster: What has been done?

Mr. Bader: The railroads have been permitted to use our levee, for which the people are paying taxes.

Mr. Foster: Oh, I don't know anything about your levee. I am not speaking about that.

Mr. Johnson: The railroads use it for what purpose?

Mr. Bader: For trackage.

Mr. Johnson: They build their tracks on top of the levee?

Mr. Bader: Yes, sir.

Mr. Raker: Then they keep the people off, and even away from the river?

Mr. Bader: Exactly, and the levee pays the Terminal Association some \$300,000 besides for occupying the space.

Mr. Foster: And then ^{but} the railroads use the levee for their own purposes?

Mr. Bader: Yes, sir.

Mr. Cooper: Did you say that this levee board pay the Railroad Terminal Association \$300,000 a year?

Mr. Bader: Yes, sir. That is not the present board. The one that preceded them did that.

Mr. Foster: Do they pay it now, Mr. Bader? Is that a perpetual lease?

Mr. Bader: No, that was paid in a lump sum.

Mr. Foster: For the purpose of putting the levee there-- the right of way?

Mr. Bader: Yes, sir.

Mr. Foster: They paid them for the right of way?

Mr. Raker: They paid the railroad for land to build the levee on, and then the railroad uses the land?

Mr. Bader: The old Wiggins Ferry Company, which has now since been taken in by the Terminal, you understand, claims everything, and they compel-- or at least they succeeded in prevailing upon the then levee board to pay them something like \$300,000 for the right of way.

Mr. Foster: That is to permit them to put the levee on the land?

Mr. Bader: Yes, sir.

Mr. Foster: And then they put their tracks on the top of the levee and use it just the same as they did before, and that gets it up above high water?

Mr. Bader: Yes, sir; it gives them a good roadbed.

Mr. Foster: So the poor corporations, the Wiggins' Ferry Company and the Terminal Railroad Association, which are all merged into one really, haven't lost anything?

Mr. Bader: Not that we could notice. (laughter)

Mr. Raker: And the people of this district here have been--

Mr. Bader (Interposing:) -- mulcted.

Mr. Raker: Of about \$300,000 in one lump sum?

Mr. Bader: Yes, sir.

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Mr. Foster: Was that under Tarlton's administration or before?

Mr. Bader: He was a member of the board at that time, but he wasn't president.

Mr. Baker: And Mr. Mollman was also a member of the board?

Mr. Bader: Not at the time, he wasn't.

Mr. Foster: Did you hear any protest here among the people against that sort of thing?

Mr. Bader: Oh, yes.

Mr. Foster: They paid no attention to it?

Mr. Bader: Oh, no.

Mr. Foster: That was a matter that concerned only the levee board and the railroads?

Mr. Bader: That's all.

Mr. Foster: Now, Mr. Bader, you spoke of these political combinations that exist in East St. Louis between the members of both political parties in the city. Does that also extend to the county of St. Clair, and then the different political parties change about and elect each other in that way too?

Mr. Bader: I think so. It is so understood, and I believe it to be true. There is an alliance, a combination formed there for the promotion of certain candidates that are favored by the leaders of each faction or each party.

Mr. Foster: Is that a different combination from the city combination?

Mr. Bader: They are part and parcel of it.

Mr. Foster: But is it led by the same elements, or

led by different elements?

Mr. Bader: I think it is the same elements.

Mr. Foster: But these two men that you speak of, Mr. Gerold and Mr. Tarlton, are they the different leaders in the county elections too?

Mr. Bader: Well, I don't know who represents that combination out in the county. I don't know that.

Mr. Foster: And so there would be, in your judgment, Mr. Tarlton and Mr. Gerold, who would be upon one side?

Mr. Bader: Yes, sir.

Mr. Foster: Now there must be another side.

Mr. Bader: Well, now, Gerold is a republican and Tarlton is a democrat.

Mr. Foster: But they would be together, wouldn't they?

Mr. Bader: Yes, sir.

Mr. Foster: Now there must be another combination here. There wouldn't be just the one combination. Do you mean to say that these two men control the affairs in the city, and then these two men, being of different political parties, control matters in the county also?

Mr. Bader: Well, they are the men that take the initiative, presumably.

Mr. Foster: Well now, isn't there another side to this? They don't ^{all} agree on the one ticket, do they? Isn't there another combination opposed to them?

Mr. Bader: Why, the people, yes. The people are

opposed to combinations of that character.

Mr. Foster: I know, but they don't just simply put up a ticket and elect a ticket that they want?

Mr. Bader: They come pretty near doing it.

Mr. Foster: In the county the same as in the city?

Mr. Bader: Yes, sir; East St. Louis nearly controls the election in the county. You understand our vote is so great here that it offsets anything that they may do in the county.

Mr. Foster: Well then, they must not have one ticket that they vote for, do they? They don't nominate and elect their ticket?

Mr. Bader: Not always; no, sir.

Mr. Foster: There are two tickets always here, aren't there?

Mr. Bader: Yes, sir.

Mr. Foster: Well now, do they get behind the men on both those tickets? The different men?

Mr. Bader: Yes, sir.

Mr. Foster: That is the way it is worked?

Mr. Bader: On both tickets, yes, sir. And sometimes in the primary one party is interested in the candidates of the other party, and they will nominate weak men in order to make it easy for the other fellow to elect his man in the general election.

Mr. Foster: In the county?

Mr. Bader: Yes, sir.

Mr. Foster: Now in the city you run a non-partisan

ticket, don't you?

Mr. Bader: Yes, sir.

Mr. Foster: They get down to where a city, for some reason or other, because they want a good ticket-- want two good tickets-- they don't run them as party tickets, but they up some mongrel, hybrid, amorphidite ticket? Isn't that about it?

Mr. Bader: That is the idea.

Mr. Foster: I take it that you are on one side of the fence opposite to what I would be on the other, but we are not ashamed, even in a city election, to hold our respective tickets, if we had one, and I wouldn't think any the less of either of us for doing it; and don't you think this non-partisan ticket that lets men get together who may be are of different political faiths and support one of these other tickets, because he says "That is not my party ticket; I could vote ^{one} just as well as the other without reference to my party vote"-- isn't that about it in the city elections?

Mr. Bader: Yes, to some extent, but I believe, on the other hand, that the elimination of party politics from municipal elections, where there is the proper spirit of civic righteousness among the people-- I believe that it is better than to have party politics.

Mr. Foster: Mr. Bader, you have been a long time resident of East St. Louis?

Mr. Bader: All my life.

Mr. Foster: You have been Mayor; you have been

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postmaster?

Mr. Bader: Yes sir.

Mr. Foster: Do you think that it has been of that wholesome benefit to East St. Louis?

Mr. Bader: Apparently not. Not in recent years it hasn't been. It has permitted a combination that it is to the detriment of the city. There is no question about that.

Mr. Foster: And it has let these men get together, of both political parties, and carry on their work.

Now you said something about the election in Brooklyn; that the supervisor held that election. Do you mean the city election?

Mr. Bader: All elections. That is, he was supervisor. He was the principal of the school, and he held one or two other offices, I don't remember which, and yet he acted as judge of elections.

Mr. Foster: Is he a white man?

Mr. Bader: A colored man.

Mr. Foster: So when the people up there, who are colored, come in, or otherwise, he votes them as he thinks they ought to be voted?

Mr. Bader: Where they were unable to mark their ballots-- and most of them were-- he marked them for them.

Mr. Foster: Did he manage that in all elections, county and State and Presidential?

Mr. Bader: For several years, yes.

Mr. Foster: He just marked their ballots, and did

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it himself without associates with him?

Mr. Pader: Well, he is supposed to have one man of the opposite party with him, you know, but I don't think it is strictly adhered to.

Mr. Foster: Do they have any up there? I didn't know but what it might be pretty hard up there to select one of the opposite party.

Mr. Pader: It is.

Mr. Foster: They are about all one party in Brooklyn (laughter.) But anyhow, it is a bad situation, isn't it?

Mr. Pader: Yes, sir; it is.

Mr. Foster: How about these other colored precincts in East St. Louis? Do they have white men or colored men for their judges and clerks?

Mr. Pader: Why, mostly white men. In largely populated colored precincts we usually would have one judge and one clerk colored. The balance of them would be white men.

Mr. Foster: Are most of these colored people unable to mark their ballots themselves, do you know?

Mr. Pader: Most of them, yes.

Mr. Foster: Most of them are unable?

Mr. Pader: Most of them are able to do so.

Mr. Foster: To mark their own ballots?

Mr. Pader: Yes, sir-- that is, up until five years ago, or six years ago, when I left the board. At that time we hadn't had the influx of the Southern negroes that we have now, and we had a good class of negroes here.

Mr. Foster: That was your old-time negroes?

Mr. Bader: Yes, sir.

Mr. Foster: They were a good class of citizens?

Mr. Bader: A good class of negroes.

Mr. Foster: Since that time you don't know so much about it, because you have gotten out and these have come in since?

Mr. Bader: Yes, sir.

Mr. Foster: How long did you act on the Board of Election Commissioners?

Mr. Bader: Five years.

Mr. Foster: So that up in Brooklyn they have just one ticket that usually gets about all the votes, do they?

Mr. Bader: Yes, unless there is a deal on. I understand the democratic levee board carried Brooklyn the last time.

Mr. Foster: Yes, and the President got how many votes up there?

Mr. Bader: I don't know.

Mr. Foster: Probably not enough to count them.

Mr. Johnson: It has been stated that he got 88.

Mr. Foster: Somebody has said that he got 88. I understood three. I am surprised that he even got three.

Mr. Bader: I am surprised he would get 88. I don't think there are over 30 or 40 democratic votes in Brooklyn, or in that township.

Mr. Foster: But they dropped back to a normal

condition when it comes to an ordinary election?

Mr. Bader: yes, usually.

Mr. Raker: There is one matter I would like to ask you about. You spoke about the levee board depositing the money with the bank here. Is that right?

Mr. Bader: Yes, sir.

Mr. Raker: And that is the Illinois State Bank?

Mr. Bader: Yes, sir.

Mr. Raker: That would run from \$100,000 to three or four hundred thousand dollars, wouldn't it?

Mr. Bader: I don't know that it would reach that proportion. Possibly \$200,000 or \$250,000, as I understand it, at times.

Mr. Raker: And the bank, of course, would use that money, loan it as other moneys they had?

Mr. Bader: Yes, sir.

Mr. Raker: And that would give them a large profit, all the way from \$25,000, according to the rate of interest, to possibly \$40,000?

Mr. Bader: well, of course probably part of that was probably bonds.

Mr. Raker: But by depositing the money with the bank, though, so that they may loan it and get interest on it, that gives the bank then an incentive to see that its candidates are elected?

Mr. Bader: Sure thing.

Mr. Raker: So that they may make money on it?

Mr. Bader: Yes, sir.

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Mr. Baker: Now money or interest obtained from levee money would be no more valuable in this community than interest obtained on city money, would it?

Mr. Bader: No.

343 Mr. Baker: In other words, if the City's money-- or the treasurer of the city deposited all of the city money in a ~~bank~~ particular bank, and that bank loaned the city's money and got interest on it, that interest received by the bank from its patrons would be just as valuable and have just as great purchasing power as the interest received from the money deposited in the other bank by the Levee Board?

Mr. Bader: Certainly.

Mr. Baker: And the influence would be just the same?

Mr. Bader: Yes, sir.

Mr. Baker: By the various banks?

Mr. Bader: Yes, sir.

Mr. Baker: In other words, it gives the bank a powerful influence?

Mr. Bader: Certainly it does.

Mr. Baker: In addition to the powerful influence it gives them that large rate of interest?

Mr. Bader: Yes, sir.

Mr. Baker: It adds a large amount to their earning capacity during the year?

Mr. Bader: Yes, sir.

Mr. Baker: And also gives them the further incentive

to see that particular individuals are elected, so that the money may be deposited in their bank?

Mr. Bader: Yes, sir; that has been the rule here. It is the wrong principle. They should be compelled to pay to the city or the levee board, whichever bank is the depository of these funds. They should be compelled to pay over to the city or the levee board interest on the money deposited.

Mr. Baker: Certainly.

~~Mr. Baker:~~ It has a corrupting influence?

Mr. Bader: Yes, sir.

Mr. Baker: And deprives the people of what is honestly and legitimately theirs?

Mr. Bader: Yes, sir.

Mr. Baker: And in addition to that, it has a corrupting influence?

Mr. Bader: There is no question about that.

Mr. Cooper: I want to ask a question about that \$300,000 the Railway Terminal Company, the corporation that controls the railway terminals in this city-- is that it?

Mr. Bader: Yes, sir.

Mr. Cooper: And that company controls the water front?

Mr. Bader: Yes, sir.

Mr. Cooper: And the tracks used to overflow from there sometimes, didn't they?

Mr. Bader: Yes, sir.

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Mr. Cooper: Now, controlling the water front, they keep, of course, control in such a way that there couldn't be very much development of water navigation on this side, could there?

Mr. Bader: No, sir.

Mr. Cooper: None at all?

Mr. Bader: No, sir.

Mr. Cooper: Except what they permitted. Now you say that this levee board paid that railway association, which had a practical monopoly of the water front of this great navigable stream here, \$300,000 for the privilege of erecting that levee?

Mr. Bader: Yes, sir.

Mr. Cooper: And the \$300,000 levee was then used by the railroad companies for their tracks?

Mr. Bader: Yes, sir; I presume so.

Mr. Cooper: Well, it protects them, too, from high water, doesn't it?

Mr. Bader: Sure, yes sir; indeed.

Mr. Cooper: In other words, the Levee Board paid the Railway Company \$300,000 for conferring a very great benefit upon the Railway Company?

Mr. Bader: Yes, sir.

Mr. Cooper: Do you think all that money was paid in the treasury of the railway company?

Mr. Bader: I don't know that.

Mr. Cooper: No, you don't know it, but what do you think a railway company would do that got \$300,000 for

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having a distinct privilege conferred upon it, a benefit? Don't you think it would be willing to contribute something for somebody's campaign fund?

Mr. Bader: I think so.

Mr. Cooper: I should think so, or somebody's individual pocket-book, certainly. One way or the other.

Mr. Bader: Several efforts have been made at various times during the past ten years, possibly, by some citizens, to induce the city to take action to compel the so-called Higgins Ferry Company at that time, now the Terminal Railroad Association, to extend the streets down to the river front. Nothing has ever come of it. They are always able to control the municipal governments that are in power, and the result is that we have no water front at all, only what they permit us to use.

Mr. Baker: Although you bought a right of way and paid \$300,000 for it?

Mr. Bader: That is the right of way to the levee. But that is built back from the water.

Mr. Cooper: Now one of the duties of the municipal government is to look after the happiness and prosperity of those who live in the municipality.

Mr. Bader: That is the supposition.

Mr. Cooper: And this conduct of this system that you have here amounts to turning the municipal government over into a machine for the depriving of the people of their just rights and of the enriching out of the money paid by taxpayers of private individuals, doesn't it?

Mr. Bader: Yes, sir; it has been unfortunately that we are a corporation owned and controlled municipality, and they have been exploiting the city for many years.

Mr. Baker: And then they are interested in keeping in control the crooked officials that will do these things for them?

Mr. Bader: Do their bidding; yes, sir.

Mr. Cooper: In other words, East St. Louis represents in its extreme form the very worst type of controlled municipal government, doesn't it?

Mr. Bader: Yes, sir; they are merely the pawns of the corporations.

Mr. Baker: And the corrupt element connected with them?

Mr. Bader: Yes, sir.

Mr. Cooper: That is a most extraordinary thing, don't you think, the payment of \$300,000 to a railway company for the privilege of building a levee that will keep the water off the tracks of the railway? Doesn't that strike you as a most extraordinary thing?

Mr. Bader: It was outrageous.

Mr. Cooper: And then they put the tracks on that levee?

Mr. Bader: Yes, sir; they are using the tracks there today.

Mr. Cooper: And Mr. Tarlton was on the board at the time they paid the \$300,000?

Mr. Bader: Yes, sir.

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Mr. Cooper: Who else was on that board?

Mr. Bader: Mr. Sexton, H. D. Sexton. He was president of the board at that time. He is now dead: And C. T. Jones.

Mr. Cooper: What has become of Mr. Jones?

Mr. Bader: He is still here. He is general manager of the National Stockyards.

Mr. Cooper: One of your leading citizens?

Mr. Bader: Yes, sir; so regarded.

Mr. Cooper: Who else?

Mr. Bader: There were two men, one from Venice and one from Granite City, and one man named Garrison, and the other man's name I don't remember.

Mr. Cooper: That was how long ago, about?

Mr. Bader: About five years ago-- six years ago. The present board was reelected last November. They were elected before that for four years, so it would make it practically about five years since those transactions, or since the old board went out of existence.

Mr. Cooper: Now without expressing my opinion at all, I want to ask you this question: What do you think of an election law through the operation of which one man is permitted to vote any number of votes of men, practically, by marking their ballots, because they say that they can't read or write?

Mr. Bader: It is wrong.

Mr. Cooper: Of course you believe that in a republic every man of mature age should be permitted to exer-

cise the right of suffrage?

Mr. Bader: Yes, sir.

Mr. Cooper: And to deprive any voter of that right is a hardship. Now on the other hand, don't you think that that possible hardship-- or do you think that that ~~that~~ possible hardship ought to outway the other consideration of the frauds that can be perpetrated where people go up to a man and say "I can't read or write", and he marks that ballot?

Mr. Bader: I believe that every man voting should be required to read and write the English language.

Mr. Cooper: And don't you think that the protection of the people demands that that sort of fraud-- and it is often practiced in cities now-- should be done away with by prohibiting the marking of a ballot by another individual-- the ballot of a man who comes up and says "I can't read or write?"

Mr. Bader: Yes, sir; I think so.

Mr. Bader: In other words, the opportunities for fraud are more important to be taken into account than the mere deprivation of this man of his right to vote. You think he ought to be able to read and write if he wants to exercise the right of suffrage in this country?

Mr. Bader: I think so.

Mr. Cooper: If he has any interest in the community and doesn't see fit to improve his condition or knowledge, he ought not to be permitted to vote, unless he can mark his own ballot. The opportunity is too great there for wrong-doing on the part of officials that are inclined

to be crooked. A board of crooked election officials can carry a precinct just as they please, can't they?

Mr. Bader: Oh yes.

Mr. Cooper: By just that sort of fraud?

Mr. Bader: Our election law here-- we are under special law-- is one of the best laws, I guess, that could be had anywhere, if properly conducted. Yet in the hands of dishonest officials it is one of the greatest weapons that you can place in the hands of anybody, anybody of men.

Mr. Cooper: Well, you would take away one of the great opportunities for fraud-- I want your opinion merely-- if a man who steps up and says "I can't read or write", can't have an election official mark his vote?

Mr. Bader: I don't think that ought to be permitted. While it may be an apparent hardship or injustice to some, yet on the other hand it will work out, and it is for the benefit, the general benefit of all, that he should be required to be able to mark his ballot intelligently and himself.

Mr. Cooper: It offers an opportunity for men who can read and write, doesn't it, but who have sold their votes to a corrupt man-- it offers an opportunity for him to step forward and say-- "I can't read or write"?

Mr. Bader: Certainly.

Mr. Cooper: But what about the county judge appointing one of the commissioners that can neither read nor write?

Mr. Bader: Well, that is a joke. That is not a

joke, either. It is a serious thing. It is an outrage.

Mr. Baker: It has been a fact, hasn't it?

346 Mr. Bader: Yes, sir; I personally objected to that man's appointment several years ago.

Mr. Baker: What is his name?

Mr. Bader: Flannery.

Mr. Baker: Patrick Flannery can neither read nor write?

Mr. Bader: No, sir.

Mr. Baker: And was appointed by Judge Messick, ^{as} one of the election commissioners of this county?

Mr. Bader: Yes, sir.

Mr. Baker: And Judge Messick is a republican?

Mr. Bader: Yes, sir.

Mr. Cooper: What is Pat Flannery?

Mr. Bader: A democrat.

Mr. Baker: He votes the republican ticket, don't he?

Mr. Bader: Sometimes.

Mr. Baker: So that is one side absolute and complete control of appointing officials and handling, conducting elections, so that fraud unlimited can be perpetrated on every community in this town?

Mr. Bader: It could be done.

Mr. Cooper: In that case, where Pat Flannery can't read or write, and he is a democrat, he wouldn't mark any ballots, would he?

Mr. Bader: He could put a cross in the circle, or stay away from the polls and so fail to vote at all.

Mr. Cooper: But he can't pick out men on the list. It would have to be just a party vote or nothing else?

Mr. Bader: Yes, sir.

Mr. Cooper: If a man comes in and says he wants to vote so and so on this ticket, and he don't want to vote for this other man-- he don't think he is right-- this Judge can't serve as a judge and mark that man's ticket?

Mr. Bader: He don't serve as a judge. He is one of the commissioners. He is one of the commissioners, supposed to administer the law.

Mr. Raker: He is one that assistants in appointing Judge Messick's son as clerk of the board.

Mr. Cooper: Did the Judge know that Flannery couldn't read or write?

Mr. Bader: pretty near everybody else knew it.

Mr. Cooper: How many times has Judge Messick appointed him?

Mr. Bader: Once.

Mr. Cooper: when was that?

Mr. Bader: About three years ago.

Mr. Cooper: How long does he hold his office?

Mr. Bader: Four years.

Mr. Cooper: Will he be holding office at the next presidential election?

Mr. Bader: I suppose so.

Mr. Cooper: How did Judge Messick come to pick out a man that couldn't read or write, for that place? Who asked him to do that?

Mr. Rader: Unless he favored him in the election.

Mr. Cooper: Did Flannery work for Vessick?

Mr. Rader: It is so understood.

Mr. Cooper: And you are a republican too, yourself?

Mr. Rader: Yes, sir.

Mr. Cooper: Can you conceive of any other reason why a county judge should select a man as election commissioner who could not read or write, unless that man was his political henchman?

Mr. Rader: No, sir.

Mr. Cooper: There wouldn't be one other solitary reason, would there, for selecting a man who couldn't read or write for a place like that?

Mr. Rader: No, sir.

Mr. Cooper: A man that can't read or write is totally unfitted for the job, isn't he?

Mr. Rader: Absolutely. He couldn't analyze one paragraph of the election law at all; and how in the world is he going to administer the law?

Mr. Cooper: And if any citizen or number of citizens should send in a protest against any illegal act or any contemplated illegal act, or wrong to the people generally, that man couldn't read it, could he?

Mr. Rader: No. He don't pretend to.

Mr. Cooper: He has two assistants to read to him?

Mr. Rader: Yes, sir.

Mr. Cooper: Are those two assistants republicans?

Mr. Bader: The other two commissioners are republicans; yes, sir.

Mr. Cooper: Well, Judge Messick, a republican, put two republicans commissioners on there, and a democrat that can't read or write (laughter). Well, he belongs to my party, and I have a right to inquire into it.

Mr. Bader: Yes, sir; that's right.

Mr. Cooper: We are down here to get the facts. It don't make any difference who it hits.

Now the clerk of this commission is the Judge's son?

Mr. Bader: No, he is ^{the} assistant. He is supposed to be assistant to the chief clerk.

Mr. Cooper: Does he assist this democrat that can't read or write?

Mr. Bader: I don't know. I don't think he is around often enough to assist anybody. He don't pretend to render any service at all for his salary.

Mr. Cooper: What does he do?

Mr. Bader: Why, he--

Mr. Cooper: One witness said he looked pleasant all the time and got a hundred dollars a month.

Mr. Bader: Yes.

Mr. Cooper: Well, does he do anything else that you are aware of?

Mr. Bader: He is the representative of several of the corporations before the tax commissioners.

Mr. Cooper: To get the tax assessments reduced?

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Mr. Bader: Yes, sir.

Mr. Cooper: The tax commissioners are appointed by whom?

Mr. Bader: By his father, Judge Messick (laughter).

Mr. Cooper: Has Judge Messick any other sons?

Mr. Bader: This is the only one.

Mr. Cooper: To sum it all up, you have a republican county judge appointing a board of election commissioners of three?

Mr. Bader: Yes, sir.

Mr. Cooper: Two of them are republicans and one of them a democrat who can't read or write?

Mr. Bader: Yes, sir.

Mr. Cooper: And appointing his son assistant clerk of that commission?

Mr. Bader: Yes, sir.

Mr. Cooper: And the son is an attorney who appears before this board of tax commissioners?

Mr. Bader: Of review.

Mr. Cooper: Board of review, to represent twelve or thirteen railroads and other corporations, to have their taxes reduced.

Mr. Bader: Packing-houses, and so forth.

Mr. Cooper: To have their assessments reduced?

Mr. Bader: Yes, sir.

Mr. Cooper: And he was successful in having that reduction made?

Mr. Bader: I suppose so. I haven't heard any

complaint to the contrary.

Mr. Cooper: Other witnesses have testified that the reductions were made. I was not saying whether they were just or unjust, but they were made, so we have been told.

Do you know whether these people who have this system of appointing commissioners for elections, and so forth, and for tax review, had any political or other affiliations, near or remote, with the Tarlton-Gerold combination of uplifters?

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Mr. Bader: No, I don't know that.

Mr. Johnson: Do you know anything about the habits, moral and so forth, of any of the prominent officers or such of this city or county?

Mr. Bader: The city or county? No, I do not. I come in contact with them very rarely.

Mr. Johnson: But do you know what the reputation of any of these prominent officials is for morality or sobriety?

Mr. Bader: No. Most of them that I know, I don't know anything to the contrary. I don't know anything derogatory to their personal conduct or moral conduct. I don't know anything about that.

Mr. Johnson: You never heard anything about the sobriety of any of your county officials?

Mr. Bader: Oh, I have heard it said that the State's Attorney dissipates a good deal, but I don't know it or my own knowledge. I never seen him under the influence.

Mr. Johnson: I wasn't asking you of your own knowledge, but I was asking you of what you may have heard others say about it?

Mr. Bader: well, any more than I have seen him intoxicated.

Mr. Johnson: You say you have seen him intoxicated?

Mr. Bader: No, parties have told me that, that they have, but I couldn't recall who it was or the number of the occasions.

Mr. Johnson: Is there any other prominent official in your county or city that has the reputation of drinking too much whiskey?

Mr. Bader: Not that I know of; none that I can recall or think of now. With reference to our election law here, I might say that after I became connected with the election board I found conditions rotten, very bad. We had possibly-- oh, something over 1500 voters on our registration lists that were illegal.

Mr. Johnson: Who was responsible for that rotten condition of which you speak?

Mr. Bader: well, the then existing police department and municipal administration were responsible for that. St. Louisians were registered on this side, and we undertook to clean them up. The board authorized myself to employ such help as was necessary to ferret out illegal registrations, or get at the bottom of the facts, which I did. I employed detectives, with result that we

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cleaned up something like 1500 illegal votes from the registration lists in one year. Those votes were used to elect the municipal officers year after year, who never received a majority of the citizens' votes in the city at all; never were entitled to the office they had.

Mr. Johnson: They imported voters that were made the balance of power?

Mr. Rader: Absolutely, yes, sir.

Mr. Johnson: They were brought here in sufficient numbers to be the balance of power?

Mr. Rader: Yes, sir, and repeated. They registered at various places.

Mr. Johnson: And those who should punish them for illegal voting were having them to vote illegally?

Mr. Rader: Certainly. It was to their interest to bring them in here and vote them, register them and vote them.

Mr. Johnson: And it is a matter of course that if 1500 illegal voters are let loose in your city and can repeat as many times as those who brought them here want them to repeat, they can carry any election, no matter how the good people of the town may vote?

349 Mr. Rader: Exactly. That is the situation, and the corruption fund besides, you know. The good people have nothing to say. They have no voice. They haven't had any voice in elections of recent years at all.

Mr. Johnson: This very morning we have had one of your prominent citizens here, a man on the police board, who if he knows anything upon this earth about conditions

here should tell them, was the most unwilling-- such an unwilling witness that the Committee had to excuse him because it didn't have the time to waste with him to pump him about conditions that he ought to have voluntarily told.

Mr. Foss: You say that the assessments of the manufacturing plants and the packing plants were raised here some years ago, above what normally existed before?

Mr. Bader: I didn't say that.

Mr. Foss: You didn't say that?

Mr. Bader: No, sir.

Mr. Foss: Well, I understood you to say that. Do you know whether or not they have been?

Mr. Bader: Only from newspaper reports.

Mr. Foss: It has appeared in evidence here that they were raised several hundred thousand dollars, and afterwards they were reduced. Did you ever hear that it was a part of a deal to raise the assessments on personal property of these large corporations, to these very large figures, for no other purpose than simply to go around and tell them that they could be reduced for a certain sum of money?

Mr. Bader: I have heard that; yes, sir.

Mr. Foss: That was openly charged at the time, wasn't it?

Mr. Bader: Yes, sir.

Mr. Foss: And these assessments were for personal property, were they not? They were not real estate assessments?

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Mr. Bader: Oh yes, there were some real estate assessments too, out of proportion.

Mr. Foss: But those were paid to the county, of course?

Mr. Bader: Well, the city derives its pro rata.

Mr. Foss: But they include the county?

Mr. Bader: Yes, sir.

Mr. Foss: Who were part of that scheme at that time, or as it was charged at that time, to raise those assessments? Do you know? Did you ever hear any names mentioned?

Mr. Bader: Well, I presume it was the assessor, the board of review-- no, the board of review reduced it. It was the assessor and also the County Treasurer.

Mr. Foss: The county treasurer under the law has the right to raise them?

Mr. Bader: After the assessments.

Mr. Foss: After the board of assessors had passed upon it?

Mr. Bader: Yes, sir.

Mr. Foss: And it was the county treasurer that raised them?

Mr. Bader: Yes, sir.

Mr. Foss: And who was the county treasurer at that time, do you remember?

Mr. Bader: Fred. Warning.

Mr. Foss: Now about the levee board-- don't they make a public report of their expenditures every year or every two or three years? Are they not required to do so

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by law?

Mr. Bader: I rather think they are, but I don't believe there has ever been a report made-- at least not for the several past years; and in fact, some gentlemen interested in the matter some four years ago attempted to secure information from the office and were denied the right.

Mr. Foss: Denied the right?

Mr. Bader: Yes.

Mr. Foss: But you have never seen any public report, or any report made by the board of levee commissioners?

Mr. Bader: Not in recent years. I believe that some seven or eight years ago there was a report made, I think, but not in recent years.

Mr. Foss: And yet they have control of revenues amounting to \$500,000 a year, so I have heard it said.

Mr. Bader: Approximately that.

Mr. Foss: Does it amount to as much as that?

Mr. Bader: I think so-- in that neighborhood.

Mr. Foss: And you have never seen any report made by them?

Mr. Bader: No, not by them. I think it was ascertained there in that exposure that the gentlemen attempted-- or brought about-- or partial one, rather--- that in one year they had expended for material something like--- material and construction work--- something like, I think, between three thousand dollars and five

thousand dollars, and salaries over thirty thousand dollars.

Mr. Foss: Between \$3,000 and \$5,000 for material?

Mr. Bader: For material and construction work.

Mr. Foss: And the salaries were over \$30,000.

Well, don't they employ any laboring men at all?

Mr. Bader: I suppose they do at times.

Mr. Foss: Have you ever heard of them employing large numbers?

Mr. Bader: No, not of late; not that I know of.

Mr. Foss: Have they ever been charged with swelling the pay-roll just before election?

Mr. Bader: I have never heard of that.

Mr. Foss: They have been charged, you say, with controlling the votes at Brooklyn?

Mr. Bader: Yes, sir.

Mr. Foss: Which is a republican community?

Mr. Bader: Yes, sir.

Mr. Foss: That is to say-- I understand it is almost exclusively colored in population?

Mr. Bader: Almost exclusively.

Mr. Foss: And naturally they vote the republican ticket in national elections?

Mr. Bader: Yes, sir; they do.

Mr. Foss: But in the matter of the election of a Levee Board they are unanimously democratic, are they?

Mr. Bader: Almost so. So I was informed.

Mr. Foss: Then it is your judgment that they are so

for profit and not from principle?

Mr. Bader: Yes sir; for revenue only.

Mr. Foss: Now you were speaking of meeting some of the soldiers here on July 2nd. Did you talk with them at that time?

Mr. Bader: One or two, yes.

Mr. Foss: You stated they had guns, and you saw them taking some of the ammunition out of the guns?

Mr. Bader: I did.

Mr. Foss: Did you ever ask them what their orders were on that day?

Mr. Bader: No, sir.

Mr. Foss: Whether they were ordered to shoot or not?

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

Mr. Foss: It has been stated here that when the National Guard comes into a city such as this, they are under the orders of the Mayor, and he is supposed to give orders to the man in command as to what he wishes done. You never heard what their orders were on that occasion?

Mr. Bader: My understanding was that the Mayor insisted upon the commandant of the guard at that time, that he take entire charge of the city and of the men, and be responsible for their conduct.

Mr. Foss: Your understanding is that he told the officers in charge of all the men to maintain peace and order here? That he gave that general charge?

Mr. Bader: Yes, sir.

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Mr. Foss: To do whatever that was in his power that was necessary to maintain law and order?

Mr. Bader: Yes, sir.

Mr. Foss: That's all.

Mr. Baker: I just wanted to ask you this question: You have stated that you have been here many years; that you were born here, I understood--- raised here; have been Mayor and in many positions?

Mr. Bader: Yes, sir.

Mr. Baker: You are a man of property?

Mr. Bader: Yes, sir.

Mr. Baker: Have you any houses or business places except those you occupy yourself?

Mr. Bader: Yes, sir.

Mr. Baker: For what purpose are they used?

Mr. Bader: Mostly tenement property.

Mr. Baker: What kind of tenants occupy them?

Mr. Bader: A good class of citizens.

Mr. Baker: Are they white or black?

Mr. Bader: White; no colored.

Mr. Baker: You have no places rented for business?

Mr. Bader: I have one place, yes.

Mr. Baker: What is it?

Mr. Bader: A confectionary store.

Mr. Baker: Where is that located?

Mr. Bader: At Eighth and Ohio Avenue.

Mr. Baker: Have you at any time within the last year made any effort to see the police, the chief of police

or chief of detectives, or any of the constables, requesting that they enforce the vagrancy law in this city?

Mr. Bader: No, I haven't.

Mr. Baker: You understand you have a very effective and strict vagrancy law here?

Mr. Bader: Yes. I have regarded it as utterly useless to make an appeal to the people in control of the police department and the city at all.

Mr. Baker: So the reason that you have made no effort whatever is that you consider it absolutely useless?

Mr. Bader: Yes, sir.

Mr. Baker: Now you have got a new board of police commissioners?

Mr. Bader: Yes, sir.

Mr. Baker: Have you seen them, or have you gone with a committee to see them, to request that they direct the police officers to enforce the vagrancy law and to arrest vagrants in this town, consisting of all kinds of criminals who do nothing but simply are here for the purpose of committing crimes?

Mr. Bader: No, I haven't.

Mr. Baker: Why don't you do it?

Mr. Bader: Well, I regard the selection of the present board as exceptionally good; and the appointment of the new chief of police and his assistant is extremely good; and I believed that they would be fully alive to the conditions and to do these things without urging from anyone.

Mr. Baker: Yes, but you find the same rags, the

same criminals, the same conditions, around the saloons-- men hanging around there by the dozens, ex-convicts and men here for the purpose of committing crimes, still on your streets and doing business?

Mr. Bader: I don't know that there are so many of the huns-- not so many huns around the streets and corners as we did formerly have. I think there has been a lessening of that element around those places.

Mr. Baker: Well, do you intend to see this commission or the police, to see that this law is enforced?

Mr. Bader: Why, I will see them: I will suggest it, yes.

Mr. Baker: All right. That's all.

Mr. Foster: I wanted to ask you one or two questions. What is the salary of the board of levee commissioners, the levee board?

Mr. Bader: I think the members receive one thousand dollars a year, and the Chairman two thousand dollars a year.

Mr. Foster: They have other employes, I suppose?

Mr. Bader: Yes, sir.

Mr. Foster: Superintendents, and so forth?

Mr. Bader: Engineers and clerks and such as that.

Mr. Foster: What is the total salary list, Mr. Bader, do you know?

Mr. Bader: I don't know that.

Mr. Foster: But you remember one year-- you say that they paid in salaries thirty thousand dollars?

Mr. Bader: As I remember it, yes, sir.

Mr. Foster: When this right of way was bought from the Wiggins' Ferry Company to place the levee where it is now, for which the levee commissioners paid \$300,000, Mr. Tarlton was a member of the board at that time?

Mr. Bader: Yes, sir.

Mr. Foster: Was he for that proposition?

Mr. Bader: I don't know.

Mr. Foster: Or did he oppose it?

Mr. Bader: I don't remember whether he was for or against it.

Mr. Foster: You don't know whether he opposed it or not?

Mr. Bader: I don't know.

Mr. Foster: Do you know when they built it? As I understand it, the contractor, whoever it was, that had to do with the digging of the foundation, which was to be of dirt, on this levee, filled it in with sand. Do you know whether or not there was a refusal to pay for this work?

Mr. Bader: I heard so, yes. I read of it.

Mr. Foster: Did Mr. Tarlton favor the paying, or was he against it?

Mr. Bader: My recollection is that he was against the payment.

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Mr. Foster: He was against paying them for putting that in? He protested against it?

Mr. Bader: Yes, sir.

Mr. Foster: Do you know what disposition has been

made of that?

Mr. Bader: I don't know.

Mr. Foster: It went to court, or some court of settlement, didn't it?

Mr. Bader: I think so. I don't know whether the case is still pending, or whether it has been settled, or what disposition has been made of it.

Mr. Foster: You don't know whether he opposed the paying of this \$300,000?

Mr. Bader: No, I don't.

Mr. Foster: He was then a minority member of the board, wasn't he?

Mr. Bader: Yes.

Mr. Baker: Isn't there a distinction between the amount they paid the Wiggins Ferry Company for the right of way, and the men that actually built the levee? Aren't those two separate transactions?

Mr. Bader: A difference between them?

Mr. Baker: Yes. They paid the railroad people or the Wiggins Ferry Company, the terminal company, so much money for the right of way, and that went to the Wiggins people?

Mr. Bader: That went to the Wiggins people.

Mr. Baker: Then they had left a contract for constructing the levee?

Mr. Bader: Yes, sir.

Mr. Baker: And that is where the sand and dirt came in?

Mr. Rader: Yes, sir.

Mr. Foster: Now I want to refer just a question or two to this board of election commissioners in East St. Louis, of which you are a former member. When was your term? When did it begin and when did it expire, Mr. Rader?

Mr. Rader: I was a member from 1909 to 1914.

Mr. Foster: And then you purged that list of 1500 illegal voters?

Mr. Rader: Yes, sir. I think that was in the spring of 1911.

Mr. Foster: And if illegal voters get on there, of course I suppose it is almost impossible to prevent occasionally one or two getting on, or some number?

Mr. Rader: Oh yes, sure.

Mr. Foster: But it is the duty of the election commissioners to purge this list, isn't it?

Mr. Rader: It should be.

Mr. Foster: And you tried to do your duty as an honest commissioner, and to have an honest vote?

Mr. Rader: I did.

Mr. Foster: But the election commissioners at the present time could go out and purge that list and keep it clean and decent if they would do it?

Mr. Rader: We had no trouble in that respect after we took drastic measures, until I ceased to be a member of the board; and of course since then I don't know what has been done.

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Mr. Foster: But you think that there was a great deal of fraud practiced before that?

Mr. Rader: I know it.

Mr. Foster: And that that was done in order to continue the--

Mr. Rader (Interposing:): The powers that be.

Mr. Foster: The powers that be in the city of East St. Louis?

Mr. Rader: Yes, sir.

Mr. Foster: So that they could vote, if necessary, 1500 men and repeat them if necessary?

Mr. Rader: Oh, they had them registered in various places. In the building right back here they had quite a number registered-- right back of this building.

Mr. Foster: That is an unfortunate thing.

Mr. Rader: I think some thirty were registered there. There were finally three of them voted.

Mr. Foster: Thirty of them, you say they had in the building right back here?

Mr. Rader: Yes, sir.

Mr. Foster: And only three of them voted?

Mr. Rader: I believe that is the number that actually voted after we had suspected them.

Mr. Foster: But they had 30 here in this precinct?

Mr. Rader: Just in that one building.

Mr. Foster: They were keeping thirty men in there, you mean?

Mr. Rader: Yes, sir.

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Mr. Foster: They were keeping thirty men there all the time?

Mr. Rader: No, I don't know that they kept them there. They were registered there. They were probably St. Louis "Indians" that registered.

Mr. Foster: Thirty of them registered from one building?

Mr. Rader: Yes.

Mr. Foster: And only three of them voted?

Mr. Rader: Yes. That was only one instance of many.

Mr. Foster: And then this election commissioner who is sworn to see that there is an honest vote at the election--

Mr. Rader (Interposing:)-- should do so.

Mr. Foster: And yet they probably neglected their duty to some extent at least, whether intentionally or otherwise.

Now I just want to say this: That in Illinois the law provides that a man who can't read or write-- for instance, a blind man who may come in and ask for assistance to vote, it then becomes the duty of the judges and clerks, one of each political party, to go to the booth and mark his ballot. That is the law, isn't it?

Mr. Rader: Yes, sir.

Mr. Foster: So that the law does provide, if you have your clerks, whether minority or majority; if you have your judges, an honest republican and an honest de-

democrat, men who are men of character, integrity, on that board, the man who is unable to read or write can honestly vote his sentiments?

Mr. Rader: Yes, sir; that is true.

Mr. Foster: So it is necessary in many of these elections that the election commissioners should do their duty by calling on the high class men of that particular precinct to serve as judges and clerks?

Mr. Rader: Yes, sir. And I will say in that connection that so long as I was a member of that board we took no orders from either one of the organizations, either democratic or republican. We selected our men, satisfied ourselves that they belonged to the political party for which we appointed them, and kept them there. We often had protests from some of the leaders, but we disregarded their protests and kept the men on.

Mr. Foster: But you satisfied yourself at this time that these men were members of that particular political party?

Mr. Rader: We did.

Mr. Foster: Not these "would-be" kind of fellows, but really straight democrats and straight republicans?

Mr. Rader: Yes, sir; we did that by referring to the primary poll ^{books.} ~~vote~~

Mr. Foster: To see how they voted in the primary?

Mr. Rader: Yes, sir.

Mr. Foster: Well, that was pretty good evidence.

Mr. Johnson: You may stand aside.

STATEMENT OF ISAAC COHEN, 1301 Gaty Avenue,
East St. Louis, Illinois.

(The witness was sworn by Mr. Johnson.)

Mr. Johnson: What is your name, please?

Mr. Cohen: Ike Cohen.

Mr. Johnson: Where do you live?

Mr. Cohen: I live here in East St. Louis, 1301 Gaty
avenue.

Mr. Johnson: How long have you lived here?

Mr. Cohen: 28 or 30 years.

Mr. Johnson: What is your occupation; what is your
business?

Mr. Cohen: I was before in the commission business,
and now I am buying metal for the Iron and Metal Company.

Mr. Johnson: You are buying metal?

Mr. Cohen: Yes, sir.

Mr. Cooper: You are a junk dealer?

Mr. Cohen: Yes, sir; junk dealer.

354 Mr. Cooper: Mr. Cohen, you remember the time, do
you not, when some cigarettes were stolen from the cars down
here in the railroad yards?

Mr. Cohen: I remember that. I heard that.

Mr. Cooper: You heard about it?

Mr. Cohen: Yes, sir.

Mr. Cooper: When was that?

Mr. Cohen: I don't know what day.

Mr. Cooper: No, but about when? How long ago?

Mr. Cohen: About three or four months, I think.

Mr. Cooper: Three or four months ago?

Mr. Cohen: About two or three months, I think.

Mr. Cooper: Wasn't it longer than that?

Mr. Cohen: I don't know-- might be four months.

Mr. Cooper: Was it before or after the riots?

Mr. Cohen: Yes, sir.

Mr. Cooper: Was it before?

Mr. Cohen: After.

Mr. Cooper: After which riot?

Mr. Cohen: July.

Mr. Baker: Are you sure?

Mr. Cohen: I think it was after the riot.

Mr. Cooper: Don't you know anything about it?

Mr. Cohen: No, sir.

Mr. Cooper: Whose wagon was it that carried the cigarettes?

Mr. Cohen: That was my son's wagon, the nigger man, the boy-- my son's wagon.

Mr. Cooper: What is your son's name?

Mr. Cohen: M. Cohen. He never--

Mr. Cooper (Interposing:): Never mind now; wait a moment. What does "M" stand for?

Mr. Cohen: Maurice Cohen.

Mr. Cooper: His name is Maurice Cohen?

Mr. Cohen: Yes, sir.

Mr. Cooper: Well now, how many horses does your son drive on that wagon?

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Mr. Cohen: My son has got four horses and three trucks.

Mr. Cooper: Well now, did he carry those cigarettes on that truck?

Mr. Cohen: No, sir; that was my little young son. He is working for my older son.

Mr. Cooper: Your young son is working for your older son?

Mr. Cohen: Yes, sir. He hauled it in a one-horse wagon.

Mr. Cooper: And where did he haul it from?

Mr. Cohen: He hauled it from Seifart's garage.

Mr. Cooper: Where is that garage located?

Mr. Cohen: At Fifth and State.

Mr. Cooper: Were these stolen cigarettes already in that garage?

Mr. Cohen: I don't know.

Mr. Cooper: When the boy went there?

Mr. Cohen: I don't know.

Mr. Cooper: Well, how do you know he got them there?

Mr. Cohen: Well, the boy told me. He come down, and he hauled it. I keep my junk shop, and a fellow named Mr. Henry Altrecht, right in the alley where I keep my junk shop.

Mr. Cooper: Is your junk shop close to his place?

Mr. Cohen: My junk shop is at the corner of the alley, and Henry Altrecht's property is in the other side, in the alley too.

Mr. Cooper: That is Henry Albrecht that has the liquor place?

Mr. Cohen: Yes, sir.

Mr. Cooper: And who asked your boy, your little boy, to go with this one-horse wagon and get these c'garettes?

Mr. Cohen: My boy be'ng out at home, and two fellows come around, and my boy keeps a commission house not quite a block from Seifart's garage, and the fellows come around and asked him if he wanted to make a few dollars, and my boy say yes. My older son over in St. Louis, he is in business and buys lots of goods and got a big commiss'ion house. They say "You want to make a few dollars?" And my boy told him "Yes."

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Mr. Cooper: How old is your boy?

Mr. Cohen: 21 years old.

Mr. Cooper: He said he wanted to make a few dollars?

Mr. Cohen: Yes; he say, "Yes; what doing?" And he say "well, you haul about 9 boxes to Henry Albrecht's from Seifart's garage." He says "All right; I couldn't haul it in one time. I have to make two loads", because he only had the one-horse wagon. So he went and hauled it in two loads, and he paid him \$5 for that.

Mr. Cooper: Now let me see if I got that straight. These two men came to your young son?

Mr. Cohen: My little young boy.

Mr. Cooper: About 21 years old?

Mr. Cohen: Yes.

Mr. Cooper: And these two men asked him if he

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wanted to make some money?

Mr. Cohen: Yes, sir.

Mr. Cooper: And this son said yes?

Mr. Cohen: Yes, sir.

Mr. Cooper: And then they asked him if he would haul how many boxes?

Mr. Cohen: Nine boxes of goods.

Mr. Cooper: Of goods?

Mr. Cohen: Yes; didn't tell him what it was in it.

Mr. Cooper: But to Henry Albrecht's store?

Mr. Cohen: Yes, sir.

Mr. Cooper: And the boy said that he would have to take them in two loads?

Mr. Cohen: Yes, he got the single wagon and hitched up. The other wagons was in St. Louis hauling cars of potatoes.

Mr. Cooper: He had the single wagon hitched up, and the other trucks were in St. Louis?

Mr. Cohen: Yes, sir.

Mr. Cooper: And the boy told him he would have to make two loads?

Mr. Cohen: Yes, sir.

Mr. Cooper: Well, then, where did these two men say they would have to go after the boxes?

Mr. Cohen: Seifart's garage.

Mr. Cooper: Well then, did your son go up there to Seifart's garage?

Mr. Cohen: Yes, sir.

Mr. Cooper: And he got these two loads?

Mr. Cohen: Yes, sir.

Mr. Cooper: He got one load-- what time was that?

Mr. Cohen: I don't know. I couldn't tell you.

Mr. Cooper: You didn't see it?

Mr. Cohen: No, but I think it was after dinner--~~or~~
or in the morning-- aft-r dinner, I couldn't tell.

Mr. Cooper: You don't know what time it was?

Mr. Cohen: No, sir.

Mr. Cooper: He got one load and then took it down
to Henry Albrecht's?

Mr. Cohen: Yes, sir.

Mr. Cooper: What did he do with the other load?

Mr. Cohen: He went after getting two of them. He
got one and then went for another load.

Mr. Cooper: Did he tell you that he took that other
load to Henry Albrecht's?

Mr. Cohen: Yes, sir.

Mr. Cooper: And when he turned these boxes in--

Mr. Cohen (Interposing:): The two men went along and
paid him off at the last load.

Mr. Cooper: These two men gave your boy five dollars
for taking these two loads from that garage down to Albrecht's?

Mr. Cohen: Yes, sir.

Mr. Cooper: And that is Henry Albrecht that keeps
this liquor place?

Mr. Cohen: Yes, sir.

Mr. Cooper: What is the number?

Mr. Cohen: I don't know.

Mr. Cooper: What street?

Mr. Cohen: On Broadway; the corner of Main and about four doors from the corner of Main on Broadway.

Mr. Cooper: Which side of the street?

Mr. Cohen: On this side (north), near to Main Street.

Mr. Cooper: Well, do you know who those two men were?

Mr. Cohen: No, sir.

Mr. Cooper: Did you ever see them?

Mr. Cohen: I never seen them.

Mr. Cooper: You never saw them?

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Mr. Cohen: No, sir.

Mr. Cooper: Well, after your boy took these boxes there, or while he was there at Albrecht's place, did he tell you he saw Mr. Albrecht?

Mr. Cohen: No, he never told me that.

Mr. Cooper: Who did he see?

Mr. Cohen: I think Albrecht's son accepted them. He is the packing fellow.

Mr. Cooper: How old a boy is he?

Mr. Cohen: About 17 or 18 years.

Mr. Cooper: When did you next hear anything about these boxes?

Mr. Cohen: Well, after about a month after I think the detective come around and asked me where is my-- he named my boy Abie, Abie Cohen, and I say "He is right here."

Mr. Cooper: I thought you said his name was Maurice.

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Mr. Cohen: Maurice is the older son, and he keeps the commission house.

Mr. Cooper: And Abie was the 21-year old son?

Mr. Cohen: Yes, sir. And I says "He is right here." And he says "We want him at the police station." I took my machine and I took him down to the police station, and the detective took him upstairs and asked him, and he tell anything what happened. He told them.

Mr. Cooper: Did he take them to Albrecht's?

Mr. Cohen: Yes; he told them two months ago these men come around.

Mr. Cooper: Did he tell them it was cigarettes he hauled?

Mr. Cohen: No, he didn't say.

Mr. Cooper: Did the detectives tell him what was in the boxes?

Mr. Cohen: I don't know whether the detectives told him or not. I never was inside where they was talking.

Mr. Cooper: But your boy told you afterwards that it was cigarettes?

Mr. Cohen: No; after they find out, the detectives told him down there did he know this was cigarettes, and the boy say, "No, they was closed boxes; wooden boxes."

Mr. Cooper: That is, when the boy took them, they were all nailed up in tight wooden boxes?

Mr. Cohen: Yes, sir.

Mr. Cooper: And he couldn't see what was inside?

Mr. Cohen: No, sir.

Mr. Cooper: And the boxes were not opened before
night

Mr. Cohen: No, no.

Mr. Cooper: That is what you said?

Mr. Cohen: Yes.

Mr. Cooper: And somebody told the boy afterwards
that the boxes had cigarettes in them?

Mr. Cohen: No, the detective asked him "Didn't
you see the boxes was cigarettes?" And my boy say "I don't
know. I never looked at the boxes. They was nailed all
around, and I never see what was in the boxes."

Mr. Cooper: But the detective asked your boy if he
didn't know there were cigarettes in those boxes?

Mr. Cohen: Yes, sir.

Mr. Cooper: And afterwards Albrecht was arrested?

Mr. Cohen: Yes, sir.

Mr. Cooper: And it was shown in court that those
were stolen cigarettes?

Mr. Cohen: I don't know.

Mr. Cooper: You heard about \$3500 worth of cigar-
ettes being stolen, didn't you?

Mr. Cohen: Well, I heard about it.

Mr. Cooper: And you heard that some of these \$3500
worth of cigarettes that were stolen down in the yards
were those which your son took from that garage down to
Albrecht's?

Mr. Cohen: Yes, sir.

Mr. Cooper: You heard that that was a part-- that

those were a part of the stolen cigarettes?

Mr. Cohen: Yes, sir.

Mr. Cooper: Did you hear how many dollars' worth were taken down there?

Mr. Cohen: No.

Mr. Raker: What did you say your business was?

357 Mr. Cohen: My business? Iron and metal-- junk dealer.

Mr. Raker: What do you buy, old metal and old iron?

Mr. Cohen: I buy iron and metal; yes, sir.

Mr. Raker: You buy all the junk that is brought in to you from the city here?

Mr. Cohen: Yes, sir.

Mr. Raker: No difference where it comes from?

Mr. Cohen: And some shipped in.

Mr. Raker: No difference where it comes from?

Mr. Cohen: Yes, sir.

Mr. Raker: Or how the other fellow gets it; you buy it?

Mr. Cohen: No, I got some wagons go out and buy it for me; six wagons, and I pay a license for them, and they go out and buy it.

Mr. Raker: Wherever you can get this junk, you buy it?

Mr. Cohen: Yes, sir.

Mr. Raker: That's all.

Mr. Foster: I want to ask a question or two. How many times have your wagons hauled property stolen by thieves?

Mr. Cohen: I don't know. That is the first time they

hauled it.

Mr. Foster: They never hauled any before?

Mr. Cohen: No, sir.

Mr. Foster: How long have you been in business here?

Mr. Cohen: I have been in business here for the last 26 years.

Mr. Foster: How many times-- have you ever been arrested for having stolen property in your possession?

Mr. Cohen: One time, a shipment somebody shipped it into us, the whole stock, and I accepted.

Mr. Foster: And that is the only time?

Mr. Cohen: Yes, sir.

Mr. Foster: And you never hauled any stolen property except this time?

Mr. Cohen: Just this time; yes, sir.

Mr. Foster: You never did at any other time?

Mr. Cohen: No, sir.

Mr. Foster: Did you ever have any relation with the police here where you did any business with them?

Mr. Cohen: No, sir.

Mr. Foster: You never did?

Mr. Cohen: No, sir.

Mr. Foster: Now think about that. Be sure about that.

Mr. Cohen: I'm sure.

Mr. Foster: You are sure you never hauled any goods but one time in your life that were stolen?

Mr. Cohen: On the wagon, yes. That is not my wagon;

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that is my son's wagon.

Mr. Foster: But the wagons connected with your business?

Mr. Cohen: No, sir.

Mr. Foster: Never but this one time?

Mr. Cohen: One time; yes, sir.

Mr. Foster: You never ^{were} arrested but once?

Mr. Cohen: That is only one time I was arrested.

Mr. Foster: They never got any goods out of your place before?

Mr. Cohen: No, sir.

Mr. Foster: They never went around there and the police got any goods?

Mr. Cohen: No.

Mr. Foster: Are you sure about that?

Mr. Cohen: Sure, yes, sir.

Mr. Foster: Did they ever get any hides out of your place?

Mr. Cohen: Yes, sir; one time. I got arrested for the hides. I got them shipped in, shipped in from Arkansas.

Mr. Foster: What else did they get out of there? How much other stuff did they get out of there?

Mr. Cohen: Nothing else.

Mr. Johnson: Did they ever get any automobile tires?

Mr. Cohen: No, sir.

Mr. Foster: Did you ever haul any pig lead, stolen out of a car in interstate shipment?

Mr. Cohen: No, sir.

Mr. Foster: You never did?

Mr. Cohen: No, sir.

Mr. Foster: Think about all this now.

Mr. Cohen: Well, I think. I know.

Mr. Foster: You are on oath. Well, did your boys
do it?

Mr. Cohen: No, sir.

Mr. Foster: Did you ever buy any stock feed?

Mr. Cohen: Stock feed?

Mr. Foster: Yes.

Mr. Cohen: Yes, sir.

Mr. Foster: What became of that?

358 Mr. Cohen: Well, I feed the horses. I pay for
the amount ^abig market price. I pay one dollar, six bits
a sack.

Mr. Foster: Did you ever buy any flour?

Mr. Cohen: No, sir.

Mr. Foster: Was that stock feed stolen?

Mr. Cohen: I don't know. I bought it from a good
man, from a mason. I don't think a mason was going to
steal anything. He come around and sold me ten sacks
of feed, and I give him a check for \$17.45.

Mr. Foster: Are you a mason?

Mr. Cohen: No, sir.

Mr. Foster: How do you know he was a mason?

Mr. Cohen: I saw his pin. I think he is a mason,
32nd degree.

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Mr. Foster. But you never-- you bought the hides?

Mr. Cohen: Yes, sir.

Mr. Foster: They came from Arkansas?

Mr. Cohen: Yes, sir; the man said he shipped them from down in Arkansas.

Mr. Foster. And you hauled pig lead?

Mr. Cohen: No, sir; they didn't find no pig lead by me.

Mr. Foster: Did you ^{not} haul some pig lead stolen out of a car, an interstate shipment?

Mr. Cohen: No, sir.

Mr. Foster: You have been in the junk business for how many years in East St. Louis?

Mr. Cohen: About 32 years.

Mr. Foster: About 32 years?

Mr. Cohen: That's all.

Mr. Foster: And have only been arrested once?

Mr. Cohen: Yes, sir.

Mr. Foster: And they only found stolen goods with you two or three times?

Mr. Cohen: Only one time.

Mr. Foster: And that was just the hides?

Mr. Cohen: Just hides. He asked me, "Have you got any hides?" "Yes", I say "I have got them; shipped from Arkansas."

Mr. Foster: Then you had some stock feed?

Mr. Cohen: I didn't bought stolen feed. I bought from this good citizen in East St. Louis.

Mr. Foster: You did?

Mr. Cohen: Yes, and I paid him the market price for ten sacks, \$17.45.

Mr. Foster: If you had known it was stolen you would have bought it cheaper, wouldn't you?

Mr. Cohen: You bet your life I would (laughter).

Mr. Foster: I believe that is all.

Mr. Raker: I thought you said you were dealing in scrap iron?

Mr. Cohen: Yes, sir.

Mr. Raker: But when you got a chance to buy hides, you took the hides?

Mr. Cohen: I buy hides too. Every junk dealer buys hides.

Mr. Raker: Then you buy everything that is in sight, that you can make money on?

Mr. Cohen: Yes, sir.

Mr. Raker: Aren't you and Able and Maurice in business together?

Mr. Cohen: No, sir; separate.

Mr. Raker: You keep separate establishments?

Mr. Cohen: Maurice is not in this business. He is in the commission business.

Mr. Raker: Don't you divide this work up for some convenient purpose?

Mr. Cohen: No, sir; I am in for myself.

Mr. Raker: And Maurice is in for himself?

Mr. Cohen: Yes, sir; in the commission business.

Mr. Raker: And Abie is for himself?

Mr. Cohen: Abie was in East St. Louis in the commission business. He has now got a store in St. Louis, grocery and meat market.

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Mr. Raker: He has a place of business at another establishment than yours?

Mr. Cohen: Who?

Mr. Raker: Abie.

Mr. Cohen: Abie just got a store last week in St. Louis.

Mr. Raker: And Maurice, where is he?

Mr. Cohen: Maurice is here in the commission business; born here in East St. Louis and has got here a big business.

Mr. Raker. But you are all at different places?

Mr. Cohen: Yes, sir.

Mr. Raker: But you run the same wagons?

Mr. Cohen: No, they run a commission wagon and I run a junk wagon. I got a son in St. Louis doing business in amount about \$200,000 a year. He is a broker.

Mr. Raker: He makes big profits out of that kind of work?

Mr. Cohen: You bet; that is good profits.

Mr. Raker: well, didn't you buy a lot of cast iron and lead and other things the last three weeks?

Mr. Cohen: No. I buy iron?

Mr. Raker: which one of you people bought that lot of iron taken out of a car here?

Mr. Cohen: Not me. That was another fellow. They

tried to bump me, and they couldn't bump me.

Mr. Foster: Didn't you buy some electric fans? Didn't you buy some electric fans that were taken out of your place?

Mr. Cohen: No, sir. I'll put up ten thousand dollars to show me that man took those fans from my place.

Mr. Foster: Didn't you buy some copper spouting?

Mr. Cohen: No, sir; that was my copper spouting. I bought 1200 pounds, and I took it into the police station and I got it back.

Mr. Foster: Didn't you report your wagons stolen by negroes that were missing, that hauled stolen property away?

Mr. Cohen: No, sir. One night the wagons they don't come home, and I say "Call up the police station." May be somet'mes, you know, the niggers, I give them every morning four or five dollars to go out and buy goods, and may be they go into a saloon and get drunk and leave the wagon standing in the road and never come back with the money.

Mr. Foster: And your wagons are not used for hauling stolen property?

Mr. Cohen: No, sir. When the men go out I give them four or five dollars and tell them to go out and buy goods.

Mr. Foster: You are sure there weren't some stolen fans in your place?

Mr. Cohen: No, sir; if you show me that I have

those fans, I give ten thousand dollars.

Mr. Foster: And you had no motors?

Mr. Cohen: No, sir.

Mr. Foster: Now think about that.

Mr. Cohen: No, sir.

Mr. Foster: And that the boys were sent to the penitentiary?

Mr. Cohen: No, sir. That was Louis Weismann; not me.

Mr. Cooper: That was another iron and metal dealer?

Mr. Cohen: Yes, sir; Louis Weismann. They tried to sell it to me and I wouldn't buy it. He bought it out at the terminal railroad station. He know it too.

Mr. Cooper: And that was the other man?

Mr. Cohen: Yes, sir.

Mr. Cooper: well then, you ought not to be accused of that.

Mr. Cohen: No, sir.

Mr. Raker: Do you rent these wagons to negroes at night?

Mr. Cohen: Six wagons I have out every morning to buy goods. Every man gets five dollars, may be one man three dollars, and one man two dollars, to buy goods.

Mr. Raker: well, if they pick the goods up and don't buy them, it is all the same?

Mr. Cohen: That is no difference to me. I buy them anyway.

Mr. Raker: And they bring the goods back to your

place?

Mr. Cohen: Yes, sir.

Mr. Cooper: How did you come to get these hides from Arkansas?

Mr. Cohen: well, there is a colored man come around to me about ten o'clock in the morning, and he say "I have sold some hides in Helena, Arkansas, and I couldn't get the price and I shipped them in, ten hides here, and I got them at the Wabash depot." I say "How much you want for them?" "Twelve cents a pound." I say "All right; I'll take them if the hides is good." He say he would have to have \$4.80 to pay the freight, and I sent my man down and give them \$4.80, and they go down there to the Wabash about 11 o'clock in the morning, and he backed in the wagon, and that man, that nigger, went inside into the office, and the man come on up and said "Back the wagon; we get you the hides out." They bring the hides out and bring the hides to me and I bring the money out and bought them. They was all right. After dinner I went to send my wagon to St. Louis, and I send the hides to St. Louis and sold them for No. 2 hides, and got \$14.50 for them. About half an hour after come the railroad detective and said "Do you haul any hides here?" I say "From whom?" He say "A nigger from Helena, Arkansas." He bring me a paper from a fellow named Goldstein in Arkansas. I say "Yes, I bought them and sold them." That's all what I told him.

Mr. Cooper: I guess that's all.

Mr. Johnson. Will you take the stand, Mr. Allison?

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STATEMENT OF REV. GEORGE W. ALLISON (resumed.)

Mr. Johnson: Reverend Allison, state whether or not it has come to your knowledge that there is an effort being made to connect you with an unsavory affair with a woman.

Mr. Allison: There is.

Mr. Johnson: Did you get an anonymous note concerning it?

Mr. Allison: Yes, sir; I have received an anonymous letter.

Mr. Johnson: When did you get that?

Mr. Allison: I got that day before yesterday.

Mr. Johnson: Go ahead in your own way and tell all about this scheme.

Mr. Allison: The first I heard of it I was called by a woman who is a member of my church, and she told me that another man, a prominent man in the Methodist church here-- and she refused to give me his name-- had called her and told her that he understood that there was a newspaper reporter who was going to Kansas City to meet a woman who was coming from Wichita, Kansas, and that this woman at one time was the alleged organist in a church in Texas that I was pastor of; and that I had been guilty of immoral relations with that woman, and this woman was going to testify to that fact and make affidavits, and they were coming here with statements from the chief of police in that city, and photographs and everything else to prove the claim.

Mr. Johnson: As a matter of fact you never preached in Texas?

Mr. Allison: I never preached a sermon in Texas in my life.

Mr. Johnson: You never were in charge of a church there at all?

Mr. Allison: I never was. I was a small lad when I left there, and practically all of my life has been lived in Illinois.

Mr. Johnson: You regard the thing as a frame-up, either to intimidate you from testifying, or to punish you for having testified?

Mr. Allison: It is purely a frame-up, and that is the character of it.

Mr. Johnson: The Committee would be very glad if you would pursue this matter, and if there is anybody undertaking to intimidate you, we would be glad to have the name of every participant in it.

Mr. Allison: If I can get two gentlemen who have given me some information within the last 24 hours, to come before this Committee and tell what they really know it will involve some of the higher-up men of East St. Louis.

Mr. Johnson: Make that effort.

Mr. Allison: I will. I have been told by these men-- neither of the two men know that the other man has told me-- if I can get them to see that their testimony is clearly corroborated.

Mr. Johnson: well, if you will give this Committee their names and they will tell the truth, we will get the facts out of them.

Mr. Allison: Now this story is being circulated through East St. Louis, and it is being circulated through the prominent members of my church. Mr. Gregory, who is Secretary-Treasurer of the East St. Louis Suburban system, called me and was very much alarmed by it, and asked me if I had ever been pastor of a church in Texas. I informed him that I had not, and told him not to worry at all. They are circulating the thing where it is likely-- where they hope that it will do some damage to my character.

Mr. Johnson: well, your character with this ~~gang~~ gang here would be all right if you did frequent bar-rooms and houses of prostitution, wouldn't it?

Mr. Allison: It would be perfectly in line with those gentlemen.

Mr. Johnson: And this bunch of fellows feel that they are so pure and immune themselves that they can start out throwing stones at other people whose names they wish to associate with a woman?

Mr. Allison: Well, if they get anything out of my life it will be made out of whole cloth. There isn't a thread of it anywhere that they can make it out of.

Mr. Johnson: But they are so pure themselves that they can throw stones at me scarlet? *Is that the character of them?*

Mr. Allison: That is what they are trying to do, it seems.

Mr. Johnson: There is another matter about which the Committee has received some information, and it is to the effect that a very prominent official has told another party that recently he, this prominent official, told you that he, the prominent official, was present during the trial of ex-policeman Florence for killing his fellow policeman, and that there was some apprehension upon the part of this prominent official that you might disclose what he said to you in confidence. You have been upon the witness stand several times, and you have said nothing about it-- most probably because your attention was not invited to it, but I am sure that when your attention is invited to it you will not forget that the sacred obligation of an oath is greater than any confidence which may have been imposed in you--- and that statement is to the effect that this prominent official was in court at Belleville when Florence was being tried for slaying his policeman, and that some of the officials were drunk upon that occasion. Do you recall such a statement having been made to you, without saying by whom it was made?

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Mr. Allison: I do.

Mr. Johnson: What was the sum and substance of that statement?

Mr. Allison: The sum and substance of it the statement was this: That this man told me-- he said "I was shocked to see the manipulation of that case. Prominent officials who should have been at their best were thoroughly intoxicated, and when witnesses on the stand

would make a point against the defendant, Mr. Florence, there was a visible disapproval, a frown."

Mr. Johnson: Upon the part of the official?

Mr. Allison: Upon the part of the officials; and that when a point was made in Mr. Florence's favor, there was a visible manifestation of approval.

Mr. Cooper: Those officials were in charge of the trial?

Mr. Allison: Of the officials in charge of the trial.

Mr. Johnson: Did this prominent citizen of whom the Committee has heard, and of whom you have spoken, but whose name has not yet been called, say what officials were drunk there during that trial?

Mr. Allison: He did.

Mr. Johnson: And who did he say they were?

Mr. Allison: Hubert D. Schauml-ffel, the State's Attorney.

Mr. Johnson: Anybody else?

Mr. Allison: And Judge Crow, the presiding Judge.

Mr. Foss: Doctor, have you heard that anyone was going to institute a suit against you on account of some liquor bill, or anything of that sort?

Mr. Allison: I heard that.

Mr. Foss: As a result of your testifying here?

Mr. Allison: Yes, sir. A man that I used to brake partners with, and he has run a saloon here in East St. Louis. His name is Smith. He ran a saloon down here in the colored district too, I am quite sure.

Mr. Baker: A white man?

Mr. Allison: A white man. He and I used to brake partners together. He stopped me on the street yesterday morning and smilingly said "Why don't you pay your liquor bills?" I told him if I owed a liquor bill I would have him settle it for me, and he smiled and said "I was in a certain saloon last night where they were talking about that, and I told them they were a bunch of damn fools to start anything like that; that I had worked with you and had known you long before you became a preacher; and I told them that you never drank anything and never went out and caroused around with the boys, and that they were a bunch of fools to try to frame up anything like that on you." There are several men here in East St. Louis with whom I used to work before I became a minister. There is a conductor here working for the Terminal Association that I used to brake for, Fred Gibson, and when I brake for Mr. Gibson this man Smith was my partner on the crew.

Mr. Cooper: Another brakeman?

Mr. Allison: Yes, sir.

Mr. Cooper: Then whether or not you were a drinking man--

Mr. Allison (Interposing:): They know all about me. They worked with me for many months.

Mr. Johnson: Mr. Allison, if you can get the names of those who are endeavoring to work this frame-up about the woman for the purpose of intimidating you, bring

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those names right along to the Committee and let us have them, and the Committee will use its best efforts to have punished those who are endeavoring to intimidate witnesses before this investigation.

Mr. Raker: Before the witness gets through-- you say this was through one of the ^{lady} members of your church?

Mr. Allison: Yes, sir.

Mr. Raker: That gave you this information?

Mr. Allison: The first intimation of it.

Mr. Raker: And this man's name, you got the name of the man? She gave you the name of the man?

Mr. Allison: No; she refused to do that. She said that he had pledged her that she should not give me his name, and she talked about being bound by it, and then I launched into a discussion with her over the 'phone about what real honor was.

Mr. Raker: Have you seen her personally yet?

Mr. Allison: I have not.

Mr. Raker: Well, you will be back, and we will determine in the meantime about that man's name.

Mr. Allison: May I explain to you why I hadn't mentioned this matter? It is serious and pertinent to the issue. It was because I felt that it might be detrimental to the prosecution that is now going on of the riot cases, and that was why I was hesitant in some statements along some lines, especially in reference to the State's Attorney of this County.

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Mr. Johnson: well, you probably brought it out in answer to questions from me, and there was no way for you to evade if you wanted to.

Mr. Allison: I have no desire to. I have only one desire, and that is that the truth may be absolutely told, and that we may get some sort of a clearing of the situation in this district.

Mr. Johnson: That clearness of which you speak is not going to come about except by the truth being told.

Mr. Allison: I can't see how it can come otherwise.

Mr. Johnson: If the truth isn't told; if people hold back like some witnesses have held back, then this community is going to continue to be under a harmful domination.

Mr. Allison: Yes, sir.

Mr. Johnson: The Committee is in recess until 2 o'clock this afternoon.

(whereupon, at 1 o'clock p.m., the Committee recessed.)

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A F T E R R E C E S S .

The committee reassembled at 2 o'clock p. m., pursuant to recess.

STATEMENT OF D. W. KAUFMAN, 619 N. ELEVENTH STREET, EAST ST. LOUIS, ILLINOIS.

The witness was sworn by Mr. Johnson.

Mr. Foss. State your name and residence.

Mr. Kaufman. D. W. Kaufman, East St. Louis, Ill.

Mr. Foss. Where do you live in East St. Louis?

Mr. Kaufman. 619 N. 11th Street.

Mr. Foss. And what is your business?

Mr. Kaufman. Real estate and insurance. I am also one of the election commissioners.

Mr. Foss. How long have you been election commissioner?

Mr. Kaufman. Since February, 1915; I think.

Mr. Foss. Were you ever election commissioner before?

Mr. Kaufman. No, sir.

Mr. Foss. This is the first time you have held the position?

Mr. Kaufman. Yes, sir.

Mr. Foss. Did you desire to make some statement relative to the testimony of Mr. Kene?

Mr. Kaufman. I want to state that a year ago this last October was the general registration previous to the presidential election in the State of Illinois. Shortly

after that registration it was claimed that there had been a great many illegals/^{people}registered, principally amongst the negroes. We were told at the election commissioner's office that there would be quite a number of suspects, and probably there were between six and seven hundred negroes from the Second Ward in the different precincts suspected.

They were then brought before the election commissioners to show why their names should not be erased from the register. Previous to that meeting I asked the president, Mr. Rodenberg, of the election commissioners--- I advised with him and suggest that in all probability it would be a good idea to call in some of the prominent members of the different parties, the Republican and Democratic party, to hear this investigation. He said he thought that would be the proper thing to do, and I suggested two names amongst the Democrats that I preferred to have called in. One of them was Judge Thomas. I think it is C. B. Thomas. The reason why I asked for Judge Thomas was, at that time Mr. Thomas was president or chairman of the Democratic Campaign Committee, I believe.

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I also asked for Mr. Gustin. I am not positive as to Mr. Gustin's initials--- R. V. Gustin. The reason I asked for Mr. Gustin, Mr. Gustin is a man in East St. Louis that is liked and honored by both parties, both Democrats and Republicans, and for that reason I wanted Mr. Gustin to be present at this hearing. In the presence of these two, and sometimes only one Republican, we proceeded with the work, putting ^{each} suspects under oath.

It was my business to administer the oath. I also asked Mr. Rothenberg if it wouldn't be a wise idea to allow Judge Thomas to question the suspects; that I particularly --- and he did also,--- wanted to see the investigation carried through ^{just} as right as it possibly could be.

Mr. Foss. This is Mr. Charles Rothenberg?

Mr. Kaufman. Charles Rothenberg, yes, sir. I asked Mr. Thomas if he would conduct the investigation, or if he would ask the questions. We also had the privilege--- anyone in the room had the privilege of asking any suspect any question he wanted to. Mr. Thomas did this morning work on the first morning, and there never was one passed. Before we allowed ^{that} name to remain on the register we asked everyone present if they were satisfied that man was a legal voter. To every one, there was never a question of a doubt as to his legality to vote in East St. Louis.

At the conclusion of the morning session--- do you want me to use Mr. Thomas' words in answer to questions: At the conclusion of the morning session Mr. Thomas said to me as we went out of the office, he said, "Kaufman, this is a damned outrage; some of these niggers have lived here for 25 years; some of these people are school teachers, young girls; school teaches in East St. Louis that are legal voters." One case, I believe, was that of an old woman that had lived here for over 20 years in the present address. She was a suspect. She said, "I don't want to

come any more". I says, "Mr. Thomas, we have no jurisdiction whatever over you. We are a board that is investigating the suspects. You can do as you please, but I would like for you to be here. I believe you to be an honest man; I have known you for a long time, and I believe you are a good man. I want you present."

"Well", he said, "I will come back". He came back and stayed with us through the investigation of that evening--- that afternoon. He said to me at the close, that afternoon, "Mr. Kaufman, I want somebody else to come tomorrow." I said, "Why?" He said, "They are giving me hell up at the Central Committee office"--- at the headquarters. I said "Why?" He said, "They think that you Republicans have got us Democrats hypnotized down here". "Well", I said, "we are not passing anybody and allowing their names to go in on the register that you have objected to, or that Mr. Gustin has objected to". He said, "No, sir". And I said, "Bring some more down here tomorrow". I asked Mr. Rodenberg if it would be agreeable to him, and he said "Certainly", and if I remember right Mr. Charles Webb and Mr. Coppedge---

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Mr. Coppedge at the time was sergeant of police in East St. Louis. He is one of the men shot during the riot. They sat in the investigation the second day, ~~with~~ Mr. Gustin ~~also~~ also participated in the asking of questions *of these suspects.*

I turned to Mr. Gustin the second day and I said, "Gustin, what do you think of this?" He said, "I can't

only say, as Thomas ^{has said} "it is a damned outrage".

We proceeded with that investigation. There wasn't one of the suspects that was allowed to stay on the register that was objected to. In fact, there was no objections to anyone. We proceeded until we got down to the neighborhood of eighty, and those eighty didn't appear and they were erased from the register.

That is all I have to say.

Mr. Foster. Did you help to make up the polling places in the city of East St. Louis?

Mr. Kaufman. Yes, sir.

Mr. Foster. What was your object, if you did so, in placing the negro precincts with the colored people?

Mr. Kaufman. I don't understand that.

Mr. Foster. It has been said here that you--- that even numbers were given to the precincts in the city of East St. Louis to certain precincts?

Mr. Kaufman. There was no object in that at all.

Mr. Foster. Why did you do it?

Mr. Kaufman. Just the same as if we might done if we commenced the other way. We have given the Democrats a majority of two. We commenced with No 1, and finished with 53. We have 53 precincts.

Mr. Foster. Did you have them consecutively in the city, or did you scatter them over the city?

Mr. Kaufman. We took them all around. We commenced with the first precinct, the first ward, No. 1; second

precinct No. 2, and so on, right on through. We went right through our eight wards and our 53 precincts in that way; and in that way we allowed two extra democratic judges.

I would like to also state that in the selecting of judges and clerks Mr. Drury--- I don't know what his position is. He was campaign manager or something of the Democratic party. I asked Mr. Drury to submit a list himself, and he said he would. Mr. Drury submitted a list to the board of election commissioners, and we followed out Mr. Drury's list just as much as it was possible. We didn't follow out Mr. Drury's list when we found out that we had active, effective Democrats already on there. We wouldn't remove them and put somebody on that we didn't know. There was quite a bit of clerical work there, and it was quite necessary to have clerks there who were good at figures, quick at adding things up, quick at drafting things, and we preferred a good clerk to anything else, and got them just as much as we could, who were used to that kind of work. We set an efficiency; that is to say, in everything we done.

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Mr. Foster. But you didn't know how efficient these men were that Mr. Drury submitted the names of to you, did you.

Mr. Kaufman. We questioned Mr. Drury about it. I don't think--- if I remember right, I don't think there was but one objection. I think in one precinct Mr. Drury

wanted us to put another man on. We had a good Democrat on there that had been on there for some time, and made a very efficient clerk, and I believe in that case we allowed the man to stay on there.

Mr. Foster. Now I understand you to say that in naming these precincts and the re-districting of the city of East St. Louis, you didn't, or you did, place the negro districts in the even numbers?

Mr. Kaufman. No, sir; just what good would that have done?

Mr. Foster. I am asking you.

Mr. Kaufman. But the other one would have been an odd number would it not?

Mr. Foster. Yes, but I am asking you if that was done?

Mr. Kaufman. No, sir; not, to my knowledge it wasn't.

Mr. Foster. It was not done?

Mr. Kaufman. No, sir.

Mr. Johnson. The Republicans didn't get the even numbered precincts, the majority of judges in the even numbered precincts, and the Democrats got the majority of judges in the odd numbered precincts?

Mr. Kaufman. Not to my knowledge, no, sir.

Mr. Johnson. Then the Democrats--- you have just stated that you had taken some sort of notice of it because the Democrats got the first and the last, both of which were odd numbers.

Mr. Kaufman. We didn't stop to anticipate, to think what was going to be the last. I know I didn't when we were making the selections.

Mr. Johnson. But it is true that the Democrats got the odd-numbered precincts, isn't it?

Mr. Kaufman. Yes. If we divided it again, it might possibly have been the other way. There was no intention of that.

Mr. Johnson. Jerre Lane has stated that it was the fact that the Democrats got the majority of the judges in the odd-numbered precincts; and the Republicans got the majority of the judges in the even-numbered precincts.

Mr. Kaufman. Well, there was nothing intentional in doing anything of that kind.

Mr. Johnson. But still it was like, was it not?

Mr. Kaufman. No, I don't think so.

Mr. Johnson. Then you say it was not? You say it was not. Which is correct?

Mr. Kaufman. No, I say we followed along just a line --- we took the first precinct---

Mr. Johnson (Interposing). Now that is a very simple easy question, Mr. Kaufman. You yourself have stated that the Democrats got the first--- the majority of the judges in precinct No. 1, have you not?

Mr. Kaufman. Yes, sir; to the best of my knowledge.

Mr. Johnson. And that they got the majority of the judges in precinct No. 53?

Mr. Kaufman. Yes, sir.

Mr. Johnson

Mr. Johnson

Mr. Johnson. Now then didn't they, the Democrats, get the majority of offices in all odd numbered precincts?

Mr. Kaufman. Yes, sir.

Mr. Johnson. Now you are going to stick to that, are you?

Mr. Kaufman. Yes, sir.

Mr. Johnson. And they didn't get any others except that, did they?

Mr. Kaufman. No.

Mr. Johnson. Then the Republicans did get the majority of offices in the even-numbered precincts, didn't they?

Mr. Kaufman. Yes, sir.

Mr. Johnson. That is simple, but you have made a lot of trouble in getting it. Mr. Jesse Lane made that statement here, and you both denied it and affirmed it.

Mr. Kaufman. I didn't quite grasp the question the first time you put it.

Mr. Foster. Well now, is it a fact that it so happened by that arrangement that the negro precincts fell into the list of the even-numbered precincts?

Mr. Kaufman. I couldn't answer that question until I referred to the records. I don't see why they should. The negroes aren't all in one part of East St. Louis. There is quite a number of them down there and in other wards of East St. Louis.

Mr. Foster. I know, but there are even-numbered precincts and odd-numbered precincts scattered over East St.

Louis.

Mr. Kaufman. Yes, sir.

Mr. Foster. So it could be that way, couldn't it?

Mr. Kaufman. Yes, sir.

Mr. Foster. If it could, why would that happen?

Did this thing just happen that way?

Mr. Kaufman. It just happened that way.

Mr. Foster. It just happened that in naming the precincts, 1, 2, 3, 4, that the even numbers in all cases follow in that way. That just happened so?

Mr. Kaufman. Yes. Then after the list was made out it was published before it was confirmed by the County Judge.

Mr. Foster. Now you start in and number your precincts in East St. Louis according to wards. For instance do you have, say, No. 1, 2, 3, 4 precincts of the first ward; then 1 2 3 4 5, say, of the second ward?

Mr. Kaufman. Yes, sir.

Mr. Foster. Is that the way they are numbered?

Mr. Kaufman. Yes, sir.

Mr. Foster. So that you don't number them throughout the city?

Mr. Kaufman. No.

Mr. Foster. It would be precinct 1, 2 and so forth?

Mr. Kaufman. After you complete the first ward, you take the second ward and commence with No. 1 again, and on up to the 7th ward; and in this way we commence with No. 1 and run up to eight precincts in the seventh ward.

And

Mr. Foster. So that so happened to come out in all cases throughout the city, in the different wards, that the odd numbers came to the Democrats and the even numbers to the Republicans?

Mr. Kaufman. Yes, sir.

Mr. Foster. So that all a man had to know, in order to know whether it was a Democratic precinct or a Republican precinct, was to know what the number was?

Mr. Kaufman. By the odd or even numbers.

Mr. Foster. And that just happened so?

Mr. Kaufman. Yes, sir.

Mr. Foster. That is rather peculiar, isn't it?

Mr. Kaufman. I don't know why. We give the Democrats the odd numbers.

Mr. Foster. But isn't it strange, Mr. Kaufman? Don't it seem strange to you? I don't know your election commissioners, but it seems strange to me that if you started out to re-district a city, the polling places, that it would just so happen that all the odd numbers were Democratic and the even numbers were Republican.

Mr. Kaufman. Well, we started---

Mr. Foster (interposing). Without your making it so. You are saying that it just happened so.

Mr. Kaufman. Why, it was made so. Of course it was made so.

Mr. Foster. It was so made on purpose?

Mr. Kaufman. When we started, as I said a minute ago, as we started on the first precinct we started with a Demo-

crat, and we decided we would give the Democrats the odd numbers.

Mr. Foster. So that it didn't just happen, then?

Mr. Kaufman. Why, no. Then we took the even numbers for the Republicans. It might have been, so far as I am concerned, it might have been the other way.

Mr. Foster. You just said, "Here, we are going to give the Democrats the first number, and then give the Republicans the even numbers"?

Mr. Kaufman. Yes, and it so happened that the Democrats got two more judges. That part of it wasn't anticipated by me, that there would be any great majority.

380 But as I see it now, there was two extra judges. Is that right?

Mr. Foster. I don't know whether it is right or not, but I am trying to get at the regularity of a situation of that kind, how such things would happen--- happen to come out that way.

Mr. Kaufman. We just commenced with the Democrats and give them odd numbers and give the Republicans even numbers.

Mr. Foss. If you had started with the Republicans on the odd numbers, the Democrats would have gotten the even numbers?

Mr. Kaufman. Yes, sir.

Mr. Foss. As a result, the Democrats came out better than the Republicans?

Mr. Kaufman. They got two more.

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Mr. Cooper. Mr. Chairman, may this witness step aside temporarily? We don't want you to leave. We want you to come back right away. There is another witness, I understand, who wishes to engage the attention of the committee for a moment, Mr. Justice Brady, I believe. Is he here?

ADDITIONAL STATEMENT OF J. C. BRADY.

Mr. Johnson. Judge, we have been informed by the clerk of the committee that you desire to come before the committee and make a statement. Is that correct?

Mr. Brady. Yes, sir.

Mr. Johnson. Just make your own statement.

Mr. Brady. I want to make an apology for my action, and I want to explain to you how the thing occurred.

Now I was told, as I told you the other day, that Mr. Anderson had made some statement up here giving me the Dickens before you folks, and I felt like I wanted to present it. I didn't feel like--- I felt like he was imposing on me, and when I talked to him about it I got a little angry--- more than I should, and I found out afterwards, though, that it was all a lie; that he hadn't said anything at all but what was so. I saw Mr. Anderson afterwards and apologized to him, and now I want to apologize to you gentlemen. Anything I did, I didn't do anything intentionally to cause any trouble or interfere with your inquiry at all. Mr. Bayler, the representative of the Globe-Democrat, told me half an hour afterwards that Mr. Anderson hadn't said this.

So I told Mr. Boylan, "I owe Anderson an apology then", and I started to apologize for talking to him the way I did. I didn't intend to interfere with your hearings here at all.

Mr. Johnson. You know how serious a matter it is, Judge, for a court or a committee to have its witnesses threatened or intimidated. Justice can never be reached under those circumstances, nor can the truth be ascertained by an investigating committee if its witnesses are to be intimidated. So, just as you would punish a witness for contempt of court, this committee *could* undertake to have the House of Representatives punish anybody who was guilty of contempt of the House of Representatives by undertaking to intimidate a witness before an investigating committee of the House of Representatives. That is my attitude about the matter.

Mr. Cooper. Mr. Chairman, Mr. Anderson is right here, and I would just like to ask him--- you have heard the witnesses' statement, and that is substantially true, is it?

Mr. Paul Y. Anderson. So far as I know, that is correct.

Mr. Cooper. Mr. Chairman, inasmuch as I made the motion on the other occasion, I now ask that the committee reconsider its action on that occasion relative to contempt proceedings against Mr. Justice Brady.

Mr. Johnson. Those of you who are in favor of the motion made by Mr. Cooper will say aye; opposed, no.

(The motion was put and carried).

The eyes have it unanimously.

Mr. Cooper. Mr. Chairman, I now move that that action
of the committee be rescinded, as if the motion had never
381 been adopted by the committee.

Mr. Johnson. Those in favor of the motion will say
aye---

Mr. Riker (Interposing). Before putting the motion,
just a moment. I don't think Mr. Cooper means that.
By virtue of Justice Brady coming before the committee and
having humbly apologized for his conduct, admitting that
he was wrong, admitting that he knew he was wrong, under
the conditions and only by virtue of his public apology
before the committee and the people of East St. Louis,
why I am willing to vote for the proposition that we do
not report the matter to Congress and ask for his punish-
ment. That is what you mean, isn't it, Judge Cooper?

Mr. Cooper. I mean just what I said in the first
instance, which embodies in concise language all that you
have said, that the prior action be rescinded.

Mr. Riker. We don't rescind it except for the purpose
and for the reason ^{that Mr. Brady} ~~he~~ has now apologized to the committee.

Mr. Cooper. The reason is understood when the wit-
ness comes before the committee and states it. The
record will show in consecutive order that he made an
apology and thereupon he moved to reconsider and rescind
our prior action.

Mr. Foster. Yes, certainly, under that condition.

Mr. Johnson. Those in favor of the motion of Mr. Cooper will say aye; opposed, no.

(The motion was put and carried).

The yeas unanimously have it, and the motion is adopted, and I, as chairman of this committee, Judge, will not institute the proceedings which we agreed to institute upon the former occasion.

Mr. Brady. I am very thankful to you, gentlemen, I assure you. It was in a passion that I said it, and I found out I was wrong. I accused the young man wrong and I apologized to him shortly afterwards; and I am glad to apologize to you here.

Mr. Johnson. You may be excused.

REMARKS OF D. W. KAUFMAN (RESUMED)

Mr. Foster. Now, Mr. Kaufman, as I understand from your testimony, your board of election commissioners, in re-districting the city last fall, as you said, that you started out and made a precinct here, say No. 1---

Mr. Kaufman. (Interposing) May I just offer an explanation thereof?

Mr. Foster. No, I want to finish what I am going to say, first. Now, then, you might go over here, which was a Republican district, and largely a negro district, and name that No. 2. Is that correct?

Mr. Kaufman. No, sir; not exactly. The idea was this---

Mr. Foster (Interposing). Didn't you do that?

Mr. Kaufman. We didn't re-district the whole town. These wards and precincts were made.

Mr. Foster. You made new districts?

Mr. Kaufman. We did in the upper end of town.

Mr. Foster. What do you call ~~the~~ upper end of town?

Mr. Cooper. What did you start to say about the old districts and the new districts?

Mr. Kaufman. The old districts were there, just as they are now, when we entered the office. The first ward was precincted just as it is now, and all the other wards. We added, I think, one precinct,--- one or two precincts--- in the sixth ward.

Mr. Foster. Now in making the new precincts that you did here, you had to take off of certain districts and put them in others, didn't you?

Mr. Kaufman. Yes, sir.

Mr. Foster. So you did change all the districts of the city?

Mr. Kaufman. No, sir; we did not.

Mr. Foster. There were some that you didn't change at all?

Mr. Kaufman. Yes, quite a number that we didn't touch.

Mr. Foster. Then you had to take off some and put them into other districts?

Mr. Kaufman. Yes, sir; the seventh, *eight* and sixth wards.

Mr. Foster: Wherever they were too large?

Mr. Kaufman: Yes sir; but we didn't molest them all.

Mr. Foster: That was your reason for it, yes, but in these districts that were numbered, it so happened, ^{then} that all the negro districts in the city turned out to be even numbered?

Mr. Kaufman: If they are that way, it so happened just that way, yes sir. The law prescribes that when a precinct reaches 400 votes, that it shall be divided.

Mr. Foster: We understand the law, I guess on that. You did this because they were too large. Now didn't you do this: Didn't you take some of these old districts that were in the city and renumber them?

Mr. Kaufman: I think not.

Mr. Foster: Are you sure about that?

Mr. Kaufman: No, I am not sure.

Mr. Foster: Well, I thought so. I guess we will not pursue that longer. It so happened that these districts came out that way.

Mr. Kaufman: Yes sir.

Mr. Foster: And the districts which were largely populated by colored people, it so happened that they all fell in the even numbers?

Mr. Kaufman: We made number one a Democratic judge, and number two a republican judge, and so on.

Mr. Foster: Well, I didn't ask you that. I knew that. But it so happened that the negro districts all fell into

the even numbers.

Mr. Kaufman: Well, there has got to be one democrat sir. You say they all fell in that way. They couldn't all. There has got to be one there.

Mr. Foster: I understand, but ^{what} you did was that the number one of course was democratic.

Mr. Kaufman: Yes sir.

Mr. Foster: But you started in and you said a while ago that you made that number one a democratic district--that it was a democratic district. I don't say you meant it that way, but it was a democratic district, so that you started ⁱⁿ and made the first number number one, which was a democratic district.

Mr. Kaufman: That the next would be republican.

Mr. Foster: Then that would ~~be~~ give you the right to say that you will make number two republican; and it so happened that all the number twos fell into the opposite party; and it so happened that the negro districts fell into the even numbered too. It would naturally follow, wouldn't it?

Mr. Kaufman: Yes sir.

Mr. Foster: I would think so under those circumstances it would follow, because we know that the negro districts are of one political faith, largely.

Mr. Kaufman: Yes sir.

Mr. Foster: So that that would happen that way, wouldn't it?

Mr. Kaufman: Yes sir.

Mr. Foster: According to the carrying out of that scheme, and where you renumbered you followed the same plan, if you did renumber.

Mr. Kaufman: We didn't renumber in all those precincts.

Mr. Foster: You did in some.

Mr. Kaufman: Not the ones that were not molested.

Mr. Foster: But you did renumber some.

Mr. Kaufman: In the second ward they were not.

Mr. Foster: Didn't you renumber some of the older ones where you didn't change the district?

Mr. Kaufman: We followed the numbers that had been used.

Mr. Foster: Didn't you change some of the numbers?

Mr. Kaufman: No sir.

Mr. Foster: I thought you said a while ago that you may have done it.

Mr. Kaufman: What I was talking about---I thought you were referring to the upper precincts that were renumbered. We had to renumber up there, but we commenced in the first and second down there and along there, and followed out as they had been done in the past.

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Mr. Foster: That has been the system for a long time?

Mr. Kaufman: That has been the system for a long time, yes sir.

Mr. Foster: That is all.

Mr. Cooper: How many wards are there in this town?

Mr. Kaufman: Eight wards.

Mr. Cooper: And each ward is divided into a number of election precincts?

Mr. Kaufman: Yes sir.

Mr. Cooper: Depending upon the legal or supposedly legal number of voters in that ward; so many precincts, so many voters in a precinct?

Mr. Kaufman: Yes sir:

Mr. Cooper: That is supposed to take or include all of the voters in the wards?

Mr. Kaufman: Yes sir.

Mr. Cooper: When did you receive appointment to that election board?

Mr. Kaufman: I think it was in February, 1915.

Mr. Cooper: February, 1915. The law here is that no election precinct shall contain more than 400 voters?

Mr. Kaufman: Yes sir.

Mr. Cooper: Then in the event of a ward, because of increase in population, having six or seven hundred voters or more, then you would divide, rearrange, re-district?

Mr. Kaufman: Rearrange the precincts, yes sir.

Mr. Cooper: How did you rearrange the precincts in the first ward?

Mr. Kaufman: No sir.

Mr. Cooper: How long, about, do you think,

those had been---the precincts, as you found them?
About how many years?

Mr. Kaufman: Why, I couldn't answer that question intelligently, because I knew nothing about it, until I went into it.

Mr. Cooper: And you found those precincts there and did nothing about it? It has been customary, prior to your becoming a member of the board, or precinct number one in ward number one, to have a majority of democratic officers on the election board? Is that it?

Mr. Kaufman: I don't know, sir. I don't know previous to my own administration. I don't know anything about it.

Mr. Cooper: How was it when you went in. What did you do? What did you do with precinct number one in the first year.

Mr. Kaufman: Just as I said a moment ago, put a democratic judge in there.

Mr. Cooper: And before you assigned that Democratic judge, you had decided---your board, had you---that you would give the alternate judges---that is, one, three, five, seven and so on, to the Democrats?

Mr. Kaufman: Yes sir.

Mr. Cooper: And then of course that necessitated the other numbers going to the republicans.

Mr. Kaufman: Yes sir.

Mr. Cooper: Now you said something a moment ago

about redistricting in two or three of the wards, I think ---six or seven---I don't remember the numbers.

Mr. Kaufman: The seventh. Redistricting the seventh and eight wards.

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Mr. Cooper: Now how did you redistrict there? Did you make more districts, or what?

Mr. Kaufman: Yes, we had to redistrict them according to population. We would have to figure out the number of votes. For instance, the number in the block. For instance, if the division line for precinct was on Eleventh street before, we would be silly---and it was too large---we would throw out Eleventh street there and come out Tenth street, and throw Eleventh street into ^{a new} precinct. Some of our districts, you know, are congested. There is just too much more population living in some than others.

Mr. Cooper: Now consider how many one precinct you have in the seventh or in the eighth ward?

Mr. Kaufman: No sir; I don't.

Mr. Cooper: Now then what do you mean in reply to Dr. Foster when you said that in the upper portion of the town you had to redistrict or make new precincts ---something of that sort. Why did you have to do it in the upper section of the city?

Mr. Kaufman: Because the population was great up there.

Mr. Cooper: The population was the same since the last redistricting.

Mr. Kaufman: Yes sir.

Mr. Cooper: Do you know of any new precincts you created up there?

Mr. Kaufman: I think we put in one in the seventh; I think two in the eighth; three in the sixth.

Mr. Cooper: And that was all?

Mr. Kaufman: Now wait a minute. I think it was the fifth we had one or two precincts put in.

Mr. Cooper: That was necessitated under the law, you think?

Mr. Kaufman: Yes sir.

Mr. Cooper: Because of the increase in population in those localities.

Mr. Kaufman: Yes sir.

Mr. Cooper: And then in each of these instances you applied the old rule, beginning with precinct one for the Democrats and then going at three and five, and so on?

Mr. Kaufman: Yes sir.

Mr. Cooper: You say there was a large number of suspects, as they were called.

Mr. Kaufman: Yes sir.

Mr. Cooper: Do you mean by that term, people whose names had been submitted to you as being the names of people not entitled to vote in their respective precincts?

Mr. Kaufman: Yes sir.

Mr. Cooper: And you say Mr. Thomas was a Democrat?

Mr. Kaufman: To the best of my knowledge he is.

Mr. Cooper: You understood he was?

Mr. Kaufman: Yes sir.

Mr. Cooper: You say that you found school teachers on that list of suspects?

Mr. Kaufman: Yes sir.

Mr. Cooper: And you say you found other residents of the city, some who had lived here for a long number of years. Do you now recall such to have been the facts?

Mr. Kaufman: Yes sir.

Mr. Cooper. Well, if that statement is true---and I suppose it is of course---I don't doubt it, from what you say---there wasn't any just reason for putting the names of those people on there, as the names of suspects, was there?

Mr. Kaufman. No sir; I don't think so.

Mr. Cooper: Were these all colored people?

Mr. Kaufman: I think there was one white man.

Mr. Cooper. Do you remember whether he was or was not one of the old residents?

Mr. Kaufman: He was one of the old residents. He was entitled to vote.

Mr. Cooper: One old resident entitled to vote---do you remember what his name was?

Mr. Kaufman: I think it was McCartee, or something like that. He lived down on what is known as the "Island". He was very angry when he came up, but he had to pass the examination just like the rest did.

385-M He passed it satisfactorily.

Mr. Cooper: Do you know how many years he had lived in this city prior to the examination?

Mr. Kaufman: I think some ten or fifteen. I am only guessing at that.

Mr. Cooper: He had voted at previous elections?

Mr. Kaufman: So he testified.

Mr. Cooper: Do you know who ~~knex~~ put his name on the suspect list?

Mr. Kaufman: I do not.

Mr. Cooper: Do you know why his name was put on the suspect list?

Mr. Kaufman: No sir; I don't; only there was a little animosity going on at that time.

Mr. Cooper: Do you recall the names of any of the school teachers?

Mr. Kaufman: No sir; they were young ladies brought before the commission, and in the questions we would ask them how old they were; how long they had lived at the present address; what was their occupation; how long they had lived in the county, precinct and state and the United States---just the same as we would for our registration. Then, that we found to be legal voters, and there was no objections raised by ~~the~~ any one present, they were allowed to remain on the register.

Mr. Cooper: How before you rendered your final decision as to eligibility or non-eligibility of any of the suspects, did you put the question in open meeting:

"is there any objection here?"

Mr. Kaufman: Yes sir.

Mr. Cooper: So that all the people in the room could hear?

Mr. Kaufman: There wasn't a great many in there.

Mr. Cooper: How many?

Mr. Kaufman: Part of the time there was four democrats beside the president of the board and commissioners and the clerk. That ^{was} about the audience. They all were interested there for the purpose.

Mr. Cooper: Now out of all that list of suspects, how many did you finally exclude?

Mr. Kaufman: Eighty---about eighty.

Mr. Cooper: ^{And} The list totaled how many?

Mr. Kaufman: In the neighborhood of seven hundred.

Mr. Cooper: And you excluded eighty, a little more than one in ten.

Mr. Kaufman: We did that because they did not appear before.

Mr. Cooper: Do you know the reasons why they didn't appear?

Mr. Kaufman: No sir.

Mr. Cooper: Of course you are entirely justified in striking names off under those circumstances.

Mr. Foster: Did you, the day of registration, compel some of these men who were taking notes there when you were registering these people, asking these questions, and these notes were being taken, did you let these men

get out at any time?

Mr. Kaufman: Yes sir.

Mr. Foster: You made them get out of the place?

Mr. Kaufman: Yes sir.

Mr. Foster: You wouldn't let them take the notes?

Mr. Kaufman: Yes sir. I don't suppose there is any use to quote you the law, but I would like to give you the reason as to why we did that.

Mr. Cooper: What was it?

Mr. Kaufman: The law prescribes that a checker at a polling place can take a man's name and his address, but they can't copy any information that goes on the registers that are kept in the commissioner's office. The published register contains the man's name and his address only, but the general information is kept in the office of the election commissioners and contains a great deal more information. These men that were at the polling places had a tabulated form, identical with the register that was kept inside, and that was against the law. We went down to one place, down in the neighborhood of the Hazel Hilling Co., fifth ward, and found Sergt. Coppége there, who is now deceased---one of the men shot in the riot. I told him what he was doing; told him he was violating the law, and would have to quit it. He said I didn't know, but he would quit, and he quit.

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Mr. Foster: So that, as election commissioners you take information that the public can't know about

the legality of men for voting?

Mr. Kaufman: Yes sir.

Mr. Foster: And that, upon that secret information that you receive, which is unavailable for the public who might know more about it, and he can't get it?

Mr. Kaufman: The public can't get it by coming to the office.

Mr. Foster: I thought you said they wouldn't let him copy it.

Mr. Kaufman: They don't. The law prescribes he shan't copy it.

Mr. Foster: Don't you give him information?
to

Mr. Kaufman: If he comes in/the office and registers there, certainly we hand them out to anybody.

Mr. Foster: And he could look over, but he couldn't copy it. He couldn't make any copy of it.

Mr. Kaufman: No sir.

Mr. Foster: So it means that it is practically impossible for one man to go where there was a suspect, say, to hold in his mind all the reasons which the election commissioners would give why he should be excluded or put on the register. Is that true?

Mr. Kaufman: That is true, that he cannot copy the register.

Mr. Foster: That is true, isn't it, that he has to remember all that, if he goes out and knows anything about it. He has to keep it in his head?

Mr. Kaufman: That is the idea.

Mr. Foster: For any man or a hundred men or three hundred men?

Mr. Kaufman: He has his name and his address there.

Mr. Foster: I know that, but I am speaking about the private information that is given, copied on the books. You have all that information that you don't let him have.

Mr. Kaufman: He can have that by coming to the office.

Mr. Foster: But he can look at it, and that is all?

Mr. Kaufman: Yes sir; which they did *do*. Quite a number of them 'i' come to the office and looked over the registers.

Mr. Foster: And that is the reason why you threw them out of the polling places and took up their lists?

Mr. Kaufman: We didn't throw them out of the polling places.

Mr. Cooper: You made them get out, didn't you?

Mr. Kaufman: Yes, we asked them to get out.

Mr. Foster: That was a demand to be enforced if necessary through the power of the commissioners?

Mr. Kaufman: Yes sir.

Mr. Foster: Well, you say that there were only eighty that were taken off the list.

Mr. Kaufman: About eighty, yes sir.

Mr. Foster: Of the whole city of East St. Louis, of all the suspects?

Mr. Kaufman: Yes sir. The rest of them qualified.

Mr. Foster: They qualified and voted---that is, *those*

that came?

Mr. Kaufman: I suppose so. They were entitled to vote.

Mr. Foster: You certified they were entitled to vote?

Mr. Kaufman: Yes sir.

Mr. Cooper: Now one minute about that statute---suppose that we are a board here, asking as your board was, and a half a dozen men were to step up and take notes of what was going on. The statute requires that that shall not be permitted. Is that so? That they can't keep a copy of the records?

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Mr. Kaufman. In the first place, you know, the statutes permit that there can be but one representative from each party in the polling places.

Mr. Cooper: And he can make as many as he wishes to?

Mr. Kaufman: No, he couldn't ^{do} that.

Mr. Cooper: Nobody is allowed to do it excepting the officials from the official record, which is a public record?

Mr. Kaufman: Yes sir.

Mr. Cooper: So when you told those people to desist from taking those notes, you were simply obeying the letter of the statutes of the State of Illinois.

Mr. Kaufman: As I understood it.

Mr. Cooper: Have you ever heard anybody dispute that interpretation of the statutes?

Mr. Kaufman: No sir; I have not.

Mr. Cooper: Do you remember what statute that is?

Mr. Kaufman: No sir; I do not.

Mr. Cooper: It is in the election laws of the state?

Mr. Kaufman: Yes sir.

Mr. Cooper: That's all.

Mr. Foster: Did the other side file the suspect notices with your board?

Mr. Kaufman: Well, I would think so,

Mr. Foster: Well, don't you know whether they did or not?

Mr. Kaufman: Why no. I have no positive knowledge of these things.

Mr. Foster: Oh, you were on the election board last fall and don't remember that much? Now certainly, Mr. Kaufman, you haven't forgotten that.

Mr. Kaufman: There were some of them filed by a man named Russell.

Mr. Foster: Well, you know they were filed, don't you?

Mr. Kaufman: Yes sir; I suppose they were filed--- you ask me for knowledge on it.

Mr. Foster: I am sure you have the knowledge. You don't mean to say that you don't have the knowledge that suspects notices were filed from the other political party?

Mr. Kaufman: I wouldn't think so, no.

Mr. Foster: And didn't they file suspect notices of old citizens? You remembered very readily that they filed suspect notices on some man living down here by the name of McJartee. You remember that all very well.

Mr. Kaufman: Yes sir.

Mr. Foster: Don't you remember then they did file them on some old citizens here?

Mr. Kaufman: Yes sir.

Mr. Cooper: I am sure you are an honest man and are trying to tell the truth.

Mr. Kaufman: Yes sir.

Mr. Foster: Of course you are. You only need to be reminded of the thing to remember about this. So they filed these suspect notices. How many of those suspect notices were held good, if you know it?

Mr. Kaufman: ~~xxxxxxx~~ You want the exact number?

Mr. Foster: Of course if you don't know, it is all right.

Mr. Kaufman: I don't know it. I have never had any occasion, the reason, for wanting to count the number that were there. I know there were between six and seven hundred.

Mr. Foster: But you didn't remember only eighty out of some seven hundred that the democratic party filed; but you don't remember how many were filed on the other side, and you don't ^{remember} McCartee's name very readily, and now I ask you if there wasn't some old citizen---wasn't there one of these men who made an affidavit, a negro convict here, against one of the old citizens?

Mr. Kaufman: You say there was some eighty filed by the democratic party.

Mr. Foster: You said that out of those seven hundred

filed there were about eighty stricken off. Didn't you say that?

Mr. Kaufman: Yes sir, but I didn't say they were filed by the Democrats.

Mr. Foster: Oh, they were by both parties?

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Mr. Kaufman: They were filed there in the pile.

Mr. Foster: They were both parties?

Mr. Kaufman: They were filed there regardless of party.

Mr. Foster: Didn't you have an affidavit from some ex-convict, a colored man, against an old citizen?

Mr. Kaufman: I think we did, yes sir.

Mr. Foster: I thought so.

Mr. Kaufman: There was some dirty work going on.

Mr. Foster: It wasn't all on one side?

Mr. Kaufman: Oh no. It wasn't a political fight either, not a national political fight by any means. No indeed it wasn't.

Mr. Foster: I just wanted to get it straightened out.

Mr. Kaufman: It was a levee board fight. There was just as many good democrats fighting the levee board as there was for it; and that wasn't the reason. I think, the suspects were filed, trying to get the levee board by.

Mr. Foster: Well, but out of this great number, and this large number of voters, and these colored people were voting, they were voting for the levee

district, were they?

Mr. Kaufman: The supposition was, they were bought. I couldn't testify to that at all.

Mr. Foster: You don't know that?

Mr. Kaufman: No, I don't know that at all. You can sometimes believe a thing and have no knowledge of it, you know.

Mr. Cooper: You believe that the pyramids are standing in Egypt, from the testimony, although you have never seen them?

Mr. Kaufman: No sir, I never seen them. I believe they are standing there. ^{have} I seen some pictures of them though (laughter).

Mr. Cooper: You don't forget it at all. Now I want to ask one more question. You said this was a levee board fight?

Mr. Kaufman: In my opinion, yes sir.

Mr. Cooper: There wasn't any national politics in it?

Mr. Kaufman: National politics, as far as national politics went, but when it got down to East St. Louis politics it was levee board.

Mr. Cooper: Well, national politics didn't get far in East St. Louis.

Mr. Kaufman: No sir; never has.

Mr. Cooper: You didn't care anything about who was president of the United States as long as you got the right man on the levee board? That was the idea.

wasn't it?

Mr. Kaufman: How was that?

Mr. Cooper: A good many of them didn't care who was president of the United States, as long as they got the right men on the levee board?

Mr. Kaufman: Well, from my way of looking at it, I would think you were right about it.

Mr. Cooper: Now this suspect list, this file of suspect papers were put in, ^{some of} then, by republicans, and some by democrats?

Mr. Kaufman: I would judge so.

Mr. Cooper: And you just simply took up the whole file, and as a result you excluded eighty?

Mr. Kaufman: Yes sir.

Mr. Cooper: You don't know whether those eighty were going to vote the levee board ticket or not, do you.

Mr. Kaufman: I do not.

Mr. Cooper: The levee board has had considerable to do with politics in this city?

Mr. Kaufman: It seems to be a pretty good power behind the throne here.

Mr. Cooper: How long has the levee board had anything to do with politics in this city?

Mr. Kaufman: Ever since its organization.

Mr. Cooper: About how many years ago, should you think?

Mr. Kaufman: Well, I should judge, five or six

years ago---perhaps seven years ago. I don't just exactly remember.

Mr. Cooper: That is the same board that paid three hundred thousand dollars to a railroad association, for the purpose of building a levee that would protect the railroad tracks, wouldn't it?

Mr. Kaufman: Yes sir.

Mr. Cooper: There are quite a number of people that handle money, that are interested in that sort of thing, I say, usually?

Mr. Kaufman: I would suppose so.

Mr. Cooper: You would suppose so. Well it is a rather strong supposition, isn't it?

Mr. Kaufman: Yes, pretty strong.

Mr. Cooper: You don't doubt it at all.

Mr. Kaufman: No sir.

Mr. Cooper: The great mass of the good citizenship--- and there are a great many thousand of good citizens in East St. Louis---they all believe that, don't they?

Mr. Kaufman: Yes sir. Two different times in my existence, in my history and in East St. Louis, I have assisted a great deal in trying to organize parties that would get this town out of the corruption that it is in. We have put up men that we knew were above reproach for different offices, and when we go to different men that were good citizens of East St. Louis and ask them to support it, they would shake their heads and say, "its no use; we can't do anything."

One time after working about forty days we got 800 votes. Another time we got 1400. Then we were fairly convinced that it was no use to try.

Mr. Cooper: Well, the manipulation of these people is such that they get a great deal of money, don't they, of course, that they can use in elections?

Mr. Kaufman: It is supposed that they get a great deal of money somewhere.

Mr. Cooper: And they so control elections and so buy voters that the case of the good citizen right here had begun to look hopeless?

Mr. Kaufman: At the present time it seems now we are coming on a new era, where the good men will have a voice.

Mr. Cooper: Do you think you are started on the up grade now?

Mr. Kaufman: We hope so. We haven't lost hope yet.

Mr. Johnson: You had better keep the track well sanded. (Laughter).

Mr. Kaufman: When we put a man up for office now the whole town votes for that man. It isn't one little precinct or one little ward. It is not controlled by ward men. He has got to be shot at from the whole town. There is lots of good people in this town, lots of them. I have been here for about thirty years now, and I have always contended, and I believe today that the good people are in the majority. I think they are.

Mr. Johnson: The man who contends for principal

is always less active and more scrupulous than the man who is out for graft only, is he not?

Mr. Kaufman: In other words, he wouldn't stoop to conquer.

Mr. Johnson: He wouldn't fight to conquer like the other fellow would.

Mr. Kaufman: ^{no,} He wouldn't stoop to conquer. He goes out and reasons with a man and thinks he has got him.

Mr. Baker: Who are the other members of the election board? Charles Rodenberg, Patrick Flannery and yourself?

Mr. Kaufman: Yes sir.

Mr. Baker: Who is the chairman?

Mr. Kaufman: Rodenberg. I am the secretary.

Mr. Baker: And who is the assistant secretary?

Mr. Kaufman: We have none.

Mr. Baker: Haven't you anyone connected with your board besides the three of you?

Mr. Kaufman: The chief clerk and assistant.

Mr. Baker: Who is the chief clerk?

Mr. Kaufman: Samuel Wiersch.

Mr. Baker: How much do you pay him?

Mr. Kaufman: Two thousand dollars a year.

Mr. Baker: Who is the assistant secretary?

Mr. Kaufman: J. D. Messick, Jr.

Mr. Baker: What do you pay him?

Mr. Kaufman: Twelve hundred dollars.

Mr. Baker: And who appointed the commissioners?

Mr. Kaufman: Judge Messick, the country judge.

Mr. Raker: What is the Judge's name?

Mr. Kaufman: J. B. Messick.

Mr. Raker: The Judge appointed you and Rodenberg and Flannery?

Mr. Kaufman: Yes sir.

Mr. Raker: Then you turn around and act as members of the board?

Mr. Kaufman: Yes sir.

Mr. Raker: Of course you voted for Messick for county judge?

Mr. Kaufman: I am a republican.

Mr. Raker: Well, that don't mean anything to me.

Mr. Kaufman: Well, certainly, I voted for him, yes.

Mr. Raker: Then you appointed Judge Messick's son?

Mr. Kaufman: Yes sir.

Mr. Raker: All three of you?

Mr. Kaufman: Yes sir.

Mr. Raker: Mr. Flannery is a Democrat?

Mr. Kaufman: Yes sir.

Mr. Raker: You understand that Mr. Flannery votes mostly for republicans?

Mr. Kaufman: I have understood the opposite. I have always understood that Flannery was a democrat. I have ^{never} questioned it, but that has been his political faith. I have known Flannery for a number of years, and it has been my opinion of Flannery that he is a democrat. How he votes, I don't know. I never asked

him.

Mr. Baker: He voted for the appointment ~~of~~ this clerk?

Mr. Kaufman: Yes sir.

Mr. Baker: It was a unanimous vote?

Mr. Kaufman: Yes sir.

Mr. Baker: And his duties are nil?

Mr. Kaufman: Yes sir.

Mr. Baker: Do the election board appoint the election officers for the rest of the county?

Mr. Kaufman: No sir; because the county is not under this law. It is not operative under this system.

Mr. Baker: You only act for the city of East St. Louis and nothing else outside of that?

Mr. Kaufman: Yes sir; that's all.

Mr. Baker: And what is your salary?

Mr. Kaufman: A thousand dollars a year.

Mr. Baker: Were you one of the election commissioners for 1916?

Mr. Kaufman: Yes sir.

Mr. Baker: And then again in 1917?

Mr. Kaufman: Yes sir.

Mr. Baker: When were you appointed?

Mr. Kaufman: I was appointed sometime in February, 1915, to fill out an unexpired term.

Mr. Baker: Well, the term is four years?

Mr. Kaufman: Three years.

Mr. Baker: Now for the November election in 1916 you had a registration then, did you not?

Mr. Kaufman: Oh yes. That was the presidential election.

Mr. Baker: Then did you have the time fixed, or when was the time fixed for the parties to register?

Mr. Kaufman: In October.

Mr. Baker: That is the time you appoint men to register? The day is fixed and men are appointed for registration, to act as officers?

Mr. Kaufman: You mean as judges and clerks?

Mr. Baker: Yes.

Mr. Kaufman: No, the judges and clerks are appointed at the first of the year.

Mr. Baker: The judges and clerks are appointed the first of the year. Then you have a set of judges and clerks appointed for the year 1916?

Mr. Kaufman: Yes sir.

Mr. Baker: Then you appoint a new set of clerks and judges for 1917?

Mr. Kaufman: Yes sir. We generally use the same ones.

Mr. Baker: Now which election did you speak of when you testified a while ago? of the 1916 election?

Mr. Kaufman: No---well, I did assist in appointing the judges and clerks of 1916 and ~~also~~ also of 1917.

Mr. Baker: Now when your did your testimony apply to in giving the record in regard to purging the polls?

Mr. Kaufman: 1916.

Mr. Baker: You haven't testified anything about purging

1917, and to purging the polls?

Mr. Kaufman: There were very few cases.

391-N Mr. Raker: Well, I want to know which year now your testimony applied to in regard to the suspects, whether it was for the election of 1916 or the election of 1917, if you know.

Mr. Kaufman: I haven't got that question thoroughly in my head yet to thoroughly understand it.

Mr. Raker: Well, the polls were purged and you tried to get rid of the suspects for the election of 1916?

Mr. Kaufman: Yes sir.

Mr. Raker: Now did that list of eight hundred apply to that year?

Mr. Kaufman: 1916, yes sir.

Mr. Raker: Then you haven't given us any testimony as to the attempt to purge the polls, to get rid of suspects, for the election of 1917?

Mr. Kaufman: No sir.

Mr. Raker: The municipal election?

Mr. Kaufman: No sir.

Mr. Raker: That clears that up.

Did Mr. Jerre Tane have anything to do with filing a list of suspects at any election since you have *been a* member of the election commissioners?

Mr. Kaufman: To my knowledge I have never met Mr. Tane in the election commissioners' office. They were brought down there by---I *testify* *to* them. When I

got there the morning they were left there, they were there filed for our action. As to who brought them down, I can't testify. I don't know.

Mr. Baker: Well then, you don't know anything about the fact of whether or not Terre Hine was interested in filing a list of suspects for either election, municipal election in 1917 or the general election, in ^{November,} 1916?

Mr. Kaufman: No sir; only by hearsay. I understand that Mr. Hine was interested.

Mr. Baker: At which election?

Mr. Kaufman: In the 1916 election.

Mr. Baker: And not in the 1917 election?

Mr. Kaufman: Will you please tell me what election you refer to in 1917?

Mr. Baker: You only had one, didn't you?

Mr. Kaufman: We had the presidential election.

Mr. Baker: What might that be in 1917.

Mr. Kaufman: In 1916.

Mr. Baker: You asked me what election I referred to in 1917, and I stated that you only had one election in 1917, and that was the municipal election here in East St. Louis.

Mr. Kaufman: Yes sir.

Mr. Baker: When you elected the mayor?

Mr. Kaufman: Well, he elected the mayor in 1916, and the next year, the next year, 1917.

Mr. Baker: Can you remember the two elections and get them distinctly in your mind, so that I may ask

you questions separately as to these two elections?

Mr. Kaufman: You mean the presidential election and the municipal election?

Mr. Baker: I mean the presidential election, or the election held in November, 1916; and the election held for Mayor in East St. Louis and other officers in 1917.

Mr. Kaufman: Yes sir.

Mr. Baker: Now you have gotten the two distinctly fixed in your mind:

Mr. Kaufman: Yes sir.

Mr. Baker: Now was there any list of suspects filed for the municipal election in 1917?

Mr. Cooper: For this year.

Mr. Kaufman: I understand. No sir; the list that I referred to was---

Mr. Baker: (interposing) I don't want you to get it complicated. You said there was no list filed for 1917?

Mr. Kaufman: No.

Mr. Baker: That ends that; but the list that you referred to in your testimony heretofore was for 1916?

Mr. Kaufman: Yes sir.

Mr. Baker: Now before a man gets on the register, this commissioner of the judges and clerks that you appoint, meets at a certain place at certain days, when the men register; go to those particular places and register. Is that right?

Mr. Kaufman: Yes sir.

Mr. Baker: And they are designated by publication and notice?

Mr. Kaufman: Yes sir.

Mr. Baker: When a man goes there to register, it is a public place?

Mr. Kaufman: Yes sir.

Mr. Baker: The business is done publicly?

Mr. Kaufman: Yes sir.

Mr. Baker: And the people are to talk above a that
whisper, so you can hear what is going on?

Mr. Kaufman: Yes sir.

Mr. Baker: Now, will the committee that this set of officers, the judges and the clerks, take the man's affidavit to register?

Mr. Kaufman: Take his affidavit?

Mr. Baker: Yes, when he comes to register.

Mr. Kaufman: He takes the oath that he will tell the truth.

Mr. Baker: Well, he takes an affidavit, and it is written out, isn't it?

Mr. Kaufman: No sir. May I explain the process? The man comes up before the judges and clerks for registration, and one of the judges administers the oath to him, that he will tell the truth, the whole truth, and then he is asked his age, his address, and how long he has lived in the precinct; how long he has lived in the ward; how long in the county; how long in the state; how long in the United States; how old he is;

Whether he is naturalized or not, and so forth. Then his name goes on the register. The next day after that it is the duty of the clerk of election to take this list that was registered that day and visit from house to house and satisfy themselves that this man that registered from that house absolutely lived there and has lived there the length of time that he said.

Mr. Baker: That is the clerk of this board, the election board?

Mr. Kaufman: Two clerks, one Democrat and one republican. After they do that, they take their lists to the judges and clerks, which meets on Saturday night following for the purpose of hearing these decisions of the clerks at that time. These clerks will have a certain number of names of one state. Mr. so and so registered from this place. He didn't live there--or, "we have found ^{for} the register that Mr. so and so registered from such a place a year ago. He is now dead." and so on. They may go at ten o'clock at night. But previous to that, when they go to this man's house and find out there is a possibility that he does not live there; is not a legal voter; they leave a suspect notice at his house. Then before this last day of ^{the evening} registration---or the last day, of the hearing---Saturday evening previous to that time, the clerks have brought in a duplicate of that suspect to the board of election commissioners, that is also mailed to this man, to this

address that he gives, telling him in this to appear before the registry and show cause why his name should not be erased from the books.

Mr. Baker: Now what I wanted to know was whether this man when he answered the questions that you have just told were propounded to him, whether or not you asked him any other questions before you placed his name on the register.

Mr. Kaufman: No sir.

Mr. Baker: I thought you said you did.

Mr. Kaufman: No sir.

Mr. Baker: That's all.

Mr. Foss: Just one question. You said that Judge Messick's son was assistant clerk?

Mr. Kaufman: Yes sir.

Mr. Foss: Did I understand you to say that he performed no services in connection with the work?

Mr. Kaufman: No sir I didn't say that.

Mr. Foss: Well, what does he do for the board?

Mr. Kaufman: He assists ^{us down there in the work.} ~~in the work.~~

Mr. Foss: Comes there every morning, does he?

Mr. Kaufman: No sir; he doesn't come every day.

Mr. Foss: But whenever there is work to be done, he assists, does he?

Mr. Kaufman: Yes sir. There are days that we don't have anything to do down there, and during the arranging of the books for another new election, or after the election, counting the votes, and arranging that; and

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the Illinois law has now been changed at the last session of the Illinois legislature, as you know. There used to be an intermediate registration throughout the state. That has now been changed. That has been abolished and there is no intermediate registration. That takes place at the office of the election commissioners. Any man that has moved since the last election comes down there, and we have quite a number that come down there and change their residences.

Mr. Foss: Who is the democratic member of the election board?

Mr. Kaufman: Patrick Flannery.

Mr. Foss: A highly respectable citizen here?

Mr. Kaufman: I think he is, yes sir.

Mr. Foss: He has lived here a good many years?

Mr. Kaufman: Yes sir.

Mr. Foss: Was he a member of the election board before, that you know of?

Mr. Kaufman: He was a member when I went in.

Mr. Foss: That's all.

Mr. Johnson: When does the election board have meetings.

Mr. Kaufman: They have a meeting to transact business and pass on bills, and so forth, once a month.

Mr. Johnson: How long does it take?

Mr. Kaufman: For that meeting, sometimes an hour; sometimes longer. We have other meetings there, and

we go down there at different times to work.

Mr. Baker: Was the United States district attorney ever excluded from the election board meetings?

Mr. Kaufman: The United States district attorney? May I explain that in my own way?

Mr. Baker: Isn't that question very plain and clear?

Mr. Kaufman: I could answer that yes or no, but you wouldn't understand it. If you will allow me to explain that, I can answer it, and then I will answer it yes or no, if you will allow me.

Mr. Baker: Go ahead.

Mr. Kaufman: At the time of this suspect, Mr. March came in to our office there, after we were seated ready for business, with a representation of democrats and republicans present and said in so many words that he was there for the purpose of looking after this thing and seeing that it was conducted in the right and proper manner. I said, 'Mr. March this investigation is not in the hands of the federal court; it is in the hands of the election commissioners with the presence of democrats and prominent republicans. We will conduct this investigation.' I didn't expel him from there; didn't tell him to go; didn't tell him to stay.

Mr. Baker: That's all.

Mr. Johnson: Is Mr. Rout in the room?

statement of Irwin Rout, Y. M. C. A.,

East St. Louis, Illinois.

The witness was sworn by Mr. Johnson.

Mr. Cooper: What is your name and residence?

Mr. Rout: Irwin Rout from East St. Louis, Illinois.

Mr. Cooper: How long have you lived here?

Mr. Rout: About two years and a half.

Mr. Cooper: What is your business?

Mr. Rout: I am the secretary of the industrial branch of the Y. M. C. A.

Mr. Cooper: And have been ever since you came here to live?

Mr. Rout: Yes sir.

Mr. Cooper: Where is that located?

Mr. Rout: Well, I have no building. My office is
894-X in the railroad department, but I work throughout the community.

Mr. Cooper: Were you here on the 23rd of July?

Mr. Rout: Yes sir.

Mr. Cooper: Did you see that riot?

Mr. Rout: I saw some of it.

Mr. Cooper: What did you see?

Mr. Rout: Well, I came in that morning from out in the country, and I saw the men gathering around. As I went down to the office I was about half a block away from the office and was talking to a shoe clerk when three colored men came by, and he just said there had a nigger been killed down at the corner, and told them to get protection if they wanted to go to the Relay Depot, and he started into the store, and just

then another colored man came by and I saw him, and I told him the same thing, and he started to go across the street, and a white man rushed up and struck him with a rock in the temple, and I didn't know the white man at all. The negro rushed into the store, and I went in there to see what I could do for him. His head was bleeding and he had severed this artery here in the temple, and I tried to show him how to stop that, and got blood all over my fingers, and thought I had better go and get a doctor. Then after I had gone out of there a little piece and found no doctor would come, so I went back in there, and by that time the negro had gone to the rear and the proprietor came out with a gun and told me to get out.

Mr. Cooper: *A revolver you mean?*

Mr. Rout: Yes sir.

Mr. Cooper: What did he say, and what did he do with the gun.

Mr. Rout: He just simply said---sort of waived the gun like this (illustrating), and says, "You get out of here." And I told him I would be very glad to do that.

Mr. Cooper: Who was that man?

Mr. Rout: His name is Scotty.

Mr. Cooper: What saloon does he run?

Mr. Rout: He is proprietor of that store, proprietor of the shoe store. So I went down to the building and I was busy most of the day in the building.

and I didn't ^{see} any of the rioting except as it occurred up and down before the building. Mr. Miller has told you about that.

In the evening after my experience in the morning I had heard that some of the people had tried to stop the mob, and I debated with myself whether I had better go out; and after I had heard that they had gotten one man down on his knees and made him beg their pardon, I decided I could do more good by going home, and I went home.

Mr. Cooper: You heard that they got a white man down on his knees and made him beg the pardon of the mob?

Mr. Rout: Yes sir. So I didn't see anything directly except this one thing.

Mr. Cooper: Do you know Commercial Hotel?

Mr. Rout: Yes sir.

Mr. Cooper: What has been its reputation here during the years that you have been here?

Mr. Rout: Bad.

Mr. Cooper: What is its reputation now?

Mr. Rout: It is bad.

Mr. Cooper: What is the character of the reputation? I mean in what respect is it bad?

Mr. Rout: Well, it harbors about that same gang that was in this European hotel that the railroad branch is in now, and the women that come and go in

there.

Mr. Cooper: Well, what was the gang? What do you mean by "gang?"

Mr. Rout: Well, they are the men that are seemingly the gamblers and men that are not working.

Mr. Cooper: Taug's?

Mr. Rout: Yes sir.

Mr. Cooper: Have you seen prostitutes go in there?

Mr. Rout: I have seen women go in there. I couldn't tell whether they were prostitutes or not.

Mr. Cooper: Night club boys?

Mr. Rout: Yes sir.

Mr. Cooper: Has it the reputation of being an assignation house of a vile kind?

Mr. Rout: Yes sir; that is my understanding.

Mr. Cooper: It has had that reputation ever since you have been here.

Mr. Rout: Yes sir.

Mr. Cooper: Are there many such hotels here?

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Mr. Rout: Well, I presume there are. I have heard the names of some others.

Mr. Cooper: That have that reputation?

Mr. Rout: Yes sir. You see I am not directly--- my work does not take me directly in to this class of places. I am dealing out in the communities more, so I don't know as much about these things as Mr. Miller would know, who has been directly in the midst of it.

Mr. Cooper: Did you see the police on the day of the riot, July 2nd?

Mr. Rout: No sir.

Mr. Cooper: You didn't see any policemen?

Mr. Rout: No sir; I was in the building most of the time.

Mr. Cooper: You didn't see any soldiers?

Mr. Rout: Yes sir; I saw some soldiers.

Mr. Cooper: Did you see soldiers trying to disperse the rioters or restrain them in any way?

Mr. Rout: No sir; I didn't see them.

Mr. Cooper: Did you see them standing idly by, or what?

Mr. Rout: As I say, I was in the building most of the time.

Mr. Cooper: You didn't see any soldiers at all?

Mr. Rout: Yes sir.

Mr. Cooper: Well, what were they doing?

Mr. Rout: Well, the soldiers I saw were just simply walking up and down, but I didn't tarry long, because as I say, I was in the building most of the time, helping in there.

Mr. Cooper: Helping ^{what} what?

Mr. Rout: Well, they had quite a rush of business in there, and I just made myself generally useful.

Mr. Cooper: Business of what kind with a lay of riot outside? What business were you doing in that

building with rioting going on outside?

Mr. Rout: The colored people were very much disturbed, and we had to take care of the house, and I will tell you frankly I was doing some sweeping and clearing up in there; taking the place of those people that were in the dark rooms in the back.

Mr. Cooper: What people were in the dark rooms in the back?

Mr. Rout: Colored people.

Mr. Cooper: Refugees?

Mr. Rout: Yes sir.

Mr. Cooper: How many did you have in there?

Mr. Rout: I think five or six.

Mr. Cooper: Any more during the day?

Mr. Rout: I think not.

Mr. Cooper: Did you see anybody injured, wounded or killed, other than you have described?

Mr. Rout: No sir; I did not.

Mr. Cooper: That is all.

Mr. Foss: Wasn't Mr. Beatty trying to protect the colored man when you went there?

Mr. Rout: Yes, I think he was.

Mr. Foss: And he mistook you for one of the rioters?

Mr. Rout: Yes sir. He came around next morning and apologized, and said, "Mr. Rout I was so excited that I didn't know what I was doing." I said I recognized that, and I glad he didn't pull the trigger (laughter).

Mr. Johnson: You may stand aside.

Statement of H. H. Hunsaker, 500A North
Fifth Street, East St. Louis, Illinois.

The witness was sworn by Mr. Raker.

Mr. Raker: State your name.

Mr. Hunsaker: H. H. Hunsaker.

Mr. Raker: And your residence.

Mr. Hunsaker: 500A, North Fifth Street.

Mr. Raker: Judge Cooper, go ahead.

Mr. Cooper: What is your business?

Mr. Hunsaker: I am a switchman right now, but have
been in the jewelry business the last five years up
until the last six weeks.

Mr. Cooper: How long have you lived here?

Mr. Hunsaker: Since 1910.

Mr. Cooper: How long were you a switchman?

Mr. Hunsaker: Six weeks.

Mr. Cooper: With what company?

Mr. Hunsaker: For the Higgins Ferry Company, or
Terminal Railroad Association.

Mr. Cooper: Do you know the Commercial Hotel in
this city?

Mr. Hunsaker: Yes sir.

Mr. Cooper: Did you ever have any experience there,
or near there?

Mr. Hunsaker: I have been there a number of times on
business occasions.

Mr. Cooper: Did you ever have any wrongful treatment
there?

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Mr. Hunsaker: Well, I couldn't say that I had any wrongful treatment there, no sir.

Mr. Cooper: Well, did you ever get held up and have to ~~see~~ ^{treat} a crowd here in this town?

Mr. Hunsaker: I wasn't held up, no, but I ~~seen~~ ^{treated} a couple of fellows.

Mr. Cooper: Just tell the circumstances.

Mr. Hunsaker: Well, that was about 1914, I believe. I don't know how to go at it and tell it without taking so much time. I caused the arrest of a fellow there by the name of Ed Payne.

Mr. Cooper: What for?

Mr. Hunsaker: For interfering with my making a collection.

Mr. Cooper: He was the chief of police's brother, wasn't he?

Mr. Hunsaker: I understand so, yes sir. I didn't know it at the time.

Mr. Cooper: How old a man was he?

Mr. Hunsaker: I presume about 53---somewhere around there---maybe 45.

Mr. Cooper: When you caused the arrest of the brother of the chief of police, what was it for?

Mr. Hunsaker: It was for interfering with a collection I was in the house to make the collection, and he asked me if I seen the door, and instructed me to leave the place or I would get thrown out.

Mr. Cooper: Who said that?

Mr. Hunsaker: This man Payne. And I left, and issued a warrant for John Doe, and later was approached, about three or four days later, on the street, that they would get me for that, by a fellow named White.

Mr. Cooper: Whereabouts on the street did he approach you?

Mr. Hunsaker: At the alley---just back of the Caska Building there, on Collinsville Avenue.

Mr. Cooper: What time of day or night, do you remember?

Mr. Hunsaker: No, I do not. It was after dinner, between the hours of ~~one~~ and six in the evening.

Mr. Cooper: What did he say and do? What was his attitude?

Mr. Hunsaker: He said, "if you say anything of what you seen"---not seen, but, "if you do anything with Payne---don't release that---we'll get you." That is about all he said.

Mr. Cooper: "We'll get you?"

Mr. Hunsaker: Yes sir. But that is only a number of instances that happened similar to that with other employees of the same company.

Mr. Cooper: Well now, just tell us what you have heard. What is the name of the company?

Mr. Hunsaker: At that time I was employed with the Zerneck Jewelry Company.

Mr. Cooper: Where was that located?

Mr. Hunsaker: On the third floor of the Murphy Building in this city.

Mr. Cooper: Did you ever see the Payne that you had arrested after that?

Mr. Hunsaker: Yes sir; I saw him after that.

Mr. Cooper: Where?

Mr. Hunsaker: In some saloon on Collinsville Avenue. I don't know just what saloon that was. I met him in there by accident.

Mr. Cooper: What did he say.

Mr. Hunsaker: He made the explanation of what his statement was, his being intoxicated, and I made an alibi to get out of it, because I knew that it meant. That is when the Valley was all corrupt. That is when it was in full force.

Mr. Cooper: What justice was the warrant sworn out before?

Mr. Hunsaker: I couldn't say. I don't remember now who was in power at that time.

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Mr. Cooper: Were you ever subpoenaed to appear at the trial after that man was arrested?

Mr. Hunsaker: No sir; that was released right away. I wouldn't appear against him.

Mr. Cooper: You wouldn't appear.

Mr. Hunsaker: No sir.

Mr. Cooper: You didn't care to appear against him?

Mr. Hunsaker: I was afraid to appear against him.

Mr. Cooper: This man had come up and told you if

you did appear against him/~~he~~^{they} would get you?

Mr. Hunsaker: Yes sir.

Mr. Cooper: What did you understand by the expression he would "get you"?

Mr. Hunsaker: Well, I knew these fellows---knew all of them.

Mr. Cooper: What did you understand he meant when he said they would "get you"?

Mr. Hunsaker: It might have meant death. I don't know. Several of them had met it.

Mr. Cooper: Had met death?

Mr. Hunsaker: Yes sir. I was very much familiarized with the whole bunch of them.

Mr. Cooper: Well, White and Payne, and who else?

Mr. Hunsaker: I don't know them by name. I know them by face only---Ashlock. He is dead now.

Mr. Cooper: Just a set of young ruffians?

Mr. Hunsaker: Yes sir.

Mr. Cooper: Much one of them who ought to have been in the penitentiary, in your judgment?

Mr. Hunsaker: Yes, long ago.

Mr. Cooper: Allowed to roam around here and do as they pleased practically?

Mr. Hunsaker: They did.

Mr. Cooper: And you, a law abiding citizen, trying to collect an honest debt, weren't you?

Mr. Hunsaker: I did. I wasn't there to collect.

We had a man to do that, but I had to go wherever he got run out.

Mr. Cooper: There is that young Fryne now, do you know?

Mr. Munsaker: I understand he is dead.

Mr. Cooper: You say that others have met with death. What do you mean?

Mr. Munsaker: Well, there have been several deaths occurred down there, from what I think would be the same purpose, for saying something they had no business saying. I know several deaths happened there.

Mr. Cooper: Did you know who they were?

Mr. Munsaker: Oh, I wouldn't know only one, Childers, was killed down there in a place called the Monkey Cage.

Mr. Cooper: Who was he?

Mr. Munsaker: I don't know who he was.

Mr. Cooper: A law abiding citizen?

Mr. Munsaker: I think so. He was a railroad man.

Mr. Cooper: Do you know whether anybody was ever arrested or punished for his killing?

Mr. Munsaker: It is impossible to make an arrest.

Mr. Cooper: Why was it impossible to make an arrest?

Mr. Munsaker: ~~Sixty~~ Because a man that would report anything to the police would be arrested for reporting it.

Mr. Cooper: You think many other cases then have been dropped because the prosecuting witness was intimidated as you were intimidated?

Mr. Hunsaker: Yes sir.

Mr. Cooper: Afraid you would be killed if you went on?

Mr. Hunsaker: Yes sir.

Mr. Cooper: That's all.

Mr. Raker: You may be excused. Will you take the stand, Mr. Verlie?

Statement of M. J. Verlie, Murphy Building,

East St. Louis, Illinois.

The witness was sworn by Mr. Raker.

Mr. Raker: What is your name?

Mr. Verlie: M. J. Verlie.

Mr. Raker: About what is your age, Mr. Verlie?

Mr. Verlie: Twenty-six.

Mr. Raker: What is your business or profession?

Mr. Verlie: Lawyer.

Mr. Raker: You live here in East St. Louis?

Mr. Verlie: No, I don't live in the city, I live just on the outskirts of the city, just east of the city in this county.

Mr. Raker: You are familiar with the conditions here?

Mr. Verlie: Yes, in a general way, for the past four years.

Mr. Raker: Do you know what is known as the Levee Board?

Mr. Verlie: Yes.

Mr. Raker: That is the legal name of that district?

Mr. Verlie: The East Side Levee and Drainage District.

Mr. Raker: And that includes East St. Louis and some

territory out of the city?

Mr. Verlie: It includes territory extending north of East St. Louis into Madison County, and also territory east of East St. Louis that is not within the jurisdiction of the city; and some territory south in this county which is not within the city.

Mr. Baker: What was that district formed for?

Mr. Verlie: It was formed primarily, I suppose, for protection against high water from the Mississippi River, for the purpose of making a levee, and in that way protecting this territory from possible floods; and I suppose there was a secondary reason, namely, for drainage and sanitary purposes.

Mr. Baker: Were you acquainted--have you been acquainted during the last four years with the various members of the **Lower Board**?

Mr. Verlie: No, I haven't.

Mr. Baker: Do you know who they were.

Mr. Verlie: Yes, I know most of them who were members during the last four years.

Mr. Baker: Do you know who are members at the present time.

Mr. Verlie: Yes, I know most of them. I don't know if I could name them all, but I could name some of them.

Mr. Baker: I will ask you to state whether or not you have made any investigation of the records of the **Lower Board**.

Mr. Jerlie: Sometime prior to the primary election in 1916, which was in September, there was a great deal of comment in this city concerning the election for Levee Board members. It seems that this Levee Board position had been regarded as a very good one politically, and there was a decided fight on between the republicans and the democrats for the positions.

Shortly after the primary Mr. Maschle, was one of the republican candidates for the Levee Board, and some other gentlemen---I have forgotten who it was, but I think it was Mr. Tom Powell, also a republican candidate, that came to my office in the Murphy Building and asked me if I wouldn't accompany them on certain evenings to address small political gatherings in their favor; and I told them that I had no objections to going along with them. I had known both of them for a number of years. They then asked me if I wouldn't comment specifically on some five or six points which might be termed indictments against the present Levee Board. I may also say that the Democratic candidates were all, ^{practically} men who were seeking reelection. I told them in answer to that, that if they could produce satisfactory verification, so that I could say positively that I was speaking the truth, I would have no objection to commenting on those features. They then produced certain proofs of some ^{five or six} ~~points~~ points that they wished brought home to the voters. The proofs were satisfactory and I did make some four or five talks to some very small

political gatherings prior to the election. One of them was made in Granite City; one at Cahokia; possibly three in this city, relating to some five or six features in the indictments or points against the present Democratic Levee Board.

Mr. Asher: And now did you make an examination to ascertain whether or not those indictments were true?

Mr. Zerlie: Yes, the points that I made were verified either by maps or plats whenever it related to the ownership of property, or by the actual proceedings of the board itself, when it dealt with expenditures of money or some other feature covered by their proceedings.

Mr. Asher: How can you remember---was Mr. Carlton a candidate?

Mr. Zerlie: Carlton was then president of the Levee Board and was a Democratic candidate for reelection.

Mr. Asher: Do you know Mr. Sullivan, D. J. Sullivan? Had he any connection with the Levee Board at that time?

Mr. Zerlie: I think not.

Mr. Asher: Mayor Hollman, was he ever a member of the board?

Mr. Zerlie: I think the Mayor was a member at that time, but was not seeking reelection. I am not sure of that, however. He was a member of the board, however, at some time.

Mr. Asher: Now will ^{you} proceed in your way and tell

us what those five indictments were that you found after investigation to be true, from facts as well as ~~the~~ *from* investigation of the records?

Mr. Verlie: Now I don't know---

Mr. Cooper: (Interposing) One moment. Technically speaking, they weren't indictments by a grand jury.

Mr. Verlie: Oh no. I am simply using that term as meaning something against them.

Mr. Cooper: I want that to show in the record.

Mr. Verlie: Yes, they were accusations. I don't know that I can give you any very definite information about that. That has been some fourteen months ago. I had no specific interest in the matter at that time, and I was only interested in retaining the information long enough to make these few talks to these political gatherings; but I will tell you the things as I remember them.

One of the things that I had in mind was the ownership of certain property in Madison County, in the northern end of the East Side Levee and Sanitary District. That property up there is low, and some of it has been covered by a lake known as Horseshoe Lake. The maps and plats of that territory showed that the most of that property---all that surrounding Horseshoe Lake, and in fact the greater portion of it, was actually covered by the waters of Horseshoe Lake and had been purchased by either Mr. Carlton or Mr. Caravan, or men who were very closely associated

politically or otherwise with them. For instance, I think, Mr. Sullivan owns a lot of land up there, and Earlton owns some. The Illinois State Trust Company, I think owns some, and I think Joseph Inkef owns some land.

The point that I made in talking to these small political gatherings was in the form of a question.

Mr. Cooper: Was that Illinois State Trust Company a bank---was that a bank that was supposed to be back of Earlton and the rest of them financially?

Mr. Verlie: I couldn't say that that bank was back of them financially.

Mr. Cooper: No, but you couldn't say that, but that is rumored, isn't it?

Mr. Verlie: That was generally rumored. I don't believe a city bank in this State has the right or power to hold real estate, other than for its immediate needs. I think the title to this property held by that institution was taken in the name of the Illinois State Trust Company, or the Illinois Trust Company. But any way, the bank in one form or other held title to a good deal of that property.

Mr. Raker: Mr. Sullivan is the present city attorney, isn't he?

Mr. Verlie: D. J. Sullivan at that time was corporation counsel of the city, under Hollman's administration, and Hollman having previously been

a member of the board.

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The point I wished to make to the voters in that connection was this: Having bought this land for, I suppose, a rather small figure, the board was then planning the drainage of this Lake and also making other canals and other things up there for the purpose of improving all this land that they had bought. I simply asked a question which would make it *incumbent* upon the democratic candidate to answer or stand convicted. That was the only purpose I had in presenting that.

Mr. Cooper: What was your question that you asked?

Mr. Verlie: The question I asked was why they were making all these drains up there, especially after they had just purchased this property, they and the friends of the *Waver* Board---that is, men who were associated with them.

Mr. Cooper: Well, the real question to ask would have been, wouldn't it, why did they buy that just before, unless they intended to do it at the public's expense?

Mr. Verlie: I intended to convey just that thing. Possibly I did ask the question in that form.

Mr. Baker: The land before being drained was practically worthless?

Mr. Verlie: Practically worthless, yes sir.

Mr. Baker: And the land after being drained was very valuable land?

Mr. Verlie: I wouldn't say it was very valuable. It would have been a great deal more valuable than it was prior to its drainage.

Mr. Cooper: And it didn't cost them anything to drain it?

Mr. Verlie: No; the Levee Board would have borne the expense of draining it.

Mr. Cooper: Out of public funds?

Mr. Verlie: Out of public funds, yes sir.

Another point that I spoke of at these gatherings was some land that was condemned down here in the southern portion of the District. I think that was the last part of the levee, the embankment that they were constructing, and I think it ran from the Mississippi River down here quite a distance up to the bluff, the purpose being to sort of block in this territory in here in a levee, to keep the waters of the Mississippi from getting to it in case of flood.

It appeared from the records that just a little while before the announcement was made by the Levee Board that it was contemplating the condemnation of a strip of territory running east and west for the right of way for this last levee project, that shortly before they announced this, Dr. McCracken, who is the health commissioner of East St. Louis at that time, under the Hollman administration---and also a very

close friend of the organization that was then in control of the Levee Board---had gone down there and purchased some twenty-five or thirty acres of land from some old lady down there at some figure something like five thousand dollars, I think. Immediately after he bought it, the Levee Board filed its petition---I think it was in county court---^{for}the condemnation of this property, and later effected a settlement with Dr. McCracken whereby they allowed him and his wife, who also owns some property down there--- the Levee Board effected a settlement with Dr. McCracken and his wife whereby they allowed them a certain amount of money for the land actually taken, and a certain amount of money for "damages" to land not taken. The point that I wanted to make in that connection was that the amount allowed to Dr. McCracken and his wife for land exceeded by a great deal the amount allowed to any other person whose land was taken; and further that the amounts allowed to Dr. McCracken and his wife for damages to his land not taken exceeded the allowance made to others for lands actually taken.

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Mr. Baker: Well, the amounts that they allowed to others for land taken was about \$300 an acre.

Mr. Verlie: I believe that was about it.

Mr. Baker: And the land to McCracken and his wife was about \$300 an acre.

Mr. Verlie: I think that is about right.

Mr. Baker: And then the other parties whose lands were taken were awarded no benefits for the land not taken, but to McCracken they allowed them in addition a benefit, so that they would get an extra amount.

Mr. Forlie: Yes sir. In fact, I remember this, that the amount allowed Dr. McCracken and his wife as damages to lands not taken exceeded the amount that was allowed to other persons for the land that was actually taken. That was one of the other points that I had made.

Mr. Baker: Well, that amounted now to---from the amount that Dr. McCracken paid for the land to the widow, the old lady, and that he got for the damages to the ~~land not taken~~ ^{land taken and the ~~written~~} that ran up to something in the neighborhood of \$40,000, didn't it?

Mr. Forlie: I don't think it was that much. As I remember it, it netted Dr. McCracken a profit of somewhere between \$15,000 and \$16,000. But I am not sure about those figures. It ^{is} some time since I have been into that.

Mr. Baker: And the amount to his wife as well?

Mr. Forlie: Yes, she of course was allowed some money. Her property, however, as I understand it, was owned by her long before the project was contemplated.

Mr. Baker: Now after the kind and character of land that was taken of Dr. McCracken and his wife, and that of the others, was it, as you understood,

approximately, of the same general character?

Mr. Verlie: Yes, I don't think there should be much question about that. In fact, some of the lands adjoined one another. There couldn't have been any great difference.

Mr. Baker: In the first case they got condemnation; they got the judgments, and then when they got to McCracken---they held McCracken's case down to the last one and then by agreement they went in and stipulated to these judgments as to the amount?

Mr. Verlie: I couldn't say as to that. I know there was a petition filed, and I know that something developed, and then I think there was a settlement. But just what those proceedings were prior to the settlement here, I don't remember. I had them in mind at the time.

One of the other points that I mentioned in my little list---were the overhead expenses of the drainage district.

Mr. Cooper: And these points made by you were made upon an inspection of their own records.

Mr. Verlie: No. Now the first two were not. They were based on records that were obtained---plots, showing the owners of land, and so forth.

Mr. Cooper: Public records.

Mr. Verlie: Public records. There could be no questions as to the points I made, as to the proof of

then.

Mr. Cooper: And your own inspection?

Mr. Verlie: No, I wouldn't have made any statement that I couldn't verify.

Mr. Boss: How long a time elapsed between the time that Dr. McCracken purchased this property, and the settlement with the Levee Board?

Mr. Verlie: I couldn't say definitely. I don't think possibly three months---maybe not that much, and possibly a little more. But it was comparatively a short time.

Mr. Baker: And the time between Dr. McCracken's purchase of the old lady and the time the board determined to take the land was but a short while after the latter had secured the purchase of the land?

Mr. Verlie: Right or ten days, I think.

Mr. Baker: Now go on with the other statement.

Mr. Verlie: One of them was in connection with the overhead expense of the Levee Board. An inspection of their records, proceedings---I think they put them out in little bound volumes---showed that in one year they had spent a great deal more money in paying clerks and draftsmen and chain carriers, and so forth---engineers---they had paid out a great deal more money for that than they had for the actual construction work. That is, they had paid more money out for overhead expense than in the construction of any levee, or anything that they were supposed to construct

---the express purpose of the organization of the district. I couldn't give you any of those figures, however. I don't remember them. I have a vague recollection that this overhead expense---that in this year they probably spent two dollars for salaries to employees to one dollar for actual construction work.

Mr. Baker: Now what is the next one? Is there anything about a contract they let? Do you remember anything about that? ^{They} Let a contract for a piece of work, and they only let one-fourth of it, and then rejected the two lowest bids so that their friends could get the bids, and then after they got that, they let him have the contract for all the rest of the remaining three-fourths of the ~~piece~~---of the canal?

Mr. Verlie: Yes, I remember there was something of that kind. I don't remember those details. I don't think I could give you any information on that.

Mr. Baker: But you did look it up at that time?

Mr. Verlie: Yes, and I did comment on that point. I have forgotten just how that came about, and I could make no definite statement on that.

Mr. Baker: Supposing I would read a little to you, and see if that was a fact. You understood that Terlion was a partner, Conaway and Terlion?

Mr. Verlie: Yes, I understood that.

Mr. Baker: All right, finish those five points, as near as you can. This was one of them.

Mr. Verlie: Another point that I commented on was the fact that just before the election the Levee Board were hiring a great many of men and putting them on their payrolls. The construction of the flood gates down here just below the viaduct had been delayed for *some* time, and just before the election a great rush of business was seen, and they began replacing that. They also had a gang of men to clean up a certain drainage ditch east of the city, which drainage district had been taken over by the sanitary district just a short time before, and they were hiring a great number of men to clean that out; and of course I charged them ~~for~~ ^{with} doing that for political effect. I don't know that I remember---

Mr. Raker: (Interposing) Was there anything about the Terminal Company?

Mr. Verlie: No, I made no specific investigation of that.

Mr. Raker: You made no investigation as to the payment of \$500,000 for right of way for a levee?

Mr. Verlie: As I remember that, their records show that this \$500,000 was spent by an administration of the Levee Board prior to the then present administration, as I understand it, and to the best of my recollection Mr. Farlton objected to the payment of \$500,000 to the Higgins Perry Company or the Terminal Association. I think their records show that, but I wouldn't be positive of it. Any way I made no specific investi-

gation concerning that.

Mr. Baker: Is that about the charges as you understand them?

Mr. Verlie: Yes sir.

Mr. Cooper: Now I want to get these two points in consecutive order. Mr. Tarlton bought something over a hundred acres of land, and Mr. Sullivan, corporation counsel, bought over eight hundred acres of land up here at what you call Horseshoe Lake, near Horseshoe Lake?

Mr. Verlie: I don't know the amounts that they bought.

Mr. Cooper: But they bought very considerable quantities of land up there you said; and shortly after that, the board, the Levee Board---of which Mr. Tarlton was a member---passed an order providing for the drainage of that lake, and of course the drainage of their land.

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Mr. Verlie: Yes sir.

Mr. Cooper: Which would greatly increase the value of their land.

Mr. Verlie: Undoubtedly.

Mr. Cooper: Dr. McCracken was an intimate personal and political friend of Tarlton and the other members of the levee board?

Mr. Verlie: Yes sir.

Mr. Cooper: And eight or ten days---then Dr.

McCracken bought some land down here in what neighborhood do you call that?

Mr. Verlie: It is in the southern part of this district.

Mr. Cooper: Down near the river?

Mr. Verlie: I don't know that it is very near the river. I have forgotten about that, but it is down at this **southern** end of this sanitary district.

Mr. Cooper: Down at this **southern** of this sanitary district, and eight or ten days after Dr. McCracken, a close personal and political friend of Mr. Tarlton and members of that **Tevce Board**, made this purchase, the board condemned the land, did they?

Mr. Verlie: Filed their petition in the county court for the condemnation of it.

Mr. Cooper: The condemnation of that with other land belonging to other people?

Mr. Verlie: Yes sir.

Mr. Cooper: The other people received a certain amount per acre as the result of the finding of a jury?

Mr. Verlie: I don't remember about that. I believe that is correct, however.

Mr. Cooper: So perhaps by the court, but Dr. McCracken's award exceeded very considerably in amount the amount which these other people received for their land?

Mr. Verlie: Yes, there was no question about that.

Mr. Cooper: There wasn't any--well any real differ-

ence in the value of the lands, because they adjoined, did they not, some of them?

Mr. Verlie: Yes, they all adjoined. One adjoined the other.

Mr. Cooper: They ran right along together?

Mr. Verlie: They ran right along together.

Mr. Cooper: Now the fair inference from that purchase of Dr. McCracken's is that he and his personal and political friends on that board had some arrangement by which he knew when to buy that land, wouldn't it?

Mr. Verlie: I don't ^{think} there is any question but what he was tipped off.

Mr. Cooper: He was tipped off in advance, and then when the condemnation proceedings were instituted, they were so arranged, and settlement was so effected that he received very much more than any other property owner for the taking of land, substantially equal in value?

Mr. Verlie: I think that is right, yes sir.

Mr. Cooper: Now that is working a municipality for private profit, isn't it?

Mr. Verlie: That was my contention.

Mr. Cooper: That is treating public office as a private snare.

Mr. Verlie: As a means of making money.

Mr. Cooper: And the taxpayer foots the bills?

Mr. Verlie: They did in this case.

Mr. Cooper: The men that work for a living, owning a little property, can't escape paying taxes. They

have to foot the bills for jobs of that kind, don't they.

Mr. Verlie: That is right.

Mr. Cooper: So every taxpayer in this community is directly interested in breaking up any such thing as that, isn't he?

Mr. Verlie: Yes sir.

Mr. Cooper: If he hasn't a conscience he has a pocketbook, and that ought---the interests of his family and his pocketbook and everything else personal to him that demands his vote at least go to the wiping out of machines of that kind, that do that corrupt sort of business.

Mr. Verlie: I think so.

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Mr. Baker: Let me just give you this recitation---

Mr. Foster: (Interposing) May I ask what you are reading ^{from} Judge?

Mr. Baker: I am not reading at all, yet.

Mr. Foster: Well, you are going to.

Mr. Baker: I am going to make a statement to the witness and ask him if the statement made is true. If there is any objection I don't want to take the time.

Mr. Foster: No, I just wondered what you were going to read from.

Mr. Baker: It is a document---I don't know what it is. It is headed: "Parlton's land deals," and refers to the records of the proceedings of the board. For instance, here is: "The proceedings page 761, dated

December 30, 1912." In addition to the purchase of this land for the digging of the canal, I wanted to ask if you made an investigation to see whether or not Mr. Tarlton and the rest of the members of the board spent a large sum of money to clean out the creek that flowed through their land from Horseshoe Lake?

Mr. Verlie: I have no recollection of that.

Mr. Baker: You don't remember that condition, whether it was so or not?

Mr. Verlie: No.

Mr. Baker: Then another sum was spent, amounting to something over eight thousand dollars, and that proved to be a failure, and then following that came the question of the building of the drainage canal?

Mr. Verlie: My recollection fails me there. I don't remember that.

Mr. Foster: You were making campaign speeches for your party?

Mr. Verlie: Well, I had never dabbled in politics.

Mr. Foster: Weren't you really, Mr. Verlie, ~~was~~ making campaign speeches from which you expected votes?

Mr. Verlie: Yes, I was a republican and I was talking for these republican candidates for the **T**eeve Board.

Mr. Foster: You are holding a position now in the state?

Mr. Verlie: Yes sir I do.

Mr. Foster: Under the present administration?

Mr. Verlie: Yes sir.

Mr. Foster: In your campaign speeches you didn't tell the audience that under a former administration of the board, which was with your party, for which you were speaking---and I have no objection to that---that under that administration of the levee board, of which Mr. Earlton was a member and opposed the deal of \$500,000--- you didn't tell the voters that that board was also in harmony with your party?

Mr. Verlie: I remember that I expressly stated that it was a republican board that had made this deal with the Higgins Ferry Company, and expressly pledged the five republican candidates not to pull off any similar deals.

Mr. Foster: So you did tell them that Mr. Earlton opposed that?

Mr. Verlie: I certainly did, as I remember it.

Mr. Foster: And that that board was of the same kind, but that you were now pledging these men to the people to whom you were talking, that they wouldn't do this thing?

Mr. Verlie: That is it exactly.

Mr. Foster: But you were engaging in campaign speaking for your party. That was it, wasn't it?

Mr. Verlie: I don't like to say it was campaign speaking for my party, because I was merely talking

for these Levee Board men, as I said, and nothing as to other issues.

Mr. Foster: But that was a campaign speech?

Mr. Verlie: Oh yes, it was. No doubt about that.

Mr. Foster: That's all.

Mr. Cooper: You said nothing, you say, about any other candidates?

Mr. Verlie: I said nothing about anything else.

Mr. Cooper: Well, there is nothing of national politics or state politics is there in trying to get honest men on to this Levee Board?

Mr. Verlie: I thought that I was decidedly justified in pointing out the misappropriation of money that had been by the then Levee Board.

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Mr. Cooper: And there wasn't anything of politics about it was there, anything of that kind?

Mr. Verlie: No, and I was not trying to justify the former board.

Mr. Cooper: Municipal government means simply the collecting of taxes from tax payers, and the honest use of that money thus collected.

Mr. Verlie: For the benefit of the people.

Mr. Cooper: For the benefit of the people. It has nothing to do with the tariff.

Mr. Verlie: Not that I can see.

Mr. Cooper: It had nothing to do with our foreign relations.

Mr. Verlie: Nothing that I can see.

Mr. Cooper: It had nothing to do with the great national issues that are constantly confronting the people.

Mr. Verlie: Not that I can see.

Mr. Cooper: They relate simply to the honest collection of taxes; honest assessments of taxes, and honest and fearless enforcement of law and order.

Mr. Foster: Were there other speakers with you at that time.

Mr. Verlie: Yes sir.

Mr. Foster: The others talked nationally, and you talked this matter?

Mr. Verlie: Yes sir.

Mr. Foster: That was your part to talk?

Mr. Verlie: That was my part.

Mr. Foster: You were to campaign on the Javes Board, and the others were to campaign for the other part of the ticket? That was it, wasn't it?

Mr. Verlie: Yes, at these gatherings there were several speakers.

Mr. Foster: So you just divided up the subjects and they asked you to talk on this, and the others talked on national questions. You advised all your voters to vote the ticket?

Mr. Cooper: Well, the Doctor seems determined to lug in politics here, the first time it has been attempted since we have begun, and I don't propose to let that go in just that way (laughter). An attempt

to make political capital out of this cannot excuse the conduct of that levee board; and Dr. McCracken can't be justified by saying that you were making political speeches when you never referred in your speech to a single political issue. Isn't that so?

Mr. Verlie: That is right.

Mr. Cooper: And if the republicans or democrats that dishonestly use the public funds, a man does a wrong, doesn't he, that tries to make it a political affair?

Mr. Verlie: I think so.

Mr. Cooper: It isn't politics at all, is it?

Mr. Verlie: Not in my view.

Mr. Cooper: It concerns every tax payer, whether democrat or republican, does it?

Mr. Verlie: It does, yes.

Mr. Raker: Well, if those members of the old board were democrats, and those who were running with them, associated with them for the same kind of work, claiming to be democrats, you were able to show that they had spent the public's money wastefully, and wasted it, and squandered it; that the levee board and all the people were being robbed, and democrat or no democrat he ought to be defeated, oughtn't he?

Mr. Verlie: Yes sir.

Mr. Raker: The money ought to be recovered from him in addition. Isn't that right?

Mr. Verlie: Yes sir.

Mr. Baker: And he ought to be sent to state prison.

Mr. Verlie: I think so.

Mr. Baker: Why a democrat that would do those things ought to go. Isn't that right?

Mr. Verlie: Yes sir.

Mr. Baker: And the republican the same way.

Mr. Verlie: I don't think there is a bit of difference.

Mr. Baker: And further, this was a local matter, for the benefit of all the citizens of East St. Louis and in this district.

Mr. Verlie: Yes sir.

Mr. Baker: To make better health conditions, better living conditions. Isn't that right?

Mr. Verlie: Yes sir.

Mr. Baker: Instead of that, these men holding this public trust were robbing these women and children of their right to have proper health conditions surrounding them, to further their own corrupt interests. Isn't that right?

Mr. Verlie: I looked at it that way, and it seemed to me they were doing just that.

Mr. Baker: And to be sure that you would make no mistake, you made an examination of the public records, of the records of the board, to find out that these wrongs, and this fraud had been committed on the public.

Mr. Verlie: I did.

Mr. Rober: Although the public didn't know it.

Mr. Verlie: I did.

Mr. Foster: I want to say this, that I am just as heartily in favor of saving the money of the people as I know my good friend Mr. Cooper is. I have served with him in Congress for ten years and I often times vote with him, and he knows, though of different political faith, and I am just as much more condemning wrongdoing in a democrat as I would be in any other party.

Mr. Verlie: I think that is true.

Mr. Foster: And I think that is right.

Mr. Verlie: I think so.

Mr. Foster: If a democrat steals, he ought to know better (laughter).

Mr. Cooper: You think a republican can help it? (Laughter).

Mr. Foster: Well, I wouldn't say that.

Mr. Cooper: I thought I would say it before you did (laughter).

Mr. Foster: But the only thing I was getting at was this: Mr. Verlie was making campaign speeches. That ~~xii~~ was all I was trying to show.

Mr. Verlie: To a certain extent that is true.

Mr. Foster: That he was a good faithful republican.

Mr. Verlie: No, I wouldn't say that.

Mr. Foster: I mean you would vote for good men whom you considered good.

Mr. Verlie: I did vote for some republicans, and I voted for some democrats.

Mr. Foster: Well, I think you are partly right (laughter).

Mr. Verlie: In cases that I have no doubt about.

Mr. Foster: Well, I think that ought to be with every honest man, whoever he is, that he would be willing to turn down his own party when he found that he was wrong and with a bad man, ^{rather than to} ~~he would~~ hold his nose and follow that man on his own ticket. I think that is right. The only thing I was showing was that Mr. Verlie, a very elegant gentleman as I know him to be, a very fine man, was making campaign speeches.

Mr. Baker: That is all, Mr. Verlie. Thank you.

Mr. Cooper: Is Mr. Thomas here, the mayor of Brooklyn?

Statement of A. H. Thomas (Witness),

Brooklyn, Illinois.

The witness was sworn by Mr. Baker.

Mr. Baker: State your name.

Mr. Thomas: A. H. Thomas.

Mr. Baker: What is your residence?

Mr. Thomas: Brooklyn, Lovejoy postoffice, Illinois.

Mr. Baker: And what is your business or profession?

Mr. Thomas: I am a watchman and assistant time-keeper for the Terminal Railroad Association..

Mr. Baker: What official clerical position do you hold, or occupy?

Mr. Thomas: I am a member of the board---president of the board of trustees, or mayor, in other words.

Mr. Baker: Mayor of what city?

Mr. Thomas: Brooklyn.

Mr. Baker: Mr. Cooper, the witness says he is mayor of the city of Brooklyn. Will you proceed with him?

Mr. Cooper: How long have you been mayor of the city of Brooklyn?

Mr. Thomas: I was elected in 1915.

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Mr. Cooper: What is the population of that city?

Mr. Thomas: Well, I guess about 2900 or 3000.

Mr. Cooper: About what proportion of them are colored and what proportion white?

Mr. Thomas: About forty or fifty whites there.

Mr. Cooper: You had some saloons out there?

Mr. Thomas: Yes sir; we have got nine there now--- seven now. There is two closed up.

Mr. Cooper: When were the two closed.

Mr. Thomas: I closed one after last Sunday a week ago, when that fellow got shot in there.

Mr. Cooper: A man got shot out there?

Mr. Thomas: Yes sir.

Mr. Cooper: On Sunday?

Mr. Thomas: Yes sir.

Mr. Cooper: In a saloon?

Mr. Thomas: Yes sir.

Mr. Cooper: Is the saloon open?

Mr. Thomas: Well, from investigation it shows that ~~the~~ bartender went down to clean up---the saloons close there Saturday night at 12:00 o'clock, and this bartender went down to clean up for early opening up Monday morning, and he left three fellows in there, and while they were in there, from what I can learn they were in there five or ten minutes, a fight occurring and a fellow got shot. When I come in from work I ordered the chief to arrest the fellow that operating the saloon, and I ordered his place closed Monday morning.

Mr. Cooper: It has been closed since?

Mr. Thomas: Yes sir.

Mr. Cooper: What will they do with the man that got shot?

Mr. Thomas: His case is pending before Judge Birden. The man that got shot is in the hospital.

Mr. Cooper: Who shot him?

Mr. Thomas: Earl ~~C~~ston.

Mr. Cooper: Is the man colored or white that got shot?

Mr. Thomas: They are both colored.

Mr. Cooper: What will you close the other saloon up for?

Mr. Thomas: That other saloon.

Mr. Cooper: I thought you said you closed two?

Mr. Thomas: No, I only closed one. I guess Mr. Birden closed the other one.

Mr. Cooper: The attorney general of the state?

Mr. Thomas: Yes sir:

Mr. Cooper: When was that closed?

Mr. Thomas: I think the day before yesterday. I am not positive.

Mr. Cooper: Why was it that the attorney general of this state closed that up? Why didn't the local authorities close it up? Why didn't you close it up?

Mr. Thomas: I didn't have any cause to close it.

Mr. Cooper: What did the Attorney general close it up for?

Mr. Thomas: He closed it from the affidavits of two men that are running a gambling house.

Mr. Cooper: Who were they?

Mr. Thomas: Tobe Crinlin and John Davis.

Mr. Cooper: What did Crinlin and Davis say in their affidavits?

Mr. Thomas: Well now, I didn't see the affidavits. I seen the injunction. They claimed that the saloon is operated by Green, and also served an injunction on this place, Will Hughes, the place that I had closed---and they served it on Ed Arden---well, it is not Ed Green's. They claimed that it consisted of a saloon and gambling house.

Mr. Cooper: Is there been gambling going on there a good deal?

Mr. Thomas: I expect there is some---not any to my knowledge.

Mr. Cooper: Well, a sergeant of police said here the other day that he received orders not to interfere with any of those gambling games, and that he got it from his superior---the order.

413-2 Mr. Thomas: That sergeant of police told you something that wasn't so. That sergeant of police had orders to stay out of these saloons because he is a great drinker. The greatest trouble that I had with that Sergeant of police was complaints that every strange woman that came into town he wanted to make a date with her (laughter).

Mr. Cooper: All of them?

Mr. Thomas: I don't say all of them, but I say the greater portion of them.

Mr. Cooper: Are there a good many *come up* there---a good many women?

Mr. Thomas: Oh, there are a good many women in Brooklyn; I guess fifteen women to every man out there.

Mr. Cooper: Well, have you some bad dance halls there, you'd have had?

Mr. Thomas: No, not since Mr. Schaunleffel closed them. They had cabarets there, but Mr. Schaunleffel closed them before Mr. Brundage ordered the saloons closed on Sunday.

Mr. Cooper: What if Schaunleffel closed?

Mr. Thomas: Mr. Schaunleffel ordered the cabarets closed, and the saloons closed every night at 12:00 o'clock, and not opened until five the next morning.

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Mr. Cooper: Had that order been obeyed?

Mr. Thomas: Yes sir.

Mr. Cooper: Since when?

Mr. Thomas: I think that was the latter part of May. I am not positive---yes, it was the latter part of May. Sometime in May.

Mr. Cooper: And there has been no dancing after 11:00 o'clock at night in any of those places?

Mr. Thomas: Since then?

Mr. Cooper: Yes.

Mr. Thomas: No, not in the saloons, there hasn't, to my knowledge. Now here last Saturday---

Mr. Cooper: (Interposing) Was there been in the restaurants?

Mr. Thomas: Well, I will tell you about that. Someone dropped a letter into the postoffice **and** told me that the white women had begun to crop into a particular saloon down there---not a saloon, but a restaurant, and I asked this sergeant about it. He didn't know anything about it. He said it was all untrue. So I got after the chief and told him about it.

Mr. Cooper: Who is the chief?

Mr. Thomas: A. Speed---and told him to investigate and send me let me know. And he did so. He come up at 11:00 o'clock one night and woke me up, and I went down there and they was dancing in this restaurant, and I stopped it and give them orders to leave and not come back anymore, and there has been no trouble with them

since. Then I come to find out from the ladies that run the restaurant that this sergeant had give them orders as long as it wasn't in the saloon, if they wanted to have a good time and drink, it was all right, as long as it wasn't in the saloon.

Mr. Cooper: Well, how many such places are there out there, restaurants?

Mr. Thomas: Well, there wasn't but that one place where there was dancing. That wasn't a restaurant at first. It was a park where they had the club rooms.

Mr. Cooper: The club room?

Mr. Thomas: Yes sir.

Mr. Cooper: What did they do in the club room?

Mr. Thomas: I can't tell you. I never was in there.

Mr. Cooper: Did you ever go into any of these saloons?

Mr. Thomas: I have been in all of these saloons.

Mr. Cooper: How recently?

Mr. Thomas: Oh, I don't get into the saloons very often. I was to some of them yesterday, and especially Saturday nights when I am out collecting rent. I go into a good many of them sometimes when I can't find the renter.

Mr. Cooper: For whom do you collect rent?

Mr. Thomas: For myself.

Mr. Cooper: Do you own some of these places?

Mr. Thomas: I own seventeen or eighteen buildings.

Mr. Cooper: How many saloons do you own?

Mr. Thomas: Not any of them.

Mr. Cooper: How many restaurants?

Mr. Thomas: Not any of them.

Mr. Cooper: Well, you go into the restaurants, I thought you said?

Mr. Thomas: But sometimes the people that owe me are in the saloons.

Mr. Cooper: What do you rent your buildings for?

Mr. Thomas: Dwellings.

Mr. Cooper: All dwellings?

Mr. Thomas: Yes sir.

Mr. Cooper: How many restaurants are there out there now?

Mr. Thomas: I don't know but three.

Mr. Cooper: Did you ever hear of any cock fights out there?

Mr. Thomas: No sir.

Mr. Cooper: Or dog fights?

Mr. Thomas: No sir.

Mr. Cooper: How far is Elyment or Rosemont from your place?

Mr. Thomas: Elyment is between here and Belleville. We live north of East St. Louis three miles. We live between East St. Louis and Venice.

Mr. Cooper: There never has been a dog fight out there?

Mr. Thomas: No sir.

Mr. Cooper: Do you know anything about a club frequented by white men?

Mr. Thomas: A club?

Mr. Cooper: In Brooklyn.

Mr. Thomas: No, they may call it a club.

Mr. Cooper: Well, what is it?

Mr. Thomas: It is a saloon.

Mr. Cooper: Isn't there a building where supposedly wealthy white men come to gamble out in Brooklyn?

Mr. Thomas: No sir.

Mr. Cooper: Where is that?

Mr. Thomas: I will tell you about that too. Now when Frankie Burns run that place he had there what they called a Hyde Park Club, a fellow named Bullard run it. Right across the way they had the Elks Club. Now they went away from there. They sold out. This fellow that run Hyde Park, that had this club, sold out to Jack Ainsty, and Jack Ainsty sold out to the fellow that has it now, Hertz. Now this Hertz---I have seen an account of where there is a million dollar club there, and a poor man or a nigger couldn't go in there. I would like for any of them to come there. There is no club there---of course they have great billiard games and pool games. Now in the front room, where the game goes on, there is a pool table and a billiard table. In another room there is two pool tables. Now they have some champion pool games there, is all.

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Mr. Cooper: Now the sergeant of police that was here the other day---and he seemed very intelligent and apparently a candid man---he testified that this building was occupied by a club that seemed to be all white men, and that he, the sergeant of police, had received ^{strict} orders to keep away from that building, and that it was guarded every night by a white man armed, by colored guard armed. Do you know anything about that?

Mr. Thomas: That is not so.

Mr. Cooper: Not so?

Mr. Thomas: No sir. Now I'll tell you about that sergeant of police. We have been investigating his case. Him and this other *night* man have been going in at one o'clock and not showing up, and there has been some other fellows around there taking off officers, impersonating officers, and been holding up fellows right straight along. So on the 20th of this month, ^{after} I found out these white girls was there, I commenced getting out every night or two and tracing this fellow up---this sergeant and his partner---and on the corner there was a white man robbed there. He claimed that he give this woman two dollars and a half, and she stole seventeen dollars and a half from him, and he left his overcoat and pistol there. He come up and woke me up in the night---couldn't get anyone to do anything, and I went down and he described the woman, and when she was off two blocks from him he says, "there's the woman now,

with the red jacket on." I hunts up the sergeant and her, had him arrest/ and he says, "I don't want to arrest her." I says, "why?" and he say, "I don't believe in arresting any colored person for what they do to a white person." I say, "well, you ought not to be on the police force if you can't give protection to everybody." And I have been right after him, and on the 31st I wanted the board to discharge him for neglect of duty, and he knew it, and they let him off for him to do better, and I was out next morning, and I caught him on duty, but this other man was off, and I suspected his partner, and we caught him asleep, and two nights he didn't show up from one o'clock till five, and complaint was made against him and he is to be fired next Wednesday night, and that is what's the matter with him.

Mr. Cooper: The matter with this sergeant?

Mr. Thomas: Yes sir; when he come in that night he was in his commission, after he had been out here testifying, because he knew it was laying there for him next Wednesday night. You can hear him hollering about these women and all like that, and he's worse than anybody after the women.

Mr. Cooper: He said they had dances out there in those saloons, and ^a dance they called 'Charice wobble', and some other thing of that kind. Did you ever hear about that?

Mr. Thomas: Now they had those when they had those

cabarets. Those have been closed up. They were closed up before General Brundage ordered any saloons closed on Sunday.

Mr. Cooper: When did you first see a cabaret out there?

Mr. Thomas: When did I first see them? They have been running for the last ten years.

Mr. Cooper: You have seen them for ten years?

Mr. Thomas: Yes sir.

Mr. Cooper: And when did you close them up?

Mr. Thomas: Some time in May. They was ordered closed by Mr. Schumleffel.

Mr. Cooper: You didn't close them?

Mr. Thomas: He ordered me to close them, and I had them closed.

Mr. Cooper: But you didn't close them?

Mr. Thomas: No.

Mr. Cooper: And the "Chenise wobble" was running there right along?

Mr. Thomas: Yes, it was.

Mr. Cooper: And you let them run. You were the mayor?

Mr. Thomas: Sure, I found them there, and I didn't close them.

Mr. Cooper: Well, that is just what this sergeant of police said here the other day.

Mr. Thomas: What's that?

Mr. Cooper: That you as mayor left those "chenise wobbles" ^{dances} _{run.}

Mr. Thomas: They don't run there now.

Mr. Cooper: Wait a minute. You said that they had been running there for ten years.

Mr. Thomas: Yes.

Mr. Cooper: And you didn't close them up until you got orders from Scheunleffel?

Mr. Thomas: Yes sir.

Mr. Cooper: And you didn't close them up until last May. So you as mayor left the "chenise wobbles" ^{dances} go on in the cabarets?

Mr. Thomas: Yes sir.

Mr. Cooper: Well, that is what the sergeant said the other day.

Mr. Thomas: Yes sir.

Mr. Cooper: What do you think of your discharge of public duty, you being the mayor, permitting "chenise wobble" dances to go on there?

Mr. Thomas: Maybe you don't know what this "chenise wobble" dance is.

Mr. Cooper: Do you?

Mr. Thomas: I only know what they called it there.

Mr. Cooper: Well, what is it. Did you see it.

Mr. Thomas: Yes sir. There wasn't anything vulgar about it. When I got elected for there I found it had been running ten or twelve years, and the only thing I did, I ordered the boys and girls out of the saloons.

Mr. Cooper: And there wasn't anything vulgar about that dance?

Mr. Thomas: No sir; and no dirty blackguard *songs* there, and you can ask any of them living up there. There is nothing dirty about it. They have another dance they call that the "Dog", and the two step.

Mr. Cooper: The "dog?"

Mr. Thomas: Yes sir.

Mr. Cooper: Was the "dog" dance anything like the "chamise wobble"?

Mr. Thomas: No sir.

Mr. Cooper: What was the "chamise wobble?"

Mr. Thomas: It was nothing more than just strolling around yourself that way (illustrating). Just keeping time with the music and a kind of a round dance, a two step.

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Mr. Cooper: Do you know how you spell that first syllable, "chamise"?

Mr. Thomas: No sir.

Mr. Cooper: How did it get its name "chamise wobble?"

Mr. Thomas: I don't know how it got that name.

Mr. Cooper: Well, the sergeant of police told us the name, *how* they were dressed, and it corresponded exactly with that name.

Mr. Thomas: How did he say they were dressed?

Mr. Cooper: Well, I am asking you how they were dressed. He gave a reason for the "chamise wobble" dance being called that. You said you saw it. How how were they dressed?

Mr. Thomas: They were dressed just the same as any other lady is dressed on the street, and the clothes they had on you could wear them on the street.

Mr. Cooper: Well, I don't know--anybody could.

Mr. Thomas: How's that?

Mr. Cooper: Do you know who owns the places in which those dances occurred?

Mr. Thomas: Yes sir; I know every building in Brooklyn. I've been living there 42 years.

Mr. Cooper: Why did they close the cabarets, if the dancing was proper and the people were dressed as any lady might dress on a public street? What was there about a dance which would justify the closing of a place as orderly as you have described those places to have been?

Mr. Thomas: Well, I tell you just why. Mr. DeKam-
luffel said there was complaints been made to him, con-
cerning the dances at there, and he thought Brooklyn
ought to be ran like other places; saloons ought to
close at 12:00 o'clock at night, and on account of so
much hollering about white people coming to these places,
he wanted them closed up. I said, "All right, sir; I'll
do it if you say so." And I ordered them closed.

Mr. Cooper: Wasn't there any complaint about the
character of the dances?

Mr. Thomas: No sir.

Mr. Cooper: That's all.

Statement Paul Y. Anderson (continued).

Mr. Cooper: Mr. Anderson, subject was touched upon

in evidence here today about which you have so important first hand information, for instance, the threatening of witnesses, or trying in various ways to intimidate them. What do you know of that?

Mr. Anderson: Of witnesses?

Mr. Cooper: Of people that are not witness---complainants.

Mr. Anderson: Well, the subject to which I referred occurred long ago, before this hearing.

Mr. Cooper: Well, do you wish to mention them?

Mr. Anderson: ^{No,} I don't think so.

Mr. Cooper: Well, the other subject that you wished to talk about---to testify about---do you know about the McCracken case, any more than you have testified?

Mr. Anderson: You refer to that bank?

Mr. Cooper: Yes.

Mr. Anderson: Special assessment bonds?

Mr. Cooper: Yes.

Mr. Anderson: Well, there was a suit filed about a year ago last April against the city by the Illinois State Bank for \$50,000, as I recall for special assessment bonds held by the bank. Now those were some of those bonds which were bid in by the city at public sales---they were bonds of property, and taxes, which were bought by the city at those bogue sales. For instance, there could be an assessment against a piece of property, and the owner would fail to pay it, and

the property would be sold at public auction at the court house. It has been the practice here for many years prior to Mayor Chamberlain's administration for a clerk of the comptroller's office to go up there and bid those taxes in, in the name of the city. As a matter of fact, there was no money passed. The transaction was never converted into deeds, nor the land was not forfeited to the state, but the county treasurer annually deducted the amount for which the land was bid in from the taxes which he turned over to the city. As a matter of fact, the only thing the city got was a lot of worthless tax certificates which were not worth anything. Now the title, however, in a way rested with the city---supposedly---and a lot of these bonds were bought by the Illinois State Bank, and the Illinois State Bank filed suit against the city. At the time that suit was filed it was kept secret for several days.

Mr. Cooper: They filed suit against the city on those bonds?

Mr. Anderson: Yes. That suit was kept secret. I learned of it in Belleville where it was filed.

Mr. Cooper: You said bonds and certificates. Do you mean the same thing. Worthless certificates you said.

Mr. Anderson: Well, when the city bid in this land they get the tax certificate. The bank got the

bonds. I don't when those bonds were bought---some time previous to a year ago last April. Then that suit was filed, the news of the filing of it was suppressed. I think it was kept off of the records at Belleville and I learned of it from the deputy sheriff who served the paper on the mayor. I went to Mayor Dolhan after that and asked him if such a paper had been served, and he denied it; said it had not. I knew it had, and I went ahead and printed it. Later he admitted that it had been filed, and the reason he had wanted to keep it secret was because he was afraid it would influence a trial, a hearing on the street improvement that was coming on in Belleville then. He didn't explain how that could be done, because the injury was isolated, but that was the reason he gave. He said both he and Mr. Conavan, the president of the board of local improvements, told me that was merely a formal proceeding; that there was no claim against the city there, and that the bank merely wanted to clear up their title to the thing when they proceeded against persons who had originally---against persons who had originally owned the property. They went on to say they had already sued the city and had lost. The suit was tried some time later, and Sullivan defended the city, and a judgment was awarded to the Bank for about \$49,000 against the city. I printed that fact, and printed the fact that the mayor and his associates

419-N were rather close to some of the officials of the Bank, the brother of the president of the Bank being the attorney of the Levee Board; and he became very angry at me, and it was a few days after that they attempted to attack me. And Conavan has since told me that that was the reason he did ^{it} and not because of exposures of gambling. I asked him about that time---I think I asked Mr. Conavan if that suit would be carried to the supreme court, and he said it would depend upon the conference of the city officials---he named Mr. O'Leary, the superintendent of special assessments; himself, Mr. Kelley, the comptroller, Mayor Lollman and Mr. Sullivan. I never learned whether that conference was ever held. I know this, that the time has expired for that suit to be appealed, and it can't be appealed any more, and the judgment will stand now as it is.

Mr. Cooper: That is \$40,000 against this city?

Mr. Anderson: Yes sir. It can never ^{be} appealed. It is through. It was never appealed to the supreme court.

Mr. Cooper: So ultimately the Bank will get that money?

Mr. Anderson: Yes sir.

Mr. Cooper: How much did the Bank pay---how much was its outlay?

Mr. Anderson: I don't know that. They were supposed to be worthless, practically worthless, because

it was said that the land wasn't any good, and that is the reason the persons who owned it refused to pay the taxes ^{on it} that the land wasn't worth the taxes.

Mr. Cooper: Now it was supposed that this land was so worthless that the people who owned it wouldn't pay the taxes?

Mr. Anderson: Yes sir.

Mr. Cooper: *And finally* the Bank got hold of these tax certificates?

Mr. Anderson: Yes sir; the Bank got hold of the bonds, and the city had the tax certificates.

Mr. Cooper: And the city bid it in?

Mr. Anderson: Yes.

Mr. Cooper: Well, there is an opportunity for other bidders, I suppose, or don't you know?

Mr. Anderson: Oh, I suppose there was.

Mr. Cooper: And nobody bid, so the city took the property?

Mr. Anderson: Yes.

Mr. Cooper: And the bank's got hold of these bonds?

Mr. Anderson: That had been the practice for many years. There is a big stock of these. I made an investigation of that two years ago and found that there had been thousands and thousands of dollars paid out on that stuff, the only thing the city had was those worthless tax certificates. They didn't even have a debt on the property, nor the land hadn't been for-

feited to the city. One of those two courses should have been taken to complete the action of bidding it in. The land should either have been forfeited to the state for not paying the taxes, or the city should have converted the tax certificates into tax deeds; but that was never done, and the city paid out money---the county treasurer kept the money out of the city receipts, and the city never got anything, not even the land.

Mr. Cooper: That statement of facts shows a deliberate conspiracy on the part of some people to so arrange it that they could just get the money in the way they did get it, by the judgments.

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Mr. Anderson: I thought so.

Mr. Cooper: There is no other way to interpret that, is there?

Mr. Anderson: I don't know of any other. It was stated at that time by persons in a position to know that the bank and the city officials and the levee board officials were all together. In fact, I was ^{told} by Mr. Joyce, who had been vice-president of that bank, that he was firmly convinced that the Keeley Construction Company, which had built the largest part of the levee, and which is now building certain sewers for the city, was composed of Locke Barlton, John Keeley, and Robert Gillespie, the president of the bank. He told me that he saw enough ^{he was vice} President of the bank to convince him that that condition existed, and that the profits from the building of the levee were going to those

men as organizers of that company. He repeated that statement to me today.

Mr. Cooper: He repeated it today?

Mr. Anderson: Yes sir.

Mr. Baker: Locke Marlton is one of the trustees of the work?

Mr. Anderson: Yes sir. If that were true and could be proven, it would be an indictable offense.

Mr. Cooper: If Locke Marlton, as president of that board, is in a construction company which he is permitting, or assisting in permitting in the letting of contracts, that would be an indictable offense--- it would be in Wisconsin, and I suppose it would be here.

Mr. Anderson: Oh yes, it is. That is true.

Mr. Baker: Was that the same company that got this contract, that one-third contract?

Mr. Anderson: Yes sir.

Mr. Baker: And then got the rest of the three-fourths at the low bid?

Mr. Anderson: At the higher bid, when there were two lower bids, yes sir; that's the company. That is the company ^{which is now} building this big sewer.

Mr. Baker: When they are interested in the bank; they are interested in it's officers of the construction company; they are officers, part of the are officers of the levee board, as well as attorneys for the city, the bank and the levee board?

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Mr. Anderson: Yes sir.

Mr. Cooper: It amounts to letting contracts to themselves?

Mr. Anderson: Exactly, if that is true.

Mr. Cooper: They stand on one side of the table and say they will do such and such work for such and such an amount; then they turn around and take the other side of the table and say they will accept that.

Mr. Anderson: Yes sir; if that condition is true, that is exactly what it amounts to.

Mr. Baker: And the tax payers pay for it.

Mr. Anderson: Yes sir.

Mr. Baker: And get very little work for it.

Mr. Anderson: Yes sir. But as I say, I have no personal knowledge of those facts, except as I have related them.

Mr. Cooper: But you relate them on the authority of whom? He ought to know the facts.

Mr. Anderson: Yes sir; and that also involves a point that has been brought here as to whether this Levee Board election was a political fight. Maurice Joyce was one of the most bitter opponents of the Democratic Levee Board, and Maurice Joyce was a Democratic Presidential elector for this section.

Mr. Cooper: I think that ought to be repeated for the benefit of Mr. Foster (laughter).

Mr. Foster: I beg to say that that is in keeping with what I said to Mr. Cooper (laughter).

Mr. Cooper. But you never heard of the Doctor being in on, this ^{did you} ~~mission~~?

Mr. Anderson. No sir; this was a very close corporation. There weren't very many people in on this (laughter).

Mr. Foster. That proves that Democrats are honest and come out and perform their duty. That is what I was trying to show.

Mr. Anderson. So far as Mr. Joyce is concerned, I think yes.

Mr. Cooper. He did his duty in strongly opposing a lot of democratic candidates.

Mr. Anderson. Yes sir. There were many other prominent Democrats here who took the same course.

Mr. Cooper. Yes, there is no politics in this at all.

Mr. Foster. Now the facts, as I understand it, was only protecting the bonds that they held against the city? That was all, so far as their suit was concerned?

Mr. Anderson. Yes; they had a perfect right to file such a suit.

Mr. Foster. And ought to do it. They would be neglecting their duty to their stockholders and depositors if they didn't do it.

Mr. Anderson. It might be that they were neglecting their duty to their depositors and stockholders if they could pay them in the first place.

Mr. Foster. Why do you think that? Here are public improvements being made in this city, and isn't it a

better thing to finance those public improvements, if it can be done, by the people at your home, who have the money, than it is to send them some place else?

Well,
Mr. Anderson: ^{well,} they weren't financing anybody but themselves.

Mr. Foster: But there is nothing illegitimate about a bank buying bonds, is there?

Mr. Anderson: Oh no.

Mr. Foster: That is a proper transaction in every city, and the only difficulty ^{is} that in many cities banks don't always buy these bonds issued at home.

Mr. Anderson: The street had already been filled. The only action the bank was taking in connection with the financing was to get \$48,000 away from the city of East St. Louis.

Mr. Foster: But the money was used for the public improvements.

Mr. Anderson: Yes, that is true.

Mr. Foster: Now when they had to sell these bonds some place, didn't they?

Mr. Anderson: Yes.

Mr. Foster: To pay for this improvement.

Mr. Anderson: They had been sold. This bank bought them from some person who had previously bought them.

Mr. Foster: Yes, that may have been, but there is nothing wrong in that transaction.

Mr. Anderson: Oh no.

Mr. Foster: It is perfectly legitimate.

Mr. Anderson: To that extent.

Mr. Foster: That part of the transaction I am speaking of is the bank enforcing the collection of the money.

Mr. Anderson: Oh yes.

Mr. Foster: And the buying of these bonds.

Mr. Anderson: Yes.

Mr. Riker: But if the bank knew that the bonds were bottomed on such worthless conditions, and that they could turn around and beat the city out of the money at full value, and get them at a discount, the bank ~~would~~ be criminally responsible ^{too} wouldn't they?

Mr. Anderson: I think so.

Mr. Riker: And they ought to be.

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Mr. Anderson: If it could be proven that such a conspiracy existed.

Mr. Riker: Well, it does appear from your statement that part of the bank officials and the officials of the company were the same.

Mr. Anderson: Yes sir. Marie Joyce told me that Sullivan wanted to appeal that suit, and that Lollman refused to allow him to do it. If there was any delinquency after that judgment was brought, it ~~was~~ *was in the* failure to appeal that suit, because Conaven and O'Leary, *both* told *me* that the bank didn't have a leg to stand on, so far as the suit against the city was concerned there.

Mr. Cooper: Conaven and O'Leary told you that:

Mr. Anderson: Yes sir.

Mr. Cooper: And yet Mayor Mollan stopped the appeal?

Mr. Anderson: That's what Joyce told me. The appeal never happened. That is no appeal now.

Mr. Foster: These bonds were issued for local improvements, to pay for local improvements?

Mr. Anderson: Yes sir.

Mr. Foster: Now the bonds were good against the city, weren't they?

Mr. Anderson: Yes sir.

Mr. Foster: The city was supposed to collect the money and give it to the bank to pay for these bonds?

Mr. Anderson: Yes sir.

Mr. Foster: Now the city was liable under that contract?

Mr. Anderson: Yes sir.

Mr. Foster: So if the land was worthless, and the city didn't collect, the city then became liable for the bonds, didn't they?

Mr. Anderson: Yes sir.

Mr. Foster: So that that contract, so far as the bonds were concerned---I am not a lawyer, but it looks to me as though that was all right.

Mr. Cooper: But, Mr. witness, in order to determine ^{the} quality of the bank's acts, you can't ^{take} merely the purchase of the bonds, and the suit on the bonds; you have got to know who were the members of that construction company, who were the officers of the bank; and who are in

the Levee Board, and all about this being worthless land, and about the city bidding it in, and take all the actions and put them all together.

Mr. Anderson: Those *other* facts at least *are very* illuminating to me.

Mr. Cooper: Yes, they illuminate the whole thing and demonstrate the quality of the bank---that is what it amounts to.

Mr. Anderson: I thought so.

Mr. Cooper: You thought correctly. That is true. It is the series of transactions and the men who are engaged in them, which enables one to determine what was really done, and why they did it.

Mr. Foster: *Still*, if those bonds had been bought by a bank in St. Louis, the city would have been just as liable on those bonds?

Mr. Anderson: Perhaps, though that is not just clear. The liability for the bonds rested with the persons holding title to the land, and the way the city became involved as being liable for them was by having bids in, in this questionable manner, these taxes.

Mr. Foster: But still, if a piece of property is forfeited for special assessments, and nobody would buy it, then the city would have to pay the special assessments on it.

Mr. Anderson: When it should have been forfeited to the state, and then the land would have been sold,

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and the proceeds of the land would have redeemed the bonds:

Mr. Foster: Supposing you could get a bid on it?

Mr. Anderson: Yes, sir.

Mr. Foster: Then the city would still be liable for the bonds, wouldn't they?

Mr. Anderson: I don't think so.

Mr. Reber: The city became liable solely by bidding in?

Mr. Anderson: Yes, sir; exactly.

Mr. Reber: That is, relieving of the property owners of responsibility because of their contract?

Mr. Anderson: Exactly. That was the basis of the City's suit.

Mr. Reber: And on the city having done that, the parties knowing that the city had bid it in, with all the other conditions surrounding it, they decided they would proceed to sue the city and get that money out of the city?

Mr. Anderson: Yes, sir.

Mr. Reber: Wellen is interested in this as a patriot too?

Mr. Anderson: I suppose so.

Mr. Reber: That's all.

(Whereupon, at 5 o'clock p.m., the Committee adjourned until 1 o'clock a.m., Friday, November 16, 1917.)

Friday, November 16, 1917.

The Committee met at 10:30 o'clock a.m., Hon.
Ben Johnson (Chairman), presiding.

STATEMENT OF ROBERT W. SIKKING,

East St. Louis, Illinois.

(The witness was sworn by Mr. Johnson.)

Mr. Cooper: What is your name?

Mr. Sicking: Robert W. Sicking.

Mr. Cooper: Where do you live?

Mr. Sicking: East St. Louis.

Mr. Cooper: What is your business?

Mr. Sicking: Real estate.

Mr. Cooper: How long have you lived in East St.
Louis?

Mr. Sicking: I was born in East St. Louis.

Mr. Cooper: Do you know any of the workings of the
Levee Board here in this city-- its methods?

Mr. Sicking: I was clerk of the first board, the
East Side Levee and Sanitary Board.

Mr. Cooper: During what time were you clerk of
that board?

Mr. Sicking: From 1909 to 1912.

Mr. Cooper: How long were you clerk of that Levee
Board?

Mr. Sicking: Three years and a few months.

Mr. Cooper: When did your term end?

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Mr. Sicking: In December, 1912.

Mr. Cooper: Do you know anything about the expenditure of \$300,000 down here on the levee front during the administration of that board?

Mr. Sicking: Yes, sir.

Mr. Cooper: Just tell the Committee, please, how that money was expended, for what purpose and under what authority.

Mr. Sicking: One of the purposes of the East Side Levee and Sanitary District was to build levee to protect the bottoms. The other object of the Sanitary District was to drain the inland portion of the district. One of the hardest problems in the whole work was to protect the water front of East St. Louis. It was comparatively simple to get the right of way and to build levees out in the country. There is about 22 miles of river front in the Sanitary District. It was comparatively simple to get a right of way and build levees along through farm property; but the great problem was to get protection in front of East St. Louis, where it was so congested with all sorts of railway facilities. There were several plans received--- or rather suggested--- for the protection of the river front. One was the raising of what is known as Front Street, which runs parallel to the Mississippi River, probably 150 or 200 feet distant from the river. That was the first plan suggested, but by reason of the fact that between Front Street and the river run the tracks of the East St. Louis connecting railways,

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and these crossed into all the warehouses situated on the east side of Front Street, there would be great expense in raising the tracks on both sides up to go over Front Street. It necessitated raising all the warehouses and all the tracks, practically, on the Island. This plan was abandoned on account of the expense of it.

There was another plan which was suggested in a general way by General Ernst and the engineers who first went over the Sanitary District problem.

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Mr. Cooper: General Ernst was the United States district engineer?

Mr. Sinking: Yes, sir. That was to run sort of a concrete wall along outside of Front Street. That was submitted then to the parties who owned the property along there, the railroads, and they thought it was a bad thing for two reasons. The first was that it would be an ugly looking wall standing up there as a permanent advertisement that East St. Louis was subject to inundation. The second was that there would have to be a number of openings left in it for the purpose of letting these tracks go through, which would have to be closed when the high water came up to them. The Sanitary District figured out-- or rather suggested a plan-- were working on a plan-- of filling, physically filling all of the low ground along the river from the Free Bridge on the south to the Merchants' Bridge on the north, the Sanitary District figuring to take care of the rip-rapping along the front, and control that so as to keep the protection there. That

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arrangement-- we had people come here, dredging people. They figured out to take sand from the bottom of the river and make that fill all along there, and it would raise the whole front physically above the grade of the high water. That plan fell through for the reason that one of the owners of property just north of the city ^{line} ~~was~~-- or the Wynns of St. Louis, of which Mr. Harsick is agent in St. Louis-- decided they didn't want to put up the money necessary to raise their ground, and wanted the Wiggins Ferry Company to buy it, and they stood out. So that arrangement fell through.

The District Board had completed the diversion channel and the front levees, and were down to East St. Louis, and it was necessary for them to go ahead and do something, because it was the policy of the first board to get protection in just as quickly as it could be gotten in. Therefore, the board instructed its engineer, who was J. A. Ockerson, Mississippi River Commission, was consulting engineer. T. H. Jackson was the local engineer-- chief engineer, he was called, to work out a plan for a levee and proceed to have it accepted and go ahead.

So they worked out a plan for an earth levee with the proper river protection, rip-rapping and a line of something down there to hold the shore line, and the mattress out in the river, and all that sort of business. That line was to be located just west of the tracks of the East St. Louis connecting railway.

Such a plan was worked out, and the estimated cost of it was \$48,000 without any estimate in that for right

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of way or for damages to railroads for cutting off-- cutting them off from the river, and that stoppage of navigation. At the time we got to that point--

Mr. Cooper (Interposing:) Make this just as short as you can.

Mr. Sibbing: Yes. There was an abstract made, and it was found that the Higgins Ferry Company had good title to that property. That plan, however, interfered with their work to such an extent that they suggested that they would bring in another plan in a short time, and they brought in another plan which was the practical working out of the filling scheme, so far as East St. Louis property was concerned, and would have-- it provided for shortening the score, making it regular, and rip-rapping the whole business from one end to the other, making it a complete/wharf, and would cost something like \$2,500,000, and they suggested to the Sanitary District that if they would pay towards that general plan, the finished plan, the portion-- or in round figures, the amount that they estimated their levee would cost, \$488,000, or \$500,000, in round figures, that they would go ahead and put in that big improvement.

The right of way was somewhat changed and condemnation was proceeding-- was started, brought before the Circuit Court, and that arrangement was made whereby in place, or for the cost that was estimated that the sanitary District would spend in rip-rapping and river protection of its levee-- in other words, around \$500,000---

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Mr. Cooper: Well, what do you know?

491 Mr. Sicking: I know that at the time of the election in 1912 the contractor up on the north, along the north levee work, had a lot of negroes working for him, and he moved those negroes into the city limits of Granite City the last day it was possible for them to bring them in so as to vote them in Granite City. They were voted in the interests of the democratic levee board.

Mr. Cooper: About how many?

Mr. Sicking: Probably 250. I know that there was great activity among the negro votes and among all other classes of voters, but I don't know anything in particular about the handling or the details of that vote.

Mr. Cooper: Do you know anything about reports of members of the Levee Board being interested in contracts which they let?

Mr. Sicking: Just hearsay.

Mr. Cooper: What did you hear and when did you hear it?

Mr. Sicking: Well, it has been general talk around that Carlton was interested with the Keeley Construction Company, but I know of no facts that would prove it.

Mr. Cooper: And the Keeley Construction Company is one of the companies that does this work?

Mr. Sicking: Yes, sir.

Mr. Cooper: That's all.

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STATEMENT OF DAVID F. BARRETT, 5516-A, Virginia Ave.,
East St. Louis, Illinois.

(The witness was sworn by Mr. Raker.)

Mr. Raker: Give your name and residence.

Mr. Barrett: David F. Barrett, 5516-A, Virginia
Avenue.

Mr. Raker: And your business?

Mr. Barrett: Reporter for the St. Louis Star.

Mr. Raker: You heard Mr. Sicking's testimony here?

Mr. Barrett: Yes, sir.

Mr. Raker: What has been the report as to the
amount of land that the Wiggins Company got by virtue of
this filling in?

Mr. Barrett: I don't know the exact number of
acres, but I know that in straightening the channel they
built out into the river. It was generally claimed that
Congress had changed the channel of the river to half a
mile west, to what the original channel was. The Wiggins'
Company, or whoever did the construction of it, built
two lines of piling and filled that in with rip-rap, pumped
the water out behind and filled it in with sand and
created many thousands of new acres of land which the
Wiggins Company got.

Mr. Raker: What is the estimated value of that
land?

Mr. Barrett: That value runs the same as other
railroad property down there. It will run several thous-
and dollars an acre-- well, up into the millions of dol-
lars in the aggregate.

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Mr. Raker: That is the land that they are claiming now?

Mr. Barrett: That is the land which they are claiming. So far as their rights to the river front conveying a clear title to that tract, or anything like it, that title has always been contested by the people of East St. Louis, and one time the Commercial Club here, when Frank Smith was a member of it, made quite a fight to take that river front from the Wiggins Company. He was removed from the Commercial Club, or sat down upon, and interests in there prevented him from making his fight, and he did make the race for mayor on that platform, and the Wiggins Company and other interests opposed him for the purpose of keeping him from being mayor.

Mr. Raker: It is contended that if East St. Louis would take the same action that was taken in Chicago, in Cleveland and in St. Louis, they would get the land.

Mr. Barrett: The land really belongs to them.

Mr. Raker: And they are now being robbed of it?

Mr. Barrett: They are being robbed of it. The Wiggins Company hasn't got a clear title to that land. It has never been admitted by the people.

Mr. Raker: That's all.

STATEMENT OF MARTIN WEISS,

30 DeMenil Building, St. Louis, Missouri.

(The witness was sworn by Mr. Raker.)

Mr. Raker: State your name.

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Mr. Weiss: Martin Weiss.

Mr. Raker: Where is your residence?

Mr. Weiss: St. Louis, Missouri, 30 DeWitt Building,
St. Louis, Missouri.

Mr. Raker: And what is your occupation?

Mr. Weiss: Lawyer.

Mr. Raker: You just came in here now and presented your card and stated you wanted to be heard and make an explanation. Is that right?

Mr. Weiss: Yes, sir.

Mr. Raker: What explanation do you want to make?

Mr. Weiss: I want to state that I had nothing in common in procuring naturalization papers for John Fiezel. Mr. Fiezel came to my office and I represented him before the Immigration Department. He was charged with keeping a house of prostitution, and I took the case as any lawyer would take a case, and he had a hearing before the Immigration Department, and on this hearing he was discharged, and about three weeks ago I was in Zigler, Illinois, where he is working as a miner, as a coal miner, and I had another case, and he requested me to see Mr. Bevington as to whether or not he could get his papers. I went over to see Mr. Bevington, and I told him the circumstances. I told Mr. Bevington that this man is a product of the local conditions in this city; that he is not to blame for the act, because Mr. Bevington said he violated the Sunday closing law. I said all the other saloon keepers violated the Sunday closing law. He was not the only one, and

493 Mr. Flannigan at that time, Lawyer Flannigan, at that time when he wanted to take out his citizenship papers, made an affidavit or a brief. I have seen the brief, and I asked Mr. Bevington to show it to me this morning and he refused. Mr. Flannigan states in the brief that he advised Fiezel to say before the naturalization department that he was a coal miner.

If Mr. Bevington wants to prosecute Mr. Flannigan, he has the evidence there, ~~right~~ right there in writing. It is signed by Flannigan. I have nothing to do with it.

After he didn't get his papers, after he was prosecuted by the immigration department, I defended him as a lawyer would defend any man. I did my duty as a lawyer. I didn't permit any fraud. I didn't induce him to commit any fraud. I don't know even Mr. Flannigan. I had never met Mr. Flannigan. I had nothing to do with him in one way or other.

I went to Mr. Bevington's office, and the statement is not true in the newspapers-- I don't know what the record is here, but I didn't tell him that I will get Mr. Fiezel to testify against Flannigan. He mentioned to me, he said "This man can't get his papers for five years." I said "Why?" This man was not convicted. He was discharged. There is no charge against him. The man is working as a miner in Ziegler, Illinois. Why shouldn't he get his papers?" He said, "He is not a moral man." I said "Well, he didn't commit any crime. He never was prosecuted for anything. Why shouldn't he get his papers?" I pleaded ^{with} him as a lawyer

pleads with a man. I didn't ask him for any favors. I didn't intimidate him. I didn't do anything which a lawyer wouldn't do. Then he said "well, how about Flannigan?" I said "I don't know anything about him." Then he said "Could he testify against Flannigan?" I said "I don't know whether he would or not." Then I asked him, "If he will testify, will he get his papers?" He said "No." That is the conversation I had with Mr. Bevington: I had nothing to do with procuring the naturalization papers for Fiezel. He was not my client at that time. I never had any connection with him as long as he ran a saloon. I have no connection with any saloonkeeper in this city. The lawyers who have connections in this city, they split up their fees, and I don't split up with anybody.

Mr. Cooper: You say you don't know Mr. Flannigan?

Mr. Weiss: I don't know him personally, Mr. Flannigan. I never met him.

A Voice: Mr. Chairman, will you have the witness identify what Flannigan he means?

Mr. Cooper: He can't, if he don't know him.

Mr. Weiss: I don't know him personally. I don't know his initials.

Mr. Cooper: You mean the only Flannigan?

Mr. Weiss: I mean the old Flannigan, the old man.

Mr. Raber: Alexander Flannigan?

Mr. Weiss: Alexander. I think he is the man, because I know he was the lawyer for Fiezel, and there is a written statement signed by Flannigan. I suppose he is one of the wit-

nesses for Fiezel, in which he stated that he advised him to say before the naturalization board that he is a coal miner.

494 Mr. Baker: Well, to sum it all up, the whole attempt at naturalization fraud was done, if it was done at all-- we are not saying it was-- was done by Flannigan?

Mr. Weiss: Yes, sir.

Mr. Baker: And you didn't know Flannigan and have never spoken to him?

Mr. Weiss: No.

Mr. Baker: And after the man came to you and wanted to get the papers, you took his case as a lawyer?

Mr. Weiss: No, he didn't want me to get the papers. The Naturalization Board had refused to give him his papers, and then Mr. Bevington wrote a letter to the Immigration Department on which an investigation was started, and a warrant issued by the Government against him for keeping a house of prostitution, and I defended him on that charge. That is the only thing I had to do with the case. I had nothing to do with the naturalization part of it.

Mr. Baker: He came to you and procured your services as a lawyer to defend him on the criminal charge?

Mr. Weiss: To defend him on the criminal charge. I had nothing to do with the naturalization part of it. Then, I say, three weeks ago, when I met Fiezel in Zigler, Illinois, he asked me where he could get his papers: I said "I'm going to see Mr. Bevington", and the conversation I have related was had between me and Mr. Bevington.

Mr. Baker: Well, he ^{had} made application for citizenship?

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Mr. Weiss: Yes, sir.

Mr. Baker: And was denied?

Mr. Weiss: Yes.

Mr. Baker: He told you that? Fiezel told you that?

Mr. Weiss: Yes, sir; he did.

Mr. Baker: Then the Immigration Commissioner commenced proceedings against him for it because he was an improper citizen, running saloons?

Mr. Weiss: Yes, sir.

Mr. Baker: And you took his case. And did you investigate these papers and the facts to know that he was a saloonkeeper at the time?

Mr. Weiss: Yes, I did.

Mr. Baker: You found that he was?

Mr. Weiss: Yes.

Mr. Baker: And still you knew he was a saloonkeeper running a house of ill-fame?

Mr. Weiss: Well, he was discharged of that charge.

Mr. Baker: Well, that didn't discharge him of the real facts that he had actually been engaged in that business, did it?

Mr. Weiss: Not that he was a saloonkeeper, no. But when I went to Mr. Bevington two or three weeks ago, Fiezel was a miner, really a miner. He is working as a miner for the last six months in Zigler. I didn't go to Mr. Bevington to procure or to ask him to give him his papers. I just wanted to find out whether he could get the papers under the circumstances, owing to the fact that at this time and about

a year and a half ago he has quit his business.

Mr. Raker: He quit running the saloon and the house of prostitution?

Mr. Weiss: Yes, he was not in the saloon business any more.

Mr. Raker: At that time?

Mr. Weiss: He is not now.

Mr. Raker: Well, at the time he came to you he told you he had quit running the saloon and the house of prostitution in connection with it?

Mr. Weiss: Yes. While he was my client he never was in the saloon business. Then when he took his application and made his application for citizenship papers-- I don't know whether Mr. Flanigan or Mr. Sullivan-- one or the other--- advised him to sell his saloon, and he did sell his saloon before he made application.

Mr. Raker: well, he said that-- that was only a pretence? He didn't really make the sale?

Mr. Weiss: Did he sell the saloon?

Mr. Raker: He made a writing, but still he ran the saloon, didn't he?

Mr. Weiss: No, sir.

Mr. Raker: Did you investigate that at the time?

Mr. Weiss: Yes, sir; I did. He had no saloon at that time.

Mr. Raker: That's all.

Mr. Cooper: Is Mr. Giessing here?

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STATEMENT OF FRED GLESSING (resumed.)

Mr. Cooper: Mr. Glessing, you were sworn yesterday?

Mr. Glessing: Yes, sir.

Mr. Cooper: Now, Mr. Glessing, were you in your store on the 2nd day of July last at the time of the riot?

Mr. Glessing: Yes, sir.

Mr. Cooper: Did you see any assault or anything else wrong done by a militiaman?

Mr. Glessing: Well, I want to thank the Committee for the privilege of allowing me to return this morning, as it seemed like I didn't get started right yesterday, or unfortunately some way or other we didn't understand each other; but I want to say that on the day of the riot, on the 2nd of July, it was absolutely necessary for me not only myself, but the balance of our help, to stay in the store, because the rioters were all around us, in the rear and in the front, and the cars that come from the west, or St. Louis, are supposed to stop in front of our place. They usually pass to the next corner, but the law is they are to stop in front of our store.

Well, that day in the afternoon I could see a great number of cars that were stopped in front of our store. We could look right out in front and could see them, and one or two men would climb up on each side of the car and look in and see if there was anyone in there. I suppose they were looking for colored people. So along in the afternoon

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it got so serious that we closed our doors, and while some closed--- which was between three and four o'clock, and the rioters came to the store and threatened to break in-- said they wanted guns, and I told them that we had no guns; that we never carried very many guns, and since the former riot in May we discontinued carrying them entirely. So they kept threatening and said they would break in if we didn't open up; that they were wanting guns, so I finally opened the door, and by persuasion and talk and explaining to them that we had no guns, they finally left.

About that time I heard an unusual noise in the rear of our store, which extends right on to the alley, our building has. In the rear are two large doors, and I got within about 20 feet of the rear when two shots were fired, and at that moment there was a militiaman standing in front of me with a smoking gun in his hand, and the crowd that had passed a moment before hoisted and says "You got him; come on boys; let's get another one." Now of course I didn't see what the militiaman shot at.

Mr. Cooper: Did you see anybody on the ground?

Mr. Glessing: I didn't see. I couldn't see from the opening anybody after they passed the door, except the militiaman standing in front of me with the smoking gun in his hand, and two shots were fired.

Mr. Cooper: And he was in uniform?

Mr. Glessing: Yes, sir.

Mr. Cooper: And he had a rifle?

Mr. Glessing: Yes, sir.

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Mr. Cooper: With a bayonet?

Mr. Giessing: Yes, sir.

Mr. Cooper: Did he hit anybody?

Mr. Giessing: Well, as I say, I couldn't say. The crowd had passed beyond my sight, but the crowd yelled and says "You got him, come on boys; let's get another one."

Mr. Cooper: After you saw this militiaman with the smoking rifle, the crowd passed on?

Mr. Giessing: The crowd was before him.

Mr. Cooper: And the crowd shouted "You got him; let's get another"?

Mr. Giessing: Yes.

Mr. Cooper: What did the militiaman do after that?

Mr. Giessing: He just walked away. I didn't see him any more, of course. But, as I say, we were very uneasy and didn't leave the store.

Mr. Cooper: That's all.

Mr. Foss: Mr. Chairman, I move that Mr. Cooper and yourself be designated as a sub-committee to take the testimony of a certain witness in this city.

x Mr. Foster: I second the motion.

Mr. Johnson: All in favor of the motion will say Aye, opposed No.

(The motion was put and carried.)

The Ayes have it. The motion is adopted.

Mr. Foss: Now, Mr. Chairman, I move that the Committee adjourn subject to the call of the Chairman.

Mr. Johnson: The motion is that after the testimony of the witness referred to by Mr. Foss has been taken

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by the sub-committee, composed of Mr. Cooper and myself,
that the Committee adjourn subject to the call of the Chair-
man. Those who favor the motion will say Aye, opposed No.

(The motion was put and carried.)

The ayes have it. The motion is adopted.

(Thereupon, at 11 o'clock a.m., Friday, November 16,
1917, the Committee adjourned, to meet at the call of the
Chairman.)

(Testimony of
Mirtle Gardner
delivered to
Mr. Johnson.)

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