

INDICTMENT RECORD.

5724 ✓

The District Court for the County of St. Louis and State of Minnesota.
THE STATE OF MINNESOTA,
vs.
Walter McMillan.
ELEVENTH JUDICIAL DISTRICT

ENDORSEMENTS

THE DISTRICT COURT,
For the County of St. Louis and State
of Minnesota.
ELEVENTH JUDICIAL DISTRICT.

THE STATE OF MINNESOTA
vs.

Walter McMillan.

INDICTMENT

"A TRUE BILL"

H. J. McCabe
Foreman of the Grand Jury.

Presented to the Court in
open Court by the Foreman of
the Grand Jury, in the presence
of the Grand Jury and filed
with the Clerk this 14th
day of July 1920.

J. P. Johnson
Clerk.
By H. P. Hanson
Deputy.

Harvey E. Brown
County Attorney.

Walter McMillan is
ACCUSED by the Grand Jury of the County of St. Louis, Minnesota, by
this indictment of the crime of Riot, committed as follows, to-wit:
the said Walter McMillan, John Doe, Richard Ree, and divers other
Committees as follows:—The said persons to the number of three
and more, whose true names on the are to this Grand Jury day of
unknown, having A. D. 1920, at assembled on the fifteenth
in the County of St. Louis and State of Minnesota, day of June, A. D.
1920, at the City of Duluth, County of St. Louis and State of
Minnesota, for the purpose of obstructing one Oscar Olson, a
public police officer of the said City of Duluth and State of
Minnesota, and divers other public police officers of said
City of Duluth and State of Minnesota, and divers other public
Police officers of said city and state, whose true names are to
this Grand Jury unknown, in the performance of certain of their
duties, to-wit: the duty of safeguarding and retaining in their
custody certain persons, to-wit: one Isaac McGhie, one Elmer Jack-
son and one Eli Clayton, which said persons were then and there
in the custody of the said police officers, and then and there
confined in certain property of the City of Duluth, to-wit: in
that certain building situated on East Superior Street, in the
said city, county and state, and commonly known as the Police
Headquarters of the City of Duluth, a more particular description
of which said property is to this Grand Jury unknown, and the
duty of protecting from damage and destruction the said property
and building, and the said persons being then and there assembled
for the further purpose of damaging and destroying said property
and of breaking into said building, and of taking therefrom and
from said custody, and of assaulting and killing the said Isaac
McGhie, Elmer Jackson and Eli Clayton, and the said John Doe,
Richard Ree, and said divers other persons to the number of three
and more being then and there engaged in disturbing the public
peace by using force and violence to certain other persons and
property by then and there striking and hitting the said Oscar
Olson and the said other public police officers with bricks,
stones, sticks, streams of water and divers other weapons, a
more particular description of which said weapons is to this
Grand Jury unknown, and by directing and throwing against, and
striking with bricks, stones, sticks, timbers, rails and streams
of water the said building, and by battering down and removing
the doors of said building with rails, timbers, poles, hammers,
and divers other instruments to the Grand Jury unknown, and by
taking from the said building and by assaulting and killing the
said Isaac McGhie, Elmer Jackson and Eli Clayton, the said Walter
McMillan did wrongfully, unlawfully, wilfully, feloniously and
riotously participate in said disturbance of the public peace
by being then and there present, and by then and there instigating,
promoting and aiding the said disturbance of the public peace,
Contrary to the form of the Statute in such case made and provided,
and against the peace and dignity of the State of Minnesota.

Dated at Duluth, in the said County of St. Louis and State of Minn-
nesota, on the this 1st day of July, A. D. 1920.

Witness Examined before the Grand Jury:
James McAuliffe
Paul Albinson
Arthur Palcher
Felix Rice
John Hammerberg.
W. J. McCabe,
Foreman of Grand Jury.

STATE OF MINNESOTA. } DISTRICT COURT ELEVENTH JUDICIAL DISTRICT.
COUNTY OF ST. LOUIS.

I HEREBY CERTIFY That I have compared the foregoing with the original indictment, and also the endorsements, thereon found by the Grand
Jury of said County on the 1st day of July, 1920, against Walter McMillan,
and presented to the Court in open Court by the Foreman of the Grand Jury, and filed on the fourteenth
day of July, 1920, and that the same is a true and correct copy thereof.

J. P. JOHNSON, Clerk
By H. P. Hanson, Deputy