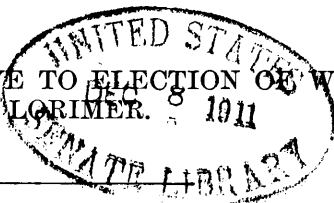


CHARGES RELATIVE TO ELECTION OF WILLIAM
LORIMER.



DECEMBER 21, 1910.—Ordered to be printed.

Mr. BURROWS, from the Committee on Privileges and Elections, submitted the following

REPORT.

[To accompany S. Res. No. 247.]

The Committee on Privileges and Elections, to whom was referred certain charges relating to the election of William Lorimer, a Senator from the State of Illinois, by the legislature of that State, have had the same under consideration, and submit the following report:

On the 7th day of June, 1910, there was referred to the Committee on Privileges and Elections a memorial signed by one Clifford W. Barnes, as president of the Legislative Voters' League, of Chicago, Ill., alleging in substance that the election of William Lorimer, a Senator from the State of Illinois, was secured by bribery. These charges are set forth at length in the proceedings of the Senate for June 7, 1910.

On the 20th day of June, 1910, the Senate adopted a resolution authorizing and directing said committee, or any subcommittee thereof, to investigate said charges. In pursuance of the authority conferred and direction given by the Senate in said resolution, a subcommittee was appointed, consisting of Mr. Burrows, chairman, Mr. Gamble, Mr. Heyburn, Mr. Bulkeley, Mr. Frazier, Mr. Paynter, and Mr. Johnston.

It was thought by the subcommittee to be advisable to make this investigation at the city of Chicago, in the State of Illinois. Accordingly the subcommittee met in that city on the 20th of September, 1910, and proceeded to execute the order of the Senate.

A large number of witnesses were examined and all the available information which, in the judgment of the subcommittee would be of any value in the investigation, was obtained and considered.

It appears from the evidence that Mr. Lorimer was elected a Senator from the State of Illinois on the 26th day of May, 1909, by a joint assembly of the two houses of the General Assembly of the State of

Illinois, receiving 108 votes out of 202 that were cast for the several candidates for that office, as follows:

Albert J. Hopkins.....	70
William Lorimer.....	108
Lawrence B. Stringer.....	24

VOTES REQUIRED TO ELECT.

The question is raised by counsel whether the language of the statute regulating the election of United States Senators requires that in order to elect a Senator the person elected must receive a majority of the votes of all the members elected to each house of the legislature, or whether it is sufficient if one person receives a majority of all the votes cast in the joint assembly, "a majority of all the members elected to both houses being present and voting." This question seems to have been decided by the Senate in the case of Lapham and Miller (Senate Election Cases, 697). In that case it was held that a majority of a quorum of each house is sufficient to elect, and in that decision the committee concur.

BRIBERY.

In a number of cases that have been before the Senate of the United States it has been held that to invalidate the election of a Senator on account of bribery it must be made to appear either—

- (1) That the person elected participated in one or more acts of bribery or attempted bribery, or sanctioned or encouraged the same; or
- (2) That by bribery or corrupt practices enough votes were obtained for him to change the result of the election.

At what was practically the outset of the investigation, counsel for the Chicago Tribune (who conducted the inquiry against Senator Lorimer) announced that he did not expect to connect Senator Lorimer with any acts of bribery, and upon this point the following took place (Record, p. 66):

Senator HEYBURN. I would suggest it might be well for you here to state what you expect to prove, in order that we may apply the law as to such proof.

Mr. AUSTRIAN. I expect to prove—

Senator BULKELEY. Do you expect to connect Mr. Lorimer with this?

Mr. AUSTRIAN. No, sir; not in that way at all.

Judge HANEY. That is, you do not intend to connect Senator Lorimer?

Mr. AUSTRIAN. I personally do not intend to connect Senator Lorimer. The statement made here by the witnesses that they had some talk with Mr. Lorimer, the committee will please understand, of course, these witnesses, I have never talked with—never talked with but two of the witnesses who will be called upon the witness stand.

Judge HANEY. You do not claim that any witness will say that he ever talked with Senator Lorimer about money?

Mr. AUSTRIAN. I know of no one.

Judge HANEY. You say, in that connection, you said that they would show that they had some conversation with Senator Lorimer?

Mr. AUSTRIAN. Oh, they had, but what that conversation was I do not know.

Judge HANEY. But not in relation to the payment of money or any corrupt practice, you do not mean?

Mr. AUSTRIAN. I should say not.

And that he did not contend that "he (Senator Lorimer) had anything to do with it." (Record, p. 80.)

It will be remembered that on the 28th of May, 1910, shortly after the charges appeared in the public press, Senator Lorimer in the open Senate denied any act of bribery on his part in connection with his election in the most emphatic terms, and demanded an investigation by presenting the following resolution (Cong. Record, vol. 45, pt. 7, p. 7020):

IN THE SENATE OF THE UNITED STATES.

MAY 28, 1910.

Mr. Lorimer submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Privileges and Elections be directed to examine the allegations recently made in the public press, charging that bribery and corruption were practiced in the election of William Lorimer to a seat in the United States Senate, and to ascertain the facts in connection with these charges, and report as early as possible; and for that purpose the committee shall have authority to send for persons and papers, to employ a stenographer and such other additional help as it shall deem necessary; and the committee is authorized to act through a subcommittee; and its expense shall be paid from the contingent fund of the Senate."

It should further be stated that there was no testimony offered during the investigation which would tend in the remotest degree to implicate Senator Lorimer in any personal act of bribery or attempted bribery or corrupt practices of any nature.

It is claimed, however, that several members of the legislature were, in fact, bribed to vote for Mr. Lorimer, and if established it remains to inquire whether a sufficient number of members of the General Assembly of the State of Illinois were bribed to vote for Senator Lorimer to render his election to that office invalid.

It was to this question that the evidence taken on the investigation was chiefly directed and the subcommittee, who made the investigation, not only heard the testimony but observed the witnesses while on the stand, their demeanor while testifying, their apparent candor or want of candor in giving their testimony, and other indicia of the truth or falsity of the story they were telling.

Four members of the general assembly which elected Mr. Lorimer testified to receiving money as a consideration for their votes. The members who thus confessed their own infamy were Charles A. White, Michael Link, H. J. C. Beckemeyer, and Daniel W. Holstlaw.

CHARLES A. WHITE.

The chief of these self-accusers and the one on whose testimony the whole fabric of the accusation largely depends was Charles A. White, a member of the lower house of the Illinois General Assembly. White seems to have developed early in his legislative career an insatiable desire to secure a pecuniary compensation for his official acts, and he also appears to have suspected his fellow members of the general assembly of being as corrupt as himself. He endeavored to induce the chairman of an important committee to defer reporting a bill in order to extort money from those who were interested in its passage. After Mr. Lorimer had been elected to the Senate, White tried to obtain information from another member of the house whether money had not been used to promote Senator Lorimer's election. This inquiry not only shows his corrupt character, but also casts suspicion upon the truth of his story that he had been bribed to vote for the successful candidate for Senator.

After wasting his salary and other means in riotous living, White appears to have conceived the plan of claiming to have been bribed in connection with the senatorial election as a basis for extorting money from Senator Lorimer. This purpose he reveals to two of his friends and then attempts to put it into execution. In this he signally fails, as appears from the following correspondence:

O'FALLON, ILL., 12-4-09.

HON. WM. H. LORIMER,
Washington, D. C.

MY DEAR SIR: I am preparing to place before the people of this country an article I have written giving my true experience as a member of the Illinois legislature. The article will appear either in book form or will be published in one of the largest magazines in the United States.

I have just completed the manuscript, which contains about 30,000 words, giving in detail my absolutely true experiences as a member of the forty-sixth general assembly. As yet I have not closed a deal with any publishing house, but when my terms are acceptable will dispose of it.

I have been offered a sum sufficient to value the manuscript at about \$2.50 per word.

Believing that you would be more than deeply interested in the works and actions of the members of the last session of the Illinois legislature, owing to the fact that possibly your experience with that general assembly will be one of the questions freely discussed, and assuring you that I have severed all connections with the party leaders, as I am to be independent in the future in all my political dealings,

I am, respectfully, yours,

CHAS. A. WHITE.

(Record, p. 125.)

To this communication Senator Lorimer replied as follows:

HON. CHARLES A. WHITE, O'Fallon, Ill.

MY DEAR SIR: I am in receipt of your letter of December 4 in which you advise me that you have manuscript ready to place with publishers treating of your experience as a member of the Illinois Legislature.

I would be very glad indeed to know of your success as an author.

With kindest personal regards, I am,

Very truly yours,

WILLIAM LORIMER.

(Record, p. 164.)

Questioned by the committee as to his purpose in writing Senator Lorimer, Mr. White testified:

Senator PAYNTER. If I understood you, Mr. White, correctly, that you hoped to get a letter from Senator Lorimer that you could use in connection with this publication?—A. Yes, sir.

Q. Well, by that, I suppose that you expected a letter from Senator Lorimer that might aid to support your charges. Is that the hope you had in the matter?—A. Yes, sir; I had no evidence against Senator Lorimer directly, and had no dealings with him.

Q. The letter recites in substance, I do not remember the exact language, that you had been made an offer or some inducement had been held out that indicated that the manuscript was worth \$2.25 a word—or \$2.50 a word, I mean. That is the language of it, "I have been offered a sum sufficient to value the manuscript at about \$2.50 per word." Suppose that Senator Lorimer had placed the same value upon the manuscript that you did, and had offered you \$75,000, would you have taken it?—A. I would have let him have the manuscript.

Q. For \$75,000. Would you have accepted \$75,000 if he had offered it to you?—A. I don't think I would; if I had I might have turned it over to somebody else.

Q. You would have turned the money over to some one else?—A. I might have done that.

(Record, p. 126.)

Thereafter, Mr. White attempted to sell his story to eastern publications and subsequently did contract to sell it to the Chicago Tribune for the sum of \$3,500, a part of White's agreement being that he would assist in substantiating the correctness of his story. This agreement was reduced to writing and is as follows:

[Exhibit 5.]

THE CHICAGO TRIBUNE, OFFICE OF PUBLISHER,
Chicago, Ill., April 29, 1910.

TO CHARLES A. WHITE:

You offered to sell to us for publication a story written by you, which story gives your experiences while a member of the house of representatives of Illinois during 1909-10, and giving also certain information as to what transpired by reason of your voting for certain measures, etc., while a member of such house.

We refused to pay you for that story or to print the same unless such story was verified and corroborated by persons selected by The Tribune.

For more than four weeks we, with your cooperation, through different agencies, have caused your story to be fully investigated.

For the sole and exclusive right hereby granted by you to the Tribune Company to publish this story, or a revision thereof or excerpts therefrom in the Chicago Tribune and copyright it either in your name or in that of the Tribune Company, but in which shall be at our election, and also in full compensation for the time already spent by you in assisting us in obtaining corroborative evidence of the facts contained in this story, and in full payment for all your time, which shall be devoted by you to further substantiate this story at any time, which time you hereby agree to devote to that purpose as and when called upon so to do, the Tribune Company hereby agrees to pay you \$3,250, of which said sum \$1,250 shall be paid upon the printing of the said story or the first installment thereof, \$1,000 thirty days after said first payment, and \$1,000 sixty days thereafter.

You reserve to yourself all book or other rights to the story other than the exclusive newspaper rights hereinbefore referred to, which belong under the terms hereof to the Tribune Company.

J. KEELEY,
Vice-President Tribune Company.

CHICAGO, ILL., April —, 1910.

TO THE CHICAGO TRIBUNE, AND THE TRIBUNE COMPANY.

GENTLEMEN: I have read the above and foregoing and agree to the terms thereof, and to accept the sums of money as therein set forth, and I further agree to devote my time and services to substantiate the story referred to as and when requested by you so to do and in such manner as you may direct.

CHAS. A. WHITE.

(Record, p. 104.)

White's account of the alleged bribery of himself is given circumstantially and in detail, but in this he has been shown to have falsified in several important particulars concerning which he could not have been mistaken had his narrative been true. Among other things he stated that Browne came to his room shortly before the election of Senator Lorimer and that two men named Yarborough were then in the room. But it was proved by two reputable and credible witnesses that on the evening in question one of these men was in Chicago.

Without further reference to the details of White's testimony, it may be said that after seeing, observing, and hearing this witness it was the opinion of a majority of the subcommittee that no credence ought to be given to any part of his testimony tending to establish the fact of bribery. And after carefully reading the testimony given by White in the investigation, a majority of the committee concur in the opinion of the subcommittee in that regard.

MICHAEL LINK.

According to the testimony of this witness, he was paid the sum of \$1,000 by Lee O'Neil Browne some time after Mr. Lorimer had been elected to the Senate. He further testified that no money was paid or promised him before he voted for Mr. Lorimer; that he made up his mind as early as in the month of March, 1909, to vote for Mr. Lorimer if an opportunity for so doing should occur, and promised Mr. Lorimer his vote some time in advance of the election of a Senator. When accused of having received money for voting for Mr. Lorimer he denied it. When summoned before a grand jury he stated under oath that he had not received any money as a consideration for his vote for Senator. Following this statement he was compelled, by means fully set forth in his testimony, to retract his former statement and testify to having received money for his vote for Mr. Lorimer, as shown by the following:

Cross-examination by Judge HANEY:

Q. You are a farmer, I believe, are you?—A. Yes, sir.

Q. And have been all your manhood life?—A. All my life; born on a farm.

Q. You have lived in Madison County for how long?—A. Twenty-three years.

Q. You live out some distance from—A. (Interrupting.) A mile from Mitchell, a little station.

Q. When were you first elected to the legislature?—A. In November, 1906.

Q. Is it not a fact that everybody from the southern part of Illinois, Republicans and Democrats, who desire to meet each other at any place generally go to St. Louis?—A. Yes, sir; from time to time men for years have met members of the legislature there.

Q. Was it very much easier to go to St. Louis than to any other town that has any hotel accommodations south of the central part of Illinois?—A. Yes, sir.

Q. It is very much easier to go there than from any other part of southern or central Illinois than it is to go to Chicago, isn't it—very much easier to go to St. Louis?—A. Yes, sir.

Q. It is practically a uniform practice, is it not?—A. Yes, sir.

Q. When anybody, for political or other reasons, want two or three to get together for any purpose, they meet at St. Louis?—A. Yes, sir.

Q. That has been the case for a great many years?—A. Yes, sir.

Q. Did Tierney and White talk with you or come down there more than once?—A. Not White; Tierney was there the second time, and I pretty nearly forgot the incident, when I met him somewhere about Mitchell, about the station. I went in for my mail, or, perhaps, to buy something.

Q. Did he try to get some information from you or try to get some admissions from you?—A. He certainly did.

Q. Did he tell you that he was a detective connected with the Maguire and White Detective Agency, detectives for the Chicago Tribune?—A. No; he said he represented Gov. Deneen.

Q. You were then summoned or told to come up here?—A. Yes, sir; by subpoena.

Q. And you did come up?—A. I certainly came up.

Q. When you came up where did you go?—A. I went to the Morrison Hotel.

Q. Then did you go to the state's attorney's office?—A. Yes, sir.

Q. When you went to the state's attorney's office did you see Mr. Wayman, the state's attorney, or Mr. Arnold, or Mr. Marshall?—A. Mr. Arnold and Mr. Marshall, I think; I did not see Mr. Wayman.

Q. Which one did you see?—A. I think it was Mr. Marshall, I am not positive; I rather think it was.

Q. It was one of the assistant state's attorneys?—A. Yes, sir; one of the assistant state's attorneys.

Q. Tell the conversation, the language used by each as nearly as possible, and if you can not do that, give the substance as nearly as you can.—A. Well, I had a conversation with Mr. Marshall something like this: He says to me, "If I were you I would not be here telling damned lies before this grand jury;

I would tell the truth.' Then I told him he would not tell me that outside very well or we might mix.

Q. Had you been before the grand jury then?—A. I think I had; yes, sir.

Q. What I want to do is to commence before—just before you were taken to the grand-jury room, and I would like to have you—A. (Interrupting.) I didn't have any particular conversation to my recollection with any one of the assistant State's attorneys.

Q. You went there, you don't remember how, and was taken before the grand jury?—A. Yes, sir; when my turn came.

Q. They asked you there in relation to your voting for Senator Lorimer for United States Senator?—A. I was in the grand-jury room; yes, sir.

Q. That is what I wanted to know.—A. Yes, sir.

Q. You were examined by whom?—A. By Mr. Wayman.

Q. By Mr. Wayman himself?—A. By Mr. Wayman himself; yes, sir.

Q. What did he ask in relation to that subject? I don't care about anything else.—A. He asked me if I voted for Senator Lorimer, and I told him yes. According to my recollection I told him, "Certainly, I voted for Senator Lorimer and was proud of it; no excuses to make."

Q. What took place then? Did he ask you if you had been paid anything for voting for Senator Lorimer?—A. Yes, sir.

Q. What did you tell him?—A. I absolutely denied it.

Q. You didn't tell this to Mr. Wayman individually, but in answering his question to the whole grand jury?—A. Yes, sir.

Q. All the conversation you had with Mr. Wayman in the grand jury room was public conversation before the grand jury?—A. That is all at that time. I had some conversation—at that time—yes, sir—at that time.

Senator BURROWS. State what you said before the grand jury.—A. Well, I answered questions, but I disremember what all the questions he asked me were.

Senator BURROWS. State those you can remember and your replies.—A. I denied receiving any money for voting for Senator Lorimer.

By Judge HANEY:

Q. Then did you leave the grand jury room?—A. Yes, sir.

Q. After those different questions were asked you?—A. Yes, sir; at that time I did.

Q. Do you remember what day of the week or day of the month that was you first went before the grand jury?—A. That was the 5th or 7th of May; it was right along there, the early days of May.

Q. May of this year?—A. Yes, sir; May of this year.

Q. When you left the grand jury room were you put in the custody of an officer?—A. I certainly was.

Q. Were you indicted at that time or was there any complaint or charge made against you at any place?—A. No, sir.

Q. Who put you in charge of an officer?—A. Well, I presume Mr. Wayman did. To my knowledge I was in charge directly of an officer.

Q. Who was the officer?—A. Well, there were two or three different officers.

Q. The first one?—A. I disremember his name. Mr. O'Keefe was with me most of the time.

Q. Was it Oake?—A. I think that is his name.

Q. He was the first officer?—A. Yes, sir.

Q. He was a police officer, a detective appointed to the State's attorney's office at that time?—A. Yes; I understood so.

Q. Did he take charge of you at that time?—A. Certainly.

Q. How long did you remain in his custody?—A. I disremember.

Q. About?—A. The first night I think I went to dinner with him—the first night, I believe; that would be on Wednesday night of the week; and I remained in his custody and he kept his eye on me like I was a criminal. Oake would not allow me to telephone to friends, and was keeping his eye on me, and I was not allowed to discuss any matters at all.

Q. Was he armed at the time, and did he take out his revolver and his billie and put them on the table in the hotel, so you could see them?—A. He did not, but other detectives did; I suppose he was armed, but I don't know to my knowledge.

Q. Other officers did?—A. Other officers did.

Q. Were you continuously in the charge of some officer of the State's attorney's office, after that time?—A. I certainly was.

Q. Up to what time?—A. Until I was permitted to go home on Saturday morning.

Q. What day?—A. It was the week I was here; I disremember—it was from the 5th, 6th, 7th, 8th, or 9th, or something of that kind, of May.

Senator BURROWS. It was Saturday morning of that week?—A. Yes, sir.

Q. You came up here what day of the week?—A. I came here Tuesday evening.

By Judge HANEY:

Q. You went before the State's attorney—went before the grand jury Wednesday morning, did you?—A. I believe so.

Q. When you went back home again, did an officer go with you?—A. Not at that time.

Q. Did an officer from the State's attorney's office come down and get you afterwards?—A. Yes, sir.

Q. When, after that Saturday morning that you went home?—A. That was the—well—I wish to correct that. I got a subpoena served to me to go to Springfield on my return home Saturday evening of this week. I went to Springfield from this subpoena and acknowledged it, and a detective went home with me from Springfield and stayed with me.

Q. That was a subpoena to appear before the grand jury at Springfield?—A. Yes, sir.

Q. When was that?—A. That was the week following I was here.

Q. Was it the first of the week or the middle of the week or the last?—A. Well, I think it was on Monday following the Saturday I left Chicago.

Q. When did you leave Springfield to go home? You got there Monday?—A. That evening.

Q. Monday evening?—A. Yes, sir.

Q. Did an officer from the State's attorney's office of Cook County go with you back home from Springfield on Monday evening?—A. Yes, sir.

Q. Did he take you into custody?—A. Well, I was not arrested.

Q. Did he stay with you there all the time?—A. He went to my house, but went to St. Louis, I believe, one day while at my house in the country; but he went home with me and stayed with me, but, of course, he went to St. Louis during one day.

Q. He was with you wherever you went?—A. Yes, sir.

Senator PAYNTER. Was that officer from Chicago or Springfield?—A. Chicago.

Senator GAMBLE. How long was he with you?—A. Four days.

Q. At your home?—A. Until I insisted upon having him called off.

Q. Did he stay at your home?—A. Yes, sir.

By Judge HANEY:

Q. All the time?—A. Yes, sir.

Q. Except when you went out, and then he went with you?—A. He went to St. Louis during that time by himself.

Q. How far are you from St. Louis, about?—A. About 15 miles.

Q. You can go there by electric line?—A. Yes, sir; and get back in two or three hours, at any time.

Q. Then did another officer—I will withdraw that—did the State's attorney of Sangamon County, Springfield, send any officer with you after you had been examined there before the grand jury?—A. No, sir.

Q. He never had you in custody?—A. No, sir; they don't use those methods.

Q. When the officer left Springfield—the officer from the State's attorney's office in Cook County left with you to go to your home from Springfield—did he have any warrant against you?—A. No, sir.

Senator GAMBLE. Was there any warrant for your arrest?—A. No, sir.

Senator GAMBLE. Or a subpoena served on you?—A. A subpoena to appear at Springfield.

By Judge HANEY:

Q. After you left Springfield and went back home was there any subpoena or warrant against you?—A. No, sir.

Q. What was that officer's name?—A. That was O'Keefe that called for me.

Senator JOHNSTON. What did the officer say he accompanied you from Springfield for?—A. He claimed it was for my own protection. I told him positively that I needed no protection; that I could protect myself.

Q. Did he insist upon staying at your house?—A. He was under orders from a gentleman in Chicago.

Q. Who was the next officer who had charge of you?—A. Well, I think after that time I was under the direction of O'Keefe until I read what is called the "riot act" to Wayman.

Q. When was that?—A. That was about a week before the first Browne trial, when I told Wayman no more detectives for me. "If you have got a warrant, arrest me; if I am guilty of anything, arrest me; but no more detectives; I shall not submit to detectives any longer." That was my conversation.

Q. Did O'Keefe then go to Chicago with you and stay with you at the different hotels or wherever you were kept?—A. He did until a week before the Browne trial; then no more detectives after that for me.

Q. He did stay here until that time?—A. Yes, sir.

Q. The first trial of Browne commenced about the 7th to the 10th of June; that is right, isn't it?—A. Yes, sir; I think so.

Q. Now, after you were before this grand jury, the first grand jury, and told Mr. Wayman, the State's attorney, and the grand jury that you never got any money from anybody, Browne or anybody else, for voting for Lorimer for United States Senator, were you indicted?—A. I was indicted for perjury either the second or third day I was here—I am not positive which—after my denial.

Q. Was it the second or third day after you first went before the grand jury?—A. It was either the second or third day, I guess the second. I am not positive whether the second or third day.

Q. You were indicted for perjury?—A. Yes, sir.

Q. By the same grand jury you had been before?—A. Yes, sir.

Q. After you were indicted for perjury were you taken by the State's attorney or any of his assistants and talked with about your testimony and about your indictment?—A. I guess I was.

Q. Now, what was the first thing that was done after you were indicted for perjury by him?—A. They kept flaunting the indictment for perjury against me.

Q. Doing what?—A. Putting it in front of my face, showing it to me and speaking to me.

Senator GAMBLE. Who did that?—A. The assistant State's attorney and the State's attorney himself.

Q. Tell the names of the assistant State's attorneys.—A. Mr. Marshall.

Q. Did State's Attorney Wayman do that, too?—A. He didn't throw it in my face; he would show it to me and talk to me about losing my home, putting my home on one side and the penitentiary on the other.

Q. State to this honorable committee what State's Attorney Wayman told you about the indictment for perjury.—A. He told me if I would go before the grand jury and state that I had received some money from Browne and Robert E. Wilson that I would be cleared and go home a free man. That is what he told me.

Senator BURROWS. Anything else said?—A. Well, I told him that I had told him all I knew, and he denied that I had. We kept up the conversation, and he said he was a farmer himself in his early days South. I told him I was a farmer, and he told me, he says: "You come up here"—the conversation drifted along this line—"and let these Chicago lawyers get a hold of you and they will take your farm away from you." That was the line of talk; and he told me to rest over that night—that was Friday evening—and to come in by 10 o'clock on Saturday morning and make a confession, and he would have the perjury charge expunged from the record, and I would go home a free man. That was the sum and substance of the conversation.

Q. They had more than an hour to talk to you about that?—A. Yes, sir; something of that kind.

Q. What time of day was that conversation; what time did it end?—A. It was somewhere between 5.20 and 6.30; it was 6.30 when I left the Criminal Court Building that evening.

Q. Then were you put in the custody of an officer when you left the State's attorney?—A. Yes, sir.

Q. Who was that officer?—A. That was Mr. O'Keefe.

Q. What did he do with you?—A. He took me back to the Morrison Hotel.

Q. Did he stay there with you?—A. Yes, sir.

Q. All the time?—A. Yes, sir.

Q. Was it he that took his revolver billie out and put it on the table in your presence?—A. Yes, sir.

Q. Did he talk with you about what the State's attorney talked to you about—about your going back and telling what the State's attorney wanted you to tell?—A. Yes, sir.

Q. What did Detective O'Keefe from the State's attorney's office say to you in that respect?—A. He said: "Link, I would not stand by the other fellows, I would stand by Wayman, he is the man to stand by in this matter; make a

confession. I don't like to see you get into trouble and you are going to get into trouble."

Q. Mr. Link, how long during this conversation between you and O'Keefe, how long did O'Keefe talk to you?—A. Off and on, but I disremember the number of times; it was not continuous, of course, but off and on during the time he was with me.

Q. Off and on between the times you and the State's attorney had the talk and he took you back there?—A. Prior to that night, too.

Q. All the time you were in his custody?—A. Yes, sir.

Q. Now, did Officer O'Keefe take you back to the State's attorney's office the next morning?—A. Yes, sir.

Q. That would be Saturday morning?—A. Yes, sir.

Q. Did you talk with, or did Thomas Maguire, of the Maguire & White Detective Agency, talk with you?—A. Yes, sir; he was present nearly every time I met Wayman, and Wayman and myself were in Wayman's room.

Q. What did Maguire say to you?—A. He tried to put words in my mouth several times.

Q. Words about what?—A. He said I should not be friendly to the Browne side, and the Lorimer side, and so forth; "It doesn't look well, Link; that don't look well." I told him it was none of his business; I would take up for my friends wherever I saw fit to take them.

Q. Did Thomas Maguire, the detective, say this to you—that you had better tell what you knew or you would go to the penitentiary; did Maguire say that to you?—A. I rather think one of the assistant State's attorneys told me that; I don't know whether Maguire said that to me or not, but his conversation ran on that line. I think that was Arnold; 20 minutes before 5 o'clock that evening of that week.

Q. What was that conversation you had with Assistant State's Attorney Arnold in which he said that to you?—A. Mr. Arnold came to me and says, "Link, you have got just 20 minutes to save your life." I says, "What do you mean?" He says, "You have got just 20 minutes to go in and tell all you know to save your life." I says, "I have told all I know." He says, "All right, Link, it is your funeral; it is not mine." He goes into the grand jury room and an indictment was returned that evening. I told him I had told all I knew.

Senator PAYNTER. An indictment against you?—A. Yes, sir; for perjury.

Q. Arnold said that you—A. He said I had 20 minutes to save my life.

Q. That was just before—A. (Interrupting.) Twenty minutes before the grand jury adjourned at 5 o'clock, Friday afternoon or evening.

Q. Were you told that night that you were in the custody of an officer of the State's attorney and that you had been indicted for perjury?—A. Yes, sir.

Q. Who told you that? Was it a detective or one of the assistant State's attorneys?—A. It was, I think, Mr. Wayman himself that told me that.

Q. Mr. Wayman himself told you that?—A. I think so.

Q. Did Mr. Arnold say to you in that conversation that you have been referring to, just before you were indicted for perjury, that if you didn't tell what they wanted you to that they would send you to the penitentiary?—A. That it was my funeral; yes, sir.

Q. Did he use the word "penitentiary"—that he would send you to the penitentiary?—A. I am not quite certain; I am not positive; but he used that kind of terms to me.

Q. Did he lay special stress upon the word "penitentiary" in talking to you?—A. Mr. Wayman laid more stress on that than any of his assistants.

Q. That is, that he would send you to the penitentiary?—A. He pictured it very, very strenuously between the penitentiary and my home.

Senator BURROWS. Will you state what he said?—A. He said, "It will be much better for you to be here with your family than to go to the penitentiary and lose your home." He pictured what the penitentiary was, and so forth.

Senator BURROWS. What did he say?—A. That I might lose my home, and he put a great deal of stress on the penitentiary and my home—I being a farmer away from my home and my family.

Q. Did Mr. Wayman say anything in picturing the penitentiary on one side and your home on the other about your wife?—A. Why, certainly.

Q. Tell the committee what he said.—A. Well, that I would lose my home, and that meant I would lose my wife, too.

