

0495

BOX:

354

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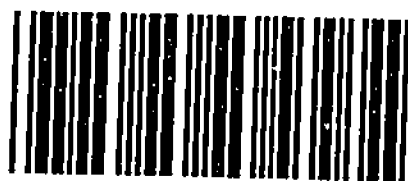
3338

DESCRIPTION:

Sieghardt, Ferdinand A.

DATE:

05/13/89



3338

0496

window - Katie Fahrenkoff, whose sister was suffocated,
 as were Lena Straub & Barbara Appel, tell me
 that the defendant gave \$750 to the families of each of
 the suffocated girls - after investigating this case - I
 am of opinion that it would be doubtful whether
 a conviction could be obtained - I ask that the
 defendant be discharged on his own recognizance.
 May 23rd - 93
 G. L. J.
 T. D. A.

108 B.W. May 1889
 Counsel,
 Filed 13 day of May 1889
 Pleads, Mr. Smith 15.
 THE PEOPLE
 vs.
 B
 Ferdinand O. Sieghardt
 Violation of District Laws
 [Chap 40, Laws of 1886, as
 amended by Chap 462, Laws of 1887]
 JOHN R. FELLOWS,
 District Attorney.
 June 8, 1889
 A TRUE BILL.
 Amadour M. [Signature]
 [Signature] New York Foreman.

Bail fixed at \$1000.
R.M.

Witness:

Lo. A. McKay
Foreman Sullivan
Kate Johnson, Kaff

Paired by
 Joseph Schaeffler
 9. E. Cor. Kingsbridge
 road & Monroe Ave.
 The my accomunda
 -tion bee made
 this Indictment
 May 23^d - 1893
 J. P.
 W. D. a

POOR QUALITY
ORIGINAL

0497

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the Coroners Office
No. 67 Park Row Street, in the 1st Ward of the City of
New York, in the County of New York, the 22^d & 28th days of January
in the year of our Lord one thousand eight hundred and eighty-nine before
DANIEL HANLY, Coroner,
of the City and County aforesaid, on view of the body of Barbara Apel

now lying dead at
Twelve good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner
the said Barbara Apel came to her death, do upon
their Oaths and Affirmations, say: That the said Barbara Apel
came to her death by

Suffocation from smoke at 715 & 717 East 5th Street on January
15th 1889. We hereby censure the owners of said property 715 & 717
East 5th Street according to evidence of witnesses, for allowing the
erection of a partition on the 3^d floor, thereby cutting off all escape
or proper exits. We do hereby exonerate the fire department from all
blame or negligence of duty. We also commend Captain Sullivan
& fireman Ryan of Hook & Ladder Company No 11, for their heroic
performance of duty.
In Witness Whereof, We, the said Jurors as well as the CORONER, have to this Inquisition
set our hands and seals, on the day and place aforesaid.

JUROS.

Thomas E. Bayle 37 Carmine John F. Schumacher 307 E 8th
Benj Van Leeuwen 139 Ave D. Edw M^r Donald 380 E 10th
George Scott 752 E 9th James Dolan 311 E 8th
Patrick J. Forman 125 Ave C James M. Reilly Jr 169 Ave B
Louis Klute 747 E. 9th Marcus Butler 123 Ave D
James M^r Bluskey 144 Ave D Alois Ludwig 29 A. C

Daniel Hanly

CORONER, N. Y.

POOR QUALITY
ORIGINAL

0498

TESTIMONY.

Margaret Ludwig being sworn up: I live at
233 East 99th Street. Decand was my sister
who was suffocated by smoke as a fire at
715 East 5th Street. I acknowledge having received
a steel pocketbook containing 95 cents.
also another empty pocketbook & satchel
Jan'y 18th 1889.

Margaret Ludwig

Sworn to before me,

this

18th

day of

Jan'y 1889

Daniel Haney

CORONER.

POOR QUALITY
ORIGINAL

0499

TESTIMONY.

Philip E. Doulin M. D., being duly sworn, says:
I have made an examination of the body of
Barbara Apel now lying dead at
193 East 3^d Street. and from such examination
and history of the case, as per testimony, I am of opinion the cause of
death is Asphyxia.
Suffocation by smoke & flames & burns
of face hands - face & legs.

Philip E. Doulin

M. D.

Sworn to before me,

this 15th

day of January 1889

Daniel Hardy

CORONER.

POOR QUALITY
ORIGINAL

0500

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
24			Germany	193 E 3 rd St	Jan 15 1889

18 French Street
7'5 - 7'13 - 1/2

Detention by
H. H. H.
Jan 18 1889

D. H.

No. 188

Let. Qu. 1889

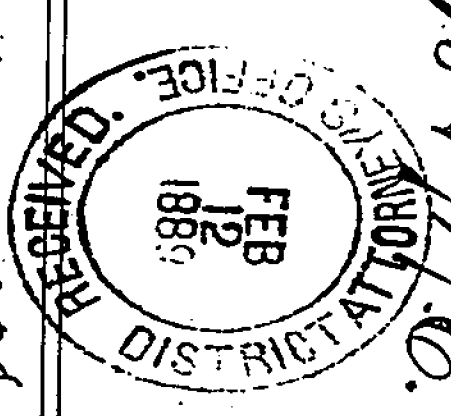
AN INQUISITION

On the VIEW of the BODY of

John Doe

whereby it is found that he came to
his death by

Chastisement from
knock etc. as a boy
or 7'5 + 7'17. 1/2. 5'5 - 1/2.



Inquest taken on the 20th & 28th days

of January 1889 before

DANIEL HANLY, CORONER.

POOR QUALITY
ORIGINAL

0501

—*— STATE OF NEW YORK, *—

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the Coroners Office

No. 67 Park Row Street, in the 1st Ward of the City of
New York, in the County of New York, the 22 & 28th days of January
in the year of our Lord one thousand eight hundred and eighty nine before

DANIEL HANLY, Coroner,

of the City and County aforesaid, on view of the body of Mary Magdalena Straub
now lying dead at

Upon the Oaths and Affirmations of
Twelve good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner
the said Mary Magdalena Straub came to her death, do upon
their Oaths and Affirmations, say: That the said Mary Magdalena Straub
came to her death by

Suffocation from smoke as a fire at 715 & 717 East 5th Street
on January 15th 1889. We hereby censure the owners of said property
715 & 717 East 5th Street according to evidence of witnesses for allowing
the erection of a partition on the 3^d floor, thereby cutting off all escape
or proper exits. We do hereby exonerate the fire department from
all blame or negligence of duty. We also commend Captain Sullivan
& fireman Ryan of Hook & Ladder Company No 11, for their heroic performance of
duty. (For Testimony see 186)
In Witness Whereof, We, the said Jurors as well as the CORONER, have to this Inquisition
set our hands and seals, on the day and place aforesaid.

JURORS.

Thomas E Boyle

Benj Van Greunen

George Deet

Patrick J. J. J. J.

Louis Klute

James M. Cluskey

John F. Schiwing

Edw M. J. Donald

James Dolan

James W. Reilly Jr

Marcus Rette

Alois Ludwig

Daniel Hanly

CORONER, E. S.

POOR QUALITY
ORIGINAL

0502

Coroner's Office.

TESTIMONY.

Roundman John H. Hagan 13th
Businessmen's Association.
On January 15th 1889, I was on
patrol - on my way to the station
house I saw fires in 5th street
between Avenues C & D. I went
to where the fires were - the fire
was out. The bodies of Lena Schaub
Barbara Apel & Josephine Jahnke
were brought out of the ruins. I sent
for a wagon & had the bodies con-
veyed to the station house.

John Hagan

Taken before me

this 1st

day of

January 1889

Daniel Hagan

CORONER.

POOR QUALITY
ORIGINAL

0503

Coroner's Office.

TESTIMONY.

Barbara Straub being sworn says:
I live at 516 East 6th Street. Lena Straub
deceased who was suffocated at a
fire at 715 - East 5th Street is my sister.
She always seemed to be in general good
health. I desire to have any effects
that may have found belonging
to her -
Barbara Straub.

Taken before me

this 17th day of January 1889

CORONER.

**POOR QUALITY
ORIGINAL**

0504

Barbara Straub

5/27/70

POOR QUALITY
ORIGINAL

0505

Coroner's Office.

TESTIMONY.

Roundman John H. Hagan 13th
Pascagoula, Mississippi.
On January 15th 1889, I was on
patrol - on my way to the station
house I saw Engines in 5th street
between Avenues C & D. I went
to where the Engines were - the fire
was out. The bodies of Lena Stamb
Barbara Apelt & Josephine Fahrenkopf
were brought out of the ruins. I sent
for a wagon & had the bodies con-
veyed to the station house.

John Hagan

Taken before me

this 17th

day of

January 1889

Daniel Hagan

CORONER.

**POOR QUALITY
ORIGINAL**

0506

By the way

POOR QUALITY
ORIGINAL

0507

TESTIMONY.

Philip E. Donlin M. D., being duly sworn, says:
I have made an examination of the body of
Mary Magdalena Straub now lying dead at
576 East 5th Street and from such examination
and history of the case, as per testimony, I am of opinion the cause of
death is

Asphyxia
Choking by smothered
flames & burns of face hands & arms
& legs

P. E. Donlin M. D.

Sworn to before me,

this *15th*

day of *January* 188*9*

Daniel Hanley

CORONER.

POOR QUALITY
ORIGINAL

0508

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
23 Years	11 Months	Days	N.A.	576 E.S. Jr	Jan 13. 89

Body
Chest 34 in
Harms 17 in
Hands & legs
at 711 x 717 - 811
Jan. 15. 89
11 1/2 ft

D. E.

No. 187

10th Dec.

1889

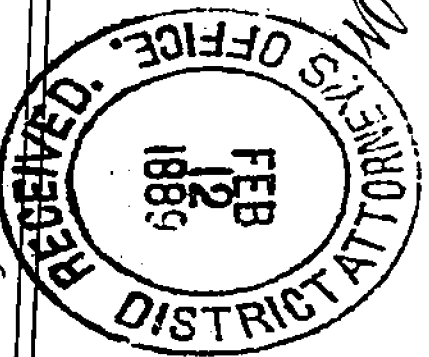
AN INQUISITION

On the VIEW of the BODY of

Mary Magdalen Strada

whereby it is found that she came to
her death by

Intoxication
from opiate at
a place at 715 x 717
E.S. Jr



Inquest taken on the 22d & 23rd days

of January - 1889 before

DANIEL HANLY, Coroner.

187

POOR QUALITY
ORIGINAL

0509

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the Coroners Office
No. 67 Park Row Street, in the 4th Ward of the City of
New York, in the County of New York, the 22nd day of January
in the year of our Lord one thousand eight hundred and eighty before
DANIEL HANLY, Coroner,
of the City and County aforesaid, on view of the body of Josephine Farenkopf

now lying dead at

Twelve good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner
the said Josephine Farenkopf came to her death, do upon
their Oaths and Affirmations, say: That the said Josephine Farenkopf
came to her death by

Suffocation from smoke at a fire at 715 & 717
East 5th Street. On January 15th 1887.
We hereby censure the owners of said property 715 & 717
East 5th Street, according to the evidence of witnesses, for allow-
ing the erection of a partition on the 3rd floor, thereby cutting off
all escape or proper exit. We do hereby exonerate the Fire Department
from all blame or negligence of duty. We also commend Captain Sullivan &
fireman Ryan, of Hook and Ladder Company No. 11, for their heroic performance of duty.
In Witness Whereof, We, the said Jurors as well as the CORONER, have to this Inquisition
set our hands and seals, on the day and place aforesaid.

JUROS.

Thomas E. Doyle
Bryan M. Rescuer
Charles Deatt
Patrick T. Tinner
Louis White
James M. C. Quaker

John F. Schumacher
Edw. M. Donald
James Dolan
James H. Reilly Jr
Marcus Ritter
Alois Ludwig

Daniel Hanly
CORONER, E. S.

POOR QUALITY
ORIGINAL

05 10

TESTIMONY.

Sworn to before me,

this

day of

188

Daniel Hardy

CORONER

POOR QUALITY
ORIGINAL

0511

1

IN THE CORONER'S COURT OF THE CITY OF NEW YORK.

INQUEST IN THE MATTER OF THE DEATH : BEFORE
OF :
JOSEPHINE FARRENKOPF, BARBARA APEL : HON. DANIEL HARLY,
and MARY MAGDALENA STRAUB. : CORONER
: AND A JURY.

NEW YORK, TUESDAY, JANUARY 22nd, 1889.

For Ferdinand A. Siedhardt, appeared Mr. Samuel D. Levy.

For Nicholas Althause, appeared Mr. E. Friend, of Friend
& House.

THE CORONER: The Jurors being present, we will now proceed with the case. It is not necessary to swear the Jury, as they have already been sworn, and they understand, of course, that the object of this Court assembling here to-day is to inquire into the cause of death of Barbara Apel, Josephine Farrenkopf and Mary Magdalena Straub, who lost their lives at the fire which occurred on the 15th of this month on East 5th Street. We will now proceed to investigate the cause of the fire and also the cause of

POOR QUALITY
ORIGINAL

05 12

2

death.

K A T I E F A R R E N K O P F,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 98 Willet Street.

Q. Are you a relative of one of those young ladies who lost their lives ? A. Yes, sir; one of them was my sister.

Q. Did you work there too ? A. Yes, sir.

Q. Were you there on that day ? A. Yes, sir.

Q. Will you please state to the Jury what you know of this matter ? A. What I know is that nobody hollered fire.

Q. Your sister worked there also ? A. Yes, sir.

Q. How old was your sister ? A. 22.

Q. What was her name ? A. Josephine Farrenkopf.

Q. Now will you please proceed and state to the Jury what you know with reference to the fire ? A. There was no bannisters to the stairs. Nobody hollered fire.

Q. Your sister worked in that building, did she not ?

A. Yes, sir.

Q. She was working there that day ? A. Yes, sir.

POOR QUALITY
ORIGINAL

0513

3

Q. You saw her there that day, did you? A. Yes, sir; I did, and she opened the skylight ~~and~~^{to} let the smoke out, and after that she ran and I didn't see her any more.

Q. What floor were you working on? A. The top floor.

Q. The third floor? A. The third.

Q. How many stories is that? A. Three.

Q. Well? A. Then I went down,—I slid down the step and that is all I can remember that I seen.

Q. Did you see fire and smoke? A. Yes, sir; the smoke I seen. The smoke was as black as tar.

Q. You slid down the steps? A. I slid down the step.

Q. Where was your sister then; in the room? A. Yes, sir.

Q. And you worked on the same floor with her? A. Yes, sir.

Q. Is there anything else you can remember in reference to this fire? A. There was a fire two weeks before. There was a young man told me about it Tuesday morning.

Q. Tell the Jury what occurred that day as far as you remember? A. Well, I couldn't say; it was told to me

POOR QUALITY
ORIGINAL

05 14

4

Tuesday morning.

MR. LEVY: What was told you went do; just tell what you knew.

THE WITNESS: That is all I remember.

BY THE CORONER:

Q. Where did the fire come from? A. Down stairs.

Q. Do you know from what floor? A. Down in the blacksmith's shop.

Q. Did it come up the hatchway? A. Up the stairs.

Q. Did anybody come down stairs with you when you came down? A. When I slid down the steps there was a working man got me out.

Q. Did anybody come out with you? A. Yes, sir; the foreman of the paper cutters, Mr. Schwenke.

Q. Did your sister come down stairs? A. No, sir; I didn't see my sister. I was the first of the girls that came down.

Q. Your sister remained in the room on the floor where you were? A. Yes, sir; as far as I know.

Q. You came down stairs all alone? A. Yes, sir.

Q. Nobody but yourself? A. Nobody but myself; and Mr. Schwenke was at the back of me, and another girl,

POOR QUALITY
ORIGINAL

0515

5

Maggie May.

Q. Is there anything more you remember in reference to this fire ? A. That is all I remember.

Q. And you remember when you last saw your sister she was on the same floor with you ? A. Yes, sir.

Q. Working right near you ? A. Yes, sir; and I called for her but she didn't hear it ?

Q. You heard, of course, your sister was suffocated there ? A. Yes, sir.

Q. And you identified your sister after she was dead, did you ? A. Yes, sir.

BY JUROR SCOTT:

Q. Was there any complaint made there as to why there were no fire escapes put up ? A. There was, many a time. The Inspectors came around but there was never anything fixed.

Q. Was it requested to be fixed ? A. That is what I couldn't say.

BY JUROR O'CONNOR:

Q. Was there any other way to escape except going down that stairway ? A. Only one way to escape---down the stairway.

POOR QUALITY
ORIGINAL

0516

Q. No other way? A. No, sir.

BY JUROR KLUTE:

Q. How did you come to find out there was a fire?

A. We seen the smoke coming up.

Q. Nobody yelled fire? A. No, sir.

Q. How long were you working there? A. The 17th of January it was two years.

BY THE CORONER:

Q. Do you remember how that floor was laid out?

A. No; I don't think I could remember.

Q. How many worked on that floor that you were on?

A. Seven, and Mr. Schwenke, the foreman.

Q. Was it all one floor right through? A. One floor right through.

Q. Was there any partition between any portion of it?

A. The partition was at the side. The next factory was behind the partition and we worked in that room.

Q. Then there was a partition across the floor?

A. Yes, sir.

Q. Then it was two apartments made out of the original floor? A. Yes, sir.

Q. Will you please describe to the Jury, as far as you

POOR QUALITY
ORIGINAL

0517

7

know how that was laid out ? A. There were seven girls and Mr. Schwenke working on the one floor, and in the next factory were Mr. Reischman's tables, and there is a partition there. But there was no stairway or any way to get up to that skylight, so my sister couldn't get out that way. When they found out she was laying there where the skylight was.

BY JUROR KILUTE:

Q. There was no ladder to that skylight ? A. No, sir.

Q. Was that partition up before you came there ?

A. Yes, sir.

BY JUROR SCOTT:

Q. There was never any door in that partition ?

A. No, sir.

BY FOREMAN BOYLE:

Q. Was there anything laying up against the partition in that room ? A. Boxes piled up there ?

BY THE CORONER:

Q. Could you go from the room that you were in to the rear room ? A. No, sir. There was a partition, but there was no door there.

POOR QUALITY
ORIGINAL

05 18

8

Q. Could you have escaped if that partition had not been there ? A. Then we could have gone down the back way.

Q. The only thing that stopped you from doing that was that partition ? A. Yes, sir. We only had one way to go down.

Q. The only way to go down was the stairway ? A. Yes, sir.

BY FOREMAN BOYLE:

Q. Was there ever a ladder to that skylight hole ?

A. No, sir.

Q. By JUROR KLUTE:

Q. If there had been a fire escape on the front of that house, you couldn't have got out of that window either, could you ? A. That I couldn't say.

Q. You couldn't raise those windows, could you ?

A. We could raise them very little.

BY JUROR SCOTT:

Q. Did any Inspector come there at the time you were working there ? A. Yes, sir.

Q. What did he have to say ? A. He never spoke one word to us.

POOR QUALITY
ORIGINAL

0519

9

Q. No arrangements were made as to putting up any fire escape ? A. No, sir.

Q. When was he there ? A. About 5 or 6 months ago.

BY THE CORONER:

Q. You have seen a gentleman, who was represented as an Inspector of buildings, come in there ? A. Yes, sir.

Q. Did anybody tell you he was an Inspector; how did you know it ? A. I often had seen him come down to the house where I lived .

Q. What kind of a looking man was he; would you know him if you saw him again ? A. Yes, sir; he was a plain faced man.

Q. Did you know that he was an Inspector when he was in your house ? A. He told my mother that he was an Inspector.

Q. Did he say what he was Inspector of ? A. He didn't say what he was Inspector of.

Q. He didn't say whether he was an Inspector of buildings, an Insurance Inspector, or what ? A. Didn't say what.

Q. He merely said he was an Inspector ? A. Yes, sir.

POOR QUALITY
ORIGINAL

0520

10

BY JUROR SCOTT:

Q. Do you know his name? A. No, sir; I do not.

BY JUROR VAN LEEUWEN:

Q. How many times have you seen an inspector there since you have been working there? A. There was two or three came sometimes in a day.

BY THE CORONER:

Q. There is an inspector of factories who comes around to inspect? A. I don't know; I couldn't say what kind of inspector he was. All I know is he was an Inspector.

BY JUROR SCOTT:

Q. You don't know how that fire commenced? A. I couldn't say.

Q. You never heard a word about it? A. No, sir.

Q. Did it ever take fire before at any time? A. I was told that two weeks before there was a fire down stairs and they put it out with a pail of water.

Q. Two weeks before that? A. Yes, sir.

Q. You don't know how that commenced, do you?

A. No, sir.

THE CORONER: Well, the Jury understands there are

POOR QUALITY
ORIGINAL

0521

11

different kinds of inspectors. There are inspectors of factories, who go around to inspect particularly where young people work to see if there are any under age, and so on; and there are inspectors of buildings. This young lady cannot tell whether this gentleman was an inspector of buildings, or what kind of an inspector he was. Is not that it ?

THE WITNESS: Yes, sir.

MR. LEVY: I understand that they may have been inspectors of buildings every time. We don't know what kind of inspectors they were. They may have been inspectors of buildings, as far as the evidence of this witness is concerned. There is no evidence as to what kind of inspectors they were ?

THE CORONER: No.

BY MR. FRIED:

Q. Now you say that the partition was up when you went to work there ? A. Yes, sir. It will be two years in May.

Q. Now young lady can you tell the Jury and his Honor about how high the third floor, or the floor upon which you and your departed sister worked, is from the

POOR QUALITY
ORIGINAL

0522

12

ground floor ? A. Well, I couldn't tell that.

Q. It is a low building, isn't it ? A. It isn't so very low.

Q. It isn't so large as the usual building of that kind, is it ? A. No, sir.

Q. There was a stairway in the centre of the floor, upon which you worked ? A. Yes, sir.

Q. And leading, I take it, on the stairway down which you went ? A. Yes, sir.

Q. Now your sister, as well as the other two unfortunates, if they had gone down the stairway, at the time you did, might have been saved, might they not ? A. That is what I couldn't say, because I almost suffocated when I went down.

Q. You, however, rushed down stairs in safety ? A. No, not in safety; I was suffocated when I went down.

Q. But you weren't suffocated, or you wouldn't be here. Now how many windows were there to the front of this house on this floor ? A. On our floor ?

Q. Yes. A. Six.

Q. Six windows looking into the Street ? A. Yes, sir.

POOR QUALITY
ORIGINAL

0523

13

Q. And these windows are the old fashioned windows, are they not, with narrow ^{frames} ~~sashes~~ like that (indicating).
Thin sashes? A. Yes, sir.

Q. And they might have been broken, or could have been broken from the outside, thus opening a way to get out from there, could they not? A. Well, in the old times you had to take the windows out.

Q. Yes, I know; but I mean if force were used from the outside, from the blow of a hand, a stick, or anything else, the windows would not give; they were thin sashes, weren't they? A. Yes, sir.

Q. Now then besides the stairway going down, there were these six windows? A. Yes, sir.

Q. That looked right out into the Street? A. Yes, sir.

Q. And in front of the windows, reaching almost to the level of the bottom portion of the windows, was a table upon which the girls worked? A. Yes, sir.

Q. And they could have gotten on top of this table and forced their way out to the Street, could they not?

A. No; they could not.

Q. You understand my question? A. Yes, sir.

POOR QUALITY
ORIGINAL

0524

14

they could not, because the windows were so short.

Q. I know; but if the windows were broken, could they not ? A. They were not broken.

Q. I understand that; but if the sashes were knocked out, was there anything whatever to interfere between the inside of that floor and the outer world, the outside ? A. No, sir.

Q. Do you understand my question ? A. No, sir.

Q. (Illustrating) Now we will just take this as the table in front of the windows. Now here are those windows right here. If a girl was upon this table, she would have no difficulty in breaking these windows, would she ? A. No, sir.

Q. And if the windows were broken from the outside—say there was a ladder there and somebody upon that ladder and the windows were broken from the outside, could not a girl have gotten out upon that ladder if assistance was there ? A. There was one girl taken out, and the other two couldn't get out; they suffocated.

Q. They suffocated before that time ? A. Yes, sir.

POOR QUALITY
ORIGINAL

0525

15

BY MR. LEVY:

Q. What I want to ask you is this: The windows had a little piece of wood run across them in this style (pointing to Court room window), hadn't they? A. Yes, sir.

Q. Now if force were used from the outside, or a hatchet, good, solid, substantial force were used, those windows could have been broken? A. Yes, sir.

Q. Now if firemen were at that window with big heavy hatchets, the kind they usually use, they could have smashed that in, couldn't they? A. Yes, sir; they could.

Q. When you discovered this smoke, there was a large amount of smoke down stairs already, wasn't there? A. Yes sir.

Q. So that you narrowly got out yourself?

A. Yes, sir.

Q. And by the time that you got out the smoke was so bad as to suffocate you? A. Yes, sir.

Q. Now there was a fire Department on the opposite side of the way, was there not? A. Yes, sir.

BY JUROR O'CONNOR:

Q. If there had been a doorway in that partition, wouldn't it have been easier for you to go out that side?

POOR QUALITY
ORIGINAL

0526

16

A. Yes, sir.

Q. Much easier than it would be through the windows ?

A. Yes, sir.

BY JUROR SCOTT:

Q. How long was it until the fire Company came there with their ladders ? A. I couldn't say that.

Q. Were they there by the time you got down stairs ?

A. They had just been getting there.

Q. How long was it from the time the fire took place until the time they came there ?

THE CORONER: That is, from the time you were notified or discovered there was a fire ? A.

A. I couldn't say that.

BY MR. LEVY:

Q. How many minutes do you think it took before the fire engines were there ? A. About five or ten minutes.

Q. About as long as that ? A. Yes, sir.

BY JUROR O'CONNOR:

Q. Can you tell ? A. Yes, sir.

Q. How could you tell when you were being suffocated ?

A. I wasn't suffocated; I was out.

POOR QUALITY
ORIGINAL

0527

17

Q. You couldn't tell whether the fire engines were there before you got out? A. Yes, sir; I could tell.

BY MR. LEVY:

Q. By the time you got out was there a fire engine there? A. No, sir.

Q. Not then? A. No, sir.

Q. It was after you were out? A. Yes, sir.

BY JUROR SCOTT:

Q. How long do you suppose you were out before ^{they} ~~was~~ came? A. I couldn't remember that.

BY JUROR VAN DERBEEK:

Q. When you got out were you conscious or unconscious?

A. I was conscious, I remember.

Q. You knew what you were about? A. Yes; I did.

BY THE CORONER:

Q. You say it took five or ten minutes for the fire company to get there; how can you tell that? A. There was a young fellow who had his watch on and he said it was eleven o'clock when the fire started and ten minutes after that the engines came.

Q. You heard the young man say that? A. Yes, sir.

POOR QUALITY
ORIGINAL

0528

13

Q. You don't know it of your own knowledge? A. No, sir.

THE CORONER: Well, I will exclude that. You must state only what you know of your own personal knowledge and not what anybody else told you.

BY MR. LEVY:

Q. On what floor did you work? A. On the third floor.

Q. With whom did you work? A. I worked with my sister.

Q. What was your employer's name? A. Mr. Althause.

Q. Was that the rear part of that floor or the front part of the floor? A. The front part.

Q. Now there was a partition going between the place of Mr. Althause and the place of somebody who occupied the rear? A. Yes, sir.

Q. Who was in the rear there? A. I think Mr. Reischman's building.

Q. And he had a different business from Mr. Althause?

A. Yes, sir.

Q. And this was like an ordinary wall in a tenement house? A. Yes, sir.

POOR QUALITY
ORIGINAL

0529

19

Q. Partitioning one part of the premises from the other ? A. Yes, sir.

Q. So that the employees of Mr. Althaus could not get into Mr. Reischman's place ? A. Yes, sir.

Q. That is the idea, isn't it ? A. Yes, sir.

BY THE CORONER:

Q. Now on the other side of that partition, there was a way by which you could get away there ? A. No, sir; I never seen any; I couldn't say that.

BY JUROR REILLY:

Q. There was no skylight in that room was there ?

A. Yes; there was a skylight.

Q. But there was no ladder leading to the skylight in the room you worked in ? A. No, sir.

POOR QUALITY
ORIGINAL

0530

20

ENGELBERT STRAUB,

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 516 East 5th Street.

Q. What relation were you to Mary Magdalena Straub?

A. I am her father.

Q. Did she lose her life on a certain day? A. She lost her life on a certain day. I found her at the station house in the afternoon.

Q. And you identified her as your daughter? A. Right away.

Q. Did she leave the house that morning? A. Yes; she took breakfast with me and went out after me. I went out first; but she took breakfast at the same time with me and she was healthy and well then.

Q. She went to work that morning? A. She went to work that morning.

Q. Where did she work? A. At 715 and 717 East 5th Street, in the building where the fire was. I don't know exactly; I believe that is the

POOR QUALITY
ORIGINAL

0531

8

21

number. I can't tell anything about it.

Q. Where did you next see your daughter? A. I next saw her in the station house? A.

Q. And you recognized her? A. I recognized her right away as soon as I had an eye on her.

M R S. M A G G I E L U D W I G,

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 233 East 99th Street.

Q. What relation are you to Barbara Apel? A. She was my sister.

Q. Did she live with you? A. No, sir; she lived with my Uncle.

Q. Did you see her on that morning? A. No, sir. My Uncle is here; he saw her.

Q. You did not see her on that day? A. No, sir; I saw her after she came home.

POOR QUALITY
ORIGINAL

0532

22

Q. And you identified her as your sister when you saw her dead body ? A. Yes, sir.

VALENTINE LUDWIG,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 177 Ludlow Street.

Q. What relation are you to Barbara Apel ? A. She lived in my house. I am her uncle.

Q. Did you see her that morning ? A. I saw her that morning.

Q. Before she went to work ? A. Yes, sir.

Q. Where did she work ? A. At Mr. Althause's. I know the number and I know the house.

Q. You saw the place, did you ? A. No; never.

Q. You heard it was in 5th Street, I suppose ?

A. Yes, sir.

Q. What time did you see her that morning ? A. About seven o'clock.

Q. When was it you saw her again after that ?

A. In the station house at 2 o'clock.

POOR QUALITY
ORIGINAL

0533

23

Q. She was dead then, was she ? A. Yes, sir.

Q. You recognized her as your niece ? A. Yes,
sir.

At this point, for the purpose of allowing the
Fire Department to be represented by Counsel, the In-
quest was adjourned to 2 o'clock P.M.

A F T E R R E C E S S .

For the Fire Department appeared Mr. Meyer Butzell.

C H R I S T I A N A M M E R M I L L E R,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 547 First Avenue.

Q. What is your business ? A. Cigar box maker
at present.

Q. Where were you on the morning of that fire ?

A. In the shop.

Q. What floor were you on ? A. The 2nd floor.

Q. Did you discover the fire or did anybody tell you //

POOR QUALITY
ORIGINAL

0534

24

about it ? A. My boss told me about it. He was up at the same time. He went down stairs and he told me there was fire there, that we should call the girls.

Q. What is the name of the boss ? A. Mr. Nicholas Althause.

Q. Did he come upstairs where you were ? A. Yes, sir.

Q. And told you that you must call the girls ?

A. He was up and he went down stairs and he discovered the fire and he came ^{up} ~~down~~ and told me there was a fire ^{down} ~~up~~ stairs and we should call the girls down and I returned to the two men that were working with me on that floor

Q. Tell the Jury what you know about it ? A. After my boss discovered the fire---

Q. (Interposing) What time of the day was that ?

A. About five minutes before eleven o'clock.

Q. Very well; go on. A. Then he turned back on the stairs and he told me there was smoke and fire down stairs and I should call the girls down; so I went right straight upstairs again and called the girls down and the smoke got in so thick I thought that it was time to get out and I went to the wall and got my clothes to get out

POOR QUALITY
ORIGINAL

0535

25

and I could hardly get out, the flames striking me in the face already.

Q. Did you go upstairs on the floor where the girls were ? A. I did not; but I was at the foot of the stair and hollered up "Fire; come down girls."

Q. Did any of them come down ? A. As much as I know at the time. I seen some women clothes come down stairs while I went for my clothes.

Q. You couldn't tell how many came down ? A. No; I could not.

Q. Did you leave the building immediately yourself ?

A. I left the building. I couldn't do any more.

Q. You did not assist any of the girls out ? A. I couldn't; it was too late. I couldn't do any more.

Q. How long did it take from the time your boss informed you there was a fire until the smoke spread in such a manner that you couldn't stand it any more ? A. About a minute .

Q. So rapid as that ? A. Yes, sir.

Q. And it was as much as you could do to get out yourself from the second floor ? A. As much as I could do to get out myself from the second floor, only one flight of stairs up.

POOR QUALITY
ORIGINAL

0536

26

Q. Did you see any of the girls, or any person at all,
x come out? A. I seen two girls and one man come out
that were working on the third floor.

Q. Please state to the Jury all you know in reference
to the matter? A. After I was out the hook and ladder
came down and me and all the men that were around there
helped them to put up the ladders as quick as we could.
We got the ladder up, but before we got the ladder all
the way up one of the firemen went up on it and got one
girl that was on the outside of the window and she was
saved. There was no way to get in that building any
more at all; the smoke was too thick.

Q. Did the fire company come there just as quick as
you got out of the building? A. Yes; they came down
the Street just as quick as I got out. Hook and ladder
number eleven was right there on the other side of the
way.

Q. How long did it take you to get out of the building
after you were warned of the fire? A. It didn't take
me a minute, I guess.

Q. And you saw the Fire Company on the Street when
you came out. A. Yes, sir.

POOR QUALITY
ORIGINAL

0537

27

Q. And you helped them put the ladder up? A. Yes, also all the men that were around there.

Q. Do you know where the fire originated? A. It came up in one corner where the main belt ran up from the cellar from the blacksmith's shop. That is way back in the corner of the building.

Q. Doesn't the belt run through a shaft in that corner of the building? A. The belt ran through from the first floor to drive the shaft upstairs.

Q. It went up as far as the second floor? A. It went up to the beams on the first floor by us.

Q. It didn't go any further than the first floor, did it? A. No.

BY JUROR SCOTT:

Q. From the first time that the boss came up and reported to you about that fire, had you called the girls then? A. The boss didn't come up; the boss was up, and on the way going down he told me there was fire down there and we should call the girls down, and so I did. I was only down half way and I turned around and hollered up, "Fire; come down."

Q. I thought you said you had to come up the second

POOR QUALITY
ORIGINAL

0530

23

time to call them ? A. I didn't say that I came up the second time. After the boss discovered the fire I seen the boss there and he said "how am I going to get the girls out ?" So I hollered up and there was other men hollered too, and from this time I seen some women clothes coming down and I seen the girls.

Q. You don't know how that fire originated, do you ?

A. No, sir; I do not. I only saw it when it was burning.

Q. There was a fire two weeks previous to that, wasn't there ? A. So they say. There was a hot journal that burnt. I didn't see that.

Q. Do you know anything about the partition upstairs there---how long it has been up ? A. I do not. I very seldom come up in that shop. I seen the partition there, but I couldn't tell you anything about it.

Q. Was there any means of escape to the roof there ?

A. I don't think they could.

Q. Was there a way of escape anywhere except down stairs ? A. The stairs or the windows; that is all.

Q. How high did those windows lift ? A. That is what I don't know. I never worked up on that floor and I

POOR QUALITY
ORIGINAL

0539

29

never raised the windows . I couldn't tell you how high.
I know you could lift them out altogether.

Q. Then there was no means of escape except right
down through that stairway ? A. Only through the one
stairway; yes, sir.

Q. Was there any talk about fire escapes at one time
there ? A. Not as I know of.

Q. No fire inspector had come there at any time ?

A. Some inspectors, I suppose, have been there----

BY THE CORONER:

Q. (Interposing) Please state of your own knowledge
whether you have seen any inspectors there yourself ?

A. Not as I know of.

BY JUROR SCOTT:

Q. You have never seen any inspector there ? A. I
don't know whether they were inspectors or not, because
we never talked to them.

Q. Did men come there and take sketches or draughts
of the building ? A. Never as I seen.

Q. And there was never any talk of fire escapes ?

A. I never talked to any of them.

POOR QUALITY
ORIGINAL

0540

30

THE CORONER: He does not know of his own knowledge whether any were there or not.

THE WITNESS: I thought it was none of the workmen's business to ask any people who came in the shop what they wanted there, because they all had to come through down stairs first.

BY JUROR O'CONNOR:

Q. Are you the proprietor of that cigar box factory?

A. No, sir; I only worked there.

BY JUROR VAN DERKAMEN:

Q. You told us that you went after your clothes.

Where were your clothes? A. On the floor where I was working.

Q. Where the girls were working? A. No, sir.

Q. You were not working in the same place where the girls were working? A. No, sir.

Q. How long have you been working there altogether?

A. A year and five or six months. I don't know exactly, but it is about a year and a half.

Q. Was that partition up when you came to work there?

A. Yes, sir.

POOR QUALITY
ORIGINAL

0541

51

BY THE CORONER:

Q. This floor where you worked was the floor under the girls ? A. Yes, sir.

BY JUROR O'CONNOR:

Q. Were there any stoves upon that floor ? A. No, sir.

BY THE CORONER:

Q. They didn't heat that building with stoves ?

A. No, sir; there were two steam heaters there.

BY JUROR O'CONNOR:

Q. You saw that partition ? A. I saw there was a partition.

Q. If there had been a door in that partition couldn't the girls have got out there ? A. I suppose they could.

Q. But there was no door there and that partition was completely closed up ? A. Yes, sir.

BY MR. LEVY:

Q. You say you were very seldom upstairs on the third floor ? A. Very seldom.

Q. Have you a pretty good idea of the partition between these two rooms ? A. I have.

Q. One firm was in the rear of that floor and another

POOR QUALITY
ORIGINAL

0542

32

firm on the front of that floor? A. Yes, sir.

Q. There was a separate firm in front and a separate firm in the rear? A. Yes, sir.

Q. And this partition was in the centre of this floor, dividing one business from the other? A. Yes; certainly.

Q. Now I understand you to say you worked with Mr. Althaus? A. Yes, sir.

Q. When the fire was discovered by Mr. Althaus, I understood you to testify, he told you to call down the girls? A. So I did.

Q. And then you hollered upstairs to somebody else to call down the girls? ^{Mr. Friend} He didn't say anything of the kind.

MR. LEVY: Pardon me; don't interrupt.

MR. FRIEND: Now I have allowed you to take this witness although he really belongs to me; but if you are going to misconstrue his language, I object to it.

MR. LEVY: Not at all.

THE CORONER: When I asked the witness who notified him he said his boss did and he said he then hollered upstairs to the girls. Is that what you said?

POOR QUALITY
ORIGINAL

0543

35

THE WITNESS: That is what I said.

BY MR. LEVY:

Q. (Resuming) Then you said you saw two girls coming down? A. I said I saw some women's clothes-----I suppose it was women-----while I was going for my clothes.

Q. Were you on the second floor? A. Yes, sir.

Q. Where were your clothes at the time? A. Right up against the wall.

Q. In the rear part of the building? A. In the front part.

Q. You ran over for your clothes? A. I ran over for my clothes after I had called the girls.

Q. That is what I understood you to say. After you gave notice of the fire you went over to get your clothes? A. Yes, sir.

Q. And then the smoke was so intense that you had to save yourself, you had to get out? A. So intense that I could hardly get out.

Q. That is right, is it? A. Yes, sir.

Q. Now one of the Jurymen asked you about a fire being there two weeks before. I understood you to answer that that was merely a journal down stairs got hot and smoke

POOR QUALITY
ORIGINAL

0544

34

came up from the journal? A. That is all. I only
smelt it; I didn't even see the fire. That very often
happens in a factory.

BY MR. FRIEND:

Q. This floor upon which you were working, or a por-
tion belonging to Mr. Althaus, or occupied by him, had
this partition between his apartments and the apartments
of Mr. Reischman; is that so? A. That was up on the
top floor.

Q. That is the floor that contained the partition,
is it not? A. Yes, sir.

Q. Now there was an entrance from the front to Mr.
Althaus' apartments upstairs? A. Upstairs.

Q. And that was divided off from Mr. Reichman's apart-
ments by this partition? A. Yes, sir.

Q. Now to get into Mr. Reichman's ~~place~~ place, there was
also a stairway, was there not? A. Coming up from the
yard.

Q. So there were two separate and distinct Departments

A. Yes, sir.

Q. The one occupied by Mr. Reischman? A. Yes,
sir.

POOR QUALITY
ORIGINAL

0545

35

Q. And the one occupied by Mr. Althaus? A. Yes, sir.

Q. And the apartments of Mr. Reichman could be reached by his own stairway in the back? A. In the back; yes, sir.

Q. And the apartments of Mr. Althaus could be reached by his stairway in front; is that true? A. Yes, sir; on the inside of the building.

BY MR. BUTZELL:

Q. Where are the rear stairs; on the outside of the building? A. Yes, sir.

Q. What kind of stairs were they? A. Iron stairs, one of them. They go down in the yard from Mr. Reichman's place. They are iron stairs with wooden steps---the frame is iron.

Q. How wide are those stairs? A. About three and a half or four feet wide. They are common stairs.

BY JUROR O'CONNOR:

Q. Now where those young ladies worked on that top floor there was no escape for them to get up on the roof?

A. No, sir.

Q. No ladder. There was a ladder on the other side,

POOR QUALITY
ORIGINAL

0546

56

on the same floor in the rear, to go down in the yard?

A. That is what I don't know. I have never been in that part.

BY JUROR SCOTT:

Q. Do you know who owned that partition-----who put it up? A. That is what I couldn't tell. The partition was up when I came to work there.

BY JUROR KILPATRICK:

Q. When you got your clothes and went to go out you only had to go out of the side door? A. I came down one flight of stairs to the under floor and right in the corner the fire came up from the blacksmith's.

Q. And you had to go down a flight of stairs before you were able to get out? A. I had to go down a flight ~~xxxxxx~~ to get out.

~~XXXXXXXX~~ BY THE CORONER:

Q. Did you see the bodies of those young ladies? A. I did; I seen them in the building after the fire was over.

Q. Where did you see them? A. Up where they were found.

Q. Will you please describe how they were when you saw them upstairs in the room where they were suffocated?

POOR QUALITY
ORIGINAL

0547

37

A. Well, they were dirty looking and wet and black, from the smoke, I suppose. I didn't take a very particular look at them; I seen them though.

Q. Where were they located? A. They were laying on a table.

Q. About what time after you left the building?

A. It was after the people could get into the building about an hour and a half afterwards, before they were taken away.

BY MR. DEWY:

Q. Did you see these girls right after the fire up ~~the~~ stairs; did you go right upstairs after the fire and see them? A. After the fire was put out.

Q. Did you see them while they were still lying on the floor? A. No; the firemen had them removed on to the table.

Q. Did you see the way they were dressed at that time? A. I couldn't tell you that.

Q. Can't you remember how they were dressed? A. I could not.

Q. Didn't you look at their clothing to see what they had on? A. I did not.

POOR QUALITY
ORIGINAL

0548

38

Q. You simply looked at their faces? A. I looked at their faces.

Q. You did not look at any of their clothing? A. I seen them with clothing on, but I didn't look particularly. I couldn't tell you what they had on.

Q. Did you notice what kind of shoes they had on?

A. I did not.

A D A M O R T H,

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 640 East 5th Street.

Q. Are you any relation to any of the girls ~~that~~ lost their lives? No, sir.

Q. Did you work in that building? A. Yes, sir.

Q. Where were you that morning? A. I was working in the shop on the first floor.

Q. What time did you come to work there that morning?

A. 8 o'clock in the morning.

POOR QUALITY
ORIGINAL

0549

39

Q. On what floor in that building did you work ?

A. On the 1st floor.

Q. What did you work at ? A. Cigar box business.

Q. Now will you please state to the Jury all you know about what took place that day ? A. All I could say is that there is a blacksmith in under the cigar box firm, and two weeks before this fire occurred there was the same case there, but I can't tell you what set it up. I was working in the same place on the day of the fire and it was close on to eleven o'clock, and being that there was a blacksmith in under and through the smoke coming from there and we being used to it working there for a time, we never dreamed that there was any fire there at all. Of course when a blacksmith heats his wires it will throw out a terrible smoke. So we couldn't tell whether it was fire or not and so we worked on never dreaming that there was any fire at all. My boss came in only a short time ~~xx~~ before and he went upstairs to the second floor----

Q. (Interposing) What is the name of your boss ?

A. Mr. Altheus.

Q. Proceed. A. And he went upstairs on the second floor to the cutters' room, as Mr. Ammermiller told

POOR QUALITY
ORIGINAL

0550

40

you.

BY JUROR SCOTT:

Q. Is that the top floor? A. No, sir. There are three floors to the building. He came down stairs and he took notice of the fire and he hollered, "Fire" to the cutters upstairs and told the girls to come down.

BY THE CORONER:

Q. Did you hear him? A. Yes, sir.

Q. Just state what you know yourself personally?

A. This is just what I know personally myself---what I seen and what I heard.

Q. That is right; proceed. A. So I heard "Fire." I took my tools and ran to the door and fired them out and ran upstairs. I ran up to the third floor and met one of the girls, Barbara Apol.

Q. That is, one of the girls that perished? A. Yes, sir. I got her down to the second floor, and before I got her down the girls that had escaped were out of the flames and all-----and I got her down to the second floor and the rest of the girls were down to the second floor already, but the flames and smoke that were down on the first floor scared them, or else they ran back for their

POOR QUALITY
ORIGINAL

0551

41

clothes, one of the two, so I got a shove through dragging her down from the top floor and I fell down the stairs leading to the first floor. I got down with a few injuries, although it did me no harm, and the rest of them ran up; but I couldn't say who was down on the second floor when I fetched her down.

BY JUROR SCOTT:

Q. Who do you mean by the rest of them? A. Three or four girls that perished in the flames; because I didn't know who was outside or who got outside.

Q. And you did not know who was inside? A. No, sir; I didn't know who got out and I didn't know who was in.

Q. Where did you leave this girl; on the 2nd floor?

A. Yes, sir.

Q. And you fell yourself from the second floor down to the first? A. Yes, sir.

Q. You left her on the second floor and that was the last you saw of her? A. Yes, sir; until I saw her again lying dead on the third floor.

BY JUROR SCOTT:

Q. Then she must have run back? A. She ran back

POOR QUALITY
ORIGINAL

0552

42

with the rest.

Q. How many were there ? A. There were three of them; because we only had seven, and the girls' foreman was eight.

Q. Well, they couldn't make their escape when they ran back, could they ? A. Well, if I made my escape they could make theirs.

Q. How do you know ? A. Because they were on the floor below when I got down there with Barbara Apel.

BY THE CORONER:

Q. Who was on the floor below; all the other girls ?

A. All that perished. I didn't know who they were when I got there though.

BY JUROR SCOTT:

Q. They were upstairs first ? A. When the fire started.

Q. Then they came down ? A. They came down stairs to the second floor.

Q. Followed you ? A. They came down ahead of me.

Q. You are sure they all ran back ? A. They must have run back, because they were all down there when I was thrown down stairs.

POOR QUALITY
ORIGINAL

0553

48

Q. How do you know they were down there? A. Because I heard them screaming and because there was nobody up there when Barbara Apol was standing at the stairs.

BY JUDGE O'CONNOR:

Q. You said you were thrown down. What threw you down? A. Barbara Apol threw me down, because I slipped on the stairway dragging her down, and she ran up again and the rest of them must have seen me up.

BY THE COURT:

Q. Had you not been pushed down, would you have got down? A. I would have got down anyway.

Q. What was your intention? A. Yes, sir.

Q. But you were thrown down? A. I was thrown down.

Q. You could have got down anyway if you wished to?

A. I could have got down; yes, sir.

BY MR. FRISCH:

Q. Now, let us see. You heard this alarm of "Fire". That was given to you by Mr. Althaus? A. Yes, sir.

Q. You then grabbed your tools and threw them out?

A. Yes, sir.

Q. And the girls ran down stairs? A. Yes, sir.

They got the alarm as soon as we did.

POOR QUALITY
ORIGINAL

0554

44

Q. They got the alarm at the same time you did, and they ran down, excepting this unfortunate girl, Barbara Apol? A. That is right.

Q. Then do I understand you to say you grabbed Barbara?

A. I ran up----

Q. (Interposing) You grabbed Barbara? A. Yes, sir.

Q. And you pulled her down to the second floor?

A. Yes, sir.

Q. That is the floor below where her dead body was afterwards found? A. Yes, sir.

Q. And going down stairs, through some cause, you were thrown? A. Yes, sir.

Q. And at this time Barbara and the others were on that floor? A. Yes, sir.

Q. And where was her body found? A. On the third floor.

Q. Then she must have gone back to the top floor?

A. Most assuredly.

Q. You are certain that she was down on the second floor? A. Yes, sir.

Q. So were the other two girls, were they? A. Yes, sir.

POOR QUALITY
ORIGINAL

0555

45

Q. Now you managed to get down to the next floor ?

A. Yes, sir.

Q. That is the first floor ? A. Yes, sir.

Q. And from there out on the Street ? A. Yes, sir.

Q. Now if Barbara Apel had gone ahead, in place of running back to the top floor, could she have escaped ?

A. Yes, sir.

Q. And everything was done there to save these girls, was it not ? A. Yes, sir.

Q. Everybody did their best in giving the alarm ?

A. Yes, sir.

Q. And in endeavoring to save them ? A. Yes, sir.

Q. But they ran back ? A. Yes, sir.

Q. They lost their presence of mind ? A. Yes, sir.

BY JUROR O'CONNOR:

Q. Where was this gentleman that told you the fire took place ? A. He was standing right on the steps between the first and the second floor.

Q. How did he know the fire was there ? A. He seen it.

POOR QUALITY
ORIGINAL

0556

46

BY JUROR SCOTT:

Q. How long did it take from the time the fire started until you had to go out of the building? A. It wouldn't take a minute.

Q. How the place took fire and you went to work and got your tools? A. I had them right alongside of me.

Q. How far? A. (Illustrating) Here is ~~my~~ where I work and here are my tools.

Q. Where is the door? A. Well, I can take three steps to the door.

Q. You have to go out of two doors, haven't you?

A. No, sir.

Q. Aint there an inner door, an office door? A. No, sir.

Q. Where did you put your tools? A. I throw them out.

Q. Where? A. Right out of the entrance door.

Q. How long did it take you to gather up your tools and put them in your pocket? A. I only have a hammer and a plane; I can pick them up and throw them out.

Q. It took you some time to pick them up, didn't it?

A. How so?

POOR QUALITY
ORIGINAL

0557

47

Q. Didn't you save anything else except your tools ; didn't you get your hat and coat ? A. I did; yes, sir.

Q. Where did you put them ? A. I put them on me while running out.

Q. You had time enough to put on your coat and hat ?

A. Yes, sir.

Q. And pick up your tools and throw them out ? A. That wouldn't take a moment's notice. You can sit here and pick up your tools (Illustration).

Q. It was only a moment or so from the time you heard the alarm that you got out ? A. Yes, sir.

Q. You had time to go upstairs and warn the girls ?

A. The girls were warned. I could warn them at the same time.

Q. What about this girl you took hold of ? A. Because I ran up.

Q. Where did you get her ? A. On the third floor.

Q. And you brought her down ? A. Yes, sir.

Q. And tried to save her, to get out to the front door ? A. I got her down to the second floor and I got a shove some way, or push, and fell down the stairs.

POOR QUALITY
ORIGINAL

0558

48

BY THE CORONER:

Q. Had you not fallen down, would you have been able to take this girl out? A. I could have got her out without being injured. I either got shoved, someway or other----

BY JUROR SCOTT:

Q. (Interposing) You got helpless some way or other?

A. No, sir; because I came out of the building conscious myself.

Q. Do you think all this could have been done in one minutes time? A. As I told you, I took my tools. Here is where I sat (Illustrating); here were my tools; here was my coat, and I took that off and it was only 1, 2, 3 to the door and I fired my tools out and ran up.

Q. You had on your coat and hat? A. Yes, sir; put them on while running out.

Q. Were you notified as regards calling the girls down

A. No, sir; the girls were notified.

Q. Who notified them? A. Mr. Althaus called up to the cutters' room to Mr. Ammermiller to notify the girls there was fire in the building and Mr. Ammermiller did so.

POOR QUALITY
ORIGINAL

0559

49

Q. That was the first you knew about the fire ?

A. Yes, sir.

Q. And you proceeded to pick up your tools and put on your coat and hat and go upstairs ? A. That was all one.

Q. And you are sure it didn't take more than a minute to do that ? A. That was all it took.

Q. You said they were all down stairs ahead of you ?

A. Yes, sir.

Q. What took you up if they were down ahead of you ?

A. They were all down stairs on the 2nd floor by the time I seen it, because Barbara Apel was standing up there alone.

Q. I thought you said you went up to alarm them ?

A. No, sir; I didn't say anything of the kind.

BY THE CORONER:

Q. Didn't you go up on the third floor ? A. I did, but I didn't notify the girls the fire was there.

Q. You went up on the third floor and you took Barbara Apel down to the second floor ? A. Yes, sir.

Q. And you were thrown from the 2nd to the 1st floor ?

A. Yes, sir.

POOR QUALITY
ORIGINAL

0560

50

Q. If you had tried to get back, could you have got back the 2nd time ? A. No, sir; I don't believe I could .

Q. Why ? A. Because it went up in a flame too much at once.

BY MR. FRIEND:

Q. On your way to Barbara Apel you were putting on your coat and hat ? A. I wasn't walking, I was running.

Q. And the general alarm and excitement was throughout the house, and "Fire, fire," was yelled all over ?

A. Yes, sir.

Q. This girl was upstairs ? A. Yes, sir.

Q. The others were down stairs ? A. Yes, sir.

Q. And you went to bring her down and you were pushed and fell and you made your way out and the others ran back ?

A. Yes, sir.

BY MR. LEVY:

Q. I understood you to say Barbara Apel and the others ran back ? A. They lost their presence of mind and they ran back, forced their way back through fire and smoke. That is all I know about it.

REY

POOR QUALITY
ORIGINAL

0561

51

BY THE CORONER:

Q. The last place you saw them alive was where ?

A. On the 2nd floor.

BY JUROR SCOTT:

Q. Who was there at the time that you were there ? A.

I don't know who was there, as I told you before.

Q. This Mr. Ammermiller also called the girls & didn't
he ? A. Yes, sir.

Q. Was it he that met with them going downstairs and
going back again ? A. That is more than I can say.

CHRISTIAN AMMERMILLER,

recalled.

BY JUROR SCOTT:

Q. Do you know anything about the girls, after they
were called, coming down stairs and turning back again.

A. No, sir; I do not.

Q. You saw this young man at the same time the alarm
of "Fire " was called ? A. I did not; I saw him after

POOR QUALITY
ORIGINAL

0562

52

the fire, after we were all out .

Q. You were there at the time of the fire ? A. I was in front of the building; yes, sir.

Q. You did not see the girls run down and go back ?

A. No; I did not. I was out then.

BY JUROR VAN LEEUWEN:

Q. Were you out ahead of this young man, or out after him ? A. I was out before him.

HENRY BEYER,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 35 Stags Street, Brooklyn.

Q. What is your business ? A. Cigar box manufacturer.

Q. Where do you work ? A. With Mr. Althaus.

Q. Where was that ? A. On 5th Street, where the fire was.

Q. What was the number ? A. 715 and 717.

POOR QUALITY
ORIGINAL

0563

53

Q. Where were you on the morning of the fire? A. I was in the building where the fire was.

Q. When did you go to work that morning? A. I used to leave the house at six o'clock and get there quarter to seven. I got there sometimes a little earlier and sometimes a little later.

Q. About what time did you discover the fire?

A. My face was towards the Street, my back was turned towards the fire. A man behind me hollered "Fire, fire". I was working away on my machine. I don't hear very well, and all of a sudden I did hear an alarm. At first I turned around and I seen smoke and flame, it was in the corner, and I grabbed my coat. My coat was a little below that, right close to the door. I grabbed my coat and I lost my hat and vest, and I grabbed my shoes right at the table and I lost my tools, and then when I got out of the door I seen Charlie Althaus, the boss' son and nephew give the alarm to No. 11 Hook and Ladder of the Fire Department. That is all I seen.

Q. What floor did you work on? A. On the first floor.

Q. One flight of stairs up? A. One flight of

POOR QUALITY
ORIGINAL

0564

54

stairs up.

Q. Well, proceed ? A. That is all I know.

BY FOREMAN BOYLE:

Q. You had barely time to get out; you lost your clothes ? A. I lost my hat and my vest and my tools. That is all I know. I went quick to the door. I grabbed my coat, this is the coat I have got on now, and my vest I lost.

BY THE CORONER:

Q. You say you are hard of hearing ? A. Yes, sir.

Q. Who notified you of the fire ? A. The man behind me hollered like anything and I turned around like this (illustrating) and of course I seen the smoke and I seen little flames, and right close to the door was my coat and I grabbed that and out I went.

Q. Who was that man that hollered; one of your shop mates ? A. Yes, sir.

Q. What was his name ? A. I forget now. He is right here in the room. When I seen it, of course the boss' nephew and his son gave the alarm, and when I came down to the door ~~xxx~~ I seen the boss' Nephew pointing up to the fire. They worked on the same floor I worked. I didn't see them go out while I was working.

POOR QUALITY
ORIGINAL

0565

55

Q. How long did it take from the time you were notified of the fire until you got out on the Street? A. It aint very far from the place, you see, and I suppose it only took me a minute and a half or two minutes to run down there. It is only a short distance from 715 to 717.

Q. From the time you heard the alarm and saw the fire, how long did it take you to get out of the building?

A. It was only three steps to go.

Q. You wouldn't have had time to go back again?

A. No; because by the time I heard the alarm I seen the smoke and I got out.

Q. Was the alarm given up stairs? A. I didn't hear that.

Q. Were the girls behind you when you left? A. I couldn't say that either.

Q. You don't know whether the girls were all down stairs or not? A. I couldn't say that.

Q. How long do you suppose it took you to get your tools. A. My tools were in a box. I was so excited when I seen the smoke and flames that I ran for the door and my coat was right opposite to the door and I grabbed that and out I went.

POOR QUALITY
ORIGINAL

0566

56

Q. You did not have two seconds time, I suppose ?

A. No; it was only a couple of steps. If the men hadn't hollered so much, "Fire, fire", maybe I would have been lost myself. But I could have gone right out through the window on to the sidewalk.

Q. You don't know how that fire originated, do you ?

A. I couldn't say, only that it must have come up from the blacksmith's shop, because we never had any trouble on our floor such as that, I know.

Q. You don't know of your own personal knowledge how the fire originated, do you ? A. No, sir; I couldn't say that.

BY MR. FRIEND:

Q. Now, Mr. Beyer, in answer to the question of a Juror as to whether the girls were notified that there was a fire, there was a general alarm throughout the building wasn't there; everybody yelled, "Fire;" you heard the alarm of fire ? A. Certainly, from the man behind me.

Q. He had to holler pretty loud for you to hear it ?

A. Certainly.

A. And there was general excitement and alarm through-

POOR QUALITY
ORIGINAL

0567

57

out the house, wasn't there ? A. Yes, sir.

BY MR. LEVY:

Q. Now what kind of businesses are carried on in this building ? A. I don't know the other businesses, because I didn't work there all the time.

Q. There is a great deal of noise there all the time ?

A. Yes, sir.

Q. And you are hard of hearing, you say ? A. Well, a person working away like that can't hear without a person hollers pretty loud.

Q. A body would have to holler pretty loud for you to hear ? A. Yes, sir; with the presses going and the engine.

BY JUROR SCOTT:

Q. How long do you say you have been in that employ ?

A. I think about four months. I couldn't say for quite sure how long, but about four months anyway.

BY FOREMAN BOYLE:

Q. Do you think you had time enough to go upstairs and help any of the girls out ? A. Well, I don't know; I hardly could say that, because the smoke was coming so quick.

POOR QUALITY
ORIGINAL

0560

53

BY JUROR SCOTT:

Q. You had just time to get out yourself? A. Certainly. I never travelled around the building; I worked down stairs and I---

BY THE CORONER:

Q. (Interposing) You never went any further up than the floor you worked on? A. Well, I went up on the 2nd floor.

Q. Did you go to the engine house after you got outside? A. No, sir; I went out on the Street and stood outside.

Q. What did you see after you got out on the Street.

A. I seen the firemen come up and they put the ladders up, and I seen one fireman run up and the other two or three were there holding the ladder while he was getting the lady out, Maggie Armstrong.

Q. How long were you out before the firemen came up?

A. About a minute or so.

BY JUROR SCOTT:

Q. One of the windows was broken by a ladder and one of the girls taken out; wasn't that it? A. I didn't notice that. I seen them put up the ladder and I went away after that.

POOR QUALITY
ORIGINAL

0569

52

BY MR. LEVY:

Q. You are a married man, ain't you? A. I am, sir.

BY JUROR O'CONNOR:

Q. What floor did that young man work on that gave evidence before you? A. He worked on the same floor with me. I seen him go out, but I couldn't say where he was.

BY JUROR SCOTT:

Q. Was he out before you? A. He was out before me I seen him go out, but I didn't see where he went to, he was so quick away from it.

Q. Did you hear him holler fire? A. No, sir; only the man behind me.

Q. Then he had no chance of calling the girls down?

A. Oh certainly; he only had just two steps to go to the door, come right back and go right up.

Q. He was out ahead of you? A. Yes, sir; he was out ahead of me.

BY MR. FRIEND:

Q. You saw this boy go towards the roof? A. Yes, sir.

Q. Now do you know whether he had his tools in his hand then? A. No; I didn't look for them.

POOR QUALITY
ORIGINAL

0570

60

Q. You don't know what he did towards that door ?

A. No.

And you don't know whether he went upstairs or not, do you ? A. No, sir.

BY MR. NEVY:

Q. Your attention was not called to the door until you saw the flame and smoke ? A. The man behind me hollered "Fire", and when I looked around I seen the flames and smoke and I seen the gentleman right close to the door, and of course I was going right for my things.

Q. You told the Jury that you were hard of hearing; that there was a noise there, that you didn't hear it right away and it wasn't until when you turned around and saw there was a large flame and smoke and then you went out ?

A. There was a lot of smoke and flame. I saw the flame.

Q. And where there is so much smoke there is some fire, aint there ? A. Oh certainly. This gentleman here (indicating), Mr. Sattlemeyer, hollered, "Fire, fire, fire"----I think about twelve times.

POOR QUALITY
ORIGINAL

0571

61

FRANK SETTLEMAYER,

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 214 Stanton Street.

Q. What is your business? A. Cigar box manufacturer.

Q. Where do you work? A. With Mr. Althaus.

Q. Where is that? A. 715 East 5th Street.

Q. Were you working there on the morning of that fire?

A. Yes, sir.

Q. Now please state to the Jury who notified you and how you became aware of that fire? A. I guess I was the first man that saw the fire that came out on the back. I seen smoke, and pretty soon after I saw the smoke I seen the fire.

Q. Where was the smoke coming from? A. From the blacksmith's shop down stairs.

Q. Through the floor, or where? A. It came up to us from the blacksmith's shop.

Q. Did it come through the floor? A. Yes, sir.

POOR QUALITY
ORIGINAL

0572

62

Q. And where is the blacksmith shop? A. Down stairs.

Q. Did it come up through the opening that was there?

A. Yes, sir; there was a hole where the belts came up.

Q. What you call the stairway or do you mean where the belt of the machinery came up through the floor?

A. Where the belt of the machinery came up. I was the first to see the fire. As soon as I saw the fire I ran and hollered upstairs, "Fire, come down quick," and then I heard the boss was upstairs, Mr. Althaus, and I heard him holler to the girls, "Fire, come down stairs." Then I ran after water. There were about three pails of water there in the third floor, and I spilled the water on the fire and I couldn't stop it and I had to give it up, and then I ran after my tools. I had a plane and a hammer I took my shoes, coat and hat and ran out.

Q. What floor was that on? A. The first floor. I thought everybody was out. I seen nobody any more.

Q. Where did you go? out on the sidewalk? A. Yes, sir. Then pretty soon after I came out the firemen were there and I helped to stand up the ladder.

POOR QUALITY
ORIGINAL

0573

68

Q. What attracted your attention after you got out on the sidewalk ? A. A big smoke coming out of the windows.

Q. Didn't anything else attract your attention; you said you helped to put up some ladders; what ladders ?

A. I helped to put up the engine ladders. I seen them finally take out a girl that was standing outside the window.

Q. Was the Hook and Ladder Company outside on the Street when you came out of the building ? A. Yes, sir; as soon as I came out I helped them put up the ladder. A fireman ran up the ladder and took down the girl that was standing outside the window.

BY JUROR KULTES:

Q. How long did it take you from the time you saw the fire to get outside. A. I had time to run up stairs and to the top roof before I caught fire.

Q. Was there much fire when you discovered it first ?

A. Oh yes, a big fire; a very big fire came out.

BY MR. BUTZELL:

Q. Where were these pails of water that you got ?

A. Standing right beside the stairs.

POOR QUALITY
ORIGINAL

0574

64

Q. On what floor; the top floor? A. Going down stairs on the first floor.

Q. Where did you throw the water? A. I took the water and spilled it right around the fire.

Q. On what floor? A. On the first floor.

BY MR. FREUND:

Q. The flames were coming out through the ceiling then

A. Yes, sir.

Q. And you were pouring the water on them? A. Yes, sir; and I couldn't stop the fire.

Q. The pails were filled? A. Yes, sir. Three or four pails of water were standing there and I took the water and spilled it around.

Q. They were there for that purpose in case of fire, weren't they? A. Yes, sir.

BY JUNIOR VAN LEEUWSTEN:

Q. How long have you worked there? A. Five years.

Q. Haven't you ever been to the top floor where these girls were working? A. Yes, sir; I came up sometimes.

Q. Was there a partition on the top floor when you came to work there? A. When I came up on the top floor

POOR QUALITY
ORIGINAL

0575

65

the partition was there.

Q. You do not understand me. You were there at work five years ? A. Yes, sir.

Q. When you first went there was the partition there ? A. Yes, sir.

BY JUROR SCOTT:

Q. Five years ago ? A. I don't know. The first time I came on the top floor I seen the partition was there.

Q. The partition has not been five years up there, has it ? A. No, I guess not; I don't know.

MR. FRIEND: May it please your Honor, I would suggest that as several of the Jurors speak German that question be translated into German for the benefit of this witness. He probably does not understand it.

BY JUROR LUDWIG:

Q. (Translated from the German) You say you worked there five years ? A. Yes, sir. When I first worked in that place, the top floor was not occupied by my employer. It is now about a year since we occupied that top floor, I should judge. The partition has been there for about one year, since we occupied the top floor. I

**POOR QUALITY
ORIGINAL**

0576

66

don't know who placed the partition there. We did not occupy the top floor more than one year.

Q. Was that partition there when you first occupied that top floor? A. When I went upstairs for the first time the partition was there. I worked there for five years, but it is only one year since we occupied the top floor.

BY THE CORONER:

Q. How long was that partition there to your knowledge

A. I think about one year.

BY JUROR LUDWIG:

Q. How long do you recollect that that partition has been there? A. About six or seven months, since I saw that it was there when I came up.

BY THE CORONER:

Q. Do I understand you to say that that is about the time that that partition was put there? A. About six or seven months ago I came upstairs and the partition was there. That was the first time I came up. It is about one year that this partition has been put up?

Q. You say that that partition, to the best of your knowledge, has been put up about a year? A. Yes; it is

POOR QUALITY
ORIGINAL

0577

67

about one year since we got the top floor.

Q. How long has that partition been there that you know of? A. I know it was there when I came up the first time, which was about six or seven months ago.

Q. Do you know who put the partition up there?

A. I don't know.

BY MR. SMITH:

Q. Now I understand you to say that the first time you noticed that partition was six or seven months ago.

A. The first time I came upstairs, then I seen it.

Q. But notwithstanding that, that partition could have been there two years, for all you know? A. I don't know.

Q. You don't know how long it was there before you went up for the first time? A. No, I couldn't tell you that.

BY MR. SCHAEFFER:

Q. You worked for five years for Mr. Althaus, didn't you? A. Yes, sir.

Q. Do you know who occupied the third story of 715 and 717 5th Street before Mr. Althaus occupied it; wasn't

POOR QUALITY
ORIGINAL

0578

68

it Mr. Reichman? A. I don't know; I guess Mr. Reichman had that before.

Q. He had the entire third story, didn't he? A. Yes.

Q. All of the third story? A. Yes, sir.

Q. And when when Mr. Althaus came up there---A. (Interrupting) I couldn't tell you who had the top floor first.

MR. FRIEND: I object to that question, and I only object to it to put myself right upon the record. See how shrewdly he puts that question. He says, before Mr. Althaus occupied that top floor, who occupied the top floor. Now as a matter of fact, Mr. Althaus does not occupy the top floor by any means.

MR. SCHAEFFLER: We concede that.

MR. FRIEND: Why do you ask that question then?

MR. SCHAEFFLER: We concede that now.

MR. REEVY: Those stump speeches are out of order; the jury understand the question thoroughly.

MR. SCHAEFFLER: If your Honor please, my question to the witness was, who occupied the third floor before Mr. Althaus went up there at all.

THE CORONER: Mr. LUDWIG will ask the witness that

POOR QUALITY
ORIGINAL

0579

68

question in German and the witness will answer it in English.

BY JUROR LUDWIG:

Q. Who occupied the third floor before Mr. Althaus got up there at all? A. I don't know; I couldn't tell you that.

MR. SCHAEFFER: Let me refresh your memory.

THE COURT: No; the witness don't know anything about it.

THE WITNESS: I only know we had the third floor about a year.

BY JUROR SCOTT:

Q. And the first time you went up there was six or seven months ago, and therefore you can't know anything about it? A. That was the first time I came upstairs.

BY MR. SCHAEFFER:

Q. Let me ask you, do you know Mr. Reichman? A. Yes, sir.

Q. Do you know whether Mr. Reichman occupied the third floor before Mr. Althaus occupied the apartment?

A. I think so; I ain't sure.

POOR QUALITY
ORIGINAL

0580

70

BY MR. LEVY:

Q. Now when was the first time that you went up on the third floor? A. About six or seven months ago.

Q. That is not the first time that you were up there?

A. Yes, sir.

Q. You told this jury and the Court that the first time was when you were in the employ of somebody there one year, did you not?

THE COUNSEL: (Interposing) No, councillor; he did not say that.

Q. Didn't you say that you were employed in that building five years and that after you were employed there one year you went up on the top floor? A. No; I said we had the top floor about one year.

Q. Now then, Mr. Althaus, you say, had the top floor, or part of it, about one year? A. About one year.

Q. And the first time that you were up on that floor was about six or seven months ago? A. Six or seven months ago.

Q. You understand what I said: The first time you went up on that top floor was six or seven months ago?

A. Yes, sir.

POOR QUALITY
ORIGINAL

0581

71

Q. And then you saw a partition there ? A. Yes, sir.

Q. That is the first time you saw that partition ?

A. Yes, sir.

Q. Have you been up there since ? A. Oh yes.

Q. Several times ? A. Yes, sir.

WILLIAM QUIGG,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 49 Avenue D.

Q. You are a fireman by occupation, I suppose ?

A. Yes, sir.

Q. Where were you on the morning of this fire, Mr. Quigg ? A. Well, I was just getting out of the house.

Q. To what Company do you belong ? A. Hook and Ladder eleven.

Q. Where does she live ? A. At 742 East 5th Street.

Q. You had a fire alarm come to the house on the morning of the 15th of this month ? A. No, sir.

POOR QUALITY
ORIGINAL

0582

72

Q. Were you notified of a fire in the neighborhood?

A. No, sir.

Q. What do you know about this case? A. I know I went out of the house and I was about 100 feet away from the front and I looked up the street and I seen a great plume of smoke rolling up.

Q. What time was that? A. About five minutes past eleven. And I turned back and I says, "Turn out; the factory is a-fire." Then the foreman sent out the alarm and we proceeded to the fire as quick as possible. There was no delay at all.

Q. About that time did it take you from the time the alarm was sent out until you got to the fire? A. I guess they had their ladder up in about two minutes. We didn't wait for the alarm to come in; we sent it out. ~~XXXXXX~~ The foreman sent out the still taps and he ordered one of the men to send out the taps from the box. That notified the other fellows at the station. Then we proceeded to the fire and the ladder was taken off before the truck was stopped, and the men seized hold of the ladder and raised the ladder up above the window and a fireman ran up and took the woman out of the window.

POOR QUALITY
ORIGINAL

0583

78

Q. What story did he take her out of? A. The third story. Well, he passed the girl down and he tried to repeat it again and he couldn't do it.

Q. What story did this? A. I don't know.

Q. He attempted it the second time? A. He attempted it the second time and he couldn't come back; he had to go to the roof to save himself.

Q. Why couldn't he come back? A. On account of the volume of smoke and heat; it cut him off.

Q. The heat was so intense he couldn't come back?

A. So intense he couldn't come back.

Q. And he had to escape by the roof himself? A. Well, he had to escape by the roof. We raised another ladder, a 55 foot ladder. We couldn't do nothing; the factory was all a mass of fire. We couldn't get up in the rear nor we couldn't get up in front. ^{Our foreman} attempted to go up and he heard one of the girls screaming and he led as much as he could do to get himself out.

Q. Wasn't there some neglect of duty on the part of the fire company in getting there in time to save life?

A. There was some such mention made, but it wasn't true.

POOR QUALITY
ORIGINAL

0584

74

Q. Weren't there girls who were seen at the window that couldn't get out? A. Yes, sir; that was the one that couldn't get out. There were . . . The foreman went up the main stairs and tried to penetrate through the building and he found the girl that he saved on the first floor. He heard her screaming and he brought her out.

Q. How many ladders were there put up there? A. We put up three ladders; we put up two 65 foot ladders and a twenty foot ladder.

Q. How long did it take to put them up? A. It didn't take us over 10 minutes to get there and put the first ladder up. That was the one that rescued the girl.

Q. Was there any attempt to break the windows?

A. We tried to get in but we couldn't do it. A man would have committed suicide that night. We attempted to get in.

Q. Do you think that those windows were fixed so as to save life?—that a person could open them and come out? A. If they had opened them they would have had to jump.

There was no fire escape in front

POOR QUALITY
ORIGINAL

0585

75

of the building.

Q. Could not some of the girls have jumped out of that window before you got there if they could have got a chance to get the ladders up? A. That I don't know. I am only saying about the state of the fire when I discovered it. There was no alarm brought to me, and when I looked up the street the smoke was rolling up in volumes.

Q. How far were you from the engine house? A. About 25 feet.

Q. You were the first one to give the alarm? A. I was the first one to give the alarm.

Q. And it took you two minutes to get there to the fire? A. It took us two minutes to get there and put the ladder up.

BY SUPERVISOR:

Q. Was this girl standing in the window? A. She was kind of crouched down.

Q. Was the window open then? A. I think the window was down, or up, some part of it.

BY MR. TUNNEY:

Q. You say it would have been suicide to attempt to get in through the window? A. Yes, sir.

POOR QUALITY
ORIGINAL

0586

76

Q. You mean by that that the smoke and fire were so dense that it was an utter impossibility for you or the firemen to get in? A. Yes, sir.

Q. And as a matter of fact, your company did everything that was possible to be done to save those lives, and there wasn't a thing left undone, was there? A. Not a thing.

Q. The ladder was up in a moment? A. Yes, sir.

Q. And the smoke came out in volumes from the top window where you first noticed it? A. The heat and smoke.

Q. And by the time that you got there and first noticed it, the heat and smoke and fire came out? A. I won't say fire came out, but the smoke was dense and this man couldn't penetrate again?

Q. It was so dense at the time, if I remember aright, that there was a great deal of excitement across the street in the Public School? A. That I don't know.

Q. You heard of it afterwards? A. I heard of it afterwards; I don't know it.

Q. And you did everything that was possible to be done? A. We did everything that was possible to be

POOR QUALITY
ORIGINAL

0587

77

done .

BY JUROR SCOTT:

Q. Were there any fire escapes on that building?

A. No, sir.

Q. How about whatever? A. No fire escapes on the building.

Q. Then there was something reflected in the Building Department?

MR. ARMY: That is a conclusion of law that you ask?

BY MR. RUTZEN:

Q. What position did you occupy at this time? A. I helped to take the ladder off.

Q. And helped to raise it? A. And helped to raise it.

Q. Did you go up on the ladder? A. No, sir.

Q. Who went up on the ladder? A. Fireman Oyer.

Q. Did you see any girl at the window yourself?

A. Only that one.

Q. Then what you said about some other girl appearing or shouting you don't know of your own knowledge? A. No, not that; only from the foreman's statement.

Q. Just tell us all you know of your own knowledge in reference to what you saw at that time? A. That is all

POOR QUALITY
ORIGINAL

0588

78

I know. Going up that way, towards Avenue C. I hadn't got over 25 feet and I looked up and seen great volumes of smoke and I immediately turned back and I says, "Turn out; the factory is a-fire."

Q. How long did it take you from the time you walked in in and said, "Turn out" to get to that fire? A. It didn't take me over a couple of seconds.

Q. How long did it take you to raise the ladder? A. I think we raised the ladder in two minutes; that is, in going there-----

Q. (Interposing) Do you know how heavy the ladders are? A. I can't say now, but I do know

Q. When you got there did you see the girl at the window? A. I saw the girl at the window.

Q. One girl, and she was saved? A. She was saved.

Q. Did you hear any girl shout for help? A. No, sir.

Q. Isn't it a fact that there was an outside stairway in the rear of the building used as a fire escape? A. Yes, a stairway, but leading out down stairs in the rear.

Q. Don't you call those fire escapes? A. Well, they were exits for them to get out.

POOR QUALITY
ORIGINAL

0589

79

Q. Don't you call anything that is outside a fire escape---that is, a stairway; you mean that there were none of those balconies there were are on ally way on buildings? A. No.

Q. There are three lines of stairs on the rear of the building? A. Yes, sir.

Q. You went to the rear of the building, didn't you?

A. To the rear of the building. The fire was raging in the rear of the building.

Q. What stairs were they and the building?

A. The stairs where the girls were.

Q. Were they wide stairs? A. About as wide as that table (indicating table about two feet and a half wide).

Q. Plenty of room to come down? A. Plenty of room to come down.

BY THE COURT:

Q. Did you see the bodies of those young ladies after the fire? A. Yes, sir.

Q. Where were they when you first saw them? A. On the third floor.

Q. In about what position on the floor did you see them? A. That part I didn't exactly see. The parties

POOR QUALITY
ORIGINAL

0590

80

that went up ahead of me discovered that fire. I helped
to carry them down.

THOMAS W. RYAN.

born and examined.

BY THE CORONER:

Q. Where do you reside? A. 223 Division Street.

Q. You are a fireman by occupation, I suppose?

A. Yes, sir.

Q. Where were you on the morning of the 15th of this
month? A. I was in the fire house in 85th Street.

Q. What company are you in? A. Hook and Ladder Com-
pany No. 11.

Q. Who notified you of the fire; how did you come
to be notified of that fire? A. By a fireman by the name of
William Quigg.

Q. You turned out with your company and went to that
fire? A. Yes, sir.

Q. Will you please state to the jury how long it took
you, from the time you were notified, to get to the fire,
and what you did after you got there? A. I will tell

POOR QUALITY
ORIGINAL

0591

31

that to the Jury---30 seconds.

Q. What did you do after you got to the fire ?

A. William Quigg came in and gave us our orders to turn out. When we have orders to turn out like that, that is what we call the still alarm. We turned out to the still alarm. We seen the factory right blooming, you know, with flames and smoke going up. Our Assistant Foreman and Foreman Sullivan ordered up to raise ladders. We raised ladders.

Q. You helped to raise the ladders, did you ? A. Yes.

Q. Please state what you did yourself ? A. Well now, wait. We raised ladders. We brought a girl out from the top floor of the building. We went back again and it was no go. It chased us off over the roof---the heat chased me over the roof, and I came down two doors from it.

Q. From where the fire was ? A. From where the fire was.

Q. Didn't you rescue one of those girls ? A. Yes, sir.

Q. What was her name ? A. I believe her name was Armstrong.

POOR QUALITY
ORIGINAL

0592

82

Q. Did you go back to rescue another one? A. Yes, sir.

Q. And you ~~couldn't~~ couldn't get in? A. No; could get in.

Q. Why couldn't you get in? A. The heat, the fire chased me over the ~~my~~ roof.

Q. The fire was so intense that you couldn't get in the second time? A. Couldn't get in again.

Q. And you went over the roof? A. I went over the roof.

Q. And you came down two houses from there?

A. Two houses from there.

Q. How long did it take from the time you discovered the fire until the fire was extinguished? A. Three minutes.

Q. I mean from the time that you were notified of a fire being on those premises until the fire was extinguished, how long did it take to subdue the fire? A. Well, what we call putting the fire out. We have got to wash down, and things like that, you know.

Q. The fire I mean. A. The heat, you mean.

Q. Yes, so that you could get to the place where

POOR QUALITY
ORIGINAL

0593

83

these unfortunate girls lost their lives ? A. Well, about three quarters of an hour.

Q. Did you find any bodies on the floor ? A. Yes, sir.

Q. How many Bodies did you find there ? A. I found two.

Q. Did you know the names of the girls ? A. I did not.

Q. What part of the floor were they laying; what position were they in ? A. The first person I found was about five feet from the window and about eight feet from the stair.

Q. That is, the window leading to the front, or the rear, which ? A. On the West end of the building.

Q. Where was the second body found ? A. It was found up on the wall end of the building, the Avenue C end. Two bodies were found there. Captain Sullivan found one and I found two.

BY MR. FRIEND:

Q. Now you were at the engine house ? A. Yes, sir.

Q. And you got what is known as a still alarm ? A. A

POOR QUALITY
ORIGINAL

0594

84

still alarm.

Q. And how long does it usually take to hitch up?

A. It takes about a half a minute to hitch up our horses.

Q. And the factory was within a few hundred yards of your engine house, wasn't it? A. Yes, about that.

Q. And when you got there the smoke had increased?

A. Well, I couldn't say about the smoke increasing, but it was increasing all the time anyhow.

Q. And you immediately raised your ladders? A. Yes, sir.

Q. And it was then that you discovered this unfortunate girl at the window? A. Yes; sir.

Q. And then you made the rescue? A. Yes, sir.

Q. And do I understand you to say that you made the second attempt to get in the window? A. Yes, sir; it thrun me over the roof.

Q. It threw you over the roof? A. What we call thrun over the roof; I had to go over the roof.

Q. You reached the roof? A. Yes, sir; I reached the roof.

Q. Did you see any other girls at the windows, Mr. Ryan? A. I did not.

POOR QUALITY
ORIGINAL

0595

85

THOMAS SULLIVAN,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 41 Third Avenue.

Q. Tell the Jury what you know about this fire ?

A. Gentlemen, you want me to state from the time I received the alarm and the work I done at the time I reached the building, I suppose ?

Q. That is it. A. I was upstairs on the 2nd floor of the truck house, ~~XXXXXX~~ 742 East 5th Street, and I had my fatigue coat on and I was in my bare head, no hat on me, and I heard the cry of "Fire." and I immediately ran to the stairs coming down to the first floor and I proceeded down. They said the factory was afire, and they says, "Cap, send out the still taps," and I immediately ran to the desk right by the front of the door where the man is on watch, where the journal is kept, and our instruments are there to send out to headquarters, our telephone and our signal that we are leaving quarters. There is a little hand like a clock that we turn to the word "Out" and there is a spring that I just touch and it repeats to the

POOR QUALITY
ORIGINAL

0596

86

headquarters of the ~~the~~ telegraph department, the time when I am leaving quarters. As I turned from it so (illustrating) I came down one step to the floor and fireman Gennelly looked out of the side door---the horses weren't hitched yet---and he says, "Cap, they are coming out of the roof," or "over the roof," I couldn't say which it was he said---whether it was out of the roof he said, or going over the roof---and I immediately caught the doors, the big doors, and I throwed one open, the West door,- I was bare headed still,- and I hollered to him "Go to the box and send it out." The horses went out and I went to get my fire drag that was laid on the side of the truck and as I straightened up I seen he was about opening the ~~door~~, and I ran as fast as I could and the horses were driven as fast as they could and I ran ahead and the truck stopped right opposite the school, nearly the West part of the school, because I didn't want to go in front of the building that was on fire as I would block other apparatuses stretching in, and I ran across the Street and I hollered for a thirty-five foot ladder and the men brought it after me. They were carrying, I think, the top part of a fifth wheel out of the blacksmith

~~shop~~

POOR QUALITY
ORIGINAL

0597

87

shop across the sidewalk and I says, "Get that out of the way," and they throw it out upon the piece of iron that he put tires on in the girder, I think, to the best of my knowledge, and the ladder came and the butt was throwed down and I butted it myself and another gentleman. I couldn't say who, and there were citizens connected with the factory, one or two, that gave us a hand to put up the first ladder, and the ladder went up. I couldn't do it if I tried/ ninety-nine out of a hundred times again. It didn't catch no telegraph wire; there was no miss; that ladder went up flying. She was this way (illustrating) on the sidewalk and I just turned her and the ladder was that way (illustrating) to the best of my knowledge, perfectly straight, hadn't touched nowhere near the cornice and she was going in and I was on the West side of the ladder and Ryan had passed me on the left side of the ladder going up and the ladder was up, going up to the cornice within I should judge seven feet.

Q. Did I understand you to say Ryan was going up the ladder before it had touched the wall? A. Before it touched the cornice of the building at all. It projected out, I should judge, about three feet from the

POOR QUALITY
ORIGINAL

0598

88

front of the building--the cornice. I was afraid he would break the rung in taking her from there, and I could only see once in a while, and I says to him, "Brace yourself each side of the ladder and catch yourself with your knees with the upper rung," and I says, "Go outside of her and bring her by your hip." I stood by the ladder all the time. I was afraid he would break the rungs when he made that jerk. I seen him jerk her, and in my estimation it was a grand affair the way he done it, and I seen that he had her safe. Assistant Touhey and Fireman Haight went up the ladder to help him down, and I immediately ran to the other ladder and the men, as I got to the horses' heads had that off and I hollered to them to come on.

Q. That was the second ladder A. The 2nd 35 foot ladder. And I brought it around as fast as could be brought, I butted it and I hollered to the citizens because I had three men at the other case, and the ladder went up just as well as the first. It never caught a telegraph wire or nothing and it went into the corner next to the mill and then I went to take the first stairway I thought if there was anything outside I would catch it.

POOR QUALITY
ORIGINAL

0599

89

I went in the first floor and I heard a voice. It was hot and black, like going into a dungeon. I hollered. I went over to the stairway and I hollered again. I had kind of got a mouthful of smoke and I was choking and I heard her voice.

Q. Whose voice? A. This woman I got. It was accidentally I got her.

Q. What was her name? A. I couldn't tell you; I believe her name was Fisher.

BY JUROR SCOTT:

Q. Was that the second one? A. That was the second one I got after I put up the two ladders. I didn't go in thinking I would meet anybody on the first floor, because it was terrible, but I met her accidentally, I looked for her and she was just able to make the noise. Then I got her. Then I had lost my way on the first floor and if it hadn't been for the voices of the people that stood out ^{to} side the head of the stairs where I came in I would have never have come out. I was in the act of dropping when I struck the door and I never saw the woman.

Q. Still you had hold of her? A. I held her and gave her out to the citizens, and I never seen her.

POOR QUALITY
ORIGINAL

0600

90

I throwed up and I said "Anybody that is in that building is dead." I ran to the rear then immediately and the fire came out of the second floor, I should judge, to the best of my knowledge, it came out of the windows about eight or ten feet, a solid mass of fire. 25 engine was at the foot of the stairs and I says, "Move up there to her," and I came out and took my keys out of my pocket. Then I wanted assistance and I gave it to fireman Connolly--- these two keys (exhibiting same)---that is the inside key to open the inside door to work the Horse key, and you have got to open two doors and have got to work your finger and send out ten taps. Then the number of the box is, 1,2---1,2,3,4,5,6,7---1,2,3,4,5,6; 276. That was outside the engine house. That was about 250 feet after I had done all this work; and then the building was one mass of fire.

BY THE CORONER:

Q. How long did it take you from the time you discovered the fire until you got there and got out that first girl? A. To the best of my knowledge, from the time I heard the cry of fire until that ladder was placed at that building, as sure as I stand here, gentlemen, was

POOR QUALITY
ORIGINAL

0601

91

inside of two minutes. Just as sure as I stand here it was inside of two minutes. There was no delay; there was no accidents; I didn't get excited; I stood quietly; there was no delay. I'll just tell you there is a tell tale on me in Headquarters if I don't do right; and I just went yesterday morning and got the time and you can just tell the work I was doing. I got the time, and the still taps went out at 11.05 and 15 seconds.

BY JUROR SCOTT:

Q. What are the still taps? A. The first alarm when we leave headquarters. The still was 11.05. The box was pulled 11.05:15 seconds, and from the time then to the second alarm, after I had done all this work, to show you the time so you can judge for yourselves after I had done all I could---took out the women, went to the rear and ordered the line up where the fire was so desperate and gave this man 250 feet to run, it was five minutes and thirty seconds from the time the still was sent out---at least, it was 11.10:30 seconds.

BY THE CORONER:

Q. Is that on the records of the headquarters? A. That is on the records of the headquarters where it goes in on the tap.

POOR QUALITY
ORIGINAL

0602

92

BY JUROR SCOTT:

Q. You said you were in the 2nd story at the time you heard the alarm of fire? A. In the truck house.

Q. Then you came down. How long did it take you to come down? A. It took me to come down that flight of stairs, say, from my place, about five seconds.

Q. Down to the still alarm? A. Down to the still alarm.

Q. The horses were not then hitched? A. The horses were only coming to the poles.

Q. You hadn't got them hitched? A. No, sir; but when I had moved the little hand on the face of the instrument and touched the spring and turned off the stand, going down the step, fireman Connolly said to me as the horses were hooking and the man was in his seat, "It's going through the roof," or "going over the roof," and I says "Send it out."

Q. Had the horses got out before you went out to give the general alarm? A. Oh we were in the Street before he pulled the box, when the man was opening the door of the box.

Q. Hasn't there been some talk about your getting

POOR QUALITY
ORIGINAL

0603

95

slow to that fire ? A. Yes; the Evening News said that evening there was something wrong with us, or something else, and I wish the Coroner to put that man on the stand here to satisfy me, because it is contempt of me and my Company.

Q. Well, the fire had got pretty good headway before you got there, hadn't it ? A. Why, sir, I never saw anything to equal it; I couldn't account for the headway. Why, sir, if a man was brass---

Q. (Interposing) You think the fire was rather too slow in being reported to you ? A. If we had had one minute more there is no doubt we would have saved them. But there was no chance for any human being to go in that building. When I went in that first floor myself it was an oven, and it was just by chance I got this woman.

Q. Is it the general rule to have the engine Company door closed all the time ? A. Well, it is cold now sir. In the summer time we ~~be~~ always have it open.

Q. Don't you generally have a man stationed outside ?

A. Well, the man stands outside generally to get air when it is fine weather, and it was just through that that fireman Quigg went to the door and happened to be

POOR QUALITY
ORIGINAL

0604

94

outside and discovered it. But they were coming----I think Firemen Quigg said he seen a boy running through the Street coming. Now, Coroner, you would do me great justice if you would get that reporter here, and you would do great justice to the fire department.

G E O R G E A. M C K A Y,
sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 318 East 3rd Street.

Q. What is your business? A. Deputy State Factory Inspector.

Q. Did you inspect this building, Mr. McKay? A. Not until after the fire.

Q. Will you please state to the Jury what time you got there, when you inspected and how you found the premises? A. Yes, sir. On the day of the fire I was engaged on the West side of town. I arrived home about half past four in the afternoon and was informed by my

POOR QUALITY
ORIGINAL

0605

95

family, living but two blocks from there, that there was a fire in 5th Street and there had been some bodies taken around to the Station house. As our law provides that all reports of accidents----

MR. SCHAEFFLER: I object to the witness reading any law.

THE WITNESS: I am not going to read any law.

MR. LEVY: I notice that you have a law book there.

THE WITNESS: I have a book here containing the factory law and reports. Your Honor, if I go a little too far the counsel can call me to order and then leave it to you to decide.

A. (Resuming) As our law provides that all accidents must be reported, this place being within my District----

MR. SCHAEFFLER: If your Honor please, we don't know that the law does provide that. We don't want this witness to tell us what the law is.

THE WITNESS: Your Honor, my object is to tell him what I know about the factory.

THE CORONER: Tell what you know about the factory.

THE WITNESS: Why I went there.

THE CORONER: The witness has that privilege also.

POOR QUALITY
ORIGINAL

0505

96

Proceed.

A. (Resuming) I went there with some idea of looking for the manufacturer, not knowing who he was at the time, with blanks furnished by the State to be filled out by him of any accident that may happen. Not finding him there at that time, I left the blanks with the fire patrolman, who had charge at that time of the building, telling him that I would be back after supper. I returned after supper and the manufacturer was found by me and I handed him some blanks.

Q. About what time was that? A. Between seven and half past seven in the evening---telling him that I ~~expected those blanks returned within~~ 48 hours. The next morning, between eight and nine o'clock, I visited the factory, went through it and made a report to the chief at Albany, and also a monthly report as to the condition of the factory.

Q. What return did you want to have made on those blanks?

MR. LEVY: Isn't that immaterial? Here is a report. It is not before the fire, it is after the fire.

THE CORONER: He is not going to read it, he will

POOR QUALITY
ORIGINAL

0607

97

state it to the Jury.

A. The name of the injured, cause of injury, extent of injury, name of manufacturer, place of business and age of the injured. That is about all.

Q. That is your part of the business ? A. That is my part of the business.

BY JUROR SCOTT:

Q. And name of the owner ? A. The name of the manufacturer.

Q. And not the owner ? A. Not the owner.

BY MR. FRIEND:

Q. You were subpoenaed here, Mr. McKay ? A. Yes, sir.

Q. You were subpoenaed after you made the broad announcement from the back part of the room this morning that you were what ? A. State Factory Inspector, an officer of the State.

Q. What is your position ? A. Deputy Factory Inspector.

Q. Well, is it a part of the Deputy Factory Inspector's duty, after the cow has left the stable, to lock the door, or is it a part of his duty to find out before accidents happen ? which ? A. Why, such a question---How is any

POOR QUALITY
ORIGINAL

0508

98

one to find out before an accident that an accident has happened.

Q. Isn't it part of your duty to inspect factories, to find out everything in connection with the factories---- the number of employes, whether the employes are male or female, whether they are under the required age or not; is not that part of your duty? A. Yes; and ~~to~~ to see if they have fire escapes on the factory.

Q. Well, do you usually wait until after trouble has happened before you make your investigation? A. I do not.

Q. Well why did you in this instance? A. If the gentleman is aware of the fact that there is but one factory inspector for the City of New York----

Q. (Interposing) I know it is a great and important office; I understand that. A. Do you expect me to be there and ~~at~~ at the battery and Harlem at the same time? Probably you will be able to answer that question yourself.

Q. You live in 3rd Street? A. Yes.

Q. And this factory is in 5th Street? A. Yes.

Q. So your duty extends throughout the County?

A. Yes.

POOR QUALITY
ORIGINAL

0509

99

Q. Are you the only one here ? A. At present.

Q. If your duty extends throughout the County it is presumed you do your duty ? A. It is.

Q. In this particular case you didn't do your duty ?

A. I didn't say that.

Q. Did you do your duty as an officer should ? A. I have.

Q. By closing the door after the cow has escaped ?

A. By---

MR. FRIEND: (Interposing) I am through with you.

THE WITNESS: Now then, your Honor, I deem it my right to make a statement to the Jury. The learned counsel seems to make a big point of this. According to the census of 1880, there were 11,330 factories in my District. ^{If any} ~~My~~ solitary man can visit that number of factories inside of a year, I would like to see him.

BY THE CORONER:

Q. You found it your duty to go there ? A. Yes, sir.

Q. You went there and you made a report to whom ?

A. Mr. Connolly.

POOR QUALITY
ORIGINAL

05 10

100

Q. Please state what you did ? A. I wrote to Mr. Connolly telling him that I had visited the factory. I told him the position the factory was in. He told me to consult the District Attorney---this may be news to the counsel---for the purpose of commencing a criminal proceeding.

Q. Against who ? A. Well, what we have not yet decided; presumably against the manufacturer and the owner of the building. That is to be decided after to-day. For not having a fire escape on the building.

BY JUROR SCOTT:

Q. Did you notify them at any one time that they should put one there ? A. Not having been there, I did not notify them.

Q. You never were there ? A. I never was there.

BY JUROR VAN LEEUWEN:

Q. How long have you been employed as Deputy Inspector ? A. About 17 months.

Q. And yet this factory was not over two blocks from your residence and you never had an idea of going there within the 17 months ? A. That is conceded. The Jury may not be aware of the fact that the title of the Act is

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POOR QUALITY
ORIGINAL

0611

101

"To provide for the employment of women and children," and the Deputy Inspector was never aware that there were any females employed in that establishment and he has made it his business to visit the larger factories where a large number of females were employed.

JUROR VAN LEEUWEN: I don't know that there is a factory in the City of New York, and I may safely say in the United States, where there are not female employes as well as male.

THE WITNESS: The gentleman is not so well versed in factory employment as I am.

BY MR. FRIEND:

Q. What time did you come here, Mr. McKay? A. I will answer that(Rising). K

MR. FRIEND: This thing may seem to be very funny to the sub-assistant factory inspector.

THE WITNESS: One moment. I have rights that even the counsel is bound to respect.

MR. FRIEND: Sit down.

THE WITNESS: I will stand up.

MR. FRIEND: If your Honor please-----I trust your Honor will bear with me for one moment--- I have some rights here

POOR QUALITY
ORIGINAL

06 12

102

as a member of the Bar. I trust that my conduct has always been, and particularly to your Honor's knowledge, that of a gentleman and a lawyer, and when I am forced by reason of circumstances to meet with a gentleman of this description as a witness, who has the impertinence to tell me that he wont-----

THE CORONER: (Interposing) Don't be personal counsellor; keep within bounds.

MR. FRIEND: Can I help but be personal? I ask him to be seated. I asked him to be seated so that I can put him through the cross examination that your Honor has given me the liberty to go through. He raises his hands and slaps the desk and says, "No, I'll stand up." That is the witness seat. He will feel more comfortable sitting down than standing up.

THE WITNESS: Your Honor, I believe I have rights that even the counsel is bound to respect. If I am not mistaken he insisted this morning upon a witness standing up and speaking----the young lady, Miss Farrenkopf. He asked the witness to stand up.

BY MR. FRIEND:

Q. What time did you come here this morning? A. Before the Inquest was opened.

POOR QUALITY
ORIGINAL

06 13

103

Q. That was eleven o'clock ? A. I was here about half past ten.

Q. You were not subpoenaed ? A. Yes, sir.

Q. You came here of your own volition ? A. No, sir.

Q. Why did you come here ? A. At the request of the Assistant District Attorney.

Q. Who ? A. Is it necessary to tell that ?

THE CORONER: Yes.

A. WILLIAM FORSTER.

Q. Do you want his Honor and the Jury to understand that you came here officially through the request of the District Attorney ? A. I want his Honor----

Q. (Interposing) Answer that question yes or no.

A. I propose to answer it in my own way.

MR. FRIEND: I propose you shall answer it as it should be answered and not in your own way.

THE CORONER: Now counsellor-----

MR. FRIEND: (Interrupting) Now your Honor this man takes this stand and makes a statement that I know not to be true. If the District Attorney's Office is to be represented the District Attorney will send a proper person here.

POOR QUALITY
ORIGINAL

06 14

104

BY THE CORONER:

Q. Did the Assistant District Attorney advise you or send you here to attend this Inquest to-day? A. The question was "Officially." If he leaves that out I will say yes. If he puts in officially, I will say no. If he puts in unofficially I will say yes.

BY MR. FRIEND:

Q. Did Mr. Forster, as a representative of his office, send you over here in reference to charges to be preferred or an indictment to be found or a complaint to be made against any party interested in this proceeding?

A. Mr. Forster told me to come over here.

Q. For what purpose? A. To listen----I presume to listen to the testimony.

Q. Did he send you over here for the purpose of making the statement that you did under oath a moment ago that a complaint or an indictment was to be made against the owner of the building and the manufacturer in this building? A. I don't know as I have made any such statement.

MR. FRIEND: Well, I will refer to the Stenographer's minutes and to his Honor's memory and to the memory of the Jury on that subject. That is all. I won't bother

POOR QUALITY
ORIGINAL

06 15

105

with such a gentleman.

THE WITNESS: That is not proper language, Coroner.
I won't stand that. I am as well acquainted with the gentleman as he is with me, possibly better.

BY THE CORONER:

Q. Are you still Assistant State Inspector of factories? A. I am.

J A C O B P R A T K,

sworn and examined.

BY THE CORONER:

Q. What is your business? A. Assistant Fire Marshal.

Q. Where do you reside? A. 342 East 60th Street.

Q. Please state to the Jury what you know about the origin of this fire? A. I visited the scene of the fire on January 13th about half past eleven. I immediately commenced an investigation and from testimony verbally taken I attributed the cause of the fire to an

POOR QUALITY
ORIGINAL

06 16

106

overheated journal, igniting and setting fire to the wood work of the building.

BY JUROR SCOTT:

Q. Was the part that took fire connected with the party that owned the building? A. That I don't know, sir.

Q. How do you know that that journal could set the place afire? A. From the testimony of witnesses I have taken who were at the place at the time of the fire.

Q. It most likely would take afire for the want of oiling---from friction? A. Certainly; friction overheating the journals.

J O H N M. O ' K E E P E

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 40 Charlton Street.

Q. You are a roundsman in the 15th precinct?

A. Yes, sir.

Q. Where were you on the morning of the 15th of this

POOR QUALITY
ORIGINAL

0617

107

month? A. I was at the station house, corner of Houston and Cherry Streets, when I got orders to go to the fire.

Q. Now, Mr. O'Keefe, please state to the Jury in your own ^{way} ~~way~~ what you know about that fire, and about what time you got there and what you saw? A. I got to the fire in 5th Street about between ten and fifteen minutes past eleven o'clock in the morning, and I found the people there laboring under great excitement. My first business was to clear the Street so that the firemen would have sufficient room to work without being disturbed, as there was a public school there and the mothers and fathers of the children were liable to create a panic. So I ordered the Street cleared of everybody that I found around the school and on the other side of the fire. When I had established the fire lines, I got up in front of the fire and there were very heavy volumes of smoke and flame coming out through all the windows, particularly on the top floor, that is, the third floor from the ground.

Q. That was in this building that was on fire, No. 715 and 717 5th Street. A. Yes, sir. I saw two long

POOR QUALITY
ORIGINAL

06 18

108

ladders put up to the top floor and one shorter ladder a little distance below and several firemen on there working. I went around in the rear to find out who owned the place or what was the cause of the fire and I finally met Mr. Haas, the blacksmith, or wagon maker, that kept in the basement. I asked him if he knew where the fire originated and he said, "Yes, but I wasn't there; one of my workmen was there." Says I, "Can you show me the workman?" He said, "Yes."

Q. Just simply state to the Jury what you saw yourself

A. That was about all I saw myself. I made the report to the station house as to the cause of the fire. What I saw myself I have stated.

BY JUROR SCOTT:

Q. Were you there before the fire company got on the ground? A. No, sir; the truck company was there when I got there; truck No. 11 was there and working when I got there.

Q. What time was that? A. I must have got there between ten and fifteen minutes past eleven.

— x — x — x — x —
Adjourned to 11 A. M. Monday the 28th instant.

POOR QUALITY
ORIGINAL

06 19

109

IN THE CORONER'S COURT OF THE CITY OF NEW YORK.

INQUEST IN THE MATTER OF

: BEFORE

THE DEATH OF

: HON. DANIEL HANLY,
CORONER,

JOSEPHINE FARRENKOPF & OTHERS.

: AND A JURY.

NEW YORK, MONDAY, JANUARY 28TH 1889.

11 A. M. Met pursuant to adjournment. Same appearances.

AUGUST BEHRING,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 522 East 5th Street.

Q. What is your occupation ? A. Blacksmith.

Q. Where were you working on the 15th of this month ?

A. I worked there in the same shop since July.

Q. Who did you work for ? A. I worked for Mr. Hsa:
since the 16th of last July.

Q. Are you still working for him ? A. I work for
him steady; yes, sir.

Q. Were you working there on the day of the fire ?

A. Yes, sir.

POOR QUALITY
ORIGINAL

0620

110

Q. Will you please state to the Jury what you know about the fire and how it commenced, in your own way ?

A. It was about quarter to eleven. Me and the blacksmith working on the fire were on the front of the shop on the bench.

Q. What fire ? A. Standing on a new wagon body and the boss went away for the painter, to call the painter up and we were working around the fire and looking around there, he had work in his hand, and he needed to look around for work in the shop and all at once he hollered, "It is burning from behind; get some water." Well, I took a pail of water and ran behind, and in that time the wood worker took his tool box right away and when I came back with the pail the engine was there, the flames were on the floor and I seen the people outside. That other man took his coat and ran out right away and didn't attend to it.

Q. Who is the other workman ? A. He is gone away. He only worked there a couple of days. The wood worker took his box right out and in a couple of minutes the fire was in, all smoke and fire. It only took three minutes. When I went for the pail of water I couldn't

POOR QUALITY
ORIGINAL

0621

111

get back any more because the smoke came all through. When I came outside I seen Mr. Altheus and he came down with the firemen with the long ladder and I stood outside and looked at the front of the house and I seen three or four girls on the top floor looking outside hollering. I seen one of the firemen when he took one out of the window and carried her down on the ladder.

Q. About how long did it take from the time the fire started until you saw the firemen take the girl down? A. It wasn't long; maybe it burned there about five minutes alre ady, because we didn't see it first, the people upstairs seen it before we seen it.

Q. Didn't it start in the blacksmith's shop? A. No, sir.

Q. Where did it originate? A. In behind in the corner, where I showed it to the Jury.

Q. On what floor was that? A. In our shop behind in the corner where the pulley goes up the long way, straight up.

Q. That is on the basement floor? A. Yes, sir. I seen the fire inside in the pulleys, in the top pulley and in the bottom pulley.

POOR QUALITY
ORIGINAL

0622

112

Q. Is that where the hot journal was ? A. No, sir.

Q. Where was the hot journal ? A. There was one on this side of the wall, and that back belt turns around the corner. There is a big wheel on this side and the belt runs around the corner and there is another one on that side.

Q. And that is where you first saw the fire, in that corner where that journal was ? A. Yes, sir.

Q. How do you think the fire occurred; what was the cause of it ? A. That is what I can't tell. We seen the fire but we didn't know where it came from. I couldn't tell anything about it, how it started or where it came from.

BY JUROR SCOTT:

Q. Was anybody there at the time that fire happened; did you see any person there ? A. It only was a short time when we seen the fire, and the other two men went right straight out and I was the last man that went out of the shop and I was glad when I was out, because the people from upstairs were all out already.

Q. Do you think it was set afire ? A. I don'txxxx

POOR QUALITY
ORIGINAL

0623

113

think that.

Q. Then how did it take afire ? A. I couldn't say; I can't tell; I don't know. The fire didn't start from the blacksmith's shop .

Q. There must have been some cause for the fire.

A. I can't say. It came from the next floor somewhere.

Q. That belt carried the fire up from below; the belt still kept running and the fire went up with the belt ? A. They had more fire up stairs than in our shop.

Q. Yes, but the fire originated in that corner down stairs ? A. I can't say. Whether it was on the bottom pulley or the top pulley I can't say which place it started first. When I seen the fire I went behind with a pail of water. The floor was all burnt through already.

Q. You said you were attending to some fire inside. Where was that ? A. Inside in the shop.

BY THE CORONER:

Q. What fire was that ? A. In our shop where we were working. That was on the other side of the fire.

POOR QUALITY
ORIGINAL

0624

114

BY JUROR SCOTT:

Q. Aint there a doorway through there in the corner that you go through to the boiler? A. Yes, there is a door.

Q. You weren't there either at the time of the fire?

A. No; I have nothing to do off in that corner because the blacksmith only works in the blacksmith's shop in the front and we never have anything to do behind in the corner and I never went through that door at all, because I have got nothing to do in there, and I never was upstairs in that building at all only after the fire, once a couple of days after the fire.

Q. You know that the fire started below in that place, but you can't tell how it commenced? A. I can't tell whether it started upstairs or on the pulleys first or how. He and the other man were working on the anvil making heat when the man hollered, "It is burning behind in the pulleys." That is all I know about it.

BY MR. BUTZELL:

Q. How long have you been working in this building?

A. Since last July 16th.

Q. 1888 or 1887? A. Last year.

POOR QUALITY
ORIGINAL

0625

115

Q. It is a little over a year and a half now ? A.
No, sir; it was since last July.

Q. Were you upstairs on the third floor during that
time ? A. No, sir; I never was upstairs in that build-
ing at all.

Q. Only a couple of days after the fire ? A. That
is all.

Q. You were there since the 16th of July, you said ?
A. Yes, sir.

FERDINAND A. SINGHARTZ,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 713 East 5th Street.

Q. What is your business ? A. Carpenter and
builder.

Q. Where is your place of business ? A. 713 5th
Street. I live in 410 85th Street.

POOR QUALITY
ORIGINAL

0626

116

BY MR. LEVY:

Q. You are one of the owners of that building that took afore? A. Yes, sir; I am a part owner.

Q. And do you know who put up that partition----

BY THE CORONER:

Q. (Interposing) Who is the other owner, or who are the other owners with you? A. Mr. Schaeffler's son.

Q. Mr. Schaeffler and you? A. Yes, sir.

Q. Is your partner here? A. Yes, sir.

Q. What is his full name? A. Joseph Schaeffler Jr.

Q. He is your partner in the property? A. In the property; yes, sir.

BY MR. LEVY:

Q. There are two of ^{them} ~~are~~ are there not? A. Yes, sir.

Q. Who is the other one? A. Mr. Frank Schaeffler, Mr. Joseph Schaeffler Jr., and myself.

Q. We have heard a good deal of testimony here about this partition, Mr. Sieghardt. I want to ask you who put up that partition on the third floor? A. Mr.

POOR QUALITY
ORIGINAL

0627

117

Reischman put it up.

Q. He built it himself? A. Yes, sir.

Q. And drew the diagram of it himself; and when did he tell you he put it up?

BY THE CORONER:

Q. When did he put it up? A. It is about two years ago. I can't tell the date exactly.

BY MR. LEVY:

Q. Did he tell you he put it up? A. Mr. Reischman told me he put it up.

Q. Before the fire? A. After the fire. I asked the question who put the partition up and Mr. Reischman said, "I did."

BY MR. FRIEND:

Q. Now that top floor is occupied jointly by Mr. Althaus and Mr. Reischman? A. Yes, sir.

Q. And the front portion of the premises were let to Mr. Althaus? A. Yes, sir.

Q. And before Mr. Althaus got there, Mr. Reischman had his portion of the premises? A. Yes, sir.

Q. And when he took his portion, how many feet did he have? A. Well, I can't tell. The whole floor is

POOR QUALITY
ORIGINAL

0628

118

about 38 x 40.

Q. And that was divided up into two apartments ?

A. It was divided up for a passage way for Mr. Reischman.

Q. And the front of that building was let to Mr. Althaus ? A. Yes.

Q. And when he hired the front the partition was up ?

A. No, sir; it wasn't put up yet.

Q. When he hired it ? A. No, sir; it wasn't put up.

Q. I am not talking about Mr. Reischman, but of Mr. Althaus now ? A. The time they hired the premises the partition was not put up.

BY THE CORONER:

Q. How long ago is it since they hired the premises ?

A. About two years ago.

BY MR. FRIEND:

Q. And after Mr. Reischman hired his portion who put up this partition ? A. Mr. Reischman and Mr. Althaus hired that floor jointly together, and after the fire I spoke to him about that partition and asked him who put up that partition and he says, "I put it up."

BY THE CORONER:

Q. How long ago did you ask him that ? A. After

POOR QUALITY
ORIGINAL

0629

119

the fire.

BY MR. FRIEND:

Q. Mr. Reischman is in business there? A. Mr. Reischman makes extension tables.

Q. He is an extension table manufacturer? A. Yes, sir.

BY MR. BUTZEL:

Q. When did you first see that partition in that building? A. In fact, to tell the truth, I only seen the partition after the accident happened.

Q. You didn't see it before it happened? A. I never took any notice of it; no.

Q. When did you rent this place to Althaus? A. It is about two years ago, I suppose, in February. I can't tell the date exactly.

Q. February 1937 do you think it was? A. Yes, sir.

Q. Was there a written lease? A. Yes, sir.

Q. Where is that lease? A. I don't know.

BY MR. FRIEND:

Q. When did Mr. Reischman take the top floor?

A. The same time as Mr. Althaus.

POOR QUALITY
ORIGINAL

0530

120

Q. When was that ? A. The time I stated before.

Q. Two years ago ? A. About two years ago; yes, sir.

Q. You are positive of that ? A. As far as my memory goes; yes, sir.

MR. FRIEND: I know he is mistaken; I want to get that out.

Q. Now Mr. Reischman took the premises two years ago?

A. Yes, sir.

Q. He took a portion of it; he didn't take the whole of the premises ? A. A passageway only.

Q. And that passageway was about how many feet in width; do you remember that ? A. I suppose about four or five feet or six feet.

Q. And that you say, as near as you can come to it, was about two years ago ? A. Yes, sir.

Q. It is more than a year ago; of that you are sure ?

A. I think it is.

Q. Well, you are sure it is more than a year ? A. I never studied over the time. My memory tells me it was about two years, I suppose next month, in February.

Q. Now if I were to say to you that Mr. Althaus

POOR QUALITY
ORIGINAL

0631

121

hired the premises in question on the top floor, or that portion of the top floor occupied by him, last March, what would you think of that? A. Well, I couldn't think anything, because I don't know; I don't remember.

Q. You know that Mr. Reischman was there two years ago. Now if I were to say to you that Mr. Althaus occupied the premises only last March, would that be news to you? A. Mr. Althaus has a lease for that floor, and of course it will show what it is.

Q. That is it exactly. Now I am going to draw your attention to the lease and I am going to ask you to

Mr. Levy: (Interposing) We admit that, substantially, Mr. Friend.

MR. FRIEND: This witness speaks of two years ago and this lease was executed last March; that is, 1888.

Q. (Submitting lease) Is that your signature? I only want to place the responsibility where it belongs. Is that your signature? A. Yes, sir.

Q. Turn to the date. What date is that? A. The 1st day of March.

Q. What year? A. 1888.

**POOR QUALITY
ORIGINAL**

0632

/122

Q. That aint two years ago, is it ? A. Well now I think it was the year before though. There is every year a lease drawn up for those premises. It was two years ago that Mr. Althaus took that floor, to my memory. I wouldn't be positive.

BY THE CORONER:

Q. Did Mr. Althaus have a lease from you prior to this lease; is this the first lease he ever had from you ? A. He had every year a lease.

Q. Did he have a prior lease ? A. He had one from 1886 to 1887 and from 1887 to 1888----he had every year a lease.

BY JUROR SCOTT:

Q. How long has he been there altogether in that building ? A. Mr. Althaus was there at the time we bought the premises from Mr. L. Hopkins.

BY THE CORONER:

Q. How long ago was that ? A. We bought the premises in December 1886 .

BY JUROR McCLUSKEY:

Q. He didn't occupy the top floor at that time, did he ? A. He occupied the top floor at that time.

POOR QUALITY
ORIGINAL

0633

123

BY JUROR SCOTT:

Q. Mr / Althaus put up the partition, did he?

A. So he stated to me after the fire.

Q. Did he tell you he got permission to put up the partition? A. I don't know anything about that.

BY THE CORONER:

Q. Did he ask you for the privilege to put up the partition? A. I don't know anything about it.

Q. Did he ask you the privilege, I say, to put up the partition? A. According to my memory there was some talk about that partition. Mr. Reischman spoke about two years ago, to my remembering—Mr. Althaus and Mr. Reischman together occupied that place----that they wanted to put up a partition about half a board high. A board is about 13 feet and that was 6 feet 6.

BY THE CORONER:

Q. How high would that be? A. 6 feet 6. They spoke of a partition that I should put one up. I told them I wouldn't put one up, so of course they put it up themselves.

BY JUROR SCOTT:

Q. Did you give them permission to put up the par-

POOR QUALITY
ORIGINAL

0634

124

tion? A. I didn't give them permission to put it up.

Q. You know it was put up? A. After this composition of course it was put up. We never went and examined it at all; they put it up themselves.

Q. Did you ever see it? A. I never took any notice of it.

Q. You have been up there, haven't you? A. I might have passed through, but I never took any notice, on account of those mechanics. It is no use for me to tell them anything in their business.

Q. Well, you gave them permission to put up the partition? A. I didn't give them permission at all. They asked me to put one up and I told them I wouldn't put a partition up.

Q. You allowed them to put it up? A. I didn't allow them at all. They put it up themselves.

BY MR. RUTZEN:

Q. When was this conversation about putting up the partition; can you fix the time? A. It is to my remembering, about two years ago, at the time Mr.

Althaus and Mr. Reischman intended to lease that floor.

POOR QUALITY
ORIGINAL

0635

125

Q. Was that before the lease was made or afterwards ? A. Before the lease was made this composition took place.

BY MR. LEVY:

Q. Mr. Reischman had that floor before Mr. Althaus, did he not ? A. Yes, sir.

BY MR. FRIEND:

Q. Reischman had the floor before Althaus came there and then you let the half of that floor to Mr. Althaus; isn't that it ? A. Mr. Reischman and Mr. Althaus took that floor among themselves.

Q. Now listen to me. Mr. Reischman had this floor ? A. Before Althaus; yes, sir.

Q. And then Althaus hired half of that floor ?

A. Yes, sir.

Q. Isn't that the way it was ? A. Yes, sir.

Q. Then, as a matter of fact, Reischman was there ahead of Althaus ? A. Yes, sir.

BY MR. LEVY:

Q. Now Mr. Reischman, you said, put up that partition, and these two tenants were up on that floor and among themselves this was done. Is that what I understood you to say ? A. Yes, sir.

POOR QUALITY
ORIGINAL

0636

126

Q. And Reischman put up the partition himself? A. So he said to me.

Q. You said before you didn't know anything about this partition until long after it was put up? A. Yes, sir.

Q. And you had nothing to do with the putting up of that partition yourself? A. No, sir; I didn't put it up, because I am in the business myself.

Q. A juror asked you about it and I want to make it plain. Now after the fire, you say, Mr. Reischman admitted that he put up the partition? A. This was after the fire he said it. After the fire I asked the question who put up the partition and he said he did.

BY JUROR SCOTT:

Q. Do you know anything about my fire escape being around the building there; were you ever told to put one up? A. No, sir.

Q. At no time? A. No, sir; never.

Q. Do you know that that partition being up there prevented people from making their escape, in case of fire, from the top of the back way? A. Well it might and it mightn't; I don't know.

POOR QUALITY
ORIGINAL

0637

127

BY THE CORONER:

Q. Was there any fire escape on any part of that building? A. In the rear of the building there were fire escapes. There were four fire escapes in the rear.

Q. And you allowed that partition to go up? A. I didn't allow it.

MR. LEVY: Now I suggest that this Juror has asked the witness four or five times when the witness has said he didn't know anything about it.

THE CORONER: The Jury will please accept the statements of the witness. He said he didn't know.

BY THE CORONER:

Q. There were fire escapes on the rear of that building? A. Yes, sir; four of them.

BY MR. BUTLER:

Q. Was there a door leading into the building on the East from this third floor? A. There is a door on the 2nd floor and there is a door from the basement in there and there are four outlets on the top floor--- one on the roof, one in the---

Q. (Interposing) I ask you if there is a door on the third floor leading into the East of this building?

A. Yes, sir.

POOR QUALITY
ORIGINAL

0638

128

Q. That was behind the partition, wasn't it? A. I don't recollect. I think it is; yes.

FRANK J. COUGHLIN, D.D.

sworn and examined.

BY THE COURT:

Q. Where do you reside? A. I reside at Belmont in the City of New York, 34th Ward.

Q. What is your business? A. I am an attorney.

Q. And your place of business? A. 132 Nassau Street.

Q. You are part owner of that property 715 and 717 East 5th Street. A. Yes, sir.

Q. To whom do you lease that building? A. Well, I think I can answer that question, but I don't know a great deal about it, because I had two mechanics as partners. One of them is my brother, who is a mason and builder, the other is a carpenter, and I thought it would be safe for me to leave the building to them. But I do know something about the leasing of this upper

Q. When was it leased? A. In December 1936.

POOR QUALITY
ORIGINAL

0639

129

floor. When we bought the building, in December 1888, Mr. Reischman occupied the entire third story. He occupied this room where the girls were suffocated. That was one room about 40 feet square.

Q. That was on the third story? A. On the third story; yes, sir. There were no partitions whatever there. Subsequently there was a vacancy in the building, and Mr. Reischman and Mr. Althaus were both crowded for room and they wanted more. Well, we gave those vacant lots to Mr. Reischman—we gave the privilege, rather, to Mr. Althaus. Then Mr. Althaus wanted us to give him a portion of the third story, but Mr. Reischman had it at that time. From my recollection is that Mr. Althaus and Mr. Reischman between themselves apportioned the third story. Mr. Reischman consented that Mr. Althaus should come up there and take a certain number of feet of that third story. That is about all I know about it.

Q. How long ago was that? A. Well now, I am not positive about that.

Q. To the best of your knowledge? A. Mr. Sieghardt told us it was about two years ago. That is,

POOR QUALITY
ORIGINAL

0640

130

it would be two years on the 1st of May, 1889. But I am not positive about that.

BY MR. VAN LEEUWEN:

Q. How often were you up there after that first partition was placed up there? A. Well, I don't know that I remember seeing the partition at all. But I have not been in the building more than three or four times a year, maybe three times a year.

Q. During the times you were there at the building, you certainly saw the partition, didn't you? A. No, I don't know that I did. I was up on the story. Of course I have seen it since the fire. I know it is there now. I was up on the third story, the only time that I remember was about 6 months ago and I do remember distinctly that there was a scuttle and a stationary ladder there, because my brother and Mr. Sieghardt went up to the roof and they wanted me to go up there but I refused to go. I thought it enough for them to go. But I might have seen a partition and I might not have seen it; I don't remember. But the portion of the third story that they were in was back of Mr. Althaus'. That is the rear, back of the partition.

POOR QUALITY
ORIGINAL

0641

131

BY JUROR O'CONNER:

Q. And you were not on the side where the girls got burnt? A. Well, I don't think I was. I may have been there. That is a question that I can't answer.

Q. Then you went on the side where the fire escapes were? A. Yes, sir; I was on that side. I may have been on the other side; I don't know.

BY JUROR VAN LERWEN:

Q. Did it ever attract your attention, after that partition was put up there, whether there was a way to escape in case of fire from the front part of the building on that floor? A. Well, I was never told that the building was unsafe in any respect. On the contrary, we considered it very safe, because of the broad wooden staircases that let down into the interior Court yard. We had three of those. We had one which ran down from this portion occupied by Mr. Neischman and Mr. Althaus, which was about four or five feet in width, which had a ballmaster and a landing on each floor, so that it connected with each floor, and we thought it far safer than an iron ladder and a platform such as the ordinary fire escape is. There might have been a hundred people left

POOR QUALITY
ORIGINAL

0642

132

the building in less than no time on a broad staircase like that. Then we had another staircase on the rear of the building similar in construction. Then we had a landing on each floor. Then we had another one on the rear portion of 719 and 721.

Q. This was all in the rear? A. All in the rear; yes, sir. And then there was another entrance in the front.

Q. In front on the top floor? A. No, sir; from the second to the first, and then came a stairway.

Q. If that partition had not been there the whole of them would have got out? A. That is an inference I would draw, of course.

BY MR. LEVY:

Q. When you were up there you say you saw a ladder?

A. Oh yes; I am positive of that.

Q. You were never notified from the fire department?

A. No, sir.

Q. And if you had been you would have built them?

A. Most assuredly.

BY JUROR SCOTT:

Q. Who took away that ladder? A. I don't know that the ladder was taken away. I was there about three times a year. The last time was about five or six

POOR QUALITY
ORIGINAL

0543

133

months ago. At that time the ladder was there. If the ladder was taken away after that, I don't know that.

Q. Did you ever see that Inspector there that was here the other day? A. I never saw any kind of inspector or building inspector or any other kind of inspector there.

Q. And never received any notices from any of them?

A. No, sir; I never, and I don't think my partners did, and if they had they would have told me.

BY MR. THAYER:

Q. This top floor was divided off into two apartments; is that true? A. No; you can't call them apartments, because this partition was a board partition, one inch flooring boards, and there was no stuffing and no plastering.

Q. But you couldn't look through that partition, could you? A. Well, I can't tell so exactly as all that.

Q. Well, it separated the two apartments, didn't it? A. Well, it divided the third story, which was originally a room forty feet square.

Q. It divided the third story into two apartments.

Now Mr. Reischman's business is what? A. Mr. Reisch-

POOR QUALITY
ORIGINAL

0644

164

man, I believe, is a cabinet maker.

Q. Mr. Althaus is what? A. He is a cigar box manufacturer, I think.

Q. Two separate and distinct businesses? A. I suppose so; I don't see what connection there is between them.

Q. Wasn't Mr. Reinstrum an extension table manufacturer? A. He is in the furniture line; I don't know exactly what he does. He is a cabinet maker.

Q. You say you can't tell. Cigar box manufacturer and the table line are different businesses, isn't that so?

A. I suppose so. I will admit that.

Q. Now Mr. Althaus is your witness, isn't he?

A. Yes; so is Mr. Reinstrum.

Q. They are both your separate witnesses? A. Yes, sir.

Q. And each hires a separate portion of that floor from you? A. Yes; each one of them.

Q. Two distinct businesses? A. Yes; certainly.

BY JURY NOTE:

Q. Which of the two parties put up that partition?

A. Well now that is a thing I can't tell you. I can simply tell you what Mr. Sieghardt told me.

POOR QUALITY
ORIGINAL

0645

135

BY MR. JENNY:

Q. The gentleman who was just on the stand? A. Yes, sir. He says it was Mr. Reischman. It must have been one of the two, but which one I don't know, only from hearsay. I don't say which one it was.

MR. THEISEN: Mr. Coroner, may I ask one question?

THE CORONER: Yes. Where do you reside?

MR. THEISEN: I reside at 614 West 5th Street.

THE CORONER: Were you related to any of the deceased?

MR. THEISEN: Yes, sir.

THE CORONER: To which?

MR. THEISEN: To Lena Kersch.

THE CORONER: What do you wish to know; what do you wish to ask the witness?

MR. THEISEN: I wish to ask him whether he is so certain that there was a stairway leading up to that scuttle?

THE CORONER: What do you mean; a ladder?

MR. THEISEN: Yes; a ladder.

THE WITNESS: Certainly I am. But if you want to get at the fact that it ^{was} cut off ^{by} the partition, certainly it ^{was} ~~was~~. I think that has been brought out already.

POOR QUALITY
ORIGINAL

0646

150

BY MR. THOMSON:

Q. Didn't that partition cut through the opening?

A. Would it cut off, you mean, the scuttle from the stationary ladder. There would be no access to it, certainly.

Q. And wouldn't that prevent the ladder from being in place there ^{of} the stairway? A. Oh no, not a bit of it. The ladder was there, but the people occupying the front part of the room couldn't get there because the partition shut them off.

Q. Then the ladder was on the other side of the partition? A. Yes, sir.

Q. If that partition had not been there, could not those people have had access to the backpart of the escape ~~entrance~~?

Mr. Levy: I want to object to that question; it is argument. It is for the jury to draw the inference.

THE WITNESS: I am willing to answer it.

A. Certainly they could.

Q. How was there a balustrade on that stairway going down? A. Why certainly there was.

Q. You are certain of that? A. Of course *there* was.

POOR QUALITY
ORIGINAL

0647

137

was.

Q. Did you know anything about the windows in the front of the building ? A. Well, all I can tell you about the windows is I saw windows there.

Q. Don't you know that you couldn't shove them up ?

A. No, sir; that is a thing I did not know. I don't know it now. If that is so, this is the first intimation I get.

N I C H O L A S A L T H A U S ,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. 27 Avenue D.

Q. What is your business ? A. Cigar box manufacturer.

Q. Where is your place of business ? A. It used to be 715 5th Street.

Q. That was where it was on the 15th of this month ?

A. Yes, sir.

POOR QUALITY
ORIGINAL

0648

138

MR. FRIEND: I ask leave to examine this witness.

THE CORONER: All right, sir.

BY MR. FRIEND:

Q. What is your business? A. Cigar box manufacturer.

Q. Where? A. I used to keep at 715 and 717 East 5th Street.

Q. Now do you remember the 15th day of the present month, the day that this fire occurred? A. Yes, sir.

Q. Now how long had you occupied the premises in question? A. The top floor?

Q. Yes? A. Some of them eight years.

Q. What portion of the premises? A. The middle part of the floor.

Q. What floor do you call that? A. The middle floor, below where the girls got suffocated.

Q. You would call that the second floor? A. Yes, sir.

Q. How long had you occupied the third floor of that building? A. Next May would be two years.

Q. And your landlords are the witnesses that were upon the stand a few moments ago? A. Yes, sir.

POOR QUALITY
ORIGINAL

0549

139

Q. Now how much of the premises did you occupy ?

A. My lease says.

Q. I know, but your lease isn't in evidence. Was it the rear or the front portion ? A. The front portion.

Q. Two years this coming May, you say ? A. Yes, sir.

Q. Now when you took possession of the top floor was that partition up ? A. When I moved up there the partition was there. It was there before the fire. I did nothing there but put up----

Q. (Interposing) Will you just answer my questions and nothing more, please. When you hired that portion of the premises and took possession that partition was up ? A. Yes, sir.

Q. And you hired from the partition to the front of the building on that floor ? A. That partition wasn't put up when I hired it. Don't make a mistake about that. They put the partition up. When I hired it they said I got so many feet of the top floor and Reischman got the balance of it.

Q. You were told you would get so many feet in front ?

A. Yes; that is what I was told.

POOR QUALITY
ORIGINAL

0650

140

Q. And Mr. Reischman would get the back? A. And Mr. Reischman would get the back.

Q. And when you took possession that partition was up? A. When I came up that partition was there.

Q. And you had nothing to do with the putting up of that partition? A. Nothing at all.

Q. Now let us get to the day of the fire. You discovered this fire, did you? A. Yes, sir.

Q. And you gave the alarm? A. I gave the alarm three times, as loud as a man could give it.

Q. And you did everything in your power ~~to~~? A. To save all hands in the shop.

Q. And I don't know whether I am rightly informed or not; did you assist in the burial of the poor unfortunates? A. I sent my wife; some of the girls didn't have money enough.

Q. And you offered to pay the expenses? A. I have offered and I am ready at any time.

BY JUROR VAN LENUWEN:

Q. Mr. Althaus, wasn't it understood between you and Mr. Reischman who should put up that partition? A. No; I didn't have any agreement with anybody except with the

POOR QUALITY
ORIGINAL

0651

141

landlord.

Q. Before you occupied that place, the place was empty, wasn't it; it was one floor? A. It was one floor.

Q. The partition wasn't up. How when was your attention first attracted to that partition? A. When I came up. When the stairs were made and the place was open for me, then I saw the partition there. I couldn't use that place without the partition.

MR. FRIEND: I can straighten that out by the introduction of the lease.

THE CORONER: Will the counsel permit the Juror to proceed.

Q. (Resuming) That partition was up when you came there and occupied the front part of that floor? A. Yes, sir.

Q. How often did you use to go up to that top floor? A. Oh every day two or three times.

Q. Did it ever attract your attention that there was no fire escape from the front and back in case of fire so that those girls could get out? A. I never thought anything could happen like that, because my life was just as much in danger as anybody else's.

POOR QUALITY
ORIGINAL

0652

142

Q. Precisely; but you never had an idea of that, you never thought of it? A. I never thought of it.

Q. And yet you were up there two or three times every day for the past two years? A. Yes, sir.

BY MR. FRIEND:

Q. Now you occupied the front portion of the building from the front floor up? A. Yes.

Q. (Submitting a paper) And this is the lease that was given you, is it? A. Yes.

Q. (After reading a portion of the lease aloud) Now this portion of the premises was let by the owner to you?

A. Yes, sir.

Q. And that is all you had to do with that floor?

A. Yes, sir.

THE CORONER: Do you offer that lease in evidence?

MR. FRIEND: I do not.

MR. LEVY: Then he had no right to read it.

MR. FRIEND: I have every right in the world to use every evidence I have in behalf of this man, and it comes with very bad grace indeed from the representative of the landlord----

MR. LEVY: (Interposing) I haven't said anything

POOR QUALITY
ORIGINAL

0653

143

wrong.

MR. FRIEND: What right have you to say anything ?
It is for the Coroner to decide and not for you.

MR. LEVY: This jury understands the case thoroughly.
You can't bulldoze this Jury. I simply ask if you
put it in evidence.

MR. FRIEND: What right have you to ask if I put it
in evidence?

MR. LEVY: I simply ask what right you have to do so.

MR. FRIEND: Well, I have the right.

Q. That was hired to you by Mr. Sieghardt and the two
Schaefflers ? A. Yes, sir.

Q. That was hired to you and when you took possession
that partition was up ? A. That was up and the stair-
ways were up.

BY MR. LEVY:

Q. Mr. Althaus, you and Mr. Reischman were the
tenants on that top floor, were you not ? A. Yes; at
the last.

Q. And you occupied what part of it ? A. The
front part.

Q. Now before you ^{rented} ~~leased~~ this place did you have

POOR QUALITY
ORIGINAL

0654

144

any talk with Mr. Reischman in regard to the number of feet that you would occupy? A. With the landlord I had.

MR. LEVY: If your Honor please, I ask for that lease that he read from. I ask your Honor to compel him to give me that lease which he read to the Jury from.

MR. FRIEND: I thought my friend was a better lawyer than that. If there is any law by which the Coroner can make me do what I do not desire to do, I don't know where it is.

MR. LEVY: Your Honor he has read from the lease which is under your Honor's control the moment he reads it.

THE CORONER: I will ask counsellor Friend if he wishes to produce that lease. I don't know that I have any right to insist upon it.

MR. FRIEND: I decline, your Honor, with the greatest regret.

THE CORONER: It must have been apparently my mistake to permit you to read it.

MR. FRIEND: No, sir; it was not a mistake on your Honor's part to allow me to read who the owner of the building and who the landlord of the building was.

POOR QUALITY
ORIGINAL

0655

145

THE CORONER: I have reference to that portion of the lease you have just read .

MR. FRIEND: It certainly was not a mistake, as a matter of justice, and as a matter of right, you had a right to do it.

THE CORONER: You do not offer it in evidence.

MR. FRIEND: No; I haven't offered it in evidence.

THE CORONER: Then I have made a mistake in allowing it to be read in evidence.

MR. FRIEND: No; it is merely that I have caught my friend asleep.

MR. LEVY: No; he hasn't caught anybody.

XX THE CORONER: The counsel should have objected.

MR. LEVY: I could not object? Your Honor, should not have received that in evidence. Now I kindly ask your Honor to request that the lease be produced. If he refuses, that is all I have to say.

THE CORONER: I have already asked the counsel, and he has refused, and he has also refused to offer it in evidence.

BY MR. LEVY:

Q. Now Mr. Althaus, your counsel just read from a

POOR QUALITY
ORIGINAL

0656

146

lease about a certain number of feet, the word "about" being used in the lease. Now can you account for why it said about so many feet, and yet you don't know the exact number of feet? A. That is more than I can tell. If you measure it off you can find it out.

Q. Now Mr. Althaus, let me ask you, how long are you in that building? A. On the top floor next May two years.

Q. And did you see that left before you leased any part of it? A. I saw it; yes, sir.

BY MR. FRIEND:

Q. Now my friend questions you about the word "about" in the lease. You didn't draw the lease, did you?

A. No.

Q. Who drew that; do you know? A. I suppose Mr. Schaeffler did it; he is a lawyer himself.

Q. Mr. Schaeffler is a lawyer himself and drew it and he handed it to you to sign? A. No; he has got one the same.

Q. They have not produced theirs? A. I don't know.

BY MR. BUTZELL:

Q. How long was it that you took possession of this portion of the third floor after the lease was made to you?

POOR QUALITY
ORIGINAL

0657

147

The lease was made first; you got the lease and then you moved upstairs. Now what interval elapsed between those two times? A. I moved up about the 3rd or 4th of May, 1887.

Q. You are sure? A. I paid rent for it on the 1st of May.

Q. Well, are you sure you moved up on the 1st of May? A. Well, that is more than I can tell.

Q. Do you know whether it was the first of June?

A. I know it was about the first of May, but I couldn't tell you whether it was the 1st or 3rd.

BY JUROR SCOTT:

Q. Did you help to pay for any part of that partition that went up there? A. No, sir.

Q. Was it understood that it had to be put up there for you? A. I could not have that place without a partition, because I had my people working there.

MR. SCHAEFFLER: Now, Mr. Coroner, I suggest that we do not want to shut out anything, but if Juror Scott wants to ask that question let him ask it in a fair way. If you put it this way: Was there anything said by you

POOR QUALITY
ORIGINAL

0658

148

and the landlord with reference to that partition, and if so what was said; that is fair. But to let this witness give his conclusion or his opinion in this way is to put him in a false position.

MR. FRIEND: I submit that the juror had a right to ask exactly what he asked. This is not a Court of law. We are not bound by the rules of evidence. Mr. Scott is not a lawyer, as my friend on the other side is, and in his own plain, good, blunt way asked the question he had a right to ask, and it is not fair for the gentleman to get up and interrupt the Juror in that way.

MR. LEVY: May it please your Honor, Juror Scott is a highly intelligent man. He has shown that upon this trial. He is very much interested in the case and has taken a deep and unusual interest in it and the question that my friend propounds is entirely fair and your Honor knows it is a proper question; that is, if anything was said and what was said; not what is the conclusion of his mind, but what the fact really was. Now I think Juror Scott will accept that.

BY JUROR KLUTE:

Q. Did you have a man at work there on the top floor

POOR QUALITY
ORIGINAL

0659

140

on the day of the fire ? A. A foreman.

Q. Did he get out all right the day of the fire ?

A. He got out all right. The foreman is here.

JOSEPH SCHAEFFLER, JR.,

sworn and examined.

BY THE CORONER:

Q. Where do you reside ? A. Kingsbridge Road
and Monroe Avenue, Belmont.

Q. What is your business ? A. Mason and Builder.

Q. Where is your place of business ? A. 98 East
4th Street.

Q. Are you part owner of the premises 715 and 717
East 5th Street ? A. Yes, sir.

BY MR. LEVY:

Q. Now Mr. Schaeffler, you are a brother of one of
the recent witnesses ? A. Yes, sir.

Q. Now this partition on the third floor, did you
erect that partition ? A. No, sir.

POOR QUALITY
ORIGINAL

0550

150

Q. Did you draw the plans for that partition? A. No, sir.

Q. Did you have anything to do with erecting that partition? A. No, sir.

Q. Do you know who erected it? A. Not from any positive knowledge that I have.

Q. Only from what Mr. Sieghardt told you? A. Yes; Mr. Reischman.

BY JUROR VAN LEEUWEN:

Q. Before that partition was placed up there, was your attention called to the fact that this partition was going to be placed there? A. Well, I will have to make a statement, so that you can understand it. It was just as my brother stated; both Mr. Reischman and Mr. Althaus wanted more room and at that time there was a vacancy. It was the third floor front of the adjoining building, on the East. We decided to give that vacant loft to Mr. Reischman. Then Mr. Althaus desired more room too and I spoke to Mr. Reischman about it. Mr. Reischman previous to that time had the entire loft. He occupied it himself. Mr. Reischman, rather, made a suggestion to me. He says, "I'll tell you ^{what} ~~what~~, I'll go there. If Mr. Althaus wants more room I will give

POOR QUALITY
ORIGINAL

0661

1 /

151

him the front part of my loft; that ought to answer his purpose." Well, I don't know. I think I saw Mr. Althaus about it and asked him if he would be satisfied with that arrangement. Mr. Althaus said yes, and Mr. Althaus and Mr. Reischman and I were up on the top floor and he just showed about how much he was going to get of that place. Then I suggested to Mr. Reischman that he was to sublet that part to Mr. Althaus, but Mr. Althaus didn't want to do it and wanted to have it direct from us. I told him, "Well, it is immaterial to us whether Mr. Althaus pays us the rent or pays it to Mr. Reischman." We were not getting any more rent or any less rent.

Q. Then in order to get the rent from the two parties, that partition had to be placed up there?

A. Yes, sir.

Q. Did Mr. Reischman ever come to you and request you to put up that partition? A. He did. He asked me and I told him we had no object in doing it; we were not getting any more rent or any less rent, and we wouldn't do it.

BY JUROR O'CONNOR:

Q. Who paid for putting up that partition? A. I

POOR QUALITY
ORIGINAL

0662

152

don't know. We did not.

BY JUROR VAN LEUNEN:

Q. How long after the partition was put up there did you see it? A. I have only gone up on those floors perhaps once or twice since we owned that building, two years, when there was a leak in the roof. I went up through Mr. Reischman's apartments to look at the roof.

Q. Did you ever notice when you went up there that there was no way for those at work in the front part of that building to get out in case of fire? A. No, sir.

BY JUROR O'CONNOR:

Q. Who put up that partition? A. I have no positive knowledge, but I believe it was Mr. Reischman.

Q. He must have asked permission to do it.

A. Well, we had no particular objection. We didn't put it up.

Q. Did Mr. Reischman ask you for the privilege of putting it up? A. Mr. Reischman spoke to us once about it.

Q. Did you give him the privilege? A. We had no objection to his putting it up. I gave him what pri-

POOR QUALITY
ORIGINAL

0553

153

village I could give him.

BY THE CORONER:

Q. Did that partition interfere with getting to the roof, or to the rear of that building, from that portion of the premises where those girls worked? A. Your Honor, I didn't know it at the time; but now, after the fire and subsequent investigation, I see it did.

BY MR. LEVY:

Q. Now you say you didn't pay for the putting up of this partition? A. No, sir.

Q. You didn't employ the workmen? A. No, sir.

Q. You had nothing whatsoever to do with it; it was a matter between Mr. Resichman and his co-tenant on that floor? A. Yes, sir.

Q. Was the matter between Mr. Resichman and his co-tenant? A. Yes, sir. Of course we had no advantage one way or the other; we had no more rent and no less rent than previous to Mr. Resichman being up on that floor alone.

BY THE CORONER:

Q. Who got the benefit of being up on that floor?

A. Mr. Resichman.

POOR QUALITY
ORIGINAL

0664

134

BY MR. FRIEND:

Q. You got the rent? A. We got the rent.

Q. Then you got the benefit? A. We got the same rent previous to that time, though.

BY MR. LEVY:

Q. If you got the rent from one man, by dividing it he would get the benefit, wouldn't he? A. Yes, sir.

Q. But it being let to two tenants you got the rent from two tenants? A. Yes, sir.

Q. I understood you to say you got no more rent by reason of their being two tenants than if there had been only one? A. No, sir; we got the same rent.

BY JUROR SCOTT:

Q. Then you admit that you knew that that partition was going up? A. Well, there was some talk of it.

Q. You know all about it? A. I didn't know all about it.

Q. You knew it was going up to divide the two apartments? A. Yes, sir.

Q. To make two subtenants to you? A. Yes, sir.

Q. And that fire escape going up to the roof there, or skylight, or whatever they call it--the stairway-- was

POOR QUALITY
ORIGINAL

0665

155

that taken down? A. No; that was a stationary ladder.

Q. Is it there yet? A. Yes, sir; it is there yet, nailed against the wall.

Q. It is on Mr. Reischman's side? A. Yes, sir.

BY THE CORONER:

Q. That is the one going to the roof on Mr. Reischman's part? A. Yes, sir.

BY JUROR SCOTT:

Q. Did it never strike you that it should be on the other side in case of fire? A. No. As I said before, I was never up there more than twice in all the time since we have had that property.

Q. But I say didn't it strike you that it prevented people from getting up there in case of fire and escaping?

A. I didn't know it until after the fire. Those premises were there about 22 years and there has never been anything happened yet.

POOR QUALITY
ORIGINAL

0666

156

ENGELBERT STRAUSS.

recalled and examined.

BY THE CORONER:

Q. I understand that you have something you wish to say to this Jury. Now you will proceed and state it.

A. I have to state what my daughter said when she was alive and what she said on the evening, when she came home, and at the same time----

MR. LEVY: (Interposing) I object to it, upon the ground that the party who has stated this testimony is dead, and the evidence cannot be contradicted.

THE CORONER: The objection is recorded. Go on and make your statement.

A. (Resuming) And she complained very often----

MR. LEVY: (Interposing) No, no; I object to that. I understand the objection is sustained.

THE CORONER: Proceed and make your statement.

A. (Resuming) She complained in the first place---

MR. LEVY: (Interposing) Wait a moment. You don't want the witness to state anything a dead woman said when she was alive. How can I contradict it?

MR. FRIEND: Let it go in; what is the difference.

POOR QUALITY
ORIGINAL

0667

157

THE CORONER: This is not a Court of law, it is merely an investigation.

MR. LEVY: Very well, sir. Then upon this investigation, I, as attorney for the landlord, object. Having been permitted, by the courtesy of your honor to represent the landlord, I object to any testimony of any witness wherein he desires to testify to anything which a person now dead said.

MR. FRIEND: Of course, in a matter of law, you're this a trial in Court, under the rules of evidence, that could not be admitted. But the Jury is anxious to know everything in reference to this matter. Now there should be nothing kept from them. There should be no desire to slight any of the facts in reference to this matter, and why not let it go in; what objection should there be.

MR. LEVY: Now my friend is making a stump speech for the Jury. Now I am not here to bulldoze this Jury, but that would not be permitted in any Court, or any tribunal, or any investigation; not even before a Senate investigating Committee, or any other Committee, and my friend knows it. It only means that something will come out which will do me a great deal of good and somebody else some harm. It may be it will do no one any harm. I wish

POOR QUALITY
ORIGINAL

0558

158

your Honor would pass upon it.

MR. FRIMM: My friend seems to harp upon one thing. He tells your Honor that he does not propose to bulldoze your Honor or the Jury. Now your Honor knows that throughout the trial of this case my conduct has been anything else rather than that suggested by the attorney on the other side. But if things don't seem to go on to suit the gentleman, he immediately pitches on to me.

THE CORONER: I will say to the gentleman that we will record the objection of the counsel and that we will admit the testimony.

MR. LEWY: Please record the objection on the ground that the evidence is improper.

THE CORONER: The witness will proceed.

A. (Resuming) She complained that the stairs were so poor and that there was no banister on the stairs and it was a poor way, and she always stated that that partition was up and the table was so high and the windows were closed so that they couldn't open them and they always couldn't get up on account that Mr. Althaus wouldn't let any one of the girls except Maggie May have a chair to sit on and that they were in such a way that

POOR QUALITY
ORIGINAL

0559

159

they couldn't get up and go by the window. That was the complaint she made, and she said, "If a fire ever breaks out we will be lost; we can't go anywheres."

Q. When did she say that? A. She said that after the fire in 2nd Street and 1st Avenue.

Q. How long ago was that? A. That was last winter. And another thing she said the last Sunday before she died, when an engine passed the house in 5th Street they looked out and when the engine was going down ^{she said} to the other girl, "it seems our place is burning; it will be good if it burns, then we wouldn't be burnt." Then the other girl said at the same time, "No, it is not." Then they spoke over the matter and said, "if we be in the building when the fire comes up we will never get out, because smoke is in the place and we wouldn't mind it and we wouldn't get no alarm and the fire would reach us before we got down."

BY MR. SCHAEFFER:

Q. Your deceased daughter said that to you at home?

A. She said that at home. Then I have to say more. I thought once or twice what they would do if fire should break out. That was before that fire broke out in 2nd

POOR QUALITY
ORIGINAL

0570

160

Street where these people were burned. I said to her, "If fire should ever break out, see which way you can get out upstairs." I told them that when they were sitting together at the table, and I said, "If you can't, see how you can get down stairs, because if you can get down stairs anybody can get you out." I says, "You must look out which way the danger will come from." She says "The only way is to go down stairs; we can't go any other way, because there is no ladder to climb up and the windows we can't get out, the windows are too high." That is what she stated and what I told her she should do.

At this point, 1 o'clock P. M., a recess was taken until 2 o'clock P. M.

A. J. H. RICHARDS.

MR. LOUIS F. CORNWELL, appeared as Counsel for Mr. Michael Weiselman.

A. H. H. STRANGE,
sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 515 East 5th Street.

POOR QUALITY
ORIGINAL

0671

161

Q. What is your occupation? A. I work in a wholesale cloak house.

Q. Were you any relation to any of the girls who lost their lives in the fire? A. I am a sister to Lena Strub.

Q. Did you work in that building, did you? A. Not at present; but I have been before.

Q. You were not working there at the time the fire took place? A. At the time of the fire I wasn't working there.

Q. Now, Miss Strub, my witness has come to give in relation to the death of your sister, or the cause of her death, you will please state to the jury? A. Well, in July 1884 I went to work there. I was employed by a Althaus and I stayed there until the 10th of February 1888. The two years we were down stairs on the first floor everything was all right there. There was no danger. But when we got to the top floor, of course there was all danger there. We had no way to escape, no matter what accident would ever happen, because we were like in a box, I should say. It was a box. There was a partition all the way through. There was no way to

POOR QUALITY
ORIGINAL

0672

162

escape there. Well, we had a skylight or scuttle hole, but it was only half. Half was to the other place and half to the part we had. It was all boxes; we had our stock boxes there. Then of course on the way going out, outside, there was a stairs with railing on the Street and in from the first to the second floor there was a stairway, but it resembled more a ladder, because it had no sides, it only had a back to it. From the second to the third floor where we went down, it was the same way, only the stairs were a little more narrow. Well, I could get up it well enough, but a fat person with an overcoat on could never get up.

Q. The jury visited the premises; they have seen the premises themselves? A. That is nothing; I worked there. I walked up the stairs long enough and I could tell. I know it, because I worked there. You couldn't get far on the way there, because if you would fall down stairs you would fall into the planing machine ~~xxxx~~ which Mr. Ammermiller had. The windows were small and the tables were so high I couldn't look out into the Street. I never had any idea of my looking out in the Street and nobody else either. And we couldn't jump on the tables, because they were too high, and the

POOR QUALITY
ORIGINAL

0673

163

windows were all narrow. They used to take them out in the summer and put them back again in the winter. In the winter they were not opened. We worked in the front of the house. We had only what I should say was a quarter or half of a house.

Q. How long has it been since you worked there ?

A. I left there the 19th of February 1888. We moved up there, though, two years ago in May.

Q. Was the partition there at that time ? A. Oh yes; when we moved there the partition was there, everything complete for us to start.

Q. How long ago was that ? A. Two years next May; because I was working two years down stairs and then I went up stairs; and I left there about eleven months ago now, because I left the 19th of February.

Q. Do you know who put the partition there ? A. No, sir; I don't know who put it there; we were never told either who put it there; but it was there when we got there and everything complete to start the work. I know in May of a Saturday we went upstairs to clean our tables to start to work on Monday. But of course it doesn't take very long for smoke to fill that place, you

POOR QUALITY
ORIGINAL

0674

164

know. There was never an idea of us getting out. It was a miracle that some got out.

BY JUROR VAN LEEUWEN:

Q. Did it ever strike you, in case of a fire, which way you intended to go out? A. We girls used to say "I wonder where we should get out if there was a fire." Then they used to say "There aint no fire." Of course we could never have got out the scuttle hole, because it was much too small. I don't know whether you understand, but we had half and the other man had half of it.

Q. Did you ever hear your foreman speak about what was to be done in case of fire? A. Yes; I would say, "I wonder how we would get out in case of fire."

Q. Your foreman? A. Yes; Henry. Henry used to take ^{out} the windows and Johnnie used to put them in, and Henry himself used to put them in.

Q. Did you ever speak to your boss about it? A. No. Mr. Althaus, I am sure, was a man of sense enough to know about this himself. He used to be upstairs himself, although his son, Charlie, was more upstairs. But Althaus was in the business.

POOR QUALITY
ORIGINAL

0675

165

BY MR. FRIEND:

Q. You say you couldn't look out of the window ?

A. No, sir.

Q. You weren't there to look out of the window ?

A. Certainly not; but that is understood.

Q. Now you say this table in front of the window was high ? A. Yes, sir.

Q. Would you stand to your work ? A. We had to stand all day.

Q. You could do your work at the table ? A. Yes, I could sometimes.

Q. What is your name ? A. Annie Straub.

Q. You are the sister of the unfortunate girl Lena Straub ? A. Yes, sir.

Q. As a fact, you could do your work at the table ?

A. Certainly.

Q. And you would have to stand up to it ? A. Yes, sir.

Q. Now isn't it true that the table was just the height of all tables that you stand at ? A. No; it wasn't that; we could have had a block to stand on. If the windows were a little lower---

POOR QUALITY
ORIGINAL

0676

166

Q. (Interposing) I am speaking of the table?

A. That is right.

Q. This table was in front of the window? A. Yes, sir.

Q. It wasn't too high for you to work upon, was it?

A. Certainly.

Q. How long did you work at it? A. I worked at it two years.

Q. For two years you did your work? A. Certainly; sometimes I had a block to stand on so I could do my work, because the table was high.

Q. Did you ever make any complaint that the table was too high? A. I used to say, "My table is too high." I had to take a block and stand on it.

Q. You are a short woman? A. That has nothing to do with it.

Q. Some of the girls there were taller than you. A. Certainly.

Q. It wasn't too high for them? A. I don't know; I never inquired.

Q. This partition was there when you moved up? A. Oh yes, certainly. If the partition wouldn't have been

there, or if there was only that much of a place (illustra-

POOR QUALITY
ORIGINAL

0677

167

ing), or if there was one man, I think, who had presence of mind, my sister, nor nobody, would have died. But it couldn't be any different, because it doesn't take any longer than two minutes to fill up our little box that we were in. I said it a hundred times, and I knew it before I left there.

Q. You know it was a dangerous place ? A. Yes, sir.

Q. And your sister too ? A. Yes, sir.

Q. And you left ? A. I left with pleasure, thank God.

Q. Are you in the same business yet ? A. No, sir.

Q. Married ? A. No. Married, God forbid.

Q. Why ? A. Because if all men are such men as were down there---

Q. (Interposing) You wouldn't marry such a man as the men that were that day ? A. You are right. If they had presence of mind, they are all mechanics, and they all have strong fists, they could have knocked through that partition and got on the stairway.

Q. You have heard of fireman Ryan ? A. Yes, sir.

POOR QUALITY
ORIGINAL

0678

168

Q. He saved a girl ? A. I should just tell you my opinion. That was Dutch luck, more a miracle than anything else.

Q. It was more Dutch luck for the fireman that saved the girl ? A. Even if he is Irish, that was Dutch luck. And I am surprised that he got her out.

Q. It was a matter of bravery ? A. I should say so, all honor to him.

Q. It wasn't luck as much as bravery ? A. It was luck too.

Q. Well, wasn't it bravery ? A. It was bravery also. No power on earth could have saved those girls, and it is only a miracle they were saved. It is not astonishing to me that some were burned; it is more astonishing that some got out. You could have got out, because you are not fat. But I say to you that a stout man with an overcoat on could never have got out. That stairway aint even a yard wide.

Q. Don't you know that looks are deceiving; what makes you think that I am not stout ? A. Good Heavens ! Well, I don't intend to answer such a question.

POOR QUALITY
ORIGINAL

0679

168

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POOR QUALITY
ORIGINAL

0680

139

BY JUROR O'CONNOR:

Q. If there had been a doorway in that partition, couldn't those young ladies have got out? A. All of them; because they could have walked into the other place which was kept by Mr. Reischman.

Q. There was plenty of room to escape there? A. Oh yes, there was a way to escape there. But in a place like this nobody could have got out.

BY MR. TYSON:

Q. I would like to ask you how high that partition reached; whether there was any space over the top of it?

A. No; there was no space over it; it was all closed, way up to the ceiling.

Q. Was this ladder that is claimed to have been there leading to the skylight visible to the girls in the other room; could you see that ladder? A. There was no ladder.

BY THE CORONER:

Q. Was there any ladder on your side of the partition leading to the skylight? A. No, sir. We used to keep our stock boxes in there. There was no ladder in our room at all; at least in the part that Mr.

POOR QUALITY
ORIGINAL

0681

170

Althaus had.

Q. Was there a bannister on that stairway leading down on the side of Mr. Althaus ? A. No.

Q. No bannister whatever ? A. No. When we came up on both stairs there was no bannisters.

BY MR. FRIEND:

Q. When were you in this place last ? A. I was in there on the 18th of February, 1888, and the 19th I left.

Q. In 1888, almost a year ago, you were there for the last time ? A. Yes, sir.

Q. Now remember I speak of what you know personally. Of your own knowledge, you know nothing as to the condition of that place on the day of the fire ? A. I only state what I know.

Q. In 1888 ? A. Yes, sir; just only while I was there.

Q. Now I speak of January 1889, a year after you had been in the place for the last time. You know nothing of the condition of the place at that time ?

A. No, sir.

Q. Not a thing. A. No, sir.

POOR QUALITY
ORIGINAL

0682

171

BY MR. LEVY:

Q. When was the last time you were in this building?

A. I told you the 18th of February, 1888. On the 19th I left.

Q. You said something about the windows being nailed down? Who nailed those windows down? A. I don't know.

Q. You didn't see anybody do it yourself, did you?

A. I noticed when we came up there that the windows were nailed. It was too cold. They were never taken out until summer.

Q. Who took them out; the workman? A. Henry, our foreman.

Q. Tell me again; what did you say to Henry, the foreman, about this place. A. I told him that we couldn't get out, it was like a box. I says, "Henry, this is a terrible place to get out." He says, "There is no fire here." Certainly there was no fire then.

Q. Was Miss Farrenkopf present when you said that?

A. Yes, sir.

Q. Was Miss Straub present? A. Yes, sir.

Q. They were all present? A. Yes, sir.

POOR QUALITY
ORIGINAL

0683

172

Q. You all know it was a dangerous place, didn't you ? A. Certainly we know it.

Q. Will you please show us how high those tables were that were built up there ? A. My table ?

Q. Yes ? A. The lowest bit higher than this (indicating Sawyer's desk,) Because I had to work this way (illustrating).

Q. About four feet high ? A. How high is that ? I don't know. I couldn't tell you by this.

BY MR. FRIEND:

Q. It ain't four feet, because I am five. A. So am I five. Well, it was like this, about this way (illustrating).

BY MR. LEVY:

Q. You said something about a stout person not being able to get up the stairs ? Is that what you said ?

A. Yes, sir.

Mr. FRIEND: She said I could get up.

THE WITNESS: Yes, and so could I get up.

Q. A person must be pretty stout not to get down those stairs. They are a yard wide ? A. I don't think so.

Q. Was Miss Farrenkopf stout ? A. No, sir; she was a nice person; she wasn't very stout.

POOR QUALITY
ORIGINAL

0684

173

Q. Was Miss Straub stout ? A. She was like me.

Q. Was the other person ? A. She was like me.

BY MR. THEISEN:

Q. Was it possible for two persons to go down that stairway at the same time ? A. No, never; not even Barbara and I couldn't. There was only one person could get down at a time, one behind another. But two alongside of one another couldn't get down.

BY THE CORONER:

Q. Two persons couldn't get down abreast ? A. No, sir; by no means; never.

BY MR. FRIEND:

Q. Two persons couldn't get down an ordinary stairway in an ordinary tenement house abreast, could they ?

A. No; but it wasn't as wide as the stairway in our tenement house. But our tenement house has a bannister.

BY MR. SCHAMFLER:

Q. There was no partition on the 2nd story, was there ? A. No, sir.

Q. If the fire had been on the 2nd story they could have reached the stairway that leads to the Court yard ?

A. I don't know as they could.

POOR QUALITY
ORIGINAL

0685

174

Q. At the time you were there in 1888, was there partition any ~~stairway~~ there? A. No.

Q. But there was a door which opened on the stairway which led down to the Court yard, wasn't there?

A. I can't tell you; I never saw it. We had no business there.

Q. It might have been there? A. It might have been there; I don't know about it, though.

BY MR. LEVY:

Q. The witnesses in this case, some of them at least, have testified that these persons were down on the 2nd floor and that by reason of fire or smoke they became frightened and ran back. Now if they were on the 2nd floor and that partition was on the third floor, it had nothing whatever to do with their escape? A. No; not if they were on the 2nd floor. But I don't think they could reach the second floor. They never were down there.

Q. You weren't at the fire, were you? A. No.

BY JUDGE SCOTT:

Q. Was there ever any complaint made to the owner of the house? A. There used to be inspectors coming there,

POOR QUALITY
ORIGINAL

0686

175

but what kind of inspectors they were , I don't know.

Q. How often did they come there ? A. Well, the first few weeks after we moved up stairs they used to come frequently, one or two a day. I remember one day there were three there, but the partition was up.

Q. You don't know what kind of inspectors they were ? A. I don't know that.

Q. What did they say ? A. They didn't say anything to the girls at all.

Q. They never had anything to say ? A. Nothing to the girls at all.

Q. Did you ever say anything to Mr. Althaus about there being no fire escape ? A. No. We very seldom spoke to Mr. Althaus. He would come in and look to see if the work was going along all right and that was all. He didn't interfere with the girls, nor with their business; he only looked into see if the work was going on all right.

POOR QUALITY
ORIGINAL

0687

176

MICHAEL REISCHMAN,

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 184 Cook Street,
Brooklyn.

Q. What is your business? A. Cabinet maker.

Q. Where is your place of business? A. 715 and
717 East 5th Street.

Q. You rent a floor or part of a floor there?

A. Yes, sir.

Q. What do you rent; a whole floor or part of a
floor? A. I have got four or five floors.

Q. Now will you please to state to the Jury what you
know about this fire, how it occurred and all about it,
in your own way? A. I was at my desk figuring up
stock. We were just through taking stock.

Q. What floor is your desk on? A. In the back
building on the 3rd floor; ~~in~~^{not} where the fire was, But in
719 and 721. Me and my son were figuring up stock
on the books. I thought I heard a noise. I was just
at the window to my left and when I looked out of the
window I seen my men coming out of the building on the
front from the back stairs of the building and also seen

POOR QUALITY
ORIGINAL

0688

177

smoke coming out of the windows. I told my son to pack away the books in the safe, and I rushed down stairs. When I got down, this fire Company, Hook and Ladder No. 11, was there raising the ladders and I rushed back and tried to get my horses out. When I went back my son had the horses ready to get them out, so I went upstairs again and I came down again. Of course in the meantime more apparatus got there to work and my driver made a remark in regard to some girls being in there yet and says I, no. I was told the girls were all out.

BY JUROR SCOTT: ~~When~~

Q. Who told you that? A. My driver.

Q. Who put up that partition there, A. I did.

Q. Did it ever occur to you that you were doing wrong when you did that? A. No, sir.

Q. Did you get a permit from the fire department to put that partition up? A. No, sir.

Q. Did you get the sanction of the owner of the building to put it up? A. Yes, sir.

BY JUROR O'CONNOR:

Q. Which one? A. Both.

BY THE CORONER:

Q. Name the parties? A. Mr. Sieghardt and Mr.

POOR QUALITY
ORIGINAL

0689

178

JUROR McCLOSKEY: (Indicating) This Mr. Schaeffler?

MR. FRANK SCHAEFFLER: No.

THE WITNESS: This Mr. Schaeffler very seldom came to the building.

BY JUROR SCOTT:

Q. When you put up that partition, did you know that you were cutting off all means of escape in case of fire?

A. No, sir.

BY JUROR McCLOSKEY:

Q. Did Mr. Schaeffler know that you were going to build a solid partition when you were going to build it?

A. Yes, sir.

THE CORONER: What do you mean by solid partition, Mr. Juror?

JUROR McCLOSKEY: One without a door.

BY THE CORONER:

Q. Did he know that you were going to put up such a partition as that? A. Yes, sir.

Q. Which one? A. Joseph Schaeffler and Ferdinand Seighardt.

BY JUROR SCOTT:

Q. Who was to pay for that partition? A. That I don't know.

POOR QUALITY
ORIGINAL

00690

179

Q. Was it put up at your own expense ? A. I couldn't tell you; it was two years ago and I don't know how that was paid-----whether it was deducted from the rent or not .

BY JUROR McGEUSKEY:

Q. You don't know whether you were to pay for it or not ? A. I don't know; I couldn't say.

Q. Do you know what workman put it up ? A. Yes, sir.

Q. Who employed him ? A. I did.

Q. Very likely you paid him ? A. I pay my workmen every Saturday night for different work they do.

Q. Then this gentleman's brother didn't pay him ?

A. No, sir.

BY JUROR SCOTT:

Q. Were there any Fire Marshals there complaining about that partition ? A. No, sir.

Q. Or Fire Inspectors ? A. No, sir.

Q. Or building inspectors ? A. No, sir; I haven't seen a fire or building inspector in my place for years.

Q. They never came in there ? A. Not to my knowledge.

POOR QUALITY
ORIGINAL

0691

180

Q. How long has that partition been up? A. Two years, to my knowledge.

BY THE CORONER:

Q. Could the Inspectors from the building department come in without your knowing it? A. Yes, sir; they could come in without my knowing it.

BY JUROR SCOTT:

Q. Only you never saw them? A. Not to my knowledge. But they could have come in hundreds of times without my knowing it or seeing them.

BY JUROR VAN LEEUWEN:

Q. Did anybody ever speak to you about the danger of there being no doorway there in case of fire? A. No, sir.

Q. Then you gave it no consideration, never thought of it? A. No, sir; never thought of it.

BY JUROR SCOTT:

Q. You kept the ladder on your side of the partition? A. Yes, sir.

Q. Didn't you think of that? A. No, sir; I didn't think of any danger whatever.

BY JUROR VAN LEEUWEN:

Q. So the ladder leading up to the skylight was on

POOR QUALITY
ORIGINAL

0692

181

your side of the premises? A. Yes, sir.

Q. Why was it there? A. That I don't know.
It was there when I got there.

Q. You had the full consent of the owners of that building to put up that partition? A. Yes, sir.

Q. Did they ever speak to you about putting a door in it at any time? A. That I don't remember.

Q. Do you know how that fire started? A. Well, I didn't see it start, but the way they gave it to me it started in the blacksmith's shop in the corner. I was upstairs in my office at the time.

BY THE CORONER:

Q. You only know how it started by what you were told; is that it? A. Yes, sir.

Q. You don't know of your own personal knowledge how that fire started? A. No, sir.

BY MR. BUTZELL:

Q. Do you know the exact date when you put up that partition; was it a year ~~ago~~ ago, or more? A. Two years in May.

Q. You are sure of that; it was in May 1887 that you put up that partition. Did you apply to the fire depart-

POOR QUALITY
ORIGINAL

0693

182

ment for a permit ? A. No; I had nothing to do with it.

Q. Did you notify the Department ? A. No. I have nothing to do with the Fire Department ?

Q. Therefore, you have a right to go on and make alterations without----A. (Interrupting) I didn't make any alterations.

Q. Wasn't that an alteration ? A. Not by me; it was an alteration by the landlord. I hired the floor.

Q. Didn't you just state that you put up a partition?

A. I was told to put it up.

Q. Who told you ? A. Mr. Sieghardt and Mr. Schaeffler.

Q. Did you ask for permission to put it up ? A. I don't see why I should ask them; they told me to put it up.

Q. Did they speak to you before you spoke to them about dividing this floor; did they speak to you first, or did you speak to them first. A. They let me have one part of the floor and they let Althaus have the other part of the floor.

Q. Who put up the partition ? A. I did.

Q. Did you ask anybody about it ? A. I don't know what you mean by asking anybody.

POOR QUALITY
ORIGINAL

0694

188

Q. Did you speak to Mr. Sieghardt about it? A. No; they spoke to me.

Q. They spoke to you first, before you spoke to them? A. Yes, sir.

BY JASON O'CONNOR:

Q. Then you put up this partition for the landlord's benefit? A. Yes, sir.

BY MR. MEYER:

Q. You say you put up that partition for the landlord's benefit. Didn't you put it up to divide the room on the top floor into two rooms? A. I suppose so.

Q. Well, didn't you; no supposing about it? A. Yes.

Q. Didn't you want to be separated in your business from the business alongside of you? A. Yes, sir.

Q. And wasn't that the object of putting up that partition? A. Yes, sir.

Q. Did you draw the plan for that partition?

A. No, sir.

Q. Did you employ the workmen? A. Yes, sir.

Q. They put it up under your supervision? A. Not under my supervision.

POOR QUALITY
ORIGINAL

0695

184

Q. Under your superintendence ? A. No, sir.

Q. Didn't you see ^{the} ~~a~~ workmen working there ? A. Yes, sir.

Q. All the time ^{they} ~~you~~ were working there you knew it ?

A. Yes, sir. Well, know it ? I got out to let them come in.

Q. You knew they were working there all the time ?

A. Yes, sir.

Q. And when it was finally put up you approved of the design and plan, did you not ? A. No, sir.

Q. Didn't you approve of it ? A. No, sir.

Q. Did you want doors put in ? A. No, sir.

Q. I ask you did you want doors put in ? A. That I don't remember now exactly, it is so long ago.

Q. Didn't you know that a door was the proper thing to have in there ? A. I didn't think anything at that time.

Q. Did it never occur to you that if a fire broke out it would be dangerous to have no means of exit, no door in there ? A. No, sir.

BY MR. BUTZELT:

Q. Was there any reason why you didn't put a door in

POOR QUALITY
ORIGINAL

0596

185

there ? A. I have no reason.

BY MR. GORDON:

Q. What part of that building did you hire; the whole floor ? A. Half of the top floor, the back part.

Q. Then it was that half that was divided off ?

A. Yes, sir.

Q. And you had nothing to do with the other half ?

A. No, sir.

Q. Was that partition put up at your request, or did the landlord ask to have it put up ? A. The landlord.

Q. You had nothing to do with it; it was not for your benefit ? A. No, sir.

Q. And did the landlord superintend the putting of it up ? A. He told me how to do it.

Q. Did the landlords, or either of the landlords, see you before it was finished ? A. Before I put it up.

Q. Did he give you any further instructions ? A. No, sir.

Q. At first, did you have it clear up to the ceiling ?

A. I think it was mentioned of having a six feet

POOR QUALITY
ORIGINAL

00697

180

partition, if I aint mistaken, and it was changed later and put all the way up.

Q. At first it was only a six foot partition, and you say then it was carried up. At whose request, whose instructions; who told you to do that? A. The landlord.

Q. You had nothing to do with that part of the floor on the other side of that partition? A. No, sir.

BY MR. SCHLESFELDER:

Q. Now let me ask you a few questions. Mr. Reischman, how long have you been a tenant in this building 715 to 721 5th Street; how many years. A. I think I am a tenant in this building about 25 or 26 years.

Q. And at one time you occupied the entire third story of the building in which the fire took place, didn't you? A. There was a tenant of the building by the name of Schloss & Co., at one time? A. Yes, sir.

Q. And Schloss & Co., moved out and vacated the entire third story of 719 and 721 5th Street; that is so, isn't it? A. Yes, sir.

POOR QUALITY
ORIGINAL

00698

187

Q. You then applied to the landlords for the loft which was vacated by Schloss & Co., didn't you? A. Yes, sir.

Q. At that time you occupied the entire third story of VII and VII? A. Yes, sir.

Q. Then Mr. Althaus had a conversation with you relative to leasing a portion of VII and VII, didn't he.

MR. EXHIBIT: Don't answer that; I object to the form of that question.

THE COURT: The counsel will put the question in the way he wants it. The counsel will simply put questions and let the witness answer yes or no. You will have no trouble if you will confine yourself to that course.

Q. (Repeating) Did you have any conversation with Mr. Althaus with reference to the occupation of the third story; if so, state what it was? A. I had no conversation with Mr. Althaus to my knowledge.

Q. Why did you give up a portion of the third story?

A. I had a conversation with Mr. Schaeffler and Mr. Sieghardt, the landlords. They told me Mr. Althaus wanted that other floor, and I told them I wanted it,

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POOR QUALITY
ORIGINAL

0699

123

otherwise I couldn't stay in the building. So they made a promise that if I gave up half of the floor on the front where the fire was, I could have the other part of the next building.

Q. Did you have any conversation as to the portion of the third story that you were to occupy and as to the portion that Althaus was to occupy? A. I had conversation with Mr. Schaeffer and Mr. Siegart.

Q. Are you positive that you never had any conversation with Mr. Althaus relative to that at any time?

A. Well, we might possibly have met in the street; not that I went directly to Mr. Althaus to make the proposition for the floor.

Q. Not directly; but you did have a conversation.

MR. TRIEMER: I object to that; he didn't say that.

THE CORONER: Ask him the question?

MR. SCHAEFFER: This is an unwilling witness and we will have to draw this out of him. I did ask him in a fair way at first.

THE CORONER: Witness, you will please answer all questions put to you by the counsel either yes or no, or what the conversation was, if any.

POOR QUALITY
ORIGINAL

0700

189

Q. (Resuming) Did you have any conversation with Mr. Althaus at any place relative to the apportionment of the third story? A. Not to my knowledge.

Q. Did you know that Mr. Althaus was to occupy that too? A. Yes, sir.

Q. Who told you? A. Mr. Schaeffler and Mr. Sieghardt?

Q. Mr. Althaus ever told you? A. No, sir.

Q. How was this conversation between Mr. Sieghardt and Mr. Schaeffler and yourself take place relative to the partition? A. You mean the day?

Q. Yes; about the time. A. It was about May.

BY THE CORONER:

Q. What year? A. It was two years ago this May coming.

Q. That would be in 1887? A. In 1887.

BY MR. SCHAEFFLER:

Q. Where did that conversation take place?

A. That I couldn't tell you.

Q. Who was present at the time? A. Mr. Sieghardt and Mr. Schaeffler, I think. I don't know as anybody else was present.

POOR QUALITY
ORIGINAL

0701

100

Q. Now is not this a fact: That you asked Mr. Seighardt and Mr. Schaeffler to put up a partition for you and that they refused to do it? A. Yes, sir.

Q. And it is not a fact that they refused to put it up for you and that they said that they didn't care who put it up, but they wouldn't put it up themselves? A. They didn't want to do so.

Q. And you paid for it? A. Yes, sir.

Q. You are sure of that. The old man says that you went to the expense of putting it up yourself?

A. Well, I didn't go to the expense.

Q. Didn't it cost you anything to put it up?

A. Mr. Seighardt and Mr. Schaeffler----

Q. (Interposing) Did it cost you anything to put it up? Answer my question? A. It cost me the labor to put it up.

Q. How does it happen that you were so generous as to put up a partition for the landlords which was entirely for their benefit, as you have testified; can you explain that to this jury? A. Yes, sir. There was a dispute about the two floors and the partition was to be put up---

Q. (Interposing) Between whom was that dispute?

POOR QUALITY
ORIGINAL

0702

191

A. Between myself and Mr. Schaeffler and Mr. Sieghardt.

Q. Mr. Althaus had nothing to do with it ? A. No, sir. Mr. Schaeffler said it was decided that I could have that floor provided I let Mr. Althaus have so much of that other part, and Mr. Schaeffler said there was another expense on us and I agreed to put that partition up provided they would furnish the stuff. They said they would furnish the stuff if I would put it up. I was pretty sure first off that it wouldn't be more than six feet. The next morning they came and said Mr. Althaus objected to a six foot partition.

Q. Who told you that ? A. Mr. Joseph Schaeffler and Mr. Sieghardt.

Q. Not Mr. Althaus ? A. No, sir. And they said that they would furnish the stuff provided I would put the partition up, but Mr. Althaus didn't want it six feet, he wanted it all the way up and I did so.

Q. Did you tell Mr. Sieghardt what kind of a partition you were going to put up ? A. No, sir.

Q. Did you give any kind of a description ? A. No, sir.

POOR QUALITY
ORIGINAL

0703

192

Q. Did you have any drawing? A. No, sir.

Q. Or any plan? A. My proposition was to put it up six feet.

Q. Did you say anything about a door? A. That I don't remember.

Q. But you had a proposition to make; you proposed six feet to the landlords? A. Yes, sir.

Q. But you didn't propose a door? A. That I don't remember.

Q. Didn't you propose one? A. I don't remember.

Q. Now didn't you want to know how much your rent would be after taking away a part of the third story from you? A. Yes, sir.

Q. How was that fixed? A. They let me part of that top floor for so much; I don't know now what I did actually pay for it.

Q. What was said about the rent that you were to pay for the balance? A. That I couldn't say now. I haven't got my books and I can't keep my business in my head, gentlemen.

Q. Didn't Mr. Althaus and yourself try to apportion that rent? A. We couldn't apportion it, because Mr.

POOR QUALITY
ORIGINAL

0704

193

Althaus got more room than I did.

Q. I know; but didn't you try to fix the rent between yourselves? A. No, sir.

Q. Are you sure of that? A. Yes, sir.

Q. Are you sure that you didn't try and that you couldn't succeed and that you called in Mr. Sieghardt and Mr. Schaeffler to help you? A. Not that I remember.

Q. Did not Mr. Schaeffler Jr., apportion the rent between you and Mr. Althaus on a basis of the number of square feet that would remain of that room to each one of you? A. That I don't know. He made an agreement with me for what I occupied, but I don't know to-day what agreement he made with Mr. Althaus---whether Mr. Althaus pays less for a square foot, or more. That I don't know. I only pay my rent for the premises I hold; that is all.

Q. Were you immediately satisfied with what Mr. Sieghardt or Mr. Schaeffler told you would be your proportion of the rent? A. Yes, sir.

Q. You had nothing whatever to say to that? A. No, sir.

Q. Now you say that your proposition was to make that

POOR QUALITY
ORIGINAL

0705

194

partition six feet and a half. That was your proposition to Mr. Sieghardt? A. Yes, sir.

Q. You say that you got some idea from Mr. Sieghardt, did you? A. Yes, sir.

Q. Did you tell Mr. Sieghardt how much lumber he was to furnish? A. Yes, sir.

Q. Did you tell him it was to be lumber for six feet and a half in height? A. I didn't tell him how much lumber.

Q. You told him how high it was to be? A. Yes, sir. Mr. Sieghardt is an experienced man and he knows as much about lumber as I do.

Q. Then you started and put it up? A. Yes, sir.

Q. Didn't you run short of lumber? A. Yes, sir.

Q. Who furnished the balance of it? A. Mr. Sieghardt.

Q. To put it up to the ceiling; did he furnish that lumber? A. Yes, sir.

Q. Did he furnish the lumber to put it from six and a half feet up to the ceiling? A. It was never made six and a half feet. It was started from the beginning

POOR QUALITY
ORIGINAL

0706

195

of it to make it all the way up.

Q. You told Mr. Sieghardt first that you wanted the partition six feet and a half high and you asked him to furnish the lumber? A. I didn't ask him; he made the proposition to me.

Q. But he did furnish the lumber, didn't he? A. Yes sir.

Q. How did you succeed in getting that partition all the way up to the ceiling upon lumber which was furnished for only six feet and a half in height? A. I didn't succeed at all.

Q. Tell us what you did then? A. I didn't start until the lumber was all there; that is, I started and Mr. Sieghardt sent us ~~some more lumber~~ more lumber next morning to finish the partition.

BY THE CORONER:

Q. How long was that lumber; did it reach all the way up from the floor? A. Yes; it reached all the way up.

Q. You didn't have to join any two boards together?

A. No, sir; it reached all the way up.

POOR QUALITY
ORIGINAL

0707

196

BY JUROR SCOTT:

Q. That was the proposition of the landlord, Mr. Sieghardt? A. Yes, sir.

BY MR. SCHAEFFLER:

Q. Mr. Sieghardt is a practical mechanic to your knowledge, isn't he? A. Yes, sir.

Q. And he made an arrangement about putting up that partition, didn't he? A. That I don't remember.

Q. Did he tell you he did it? A. That I don't remember.

BY MR. LEVY:

Q. Did you ever have any conversation with Mr. Althaus at all? KX

MR. FRIEND: I object to that, and I base my objection upon the ground of fair play alone. That same identical question has been asked of the gentleman who is interested as attorney for the landlords, and who is here as counsel and associate with the gentleman who just asks the question. The question has been asked and answered not once, but half a dozen times here this afternoon, and I insist, if your Honor please, that a stop be put to it. It may be all pleasant enough for the

POOR QUALITY
ORIGINAL

0708

197

gentlemen upon the other side to prolong this agony, but it is not so pleasant for my client or for me, and I therefore press my objection.

MR. SCHAEFFLER: You are not afraid, are you?

MR. FRIEND: Not a bit. You have made an elegant witness for us out of this gentleman.

MR. LEVY: I don't believe the question has ever been properly asked.

THE CORONER: I will let you put the question once more.

BY MR. LEVY:

Q. Did you have any conversation with Mr. Althaus about this partition? A. Not to my knowledge.

Q. You don't remember? A. No, sir.

Q. You may have but you don't remember now?

A. I don't remember.

Q. You don't remember anything about it, do you?

A. No, sir.

Q. Mr. Althaus was your adjoining tenant on the same floor, wasn't he? A. Yes, sir.

Q. Did Mr. Althaus ever come over to your side of the left while that partition was being built? A. Not

POOR QUALITY
ORIGINAL

0709

198

to my knowledge.

Q. Did you go over to his side while that partition was being built? A. I might, but I don't remember now.

Q. You may have done so? A. No and Mr. Althaus never visited one another much. I didn't go to Mr. Althaus and Mr. Althaus didn't come to me.

Q. Now I want to understand all about this partition before you leave the stand. Who employed the workmen who built the partition? A. I did.

Q. And did you pay them? A. Yes, sir.

Q. Where are those workmen now? A. Well, I think I have got one in my shop to-day.

Q. What is his name? A. John Reischman.

Q. Is he a brother of yours? A. He is my son.

Q. Is he working there now? A. Yes, sir.

BY JUROR SCOTT:

Q. Was that money you paid to the workmen out of your own pocket, or was it charged to the landlord?

A. That I don't remember, as I stated before. I don't know whether it was settled between me and Mr.

POOR QUALITY
ORIGINAL

0710

199

Q. Sieghardt together, or whether it was paid out of my pocket; I don't remember.

A. All the labor part was paid by you and the material was paid by the landlord? A. My labor is paid every Saturday, gentlemen, whatever labor I have.

BY MR. LEVY:

Q. You came here to-day with a counsel, did you not?

A. Yes, sir.

Q. Did you talk to your counsel about the testimony you were going to give to-day? A. No, sir. I met my counsel right down at the head of the stairs coming up here. A friend of mine telephoned to me that I was wanted down here and I came down here by reason of a telephone, and it was a friend of mine who went and got Mr. Goebel. I didn't know of anybody else, and he went over and got Mr. Goebel and I just met him here.

Q. You didn't state to him what you were going to testify to here? A. No, sir.

Q. He didn't know that? A. No, sir.

POOR QUALITY
ORIGINAL

0711

200

NICHOLAS ALTHAUS,

recalled and examined.

BY THE CORONER:

Q. You know this young lady, Maggie May, don't you? A. Oh yes.

Q. And Maggie Armstrong and Lena Smith? A. Yes, sir.

Q. Are they working for you now? A. They were working, but one is sick yet.

Q. Weren't they subpoenaed to be here to-day? A. No.

Q. Weren't you instructed the last day you were here to have them here to-day? A. Not as I know of. Nobody instructed me. I have got five of my workmen here and there are two girls there.

THE CORONER: There were three subpoenas prepared for these ladies to-day, and you were also instructed, I think, to have them here to-day.

MR. FRIEND: I think your Honor is in error about that. I remember at the last session that there was something said about a witness in the back part of the room----that there were two ladies, named Maggie May and

POOR QUALITY
ORIGINAL

0712

201

I Maggie Armstrong, who lived in Brooklyn, if I remember
aright; but he was not notified to bring them.

THE WITNESS: My father-in-law. He used to work
on the top floor.

HENRY SCHWENCK,

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 27 Graham Avenue,
Brooklyn.

Q. What is your business? A. Paper cutter for
cigar boxes.

Q. Where do you work? A. For Althaus.

Q. Where is that? A. That was at the time of
the fire in 5th Street.

Q. 715 and 717 East 5th Street? A. That is it.

Q. You were there on the day of the fire, were you?

A. Yes, sir.

Q. Well now, will you please state to the Jury what
you know about that fire, how it occurred and all about it

**POOR QUALITY
ORIGINAL**

0713

202

to the best of your knowledge, in your own way? A. It was about five minutes past eleven. I heard some noise in the place where I was standing. I was about ten feet away from the stairway going down. I turned around and I looked down stairs and I saw smoke.

Q. On what floor was that? A. That was coming up. I was on the third floor. I turns around and I gets hold of my coat, puts it on to my arm, turns around and says to the girls, "Now it is time to go."

Q. Were you foreman of the shop? A. Yes, sir. Katie Farrenkopf went down first and I after her, but before we reached the lower part of the place, that is, down stairs, she wanted to turn back and as she did, I gave her a push. I says, "Go ahead, it is time," and as we got as far as the door she disappeared and I swallowed two ~~maxh~~ mouthful of smoke, and with that I seen the door open and I flew out to the Street, and as I got outside I seen firemen there and they drew their ladder up to the top floor and there they caught one girl standing at the window and she was pulled down.

Q. How far down did Katie Farrenkopf go with you from the top? A. To the 2nd floor.

**POOR QUALITY
ORIGINAL**

0714

203

Q. She went down one stairway with you to the next ?

A. Yes, sir.

Q. And that was the last you saw of her ? A. That was the last I saw of her, and that is all I know.

BY MR. LEUWEN:

Q. Did any of the girls ever speak to you that in case of fire how they could get out ? A. They did.

Q. What did you tell them ? A. I says, "The only way we can escape from here is to go down the way we came up."

Q. Did you ever draw the attention of Mr. Althaus to that ? A. No, sir; I did not. It was not my business, I don't believe.

BY JUROR KLUTE:

Q. Could you have gone down stairs on the second floor in the rear instead of going down another floor in that building ? A. No, sir.

Q. Wasn't there a window there ? A. I couldn't get out of the window.

Q. Was there a door in the rear of the floor below that which you work on ? A. No, sir.

BY MR. SCHAEFFLER:

Q. There was a stairway leading to the yard; you

POOR QUALITY
ORIGINAL

0715

204

remember that. A. I had no business there. The door wasn't open.

Q. It was locked, was it? A. Yes, sir.

Q. But if it had been open you could have got out there? A. Well, I would have got out that way. I went down the way I came up alone.

BY JUROR SCOTT:

Q. You went the only way? A. Yes, sir.

BY JUROR O'CONNOR:

Q. If there had been a doorway in that position where you worked, couldn't the girls have got out? A. I think they could.

Q. Was there any way to get up on the roof there?

A. No, sir.

BY JUROR KILPATRICK:

Q. Do you know whether any of the rest of the girls followed you down stairs or not? A. I couldn't say.

BY JUROR SCOTT:

Q. Were there any fire escapebars there at any time?

A. I couldn't say whether there were or not.

BY MR. THRISEN:

Q. You said that you opened a window. Could you

POOR QUALITY
ORIGINAL

0716

208

shove those windows all the way up? A. No, sir.

Q. You had to take them out? A. Take them out.

Q. The girls couldn't do that, could they? A. No, sir.

Q. Why? A. Well, they were too small, I suppose, to get there.

Q. Too small to get on top of that table and get to the window? A. Yes, sir.

Q. So that there was no chance for them to escape by the windows? A. Not as I know of.

Q. Was there a banister on that stairway that you went down? A. No, sir.

Q. What was the only stairway that the girls could go down? A. That was the only stairway.

Q. It resembled more a ladder than it did a stairway, didn't it? A. The stairs went down the same as any other.

Q. It was just like a hole there and a stairway going down? A. Yes, sir.

Q. Wasn't there danger of falling down those stairs when going down? A. Not to my knowledge. I never fell but once, then I slipped. It was my own fault.

**POOR QUALITY
ORIGINAL**

0717

206

Q. Was there a guard rail around that opening?

A. No, sir.

BY MR. SCHANTLER:

Q. You mean to say that you couldn't open the windows because the latch was where? A. They could have been opened, because I opened them myself, but no girl could ever take them out.

BY MR. TERRY:

Q. This was a factory building, wasn't it? A. Yes, sir.

Q. And the stairs were made in the crude way that factory stairs are generally made? A. Yes, sir.

Q. It wasn't black walnut with doanack carpet on it?

A. No, sir.

Q. If the girls got down on the 1st floor as the evidence says they were, the position that has been spoken of as much here didn't interfere in any way with their getting out, did it? A. No, sir.

BY JUROR O'CONNOR:

Q. There was no way for these girls to get out on the front; there was no fire escape on the front of that house? A. No, sir.

POOR QUALITY
ORIGINAL

0718

207

BY MR. FRIEND:

Q. That table in front was the ordinary table used in all factories to make boxes on? A. Yes, sir; just as they wanted it.

Q. According to size? A. Yes, sir.

Q. A little girl to a lower table and a bigger girl to a higher table? A. No, sir.

Q. All one size? A. All one size.

Q. I couldn't handle a big table, but I could a little one, couldn't I? A. Yes, sir.

WILLIAM STEPHENSON,

recalled and examined.

BY MR. HENRY:

Q. You are a practical carpenter, are you not?

A. Yes, sir.

Q. I was for the first time informed by Mr. Reischman, one of the witnesses here, that you gave him some idea of how to put up a partition. Is that true?

POOR QUALITY
ORIGINAL

0719

800

Q. Now being a practical carpenter, did you know how many feet of lumber was necessary to put up a partition?

A. I did.

Q. Did you reckon that partition took a board of six and a half feet in height? A. Yes, sir.

Q. Is that a fact? A. Yes, sir.

Q. In the case and in most of everything else you have testified to? A. It would be the same.

Q. Now I am interested here to-day for the first time that there was some talk about this partition going up higher. Was there some talk about that partition?

A. Yes, sir.

Q. There was some conversation about this partition going up higher? A. Yes, sir.

Q. Now going to his Honor and to the jury what that was? A. At the time Mr. Althaus and Mr. Reichman hired the floor team up, Mr. Reichman and Mr. Althaus wanted us to put a partition across and I objected to putting a partition up there. So Mr. Reichman says, "Well, that don't amount to much, a partition about six feet six high, half a board with an opening in it." I says, "No, I won't put it up." Then he says, "You furnish the lumber and we will put it up." Well, Mr.

POOR QUALITY
ORIGINAL

0720

209

Schaeffler measured it out and gave him the boards. I measured it out, too, half a board high and told him I would buy and get that lumber. That is all I know about it. Afterwards I heard they got lumber a second time without my order. Of course my driver or anybody that is around there in the lumber yard to get lumber will give it without my telling him, because I can't always be at my business.

Q. Did you order any lumber on that partition?

A. Yes; the first lumber I ordered on that partition.

Q. The second you did not? A. The second I did not, for the reason that the partition was to be half a board high.

BY MR. FRIEND:

Q. Now Mr. Sieghardt, in your direct examination this morning, if I remember your testimony, you testified that the first intimation you had of a partition being up there was after the fire? A. That I never did.

Q. If I remember your testimony, you testified that the first intimation you had of the partition being up there was after the fire, when, in conversation with Mr. Reischman, he told you that he put it up. A. I said

POOR QUALITY
ORIGINAL

0721

210

this morning I never took any notice of the partition since the time it was put up, except the other day when the accident happened. I went and asked Mr. Reischman who put up that partition and he said, "I put it up."

Q. Well, if you supplied the lumber to put up that partition and just ago, you were talking from something about it. A. Yes, Reischman told me about the same as myself.

Q. What is the question. You supplied the lumber didn't you? A. I did.

Q. You know what the object of supplying that lumber was for what purpose? A. For putting the partition up half a foot high with an opening in it.

Q. The object of supplying the lumber was to put up the partition? A. Half a foot high.

Q. Yes you never knew anything about a partition being put up there until after the fire? A. I never said so.

Q. What did you say? A. Well, I said I never took any notice of the partition. I don't know whether Althaus or Reischman put it up, because I didn't see him put it up; except after the fire was over I

POOR QUALITY
ORIGINAL

0722

211

saw Mr. Reisdorn and asked him who put that partition up. It was put up two years ago. I says, "Who put up the partition?" He says, "I put it up." Of course, when I refreshed my memory on the point.

Q. Why didn't you refresh your memory this morning in so far as informing us that you supplied the lumber for putting up the partition? A. I answered every question that was asked.

MR. MEYER: I don't think that is fair, your Honor. I have been informed here for the first time about this lumber. If I had known it this morning I would have asked it.

MR. PHIBBS: All I can say in answer to that is, that a good lawyer knows all the facts of his case before he tries it.

Q. (Resuming) Then if the question had not been asked this afternoon and the fact discovered that you supplied the lumber, nobody would have been aware that you supplied the lumber for that purpose? A. I never would have thought about it.

Q. Then it was merely an oversight on your part?

POOR QUALITY
ORIGINAL

0723

212

A. Of course; you say who it either way.

BY MR. SEVI:

Q. You asked Mr. Weiseman after the time who put up that partition? A. Yes, sir.

Q. You asked if that was put up in that way?

A. Yes, sir.

Q. You knew the partition was going to be put up and what time? A. Yes, sir.

BY MR. SEVI:

Q. When you did know the partition was to be put up, but you didn't know that Mr. Weiseman was to put it up that way; is that so? A. I asked Mr. Weiseman who put it up and he said, "I did"; and that is what I said this morning.

Q. But you know nothing about the partition, did you? A. I never knew it. No, I never remembered it. I never thought any more about it. Two years have passed, and of course I can't keep everything in my head.

BY MR. SEVI:

Q. Where did you generally go to collect the rents of Althaus' loft? A. In his office.

Q. Where is his office? A. On the 1st floor.

**POOR QUALITY
ORIGINAL**

0724

213

Q. Where is Reichman's office? A. In the rear of the building, top floor.

BY JUROR O'CONNOR:

Q. Was there a permit applied for to put up that partition? A. I don't know. I haven't got one.

BY JUROR McCLUSKEY:

Q. Did you ever give Mr. Weiselman permission to put up a solid partition? A. No; I never did.

Q. He says you did? A. I did not.

BY MR. LEVY:

Q. Did you ever give him permission to do so?

A. No, sir. My idea was a partition half a board high; that makes it six feet six. I never looked around there, on account of being a mechanic myself.

BY JUROR SCOTT:

Q. You have never been back there since? A. I might have passed there.

Q. You never cared? A. Oh if I had seen it and thought about it I maybe would have cared. I maybe passed without taking notice of it.

Q. You paid for all the lumber? A. I paid for the lumber that I ordered, of course.

**POOR QUALITY
ORIGINAL**

0725

214

DOI: 10.1002/for

4. The defendant's behavior was not only a violation of the law, but also a violation of the public trust. The defendant's actions were a direct result of his failure to follow the law and his failure to follow the public trust.

• Bill Clinton was the first president to be impeached.
 Bill Clinton was impeached in 1998 for sexual harassment.

Q. And you pay for the extra weight only, or did you pay for the lumber? A. Well the freight was for the lumber. When I loaded out so much lumber to it was in a lot. When anybody connected with that work goes to my driver to get some more lumber to take to, even if I don't care. So I will not expect I did not pay for it.

Q. Well, all you saw that lumber for more than six
and a half feet in height was furnished by you? A. No,
sir; that was not the thing about it. I paid the bills.

Q. That is to say, you never knew Golda, but you didn't know it. A. Yes, since I didn't know it, as I said before.

3. In other words your research might have furnished
 lumber without your knowledge? 4. Yes, sir. I
 couldn't swear that I didn't when I did.

POOR QUALITY
ORIGINAL

0726

215

JOSEPH SCHAEFFLER, JR.,
recalled and examined.

BY MR. SCHAEFFLER:

Q. Do you remember this conversation between yourself
and Mr. Resichman in regard to this partition? A. No.

Q. Were you present at that time? A. No, sir.

Q. Who was present? A. I don't know. There
was only one time, as I stated this morning, when there
was talk about dividing this floor to allow so much to
Althaus and so much to Resichman, and that is all.

BY THE CORONER:

Q. ~~XXXXXXXX~~ When was that? A. That was previous
to the erection of that partition, and previous to the
signing of those new leases at that time.

Q. What year was that? A. I think that was
1887.

Q. And do you remember what was said at that time?

A. Yes, sir. There was talk of a partition then.
The advantage was altogether with Mr. Althaus and Mr.
Reischman. In one case he was getting a new loft,
which he desired, and on the other hand he was released

POOR QUALITY
ORIGINAL

0727

216

of a part of his left side, called his name. The ad-
vocate, seated all with him. We had no objection what-
ever, and he said we would not be any objection.
There was no objection to the fact that he was or
to be killed or maimed like him. He was willing to
tell Mr. DeLoach that if there was any par-
tition there he would have to be killed or maimed
like the advocate of it.

Q. Now, witness:

A. Yes, sir.

Q. Now, when you saw the partition, you saw it
in the position, your answer was, "I saw it there,"
only that Mr. DeLoach and I said, "No, Mr. DeLoach
was in the room." Is that, sir.

A. Well, on a rainy day, you were present at
the conversation? A. Yes, sir, I was present at the erect-
ion of the partition.

Q. But there was talk of the partition? A. Yes; I
admitted that. I said this morning I saw the partition.
We have the stenographic report and that will bear me out.

POOR QUALITY
ORIGINAL

0728

217

BY JUROR McCLUSKEY:

Q. Did you ever give Dr. Reischman permission to put up the partition? A. No, sir; there was no talk of what kind of partition it was to be. We didn't have any objection to his putting up a partition, but there was no talk of how the partition was to be built.

BY JUROR SCOTT:

Q. Was it satisfactory then? A. As I said this morning, I didn't go around to that factory more than two or three times a year. Once I remember I went up there. I saw the partition, but my attention was not directed particularly to it.

Q. There has been a lease made since that partition was put up? A. Yes; a renewal.

D R. P H I L I P E. D O W L I N,
sworn and deposed as follows:

THE WITNESS: On January 15th I viewed the bodies of Barbara Apel at 198 East 3rd Street, of Mary Magdalena Straub at 516 East 5th Street and of Josephine Farrenkopf at 98 Willett Street. I found that in each case death

POOR QUALITY
ORIGINAL

0729

213

was due to asphyxiation, or impossibility of aerating the lungs by the inhalation of smoke and flame. The faces and the hands of all three were slightly burned. Death was due to suffocation by smoke.

DETAILS.

MR. CORNWELL: Counselors of the Court, you have given great attention to this case, and your duty, and of course it now remains for you to say upon whom the responsibility will rest. It is apparent that there were three ways to escape from that building: First, there was a stairway in the middle of the floor in the front room of the third story, where these girls worked, and they were cut off from that escape by the power of smoke; There was a second way of escape, by a rear fire escape, which you have viewed, familiarity of the place, and you know how it was located, and it appears that they were cut off from that escape by means of this partition that divided that third story, and shut off the rear of that top floor; and there was a third way of escape, by the scuttle. But it appears there was no ladder there; conse-

POOR QUALITY
ORIGINAL

0730

219

quently the girls had no means of egress in that way.

Now, gentlemen, you have paid great attention to this case and it is unnecessary for me to say anything further to you. You understand the case as thoroughly as I do. I would simply now ask you to retire and bring in a written verdict as to who is responsible for the loss of the lives of these three girls on the 15th day of this month, if you can so ascertain.

MR. LEVY requested certain charges in regard to the law.

THE CORONER: I think I have done my duty in the case.

MR. LEVY: I think you have; but I ask you to give those charges. You can say they are so charged.

THE CORONER: The Jury have heard your statement and they will give it due weight.

At this point the Jury retired and, after some time spent in deliberation, returned and submitted the following

V E R D I C T.

We, the Jury, find that Lena Straub, Barbara Apel and Josephine Farrenkopf met their death by suffocation

**POOR QUALITY
ORIGINAL**

0731

220

at the fire at 715 and 717 East 5th Street, on January 15th, 1889.

We hereby censure the owners of said property, 715 and 717 East 5th Street, according to the evidence of witnesses, for allowing the erection of a partition on the third floor, thereby cutting off all means or proper exits.

We do hereby exonerate the Fire Department from all blame or negligence of duty.

We also commend Captain Sullivan and Firemen Ryan, of Hook and Ladder Company No. 11, for their heroic performance of duty."

ADJOURNED.

POOR QUALITY
ORIGINAL

0732

TESTIMONY.

Philip E. Doulin M. D., being duly sworn, says:
I have made a ~~postmortem~~ examination of the body of
Josephine Tarenkopf now lying dead at
98 Mallet Street and from such examination
and history of the case, as per testimony, I am of opinion the cause of
death is

Asphyxia

*Suffocation by smoke & flames & burns
of face hands & arms*

P E Doulin

M. D.

Sworn to before me,

this *15th* day of *January* 1889

Daniel Hanly

CORONER.

POOR QUALITY
ORIGINAL

0733

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
<i>51</i> Years <i>9</i> Months <i>12</i> Days	<i>NY</i>	<i>98 Mulh St</i>	<i>Jan 15 '89</i>

13 Precinct.
717 + 715 - E-S - St

Walter ...
... 1889
... about 11/15

AN INQUISTION

VIEW of the BODY of

... found that she came to

... location

... knowle

15 + 717 654



DANIEL HANLY, CORONER.

... on the 22 + 28 days
January - 1889 before

POOR QUALITY
ORIGINAL

0734

City & County
of New York, ss.

Thomas Sullivan
being duly sworn deposes and says
that I am the foreman of Hook
& Ladder Co. No. 11 whose house
is at 742 East 5th St. in the
City of New York. On the 15th day
of January 1905 at 11:05 o'clock
A.M. I received the alarm that there
was a fire at 715 & 717 East 5th St.
said City. I immediately got my truck
and men under way and reached
the scene of the fire within two
minutes after the alarm. We immediately
put up the ladders to the top floor
windows of said premises &
fireman Ryan rescued a girl who
appeared at one of the windows. While
the fire was in progress Ryan & myself
charged said floor and made our way
into the room on said floor. We found
the bodies of three girls who had been
suffocated. The room in which we found
said bodies was a part of said
third floor being partitioned off
from the rear of said floor
by a wooden partition separating

POOR QUALITY
ORIGINAL

0735

the said room about 16 ft.
in width and about 20 feet in
depth. This partition ran across
said floor from one side of the
building to the other and had no
door or advent of egress to the rear.
The only means of exit was by way
of stairs leading down to the floor
below from the middle of this floor
and said stairs had no guard-
rails. There were no fire escapes
attached to the floor in front.
There was however a stair way leading
down from the rear apartment but there
was no way of reaching the floor
in the rear because the said partition
cut off all means of escape.

Subscribed & sworn to
before me this 13th day of July 1879

William H. Carter Thomas Sullivan
County Clerk
City of New York.

POOR QUALITY
ORIGINAL

0736

City of New York
County of New York
I, Thomas Francis Ryan
being duly sworn depose and say
I am a fireman attached to
Co. No. 11 at 742 East 5th St.
East City.

I have read the affidavit
of prisoner Thomas Sullivan
and know of my own knowledge
that the facts therein alleged are
true.

There were no fire-escape
attached to said floor - quarter
and no means of escape were
offered the occupants of said room
except a stair way unguarded
which led to the floor below. The
prisoner - prisoner cut off all means
of escape to the rear apartment.
Sworn to before me
the 13th day of July 1894.

William J. Ryan

Commissary Thomas F. Ryan
agreed July

City & County
of New York ss. George A. McKay
being duly sworn deposes and says
that I am the Deputy Factory Inspector
for the State of New York in the 2nd District

That I have read the affidavits
of Fireman Thomas Sullivan & Fireman
Thomas F. Ryan both of Hook & Ladder
Co. No. 11 and know that said affidavits
are true as to the portions thereof relating
to the fire-escapes therein mentioned.

I have also been informed
by one of the occupants of the room in
question on the day of the fire, that no
means of escape by way of fire-ladders
or escapes attached to the house were
available and in fact did not exist.

I am informed and believe
that one Ferdinand A. Sieghardt
is owner of said premises in question viz 742 East 11th St. City.
I believe and have good cause to believe
that said guilty
of a violation of sect. 10. of the Factory
Inspection Law Chap. 409 Laws of 1896.
in that he did not provide on the outside
of said factory suitable fire-escapes as
required by said law above mentioned.

Geo. A. McKay

Subscribed & sworn
before me this 7th day
of March 1897
William H. Doyle
County Clerk

POOR QUALITY
ORIGINAL

0738

The jury find that Lena Strub,
Barbara Appell, Josephine Fahrenkopf
met their death by suffocation, at
the fire at 715 & 717 E. 5th St. on January
15, 1889.

G. A. Sieghardt.

We hereby censure the owner of said
property 715 & 717 E. 5th St. according to
evidence by witnesses, by allowing the
erection of partition on the third floor,
thereby cutting off all escape or proper
exits! We do hereby exonerate the Fire
Department of all blame or negligence
of duty.

We also commend Captain Sullivan
and Fireman Ryan of Hook and
Ladder Co. No. 11 for their heroic
performance of their duty.

POOR QUALITY
ORIGINAL

0739

Dittus

Freeman Sullivan
W.D. Co. No. 11.
Advised

Freeman Ryan
same co.

Wm. H. H. H. H. H.
98 N. 11th St.

POOR QUALITY
ORIGINAL

0740

DISTRICT ATTORNEY'S OFFICE,
City and County of New York.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dist. Attorney

vs.

Rodman A. Sieghardt

Date *May 9* 188*9*

Witnesses, *Geo. A. McManis*

No. *318* East *5th* Street,

Kate Mahoney

No. *98* West Street,

Thos. Sullivan

Thos. T. Ryan

No. *5th* + Ave. B, Street,

POOR QUALITY
ORIGINAL

0741

People

apt.

Sieghardt

Maggie Armstrong re-
siding at No. 161 Davis Street
will testify.

On January 15th 1889 I was
working for Vick's Cigarettes on top
or third floor of premises Nos.
715 to 719 Fifth Street, at making
cigar boxes. The room I was in
was the front of a space that had
been partitioned off. There were
six girls besides myself in the
room. There was no way of get-
ting out of the room, except by a
narrow ^{(leading to the second floor,} stairway without banis-
ters, on which one person at a
time only could move, and the
front window (6) below which
was a long high table. About half
past ten A.M. on the above day I
heard an alarm of fire, and some
one said "get your clothes". I got
them and came down the stairway.
Smoke was so thick on second
floor when I got there that I went
back to third floor, jumped on the
table opened the third window from

POOR QUALITY
ORIGINAL

0742

the night, I got out about half
of my body, when a fireman seized
me and took me down a ladder.
There were no fire escapes in
the front of building, and no means
of getting to the roof from the room.
The room was the whole width
of the house, and partition was
solid. When the alarm was given
we all went down the stairway.
Smoke was so thick that three of
us started up again, the two ahead
of me Barbara Chapel and Jo-
sephine Farrenkopf got to the third
floor, and died there. When I saw
them last they were on the west
side of room crying.

H.H.
arch 29/90

Maggie Armstrong

Josephine

W.

Josephine

State

of
the injured persons

People

apt:

Bischoffs

Katie Fahrenkopf now
residing at 98 Willett St. N.Y.
will answer:

On Jan'y 15/89 I was work-
ing for Dick DeThant, at ma-
king cigar boxes on premises
known as 715 to 717 Fifth St. was
on that floor with my sister
Josephine, Barbara Appels
and Sam Straub, the three
who were suffocated, when
an alarm of fire was given
about eleven A.M. I at once
made for the little stairway
in centre of floor, leading to
the floors below, got down to
2nd floor where a man took
hold of me, and took me out.
There were no fire escapes
and the only means of getting
out was down that stairway.
There were fire windows in
the room, fire of which were
nailed down.

March 21/90

Katie Fahrenkopf

POOR QUALITY
ORIGINAL

0744

People

or
Simpson

St. James

and
Kathleen J. J. J. J. J.

People
against
Ferdinand A. Sieghardt.

Indicted May 13th 1889

Violation of Factory Law.

(Chap. 409, Laws of 1886 as amended
by Chap. 462, Laws of 1887.)
See Section 10.

The defendant was owner of
a certain ^{3 1/2 story} building or factory
known as Nos. 715 to 717 Fifth Street
New York City. The front part of
said building was used as a
cigar box factory by one Charles
Athaus, who employed several
girls amongst others, at that work.
On the morning of January 15th
1889 about Eleven O'Clock a fire
broke out. Three girls who had
been working on 3rd floor were
suffocated there.

The third floor was the width
of the building, partitioned off
in the centre with solid boards
from wall to wall.

2 There was no egress whatever from that room save by a narrow stairway in centre of floor to second floor, without banisters, and from the front windows six in number, five of which were nailed down, and all having before them a long high table.

3 There were no fire escapes from any of these windows, nor anywhere in front of said building.

Witnesses for the people:

1 Katie Farrentkopf, 98 Willett St
Worked there and lost her sister Josephine there, by suffocation.

2 Maggie Armstrong, 161 Lewis St.
Worked there, and was rescued from third floor window.

3 Thomas Sullivan } Hook & Ladd Co
4 Thomas F. Ryan } No. 11, 742 - 5th St
Were at the fire.

POOR QUALITY
ORIGINAL

0747

5. George A. McKay, 318 Third St
Dep't. Factory Inspector, who
made investigation of burned
premises.

See Statements of various
witnesses.

H.H.

May 20 190

POOR QUALITY
ORIGINAL

0748

Capelo

apt.

Wm. A. Sieghart

Brief

for

Dist. Attorney

POOR QUALITY
ORIGINAL

0749

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Ferdinand G. Senghetti

May 27th

Go Friday for Mail

June 9 District Attorney.

District Attorney's Office.

PEOPLE

vs.

Singhetti

Witnesses for People.

1. Katie Farnkopf
98 Willett St.
2. Maggie Armstrong
161 Lewis St.
3. Thomas Sullivan
Hook + Ladder Co
cr. 11 - 742 - 5th St.
4. Thomas F. Ryan
same address
5. Geo. A. McKay
Dept Factory Inspector
318 Third St -

POOR QUALITY
ORIGINAL

0750

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF
GENERAL SESSIONS.

In the Name of the People of the State of New York,

To *Foreman Thos. Sullivan*
of No. *742 East 5th* Street

Ask to see Mr. Redford
At *11 1/2* o'clock *A.M.*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *22nd* day of *May* 189*3*, at the hour of 10*1/2* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Frederick A. Sieghardt

Dated at the City of New York, the first Monday of
in the year of our Lord 189

1889

DE LANCEY NICOLL, District Attorney.

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF
GENERAL SESSIONS.

In the Name of the People of the State of New York,

To *Foreman Thos. F. Ryan*
of No. *742 East 5th* Street

Ask to see Mr. Redford
At *11 1/2* o'clock *A.M.*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *22nd* day of *May* 189*3*, at the hour of 10*1/2* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

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1889

DE LANCEY NICOLL, District Attorney.

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF
GENERAL SESSIONS.

In the Name of the People of the State of New York,

To *Katie Fahrenkopf*
of No. *98 Willett* Street

Ask to see Mr. Redford
At *11 1/2* o'clock *A.M.*

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *22nd* day of *May* 189*3*, at the hour of 10*1/2* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Frederick A. Sieghardt

Dated at the City of New York, the first Monday of
in the year of our Lord 189*3*

1889

DE LANCEY NICOLL, District Attorney.

POOR QUALITY
ORIGINAL

0751

COUNTY OF NEW YORK, SS.

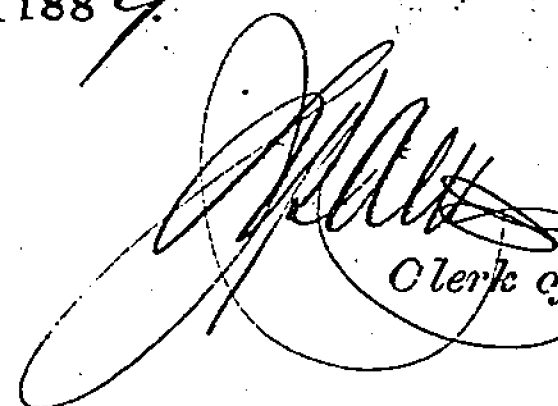
In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING:

An indictment having been found on the 13th day of May
1889, in the Court of General Sessions of the Peace, of the County of
New York, charging Dominick A. Sieghardt
with the crime of Misdemeanor (Violation of Factory Law)

You are therefore Commanded forthwith to arrest the above named _____
and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York, or if he require it, that you take him before any Magistrate
in that County, or in the County in which you arrest him, that he may give bail to answer the
indictment.

City of New York, the 14th day of May 1889

By order of the Court,


Clerk of Court.

POOR QUALITY
ORIGINAL

0752

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,

against

Ferdinand A. Sieghardt

713 Fifth Street

Bench Warrant for Misdemeanor

Issued

May 14th 1889

☒ The defendant is to be admitted to be bail
in the sum of dollars.

May 15th 1889

*The within named
defendant was*

*arrested this day
and brought to the
Court of General
Sessions by Det.
Vonbeuchten & Kerman*

POOR QUALITY
ORIGINAL

0753

People

agst:

Singhant.

Thomas Sullivan
Hark & Ladder Co. No. 11, No. 242
5th St. near Seward.

On January 15th 1889 about
eleven AM I was summoned to
fire at No. 715 1/2 5th St. ^{3 story and a half} which
premises was used as a general
factory, when I got there I put
up a 35 foot ladder, building
was thoroughly on fire, I got
out one girl who was nearly
suffocated and sent her to
the hospital. Got the fire under
control in about 45 minutes, then
went through building, and found
3 dead girls on third floor,
they appeared to have been
suffocated by smoke and heat
found them in ^{in 3rd} west ^{corner} of front
room. There was a good pos-
ition in about centre of room, and
access to this room by a stairway
in centre of said room from floor
below, there was no exit
from that room except the front
windows, and they were partly closed.

POOR QUALITY
ORIGINAL

0754

red by a high work table. The girls could not get from that room by the stairway mentioned on account of fire on floor below. The third floor consisted of one big room with the partition mentioned in center running ^{from} east end to west ^{wall}. The stairway ~~from first landing~~ leading from second floor to third was just wide enough for one person to pass, no guards and altogether a poor stairway. The exits generally about building were very bad. There were no fire escapes in front of building and only a wooden stairway in rear which leads to 3rd floor, but ^{in front room} every body was out off from this, by reason of partition mentioned.

Thomas Sullivan

H.H.
Dec 21/90

My testimony is same as above

Thomas F. Ryan
Fireman Hook + Ladder 11

People vs. Singmaster
State of
Thos Sullivan
+ Thos. F. Ryan

POOR QUALITY
ORIGINAL

0755

FACTORY INSPECTION LAW.

PASSED MAY 18, 1886; AMENDED MAY 25, 1887.

Chap. 409, Laws of 1886 (as amended).

AN ACT to Regulate the Employment of Women and Children in Manufacturing Establishments, and to Provide for the Appointment of Inspectors to enforce the same.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. No minor under the age of eighteen years nor any woman under twenty-one years shall be employed at labor in any manufacturing establishment in this State for a longer period than sixty hours in any one week, unless for the purpose of making necessary repairs.

§ 2. No child under thirteen years of age shall be employed in any manufacturing establishment within this State. It shall be the duty of every person so employing children, to keep a register in which shall be recorded the name, birthplace, age and place of residence of every person so employed by him under the age of sixteen years. And it shall be unlawful for any manufacturing establishment to hire or employ any child under the age of sixteen years without there is first provided and placed on file an affidavit made by the parent or guardian, stating the age, date and place of birth of said child; if said child have no parent or guardian, then such affidavit shall be made by the child, which affidavit shall be kept on file by the employer, and which said register and affidavit shall be produced for inspection on demand made by the inspector, assistant inspector, or any of the deputies appointed under this act. [As amended by Chapter 462, Laws of 1887.]

§ 3. Every person, firm or corporation employing women under twenty-one years, or minors under eighteen years of age, in any manufacturing establishment, shall post and keep posted in a conspicuous place in every room where such help is employed, a printed notice stating the number of hours per day for each day of the week required of such persons, and in every room where children under sixteen years of age are employed, a list of their names with their age.

§ 4. Any person who knowingly violates or omits to comply with any of the foregoing provisions of this act, or who knowingly employs or suffers or permits any child to be employed in violation of its provisions shall, on conviction, be punished by a fine of not less than fifty nor more than one hundred dollars, and in default of payment of such fine, by imprisonment for not less than thirty nor more than ninety days.

§ 5. No person or corporation employing less than five persons or children, excepting in any of the cities of this State, shall be deemed a manufacturing establishment within the meaning of this act.

§ 6. The Governor shall, immediately after the passage of this act, appoint, with the advice and consent of the Senate, a factory inspector at a salary of two thousand dollars per year, and one assistant at a salary of fifteen hundred dollars per year, whose terms of office shall be three years. The said inspector and assistant shall be empowered to visit and inspect, at all reasonable hours, and as often as practicable, the factories, work-shops and other establishments in the State where the manufacture of goods is carried on, and to report to the bureau of labor statistics of this State on or before the thirtieth day of November of each year. It shall also be the duties of said inspector to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in the State.

§ 7. All necessary expenses incurred by said inspectors in the discharge of their duty shall be paid from the funds of the State, upon the presentation of proper vouchers for the same, provided that not more than twenty-five hundred dollars shall be expended by them therefor in any one year.

§ 8. It shall be the duty of the owner, agent or lessee of any manufacturing establishment where hoisting shafts or well holes are used, to cause the same to be properly and substantially enclosed or secured, if in the opinion of the inspector it is necessary to protect the life or limbs of those employed in such establishments. It shall also be the duty of the owners, agent or lessee to provide or cause to be provided such proper trap or automatic doors, so fastened in or at all elevator ways as to form a substantial surface when closed, and so constructed as to open and close by action of the elevator in its passage, either ascending or descending. [As amended by Chapter 462, Laws of 1887.]

§ 9. Proper and substantial hand rails shall be provided on all stairways in manufacturing establishments, and where in the opinion of the inspector, it is necessary the steps of said stairs in all such establishments shall be substantially covered with rubber, securely fastened thereon, for the better safety of persons employed in said establishments. The stairs shall be properly screened at the sides and bottom, and all doors leading in or to such factory shall be so constructed as to open outwardly where practicable, and shall be neither locked, bolted nor fastened during working hours. [As amended by Chapter 462, Laws of 1887.]

§ 10. Fire escapes shall be provided on the outside of all factories, three or more stories in height, connecting with each floor above the first, well fastened and secured and of sufficient strength. Stationary stairs or ladders shall be provided on the inside, from the upper story to the roof, as a means of escape in case of fire.

§ 11. It shall also be the duty of the owner of such factory or his agent, superintendent or other person in charge of the same, to furnish

and supply, or cause to be furnished and supplied, in the discretion of the inspector, where machinery is in use, automatic shifters or other mechanical contrivances, for the purpose of throwing on or off belts or pulleys; and no female under the age of twenty-one years, and no male under eighteen years of age shall be allowed to clean machinery while in motion. All gearing and belting shall be provided with proper safeguard.

§ 12. It shall be the duty of the agent, superintendent or other person having charge of a factory or work-shop, or of any floor or part thereof, to report in writing to the factory inspector, all accidents or injury done to any person employed in such factory, within forty-eight hours of the time of the accident, stating as fully as possible, the extent and cause of such injury, and the place where the injured person has been sent.

§ 13. A suitable and proper wash-room and water closets shall be provided for females where employed, and the water closets used by females shall be separate and apart from those used by males and shall be properly screened and ventilated, and at all times kept in a clean condition.

§ 14. Not less than forty-five minutes shall be allowed for the noon day meal, in any manufacturing establishment in this State. The factory inspector, his assistant or any of his deputies, shall have power to issue written permits in special cases, allowing a shorter meal-time at noon, and such permit must be conspicuously posted in the main entrance of the establishment, and such permit may be revoked at any time the inspector deems necessary, and shall only be given where good cause can be shown.

§ 15. The factory inspector, now or hereafter appointed under and by virtue of the provisions of chapter four hundred and nine of the laws of eighteen hundred and eighty-six, is hereby authorized to appoint such number of persons as in his judgment may be necessary, not exceeding eight, who shall be known as deputy factory inspectors, either or any one of whom may be appointed to act as clerk in the main office, and whose duties it shall be to enforce the provisions of this act, and of chapter four hundred and nine of the laws of eighteen hundred and eighty-six. The powers of said deputies shall be the same as the powers of the factory inspectors, subject to the supervision and direction of the factory inspector.

§ 16. The district attorney of any county of this State is hereby authorized upon the request of the factory inspector, or either of his deputies, or of any other person of full age, to commence and prosecute to termination before any recorder, police justice, or court of record, in the name of the people of the State, actions or proceedings against any person or persons reported to him to have violated the provisions of this act.

§ 17. The traveling expenses of each of said deputies shall be approved by the inspector, and audited by the Comptroller of the State before payment, and said deputy inspectors shall have an annual salary of ten hundred dollars, to be paid monthly by the Treasurer of the State, out of any moneys not otherwise appropriated.

§ 18. Said factory inspector shall have power to divide the State into districts and to assign one of said deputies to each district, and may transfer any of the deputies to other districts in case the best interests of the State require it. The inspector shall have the power of removing any of the deputy inspectors at any time.

§ 19. The factory inspector shall receive an annual salary of two thousand dollars, and the assistant factory inspector shall receive an annual salary of fifteen hundred dollars, and they shall make a report to the Legislature on or before the tenth day of January of each year; and an office shall be furnished by the Capitol Commissioner, in the new capitol, as soon as practicable, which shall be set apart for the use of the factory inspector. The factory inspector, his assistant and deputies, shall have the same power to administer oaths, as is now given to notaries public, in cases where persons desire to verify documents connected with the proper enforcement of this act.

§ 20. Any person who violates or omits to comply with any of the foregoing provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than twenty nor more than one hundred dollars, or by imprisonment for not less than thirty nor more than ninety days, or by both such fine and imprisonment.

§ 21. A copy of this act shall be posted in each work-room of every manufacturing or mercantile house in this State, where persons are employed who are affected by the provisions of this act.

§ 22. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed. [Sections 10 to 22, inclusive, added by Chapter 462, Laws of 1887.]

§ 23. This act shall take effect immediately.

JOHN FRANEY,
Assistant Factory Inspector.

JAMES CONNOLLY,
Factory Inspector.

GENERAL OFFICE, AT STATE CAPITOL, ALBANY.

POOR QUALITY
ORIGINAL

0756

JAMES CONNOLLY,
FACTORY INSPECTOR,
HEADQUARTERS, CAPITOL, ALBANY.

JOHN FRANEY,
ASSISTANT FACTORY INSPECTOR,
HEADQUARTERS, CAPITOL, ALBANY.



SECOND DISTRICT,
NEW YORK COUNTY.

STATE OF NEW YORK.

Office of Deputy Factory Inspector,

Second District,

No. 318 THIRD STREET,

New York City, 188

The following ^{is the} account of the condition of the cigar-box factory at 715 + 717 E. 5th St, where a fire occurred on Jan. 15, 1889, which resulted in the loss of life, and my connection with the case:

Upon returning home between the hours of 5 and 6 on the day of the fire, I was informed of the fact that there had been loss of life thereat, and immediately went there to ascertain the facts and procure reports of the same from the manufacturers as provided for in Sec. 12, Chap. 462, Laws of 1887. I found the building in charge of members of the Fire Patrol, and on informing him of my business he pointed out to me Mr. Nicholas Althaus, to whom I gave blanks for the purpose of making said reports. A copy of the blank is enclosed. On the following morning, about 9 o'clock, I again went to the building, and asked Mr. A. for the blanks, as filled out, but they were not ready. On going through the building, I found on the upper floor - the one on which the deceased lost their lives - a partition running

POOR QUALITY
ORIGINAL

0757

JAMES CONNOLLY, JOHN FRANEY,
FACTORY INSPECTOR. ASSISTANT FACTORY INSPECTOR.
HEADQUARTERS, CAPITOL, ALBANY.



SECOND DISTRICT,
NEW YORK COUNTY.

STATE OF NEW YORK.

Office of Deputy Factory Inspector,

Second District,

No. 318 THIRD STREET.

New York City, 188

the entire length, [with the exception of a space which I was informed was made by members of the Fire Department], and which reached from floor to ceiling, completely cutting off exit by means of an outside rear wooden stairway. Had there been no partition, or even an open door in the partition, in my opinion there would have been no loss of life. But the erection of said partition necessitated the ^{placing} building of ~~the~~ a fire-escape on the front of the building, in order to comply with Sec. 10 of the Factory Act. I consulted Asst. Dist. Attorney Foster in relation to the matter, and he thought it best to wait till after the action of the inquest on the bodies before taking action. A verdict having been rendered censuring the owner of the building for erecting the partition, it was thought best to proceed against him, and I procured the papers from the Coroner's office and placed them in charge of Mr. Foster, who, I believe presented them to the Grand Jury, before whom I was called and testified.

Yours, Geo. A. McKay.

POOR QUALITY
ORIGINAL

0758

Form P.

No.

ACCIDENT REPORT.

Injured Person,

Residence,

Establishment,

Location,

Report Received,

TO EMPLOYERS. — When an accident occurs in your establishment please fill out the form within printed, and return to the Deputy Factory Inspector of your District. Should the injured person afterward die, please notify him also.

It would be esteemed a favor if you would inform this Department of any improvement which, if adopted, would render any particular piece of machinery, safe to life and limb.

All Employers are no doubt desirous of protecting, so far as possible, the persons of their employes, and it is the desire of the Factory Inspectors to aid in this direction.

ALBANY, N. Y.

JAMES CONNOLLY,
Factory Inspector.

Purpose

by

Singhwa

Statement

of
Jas. M. O'Leary
Inspector

POOR QUALITY
ORIGINAL

0759

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ferdinand A. Sieghart

The Grand Jury of the City and County of New York, by this

Indictment accuse

Ferdinand A. Sieghart

a Misdemeanor,

~~of the crime of~~

committed as follows:

The said

Ferdinand A. Sieghart,

late of the City of New York, in the County of New York, aforesaid, on the

21st day of *January*, in the year of our Lord one thousand
eight hundred and eighty-*nine*, at the City and County aforesaid,

*being the owner of a certain factory, there
situate, more than three stories in height,
to wit: of the height of four stories,
did unlawfully neglect and omit to
provide fire escapes on the outside of
the said factory, connecting with each
floor above the first, well fastened
and secured and of sufficient strength,
as required by law; against the
form of the Statute in such
case made and provided, and
against the peace of the People*

POOR QUALITY
ORIGINAL

0760

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Ferdinand A. Sieghart

The Grand Jury of the City and County of New York, by this

Indictment accuse

Ferdinand A. Sieghart
a Misdemeanor,

~~of the crime of~~

committed as follows:

The said

Ferdinand A. Sieghart,

late of the City of New York, in the County of New York, aforesaid, on the

22nd day of *January*, in the year of our Lord one thousand
eight hundred and eighty- *nine*, at the City and County aforesaid,

*being the owner of a certain factory, there
situate, more than three stories in height,
to wit: of the height of four stories,
did unlawfully neglect and omit to
provide fire escapes on the outside of
the said factory, connecting in each
floor above the first, well fastened
and secured and of sufficient strength,
as required by law; against the
form of the Statute in such
case made and provided, and
against the peace of the People*

POOR QUALITY
ORIGINAL

0761

of the State of New York, and
their signature

James H. Adams,

~~District Attorney~~