

Was It Murder

?

Authentic Record of the Causes Leading
to, the Actual Events of, and the
Trial That Followed the

Armistice Day Tragedy at
Centralia, Wash., Nov. 11, '19

Including Sworn Affidavits of Five Jurors Who
Declare That the Convicted Men Are

“NOT GUILTY”

By WALKER C. SMITH

WAS IT MURDER?

The Truth About Centralia



BY
WALKER C. SMITH



ISSUED BY THE
NORTHWEST DISTRICT DEFENSE COMMITTEE
P. O. Box 1857, Seattle, Washington
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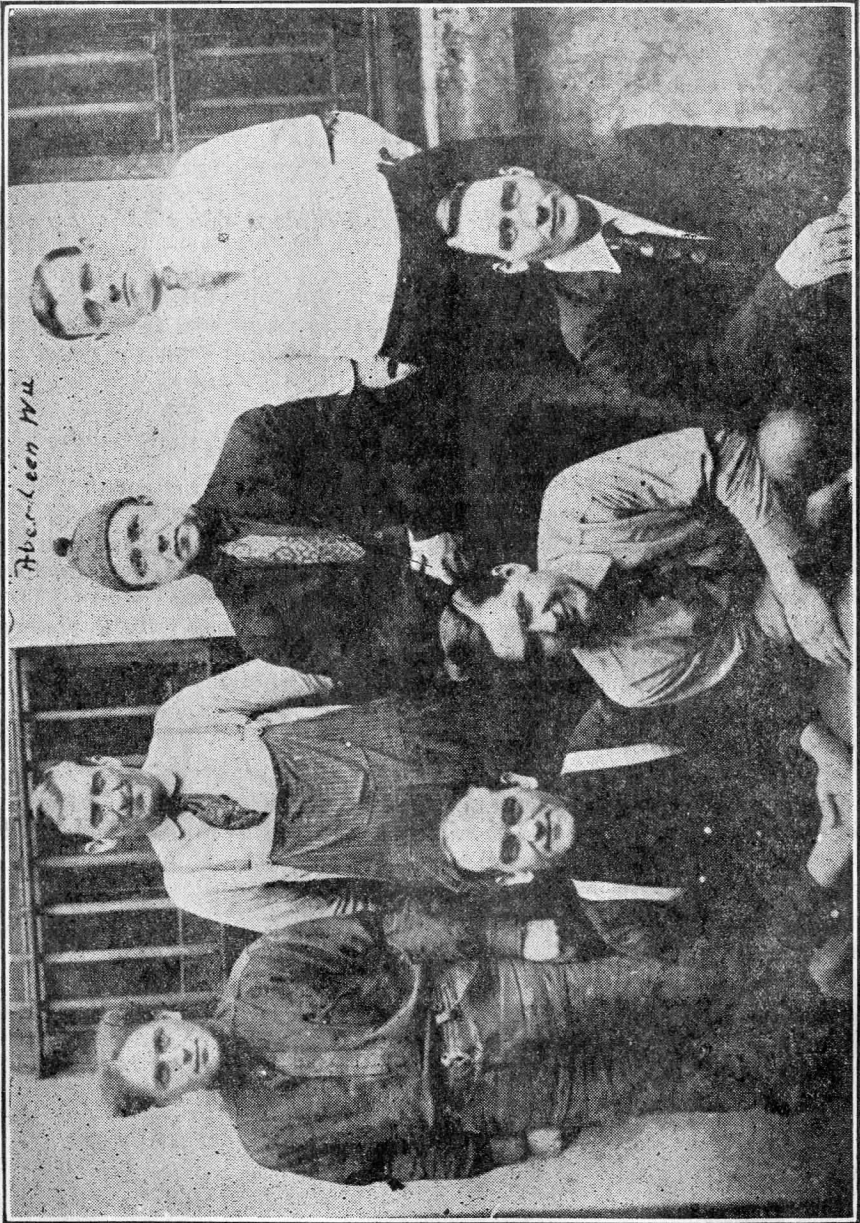
GEORGE F. VANDERVEER

*Chief Counsel for the Defense in
the Centralia Case.*



ELMER S. SMITH

*Fighting Lawyer of Centralia,
Tried and Acquitted in the
Famous Trial.*



THE CENTRALIA VICTIMS.
Top row, left to right—Bert Bland, John Lamb, Britt Smith, James McInerney.
Bottom row, left to right—O. C. (Commodore) Bland, Ray Beeker, Eugene Barnett.

THE PRISON

And I saw a jail lifting its grimy walls to heaven.

And they that passed by looked at it askance, for they said, "It is the abode of Sin."

And to them the broad sky and all the earth was fair to look upon, for they saw early buds opening and heard the birds that had come back from the South, and they felt the sun which was now warming the hearts of beast and plant.

But within the prison, and behind its cold, thick buttresses, and its small, round, triple-barred windows, that looked like tunnels, they heard faint groanings and sighings, and much lamentation, and they said, "It is most just, for it is the abode of Sin."

And I heard a Voice saying, "Woe to the cause that hath not passed through a prison!"

And I looked again, and I saw in the jail those deliverers who in each age have saved the world from itself and set it free, and gyves were on their wrists and ankles.

And I saw Israel in the house of bondage before it came forth to preserve Duty for mankind.

Woe to the cause that hath not passed through a prison!

* * * * *

And I saw within the jail them that gave liberty to the slave, and them that unbounded the mind of man, and them that led onward to Freedom and Justice and Love.

Woe to the cause that hath not passed through a prison!

* * * * *

And the hosts within held up their arms, and the marks of their shackles were upon them.

But I hid my hands behind me, for there was no mark on my wrists.

Woe to the cause that hath not passed through a prison!

—ERNEST CROSBY.

Presenting a Plain and Truthful Account of the Causes and Consequences of the Armistice Day Tragedy, Centralia, Washington, November 11, 1919.

Will you serve as a juror in the retrial of the famous Centralia case?

While the twistings, turnings and technicalities of the law may make any legal reopening of the case a very remote possibility, evidence enough has been uncovered to warrant the taking of the cause to the greatest of all tribunals--The People.

You, the reader, as one of the great jury, are not asked to approach the Centralia Armistice Day tragedy in the frame of mind demanded of a juror in a court of law; we expect that you will have some prejudice one way or another. We know that none but a feeble-minded person can avoid having an opinion, a conclusion, or an impression, of a series of events so unusual as those that led up to and included the trial of members of the Industrial Workers of the World on the charge of shooting certain participants in the parade held in Centralia, Washington, on Armistice Day, November 11, 1919.

We accept you as a juror in the case, together with whatever bias you may bring to it, and we are willing to abide by your verdict provided you base your decision on the truth, *the whole truth*, and nothing but the truth. What we ask is that you carefully weigh the evidence presented in the case as it was tried; that you give as careful consideration to the evidence, directly bearing on the case, that was excluded by means of legal quirks, quibbles and unfair judicial rulings; and that you do not set this pamphlet aside until you have read, weighed and considered the additional illuminating facts offered in the affidavits, the sworn and signed statements, of members of the jury which actually tried the Centralia defendants.

We want the men who were tried in Montesano, found guilty and later sentenced to serve terms ranging from 25 to 40 years in the penitentiary, to be given that which has long been the boast of America—A *SQUARE DEAL*.

Into your hands is given the fate of Britt Smith, Bert Bland, Commodore Bland, Ray Becker, James McInerney, John Lamb, Eugene Barnett and Loren Roberts, now held in the Washington state penitentiary. To your judgment is submitted the character of those other defendants jointly accused with those just mentioned but not convicted of the murder of Warren O. Grimm, who, with Arthur McElfresh, Ben Casagrande and Dale Hubbard, was shot and killed at Centralia, Washington, on November 11, 1919. For your review we offer the case entitled *The State of Washington vs. Britt Smith et al.*

The Issue in the Case.

The state charged that Britt Smith, secretary of the I. W. W. in Centralia; Eugene Barnett, Ray Becker, Bert Bland, O. C. (Commodore) Bland, Bert Faulkner, John Lamb, James McInerney, Mike Sheehan and Loren Roberts conspired to murder Lieutenant Warren O. Grimm during the course of a parade in Centralia

on Armistice Day, November 11, 1919, and that Elmer Stuart Smith, Centralia attorney, counseled, aided and abetted them in the commission of the crime.

Leading counsel for the prosecution were C. D. Cunningham of Centralia (attorney for the lumber interests and for F. B. Hubbard), under a \$5,000 contract from Lewis County; W. H. Abel of Montesano (anti-labor attorney for the lumber interests), under a \$5,000 contract from Lewis County; and Herman Allen, prosecuting attorney for Lewis County. The state also had three other specially employed prosecutors.

Counsel for the defense was George F. Vanderveer, whose fame as a lawyer for labor dated from his entrance into the historic case resulting from the Everett Massacre on November 5, 1916.

The respective stands taken by the prosecution and defense may best be shown by the following newspaper report of remarks made directly following the prosecution's opening statement:

"Mr. Allen," said Vanderveer, when the prosecutor concluded, "I believe it is advisable now at least that I should know, and that the defendants should know, whether you take the position that there was no attack on the I. W. W. hall before the shooting. Will you be so good as to tell the jury whether that is your position in this case? We all have a right to know that and I ask you in common honesty to the jury to tell the jury now."

"Our position," replied Allen, "is that the boys were standing in the street in military formation under the charge of their commander, paying attention to him, when he gave the command to halt and close up ranks, and they were marking time when they were fired upon."

"In other words," queried Vanderveer, "it is unequivocal? You contend that there was no attack upon the hall and the doors were not smashed in before there was any shooting, and you will be judged by it hereafter?"

"We surely will!" interjected Special Prosecutor Abel before the county prosecutor had a chance to nod assent.

The stand of the defense was that a deliberately planned attack was made upon the I. W. W. hall; that the men who were shot were among the aggressors, and that those of the accused men who resisted were acting in defense of their lives and property. Vanderveer accepted the challenge of the prosecution and took a diametrically opposing stand, as shown by the first words of his opening statement:

May it please the Court and Gentlemen of the Jury:—As you have already sensed from our examination of you and from a question which I propounded to counsel at the close of his statement yesterday, the big question in this case is, Who was the aggressor—who started the battle? was it on the one side a deliberately planned murderous attack upon innocent marchers, or was it on the other side a deliberately planned, wicked attack upon the I. W. W., which they merely resisted? That, I say, is the issue. I asked counsel what his position would be in order that you might know it, and that he said was his position, that he would stand and fall and be judged by it, and I say to you now that is our position, and we will stand or fall and be judged by that issue.

Jury in the Centralia Case.

The men who tried the case were numbered in the jury box as follows:

1. F. H. McMurry, 41, teamster, Aberdeen.
2. Harry J. Sellers, 47, telephone company employe, Elma.
3. Aubrey T. Fisher, 52, real estate dealer, Aberdeen.
4. Samuel Johnson, 57, fisherman, Aberdeen.
5. John A. Ball, alternate juror succeeding Edward Parr, Hoquiam, on February 25, after latter had been ill six days.
6. E. E. Torpen, 66, retired farmer, Montesano.
7. Carl O. Hulten, 39, farmer, Lake Quinault.
8. W. E. Inmon, 53, donkey engineman, Elma.
9. E. E. Sweitzer, 58, farmer, Oakville.
10. P. V. Johnson, 34, construction worker, Aberdeen.
11. W. G. Robinson, 57, carpenter, Hoquiam, foreman of jury.
12. Frank Glenn, 45, farmer, Brady.

Judge John M. Wilson presided in the case. Wilson had already betrayed his prejudices in an oration delivered at the funeral of the men shot at Centralia, and in subsequent speeches.

The trial opened on January 25, 1920, at Montesano, county seat of Grays Harbor County. Wilson had declared on January 3, without any qualification whatsoever, that a fair trial was impossible in Grays Harbor County, when ruling on the request for a change of venue from Centralia, and four days after his statement to that effect had appeared in the press of the state he reversed himself and forced the case to trial in the deeply prejudiced town of Montesano.

It was this unfair judicial ruling that caused the Seattle Metal Trades Council to pass a set of resolutions on January 11, asking labor unions to send representatives to Montesano to sit as a "Labor Jury" in the courtroom. The proposal was endorsed by the Seattle Central Labor Council on January 14 and later by other A. F. of L. bodies throughout the Northwest, resulting in the selection of a silent jury from conservative craft unions, as follows:

- E. W. Thrall, Brotherhood of Railway Trainmen, Centralia.
- Otto Newman, Central Labor Council, Portland, Oregon.
- W. J. Beard, Central Labor Council, Tacoma.
- John O. Craft, Metal Trades Council, Seattle.
- Theodore Meyer, International Longshoremen, Everett.
- Paul K. Mohr, Central Labor Council, Seattle.

A Verdict and a Plea.

Eleven days were used in the examination of nearly 100 talesmen before the jury was secured. On February 7 the prosecution made its opening statement, which was directly followed by that of the defense. Not until 10:15 on the night of March 12th did the case go to the jury. Shortly before noon the next day the jurors returned with a verdict that was declared to be unacceptable by the court.

The decision of the jury was that Mike Sheehan and Elmer Stuart Smith be acquitted, Loren Roberts declared insane, Eugene Barnett and John Lamb found guilty of manslaughter or murder in the third degree, and the other defendants adjudged guilty of second degree murder.

The jurors were sent back to their chambers with the instruction that no verdict of manslaughter was admissible in the case. Two hours later, after a total of 22 hours and 20 minutes of deliberation, the jury brought in the final verdict, as follows:

Guilty of murder in the second degree—Britt Smith, Bert Bland, Commodore Bland, Ray Becker, James McInerney, Eugene Barnett and John Lamb.

Acquitted—Mike Sheehan and Elmer Stuart Smith.

Adjudged insane and irresponsible—Loren Roberts.

Another of the defendants, Bert Faulkner, had been released during the course of the trial, and one Tom Morgan had stepped forth in his role as stool-pigeon.

Accompanying the verdict was the following document, signed by all the members of the jury and bearing the dated stamp of the county clerk:

We, the undersigned jurors, respectfully petition the court to extend leniency to the defendants whose names appear on the attached verdict.

The action of Judge Wilson was characteristic of his attitude during the entire course of the trial. On April 5 he sentenced the seven convicted men to serve from 25 to 40 years in the penitentiary at Walla Walla—the most severe sentence possible under conviction of murder in the second degree.

The first and faulty verdict was told in confidence by the court to both the defense and prosecution attorneys, but immediately found its way into the public press through the violation of that confidence by Prosecutor Abel. This action, amounting to contempt of court, was severely scored by Defense Attorney Vanderveer, who said: "If the court does not maintain its own dignity it certainly cannot expect to have other people respect it."

Verdict Unjust, Swears Juror Torpen.

So Juror E. E. Torpen has a precedent for disclosing, more than two years later, another action taken by the jury during its deliberations behind closed doors. Torpen swears that immediately upon retiring from the courtroom the jury took a trial ballot which resulted in an unanimous verdict of NOT GUILTY. This, declared Torpen in an affidavit dated May 17, 1922, reflected the real sentiment of the jury while the evidence was fresh in the minds of its members, but that later the latent prejudices of certain jurors were called to the surface with the result of a different verdict as finally rendered.

Here is the sworn and signed statement of Juror E. E. Torpen:

STATE OF WASHINGTON
COUNTY OF GRAYS HARBOR

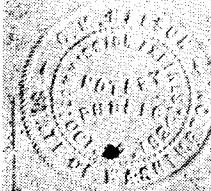
E. E. TORPEN, being first duly sworn on oath, deposes and says: That he was one of the jurors in the case of the State of Washington, as plaintiff, vs. Britt Smith, et al., as defendants, tried in the Superior Court of Washington, for Grays Harbor County, during the first three months of the year 1920, as an outgrowth of the Armistice tragedy at Centralia, Washington, November, 11, 1919; that when the jury retired to the jury room to deliberate upon their verdict, it was suggested by one of the jurors, whose name I am now unable to recollect, that the jury take a trial ballot to ascertain the sentiment of each juror before any discussion was had; a ballot was then taken and it was unanimous in favor of acquitting the defendants in the case.

That the jury finally decided on the verdict as rendered because of the understanding the jurors had one with another that they would recommend extreme leniency to the court in rendering his sentence upon the defendants, and this was agreed to by all of the jurors, and the verdict would not have been agreed to but for that understanding.

I verily believe, also, that if these men had not been affiliated with the I. W. W. organization they would never have been convicted of the crime as charged. AND MODIFIED BY THE VERDICT.

E. E. Torpen

Subscribed and sworn to before me this 17th day of May, 1922.



[Signature]
Notary Public in and for
the State of Washington,
residing at Montesano.

From Torpen's affidavit, as well as from interviews with other jurors, it is quite evident that the jury was of the opinion that its recommendations of lenity would be binding upon the judge in passing sentence upon the accused. Prior to the signing of the affidavit Torpen declared that he had voted for a complete acquittal on ballot after ballot and had changed his vote only with the understanding that the court would heed the plea for clemency. He said he was shocked, as were the other jurors, on hearing of the maximum sentence of 25 to 40 years pronounced by Judge Wilson.

The document assumes additional importance when the final paragraph is considered in the light of the repeated declarations of the prosecution that the case was a plain murder trial, and also in view of the fact that Judge Wilson used the words "The issue in this case is murder, Mr. Vanderveer!" to exclude all testimony and documentary evidence disclosing a prearranged plan on the part of the commercial interests and Warren O. Grimm to raid the I. W. W. hall during the course of the Armistice Day parade.

Yet the I. W. W. as an organization was on trial at Montesano, and the same judge who ruled out all evidence of the conspiracy to raid allowed the state the widest scope in its attempt to prove that the shooting of ex-service men on November 11, 1919, was due to a conspiracy entered into by members of the Industrial Workers of the World in furtherance of the plans and purposes of their organization.

Further proof that the I. W. W. was on trial and that the prosecution neglected no means, legal or otherwise, to create such a belief in the minds of the jurors, will be found elsewhere in this review in the statement of Juror P. V. Johnson.

General Disapproval of Trial Outcome.

No one was satisfied with the verdict as rendered. The defense felt that the evidence before the jury, despite the exclusion of many material facts by the rulings of Judge Wilson, called for a complete acquittal. Labor and progressive elements also held this opinion, as was clearly shown by their acceptance of the "Not Guilty" verdict rendered by the Labor Jury elected to attend the trial. The Centralia Trades and Labor Council has since passed a resolution to that effect.

The state, on the other hand, was confident that its cards had been played so well that nothing short of a first degree murder verdict, followed by a speedy hanging of most of the defendants, should have resulted. The general public, worked up to an almost unbelievable intensity of feeling by various agencies, found its desire for vengeance but slightly dimmed by the modified verdict.

"Grays Harbor County and the entire Pacific Northwest declared it an impossible, monstrous miscarriage of justice. Both state and defense were agreed, for the once, that but one of two verdicts could logically have been returned—guilt in the first degree, or acquittal. And local belief declared that unworthy fear of I. W. W. reprisals, together with a desire to placate public sentiment, led that incomprehensible jury toward a verdict which its members considered a compromise." So states Ben Hur Lampman, in "Centralia Tragedy and Trial," a pamphlet issued by the American Legion in 1920.

Elsewhere in the pamphlet Lampman expresses the same idea thus:

"A cowardly verdict, was the consensus of legal and public opinion when that verdict was returned—unsatisfactory alike both to prosecution and defense, and eloquent of the fear-haunted minds that conceived it."

Why not a new trial, then, if the verdict is unsatisfactory to all concerned? Will the state and the American Legion raise their voice with ours in demanding a new, fair and impartial trial?

It is well to note right here that the verdict as rendered denied the basic contention of the state. Second degree murder is unpremeditated killing, while premeditation is the very essence of a conspiracy to murder and so requires a first degree verdict in case of proven guilt. The prosecution claimed that there was a conspiracy to wantonly shoot down a number of unsuspecting paraders, but Torpen was at no time convinced of this. He makes note of the difference between "the crime as charged" and "as modified by the verdict." He states emphatically that "if these men had not been affiliated with the I. W. W. organization they never would have been convicted," and in a conversation preceding the drafting of the affidavit he said it was his firm and abiding belief that the ex-service men were slain while engaged in a raid upon the I. W. W. hall.

Witnesses Prove Grimm an Aggressor.

Judge Wilson, be it remembered, during the course of the trial ruled out every conversation, every speech and every action of Warren O. Grimm in furtherance of the plan to raid the I. W. W. hall on the ground that some special physical movement of the man must needs be shown a moment before the shooting actually started. Evidence that Grimm was in the immediate vicinity of the hall and outside the regularly formed ranks of the paraders was held to be insufficient, and witnesses who testified as to the presence of Grimm at the very doorway of the I. W. W. meeting place were arrested on perjury charges for the double purpose of intimidating prospective witnesses and influencing the jury to disbelieve the evidence.

Among others whose testimony served to place Grimm in an incriminating position just before the shooting started were Guy Bray, a boy of 16, and Jay Cook, aged 41. Both were arrested on perjury charges by the prosecution, and attempts were made later to put young Bray through a third degree ordeal. *Were these witnesses convicted of perjury? They were not! Were they even tried? They were not!* The cases against them were dismissed, their bail money was refunded, and at this later date the discredit falls upon the prosecution which descended to such contemptible tactics.

The prosecution relied mainly upon the testimony of Lieutenant Frank R. Van Gilder to place Grimm at a point removed from the I. W. W. hall, but his version of the matter was singularly inconclusive, for it left one human element entirely out of consideration. Van Gilder claimed that Grimm had dropped back in the line of march in order to remind the sections to salute the old soldiers on the reviewing stand, and later rejoined him at the head of the parade. He said

that Grimm was shot while facing southwest, his back to the I. W. W. hall, and half a block away from it.

Van Gilder testified: "Something seemed to jar him. He turned very pale. I said, 'Are you hit?' and he said, 'Yes.' I told him to go to the hospital and get dressed. He started across the street and when he had gone a few paces he bent over, his hands on his stomach, but went across."

But Lieut. Van Gilder, himself unwounded and at the side of the man wounded to death, did not so much as offer his arm to his stricken friend. One cannot believe Van Gilder to be as despicable as he has testified himself to be, and the only other conclusion that may be drawn is that Grimm was not in the street at a point distant from the I. W. W., but was close to the entrance when the fatal bullet entered his body.

In relation to Grimm the rulings of the judge enclosed the defense in a most vicious circle. They were not allowed to show that Grimm committed an overt act unless they first showed he was party to a conspiracy, and they could not give to the jury their undisputed evidence of a conspiracy until they had first shown an overt act on the part of the dead Legionnaire.

Jurors Inmon and Sweitzer Break Silence.

Juror Torpen, however, is not alone in his stand. He was, in fact, the third juror to swear that the verdict constituted a rank injustice, although he had not consulted the others in making his statement.

It required a great deal of courage to speak out in the face of a perpetual economic threat from the entrenched interests and a physical threat from those in whom the flames of hatred had not subsided. But courage of a still higher order was needed to admit having done a grievous wrong and to try to make amends to those who still suffer from that action. Jurors W. E. Inmon and E. E. Sweitzer proved that they possessed the necessary physical and moral courage to break the silence concerning the verdict in this case.


Often the two had talked together of the trial and the injustice they had helped to work upon seven men whom they felt were innocent. Young Walter Bland, brother of two of the convicted men, hearing of their attitude, had visited Inmon and asked him to aid in bringing justice to the prisoners.

One day near the middle of May, when Inmon and Sweitzer were dining together, the talk turned to the subject uppermost in their minds. "By the gods!" cried Inmon passionately, pounding the table for emphasis, "we've got to right the wrong we done to them fellows." Sweitzer agreed full-heartedly. The result was a joint affidavit as follows:

State of Washington)
County of Lewis) SS

W. E. Inmon and E. E. Sweitzer of Grays Harbor County, Washington, each for himself upon his oath says; That he was one of the Jurors in the Case of the State of Washington vs Britt Smith et al, tried in Grays Harbor County, at Montesano, Washington during the first three months of the year 1920, as an outgrowth of the Armistic day tragedy at Centralia, Washington, Nov. 11th, 1919; That during the consideration of said case by the jury, one Harry Sellers, one of said Jurors, stated in the Jury Room in substance, " Every one of them is guilty and ought to be hung no matter what the evidence shows; That the evidence showed, as affiants verily believe, that all the defendants were innocent and not guilty and that not one of said defendants Loren Roberts, Bert Bland, O. C. Bland, Eugene Barnett, John Lamb, James McNarny, Ray Becker and Britt Smith, killed, injured, wounded or harmed anyone; That these affiants, and each of them, believed that in the event of a hung jury, a new jury would have been called and in the face of the hysteria that then existed, innocent men might have been hung; That rather than have this happen these affiants believed that it was better to have a second degree verdict against seven defendants and acquit two, thus leaving the two free to work for the release of the others and leaving an opportunity to spread the truth; That in the event of another trial and these affiants were to sit as jurors in this case, and were permitted to receive in evidence what they now know, their verdict for each and all said defendants would be " Not Guilty" and no power or influence could induce them to return a verdict of Guilty in any degree.

Subscribed and sworn to before me this 15th day of May, 1922.


Notary Public in and for the State of Washington
residing at Centralia, Washington.

The most important thing shown by the Inmon-Sweitzer affidavit is the state of mind generally existing at the time of the trial. War hysteria and intolerance had not yet subsided, and in the name of patriotism this national feeling was used by skillful propagandists of the privileged class to smother any demands the workers might make of those who owned the industries. Especially was this true of the lumber industry of the Northwest.

So we get a double picture—Juror Sellers doing what he knew was wrong in support of a misguided patriotism he felt was right; Jurors Inmon and Sweitzer, in fear of a gross injustice, doing a lesser injustice with the hope that the right might eventually prevail.

In varying degrees and from different viewpoints these three jurors, as well as all the others, were influenced by the knowledge that the verdict of Not Guilty as directed by their conscience was an unpopular one—one that would place them out of harmony with the then "created atmosphere" termed "public opinion."

A Peep at the Plot Against the I. W. W.

If Harry Sellers did not state that he stood for a conviction no matter what the evidence might show, he has recourse to the libel laws against those who swear that he did; but in any event his reported cynicism is mirrored in the response made by Warren O. Grimm to Elmer Smith a few days before the Armistice Day tragedy when the latter mentioned the deportation of "Blind Tom" Lassiter from Centralia as being a sample of the kind of "Americanism" of which he did not approve.

"I can't agree with you," responded Grimm. "That's the way to treat such a fellow."

That illegal attitude is also shown in the desire expressed by lumber magnate F. B. Hubbard, former president of the Employers' Association of Washington, to the Centralia police chief, that every I. W. W. be driven out of town, "law or no law"; and in the statement made by William Scales, commander of the Centralia Post of the American Legion, shortly before he resigned that office in favor of Warren O. Grimm.

"I'm not in favor of raiding the hall myself," said the retiring officer, "but I'm certain that if anybody else wants to raid the I. W. W. hall there is no jury in the land that will ever convict them."

Sellers and Grimm both appear to have been victims of the propaganda born from the stress of a vast and devastating war. Grimm had spoken on Labor Day in denunciation of the I. W. W., declaring the organization to be a grave menace to the nation. Between November 6, when he was elected commander of the Centralia Post of the American Legion, and November 11, when he was killed, Grimm was approached by William Dunning, vice-president of the Lewis County Trades Council, and told that the proposed raid on the I. W. W. hall was a matter of common knowledge, that it had been discussed in the labor council, and that the labor unions of Lewis County strongly disapproved of such lawless measures. To this Grimm had made answer, "You fellows are making

a mistake. Decent labor should keep out of this." Meaning, no doubt, that while the labor unions affiliated with the council were not asked to participate in the raid, they were at least expected to assume a policy of non-interference.

Whenever evidence of this character was offered by the defense the jury was hurried to its chambers. The state—by polite fiction the custodian of the interests of all citizens high or low—never denying the truth of the proffered testimony, made objection to its admission, and Judge Wilson, the court, always ruled out anything tending to throw light upon the plot to raid the I. W. W. hall.

It is to this kind of evidence that Jurors Inmon and Sweitzer refer in their affidavit when they say that "no power or influence could induce them to return a verdict of guilty in any degree" if they were to sit as jurors in a new trial "and were permitted to receive in evidence what they now know."

How Public Opinion Was Manufactured.

Pause and reflect upon the condition prevailing during the trial and at the time when the jurors were supposed to be in calm deliberation with the lives of ten men in their keeping. You cannot have any conception of the reasons for the verdict as rendered or of the value of these sworn affidavits published herewith unless you do understand that condition.

The prosecution had set out to create an atmosphere favorable to its designs. Without producing any evidence it proposed to mould public sentiment to the belief that the men were guilty in advance of any trial.

No sooner had the tragedy occurred than the commercial interests drew together their forces. Governor Hart sent special word to the prosecutors of King, Pierce and Spokane counties, principal population centers of the state, to take immediate steps to suppress all "seditious" publications. He advised that widespread arrests be made of "radicals." On November 13, in a circular letter addressed to the peace officers of the different counties in the state, he usurped the function of judge and jury by branding the I. W. W. members as guilty of murder in advance of the slightest investigation from his office. The governor's statement read that "its votaries wantonly murdered a number of the best young men of our state, who were peacefully engaged in a demonstration of a nation's joy at the anniversary of the cessation of warfare with an alien enemy."

Through the office of Governor Hart, the medium employed being an organization known as the Loyal Legion of Washington, with Judge M. F. Gose as executive chairman, the work of spreading the prejudicial publicity was started in earnest.

The Loyal Legion proposed to, and in a large degree did, enlist in its propaganda service the American Legion, the Minute Women, the universities, colleges and public schools, the churches, the Sunday schools, women's clubs, chambers of commerce, commercial clubs, fraternal societies, and other organizations. Bulletins were issued to the county chairmen of the league giving instructions as to the arguments to be used in pursuance of the plan to prejudice the public, and these pogrom-creating bulletins bore a replica of the state seal and were from

the State of Washington Executive Department. On November 19 a letter from the same source, signed by Judge Gose in the name of Governor Hart, was addressed to all the proprietors of moving picture theatres in the state, requesting that the league be allowed to reinaugurate the four-minute speeches. The letter said: "The recent assassinations in the city of Centralia emphasize the work which the League must do."

Clergymen calling themselves Christian, as well as the majority of the newspapers of the state, willingly served the ends of the prosecution.

Justice Drops Scales to Grab Sword.

State's Attorney-General L. L. Thompson called together the prosecutors of thirty-nine counties of the state at a meeting in the City-County Building in Seattle, on November 24, and proceeded to outline a plan to mould public sentiment against the I. W. W. and to then arrest organizers and persons active in the organization in such large numbers that it would be impossible for the accused to find legal talent to represent them. He said that where active persons within the organization were not to be found in a county the prosecutor should proceed against any member who might be available, for, declared Thompson, "statewide action is vital to our chances of success." The attorney-general said he would be assisted by the American Legion and the Loyal Legion in procuring the aid of the bar associations. United States District Attorney Robert C. Saunders addressed the gathering of prosecutors, telling them of the help they might expect from the government.

Members of the State Bar Association placed the seal of their approval on this monstrous plan to defeat the ends of justice. So brazen were these gentlemen that they publicly made announcement of their conspiracy and then endeavored to put it into execution. Proposals were under consideration looking to the disbaring of any attorney who dared to defend a known radical or member of the I. W. W., and the Albert J. Hamilton Post of the American Legion, Bellingham, Washington, actually expelled Attorney A. C. Durham, who represented the accused in an otherwise undefended I. W. W. case. Durham had taken the oath to defend the helpless that is required upon admission to the bar. Durham, a Spanish-American war veteran and a man who served in France with the United States Engineering Corps, kept his pledged word—and is no longer a member of the American Legion.

Attorney C. A. Studebaker, of Chehalis, witness for the prosecution, was forced to admit on the witness stand that he was one who had violated his oath before the bar by voting to refuse to defend accused I. W. W. members.

The State Bar Association is also on official record in this matter. It refused to permit Attorney Alexander Mackel, member of the Montana bar, to qualify before the Washington bar so he might defend I. W. W. members on trial at Yakima, Washington.

Such actions as these were castigated by Samuel Untermyer of New York, attorney of international repute, who told the Los Angeles Bar Association, at its

annual banquet on March 8, 1920, that the bar had failed of its duty in refusing to handle cases that subjected its members to the absurd charge of being unpatriotic.

"In my judgment," he said, "the bar should have insisted upon its most distinguished representatives undertaking the defense of these persons as the surest way of upholding the dignity and usefulness and demonstrating the patriotism of our profession.

"The flower of the bar has been drawn away by the temptations of money-making. Many of them become highly paid clerks to keep the predatory giants of finance prayerfully within the law.

"It is well nigh impossible to find a competent lawyer of standing who is familiar with the ramifications of finance or big business to accept a retainer against these interests. He who dares is a marked man. I insist we are showing lack of courage beneath the dignity of our profession."

Truth Gagged and Handcuffed.

Coincident with the adoption of this new ethical code by the legal gentry, and the spread of publicity of the character noted, were the attempts to suppress all publication of the actual news about the Centralia tragedy. A rigid censorship was placed over the telephone and telegraph communication of Centralia, and already an Associated Press correspondent had been forcibly driven from the town without an opportunity to collect his belongings because he had telegraphed to his agency the actual testimony of Dr. Frank Bickford at the coroner's inquest.

Dr. Bickford, one of the Armistice Day paraders, had testified at the inquest that he was immediately in front of the I. W. W. hall and during a temporary halt someone suggested a raid.

"I spoke up and said I would lead if enough would follow," he declared on oath, "but before I could take the lead there were many ahead of me. Someone next to me put his foot against the door and forced it open, after which a shower of bullets poured through the opening about us."

It was for telegraphing these words that the newspaper man was driven from Centralia. Incidentally, it is well to mention, the coroner's jury sitting over the body of Grimm did not bring in a verdict in accusation of the I. W. W. members. This, of course, was before the privileged interests, through the governor and the legal luminaries of the state, had oiled and started the machinery for the manufacture of public opinion. But County Prosecutor Allen had already scented the need for covering up certain tell-tale tracks, for when County Coroner David Livingstone telephoned him inquiring whether his office desired a stenographic report of the inquest proceedings, Allen said they did not care for one.

In furtherance of the campaign of suppression the Seattle Daily Union Record was assailed and temporarily suspended by state and federal officials for having dared to advise its readers to withhold judgment on the Centralia affair until access was had to all available facts. This was after George F. Russell, manager of the Employers' Association of Washington, had denounced the Record for its "obnoxious propaganda," saying: "We believe the most brazen instance of this

propaganda is that carried on by the Seattle Union Record under the guise of organized labor. It should be stamped out." Later the case instituted against the Union Record by U. S. Dist. Atty. Saunders, on receipt of a telegram from Atty.-Gen. A. Mitchell Palmer, "blew up," thus proving that the only purpose of the raid and charges was to stop publication of the truth about Centralia.

The Equity Printing Company plant of Seattle was closed down by U. S. Marshal Boyle for the same reason and with the same absence of prosecution on the charges trumped up to justify the raid.

Law and Order Gang Stops Legal Defense.

From the time of the tragedy until the end of the trial the defense found itself hampered by all the forces sworn to uphold law and order.

Attorney Ralph Pierce, who was sent from Seattle by the Industrial Workers of the World to guard the legal interests of the imprisoned men, was run out of Centralia. Not a photographer in the town would consent to take views of Centralia that were required by the defense for evidence in the trial.

Defense investigators were repeatedly arrested to prevent their gaining information, or to strip them of written data on information already gained. Two particularly flagrant cases of this nature were the jailing of John Williams, overseas ex-service man and member of the American Legion, who was acting as an investigator in Centralia, and W. E. Hall, formerly an official of the International Union of Timber Workers of the A. F. of L., doing similar work in Montesano.

Defense attorneys had their effects rifled and their mail opened. The prosecution actually had the temerity to produce in court as evidence a letter, addressed to Attorney George Vanderveer by Rev. T. T. Edmunds, which had been stolen.

Offices opened for the purpose of raising funds for the legal defense of the accused were closed by illegal action. Persons engaged in soliciting such defense funds were intimidated and either jailed or deported. These cases were so numerous and so well known that it would be space wasted to give details. But the instance of the Monarch coal mine near Centralia so clearly illustrates the method of combined blackmail and intimidation practiced by the prosecution as to deserve mention.

The mine workers were blackmailed by threats of loss of their jobs into contributing to a fund raised by employers to pay certain of the expenses that the prosecution did not dare to make a matter of public record. In resentment of this blackmail and to show where their sympathies really lay the mine workers from their meager wages sent an even larger amount to the defense. Every man of them was fired.

Intimidation of prospective witnesses took all forms from threats of summary vengeance to arrests and subsequent liberation on the agreement of the party to leave the state.

"The Last Refuge of a Scoundrel."

These open infractions of law could not help but influence the minds of the jurors. Still the prosecution thought it was not enough. Special Prosecutor C. D. Cunningham had telegraphed to Congressman Albert Johnson at Washington, D. C., as follows:

"Ex-service men desire to wear uniforms at I. W. W. trial at Montesano. Is there any federal law to prohibit?"

The answer had come to this effect:

"The act of February 28, 1918, specifically permits the wearing of uniforms by honorably discharged soldiers, providing that a distinctive mark indicating discharge be shown. War Department by regulations dated April 2, 1919, designated a red chevron as that mark. Therefore former soldiers have clear legal right to wear uniform with red chevron at I. W. W. trial."

So the courtroom was filled with members of the American Legion in uniform, many bearing side-arms, scrupulously adjusting their patriotism to the very letter of the federal law but absolutely violating the fundamental legal precept that all accused persons are to be granted a fair and impartial trial by a jury of their peers. And the money to pay \$4.00 a day and expenses to these many members of the American Legion came from the fund raised by the prosecution by blackmail methods such as were employed at the Monarch mine.

Outside the courtroom soldiers from the 35th Infantry were encamped in military order, their presence dating from February 25. Vanderveer protested. Sheriff Jeff Bartell declared he had not asked for troops and stated that the governor's secretary had said there was no need for troops. Even Judge Wilson stated: "I have seen no need for any special guards. There is nothing to warrant such action." Prosecuting Attorney Herman Allen of Lewis County informed the press, "Personally I do not think there is any necessity for bringing troops here. But some of my associates do, and I therefore made the request." But the troops were there, to remain until the final verdict was rendered. And a further psychological touch was added the morning following the arrival of the troops when the defendants were brought into court under the guard of nine deputies in place of the usual four or five.

To all this "made" atmosphere add the horror still lingering in the public mind over the brutal lynching of Frank Little at Butte, Montana; the remembrance of later instances of mob action in Washington and actually in Grays Harbor County, and the still more recent unforgettable crime in Centralia against Wesley Everest, beaten, unsexed, hanged, and his corpse ghoulishly desecrated. Remember also that fresh in the ears of the jurors were the newspaper cries that he who acquitted the I. W. W. was a traitor, he who convicted was a patriot, and you can gain some comprehension of the mental plight of the bewildered jurors at Montesano.

Credit the majority of the jury, or the whole jury, with honest intent. However ill the effect, there must somewhere be a cause. With a retrospective view of that courtroom in Montesano on March 18th in one's mind, the truthfulness of the affidavit of Jurors Inmon and Sweitzer is obvious and clear.

Juror P. V. Johnson Also Admits Injustice.

Supporting the fact that the prosecution had so warped the ideas and emotions of public and jury as to render a fair trial impossible is the affidavit of Juror P. V. Johnson, removed to Multnomah County, Oregon, from Grays Harbor County since the time of the trial.

County of Multnomah) ss

I, P.V. Johnson, being first duly sworn, do depose and say:

That I was one of the jurors in the case of the state of Washington vs plaintiff, Warren Britt Smith, et al, as defendants, tried in the superior court of Washington, for Gray Harbor county, during the first three months of the year 1908 as an outgrowth of the Armistice Day tragedy at Centralia, Wash., November 11, 1919.

That I have been a resident of said Gray Harbor county, Wash., for twelve years immediately preceding my jury duty in this case and that this residence had been continuous on my part.

That I have read the affidavit signed by E.S. Torpin, one of the jurors in the trial, which affidavit was subscribed and sworn before O.M. Nelson, a notary public in and for the state of Washington, residing at Montesano, Washington, upon the 17th day of May, 1922. That the facts as stated in said affidavit are true to my own personal knowledge and belief.

That if the jury had been permitted to consider what I have since learned was a premeditated attack upon the hall, the jury would never have returned a verdict of guilty. It is my firm belief that the men are not guilty of murder in any degree.

That Warren Grimm was killed while advancing upon and engaged in an attack upon the I.W.O.Hall in Centralia, Wash.

That one of the most determining elements in securing conviction of the seven defendants was the bringing in of a large number of soldiers a few days before the conclusion of the trial; that these men were camped close to the court house and the jury was paraded in sight of them; that these soldiers were brought in to protect the jury and as the jury was led to believe; that it was also informed that a thousand or more I.W.O.H. were in hiding in the woods near the town. That this tended to create a feeling in the minds of the jurors that the I.W.O. organization was composed of outlaws and that therefore the organization was as much on trial as the individuals.

That I have read the affidavits of Torpin as above stated and know the contents of the affidavits of E.S. Switzer and H.S. Immen, former jurors and agree with the statements therein made.

That I am making this affidavit because I want to see justice done and it is my firm belief that justice is not obtained through lawless attacks upon peaceful citizens.



Subscribed and sworn to before me, this 27th day of May, 1922.

P.V. Johnson

O.M. Nelson

NOTARY PUBLIC FOR OREGON

My commission expires 11/23/24

Note particularly what Johnson has to say about the effect that the presence of troops had upon the jury. He swears that it was "one of the most determining elements in securing convictions of the seven defendants." It introduced a new element of fear in the already overwrought minds of the jurors.

"We were informed," states the affidavit, "that a thousand or more I. W. W.s were in hiding in the woods near the town" of Montesano. Who was it informed the jury of these extraneous matters? Who was it that attempted to do directly what the presence of the soldiers was intended to do indirectly?

State Stoolpigeon in Charge of Jury.

During the course of the trial (on February 6, to be exact) Attorney Vanderveer forced Special Prosecutor W. H. Abel to admit that J. H. Pittenger, the special bailiff in charge of the jury, was a detective in the employ of the prosecution. Judge Wilson thereupon reluctantly removed this under-cover agent from contact with the jurors in the "fair and impartial" trial.

On February 21 Vanderveer declared that Bailiff A. G. Jackson had been holding surreptitious conversations with known agents for the prosecution, and demanded his removal. This was while Juror Parr was seriously ill but had not yet been replaced by Alternate Juror Ball, and the bailiffs were then permitted to take their meals apart from the jury.

Wilson said Vanderveer was "too suspicious." He wanted Vanderveer to produce his informant, to which request the defense attorney replied that to do so would be to reveal that informant's identity to the prosecution and thus close an important avenue of knowledge of just such conditions as he was trying to remedy and had already exposed in the case of Bailiff Pittenger. So Judge Wilson retained Bailiff Jackson, confidant of the prosecution's stoolpigeons and bosom friend of Prosecutor Abel, in charge of the jury.

Then somehow these jurors learned of matters occurring outside of the courtroom—of implied threats against the jurors contained in a purely fictitious gathering of armed members of the I. W. W. near Montesano—affairs which, even if true, were required to be excluded from the knowledge of the jurors by both the letter and the spirit of the law.

Small wonder under these circumstances that the verdict was rendered against the I. W. W. as a supposedly outlaw organization instead of against the individuals, Britt Smith et al., on the evidence presented in the trial.

Johnson's affidavit is more definite and determined than those which preceded it. The reason is clear. He was not the first one who had to break the silence and admit the wrong that had been done. He had removed from the vicinity and the state which had been specially subject to the pernicious propaganda of the prosecution. Distance had dulled the edge of the sword that was swung over the heads of the jurors, threatening them with economic or physical extinction.

Johnson makes it plain that he now knows that there was a premeditated attack on the I. W. W. hall; that Warren Grimm was killed while advancing upon and engaged in the attack upon that hall; that the defendants were not guilty of murder in any degree, and that justice was not done in the case.

Still it appears that the law, through which the prosecution was allowed to drive a coach and four, is sealed to close every avenue by which the defense may demand a new and really fair and impartial trial.

Inmon Explains Reasons for Affidavit.

Juror Inmon, in an inimitable manner characteristic of the man, concluded an interview with a press representative with the following statement:

"I give you warning there's a lot of things I learned about that trial, both in the jury room and after I got out of it, that I'm not going to tell now. There was peculiar goings-on. If I'm ever put on the witness stand, I'll tell them exactly as I remember them."

Inmon is a pioneer of Grays Harbor County, having gone there when Washington was still a territory. He had been a deputy sheriff for six years in Brown County, Texas, and a Ranger for two and a half years. In Washington he had been a deputy under Sheriff Schelle Matthews for one term, and under Jeff Bartell for two terms. He has always been a Republican in politics.

Inmon says he is convinced that the trial at Montesano was unfair and the verdict a false one; that it was an injustice prompted by hysteria; that the evidence of guilt was inadequate; that important witnesses were prevented from testifying; that some jurors were determined to convict from the beginning of the trial regardless of what evidence might be produced; that other jurors were intimidated by prevailing public opinion, and that one juror "was afraid of his life." He also emphatically declares that the jury had been instructed that 11 out of 12 could convict without the concurrence of the 12th juror.

"In a way," explained Inmon, "I felt that I ought to have voted for an acquittal. On the other hand, I was afraid that a hung jury would mean a new trial with a worse jury, and that innocent men would be put to death. So I voted for a second degree against seven and acquittal for two. It seemed better that way, with two of the men free to work for the release of the others."

The two who were released had not been held under the same circumstances as the other defendants. Elmer Stuart Smith, a Centralia lawyer, was charged with aiding and abetting the other defendants in advising them to defend their hall in case of an attack. Mike Sheehan was in the I. W. W. hall but was unarmed and, having just arrived in Centralia, could not possibly have been a party to any premeditated act.

But no sooner were these men acquitted than the prosecution had them re-arrested. Sheehan was charged with the murder of Arthur McElfresh, and Elmer Smith with having been an accessory after the fact. These arrests were but an additional jockeying with the law for the purpose of further propagandizing a gullible public. As in the perjury cases, neither man was ever brought to trial. They were admitted to nominal bail and when the excitement created by the trial had subsided the charges were quietly dropped.

In a measure there is justification for the stand taken by Inmon and Sweitzer in delivering a compromise verdict. Smith and Sheehan have worked unceasingly for the liberation of their co-defendants, and at the time the case went to the jury

there was as meager a chance for a square deal in a retrial as in the original trial. Small doubt that some of the jurors felt that a verdict of complete acquittal would be a signal for the assembled Legionnaires to lynch the defendants.

"Thinking wasn't very popular about that time," remarked Inmon. "You thought what everybody else thought or you began to feel funny inside, as if you was a crook or something. When a man got an independent idea, chances was he dropped it quick and flopped over with the rest, like a fish. You found out about the strength of outside opinions in that jury room.

"I remember when we went to the window and got first sight of the soldiers from Camp Lewis, with their little tents hiked up everywhere, and the boys a-promenadin' around. They was men in that courtroom you could a-knocked the eyes off with a pitchfork and never touched their noses.

"My God!" one of them said to me, 'they're here to keep us from being shot.'

"I couldn't see why worry. We hadn't committed any crime. But some of 'em did worry. And you can see how it was. A man had to be just plain onery stubborn to do any thinking. Some, I'll always figure, had their thinkin' all done and out of the way when they took their seats on the jury.

"I didn't believe that any of the men convicted were guilty. The men that did the shooting never came to trial.

"There was a lot of witnesses that never was allowed to tell their story on the stand. They were telling the truth, too, things that would have cleared up big points. They were shut up pretty quick."

"Do you approve of the criminal syndicalism law?" queried the reporter.

"I don't know." Inmon threw up his head in a frank gesture of ignorance. "I wouldn't want to say, because I don't hardly know anything about it."

"Didn't you think about it during the trial?"

"Yes, sure, I thought about it. But I didn't figure it was the main thing."

"You mean the men were on trial for murder, not for membership in the I. W. W.?"

"Now you got the right pig by the ear!" Inmon slapped the leg of his khaki field pants. "That's just the way I sized it up. But there was a heap of people tryin' 'em for bein' I. W. W.s.

"I been thinkin' and thinkin' ever since the verdict that the whole trial wasn't fair to nobody. I've talked to Sweitzer about it several times, and he feels pretty much the same way. And just two or three days ago a responsible party told me a juror had told him he voted guilty because he was scared of his life. I believe that's a fact. What's more, though I ain't going to name names, I figure likely three or four other jurors will make affidavits like the one Sweitzer and I signed."

Juror Hulten Adds His Affidavit.

Inmon was correct in his conjecture that other jurors would be willing to verify the stand taken by himself and his friend Sweitzer, as can be seen by the affidavits of Torpen and P. V. Johnson. Then on June 1st Juror Carl O. Hulten offered his sworn and signed statement in full corroboration of the other four.

State of Washington)
County of Grays Harbor) SS

Carl O. Hulten being first duly sworn upon his oath deposes and says, that I was one of the jurors in the case of the State of Washington as plaintiff, versus Britt Smith et al as defendants, tried in the superior court of the State of Washington for Grays Harbor County during the first three months of the year 1920, as an outgrowth of the Armistice Day tragedy at Centralia, Washington, November 11th 1918.

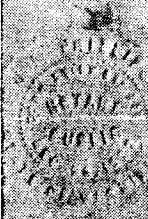
That I have the contents of the affidavits of E.E. Switzer, W.E. Jensen, E.E. Terpen and P.V. Johnson also jurors in the above stated cases these statements appeared in the public public press during the month of May, 1922. That their said affidavits coincide with my view of said trial. That I verily believe the defendants in said action did not have a fair and impartial trial and there is set now in my mind an abiding conviction of their guilt of the murder of Warren O. Grimm.

That the said trial was conducted under extreme excitement and pressure which made it impossible to conduct a trial in a normal manner and leave the jury free and unhampered in their deliberations.

Carl O. Hulten

Subscribed and sworn to before me this First day of June
A.D. 1922

J.M. Phillips
Notary Public in and for the State of
Washington, residing at Aberdeen, Wash.



There is not today in the state of Washington a man, woman or child who is familiar with the Centralia tragedy and the trial of the I. W. W. members but will subscribe to Hulten's statement and say "There is not now in my mind an abiding conviction of their guilt of the murder of Warren O. Grimm." But, incredible as it may seem, there are many whose sense of justice and reason is still so warped and twisted by the propaganda of the prosecution that they justify the outrageous sentences of 25 to 40 years by declaring that it served the convicted men right for belonging to such an organization as the I. W. W.

The concluding paragraph of the affidavit of Juror Hulten is sufficient in itself to brand the trial as unfair. If law were a matter of common sense and justice instead of precedent and privilege that paragraph alone would offer sufficient ground on which to justify a new trial.

But precedent does rule, as Attorney Vanderveer very clearly pointed out when Judge Wilson fumbled over the pages of a heavy calfskin-bound tome before announcing that no case had been made against 23-year-old Defendant Bert Faulkner, member of the I. W. W. and an ex-soldier of the Twenty-seventh Company, Coast Artillery.

"And so," sarcastically said Vanderveer, "because somebody back in 1883, before Bert was born, printed something in a book, Bert is not guilty!"

One is reminded of the verse by Oliver Goldsmith:—

*When I behold a factious band agree
To call it freedom when themselves are free,
Each wanton judge new penal statutes draw,
Laws grind the poor and rich men rule the law.*

Special Investigator Sums Up Situation.

If there is anything needed to clinch the statement of Hulten that the trial was conducted under extreme excitement and pressure, so that the jury was not free and unhampered in its deliberations, that something can be found in the following report made by a special investigator for the defense.

MONTESANO, WASHINGTON,
March 10, 1920.

In making a summary report of the investigations conducted by myself in the interest of the defense, I will deal briefly with the conditions which have been and are at present in existence at Montesano and vicinity, in conjunction with the trial of the ten men accused of the murder of Warren O. Grimm at Centralia, Washington, on November 11, 1919, together with the methods employed to intimidate and impeach the defense witnesses, as well as the method used to "frame" or "make" witnesses for the rebuttal of the state's case.

I was called to Montesano February 9th. My instructions were to keep tab on the way the jury was handled and to report any infringements of the law; also to observe any other irregularities which might manifest themselves to me.

My first day at Montesano, February 10th, revealed the presence of about sixty ex-soldiers, members of the American Legion, quartered in the upstairs part of Davidson's Garage, which is two blocks south of and facing the courthouse on First Street. These boys were all supplied with guns, pistols, etc., of various calibers and makes. They were also supplied with five army blankets each and a "Gold Medal" cot from Camp Lewis. In command of this fortress and

group of American Legion boys was Lieut. Walter Crawford, who is a resident of Mt. Vernon, Wash. A regular system of guard duty was performed in this barracks during the entire 24 hours of the day, the boys being detailed by roster.

At the City Hall, which also contains the fire department, the hose carts had been removed to the streets and dining room and kitchen, a la army style, had been erected, also headquarters for the American Legion.

The American Legion boys were sent as delegates from the following towns: Tacoma, Centralia, Chehalis, Bellingham, Port Angeles, Aberdeen, Hoquiam, Mt. Vernon, Anacortes and Bremerton. Centralia contributed the largest number of men, Mt. Vernon, Bellingham and Chehalis ranking next. The delegates were O. K.'d volunteers from their local posts, but came with the understanding that they would submit to the orders of their commander, Mr. Schant, a former captain in the army, and at present in charge of the American Legion interests at Montesano. Under Mr. Schant are various other heads, Mr. Crawford, before mentioned, being in charge of the combative forces, having been deputized presumably for this purpose and obviously for the purpose of carrying a gun.

Mr. Balcon, a former lieutenant, is head of the secret service branch, Mrs. Balcon, wife of Lieut. Balcon, presumably heading the feminine part of this branch. Under Mr. Balcon were several men of the American Legion, dressing as loggers and workmen, whose duty it was to gain the confidence of defense witnesses, that they might get their testimony and, wherever possible, influence it to suit the program of the prosecution. As soon as a defense witness had been interrogated by these detectives, it was transmitted to Chief Balcon, who was privileged to enter the part of the courtroom occupied by the attorneys and pass this information to Assistant State's Attorney Christenson, who would give it to Mr. Cunningham and Mr. Abel, during the progress of the court.

Attorney Christenson is and has been the most active of any of the detective force for the prosecution at Montesano. His position as assistant state's attorney afforded him absolute freedom and access to everything that went on at the courthouse, special prosecution office and the American Legion headquarters.

By examination of the subpoenas issued for defense witnesses it was easy for the prosecution to keep informed of all the witnesses likely to be called and the policy of the prosecution was to interview each and every one of these witnesses for the purpose, first, of having advance information of just what their testimony would be, and, second, to influence it by any means possible, so as to be favorable to the program of the prosecution. To accomplish this end very elaborate methods were employed.

Lieutenant Van Gilder, one of the chief members of the American Legion Intelligence Department, wherever possible, visited the prospective witnesses before their arrival at Montesano and secured or tried to secure their testimony. Wherever a witness was found that had objectionable testimony to the prosecution, other agents were notified to interview them, with intimidation and threats regarding their future welfare in the community where they resided.

Upon the arrival of the defense witnesses at Montesano, Lieut. Balcon's forces took charge of this work and every effort was made to interview the few witnesses who had escaped Van Gilder's examination. Here the Legion men who were disguised in various attires to appear as loggers and workmen tried through confidential methods to secure the prospective testimony. Some of the witnesses were openly threatened in the courtroom immediately following their testimony. As a particular instance I will mention the witness Campbell, for the defense, who was present in the courtroom following his being on the witness stand, when, during the afternoon recess, a number of Legion boys reprimanded him, together with threats, regarding his testimony. I will mention Lloyd Dunn, who lives near Chehalis, as one of the Legion boys who made threatening remarks. The arresting of two defense witnesses for perjured testimony immediately following their being on the stand was part of the plan to intimidate witnesses who were to testify for the defense.

As the defense neared the conclusion of its case, the machinery of the prosecution was well under way to manufacture rebuttal witnesses. The plan was

to offer a sufficient number of rebuttal witnesses to impeach all of the important testimony for the defense and to prove by a great number of witnesses that the shooting started before the rush was made on the hall.

It is more than regretful that I could not get the information regarding the method used to make these witnesses before authorities who would act in a measure to curb such high-handed methods of insulting justice. But when it is understood that Assistant State's Attorney Christenson was the one who put the polish on the final schooling of these made witnesses, it can be realized how impossible it would be to prove anything regarding this crime against justice. Were I to make an appeal to anyone regarding my knowledge of what was being done, the same methods of framing witnesses would be employed to impeach my testimony. The only course left for me was to keep the defense attorney posted regarding what was being done and what to expect. My notes with their dates will verify the fact that I gave him this advance information before it was introduced on the witness stand.

The testimony of these witnesses was all framed by Mr. Van Gilder or his associates before being brought to Montesano, and, as before stated, the "final touch" was put on them by Attorney Christenson. Then they were taken before the special prosecuting attorneys for final approval.

About February 23 several of the American Legion boys were sworn in as special deputy sheriffs for the purpose of allowing them to carry firearms about the courthouse. Several were used to do guard duty at the jail the night of the arrival of the detachment of soldiers from the 35th Infantry at Camp Lewis, this being a part of Attorney Abel's program to produce a fear in the minds of the residents of Montesano that an attempt at jail delivery was probable. A number of these special deputies were required to move their cots and blankets to quarters in Attorney Abel's office, apparently to maintain the belief that there was danger of a raid by "Wobblies" from somewhere in the hills.

The majority of the American Legion delegates who were present at Montesano were not allowed into the confidence of the plans and practices conducted by the prosecution. Each one was sent there as a delegate because he had been O. K'd by the officials of his organization to be the proper kind of clay that would "mould to fit" any form.

In my investigations it was necessary to keep in touch with men assigned to each duty, to gain an intelligent understanding of just what was going on.

Only a few members, such as Crawford, Balcon, Schant and Van Gilder, were on the inside of the gigantic plan to defeat justice, as was carried out by the special prosecuting attorneys. The rank and file of the American Legion were mere catspaws for the Associated Industries, who directed this farce of justice, the trial of those accused of *first degree murder*, and the destinies of these so-called delegates from the aforementioned American Legion posts, who received the sum of \$4.00 per day, board and lodging at the barracks.

(Signature) Special Investigator for the Defense.

Already the reader will have found in these pages proof of the accuracy of the foregoing report, excepting perhaps that portion dealing with the "made" or "schooled" witnesses. To prove this charge one has but to turn to the court record.

The Failure of Three "Made" Witnesses.

At the outset of the case the prosecution found it necessary to attempt to prove that one of the defendants actually fired the shot that killed Warren O. Grimm. For this purpose Defendant Eugene Barnett was selected because he was neither in the I. W. W. hall, from which place the first answer was made to the attack, nor on Seminary Hill, overlooking the scene, from whence shots

were fired. It was necessary to place Eugene Barnett in the Avalon Hotel, across the street and nearly a block away from the I. W. W. hall, and to have him seen firing from an upper window.

For the purpose of making this identification the prosecution put Elsie Hornbeck on the stand. She testified that she saw a man leaning out of the south window of the Avalon. He had dark hair and a thin face. On being asked by Special Prosecutor Abel to pick that man from the row of defendants she did not so much as glance at the other men, but said immediately: "It was the first one." The first man was Eugene Barnett, a full-faced, smiling defendant.

Three months had passed since the tragedy and the witness had not known Barnett either by name or by sight previous to the tragedy. Defense Attorney Vanderveer asked her if she had seen Barnett since the time she claimed to have seen him in the window, and the witness stated that she had not.

"How did you know he was in this line of men?" demanded Vanderveer. "How were you able to pick him out so quickly? You never looked at the other end of the line at all. How did you know that he was in here at all?"

The witness could only mumble that Barnett looked like the man.

By skillful questioning Vanderveer then brought out the fact that she had been shown a photograph of Barnett, first by an American Legion man and later by Frank Christenson, a special prosecutor from the state attorney-general's office.

The next day, on being recalled to the stand for cross-examination, Elsie Hornbeck admitted that Special Prosecutor Cunningham "might have" been the one who told her that Barnett was among the defendants. And her manner of identification left no doubt that she had also been told Barnett's exact position in the row of men. At any rate, the defense had advance information on the "schooling" of this witness by means of photographs and other prompting from the prosecution.

Charles Briffett, of Port Angeles, who was in Centralia on the day of the tragedy, testified that he had seen Barnett leave the alley in the rear of the Avalon Hotel, cramming fresh cartridges into the .38-55-caliber rifle in his hands. He identified Barnett by stating that he was the third defendant from the end of the row, a position which Barnett had occupied some time before the witness entered the courtroom. Briffett was not acquainted with the defendant by sight. It had been months since he had seen the man in the alley for a fleeting instant at a considerable distance during a time of intense excitement, but his identification was positive. Whoso else might doubt the truth of the testimony of this "made" witness, he seemed to have thoroughly convinced Governor Hart, who has since appointed Charles Briffett as superintendent of the Boys' Industrial School at Chehalis.

Leila Tripp was the third member of the trinity of schooled witnesses. But Vanderveer slipped one over on her and on the schoolmasters. He stood between the witness chair and Defendant Barnett until the witness had told about the man she had seen, and until he felt sure that the state was about to call for the usual identification. Then he asked for a recess, which was granted. Gathering the defendants about him, the attorney engaged them in conversation in such a position that their faces could not be seen by anyone outside their circle.

Upon the resumption of court the prosecution saw the predicament into which it had fallen—the defendants had changed seats one with another.

"Stand up, Eugene Barnett!" called the prosecutor sharply.

"Oh, no!" said Vanderveer, laughingly. "We don't do it that way, either."

The witness utterly failed to make the desired identification, although by the same method as that just attempted she had previously identified him in the Centralia jail following his capture. Nor was she willing to try to pick out Barnett when the defense attorney asked her to make a careful examination of all the prisoners to see if there was one who resembled the man she had claimed to have seen leaving the Avalon Hotel.

Had the jurors placed any credence in the testimony of these three witnesses there is small doubt that with the pressure then existing they would have found a first degree verdict against Barnett. But all of the jurors who have been interviewed on the subject unite in declaring that they do not believe Barnett fired from the window of the Avalon Hotel; that he was not even within the hotel at the time of the shooting.

Opinions of Four Additional Jurors.

Armed with the affidavits of Jurors Inmon, Sweitzer, Torpen, P. V. Johnson and Hulten, friends of the convicted men have visited four other members of the trial jury up to the time of this writing.

Not one of these additional four members of the jury was willing to go on record in denial of the truth of the five affidavits that were read to him.

For various reasons, none of which appear to have more than a temporary basis, they declined to affix their signatures to any of the statements, even though they confessed themselves to be in agreement with one particular or another of the affidavits. All expressed themselves as painfully surprised at the severity of the sentences imposed, having expected terms of from 2 to 5, or at the very outside of 10 years, in place of the 25 to 40 years given by Judge Wilson. All were emphatic in declaring that they would not care to be tried under circumstances similar to those surrounding the accused, no matter how strong might be the proof of their innocence of any accusation.

One of these jurors said: "I don't think I would like to be tried at a time like that. I doubt whether they could get the same kind of testimony for the prosecution at this time as they did then." He was of the opinion, however, that those who defended the I. W. W. hall from an attack by stationing themselves elsewhere than on the defended property—that is, on Seminary Hill—were exceeding their legal rights.

Another juror gave as his opinion that if he had been permitted to consider evidence showing that there was a raid on the hall the year before and that newspapers and other agencies had planned to raid the hall on Armistice Day, or if all of the men had been stationed in the hall instead of some of them being on the hill, he would have brought in a different verdict. He did think that the organization was partly on trial. He also thinks that if the men were to be tried now they would not be convicted.

A third juror was of the opinion that Warren O. Grimm, as well as McElfresh and Casagrande, who were killed in the vicinity, were shot while engaged in an attack upon the hall; that they were actually attacking the hall. He said the accused men had a right to defend their hall, but they should have waited until they were actually attacked, presumably meaning a forcible entrance to the hall and attack upon the occupants personally. He read the affidavits of the five jurors and said he could not see anything in them that he could object to—in fact, he thought they were true. But without giving any reason he declined at the time to sign any affidavit setting forth his position.

Another of the jurors states that there was not an abiding conviction in his mind of the guilt of the men during the trial or at the rendering of the verdict, and that as time goes on he is still less sure of the equity of his verdict. This man, like some other jurors, is in a position where the interests behind the prosecution can bring pressure to bear upon him. In the event of a grand jury investigation, were such a thing probable, he doubtless would join nearly all the rest of the jurors in substantiation of the statements made by the five who have signed and sworn affidavits. The names of these four jurors are withheld at their own request.

Some Excluded Evidence of Conspiracy.

Jurors Inmon and Sweitzer state that their verdict would have been for an unqualified acquittal had they been "permitted to receive in evidence what they now know." Other jurors who have been interviewed say that their verdict would have been different had the court allowed them to consider evidence showing that there was a raid on the I. W. W. hall the year before, accompanied by physical violence and property destruction, and that another like expedition had been planned for Armistice Day. A brief recital of such excluded evidence as has not already been given herein is needed if the reader is to render a fair judgment in this case.

Since its inception in the year 1905 the Industrial Workers of the World has openly proclaimed its purpose of creating a social order involving a complete readjustment of existing property arrangements in land and machinery, and in addition had pressed for such immediate demands as shorter hours, higher wages, sanitation in food and lodging arrangements, and safeguards to life, limb and general health. Under ordinary circumstances the exploiting interests were inclined to dismiss the major purpose of the I. W. W. with the contemptuous epithet "Utopian," but as the secondary purpose meant an attack upon profits it invariably precipitated a bitter industrial conflict. Such was the case in Centralia.

The I. W. W. organization and the hall it maintained as a meeting place in Centralia proved a thorn in the side of the lumber interests. By no legal method could the hall be closed to the lumberjacks or the organization disbanded and destroyed. But the lumber trust could brook no opposition in its own domain, so the word went forth to drive out the I. W. W. and destroy their hall.

The first move was against the local secretary, who was kidnaped by a mob of Centralia business men, taken to the woods, made to run the gauntlet, given a severe beating, and warned that he would be hung if he ever again dared enter

the town. No defense was offered to this attack and no retaliation made by the I. W. W.

Next came the plot to raid the I. W. W. hall. F. B. Hubbard, then president of the Employers' Association of the State of Washington, had completed the plan with his associates, the parade during the Red Cross drive in April of 1918 was chosen as the opportunity and means of effecting the raid. The line of march was arranged so that the procession would pass close to the I. W. W. hall and those who were to participate in the assault were placed in the tail of the parade.

According to the schedule the parade passed through the streets in an orderly manner until the tail end of the procession was at the point closest to the I. W. W. hall. There was a shout, "Let's raid the I. W. W. hall!" The ranks broke and the hall was reached in a fraction of a minute.

The Red Cross Raid of 1918.

What then ensued is pictured vividly and concisely by Ralph Chaplin in his pamphlet, "The Centralia Conspiracy":

"The building was stormed with clubs and stones. Every window was shattered and every door was smashed, the very sides of the building were torn off by the mob in its blind fury. Inside the rioters tore down the partitions and broke up chairs and pictures. The union men were surrounded, beaten and driven to the street where they were forced to watch furniture, records, typewriter and literature demolished and burned before their eyes. A Victrola and a desk were carried to the street with considerable care. The former was auctioned off on the spot for the benefit of the Red Cross. James Churchill, owner of a glove factory, won the machine. He still boasts of its possession. The desk was appropriated by F. B. Hubbard himself. This was turned over to an expressman and carted to the Chamber of Commerce."

The mob spirit led to the ransacking of a nearby hotel office on the pretext of seeking out I. W. W. literature. The men found within the hall were cuffed, kicked and beaten. Some were jailed without warrant or charge, others, with their necks made raw from ropes the conspirators had carried in the parade, were taken to the county line and forcibly deported.

Evidence of the plot to commit this outrage, the names of those who actually participated, and photographs showing the condition of the I. W. W. hall, were withheld from the jury at Montesano by the lumber trust lawyers conducting the prosecution, aided by the rulings of Judge Wilson. Since the raid numerous attempts have been made to destroy the wrecked hall by fire so as to blot out that part of the record against Hubbard and his associated criminals.

Again the I. W. W. members offered no defense of their hall and attempted no retaliation for the violence against their persons. But with indomitable courage they took the earliest opportunity to again conduct peaceable public propaganda of their ideas and ideals in another hall some two and a half blocks distant from their former headquarters. This hall was the scene of a similar raid by tools of the same entrenched interests on Armistic Day, November 11, 1919.

Deportation of "Blind Tom" Lassiter.

The case of Tom Lassiter, likewise excluded from the attention of the jury, demonstrated the difficulties accompanying any attempt at peaceable conversion of the people to any ideas not endorsed by the lumber interests of Centralia.

Lassiter, a blind newsdealer, who ran a little street-corner newsstand, with his other papers handled such publications as the Seattle Union Record, the Industrial Worker and Solidarity. First his stand was raided, his stock of papers destroyed, his effects taken and burned, and a warning given him to leave town within 24 hours. Lassiter replenished his stock and continued to run his stand.

On June 13, 1919, at 3 o'clock in broad daylight, "Blind Tom" was seized by two Centralia business men and in the presence of Constable Luther Patton was thrown into the automobile of Cornelius McIntyre by a brutal shove given by one W. R. Patton. His kidnapers took him to the county line and hurled him into a ditch, with warnings never to return to Centralia. Within a week "Blind Tom" had found his way back, only to be arrested on a charge of "criminal syndicalism." The sole merit to the charge lay in the fact that it was practically the only action taken by the Centralia forces of "law and order" that was even quasi-legal.

Elmer Stuart Smith, previously engaged by Lassiter as his attorney, appealed to County Attorney Herman Allen to locate and prosecute the kidnapers. Nothing came of the appeal. Allen, the same Prosecutor Allen who later appeared against Elmer Smith in the trial at Montesano and who was instrumental in having the Lassiter matter barred from the consideration of the jury, said he was "too busy to bother with the affair."

Attorney Smith, whose fearless stand for the workers in legal and other ways had brought down upon his shoulders the wrath of the Centralia business interests, then gathered together sworn statements of the Lassiter deportation and sent them to the governor. Perhaps the governor still "has the matter under advisement." At any rate, there has been no attempt on the part of the State to take the slightest legal action against those who deported the I. W. W. secretary, those who destroyed the I. W. W. hall and effects, or those who kidnaped the blind newsdealer. "Justice" in the state of Washington was and is even more blind than Tom Lassiter.

How Plot to Raid I. W. W. Hall Was Hatched.

All this, with innumerable persecutions of I. W. W. members too petty to mention, brought forth no physical resistance or retaliatory measures from the workers. Emboldened by their success, the plotters, now reinforced by ex-service men of the American Legion in the persons of Warren O. Grimm, Arthur McElfresh, B. S. Cormier, and others, laid new plans to completely rout the "Wobblies" and destroy their meeting place.

On June 27 the business men of Centralia met in the Chamber of Commerce rooms in conference with officers of the Employers' Association of the state.

George F. Russell, secretary-manager of the association, delivered a talk against the I. W. W. and radicals generally, along lines that may be surmised from the following extracts from his confidential bulletins to employers of Washington:

"Hang the Bolsheviks."—(April 30.)

"Get rid of the I. W. W.s."—(June 30.)

"Stringent treatment of the I. W. W."—(August 31.)

"Jail the radicals and deport them. * * * Only two communities in Washington allow I. W. W. headquarters."—(October 31, shortly before the tragedy.)

Then on December 31, 1919, following the raid on the hall and lynching of Wesley Everest: "Deport the radicals or use the rope as at Centralia. * * * Keep cleaning up the I. W. W. * * * Don't let it die down. * * * Keep up public sentiment."

At this meeting on June 27 the "Citizens' Protective League" was formed, with F. B. Hubbard, president of the Eastern Railway and Lumber Company, as chairman, clothed with the power "to perfect his own organization."

On October 20 a second meeting was held in the Elks' Club in response to a call published in the Centralia "Hub" on the previous day. The meeting proposed "to deal with the I. W. W. problem." It was at this meeting that Hubbard and Scales made the statements published earlier in this review. Here also was the attempt made to have it appear that the workers within the craft unions were party to the plan to drive the I. W. W. from Centralia. A member of the Railway Brotherhood named Henry was nominated on a committee to deal with the situation and Hubbard called him a "damned skunk" when he indignantly declined the doubtful honor.

At this meeting County Coroner David Livingstone was elected president of the league, William Scales vice-president, and Hubbard treasurer. A committee "whose inner workings were secret" was appointed by Hubbard and—quite logically—was held to have numbered among its members Hubbard himself, Warren O. Grimm, Arthur McElfresh, B. S. Cormier and William Scales.

Scales, who said "I'm not in favor of raiding the hall *myself*," resigned as commander of Centralia Post, American Legion, in favor of Warren O. Grimm, on November 6, just five days before the tragedy, but after the secret committee had laid its final plans.

Even before this rumors were current of a contemplated raid upon the hall. William T. Merriman, member of the Lewis County Trades Council, had learned through Police Chief Hughes that business men were organizing for a raid and deportation. He carried that information to the Council where President L. F. Dickson brought up the matter for general discussion, but no method of procedure helpful to the threatened workers was found.

On November 4 the news reached the I. W. W. members that a "parade" was to be held on Armistice Day, and that patriotism would again serve as a cloak under which to repeat the mob action that had marked the Red Cross parade in 1918.

Secretary Britt Smith of the I. W. W. at once drew up a leaflet addressed to the citizens of Centralia. It was read, discussed, approved by the membership,

and ordered printed and distributed in hope of preventing the proposed violence. This leaflet has appeared in other publications, but its omission here would be unpardonable. Here is the complete leaflet as circulated:

TO THE CITIZENS OF CENTRALIA WE MUST APPEAL.

"To the law-abiding citizens of Centralia and to the working class in general: We beg of you to read and carefully consider the following:

"The profiteering class of Centralia have of late been waving the flag of our country in an endeavor to incite the lawless element of our city to raid our hall and club us out of town. For this purpose they have inspired editorials in the Hub, falsely and viciously attacking the I. W. W., hoping to gain public approval for such revolting criminality. These profiteers are holding numerous secret meetings to that end, and covertly inviting returned service men to do their bidding. In this work they are ably assisted by the bankrupt lumber barons of Southwest Washington who led the mob that looted and burned the I. W. W. hall a year ago.

"These criminal thugs call us a band of outlaws bent on destruction. This they do in an attempt to hide their own dastardly work in burning our hall and destroying our property. They say we are a menace; and we are a menace to all mobocrats and pilfering thieves. Never did the I. W. W. burn public or private halls, kidnap their fellow citizens, destroy their property, club their fellows out of town, bootleg, or act in any way as lawbreakers. These patriotic profiteers throughout the country have falsely and without any foundation whatever charged the I. W. W. with every crime on the statute books. For these alleged crimes thousands of us have been jailed in foul and filthy cells throughout this country, often without charge, for months and in some cases years, and when released, re-arrested and again thrust in jail to await a trial that is never called. The only convictions of the I. W. W. were those under the espionage law, where we were forced to trial before jurors, all of whom were at political enmity toward us, and in courts hostile to the working class. This same class of handpicked courts and juries also convicted many labor leaders, socialists, non-partisans, pacifists, guilty of no crime save that of loyalty to the working class.

"By such courts Jesus the Carpenter was slaughtered upon the charge that 'he stirreth up the people.' Only last month 25 I. W. W. were indicted in Seattle as strike leaders, belonging to an unlawful organization, attempting to overthrow the government, and other vile things, under the syndicalist law passed by the last legislature. To exterminate the 'Wobbly' both the court and the jury have the lie to every charge. The court held them a lawful organization and their literature was not disloyal nor inciting to violence, though the government had combed the country from Chicago to Seattle for witnesses, and used every pamphlet taken from their halls in government raids.

"In Spokane 13 members were indicted in the Superior Court for wearing the I. W. W. button and displaying their emblem. The jury unanimously acquitted them and the court held it no crime.

"In test cases last month both in the Seattle and Everett Superior Courts the presiding judge declared the police had no authority in law to close their halls and the padlocks were ordered off and the halls opened.

"Many I. W. W. in and around Centralia went to France and fought and bled for the democracy they never secured. They came home to be threatened with mob violence by the law and order outfit that pilfered every nickle possible from their mothers and fathers while they were fighting in the trenches in the thickest of the fray.

"Our only crime is solidarity, loyalty to the working class, and justice to the oppressed."

Bear in mind this document when reflecting on the charges made by the mayor of Centralia in a leaflet issued shortly after the shooting. Accusing the

I. W. W. men of wanton murder "without justification or excuse," this official declared that the "plot to kill had been laid two or three weeks before the tragedy."

The facts were that two weeks prior to the tragedy there had been no intimation that a parade was to be held in Centralia. If the county were to celebrate the anniversary of the Armistice, the natural place would have been Chehalis, the county seat. The first information was in the local notes published in the Centralia Hub on November 4, and it was not until November 6 that the Centralia Post of the American Legion met with a committee of the Chamber of Commerce to arrange the details of that parade.

Those details naturally included the line of march. The I. W. W. hall was outside of the business district and several blocks beyond the point where parades usually countermarched. Scales proposed that the parade pass the I. W. W. hall so as "to show them how strong we are." Lieut. Cormier, Grimm and McElfresh—said to be on the secret committee—endorsed the proposal, and when the Hub on November 7 published the line of march for the first time there was no doubt in the minds of any person in Centralia that the I. W. W. hall was to be attacked.

Mrs. McAllister, wife of the proprietor of the Roderick Hotel, from whom the hall was rented, appealed to the chief of police to protect her property. Hughes agreed to do the best he could, but said that he was afraid the "Wobblies" wouldn't last fifteen minutes if the business men started after them.

When asked for advice, Attorney Elmer Smith told the I. W. W. members that they had a legal right to defend their hall against any unlawful invasion, and on the day of the raid he gave them the final positive information that their hall was to be raided in furtherance of a plot. It was for this that Elmer Smith was later arrested in his office and jointly charged with the I. W. W. members of having conspired to murder Warren O. Grimm. On the wall of the office was Smith's credo, a famous verse that marks the measure of the man:

*"God give us men—a time like this demands strong hearts, true faith
and ready hands;
Men whom the lust of office does not kill,—men whom the spoils of
office can not buy;
Men who possess opinions and a will; men who have honor—men who
will not lie;
Men who can stand before a demagogue and scorn his snaky flattery
without winking;—
Tall men, sun-crowned, who live above the fog in public duty and in
private thinking."*

Position of Participants in the Tragedy.

Loren Roberts, one defendant who was tortured in the jail by agents of the prosecution until his mind became distorted under the strain, tells of the position some of the I. W. W. members took in defending their lives and property. His extorted "confession" told of shooting done by himself, Bert Bland and Ole Hanson, the latter never apprehended, from Seminary Hill, but even from this tortured boy of 19 years the state by third degree methods could twist no more incriminating statement than that the three men had been instructed to fire upon

anyone attacking the hall, but to withhold their shots until the hall was actually attacked.

The state charged that a bullet from the rifle of Loren Roberts slew Arthur McElfresh. Why, then, were Elmer Smith and Mike Sheehan re-arrested and charged with the offense?

In the Arnold Hotel were O. C. Bland and John Lamb. Bland testified that in trying to open the hotel window he had cut his hand so severely as to prevent the use of his rifle. The physician who dressed the wound admitted the extent of the injury.

The prosecution claimed that the shot that killed Grimm came from the Avalon Hotel, and that in the room from whence it came were Eugene Barnett and John Doe Davis. It was conclusively proven during the trial that Barnett was not in the Avalon Hotel, but in the office of the Roderick Hotel, adjoining the I. W. W. hall. Davis has never been seen since the day of the tragedy, and persons closely allied with the defense hope that time may serve to clear up certain significant matters in connection with the missing man.

In the I. W. W. hall were Bert Faulkner and Mike Sheehan, nonparticipants, together with Wesley Everest, Britt Smith, Roy Becker, James McInerney, and stoolpigeon Morgan. This was the position of the defendants while the head of the parade made its way through the streets of Centralia and past the hall.

At the head of the procession was the Centralia contingent, commanded by Warren O. Grimm. Next came the Chehalis division. Lieutenant Cormier was marshal of the parade. Among the Centralia paraders were men who openly carried coils of rope such as had been used against the occupants of the I. W. W. hall in the raid of the previous year. Postmaster McCleary was one. And similarly equipped beside him, and evidently awaiting an opportunity to put a pet theory into practice, was the Reverend H. W. Thompson, a kindly Christian gentleman who had stumped the state in favor of hanging at a time when the issue was restoration of capital punishment.

When the end of the route had been reached the marchers turned "about face" and started back. This placed the Centralia group at the rear end of the parade, just as it had been in the Red Cross parade.

The Raid and an Unexpected Defense.

The Chehalis division again passed the hall and kept on marching. The Centralia contingent on command stopped directly in front of the hall. Marshal Cormier—member of the secret committee—from his vantage point on a bay horse cried in vexation to the Chehalis marchers, "What is the matter with you fellows? Aren't you in on this?" Immediately he signaled with shrill whistle, there were shouts from the crowd, "Come on, boys! Let's get them!" and the mob rushed the I. W. W. hall, smashing the windows and breaking down the door. Then at last came the belated defense by I. W. W. members. Shots were fired from the hall, from Seminary Hill, and from the Avalon Hotel.

Grimm, shot in the abdomen, staggered unassisted to a nearby store and from there was taken to a hospital, where he died. Some claim he made a dying statement accepting blame for his actions.

McElfresh died almost instantly from a bullet wound in the head. Here again the testimony conflicts, some claiming that McElfresh was taken from inside the doorway of the I. W. W. hall where a bullet fired by Wesley Everest had laid him low.

Casagrande was shot while in the vicinity of the hall outside of the line of march. Several others among the attacking party received slight wounds.

Dr. Bickford's testimony at the inquest, as already given in these pages, is substantiated by the statement of Dr. Harold Y. Bell, another of the paraders. Bell said he heard shouts, saw the ranks break, and there followed a concerted move toward the I. W. W. hall.

"It seemed to me that it was at the same moment that I heard shots. The shooting and the movement of the men was as nearly simultaneous as any human acts could be."

From a man favorable to the prosecution comes this evidence that the shouts and the breaking of ranks preceded any gunfire. From Bickford, also favorable to the prosecution, comes the vital fact that a raid upon the hall was the thought uppermost in the minds of the Centralia paraders. He had offered to lead the paraders.

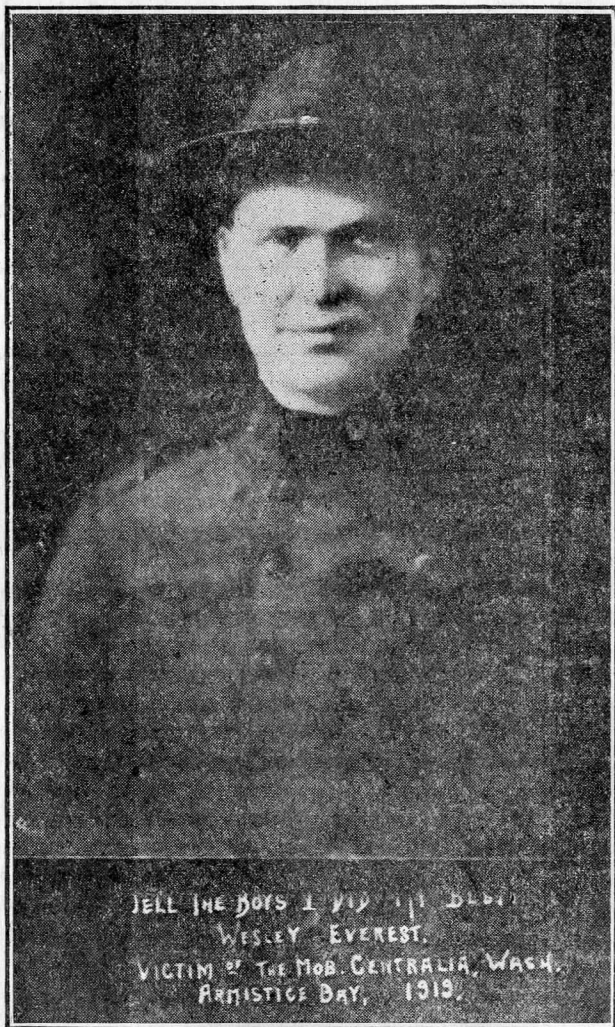
As before, the hall was gutted and its contents destroyed, with the exception of records from the desk of the I. W. W. secretary, which were put into the hands of Prosecutor Allen as he stood on the street at Second and Tower Avenue watching the property destruction.

Bert Faulkner attempted to leave the hall after the first onslaught had been checked by the firing. He was captured on a rear stairway of the building by men armed with rifles. With one other exception the occupants of the hall sought refuge in a large disused ice-box in the rear of the hall, surrendering later to the authorities. The exception was Wesley Everest—quiet, grim, game; an ex-service man who seemed not to know such a thing as fear.

Everest left the hall by the rear door, firing as he went. He was through the mob at the rear before they recovered from their surprise. Threatening his pursuers with a still smoking revolver, he sped down the alley, rifle bullets zipping around him. The mob mistook Everest for Britt Smith, the I. W. W. secretary, against whom the conspirators had a deep grudge. The pursued man stopped to reload his weapon, then continued the running fight until the river was reached. He tried to ford the stream, but found the water too deep. Turning on his assailants, he waded to the bank and stood waiting with the last of his ammunition in the overheated gun. Raising his voice, he declared his willingness to submit to arrest to any constituted authority. But it was merely a mob that confronted the man at bay. On came the pursuing group, one man in a soldier's uniform some distance in the lead. Everest took careful aim and fired. The crowd halted, but the single man sped on. Twice more Everest pierced the on-coming man. Twice again he fired and Dale Hubbard, nephew of the chief conspirator in the raid, fell dead at his very feet. Game as grit, the defenseless ex-soldier awaited the coming of his mob-maddened "buddies."

Everest's trip to the jail was marked by blows, kicks, and curses. With the butt of a rifle his front teeth were rammed into his throat. A rope was thrown

around his neck, but with the defiance that had been his throughout the whole time of the raid, Everest said: "You haven't got the guts to lynch a man in the daytime."



The Lynching of Wesley Everest.

Night told a different story, however. Maimed and bleeding in the cell next to his fellow workers, the hours passed slowly for Everest. Late that night the lights of the city were suddenly extinguished from the power plant. The outer

door of the city jail was smashed in. No attempt was made to stop the lynchers. Staggering erect, Wesley Everest said to the other prisoners, "Tell the boys I died for my class."

A brief struggle. Many blows. A sound of dragging. The purring of high-powered automobiles. Then a sudden return of light to the darkened city.

The autos reached the Chehalis River bridge. To the steel framework one end of a rope was tied, the other end being noosed around Everest's neck. With a brutal kick the semi-conscious man was hurled from the bridge. A pause. The body was hauled up, revealing the fact that Everest still had a spark of life. A longer rope was attached to the first and the brutal process repeated. With Everest dead, the corpse was raised and a third rope attached before the ghouls again flung the body from the bridge. An automobile headlight was trained upon the dead man, plainly revealing that some sadist more demoniacal than his fellow degenerates had ripped Everest's sexual organs almost loose from the body with some sharp instrument during the auto trip to the bridge. There under the glare of that headlight the corpse was riddled with bullets.

Later the rope was cut, allowing the mutilated body to fall into the river. The following night County Coroner David Livingstone placed the ghastly, sodden thing that once was Wesley Everest in a cell at the city jail in plain view of the dead man's friends and fellow workers. For two days it remained there, until finally the unrecognizable form was dumped into a box, hauled to a lonely spot under a heavy guard of soldiers, and interred in an unmarked grave. The burial was performed by four union loggers who were released from jail for that purpose following their arrest in the general round-up after the raid.

After the body of Everest had been found in the river there was an inquest of some kind held over the remains by Justice of the Peace Hoss at Riverside. County Coroner Livingstone was too busy to attend the hearing, but when asked by Lieut. Van Gilder as to the verdict, the worthy President of the Centralia Citizens' Protective League replied that Everest broke out of the jail and took a rope with him; he ran down to the river and found a bridge, tied a rope around the bridge and then around his neck and jumped off; he did not kill himself, so he climbed up and jumped off the second time; still failing to kill himself, he climbed back, took a gun and shot himself through the neck, and at seven in the morning woke up, cut the rope, jumped in the river and was drowned.

One could scarcely expect a different brand of humor from Coroner Livingstone, whose cutting abilities are not generally believed to be confined merely to cutting remarks, and in whose automobile it is reported the kidnaping and mayhem of Wesley Everest occurred. At any rate, Governor Hart, who recognizes merit no matter how completely it may be concealed, has since sent Livingstone to the Steilacoom Insane Asylum to be superintendent of the hospital there.

While dealing with humorous matters it might be well to record the opinion passed by a cynical old Centralia philosopher on learning of the governor's appointment of Briffett and Livingstone to political sinecures.

"Out of nothing," said the old fellow, "God made Man, but Governor Hart has taken less than nothing and made half of it superintendent of the Chehalis Training School and the other half superintendent of the Steilacoom Hospital."

No Inquiry by City, County or State.

No attempt has ever been made by the authorities of Centralia, of Lewis County, or of the state of Washington to investigate the lynching of Wesley Everest. But all these forces united to keep the story of the horror from the attention of the jury at Montesano.

Defense Attorney Vanderveer offered to prove that Earl Craft, electrician in charge of the city lighting plant on the night of the lynching, had locked the station door and left the plant; that in his absence the lights were turned off and then later turned on again; that on his return the mayor of Centralia, the city electrician and his assistant were in the building and the door was again locked.

In the hands of persons who have continued their investigations into the Everest lynching on behalf of the defense there are now proofs of the identity of several of those who took the murdered man from the city jail, identification of the automobiles carrying and accompanying Everest to the bridge from which he was hanged, and of the occupants of the car in which the mayhem was committed, the name of the man who first thrust Everest from the bridge and whose heavy heels lacerated the hands that clung in agony to the trestle-work, and the names, addresses and occupations of nearly a score of other degenerates who participated in the outrage or who had guilty knowledge of the acts committed.

Turn over these facts to Governor Hart—"the case will be taken under advisement."

Send the proofs to the state attorney-general—"the matter will be filed for future reference."

Ask County Prosecutor Herman Allen to investigate on the strength of evidence already obtained—why, the Lewis County Prosecutor knows more about the lynching of Wesley Everest than all the defense investigators could ever uncover.

There is nothing that can be done now except to patiently gather more and more of the damning facts and await the favorable time for a public indictment of the whole bloodthirsty crew, its legal advisers, its political sponsors, and, above all, its industrial backers.

Prisoners Put Through "Third Degree."

The night of horror was not completed with the lynching of Wesley Everest. A mob without the jail made the night hideous with their cries, while inside the walls the I. W. W. men were undergoing a terrible "third degree" ordeal.

"We got one. We got Everest. Let's get the others!" Calling out the names of the known prisoners, the surging mob aided the prosecutors in the sweating process. James McInerney was taken out by the mob. His neck was raw and bleeding from the rope tied around it. "That's not him," cried voices from the crowd. Secretary Smith was probably the intended victim. McInerney was returned to the jail, there to be put through a torture by the lumber trust lawyers. Morgan, in abject fear, agreed to do the bidding of the prosecutors, thus escaping physical torment by turning "stoolpigeon."

On nine succeeding nights the terror continued. Mike Sheehan, an old man, says that his temples pounded until he nearly went mad. Three hours of sleep was all he could gain in the ten days. John Lamb says he saved himself from being shot by crowding close to the wall beneath his bunk out of range of the guns trained through the cell window. The treatment of Loren Roberts was such that the boy signed two different "confessions." His mind was so preyed upon by the Everest outrage and the prosecution's "third degree" methods that it gave way beneath the strain. The jury adjudged Roberts insane and Vanderveer charged in open court that the business interests of Centralia were responsible for the boy's mental condition.

During this same time a man-hunt was being conducted by posse after posse. The whole community was in a frenzy of fear. Travelers were wounded for not immediately halting on command from the searchers. One posseman was shot and killed by his companions who were in a state bordering on insanity. Homes were entered without warrant, doors were battered down, and the women and children of families suspected of having the slightest sympathy with I. W. W. members or their ideas were abused and insulted.

Barnett had surrendered to the authorities at his home on the day following the shooting, the two Bland brothers and John Lamb were captured later, and all were subjected to the same brutal treatment that had been meted out to those who were taken in the hall.

A State-wide Reign of Terror.

Throughout the state over a thousand men were arrested without warrants in the first days after the tragedy in an effort to stifle publicity and prevent adequate defense. There is but little doubt that the federal warrants issued at that time against T. F. G. Dougherty and the writer were but a means taken to prevent us from engaging in publicity work. Absolutely reliable inside information was given us that we were to be taken to Centralia, allegedly for identification purposes, and that once we were in Hubbard's home town we "would be taken care of." Dougherty left for Canada. I decided to stay and evade the officers until the mob spirit subsided. From the time of the tragedy until the end of the trial this still unserved warrant did limit my activities, nevertheless I helped to place some of the facts in the case before the reading public. The stand I took then is the same as that presented in this review, as is shown by the concluding words of an article written for and printed by "The Forge" a few days after the tragedy:

"The Centralia affair should be examined with due allowance for the hysteria surrounding the shooting and lynching as well as the unsettled condition of the world in general. Judgment should be withheld until all the facts are before us. The man or set of men who deliberately try to suppress any of the facts, or who endeavor to prevent adequate legal defense being given the accused men, or who issue what amount to threats against prospective jurors, are cowards, unworthy of the respect of decent citizens, and a sinister menace to the whole of society."

The fear that facts would be suppressed, legal defense hindered, and jurors threatened was not unfounded. In truth, the foremost efforts of the prosecution were directed to just those ends. Much more attention was given to covering the tracks of criminal commercial interests and protecting the shady reputation of F. B. Hubbard, who dared not take the stand, than in presenting the case of the prosecution as outlined in its opening statement.

"Labor Jury" Foreman Seeks New Trial.

It was the evasion, trickery and deceit of the prosecution, coupled with the obvious partiality of Judge Wilson, that incensed Paul K. Mohr, foreman of the "Labor Jury," so that most of his spare time has since been spent in addressing meetings on the trial issue. Wherever and whenever the chance offers he asks citizens to appeal for a retrial of the case or the pardon of the unjustly convicted men.

Not Guilty was the verdict of the "Labor Jury." The six men, some of whom met for the first time when called together to sit in judgment on this labor case, found that there had been a conspiracy to raid the I. W. W. hall at Centralia; that an attack had been made upon the hall before a shot was fired; that Warren O. Grimm was a participant in the raid; that the defendants did not get a fair and impartial trial; and that the calling of federal troops was for the purpose of exerting an improper influence on the trial jurors, as also was the presence of American Legion members in large numbers.

Mohr says that the sentiments of the entire labor group regarding the mediocre judge who presided were expressed when Vanderveer took umbrage at some particularly preposterous decision and told Wilson:

"There was a time when I thought your honor's rulings were due merely to ignorance of the law. However, this will no longer explain them."

He recalled also that Judge Wilson refused to disqualify Venireman Thomas Connor for cause even though the prospective juror admitted that he hated the I. W. W. and that Prosecutor Abel was even then his attorney in a lawsuit involving \$14,000.00.

"The evidence that was admitted was enough to justify an acquittal," declares Mohr. "But more convincing than that was the excluded evidence and the argument of counsel for and against its admission."

Mohr also states that on being pressed, Prosecutor Allen promised to make public his reasons for bringing in federal troops to the trial scene, that later he refused the information point blank, but that he did say that he did not fear violence from the I. W. W. but from the American Legion.

This latter statement contrasts strangely with the praise given the Legion by its friends and officials for its ability "to curb the natural human impulse of revenge and wait on law," as its national commander, F. W. Galbraith Jr., has claimed, or for exercising "the highest degree of self-restraint and the highest respect for law and order," in the words of Major-General Leonard Wood, U. S. A.

The peculiar logic that permits a partisan to condemn the Legion with Allen while commending it with Galbraith has been noticeable in the press, as

is shown by the following extract from an editorial published in the Lewis County Advocate, Joseph P. Hurley, editor, in the first issue after the Centralia tragedy:

"While all law-abiding and freedom-loving citizens deplore the use of mob force, we cannot blame the comrades of the slain patriots, when they forgot all else but the biblical injunction of 'an eye for an eye,' and took the avowed leader of the Centralia murderers and hung him by the neck until dead. He more than deserved what he got, and it was a commendable exhibition of reserve on the part of his executioners when, after they were inside the jail and had a dozen others who were mixed up in the crime at their mercy, that they did not take them out and hang them with their leader."

How One American Legion Post Feels.

But it would be unfair to judge the whole American Legion by the acts of some of its members or even of whole posts. One authentic instance of a commendable stand on the part of Legionnaires is recorded in the following statement issued from Butte, Montana, shortly after the Centralia shooting took place:

"The I. W. W. in Centralia, Washington, who fired upon the men that were attempting to raid the I. W. W. headquarters were fully justified in their act.

"Mob rule in this country must be stopped, and when mobs attack the home of a millionaire, or of a laborer, or of the I. W. W., it is not only the right but the duty of the occupants to resist with every means within their power. If the officers of the law cannot stop these raids, perhaps the resistance of the raiders may have that effect.

"Whether the I. W. W. is a meritorious organization or not, whether it is popular or otherwise, should have absolutely nothing to do with the case. The reports of the evidence at the coroner's jury show that the attack was made before the firing started. If that is true, I commend the boys inside for the action they took.

"The fact that there were some American Legion men among the paraders who everlastingly disgraced themselves by taking part in the raid does not affect my judgment in the least. Anyone who becomes a party to a mob bent upon unlawful violence cannot expect the truly patriotic men of the American Legion to condone his act.—EDWARD F. BASSETT, Commanding Silver Bow Post No. 1, American Legion."

Coming from the city in which the brutal lynching of Frank Little occurred, this expression is one born of bitter experience. Out of evil good may come. The Centralia tragedy itself, deplorable as is the loss of life it involved, may have been the means of saving many lives, for it is to be noted that no further mob raids or tar-and-feather parties have happened in the state since that resistance was offered by workers. There has been no lack of illegal seizures and house ransacking and hall closing, but always by the "constituted authorities" and nearly always with at least a liquor search warrant to lend majesty to the act.

State Utterly Failed to Substantiate Charges.

The question of self-defense is a vital one. The emphatic announcement of Prosecutor Abel in answer to Attorney Vanderveer at the opening of the case was that the state would stand or fall on the proposition that there was no attack

upon the I. W. W. hall before the shooting commenced. Ere the case drew to a close Abel had backed down completely and said: "The real issue in this case is not who is the aggressor, but was there a conspiracy to defend the I. W. W. hall by illegal means." Note particularly the word "defend."

The defendants stood accused of doing a legal thing in an illegal manner. Gone was the tale that the men had wantonly planned to kill ex-service men because of their hatred of the military uniform. Gone was the theory that the case was a plain murder trial. Nothing remained but a legal technicality. Even the law was on the side of the defense, but, as is always the case where workers are concerned, the interpretation rested with the agents of the vested interests.

So neatly did the court's instructions fit in with the altered plea of the state as to seem to be the work of the same practiced hand.

The verdict rendered by the court was 25 to 40 years for a technicality. Will you, the reader, who have been asked to sit in judgment on this case, grant to these defendants an additional five minutes of your time? Then take out your watch and note the position of the minute hand. Now for what you think is five minutes keep your eyes closed. Open your eyes after what seems an interminable time. Not three minutes of the time have elapsed! Think again of forty years for a technicality—for defending one's life and property—in an illegal way.

A Supreme Court Judge and His Decision.

The case was appealed to the Supreme Court of the State of Washington. The Supreme Court upheld the verdict and the sentences. Why?

This letter was addressed to a man whose son knows a great deal about the things that happened on Armistice Day—and night—and about the man-hunting posse under his command:

KENNETH MACKINTOSH, JUDGE

THE SUPREME COURT, STATE OF WASHINGTON
Olympia

November 13, 1919.

George Dysart, Esq.,
Centralia, Washington.

My Dear Dysart:

I want to express to you my appreciation of the high character of citizenship displayed by the people of Centralia in their agonizing calamity. We are all shocked by the manifestation of barbarity on the part of the outlaws, and are depressed by the loss of lives of brave men, but at the same time are proud of the calm control and loyalty to American ideals demonstrated by the returned soldiers and citizens. I am proud to be an inhabitant of a state which contains a city with the record which has been made for Centralia by its law-abiding citizens.

(Signed.)

Sincerely,
KENNETH MACKINTOSH.

What a pity Wesley Everest is not beside you to read this touching letter!

What Is Your Verdict?

What is *your* verdict in this great case, O Jury of the People?

Was it murder? Or Defense?

Were the accused men conspirators? Or did the conspiracy lay elsewhere?

The tragedy, its cause, and the trial that followed it, are outlined in this review. A vast amount of corroborative evidence has been omitted of necessity; but every direct statement made herein, from that about the \$5,000 contracts of the lumber trust lawyers who represented "The State" to the letter showing prejudice on the part of the supreme court judge who denied the appeal in the case, is backed up either by court records, original documents, sworn and signed affidavits, or the unbiased and fully substantiated testimony of numerous witnesses.

And oh, how much more there is that we all know who have followed the case in its entirety—that we know just as surely as the scientists knew of the existence of the planet Neptune before it was discovered by Leverrier—but that we, too, must wait for time to disclose.

No one can ignore the sworn affidavits of five of the trial jurors. Their stand for justice is a challenge to all who read this. What are you going to do about this case?

The least one can do is to pass on this pamphlet so another person may learn the facts in the case. Seven men are serving forty long years behind the grey stone walls; should you then begrudge the time required and the slight expense incurred in courteously writing to any and all who may have influence, to state representatives—yes, even to the prosecutors, the judge, the governor, and to the supreme court,—asking that a new trial be granted or the defendants set free?

Perhaps in your hand is the key to the jail.

What will you do?

Was It Murder?

By EUGENE BARNETT.

They had come to the land of the Indian and settled in a colony, for mutual protection. They were political prisoners from England, given freedom from prison if they would come to America and brave the dangers of this then unknown land, thus making it safe for the lords and gentry who came later. They built their homes near each other, for they knew that in numbers there is strength. They built a blockhouse, where they might all go for protection in case of a raid from the savages. But just over the hill was a fine meadow, and John Smith (not necessarily Captain John) having seen it and realizing the possibilities of making a good home for himself and family, and being of a brave and progressive nature, proceeded to build himself a house and moved over.

All went well for a month or so, then one day an Indian saw the new home and he took the word to the big chief, Red Elk. When the big chief heard this he called a meeting in the Red Elk Lodge to discuss the situation. He said, "If we let these fellows go on like this we will have to go to work soon. For they will take all our game and land. They are a menace." So he appointed a committee to see how many there were of the colonists, after which another meeting was to be held to complete the plans of how to stop the growth of this menace.

But it so happened that there was one Indian in the camp whom the whites had found sick and nearly dead, and whom they had taken into the colony and cared for and nursed back to health. So he stole away and warned the whites at the colony and they carried the warning to Smith. But Smith said, "I will stand my ground," and the others said, "All right, we will help defend you, if we know they are coming," and went their several ways.

Meantime the Indian committee had reported and the plans were completed. They had decided to raid Smith's place as an example to the others, so they should see what would happen to them if they dared to expand or progress further. So they started out, one abreast.

But it so happened once again that the friendship of the one Indian was stronger than his savage lust for blood, so he again warned the colony. The men hurried the women into the blockhouse, took their guns and hurried to the top of the hill. When they reached the top they saw the Indians stealing in on Smith's house and they immediately got behind trees and rocks. About then the Indians arose and rushed for the doors and windows, and shots came from the house. Then the men on the hill began firing and the Indians scattered. Four Indians were killed. (Was it murder for the white men?) In leaving the scene one of the colonists was captured by the Indians. He was horribly mutilated while alive and later hung. (Was it murder?)

The Facts in the Case

This pamphlet is freely given to you. As many more as you can use to good purpose will be furnished upon request. The people everywhere should know the facts about the Centralia tragedy.

But because the pamphlet comes to you without charge is no indication that it has not cost a great deal of labor to produce. And labor means money expenditure in this day and age. From the lean pay envelopes of many workers came the fund with which to cover the heavy initial expense of investigation and verification of the indisputable facts presented in this review. From the same source was paid the costly items of preparation, printing and distribution of this and other publicity literature.

Vital facts are in the possession of the committee having this work in charge, and these facts will be made the basis of still further investigation into the illegal activities of the conspiring raiders, lynchers, prosecutors, and their privileged backers, provided sufficient money can be raised to carry on the work.

You have read the pamphlet. Pass it on. Distribute other copies. And then if you still feel that more publicity is needed to bring even a semblance of justice to the seven imprisoned men, send in a contribution to the Defense Publicity Committee, Box 1873, Seattle, Washington.

