
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 235 Session of
2006

INTRODUCED BY RHOADES, STACK, MUSTO, BOSCOLA, ORIE, STOUT,
EARLL, GREENLEAF, LAVALLE, WONDERLING, KASUNIC, WOZNIAK,
D. WHITE, ARMSTRONG, CONTI, FERLO AND RAFFERTY,
MARCH 13, 2006

REFERRED TO RULES AND EXECUTIVE NOMINATIONS, MARCH 13, 2006

A RESOLUTION

1 Recognizing the lack of due process in the 1876-1878 trials of
2 several alleged members of the Molly Maguires and
3 memorializing the Governor to issue an order acknowledging
4 the same.

5 WHEREAS, From 1876 to 1878, several alleged members of the
6 Molly Maguires in Carbon, Columbia, Northumberland and
7 Schuylkill Counties were tried, convicted and sentenced to jail
8 or hanged; and

9 WHEREAS, Agents and employees of the Philadelphia and Reading
10 Railroad and Coal and Iron Company, the Lehigh and Wilkes-Barre
11 Coal and Iron Company and the Lehigh Valley Railroad conducted
12 the investigation, arrest and prosecution of these individuals;
13 and

14 WHEREAS, Special prosecuting attorneys were used who were on
15 the payrolls of railroad and mining companies, jury selection
16 was conducted in a manner which ensured ethnic bigotry and bias,
17 the trial judges were closely connected with the railroad and
18 mining companies which instigated the investigations and trials,

1 witnesses were intimidated to commit perjury against the
2 defendants, and entrapment was used to accumulate evidence; and

3 WHEREAS, To say that due process and constitutional rights
4 were lacking in these trials would be an understatement; and

5 WHEREAS, As a result of these trials, Barney Boyle, Kate
6 Boyle, Patrick Butler, John Campbell, Dennis Canning, Patrick
7 Dolan, Christopher Donnelly, Neil Dougherty, James Duffy, John
8 Gibbons, Bridget Hyland, Michael Lawler, Charles McAllister,
9 Patrick McKenna, Ned Monaghan, John Morris, Michael O'Brien,
10 Patrick O'Donnell, Francis O'Neil and John O'Neil were sentenced
11 to imprisonment; James Boyle, Alexander Campbell, James Carroll,
12 John Donahue, Michael J. Doyle, Thomas Duffy, Edward Kelly, Hugh
13 McGehan, Thomas Munley and James Roarity were hanged in 1877;
14 Dennis Donnelly, Thomas Fisher, Patrick Hester, John Kehoe,
15 Peter McHugh and Patrick Tully were hanged in 1878; and Martin
16 Bergin, James McDonnell, Peter McManus and Charles Sharpe were
17 hanged in 1879; and

18 WHEREAS, History does not question that coal miners were
19 treated menially and unfairly by coal mine owners, that miners
20 and owners struggled over the meager working conditions and that
21 occasional crimes were committed by some members of the Molly
22 Maguires and by nonmembers against coal mine owners; and

23 WHEREAS, History also does not question the fundamental
24 unconstitutionality of the trials, since it is well documented
25 that a private corporation initiated the investigation through a
26 private, hired detective agency; a private police force arrested
27 the alleged offenders; and coal company attorneys prosecuted
28 them; therefore be it

29 RESOLVED, That the Senate recognize the lack of due process
30 in the 1876-1878 trials of several alleged members of the Molly

1 Maguires; and be it further

2 RESOLVED, That the Senate memorialize the Honorable Edward G.

3 Rendell, Governor of the Commonwealth, to issue an order

4 acknowledging the same.