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FEDERAL BUREAU OF INVESTIGATION

JOHN L. LEWIS

PART 1 OF 13

FILE NUMBER: 44-845

FILE DESCRIPTION

BUREAU FILE

SUBJECT JOHN L. LEWIS

FILE NO. 44-845

SECTION NO. 1

SERIALS 1

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Office of the Attorney General
Washington, D.C.

July 24, 1943

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

Attached is a memorandum dated July 20, 1943, from Assistant Attorney General Berge, which I have approved, recommending a full and complete investigation into charges that John L. Lewis, Ray Edmundson, and Walter J. James, officials of the United Mine Workers of America, and Carl H. Elshoff, owner of Mine "B", Springfield, Illinois, conspired during the years 1937 to 1941, in violation of Section 51, Title 18, United States Code, to injure and oppress Elshoff's employees in the free exercise of the rights secured to them by the National Labor Relations Act.

Also attached is a memorandum from Mr. Berge dated July 24, 1943, which outlines the scope of the investigation and the precise inquiries desired.

Mr. Berge points out that the statute of limitations will probably have run against the alleged offense sometime in March 1944. This fact, and the character of the case, require that this investigation be given priority.

Amundson

Attorney General

memo to [unclear] 7/24/43

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July 20, 1948

MEMORANDUM FOR THE ATTORNEY GENERAL

I have appraised the data collected [redacted] relating to the payment [redacted] by John L. Lewis, Ray Edmondson, and Walter J. James, all officers of the United Mine Workers, to Carl H. Elshoff, owner of Mine "B", Springfield, Illinois, from 1937 to 1941, during a bitter jurisdictional struggle between the United Mine Workers and the Progressive Mine Workers. Fact of payment is undisputed. 1/ The circumstances surrounding these payments indicate probable violation of Section 51, Title 18, United States Code, in that they probably were made with an intent to induce Elshoff to impose unfair labor practices upon his employees, members of the Progressive Union, in violation of the rights secured to them individually and collectively by the National Labor Relations Act.

THE OFFENSE TO BE INVESTIGATED

Section 51, Title 18, United States Code, provides that it shall be unlawful for two or more persons to conspire:

"To injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same."

Section 7 of the National Labor Relations Act provides:

"Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collectively bargaining, or other mutual aid or protection."

1/ [redacted]

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Article in Issue 26,
United States Commission 6/1/48

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ENCLOSURE

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Section 7 in explicit language states that employees shall have the rights therein enumerated. Legislative history of the Act makes it clear that these rights are secured only against the employer or those in connivance with him. These rights are "secured by the laws of the United States" within the meaning of Section 51.

The reported case applies Section 51 to the rights secured by this statute, but in two unreported cases, district courts have overruled demurrers to indictments, U.S. v. Mary Helen Coal Company, (S.D. Ky.) and U.S. v. Fitzgerald Cotton Mill, (S.D. Ga.), both involving use of henchmen hired by employers to thwart union activity.

However, application of Section 51 to conspiracies by individuals, as opposed to persons acting under state authority, is established beyond question. Nearest parallel to the present case is U. S. v. Waddell, 112 U.S. 76 (conspiracy by individuals to deny a citizen exercise of statutory rights under the Federal Homestead Act). Other applications of Section 51 to conspiracies by individuals are: Smith v. U. S., 157 Fed. 721, cert. den. 208 U.S. 618 (right to be free from involuntary servitude); Logan v. U. S., 144 U.S. 263 (right to be free from violence while in custody of United States Marshal); In Re Quarles, 158 U.S. 522, and Notes v. U. S., 178 U.S. 458 (right to inform of violation of federal laws); Poss v. U. S., 266 Fed. 881 (right to testify before a land office); U. S. v. Lancaster, 64 Fed. 885 (right to be protected in execution of federal decree).

ISSUE OF FACT

The sole issue of fact is whether [redacted] payment [redacted] by the union officials to Elshoff was made with intent to induce Elshoff to impose unfair labor practices upon his employees, members of a rival union.

CIRCUMSTANCES INDICATING GUILTY

INTENT.

1. Coincidence of Payments with Bitter Struggle by United Mine Workers to Raid and Destroy the Progressive Union.

[redacted] and requiring further investigation, are marked by an asterisk.

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The Progressive Union was formed in 1932 as a revolt against an effort by Lewis to force a reduced wage scale upon the miners in Illinois, which theretofore had been the strong-hold of the United Mine Workers. There Lewis had builded his power as a labor leader. A referendum of the miners had rejected the reduced scale. During a second referendum, the ballot boxes were mysteriously stolen. Lewis, declaring an emergency, signed up with the operators. 25,000 miners revolted and set up the new organization, which grew rapidly and soon dominated the entire state. Lewis bitterly swore to win back the lost territory and break the rebel union.

From 1932 until 1941, including the period from 1937 to 1941 (when the payments were made) the United Mine Workers, by espionage, violence, and other methods of labor warfare, fought relentlessly to win back the miners. It was a bitter struggle between the two unions for supremacy, marked by lawless rioting and mass picketing. Many persons were killed and several counties were long under martial law. As a result of the bombings of railroads, bridges and mines, thirty-six members of the Progressive were convicted for violations of Federal laws.

2. The Strategic Importance of Mine "F" to Lewis

Mine "F" was the strong-hold of the Progressives. Moreover, it was located at Springfield, Lewis' former home and present legal residence. It was a symbol of victory or defeat. Lewis and his officials resolved that their campaign to break the Progressives should be directed principally against Mine "F".

3. Coincidence of Payments with Unfair Labor Practices by Elshoff.

In May, 1937, the Progressives discovered that 14 of their members were paid spies of the United Mine Workers. The spies were ejected from the union and the Progressives insisted that they be fired, citing their closed shop agreement. Elshoff refused, and the mine struck. It remained closed until November, 1939, 2 1/2 years later.

During this period, and coincident with these payments, Elshoff is suspected of various unfair labor practices against the Progressives, among which are the following:

- (a) Keeping the mines shut down in order to assist the United Mine Workers. "Assistance to a union by a shut-down, like any other employer assistance, is forbidden." Labor Board v. Electric Cleaner Co., 515 U.S. 685, 693. Prier

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to the strike, relationship between Elishoff and the Progressives had been amicable and workable. It is difficult to understand Elishoff's motive in shutting down for 2 1/2 years, thereby incurring severe losses, if he actually intended to repay [redacted] advanced to him. As long as the mine was shut down, however, a ripe opportunity was afforded United to proselyte in the ranks of the Progressive Union whose members became more and more demoralized and discouraged.

(b) Recognizing United as the collective bargaining agent, though it was a minority. In August, 1937, when United had only a score or more members, Elishoff signed a closed shop contract with them. The Progressives objected and petitioned the Labor Board for an election, which, after hearings, was ordered for December 15, 1937. Two days before the election, Elishoff attempted to re-open the mine, notifying United, which did not have enough men to re-open the mine. On December 15, the Progressives won the election by a vote of 404 to 25, and was certified by the Board as the bargaining agent. Still Elishoff refused to sign a contract with them or re-open the mine. On June 17, 1939, the Fifth Circuit Court of Appeals entered an order cancelling Elishoff's agreement with the United Mine Workers, and enjoined him from refusing to negotiate with the Progressives. On November 6, 1939, the mine re-opened on an open shop basis "until such time as a contract could be made".

(c) Elishoff aided United and injured Progressive membership campaign. The Progressives contend that Elishoff constantly encouraged United and discouraged Progressive while the mine was closed. These practices, it is alleged, continued after the mine re-opened. As a result, United gradually gained in strength until by mid-summer of 1940, they believed they had gained a majority. They petitioned the Board for an election, which was held in February, 1941, and resulted in a victory for United Mine by a vote of 258 to 108. On March 6, the Board certified United as the bargaining agent, and on March 14, Elishoff signed a closed shop contract with them, thus accomplishing in eight days with that labor organization what he had refused to do for three years for the Progressives.

4. Continuation of Payments After Mine Opened in November, 1939.

Lewis and Elishoff explained all of the payments as "loans" intended to prevent the mine from becoming bankrupt during the shut-down. The explanations of James and Edmundson are more frank. 2/

[redacted]

• Further investigation required.

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[REDACTED]

5. Payments Made in Excess of Amount Needed to Maintain Mine.

[REDACTED]

It is significant, however, that Elshoff had no other source of income but the mine, and it must have been known to United officials that he was relying upon their payments not only to maintain the mine, but also to maintain him and his family on the luxurious and wastrel scale to which Elshoff was accustomed. That these officials were aware of this is indicated by the fact that Elshoff was a close personal friend and associate of Edmundson and of James also. Elshoff is known as the "best dressed man in Springfield".

6. Falsification of Records.

All of the payments were made in currency. United's records from 1937 to May, 1939, are not available. James tells an unbelievable story of carrying them to Washington and delivering them to an unidentified Negro janitor at the United Mine Workers Building. He claims he has not been able to trace them from that point.

[REDACTED]

James made his trip with the records shortly after the Progressives had publicly announced suspicions of a "subsidy".

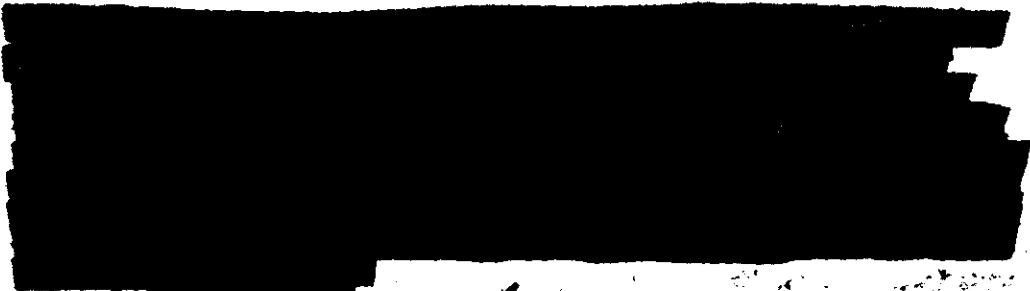
[REDACTED]

the district presidents would deliver the money personally to James or Edmundson for payment to Elshoff.

7. [REDACTED]

[REDACTED]

* Further investigation required.



8. Suspension of Jack Glasgow, District Board Member, District 12, United Mine Workers.

In October, 1943, the St. Louis Post Dispatch broke the news that \$300,000 had been loaned to Elshoff by the United Mine Workers. In a local union meeting, Glasgow criticized the payments. Glasgow was found guilty and suspended for a period of six months. It is understood that he has been ridden out of the Union.

9. Mine "A" Transaction.

In the Fall of 1941, after United had secured the contract with Elshoff, they advanced him \$50,000 in order to procure control of Mine "A", which is adjacent to and connected with Mine "B", and was then organized by the Progressives. The result of this transaction was another victory for United, who, with Elshoff's influence, were quickly able to gain this membership. It is not certain whether this transaction can be laid as a continuation of the prime conspiracy.

CONCLUSION

The foregoing circumstances indicating guilty intent must be viewed in the light of two fundamentals: (1) the fact that payments were made to an employer, for whatever purpose, during a bitter jurisdictional dispute, is in itself convincing evidence of an intent to prejudice the interests of the opposing union. Such payments are comparable to the "loans" made to Judge Martin by litigants in his court. Any shrewd, experienced labor leader knows that an employer who receives financial favor from one union cannot humanly be expected to act impartially as he must under the law between that union and its rival. (2) Throughout the history of the trade union movement, agreements between a labor union and an employer to the detriment of a rival union, however bitter the enmity, have been despised and deemed treasonable and traitorous to the cause of labor. All of the foregoing circumstances considered in the light of the two fundamentals just stated, compel the conclusion that the facts available to us now justify the

3/ I am attaching hereto a copy of a letter written to Randolph Paul on July 7, 1943, by Lloyd K. Garrison, in response to a

• Additional investigation required.

strong belief that the payments were made with an intent which violates the statute. Even if the justifications advanced by Lewis and his officials have some basis in fact, it is difficult to believe that there was not an admixture of guilty intent. If so, they violated the statute.

RECOMMENDATION

I recommend that you authorize the Director of the Federal Bureau of Investigation to institute a full and immediate investigation.

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[REDACTED]

It is immaterial to the issue under Section 81 how the payments are characterized. The intent with which they were made is our inquiry, and the investigation was not primarily aimed at that. As a result, large areas of investigation remain undeveloped. The Bureau has had long experience and special training and has done fine work in the investigation of civil rights violations. The following areas of investigation, among others, remain undeveloped:

- (a) Unfair labor practices;
- (b) Elshoff's relations with United Mine Workers officials;
- (c) Justification of the \$60,000 payments after the mine opened;
- (d) Elshoff's appropriation of the funds to his own use and the union officials' knowledge of this.

I now have in preparation a comprehensive memorandum outlining the areas in which investigation is desired and detailing the information to be sought. If you authorize investigation, I will have this memorandum in the hands of the Director within a few days.

5/ (Cont'd) letter Paul had written him seeking his comments upon the facts of this case, stated hypothetically the names of the parties being unrevealed. This letter indicates trade union antipathy to any agreement between employer and union to the detriment of another union.

It is also noteworthy that Edmundson and James, when questioned about the loans were extremely sensitive to this fundamental labor ethic. They both insisted that the "loans" were not made until they were "sure" that they had the majority of the members (although as a matter of fact, both of these men knew that this was not the case).

If investigation indicates desirability of grand jury investigation, jurisdiction would lie in either the Southern District of Illinois or the District of Columbia. The latter district, of course, is where the subject Lewis had his headquarters during the critical period. In this district, the payments were authorized by Lewis and here also many overt acts were committed, including several of the payments, falsification of the records, etc.

STATUTE OF LIMITATIONS

The suspected conspiracy commenced some time in the Spring of 1937 and continued through March of 1941, when the last payment was made. If the Mine "A" transaction was a continuation of this conspiracy, the statute would be tolled as late as the Fall of 1941.

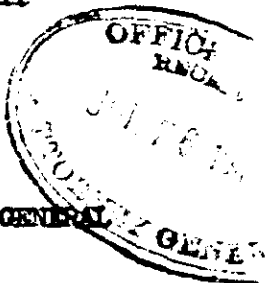
Respectfully,

WENDELL BERGER,
Assistant Attorney General.

Department of Justice

Washington

July 24, 1943



MEMORANDUM FOR THE ATTORNEY GENERAL

My memorandum to you dated July 20, 1943, which you have approved, recommended full and complete investigation into charges that John L. Lewis, Ray Edmundson, and Walter J. James, officials of the United Mine Workers of America, and Carl H. Elshoff, owner of Mine "B", Springfield, Illinois, conspired during the years 1937 to 1941, in violation of Section 51, Title 18, United States Code, to injure and oppress Elshoff's employees in the free exercise of the rights secured to them by the National Labor Relations Act. The present memorandum outlines the scope of the investigation and the precise inquiries desired. It is designed for transmittal by you to the Director of the Federal Bureau of Investigation.

Attached is a copy of my memorandum of July 20 and also a copy of [redacted]. These two documents will suffice to give the Director a comprehensive background of fact. The legal aspects of the offense to be investigated are set forth on pages one and two of the memorandum of July 20.

BASIC OBJECT OF THE INQUIRY

It is established that the three union officials named above paid, and that Elshoff, a mine operator, received sums [redacted], during a period when the United Mine Workers of America were engaged in a bitter, and finally successful, struggle to wrest control of Mine "B" from its rival union, the Progressive Mine Workers of America.

The basic object of the investigation will be to ascertain whether these payments were made and received with an intent to induce Elshoff to impose unfair labor practices on his employees, members of the Progressive Union.

RELATED INVESTIGATIONS HERETOFORE CONDUCTED

1. 1934-1937: Comprehensive investigation by the Federal Bureau of Investigation into industrial strife in Illinois



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growing out of jurisdictional disputes between the United Mine Workers and the Progressive Union, involving violations of Anti-Trust laws, the Anti-Racketeering Act and the Postal laws.

2. July 26, 1939: [REDACTED]

[REDACTED] prompted by publicly announced suspicion on the part of the Progressive Union that the mine shut-down was being "subsidized" by the United Mine Workers. This investigation failed to discover the existence of the payments.

3. September, 1940 to December, 1940: Investigation by the National Labor Relations Board into a complaint by the Progressive Union that Elshoff and the United Mine Workers were colluding in unfair labor practices by Elshoff. This investigation also failed to discover existence of the payments.

4. [REDACTED]

[REDACTED] established the existence of the payments.

SOURCE OF MATERIAL AVAILABLE

1. All Federal Bureau of Investigation reports covering investigation referred to above.

2. [REDACTED]

3. The complete files of the National Labor Relations Board have been made available to this Department for inspection at the Board's Washington office. Arrangements have been made for photostating any portions of these files deemed pertinent.

4. [REDACTED]

SCOPE OF THE INVESTIGATION

Set out below are several areas of investigation not yet developed by the prior related investigations above noted.

Within each area specific inquiries are set out. This outline, however, is not intended to limit the scope of the investigation, which should be as broad as the basic issue of fact permits and requires.

AREAS OF INVESTIGATION

I. Investigation of the Struggle of the United Mine Workers to Obtain Control at Mine "B".

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- A. Strategic importance of Mine "B". Inquiry should be directed to ascertaining to what extent Lewis and other United Mine Workers officials had indicated by statements or otherwise that Mine "B" was to be won over at any cost.
 - B. To what extent did Elshoff and other officials of Mine "B" have knowledge of the activities of United to win over Mine "B"?
 - C. [REDACTED] suggests the probability that while the strife between these two unions from 1932 to May, 1937, assumed violent proportions in the other parts of Illinois, there was until May, 1937, relative industrial peace at Mine "B", which was under firm Progressive control. Investigation should be directed to ascertaining whether this assumption is correct.
 - D. It is established that some time prior to May, 1937, certain individual members of the Progressive Union were on United's payroll. The following men were expelled by the Progressives for this activity:

X

- Joe Albanese
- Andrew Schralevious
- Dominic Pasquale
- Pete Carter
- Frank Austin
- Tony Plotch
- John (Cotton) Ananias
- John Sirtout
- George Jacaway
- Emory Jacaway
- Charles Bohannon
- James Hale

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The full circumstances regarding this alleged activity should be reported. Each of these individuals should be interviewed and, if possible, signed statements obtained.

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- E. It should be ascertained to what extent Elshoff, Falcetti or other Mine "B" officials, were aware of this activity.
 - F. A complete history of Elshoff's relations with labor unions from his beginning as a coal operator up until May, 1937, should be ascertained.
 - G. [REDACTED] it is suggested that several times during April, 1937, after the original contract had expired, United spies actually brought the employees of Mine "B" to the verge of a strike by falsely telling them that the extension of contract signed by the Progressives did not contain a clause that the wage scale would be retroactive. The strikes were only averted when the Progressive officials brought the truth home to their members. Inquiry should be directed to ascertain the full circumstances surrounding this and other similar incidents.

II. Investigation of All Alleged Unfair Labor Practices by Elshoff.

There are set out below various specific allegations of unfair labor practices by Elshoff and other officials of Mine "B" during the period of the conspiracy.

Each of these incidents should be thoroughly investigated with special regard to coincidence of these incidents with the actual transfer of cash from UMW officials and Elshoff, with the view of establishing a relationship of cause and effect between them.

- A. Falcetti's refusal to discharge five spies on morning of May 12, 1937, under closed shop rule.
 - (1) Elshoff's knowledge of this.
 - (2) Did Elshoff instruct Falcetti to take such action?
 - (3) Supervision by Elshoff over Falcetti in general.
 - (4) Business practice of Falcetti reporting to Elshoff activities of the mine.
- B. Conversation between Daniel McGill and Elshoff relative to discharge of these men.
 - (1) Good faith of Elshoff in stating he did not believe he could discharge them under terms of National Labor Relations Act.

- (2) Conference between Elshoff and his attorney relative to his authority to discharge them.
- (3) Subsequent refusal to discharge because of short cars coming up.
 - (a) Was this the only subsequent reason given for refusal?
- (4) Did Elshoff know his refusal would cause a strike?
 - (a) Attitude at that time toward a strike.
- C. Subsequent conference between McGill and Elshoff relative to discharging the man.
 - (1) Elshoff's attitude at that time towards a strike.
 - (2) Details surrounding Elshoff's removal of mules and equipment following strike.
 - (a) Elshoff's state of mind at that time especially regarding finances.
- D. Evidence relating to Elshoff's acceptance of the first payment some time in July.
- E. Establishment of Local 7469 on July 29, 1937.
 - (1) Elshoff's knowledge thereof and reaction thereto.
 - (2) Elshoff's knowledge of small membership of this new local.
- F. Elshoff's attitude in signing contract with United Mine Workers on August 18, 1937.
- G. Regularity in so far as custom and practice was concerned in Elshoff's writing Prewitt on August 30, 1937, that dues had not been checked off for the first half of April because of absence of contract.
 - (1) Importance to Progressives of check-off system.
- H. Circumstances under which Elshoff did not become a member of Illinois Coal Operators Association as he had agreed to.
- I. Factors influencing decision of Elshoff to reopen on September 27, 1937.
 - (1) Knowledge at that time of limited personnel of UMW.
- J. Falcetti's refusal to hire Progressives when they appeared for work September 27, 1937.
 - (1) Elshoff's knowledge of this.
 - (2) Instructions by him to Falcetti.
 - (3) Reports by Falcetti of his actions.
 - (4) Elshoff's attitude to such refusal.
- K. Subsequent closing down of mine and picketing.
 - (1) Elshoff's attitude.
 - (2) Knowledge that staff of UMW was inadequate to run mine.
 - (3) Purpose in procuring injunction against

picketing - (there are indications that he subsequently used this injunction to prevent organizing by Progressives but never used it against activities by the UMW.)

- L. Attempt to reopen January 4, 1938.
 - (1) His refusal to deal with Progressives, then together with his knowledge of election results and knowledge United did not have the personnel to operate mine, might indicate United representatives had given him assurance that they could get more members if he refused to deal with Progressives.
- M. Evidence of Elshoff's refusal to employ Progressives unless they joined United.
 - (1) Progressives allege this in complaints in 1938 to National Labor Relations Board.
- N. Stipulation entered into by Elshoff, United and Progressives for a Board order to be enforced by Court Decree for Mine "B" to cease refusing to negotiate with Progressives.
 - (1) This appears to be a contradictory attitude for Elshoff to have adopted and any circumstances which tend to explain it would be helpful.
- O. Elshoff contesting court's jurisdiction after order was entered and denying violation of Board's order.
 - (1) This appears inconsistent with Elshoff's having entered into the stipulation. How is this explained?
- P. Reopening of Mine on November 6, 1939, on open shop basis.
 - (1) What caused this in face of the Court Decree?
 - (2) Knowledge of Elshoff at that time that membership of Progressives had fallen off.
- Q. Partiality in employing United members when Mine opened on November 6, 1939, on open shop basis.
 - (1) Specific instances of partiality.
 - (2) Instructions to that effect by Elshoff.
 - (3) Elshoff's knowledge of discrimination.
- R. Explanation of Elshoff's attitude when he wrote to Edmondson December 28, 1940, refusing to recognize United until National Labor Relations Board so ordered him.
 - (1) Was this to cause an election to be held, he being aware that United men had a majority?
 - (2) Apparently in July, 1940, the United Mine Workers began to obtain a majority. Did Elshoff have knowledge of this?

(At the present time, the files of the NLRB are being analyzed by a member of my staff. An analysis of every lead in those files relating to unfair labor practices by Elshoff will be set out in a supplemental memo which will be furnished to the Bureau Monday or Tuesday. Arrangements are being made to obtain photostatic copies of any documents in these files deemed essential for your purpose.)

III. Investigation of Personal Relationships between Elshoff and United Mine Workers officials.

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[REDACTED] indicates the probability that Elshoff and Edmundson were close personal friends during the course of the alleged conspiracy and, also prior to that time. Elshoff and James are also believed to have been well acquainted. [REDACTED] Lewis [REDACTED] Elshoff, the scope and nature of the personal relationship between the two men is not indicated.

Inquiries should be directed to ascertain the exact nature of all of these personal relationships from the time of their beginning until the present time.

- A. Efforts should be made to investigate every personal contact between Elshoff and these officials during the spring of 1937, prior to the closing of the mine.
- B. During the period of alleged unfair labor practices from May, 1937, to March, 1941, efforts should be made to investigate any coincidents of these personal contacts with the imposition of unfair labor practices by Elshoff.
- C. Same inquiry should be made with respect to Falcetti and other officials of Mine "B".
- D. At various times during the course of the conspiracy formal communications would pass between Elshoff and Edmundson. Often "demands" would be made by one on the other. The close personal friendship of these two individuals suggests that these "demands" were not sincerely made. Special inquiry should be directed at these incidents and specifically at the "demand" by Edmundson on August 11, that Elshoff negotiate with the United Mine Workers.
- E. A confidential informant has alleged that Edmundson and Elshoff, during the course of the alleged conspiracy, entertained together lavishly at Chicago hotels.

IV. Investigation of Explanations of Payments by the Subjects.

[REDACTED]

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- [REDACTED]
- A. Inquiry should be directed to ascertain from any source what statements or explanations of these payments have been made by the subjects.
 - B. On July 3, 1939, the Progressive Union published an article in a Springfield newspaper openly announcing a suspicion that Klahoff was being subsidized by the United Mine Workers during the shut-down [REDACTED].
What statements or explanations were made at this time by the several subjects?
 - C. In October, 1942, the St. Louis Post Dispatch, St. Louis, Missouri, broke the news story that the Internal Revenue Bureau was investigating possible income tax violations growing out of reported payments "in the amount of \$300,000" from the United Mine Workers to Klahoff. Inquiries should be directed to ascertain what explanations, privately or publicly made, came from the several subjects at this time.
 - D. It is understood that when the news broke in the St. Louis Post Dispatch Edmundson and James felt impelled to explain the matter at meetings of the local union. At one of these meetings Jack Glasgow, then a District Board member of the United Mine Workers, openly criticized the payments. Glasgow was suspended by the Union and it is understood that he has since been evicted. [REDACTED]

Inquiries should be directed to ascertain the full circumstances surrounding these incidents. The exact explanations given by Edmundson and James or other union officials should be ascertained. Glasgow should be interviewed and every possible lead obtained from him. It is possible that the Union officials made statements to the press or to other persons at this time and these statements should be obtained.

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V. Investigation of Extent to Which Payments to Elshoff Were in Excess of Actual Maintenance Costs.

[REDACTED] is not adequate to establish definite proof of the extent to which payments received by Elshoff were in excess of the actual maintenance costs of the mine. It is desired that the investigation establish as accurately as possible the disparity between the two sums. It is necessary to know also the extent to which the United Mine Workers officials were aware that the payments were in excess of costs. In this connection the profits which Elshoff was receiving from his brokerage operation during the shut-down should be investigated and taken into account.

VI. Investigation of the Mine "A" Transaction.

It is known that in the fall of 1941, after Elshoff had signed the closed-shop contract with U.M.W. in March, 1941, U.M.W. advanced Elshoff \$60,000 in order to enable him to get control of Mine "A". Mine "A", organized by the Progressives, was adjacent to Mine "B" and could be mined through a subterranean passage from Mine "B". It is believed that Elshoff's control of this mine, in cooperation with U.M.W., successfully broke the Progressive union there.

[REDACTED] It is desired, however, that a full investigation be made of all of the circumstances in order to determine whether this transaction was a continuation of the conspiracy alleged to have existed between 1937 and 1941.

VII. Investigation of the "Panther Creek" Project.

[REDACTED] is a letter dated July 6, 1942, from Elshoff to Robert C. Solomon, President of the Panther Creek Mines, Springfield, Illinois. This mine is organized and controlled by the Progressive union. It will be noted that Elshoff indicates that the possibility that he may be able to buy control of this mine, and makes the significant statement, "I might say now, there is no objection to advancing the \$400,000 as outlined." It is believed that Elshoff has no other source from which to obtain such a sum of money, unless from U.M.W. It is believed also that understandings have been reached between Elshoff and U.M.W. that this money will be forthcoming. This appears to be another step in the plan of the U.M.W. to use Elshoff as a pawn in attacking the Progressives throughout Illinois. It is desired, therefore, that the circumstances surrounding this matter be thoroughly investigated.

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VIII. Investigation of Explanation Given for Continuation of Payment after Mine Opened in November, 1939.

As noted above, all of the subjects have attempted to explain away the payments on the ground that they were "loans" designed merely to cover the maintenance cost of the mine during the shut-down and thus prevent its bankruptcy.

[REDACTED]

A full investigation is desired into these circumstances to ascertain whether there is any legitimate explanation for the payments after the mine closed.

IX. Investigation of Klahoff's Appropriation of Money Advanced to His Own Use and Other Subjects' Knowledge of This.

[REDACTED]

It is believed that Edmundson and James, and probably Lewis, were aware of Klahoff's appropriation of these sums to his own personal use, and it is possible that Edmundson, and maybe James, actually shared in the enjoyment of the expenditure. Investigation should be directed to ascertaining to what extent this was so.

X. Interviews with Individual Miners.

It is believed that it will be essential to have interviews with a great number of the individual miners who worked at Mine "B" during the course of the alleged conspiracy. Many of these persons, it is believed, will be unsympathetic with the investigation since they are now members of the United Mine Workers local. However, it will be extremely valuable to have signed statements from as many of them as possible, and especially from those individuals who have taken a leadership in the Union or who actually participated in any of the incidents involved in this case.

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For purposes of pleading, should prosecution become necessary, all of the miners who worked at Mine "B" prior to May, 1937, and who worked at the mine after it was opened in November, 1939, will probably be named as "victims"; that is, it would be alleged that the subjects conspired to "injure and oppress" these persons in the free exercise and enjoyment of their rights to bargain collectively and choose their own union under the National Labor Relations Board. It is entirely possible that most of these individuals will actually not admit an awareness of a "deprivation of rights". It will be well if we can know specific individuals who hold the attitude today that they were victims of conspiracy against their rights as trade unionists.

XI. Investigation of Edmundson's Contention That the Election of December 15, 1937, was Fraudulent. [REDACTED]

One of the defenses advanced to justify payment of money to the employer during a jurisdictional dispute is that the United Mine Workers actually had a majority of the men. This contention is advanced in face of the overwhelming victory of the Progressives at the time of the National Labor Relations Board election on December 15, 1937. Edmundson contends that this election was a fraud. It is believed that the circumstances of this election should be investigated in order definitely to establish that there was no fundamental fraud involved.

XII. Miscellaneous Inquiries.

A. [REDACTED]
is indicated that Mine "B" maintained a special fund from which loans in cash were made to the miners. A flat 10% interest was charged. This arrangement violated the company's contract with the union, which prohibited any such advances. Inquiries should be directed to ascertain whether this circumstance has any relation to the present inquiry.

B. Inquiry should be made to ascertain whether officials of the two employer organizations in Illinois have any knowledge regarding this matter. These two associations are the Coal Producers Association of Illinois, and the Illinois Coal Operators Association. Elshoff was at one time or another a member of both organizations, and it is possible that the whole Mine "B" transaction was linked with the activities of these associations.

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- C. Elshoff leases Mine "B" on a minimum royalty basis from the Citizens Oil Mining Company of Peoria, Illinois. Throughout the period of the shut-down from May, 1937, to November, 1939, Elshoff claims to have been under the compulsion of contract to pay certain minimum royalties. [REDACTED]

[REDACTED] It is requested, therefore, that the officials of the lessor be interviewed, and every possible lead covered to ascertain what knowledge, if any, these people may have regarding the present issue. Their interpretation of Elshoff's responsibilities during the shut-down is pertinent.

- D. [REDACTED]

[REDACTED] We have no information in our possession whatsoever that Mr. Murray is not correct in this contention. It is essential, however, that this fact be established.

- E. It is desirable to know additional circumstances in connection with the injunction obtained by the Illinois local unions against Lewis in 1932. [REDACTED]

- F. Interview with Leonard ^WBajork, former Regional Director, 13th Region, National Labor Relations Board will probably develop important leads. [REDACTED]

[REDACTED] Mr. Bajork resigned from the Board during the Mine "B" controversy and thereafter took a personal interest in the matter under circumstances which are not fully understood at the present time. It is believed that he lives in Chicago, and practices there as a "labor consultant."

- G. It will be helpful to know whether Elshoff has filed any financial statements since the loans were made in which he failed to list this "obligation", also, whether the note has been listed by Elshoff, or the United Mine Workers, for tax purposes—if required by law.


NEED FOR EXPEDITION

As noted above, the period of alleged conspiracy stretches from the Spring of 1937 until March, 1941. Unless the conspiracy was continued by the Mine "A" transaction, or the Panther Creek Project, the statute of limitations will foreclose prosecution as of March, 1944. This fact, and the character of the offense charged, requires that this investigation be investigated by every means possible.

It is deemed essential that Frank Coleman of my staff, now in charge of this case, work in close cooperation with the Bureau's agents, and that he be advised of current developments as far as possible. Supplemental memoranda will be furnished the Bureau from time to time as additional inquiries occur to me.

It probably will be desirable that Mr. Coleman, at my direction, talk with certain individuals who have knowledge of this case. If this is done, the Bureau will be appropriately advised.

Respectfully,


WENDELL BERGE
Assistant Attorney General

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

86 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b3 with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: Statute is Title 26, United States Code, Section 6103.

The following number is to be used for reference regarding these pages:
44-945-1

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin ✓
- Mr. Ladd ✓
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Tele. Room _____
- Mr. Nease _____
- Miss Beahm _____
- Miss Gandy _____



Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

~~CONFIDENTIAL~~

July 26, 1943

67c

ALL INFORMATION CONTAINED
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EXCEPT WHERE SHOWN
OTHERWISE

MEMORANDUM FOR THE DIRECTOR

RE: JOHN L. LEWIS,
RAY EDMUNDSON,
WALTER J. JAMES, Officials of the
United Mine Workers of America;
CARL H. ELSHOFF, Owner of Mine B,
Springfield, Illinois;
CIVIL RIGHTS AND DOMESTIC VIOLENCE.

ALL INFORMATION CONTAINED
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DATE 3/21/81 BY 24/...

Reference is made to the attached memoranda to you from the Department requesting a full and complete investigation into charges that John L. Lewis, Ray Edmundson and Walter J. James, officials of the United Mine Workers of America, and Carl H. Elshoff, owner of Mine B, Springfield, Illinois, conspired during the years 1937 to 1941 in violation of Section 51, Title 18, U. S. Code, to injure and oppress Elshoff's employees in the free exercise of the rights secured to them by the National Labor Relations Act.

ALLEGED OFFENSE

It is alleged that the sum of \$225,000 was paid from the years 1937 to 1941 by officials of the United Mine Workers of America to Carl H. Elshoff, owner of Mine B, Springfield, Illinois, with the intent to induce Elshoff to impose unfair labor practices upon his employees who were members of the rival union, the Progressive Mine Workers of America.

STATUTES INVOLVED

Section 51, Title 18, U. S. Code, provides that it shall be unlawful for two or more persons to conspire:

"To injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same."

Section 7 of the National Labor Relations Act provides:

"Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collectively bargaining, or other mutual aid or protection."

CLASS. & EXT. BY Sep 4/1980
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 7/26/91

RECORDED 114 145-845-1

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AGENCIES AND FIELD OFFICES ADVISING SLIP

N.D. AS SENT 3-23-81

~~CONFIDENTIAL~~

Section 7 in explicit language states that employees shall have the rights therein enumerated. Legislative history of the Act makes it clear that these rights are secured only against the employer or those in connivance with him. These rights are "secured by the laws of the United States" within the meaning of Section 51.

BACKGROUND FACTS

It is alleged that the Progressive Mine Workers of America Union was formed in 1932 as a revolt against an effort by John L. Lewis to force a reduced wage scale upon the miners in Illinois, which theretofore had been the stronghold of the United Mine Workers of America Union. A referendum of the miners had rejected the reduced scale. During a second referendum, the ballot boxes were mysteriously stolen and Lewis declared an emergency and signed an agreement with the mine operators. It was stated that 25,000 miners revolted against this agreement and set up a new organization called the Progressive Mine Workers of America, which grew rapidly and soon dominated the entire State. It is alleged that Lewis bitterly swore to win back the lost territory and break the rebel union. It was also stated that Mine B was the stronghold of the Progressive Mine Workers Union and was located in Springfield, Illinois, Lewis' former home and present legal residence.

According to the Department's memoranda, from 1932 to 1941, a bitter struggle for supremacy was carried on between the Progressive Mine Workers Union and the United Mine Workers of America, involving much violence. In May, 1937, it was stated that the Progressive Mine Workers discovered that 14 of its members were paid spies of the United Mine Workers. Upon Elshoff's refusal to fire these 14 individuals, a strike was called and the mine was closed. The mine remained closed until November, 1939, 2½ years later. It was alleged that during this period, the United Mine Workers paid Elshoff \$150,000 in sums varying from \$1,000 to \$20,000. It was further stated that during this period and coincident with the payments of money, Elshoff was suspected of unfair labor practices against the Progressive Mine Workers. After the mine opened, the United Mine Workers continued the payments to Elshoff until the total of \$225,000 had been paid. It was also stated that in August, 1937, Elshoff recognized and signed a collective bargaining agreement with the United Mine Workers, even though at that time they were in the minority and did not have enough members to operate the mines.

Allegations have been made that during the period that Mine B was out of operation, the United Mine Workers proselyted the members of the Progressive Mine Workers, which, coupled with the alleged unfair practices and deprivation of rights imposed by Elshoff, resulted in the United Mine Workers gaining a majority membership by mid-summer of 1940. The United Mine Workers petitioned the National Labor Relations Board for an election

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Memorandum for the Director

- 3 -

which was held in February, 1941, and which resulted in a victory for the United Mine Workers by a vote of 259 to 108.

The Department has advised that [REDACTED]

[REDACTED] It was also stated that the National Labor Relations Board conducted an investigation from September, 1940, to December, 1940, but failed to discover the existence of any payments between the United Mine Workers and Carl H. Elshoff. [REDACTED]

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The Department did not advise as to what the National Labor Relations Board investigation developed as to the existence of unfair labor practices; however, it stated the National Labor Relations Board file was being reviewed and investigative leads developed from such a review would be forwarded to the Bureau immediately.

SCOPE OF DEPARTMENT'S REQUESTED INVESTIGATION

The Department in its memorandum dated July 24, 1943, sets forth ten pages of requested investigation in the captioned matter which cover all of the elements of the alleged violation in this matter. As an example, it is noted that the Department sets forth eighteen incidents which it states should be thoroughly investigated and which are alleged to be unfair labor practices indulged in by Carl H. Elshoff. It is noted that the existence of unfair labor practices in violation of the National Labor Relations Act is basic to proving any violation of Section 51, Title 18, U. S. Code. Although the Department states John L. Lewis admits the existence of payments or "loans" by the United Mine Workers Union to Elshoff, it will first be necessary to show that there was a definite deprivation of rights guaranteed to the members of the Progressive Mine Workers Union during 1937 to 1941 prior to establishing that the payment was made with the intent to cause Elshoff to impose unfair labor practices upon his employees.

It is also noted that the Department requests that the actual cost of the operation of Mine B for the period during which it was idle be ascertained so that it may be determined if Elshoff was paid more than the actual cost of such operation.

The Department also requests that a large number of the members of the Progressive Mine Workers Union during the period 1937 to 1941 be interviewed to ascertain which of those individuals believed they were subjected to a deprivation of their rights.

X

Memorandum for the Director

- 4 -

The Department also requested that an investigation be conducted into the election that was held during 1937, which resulted in the ballot boxes being stolen, to ascertain if there was any fraud involved.

The Department has requested a large number of other inquiries be conducted to establish the elements of the offense alleged in this matter.

INTEREST OF THE COMMUNIST PARTY IN INSTANT INVESTIGATION

b1 * [REDACTED]

b1 [REDACTED]

A review of the Daily Workers newspaper for July 17, 1943, discloses that an article such as contemplated above did appear on the front page entitled "Lewis-Owner Tie Violates U. S. Law."

PREVIOUS INVESTIGATION OF SIMILAR NATURE

You will recall in the spring of 1942 Joe Curran, head of the National Maritime Union, complained that the American Federation of Labor Union in New York City was guilty of racketeering and violations of several Federal laws. It appeared at that time that the Communist Party was very much interested in having an investigation conducted of the American Federation of Labor Union. You will recall that the Department requested an investigation in this matter, and that at your suggestion the Department ordered a grand jury investigation, which was generally known as the New York Waterfront Matter and after extensive hearings the grand jury took no action in the case.

GENERAL OBSERVATIONS

It is noted from a review of the investigation set forth by the Department that the matter will necessarily involve a large number of interviews

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to secure evidence establishing all of the elements of a violation of Section 51, Title 18, U. S. Code, and not merely the question of intent behind the payments of money by John L. Lewis and the United Mine Workers to Carl H. Elshoff.

It is noted that should a grand jury be directed to investigate the above entitled matter, all witnesses could be required to testify under oath, and it is conceivable that such a procedure might be preferable to having Agents interview witnesses in the field where they would not be under oath.

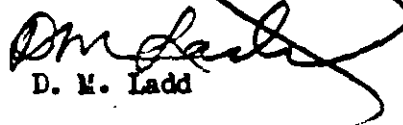
It is observed that the Department states it is reviewing the files of the National Labor Relations Board and will forward this material to the Bureau in the immediate future.

It is also noted that at 3:30 pm on July 26, 1943, Mr. Frank Coleman of the Civil Rights Section of the Department, called at the Bureau and discussed this case with Supervisor Frank L. Welch. Mr. Coleman stated he recently conferred with the Attorney General on this case and indicated his desire to have the Bureau handle the investigation. According to Mr. Coleman, the Attorney General remarked to him that the FBI was always hesitant to take over an investigation after it had been handled by another Federal agency. Coleman then remarked to Mr. Biddle that he definitely thought the Bureau should be asked to conduct the investigation.

RECOMMENDED ACTION

Inasmuch as witnesses before a grand jury testify under oath, you may desire to recommend to the Department that the investigation in this case be conducted by a Federal grand jury. In the event it is not desired to recommend the use of a Federal grand jury in this matter, it is recommended that the requested investigation by the Department be instituted immediately upon the receipt of further information from the Department as disclosed in the files of the National Labor Relations Board and the Internal Revenue Department.

Respectfully,


D. M. Ladd

Ladd:

Suggest you orally talk to Clegg & make suggestions you indicate.

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DML:CE
Call 10:25 am

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____

July 26, 1943

MEMORANDUM FOR MR. E. A. TAMM

Ugo Carusi called at this time stating that a memorandum to the Director from the Attorney General, dated July 24, would be coming through passing along a memorandum from Mr. Berge asking the Director to make a complete investigation into certain conduct of a prominent labor man and an operating company, reportedly going in cahoots to completely unionize the company.

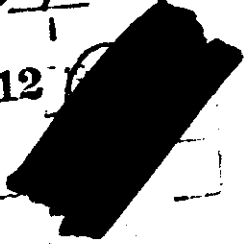
Mr. Carusi reported that the President of the United States has asked for expeditious and thorough treatment of this case.

I advised Mr. Carusi that such treatment would be rendered.

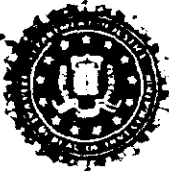
Respectfully

RECORDED
D. M. Ladd

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15 AUG 12 1943



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Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

FLW:EK
Time of Interview:
3:30 P.M. to 4:25 P.M.

July 26, 1943

MEMORANDUM FOR MR. D. M. LADD

- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols ✓
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. McGuire _____
- Mr. Mumford _____
- Mr. Piper _____
- Mr. Quinn Tamm _____
- Tele. Room _____
- Mr. Nease _____
- Miss Beahm _____
- Miss Gandy _____

ALL INFORMATION CONTAINED
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DATE 2/1/81 BY [signature]

Re: JOHN L. LEWIS, RAY EDMUNDSON,
WALTER J. JAMES, Officials of the
United Mine Workers of America;
CARL H. ELSHOFF, Owner of Mine B.
Springfield, Illinois;
CIVIL RIGHTS AND DOMESTIC VIOLENCE

Mr. Frank Coleman of the Civil Rights Section of the Department called at the Bureau at the above time concerning the captioned case and was interviewed by the writer. It appeared that Coleman's primary purpose in calling at the Bureau was to discuss the following three points in connection with this case:

- (1) Allegations recently made by the press that the Attorney General was "sitting" on this case.
- (2) To determine if the Bureau would photostat 125 exhibits submitted to the Department [redacted] b3
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- (3) To ascertain which persons would be interviewed at the outset of this investigation, and to point out that certain ones should be contacted as soon as possible.

According to Mr. Coleman, approximately two weeks ago the Chicago Daily News indicated that the Attorney General was furnished with all previous information developed concerning the activities of John L. Lewis, and that instead of taking any action, the Attorney General had been "sitting" on the case. Mr. Coleman stated that such an allegation was not true [redacted] b3

during June, 1943 and since that time he, Coleman, has been making a thorough review of the case for the purpose of determining what additional investigation is necessary to possibly develop a violation of the Civil Rights Statutes on the part of Lewis.

According to Mr. Coleman [redacted] also made available 125 exhibits.

Mr. Coleman feels that these documents are of interest to the Bureau in conducting the investigation requested by the Department, and for that



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[redacted] b7c

reason he desires to make photostatic copies available to us. Mr. Coleman has ascertained that it would take approximately one week to have this material photostated in the Department, and he stated that in view of this, he would like to know if the Bureau would make photostatic copies of the exhibits for its use and then return the documents to him. In this connection I advised him that the backlog on our photostatic work was such that it would be impossible to photostat these documents within the near future and that therefore it appeared the better procedure would be for him to have copies prepared and make them available to the Bureau. He stated that this would be done.

Mr. Coleman made reference to that portion of the Department's memorandum which indicated that in May, 1937, the Progressive Mine Workers discovered that several of its members were paid spies of the United Mine Workers Union, and when the operator of the mine in question refused to discharge these individuals, a strike was called and the mine was closed. Mr. Coleman thought it would be advisable to interview these particular persons at the beginning of the investigation. He stated that there were several other persons who he believed should be contacted at the very beginning before the report was circulated that the FBI was conducting inquiries into this matter. I advised Mr. Coleman that in any investigation conducted by the Bureau, the circumstances in the case were carefully evaluated and that consideration was given to the order in which the various individuals involved were to be interviewed.

During the interview Mr. Coleman stated that even though a violation of the Civil Rights Statutes is established, he is in no position to state whether the President will authorize any prosecution against Lewis at some future date. He stated that he felt this was a very important case inasmuch as the real issue at hand appears to be whether one union can make payments of money in such a manner as to destroy a rival union. He also commented that from discussions he has had with labor men, he does not believe that the CIO will "push" this case against Lewis because of their fear that they will be accused of "knifing him."

Respectfully,



F. L. Welch

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DATE 3/11/81 BY [signature]

7/29/43

MEMORANDUM FOR THE EXECUTIVE ASSISTANT TO
THE ATTORNEY GENERAL, MR. WOOD CARSON

I have just been advised of the results of the conference held with you on July 29, 1943, by Mr. D. M. Ladd concerning the Department's request for investigation of the allegation that the sum of \$225,000 was paid from the years 1937 to 1941 by officials of the United Mine Workers of America to Carl H. Kishoff, operator of Mine B, Springfield, Illinois, with the intent to induce Kishoff to impose unfair labor practices upon his employees, who are members of a rival union, the Progressive Mine Workers of America.

I wish to affirm the discussion had by you and Mr. Ladd regarding the advisability of handling this matter through grand jury proceedings. In this regard, I am outlining my own observations as to why the use of a grand jury would be advisable.

1. It is noted that in grand jury proceedings all witnesses are required to testify under oath. It is believed that many individuals prominent in labor circles might be unwilling to give information concerning this matter voluntarily, without the compelling effects of a grand jury subpoena and the fact that they are testifying under oath.
2. The Department's memorandum dated July 24, 1943, indicates that the National Labor Relations Board and [redacted] have conducted investigations of the allegations that the officials of the United Mine Workers of America paid money to Carl H. Kishoff. It is believed that should the individuals involved in this matter be contacted through the medium of another investigative agency when one or more Federal investigative agencies have already acted in the matter, it might very well result in unfavorable publicity to the Department, this Bureau and the other agencies involved.

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COMMUNICATIONS SECTION
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★ JUL 29 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECEIVED-DIRECTOR
F. B. I.
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3. As it is observed that [REDACTED] the National Labor Relations Board have already conducted investigations in this case, it is believed that one of the most compelling reasons for further investigation would be to secure evidence of intent on the part of the officials of the United Mine Workers to induce Klshoff to impose unfair labor practices upon his employees through the payment of money to Klshoff. It is suggested that sufficient background facts may already be available to present this matter to a grand jury in order that the requisite intent may be established by placing the witnesses under oath prior to being interviewed.

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4. Another factor to be considered in handling this matter is the date of the occurrence of the transactions mentioned in the Department's memorandum, and the early running of the Statute of Limitations. The Department's memorandum indicates that the Statute of Limitations will probably foreclose any prosecution as of March, 1944. It is believed that the use of a grand jury will enable this matter to be handled in an expeditious manner.

5.

[REDACTED]

6. A somewhat comparable situation to the matter at hand arose in the spring of 1942, in connection with the New York Water Front case. You will recall that Joe Curran, head of the National Maritime Union, complained that the American Federation of Labor in New York City was guilty of certain racketeering and violations of several Federal laws. In this instance a grand jury was called to investigate these allegations rather than have the case investigated by this Bureau.

Very truly yours,

John Edgar Hoover
Director



Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

DML:DS

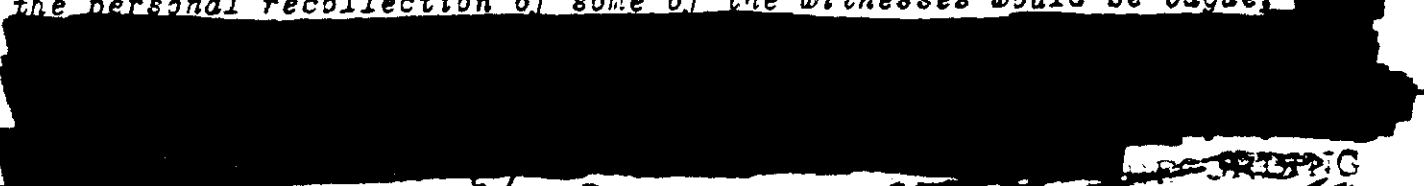
July 29, 1943

Mr. Tolson	✓
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Coffey	
Mr. Glavin	
Mr. Ladd	✓
Mr. Nichols	✓
Mr. Rosen	
Mr. Tracy	
Mr. Acers	
Mr. Carson	
Mr. Hendon	
Mr. Mumford	
Mr. Starke	
Mr. Quinn Tamm	
Mr. Nease	
Miss Gandy	

MEMORANDUM FOR THE DIRECTOR

Re: John L. Lewis, Ray Edmundson,
Walter J. James, Officials of the
United Mine Workers of America;
Carl H. Walshoff, Owner of Mine B,
Springfield, Illinois;
CIVIL RIGHTS AND DOMESTIC VIOLENCE

In accordance with your instructions I conferred with Mr. Carusi on the morning of July 29, 1943, with reference to the investigation previously requested by the Attorney General in connection with the above-entitled case. I suggested to Mr. Carusi that it was the Bureau's opinion that this matter was one which should be and could be properly handled more advantageously by a grand jury inquiry. I pointed out to Mr. Carusi that the violations alleged occurred around 1939 and therefore the personal recollection of some of the witnesses would be vague,



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Mr. Carusi inquired as to where such grand jury action would then be contemplated. I suggested that the same could probably best be held in Springfield, Illinois, inasmuch as the civil rights violation, if one existed, occurred in that district in depriving the Progressive Miners of the rights conferred on them under Section 51, Title 18, United States Code.

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Mr. Carusi thought the suggestion had some merit and stated that he would discuss it with Attorney General Biddle.

29 JUL 30 1943

I believe it would be well, in order that the Bureau might be on record, to send the attached memorandum to the Attorney General confirming this conference.



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DATE 2/1/81 BY SP/Dr/bs
Attachment

Respectfully,

D. M. Ladd
D. M. LADD

62

JOHN EDGAR HOOVER
DIRECTOR



Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

CC-287

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. McGuire _____
- Mr. Mumford _____
- Mr. Piper _____
- Mr. Quinn Tamm _____
- Tele. Room _____
- Mr. Nease _____
- Miss Beahm _____
- Miss Gandy _____

FLW:EK

July 29, 1943

MEMORANDUM FOR MR. D. M. LADD

Re: JOHN L. LEWIS,
RAY L. BURNETT,
WALTER S. JAMES, Officials of the
United Mine Workers of America;
CARL H. LSHOFF, Owner of Mine B,
Springfield, Illinois;
CIVIL RIGHTS AND DOMESTIC VIOLENCE

On the afternoon of July 27, 1943 Mr. Frank Coleman,
Civil Rights Section of the Department, called, inquiring as to
whether the Bureau could assist the Department in photostating

[REDACTED] At this time I
advised him that the question as to whether we could or could
not be of assistance depended upon the backlog which we have on
special work in the photostat section. He indicated he was
anxious to have the photostating done by the Bureau in order to
expedite the investigation of the captioned case. I stated that
I would check to determine if we could be of assistance, but that
I doubted very much that we could handle the work because of our
usual heavy backlog.

On July 29 I telephonically advised Mr. Coleman that it
would be impossible for us to help him on this work because of the
amount of special photostating work which we have. It was not
felt that we should be of assistance in view of the fact that up
to the present time it is uncertain whether the Bureau will conduct
the investigation originally requested by the Attorney General.

Respectfully,

F. L. Welch

F. L. Welch

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32 JUL 31 1943

ALL INFORMATION
HEREIN IS UNCLASSIFIED
DATE 2/11/81 BY SP8/BJP/BJP



58 AUG 31 1943



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UGO CARUSI
EXECUTIVE ASSISTANT TO THE
ATTORNEY GENERAL

Office of the Attorney General
Washington, D. C.

July 30, 1943

MEMORANDUM FOR MR. HOOVER

Mr. Tolson	<input checked="" type="checkbox"/>
Mr. E. A. Tamm	<input checked="" type="checkbox"/>
Mr. Clegg	<input checked="" type="checkbox"/>
Mr. Coffey	<input checked="" type="checkbox"/>
Mr. Glavin	<input checked="" type="checkbox"/>
Mr. Ladd	<input checked="" type="checkbox"/>
Mr. Nichols	<input checked="" type="checkbox"/>
Mr. Rosen	<input checked="" type="checkbox"/>
Mr. Tracy	<input checked="" type="checkbox"/>
Mr. Egan	<input checked="" type="checkbox"/>
Mr. Gurnea	<input checked="" type="checkbox"/>
Mr. Hendon	<input checked="" type="checkbox"/>
Mr. Mumford	<input checked="" type="checkbox"/>
Mr. Starke	<input checked="" type="checkbox"/>
Mr. Quinn Tamm	<input checked="" type="checkbox"/>
Mr. Nease	<input checked="" type="checkbox"/>
Miss Gandy	<input checked="" type="checkbox"/>

This is in response to your memorandum of July 29, concerning the requested investigation of the charge that sums were paid by the United Mine Workers of America to the operator of a mine in Springfield, Illinois, to induce the imposition of unfair labor practices upon members of the Progressive Mine Workers of America.

After Mr. Ladd spoke to me about this matter yesterday I took it up with the Attorney General, and pointed out the considerations which moved you to suggest that any further investigation should be before a grand jury. The Attorney General advised me that he had talked to the President about this, and the President insists that the FBI make the investigation. Accordingly, the Attorney General has asked me to confirm his prior instructions that the investigation be conducted by you rather than by a grand jury.

Ugo Carusi
Executive Assistant to
the Attorney General

John O. Ladd

Proceed per [unclear]
7/24/43
NY Springfield
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[Redacted]



52 AUG 13 1943

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Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

August 2, 1943

Time: 1:30 p.m.

Mr. Tolson _____
 Mr. E. A. Tamm _____
 Mr. Clegg _____
 Mr. Glavin _____
 Mr. Ladd _____
 Mr. Nichols _____
 Mr. Rosen _____
 Mr. Tracy _____
 Mr. Carson _____
 Mr. Coffey _____
 Mr. Hendon _____
 Mr. Kramer _____
 Mr. McGuire _____
 Mr. Harbo _____
 Mr. Quinn Tamm _____
 Tele. Room _____
 Mr. Nease _____
 Miss Gandy _____

MEMORANDUM FOR MR. D. M. LADD

RE: JOHN L. LEWIS, ET AL.
CIVIL RIGHTS AND DOMESTIC VIOLENCE

At this time Mr. Frank Coleman called from the Department relative to the above investigation which is to be conducted relative to the allegations that John L. Lewis and others may have violated the civil rights of members of the Progressive Mine Workers Union in Springfield, Illinois, by payments of approximately [redacted] to Mr. Carl Alshoff, mine operator, during the period between 1937 and 1941. Mr. Coleman pointed out that three of the so-called spies in the Progressive Mine Workers Union later became President, Financial Secretary and Treasurer, respectively in the UMW local that was formed in 1941, when Lewis and the UMW won the election at Mine "B", Springfield, Illinois. The names of the individuals are as follows:

- Charles Johnson became President
- John Cotton Ananias became Financial Secretary
- Tony Plotch became Treasurer

This information is being included in data being transmitted to Springfield in the matter for the initiation of this investigation.

Respectfully,

F. L. Welch
F. L. Welch

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/11/81 BY sp4 jrb/b

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August 2, 1943

ALL INFORMATION CONTAINED
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DATE 2/11/81 BY sp4/Jan/ly

PERSONAL ATTENTION

SAC, Springfield

RE: JOHN L. LEWIS, RAY EDMUNDSON,
WALTER J. JAMES, Officials of the
United Mine Workers of America;
CARL H. ELSHOFF, Owner of Mine B,
Springfield, Illinois;
CIVIL RIGHTS AND DOMESTIC VIOLENCE.

Dear Sir:

In confirmation of the information and instructions given you telephonically today by Special Agent [redacted] you are advised that the Department has requested a full and complete investigation by the Bureau into charges that John L. Lewis, Ray Edmundson and Walter J. James, officials of the United Mine Workers of America, and Carl H. Elshoff, Owner of Mine B, Springfield, Illinois, conspired during the years 1937 to 1941 in violation of Section 51, Title 18, U. S. Code, to injure and oppress Elshoff's employees in the free exercise of the rights secured to them by the National Labor Relations Act. b7c

According to information furnished by the Department, it is alleged that the sum of [redacted] was paid from the years 1937 through 1941 by officials of the United Mine Workers of America to Carl H. Elshoff, operator of Mine B, with the intent to induce Elshoff to impose unfair labor practices upon his employees, who were at that time members of the rival union, the Progressive Mine Workers of America. The Department has advised that if it can be proven that Elshoff and officials of the United Mine Workers of America conspired to deprive members of the Progressive Mine Workers of America of their rights as secured by Section 7 of the National Labor Relations Act, there could undoubtedly be established a violation of Section 51, Title 18, U. S. Code.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Acers
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Starke
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

There are attached copies of memoranda for the Attorney General from Assistant Attorney General Wendell Berge, dated July 20, 1943, and July 24, 1943, respectively. These memoranda set forth the background of the captioned matter and the investigation desired by the Department.

Files of the National Labor Relations Board and [redacted]

As referred to in the memoranda for the Attorney General, dated July 24, 1943, are not available, however, they will be secured and transmitted to you in the very near future.

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
AUG 2 1943

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SAC, Springfield

- 2 -

Photostatic copies of certain exhibits [REDACTED]
[REDACTED] are available, and photostatic copies are being transmitted
herewith. [REDACTED]

[REDACTED] As soon as the subsequent exhibits to this re-
port are received from the Department, they will be made immediately
available to you.

You are instructed to institute an immediate investigation in
this matter and assign at least four experienced, well-qualified Agents
to this investigation. You will note that the Department desires that
this matter be given expeditious attention and that the investigation
be brought to an early completion in order that the matter may be con-
sidered for prosecutive and grand jury action sufficiently well in advance
of the Statute of Limitations' expiration date, which the Department
indicates will be March of 1944. The Agents assigned to this matter
should thoroughly review the material submitted herewith prior to con-
ducting the investigation requested by the Department.

The Department has suggested that the fourteen individuals
who are alleged to have been spies for the United Mine Workers Union
in the Progressive Mine Workers organization from 1937 to 1941 be inter-
viewed at the outset of this investigation and signed statements secured
as set forth under the heading "Area of Investigation" in the Memoran-
dum for the Attorney General dated July 24, 1943. The Department has ad-
vised that three of these fourteen individuals who were alleged to have
been United Mine Workers spies, are now officials of the present United
Mine Workers Union at Mine B, Springfield, Illinois. These individuals
are Charles Bohannon, President, John (Cotton) Ananias, Financial Secre-
tary, and Tony Plotch, Treasurer.

In this connection, you should note that several officials of
the United Mine Workers Union upon interview, [REDACTED] have ad-
mitted that these fourteen individuals were paid expenses by the United
Mine Workers Union at the time they belonged to the Progressive Mine
Workers of America.

For your general information, it has been reported by a
highly confidential source that the Communist Party has interested

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SAC, Springfield

itself in the captioned matter.

On July 17, 1943, an article appeared in the Daily Worker captioned "Lewis-Owner Tie Violates United States Law," in which it was stated that evidence of alleged collusion between John L. Lewis and certain Illinois mine operators had been transmitted to the Criminal Division of the Department of Justice.

It is imperative that you keep the Bureau currently informed as to all developments in this case. I wish to impress upon you the importance of this investigation and desire that you give it your personal attention.

Very truly yours,

John Edgar Hoover
Director

Enclosure *J*

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

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

WB:FC:CB

144-10

August 6, 1943

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

John A. Lewis et al.

Re: Mine "B" Case - Alleged violations
of Section 51, Title 18, U. S. Code

[Redacted] b7c

I have authorized Frank Coleman, who is handling
the alleged civil rights violation by Carl H. Elshoff, and
others, to go to St. Louis on August 9, 1943, [Redacted]

Mr. Coleman will proceed from St.
Louis to Springfield during that same week to confer with
United States Attorney Howard L. Doyle, and also with other
persons, after conference with your Special Agent in Charge,
in accordance with telephone conversation between Mr. Coleman
and Mr. Buckley of your Bureau yesterday.

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Upon his return, I will send you a memorandum
covering the results of his several conferences.

Respectfully,

Wendell Berge

WENDELL BERGE
Assistant Attorney General

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FOR DEFENSE



BUY
UNITED
STATES
SAVINGS
BONDS
AND STAMPS

58 AUG 12 1943

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

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

WB:FC:LLD

144-10

August 7, 1943

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

There is submitted herewith the fifth installment of photostatic copies of all the exhibits [redacted] a copy of which was attached to my memorandum to the Attorney General dated July 24, 1943, transmitted to you by the Attorney General's memorandum of the same date.

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The fifth installment includes Exhibits 70 to 92, inclusive.

Respectfully,

Wendell Berge

WENDELL BERGE
Assistant Attorney General

Enc. #668320

RECORDED

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FOR DEFENSE



BUY
UNITED STATES
SAVINGS
BONDS
AND STAMPS

ENCLOSURE BEHIND FILE

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Wendell Berge

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Wendell Berge

[REDACTED] b7c

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Date: August 9, 1943
To: SAC, Springfield
From: J. Edgar Hoover - Director, Federal Bureau of Investigation
Subject: JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE

Reference is made to Bureau letter dated August 7, 1943, captioned as above.

For your further assistance in conducting investigation in this matter, there is transmitted herewith the fifth installment of photostatic copies received from the Department of the exhibits **[REDACTED]**

[REDACTED] a copy of which was transmitted to your office with Bureau letter dated August 4, 1943. The fifth installment includes exhibits 70 to 92 inclusive.

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Enclosure *J*

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FEDERAL BUREAU OF INVESTIGATION
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U. S. DEPARTMENT OF JUSTICE

Tolson
E. A. Tamm
Clegg
Coffey
Glavin
Ladd
Nichols
Tracy
Harbo
Mohr
Tele. Room
Nease
Gandy

COMMUNICATIONS SECTION
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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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DATE 2/11/81 BY SP4 JML

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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Acers	.....
Mr. Carson	.....
Mr. Hendon	.....
Mr. Mumford	.....
Mr. Starke	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....
Files	.....

WB:EC:CB

144-10

August 6, 1943

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

Re: Mine "B" Case - Alleged violations
of Section 51, Title 18, U. S. Code

Further consideration of available evidence indicates that Oscar Falcetti, Superintendent of Mine "B", Springfield, Illinois, should be added as a subject in this case, in addition to the four persons named as subjects in the Attorney General's memorandum to you of July 24, 1943.

Respectfully,

Wendell Berge
WENDELL BERGE
Assistant Attorney General

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July 29, 1943

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FOR DEFENSE



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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

HE:FC:CB

144-10

August 6, 1943

Mr. Tolson.....
Mr. E. A. Tamm.....
Mr. Clegg.....
Mr. Coffey.....
Mr. Glavin.....
Mr. Ladd.....
Mr. Nichols.....
Mr. Rosen.....
Mr. Tracy.....
Mr. Acers.....
Mr. Carson.....
Mr. Hendon.....
Mr. Mumford.....
Mr. Starke.....
Mr. Quinn Tamm.....
Mr. Nease.....
Miss Gandy.....
Files.....

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

Re: Mine "P" Case - Alleged violations
of Section 51, Title 18, U. S. Code

It is requested that the criminal records of all
subjects and prospective witnesses be currently ascertained
and reported to the extent that this undertaking will not
unduly tax your facilities.

Respectfully,

Wendell Berge
WENDELL BERGE

Assistant Attorney General

FOR DEFENSE



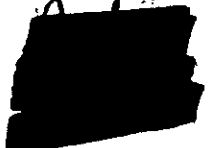
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BONDS
AND STAMPS

60 AUG 18 1943

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44-845-11



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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

August 4, 1943

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Acers	.....
Mr. Carson	.....
Mr. Hendon	.....
Mr. Mumford	.....
Mr. Starks	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....
Files	.....

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

There are submitted herewith the third and fourth installments of photostatic copies of all the exhibits which were [redacted]

attached to my memorandum to the Attorney General dated July 24, 1943, transmitted to you by the Attorney General's memorandum of the same date.

The third installment includes Exhibits 124 and 125. The fourth installment includes Exhibits 32 to 58, inclusive.

On July 31, 1943, I sent you a memorandum in this connection submitting the first two installments. My description of these, I believe, was in error.

I had recited that the first installment included Exhibits 1 to 19, inclusive. It should have included Exhibits 1 to 29, inclusive. I recited that the second installment included Exhibits 93 to 121, inclusive. It should have included Exhibits 93 to 122, inclusive.

Please check on these to see whether these exhibits were actually transmitted to you, and advise.

Three installments remain to be sent you.

Respectfully,

Wendell Berge

WENDELL BERGE
Assistant Attorney General

Enc. #668316

FOR DEFENSE



BUY
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AND STAMPS

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/11/81 BY SP4 JMK/STW

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44-845-12

Date: August 7, 1943
To: SAC, Springfield
From: J. Edgar Hoover - Director, Federal Bureau of Investigation
Subject: JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE

There are transmitted herewith photostatic copies of the following additional exhibits. [redacted] copies of which were furnished to you with letter dated August 4, 1943:

Installation #3, including Exhibits 124 and 125, and a document marked #25.

Installation #4, including as follows: Exhibits 30 to 43.

Exhibits 1, 2, 3, 4, 6, 7, 11, 12, 14, 160, 21, 22, 23, 29, 31 and 32, apparently taken from National Labor Relations Board file C-854; Answer of Petition to the National Labor Relations Board, and Objections of Entry to Decree, #6952, for the October term, 1938; and Petition for Enforcement of the Order of the National Labor Relations Board, #6952, dated June 15, 1939, also from National Labor Relations Board file C-854.

Prog. Exhibits #1 and #7, apparently taken from National Labor Relations Board file 13-R-534.

Exhibits 50, 51 and 54A, apparently taken from National Labor Relations Board file 13-C-1345.

Decision and Direction of Election, case #R-2262, and Certification of Representative.

With reference to the exhibits transmitted to you by Bureau letter dated August 3, 1943, it is noted that Exhibits 1 to 29, inclusive, were transmitted, rather than Exhibits 1 to 19, as well as Exhibits 93 to 122, inclusive, rather than Exhibits 93 to 121, inclusive.

As subsequent exhibits to the above mentioned report are received from the Criminal Division of the Department, they will immediately be made available to you. 1943 P.M.

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

COMMUNICATIONS SECTION
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

WB:FC:LLD

July 31, 1943

*Received from Dept.
by memo
7/31/43
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MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

There are submitted herewith the first two installments
of photostatic copies of all the exhibits [redacted]

[redacted] a copy of which was attached to my memorandum to
the Attorney General dated July 24, 1943, transmitted to you by
the Attorney General's memorandum of the same date.

The first installment includes [redacted]

Exhibits 1 to 19 inclusive.

The second installment includes Exhibits 93 to 121
inclusive.

As other installments are returned by our Photostatic
Division, they will be promptly transmitted to you.

Respectfully,

Wendell Berge

WENDELL BERGE
Assistant Attorney General

144-845-13

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Enc. #658310

FOR DEFENSE



BUY
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SAVINGS
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[redacted]



Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

August 4, 1943

Mr. Tolson	_____
Mr. E. A. Tamm	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Carson	_____
Mr. Coffey	_____
Mr. Hendon	_____
Mr. Kramer	_____
Mr. McGuire	_____
Mr. Harbo	_____
Mr. Quinn Tamm	_____
Tele. Room	_____
Mr. Nease	_____
Miss Beahm	_____

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MEMORANDUM FOR MR. D. M. LADD

Re: John L. Lewis et al
Civil Rights & Domestic
Violence

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DATE 2/11/81 BY SP4 JPM/100

At this time Mr. Frank Coleman, Civil Rights Section, Criminal Division, called from the Department relative to this investigation and talked to Supervisor [redacted]. You will recall that Coleman has apparently been assigned to supervise the matter in the Department. He stated that he was transmitting additional photostatic material by memorandum which should reach the Bureau today.

[redacted] took this opportunity to ask Mr. Coleman for the files of the NLRB which have not as yet been made available and which the Department indicated it would review for the benefit of the Bureau and transmit any investigative leads it picked out. Mr. Coleman stated that he had been in contact with an attorney named [redacted] who is in the office of the Assistant General Counsel, NLRB. He stated that the files are being forwarded from the Regional Office to the NLRB at Chicago and the complete files of the NLRB, both regional and headquarters, can be made available, he is sure, at the Rochambeau Building where there will also be a room available for reviewing the files. He is attempting to make the necessary arrangements this afternoon and will telephonically advise.

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In addition, Coleman stated he is leaving for St. Louis within the next two days and plans to travel on to Springfield, Illinois, and he believes that while there he would like to talk to one or two officials of the Progressive Mine Workers Union in order to enlist their cooperation. He requested the reaction of the Bureau as to what procedure he should follow if one or more offered their complete cooperation. He also wanted to know if there would be anything irregular about the matter if he dropped in and discussed the matter with SAC Hallford. I told him I was sure Mr. Hallford would be glad to talk the case over with him but it was tactfully pointed out to Mr. Coleman that the decision as to the investigative procedure would, in the final analysis, rest with the Bureau and he understands this. In addition, in re-



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Mr. Ladd

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8-4-43

sponse to his inquiry, I pointed out if he located an official or officials of the Progressive Mine Workers Union who indicate complete cooperation that he could give the name of this official to Mr. Hallford and we would take the necessary steps to interview him. I discouraged the suggestion of Mr. Coleman that he sit in on any interviews to be conducted in the matter since he indicated a desire to sit in on interviews.

On the whole, Mr. Coleman's conversation indicated a desire to be cooperative and it is believed that because of the nature of the case and his interest therein, he perhaps is indicating a desire to be overly cooperative. He states that above all, he does not want to interfere with the Bureau's method of conducting the investigation.

It is recommended that a letter be forwarded to SAC Hallford apprising him of the impending visit of Mr. Coleman and suggesting that he might discuss the matter generally with Coleman, but that the entire investigative technique will rest with the Bureau, et cetera.

Respectfully,

F. L. Welch
F. L. Welch

OK - and hereafter advise Coleman if he goes out and makes investigation he is assuming responsibility for case, that we have been ordered to conduct it and can not be responsible unless we plan and handle all interviews ourselves - if he has any suggestions he should submit them to Bureau by memo and we will give immediate consideration

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/1/81 BY SA Jm/bp

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[Redacted]
8/6/43

Date:

To: Assistant Attorney General Wendell Berge
From: J. Edgar Hoover - Director, Federal Bureau of Investigation
Subject: JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE

Reference is made to your memorandum dated August 4, 1943, wherein you transmitted photostatic copies of certain exhibits to this Bureau.

You advised that you were transmitting the third installment of exhibits, [Redacted]

You also advised in your reference memorandum that you were transmitting the fourth installment of the exhibits to the investigative report mentioned above, which included Exhibits 32 to 38, inclusive. An examination of the exhibits indicates that Exhibits 30 to 43, inclusive, were enclosed. There were also enclosed photostatic copies of the following exhibits which were apparently taken from National Labor Relations Board file C-854:

Exhibits 1, 2, 3, 4, 6, 7, 11, 12, 14, 16C, 21, 22, 23, 29, 31 and 32;

- Mr. Tolson _____ Copy of an Answer of Petition to the National Labor Relations Board and Objections of Entry to Decree, Number 6952, for the October term, 1938;
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____ Copy of a Petition for Enforcement of the Order of the National Labor Relations Board, Number 6952, dated June 15, 1939.
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____ There were also transmitted photostatic copies of the following exhibits which were apparently taken from National Labor Relations Board file 13-C-534: Exhibits number 1 and 7.
- Mr. Tracy _____
- Mr. Ackerly _____
- Mr. Carson _____ COMMUNICATIONS SECTION
- Mr. Harbo _____ There were transmitted with your reference memorandum the following exhibits which were apparently taken from National Labor Relations Board file 13-C-1345: Exhibits 50, 51 and 54.
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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307

There were also transmitted photostatic copies of a Decision and Direction of Election, case number H-2262, and of a Certification of Representative.

With regard to your inquiry as to the exhibits transmitted to this Bureau with your memorandum dated July 31, 1943, please be advised that a review of this material indicates Exhibits 1 to 29, inclusive, were transmitted with the exception of Exhibits 11, 12 and 15, in the installment designated at number 1.

b3

[REDACTED]

T26
usc
86103

As to installment 4, which was transmitted with your memorandum dated July 31, 1943, it is noted that Exhibits 93 to 122, inclusive, were transmitted.

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

WB:HO'D:klj

144-10

August 14, 1943

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Egan	.....
Mr. Carson	.....
Mr. Hendon	.....
Mr. Mumford	.....
Mr. Starke	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....
Miss	.....

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

Reference is made to your memorandum of August 10, 1943, in which you requested that I inform you when the remainder of the photostatic copies of exhibits obtained [redacted] obtained from the National Labor Relations Board would be transmitted to your Bureau.

This will advise you that all of the documents obtained from the National Labor Relations Board were delivered to your office together with an accompanying memorandum on August 12, 1943. I am sending you today a photostatic copy of [redacted] which will represent the sixth installment of the photostatic copies delivered to you. I expect to have the seventh and final installment representing exhibits 59-69 ready to send to you by Monday, August 16, 1943.

Respectfully,

Wendell Berge

WENDELL BERGE,
Assistant Attorney General.

b3
T26
WSC
\$6103

*John... of...
Wendell Berge
144-10*

[redacted]

RECORDED
b7c

44-845-16

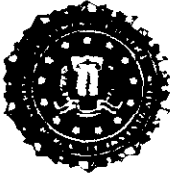
AUG 18 1943

[redacted]

b7c

60 SEP 18 1943

607



JKM:MIP
Call: 3:10 p.m.

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.
August 11, 1943

287

- Mr. Tolson _____
- Mr. E. A. Tamm ✓
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Tele. Room _____
- Mr. Nease _____
- Miss Beahm _____
- Miss Gandy _____

MEMORANDUM FOR MR. LADD

RE: JOHN L. LEWIS, et al
CIVIL RIGHTS AND DOMESTIC VIOLENCE

SAC Hallford of Springfield called at this time to advise he had just learned that the St. Louis Post Dispatch of Sunday, August 8, 1943, carried an article bearing a Springfield date line saying it had been learned from a reliable source that investigation was being made by the FBI on the basis that fourteen members of the Progressive Mine Workers were on the secret payroll of the United Mine Workers. Mr. Hallford advised that so far as he knows there has been no publicity other than in that one paper, but he received an inquiry from AP who advised him that their inquiry came out of St. Louis. He was advised by the AP men that service did not intend to run anything in the local papers because it was too controversial.

Mr. Hallford pointed out that so far his Office has not conducted a single interview, but is thoroughly familiarizing itself with the background in this case and that, therefore, it appears that the source of this release could be none other than somebody in the Department of Justice. Mr. Hallford is sending in a clipping by letter AMSD.

I questioned Mr. Hallford as to why no investigative action had been instituted in this matter as yet and he explained that he did not feel it advisable until the Agents were thoroughly familiar with all the background data in the case, and with the National Labor Relations Act. He stated it would probably be the end of this week or the first of next before any effort was made to institute actual investigation. I advised Mr. Hallford that this was an unusually special and expedite matter and that he should, therefore, make every effort to institute actual investigation at the earliest possible date.

Respectfully,

[Handwritten signature]
8/13/43
[Handwritten signature]
J. K. Mumford

144-845-17
F B I
32 AUG 16 1943



AUG 21 1943

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/4/81 BY SP4 Jm/ky

RECORDED



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

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

WB:FC:JET

114-10

August 16, 1943.

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

Re: Mine B Coal Company; Violation
Section 51, Title 18, United States Code.

There is submitted herewith the seventh and last
installment of photostatic copies of all the exhibits num-
bered 59 to 69, inclusive. [REDACTED]

[REDACTED] a copy of which was attached to my memorandum
to the Attorney General, dated July 21, 1943, transmitted
to you by the Attorney General's memorandum of the same
date.

Respectfully,

Wendell Berge

WENDELL BERGE,
Assistant Attorney General.

Enclosure No. 668328

*Enclosure destroyed, all memo dated 6/12/46, file no 44-845-1
6-24-46 EFW*

*9/17/45
not specific*

INDEXED

44-845-18
39 AUG 19 1943



30 SEP 20 1943

[REDACTED]

b7c

*b3
T26
LSC
\$6103*

[REDACTED] *b7c*

[REDACTED] *b7c*

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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

WB:HO'D:klj

144-10

August 14, 1943

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Acers	.....
Mr. Carson	.....
Mr. Hendon	.....
Mr. Mumford	.....
Mr. Starke	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....
Files	.....

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

*man
1371-D
m 20*

There is submitted herewith the 6th installment of
photostatic copies of all the Exhibits [redacted]

b3

[redacted]

[redacted] a copy of which was attached to my
memorandum to the Attorney General dated July 24, 1943, trans-
mitted to you by the Attorney General's memorandum of the
same date.

b7c

The 6th installment is composed of Exhibit 123.

Respectfully,

Wendell Berge
WENDELL BERGE,
Assistant Attorney General.

*Enclosure destroyed
6-24-46 E.T.S.
[Signature]*

~~DEFERRED RECORDING~~

1 ENCL

Enclosure #668327

*7/17/43
per [redacted]
[redacted]
b7c*

RECORDED

44-845-19
[redacted]
b7c

RECORDED

44-845-19

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/11/81 BY Sp4 Jm/Bp

main
0
P. 10/10
Date: August 17, 1943
To: SAC, Springfield
From: J. Edgar Hoover - Director, Federal Bureau of Investigation
Subject: JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE

Reference is made to Bureau letter dated August 14, 1943, in the above entitled matter.

For your further assistance in conducting the investigation in this case, there are transmitted herewith photostatic copies of Exhibits 123 and 59 to 69, inclusive. [redacted] a copy of which was forwarded to you with Bureau letter dated August 4, 1943.

B3

T26
usc
§6103

SPECIAL DELIVERY

COMMUNICATIONS SECTION
MAILED 6

AUG 17 1943 P.M.

Leon
A. Tamm
Clegg
Glavin
Ladd
Nichols
Rosen
Tracy
Egan
Gurnea
Harbo
Mohr
Winterrowd
Tele. Room
Holloman
Nease
Gandy

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

SEP 20 1943

RECEIVED-MAIL
AUG 17 2 35 PM '43

RECEIVED-MAIL
AUG 17 5 31 PM '43

R. L. G. S.

b7c

[redacted]

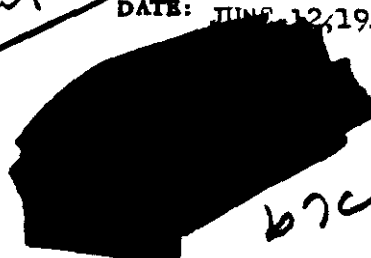
Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. CARTWRIGHT *fc*

DATE: JUNE 12, 1946

FROM : MISS THOMPSON

SUBJECT: JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE
Bureau File # 44-845-12,18,19



- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn Tamm
- Tele. Room
- Mr. Nease
- Miss Gandy

The attached bulky enclosure has been reviewed in the Filing Unit and its destruction is hereby suggested.

The reason on which the above recommendation is based is checked as follows:

- Duplicate copies
- Outdated
- Not indexed
- Closed status
- Non serialized
- Not translated
- Material available elsewhere
 - Bureau Library
 - Other serial or serials in file
 - Publications

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/11/81 BY *[signature]*

Since the investigation in the above case was discontinued, it appears that the material would be of no further value to the Bureau.

RECOMMENDATION

As this material is occupying valuable space in the Records Section, it is requested that this file be reviewed by Security Division for an expression as to its disposition.

It is recommended that the material be destroyed here at the Seat of Government.

EM:jep

Destroyed 6-24-46 ESW 6.15 280

Full file to [unclear] 6/24/46
54 JUN 24 1946

44-845-12, 18, 19

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b3 with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: Statute is Title 26, United States Code, Section 6103

The following number is to be used for reference regarding these pages:
44-945-60

XXXXXX
XXXXXX
XXXXXX

XXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

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

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

WB:HO'D:klj

August 17, 1943

144-10

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

I have received your memorandum of August 7, 1943, in which you acknowledged receipt of the third and fourth installments of photostatic copies of Exhibits [redacted]

[redacted] You stated that the fourth installment which purported to include Exhibits 30 to 58 included Exhibits 30 to 43 together with other documents.

b3
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usc
§6103

May I advise you that Exhibit 44 is a photostatic copy of the Decision and Order dated September 19, 1938, issued by the National Labor Relations Board to the Mine "B" Coal Company.

Exhibit 45 is the document identified in your memorandum as a "Copy of an answer of Petition to the National Labor Relations Board and Objections of Entry to Decree, Number 6952, for the October Term, 1938."

Exhibit 46 is the document identified in your memorandum as a "Copy of a Petition for Enforcement of the Order of the National Labor Relations Board, Number 6952, dated June 15, 1939."

Exhibit 47 is the documents identified in your memorandum as taken from the National Labor Relations Board file C-854 and numbered as Exhibits 1, 2, 3, 4, 6, 7, 11, 12, 14, 16, 21, 22, 23, 29, 31 and 32. These represent 16 affidavits and should include an affidavit of [redacted].

b7c
docs

Exhibit 48 is an Analysis of the Records of Local No. 54, Progressive Mines of America, disclosing the membership of that Local from November, 1939, to June, 1941.

RECORDED

44-84572

Exhibit 49 is a Petition for Investigation and Certification of Representatives Pursuant to Section 9(c) of the National Labor Relations Act dated July 30, 1940, filed by the United Mine Workers of America, with the National Labor Relations Board.

[redacted] b7c

COPIES DESTROYED
R411 JAN 11 1962

[redacted] b7c
8/29/43

John T. [unclear]

Exhibits 50 and 51 are the documents identified in your memorandum as Exhibits apparently taken from the National Labor Relations Board file 13-C-1345 and marked Exhibits 50 and 51.

Exhibit 52 is a photostatic copy of a copy of a letter dated December 28, 1940, from Mr. Elshoff to Mr. Edmundson.

Exhibit 53 is a photostat of Notice of Hearing dated January 13, 1941, issued by the National Labor Relations Board.

Exhibit 54 is a photostat of statement of Regional Director concerning Claims of Authorization for the purpose of Representation dated January 14, 1941, submitted by the National Labor Relations Board.

Exhibit 54A is the document identified in your memorandum as one of the exhibits apparently taken from the National Labor Relations Board file 13-C-1345 and marked Exhibit 54A.

Exhibits 55 and 56 are the documents identified in your memorandum as exhibits apparently taken from the National Labor Relations Board file 13-R-534 and marked Prog. Exhibits Number 1 and 7 respectively.

Exhibits 57 and 58 are the documents identified in your memorandum as "photostatic copies of a Decision and Direction of Election, case number R-2262" (Exhibit 57) "and of a Certification of Representative." (Exhibit 58).

You referred to Exhibits 1 to 29 which were transmitted to your Bureau on July 31, 1943, and stated that Exhibits 11, 12 and 15 were not included but that copies of other material not marked as exhibits were included. You identify this other material as follows:

(1)

[REDACTED]

b3

(2)

[REDACTED]

T26

WSC

§6103

(3)

[REDACTED]

63
T 26, USC,
§ 6103

Exhibit 15 is a photostat of Agreement dated March 31, 1937 signed by Dan McGill for the Progressive Miners of America but not signed by a representative of the Mine "B" Coal Company.

If you are unable to locate the missing exhibits from their description which I have set out herein, I will immediately furnish copies of them to you upon being so advised.

[REDACTED]

63
Given to P. O. Donnell
by Kenneth Quinn
08/17/43 - [REDACTED]

Respectfully,

Wendell Berge

WENDELL BERGE,
Assistant Attorney General.

b7c

RECORDED

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 2/11/81 BY sp4 Jm/br

SPECIAL DELIVERY

44-846-20

[redacted] b7c

Date: August 20, 1943
 To: SAC, Springfield
 From: J. Edgar Hoover - Director, Federal Bureau of Investigation
 Subject: JOHN L. LEWIS, ET AL
 CIVIL RIGHTS AND DOMESTIC VIOLENCE

Reference is made to Bureau letter dated August 17, 1943, in the above entitled matter.

There are transmitted herewith photostatic copies of all pages of Exhibit 18, [redacted] a copy of which was forwarded to you with Bureau letter dated August 4, 1943, as "Photostat of a Portion of Designation of Representative for Collective Bargaining under the National Labor Relations Act, dated May 26, 1937."

The Criminal Division has advised that Exhibit 13, which has been forwarded to your office, consists of only one page, numbered 8, [redacted] as "Photostat of Agreement dated January 18, 1936, between the Progressive Miners of America and the Mine 'B' Coal Company."

Bureau letter dated August 7, 1943, transmitted a number of photostats which were not numbered. These exhibits should be numbered as follows:

Exhibit 44 is a photostatic copy of the Decision and Order dated September 19, 1938, issued by the National Labor Relations Board to the Mine B Coal Company.

Exhibit 45 is the document identified as "Copy of an answer of Petition to the National Labor Relations Board and Objections of Entry to Decree, #6952, for the October term, 1938."

Exhibit 46 is the document identified as a "Copy of a Petition for Enforcement of the Order of the National Labor Relations Board, #6952, dated June 15, 1939."

Exhibit 47 consists of the documents identified in reference letter of August 7, 1943, as Exhibits 1, 2, 3, 4, 6, 7, 11, 12, 14, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32. These represent 16 affidavits and include the affidavits of [redacted] b7c

- Tolson
- E. A. Tamm
- Clegg
- Coffey
- Glavin
- Ladd
- Nichols
- Rosen
- Tracy
- Acers
- Carson
- Harbo
- Hendon
- Mumford
- Starke
- Quinn Tamm
- Nease
- Gandy

COMMUNICATIONS SECTION
 MAILED
 AUG 21 1943 P.M.
 FEDERAL BUREAU OF INVESTIGATION
 U.S. DEPARTMENT OF JUSTICE

[Handwritten signature and initials]
 [redacted]

b3
 T26
 USC
 86103

101010

227 1943 101010

Exhibit 48 is a one-page "Analysis of the Records of Local 734, Progressive Mines of America," disclosing the membership of that local from June, 1939, to June, 1941.

Exhibit 49 is a "Petition for Investigation and Certification of Representatives Pursuant to Section 9(c) of the National Labor Relations Act," dated July 30, 1940, filed by the United Mine Workers of America with the National Labor Relations Board.

Exhibits 50 and 51 are the documents identified in reference Bureau letter of August 7, 1943, as exhibits taken from National Labor Relations Board file 13-C-1345 and marked Exhibits 50 and 51.

Exhibit 52 is a photostatic copy of a copy of a letter dated December 28, 1940, from Carl H. Elshoff, President of Mine B, to subject Edmundson.

Exhibit 53 is a photostatic copy of a "Notice of Hearing," dated January 13, 1941, issued by the National Labor Relations Board.

Exhibit 54 is a photostat of a statement of the Regional Director concerning claims of authorization for the purpose of Representation, dated January 14, 1941, submitted by the National Labor Relations Board.

Exhibit 54A is so marked on the photostat.

Exhibits 55 and 56 are the documents referred to in reference Bureau letter of August 7, 1943, identified as "Prog." Exhibits 1 and 7, apparently taken from National Labor Relations Board file 13-B-534.

Exhibits 57 and 58 are the documents identified in reference Bureau letter of August 7, 1943, as "Decision and Direction of Election, Case #R-2262" and "Certification of Representative."

Further reference is made to Bureau letter dated August 2, 1943, which transmitted photostatic copies of Exhibits 1 to 29, inclusive, [REDACTED]. It is noted that Exhibits 7, 11, 12 and 15 were not so marked. These exhibits are identified as follows:

[REDACTED]

[REDACTED]

[REDACTED]

b3
7 26
LSC
86103

b3 T26, USC, §6103

[REDACTED]

Exhibit 15 is a photostat of an agreement dated March 31, 1937, signed by Dan McGill for the Progressive Miners of America but not signed by a representative of the Mine B Coal Company.

It is believed that with the receipt of the enclosed material, you will be in a position to initiate the actual interviews in this case. It is again pointed out that this investigation must be expedited in order that it may be completed by September 25, 1943, in accordance with prior Bureau instructions.

Enclosure *N*

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b3 with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: Statute is Title 26, United States Code, Section 6103

The following number is to be used for reference regarding these pages:
44-945-21

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XXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/11/81 BY SP4 JMB/BJP

44-845
Date:

August 27, 1943

To:

SAC, Springfield

From:

J. Edgar Hoover - Director, Federal Bureau of Investigation

Subject:

JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE

There are transmitted herewith photostatic copies of three memoranda dated August 26, 1943, from the Criminal Division of the Department, and captioned #1, #2 and #3, respectively, "Mine B - Violations of Section 51, Title 18." Photostatic copies of the enclosures referred to in the respective memoranda mentioned above, are also enclosed. It is noted that these memoranda contain certain investigative suggestions as set forth by the Criminal Division.

Copies of these memoranda and enclosures are forwarded for your information and possible assistance in conducting the investigation in the above entitled matter. The suggestions of the Criminal Division should be fully developed unless a specific reason exists making it inadvisable to follow the suggestions of the Criminal Division.

Enclosure

SPECIAL DELIVERY

44-845-62
FEDERAL BUREAU OF INVESTIGATION
AUG 28 1943
U. S. DEPARTMENT OF JUSTICE

RECORDED

- Tolson
- E. A. Tamm
- Clegg
- Coffey
- Glavin
- Ladd
- Nichols
- Rosen
- Tracy
- Acers
- Carsor
- Harbo
- Hendon
- Mumford
- Starke
- Quinn Tamm
- Nease
- Gandy

COMMUNICATIONS SECTION
MAILED 3
AUG 27 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

3 SEP 1 1943

W.H.
Ed
J.D.
b7c

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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

WB:EO'D:klj

144-10

August 12, 1943

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION

Re: ~~X~~ Mine "B" Case -- Alleged
Violations of Section 51,
Title 18, U.S. Code

Mr. Tolson	
Mr. Clegg	
Mr. Coffey	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Harbo	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	



In my memorandum to you under the date of August 11, 1943, I listed on page 2 thereof four groups of unfair labor practices requiring investigation. In connection with Group B, "Unfair labor practices between May 12, 1937 and January 4, 1938 ..." it is suggested that John Doherty be interviewed.

A memorandum (a photostatic copy of which accompanied my memorandum of August 11, 1943, as Exhibit D-33) written on October 8, 1937, by Leonard Bajork, a regional director of the National Labor Relations Board, stated that Mr. Doherty was a member of the Steel Workers Organization Committee who had suggested to Bajork that Ray Edmundson of the United Mine Workers of America was perhaps willing to reiterate his previous offer to operate Mine "B" provided the 12 suspended Progressive Mine Workers were permitted to return to the Mine.

It would be helpful if it could be ascertained what relationship existed between Doherty and Edmundson so that the former was aware of Edmundson's attitude at the time. It is not suggested that the interview with Doherty should be limited to this particular transaction, but any other information which could be obtained from him with respect to any of the four categories of unfair labor practices set out in my former memorandum would be very helpful.

Respectfully,

Wendell Berge
WENDELL BERGE,

Assistant Attorney General.

b7c

8/13/43
L.H. Springfield



INDEXED

144-10-23
I

30 AUG 25 1943



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 2/11/81 BY SP4 Jm/bsp

44-845-23
Date: August 23, 1943

To: SAC, Springfield
From: J. Edgar Hoover - Director, Federal Bureau of Investigation
Subject: JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE

Reference is made to Bureau letter dated August 21, 1943, in the above entitled matter.

For your information the Criminal Division of the Department has requested certain investigation as to the relationship between subject Edmundson and one John Doherty. You will note that in the Memorandum for the Director received from the Criminal Division of the Department dated August 11, 1943, which was transmitted to your office by Bureau letter dated August 14, 1943, the Criminal Division on page 2 lists four groups of unfair labor practices requiring investigation. It is observed that in connection with Group B, "Unfair labor practices between May 12, 1937 and January 4, 1938...", it is suggested that John Doherty be interviewed.

The Criminal Division has now forwarded the following with regard to this matter:

"A memorandum (a photostatic copy of which accompanied my memorandum of August 11, 1943, as Exhibit D-33) written on October 8, 1937, by Leonard Bajork, a regional director of the National Labor Relations Board, stated that Mr. Doherty was a member of the Steel Workers Organization Committee who had suggested to Bajork that Ray Edmundson of the United Mine Workers of America was perhaps willing to reiterate his previous offer to operate Mine 'B' provided the 12 suspended Progressive Mine Workers were permitted to return to the Mine.

"It would be helpful if it could be ascertained what relationship existed between Doherty and Edmundson so that the former was aware of Edmundson's attitude at the time. It is not suggested that the interview with Doherty should be limited to this particular transaction, but any other information which could be obtained from him with respect to any of the four categories of unfair labor practices set out in my former memorandum would be very helpful."

- Tolson
- E. A. Tamm
- Clegg
- Coffey
- Glavin
- Ladd
- Nichols
- Rosen
- Tracy
- Quinn
- Nease
- Harbo
- London
- McDonald
- Mark
- Tele. Rm.
- Director's Sec'y

COMMUNICATIONS SECTION
MAILED 3
AUG 27 1943 P.M.
SEP 18 1943
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

b7c

[Handwritten signature]

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

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

TCC:EC:MLB

144-10

August 30, 1943

MEMORANDUM FOR THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

Re: Mine "B" -- Violations of
Section 51, Title 18.

It is obvious from the facts that we now know that during the period 1937 to 1941, Elshoff and the Mine "B" Coal Company expended large sums of money for legal fees and expenses in the various proceedings before the National Labor Relations Board and in the Circuit Court of Appeals, in the effort by Elshoff to avoid his obligations under the National Labor Relations Act. There also must have been substantial sums expended for legal fees and expenses in connection with Elshoff's injunction proceedings in the Federal Court in November, 1937.

It is believed, of course, that all of these expenses were financed out of the sums which were advanced to Elshoff by Lewis and Edmundson, and that the latter two subjects must have realized that the money was being expended for this purpose. In some cases, we may be able to show that particular payments were made with the specific view of financing this litigation.

This picture would be extremely valuable in case of trial. We would have a case where one union was financing an employer in his effort to litigate away the rights of another union.

It is requested, therefore, that an effort be made to ascertain the total expenses which Elshoff incurred during this period, and if possible, to connect up specific payments from U.M.W. with these legal expenditures.

In this connection, it is noted that the firm of Winston, Strawn and Shaw, Chicago, Illinois, is shown as counsel for the Mine "B" Coal Company on some of the pleadings 1943

*See last memo
copy into
Confidential*

[REDACTED]

ba

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8/31/43
[REDACTED]

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[REDACTED]

filed with the Labor Board during the year 1938. This firm of lawyers is one of the most successful in the nation, and ordinarily demands a high fee for its services. It is not believed that Elshoff or the Mine "P" was in a position to retain this firm, and the conjecture is that this firm was retained by the U.M.W. on Elshoff's behalf. Evidence that this is a fact would be very valuable. It is requested that investigation be made of this lead.

Respectfully,

Tom C. Clark

TOM C. CLARK,
Assistant Attorney General.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/11/81 BY SP4 JMB/BO

RECORDED

[REDACTED] 87c
44-865 - 24
Date: August 31, 1943

To: SAC, Springfield

From: J. Edgar Hoover - Director, Federal Bureau of Investigation

Subject: JOHN L. LEWIS, ET AL
CIVIL RIGHTS AND DOMESTIC VIOLENCE

There are transmitted herewith copies of a memorandum dated August 30, 1943, received from the Criminal Division of the Department and captioned "Mine 'B' - Violations of Section 51, Title 18."

The investigative suggestions set forth in the attached memorandum from the Criminal Division should be fully developed unless a specific reason exists making it inadvisable to do so.

Enclosure

SPECIAL DELIVERY

- Tolson
- E. A. Tamm
- Clegg
- Coffey
- Glavin
- Ladd
- Nichols
- Rosen
- Tracy
- Acers
- Carson
- Harbo
- Hendon
- Mumford
- Starks
- Quinn Tamm
- Nease
- Gandy

COMMUNICATIONS SECTION
MAILED 11
AUG 31 1943 P.M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

60 SEP 1 2 1943
[REDACTED] 87c

[Handwritten mark]

[Handwritten initials]
[REDACTED]

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

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

TCC, EC, JLB

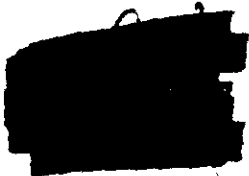
144-10

August 30, 1943

MEMORANDUM FOR THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

No. 6

Re: Mine "B"--Violations of
Section 51, Title 18.



b7c

The victim under Section 51, Title 18, United States Code, must be a citizen of the United States. As a technical matter, therefore, it will be necessary at the trial to prove that one or more of the victims alleged in the indictment are citizens of this country.

It is suggested, therefore, that in each future interview with miners who may possibly be alleged as victims, citizenship, if it exists, be established. Citizenship, of course, will be established if the miner was born in this country or, if he was born in a foreign country, if he has been naturalized here.

I do not think it is necessary that miners already interviewed be re-interviewed on this point.

Respectfully,

Tom C. Clark
TOM C. CLARK,
Assistant Attorney General.

John D. Lewis

*7/31/43.
cc Springfield*

SEP 18 1943

b7c

RECORDED

44-843-25
27 SEP 1 1943



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INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

TCC:FC:MLB

144-10

August 30, 1945

MEMORANDUM FOR THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

No. 5

Re: Mine "B" -- Violations of
Section 51, Title 18.

[REDACTED]

b7c

[REDACTED]

[REDACTED]

It is also probable that when Edmundson approached Ryan in 1937 with an offer to subsidize a shut-down at Mine "A", he contemplated using money in the special account. The important point is to try to establish that the account was set up with the express purpose of using it to subsidize the operators of the Progressive mines. It should, therefore, be ascertained, if possible, the exact date when the account was set up and every transaction in connection with the account prior to the shut down of Mine "B" on May 12, 1937.

Evidence secured in connection with this request will be allocated in the trial brief under Point One, II, A.

Respectfully,

Tom C. Clark

TOM C. CLARK,
Assistant Attorney General.

[REDACTED]

b7c

7/31/43
cc Springfield
170.12

b3
T26
WSC
§6103
John S. [unclear]

st

RECORDED 44-845-26

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INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

CC:FC:HLR

144-10

August 30, 1943

MEMORANDUM FOR THE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION.

No. 4

Re: Mine "P" -- Violations of
Section 51, Title 18.



b7c

It is requested that you investigate every instance, to which we have a lead, in which Elshoff was confronted by anyone with the accusation that during the shut-down he was being subsidized by U.M.W. His remarks or conduct at the time of such accusation would be admissible as admissions.

John L. ...



b3
T26
KSC
56103

John Kane, who was General Counsel for the Progressives at the time, constantly stated to Board officials that he suspected that U.M.W. was making the advances to Elshoff. He should be asked whether he or any other Progressive official ever confronted Elshoff or the U.M.W. officials with this accusation and what responses he received.

Any evidence collected under this request will be allocated in the trial brief under Point Two, IV, C.

Respectfully,

Tom C. Clark
TOM C. CLARK,
Assistant Attorney General.

9/21/43
cc [redacted] b7c

44-843-27

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

3 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b3 b7c with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: b3 statute is Title 26, United States Code, Section 6103

The following number is to be used for reference regarding these pages:
44-845-28

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XXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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"THE ATTORNEY GENERAL"
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INITIALS AND NUMBER

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

TCC:EC:LE

144-10

August 30, 1943

MEMORANDUM FOR THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

No. 1

Re: Mine "B" -- Violations of
Section 51, Title 18.

[Redacted]

b7c

b3
T26,
usc,
§6103

[Redacted]

It is requested that [Redacted] be interviewed
and an effort made to ascertain how they acquired this knowl-
edge.

b7c

Respectfully,

Tom C. Clark
TOM C. CLARK,
Assistant Attorney General.

John D. Lewis

9/21/43
cc [Redacted] field
[Redacted] b7c

RECORDED
&
INDEXED
D10

44-69-29

[Redacted]

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