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CENTRALIA

Tragedy and Trial

THE AMERICAN LEGION'S ACCOUNT
of the ARMISTICE DAY MASSACRE

—by—

BEN HUR LAMPMAN

Centralia Tragedy and Trial

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To the memory

of

Warren O. Grimm

Arthur McElfresh

Ben Cassagranda

Ernest Dale Hubbard

Slain in the uniform of
our Country
on the streets of Centralia, Washington
November 11, 1919 by members
of the
Industrial Workers of the World

Foreword

By F. W. Galbraith, Jr.,

National Commander, The American Legion

The name "Centralia" has been emblazoned in letters of blood before the American people. And this fact is of particular significance to us of the American Legion, because it is with the blood of martyrs that it was written there—the blood of four murdered comrades, stricken down unawares by the cowardly hand of anarchy.

It is fitting that the details of this shocking crime against the Republic should be set forth accurately and fairly and so preserved that all may read; and that the vivid lesson Centralia holds may strike home to every American heart.

You will read with horror and amazement this tale of peaceful paraders shot down by organized and vicious exponents of lawlessness. You will read with pride how Legion men curbed their natural human impulses of revenge and waited on law to take its course against the criminals.

That the Legion must always do. I. W. W.-ism, radicalism, and all other isms which seek to overthrow our government deserve no quarter from the American Legion and should receive none. But let us always proceed fairly and in accordance with the forms of government under which this nation has grown great, and which we are sworn under all circumstances to protect.

Centralia will serve to keep alive a sense of the danger that is with us. And thus will be fostered, I hope, a keener sense of obligation to the flag. I commend the story of Centralia to all Americans.

Introduction

BY MAJOR GENERAL LEONARD WOOD, U. S. A.

The Government of the United States is one of Law and not of Men, and must ever remain so if the Republic is to be maintained. Respect for the Law, for the constituted authorities, for the rights of property and the rights of others lies at the very foundation of our national structure, as does the obligation to serve the country in peace and to defend it in war. This obligation rests equally upon all.

If men are dissatisfied with the law or its application the Constitution provides in the Ballot, the means to make changes and correct abuses, and it is upon this that we must depend if we are to have a sound and orderly government and maintain those principles for which and on which our Government stands.

There is no force in the country which stands more strongly for these basic principles than does the American Legion. Its membership is made up of the best type American,—the man who has offered everything in the service of his country in time of war and whose actions in time of peace embody respect for Law and the constituted authorities.

The American Legion has adopted a constitution which breathes patriotism and good citizenship, respect for Law and obligation for service in peace and war to the limit of our physical and mental ability. The Legion stands squarely against those elements which are trying to break down our form of government, forces which stop at nothing to accomplish their purpose, menacing all who stand in their way, intimidating and often terrorizing timid officials. These enemies of government are dangerous only because of our own indifference. The forces of disorder are comparatively small in numbers. They are effective and dangerous in part because of their organization and intensity of purpose but principally because of the indifference of that great, sane, sound mass of the American people who only wake up to take drastic action when conditions become absolutely intolerable, and then go to sleep again. We want that constant interest which acts as a preventative. Eternal vigilance is the price of Liberty.

We Americans must be more keenly alive to the danger of failing to discharge our citizenship obligations in peace as well as in war.

If the sane, sound public opinion of the country will only arouse itself sufficiently to act, these lawless organizations which

are striving to overthrow government through discrediting the Courts, through terrorism, through creating lack of confidence in our form of government and those dangerous political elements which strive to and often succeed in setting aside the will of the people, thus destroying confidence in the Ballot, will disappear like snow before the sun.

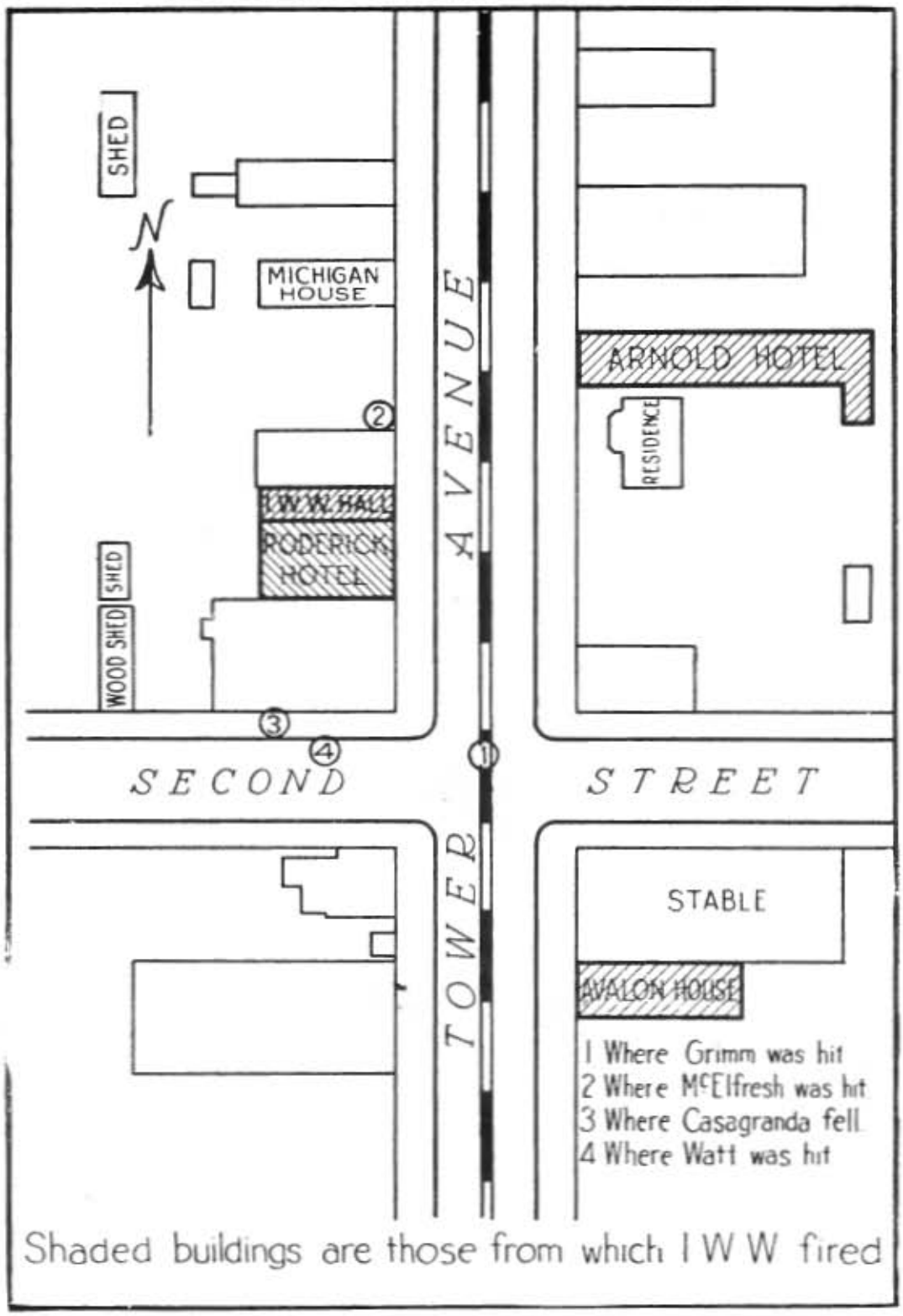
Government under our Constitutional Democracy can only attain a full measure of efficiency when the citizens discharge the obligations of citizenship in Peace and War.

That experience and training in the Army makes for good citizenship, respect for Law and Order, was clearly demonstrated by the action of the American Legionnaires on the occasion of the murderous attack by a band of cowardly assassins representing the Red element, upon the first Armistice Day Parade at Centralia, Washington.

There is no finer illustration of self-control and respect for law than was given by these ex-soldiers, men who had served the country devotedly and fearlessly at home and abroad, and who were assembled to celebrate the first anniversary of the signing of the Armistice. They wore the uniform of many fighting divisions, organizations which had been overseas and of less fortunate organizations which served in the homeland. Their purpose was a purely patriotic one. They had the force and the power to destroy those who murdered their fellows, but instead of taking the law into their own hands and meting out summary vengeance on the spot they were the principal force in the capture and arrest of the murderers and turned them over to the Courts for trial.

Never was there a more unprovoked and cowardly attack than this, and it required the highest degree of self-restraint and the highest respect for Law and Order on the part of the Legionnaires to turn these wilfull assassins, who were caught red-handed, over to the Courts for an orderly and fair trial.

The Legion men did well to do as they did. They ran true to form. They stood for the law. They showed conclusively that the country can have absolute confidence in them as a great force for national stability, for the maintenance of Law for the upholding of our Constitution and our institutions. The story of the trial brings out clearly the character of the assassins and their hatred of any force which stands for Law and Order, for government under the Constitution, for America First. The American Legion stands for all these.



Map of section of Centralia, Washington, where the Armistice Day parade was ambushed by members of the I. W. W.

Brief Outline of Centralia's Tragedy

ON NOVEMBER 11, 1919, an Armistice Day parade was held in Centralia, Washington.

CENTRALIA has a population of approximately 10,000. The principal street, Tower Avenue, runs north and south, and most of the business houses are on this street.

THE I. W. W. HALL was situated on Tower Avenue, between 2nd and 3rd Streets. It was rented by the I. W. W.'s early in September, 1919.

GRANT HODGE POST of the American Legion of Centralia, about four weeks prior to Armistice Day, decided to hold a parade in celebration of the signing of the Armistice, and invited all ex-service men, whether Legionnaires or not, to march with them. The Loren Fiscus Post of Chehalis, four miles distant, decided to march in the parade as a unit.

THE PARADE began at 2 o'clock, was scheduled to march north on Tower Avenue to 3rd Street, counter-march, going south on Tower Avenue to Main Street, pass the reviewing stand and assemble in the auditorium for patriotic addresses.

DR. DAVID LIVINGSTONE, mounted, was Marshal of the parade. All the ex-service men in the parade were in uniform and unarmed. The following units participated in the order named: Elk's band; Boy Scouts; Canadian Veterans; Ex-Sailors of the War; Chehalis Lodge of Elks; Centralia Lodge of Elks; Chehalis Post of the American Legion, led by J. E. Murray; Centralia Post of the American Legion, led by Warren O. Grimm; Red Cross nurses in automobiles.

THE EX-SERVICE MEN were formed into platoons of eight or nine men, each led by a platoon commander. In making the turn at 3rd Street to counter-march, the parading soldiers had not kept their proper distances, and when the head of the Centralia contingent had reached the intersection of 2nd Street and Tower Avenue, the command "Halt, Close Up" was given by the commander, Warren O. Grimm. Frank Van Gilder, commanding the first platoon was standing at Grimm's side. Some of the platoons were closing up, others were marking time, and some had halted. When the

Centralia contingent had practically closed its ranks to the proper distances, and was ready to move—

A SHOT WAS FIRED from the I. W. W. hall. A moment later, two more were fired from the same place. Taken by surprise, and not understanding the meaning of the shots (for most of the ex-service men did not even know of the existence of an I. W. W. hall in Centralia), the parade broke formation. Some sought cover down the side-streets or in the store entrances, others ran towards the I. W. W. hall from which the shots had come.

THEN CAME A VOLLEY of shots from the Hall, and a fusilade from the upper rooms of buildings on all sides of the parade, the Arnold Hotel, the Avalon Hotel, and from Seminary Hill —a vantage point a quarter-mile distant which commanded the street intersection and the front and north of the I. W. W. hall. The parade of unarmed ex-service men had been ambushed, caught in a pocket. Members of the I. W. W. had taken their positions in pursuance of an agreement and understanding to shoot when the signal was given from the I. W. W. hall.

WARREN O. GRIMM was mortally wounded as he stood at the head of the parade at the intersection of 2nd Street and Tower Avenue. He was shot by a 38-55 Winchester rifle fired from the Avalon Hotel. He was assisted into an automobile and taken to a hospital where he died an hour later.

ARTHUR McELFRESH was instantly killed as he ran across Tower Avenue to seek cover. He was hit in the head by a bullet fired from a 22 high-power Savage rifle by Loren Roberts from Seminary Hill. One of the Red Cross nurses braved the shots and hurried over to him, but found him already dead.

BEN CASSAGRANDA was shot down as he ran west on 2nd Street. He was shot by some member of the I. W. W. who ran out of the rear of the hall and down the alley to 2nd Street. Cassagranda was taken to the hospital where he died a few hours later.

EARL WATTS was shot down within a few feet of where Cassagranda fell. Watts was shot thru the body, but recovered.

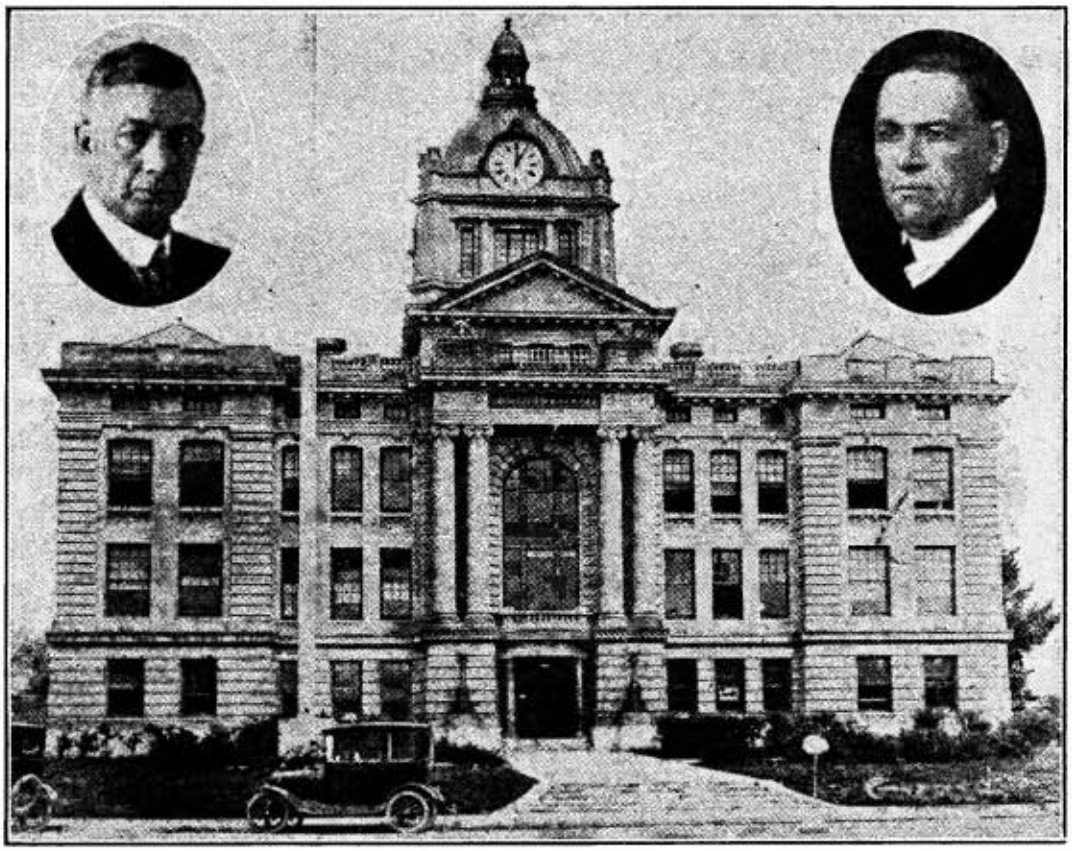
EUGENE PFITZER was shot in the left arm while he was in front of the I. W. W. hall. The shot was fired from the hall, but the wound was not serious.

BERNARD EUBANKS was shot in the left leg as he was standing on the curb just north of 2nd Street.

DALE HUBBARD was killed in the pursuit of Wesley Everest, the ringleader of the I. W. W. conspirators. Everest ran out of the rear of the hall, around buildings, over fences, hotly pursued by ex-service men. He would empty his gun at his pursuers, and re-load as he ran. He evidently was attempting to get into the woods which skirt the Skookumchuck River, about one mile distant from the I. W. W. hall. In the chase he wounded Alva Coleman, shooting him in the leg. Coleman had a revolver obtained from the occupant of a house along the line of chase. He gave it to Dale Hubbard as he passed him. Hubbard outstripped his comrades in the chase, being a powerful athlete.

WHEN EVEREST reached the Skookumchuck River, he attempted to ford it, but, the water being too deep, he turned back and retraced his steps. When he reached the edge of the wood, he was met by Dale Hubbard who jumped out from behind a stump and ordered him to put down his gun. In answer, Everest opened fire and Hubbard went down. Everest then emptied his gun into Hubbard's prostrate body, before he was overwhelmed by other ex-service men. Hubbard died shortly after.

THE I. W. W. CONSPIRATORS were captured in the following way. Britt Smith and Bert Faulkner were captured in the I. W. W. hall. Ray Becker, Mike Sheehan, James McInerney, and Tom Morgan were captured in the ice-box at the rear of the I. W. W. hall. John Lamb and O. C. Bland, who fired from the Arnold Hotel, were captured at their homes by citizens and civil authorities. Of the three who fired from Seminary Hill, Loren Roberts gave himself up two days later, Bert Bland was captured a week later near Independence by deputy sheriffs, and Ole Hanson was never apprehended. Eugene Barnett, who fired from the Avalon Hotel, was taken by a posse at his home, two days after the shooting. Jack Davis, who was with him in the Avalon, has never been taken. Elmer Smith, Centralia I. W. W. attorney, was arrested in his office immediately after the shooting. All were charged with the crime of first degree murder except Elmer Smith who was charged with being an accessory.



Where the Trial Was Held

Grays Harbor County Courthouse, at Montesano, Washington. Due to the intense feeling naturally existing in Lewis County (in which Centralia is situated) following the firing from ambush into an unarmed Legion, civilian, and Red Cross parade, the judge granted a change of venue to Grays Harbor County. Montesano, the county seat, has a population of only 2,500, and its facilities for handling the crowd of several hundred witnesses and additional hundreds of interested spectators were naturally inadequate. Hotels being overcrowded, the large rooms of the City Hall were pressed into service, private citizens opened their homes for the visitors, and, for the ex-service men in attendance, the upper floors of garages were fitted into barracks. When the restaurants were overcrowded, mess-halls were provided by the ex-service men.

Insets: Right, W. H. Abel, Prosecuting Attorney for Grays Harbor County; Left, Herman Allen, Prosecuting Attorney for Lewis County. These two, with Special Prosecutor C. D. Cunningham of Centralia, were the "Big Three" representing the state.

Centralia---Tragedy and Trial

A GREAT many folk are forgetting the war. With Germany defeated they no longer have selfish cause to calculate what price America might have paid had the tide of battle been unturned. And, quite as casually, they are prone to shelve with liberty loans and Red Cross crusades all recollection of those valiant and high-hearted boys who crossed the submarine lanes to fight and suffer and die gloriously in France—that certain American ideals and institutions might remain intact for the salvation of the world.

To the American who does remember, and who most fortunately constitutes the majority, the perils of the present are not less than those of the past—and are trebly hazardous in that they besiege us at home. For he has seen, amid the disorder that rides in the wake of the world conflict, certain elements as utterly foreign as Prussianism gather to the attack on the free institutions of his land. Spurred forward by alien radicals, who seek to sever the bonds of nationalism and establish soviet rule in the United States, the wild horses of unrest threaten to trample their way through law and order toward the chimera of revolution and the overthrow of a government that is democratic in the fullest degree, and which today represents the complete expression of personal liberty, power of the popular voice, and human freedom.

It is the common-sense of the average citizen which will defeat the purpose of the radical—for here in America is no dream of actual brotherhood, but the fact itself. And the land of Washington and Lincoln needs no tutors risen from unhappy Europe to teach it a new doctrine of democracy, no prophets of revolution to point toward a halcyon day when, after such ruin as Russia knows, America shall be privileged to attempt another social and industrial disorder. Near at hand, whenever we choose, and when occasion requires, is the weapon of revolution more effectual than rifle and bomb—the ballot. There are times when we take it up, as for a righteous cause, and correct summarily such evils as may have fastened themselves upon the body of the land. It is tried and sufficient.

Far different is the revolutionary concept of the soviet, of

the communist, of the I. W. W.—of all the kindred clans that seek chaotic disruption. To them the economic contest resolves itself into "the class war," calling for measures as keen and sanguinary as ever the barricades of Paris saw when tyranny departed from France, as ever Russia beheld when her bewildered peasantry kindled to the flame of revolt and obliterated the house of Romanoff. To those who love their homeland, let this be said: In the mutterings of the alien radical and the fatuous throng who follow him, bides a danger that is real, lurid with death and devastation, having for its sole object the attainment of American destruction by whatsoever means.

A Couplet of Soviet Signs

Permitting no soft words to cozen him, no specious argument to distract his logic, the genuine American may turn for examples of the revolutionary purpose to two ill-timed but viciously sincere expressions of direct action in radicalism. Both were of recent date and neither should fade from his memory. They were the Seattle general strike, so-called, and the Armistice Day assassinations at Centralia, Washington. The one, under the guise of attaining an industrial objective, throttled a great city in the attempt to inaugurate the first instance of communistic municipal control in the United States; the other, fruitage of the desperate seeds of class hatred as sown by the I. W. W., comprised an ambuscade of parading American veterans in uniform and took four youthful, loyal lives as its toll. Of both these manifestations the revolutionary orator and the radical press have fashioned a propaganda of falsehood and renewed intrigue—piling lie upon lie until Munchausen himself has been brought to envy and Judas and Arnold outshone as traitors.

The Seattle revolution was a flare-back, reacting upon the evil purposes that conceived it. With it we are no longer concerned—save to remember and hold its lesson fast for future guidance. But of the Centralia murders, and the trial of the assassins, so multitudinous and prevalent are the falsehoods of the red propagandist that citizens are yet within the danger zone of conversion to opinions unrelated to the facts and discreditable to their citizenship.

I. W. W. Murderers on Trial

It is for the purpose of portraying, clearly, in conformity with the records, the Centralia tragedy and ensuing events, that herewith is undertaken a comprehensive review of the trial at Montesano, Washington. It was there that ten members of the

I. W. W., together with the renegade legal adviser who counseled their crime, were arraigned for the murder of Lieutenant Warren O. Grimm, one of the four victims in the Armistice Day attack, and were found guilty of naught save murder in the second degree, or were freed.

"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. For but few of those who heard the evidence and followed the course of the trial hold other belief than that the jurors cowered beneath dread of the vengeance of the I. W. W., and returned a finding through which they hoped to escape both the retaliation of the reds and the too scathing censure of an outraged citizenry.

WARREN O. GRIMM
30 years old. Graduate of University of Washington. Great football player. Centralia's favorite son. Practicing law when war broke out. Commissioned 1st Lieutenant July, 1917, and served in Siberia. As Commander of Grant Hodge Post, Grimm led the Centralia section of the parade. He had just given the command to mark time when the I. W. W. suddenly opened fire. Mortally wounded by one of the first shots, Grimm died within an hour. He left a wife and year old child.

In the abstract it matters little that Judge John M. Wilson, presiding, gave to the seven convicted murderers one of the sternest sentences possible under second degree conviction, decreeing terms of twenty-five to forty years in the penitentiary—though his determined and courageous action must receive the endorsement and commendation of all right-thinking members of society. This terrible truth remains—that the assassination of American veterans of the world war, the needless blotting out of lives once freely offered on the nation's battle fields, was held by a jury of their fellow citizens to be one of the lighter, lesser forms of murder.

Centralia's Ghastly Holiday

The story of Centralia's tragic holiday has been told repeatedly—but men forget. They forget that on the holiday streets of Lewis county's little metropolis, on the afternoon of Armistice

Day, November 11, 1919, while members of the American Legion laughed and jested, in parade line, the zestful autumn air suddenly was rife with whistling lead. Back from France and Siberia they were, those boys, with the fancy in their hearts that peril was past. Yet four of them died on the streets of their own home town, while others, who had gone scathless through the fields of Flanders, and the deadly oaken thickets of the Argonne, felt the stab of wounds or saw their comrades stagger to the impact of hostile bullets.

The shots that broke that parade formation, that plunged spitefully through the throngs of women and children on the gala streets, came from the haggard windows of the I. W. W. hall, on Centralia's main thoroughfare, Tower Avenue, from the blistered old rooming houses that flanked the avenue, and from the distant vantage point of Seminary Hill. As each hidden rifle cracked it spoke the welcome of radicalism to men who had returned from peril overseas.

The dead were Warren O. Grimm, favorite son of Centralia, Arthur McElfresh, Ernest Dale Hubbard and Ben Cassagranda—slain in the same uniform they wore when America called them home again. Through their deaths, as by a renewed votive offering, their country was privileged to see how sharp the fangs of discord are, how ruthless and how terrible are the eventual strokes of the red adder of radicalism. America sensed the horror of that illustration—but Centralia, above the bodies of her sons, vowed vengeance. Are you among the critical? Had you been in Centralia that day yours would have been the first among the voices lifted for retributive justice.

Red-handed they took them, the men who had compassed this thing—took them with rifles and pistols yet hot from the discharge, eyeballs yet dilated by the zest of killing. In the turmoil of Centralia's streets, through the ramshackle warrens of the I. W. W. hall and the ragged old rooming houses, in the timbered wilderness of Lewis County, citizens and Legionnaires sought out the murderers and brought them back to trial. Dale Hubbard, Legionnaire, took his death wound as he closed to the capture of Wesley Everest, fleeing gunman. Fighting desperately, and firing to the last, Everest pistoled Hubbard an instant before other ex-service men had made the capture; and shot him twice after he had fallen to the ground.

How One Gunman Died

Everest died that night. From among his fellow prisoners in Centralia jail, when the lights of the city were turned out, unknown avengers took him forth to the outskirts of the town

and hanged him from a river-bridge, sending a rifle bullet through his dangling body. The lynching of Everest was an unlawful error. Not only did it afford additional propaganda for the radicals, but—and in this was the greater harm—it removed from trial one of the ringleaders of the Centralia reds, against whom evidence was damningly complete and conclusive. In cartoon the lynched "wobbly" has been depicted as an ex-service man, executed by his "buddies." He wore the uniform by compulsion, after nimble draft dodging, as the records attest—and died the violent death of one who preached and advocated violence.

ARTHUR McELFRESH

26 years old. A Centralia druggist. Served in France with the 91st Division. The parading Legionnaires broke ranks when the I. W. W. without warning commenced firing into the parade from four sides. McElfresh was seeking cover when instantly killed by a shot thru the head from a 22 high power rifle fired by Loren Roberts from Seminary Hill. McElfresh was unmarried.

This, and this only may be said of the I. W. W. who participated in the Centralia Armistice Day attack: They *believed* their hall was to be raided during the progress of the parade. Misled by their renegade counsel—now the feted darling of the reds though under indictment for the murder of Arthur McElfresh—they planned and prepared the ambuscade. But in all the course of the long bitterly contested trial which ensued there was adduced no evidence, of conclusive or admissable nature, that such a raid was to be held, and none that should have warranted the jury in concluding that the I. W. W. hall was attacked by the paraders before the fussillade opened. The record will speak for itself, and in proper sequence this review will treat of the testimony.

These were the men who were brought to trial for the murder of Warren O. Grimm — the prosecution centering its efforts upon the evidence directly relating to the murder of the ex-lieutenant who led the Centralia contingent of the American Legion in the Armistice Day parade: Elmer Smith, radical attorney, charged with equal guilt as an accessory; Britt Smith, secretary of the Centralia I. W. W., Ray Becker, Bert Faulkner,

DALE HUBBARD
26 years old. Attended University of Washington for a time. Hubbard was a logger, and served in France with the Forestry Engineers. A splendid athlete, Dale Hubbard outstripped his comrades in the pursuit of Wesley Everest, who was loading and firing as he ran. Everest, finally cornered, turned and shot Hubbard at a distance of only a few feet, and then shot him twice more as he lay helpless. Hubbard left a bride of only a month.

James McInerney, Bert Bland, Mike Sheehan, Eugene Barnett, Loren Roberts, John Lamb, and O. C. (Commodore) Bland. Of the eleven original defendants, the charge against Bert Faulkner was dismissed by the court at the conclusion of the state's case midway in the trial, while Elmer Smith and Mike Sheehan were freed by the final verdict, to be re-arrested immediately for the murder of Arthur McElfresh. The remaining seven were convicted of murder in the second degree.

Opening of the Montesano Trial

The Centralia Armistice Day murder case, after change of venue from Lewis county, opened in Montesano, county seat of Grays Harbor County, Washington, on January 26, 1920, with the examination of veniremen as prospective jurors. Eleven days were consumed in the selection of the jury, comprising twelve members of the regular panel and two alternates, and approximately one hundred talesmen had been interrogated before the trial was ready to proceed.

In the middle of the trial one of the jurors became so ill that his place was taken by an alternate.

Appearing as leading counsel for the prosecution were C. D. Cunningham, of Centralia, Washington, assistant prosecutor for Lewis county; W. H. Abel, of Montesano, Washington, assistant prosecutor; and Herman Allen, prosecuting attorney of Lewis county. For the defense appeared George F. Vanderveer, widely known as a defender in cases where radicals have come to trial and reputed to be held in $50,000 annual retainer to the national organization of I. W. W., as chief legal adviser. Additional members of the legal staff of the prosecution were

Frank P. Christensen, assistant attorney general of Washington; John Dunbar, assistant in the office of the attorney general, and J. H. Jahnke, of Centralia.

Every phase of the case was fraught with the elements of drama. A courtroom dotted with the uniforms of men who fought overseas. A row of silent prisoners on a single oaken bench. Judge Wilson in black silken robes, gravely moody, speaking his rulings, with the deliberation of finality. Every seating space held by an occupant. Deputy sheriffs, young chaps, seated near the accused, with a bulge at their hips and the gleam of brass cartridge cases at their waists.

BEN CASSAGRANDA
25 years old. Centralia boot-black. Served in France with the 91st Division and returned safely, only to be shot from ambush in the streets of his home town. Cassagranda was seeking cover down 2nd St. when shot and killed. It is not known definitely who fired the shot that killed Cassagranda. Unknowingly, he was seeking shelter down the street that was being most swept by bullets. Cassagranda also left a bride of but a few months.

And against this setting the verbal fencing of the attorneys —Vanderveer, cynical, persuasive, tense, with a smile that turned at times to comradeship and again to a fighting sneer; Abel, suave, dignified, gifted with quiet sarcasm, master of the law, slow of speech and quick of thought; Cunningham, contemplative, with incisive flashes of speech, excelling in argument, resourceful, square-chinned, grim-mouthed at times, with a pleasant voice that could turn on the instant to the slither of steel.

Prosecutor Allen's Opening Statement

The choosing of the jury, to which was entrusted the decision in a case of utmost importance not only to Americans, but to the designs of the revolutionists, may well be said to have illustrated the chief weakness of the existing system of jury selection —in that examinations of so rigid and searching a character automatically dispose of all save such as confess to no opinion whatsoever, and who maintain this pitiful protestation, or who by successful knavery are enabled to win their way through utter falsehood to seats on the panel. It is an open secret that

the Montesano jury harbored not less than two avowed reds, while another of the twelve was of sympathetic trend toward the doctrines of unrest.

Moreover, as the press of evidence and the instruction of the court at the conclusion of the trial left no possible verdicts save acquittal or conviction in the first degree—the jurors are open to the charge of false stewardship in their return of second degree murder. And not one of them, in the examinations, but had declared lack of real objection to the infliction of the death penalty in proper cases. In Washington, it should be understood, the extreme retributive function rests with the jury and not the court.

A so-called labor "jury", entirely unofficial, also sat at the trial, in seats reserved for its members, delegated to attend from various labor councils of Washington and Oregon. One of the "jurors" was to admit, on the stand, that his "disinterested" attitude had not prevented him from hunting witnesses for the defense. The majority of the "jury" did not consider it worth their while to arrive in Montesano until the defense had opened its case. In every instance these men were the representatives of the most drastically radical element of organized labor. The verdict of exoneration later returned by the "labor jurors" was wholly in keeping with the intent which dispatched them to the Grays Harbor capital.

Prosecutor Allen's Opening Statement

In a crowded courtroom, sprinkled with the uniforms of the ex-service men attending the trial, and with a plentiful representation from the radical labor element, the case opened on February 7 when Prosecuting Attorney Allen delivered the opening statement for the state. Charging the eleven defendants with vicious and premeditated murder, the prosecutor outlined the structure of the state's case, delineating the role of each of the accused in the Centralia tragedy.

Vanderveer, caustic counsel for the defendants, interrupted to inquire whether the prosecution would "stand or fall" upon the contention that no attack was made upon the I. W. W. hall before the firing began, precipitating by this inquiry the first skirmish of the many that were to follow.

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

"In other words," pursued Vanderveer, "it is equivalent to a statement that there was no attack on 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" flashed Abel, rising to his feet.

HERMAN ALLEN

Prosecuting Attorney of Lewis County. He delivered the opening statement for the prosecution, and outlined the case. "Our position is that the boys were standing in the street in military formation, under the charge of their commander, paying close attention to him when he gave the command to halt and close up ranks, and that they were marking time when they were fired upon."

The opening statement of the prosecution placed the head of the Centralia contingent almost at the intersection of Tower Avenue and Second Street, two hundred feet south of the I. W. W. hall, where it rested when the attack began.

"It was while the men were in this position," said the prosecutor, "that they were fired upon. Four or five shots rang out. There was a distinct pause of a few seconds. The boys began to break ranks and seek shelter. When the ranks broke and the boys began scattering, several volleys came from the I. W. W. hall. A great number of shots were fired, ranging from 50 to 150.

"The evidence will show that all the defendants participated in a conspiracy to kill ex-service men; that while some of them did not actually shoot and kill, they were present, aiding, abetting and encouraging; and that all the defendants were present with the exception of Elmer Smith, their lawyer, who, though not present, did advise, encourage, counsel and abet the defendants in their unlawful conspiracy which resulted in murder."

In outlining its case the state did not resort to forensics—contenting itself with a calmly dispassionate statement of the evidence and testimony in prospect. It was asserted that the prosecution would show—as it did—that plans for the ambuscade were perfected some days prior to the parade, that the defendants were cognizant of such plans, and that Elmer Smith, as their legal adviser, consulted with them regarding their preparedness on the day of the parade. The records of the trial will

C. D. CUNNINGHAM
Special Prosecutor in charge of the case against the I. W. W. Member of the Grant Hodge post of the American Legion. Mr. Cunningham was in the parade in Centralia when it was fired upon, and was one of the men who captured Wesley Everest. He had been Lewis County's Prosecuting Attorney for two terms before he enlisted in the army. As leading prosecutor in the Montesano trial, Cunningham was able to use his first-hand knowledge of the tragedy to telling effect.

demonstrate that the state kept its promise almost to the letter —to be partially cheated by a verdict utterly unanticipated.

Vanderveer's Promise

As for the defense, requesting leave to make its opening statement in immediate succession to that of the state, Vanderveer pledged himself and his witnesses to proof which never was achieved. He declared that the men on trial would be known, within a decade, as "true Americans." Later his claims regarding the strategy of the reds were to return and plague him, as when the state proved beyond dispute that shots were fired from the Avalon Hotel—a charge which Vanderveer denied categorically in his opening statement. This charge he was to admit, as he was to admit others, when the structure of the defense crumbled before the state's unimpeachable witnesses.

The plea was self-defense. Upon the assertion that the I. W. W.'s fired only in protection of their hall, and that their armed preparation was made at the rumor of an impending raid, the defendants and their counsel staked the wager of freedom or punishment.

Almost upon the echo of his assertions, the I. W. W. counsel, who maintained that the I. W. W. hall alone was defended, that it was in a state of siege, and that no shots were fired from ambush elsewhere, was buffeted by the testimony of Edward C. Dohm, state field engineer of Washington, a member of General Pershing's overseas staff.

One of the first witnesses summoned by the state, Mr. Dohm testified that he had examined bullet marks in buildings adjoining the I. W. W. hall, on the west side of Tower Avenue, and that the angle of their entrance proved conclusively that they

had been fired from three points —the Avalon Hotel, the Arnold Hotel and Seminary Hill.

"Do you contend," queried Vanderveer, "that you can establish the degree of incidence of bullets that came from the hill, within four or five degrees?"

"I can," was the reply. "Within one or two degrees."

Similar was the testimony of Sidney Gallagher, city engineer of Centralia, who testified convincingly that bullet holes on the opposite side of the street pointed, with scientific infallibility, to the upper windows of the Avalon Hotel, whence the defense had declared no shots were fired.

W. H. ABEL

Special Prosecutor. Mr. Abel was Prosecuting Attorney for Grays Harbor County, of which Montesano is the county seat, and was called in to assist Mr. Cunningham and Mr. Allen in the conduct of the state's case. His clashes with Vanderveer throughout the trial provided a dramatic setting in keeping with the nature of the case.

At the outset of its testimony the prosecution had demolished two main and important contentions of the defense—namely, that no shots were fired from the Avalon or the Arnold Hotel, and had proved the essential truth of the declaration that the Armistice Day attack was not a defense, but an ambuscade.

Plans of the Ambuscade

The strategy of the defense, as testimony was to develop beyond dispute—casting down the early denial of the defendants' counsel—was to station armed men in the hall itself, in the Arnold and Avalon Hotels, and on Seminary Hill. Britt Smith, witnesses testified, pointed to these locations, while in conversation with Elmer Smith, I. W. W. legal adviser, only an hour before the assassination occurred. The testimony of the defendants themselves was to disclose that there existed a general and cohesive understanding of the part each was to play and the ambush to be taken.

The testimony of all Legionnaires who marched in the parade was that the men in the ranks were unarmed, that none of them had heard of any plan to raid the hall, and that many of them did not even know there existed such an institution in Centralia.

J. WARD ARNEY
ATTORNEY AT LAW
COEUR D'ALENE, IDAHO

Within the hall when the firing began were Britt Smith, James McInerney, Mike Sheehan, Ray Becker, Bert Faulkner, and Wesley Everest. Elmer Smith, having assured himself that preparations were complete and deadly at the hall, returned to his own office to arm and resist any violence that might be directed toward him, if a raid were held. On Seminary Hill were Loren Roberts, Bert Bland, and Ole Hanson, the latter yet uncaptured. In the Arnold Hotel were O. C. (Commodore) Bland and John Lamb. In the Avalon Hotel were John Doe Davis, who escaped, and Eugene Barnett, according to the contention of the state.

During the entire case the defense sought to cast the burden of blame for rifle-fire, upon the dead radical, Wesley Everest, and upon Loren Roberts, alleged to be insane. Toward the close of the trial, with the certainty that the cards were all on the table, the defense admitted that Bert Bland had fired upon the parade. But no one of all the defendants, upon their sworn testimony, knew who among them had fired from the hall—though they conveniently admitted that Everest had. And Everest was dead.

Attempts to Force the Labor Issue

The special line of defensive policy, presented in Vanderveer's opening statement, was an attempt to inject into the case the elements of class strife—labor versus capital—with the I. W. W. depicted as peaceful propagandists who do not countenance violence and who were driven to resistance in Centralia by threats of a raid upon their hall. Against the I. W. W., he charged, were arrayed the commercial interests of Centralia, who had held meetings in the Elks' Club of that city, for the perfection of plans to oust the radicals. So confident was Vanderveer that he would be able to show the existence of this alleged commercial conspiracy, that he was led—by expediency and the desire for dramatic effectiveness—to absolve the American Legion from all blame. Later he recanted, and made venomous attack upon the organization and upon individual Legionnaires, and when the court had ruled against the admission of any testimony relative to the alleged conspiracy, unless it first be shown that Warren O. Grimm, for whose murder the defendants were on trial, was either an actual aggressor or a party to the purported plot, the defense made the attempt—even through perjury—to involve Grimm, to blacken the name of the slain Legionnaire, but failed at every point.

"I exonerate, now and forever after, the American Legion, as an organization, from any responsibility!" was Vanderveer's pledge in his opening statement.

That first day of the trial, with heads curiously thrust forward, the spectators saw the weapons with which the Centralia attack was made — the rifles, revolvers, and automatic pistols that spat death into the peace pageant. The defendants, for the first time since their capture, looked upon the familiar weapons that they plied with such deadly effect on Armistice Day. Even when a cause is righteous, he who has killed might be expected to gaze with some degree of gravity upon the tool with which he took life. These men, on trial for murder, laughed as the unskilled hands of counsel fumbled with the mechanisms, and gave no sign of perturbation.

GEORGE VANDERVEER

The "High Priest" of the I. W. W. whose eloquent and combative forensic ability and knowledge of legal technicalities is relied upon by the I. W. W. to extricate them, however revolting their crime. He achieved high rank in the I. W. W. Hall of Fame by his successful defence of the I. W. W. in the Everett Massacre Trial. Reported to be held in $50,000 retainer fee by the national I. W. W. organization. He conducted Haywood's defense in Chicago, and lost. His was a hopeless case at Montesano; the array of facts was too much for him.

Proof of the Seminary Hill Ambush

In its opening statement the defense had made no reference to the charge that riflemen were stationed on distant Seminary hill, one-quarter mile to the east and overlooking the route of parade. Here, according to the state, and to the confessions of Loren Roberts, were posted Bert Bland, Roberts, and a third marksman, Ole Hanson, who is yet uncaptured. Roberts and Bland, it seemed certain, were to constitute the propitiatory offerings of the defense, though for the former a plea of insanity was to be entered.

Whether the defense concurred in the fact of the Seminary hill rifle pit, or whether it denied, made but slight difference when several witnesses testified to visiting the ridge after the firing and there discovering more than a score of empty cart-

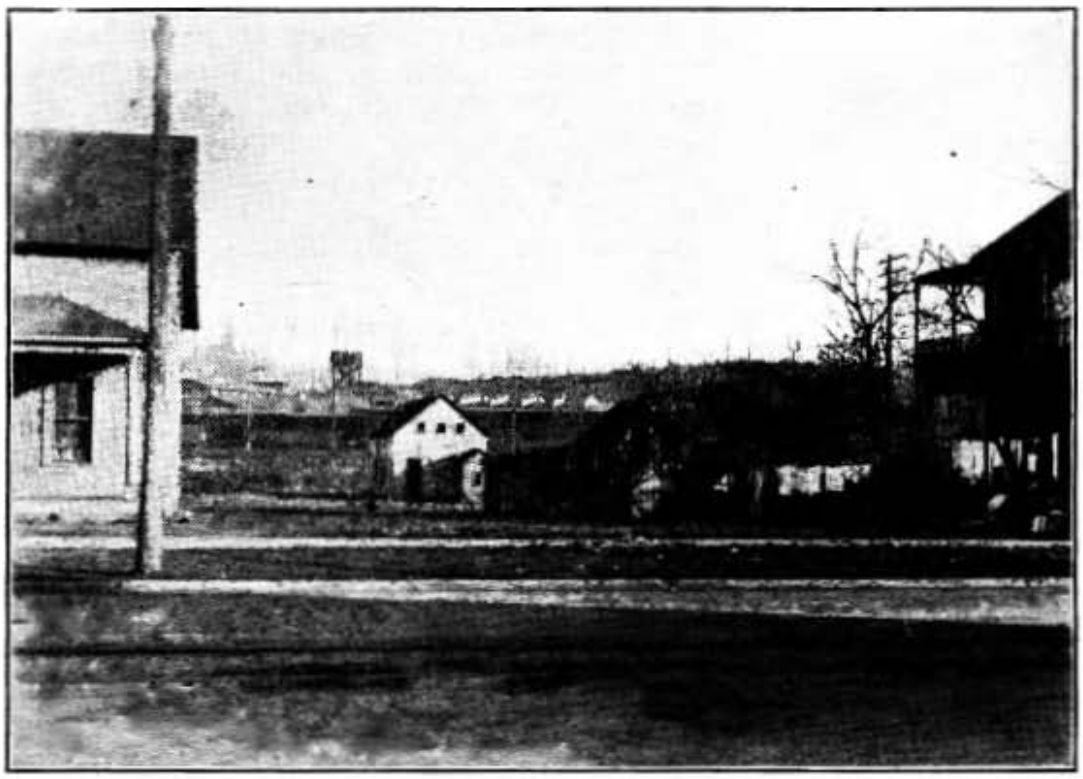
LOREN ROBERTS
I. W. W. Age 21. Roberts came in and surrendered himself two days after the shooting. His full and voluntary confessions laid bare the entire plot of stationing armed men in various buildings along Tower Avenue. Roberts was one of the three men stationed on Seminary Hill, and is believed to have been the one who killed McElfresh. It was to get rid of his damaging confessions that inspired the defense to enter a plea of "insanity." Curiously enough, his "symptoms" of insanity dated from the arrival of Vanderveer to handle the case. The jury ordered his confinement in an insane asylum.

ridges — plain and irrefutable proof of the heavy firing that was directed from the safety of that shrewdly chosen vantage point. The shells were of 25-30, 32-20 and 22 high-power calibers, and were placed in evidence. Arthur McElfresh was slain by a missile from a 22 high-power rifle. Roberts used such a weapon—the only one of its caliber concerned in the attack.

It was further shown by the state that Bert Bland and James McInerney had registered frequently, prior to November 11, at the Avalon Hotel, and that on that specific day Room 10 had been assigned to Bland. It was from Room 10, though the state did not assert that Bland was stationed there, whence came the bullet that killed Grimm, a split-nosed 38-55 caliber slug. And this rifle, which was to figure with tragic prominence in the trial, had been denied by the defense when the murder weapons were introduced. It had been found, a fortnight after the attack, beneath a bill-board at the edge of the city. Despite the denial of the defense that any such rifle had been used, the testimony of Bert G. Clark, of Seattle, an expert on ballistics, proved that the bullet which killed Grimm was of 38-55 caliber.

Confessions of Loren Roberts

On the third day of the state's case there were introduced in evidence two documents which offered conclusive proof of the premeditated nature of the attack and cast light upon the principals involved. They were the confessions of Loren Roberts, defendant, and in reply the defense could advance naught save the plea of lunacy for the pensive, lanky stripling who had uttered them. Objections to the introduction of the confessions were vigorous, but the court ruled their admissibility,



SEMINARY HILL
Across the railroad track from the I. W. W. hall. This picture taken from the I. W. W. hall. Loren Roberts, Ole Hanson and Bert Bland fired from Seminary Hill into the parade at this point. Their location was just to the right of the water-tank Loren Roberts and Bert Bland both admit firing into the parade, and Ole Hanson was never captured.

after counseling the jurors that the damaging declarations made therein should apply only to their author, Loren Roberts. The defense failed equally in an endeavor to show that the confessions, dated November 17 and 24, were obtained under duress.

In the two confessions, one supplementary, Roberts revealed discussions and plans of the Centralia radicals prior to Armistice Day, related their resolve to arm themselves and resist any raid upon their hall, and told of their subsequent strategical move of stationing riflemen in the hall, the Avalon Hotel and other buildings on Tower avenue, and on Seminary Hill. These plans were carried out.

Three Riflemen at Work

With Bert Bland and Ole Hanson, Roberts took his post in a grassy swale on the summit of Seminary Hill. They were to fire, so ran their orders, when they heard shots. Far below them the parade moved up Tower Avenue, turned and retraced its course. Bert Bland, cuddling his rifle, observed: "I hope to Jesus no trouble starts." Almost on the words they heard shots,

declared the confession, and they in turn began firing at random into the parade—where marched many of the former schoolmates of Bland and Roberts. Observe this well: Roberts, with every reason to shield himself and seek extenuation, and with a perfect recollection of the Armistice Day parade as he lay and anxiously watched it before he loosed the shot that killed Arthur McElfresh, saw no rush toward the hall before the shooting began.

"I'll tell the truth now and what I saw," he confessed. "It may be used against me, but I can't help it. I saw the soldiers run for the building when the shooting started."

There stands the confession of Loren Roberts, unimpeached, said by every examining alienist to have been sane when he uttered it—yet who was commended to the court for incarceration in the state institution for insane, by the verdict of the jury. It speaks in direct contradiction to the propagandist pretense that the I. W. W. hall was raided and that lives were taken only in its defense.

Tom Morgan on the Stand

Let it be followed, as it was at the Montesano trial, blow upon blow, by the testimony of cool-eyed young Tom Morgan, who was in the hall when the firing began, who was arrested and detained by the state, and who took the stand as a witness for the prosecution. For Morgan said, looking the I. W. W. counsel fairly in the eye, that the shots from ambush preceded any rush of Legionnaires toward the radical headquarters.

It is the plaint of the propagandist that Morgan proved renegade to his fellows and the truth, and that he "turned state's evidence," upon promise of immunity. Admittedly the state had no case against Tom Morgan, after investigation— and quite obviously the value of the witness, as well as his own personal safety, demanded that he be kept aloof from the machinations of the I. W. W. Morgan had little or nothing to fear from the state—yet his soul might well have been possessed by terror when he appeared against the reds. But the witness did not flinch or shift his gaze as he testified, and at a taunt from the I. W. W. attorney he bent upon that gentleman a look so hostile and direct that in the clash of glances it was Vanderveer who turned away.

"Where were the soldiers at the time the shots were fired?" asked Special Prosecutor Abel, when Morgan took the stand.

"Some were closing up and others were keeping time," answered the 19-year-old timber worker. "Some shots were fired from across the street."

Morgan testified that he came to Centralia with Ray Becker, defendant, alias "Rough-Ground Shorty," and that he was in

the I. W. W. hall at the time of the parade. He named the defendants known by him to be present — Mike Sheehan, Ray Becker, Britt Smith, and James McInerney. Elmer Smith, he testified, entered the hall and held conference with Britt Smith, secretary, just before the parade was due, remarking, "They are going to raid the hall, are you ready?" "We are always ready," answered Britt.

Then, walking to the back of the hall, they held a whispered conversation together, Britt pointing in the direction of the Arnold, Avalon, and Queens' Hotels, where the men had been told to station themselves.

"When he turned to go out," testified Morgan, speaking of Elmer Smith, "he asked Britt Smith if he had plenty of men. Britt said he had. Elmer said he was going up to his own office to protect it."

BERT BLAND
I. W. W. Age about 29 years. Has been an I. W. W. agitator for some time. With Roberts and Ole Hanson, he was stationed on Seminary Hill, where, according to his own testimony, "We commenced shooting. I shot between four and eight shots. I shot with one knee on the ground." Bert Bland, unmarried, was found guilty of second degree murder and given 25 to 40 years in the state penitentiary.

"Did anyone speak to you?" queried Prosecutor Abel.

"Britt Smith asked me if I had a gun, and I told him I didn't want one."

"It was only when shots had been fired that the Legionnaires broke ranks," asserted Morgan, remaining unshaken throughout cross examination. He had seen the man known as "John Doe" Davis, yet uncaptured, attempt to hide a rifle down his trouser-leg, with such comic results in walking that all laughed at him. Davis then wrapped the rifle in an overcoat and went out, turning in the direction of the Avalon Hotel.

"Where were the soldiers when the first shots were fired?" asked Prosecutor Abel.

"They were keeping time," answered Morgan.

Under cross-examination Morgan told Vanderveer flatly that he had refused to see him while in jail at Chehalis, though he had talked with him at a later time. He had heard the first shots from across the street. Efforts of the defense to entrap him into statements that would lend color to the supposition that the raid preceded the firing were futile. Vanderveer played his last card, more for effect on the jury than to disconcert the cool, straightforward witness.

"Did anyone ever promise not to prosecute the case against you, or that if you'd tell what they wanted you to, they'd let you go?" insinuated the defense.

"They did not."

BARNETT AND THE HOTEL AVALON

It was the contention of the state that Eugene Barnett, coal miner, of Kopiah, known to Centralia I. W. W. as "the nervy guy," had been the rifleman who fired the 38-55 caliber Winchester from an upper window of the Avalon hotel, giving Warren O. Grimm his death wound. Against this contention, and the evidence submitted, the defense later introduced an attempted alibi. In the minds of the jury the case against Barnett must have been conclusive—for had his alibi been true he was guiltless. But if the testimony and claims of the state were correct, as the jurors signified, then Barnett was the man who slew Grimm, or at least was present in the room from which the shot was fired, as identification witnesses declared.

Two state witnesses made positive identification of Barnett as one of the Avalon riflemen, while additional testimony was given to show that he carried a rifle of the type of the 38-55 caliber when he fled from the old hotel. These witnesses were Elsie Hornbeck, bookkeeper in a garage just opposite the Avalon, and Charles Briffett, superintendent of Port Angeles (Wash.) schools, who was in Centralia on business at the time of the assassinations.

Thou Art the Man

Miss Hornbeck testified that she saw a man lean from an upper window of the Avalon just before the firing started. She identified this man, in the prisoners' dock, as Eugene Barnett.

"Will you, knowing that this is a life or death proposition, say on your oath that you think this is the man?" insisted the defense.

"Yes," said the witness, after a reflective pause.

Equally unhesitating was the identification by Briffett, who pointed out Barnett as the rifleman he saw leaving the alley at the rear of the Avalon Hotel, cramming fresh cartridges into his weapon. Briffett, who for many years was the proprietor of a gun store and whose hobby is firearms, also testified that the rifle was of the type and appearance of the 38-55 caliber rifle introduced by the state.

"Would you know the man you saw leaving the alley?" asked Prosecutor Abel.

"I would."

"Is he among these defendants?"

"The third from the end," replied Briffett, pointing out Barnett.

EUGENE BARNETT

I. W. W. Coal miner and timber worker. Arrested for seditious utterances in Idaho during the war. Known as "the nervy guy." Was stationed in the Avalon Hotel with a 38-55 caliber rifle. Barnett was charged with firing the shot that killed Warren Grimm. Found guilty of murder in the second degree, and given 25 to 40 years in the state penitentiary.

The testimony of Leila Tripp, of Everett, Washington, corroborated that of Briffett respecting the gunman who emerged from the alley at the rear of the Avalon. Briffett had said that he saw, at the same moment, a young woman peering from the fence corner at the opposite side of the alley. In Miss Tripp the state produced this witness. She had seen the rifleman emerge and walk hastily away, reloading his weapon, but was unable to identify this man as Barnett, other than to say that there was a general resemblance.

Mrs. Warren O. Grimm, widow of the murdered Legionnaire, testified briefly in identification of the garments worn by her husband on the day of the parade, and of their appointment to meet when he should have completed his duties as leader of the Centralia contingent.

Firing Upon the Flag

That the American colors were under fire with especial vengeance, and that bullets from hidden riflemen sped between his body and the staff as he raced for shelter, was the testimony of Clarence Watkins, color bearer of the Centralia contingent in the parade. Watkins also identified Barnett as the rifleman whom he saw lean from a window of the Avalon.

John Earl Watt, of the Centralia contingent, testified that his platoon was marking time before the I. W. W. hall when the first shots were fired. He ran for shelter toward the intersection of Tower Avenue and Second Street and was hit in the right side just as he gained fancied safety. Nearby Ben Cassagranda had been shot down. Both Watt and Watkins place the location of Warren O. Grimm at the head of the column, near the street intersection, when the attack was made. The latter saw the Centralia leader stricken, and watched him reel across the street for succor.

Grimm and Where He Stood

More than a score of witnesses were called by the state to fix definitely and beyond dispute the fact that the head of the Centralia contingent was halted at the street intersection, 200 feet beyond the I. W. W. hall, with Grimm as leader, and that the ranks were in formation and marking time when bullets spat among the marchers. This point proved of superior importance later in the trial, when the I. W. W. counsel, by witnesses who were met with perjury charges, attempted to disprove the location of the head of the column and to establish that Warren O. Grimm was actually in front of the I. W. W. hall when struck—an endeavor so manifestly at variance with the established facts that one felt its own crudeness must defeat it, as transpired.

Commodore Bland's Slashed Hand

In the Arnold hotel, each with weapons, were stationed two Centralia radicals, O. C. (Commodore) Bland and John Lamb, the latter far-famed for his indisposition to toil and his loudness of voice in economic debate. Though admitting that these men were armed, the defense denied that they had fired from their room in the hotel—explaining the ragged gash in Bland's left hand as an accidental injury received when his enthusiasm for the parade caused him to lose balance and plunge the member through the window-pane. The theory of the state was that Bland came by his injury when he thrust his rifle through the

glass and joined in the firing. The state brought forward witnesses who testified that they saw the glass break, and that at the same instant smoke belched from the shattered window.

O. C. BLAND

I. W. W. Age 40. Married. Brother of Bert Bland. Has been an I. W. W. agitator for some time. Was stationed in the Arnold Hotel with John Lamb. and fired from there. Found guilty of murder in the second degree and given 25 to 40 years in the state penitentiary.

By promise and threat, the I. W. W. attorney had created an impression that the appearance of Lieutenant Frank R. Van Gilder on the witness stand would be the signal for forensic fireworks. Van Gilder it was who stood by Grimm's side when the jagged missile tore through his vitals, and Van Gilder also had led the ex-service men in their demand and purpose that the death of their comrades go not unavenged, by the severest justice obtainable at law. There had been hints and innuendo to the effect that Van Gilder, of all men, knew most of the alleged "plot" to raid the I. W. W. hall, and that he would writhe when defense counsel grilled him. As a grilling the event was over-touted. The nonchalant ex-officer gave clear and concise testimony, unshaken by the discomfited efforts of the defense. He described how Grimm met his death, and related the trivial nature of the conversation they were having when the firing opened. The first shots came from the Avalon, testified Van Gilder. He had not even known that there was in all Centralia such an institution as the I. W. W. hall.

The state was nearing the close of its case, though it had yet in reserve, to follow the case for the defense, the introduction of important testimony in rebuttal. Plainly it had demonstrated that the Centralia radicals did conspire to fire upon the Armistice Day paraders, and it had demonstrated that shots were heard before the enraged Legionnaires broke ranks and rushed the deadly portal of the I. W. W. hall.

Where McElfresh Fell

There was one bit of graphic testimony near the termination of the case for the state, relating to the killing of Arthur McElfresh—testimony that came into prominence some days later, when the defense attempted to prove that McElfresh was killed in the very act of attacking the hall. In ghastly fact he was shot through the head with a 22 caliber high-power bullet as he sought cover at the corner of the variety store, a score of paces north of the radical headquarters. One comrade, racing behind him, hurdled the falling body of the young veteran.

Mrs. Helen Schoel, of Chehalis, a trained nurse driving one of the automobiles of the Red Cross division following the troops, saw the stricken body in uniform and hastened to render aid, braving the bullets that even then were thudding in the building fronts along the avenue. She bent above the youthful Legionnaire and saw the red wound in his temple.

"What was the condition of that boy as he lay there?" asked Prosecutor Abel.

"He was dead," came the low-voiced response.

Bear this in mind, and bear in mind as well the spot where Warren Grimm stood as a heavy-caliber bullet shredded his intestines—for the beaten, frustrated, savagely desperate defense was in its own time to advance the claim, supported by weird and shaky testimony, that both Grimm and McElfresh were aggressors when they met death and that they met it at the very door of the hall. And it is the latter contention, false in every syllable, as all Centralia knows—as the defense well knew—that the radical press has set forth as truth in its callous camouflaging of the facts.

Establishing Facts of the State's Case

These facts the state had established when it rested its case on February 18:

That the defendants acted by preconcert in the slaughter of the ex-service men.

That Bert Bland and Loren Roberts fired from the vantage of Seminary Hill, and that a bullet from Roberts' rifle slew McElfresh.

That O. C. (Commodore) Bland and John Lamb were in ambush in the Arnold Hotel, whence came firing, according to several witnesses.

That Elmer Smith, as legal adviser to the radicals, visited their hall immediately before the parade, and asked if all was in readiness, expressing satisfaction when informed that the I. W. W. were prepared.

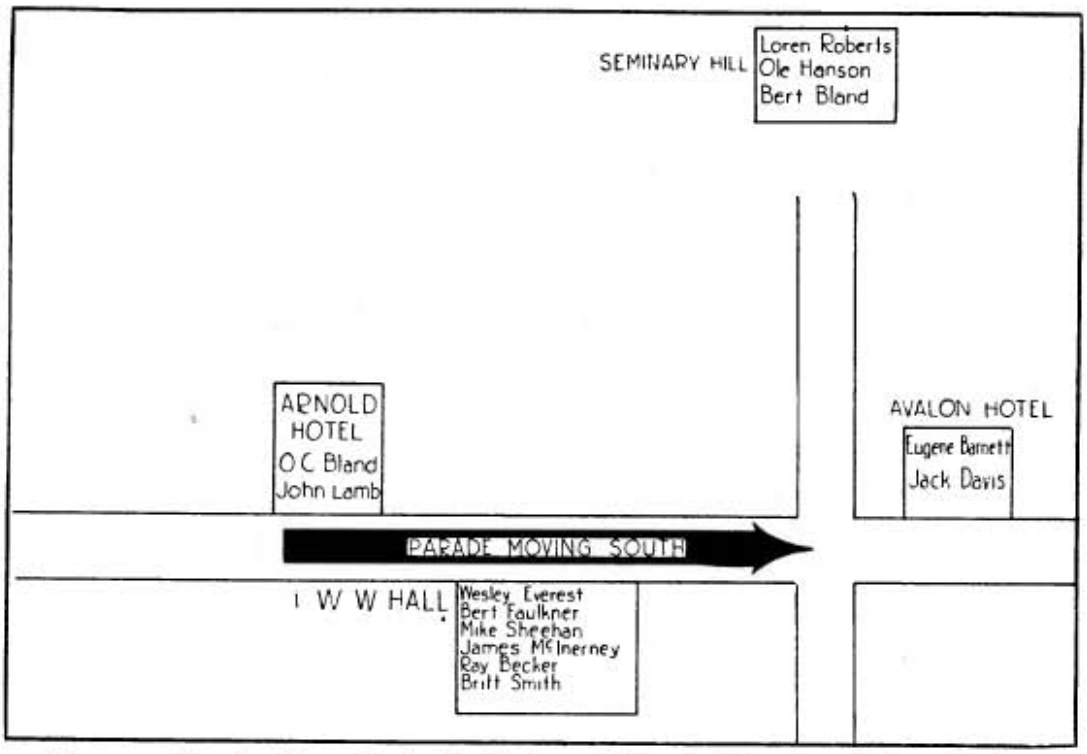


Diagram Showing How Centralia Section of Parade Was Caught in a Pocket.

That there was firing from the Avalon hotel, and that Eugene Barnett, if the identification of the witnesses was correct, was one of the men who fired from that point.

That all of the remaining defendants were in the hall at the time of the attack, and that scores of shots issued from the hall.

That Warren O. Grimm was at the head of his contingent, eyes to the front, laughing light-heartedly, when wounded so terribly that he was to die within an hour.

That the Legionnaires were at ease or marking time when the shots rang out, and that none of them rushed the hall until they realized they were under fire.

That the Legionnaires had no knowledge of any purported raid, and that none of the ex-service men bore arms.

That Grimm, McElfresh and Cassagranda, victims, were all slain at points distant from the I. W. W. hall, and by bullets fired from outside the hall, and that by no possible logic could their killing be ascribed to self-defense.

That the ex-service men were the targets of vengeful visionaries who, however zealous and sincere may have been their fanatical belief in their cause, took four lives without the semblance of provocation—the lives of men who had earned the right to live, through sacrificial devotion to their country's service.

The Spark in the Powder-Train

Why were the marchers fired upon if they did not attack? There are men of unquestioned integrity, men who would permit no allegiance to the American Legion to becloud their testimony, who assert that such was the case. Such is the fact. As well ask why a spark ignites powder, or why oiled waste blazes suddenly into flame when no fire is near. With the I. W. W. waiting in ambush, their nerves tense with a hideous resolve, their targets before them, it may have been that a twitching, spasmodic trigger finger unwittingly loosed the shot that was to be the signal. Or that some radical, more determined upon deadly fruitage, deliberately fired into the marchers. Wesley Everest, by all accounts, was such a zealot. Unfortunately for the state's case his tongue was dumb with death. But his own fellows say that Everest was "a bad bird," who remarked that with all in readiness he meant, somehow, to see that the I. W. W. plans had not been laid for naught.

One of the eleven defendants went free when the state rested, upon motion of the defense for a direct verdict. He was Bert Faulkner, of Centralia, who was in the hall during the attack. No evidence had been brought forward to show that he participated, though there was abundant proof that he knew of the plan. He had gone home before noon on Armistice Day to hide his card of membership in the I. W. W., so that in the event of capture it might not be found on him. But he of all the others was more the typical American youth, erect of stature, fearless of eye, clean in limb and feature—good to look upon. He had served in a home contingent of artillery during the war. But the court listened with leniency to the motion, and Faulkner—whom the jury would as certainly have acquitted—was dismissed and released.

Faulkner was to forfeit this sentiment and solicitude by his testimony for the defense in rebuttal, when he was called to the witness stand as a free man. It was then he defiantly swore that a bullet, fired from outside the hall, had pierced the shoulder of his overcoat—when not a jot of testimony or evidence had been brought forward to show that a single shot was fired by any Legionnaire, and when the defense itself had made no such claim. The bullet-hole in the fabric had been maliciously destroyed, Faulkner intimated, by an agent of the prosecution.

Eugene Barnett, the "Nervy Guy"

By the verdict of the jury Eugene Barnett is guilty of murder. By the evidence and testimony of the prosecution, if guilty

at all he was guilty in direct and personal measure of the slaying of Grimm. A word for him, though he be guilty as Cain, before the defense proceeds with its presentation, which takes up as the first thrust an attempted alibi in his behalf.

Of those ten remaining defendants Eugene Barnett was the outstanding figure. His eyes were unabashed and unclouded, friendly eyes with the touch of fierceness in them—far better gauges of a decent human soul than the sullen, shifty and morose brown optics of Elmer Smith, who was to be freed. One could believe Barnett to be the fighter that report declared him. One could believe that his convictions were deep and desperate and sincere—however greatly one shuddered at the deed he was charged with. Eugene Barnett, coal miner since his eighth year, moulded and soul-scarred in a trade that undeniably has seen oppression beyond endurance, might ask—as he would not —some word of understanding, if not of extenuation, for the hectic passions that drove him to blinded murder.

Opening With Barnett's Alibi

The alibi for Barnett was the first concern of the defense when it opened its case on February 19. And the defendant himself was the dominant figure in the testimony which supported it. He was calmly truculent, given to the logic of the propagandist in reply to question of counsel, and his story of where he was and what he did on the day of tragedy constituted a flat and impressive denial, in orderly sequence of commonplace conduct, to the charge that he passed a portion of the afternoon in Room 10 of the Avalon Hotel, firing a 38-55 caliber rifle and slaying Warren O. Grimm.

Barnett testified that he knew nothing of the plans to fire upon the parade, though he had visited the I. W. W. hall earlier in the day; that he never possessed or had in his possession a 38-55 caliber rifle; that he had no weapon with him on Armistice Day; and that he was in the lobby of the Roderick hotel, adjoining the radical headquarters, during the affray. He testified that his answer was such, when he saw ex-service men wrecking the front of the hall, that he "pulled" his coat and would have gone out to engage them, had he not realized an instant later that the affair was beyond fistic intervention.

"File Your Bullets Noses Flat"

Grim by-play was in that bit of testimony which concerned a verse from "Christians at War," one of the propagandist songs in the I. W. W. hymnal. Grimm, so the testimony had developed, was slain by a bullet which had been split at the

nose. A number of cartridges, found with the 38-55 caliber rifle, had been similarly treated—the design being to make the missile mushroom and inflict a more terrible wound. Prosecutor Abel had asked Barnett if he was familiar with the song, and had been answered in the affirmative.

"Have you noticed in that song a suggestion about filing your bullets noses flat?" pursued the prosecutor.

"Many times," coolly answered the defendant.

"Ever sing it?"

"No, sir."

"You do not believe in filing your bullets noses flat?"

"No, sir."

Both the defendant and counsel for the defense declared the hymn to be a satire upon modern warfare, intended only as such. But in the minds of those who heard the verse, and who were familiar with the testimony regarding the "mystery rifle" and the death wound of Grimm, arose the hazard that through the song viciousness found its inspiration. These were the words of the verse:

"File your bullets noses flat,
Poison every well;
God decrees your enemies
Must all go plumb to hell!"

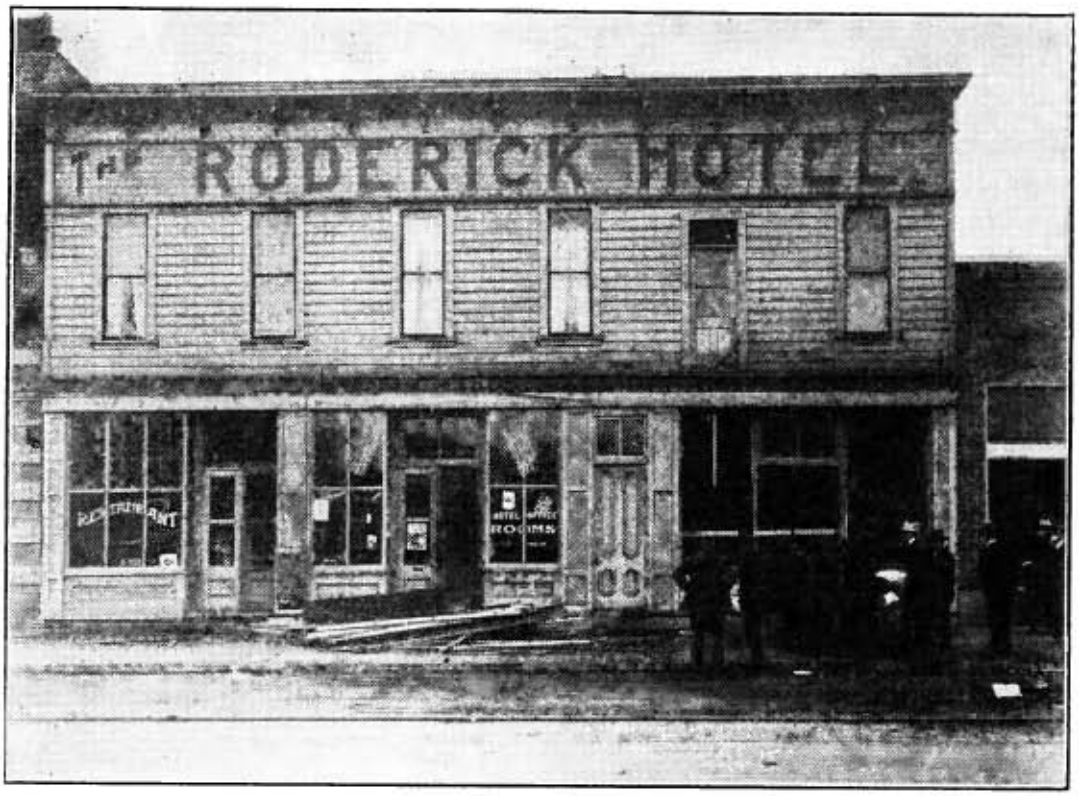
Barnett asserted that he had ridden his saddle horse into Centralia that day, and had attended to minor business affairs, calling at the Roderick Hotel to see the McAllisters, proprietors of the place, before he returned to his home at Kopiah, ten miles distant. He said that his anger was such, when he saw the hall sacked by the ex-service men in search of radicals, that he rode home at a gallop, intending to procure his rifle and return to the defense of his fellow I. W. W. His wife dissuaded him. His eyes flashed as he told the prosecution that had he returned Wesley Everest would not have died a victim to lynchlaw.

"You were not angered over the shooting of the soldiers, were you?" inquired the state.

"Not at all," was the calm reply. "I approve of anything that's necessary."

That Worthy Couple—the McAllisters

In corroboration of Barnett's attempted alibi came J. C. McAllister, semi-senile boniface of the Roderick, and his wife, Mary, a fleshy termagant who testified far too eagerly and



RODERICK HOTEL

This was rented by the I. W. W. for their hall, and it was here that plans for the ambuscade were laid. Britt Smith, James McInerney, Mike Sheehan, Bert Faulkner, Ray Becker and Wesley Everest were stationed in this hall. After the firing, the enraged Legionnaires rushed the hall and captured all except Wesley Everest, who was caught later. This I. W. W. hall was on the main thoroughfare of Centralia.

glibly for good effect—and who charged that her detention in jail following the Armistice Day tragedy had broken her in health and spirit. Both testified that Barnett was in the Roderick during the shooting, and gave general corroboration to his statement, though in minor details the stories of the three varied somewhat.

"Did you see anyone attack the I. W. W. hall?" the defense asked McAllister, who shook as with palsy.

"No, sir; I never seen anything of the kind," was the tremulous answer.

"What's the matter?" shouted Vanderveer, plainly vexed at the failure of his witness to conform to the testimony of Barnett. "Are you scared to death?"

"I object to counsel bullyragging his own witness," interposed Prosecutor Abel.

The state turned to cross-examination of McAllister, whose nervous tremors had brought him almost to the verge of collapse. Now he was faced with a contradictory statement, made

months before, when he had given no thought to his future testimony.

"Did you not tell C. D. Cunningham and J. H. Jahnke, of the prosecution, that there was nobody in the hotel at the time of the shooting?" pressed Abel.

McAllister's voice rose to the occasion with a squeak and a falsetto tremor.

"Yes, but they didn't swear me!" he shrilled triumphantly.

But Mary McAllister was of sterner stuff. Steadfastly, and speaking with such rapidity that the stenographers raced to follow her, she declared that Barnett was in the lobby, and that she saw the paraders rush the hall before the firing began. In passing, it should be remarked that the McAllisters owned the I. W. W. hall and that the radicals were their paying tenants. The witness had every appearance of talented mendacity on the stand, and the defense created a ludicrous situation by referring to the testimony of "this splendid woman, who cannot lie."

If Mary McAllister is a tyro at falsehood she did not betray it by so much as a quiver, when faced with an assertion advanced by Mrs. Ben Cassagranda, widow of one of the four parade victims. Mrs. McAllister had known the dead Legionnaire since his babyhood, and had talked with the widow when all Centralia was rife with gossip of the murders.

"Do you remember that she said Ben was shot, and you said it served him right, that he had no business to be marching with the soldiers?" asked Prosecutor Abel.

"No, sir!" snapped the McAllister woman.

Barnett denied that he had told Preston McDonald, leader of the posse which captured him, that he was seated in the lobby of the Avalon during the firing. He said that he saw the uniformed paraders file past the Roderick, heard an order that he could not distinguish, and saw the men break ranks and charge the I. W. W. hall. Glass crashed and he heard firing from the hall.

Parenthetically, it should be noted that testimony relative to the firing of a volley from the hall, almost simultaneous with the rush of the uniformed men, is without special significance in determining the question of aggression when such statements are contrasted with the testimony of many witnesses that four or five shots were fired first, from outside the hall, and that after a momentary lull a ripping volley, likened to machine-gun fire, broke from the hall and all the points of ambush. It would appear, not questioning the candor of any witnesses who say that

AMERICAN LEGION MESS-HALL
The ground floor of the Montesano City Hall was turned over to the American Legion to be used as headquarters during the trial. Between 80 and 100 Legionnaires from every section of the state were in attendance throughout the trial, and it was necessary to provide a special mess-hall for their use.

the first shots were from the hall, that the initial firing of several shots was unremarked by these witnesses and that it was the volley that riveted their attention.

As for Barnett's statement relative to the firing, it may be passed without comment, other than that voiced by the jury when it declared its disbelief in his alibi and found him guilty—that is, found him to have been where the state declared him to be, in an upper room of the Avalon, its windows snapping with rifle fire.

From February 20th until the 25th there occurred a gap in the continuity of trial, due to the illness of jurors stricken with influenza. Edward Parr, of Hoquiam, eventually was excused from the panel by reason of failure to convalesce speedily and the case was resumed through the substitution of John A. Ball, alternate juror, who thereafter served as a member of the regular panel.

Modern Murderers on Hunger Strike

It was during the pause that the defendants went on "hunger strike" against the prison fare provided by Grays Harbor county. The food was ample, let none be advised to the contrary, but may have been monotonous through lack of variety. It was said that Vanderveer, defense counsel, severely upbraided the recalcitrants for their attitude and the effect it might have on popular opinion. The incident terminated with generous

and wholly voluntary concessions on the part of Sheriff Jeff Bartell, who ordered that certain additions to the menu be made.

Enter the American Infantry

And there arose, during the same days of waiting, yet another incident that broke the monotony of court room parley and testimony and legal sword-play. It was the summoning of Federal troops to Montesano to bide throughout the remainder of the trial. Of the summoning of the troops, and of the sufficiency of cause, the radical press and spokesmen—snarling as though the sight of uniformed men under the colors were an affront—made instant material for mis-statement. It was Herman Allen, prosecuting attorney for Lewis county, who called for the troops, it was Governor Louis F. Hart, of Washington, who repeated the request, and it was Lieutenant-General Hunter Liggett, commanding the western military department, with headquarters at San Francisco, who ordered the sending of soldiers to Montesano.

A detachment of 100 men of the 35th United States Infantry, with full field equipment, arrived in the Grays Harbor capital on February 25, detrained with the smartness of efficiency, pitched their camp, and remained until the close of the trial. Storming into court, the I. W. W. counsel threatened to quit the trial if the troops were permitted to remain, charging that their presence was an insult to the civil authorities of Grays Harbor county, to the court itself, and to the cause of his clients. Though once he had grown vehement over the "danger" of trial in that same district—the "peril" to his clients—now he maintained that the entire vicinity was as pacific as a Quaker camp-meeting.

The glimpse of their country's flag, from the windows of the jury room, the sound of the bugles lilting at reveille or taps, would prejudice the jurors against the ten defendants who had slain certain young men garbed even as these soldiers were, was the burden of his plaint. The court ordered an inquiry into the necessity for military protection. Governor Hart sent his secretary to make renewed investigation. The adjutant-general's department and the sheriff's office were also concerned in the inquiry. Before these representatives of the state and county, Prosecutor Allen laid his secret information —and the infantry detachment, with guard mounted about the jail, was not removed.

"Not Let the Boys Die Like Dogs"

Not the state of Washington alone, but the United States government itself, was deeply and gravely concerned over the likelihood of riot and bloodshed at Montesano. The reports of the secret service agents, of the special investigators of the defense, are not procurable for publication. But there were shrewd and fearless men who donned the rough clothing of the itinerant laborer, procured I. W. W. cards, and moved with vigilant freedom among the radicals of the Pacific northwest —in Montesano, in Centralia, in Seattle, and Tacoma, wherever men congregated to curse their country and its laws.

In a dozen reports this quoted threat was returned to the prosecution:

"We will not let those boys die like dogs!"

What was the portent? Merely this—that the I. W. W. of the Pacific Northwest, ruthless and boastful, were taking the vow that the Centralia murderers should not hang, whatever the verdict. It was well enough that Warren Grimm and his fellow veterans perished ignobly on the streets of Centralia, but for the men who slew these unarmed soldier citizens no propitiatory fate should be invoked.

What actual means of execution armed that threat? Again the records of the investigation—the inquiry that contented all save the self-styled "labor jurors"—are silent. This much is known, that the prosecuting attorney's office of Grays Harbor county had checked the sale of rifles in that county for the period immediately preceding the trial—a matter of several months—and had found the aggregate to be over 600 heavy-caliber sporting rifles, or far in excess of any normal demand. This circumstance may have been coincidence—but public officials, charged with the preservation of law and order, have no right to assume coincidence when the stage is set for revolutionary drama.

There was a marked exodus of strange faces from the courtroom following the arrival of the troops. Partisans without occupation or visible means of support, who were accustomed to swagger into the courtroom and sneeze when Vanderveer took snuff, found it convenient to remain absent. For the infantrymen in the courtyard of the little jail were armed with loaded service rifles—quite differently equipped from those defenseless peace paraders who were sniped at from cover in Centralia.

With the resumption of the trial, on February 25, witnesses were called by the defense to support the alibi of Eugene Barnett. Mainly their testimony related to having seen the Kopiah

JEFF BARTELL

Sheriff of Gray's Harbor County for two terms, who was charged with the duty of keeping order in a county where feeling ran high. The situation was so serious that everyone entering the courtroom was searched for weapons. Vanderveer was forced to give up his gun early in the trial.

coal-miner distant from the I. W. W. hall shortly before the shooting, and to having witnessed him ride home, unarmed. One of these witnesses, S. A. Hand, a Centralia dealer in second-hand goods, was forced to admit that he had made no such statements when questioned by C. D. Cunningham, state counsel, immediately after the tragedy.

Lunacy of Loren Roberts

Upon the lunacy of Loren Roberts, youthful lumberjack of the Grand Mound district, the defense had dilated—obviously to discount the worth of the two signed confessions obtained from Roberts, wherein he told of firing from Seminary Hill, with Bert Bland and Ole Hanson as his companions. Now, for the first time, the defendants' counsel turned toward the establishment of proof that Roberts was mentally irresponsible. And in that strangely fortunate attempt—for the jury approved it—was woven such a tissue of obvious improbabilities that all the courtroom was cognizant of the jest.

Loren Roberts, shambling and silent, loose of lip and limb, who heretofore had consulted frequently with Vanderveer in whispered courtroom conferences, and whose face had been keen with thoughtful regard as he listened to the testimony, became a creature who entered the courtroom with a vapid smile wreathed on his features, a madman's titter to greet each witness—an utter alien to both his counsel and his fellow defendants. In all that assembly of persons who daily saw the trial, aside and apart from the scattered partisans of radicalism, was none but believed that "Grand Mound" Roberts was shamming.

Called by the defense to testify regarding the sanity of Loren Roberts was Dr. Arthur P. Calhoun, alienist, of Seattle, a member of the American Legion and a fraternity brother of Warren O. Grimm. The psychiatrist declared under oath that, in his opinion, the defendant suffered from the mental malady of dementia praecox. The delusions which claimed the defendant were genuine and unfeigned, asserted Dr. Calhoun. For example, Roberts believed that the I. W. W. counsel was not Vanderveer, but was none other than Colonel Brice P. Disque, former commander of the spruce division. He fancied, as well, that electric currents were sent through his cot at night to rob him of rest and force him toward damaging admissions. The courtroom, so ran the medley of his clouded mind, was operated entirely by wireless—bench, bailiffs, jurors and attorneys.

But the state, in cross-examination, compelled Dr. Calhoun to admit that the test of Roberts' lunacy was based solely upon the accepted truth of the defendant's own statements regarding his delusions—and that he might be shamming, in certain particulars. The alienist asserted, however, his belief that the malign mental phenomena were not feigned.

But Dr. Calhoun also declared his belief that Loren Roberts was sane and responsible when he uttered the two damning confessions that marked him as the slayer of Arthur McElfresh, and that illuminated the dark folds of the I. W. W. conspiracy to shoot and slay and spare not. In the face of this statement, and in the faces of statements from other alienists, fully as well qualified, that Roberts was and is sane—the discriminating jury found him to be a lunatic, and recommended him for treatment in the state hospital.

"So far as I can see from the statements," said Dr. Calhoun, cross-examined as to the reliability of the confessions, "Roberts was able to give a rational, consecutive account at the time."

"Such as any normal human being would give?" insisted the state.

"Yes."

"And on November 17 he was sane?"

"So far as I can determine from the confessions," was the admission.

"You have to take his delusions for granted in order to form an opinion?" queried Prosecutor Abel, returning to the alleged obsessions of the defendant.

"That is true in any examination for insanity," stiffly replied the alienist.

Fellow defendants were called to give testimony regarding the apparent mental condition of Roberts while in confinement.

J. WARD ARNEY
ATTORNEY AT LAW
COEUR D'ALENE, IDAHO

Again the state developed the significant fact that the lunacy of Loren Roberts dated singularly from the time the plea of insanity was entered for him. Jackson Hardy, prisoner and cell-mate serving a sentence for "moonshine", testified that the only indication of mental unrest on the part of the defendant was his proneness to sing "Steamboat Bill" all day and well into the night. There was other testimony, notably that of Mrs. Edna B. Roberts, the sad-faced mother of the accused youth, who voiced her belief that her son was of unsound mind, and who testified that two cousins were insane, while a grandfather died in dementia. Cross-examination showed it to be not improbable that the grandfather's ailment was the senility of his advanced years.

Judge Wilson's Inflexible Ruling

Throughout the course of the trial Judge Wilson had shown remarkable forbearance and leniency toward the frequent and studied insolence of the defense—evidently choosing to endure caustic trivialities rather than to afford the vestige of ground for complaint or claims of error. Straight in the judicial face Vanderveer had cast innuendo and almost open insult, only to be met with a calm smile and the request to proceed. Now was approaching, however, the test by which the firmness of Judge Wilson was to be made positively and unmistakably manifest—in his ruling denying the introduction of testimony relative to a purported commercial conspiracy against the Centralia I. W. W., unless it first be shown that Warren O. Grimm, slain Legionnaire, was party to any such plot or was an aggressor against the radicals.

In this position the court was fortified behind the ramparts of the law and exact justice—if there exists any distinction—for manifestly the matter at hand was the justification or non-justification of the killing of Grimm, without any issue of labor and capital unless some proved participation of Grimm drew this element into the vortex of trial.

"The issue in this case is murder, Mr. Vanderveer!" was the court's ruling.

Blackening the Memory of Grimm

Hotly incensed by this failure to introduce testimony relative to a conspiracy against the presence of the Centralia radicals, plans for which were laid at October meetings held in the Elks' club, according to his offer of proof, Vanderveer swiftly reversed his position and made direct assault upon the memory

of the murdered Grimm. Such was the strategy demanded of the defense—if it found its scruples easy to swallow, as it did —that the attorney who had absolved the American Legion from all blame now began the bitterest of attacks upon the murdered Centralia leader. He astounded the courtroom with his declaration that the defense would show that Grimm was before the I. W. W. hall, even advancing to the attack, when he received his wound.

"The charge here is murder," said Prosecutor Abel, springing to his feet, his eyes glinting behind their thicklensed glasses. "In order to justify killing in self defense, the person killed must be making an assault. Until today counsel never claimed that Warren O. Grimm was anywhere near the hall or that he knew of the alleged plans.

"We are entirely willing for the defense to prove that there was a raid—reserving for ourselves the right to show that such proof is by perjured testimony!"

Up rose the calm and smiling Cunningham, who marched in the Centralia Armistice Day parade, who knew of his own knowledge that Grimm was stricken at the head of the column, distant from the hall, and who as friend and prosecutor prepared the case against the defendants so that justice might be served and his comrade's death avenged.

"Will you show that Grimm was shot from the hall? he asked, gazing directly at the inflamed I. W. W. counsel.

"Our proof will show that he was shot while attacking the hall!" was the reply.

"You must show an overt act on the part of Grimm, or that he was a party to the alleged conspiracy," ruled the court.

"We will show both," answered the defense.

Let it be said here that neither claim ever was substantiated, that witnesses were faced with perjury charges in the attempt, and arrested as they left the courtroom, and that no righteous-minded man on the jury, or attendant at the sessions, held any other belief than that Grimm met his death precisely where the state declared he did. There were scores of witnesses to prove this—and against them only the lying utterances of a few shady radicals whose lack of character and willingness to falsify was manifest in every facial shift. Yet none of these—procured by promises best known to the defense—quite dared to identify Grimm as having been shot before the hall. The pledge of the defense rested unredeemed, but through no fault of the unscrupulous and dastardly ferocity with which it was pressed. There are creatures more vulpine than the fox, more poisonous than the cobra, and more given to desecration than the hyena—and such are the I. W. W.

BRITT SMITH

I. W. W. Secretary of the Centralia local. Had been an agitator for several years. While in conversation with Elmer Smith, just prior to the shooting, he pointed out the various vantage points from which the I. W. W. later fired. When Elmer Smith asked him if he had men enough, Britt answered that he had. Found guilty of murder in the second degree and sentenced to 25 to 40 years in the state penitentiary.

Britt Smith and His Testimony

It was Britt Smith, secretary of the Centralia I. W. W., tow-haired, pale-eyed strategist of the ambuscade, who said when the heat of hatred was past and the bullets sped to their fated targets—said, as he sat in the bull-pen of Centralia's jail:

"God, but I wish that I'd never heard the words, 'Class war!' "

A different, an unrepentant, Smith was the secretary when he took the witness stand in his own behalf. He had been told that he was a martyr, that of such stuff were heroes made—John Browns and other gallant saviours of mankind. Behind him stood the elements of unrest, and before him the manifestation of their might—the high-salaried, clever, fiercely combative lawyer who had been retained to save him from the bitter gallows.

And Britt Smith, quite calmly as though he were discussing economics, made the startling claim that the first shot was fired not from the hall, but from the pistol of an unknown Legionnaire in the street. He had never before uttered such a claim, though statements were made by him following his arrest—statements in which he spun to the uttermost thread the attempted justification of his act. The state passed it by as unworthy of assault.

But Smith did admit that he suggested and approved of the stationing of riflemen outside the hall to fire upon the parade if the hall were attacked, and added that he was aware that several of the I. W. W. had taken such strategic locations. Though in the very center of the reds who fired from the hall, Smith denied that he knew who was armed or who fired the 50-odd shots that swept from the doors of the rookery. He denied the authorship of a roughly penciled map, found on his

desk when the hall was searched, showing the exact points at which outside riflemen were stationed.

Corroborative testimony was given by Britt Smith and Mrs. Mary McAllister, owner of the I. W. W. hall, to the effect that they informed Centralia authorities of their belief that a raid was to take place on Armistice Day, and that they asked protection without any definite action being taken to afford it. Circulars were distributed, testified Smith, appealing to the citizens of Centralia. Believing that lawful protection would not be given them, in the event a raid was held, the I. W. W. secretary said that the resolution to arm themselves sprang into being and effect.

"The boys wanted to know what to do," testified Smith. "I believed in the protection of the hall at all times."

Therefore, upon hearsay, and by grace of the lawless doctrines of the I. W. W., on November 11, 1919, certain disciples of desperation constituted themselves the law, violated the principles of manhood and self-defense by assigning marksmen to distant stations, and coolly butchered four followers of the flag. To say that they anticipated a raid is not condonation—as well say that some mad Malay, running amuck with kris and dagger, anticipated personal violence. They had resolved upon slaughter and they achieved it.

From the mouth of one of the defense's own witnesses, plainly on the stand perforce, came denial of the assertion that Warren O. Grimm was before the I. W. W. hall when the split-nosed bullet smashed into his vitals. This witness was Walter Morrill, Legionnaire, who marched in the third platoon of the parade. Under cross-examination he testified that Grimm was at the head of the column, beyond the hall, talking with Lieutenant Van Gilder, when the firing opened and he doubled up at the impact of his wounding.

Two Typical Defense Witnesses

Somewhat of the character of the witness called to support the claim that Grimm was before the hall, and thus by proving him an aggressor open the way to the alleged conspiracy evidence, may be gleaned from the consideration of two typical instances—those of the testimony of Vernon O'Reilly, high school youth of Centralia, and Mrs. May Sherman, cannery worker, of Tacoma. Both sought, in veiled testimony, to redeem the promised proof of the defense.

At this juncture later evidence and testimony should be anticipated by the statement that one Legionnaire was wounded before the I. W. W. hall. He was "Dutch" Pfitzer, of Chehalis,

and upon the circumstances of his wounding the defense sought to erect the structure of deceit that was intended to alter the position of Warren O. Grimm. With a bullet through his forearm from wrist to elbow, dazed by the pain of his wound, Pfitzer staggered down the street.

O'Reilly testified that he saw a wounded Legionnaire approach the intersection of Tower Avenue and Second Street, apparently clasping his arms about his middle, and that this man came from the very doors of the I. W. W. hall. He testified that later he saw a wounded man—unquestionably Grimm—being assisted into an automobile on Second Street, and that he noted "a resemblance" to the man he had first seen.

Cross-examination developed that O'Reilly has as his mentor a certain "Pat" Nolan, said to be one of the leading I. W. W. of the district, and that the fluent and brilliant high school youth himself is a convert to modern radicalism.

"Are your father and mother I. W. W.?" queried Prosecutor Cunningham.

"No, sir!" defiantly.

"Arnen't they radically inclined, something like the I. W. W.?" insisted counsel.

"That would depend upon what you call radical inclination," retorted O'Reilly. "My mother goes to Triple Alliance meetings."

"Isn't your mother an agitator in the Triple Alliance?" continued Cunningham.

"My mother is not an agitator in the Triple Alliance at the present time," answered O'Reilly.

Membership in the Triple Alliance, or the Non-Partisan League, was sufficient indication of radical tendencies, in the opinion of the defense, to qualify a venireman for service on the jury when the panel was being selected. Hired investigators of the I. W. W. approached veniremen prior to the case and sounded them upon their attitude toward these two organizations. If it was favorable, the I. W. W. agent reported to his chief that the venireman was desirable for jury service in the trial of the Centralia murderers. If it was unfavorable he was to be challenged and dismissed.

"I'm Liable to Say Anything"

May Sherman, 200 pounds and playful as a kitten, smiled archly at court and spectators, when she testified eagerly that she had seen a wounded man, tall and heavy of stature, gripping his stomach as he left the street before the hall. Inferentially,

this man was Grimm—but May made her mistake when she clothed him in an olive-drab overcoat. Grimm wore no overcoat on the day of the parade.

"You knew Wesley Everest well?" inquired Prosecutor Abel referring to the murderer who was lynched.

"Yes," answered the playful May, her composure deserting her.

"Each of you roomed in the same hotel?"

"Yes."

"What name did you go by in the Queen's hotel?"

"Bertha Hope," stammered the woman. Then, swiftly—"My right name is Sherman, but I was going by the name of Hope."

ELMER SMITH
Attorney for the Centralia I. W. W. Visited the I. W. W. hall just prior to the shooting. According to the confession of Tom Morgan, "when he turned to go out, he asked Britt Smith if he had plenty of men. Britt said he had. Elmer Smith said he was going up to his own office to protect it. One of the others said it was kind of nice to have your attorney come in and tell you to do your duty." Smith was arrested after the tragedy in his own office, gun in hand. The jury found him not guilty. He is now under indictment for the murder of Arthur McElfresh. Out on bond, he is lecturing about the country, the feted idol of the I. W. W.

Asked if it were not true that in the courthouse corridor, before she was called to the stand, she had boasted that "we will have evidence to meet anything they (the state) will bring up" the witness said that she did not recall the statement though she had talked with the two women to whom she was alleged to have made it.

"I may have said it," flaunted the witness. "I'm not sure of it. I'm liable to say anything."

She looked toward Vanderveer for smiling approval of this brilliant exit from the difficult lane. But the I. W. W. counsel was frowning his disgust.

Tom Meaden, tailor, and Forrest Campbell, candy-maker, were defense witnesses who swore that they heard cries from the ranks, "Let's go! Come on! Let's get 'em!" and that forthwith the Legionnaires rushed the hall.

• Twin Lies and Their Liars

Comment on this testimony may be briefly disposed of. For Meaden, who testified that he heard shots after the rush,

admitted under cross-examination that he had specifically stated, following the affair, that he heard no shots at any time. He did not attempt to explain away the discrepancy in his testimony. And Campbell testified that he saw Arthur McElfresh lead the attack on the hall—whereas McElfresh died in his tracks, a bullet through his brain, at the corner of the variety store some distance north of the hall. Despite this proof, plain and unalterable, Campbell asserted that he saw the body of the stricken veteran lying on the sidewalk before the entrance to the I. W. W. headquarters.

At the opening of the sixth week of the trial, on March 1, the defense abruptly gave over its attempt to implicate Warren O. Grimm and in rapid sequence placed the defendants on the stand. By their testimony the defense showed that it had abandoned all subterfuge respecting the location of riflemen outside the hall, and was ready to admit all that had been denied in its opening statement, excepting the question of aggression. As for Bert Bland, companion rifleman of Roberts and Ole Hanson on Seminary Hill, his narration was so candid and incriminating that every listener felt he was being made the sacrificial offering—the scapegoat upon whom the jury might safely fasten the death penalty with the unspoken assent of the defense.

"I Shot Eight Shots"

"At first we decided to go to the Queen rooming house," testified Bland, after he had related the preliminary conference in the hall. "We went up to Wesley Everest's room. He told us we could use it. I did not tell him what we wanted it for, but I guess he knew. We looked out the window and did not like the situation. We came to the conclusion that the soldiers could easily surround the buildings, so we decided we did not want to face that kind of a situation. Then we decided to go to Seminary Hill. We had discussed the hill before.

"I saw a man on horseback at the corner," said Bland, when he had told of their concealment on the hill. "I heard a command. I couldn't tell what it was, but I saw the men break ranks and rush the hall. Then I plainly heard glass fall—then shots sounded. We commenced shooting. I shot between four and eight shots. I shot with one knee on the ground. I was shooting at the people who were raiding the hall."

Bickford the Boomerang

The testimony of Frank J. Bickford, Centralia physician and Legionnaire, who previously had testified at the coroner's in-

quest that he had suggested a raid on the hall and was in the act of carrying it out when firing opened, proved a boomerang to the defense in that it developed that Bickford was unfamiliar with the occurrences of that tragic day, and that the paraders were under fire before he moved a single step.

ARNOLD HOTEL
Almost directly across Tower Avenue from the I. W. W. hall. In this building O. C. Bland and John Lamb were stationed, and fired on the passing parade

"I heard commotion and shouting among the platoons to the rear," testified Bickford, "and turned to look. I saw the platoons to the rear breaking up and scattering. Some were going toward the I. W. W. hall, others were going elsewhere, and some were running toward the vacant lot by the variety store."

What Bickford saw was the disruption of the parade after the first rifle fire. Among the men whom he witnessed racing for shelter toward the corner of the variety store must have been Arthur McElfresh, doomed to fall an instant later with a bullet through his head.

Bickford testified that he offered to take the lead in the raid on the hall, making the proffer as he marched with his comrades toward the intersection of Tower Avenue and Second Street.

"Your suggestion about taking the lead was not followed up, was it?" inquired the state.

"No, sir; that was before we halted."

"You say that you heard commotion back of you and saw soldiers scattering in all directions?"

"Yes, sir."

"Is it true that you are somewhat deaf, doctor?"

"Yes, sir."

Perjury Met With Warrants

During the court session of March 2, when the defense again made brazen attempt to place Warren O. Grimm in the attitude of an aggressor, before the I. W. W. hall, the state held to its promise and arrested two defense witnesses on perjury charges. They were Guy Bray and Jay Cook, of Centralia—both of whom had offered testimony tending to indicate that Grimm was shot while in front of the hall. Neither had dared be explicit, but their testimony was so plainly fabricated and its intent so dastardly that warrants for their arrest as perjurers awaited them as they left the courtroom.

Bray dared not testify that Grimm was near the hall, but he attempted to serve the same purpose by openly testifying that Lieutenant Van Gilder, companion of the Centralia leader, when he was stricken, was at the very threshold as the firing began. As the two comrades were known to have been together this fabrication would serve, especially when Bray asserted that Van Gilder's companion was wounded.

"Do you swear that Frank Van Gilder was standing near the door of the hall at the time of the shooting?" asked the prosecutor.

"I do," answered Bray.

"We shall want you a little later," was the dismissal, with an emphasis that stressed the waiting perjury charge.

Cook won his laurels as a perjurer and his subsequent arrest when he testified that the head of the column rested exactly before the I. W. W. hall—a declaration no other defense witness had attempted to utter—and when he capped this triumph of mendacity by declaring the positive identification of Warren O. Grimm as the man he saw running from before the radical headquarters, his hands clasped over an abdominal wound.

Time and again the defense renewed its endeavors to establish falsely the position of the slain Legionnaire, with the jury retiring while Vanderveer made his offers of proof on the conspiracy charge—only to be informed by Judge Wilson that no overt act on the part of Grimm had been proved. In the legal arguments that attended these efforts, the weapons of the prosecution were plied by C. D. Cunningham, whose easy, matter-of-fact and unanswerable exposition of the testimony and the law left to Vanderveer only the portion of the defeated.

The Law of Self-Defense

"Shooting is justified in the defense of your home when you are inside that home," argued Prosecutor Cunningham, during one of these clashes. "I believe the defendants are en-

AMERICAN LEGION BARRACKS

In good old army style, the room over the largest garage in Montesano was fitted up for a barracks for the Legion men in attendance at the trial. These men came from every corner of the state in uniform, to prevent any intimidation of the trial by the I. W. W.—the "silent terrorism" of the I. W. W. which they had used successfully in securing the acquittal of their members in previous murder trials. In addition to these "barracks", the Legionnaires maintained a hospital over one of the offices. The Red Cross were in charge of this feature.

titled to the construction that the hall was their home, but that is as far as this statute can go, and that is as liberal an interpretation as may be placed upon it.

"The law declares that killing in defense of others is justifiable, when the slayer is in the presence of those in whose defense he kills, and not otherwise. Counsel cannot contend, and does not, that the men on Seminary Hill, in the Hotel Arnold and the Hotel Avalon were in the presence of the men in the I. W. W. hall.

"So the men on the hill and in those hotels were not acting lawfully when they shot in defense of the men inside the hall, because they were not in their presence; nor can they claim that they shot out of the building, because they were not inside the building.

"We've proved deliberate murder or killing. They seek to justify it on the ground of self-defense. The burden of proof is upon them. The supreme court has said that you cannot kill a man simply because he has threatened you. What is there in the entire record, giving their proof the most favorable construction, which proves that Grimm committed an overt act or ever made a move against the hall or toward carrying out any purported threats?"

Ruled Judge Wilson: "There is nothing in the testimony which places Grimm in attendance, or convicts him of even

attempting to do anyone any harm, and this is giving the defense the benefit of the doubt. The court is of the opinion that the evidence falls far short of being sufficient to show an overt act on the part of Grimm."

"Four or Five—Then a Volley"

Defense witnesses were not lacking to testify that they saw the Legionnaires rush the hall before they heard shots—witnesses of sound repute—but in almost every instance these testified that the first shots they heard came in a rattling volley, whereas it had been demonstrated that four or five scattering shots, with an ensuing lull, preceded the fusillade. It was at these first shots that the uniformed marchers, back from the fields of actual war, realized they were under fire. Some fled, others charged directly towards the bullet-spitting doorway of the hall itself.

Featuring Another Fiasco

The ludicrous nature of much of the testimony advanced by the defense—laughable, indeed, had it not been cited to serve so pernicious a purpose—is again illustrated in the testimony of a dozen witnesses who swore that civilian marchers carried coils of rope, presumably for I. W. W. neckties. How fearsome this testimony sounded, what mystery it engendered—only to be dissipated in laughter when P. H. McCleary, postmaster of Centralia, and Ben H. Rhodes, called by the state in rebuttal, testified that they had carried rope—the frayed fragments of a hempen cord that someone had hitched tin cans to behind an auto, to make a joyous noise on the festal day. The one had picked it up and lashed it at the other, and so the two—both men of advanced years and snowy hair—had played at being boys as they marched down the street. But while that rope endured in the testimony there wasn't an I. W. W. partisan but vowed that it was sinister and ominous.

Timothy the Letter-Writer

But the absolution of Warren O. Grimm was to come from the defense itself, and, most fittingly, from a gentleman of the cloth, the Reverend Thomas T. Edmonds, of Seattle, at present without a parish. Where fly the stormy petrels of the very latest new thought, where is lifted highest the harangue of the revolutionary demagogue, there one should seek the ministerial miscreant who sullied his broadcloth and his calling on the witness stand at the Montesano trial, as that lurid epic of jurisprudence drew to a close.

On the afternoon of March 5, after an interval of humdrum progress, the I. W. W. counsel summoned Dr. Edmonds to the stand. His name had been of frequent mention in previous testimony, as one of the paid investigators of the defense, a witness-seeker, a zealot consumed with impersonal fire for exact justice. Quite frequently state counsel had pricked the defense with caustic reference to Edmonds. There was both malice and purpose in those jabs and gibes—for, of all the motley company of radical adherents, Cunningham and Abel most dearly desired to question the dominie. And there he sat, Vanderveer smiled at him as at a stellar pupil and elected friend, the Reverend Thomas T. Edmonds, to testify for the defendants. The gibes had borne their fruit. The defense had brought forward its trump card, it most excellent witness.

JAMES McINERNEY
Alias James Mack. I. W. W. Had been in America for 12 years but had never become a citizen. Was arrested for murder in the Everett Massacre Trial two years before. He was one of the I. W. W. caught and disarmed in the I. W. W. hall. Was found guilty of murder in the second degree and sentenced to 25 to 40 years in the state penitentiary at Walla Walla.

Absolution of Grimm By the Enemy

Would you know what word it was that Dr. Edmonds wrote for Vanderveer's private reading, after he had made thorough investigation of the Centralia affair—wrote as a guide to the conduct of the case and with particular reference to the policy which must be pursued toward the memory of Warren O. Grimm? Whatever the propagandists may tell you, there on the stand, shifting and twisting under a merciless interrogation, the parishless parson confessed that he had penned this missive to Vanderveer, under date of January 4, 1920:

"And while Warren O. Grimm was not at this time involved in the raiding, the western law of reaching for a gun, (underscored) or motions like that, should apply."

For more than a month this Hessian of the I. W. W. had combed Centralia for evidence to implicate Grimm in aggression, and had not found it. His contribution to this country

and to justice, upon that failure to incriminate the dead Legionnaire, was the suggestion to Vanderveer that a deliberate fabric of treacherous falsehood be woven on the witness stand, and that shameless perjury be suborned to fasten upon Grimm the onus of attack—Grimm, but a month or so back from the bitterness and nostalgia of Siberia, with his wife and baby waiting for him when the parade should return, light-heartedly going in soldierly pride to death on the streets of his home city.

Read, if your stomach is immune from nausea, this dialogue of the courtroom, and picture the while that boastful "servant of God" who held the witness chair, dapper and voluble:

Abel: "When were you called as an investigator for the defense?"

Edmonds: "In 1919, November, and I will say I believe it was providential."

Abel: "Do 'the boys' call you 'Timothy?' "

("Timothy" was the signature to the letter in the possession of the state, known to have been written by the chargeless clergyman.)

Edmonds: "They were not the ones who gave me that nickname. It was Dr. Matthews, my friend, who gave me that."

Abel: "Did you write this letter on January 4 to Mr. Vanderveer, about this case?" (The prosecutor thrust forward the penned proof of Edmonds' perfidy.)

Vanderveer: "This is very dramatic, Mr. Abel."

Abel: "Keep your remarks to yourself!"

Edmonds: "Y-e-e-s," stammeringly.

Vanderveer: "Who is opening my mail and reading it?" (His face suffused with anger.)

Abel: "You opened it!"

Edmonds: "I think the last I know of it the letter was in my little grip."

Vanderveer: "Why is it that I didn't get the letter?" (Business of semi-apoplexy.)

Abel: "You got it, and those are your notes on the back!"

Vanderveer: "The next time I will call that statement by its right name!"

Abel: "You may do so now."

Vanderveer's Cue In Timothy's Letter

Glance at this admirable epistle, the cause of such tumult in court, the contretemps of an otherwise dull afternoon—this letter that gave the lie to the I. W. W. counsel and his star witness and impeccable secret agent:

"Dear Mr. Vanderveer: Please forgive the apparent assumption, but I want to relay to you what I felt was an inspiration —in what I believe regarding the Centralia case.

"1.—It would be a line of defense, recognizing seemingly palpable, otherwise unexplainable facts, and so have the strength of truth.

"2.—It would not risk endangering a movement by recoil that might come.

"3.—It would furnish solid ground for an appeal to the latent justice and love for the persecuted in the average man.

"Briefly, to combine the public defense of Lovejoy and the remarkable tactics of John Brown (abolitionist martyrs) who so shrewdly and conciously forced his legal defense to rivet the eyes of the country on the case.

"I have obtained a library copy of 'Decisive Legal Battles of the Country,' by Hill, who described the unimaginable ferocity of public sentiment, local and general, and the way in which John Brown avoided the anti-climax proposed by his friends and attorneys, pleading insanity, and swung sympathy to his cause.

"If interested, will be glad to send it and other J. Brown books to you.

"How the two cases—Lovejoy, who died defending himself, and John Brown, who boldly faced the issue and was convicted—had tremendous historical sequences which no jury would lightly wish to assume.

"It strikes me that there are somewhat interesting legal as well as oratorical possibilities along this line; i. e., could not the outside firing be finally admitted, with Wesley E., Loren Roberts and one or two others involved, as a soldier's attempt to defend their rights—perhaps as legally indefensible as John Brown?

"With Britt Smith defending his home, and all of them actuated by fear for bodily harm, from threats?

"And Elmer Smith and the others not cognizant of any but strictly defensive war measures?

"And while Warren Grimm was not at this time involved in the raiding, the western law of reaching for a gun —(underscored)—or motions like that, should apply.

"And surely there is a case for constructive murder indictments, for the casual connection is positive and logical, reaching to the commercial club.

"In other words, could not Abe Lincoln's absolute honesty be combined with your invincible attack?

RAY BECKER

Alias Rudolph Berkholtz, I. W. W. During the war was convicted of being a draft-evader, and confined to jail in Seattle, Washington. Broke jail and escaped. Was one of the I. W. W. caught and disarmed in the I. W. W. hall following the murder of the parading Legionnaires. Found guilty of second degree murder and sentenced to 25 to 40 years in the state penitentiary.

"Would not this course best suit Britt Smith, et al?

"Would not a photograph of the burned and battered condition of the former raided hall be helpful as an exhibit?

"With hearty congratulations for you victories already,

(Signed) 'TIMOTHY.'"

Supply your own italics. The interrogation of Edmonds was sustained and thorough. In every paragraph of the letter, written with all dissembling dismissed, he declared the hazardous and indefensible plight of the defendants and suggested chicanery and perjury as their bulwark. How that letter came into the hands of the state is, as Kipling says, quite another story and immaterial to the present narration.

Page General Sherman's Nephew!

It is true that Edmonds, lamely struggling, asserted that one ex-service man had told him that he saw Grimm make a motion 'like reaching for a gun." But the smooth defense investigator, queerly enough, had failed to procure the testimony of this super-important witness, and recalled him only as a garrulous individual who said that "he was the nephew of General Sherman."

The epistolary phrase, "not involved in the raid at this time," referring to Grimm, was said by the witness to apply to information he had received that Warren O. Grimm was a participant in a former raid on an I. W. W. hall in Centralia, on April 18, 1918, and that he had been told Grimm led on the rioters, "dancing like a dervish, a flag in each hand, howling at the top of his voice."

It is well that you should know where Grimm was on that 18th day of April, 1918, when the parishless preacher did

not scruple to charge, that he raided a radical headquarters. He was in his country's uniform, at Palo Alto, California, taking his marriage vows with the girl who was soon to be widowed —the same who sat through the trial of her husband's murderers, hearing his fond name blackened by most unspeakable calumny.

Rebuttal Testimony of the State

On March 8, at the beginning of the seventh week of the trial, the state opened its case in rebuttal. It had before it the task of refuting the testimony of the defense concerning the alleged attack upon the I. W. W. hall before the firing began, and the "lunacy" of Loren Roberts, as well as the disposal of various minor mis-statements and the plain and fancy fabrications of certain witnesses called by Vanderveer. State counsel turned to rebuttal testimony with confidence born of certainty in the justice of their cause and the truth and candor of their witnesses.

Not until the paraders were under fire, with the whiz of bullets in their ears, and with the windows of the I. W. W. hall bursting to the blast of rifle fire, did Legionnaires break ranks in Centralia's Armistice Day pageant. More than two score of clean-cut youthful veterans, many of them in the uniforms they wore overseas, together with many civilians, testified to that fact in rebuttal for the state. Though defense counsel assailed them with caustic cross-examination in no instance was their testimony shaken.

Three Men Back From Flanders

Then came to the stand three ex-service men who did rush the hall—after the firing began—a trio that gained the deadly portals of the rookery itself in a desperate and foolhardy attempt to carry reprisal to the lurking enemy. And their narratives, as those of their comrades, calmly sustained the thrusts of the I. W. W. attorney and were intact and unrefuted when they left the stand. They were Eugene ("Dutch") Pfitzer, of Chehalis, Loren Stevens, of Centralia, and Elden Roberts, of Portland. These three alone, of all that long parade line, charged directly at the hall when first the ranks were under fire. "Dutch" Pfitzer, for his reckless gallantry, took a bullet through the forearm. His testimony so closely parallels that of his two comrades and fellow witnesses that it suffices for the purpose of setting forth the facts.

Pfitzer testified that he was in the second platoon, and that the parade was in formation when the shooting began. Someone near him cried out that the "wobblies" were firing into the ranks. Pfitzer, with France in his memory, turned and

raced for the hall—as thousands of American lads charged, single-handed, the enemy machine-gun nests of Flanders, and Chateau-Thierry and the Argonne forest. He testified that he set his foot to the door and that in the same instant the window-panes crashed to the blast of bullets. At his side were Stevens and Roberts.

With the whine of the missiles in his ears, Pfitzer turned to take cover. It was then that he was shot in the left arm, the bullet traversing it from elbow to wrist. The wound paralyzed the arm, so that he could not hold it out from his body. Gripping it across his stomach he went down the street. It was this gesture which opened the lane of false defense testimony regarding the Legionnaire wounded near the hall, in an attempt to make it appear that Pfitzer was Grimm, hit in the abdomen.

"I did not charge the hall until I found out that the 'wobblies' were shooting at us," testified Pfitzer. "I never heard of any raid."

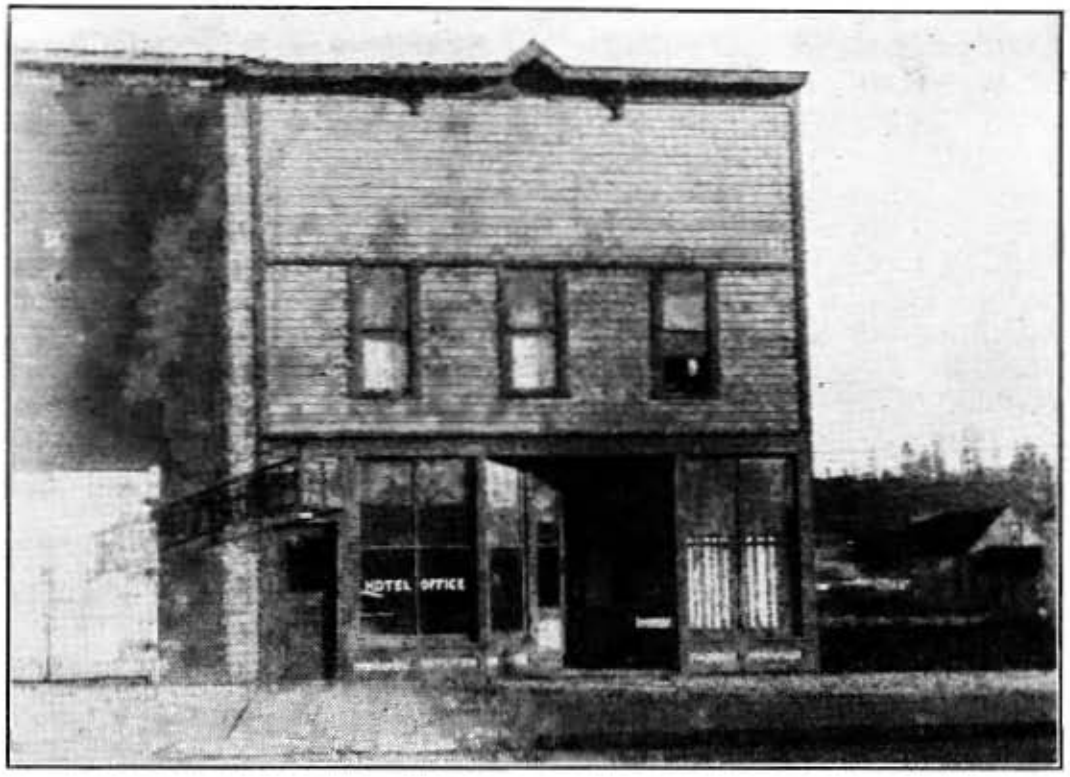
"Why did you run for the hall?" was the sneering query of Vanderveer, professing doubt that sacrificial bravery is other than a myth.

"I thought the shooting was coming from there," was the somewhat astonished reply of "Dutch," as though the question were superfluous.

As for the score of Legionnaires, members of the parade line, who testified regarding the firing and the attack, this is the comprehensive substance of their testimony: That the ranks were in formation when the firing opened, and that the firing preceded any movement toward the hall or any break in the line, whatsoever. That from two to five shots rang out, with an ensuing lull, and then the air was keen with the flight of a volley. They broke and ran for cover.

Another Lie Pinned and Writhing

Throughout the trial, in his attempt to introduce alleged evidence and testimony that a commercial conspiracy against the I. W. W. burgeoned in slaughter, Vanderveer had charged distinctly that F. B. Hubbard, president of the Eastern Railway & Lumber Company of Centralia, was the leader of this citizens' movement, and that he in person was present in Centralia during the tragedy, enraged to the point of madness by the miscarriage of his plans. Witnesses for the defense had sworn that they saw and conversed with Hubbard in the hours immediately following the ambuscade. Hubbard might well have been enraged, for it was his nephew, Ernest Dale Hubbard, who died at the vicious muzzle of Everest's pistol—but



AVALON HOTEL
Across the street diagonally from the I. W. W. hall. The man in the window is Frank Van Gilder, who was at Warren Grimm's side when he was hit. It was from this window that the fatal shot was claimed to have been fired by Eugene Barnett. With Barnett in the room was another I. W. W. who escaped capture.

Hubbard was not in Centralia on that day. The attempt so to involve him was but part and parcel of the blatantly irresponsible and perjured methods of the defense.

A. L. Weaver, auditor of the Hotel Portland, Portland, Ore., supported by other testimony, proved through the hotel records that F. B. Hubbard was a guest at the Portland on Armistice Day and that he did not return to Centralia until the following morning—broken and swollen-eyed from the sorrow that had come to him in the death of his nephew.

Ghouls Will Be Ghouls

Another prurient, fetid falsehood was bared by state witnesses in the impeachment of the previous testimony of John Patterson, defense witness, who had asserted that he stood at the corner of the variety store, just north of the I. W. W. hall, and saw the body of Arthur McElfresh borne away from the door to be placed almost at his feet. What ghoulish mastermind conceived this perjury, when all Centralia knew that McElfresh, poor lad, dropped in his tracks as he ran for cover, not toward the hall, but away from it? Was the defense even

then preparing to forestall, in the Grimm case, the possibility of re-arrest and prosecution for the murder of McElfresh, if the jury freed the defendants? Supply your own answer.

Ruth Godfrey, 15, red-cheeked and dressed in plaid gingham, testified that her home "is just across the road" from the Patterson residence, and that on the morning of November 12 she was in Patterson's home. He had returned but a few moments before from a night in the city jail, where he had been swept when posses raked the city for I. W. W. sympathizers. Ruth testified that this was the conversation between husband and wife.

"John, what did they do to you?" asked Mrs. Patterson.

"They didn't do anything to me, because I didn't see anything," answered Patterson.

J. A. Pollock, another of Patterson's neighbors, testified that shortly after Armistice Day he talked with Patterson and that the substance of the conversation was as follows:

"I'm very sorry to hear that you're mixed up with those I. W. W.," said Pollock.

"I didn't start downtown 'till after two o'clock," had been Patterson's reply. "I got as far as the Randall Hotel. My little girls were with me, and they got scared, so I turned and beat it for home."

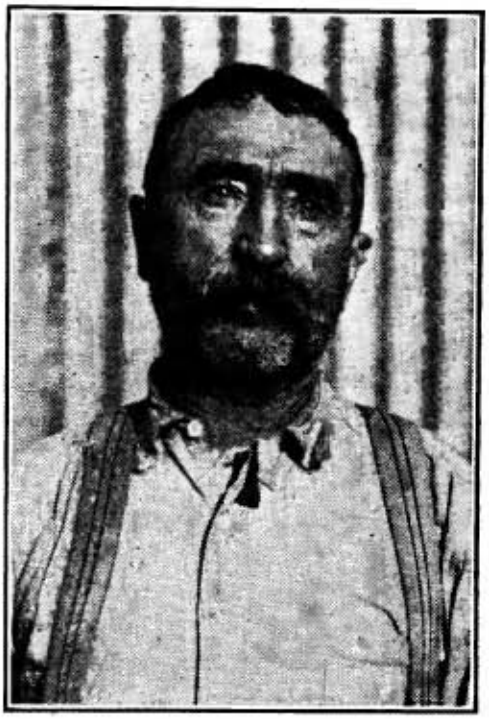
The Randall Hotel is far north of the variety store and the I. W. W. hall, where Patterson had testified he stood and watched the removal of the dead Legionnaire. Unshaken by cross-examination was the testimony of both Ruth Godfrey and Pollock.

"Loren Roberts Is Sane"

Remaining for state rebuttal was the plea of lunacy in the instance of Loren Roberts, defendant, slayer of McElfresh. An alienist for the defense had sworn that, in his opinion, Roberts was suffering from dementia praecox and had cited characteristic delusions. Vanderveer had told court, jury and reporters that Loren Roberts was insane, and that he, his counsel, feared attack and bodily harm from the demented defendant. And throughout this farce the prisoner had smiled as imbeciles do. At the conclusion of rebuttal testimony the smile was to fade, succeeded by the thoughtful gravity of one who realizes that his plea is futile and his hope downcast. Of the hundreds who heard the final verdict, when he was held to be insane, none could have been more astonished than "Grand Mound" Roberts.

"Roberts is sane." Five alienists so testified for the state after close observance of the prisoner, and after chats with him in private examinations. They were Dr. William House, of Portland, an internationally noted authority on mental and nervous diseases; Dr. J. F. Calbreath, of Portland, former chief of the Oregon state hospital for insane; Dr. E. R. Ahlman, of Hoquiam, Washington; Dr. L. L. Goodnow, of Aberdeen, Washington; and Dr. Lee A. Scace, of Centralia, Washington. Each of these physicians declared absolute conviction that the delusions of Roberts were palpably feigned.

To Dr. Ahlman the prisoner had said, at a third interview, that he knew that Vanderveer was defending him, that there was no doubt but that the defendants would be acquitted on the ground of self-defense, and that no malign influences were troubling him, and that Vanderveer was the one man he must trust.



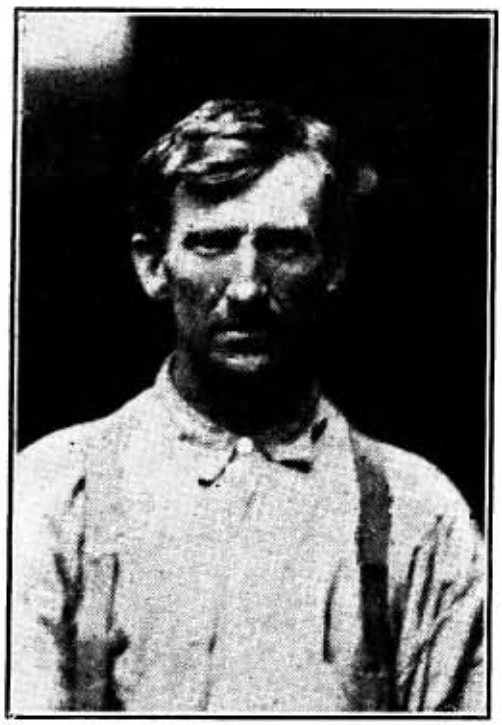
MIKE SHEEHAN

I. W. W. Had lived in the United States 25 years, but had never taken out citizenship papers. Was caught in the I. W. W. hall, but claims he was unarmed and took no part in the shooting. Was found not guilty by the jury. Is under indictment for the murder of Arthur McElfresh.

Roy Inmon and J. B. Cooper, jailers of Grays Harbor county prison, testified that Roberts had appeared entirely rational during the many weeks he had been under their charge, and asserted their belief that his mentality was normal and his delusions shammed.

Where Was Eugene Barnett?

In rebuttal attack upon the attempted alibi for Eugene Barnett, the state brought forward witnesses who declared that the defendant had given them varying accounts of his whereabouts during the firing, and that he had not said he was seated in the lobby of the Roderick hotel—the claim upon which his alibi rested. One rebuttal witness testified that Barnett had told him that he stood before the hotel when the firing began.



JOHN LAMB

I. W. W. The village loafer of Centralia. Seemed unable to work more than half a day at any job, and was a charge on the county most of the time. Was arrested on more than one occasion for not permitting his children to attend school. With O. C. Bland, he was stationed in the Arnold Hotel. Found guilty of second degree murder and sentenced to 25 to 40 years in the state penitentiary.

Another testified that he had entered the Roderick, at the time Barnett had sworn he was there, and that the defendant was not present. And one, J. D. Jones, farmer, to whom Barnett talked of the tragedy on his way home to Kopiah, swore that the defendant had given this version of the affray:

"When the soldiers halted, the 'wobblies' thought they were going to raid the hall—and then the shooting started."

Preston McDonald, in the posse which captured Barnett, as he crouched behind a log on a brushy hillock near his home, rifle at ready, testified that the prisoner told him that he sat in the lobby of the Avalon Hotel throughout the firing. It was, indeed a badly scrambled alibi.

Activity of One "Labor Juror"

The status of the pseudo "Labor Jury" stood revealed at the close of the case for the defense, in sur-rebuttal, when Vanderveer called to the stand E. W. Thrall, one of the "labor jurors," to testify in a last attempt to prove that F. B. Hubbard, alleged head of the purported commercial conspiracy against the I. W. W., was in Centralia on Armistice Day. The impartial and disinterested attitude—save the mark—of this "labor juror" was demonstrated when the state forced him to admit that he had, while ostensibly relaying to organized labor an unprejudiced opinion of the facts, busied his spare hours in recruiting witnesses for the defense.

With this last exposure of the unprincipled character of the defense, the taking of evidence and testimony came to a close, on March 11—just four months from the day on which Centralia witnessed the savage butchery of her sons. Seven long weeks of trial, fraught with constant contest and struggle,

had been consumed in disentangling the weave of treacherous intrigue that had culminated in scarcely more than seven seconds of deadly rifle-fire.

Judge Wilson to the Jury

On March 12 Judge John M. Wilson delivered his instructions to the jury. They were ably and thoroughly couched in language so clearly expounding the facts and the law that none could misread them, unless willfully. And through the court's charge, as though a giant lens were held above the shifting colors of testimony and the mass of evidence, one saw that the case of the defendants was without comfort—that ranged in the prisoners' dock sat ten men in the very shadow of that bitter tree which bears dead murderers for fruitage.

"You are instructed," said Judge Wilson, "that any person, or persons, has or have the right to defend himself, or themselves, or their property, from actual or threatened violence, and to that end to arm themselves; but this right does not go to the extent of stationing armed men in outside places for the purpose of shooting the persons from whom violence, real or apparent, is expected.

"If you find that any two or more of the defendants, in the manner and form and at the time charged in the information, planned to defend the I. W. W. hall or the property therein, by the stationing of armed men in the Avalon Hotel, the Arnold Hotel, and on Seminary Hill, for the purpose of shooting from those points, the placing of such men and the shooting from outside points would not be lawful acts.

"And if you find that any two or more of the defendants so planned, and any two or more of the defendants carried out such plan, and as a natural, necessary or probable result thereof Warren O. Grimm was shot and killed, then such killing would be unlawful and would be murder.

Further interpreting this instruction, Judge Wilson advised the jury that a conspiracy may be established by circumstantial evidence as well as by fact, whether the identity of the individual who committed the act be established or not.

"If the jury believes in this case," said Judge Wilson, "beyond reasonable doubt that the defendants, or any of them, conspired and agreed together, or with others, to do an unlawful act, or a lawful act by unlawful means, and that in furtherance of the common design, and by a member of such conspiracy, Warren O. Grimm was killed, then these defendants, whom

J. WARD ARNEY
ATTORNEY AT LAW
COEUR D'ALENE, IDAHO

JUDGE WILSON
Who presided at the trial in Montesano. Judge Wilson was appointed by Gov. Hart to preside at the trial in the place of Judge Abel on account of the fact that Judge Abel's brother was acting as special prosecutor in the case. Judge Wilson refused to become excited at Vanderveer's repeated and deliberate insults. And when Vanderveer attempted to force the issue of labor and capital into the trial, Judge Wilson brought him up short with: "The issue in this case is murder, Mr. Vanderveer."

the jury believes were parties to such conspiracy, are guilty of the murder of Warren O. Grimm, whether the identity of the individual doing the killing be established or not, and whether such defendants were present at the time of the killing or not.

"You are instructed," said Judge Wilson, "that while the law requires, in order to find all the defendants guilty, that the evidence should prove beyond a reasonable doubt that they all acted in concert in the commission of the crime charged, still it is not necessary that it should be positively proved that all met together and agreed to commit the crime; such concert may be proved by circumstances, and if from the evidence the jury is satisfied beyond a reasonable doubt that the defendants are guilty, they should find them guilty."

Had the court in mind the memory of certain shady testimony for the defense, divers witnesses whose faces were the transparencies of untruth, when he issued an instruction covering the credibility of witnesses? For the court charged the jurors to take into consideration, in weighing testimony, the manner of witnesses on the stand, their candor and their intelligence, and to give credit accordingly.

At 10:15 o'clock on the night of March 12 the case went to the jury. Arguments of state and defense had thrown but little additional light upon the circumstances of the crime and its trial—for the trend of evidence and testimony had focused so closely upon the certainty of guilt that all who had followed the case were agreed that the deliberations of the jurors would be comparatively brief. It had become of general knowledge that at least two of the jurors were of radical adherence, and possibly another shared kindred views. But confidence in

the staunch Americanism of the remainder led to the prediction that verdicts of first degree murder for all, with the possible exception of Mike Sheehan, would speedily be returned. And the instructions of the court left no other course open save that of conviction in the first degree or of acquittal, for proof of conspiracy and concert, essential to conviction, had been offered in conclusive abundance, and remained uncontroverted. And if a murderer conspires it follows, logically and as a matter-of-course, that he premeditates—and premeditated murder is none other than murder in the first degree.

"Before Your Country and Your God"

"For five long days," said Prosecutor Abel, in his closing address to the jury, "we dared the defense to prove that Warren O. Grimm was anywhere near the I. W. W. hall. Finally counsel was absolutely driven to the wall—and then came the perjured testimony, the testimony that was untrue!

"The I. W. W. organization is not a shield for murderers. Behind the shield of that organization no man may say that he can shoot down at will peaceful men in the street.

"You understand, gentlemen, that what was done that day was intended. The killing of Grimm was willful murder. There can under no circumstances in this case be a verdict of murder in the second degree.

"Counsel for the defense tells you that he has for years fought the battles of the underdog. I'm not so sure about that. I'm not so sure that he hasn't been fighting the battles of the vicious, of the disloyal, the criminal. I'm not sure but that his voice has been raised more often in defense of treason than of right!

"I want you to remember, you jurors, that there are other people besides these defendants who are interested in this case. Shall we say that the widow of Warren O. Grimm and her little daughter are not interested? Shall we say that Grimm could be slaughtered in his uniform, in the broad light of day, and that a thing so cruel as that could go unpunished?

"All that we ask is justice, and we do say, in dealing justice, these men will every one be convicted of murder in the first degree. Before your country and before your God you can find no other verdict!"

"I Find No Fault In This Man"

And Cunningham, easy, persuasive, eloquent, forceful, held forth to the jury the participation of each defendant in the lurid events of Armistice Day, analyzing the share each bore, as shown by the testimony and evidence. Concerning the lunacy plea

of Loren Roberts the prosecutor told the jurors that it was too trivial to argue—constituting a matter upon which their minds already must have attained fixed conclusions.

"So interested was the Reverend Timothy Edmonds in truth and justice," said Prosecutor Cunningham, "that he devised a plan whereby these men would be acquitted. One of the most humorous features of this case is that the very plan, proposed by the frock-coated preacher, has been followed by the defense. I do not charge that counsel accepted it—it was merely the queer meeting of two great minds.

"What did Edmonds find, with respect to Grimm, after 35 days' investigation? That, "Grimm was not at this time involved in raiding."

"If these defendants are freed as guiltless, such action will mean that good government in the United States is at an end. It will mean anarchy and red murder, such as I saw on the streets of Centralia, on the 11th day of November, 1919."

Vanderveer to the Red Juror

Vanderveer had the appearance of weariness, body and soul —the listless apathy of a lost cause—when he spoke to the jury. The passionate plea and exhortation for which the auditors waited was not lifted. The fires of his enthusiasm had deadened to ash. He told the jurors that evidence and testimony had been introduced to show that the rush preceded the attack, he declared that the I. W. W. acted solely in self-defense, he quoted a homely adage to the effect that a kicked dog will turn and bite—but the zest of battle was gone from his tone. And at the end of his address he launched one meaningful warning to jurors whose identity was best known to himself. For he spoke as one radical speaks to another, bidding them stand fast, whatever transpired in the jury room.

"Do not be influenced by your cowardice," urged Vanderveer. "If you haven't the courage to do what I am doing, then never again pretend to believe in this cause."

From the mouth of defense counsel came this testimony, that, known to him, there sat as jurors certain men who were allied with the cause of radicalism and who had falsified under oath when they took their places in the panel.

The Abortive First Verdict

The jury slept upon it. They rose and breakfasted. The interest of a nation—and the peculiar interest of those who seek its downfall—centered in that isolated, lonely jury room on the upper floor of Grays Harbor courthouse. The air was

THE JURY, ALTERNATES AND BAILIFFS
From reader's left to right: Bottom Row—Bailiff; A. T. Fisher, relator; Edward Parr, logging engineer; John A. Ball, blacksmith, the alternate who succeeded Edward Parr on the jury; Harry Sellers, laborer; W. E. Inman, rancher. Upper Row—Frank Glenn, farmer; Carl O. Hulten, farmer; E. G. Robinson, carpenter; E. E. Sweitzer, farmer; E. E. Torpen, farmer; F. H. McMurray, teamster; A. W. Johnson, storekeeper, alternate juror; P. V. Johnson, paver; Bailiff. Top Row—Bailiff Samuel Johnson, fisherman.

pregnant with eventful promise. And then, almost in time for dinner, the jurors reached their first conclusion, notified the court that they were agreed, and filed solemnly into the judicial presence. They bore with them an abortive document that found Eugene Barnett and John Lamb guilty of murder in the third degree, or manslaughter, a verdict incompatible with the laws of Washington and unacceptable by the court. Plainly the jurors had disregarded the specific instructions of the court, had sought to evade responsibility and rancor, and had cowered under dread of the I. W. W.—vengeful and terrible. In this first verdict, as in the final, the jury found Loren Roberts to be insane, and the other defendants to be guilty of murder in the second degree. Judge Wilson ordered the jury to return and resume its deliberations.

A Verdict That Suited None

Two hours later the final verdict was returned, as follows:

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

Acquitted—Mike Sheehan and Elmer Smith.

Insane and irresponsible—Loren Roberts.

"A hell of a verdict and a hell of a jury!" is said to have been the comment of one of the convicted men.

It was. 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 also to placate public sentiment, led that incomprehensible jury toward a verdict which its members considered a compromise.

Later it was to be known that two jurors were violently radical, and that a third favored their attitude—these three holding out for acquittal. Nine Americans, therefore, against their own belief in the extreme guilt of the accused, permitted the prejudiced opinion of openly avowed radicals to force them into a shameful and illogical decision. Let their own consciences walk with them to keep this fact forever in mind. For they, as jurors, in the most important case with which Americanism has been concerned since the bomb outrage in San Francisco, deliberated for a lesser number of hours than is customary in the settlement of hog stealing litigation and farm boundary disputes.

"For the Murder of McElfresh"

On information charging them with the murder of Arthur McElfresh, even as they walked out to freedom, Mike Sheehan and Elmer Smith were re-arrested as they left the courtroom. They are now at liberty under bail, and the time of their trial is unfixed and nebulous—at liberty as the Homeric heroes of the reds. Prosecutor Allen, of Lewis county, has vowed that the charge will be pressed.

Sentence Upon the Seven

On April 5, at Montesano, Judge Wilson passed sentence upon the seven convicted men, decreeing that each shall serve from 25 to 40 years in the Washington state penitentiary at Walla Walla—a firm and righteous sentence under the lenient verdict of the jury. Vanderveer has served notice that he will appeal the case. Perhaps. But there is a likelihood that the I. W. W. defender is secretly content, and roundly amazed at the escape of his clients from the noose itself. He has filed affidavits of prejudice against one of the jurors, alleging that this man declared, upon learning of the Centralia murders, that the slayers should be hanged. Unhappy and unworthy fellow—if so he spoke—to have ventured an assertion with which all America was ringing. To have dared to utter a patriot's opinion.

The Truth About Montesano

Radicalism once issued a brochure entitled, "The Truth About Centralia." It issued from a printery that later was raided by Federal officers seeking alien revolutionists—whom they found there. And from the pedestal of the shining goddess, in whose light all men must walk if the world go forward, it was more remote than pole from pole. But these facts which have been set forth in the foregoing pages are literally the truth about Centralia and Montesano, the cause and the effect; the sanguinary crime and its punishment.

There are those who will say it is propaganda. So it is—but it is the propaganda of truth and the records will bear it out. Upton Sinclair, brilliant and embittered intellectualist, defender of the I. W. W. faith, has said, in "The Brass Check," that American journalism is putrid to the heart, that it is in the chains of capital, a willing and mendacious helot. He has charged that the "capitalistic press" lied when it told the story of Centralia. The Sinclair attack is as zealously misdirected and futile as are the vocal aspirations of the terrier that bays at the moon. The fact is that it was the radical press that lied—both of Centralia and Montesano.

One test—though there are hundreds—of the misrepresentation and suppression of truth in the Montesano trial, on the part of the radical newspapers, is that of the narration of the testimony of the Reverend Timothy Edmonds. In the staff correspondence of the Seattle Union Record, paladin of the defense, appeared no mention of the incriminating letter written by Edmonds and admitted by him on the witness stand—the letter that absolved Warren Grimm from blame. The account of the staff correspondent, on the contrary, cleverly sought to portray portions of the courtroom dialogue as showing that Edmonds defeated and discomfited the prosecution. Let this charge stand—by the files of the various radical publications printing accounts of the trial, in comparison to the court records, it may be proved that deliberate distortion was the fixed policy of the red publicist, when he did not entirely omit the testimony and evidence prejudicial to the men on trial. Proof to the contrary is challenged, but the challenge never will be caught up.

The staff correspondents of metropolitan dailies, and the representatives of news service associations, on the other hand, were almost meticulous in their endeavor to portray the exact facts of the trial, crediting defense as well as prosecution with the points in testimony or argument. The sympathies or prejudices of the individual reporters were restrained in the presen-

tation of the news. These men knew the charges that would be laid against them if they deviated. Their respective newspapers were responsible to the public for the truth. That trust was kept.

Have You a "Wobblie" In Your Town?

A word about Centralia. The defense declared that there existed a commercial conspiracy to rout the I. W. W. from the city. Of such there was no proof in the trial, nor does this review concern itself with the accuracy or falsity of the statement. The defendants were on trial for the murder of Warren O. Grimm, and even perjury did not serve to link him with alleged hostility and intrigue against the radicals. But if there did exist a purpose to evict the I. W. W., whose voice will be raised to say that these unwelcome civic tenants should remain? Remember well that Centralia, as all the Pacific Northwest, had seen her sons march off to war and death, while at home this very organization obstructed the draft, practised sabotage in the delay of production, committed a myriad cloaked and treasonable acts, and sought to delay and impede righteous progress of our war with Germany.

These are the same men who seek the shield and shelter of American institutions when justice cries a halt. And such as these were the men, misguided and blinded, spurred on by lurid press and flaming oratory, who fired into the Centralia Armistice Day parade. The facts convict them of wilful murder, and the jury so held. Established indisputably, whatever rumors may have spurred the I. W. W. fear, is the truth that the marching Legionnaires did not attack until fired upon, and that four lives were sacrificed because radicalism had taught the creed of bloody violence.

Orators and Dragon's Teeth

Hatred against these men as individuals should be reproved and restrained. As individuals there were those among them, had destiny shaped another course, who might well have been honored as citizens and friends. And punishment for their crime rises above mere personality—it should strike, through the individual, at the slavering beast which incited and encouraged them to crime, the organization known as the Industrial Workers of the World. Not blood-thirst dictated that these men should suffer condign punishment. It was the safety of the commonwealth itself which cried out for such a sentence as would serve notice that America is done with treason at home.

When Americans hear the plaza orator pour out his vitriol, as he does, the smile of tolerance should fade and never reappear. For the scored and ensanguined seeds he sows are the same dragon's teeth from which Centralia reaped her harvest of most lamentable death.

Address of National Commander Franklin D'Olier at the Grave of Warren O. Grimm Centralia, Washington, August 10, 1920

"I come to Centralia today in a double role, as national commander of the American Legion, and also as a plain American citizen, but with the single purpose of paying homage to the memory of four men who died as truly in the service of their country as though they had actually fallen on the battlefields of France. Officially, I come here as to the shrine of the American Legion hallowed by our first martyrs, because Centralia will mean to the Legion what Bunker Hill, Gettysburg and Chateau Thierry mean to our nation. At these places the spirit of America met the enemy and triumphed. Here in Centralia the spirit of the American Legion likewise met the enemy of our nation and triumphed.

"Nine months ago, the first anniversary of the signing of the armistice here in this town, a murderous blast was fired into the ranks of parading Legionnaires. The event is too close for us to appraise it, but we are beginning to appreciate the significance of Centralia. We, who were delegates to the first convention of the American Legion at Minneapolis, recall the dram-

atic tenseness when the news was received. The ink was scarcely dry on the words of the preamble of the constitution of the American Legion, pledging ourselves to uphold and defend the Constitution of our country, to make right the master of might, to maintain law and order and to transmit to posterity the principles of justice, freedom and democracy when the Legion men of Centralia proved how sincere was their stand for law and order. It was Centralia's sorrow to bear the tragedy, but it was Centralia's honor to show how lofty were the ideals of the ex-service men and how sacred their pledges.

"These four men, Warren O. Grimm, Dale Hubbard, Arthur McElfresh and Ben Cassagranda, died as heroically as though they had made the supreme sacrifice over there. They will be the beloved martyrs of the American Legion, and it is not what we say today, but rather what we do tomorrow, that will show how truly we appreciate the great sacrifice made by our fallen brothers in arms.

"And so it is fitting that here today we should renew our pledge of patriotism and law and order and thus serve notice upon the forces of anarchy that over 4,000,000 ex-service men who fought and defeated the foe without our borders are now sworn together to fight to the death the foe within, who would do injury to our sacred institutions. Our inspiration shall be our beloved martyrs and the restraint shown by our outraged comrades, and by dedicating ourselves anew to the defense of our flag and all that it means, a defense in fair play and justice, we shall thus prove that our comrades shall not have died in vain."

The Americanism Program of the American Legion.

By NATIONAL COMMANDER F. W. GALBRAITH, JR.

The resolution adopted at Minneapolis by the first national convention of the American Legion authorizing the creation of the National Americanism Commission of the American Legion sets forth the aims of that body in these words:

"The establishment and conduct of a continuous, constructive, educational system designed to:

"1. Combat all anti-American tendencies, activities and propaganda;

"2. Work for the education of immigrants, prospective American citizens and alien residents in the principles of Americanism;

"3. Inculcate the ideals of Americanism in the citizen population, particularly the basic American principle that the interests of all the people are above those of any so-called class or section;

"4. Spread throughout the nation information as to the real nature and principles of American government;

"5. Foster the teaching of Americanism in all schools."

The program there set forth may be compressed into two phases:

First—The problem surrounding immigration—the making of Americans of the arriving and newly arrived residents of America from other shores.

Second—The "domestic" problem—the making of Americans of unassimilated aliens who are in America but not of it, and all other individuals and groups who for one reason or another seem to have failed to appreciate the fact that the form of government under which this nation has grown great is the form under which it must grow greater.

The Legion's Americanism Commission was organized by and until the recent convention at Cleveland functioned under the guidance of Arthur Woods, of New York. With virtually no resources it has made a splendid beginning at its vital and stupendous task. The Commission is now in the process of reorgani-

zation and shortly will enlarge greatly the scope of its activity. It is my hope and belief that means will be found to enlist the co-operation of various other organizations whose aim is common with ours. There must be co-ordination. There must be a distribution of work that will eliminate duplication of effort. Specific tasks must be assigned to specific bodies who are best constituted to deal with the situations in question. These are basic considerations which must guide us or we will not scratch the surface.

The fundamentals to which shall adhere in the matter of immigration are selection, assimilation, rejection.

By selection the Legion proposes that the United States, being a sovereign nation, shall exercise more stringently its right to say who shall and who shall not take up residence and citizenship within our gates. There is need for more rigorous standards governing the admission of aliens. Too many that come are simply good riddance for the country from whence they came. We should inquire more painstakingly into the history and antecedents of those who come to live among us. If they are desirable let them come and be Americans. If not, shut the door.

By assimilation the Legion proposes a method by which the newly arrived may become an integral part of America. The Legion proposes to station its agents at the ports of debarkation. These Legion bureaus will receive rosters of incoming immigrants which shall give the destination of each. A Legion committee in the local post where these aliens settle will extend the hand of welcome to these selected newcomers; the committee will, according to forms laid down, help the newcomers to appreciate the advantages of life in America and start them on the highroad which leads to American citizenship in fact as well as name.

American Legion members will be the alien's friend, confidant, defender and critic. They will help him get a job, help him learn English, settle his grievances, explain his difficulties, show him how to make use of libraries, playgrounds, schools and other community benefits. They will not tell him how to vote, how to worship or how to think. They will respect his opinions as a man, providing he respects America's opinions as expressed in our form of government.

By ejection the Legion proposes that we shall reserve to ourselves the right to send back to the land from whence he came, any alien who fails to respond to the assimilation process. *It* must be understood that an alien comes here on probation. If he

does not measure up, if it is apparent that after sufficient time he is not on the way to real Americanism, out he should go.

Then there are the millions already admitted to residence and some to citizenship who need Americanizing. Some, indeed, were born here. What shall Americanization mean to them?

The answer varies. With some it will be purely a problem of assimilation to be gone about by the same way we propose to go about assimilating the newly arrived. With others the destruction of preconceived and false ideas must precede the constructive work. This means education. It means also the elimination of the cause; the deportation of these radical firebrands who prey on the ignorance of the aliens and implant in their minds false conceptions of American institutions before the alien has had the opportunity to learn the truth.

THE I. W. W. AND IT'S TEACHINGS.

Nothing So Damns the I. W. W. Organization as It's Own Literature. No Comment is Necessary; the Following Speaks for Itself.

Preamble to the Constitution of the Industrial Workers of the World

"The working class and the employing class have nothing in common. Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.

"Instead of the conservative motto, 'A fair day's wage for a fair day's work,' we must inscribe on our banner the revolutionary watchword, 'Abolition of the wage system.'

"By organizing industrially we are forming the structure of the new society within the shell of the old."

Quotations from I. W. W. Publications

"If the I. W. W. had the power to make good we might depend entirely on direct action. All we need is the power to make good."
—*One Big Union Monthly.* (I. W. W.). Sept., 1919.

"We are building the new society within the shell of the old. Where the General Executive Board of the I. W. W. shall sit, there shall be the nation's capitol."—*Why Join 300.* I. W. W. publication, Seattle, Wash.

"Unlike the trade unions, the I. W. W. organizes always with a view to the ultimate revolution. The existing parliamentary government will crumble into uselessness. The existing industrial unions will become the supreme national power."—*The Industrial* Commission of the I. W. W.—By H. L. Varney.

"As a revolutionary organization the Industrial Workers of the World aims to use any and all tactics that will get the results sought with the least expenditure of time and energy. The tactics used are determined solely by the power of the organization to make good in their use. The question of 'right' and 'wrong' does not concern us."—*The I. W. W.*—By Vincent St. John, I. W. W. writer.

"The I. W. W. opposes the institutions of the state." "Toward the existence of the government, the I. W. W. is openly hostile."
—*The Industrial Worker,* Spokane publication.

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