

The District Court for the County of St. Louis and State of Minnesota

THE STATE OF MINNESOTA)

VS

JOHN HAMMERBERG)

ELEVENTH JUDICIAL DISTRICT

John Hammerberg is ACCUSED by the Grand Jury of the County of St. Louis, Minnesota, by this indictment of the crime of Instigating a Riot, committed as follows, to-wit: the said John Hammerberg, John Doe, Richard Roe, and divers other persons to the number of three and more, whose true names are to this Grand Jury unknown, having assembled on the Fifteenth 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 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, Elmer Jackson and 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 and building 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, the said John Hammerberg did then and there wrongfully, unlawfully, wilfully, feloniously and riotously instigate, promote and aid the said John Doe, Richard Roe, and said divers other persons to the number of three and more, then and there present and participating in said assembly, to a disturbance of the

public peace by the use of force and violence to certain other persons and property, to-wit: to the said Oscar Olson and said divers other police officers, to the said Isaac McGhie, Elmer Jackson and Eli Clayton, and to the said property of the City of Duluth; and the said John Doe, Richard Roe, and said divers other persons to the number of three and more so assembled, and so instigated, promoted and aided, did then and there disturb the public peace by use of 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 the 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, 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 said County of St. Louis and State of Minnesota, this 29th day of June, A. D. 1920.

W. J. McCabe
Foreman of the Grand Jury

Witnesses examined before the Grand Jury:

John C. Brown
Lester Smith
James McAuliffe
Paul Albinson

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

THE STATE OF MINNESOTA
VS.
JOHN HAMMERBERG.

I N D I C T M E N T

" A TRUE BILL"
W. 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 W. R. Wasson
Deputy.

Warren E. Greene
County Attorney.
