

254. Box 1 of 1. Capt. Hildreth Frost, 2nd Infantry, Judge Advocate. Aug./Sept. 2004 Inventory.

Yellow stick-on note (handwritten) reads: "Given to the State Hist Society by Governor McNichol's Office. Presented to Governor by Mrs. Hildreth Frost Colorado Spring, Colo. Her husband was Judge Advocate General of Trial. Sept. 1962".

Contents: Records of Courts Martial, Headquarters Military District of Colorado Trinidad, Colorado.

1. Record of the General Court Martial Military District of Colorado in the Matter of Lieutenant H. A. Keeley, 1st Lieutenant, 1st Infantry, National Guard of Colorado. Case No. 27. G. C. Lingenfelter, Colonel Medical Corps, President of the Court. Hildreth Frost, Captain 2nd Infantry, Judge Advocate. March 16, 1914. Charge 1: Conduct unbecoming an Officer and a Gentleman. Charge 2: Conduct prejudicial to good order and military discipline. Findings of the General Court Martial: Guilty of both charges and specifications. Sentence: To be discharged from the service of the State of Colorado. Loose pages, including letter from Capt. Hildreth Frost to Commanding General, Military District of Colorado, pertaining to the appointment of certain members of the Court Martial. Also, typewritten pages from the transcript of the trial.
2. Record of the General Court Martial Military District of Colorado in the Matter of Private Charley Obley, Company "F", 1st Infantry, National Guard of Colorado. Case No. 11. L. W. Kennedy, Major 1st Infantry, President of the Court. Hildreth Frost, Captain 2nd Infantry, Judge Advocate. January 16th, 1914. Charge 1: Murder. Charge 2: Manslaughter. Charge 3: Assault with intent to kill. Charge 4: Assault with a deadly weapon with intent to do great bodily harm. Findings of the General Court Martial: Acquittal upon all the specifications and all the charges. Three copies.
3. Record of the General Court Martial Military District of Colorado in the Matter of Private John W. Ryan, Company "A", 1st Infantry, National Guard of Colorado. February 25, 1914. Charge 1: Desertion. Findings of the Court: Guilty. Sentence: Confinement in the Guard House at Trinidad for a period of Thirty days from the date hereof. That the prisoner be fined all pay and allowances due him and that his pay be stopped from this date and that he be given a "Dishonorable Discharge" in the National Guard of Colorado. Recommendation for clemency approved, that the fine and the stopping of all pay be remitted, that the sentence for imprisonment be remitted and that the prisoner be not given a "Dishonorable Discharge" but merely a Discharge without Honor. Two copies.
4. Written statement from Hildreth Frost, Judge Advocate, Colorado Springs, Colo., July 29, 1914. Subject: The Colorado Coal Strike. Summary: "I found that less than 300 of the approximately 700 Union card holders in my District were actually at work in any coal mine in Southern Colorado at the time the strike was called. The balance of the 700 had simply joined the Union to swell its apparent strength and to draw the \$3.00 a week stipend... I was so fortunate as to be acquainted with nearly all of the persons prominent in the strike, both Coal Operators and Union Officials. In view of the enormous amount of sworn testimony which I heard or examined I believe that perhaps I had a better opportunity than anyone to gain impartial knowledge of the entire strike situation... As a result of this strike, including the battles around Berwind and Hastings last October, the battle of Ludlow, the burning of Forbes, the battle of Walsenburg, the burning of the mines around Aguilar, the fight at the McNally mine, and the La Veta murders, I believe that several hundred have come to death by violence in the course of this strike and that the destruction of property has amounted to at least \$5,000,000.00..." Four pages.
5. Abstract of Record of the General Court Martial Military District of Colorado in the matter of Privates Robert J. Burroughs and Thomas F. Gibbons, Company "A", 2nd Infantry, National Guard of Colorado. L. W. Kennedy, Major 1st Infantry, President of the Court. Hildreth Frost, Captain 2nd Infantry, Judge Advocate. January 23, 1914. Charge 1 against both: Being on guard and post as sentries and leaving before being regularly relieved. Findings of the court: Guilty. The Court further finds that these men were probably induced to leave their posts by the persuasion of two civilian Greeks and that the accused were not off their posts more than a few minutes at the

outside. Sentence: \$30 fine and confinement in the Guard House for 30 days. The Court further recommends that clemency be extended to these prisoners... Subsequent approval of the recommendation of clemency; sentences suspended, pending good behavior and prisoners paroled in the custody of their Company Commander.

6. Military District of Colorado Camp at Hastings Near Ludlow, Colorado. Charges and Specifications preferred against Private George J. Emrich, Company "L", 1st Infantry, National Guard of Colorado. Charge 1: Threatening his superior officer with a deadly weapon. Charge 2: Assault with a deadly weapon. Charge 3: Assault with a deadly weapon, with intent to do great bodily harm. Incomplete; dated January 1914. Three pages.
7. Record of the General Court Martial Military District of Colorado in the matter of Private Dole Valdez, Company "B", 2nd Infantry, Private Dewey C. Sharp, Company "B", 2nd Infantry, and Private Clifford H. Grady, Hospital Corps, National Guard of Colorado. Case No. 12, 13, 14 consolidated. L. W. Kennedy, Major 1st Infantry, President of the Court. Hildreth Frost, Captain 2nd Infantry, Judge Advocate. January 20, 1914. Charge 1: Burglary. Charge 1: Conspiracy to commit Burglary and Larceny. Findings: Privates Dole Valdez and Dewey C. Sharp, Guilty. Private Clifford H. Grady, Not Guilty. Determination of the Court: Acquittal of Private Grady. Privates Valdez and Sharp: confinement in the County Jail, County of Las Animas, for one year from January 20, 1914; "Dishonorable Discharge" at the expiration of said sentence; fine to the amount of all pay and allowances. Sentences confirmed January 28, 1914.
8. Record of the General Court Martial Military District of Colorado in the matter of Private Frank Leslie, Company "K", 1st Infantry, National Guard of Colorado. L. W. Kennedy, Major 1st Infantry, President of the Court. Hildreth Frost, Captain 2nd Infantry, Judge Advocate. January 27, 1914. Charge 1: Desertion. Charge 2: Larceny. Charge 3: Fraudulent enlistment. Charge 4: Larceny. Findings of the Court: 1st Charge: Guilty. 2nd Charge: Not Guilty. 3rd Charge: Guilty. 4th Charge: Guilty. Sentence: Confinement in the County Jail, County of Las Animas for 30 days from January 27, 1914; fine to the extent of all pay and allowances; "Dishonorable Discharge" from the National Guard of Colorado. Sentence confirmed February 5, 1914.
9. Abstract of Record of the General Court Martial Military District of Colorado in the matter of Private Harry Bloom, Company "B", 1st Infantry, National Guard of Colorado. L. W. Kennedy, Major 1st Infantry, President of the Court. Hildreth Frost, Captain 2nd Infantry, Judge Advocate. January 26, 1914. Charge 1: Striking an officer. Charge 2: Assault with intent to kill. Charge 3: Threats to kill. Findings of the Court. Not Guilty. Findings approved January 26, 1914. Two copies.
10. Loose papers. Statement of Private Robert J. Burroughs concerning verbal encounter with residents of Starkville, about February 3rd, 1914, 2 pp. handwritten. Statements of Sergeant H. E. Baker, H. H. Edler, C. A. Gillis, George D. Groeneman, and R. J. Kempter regarding a fight between two local residents of Mexican descent and the aftermath thereof, 8 pp. typewritten.
11. Minutes of the Court of Inquiry Established by an Executive Order of His Excellency, George A. Carlson, Governor of the State of Colorado, August 26, 1915. Convened in the State Capitol Building, Denver, Colorado, First Day, August 28, 1915. Preliminary pages (three) consist of an alphabetical Index of participants in the Court of Inquiry; page 1 missing; page 2 begins with the letter 'B'. Content pages numbered from 0 to 1108.

Subpoena issued to General C. D. Elliott, who, at his first appearance, refuses to be sworn and demands the right to counsel. Demand granted, not as a matter of precedent but of comity and polity to the General. Subpoena issued to counsel for General Elliott, who then refuses, upon advice of counsel, to answer all questions put to him. C. E. Friend, counsel for General Elliott, also refuses to answer all questions.

P. 64: Mention of “the burning of the tent colony” and “the killing of Tikas and those other two prisoners.” P. 75: General Elliott failed to appear, and the recorder of the Court of Inquiry was ordered by the President thereof to prepare a warrant of attachment for the General. P. 121: Captain Hildreth Frost appointed an officer of the Court of Inquiry. P. 128: Question of fraudulent enlistments in Battery B. P.178: Opinion of the Attorney General of Colorado authorizes the warrant of attachment against General Elliott and R. W. Coates. Authorization of National Guard officers to serve the warrant. P. 199: Many animals running loose after the burning of the tent colony. P. 244: The Ludlow pig. P. 260: Mention of the Massacre of Ludlow and of two pamphlets left at Sixteenth and Welton with the other side of the story.

P. 265: Executive Order to Court of Inquiry to proceed to inquire concerning all accusations and imputations coming to its knowledge against officers of the National Guard of Colorado. P. 288: Questions regarding the involvement of Gen. Chase in the fraudulent enlistments in Battery B. P. 296: Question of National Guardsmen working at Capt. Dahlene’s ranch while being paid by the State. P. 302: The Ludlow pig again: Major Hersey desires to know if this was a self-propagating pig. P. 316: Capt. Hildreth Frost describes his duties as Judge Advocate in the field. He discusses the actions and behavior of Captain VanCise during late 1913 and early 1914.

P. 338: Difficulty in recruiting for the National Guard attributed to the fact that it is used for strike duty and the lack of public support for the National Guard of Colorado. P. 344: On the mental state of Captain VanCise during the occupation of the strike zone. P. 363: Baldwin-Felts Detectives, Inc. represented the coal operators in official capacity as detectives. P. 367: General Elliott claimed to be representing Theodore Roosevelt for getting information for certain eastern magazines, says Felts of the detective agency. Felts also says that General Elliott claimed to be in the employ of the United Mine Workers. P. 405: Appearance before the Court of Inquiry of Frank E. Gove, one of the attorneys for the Victor-American Fuel Company. Pp. 415-416: The strategy of General Elliott, as related by E. J. Boughton.

P. 423: The Court of Inquiry at Ludlow. No transcription of the testimony. P. 424: State of the public mind and the call to arms. P. 427: Mention that Lieutenant Linderfelt had struck Tikas with his gun, that afterwards Tikas was shot, and that the evidence concerning the shooting was conflicting. P. 429: Mention of the writ of habeas corpus of Mother Jones and of her detention. P. 432: The Court Martial held at the rifle range near Golden... was frankly for the purpose of providing the participants in the Ludlow incident with a plea of former jeopardy. P. 437-471: Extended inquiry into disbursements and expenses at Fort Perry.

Pp. 528-548: Testimony of Gen. John Chase. P. 543: Mutiny in Troop C, brought about by an ex-regular acting as First Sergeant having absolutely refused to return to the field. Pp. 553-563: The question of fraudulent inspections. P. 578: Witness’ theory that General Chase was appointed and retained as Adjutant General by the Governor for political reasons. Pp. 594-595: Greater clarification on the question of the Ludlow pig. P. 604: imputations of prejudice, narrowness of mind, and jealousy against General Chase.

Pp. 646-648: Testimony of Captain Hildreth Frost regarding his view of the troubles within the Colorado National Guard and what might be done to correct them. Pp. 649-650: Statement by Lieutenant-Colonel Edward J. Boughton regarding his competency to practice military law. P. 664: Hearsay evidence from witness that the men at the rifle range killed the Ludlow pig and ate it. Pp. 665-667: Working-class families against sons’ joining the National Guard because they might be called for strike duty and fight against [their] brothers. P. 672: Question: Why is it that the consideration of strike service should deter recruiting in Colorado and not in New York, in your judgment? P. 673: Answer: Well it is a different type of population. We have a different element to deal with here. We have a mining element here which when it goes on strike uses dynamite. P. 675: It is worth a man’s union card in his union to become a member of the National Guard. Pp. 688-689: Writ of attachment against R. W. Coates.

Pp. 704-739: Testimony of William J. Diamond, coal miner and statistician of the International Union of the United Mine Workers of America in Colorado. Pp.742-807: Testimony of R. W. Coates, private investigator. P. 745: The question of planted letters at the Savoy Hotel. P. 765: Coates' plan to bring indictments against state officers or members of the National Guard in Colorado and to arrive at the same solution as in West Virginia—dismissal of all charges against union members.

P. 820: On Capt. VanCise's conduct before the Court Martial in Trinidad. Pp. 872-882: Testimony of Frank D. Bartlett regarding difficulties of recruiting in southeastern Colorado. P. 888-904: Testimony of Edward P. Costigan, attorney; served in February of 1914 as counsel to the United Mine Workers of America before a Congressional Committee appointed to investigate the Colorado strike. Pp. 905-916: Testimony of Fred Farrar, Attorney General of Colorado. Pp. 923-928: Testimony of Wellington H. Gates, cattleman and Chairman of the State Democratic Committee. Pp. 929-930: Testimony of George F. Oxley, political reporter of the Rocky Mountain News. Pp. 932-940: Testimony of Edward A. Smith, attorney and Captain of Company A, Signal Corps, regarding time and pay of Guardsmen; regarding Captain VanCise. Pp. 941-944: Testimony of Captain Jesse Buell; pay and receipts.

Pp. 945-949: Testimony of Captain Harry E. Inslay; fraudulent inspections; plots against the Adjutant General; role of Roy O. Sampson, of the Justice Department. Pp. 950-952: Testimony of Colonel Edward Verdeckberg; the battle of Walsenberg. Pp. 956-961: Testimony of A. C. Felts; introduction into Colorado of union men from other states, as reported by the operatives of Felts; plans for organizing and calling a strike; attitude of mine workers toward the National Guard. Pp. 962-967: Testimony of Walter Belk, detective for Baldwin-Felts Agency; activities of Coates, Elliott and Belcher in Colorado. Pp. 968-969: Testimony of Captain Jesse Buell; preparation and signing of payroll. Pp. 975-999 Testimony of Colonel George M. Lee; pay and receipts; shipment of stoves and other state equipment to Lee's ranch. P. 1000: Captain VanCise requested to appear face to face with Colonel Lee regarding bills and payments; fraudulent enlistments; activities of C. D. Elliott and R.W. Coates; rejuvenation of the National Guard. P. 1014: Captain VanCise: Monte Linderfelt is a murderer, a robber, and a thief.

Pp. 1018-1019: Captain VanCise describes the capture and death of Louis Tikas. VanCise alleges a cover-up. P. 1031: Captain VanCise: the demoralized condition of the National Guard of Colorado. P. 1038: Testimony of Major Lee; sale of groceries belonging to the state; military expenses; purchase of horses by state. Attitude of the Denver newspapers toward the National Guard. Pp. 1045-XXX: Testimony of General John Chase. Relations between Spanish War veterans and the National Guard. P. 1057: Equipping the National Guard. P. 1071: Collection of military poll taxes.

Pp. 1078-1080: Testimony of Captain Hildreth Frost; Purchase of the Colorado Springs Armory site; Captain Frost's opinion that, in the transfer of property, Governor Shafroth was both criminally and civilly liable.

Pp. 1083-1108: Testimony of Lt. Karl E. Linderfelt; the bases of hostility toward him on the part of ex-Captain VanCise, centered around their activities near Berwind and the tent colony of Ludlow; contrasting ways of maintaining discipline. Lt. Linderfelt admits that he struck Louis Tikas and adds that there was no attempt by the Board of Officers to conceal that fact. Seizure of the Snodgrass store at Ludlow as a military necessity; the search for arms in the mesas back of Berwind Canyon; accusations of theft of money, jewelry, chaps, and food by the troops; a sergeant uses a fictitious name to sign a receipt for confiscated guns; receipts up at Berwind canyon signed by Robert [E.] Lee, U. S. Grant, George Washington, and Alexander the Great. Lt. Linderfelt keeps three guns he found at Ludlow after the fight; the question of fraudulent inspections again. Discussion of the state of the National Guard of Colorado.

