



evidence.

US v. Beeler  
587 F → 340

Material Curmearo -  
659 F<sup>2d</sup> 714

Cont - lost w. trees

McAdams

Comp troller - Jacco Mennig

Sub. of Coal - Mac  
C.P.A.

1 Sept 1982 →

Local C.P.A. firm

Sinton & Co.

1 Sept 1976.

\$ sent  
value

Minor  
damage  
Substantiated  
damage

101 a  
703  
1006

104 (c)

701

(II) Expert witness - an opinion as to damage which may or may not be caused by the type of trees in the area which experts in the field of this expert witness have seen. The evidence regards damage by reason of acts, if any, resulted in minimal or substantial damage.

admonish jury not in action for  
damages - The Expert is permitted to  
state his opinion -

Minim v. Sub.

affection I/c

the Transaction  
delayed, disrupted  
a obviously affected  
interstate Commerce



Grd  
Td.  
mm m  
T.E.

144.

Invoice for Salem Arger

\$ 516,500 <sup>00</sup> —

Repairs July —  
as result of explosion

NNNN  
Td.  
T.E.

145.

146

803(6)

Invoice Supplied

MPm  
Td.  
T.E.  
147.

6XA

T.E.

148

Admission:

Notwithstanding the fact, the jury is  
permitted to hear an expert witness's  
testimony of alleged expenditures, <sup>and alleged</sup> losses  
in a monetary sum. This is not an  
Action for damages and thus jury  
will not be required to make a  
finding of ~~damages~~ in  
a specified monetary <sup>sum</sup> amount  
of damages.



the purpose for which this  
evidence is admitted is to aid the  
jury ~~in making a~~  
~~determination of effect on Interstate~~  
~~Commerce~~

~~also~~ financial and economic  
loss ~~affect~~, of any, <sup>and</sup> ~~or~~ Interstate  
Commerce.

The jury will be given an  
in depth instruction upon consideration of  
the testimony of an expert witness by  
the jury when it receives the Court's other  
instructions as to the law.

**Cross**  CROSS

Moore  
Rafunda



Motion for judgment Reg.  
more made  
B. Candill  
Harold Moore  
Hermit New some.

1 Cong

moore 1 - 2 3 6 7  
FD 2  
going into hills - 7.  
more didn't go -  
was he a driver -

III 3 2<sup>nd</sup> time. 18<sup>th</sup>  
going into hills -  
went into hills but  
didn't shoot -

IV 6  
unlawfully carried firearm

V 7  
unlawfully carried

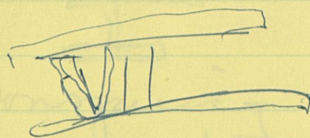
Candill - 1 - 2 - 3 - 4 - 7.

I  
II - Drove vehicle  
for men to go into hill - Consp  
Section 2 - Title 18, and  
+ abet.

III  
18<sup>th</sup> Benny wasn't there the  
second time.



Added & sketched in making  
bombs



New some

I - 2 - 6

I

II

6  
unlawful - must show state  
law it was unlawful

more made

1 - 4 - 5 - 8 - 9 - 10



Senoville Mosely

at 7-20



Conspicuous  
not at any meeting  
house meeting.

Senoville running up and down the  
road,

2  
Gone into hills 15<sup>th</sup> time  
Senoville drove these fellows to  
line of departure



(1)

Randy Blakeship

1-3-7.

Van Patton on hill - Thursday

around at same time w/ several  
people - but drunk -

I

Consp No evidence

7

unlawful carrying of gun

???

Must show it was unlawful - ~~of~~  
~~cannot be violated Holbe Act as it is not~~  
must be unlawful before perpetration  
or violation of Holbe Act



Pelbo Gayhart

1-2-3-6-7.



General Corp

mostly load gun  
to Gayhart.

1<sup>st</sup>

2<sup>nd</sup>

2 + 3.

~~No extortion.~~

6 + 7.

???

no showing carrying of gun  
unlawful under state law



Dan a fine Halbart.

I

"Conspiracy"

Sold guns in normal course  
of business

Stanton - only heard  
statement of Caldwell.

VII

VIII

Can charge  
must be unlawful  
during Commission

924(c)

what about being  
connected by a conspiracy

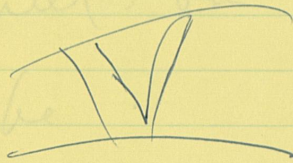


Stumbo, John Moore, Ken Rowland  
 Ted Kennedy - Raymond Wall

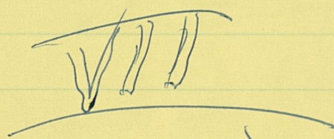
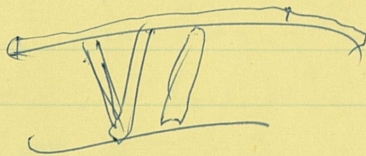
Mr. Kilduff  
 is the guesser of  
 the Enron defense  
 which ~~is~~ other counsel  
 have adopted



Union members



Stumbo - only hearsay  
 statement of Caudill.



???

Can charge  
 must be unlawful  
 during Commission

924(c)

what about if being  
 caused by a conspiracy



Eugene Tackett

- 1 - 2 - (3) 6 - (7.)

Concede jury case as to 3 & 7

777

No evidence as to Eugene  
being on hill, on 2 - 6.  
Maybe

Austin "Bo" Moore

8 - 2 - 6

Bo there Monday - 1/6

Down down hill back down

1 - 2 - 6

not a Tuesday

went into hills  
but not could see



Drexel Hall - Austin "Bo" Moore

Drexel Hall -

I

no conspiracy and  
intuitive Commerce argument

Peccolo  
small

Austin "Bo" Moore

1 - 2 - 6

Bo there Monday - 1/6

Drove down hill backwards

1 - 2 - 6

not on Tuesday

went into hills  
Look out - could r/f



~~How~~  
Ed Jones

II.

2 Aides & Abettors

3- 112

4- 111

5- 112

5.

Variance -

Don't know if it is a  
Variance but if it is it isn't  
a material variance.



Consp & Sub Hobbs act  
violation -  
1-2-3-4-5

Hobbs act not to Amend  
Nor restrict Taft-Hartley - Nor Fair Labor  
Act

by-product

"Enmons"

An Act of a labor in pursuit of  
a legitimate labor goal cannot  
constitute the extortion, which is a  
mandatory element of the Hobbs Act  
Not with standing that violation  
is a by-product of such Act

Carried firearm unlawfully  
itself must be unlawful  
924 (c)

give one more -

Carrying is per se unlawful  
do not have to prove an additional unlawfulness

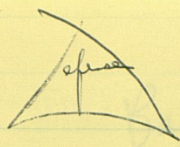
Burick - 446 U.S. 398

Johnson - cited in Burick case  
Sampson 435 U.S. 6

①  
differs vs. carrying firearm  
carrying firearm unlawfully -  
Ch. 201

②  
KRS 508.060 -  
③ Statute  
C(1) satisfied C(2)





Patenda

Doug Thelott

U. M. W. of A.  
Eastern Region  
Dist # 80

Survey

NW. Dec 1981 Conducted survey  
at request of Larry Young -  
Charleston

Doris Osborne  
Lewis Burke } Co-workers  
James Baldwin }

location of mine  
equipment  
No of men  
where coal sold

Ray Mac had 5 or 6 operations

Survey of Workers did not  
indicate ~~the~~ one way or another -

He & Burke recommended  
organizing effort



Barke sent in survey in  
Dec. 1981.  
they were received approval  
not disapproval

Moore-Hall

N.p.m.?

T.E.

2

mini organizing survey  
Survey

True Copy of what was received  
from Charleston office - Regional  
Office June - July 1982

limited → Not for the Truth of the matter  
but to show that a survey was  
conducted and the extent thereof.  
the truth and verity of the matter  
contained in the survey is not in  
issue - Person ~~called~~ <sup>not answered</sup> ~~to~~ <sup>may</sup> ~~may~~ <sup>may</sup>  
~~that~~ A Survey was conducted &  
the extent.

Cross - org for 1 yr & 1/2  
sent resp for org.

received training

Washington D.C.  
more members and less law suits



Designate U.M.W. of A as  
bargaining agent

Bargaining unit.

group of employees

Govt  
1 PM 44  
7:00 E

149

Authorization Card

Summary

Approval

Card Signing Campaign

Petition N.L.R.B. for election.

July 8/

He Doris Osborne. Went to

Edgar Jones' Office

**w/o** Scope - - may be

Called on Rebuttal



Willee Moore

53

Mr. Dowell

Unemployed last worked in 1973

Black Lung <sup>Local</sup>

belongs to #5967

1951-52



Attended a meeting

Henkle

Walker Blackburn

Dixie Hall

Teddy Kenny

meeting at 9-  
this was brought up  
at 11:30

File 13- 1982  
10 or 12 men present  
at meeting

Ray-moe - new business

He moved to go Monday  
morning to go to Ray-moe  
& talked to him - had a hard raising  
about everyone raised hand

He went to Ray-moe  
8:30 - 9:30

Monday - 8 men or 9 men

Tuesday - he didn't go back

didn't see



Willie C. Moore.

43

M<sup>r</sup> Dowell

Jan 8<sup>th</sup> J Km. Coal

Signed Union K - 10 Jan 8<sup>th</sup>  
office of Edgar Jones

Darold Morgan

Austin "Bo" Moore began working  
for him in middle of Jan

T.E. 131 - K for J Km. Co.,  
13<sup>th</sup>

No check off for Bo Moore nor  
any dues paid to union

Woyt Ray - didn't follow  
him home.



✓ Barbara Foster -

~~Impeached~~ Danny Blanton  
Statement.

The prior inconsistent statement  
of Danny Blanton was permitted  
for impeachment purposes - ~~that~~  
as affecting the Credibility  
of Danny Blanton, if in the  
discretion of the jury it does so  
affect.

The prior consistent statement  
of Danny Blanton was admitted  
for purposes of testing or affecting  
the Credibility of the witness  
Barbara Foster, if in the  
discretion of the jury it does



Allan Jacobson

37

Helicopter pilot

Cool dude

F. E.  
Jones  
6.



FRANK Justice

<sup>15</sup>  
Week Feb 1982

Conversation w/ Drexil Hall

my Statement.

~~Cause~~ guns to be transported  
to Ray-Moe site



Leslie Hamilton (Jr)

Attended Union Meeting

Lasted 2 hrs

voted to go to Ray Mac  
Monday  
Walter Blackburn voted  
for it.

He went to Ray Mac  
Monday

Dropped Hall wearing union  
jacket.

Tuesday - Same.

Wed. -

Bo Moore had rifle

Going into hill;  
Stopped  $\frac{1}{4}$  mile from  
Ray-mac.

Bo Moore stayed w/ Raymond  
Hall and Pebo Bayhart

Rest of Group went around  
the hill - 1000 - 1500 yards.  
He had 30-30

John Moore started shooting  
Ray-mac fired back.



Got shot at twice.  
No orders, no leaders

Cross - Kerlin

A + A - Coal Co.  
Earl + Phillip Adams  
Ross Jimmy New some

Attended union meeting of  
13 Feb 1982  
Meeting called to order

Two motions:  
Take money from treasury for  
Gas and eats on picket line

T.E. = 48

Page 325

Minutes 2-13-82

M. Kenney  
Don Moore  
Ninkle  
Blackburn

Jh

#200 to widow

A.A. - Just Arthur dies shortly  
after they went back to work



Men from Ray Mac came down  
and talked to Drexil and Kinney

Didn't work Monday because  
on strike

Tuesday = Shooting - he  
was behind the truck 30 yds  
from Ray Mac entrance.  
had 30-30-

Teddy  
Jason  
Drexil  
Randy Blankenship

Doesn't know who shot just

Wed

met between the two typists

He drove truck up but  
didn't drive truck back.

Some other boy drove vehicle  
back

He didn't shoot.

When left hill went to  
Store near Jeffrey Stumbo Store  
walked.



## Statement to ATF + Janet

Witness said

- 1) No discussion of Ray-Mae
- 2) Two meetings
- 3) didn't tell about weapon on  
Tuesday

## Re-direct:

3 Jan 1982

V/P - D. Hall

March 82

V/P - D. Hall.

Wed morning D. Hall then  
State Police came by and arrested  
Drapal -

Went into hill after Drapal was  
arrested

## Re-Cross

Paul Booth



Pat Hardin  
1505 Cumberland Ave  
Knoxville Tenn,

Professor of Law

~~not testifying~~ as to  
applicable

this witness is not permitted to instruct  
the Court or jury as to applicable principles  
of law.

this is required by law that the  
Court will advise the jury of the applicable  
principles of law . . . .

Ex - 149

Local 5967

Separate entity

Construction and legal effect  
of K between 3 locals

Some of what the professor  
testifies may be probative

However in the main the  
testimony of the professor, as an expert  
on the law, is improper

because of 603 the Court  
is going to exclude because the evidence  
would tend to confirm the issue on  
the mind of the jury



Recognitional Picketing  
What is necessary & necessary.

Area Standards Picketing -

Strike -

Picketing -



Austin Moore

26

"Bo" -

12<sup>th</sup> Grade -

J/Km. T Rocking Co

Calamity Bay,

Local 5967

Purpose - went there to join union

1<sup>st</sup> part of meeting -

13 Feb 1982

W. Willie Moore

Meeting lasted about 1 hr

Monday

Around 8 o'clock went to  
Pick site

Stayed short time and  
left.

Tuesday:

Went back to Ray-Mac entrance.

Doesn't know who shot 1<sup>st</sup>

He backed down road - Phillips  
Booth got into car w/him.



Thursday mite went to Union  
meeting. this meeting lasted  
An hour or An hour and half.  
No formal procedure.  
just talked

Wed. 20 men there  
Daisy got arrested.  
after this then started  
discussing going on hill  
to Scout area to see if  
Ray-mac was in a position to  
shoot down on them if they picketed again.  
Some one handed him  
a gun - (Rifle)  
"Be Careful it's loaded"  
presumed it was loaded  
No leader - No one giving  
orders.

Walked to top of hill  
didn't go any further  
Raymond Hall sick - I  
stayed w/ him. Pabo Bay had  
stayed w/ us.  
the other men went on  
later heard gun shots.

Men came back - we  
came off mountain at Stiffey's  
farm.

went to Tuggle and got  
my car.  
Spent  $4\frac{1}{2}$  - 5 hrs on hill.



Tackett

Thomas - Cross

T.E.  
2

Picture of Barn  
to from back - looking toward Highway

Eugene Tackett

Blue - Irid from some place  
in Michigan

Worked under ground w/ Blue

Blue had no sense of  
danger

Seizure  
eye-rolled back

They put him outside

Walburne - Cross  
Kirkland - Cross

Teddy Kinney wasn't with him  
on Wed.

Raymond Hall - got sick and  
had to go to Dr.

Stayed sick even at Barn  
Neither Hall nor Pibo Irid gun  
3/4 mile from Ray-Mac site.



First time he heard of Elgar being  
undubid - was when he got to Court

Harwell - Cross

dy - Cross - may lead

Jones dy not cross - may not lead

T.E

Spencer - Cross

didn't see Lenville Monday

19



Drexel Hall

33 yrs old  
m = Dowell  
unemployed  
A & A

Vice President of Local 5967  
on Local organizing Committee

Jan 1982

meeting - Edgar Jones  
Office.

Check - 94<sup>00</sup> represents a  
shift work for attending a  
grievance meeting.

Local 5967 - about 50-50  
retired & active.

1st meeting before Monday

Big Willie more motion to  
go ask Ray Mac to join  
union - passed. Walker Blackburn  
present as recording Secretary.

Monday - wearing local jacket  
and cap

- Jacket, he wore on that day

Hall +  
more  
T.E.O.

3



Drinking in p.m on  
Monday -

didn't go to Booth's house  
Monday nite  
didn't tell anyone to bring  
guns.

Tuesday gathered at Tuggle  
then went to Ray-mac.

Took gun for personal  
protection.

Danny Blanton's Coal Truck  
ticked it out of gear  
didn't fire into truck

Couldn't tell who fired  
first -

He fired his gun  
Shooting lasted 1 1/2 minutes

Shooting came from all  
directions.

He was behind Benny  
Candill's jeep

Shot to keep them  
pinned down so he could  
get out of there.

Met at Tuggle to have  
meeting that nite.  
informal meeting, not  
called for order etc.  
"not regular nor special  
meeting."



Scott was there

Wed morning  
Went to Apple  
go. to Ray-mac to form  
another pocket line.  
He was arrested  
taken to Prestonburg.

Meeting Wed night  
not a regular meeting nor  
Special meeting.  
He resigned - adverse  
publicity on local

Thursday - didn't go to  
Stuffy Stumbo's barn.

Drapil never went into  
hills -

He was only present  
Tuesday at Ray-mac

Drapil gave statement  
24 Feb.

Trooper For Sythe

Identified Pistol in evidence  
as being the one fired by him  
on Tuesday



# Local Union Minute Book

page 325

V/P. John Moore  
he was V/P.

Meeting before - Dwyer V/P  
meeting after - V/P

didn't want Ray-Mac to  
shut down Ray-Mac.

~~Kirkland~~ - Cross

Spencer - Cross - Lonville Morely

Walbourne - Cross -

Benny Caudill a member of  
5967

Harold Moore - a member  
of 5967

Union Meeting - Don't recall  
if Caudill or Moore were present

Kerkli -

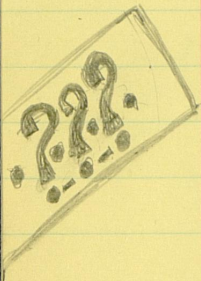
Went to Ed Jones office

- National Bitum Deal Wage  
agreement of 1981.  
this is D.M. W. J. A. K.

Dy.  
Hall  
Exhibit A  
Govt  
T.E.  
150.



Trying to get Truckers to  
Come under this Agreement



Vote was to strike entire local  
and go back and set up picket  
line to organize Ray-mbe.

Regular Union Business  
then closed meeting and then  
discussed other matters.

Doesn't know what Const

says

T.E. - 44 Check for Shift work  
check for \$3000  
no seal on check  
doesn't know if local paid  
for guns purchased by Kennedy and  
more

Local # 5967 -

did not know By-Laws  
Nor enact new by laws  
Never saw International - Model

By-Laws

10



E. J. Walbourne

Frank Eddy



Kernut Newsome

also his friends  
were there.

Phillip Booth ordered him  
to go to Picket line on  
Bell Hall Branch  
Bathel —

Monday

went to Hill  
Phillip gave him money went  
and got whiskey.  
Came back stayed at home.

Tuesday

Went to Top of Hill  
No one at tiggles when he  
arrived  
40 or more there

On Monday talked about  
Coming back Tuesday.

Don't know who started shooting  
on Tuesday.

Didn't have weapon  
after shooting over he got  
in his car and went to tiggles.  
Jason had blue tobacco

Saw Edgar Jones came to  
tiggles

Pearl Booth went over and  
talked to Edgar — 5 or 7 minutes.

Jake didn't go over  
Phillip Dale more didn't go over  
Phillip Booth didn't go over.



Pearl said Edger wanted us  
to move away from his tepple

Pan handle told me to be in  
hill next morning to shoot at  
Ray mac.

Wed -

went into hills - Jake Moore  
was boss.

Raymond, Bo, & perhaps Bibb  
Stayed behind

Hermet didn't shoot -  
don't know who shot - Someone  
shot about 50 shots

He got gun out of vehicle  
he rode in.

Thursday:

He shot on Thursday

Pan handle started shooting  
from other side.

Pan handle said its your turn  
so me and German shot up  
in air.



Spencer - Cross  
Kirkland -

Tobacco - no ski-mark  
didn't see anyone give out  
guns

didn't mention what Phillip  
said

Didn't say anything about

anyone's bill



Daves

Gard

T. E.

151

Statement of Hermet New some

Didn't mention what Phillip  
said

Didn't say any thing about  
going on hill — —



Delores Caudill

Benny Caudill's wife

Pearl Booth  
Phillip Booth

Pearl Booth

going to get Edgar Booth  
one way or the other, I'll swear it  
on my kid's life

Got warrant for Sam  
Bentley for Terroristic Threatening  
Cross. to Tom Self

Warrant served on Sam Bentley  
by Roger Castle



# Kirkland

Harold Dean Osley -  
Draft.

Diesel Mechanic -

Knew Danny Blanton

His truck on 82 - was  
a Red Ford Diesel Road Truck

Came with Oliver Hall  
wanted him to tear Engine down  
Spring of 82.

brought only the engine  
Stem cleaned it.

Claimed it had been shot  
hole in fly wheel cover - leaking oil.

Small hole under Air Compressor  
punched out by something outside  
Tore engine down. Observed  
Rings, bearings, etc.

Cross - Daves  
Self employed



Oliver Hall.

Mine - Left Beaver  
down in his back.

Truck w/ boom - uses it to  
lift stuff  
Knows Danny Blanton has known him  
for 12 years  
In 1982 he drove a Coal Truck  
in February 82.

Went w/ Danny to R. Kenville to  
see about his Truck after trouble  
at Ray-mac.

Followed him back to Floyd  
County (w/ trees)

~~He~~ (was) in pick-up - Danny  
in his truck - picked it up at Tygell.  
Isaac's garage.

Took Engine from Danny  
Trucks + took it to Isaac's garage.

Took Flat bed + they set  
front end on flat bed and took  
it to ~~the flat~~ - near Price.

picked up front end of & took  
it back to Danny's it looked like  
new

predicate for inconsistent  
statement

- 6 over try to  
break down  
Ray mac for  
a new engine?
- \* ① ~~not~~ No time
  - ② no place
  - ③ No person to whom he talked
  - ④ No question as to a specific  
statement.



Roger Dean Hall

Found and brought to him by  
Oliver Hall to be fixed  
Section missing  
2 foot was size of section

Margaret Hall

- wife of Raymond Hall -

Feb 82  
Sat Feb 13 -

Raymond drove a Cool Truck

On Monday she went to  
Lexington - went to Dr  
Raymond took her to Lexington  
Came back after dark - 8:30 - 9

Dr. Hunter - Thursday 18<sup>th</sup>  
made appointment for Raymond

Tuesday - Raymond left  
house to go to pickup line

Wednesday  
Left home after children  
went to school  
when he returned he  
was sick

Thursday - went to Lexington



Richard "Stiffey" Stumbo

6 children  
4 boys - 2 girls  
"German"

Knows Edgar Jones

Cross —

Govt T.E. 105 } that Barn  
Tackett # 2 } Pictures of his barn

Person handle — has nephew  
has mother a sister to Richard "Stiffey"  
Stumbo  
"Scab" is person working  
Mon. - Univ.



evidence®

20-230 • 50 Sheets • 8½ x 14  
Legal Ruled • made in U.S.A.









Upon Conclusion of all

Δ's evidence.

- Motion to require to  
permit the testimony of ~~Δ's~~ each  
~~Co-defendants~~ Co-defendants testifying to be  
made a part of their case in  
Chief.

— Does not extend to  
Witnesses because Δ could have  
called the witness — — —

However Δ must accept  
all of the Co-defendants  
testimony ~~as~~ ~~there is~~ as  
a part of his evidence in chief



Need a yellow pad and a blank  
check

Concise as a defense

yes - see Judicial Center  
instruction # 56 as to Dress



bonafide  
labor dispute  
de  
Matter a Jones  
fair labor  
disp.

What would be the legitimate or illegitimate labor goals in the factual controversy of Jones et al as a matter of law?

Roy-Mac's rights  
namely - free enterprise

individual

Shutting down

What are the legitimate and illegitimate labor goals in the factual controversy of Jones et al??

The rights of both industry and labor ~~have~~ are embodied in the <sup>29 USC 151</sup> National Labor Relations Act. The fundamental purpose of ~~some~~ <sup>which</sup> is to preserve and protect the rights of both industry and labor.

Textile Workers Union v. Darlington Mfg.

35 S. Ct. 994, 388 US 263.

An Employer retains the sole right to manage its business and the power of the National Labor Relations Act cannot be used as a pretext for infringing the employer's rights.



① can act  
Tury - act  
Conclude - stop work  
want to unionize or to  
shut the down out of  
human.

Activity vs persons other than  
employer in general - 349

U.S. v. Gibbo

29 USC 159 forbids recognition picketing  
by outside Union after another union has been certified  
when picketing is to induce work stoppage.  
29 USC 158 (6) (a)

1<sup>st</sup> did picketing have a recognition  
or organization object.

In 3 situations 29 USC 158 (6)  
(1) makes it an unlawful labor practice  
for a union to picket or cause to be  
picketed, or threaten to picket or  
cause to be picketed any employer  
UNLESS THE PICKETING UNION  
IS THE CURRENTLY CERTIFIED  
REPRESENTATIVE OF THE  
EMPLOYER'S EMPLOYEES  
where the object thereof is

- ① forcing or requiring employer  
to recognize or bargain with a  
union as the representative of his  
employees; or
- ② forcing or requiring the employer's  
employees to accept or select the  
union as their bargaining representative



Welford  
710 Feb 439

Russell  
708 Feb 209

Picketing with the object

The Jury must first decide  
if the matter before it is a  
bona fide labor dispute

if it is not a bona fide  
labor dispute there is no legitimate

A bona fide labor dispute  
as applied to the Controversy herein  
Means a Controversy regarding  
the Certification and representation  
of the employees of Ray-Mac  
Cool Company by a union.  
that this Controversy in fact  
existed and was not a mere  
pretext nor feigned by the  
defendants ~~employees~~ in an  
attempt to avoid their obligations  
to abide by the law.

(Words & phrases - Supplement)

Bona fide - (Black's law dictionary)  
in or with good faith,  
honestly, openly and sincerely;  
without deceit or fraud.

M. L. & Sons v. B. A. Mfg Co.  
7 42d 51

Golden Acts of Violence a by-product of  
as 710 24 Frustration engendered by bonafide  
Collective bargaining may is not exploits

what is a  
bona fide  
organizational  
effort??



What is a bonafide Collective  
bargaining effort under 29 USC 152  
under 29 USC 158?

Agreement for Recognition

Hedstrom v. N.L.R.B.  
558 F2d 1137.

A Union may peacefully picket to  
win converts to its cause  
38 F Supp 321

peaceful picketing is a right of  
free speech guaranteed by the  
1st Const. 53 F Supp 804.

Picketing another house may  
be unlawful. under 29 USC 152



Employees have the right to  
self-organization to form join or  
assist labor organizations  
29 USC 157.

Interference, restraint or Coercion  
in exercise of this right unfair  
labor practices.  
29 USC 158(a)(1)

and the right to refrain except  
to the extent this right is affected  
by agreement requiring membership  
as a condition  
present to 29 USC 158(a)(3)



Carbon Fuel Co

444 U.S. 212

to find that an act was the act of the U.M.W. of A. it must be clearly shown that what was done by its officers, employees or agents was done in accordance with their fundamental agreement of association

Under Article XVI of the U.M.W. of A. Constitution, the local unions lack authority to strike w/o authorization from the U.M.W. of A.

In all Enman-type cases there was no issue as to agency only issue as to legitimate labor activities or "good"



Ker Island

no obj to Bosai

Count No II,  
page 2

property -

Wrongful - Inmans + Biller gley

Page 9.  
leg. time  
Takes

Page 10  
Picketing - definition

Page 11.  
Agency is erroneous

W.I. cat -

bona fide -

Right to do business  
& compete

Page 12  
Shooting not in self defense



Page 13.

malicious burning & explosion

Count II

Page 2 - definition of  
Wrongful.

Page 5 -  
must show actual interruption  
or delay

~~Has to~~

Page 9 -

Page 10,  
legitimate labor lock.

Page 11.



Count 4.

Enmons.  
low level violence

Page 4 -

Count 8 -

page 1.

Commerce  
?? ... Could have been done ...  
(thinks this goes too far)

definitive of freedom to  
include destructive device.



Branson

No oby to Ben's

No oby to Co def.

oby of Herkland as to

Count I are adopted by

Branson



Hollen

No obj to basic

No obj to Co def

"adopt Mr Kurland's obj to

Courts -

obj to Spec. Inst

No benefit necessary.

This takes away Consent

No property must be conferred.

def + Construction are  
Conflicting.

Count 3.

Under language of so to do.



A damme

No obj to Co defense must  
obj to basis

Count 1

page ~

Conspires so to do.

A

under line to be done away

More present at scene.

Page 110

Agency

Page 13

Count 3.

Under bearing of so to do.



Spencer

no obj to board

no obj to Co-Council

adopt Objection of other def

no obj to board

Count 1. page 2

believe

definition of "Wrongful"

you the agent not to me

however since the later def on  
to highest authority

Page 11

Count 2

page 2

definition of "Wrongful"



Walbourne

Adopt  
no obj to Co-def.  
obj to U.S.  
no obj to base

Count 1. page 2 -

Underline.

definition of "Wrongful"  
goes to good and not to mean

however does the later def as  
to legitimate activity -

Page 11

Count 2  
page 2

definition of "Wrongful"



Ct 4

A

erroneously has ~~Benny~~ Caudell  
has name should be deleted,

Ct 5

Interstate Commerce  
Could have been shipped  
outside of state -

Speed Inst

Content :

Pinkerton :



## Rowland

Adopt and I Commit to Co. D  
No oby to basic.

No oby to basic gdt

Ch 3.

bottom paragraph

\* Tschett ~~is~~ like we want in  
Count 2

Change last sentence

"no way to determine what  
is in human mind"



Thomas

No obj to Co-Def

Adopt last 1 Com of Co-Def.

No obj to border plate

Ct 3.

bottom paragraph

Ticket ~~to~~ like were wasn't in

Count 2

Change indent instructions

"No way to determine what

is in human mind



Pafunda

Elect as to Count 1 or 2

as to Bo more

Duplicity  
515 F<sup>2d</sup> 112  
Starks

No objection as basic but adopts  
~~Harville~~ Harwells

En more Inst

Ch 1  
page 11

Basic

opening - No obj.

Conty for Harwells - no

Amable doubt etc - 4 Jones 11/12

Basic in information etc

guilt -  
fact must be proved



Moore

I. No objection to Co. Def  
and

Post and # 3  
elements of Hobbs Act

Cannot charge Rth and  
final act

Elect -  
Stacks

~~Co. Conspiracy~~

Basic

opening - No obj.

Duty to follow - no

Reasonable doubt etc - Jones 11/12

Evidence - defense etc

guilt -  
fact sought to be proved



Engagement  
enforceable  
unmarried W. Texas  
disputed State & Conduct  
5th Amendment  
prev

© Please

Count 1 - page 2

don't include

defenses of Wrongful. Contrary

Enmore

page 3

Statements legally correct but

Confusing

Page 6.

Wrongful  
Hottel act is  
Count 1  
However  
Enmore to  
apply to  
rather than  
meant.



Page 9 - Enmas

Count 2.

page 1.

Wrongful.

Page 5

Count 30

Same as to 2

Count 4.

Same as to 2 + 3

Count 5—

Same as to 2-3 + 4.



Special

Accomplices -

Concussion

Intoxication -

Intent -

Brandstrom v. Montana

Stipulation NO obj

Proof of benefit unnecessary

Pinkerton.

Multiple Conspiracies  
Jones 21

On or about

Page 10 - Cont 1  
7

Should be Local 5967

in line with 5367 then is

Penman

Page 2 Cont 2

Local



A

Where indictment refers to singular and the plural may be proper the jury will consider the term as being in the plural

Where the indictment refers to masculine and the feminine may be proper the jury will consider the term as being feminine

Special

Interpretation

alone is not an excuse

Page 10 - Count 1

Should be Local 5967

in loc local 5367 James  
Lennox

Page 8 Count 2

Local:



Offense and

Count 1

page 2

Eamon

73

"Wrongful"

Wilford

Russ 7107<sup>2d</sup> 215

Page 5

"Conspiracy"

When statement of Co-Conspirator  
may be admitted

Page 10

A legitimate act to obtain  
a wrongful objective may become  
unlawful and outside Eamon's  
exception



page 11.

Page 12

Q. - must do  
and. - what did  
must do to  
be up in some

Count 2

Charge def of wrongful -

U.S. v. Quinn

plea of charge  
attempt of sub act.

Count 3.

Statement as follows

eventually shipped or intended to  
be shipped in interstate commerce



Count 10

definition of destructive device  
need this to complete

Count 9.

---

2/3/5/9/1  
no more good



Was this a battle between  
two Coal Companies, wherein one  
sought to utilize the union  
and the other was an obstruction,  
delay or adverse affect on  
interstate Commerce.

the theory of Court is

~~this~~ this a battle between  
two competing <sup>businesses</sup>, wherein one  
sought to utilize violent sham or  
purported union acts in its  
behalf, which acts had  
an adverse affect on interstate  
Commerce Contrary to federal law.

the theory of AS 13

the Businesses were not  
competitors and there was no  
controversy there between. This was  
a union matter which isn't while  
~~a violation of the federal law.~~  
it may be a violation by state  
law is not a violation of  
Federal law.

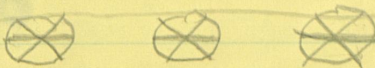
285-5001  
Mrs. Yuna J. [unclear]



Thomas

Objections

Reasonable doubt



Narwell

Thomas

mis Quoted law as to reasonable doubt

Jury will be advised

As to law of Reasonable doubt.

Admonished -

Attorneys Comments  
on instructions - doesn't control -  
- you will be given  
instructions as to the law  
that is what you go by  
not what Counsel says

agreement

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10



# Objections:

allow Bernie 10 minutes  
extra to recapitulate in the  
morning

Decent!  
Drunk!  
Dumb!

the last hurrah?

Self

Cant believe  
moore

Liar

reasons for  
morris

Phillip Dale -  
credibility -  
not believing

Joe Hall

stated his personal opinion  
not necessary to admonish



Doing the Summaries which you know  
there were some improprieties

I

III

①

②

③

An Attorney in his eloquence and zeal may get a little carried away

with <sup>impropriety</sup> he may misstate the evidence, give you a personal opinion or improperly characterize a ~~person~~ <sup>person for thing</sup>

~~The Court doesn't want to~~

III

~~say - boys~~  
you realize you are not to consider ~~these~~ <sup>such improprieties</sup> the Court has many times told you what is evidence and what you will consider:

IV

the Court is <sup>isn't</sup> ~~not~~ saying this in a cavalier manner as "Boys will be boys" and invites a repetition of such conduct.

V

the Court is admonishing the jury to not consider such ~~improper conduct~~ <sup>improprieties</sup> and admonishing all Counsel to ~~not repeat~~ <sup>this shouldn't be repeated</sup> ~~isn't to be repeated~~.



Get in the record that Counsel turned to the Spectator's section in the Court room and asked ~~the~~ a spectator to stand.

The attorney characterized the acts of a witness in his summation, which may or may not have been proper or improper.

However, the attorney turned to the spectator section asked the witness to stand.

It is this latter action which the Court finds to be improper. . . .



A legitimate<sup>①</sup> act in pursuit  
of a legitimate<sup>②</sup> goal.

Back a 3 months.

what you do in this  
this action may affect

the Civil action in Floyd Circuit  
Court.

~~this course to be admissible~~

~~because Judge Holly Conolly will  
decide his legal action the  
same~~

~~you for your Co.~~

It may or may not  
be ~~this is to be decided by Judge Conolly.~~  
I will not pass on  
this - I will permit the  
statement as

it may or may not be - this will be  
decided by Judge Conolly - He is the judge  
of the Floyd Circuit Ct

However the statement is permitted  
in argument by Counsel.

But as previously stated -  
we are trying this case - you  
are instructed that the proceedings  
in the Floyd County case isn't  
evidence in this case unless such  
as <sup>is</sup> ~~is~~ <sup>admitted</sup> ~~admitted~~.

-60  
81  
6.0

I don't believe  
this to me.  
is ~~entire~~  
their personal  
opinion -  
evidence  
they are  
opposing a  
they are interested.







The Court has the duty to  
preside over the proceedings and to  
administer and enforce the rules properly,  
fairly and impartially.

the manner in which the  
Court has done this --- is not  
to indicate favor or disfavor  
to either side of the Court room  
- the Court understands each side of the Court says that the Court has let  
everyone - those inside the Court room  
Court and without in the eyes of the law - is an equal.

Counsel: has the duty to  
present the person or persons whom  
~~they represent~~ the defense or  
the prosecution in a light most  
favor to the one or ones the  
attorney represents.

However, the attorneys, like  
the Court has a duty to comply  
with the rules ---

~~the Court has sustained objections~~

~~the rules are the same for  
everyone~~

~~the rules are the same for  
everyone - Prosecution:~~

~~A good Court or a  
good attorney doesn't need to  
bend the rules.~~

~~Conduct of the Court and  
Conduct of Counsel~~

Good Counsel - prosecution or  
defense - doesn't need to and will  
not attempt to bend the rules.

the Court has let  
the Court room  
- the Court understands each side of the Court says that the Court has let  
everyone - those inside the Court room  
Court and without in the eyes of the law - is an equal.



The Court has the duty to  
preside over the proceedings, to  
interpret the rules and administer  
the rules properly, fairly and  
impartially.

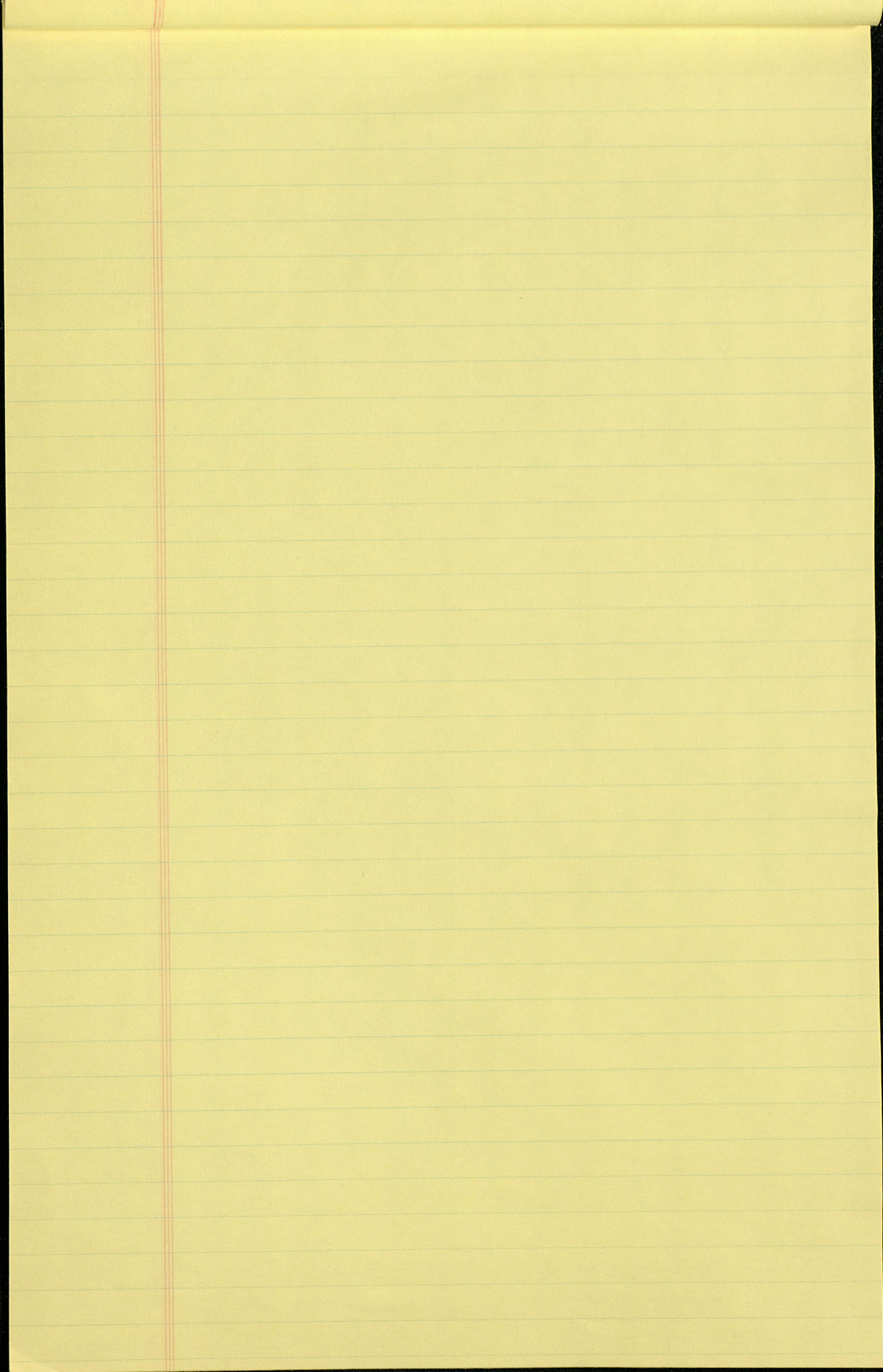
The Court, ~~knows~~ from experience  
by having been Counsel for prosecution or  
defense, ~~and its natural state~~  
that each feel - the Court has held  
their feet to the fire while permitting  
the other side more latitude.

The Court wants to  
advise you of its feeling and belief  
~~that in the eyes of the~~  
in the eyes of the law  
Everyone - those inside and out  
of Court are equal. — —

The Conduct of the Court  
its questioning of witnesses, its  
admonitions of Counsel is not  
to indicate favor or disfavor  
to either side.

The Attorneys in the case  
have a bifurcated or dual duty.  
They are to represent their  
Client and to abide









evidence.

Good

Harwell

Kerkland

58  
81

22 ✓

- NO

26

23 ✓

- NO

44

- Agree

56

- agree

58

- NO

+

62

- agree

65

- agree

66

67

70

- NO

68

75

74

- Agree

76

79

84

- NO

82

87

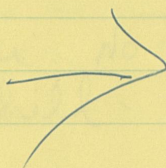
- agree

88

- agree

67

NO



30  
29

56

29

54

82  
68  
76  
79  
66

Nothing the meaning of  
the title act and  
common

A personal individual does not have  
a legitimate labor objectives as such,  
if he is an employee, or a union  
or its agent he has a legitimate  
labor objective or goal because Title  
29 provides what is a legitimate  
labor goal and the legal manner  
in which this goal may be pursued



present. 95 - Pending matter Ed Spencer Atty  
 present (112) - Atty Halloran Atty  
 present. 247 - Atty - Pafunda  
 present. 224 - Group w/ + Knowledge No.  
 present. 246 - belongs to Vmaga works for Dist-30

207 - Mr. Synder. No  
 202 - Retarded Child. ?

221

$$\begin{array}{r}
 37 \\
 29 \\
 \hline
 66
 \end{array}$$

$$\begin{array}{r}
 65 \text{ years} \\
 \hline
 88 \quad 90
 \end{array}$$

248

153 - Hot Laid  
 181 - In 3 Joster -  
 144 - Small.

$$\begin{array}{r}
 190 - \\
 \hline
 162 -
 \end{array}$$

$$\begin{array}{r}
 18 \\
 2 \\
 \hline
 \end{array}$$

$$\begin{array}{r}
 19 \\
 \hline
 38 \text{ my} \\
 10 \text{ at} \\
 \hline
 50 \text{ } \\
 \hline
 \Delta 118 - \\
 \text{Ord. } 18 \\
 \hline
 66 \\
 12 \\
 \hline
 78 \\
 18 \\
 \hline
 96 \\
 65 \\
 \hline
 31
 \end{array}$$

Post

6



Def.

Brown - presently represents

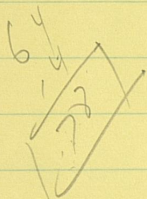
x Galt -

I { 178 - Mrs. May - pregnancy  
135 - Wills - ~~Council~~ Spencer  
\* 142 - Johnson - Council for defense  
168 - Poe -

< 7.64 - Lyon - more weight to W. Truss

178 - May -

x 1130 - Brown - Business Rector - either good  
my def.





Edgar Jones

Sympathetic to a group  
of miners who sought to  
organize Ray-mac Coal Company.

(1) Attended meeting and allowed  
his contract miners to leave their  
job and pursue their activities for  
organizational purposes

(2) Gave case of whiskey

He did give some support and  
aid, however he di

50  
75 PLK 3649

Parfunda

1 Truck passed wavid friendly

Danny Blanton

Saw man on carry-all get  
up and fire.

3 - went to Justice + Barker  
to see if they could talk to men  
about organizing

Right line to get Coal truck drivers  
(Sub-Contractors) to ~~not~~ haul Coal for  
Ray-mac so that Ray mac would  
permit their men to join the union



Admits that this wasn't an  
Authorized work stoppage by District  
or District

But asserts that Local may do so

fit + may a private individual go on  
private property w/o permission to  
solicit union membership. + + +

Thomas

Went into hill one day  
(Thursday morning) had to  
show him how to use gun  
he shot into air. —

Hallon

Pete Gay had went on Hill and  
was involved on these two occasions



Spencer

his client & no

other evidence

Adams

not claiming labor objective  
only to save job - drunk -

nevertheless - may be giving a  
defense instruction of facts  
support even tho he doesn't  
claim it.

Blankenship

Hollon

Peto-Cay heart went on Hill and  
was involved on those two occasions



## Branson

Halbert - Dealer in Weapons  
1st Count, only -

Admit checks

Weapons after violence

Records missing

Intent - No Intent to be  
a part of Conspiracy

## Kinkland



U.S. v. Culbert

U35.05.371

5 years

Day shift

Shift car - Road - and

Train in doing cleanup work

Saw Section for

- morning of left -

John Pollett

I later

Paul Allen -

gummi filed it in on sheet

stop

gummi on file on other section

Cross

Strong - E/King, Pollett - Moley -

Bertley - Squaring personnel -

Came in and stayed all morning

Arbitration

before labor practices

submit to Arbitration



Billie Sloan

Scotts Branch

Local

U. M. W. of A - 2264

5 years

day shift.

Shuttle car. - hauls coal

Foreman doing classified work

Saw Section foreman

- moving of belt -

Joni Ratliff

~~Linton~~

Gerald Elkins -

Stump }  
Elkins }

- were supervising  
personnel on  
Section -

Ratliff }  
Morley }  
Bentley }

supervising  
personnel.

grievance filed it is on third  
step.

grievances are filed on other violations

Cross

Stump - Elkins, - Ratliff - Morley -  
Bentley - Supervising personnel -  
Come in and stayed all morning

~~Arbitrator~~

Unfair labor practice <  
submitted to Arbitration



looked up

Richard Thacker  
Scotts Branch



— Volume II —

Allen Jacobson

Pikeville

Helicopter Pilot

On Monday had a trouble  
on Tuesday rode to Raymae  
with some one else.

Wed — too much cloud cover

Thursday

flying helicopter

No violence on Tuesday while  
he was there.

Thursday

Some pickup trucks he  
saw Tuesday

went to School to pick up SWAT  
team. For the  
5 people plus himself

landed near car

Exhibit 13

X — Y — where pickup  
truck was 1<sup>st</sup> & 2<sup>nd</sup>

Took State Police back to  
School House



On Sunday responded to  
Call - about Explosion.  
6 minutes went to  
Thiggle.  
Surveyed area to see  
if he could see anyone -  
didn't.

rode with Jackie Blair.

Coal mine owned 1 helicopter  
Coal mine did not use another  
plane during this time.

during weeks of February,  
mon - tues - wed - did not  
fly by reason of weather conditions.

Weapons not taken before Thursday



Bill Sykes

Carl Mac

Director of Public Relations

~~17 Feb~~

17 Feb 1982 (Wednesday)  
afternoon — 2-3 p.m.

Lead Carl

U.S. Marshall,

Captain KSP.

after equipment started Thursday Am

Shooting started 7<sup>15</sup> lasted for  
45 minutes.

Came across John Hall  
branch.

Falls occurred throughout.

Yelling — "Have you had  
enough?"

"You S.O.B. you've hit!"

S.R.Ts come.

he got into helicopter

identified themselves — Jason  
Moore — Parsons.

up there looking for logs

John R. Phillips, Reddy Phillips  
Ross Anderson.



Shooting damaged equipment.  
"Minimal: though"

Grid T.E.

34-34(a)

— Saw these before  
34 — given to him by  
Woody Barker — which he gave to  
Jozsy the  
— it is believed that Barker  
said someone gave them to him —

35-35(a)

Ray some Prater —  
Pete Barker gave him  
some fragments.  
(Lyn) He gave them McAllister.

## Sunday

Anger in good shape am  
got the en after noon bloom up

Dozer - not damaged

Fire was 450-500 yards  
away

Fire on from opposite direction  
that was 300-400 yards

starts

IV P.M. ①

Δ starts

Exp T.E.  
I.

U.S.G.S Topo - Mc Dowell  
Quadrangle



Admonition - recalled -  
this area - has had  
prior labor difficulties -  
Some involving violence -  
Some haven't -  
Every thing stands on its  
own - you look as oath  
to try this case against this  
indictment - against each of the  
named defendants therein

20

40 - 9mm shell - solid jacket

41 - 223 or 15 or mini 14 - Solid Point

42 - 306 - Core lock projectile

admonished jury for  
comparison purposes only



Jacobson - recalled -

Flight Log

2/4/82

2/24/82

15 Feb 82

From Rte

To - Rte

16 landings

Remarks

"6" Ray Moe job site

4 - Code sup entered

N.P.M.®

Ed Jones

T.E. 6



Consider the what  
is the change  
what is constant

20.50  
10.00

James Stevens

8:25 - 8:50

on Bell Hall Beach side

7 mt

w/ Roger Williamson

hard fun

to find mountain tops

Tr came from 2 positions on  
each side of rd

223 - 38

3<sup>rd</sup> position opened up behind  
U.S.

lasted 35-40 minutes

5 ft Jarling  
H. Schenck

Hollon

work

enjoy - 10 min

moose  
1 tall  
T.E  
①

Cross —



Steven T. Sizemore  
Guaranty Bank  
Teller

Card

5x"S"

(T.E.)  
(43)

Local Union 5967  
East MS Howell

Card

5xT

(T.E.)  
(44)

1390 to whom

1390 - 44

17 Feb 1982

from local - for cash

amt \$3,000

signed Lowell Linkley - Teddy King  
Teller Stamp - 13.

1380 -

local - David Hall

\$940

- work

Linkley - King

Record of David King  
5xS 2xS 1xT  
Report  
③ - M.A. Hall  
as to local

① - Statement to bank  
② - Jan. 1982  
to 5 pages of data

minutes book of local 5967

page 325

2/13/82

orig. meeting  
David Hall  
from memo



Walker Blackburn.

Drift.

Retired Coal Miner

U. m. w. of A - 1937.

5967.

Recording Secretary

Receive mail

take down all minutes

2<sup>nd</sup> Sat each month - regular meetings.

past 5 years

Special meetings -

all minutes of Regular or Special meetings are kept in that book

Govt.

6xV.

To Eo

47

Govt

6xV.

T.E.

48

— minute book of Fred 5967  
page 325

2/13/82

Org. meeting  
Amul Hall

Jerome Moore

Admitted  
by  
Stipulation

T.E. 46



44. Dr. Hall resigned as  
Vice president.

No discussion while meeting  
was going on.

No strike vote

No vote to set up Picket

No approval of strike fund

Labor Activity not authorized  
by Int. or District.

Became aware of Ray-Mac  
trouble by reading in paper  
and talking w/ people.  
Didn't participate.

TE  
47-

Guide line for Relief fund  
not aware of Any Bay  
Jaws of Local 5967



44-  
1<sup>st</sup> Check to Druml 94<sup>00</sup> 1380  
Hinkle - McKenney  
2<sup>nd</sup> Cash - \$3,000<sup>00</sup> 1390  
Hinkle - McKenney

No Seal

only saw these checks 2 times  
yesterday - 1<sup>st</sup>  
2<sup>nd</sup>

116 Check stubs

1380 - 2/13/82 - Committee acc'd  
1390 - 2/17/82 - T McKenney  
Storkeford.



Cross - Pafunda

Local had 200 retired members

age 300 members

aware of Ray-mac +

non-union -

good union member wants all

companies quality under union K

Europe  
J. A. Chitt  
N.P.M.

Cross - Thomas

Tacket  
J.E.  
①

photo - Union Hall of Local - at  
m.E. Powell.

2 doors

Left door supplies

Right door -

holds approx - 200

Cross - Walbourn.

Cross - Kirkland

check to 5967

Union Down - \$50.00

13 Feb - 1982 -

more -  
1  
T.E. 2



Re - Lunt

Knows for forda

D/Hall Resigned  
page 325

inadvertent  
mother time  
other and mother  
not about



Beaver  
 upon  
 Credibility  
 of the  
 of the  
 some time  
 one who  
 one or  
 tried to  
 add to  
 and

Robert Forsythe,  
 Sgt. K Sg.

16-Feb - Tuesday

3 Trucks at entrance  
 Employee of Ray Mac  
 News paper reporter from  
 Floyd Co

Ex  
 23 - 30

Ex  
 31

Interpretation of  
 Ex hits  
 Pictures of vehicles  
 marks

Goff  
 C  
 T.E  
 49

Pistol.

Danny Blanton  
 statement

T.E  
 52

admission as to  
 prior consistent statements  
 affirmative statements

T.E 50

8 m m. shells  
 Picked up by witnesses

T.E 50<sup>a</sup>

T.E  
 51  
 35



Gort  
Ex

32-33

Gort  
Npm  
LE  
53

Drexil Hall -  
Student only

I.E.  
39. =

39<sup>(a)</sup>

Pistol

T.E.  
38

Cartage received from Denny Strick

36<sup>(a)</sup>

T.E.  
37

Cartage received from Bill by Kinn

34<sup>(a)</sup>



T.E  
34 - Fragment given to him by  
Bill Sykes  
34(a) -

T.E  
35 - Fragment from Bill Sykes  
taken to Ashland  
35(a)

T.E  
36 Cartridges received from Danny Stanko.  
36(a)

T.E  
37 Lead fragments. Bill Sykes  
37(a)



Cross - Pofundany Tomba  
KSP - Syam

Exem - 10

Out of the - dull

Amag - 10

Take one shell Amag  
to about 100 yds



34  
35  
36

Detective Danny Stumbo  
KSP - 15 years

36  
36(0)

Evening -

Coal Auger - dull

denials

Turned over shell can go  
to Robert for seg the -



Pa-Tund  
mushy for 70  
+.

Dennis M<sup>s</sup> Collector  
RTF

Exhibit

21 Feb 1982

IV  
TE  
54

Metal fragments from blast 7  
Ranger

W  
FE  
55

- 3 Samples from 5 cm  
of blast

① Spongy material

②

Debris of blast site

Package I sent to  
Lab in Washington for Ex,



Testimony

Severe damage to Auger

Coal

Superficial damage to Dozer

L  
T.E.  
56

22 Feb 1982 at site of Explosion  
— Basketball Cover

M  
T.E.  
57 (c) —

Dynamite Wrepper

Coded w/ date shift code

AO-20-60-BO-57,

IRECO. — Leki-utah dynamite exploded

P  
T.E.  
58

safety fuses to end of

1 stick had cap attached

to cap was safety fuse.



Went to Hooda fork.  
all way to end of rd. -  
Talked to Sam Bentley  
went up left fork

28 Feb - photo - T ypph  
still burning

~~8~~  
~~yy~~  
T.E.  
60  
60 (a)

- same t ypph  
close up

~~2~~  
~~xx~~  
T.E.  
59  
59 (a)

- 5 pictures of T ypph - Simpson  
Branch - still burning

13 May



Cont

4

T.E.

61

Two Bead Wire

N.P.M.

61 (a)

Evidence Tag

Cont

5

T.E.

62

Section of Entolites -



Card  
T.E.  
**22**

**63**

Card board box

63(a)

Identification tag

Card

8AA

64

3 Boxes - 30 3 shells (full)  
243 Winchester shells - (partial box)  
Remington-Union Blower  
hollow point Shotgun shell

BBB

65

1 Box

CCC

66

2 Boxes

DDD

67

2 Boxes 30 3 Carttridges  
3 Boxes Winchester shells

EEE

68

FFF

69

GGG

70

7 Boxes BB6  
open box 444 machine



Am  
VVV

71.

28 Aug 72  
aimed 7 shells  
SA 21688 - UZZ1  
Floy Lee Jerry Wiley Rock

WVV

72(a)

SA 21687 UZZ1  
Identification tag  
3 cartridges

800

73

Box 9mm. Ammo -  
UZZ1

EEEE

74

74(a) Evidence Tag



6xB

75

- Record of income acc. Halbert's gen salt

6xC

76

- ammo - Receipt & disp. Halbert

6xD

77

- Invoice - #034093 - to Halbert  
2/19/82

6xE

78

- Invoice # 34093 - to Halbert  
2/18/82

6xF

79

- Invoice # 034099 - to Halbert  
2/19/82

6xG

80

- Invoice # 34099  
2/18/82

6xH

81

- Invoice # 034098 -  
2/19/82

6xi

82

- Income Taxat fm 2/16/82 H 729

6xj

83

- ATF Brn H 822

6xk

84

- ATF Form # 793

6xL

85

2/25/82 - 852

6xM

86

2/24/82 - 851



87

-

2/24/82 # 859

88

-

2/24/82 # 860

89

<sup>2</sup>  
-

ATF

858

90

- AT

857

DD

~~TE~~  
91

- ATF Form

4478

No Transfer  
Number

2/16/82

91(a) ident.

not in Ex 95



W. Innes 2

1 ST distance - July subject to  
Aug 5 -

not to be given  
w/ these unless  
covered expressly  
warmer than  
the 1st

→ in notice /  $\frac{1}{5}$  + interest

34 - Prater  
35 maynard

Photos

Feb - 10:30

A hand-drawn sketch of a person's head and shoulders, showing a profile view with a large, rounded head and a small, pointed chin. The drawing is done in dark ink on a light-colored, textured paper. The head is tilted slightly upwards, and the neck is visible. The shoulders are indicated by a few simple lines. The overall style is that of a preliminary sketch or a doodle.

Tuesday

[illegible]

14

~~9 11~~ 16  
P.D. 7

Jan 18<sup>th</sup>

7

Mr. Shall  
New York

Grand's  
M's Cor-der

possible for the young  
to

to June - July - Page

*Handwritten notes:*

For  
N's  
C'm

Ref. of Towne

Handwritten notes on a separate sheet of paper, including the word "Waves" and a diagram of a wave.

*Handwritten:* ~~Handwritten~~

*Handwritten:* 100  
Bis

3

*[Faint handwritten notes, possibly bleed-through from the reverse side.]*

to Oak

10



Spencer  
Rowland

Who in the

Paintsville Area -

Tractors  
Rowland  
Ev. been

work in or around

Paintsville. -

so that the jurors

Tracked  
Linn  
Castle

may ride w/ them.

Ronald Clark, IRS Agent  
in Paintsville most days.

Mary M. May know someone  
at the Highway Office.

Ed Ennis -- attorney for  
Commonwealth of Kentucky, Department  
of Highways and he  
works five (5) days a week.



U - 93 - Wessgers from dynamite

R - 92 - 92(a) - length of safety fuse <sup>John Moore</sup>

5xw - 94 - photo - Cond of dynamite when he saw it

5xx - 95 - photo - " " " " " "

WPM - 96 - Cardell

Documents under seal 97 - J Moore

98 - J Rowland

99 - R Hall

100 - Anna S. Smith

101 - Ed Roy. Moore

102 - To Kinney

103 - Noel Mearns

~~103~~

PP

104

TT

105

UU

106



~~Rebuttal~~

~~Govt~~

~~Meredith~~

~~Meredith Hoffman~~

~~D Clerk - Lloyd's Clerk's  
Office~~



