

Mr. Ken Naughton
Washington Post
1150 15 St., NW
Washington, D.C. 20071

7627 Old Receiver Road
Frederick, Md. 21701
11/29/87

Dear Mr. Naughton,

If writing the story "Matawan" in today's Post kindled any interest in the history of violence in the coal fields of West Virginia and Kentucky, unless the Post discarded the volumes of Senate hearings I edited in the 1930s you'll find some remarkable true stories in your library. The hearings by a subcommittee of the Committee on Education and Labor were titled "Violations of Free Speech and Rights of Labor." To the best of my present recollection the hearings were in 1937 and appear in Volume 3. I have no clear recollection of the report, although I edited and distributed it.

These hearings led to a mass trial, some 60 plus defendants, about half coal corporations and half deputized gun thugs. The Department of Justice borrowed me from the Senate to work with it in Harlan town and London, where the federal district court sat. The late Henry Schweinhaut selected me for this work from the committee's staff. His widow, Margaret, still lives in Montgomery County and may recall some of the whole incredible business.

When I read your story I expected to find references to the battles, perhaps massacres, of Raint Creek and Cabin Creek, if my memory is faithful to those names.

If you are interested and the Post no longer has the hearings, I'm pretty sure I have them, I gave them to local Hood College, and I gave copies to the Library of Congress and the Carnegie library. The Senate also should have them.

As of the time in question there were more murders, almost all from ambush, in Harlan County than in all of New York State.

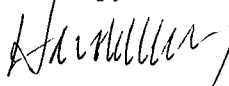
One part of the hearings might make you a magazine piece. We traced a conspiracy to murder an aged Mine Workers organizer named Dwyer and known as "Peggy" because he had a wooden leg, from the coal operators association through many subcontractors, most of whom were witnesses and testified, to Dwyer's remarkable survival of the bomb placed under his room in the Poneville Hotel. For \$10.00!

I left London before the end of the trial because my Senate work was piling up and because I knew the jury had been fixed. The fixing, by the operators' lawyers, was designed to get to the sequestered jury and it did. They bought up all the mortgages of the jurors, let the wives know, the wives told their husbands when they visited, and the husbands told the U.S. marshals who guarded them. The marshals didn't trust the FBI, although that detail, with which I worked, was quite trustworthy, so they told the clerk of the court, Mike Pennington. He told me. I told Brien McMahon, then in charge of the Criminal Division and of that prosecution. (He was later a Senator and father of the atomic energy act.) When Brien pooh-pooed it I knew I'd be wasting any more time I spent there.

Welly K. Hopkins was next to Brien in the prosecution. He was later hired as Mine Workers counsel on my recommendation when I was asked for recommendations. There may be extant records at Mine Workers headquarters.

Yours was a good story. Thanks for it.

Sincerely,


Harold Weisberg