

## **THE LATTIMER MASSACRE: A PERSPECTIVE FROM THE ETHNIC COMMUNITY**

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Luzerne County Sheriff James Martin and his eighty some deputies, armed with Winchester rifles, stood along the road that entered Lattimer, a small coal mining patch operated by the A. Pardee Company, a few miles northeast of Hazleton. It was a hot Friday mid-afternoon, September 10, 1898. They were waiting to confront a group of marching strikers to prevent them from disrupting mining operations. Knowing they were coming the law officers had raced from Hazleton on the trolley line to be there before the marchers arrived. It was not long before they heard and saw a large group of determined men, numbering around four hundred, coming down the road toward them. It was obvious that the marches were coming to the Lattimer mines to enlist the Pardee workers to join their ranks. The sheriff stepped out into the road to confront them and ordered them to halt, hoping to persuade them to abandon their objective. Suddenly, the deputies without warning fired their weapons creating a crescendo of gunfire, ripping through the ranks of the defenseless men, shooting many in the back as they fled for their lives. The mutilated and bloody bodies of the dead and injured produced stares of disbelief. One newspaper account described the scene: "It was a human slaughter in which men were mowed down like grain stalks before a scythe, by the deadly bullets which stormed for fully two minutes."<sup>1</sup> This flash of madness resulted in a calamity of violent proportions: nineteen killed and thirty-eight wounded.<sup>2</sup> Victims of this carnage were the recent Slavic immigrants from the Austro-Hungarian Empire who began arriving in the anthracite coal fields in the mid-1880s. It was these workers who initiated and led the strike.

Sheriff Martin was under considerable pressure from the coal operators to bring an end to the frequent marches of the strikers going from one colliery to another to get others to join the strike. His deputies recruited from the Hazleton area had close connections with the coal operators. Nearly all of them directly or indirectly earned their living from coal companies. Twenty-three deputies were employees of Calvin Pardee & Company, including his own son and Augustus W. Drake, Pardee's General Superintendent; fourteen worked for the Lehigh Valley Coal Company, and six were members of the coal and iron police. All but one had surnames indicating Irish, English, Welsh, or German heritage, the majority were members of prominent families and relatives of coal operators, many were young, several had attended college, and some were engineers or held managerial positions in the coal companies. Others were businessmen who sold mining supplies while only a few were laborers.<sup>3</sup>

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<sup>1</sup> *Philadelphia Inquirer*, 11 September 1897

<sup>2</sup> Henry Hoyt, United States Assistant Attorney-General, to William Day, Secretary of State, 8 April 1899; in *Papers Relating to the Foreign Relations of the United States, with the Annual Message of the President Transmitted to Congress December 6, 1898* (Washington: U.S. Government Printing Office, 1910), 82-87. Hoyt's letter stemmed from an investigation made by the Department of Justice for the Department of State concerning a diplomatic protest from the Austro-Hungarian government over several of its nationals killed and wounded at Lattimer. A great deal of confusion and inaccuracy existed in newspaper accounts as to the number of casualties from the shooting. Reports varied from fourteen to as many as fifty people killed.

<sup>3</sup> *New York World*, 13 February 1898; *Dollar Weekly News-Dealer* (Wilkes-Barre), 18 September 1898; *Pottsville Republican*, 23 September 1898; Pennsylvania, Department of State, Commission Bureau, "Policemen, 1889-1912," 346; Hazle Township and Hazleton City, "Real Estate Books for 1896 and 1897," Office of the Board for Assessment and Revision of Taxes, Luzerne County Courthouse, Wilkes-Barre.

When these two groups, both suspicious of each other, so divergent in their backgrounds, socio-economic class, and purpose, confronted each other, the clash resulted in a bloodbath. This terrible event, called the Lattimer Massacre, was the most serious single act of labor violence in Pennsylvania's history and nationally one of the most devastating, in which law officers, in a single event, were responsible for killing and wounding such a large number of defenseless workers on strike.

Late that afternoon as news of the tragedy began to spread, people filled the streets in Hazleton trying to learn what happened at Lattimer. An anxious crowd waited outside the hospital to learn the fate of those injured. It was a mournful sight at the different mortuaries where numerous relatives and friends of the dead came to identify their love ones. In this emotionally charged atmosphere, there was a feeling of uncertainty mixed with anger, fear, and a deep concern about the reactions in the foreign community whose members suffered the grievous losses. The situation inspired various rumors of dire consequences that could possibly lead to riots and more deaths. Talk was rampant that bloodthirsty mobs of immigrants, desiring vengeance, would hunt down the sheriff and his deputies to harm them.<sup>4</sup>

Conscious of the explosive situation and that events could easily spill out of control, clergy and leaders in the immigrant community quickly organized a public meeting that evening in Hazleton. Some two thousand people attended. The speakers cautioned the audience to keep the peace, remain calm, and avoid breaking any laws. The Rev. Spaulding, a Baptist minister, spoke of the tragic circumstances, and called for punishing those guilty of killing and injuring the unarmed strikers. Representatives from the various ethnic groups made a number of speeches. John Fahy, District President of the United Mine Workers of America, stressed the importance for the workers to be organized, and like the other speakers urged the audience to be peaceful. Before the meeting concluded, the people unanimously adopted a series of forceful and unequivocal resolutions:

We, the citizens of Hazleton, in mass meeting assembled to express our sympathy for those who were killed and wounded by the Sheriff and his deputies in Lattimer today, do adopt the following:

Whereas, a sad calamity had befallen this community and unwarranted and uncalled attack has been made upon peaceful persons seeking reforms,

Resolve, that we, as a body condemn and deplore such actions which were perpetrated on the public highway without justification or excuse,

Resolved, in anticipation of the Governor sending the State militia, we protest against such action, because their presence is not necessary to preserve the peace of this community,

Resolved, that we demand the prosecution of the Sheriff and his deputies for the crimes committed this tenth day of September,

Resolved, that we extend our moral and financial support to the friends and relatives of those dead and wounded, and that we express our deep sorrow for the widows and orphans.<sup>5</sup>

The meeting served a very useful purpose by providing a public outlet to express disapproval over what happened at Lattimer. In addition, it showed there was support for the Lattimer victims, condemnation of the sheriff and his deputies for their unwarranted actions, and agreement that any lawless or riotous actions would be counterproductive.

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<sup>4</sup> *The Daily Standard* (Hazleton), 11 September 1897.

<sup>5</sup> *Ibid.*

The resolution asking Governor Hastings not to send troops to Hazleton proved to be irrelevant. Sheriff Martin, on the night of the shooting, knowing he had lost all chances of being an effective law officer, realized he could no longer deal with the explosive situation. He called the governor at 10:30 p.m. asking him to send national guard troops immediately to the Hazleton area. The first contingent of 2,500 troops began arriving by 7:30 the next morning. They made daily patrols through the region until they were removed three-and-a-half weeks later.<sup>6</sup>

News of the deadly assault sent centrifugal shock waves throughout the region and the nation. Hazleton's mayor, Justus Altmiller, condemned the shooting.

All I can say is that I call this shooting a butchery. I can see no excuse for the Sheriff's people having shot these men. There is no doubt in my mind that the Sheriff and the deputies lost their heads. Had they been cool, calm and collected, had they looked upon the situation with care, this slaughter would never had occurred and the name of our good city would never have been besmirched as it is today.<sup>7</sup>

Underscoring this sense of injustice, a mine foreman who knew the immigrant workers expressed the view "that if the strikers in Hazleton region were of the English-speaking class there would have been no bloodshed."<sup>8</sup>

The next day, a headline in a Hazleton newspaper, *The Daily Standard*, announced to its readers: "Yesterday's Butchery — A Mob of Heartless Deputies Fire Into a Throng of Marchers and Accomplish Deadly Work."<sup>9</sup> Other regional newspapers described what happened in Lattimer in equally stark terms: *Pottsville Republican*, "Strikers Shot in Cold Blood – Horrible Scene of Carnage Near Hazleton Yesterday";<sup>10</sup> and *Wilkes-Barre Record*, "Day of Blood at Lattimer."<sup>11</sup> News reports of the Lattimer massacre quickly spread beyond the anthracite region and became a national story with similar headlines appearing in numerous major metropolitan newspapers such as: *The New York Tribune*, "Strikers March to Death – Shot Down by Deputies";<sup>12</sup> *Detroit Free Press*, "Laid Low By Bullets, the Men Fell Like Sheep Before the Murderous Winchesters of the Officials";<sup>13</sup> *Washington Post*, "Shot by Deputies – Murderous Volley Fired Into a Mob of Striking Miners";<sup>14</sup> *Boston Daily Globe*, "Dead in Heaps, Deputies Fire on Miners at Lattimer, Penn., Men Were Huddled Closely and Slaughter was Terrific";<sup>15</sup> *St. Louis Post Dispatch*, "The Killing of Miners at Lattimer was Butchery";<sup>16</sup> and *Pittsburgh Dispatch*, "Homestead Battle Thrown in the Shade."<sup>17</sup>

Newspaper reporters rushed to Hazleton to learn more details about Lattimer and to describe the public mood. Within this context of national attention and the presence of hundreds of troops, three large indignation meetings, consisting of extensive representations from the immigrant community, occurred on Saturday evening to protest the

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<sup>6</sup> "Report of Adjutant General," 11 January 1898, in *Commonwealth of Pennsylvania, 1897, Official Documents. Comprising the Departments and Other Reports, Made to the Governor, Senate and House of Representatives of Pennsylvania* (Harrisburg, 1899), Vol. III, 121-126.

<sup>7</sup> *The New York World*, 13 September 1897.

<sup>8</sup> *New York Journal and Advertiser*, 12 September 1897.

<sup>9</sup> *The Daily Standard*, 11 September 1897.

<sup>10</sup> *Pottsville Republican*, 11 September 1897.

<sup>11</sup> *Wilkes-Barre Record*, 11 September 1897.

<sup>12</sup> *The New York Tribune*, 11 September 1897.

<sup>13</sup> *Detroit Free Press*, 11 September 1897.

<sup>14</sup> *Washington Post*, 11 September 1897.

<sup>15</sup> *Boston Daily Globe*, 11 September 1897.

<sup>16</sup> *St. Louis Post Dispatch*, 11 September 1897.

<sup>17</sup> *Pittsburgh Dispatch*, 11 September 1897.

Lattimer massacre. At Harwood, a small coal-mining village a few miles southwest of Hazleton where the doomed march began, some one thousand people gathered to register their protest in a number of resolutions regarding what had occurred the day before. They extended sympathy to the victims of the Lattimer shooting — many had been their neighbors — and spoke of being economically oppressed by the Pardee Coal Company.<sup>18</sup> In recounting the ill-fated march to Lattimer they declared:

We assembled together peacefully and to seek redress for our grievances. Not one man amongst us was armed. Our mission was not to take human life nor destroy property, but to go and meet our fellow employees of the same company at Lattimer, who were in sympathy with us. We were opposed on the public highway and without provocation were shot down like dogs. That we look upon such shooting as unprovoked and uncalled for, and that if such slaughter is not murder in law it surely must be before High Heaven.<sup>19</sup>

A second meeting in Hazle Township, just south of Hazleton, characterized the shooting at Lattimer as: “A great calamity which will go down in history as the greatest crime of the Christian era, has befallen this peaceful community.”<sup>20</sup> Resolutions adopted were similar to those passed in Harwood but made some additional demands. The people insisted that James Martin resign as sheriff and urged that the district attorney of Luzerne County prosecute those responsible for the shooting to the fullest extent of the law.

At Hazleton, the largest of the three meetings that evening, five thousand attended, more than twice as many as the previous evening. Father Richard C. Aust, priest of St. Stanislaus Polish Catholic Church, and other area clergymen, primarily representing Catholic parishes of eastern Europeans, organized the meeting. The major speaker was John Shea, a young attorney from Wilkes-Barre, who declared:

Pulaski, a noble man of your birth, fought for our independence in 1776, he died in the service and his name is recorded in the history of your nation. Yet a lot of cowards, led by a cowardly sheriff deliberately shot into the offspring of a nation who sent one of her best sons to our clime to fight for you and I. The idea of human blood desecrated and spilled like milk by a lot of cowards and loafers.<sup>21</sup>

Other speakers at the Hazleton rally included various churchmen, John Fahy, two Hazleton businessmen, John Nemeth and Matthew Long, all who stressed the importance of maintaining the peace and avoiding illegal and disorderly acts. Nemeth, a Hungarian native, implored the crowd that for its best interests it was essential to do the following: “Keep quiet, say nothing to anyone to provoke their anger, use no bad or denunciatory language; go home and stay there, go to work or stay away as you deem it wise; follow these rules and you will win your cause.”<sup>22</sup> Aust reminded the audience to use their influence to keep the community on their side. The hope was that there would be no incidents, which the coal operators and the sheriff could cite, claiming that the immigrant strikers were inclined to disruptive and riotous behavior. There was the fear that the sense of anger and frustration felt by so many could easily cause more violence. Any illegal acts by the strikers would diminish community sympathy, undermine their cause, and lessen the feelings of indignation against Sheriff Martin and his deputies. Another

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<sup>18</sup> *Scranton Times*, 13 September 1897.

<sup>19</sup> *Ibid.*

<sup>20</sup> *The Daily Standard*, 13 September 1897.

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*

clergyman, Father Stas, exhorted the crowd by declaring: “We were not born in this country but we can be as good a citizen as the next one.”<sup>23</sup>

*The Catholic Standard and Times*, the newspaper of the Archdiocese of Philadelphia, credited the priests for their work in preventing an emotionally charged situation from erupting into chaos. “We cannot but believe much more serious consequences might have followed were it not for the exertions of the priests of foreign nationality who were fortunately on the spot. Their efforts were immediately directed to the task of allaying the passion and excitement of their countrymen, and, all things considered, they were wonderfully successful.”<sup>24</sup>

Fahy, as a labor leader, had first hand experience in working with the mine workers who felt exploited and manipulated. He empathized with them about their bitter feelings of frustration, and understood their sense of outrage against the coal operators and law officers. It would have been easy to inflame those passions which could have, in turn, led to violence and turmoil. Having this awareness, Fahy became one of the important proponents advocating restraint and non-violent behavior.<sup>25</sup>

The speakers at the Hazleton rally not only urged moderation and calm but also emphasized that the deadly deeds of the law officers would not go unnoticed and that justice would be done.<sup>26</sup> They reminded the listeners that there were legal remedies to punish those who had committed wanton murder. Attorney Shea said, “The courts are open to you whether you can speak English or not, whether rich or poor.”<sup>27</sup> The speeches expressed a confidence that the law officers would be held accountable for their actions.

As was the case in other indignation meetings, a committee presented resolutions that the audience readily adopted. They condemned the actions of the law officers as “unwarranted and nothing less than wholesale murder,” urged their prosecution, and stated that the imposition of martial law by the national guard was unnecessary since its main purpose was simply to prevent deputies from being arrested. Of all the resolutions adopted, the most important one called for the establishment of a committee to raise money to help prosecute the law officers.<sup>28</sup>

These large public meetings and their resolutions within two days of the shooting sent an important signal that what happened at Lattimer was so indefensible that it could not be ignored. To the immigrant community it gave a feeling of hope that justice would prevail and the law officers would be held accountable. The demand to prosecute became the impetus for a meeting held five days later in Matthew Long's office that led to the establishment of the National Prosecuting and Charity Committee of the Lattimer Victims (NPCCLV). Elected as president of the NPCCLV was Father Aust, and John Nemeth became its treasurer; four of its thirteen members were clergymen.<sup>29</sup> The immigrant community did not erupt in violence following the Lattimer shooting. Listening to the advice of their leaders, they adhered to a policy of restraint and non-violence, remained clam, and looked to the

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<sup>23</sup> *Ibid.*

<sup>24</sup> *The Catholic Standard and Times* (Philadelphia), 18 September 1897.

<sup>25</sup> *Ibid.*, 17 September 1897.

<sup>26</sup> *Hazleton Plain Speaker*, 23 September 1897.

<sup>27</sup> *The Daily Standard*, 13 September 1897. Even within the English-speaking population, Rev. J. B. Waines of the Hazleton English Lutheran Church emphasized a reliance on the court system in a sermon to his congregation. “Rigid investigation there will be by the civil authorities created and sanctioned by law. In due time and by due process the awful responsibility will be fixed.” The minister further asserted that a “righteous law will award a righteous penalty.” *New York Journal and Advertiser*, 13 September 1897.

<sup>28</sup> *The Daily Standard*, 13 September 1897.

<sup>29</sup> *Ibid.*, 17 September 1897.

judicial system to provide a legal redress to the misuse of police power. The quick arrival of national guard troops in the area was also an additional factor in preventing a breakdown of law and order. However, their role was made much less difficult because the attitudes of the leaders who called for moderation and non-violence, and instilled a belief that the justice would prevail.

The NPCCLV helped to nurture that idea. It became the principal advocate and champion of the Slavic American community. Its role was twofold: prosecute Sheriff Martin and his deputies for killing and wounding the strikers, and raise funds to support the families of the men who were killed or wounded. Aust took a very important and active leadership role in promoting the work of the NPCCLV. He undoubtedly, felt a special obligation, since nine of the nineteen killed at Lattimer were members of his parish. For example, the day after the shooting, Aust sent a telegram to the Polish National Alliance Convention meeting in Philadelphia informing them of the Lattimer tragedy.<sup>30</sup> In response, the convention denounced what happened, describing the strikers as cattle, that could be killed with impunity. It then voted to set aside one thousand dollars to help prosecute Martin and his men.<sup>31</sup> Within a week, Aust organized a meeting of the Slavonic clergymen in the Wilkes-Barre area to secure their aid in raising funds to support the NPCCLV.<sup>32</sup>

One of its first acts was to issue a formal call for public support of the Lattimer victims on September 24. The document had a lengthy title: "A call to the friends and others of the down trodden oppressed. To all who demand justice; who love liberty and who are patriots and wish to assist their brethren."<sup>33</sup> As expected, it contained a very critical account of the law officers' conduct, asserted there was no riot by the strikers, and labeled the sheriff and his deputies as tools of the corporations who acted "like hounds, eager for the scent . . . ready to do their master's bidding."<sup>34</sup> The call characterized labor conditions as worse than in Siberia. It went on to state: "This country's Declaration of Independence affirms that 'all men are created free and equal.' But these deputies seemed to feel that the life of a 'foreigner' was no more precious than that of a slave."<sup>35</sup> Couched in patriotic terms, there was an urgent appeal for funds to provide assistance to the families of the injured and the dead and to retain attorneys to aid in the legal proceedings against Sheriff Martin and his deputies.

The NPCCLV spearheaded the efforts to raise funds. To gain the needed support, this advocate for the "powerless" had to mobilize members of the American Slavic community, Slovaks and Poles. As these groups learned about the Lattimer tragedy, feelings of outrage and consternation emerged. Grief over Lattimer became a rallying point, a closing of ranks, a unity that submerged many factional differences. A sense of corporate pain over the terrible act of inhumanity at Lattimer, which many felt was nothing more than "official murder," aided the

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<sup>30</sup> *Philadelphia Inquirer*, 16 September 1897.

<sup>31</sup> *Zgoda* (Chicago), 16 September 1897.

<sup>32</sup> *Pottsville Republican*, 18 September 1897. When Father Aust died in 1913, the local newspaper wrote: "It is no idle boast when we say that of all the priests of the foreign congregation none was more beloved than he." (*The Daily Standard*, 24 September 1913.) At the same time John Mitchell, former President of the United Mine Workers of America, sent a telegram stating: "In the death of Rev. Father Aust, the miners of Pennsylvania have lost a valuable friend and the community of Hazleton a good citizen." (*The Daily Standard*, 27 September 1913.)

<sup>33</sup> *The Daily Standard*, 24 September 1897.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

NPCCLV in helping the victims' families.<sup>36</sup> This feeling of anger existed not only in the Hazleton area and throughout the anthracite region, but also in distant metropolitan centers like Chicago and New York. Within two and one-half weeks the coal mining towns of Shenandoah, Shamokin, Nanticoke, Mt. Carmel, Plymouth, Scranton, Wilkes-Barre, Duryea, Edwardsville, and Pittston all had meetings protesting what occurred at Lattimer.<sup>37</sup> These rallies generated support for the victims and their families and urged the prosecution of the law officers for murder. Those attended were primarily people of an eastern European heritage, usually with clergymen, particularly Catholic priests, as active participants, and organized either by the leadership in ethnic fraternal organizations, unions, or the Socialist party.

In many parts of the country, various indignation meetings, ethnic newspapers, fraternal organizations, and parishes initiated fund-raising drives. Newspapers published accounts of these efforts to solicit money and carried advertisements of meetings to raise money. *Amerikánsko Slovenské noviny*, a Slavic newspaper in Pittsburgh, ran an announcement of a special music program that would be held in Allegheny City to collect money to relieve the misery of the ill-fated survivors.<sup>38</sup> A month after the NPCCLV began its work, John Nemeth wrote a letter to *Slovak V Amerike*, another Slavic newspaper, urging gifts of money on behalf of the widows, orphans, and the wounded victims of the shooting.<sup>39</sup> A public rally of Slovaks and Poles in New York on September 15 call attention to the Lattimer massacre and demonstrated their support for the victims. One of the resolutions declared: "We further resolve that to the full extent of our ability and means we will morally and materially offer our assistance to the unfortunately bereaved and we will exert all our power and prestige to have blood-thirsty criminals bear the just punishment which their conduct deserves."<sup>40</sup> There was pressure from the American Slavic community on the Austro-Hungarian government to do something. The Polish National Alliance, meeting in convention at Philadelphia, passed a resolution saying in part that at Lattimer . . .

a large number of miners in the Hazleton district have been attacked, killed and wounded by armed deputy Sheriffs, . . . who at the time of the attack were peacefully marching, and were not engaged in any unlawful or riotous pursuit, . . . we condemn the hasty action of Sheriff James Martin, of Luzerne County, and his deputies, and their murderous attack perpetrated upon a public highway without justification or excuse.<sup>41</sup>

John Spivak, Grand Secretary, First Catholic Slovak Union of America, said: "The slaughter near Hazleton was such a cruel and cowardly act that it fills every honest and decent citizen of this country with horror."<sup>42</sup> In Chicago, the Austro-Hungarian nationals expressed their indignation two days after the Lattimer massacred.<sup>43</sup>

In nearly a year's time, from 11 September 1897 to 30 August 1898, the NPCCLV collected \$9,167.27.<sup>44</sup> William Bourke Cochran, former Democratic United States Representative from New York City, sent a gift of one

<sup>36</sup> Konstantin Culen, "The Lattimer Massacre," *Slovakia*, XXVII (1977), 45-46; Konstantin Culen, *History of the Slovaks in America* (Bratislava, 1942), Vol. 1, Part XI, 162-176. Translated by Sister M. Martina Tybor, SS.C.M.

<sup>37</sup> *Chicago Tribune*, 13 September 1897; *The New York World*, 14 September 1897; *The New York Tribune*, 17 September 1897; *The New York Times*, 19 September 1897; *Scranton Times*, 13, 15 & 20 September 1897; *Pottsville Republican*, 13 September 1897; and *Wilkes-Barre Record*, 17, 18, 20, 23, 25, & 28 September 1897.

<sup>38</sup> *Amerikánsko Slovenské noviny* (Pittsburgh), 16 November 1897.

<sup>39</sup> *Slovak V Amerike* (New York), 14 October 1897.

<sup>40</sup> *Ibid.*, 23 September 1897.

<sup>41</sup> *Philadelphia Inquirer*, 12 September 1897 and *Zgoda*, 16 September 1897.

<sup>42</sup> *The New York World*, 14 September 1897.

<sup>43</sup> *The New York Times*, 12 September 1897.

hundred dollars, and in a letter to Aust he wrote: "A community which would allow such a destruction of life to go unpunished could not be considered civilized."<sup>45</sup> There were 534 contributions amounting to \$4,355.60 for charity relief and \$4,811.67 for prosecution purposes, a division of 47.5 per cent and 52.5 per cent respectively. More than half of the money raised, 53.5 percent came from contributors outside of Pennsylvania with fifty-six percent of this money designated to help the victims and their families. Funds raised in Pennsylvania had a different pattern: thirty-eight per cent for charity and sixty-two per cent for prosecution. Donations from Hazleton and the immediate surrounding area amounted to \$1,023.64, or only eleven per cent of the total amount raised. Of this sum, forty-five per cent went to the charity fund and the remaining fifty-five percent to the prosecution effort. The vast majority of donors from the Hazleton region came from the eastern European community. Ninety-one per cent of the money received came from the Slavic American community. United Italian Societies of Patterson, New Jersey, also contributed. The Polish National Alliances gave \$500, half of what it had earlier promised,<sup>46</sup> and the Greek Catholic Union of Shenandoah provided \$200; these gifts supported the prosecution effort. In addition to the money received by the NPCCLV, officials of Pensylvanska Slovenska Rhnsko and Greeko Kat. Jeduota, collectively gave \$500 directly to defray the expenses of attorneys assisting in prosecuting the law officers.

The records of NPCCLV revealed that organized labor's monetary support was substantially less than its public pledges of support. Unions gave only \$391 or a little more than four per cent of the total amount raised by the NPCCLV, with nearly all going to charity. Labor's largest donation, \$200, came from the United Mine Workers of America sub-district around Hazleton. The remaining amount, \$191, came from six unions outside the Hazleton area: Textile Silk Workers' Union of Hoboken, New Jersey, United Labor League of Philadelphia, Building Trade Union of New York, United Hebrew Trades of Philadelphia, and Shirtmakers' Union of Philadelphia, and Shirtironers' Union of New York.<sup>47</sup>

The Lattimer massacre was a major topic in the ethnic press of the eastern European immigrants. *Straz*, a Polish newspaper published in Scranton, wrote: "The feelings of the masses are hurt to such a degree that it is impossible to carry on their daily routine and business the way it happens after any sensational murder."<sup>48</sup> It described some of the emotions of the working class in the Hazleton area as those of anger, fear, and helplessness. Using a phrase from Lincoln's Gettysburg Address, *Straz* expressed a hope for those who died at Lattimer: "May their death not be in vain, may they become the patron saints of the working people in America."<sup>49</sup> *Svoboda*, another Slavic newspaper published in Mt. Carmel, expressed the viewpoint that nativist sentiments were a major factor in the shooting. "Knowing with what hatred is breathing every capricious American against any Slavonic man, who comes under general classification as 'Hungarian,' it can be said with certainty, that the sheriff ordered to

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<sup>44</sup> *Report of the National Prosecuting and Charity Committee of the Lattimer* (Freeland: Slov. Pravada, 1899), 1 & 15.

<sup>45</sup> *Scranton Times*, 7 March 1898.

<sup>46</sup> *Zgoda*, 16 September 1897.

<sup>47</sup> *Report of the National Prosecuting and Charity Committee of the Lattimer*, 4, 5 & 15. A few days after the Lattimer shooting, Peter J. McGuire, Secretary General of the United Brotherhood of Carpenters and Joiners, declared his union would give \$500 to help prosecute the sheriff. The A. F. of L. Executive Council had promised to raise funds for prosecution. Committee records do not reveal any contributions from these two organizations. *Wilkes-Barre Record*, 14 September 1897 and *Washington Post*, 24 September 1897.

<sup>48</sup> *Straz* (Scranton), 18 September 1897.

<sup>49</sup> *Straz*, 25 September 1897.



shoot toward hated Hungarians at the first little resistance on the part of the workers.”<sup>50</sup> In the Slovak papers there were outcries of anger, calling September 10 a day of infamy. The headline in Pittsburgh’s *Amerikánsko-Slovenské noviny* declared: “Massacre of Slavs—in the Freest Country Under the Sun—People are Shot at like Dogs—Slavs are the Victims of American Savagery.”<sup>51</sup> The editor, Pucher Ciernovodsky, wrote:

The mountainsides of Hazleton are drenched with Slovak blood, and pitiable orphans and widows, fathers and mothers, brothers and friends raise eyes brimming with bitter tears to heaven pleading, O God, is there justice in this life? If there is justice on this earth of ours, did our blood truly deserve this spilling? Who in this world is committed to greater drudgery than we? Who in this world is engaged in a work that is more dangerous than ours?<sup>52</sup>

The NPCCLV was not the only supporter of the Lattimer victims. The Austro-Hungarian government took an active role in championing their cause. When Alfred J. Ostheimer, the Austro-Hungarian Consul at Philadelphia, learned of the incident, he dispatched his secretary, D. Thodorovich, to the scene on September 11 to undertake an investigation.<sup>53</sup> His main purpose was to secure firsthand information on what happened at Lattimer so that his government would be well informed. Ostheimer instructed Thodorovich to be diligent in collecting “. . . all the evidence we can possibly get to make our case as strong as possible, and I sincerely trust that you will succeed in getting it.”<sup>54</sup> Arriving in Hazleton, he contacted leaders of the Slavic community to aid him in his inquiry; John Nemeth assisted him in locating and interviewing eyewitnesses to the shooting. After spending a week in the area, he specifically identified ten of the nineteen killed and eleven of the thirty-eight wounded as Austrian and Hungarian citizens. He secured twelve affidavits, nine who were in the march, and three from individuals who observed the confrontation between the law officers and the strikers.<sup>55</sup> Later, an American government official concluded that in most instances the Lattimer casualties were primarily of Hungarian or Polish origin and were Austro-Hungarian subjects.<sup>56</sup>

Speculation began to grow that the Austro-Hungarian government would lodge a diplomatic protest with the United States government and seek an indemnity for the law officers’ attack on its citizens.<sup>57</sup> There were calls from the American-Slavic groups for the Austro-Hungarian government to seek redress for the injustice done at Lattimer. A group of Austrian-Polish citizens in Chicago sent a message to the Premier, Count Badent, and Minister of Foreign Affairs, Goluchowski, appealing to the Austro-Hungarian government “to institute proceedings to secure reparations to bereaved families and punishment of perpetrators of outrage.”<sup>58</sup> In New York, Emil Nyitray,

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<sup>50</sup> *Svoboda* (Mt. Carmel, Pennsylvania), 16 September 1897.

<sup>51</sup> *Amerikánsko Slovenské noviny*, 16 September 1897.

<sup>52</sup> *Ibid.*

<sup>53</sup> *Wilkes-Barre Leader*, 11 September 1897.

<sup>54</sup> *The Wilkes-Barre Record*, 16 September 1897.

<sup>55</sup> *Philadelphia Inquirer*, 13 September 1897. Hengelmüller, Austro-Hungarian Minister to the United States, to John Sherman, Secretary of State, 28 September 1897, in *Papers Relating to the Foreign Relations of the United States*, 46-56.

<sup>56</sup> Henry M. Hoyt, Assistant Attorney General, to William H. Day, Secretary of State, 19 April 1898, *Ibid.*, 101.

<sup>57</sup> *The New York World*, 13 September 1897; *Wilkes-Barre Record*, 15 September 1897; *Philadelphia Evening Bulletin*, 13 September 1897; *The Record of the Times* (Wilkes-Barre), 17 September 1897; and *L’Italia* (Chicago), 18 September 1897.

<sup>58</sup> *The New York Times*, 12 September 1897.

President of the Hungarian Reformed Church, advocated the following: “The representative of the Austro-Hungarian government should certainly see to it that the families of those killed and disabled get damages.”<sup>59</sup>

Within two weeks, Thodorovich submitted his report, which became the basis of a formal diplomatic note from the Austro-Hungarian government to the United States expressing deep concern over the killing and wounding of its nationals at Lattimer. In registering his government's distress, Minister Ladislaus Hengelmüller stated that his country . . .

can not avoid the impression that its subjects suffered death or wounds, not in consequence of unlawful resistance to the constituted authorities, and therefore not through their fault or owing to an unfortunate accident, but through an unjustifiable, illegal, and, as it appears, improper use of official authority of the sheriff, consequently of a responsible representative of the authority of the State.<sup>60</sup>

He requested that the American government make an investigation of the facts surrounding the Lattimer shooting and inform him as soon as possible of its findings. The message concluded by declaring that the Austro-Hungarian government reserved the right to seek an appropriate indemnity for its subjects who were killed or injured at Lattimer and for their surviving relatives. Two weeks later, Secretary of State John Sherman sent a short note pledging to give the matter careful attention.<sup>61</sup>

To the Austro-Hungarian government and the NPCCLV the key issue was whether or not Sheriff Martin and his deputies would be brought before a court of law to answer for their actions at Lattimer. As advocates for the immigrants, they believed it was essential to prosecute the law officers, and failure to do so would be a miscarriage of the legal system. General Gobin, who commanded the national guard troops at Hazleton, initially blocked the demand for their arrest and steadfastly refused on the grounds that he lacked the authority to arrest them. He maintained that his presence at Hazleton was due to Sheriff Martin's request for assistance in maintaining order, and he was under his authority.<sup>62</sup> However, with mounting community pressure, specifically from the NPCCLV, Judges L. H. Bennett and John Lynch of the Court of Oyer and Terminer in Luzerne County, sitting as justices of peace, decided to issue arrest warrants for the sheriff and his deputies on September 20. The charge was that they “feloniously, willfully, and of their own malice” killed and murdered those who died at Lattimer on September 10 when law officers shot into the group of marchers on a public highway<sup>63</sup>. Two days later after a preliminary hearing, they were arraigned to stand trial with bail set at \$6,000 for each defendant. The City Trust, Safe Deposit and Surety Company of Philadelphia provided the bail money, \$438,000, for the seventy-three indicted law officers.<sup>64</sup> Shortly afterwards, the coroner's jury investigating the circumstances surrounding the deaths at Lattimer concluded by a vote of four to two that “. . . the killing was unnecessary and could have been avoided without serious injury to either person or property, and we find finally that the killing was wanton and unjustifiable.”<sup>65</sup> The

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<sup>59</sup> *The New York World*, 14 September 1897.

<sup>60</sup> Hengelmüller to Sherman, 28 September 1897, *Papers Relating to the Foreign Relations of the United States*, 47.

<sup>61</sup> Sherman to Hengelmüller, 9 October 1897, *Papers Relating to the Foreign Relations of the United States*, 56.

<sup>62</sup> *Philadelphia Inquirer*, 14 September 1897.

<sup>63</sup> *Pottsville Republican*, 21 September 1897.

<sup>64</sup> *Wilkes-Barre Record*, 23 September 1897.

<sup>65</sup> *The Daily Standard*, 27 September 1897.

Luzerne County grand jury on October 28 upheld the decision of Judges Bennett and Lynch to arraign the law officers on the charge of murder and sent the case to criminal court<sup>66</sup>

The trial began on 1 February 1898 in the Luzerne County Courthouse, Wilkes-Barre. A local newspaper reported:

The momentous trial is on, the trial which is to decide so many interesting questions, national and international, - which is to decide whether or not a body of strikers may have the right of way on a public highway, - which is to decide whether or not indemnity shall be paid to the foreign governments for the killing of certain of their citizens resident in this country, - which is to decide whether or not the sheriff of Luzerne County and his posse are guilty of murder and felonious wounding.<sup>67</sup>

The NPCCLV took an active role in aiding the prosecution by hiring three lawyers, James Scarlet, John McGahren and John Garman, to assist the District Attorney James Martin. In addition, it paid the costs for transporting witnesses from the Hazleton area to testify for the state. The State Department saw the trial as crucial in addressing the Austro-Hungarian diplomatic protest and its request for an indemnity over the wounding and killing of its nationals. If the verdict exonerated the law officers, the government had a strong case to reject the Austro-Hungarian demand. State Department appointed Assistant Attorney General, Henry Hoyt, the son of former Pennsylvania Governor, Henry Martin Hoyt, and a native of Wilkes-Barre, to observe the trial and prepare a report evaluating its outcome. The Austro-Hungarian government decided it was essential to have its own representative at the trial and sent attorney Robert D. Coxe of Philadelphia to report on its proceedings. The fact that both countries sent representatives to the Luzerne County court dramatized the importance placed upon the outcome of the trial.

The prosecution selected as a test case the death of one of the strikers, Mike Cheslak. The trial lasting for five and a half weeks heard testimony from nearly two hundred witnesses. The central legal issue in the case was whether or not there existed in the Hazleton area, due to the actions of the strikers, a riotous condition. The prosecution argued the strikers, who were peacefully using a public highway, posed no threat to public order and safety. The alleged threat of a riot in the Hazleton area did not warrant the legal establishment of a *posse comitatus*, and, therefore, its existence was illegal. The prosecution further maintained that this illegitimate body then acted in an unjustifiable and unnecessary manner and, consequently, committed a criminal act of murder.

The defense argued that the conditions justified calling out the *posse comitatus*. This was its key point. The trial judge, Stanley Woodward, in instructing the jury, drew attention to the disputed testimony on this issue and declared that it would have to decide if riotous conditions existed. He also stated:

[If] it was the right of the sheriff to command the crowd to disperse, then it was the duty of the crowd to obey his command. The right to give the order implies the duty of obedience to the order, and disobedience of it is evidence of a riotous purpose. If I push on when the sheriff orders me to stop I do so at my own peril.<sup>68</sup>

The jury returned a verdict of “not guilty” on March 9.<sup>69</sup> In reaching its decision, the members of the jury agreed with the defense that a riotous condition did in fact exist. With that issue settled, the jury concluded that the

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<sup>66</sup> *Ibid.*, 29 October 1897.

<sup>67</sup> *The Record of the Times* (Wilkes-Barre), 4 February 1898.

<sup>68</sup> George B. Kulp, ed., *Luzerne Legal Register Reports*, Vol. 9 (Wilkes-Barre: E. B. Yordy and Company, 1900), 77-78.

<sup>69</sup> *The Record of the Times*, 11 March 1898.

actions of the deputies that resulted in the killing and wounding of some of the strikers were free from malicious intent. Henry Hoyt, without reservations, in evaluating the trial wrote:

There is no question in my mind that the court ruled fairly as to the admission of evidence and upon the various points arising throughout the trial, nor can it be denied, I think, that the charge of the court was full, fair, and sound, and stated the law as settled by the course of Anglo-Saxon jurisprudence for several hundred years, under statutory as well as under common law, correctly and without failing to do entire justice to the respective contentions of the prosecution and the defense.<sup>70</sup>

Feeling that the case was fairly tried and a just verdict delivered, he rejected the idea that those who were wounded and the families of those killed should be entitled to any indemnity. It was Hoyt's contention that the strike leaders purposely sought to provoke disorder and to encourage hostility to the more prosperous classes and the interests of capital.<sup>71</sup> This led him to conclude that the conflict at Lattimer was unavoidable as long as the sheriff and his posse were determined to preserve civil order and respect to the law. Hoyt said "that under all the circumstances the action of the sheriff and the posse, although fatal and lamentable in its result, was clearly justifiable."<sup>72</sup>

The State Department accepted Hoyt's assessment of the trial and his recommendations regarding the indemnity issue. In mid-April, Secretary of State William Day sent Hoyt's report to Hengelmüller and declared that there was no basis for the American government to honor any claims of indemnity. As expected, the Austro-Hungarian government completely rejected the report, maintaining negotiations rather than the outcome of a trial should decide the issue of indemnity.<sup>73</sup> To underscore his government's position, he cited the report prepared by the legation's counsel, Robert D. Coxe, who observed the trial.

The Coxe report was unequivocal in asserting that "the trial resulted in a miscarriage of justice"<sup>74</sup> and "in the absence of any defense, it would unquestionably have been the duty of the jury to have convicted the defendants . . . to have supported a claim for compensation on behalf of the victims of the Lattimer shootings September 10, 1897, and their representatives."<sup>75</sup> In assessing the trial, he argued that the jury was neither impartial nor truly representative of the community. Coxe disputed the contention that the Hazleton area was in a state of public disorder or the threat of riotous conditions existed and claimed the major reason for organizing a *posse comitatus* was simply to serve the interests of the coal operators in order to break the strike. He was convinced that the deputies were victims of panic and had no justification for shooting the strikers.

The unsuccessful efforts to convict the law officers appeared to be anticipated by the editor of *Slovak V. Amerike* a week before the trial ended. He hoped the verdict would reflect justice and not absolve them of any criminal conduct.

If the jury has less good sense than to see the chicanery behind all this false testimony, secured at a costly price, then the murderers will all go free, and truth will be humbled

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<sup>70</sup> Henry Hoyt, Assistant Attorney-General of the United States, to William Day, Secretary of State, 8 April 1898, *Papers Relating to the Foreign Relations of the United States*, 87. Governor Henry Martin Hoyt appointed Stanley Woodward judge for the Luzerne County Court in 1879. H. C. Bradsby, ed., *History of Luzerne County, Pennsylvania. with Biographical Selections* (Chicago, 1893), 1482.

<sup>71</sup> Hoyt to Day, 19 April 1898, *Papers Relating to the Foreign Relations of the United States*, 102.

<sup>72</sup> Hoyt to Day, 18 April 1898, *Papers Relating to Foreign Relations of the United States*, 87.

<sup>73</sup> Hengelmüller to Day, 26 April 1898, *Papers Relating to Foreign Relations of the United States*, 110.

<sup>74</sup> Robert D. Coxe, Counsel for the Imperial and Royal Austro-Hungarian Government, to Department of State, 20 June 1898, *Papers Relating to Foreign Relations of the United States*, 144.

<sup>75</sup> *Ibid.*, 117.

again and the whole world will see that even in this free country of America the poor cannot be assured of the shield of truth.<sup>76</sup>

At the outset of the trial, there were expressions of doubt in the Slavic community that Sheriff Martin and his deputies would be convicted. In *Slovak V Amerike* an editorial suggested that the sheriff and deputies would get a “velvet-gloved” acquittal or, if found guilty, they would most likely receive an easy sentence. The reason for this attitude, according to the writer, stemmed from a feeling that there was “much public sentiment against the ‘Hungarian’ element.”<sup>77</sup> It was readily acknowledged that nativist sentiments against the Slavic community were widely held in the anthracite region. At the time of the trial it was reported: “No man can be found in Wilkes-Barre who will speak a good word for them.”<sup>78</sup> The fear of bigotry prompted this concern about the jurors: “Are their hearts filled with rank nativism and malicious ill-will against foreigners? If they are bigoted nativists, it is vain to expect a fair sentence.”<sup>79</sup> The question seemed pertinent to the ethnic community when the members of the jury were selected: men of English heritage, none employed in mining, none from the Hazleton area.<sup>80</sup>

These concerns over nativist sentiments were legitimate. John T. Lenahan, one of the defense attorneys, played the “race card” early in his remarks at the start of the trial. “The history of the Hun and Slav in the old country is that of mischief and destruction. And they marched under Attila ruthlessly over Europe. No home was too sacred or virgin too pure for their assault.”<sup>81</sup> Henry W. Palmer, another attorney for the defense attacked the integrity of the NPCCLV and criticized Father Richard C. Aust and Rev. Karl Hauser: “Servants of the Prince of Peace, who have doffed the sacred vestments of their holy office – forgotten the injunction of the Divine Master that ‘vengeance is mine’ and taken in their hands the sword of vengeance.”<sup>82</sup>

News of the acquittal shattered the Slavic American community’s hopes for a judicial redress for the actions of Sheriff Martin and his deputies at Lattimer. The opening sentence of *Amerikánsko Slovenské noviny*’s editorial captured their sense of despair: “They will kill, they will shoot, and grant you no mourning or tears of relief. And somehow they will make it all come out within the limits of the law.”<sup>83</sup> In the committee’s final report, Aust wrote:

The fight was made and unluckily lost, the case and the whole proceeding in the case will go down to future, in the unwritten history of suffering manhood, as another instance where, at least in the eyes of the laymen, if not professional lawyers, capital and influence, and not true justice won the day. May God be the father and protector of the poor unfortunate ones; may He be the avenger of the unfortunate victims.<sup>84</sup>

In Hazleton, as well as in other parts of the country, there was a deep concern over the tragedy that occurred at Lattimer, especially within the immigrant population. It is important to note that violence, which took so many lives and injured even more, was not followed by more violence. The answer lies in part to the important role that leaders exercised; they were a moderating influence against any illegal or provocative actions that could have caused more violence. The immigrant community basically adhered to the advice of its leaders. The NPCCLV nurtured a

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<sup>76</sup> *Slovak V Amerike*, 3 March 1898.

<sup>77</sup> *Slovak V Amerike*, 3, February 1898.

<sup>78</sup> *The New York World*, 13 February 1898.

<sup>79</sup> Culen, “The Lattimer Massacre,” 53.

<sup>80</sup> *The Record of the Times*, 4 February 1898.

<sup>81</sup> Henry W. Palmer, *Fifty Years at the Bar and in Politics* (Williamsport: Snyder & Bischof, 1913), 118.

<sup>82</sup> *Ibid.*, 130.

<sup>83</sup> Culen, “The Lattimer Massacre,” 57.

<sup>84</sup> *Report of the National Prosecuting and Charity Committee of the Lattimer Victims*, 1.

belief that justice would prevail over what was seen as a gross act of injustice. It proved to be a valuable organization in seeking a judicial remedy to the resentment over the actions of Sheriff Martin and his deputies. The NPCCLV also administered to the needs of those who were made destitute by the Lattimer shooting. Its charity work provided financial assistance to support fifty-nine adults and thirty-eight children for seventeen months until its funds were exhausted.<sup>85</sup> For the eastern European immigrant community that suffered the sorrow of Lattimer, the NPCCLV was a wellspring of hope.

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<sup>85</sup> *Ibid.*