TOLL OF VENGEANCE DRAWN IN BLOOD BY STAR SPY OF MINGO'S "TRIGGER TRIAL"

C. E. Lively's 'Gat' Plays Grim Sequel to Grewsome Drama; Gives Impetus to Feud.

By SIEFFRIED B. WEYER,
International News Service Staff Correspondent.

NEW YORK, Aug. 10.—"Sid Hatfield Killed in Gun Fight!"

A flood of memories was released by the news flash from Welch, W. Va., where the youthful ex-chief of police of Matewan, central figure in the famous "Trigger Trial," was shot dead on August 1 by Detective C. M. Lively, an equally dramatic character in the Mingo miners' murder case.

Making a "good job" of it while he had the chance, Lively also sent a bullet into the heart of Ed Chambers, the "baby" of defendants' row at the trial, which dragged along for eight weeks early this year and ended in the acquittal of Hatfield and his 18 co-defendants.

Once more the "gat has spoken where the law had said "Not Guilty!"

Lively stands the avenger of the seven Baldwin-Felts detectives killed in the one-and one half minute gun battle at the little mining town of Matewan May 19, 1920. Among the victims were Albert and Lee Felts. What their brother, Tom Felts, head of the detective agency, failed to achieve with a long and costly trial, for which he had engaged seven of the most brilliant lawyers of the south, the bullets of his "star sleuth" have done for him.

Tom Felts, dreaded by the outlaw world from coast to coast as the most relentless man hunter, who has sent more crooks—bank robbers, highwaymen, feudists—to the penitentiary than any other individual in the United States, never tried to hide the fact that since the Matewan tragedy his whole life revolved around one all-overshadowing desire—to bring Sid Hatfield to justice.

He has had several chances to "pop" him at sight, and he has admitted to this writer that his hand twitched each time, but he added:

Hatfield Faced More Charges.

"My whole life has been devoted to helping the law by hunting down criminals; I am not going to take the law into my own hands now. But I shall spend my last cent, the last atom of my energy, in trying to secure Hatfield's punishment!"

Hatfield was under six other murder indictments growing out of the "Battle of Matewan." So was young Chambers. So are twenty other Matewan miners.

The killing of his two brothers made a broken, embittered man of Tom Felts. It robbed him of his best pals, with whom he had worked and played for nearly half a century.

A few minutes after the acquittal of the nineteen accused—there were 24 originally; one turned state's star witness, and the cases against four others were nolle prossed—the writer saw Felts in the latter's hotel room. He lay in his bed writhing with pain, threatened with pneumonia. He raised himself with difficulty on one elbow and said, amid half-suppressed sobs:

"We lost. But we are coming back. No conviction of these men seems possible in Bloody Mingo. We shall try to have them tried in another county, and"—his clenched fist pounded the side of the bed with each word—"we shall convict them the next time!"

Then he sank back on his pillow and turned to the wall to hide his tears.

The bloodshed, the suffering, the romance and adventure, the bitterness and the hatreds that form the background of the "Trigger Trial" and the sequel at Welch last week, and of many other tragic sequels that are sure to come, constitute a world within itself, and it is one that the great masters of fiction would revel in exploring, for it is replete with facts which are indeed stranger than fiction.

Hatfield's Uncanny Smile.

Sid Hatfield himself was a character worthy of the best efforts of a Poe, a Hugo, or a Tolstoi. His personality was strangely apparent. Tall, lanky, raw-boned, rosy of complexion, with hazel eyes that glowed the full, fiery intensity of his impulsive being, this typical son of the hills seemed one minute like an awkward, harmless, kindly country boy and the next like a human wildcat. He would slouch out of the courtroom looking, from behind, as if he had not an ounce of "pep." He would hear a remark or feel an ever so slight touch from someone walking behind him, and wheel around with the swiftness and agility of the black panther. And always, in such moments, his large, uncouth hand, with its incongruous, slender, nimble fingers, would, by sheer instinct, fly to his hind pocket—the same movement that Lively's eagle eyes caught at Welch the other day, the hash-house sleuth's sight and trigger finger being just a trifle quicker than Sid's.

"Smiling Sid" Hatfield's smile was the most uncanny thing about him. It seldom came off; when it did the youth's face took on a wizened, withered look, and he seemed seventy years old instead of twenty-six. The Hatfield smile was more of a grin than a smile; there was no mirth in it. It was on his lips continually throughout the trial as he sat there, in the shadow of the hangman's noose, the leader and "hero" of that band of accused murderers. Witnesses of the Matewan battle say it never left his lips during the bullet orgy. When it was over seven men lay dead in front of him, three others, Matewanears, behind him. Hatfield alone was said to have killed five of the detectives. The first thing he said was:

"They shot a hole through mah hat and they shot one of mah guns out of mah hand. Ah reckon they all was excited."

The major part of the people of Matewan swore by Sid Hatfield. He was their hero. He was known to "go through hell" for a friend and was equally ferocious in his antagonisms. He never forgot and never forgave. He was intensely proud in mountaineer fashion. Beneath his grinning, unsophisticated exterior he hid a world of shrewdness and cunning. He was intensely suspicious and jealous.

Married Mayor's Widow.

By his side throughout the "trigger trial" sat his wife, a handsome young woman who had been made a widow by the Matewan battle. Her first husband, Mayor C. C. Testerman, of Matewan, was killed in that fight. She married Sid less than two weeks afterward. Opposite the Hatfield pair in the courtroom one day sat a reporter who has eye trouble. When he takes off his glasses and the light shines in his eyes they twitch. They happened to do it on this occasion. Mrs. Hatfield whispered something to her husband. As if stung by a tarantula, Sid shot up from his seat, bent his tall figure over the table that separated him from the reporter and hissed:

"The madam says you winked at her!"

The dumbfounded scribe was speechless for a moment, then merely answered, "Hell, no!"

Hatfield, his face lobster-red, eyes hurling flames at the newspaperman, went on:

"If you do it again I'll take you out and beat you up!"

When Sid Hatfield spoke of "beating up" he meant the only kind he knew—bullet-beating. The reporter later explained his eye trouble to the Hatfields. The latter said not a word, merely grined. The reporter after that chose a seat of less propinquity to the Hatfield couple.

Whatever may have been the right or wrong in the murder cases, Hatfield himself believed in his heart that he was a great man, a hero, a defender of his townspeople. He was a fanatic on two things—the miners' union and the Baldwin-Felts Detective Agency.

Primeval Bitterness.

The Matewan battle was the result of evictions of union miners carried out that day by thirteen Felts detectives, led by Albert and Lee Felts. Since that battle all old feuds and antagonisms in Mingo have been overshadowed by the feud between the union miners and the Felts men. The mutual hate and craving for vengeance in this feud can be understood only by those who know the psychology of the people of that section of the country. It is almost primeval in its bitterness and intensity. It is a feud that "sees red" in the literal sense of the term.

Its all-powerful law is "an eye for an eye and a tooth for a tooth!"

If there is one for whom the Matewan miners feel a special degree of hatred that man is C. E. Lively. The reason is that he executed a masterpiece of deception of which they—notably the accused slayers and more particularly Sid Hatfield—were the victims. For nine years he had been a member in good standing of the United Mine Workers of America, while, at the same time he was reporting its plans and doings to the Felts agency, of which he was the "star" operator. The detective concern has been for years engaged in work for the coal operators. Immediately after the gun battle he was sent to Matewan to "see what you can dig up about Sid Hatfield and the rest of the bunch."

"My boss told me," he said one day to the writer, in telling his full story for International News Service, "to try to get the inside story about the battle, to be used against those fellows at the trial. I got the confessions of each of them.

These "confessions" Lively told on the witness stand in the Mingo county court house. He had obtained them while running a restaurant, cultivating the patronage of all of the accused, catering to their tastes, posing as their friend and the friend of the union. If there was any evidence that might have convicted the accused miners it was Lively's. But it was discredited by the fact that he had "played both ends to the middle." He was pilloried as a "traitor" and "informer" and "union spy" by attorneys for the defense, whose eloquent pleas turned his evidence into a boomerang for the prosecution.

The Soul of a Detective.

Lively's identity as a Felts detective was so cleverly hidden that no one except the prosecution knew of it until he revealed himself on the witness stand. The bombshell effect this revelation had on the courtroom crowd is one never to be forgotten.

Lively, too, is a fanatic. But his fanaticism has little if anything to do with the union or anti-union operations. These things are side-issues to him; they happen to figure in the course of his duty; they interest him but little. His one obession is—his work. He is a detective and wants to be the best detective in the country in the world. Success in his work is his one thought, his one ideal. Men and women are pawns on his chessboard, which is sleuth-work. He is filled with fiery ambition. He will suffer hunger, pain, humiliation—everything—to make good on whatever assignment he gets.

"My work is my love," he said one night, in a rare hour of talkativeness. "When I made friends with Sid Hatfield and his bunch I put my whole heart and soul in it. My work is chiefly a matter of auto-suggestion. When I talk to and associate with people from whom I want information, or on whom I want to 'get' something, I talk myself into a rock-like conviction that I actually am their friend. I forget all about being a detective. I clear my mind, my whole conscious self, of every atom of realization of my real identity. Thus I quickly begin to sympathize with them, earnestly and sincerely. I share their joys and sorrows, I am for them heart and soul.

"Not until my day—or night, for I do much night work—is all ended and I am alone in my room do I remember that I had an ulterior motive, that I have been 'working.' Then"—here he smiled shrewdly—"I lock the door, pull down the shade, take my pad and pencil and write my report to headquarters."

Lively has literally flirted with death every moment of every day and night for ten years. But he knows no fear. To look at him superficially one would think him the last man in the world capable of doing what he has done. He is an undersized man of slight build, but alive with nervous energy. He is never without his two guns; that he can handle them needs no confirmation here. His gaze is unsteady; he looks at you when you are not looking which may be a matter of training. His blue eyes are shrewd, ever vigilant. His aquiline nose gives his face a hawk-like touch.

Lively May Be Acquitted.

When Hatfield and Chambers went to Welch, W. Va., they went into an "unfriendly" county, McDowell, where the Felts men are strong. If it is true, as Tom Felts said, that no jury in Mingo will ever convict the Matewan accused it is equally safe to say that it will be difficult to find a jury in McDowell county to convict Lively.

Besides, there is the plea—all-powerful in that section of the country where boys are experts with the "gat" long before they put on their first long pants—

"I beat him to the draw!"