

0397

BOX:

283

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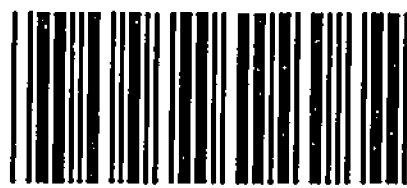
2705

DESCRIPTION:

Gill, John E.

DATE:

11/28/87



2705

0398

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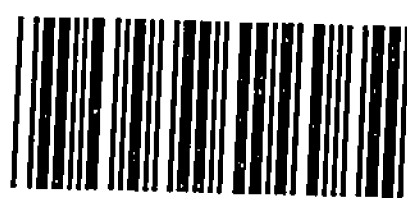
2705

DESCRIPTION:

Foster, John

DATE:

11/28/87



2705

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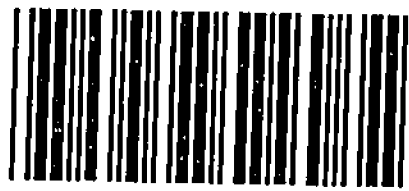
2705

DESCRIPTION:

Brunbauer, Frederick

DATE:

11/28/87



2705

POOR QUALITY  
ORIGINAL

0400

Counsel, *L. V. C. P.*  
Filed, *28* day of *Nov* 188*7*  
Pleas, *1* *Inch* *in* *the* *city*

THE PEOPLE

vs.

*John E. Gill*

*John Foster*

*Frederick Brumbar*

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*M. J. Magowan*

Foreman.

*July 17th*  
*(all)*  
*I read & find*  
*with me*

[Section 168, sub. 6, Penal Code].  
*Conspiracy*



POOR QUALITY  
ORIGINAL

0401

Police Court  
New York City

Thy People  
John ~~W. Warrick~~

against

John Greer  
others

affendant to pro-  
- cure Warrant

PHILLIPS & AVERY,

Attorneys for Complainant

154 NASSAU ST.,

Tribune Building. NEW YORK CITY.

Due and timely service of a copy of the within

is hereby admitted.

Dated 188

(1)  
Police Court  
City of New York

The People  
against  
John E. Giel,  
John Doe, and  
Richard Roe, <sup>the</sup> true  
names of said last  
two defendants being  
unknown

City & County of New York ss:

John W. Mahan  
being duly sworn deposes, and says.

That deponent is a member of the  
firm of Mahan & Son, doing business  
as manufacturers of shoes at the cor-  
ner of Centre & White Streets in the  
City of New York.

That the above named defendants  
have conspired together to prevent  
deponent, and said Mahan & Son,  
from exercising a lawful trade  
or calling, by threats and intimi-  
dation, and have conspired to  
commit, and have committed an act  
injurious to trade or commerce, and

with a view to compel deponent to abstain from doing an act which he has a legal right to do, wrongfully and unlawfully attempted to & did intimidate deponent.

Deponent further says that on the 16th day of March 1887, three persons being the defendants above named called at the office and factory of said Hagan & Son at the corner of Centre and White Streets New York City. That the said defendants then and there represented themselves to be and deponent alleges upon information and belief that said defendants were a Committee or Executive Board of District Assembly 91 Knights of Labor.

That said Gil speaking on behalf of said Committee then and there stated to deponent that one William Murphy, who was then in the employ of Hagan & Son, working in their stock room, had been requested

to join the Knights of Labor, that they had used every endeavor to compel said Murphy to become a member of their organization, said Knights of Labor, and that said Murphy had persistently refused to become a member thereof even after he had been told that if he did not become a member they would strike him, said Murphy, out of the shop, and said defendants further stated that the object of said Committee in calling upon said Hanan & Son was to ask said Hanan & Son to discharge said Murphy because he would not become a member of their said organization. Said Gice further <sup>said</sup> stated to deponent that deponent would remember that on September 6th of last year he signed an agreement to employ none but Union men. Deponent said that he remembered making such an agreement but reminded said defendants that the same offered

January 1<sup>st</sup> 1887.

To This statement Mr Gice replied Yes,

Deponent repeatedly referred said Committee to the grievance Committee of the shop: but said Gice stated that they would not have anything to do with a Committee of said Hanan & Son's men: that this business was between the firm, and the Committee <sup>they</sup> ~~there~~ present.

Deponent then asked said defendants if their demand was that said Hanan & Son must discharge said William Murphy because he would not become a member of their organization, The Knights of Labor. Said defendant Gice said, Yes, Deponent then stated that he would not discharge this man Murphy, said defendant Gice replied that if said Hanan & Son did not discharge said Murphy the Committee would order the men employed in the stock room of said firm on strike at 12 o'clock.

said strike was ordered and the men in said stock room quit work.

Deponent alleges upon information and belief that said strike was ordered by said defendants that on the 21<sup>st</sup> day of March 1887, defendant Gie accompanied by two others called at the office of deponent and the following conversation ensued,

Mr. Gie, "We come for a final answer to our proposition

Mr. Hanan. You want our final answer to what proposition?

Mr. Gie, "You know our proposition

Mr. Hanan. The proposition that you made the other day?

Mr. Gie. "Yes"

Mr. Hanan, The proposition to discharge one of our men not belonging to your organization?

Mr. Gie, "Yes"

Mr. Hanan, We will not discharge him?

Mr. Gie, All right. Whereupon said Gie and his two companions left.

Immediately thereafter and within a half an hour a general



Strike was ordered by said  
Gice & others of the employees  
of deponent's firm and from  
fifty to sixty men struck  
& quit work and obeyed said  
order, and from fifty to six-  
ty others were thrown out of  
employment.

Deponent alleges upon infor-  
mation and belief <sup>and</sup> charges  
that said defendants have  
conspired together to prevent  
deponent and said Mahan &  
Son from exercising a lawful  
trade or calling by threats <sup>and</sup>  
intimidation, and have con-  
spired together to and have  
caused said strikes, and have  
conspired to commit and have  
committed an act injurious to  
trade or commerce, and with  
a view to compel deponent  
and said Mahan & Son to ab-  
stain from doing an act which  
he & they had a legal right  
to do, wrongfully and un-  
lawfully attempted to and  
did threaten and intimidate

POOR QUALITY  
ORIGINAL

0408

4  
deponent.

Subscribed before me

this 23<sup>d</sup> day of March 1887

John R. Smith

Police Justice

John R. Smith



POOR QUALITY  
ORIGINAL

0409

*Dfts. E. & A.  
are 1987*  
Hanan & Son.

Centre and White Sts.

New York, Sept 8<sup>th</sup> 1886

To Executive Board District 91.  
K. of L. Gentlemen

We hereby agree  
to employ only Union men with  
the exceptions as agreed to by  
and with your board -

Respectfully yours  
Hanan & Son

P.S.  
This agreement is not binding  
unless we receive a counter  
agreement properly signed & sealed  
with the stamp D.C. 91 K of L.  
Hanan & Son

POOR QUALITY  
ORIGINAL

0410

Exa for idanting L. Campbell & Co  
Sept 11/86  
New York Sept 7 86

Messrs. Hanson & Son  
Sir

We have to day declared  
your shop on strike looking  
to recognition of our  
order.

Yours Truly  
Executive District of  
N. of D.

Communicate.

Box 2 57 Brooklyn  
Ga.

POOR QUALITY  
ORIGINAL

0411

Sec. 192.

District Police Court.

Undertaking to appear during the Examination

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before John E. Smith a Police Justice  
of the City of New York, charging John E. Smith Defendant with  
the offence of Conspiracy

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned.

We, John E. Smith Defendant of No. 363  
Brooklyn Co. Street; by occupation a Shinmaker  
and William Steencken of No. 75 Madison  
Street, by occupation a Mural Painter Surety, hereby jointly and severally undertake that  
the above named John E. Smith Defendant  
shall personally appear before the said Justice at the 24th District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York, the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this

day of March

188

John E. Smith  
POLICE JUSTICE

POOR QUALITY  
ORIGINAL

0412

CITY AND COUNTY  
OF NEW YORK, } ss,

Sworn to before me, this

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth \_\_\_\_\_ Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of

*Stock and fixtures of a Mineral Water Manufactory situated at No 62 and 64 James Street in the City of New York of the value of four thousand dollars and all encumbrances*

*William Steencker*  
*William Steencker*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs,

Undertaking to appear during  
the Examination.

Taken the \_\_\_\_\_ day of \_\_\_\_\_ 188

Justice,

POOR QUALITY  
ORIGINAL

04 13

Sec. 192.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Undertaking to appear during the Examination

An information having been laid before \_\_\_\_\_ a Police Justice  
of the City of New York, charging \_\_\_\_\_ Defendant with  
the offence of \_\_\_\_\_

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned.

We, \_\_\_\_\_ Defendant of No. 140  
\_\_\_\_\_ Street, by occupation a \_\_\_\_\_  
and \_\_\_\_\_ of No. 75 Madison  
Street, by occupation a \_\_\_\_\_ Surety, hereby jointly and severally undertake that  
the above named \_\_\_\_\_ Defendant  
shall personally appear before the said Justice at the \_\_\_\_\_ District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York, the sum of \_\_\_\_\_  
Hundred Dollars.

Taken and acknowledged before me, this \_\_\_\_\_

day of \_\_\_\_\_ 188 \_\_\_\_\_

188

Police Justice

John Foster  
William Steenchen

POOR QUALITY  
ORIGINAL

0414

CITY AND COUNTY { ss,  
OF NEW YORK, }

Police Justice.

Sworn to before me, this 8th day of May, 1881.

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth \_\_\_\_\_ Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of \_\_\_\_\_

Stock and fixtures of a Mineral Water Manufactory situated at No 62 and 64 James Street in the City of New York of the value of five thousand dollars no encumbrance

William Straucher House

District Police Court.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF

vs,

Undertaking to appear during the Examination.

Taken the \_\_\_\_\_ day of \_\_\_\_\_ 1881

Justice,



POOR QUALITY  
ORIGINAL

0415

Sec. 151.

Police Court 14 District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the County  
OF NEW YORK, } of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by John E. Gill  
of the City of New York, Street, that on the 23rd day during the month of March

1887 at the City of New York, in the County of New York,  
John E. Gill, John Dor and Richard Ror the true names  
of the last two persons unknown did conspire to gather to prevent  
said complainant and son from exercising a lawful  
trade or calling by threats and intimidations in  
violation of the law

Wherefore, the said Complainant has prayed that the said Defendants may be apprehended and bound to  
answer the said complaint.

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendants and bring them  
forthwith before me, at the 14 District Police Court, in the said City, or in case of my absence  
or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to  
be dealt with according to law.

Dated at the City of New York, this 23rd day of March 1887  
John E. Gill POLICE JUSTICE.

Police Court 14 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John E. Gill  
vs

John E. Gill

Warrant-General.

Dated March 23 1887

Smith Magistrate.

Smith Officer.

The Defendants John E. Gill  
John Dor

taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

James Smith Officer.

Dated March 24 1887

This Warrant may be executed on Sunday or at  
night.

Police Justice.

REMARKS.

Time of Arrest, March 24-87

1 John E. Gill

2 John Dor

Native of US

Age, 25

40

Sex, M

Complexion, Fair

Color, W

Profession, Shoemaker

1 2

Married, 1 yes 2 no

Single, 1 yes 2 no

Read, W

Write, W

POOR QUALITY  
ORIGINAL

0416

POLICE COURT, FOURTH DISTRICT.

State of New York,  
City and County of New York, } ss.

of No. 122 Centre Street, being duly sworn, deposes and says,

that John Foster (now present) is the person of ~~that~~ name

mentioned in deponent's affidavit of the 23rd day of March 1887

hereunto annexed.

Sworn to before me this

day of March 1887

John H. Harvey  
Police Justice



POOR QUALITY  
ORIGINAL

0417

14 DISTRICT POLICE COURT

THE PEOPLE,  
ON COMPLAINT OF

*Robert Hartt*

agst.

*John E. Gill, Ins. Fsten,*

*George F. Worley, Jasa.*

*W. D. Smith, John A. Campbell*

Examination made *April 11<sup>th</sup> 1887*

Before *John A. Smith, Police Justice.*

I, *James A. Lyon* Stenographer of the *4<sup>th</sup>* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of  
the original Stenographer's notes of the testimony of \_\_\_\_\_

as taken by me on the above examination before said Justice.

Dated *April 25<sup>th</sup> 1887*

*John A. Smith*  
Police Justice.

*James A. Lyon*  
Stenographer

POOR QUALITY  
ORIGINAL

04 18

72

1ST DISTRICT POLICE COURT

NEW YORK, APRIL 11TH, 1907.

.....X

THE PEOPLE vs., ON COMPLAINT OF :

Adler H. Kartz :

vs. :

John E. Gill :

John Foster :

George T. Worley :

James McDonald :

John A. Campbell :

.....X

BEFORE

HON. SOLON B. SMITH,

POLICE JUSTICE.

Examination Continued.

APPEARANCES -- The State.

POOR QUALITY  
ORIGINAL

0419

WITNESSES.	DIRECT.	CROSS.	RE-DIRECT	RE-CROSS.
John E. Gill	: 129	: 149-156-163		157-163
John A. Campbell.	: 164.	: 171	: 178	:
James McDonald.	: 186	: 187	:	
Patrick McBride	: 205	: 207	: 214	: 215
George Thomas Worley	: 187	: 193	:	:
John Foster	: 197	: 201	:	:
Frank D. Henning.	: 208	: 212	: 216	: 217
James Powers.	: 217	: 227	:	:
Hubert Gardner.229.	: 229	: 229	:	:
<i>John D. Gullett.</i>	<i>24</i>	<i>85</i>	<i>98-100-</i>	<i>97-99</i>

**POOR QUALITY  
ORIGINAL**

0420

74

DEFENCE.

John D. Mullea, a witness for the defence being duly sworn, testified as follows :-

DIRECT EXAMINATION by MR. POST.

- Q. Where do you reside?
- A. No 99 - 9th Avenue this City.
- Q. How old are you?
- A. 25 years of age.
- Q. What is your business?
- A. I am a shoe maker.
- Q. How long have you worked at the trade?
- A. Going on 13 years.
- Q. Do you work at it now?
- A. Yes Sir.
- Q. Where?
- A. In the Factory of Gardner & Bates at 14th St and 9th Avenue in this City.
- Q. How long have you worked there?
- A. It will be 2 years the 3th of next May.
- Q. You are one of the shoemakers employed there?

**POOR QUALITY  
ORIGINAL**

0421

75

- A. Yes Sir.
- Q How many shoe makers are employed there?
- A Men and women altogether in the neighborhood of 150, when we work on full time.
- Q Last Fall how many were employed there?
- A In or about the same number, from 135 to 150.
- Q That is what you call a Union Shop?
- A Yes Sir.
- Q Was it last Fall?
- A Yes Sir.
- Q What is the name of the organization to which the Shop belongs?
- A It's under the name of District 91.
- Q The organization is under the name of District 91?
- A Yes Sir.
- Q How many of the shoemaker employed in that shop last Fall belonged to that organization?
- A Every one of them.
- Q Do you remember when Mr. Hartt came there to be foreman?
- A Yes Sir.
- Q When was it?

**POOR QUALITY  
ORIGINAL**

0422

76

- 4.
- A I believe in September or October
- Q 1886?
- A Yes Sir.
- Q What was the shop's organization called?
- A The Shop's Crew.
- Q You say that all the workmen employed in the shop belonged to it?
- A All the workmen in the shoe business.
- Q Is that organization organized with officers, committees, etc?
- A Yes Sir.
- Q These officers control it or does the crew control the officers?
- A The crew controls the officers.
- Q They are the agents of the crew?
- A Yes Sir, they represent them?
- Q Did the ship's crew take any action to Hartt's coming there?
- A Before he came there he did.
- Q When he first came there
- A About two weeks before he came there.

POOR QUALITY  
ORIGINAL

0423

77

5.

Q Did the Committee confer with the firm in regard to Mr. Hartt's coming there?

A Yes Sir.

Q What action did they take and what ~~nature~~ was the ~~nature~~ nature of the conference?

A It waited on the firm and notified them that we did not wish to work under Mr. Hartt and Mr. Gardner informed the Committee that he did not think it was right for them to object to work under Mr. Hartt because he had made an agreement with Mr. Hartt to employ him for a year and he would have to pay him whether he worked or not. The Committee so reported to the shop's crew and they decided that they would lay the matter over for a month and see what Hartt would do after <sup>taking</sup> charge of the factory. Mr. Hartt took charge and the matter came up again and was again laid over for two months to see if he would take any action when he got full charge. Before the two months was up the existing trouble arose.

Q What was the objection to Mr. Hartt?

A The men complained that he was what you would term

POOR QUALITY  
ORIGINAL

0424

78

6.

an old time scab.

Q Because he was a scab the men wouldn't work with him?

A No Sir.

Q What is the objection to organization men working with them?

A Because they want to reduce our wages and we have *combined* to keep the wages up.

Q That was the objection to Mr. Harts?

A Yes Sir.

Q When you saw that you put the matter over twice to see what action Harts would take, you mean by that in regard to scabbing the shop or disorganizing the shop?

A Yes, making it a scab shop.

Q What did you first hear of the Potter trouble?

A Potter told me he was discharged as ~~a scab~~ <sup>he</sup> put it for being a Union man and we looked into the matter and I waited on Mr. Harts and I asked him whether it was he or William Gardner or both that had caused Mr. Potter's discharge. We told him we would give him until 12 o'clock the next day either



to reinstate him or to have him arrested.

Q That was the first of it?

A Yes Sir

Q Were you acting under the direction of the shop's crew?

A No Sir of the committee.

Q A standing committee?

A Yes Sir.

Q Elected by whom?

A The shop's crew.

Q At regular meetings?

A Yes Sir.

Q Did they prosecute Mr. Potter or reinstate him?

A They reinstated him.

Q There was nothing further done in the matter until Mr. Gardner came back from the South?

A No Sir.

Q And that was how long after?

A I should judge about five or six weeks after, it may have been longer.

Q When Mr. Gardner came back what happened then?

A Mr. Potter was immediately discharged.

Q Did the shop's crew take action in regard to it?

**POOR QUALITY  
ORIGINAL**

0426

80

8.

- A Yes Sir the shop's crew committee waited on Mr. Gardner with some instructions.
- Q A special committee?
- A Yes Sir.
- Q Did that committee ask him either to reinstate him or to prosecute him?
- A Yes Sir.
- Q Were you on that committee?
- A No Sir.
- Q Were you present at the meeting?
- A Yes Sir.
- Q Were you at the conference with Mr. Gardner?
- A No Sir.
- Q You don't know what happened there?
- A No Sir.
- Q Who was on that committee?
- A I couldn't say.
- Q Was anybody here on it?
- A No Sir it was a special committee appointed for that purpose.
- Q Did they reinstate him?
- A No Sir.

**POOR QUALITY  
ORIGINAL**

0427

9.

Q Did they prosecute him?

A No Sir.

Q What was the next thing happened in that connection?

A The committee waited on Mr. Gardner and asked him if he would reinstate Mr. Potter and he said he would not.

Q The special committee of which you were not a member waited on the firm and they reported back?

A Yes Sir the shop's officers

Q And they were instructed to demand his reinstatement or his prosecution?

A Yes Sir.

Q After the special committee reported back the standing committee reported back?

A Yes Sir.

Q You were a member of that?

A Yes Sir.

Q What happened then?

A I asked Mr. Gardner after Potter's discharge what he was discharged for and he said the end of the season was here, he had no more use for him. I said that was a very funny way, the man had worked for

10.

him over four years and that he was always to be found a first class workman. I said if such a thing had it come up in his business would you have dismissed him and he said no. And then I asked him if that was all the ground for dismissing him and he said it was. I said if you dismiss him the consequences will be it will create trouble in the factory. I said I thought the best way would be to refer the whole business to an arbitration committee and I asked him if he would consent to that and he said he would and the whole matter was sent then to the grievance committee.

Q The grievance committee of what?

A Of District Assembly No. 11.

Q Was the plan for the to act?

A Yes and to arbitrate the matter.

Q Is the committee made up of men to be to act?

A Yes they were to be men of working. Mr. Harbison then the factory is now arbitrated and is forced every day to work and he said he said for them to work and he said he said he said that he would send for them when they were wanted. I

82

II.

believe that every man on the floor where I worked was discharged. Some of them gave their names and some of them refused to give their names.

Q That was the beginning of the strike?

A That was the beginning of the lay off

Q That was not a strike?

A No Sir

Q It was a lock out?

A Yes Sir.

Q Were the employers discharged all the men in a body?

A Yes and they said they would send for them.

Q That was done by Mr. Hartt?

A Yes Sir.

Q Why was the shop's crew so persistent? In demanding the prosecution of Mr. Potter?

A Because they believed that he was innocent and because they thought it was a job of Mr. Hartt to get rid of us.

Q To undermine the organization in the shop?

A Yes Sir.

Q It is done at times in the shops?

A Yes Sir.

Q It is done by weeding one man out at a time?

A Yes Sir the leaders or as they call them the kick-

POOR QUALITY  
ORIGINAL

0430

83

12.

ers.

Q And the shop's crew believed it was the beginning of that process?

A Yes Sir.

Q And he was doing what in the beginning they feared he would do?

A Yes Sir.

Q Was there any other objection except what you stated to Mr. Hart?

A He made himself very obnoxious to the shop's crew.

Q There was no action taken on that account though? It related more to his action in regard to the work and the organization?

A Yes Sir.

Q When the matter was put in the hands of the arbitration district what was the next thing happened that you know of?

A The shop was declared on a strike.

Q They were already out on a lockout?

A Yes and we investigated the matter, the arbitration committee investigated the matter and we came to the same conclusion that Mr. Potter was innocent.

Q It was a plot to undermine the organization?

A Yes Sir it was either the same day or the day be.

**POOR QUALITY  
ORIGINAL**

0431

84

13.

fore that the committee on arbitration came to that conclusion.

Q When the strike was declared was the before or after the lockout?

A The lockout was on a Wednesday and the strike was declared on a Thursday morning.

Q You weren't with the arbitration committee?

A They examined me.

Q When they came to the shop the shop's crew placed the whole matter in their hands?

A Yes Sir.

Q Did they take up the matter at the request of the shop's crew or at their own motion?

A They were requested by the shop's crew to do it.

Q Do you know their subsequent action in the matter?

A Yes from hearsay.

Q Generally?

A Yes Sir.

Q Will you state whether their action was authorized or approved by the shop's crew?

A Yes everything.

Q When the crew went back to work you went back to work?

**POOR QUALITY  
ORIGINAL**

0432

14.

85

- A No Sir, not immediately about a week afterwards.
- Q When the arbitration committee came to you did they make any proposition about Hartt being there?
- A They made a proposition that the shop's crew should go back to work pending a further investigation by the committee. That is what we call going to work under protest and the shop's crew refused to do so.
- Q And the arbitration committee weren't allowed to make any terms that involved Mr. Hartt's going back to work?
- A No Sir.

CROSS EXAMINATION by MR. PHILIPS.

- Q How long have you been a member of the organization? Known as the Knights of Labor?
- A Somewhere's in the neighborhood of four years.
- Q Were you a member of the organization all the time you were in the employ of Gardner & Estes?
- A Yeh and long before that.
- Q Do you know what extent of territory District Assembly 91 covers?
- A At present it includes New York, Brooklyn and Nyack or part of it.
- Q Does it include Nyack or Terrytown?
- A No Sir.



15.

Q It includes New York, Brooklyn and a part of Nyack?

A Yes Sir.

Q Those are the only three places their jurisdiction extends to?

A Yes Sir.

Q Does District Assembly 91 hold any state~~set~~ meetings at which the whole District Assembly is present or invited to be present?

A They hold meetings once a week.

Q The District Assembly does?

A Yes Sir.

Q Where do they hold them?

Objected to by Mr. <sup>Pat</sup>~~Phillips~~ as being immaterial.

(No ruling by The Court.)

Q Did you ever attend any of the meetings of District Assembly 91?

A Yes Sir.

Q Is there any distinction between a meeting of the shop's crew and a meeting of District Assembly 91? Are the meetings different, do you call a meeting of the shop's crew of Gardner & Estes factory a meeting of District Assembly 91?

**POOR QUALITY  
ORIGINAL**

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16. 87

A No Sir.

Q Did you ever attend a meeting of District Assembly 91?

A Yes Sir, several of them.

Q On what day did they meet in the past during the months of this strike, say September, October, November, December, January and February last?

A Whenever it was necessary for them to meet.

Q They don't have any regular meeting day?

A Yes Sir.

Q When used they meet last Fall what day?

A Every Friday.

Q Does the shop's crew have any stated meeting days?

A Yes Sir.

Q Is it a different day from that on which the District Assembly meets, on Friday?

A Yes Sir.

Q The Executive Committee of District Assembly 91, is that what you call a grievance committee?

A No Sir.

Q Was Mr. Gill, Mr. Campbell <sup>or Mr. McDonald</sup> members of the grievance committee?

A No Sir.

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17.

- Q Were they members of the Executive Committee?
- A Yes Sir.
- Q Was Mr. Grill, Mr. Worlady or Mr. Foster members of the grievance committee?
- A No Sir, not of Gardner's shop's crew.
- Q Or in District Assembly 91?
- A No Sir.
- Q At the time they held office they were the executive of 91?
- A Yes Sir.
- Q Were any of these five persons at the time of this strike members of the grievance committee of Gardner's & Estes factory or any other organization connected with that factory?
- A They were a grievance committee of three appointed by the Executive Committee to confer with the a like committee of the manufacturers.
- Q Were they?
- A Yes Sir. They were taking evidence in the Potter case, there was a committee of three appointed from each organization.
- Q As I understand it they weren't a grievance commit.

POOR QUALITY  
ORIGINAL

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tee who waited on ~~xxxxxx~~ Gardner & Estes?

A Yes certainly, they waited on them in the capacity of executive committee.

Q And the grievance committee was composed of other persons?

A Yes, it was composed of six.

Q Do you know whether or not any of this executive committee exercised certain powers without consultation with the body that selected them during the strike?

A Not that I know of.

Q Have you any knowledge on the subject?

A A general knowledge.

Q Do you know whether or not each act that this committee performed, this executive committee, during this strike is submitted to the organization before it gives the order or not?

A Yes Sir.

Q Have you ever heard of the Executive committee fining a man of your shop for doing too much work?

Objected to by Mr. Post on the ground that it is in the nature of a direct examination and must be confined to this

particular case.

Objection overruled.

Exception taken.

(Question repeated.)

A. No Sir.

Q. Did you ever hear of them doing it in any shop?

A. No Sir.

Q. Did you ever hear that a man in the shop of Davis & Pinous, a man named Bristerstein, was fined \$25.00 for doing too much work by this executive committee?

A. No Sir.

Q. And do I understand you to say that before such a fine was imposed the custom of this organization would be to vote on it before the executive committee could impose a fine?

A. No Sir.

Q. Would it exercise that authority without the vote of the organization?

A. No Sir.

Q. It would take a vote of the organization?

A. Yes Sir.

Q. Of the whole District Assembly?

A. Yes Sir.

**POOR QUALITY  
ORIGINAL**

0438

20.

91

Q. Couldn't it be done by a vote of the shop's crew?

A No Sir.

Q By whose vote?

A The Assembly to which he belongs?

Q District Assembly 91?

A.

(No Answer.)

Q When you speak of the Assembly, don't you mean the Assembly 91?

A No, when I mean it I say it.

Q How many Assemblies are there in District Assembly 91?

A Twenty three or twenty four.

Q Is there an Assembly for each shop?

A No Sir.

Q Does Gardner & Estes shop compose one Assembly or are there other shop in it?

A Gardner & Estes shop has some fourteen Assemblies, different numbers.

Q They have different members outside of their own shop?

A Yes Sir.

Q Upon a question where this executive committee

will give orders it would be upon a vote of the members in the employ of Gardner & Estes?

A. I must object to answer the question on principle. *CE*

Q Upon a question or direction which the Executive Committee would give or did give orders in reference to the shop of Gardner & Estes, I understand you that it would be done in pursuance of a direction of the assemblies of which the members of Gardner & Estes shop belong and that in those Assemblies there were members not working in their shop?

A Yes Sir.

Q And that therefore the directions and orders given by this Executive Committee were dictated, in part, by men not employed in the shops of Gardner & Estes?

A Yes Sir.

Q In the shop of Gardner & Estes from the Fall of 1886 down to the present time has there been any reductions in the wages?

A Yes Sir, in two or three cases.

Q Has there been any general reduction of wages there?

A No Sir.

Q What reduction has there been in wages during that time?

A One man was working for \$10.00 a week and he was



and he was discharged and a boy put in his place.

Q Was any other reduction made?

A Another one in regards to a girl.

Q Were those the only two?

A That is all I remember just now.

Q That is all that you remember that occurred in Gardner & Bates' shop last fall?

A Yes Sir.

Q And up to the present time?

A Yes Sir.

Q Were those two people Knights of Labor?

A No Sir, they were too young.

Q Was there any objection to the men being discharged and the boys put in their places?

A No Sir.

Q Did any strike occur in consequence of that?

A No Sir.

Q Did Mr. Hartt have anything to do with that?

A No Sir. He had left then.

Q He had nothing to do with that?

A No Sir.

Q So that this strike was not on account of any reduction of wages?

A No Sir.

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- Q And these meetings which you testified you attended and under which this executive committee acted by their directions they were not meetings assembled for the purpose of changing the rates of wages there?
- A. No Sir.
- Q When Mr. Hartt came to that shop you had a prejudice against him hadn't you?
- A I had never seen him before.
- Q Didn't you say that a committee waited on Mr. Gardner before he came there?
- A Yes Sir.
- Q Wasn't there a general feeling against him amongst the employees?
- A Yes Sir
- Q Because he was not a member of the organization?
- A No Sir.
- Q That didn't enter into it at all?
- A No Sir.
- Q You knew that he was not a member?
- A I didn't know anything about it.
- Q Did you hear any objection expressed against Mr. Hartt, because he was not a member amongst the mem-

bars of District Assembly 91?

A No Sir.

Q I understood you to say that he was known as a  
scab foreman?

A Yes which he was. An old time scab

Q You have no prejudice against them have you?

A Yes I wouldn't work amongst them.

Q If he came there would you refuse to work with him?

A No Sir.

Q Did the men in the shop refuse to work under him?

A No Sir.

Q After Mr. Gardner returned from the South, Potter  
was immediately discharged?

A Yes Sir.

Q You heard that he was discharged at the suggestion  
of Mr. Gardner?

No No Sir.

Q Didn't you hear that?

A No Sir.

Q You say you knew that no action was taken for the  
prosecution of Mr. Potter?

A I didn't say that, I said I didn't know of any.

Q You don't know whether there was or not?

A No Sir.

Q Mr. Gardner testified here that he went to Court to obtain a warrant for Mr. Potter's arrest and that in the meantime Mr. Potter had left the state?

A I can't help what Mr. Gardner testified to .

Q Is that so?

A I don't know.

Q Is there anything in Mr. Hartt's discharging the men which tends to a reduction of wages in your shop?

A I couldn't say what his <sup>idea's</sup> were.

Q Do you remember Mr. Gardner saying that Mr. Potter couldn't <sup>work</sup> in their shop?

A No Sir.

Q Was Mr. Potter known there as a leader or was he a private in the Knights of Labor?

A He was a little of both.

Q Was he known as a kicker?

A He wasn't much of a kicker.

Q When you say that the object in weeding parties out was to get rid of the leaders and kickers and then he was a leader or kicker?

A No Sir.

Q Wasn't he a kicker?

A A kind of a one.

Q You say your grievance committee didn't find Potter guilty. - is there any case on record where anybody was found guilty by such a committee?

A Yes Sir.

Q How many?

A There were two in that factory alone.

RE-DIRECT BY MR. POST.

Q You say that the crew had no prejudice against Mr. Hartt when he came there, what was the objection to him?

A He was an old time scab and the men didn't want to work for him.

Q What were they afraid of?

A They were afraid he would disorganize the shop by discharging Union men and putting on scabs in their place, they were afraid he would disrupt the shop, as we call it.

RE-CROSS EXAMINATION by MR. PHILIPS.

Q The shop went out on a strike or declared a strike on because Mr. Potter wasn't reinstated after they were out?

A That was part of it.

Q Wasn't that the sole reason for it?

A We wouldn't go to work under Hartt.

Q Was that stated in the office?

A Yes, that was after we were discharged.

Q Did you demand the discharge of any body else?

A Yes Sir.

Q Who?

A The other two foremen.

Q That other included the other two foremen?

A Yes Sir.

Q What other foremen there?

A The foreman in the packing room and the one in the cutting room.

Q Those foremen <sup>whose discharge</sup> you didn't demand were they members of the Knights of Labor?

A Yes and no. One was and one was not.

Q Which ~~was~~ one wasn't?

A The packing foreman.

Q So the men whose discharge you asked for, there was only one man a member?

A No Sir.

Q How many working men at that shop at that time were members of District Assembly 21?

A Every one in the business.

Q How many foreman were there five altogether?

A Four, with the head packer.

Q Of these four foremen how many were members of your organization?

A One.

Q And you didn't demand the discharge of that one?

A No Sir.

Q And you did demand the discharge of every regular foreman not a member of your organization?

*a Yes sir.*

RE-DIRECT EXAMINATION by MR. POST.

Q Was the reason for demanding the discharge of these three men because they weren't members of the Knights of Labor?



A No Sir.

Q You have stated why the demand for the discharge of Hartt was made, now please state why the demand for the discharge of the other two men made?

A On the same general principles.

Q What were they?

A They were also what was known as old time scabs, and the man in the fitting department was obnoxious to the girls and tried to reduce their wages in one or two instances.

RE-CROSS EXAMINATION by MR. PHILIPS.

Q What constitutes a scab?

A Any man who will go into a shop with a view of reducing the wages is what is known as a scab or who tries to reduce the prices of work.

Q What do you call a man who is not a member of your organization?

A It is no difference what he is if he works under wages.

Q Do you call a man not a member of your organization a scab if he don't work for reduced prices?

30.

A Yes if the strike is on and he works there.

Q Do you know of Mr. Hartt ever working for reduced prices?

A No Sir.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

JOHN E. GILL one of the defendants being  
duly sworn testified as follows:-

DIRECT EXAMINATION by MR. POST.

Q Where do you reside?

A Number 363 Broadway, Brooklyn, Eastern District.

2  
How old are you?

A I am 25 years of age.

Q What is your business?

A I am a shoemaker.

**POOR QUALITY  
ORIGINAL**

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Q How long have you been a shoemaker?

A I have been working at the trade actually about eight years I guess.

Q Are you a member of District Assembly 91 of the Knights of Labor?

A Yes Sir.

Q Are you an officer of that organization?

A Yes Sir.

Q What is the highest body in the order?

A District Assembly.

Q Over the whole order?

A The general Assembly.

Q Of the United States?

A Yes and of Canada.

Q How is that formed?

A By the election of delegates who meet once a year.

Q Where are they elected from?

A From the District Assemblies.

Q Throughout the country?

A Yes Sir.

Q What is the next body in the organization?

A The District Assembly.

Q How are the District Assemblies formed?

A. By delegates from each local Assembly attached.

Q In what is called the District?

A Yes Sir.

Q How are the local Assemblies formed?

A By the men working at the shoemaking trade.

Q within a certain District?

A Yes in a certain limit.

Q Is it territorial or not?

A Yes Sir.

Q Or is what is called the trade?

A Yes Sir.

Q Composed of shoemakers only?

A Yes Sir.

Q And the members of the local Assembly are those who voluntarily join the shoemakers Assembly in a certain District?

A Yes Sir.

Q What relation do the shop's crew bear to the Assembly?

A The same relation as the local Assembly does to the District.

Q The local Assembly is not made up of delegations from the shop's crews?

- A From each individual working in the shop.
- Q In the trade matters is there anything that the crew has absolute control over as distinguished from the local assembly?
- A Over certain matters in the shop, if the grievance is in the shop the officers of the shop are supposed to investigate it and if they cannot settle it it goes to the local Assembly.
- Q At whose request?
- A At the request of the shop's crew.
- Q Then that is acted upon by local Assembly?
- A Yes Sir.
- Q And from there it may be carried from the District and finally to the General Assembly?
- A Yes Sir.
- Q What is the territorial ~~jurisdiction~~ jurisdiction of District Assembly Sir?
- A It has fifty miles of the circuit.
- Q Radius from the center?
- A Yes Sir.
- Q It takes in all the shoemakers in that territory?
- A Yes from after 91 was formed.
- Q Does it include machine shops or car drivers?
- A No Sir.

- Q OF machinists?
- A No Sir.
- Q Does it include anything but machinists in that territory?
- A That is all.
- Q It includes nothing but shoemakers who belong to in in that territory? to the Knights of Labor?
- A No Sir.
- Q When was the trouble in Gardner & Estes shop last Fall first brought to your attention?
- A By Mr. Gardner himself.
- Q That was the first you knew of it?
- A Yes Sir.
- Q Were you then an officer of District Assembly 91?
- A Yes Sir, I was Treasurer.
- Q On the committee were you?
- A Yes Sir.
- Q What committee?
- A Executive committee.
- Q Also a member of the arbitration committee?
- A Yes Sir.
- Q You first heard from Mr. Gardner himself of this trouble?
- A Yes Sir.

- Q Where was it?
- A The Cosmopolitan Hotel.
- Q How did you come to go there?
- A We went to meet a committee of the manufacturers.
- Q Who was that committee?
- A Myself, Mr. McDonald, Mr. Campbell, Mr. Henderson  
Mr. White and two ladies named Davis and Leminway.
- Q Who composed the committee of the Boss' union?
- A Mr. Gardner, Mr. Manning, Mr. Cousins, Mr. Gerside,  
Mr. Waterbury, Mr. Thomas and Mr. Kenny.
- Q When was the first meeting held?
- A Somewhere in September I believe.
- Q At the Cosmopolitan Hotel?
- A Yes Sir.
- Q What was that meeting for?
- A Ehm To form rules for the trade?
- Q You met then for the purpose of forming rules for  
arbitration?
- A Yes Sir, to make rules for arbitration between man-  
ufacturers and their employees.
- Q Was the Hartt matter brought up there?
- A No Sir.
- Q. Who first called your attention to the Hartt matter?



- A The shop's crew.
- Q When was that?
- A That was somewhere in December or January.
- Q Had the man been locked out then?
- A Yes Sir.
- Q In response to that call what did you do?
- A I went to see Mr. Gardner to try to settle it.
- Q What did the shop's crew call upon you to do?
- A To look into the matter and see if something could not be done to have the matter arbitrated thoroughly.
- Q Did you make an investigation before you did that?
- A Yes Sir.
- Q Did the shop's crew impose any terms upon you as to what you should demand?
- A They told us they wouldn't work with Hartt and that they wanted Mr. Potter reinstated.
- Q Did they instruct you as to consenting to an arbitration that involved his coming back?
- A They said they wouldn't work under him.
- Q You had no power to do otherwise?
- A No Sir.
- Q After investigation the complaint of the shop's crew did you then call on Mr. Gardner?
- A Yes.

Q Where?

A At his factory.

Q Who was with you?

A Mr. McDonald and Mr. Campbell.

Q You called there as an arbitration committee of the District Assembly?

A Yes Sir.

Q Who was present besides Mr. Gardner and your committee?

A Nobody.

Q What took place?

A We went to Mr. Gardner and asked him the reason for locking the men out <sup>we told him that the</sup> ~~when the~~ shop was declared on a strike by the District Assembly and that the members of the shop's crew said they wouldn't work under Mr. Hartt, Mr. Waldron or Mr. Fuller and that they wanted Mr. Potter reinstated.

Q You asked him the reason why the shop was locked out?

A Yes and he said we knew as well as he did.

Q And you did know?

A Yes Sir.

Q What was it for?

A For discharging Mr. Potter.

POOR QUALITY  
ORIGINAL

0456

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38.

Q You say something was said about Potter's reinstatement?

A Yes Sir.

Q Did you make any demand for the prosecution of Mr. Potter?

A Yes Sir.

Q Do you know where he lives now, Mr. Potter?

A Yes Sir.

Q Where?

A Camden, New Jersey.

Q Did he live there then?

A Yes Sir.

Q He never changed his residence?

A Not to my knowledge.

Q When he left the shop where did he go to work?

A At Ziegler Brother in Philadelphia.

Q During the progress of this arbitration with your committee and the Boss' committee did you see Mr. Potter then?

A Yes Sir.

Q Was he here then?

A Yes Sir.

Q And during the strike?

**POOR QUALITY  
ORIGINAL**

0457

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39.

Q While it was in progress?

A Yes Sir.

Q While Gardner's shop stopped?

A Yes Sir.

Q Was Mr. Potter present then?

A Yes Sir.

Q Before bringing him here there was something said as to arresting him?

A Yes and Mr. Gardner gave me a letter stating that he wouldn't prosecute him pending an investigation of the case.

Q When it was over did you say anything to Mr. Gardner about prosecuting him?

A Yes Sir, I went with ~~the~~ two other members of the committee and said we would keep him here twelve hours so that if they wanted to arrest him they could and we told him that Mr. Potter had work to do and if he didn't attend to it he would lose his job and after waiting twelve hours we told Mr. Potter he could go.

Q Was there any attempt to arrest them then?

A No Sir.

Q They had ample time to do so?

POOR QUALITY  
ORIGINAL

0458

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40.

A Yes Sir.

Q How long did you keep him here after this strike?

A Four or five weeks.

Q Fetter was here?

A Yes Sir.

Q And ready to be arrested?

A Yes Sir.

Q And you so informed Mr. Gardner?

A Yes Sir.

Q And gave him twelve hours to do it in?

A Yes Sir.

Q And he didn't do it?

A No Sir.

Q During the interviews you had what threats did you make?

A None at all.

Q Did you act in any other excepting as a committee of arbitration representing the shop's crew in this dispute?

A No Sir.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

CROSS-EXAMINATION by MR. PHILIPS.

POOR QUALITY  
ORIGINAL

0459

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44

Q Where is the centre of which District Assembly 9I is composed, where is the centre of the radius ?

A New York.

Q It includes the circuit of New York within fifty miles?

A Yes Sir.

Q And all the shops which are Union shops, Knights of Labor shops?

A It takes in all the shops shops organized after District Assembly 9I is organized.

Q Were there any shops within that District Assembly which are not members of the Knights of Labor?

A Not that I know of.

Q District Assembly 9I is composed of delegates from local Assemblies?

A Yes Sir.

Q Does District Assembly 9I have certain powers invested in it, ~~does it control certain duties and certain acts or~~ does it approve of certain duties and certain acts?

A What do you mean.

Q What does it do?

A It discusses trade matters.

Q Does it send out any orders?

POOR QUALITY  
ORIGINAL

0460

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42.

- A Sometimes.
- Q The vote taken among the members of District Assembly 91 would decide what orders they would send out?
- A At times, yes.
- Q Does District Assembly 91 order a strike?
- A Yes Sir.
- Q Does it send communications to other District Assemblies throughout the country?
- A I don't know.
- Q Do the Assembly Districts of the Knights of Labor send notices to ~~MEXICAN~~ one another in regard to workmen and strikes?
- A Yes Sir.
- Q And those notices are sent to the District Assemblies or local Assemblies?
- A I don't know.
- Q Did you ever send any?
- A No Sir.
- Q Do you know of any being sent?
- A No Sir.
- Q You have been a treasurer and a member of the Executive committee?
- A Yes Sir.



POOR QUALITY  
ORIGINAL

0461

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43.

Q Did you ever receive any such notices?

A No Sir.

Q When the notices are sent are they sent by the Secretary?

A I don't know.

Q You say you know they were sent?

A I said I know they were sent through the District.

Q You never sent them yourself?

A No Sir.

Q You never received any such communication yourself?

A No Sir.

Q If Mr. Barrett and other members of your order in Baltimore said that they got a communication from District Assembly 21 can you conceive how they received it?

A I don't know that they said that.

Q Well if they did?

A I don't know.

Q These local Assemblies <sup>which</sup> go to form a part and are who elect delegates to the District Assembly they are different from the people's order are they not?

A Yes Sir.

Q They include a greater number than the people's order?

POOR QUALITY  
ORIGINAL

0462

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44.

A Yes Sir.

Q Gardner & Gibson had a portion of thirteen or four-  
teen assemblies working there?

A I don't know.

Q You have no knowledge in regard to it?

A No Sir, I don't work there.

Q What assembly do you refer to?

A SS10

Q Did any of your Assembly work there?

A I believe so.

Q Any other Assembly that you know of in there?

A I think so.

Q When you say you grievance was referred to a local  
Assembly does it refer to it there are many work-  
ing shops of different assemblies?

A Yes Sir.

Q At a joint meeting?

A No Sir.

Q How is it referred to then?

A Each individual goes to his local Assembly and makes  
known his grievance.

Q When you say you conferred with the shop's crew you  
mean with the men working in the shop but not all  
the Assembly?

POOR QUALITY  
ORIGINAL

0463

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48.

of Labor.

A I don't know the exact date.

Q Give us within two or three years.

A A year.

Q Have you been connected with it two years?

A Yes Sir.

Q Three years?

A Yes Sir.

Q Five years?

A No Sir.

Q Are known as a talking delegate?

A No Sir.

Q This is a different office?

A I don't know what that is except from what I read.

Q How soon after this shop was locked out was this strike declared?

A The next day

Q Was Mr. Hart's discharge asked for the next day or Mr. Potter's reinstatement asked for?

A Everything.

Q Hart's discharge was asked for?

A Yes Sir.

Q What did you state to Mr. Gardner in regard to it —

GLUED PAGE

POOR QUALITY  
ORIGINAL

0464

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46.

A.

The shop's crew.

Q

Do you remember making the remark that Mr. Hartt couldn't work within the jurisdiction of District Assembly 91?

A

I made no such remark?

Q

Do you remember Mr. Garfield or Mr. Hearn asking you that in case Mr. Gardner's shop resumed work and they complied with your commandment or not Mr. Hartt could not work outside of the City of New York?

A

Yes and I didn't answer it.

Q

Did they ask you if you would interpose with him in any other factory except Gardner's?

A

I don't know.

Q

You made no such remark?

A

No Sir. There was the same question asked me and I said I didn't know.

Q

Is it a fact that he couldn't get work by reason of the orders of District Assembly 91 in any other shop in that District?

A

I don't know.

Q

How long have you been connected with the Knights

0465

46.

Q The shop's crew.

Q Do you remember making the remark that Mr. Hartt couldn't work within the jurisdiction of District Assembly 91?

A I made no such remark?

Q Do you remember Mr. Gardino or Mr. Neenan asking you what in case Mr. Gardino's shop resumed work and they complied with your order and or not Mr. Hartt could not work outside of the City of New York?

A Yes and I didn't answer it.

Q Did they ask you if you would interfere with him in any other factory except Gardino's?

A I don't know.

Q You made no such remark?

A No Sir. There was the case closed or asked me and I said I didn't know.

Q Is it a fact that he couldn't not work by reason of the orders of District Assembly 91 in any other shop in that District?

A I don't know.

Q How long have you been connected with the Knights

6.



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△

Figure 1

1

10

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1

118  
Q. Now did you think the shop wouldn't be allowed to go to work until he was discharged?

A. I told him the men that were working for him in the shop's crew wouldn't go back to work unless Mr. Hartt, Mr. Waldron and Mr. Fuller were discharged and Mr. Potter reinstated.

Q. Before this investigation committee about which you testified took action therein, it was merely a lockout before the strike was declared.

Which committee?

A. The committee that met at the Cosmopolitan Hotel.

Q. They met before the arbitration committee.

That was before the shop was on a strike?

A. Yes Sir.

Q. And the investigation committee which met after this and of which you are a member it was after the shop had declared the strike?

A. Yes Sir.

Q. Who conveyed the information to the men to strike?

A. Nobody ~~xxx~~ did they took it in their own hands.

Q. How did they know that Mr. Gardner wouldn't discharge Mr. Hartt?

A. We told them that.

Q. Was Mr. McDonald a member of that committee?

**POOR QUALITY  
ORIGINAL**

0468

119

48.

A Yes Sir.

Q Somebody told the men in the shop?

A They told the officers in the shop the answer Mr. Gardner gave us to give to them.

Q Do you remember Mr. Gardner saying that Mr. Potter would never eat another shoe in his shop and you saying that nobody else would if he didn't?

A No Sir.

Q You said no such thing in substance?

A No Sir.

Q Do you remember having a conversation with Mr. Potter there?

A No Sir.

Q Or somebody else in the shop?

A I might have.

Q You never said to Mr. Mears or Mr. Cousins or Mr. Garside or any member of their committee that the shoe shop wouldn't be allowed to go to work until Mr. Hartt was discharged?

A No Sir.

Q You always said the people in the shop wouldn't re-  
turn to work?

A Yes Sir.



**POOR QUALITY  
ORIGINAL**

0469

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- Q Did you say to Mr. Mears or Mr. Garfield that if you were to recommend the dropping of Mr. Potter that Gardner & Estes men would go to work immediately?
- A No Sir.
- Q What did you say?
- A "If you recommend the discharge of Hart we will see if the shop's crew will go to work with the other two foremen" or substantially that.
- Q Did you say anything about dropping Mr. Potter?
- A Yes if the shop was willing.
- Q Then it resolved itself into Hart's being discharged?
- A No Sir.
- Q You were willing to drop Mr. Hart?
- A I didn't say that?
- Q So far as you are individually concerned are the members with you the only thing you insisted upon was the discharge of Hart?
- A As individuals we insisted upon nothing.
- Q Well as a committee?
- A We insisted upon the discharge of Hart.
- Q You did.
- A Yes because Mr. Gardner wanted to get his men to

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work.

Q Are these local Assemblies in the District Assembly obliged by the customs and rules of your order to obey the directions and orders of the District Assembly?

A Yes Sir.

Q Hence if the District Assembly orders a strike the local Assemblies are obliged to obey the order.

A Yes Sir.

Q Sometimes the strikes are ordered by delegates composed of District Assembly? Or

A Yes Sir.

Q That is without any vote of the local assembly?

A Not always.

Q Sometimes?

A Yes Sir.

Q When District Assembly or usually sent out an order or handed it to the local Assembly that Mr. Martt or any other working man shouldn't be employed in any shop would it be obeyed?

A I don't know.

Q Wouldn't they be obliged to obey it if they complied with the order?

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A I don't know.

Q If a strike was ordered during the working hours of a day who is it that conveyed that order?

A I don't know.

Q Sometimes that was so orders?

A Yes Sir.

Q That is done then without any meeting or vote of the working men of that shop?

A I don't know.

Q Did you ever go into a shop and order the men to strike?

A Yes I did.

Q While the shop was working?

A No Sir.

Q You are sure of that?

A I am positively certain of it.

Q Do you know the firm of Davis & Pinker?

A Yes Sir.

Q Do you know a man named Rabinstein is there?

A Yes Sir.

Q Do you remember going to him and saying that he was fined twenty five dollars for doing too much work?

A No Sir.

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ORIGINAL

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Q Don't you remember signing a paper and giving it to him?

A No Sir.

Q Don't remember signing a receipt <sup>for two dollars</sup> on account of it?

A No Sir.

Q Did you hand him a paper signed by any body to that effect?

A No Sir.

Q Is that your signature? (Showing witness Exhibit "1".)

A Yes Sir.

Q Do you know Weil & Brothers manufacturers of shoes?

A Yes Sir.

Q Were you ever in their shop?

A Yes Sir.

Q In working hours?

A Yes Sir.

Q Do you know Frank Asplet is there?

A Yes Sir.

Q Do you remember going in there and giving him two dollars for *doing* too much work?

A No Sir I don't remember anything of the kind.

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Q Do you remember saying anything of that kind or substance to it?

A No Sir.

Q What was your conversation with him?

A I told him that any man working in and under the jurisdiction of District Assembly number 91 and under number 49 must obey the rules of District Assembly number 91.

Q Was it the rules that a man doing a certain amount of work would have to pay a fine?

A No Sir.

Q Didn't you ask him for any money?

A No Sir.

Q Did the conversation you had with him have reference to doing too much work?

A Yes Sir.

Q What did you say to him?

A I told him we heard around that he was doing too much work and that a fine was put on him.

Q Whose orders did you go to him by?

A Nobodys, I went as a friend.

Q Who put the fine on him?

A I don't know.

Q How did you find it out?

A I heard it on the street.

Q Don't you know who told you?

A No Sir.

Q How in the ordinary course of events did that information come to you that a fine was put on anybody?

A Anybody in the street might tell you.

Q Who put these fines on?

A I don't know.

Q Still you have been Treasurer and member of the Executive board and yet you don't know how a fine is put on?

A I know in my own local Assembly that if a man commits an error a fine is put on him.

Q Who informs him?

A The clerk of the Court.

Q Without a trial would they ever put a fine on?

A No Sir, not that I know of.

Q ~~KNOW~~ Do you remember of ever being in the shop of Herman & Amarith shoemakers in this City?

A Yes Sir.

Q When were you there last?

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A I can't remember.

Q Were you there last Fall?

A Maybe.

Q Do you remember saying to them to any one of the firm that unless the demands made by you were acceded to you, you would call the men out and lock the shop up?

A No Sir.

Q Or substantially that?

A No Sir.

Q Look at that paper? (Exhibit "A" shown to witness.)  
Is that <sup>a</sup>printed copy of Exhibit "1"?

A I don't know whether it is or not.

Q Is it a copy with the exception of "N.B." The words "laid off" mean discharge.?

A No Sir.

Q What other difference is there?

A I can't say.

Q Did you give the paper of which this is a copy, as far as it goes to the committee of the manufacturers?

A That is the copy I gave *them*.

Q. Did you receive one?

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A Yes Sir.

Q Or the bottom of the copy that you received were  
the words "N. B. laid off, mean 'discharge,'"

XXXXXXXXXXXXXXXXXXXX

BY MR. POST: We will produce it here.

Adjourned to Saturday April 16th, 1887  
at 10 A. M. at the Fourth District Po-  
lice Court.



POOR QUALITY  
ORIGINAL

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1<sup>st</sup> DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF

Adver. M. Hart  
John E. Gill, John <sup>sgt.</sup> Foster  
George L. Worley, James  
McDonald & John A. Campbell

Examination had April 16<sup>th</sup> 1887

Before Hon. Solon B. Smith Police Justice.

I, James A. Lyon Stenographer of the 4<sup>th</sup> District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of

as taken by me on the above examination before said Justice.

Dated April 25<sup>th</sup> 1887

Solon B. Smith Police Justice.  
James A. Lyon Stenographer.

GLUED PAGE

POOR QUALITY  
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128.

FIRST DISTRICT POLICE COURT,

NEW YORK, APRIL 16th, 1887.

-----x  
PLE &C., ON COMPLAINT OF :  
er M. Hartt :

vs. :

John E. Gill, John Foster, :  
George T. Worley, James :  
Donald and John A. Campbell.:  
-----+

HON. SOLON B. SMITH,

POLICE JUSTICE.

ANCES -- THE SAME.

(EXAMINATION CONTINUED.)

JOHN E. GILL, one of the defendants, al-  
ready sworn testifies as follows :-

CROSS EXAMINATION by MR. ~~PHILIPS~~ PHILIPS.

Q In whose hand writing is that paper?

A Mine, with the exception of the names.

Q With the exception of the signatures?

A Yes Sir.

Q (Mr. Philips offered the paper in evidence  
complainants;  
which was marked ~~XXXXXXXXXX~~ Exhibit "A."  
April 16th, 1887.) )

(Mr. Post objected to the paper except as  
to Foster and the witness.)

Q Was Mr. Foster present when it was signed?

A Yes Sir.

Q Was Mr. Worley?

A No Sir.

Q Wasn't he with you at that meeting?

A No Sir.

Q Wasn't he at any of the meetings of the committee  
which met the manufacturers committee?

A Yes Sir.

Q Did you meet the manufacturers' committee in  
Church Street?

A Yes Sir.

Q How many times did you meet them?

A W Twice I believe.

Q Was Mr. Worley there on any of these occasions?

A Once.

Q How long have you known Worley and Foster?

Q Worley about a year and Foster about two years.

Q And Mr. Campbell and Mr. McDonald?

AW Campbell about a year and McDonald about a year or a year and a half.

Q During the period which you have named as knowing them have you known them in connection with their being members of the labor organization to which you belong?

A Yes Sir.

Q And interested with you in labor matters?

A Yes Sir.

Q Was this strike at Garnder & Estes when Mr. Hartt was there was one of the conditions of their going back to work that Hartt should be discharged, was that ordered according to the By-Laws of the Constitution of the organization known as the Knights of Labor?

- A We have none.
- Q Have you any Constitution?
- A A general one.
- Q Was it ordered in pursuance of that Constitution?
- A I never read it.
- Q Have you ever seen one?
- A Yes Sir.
- Q Who was Secretary of the Executive Committee of District Assembly 91 in February and March of this year?
- A I was.
- Q Who was Secretary four or five months preceding that?
- A I was.
- Q The records of the Assembly are in the custody of the Secretary?
- A No Sir.
- Q In whose custody are they?
- A The Recording Secretary of District Assembly 91.
- Q Is that Recording Secretary under your supervision?
- A No Sir.
- Q What are the duties of the Secretary of the Executive Committee?

- A To sign all bills agreed to between the manufacturers and District Assembly 9I and to see if there are any grievances existing. And to call out the members to do their duty.
- Q What do you mean by that?
- A To go and arbitrate on different things.
- Q How many members are there in District Assembly 9I?
- A To the best of my belief there are one hundred and twenty or thereabouts.
- Q There are delegates elected from the local Assembly?
- A Yes Sir.
- Q And the District Assembly, does that elect an Executive Committee?
- A Yes Sir.
- Q And you are one of the officers of that Executive Committee elected by the District Assembly?
- A No Sir I am elected as one of the members of the Executive board.
- Q And it elects three or five members?
- A Five.
- Q When a strike is ordered the District Assembly votes upon the question upon the propriety of the strike on some occasions?

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A On all occasions.

A By the Local Assemblies.

A Yes Sir.

A    Yes Sir.

A Not always.

Q Sometimes?

A Yes Sir.

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Q. You said the Executive Committee sometimes approve of it and sometimes it don't, is that the intelligence conveyed by some messengers?

A No Sir.

- Q You are the only ones to do it?
- A District Assembly 9I do it.
- Q They would send some other messengers other than the Executive Board?
- A Yes Sir.
- Q Did District Assembly 9I vote upon a strike at Gardner & Estes?
- A Yes Sir.
- Q Were you present at the meeting?
- A No Sir.
- Q How do you know the strike was ordered there?
- A I didn't until I came out, I was sick at the time.
- Q You recollect attending a conference at the Astor House with the manufacturers Committee?
- A That was after the strike was ordered.
- Q You remember about the date of the strike when it was ordered, was it early in January?
- A I couldn't state what time in January it was.
- Q Do you remember when you got around again, when you recovered from your illness?
- A I can't tell dates.
- Q About when?



A Sometime in January.

Q The middle of January?

A Before the middle of January.

Q Did you attend any meetings of District Assembly 91 subsequent to the middle of January?

A I guess I did.

Q At any of those meetings was there any vote taken in regard to the continuance of the strike at Gardner & Estes?

A Not that I know of.

Q Was there any vote taken subsequent to the middle of January upon the subject of the Gardner & Estes strike or upon the subject of Mr. Hartt's discharge, I mean in District Assembly 91?

A Not that I know of.

Q So that when you signed that paper that Mr. Hartt was to be laid off, you did it without any vote of your District Assembly or any other action that was taken at any period after the middle of January?

A No Sir, I did not.

Q In taking a vote does the majority vote bind the meeting, bind the body?

A Yes Sir.

Q Therefore if the majority vote that a strike should be ordered the information is conveyed that a strike is ordered and if the minority fails to go out what course do you pursue?

A I don't know.

Q Would that be ground sufficient for the expulsion from the organization?

A I believe it would.

Q Don't you know it would be?

A I believe it would.

Q Don't you know it would be?

A No Sir.

Q Did you see Mr. Foster or Mr. Worley at any of those District Assembly meetings after the middle of January?

A I don't know whether they were there or not.

Q You don't remember whether you saw any of them at the meetings of any of the subordinate branches of District Assembly or subsequent to the middle of January or at any of the Local Assembly meetings?

A No Sir.

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Q You don't remember whether you saw them at the District Assembly meetings or not?

A I don't remember.

Q You are sure you attended no meetings either of District Assembly 91 or any of its subordinate branches at which you received any instructions with regard to Gardner & Estes' strike or with regard to Mr. Hartt subsequent to the middle of January?

A No Sir, I wasn't to any meetings where I received instructions.

Q After this paper was signed, Exhibit "A" of April 16th, 1887, did you send notice to the employees of Gardner & Estes' factory in regard to its being signed?

A No Sir.

Q Did you take it there yourself?

A No Sir.

Q Who presented it?

A Some member, I can't recollect who.

Q Who did you send it to?

A To the shop's crew.

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Q To some officer of the shop's crew?

A No Sir.

Q To which member of the shop's crew?

A To them collectively.

Q How many copies did you send?

A One.

Q Was it delivered to the whole one hundred members?

A It was read to them, I don't know how it was delivered.

Q It was communicated to them to the shop's crew?

A Yes Sir, I know it got there.

Q Did you ever attend any of the meetings of the shop's crew of Gardner & Estes?

A Yes. when they were on the strike.

Q When?

A Sometimes in January.

Q You didn't attend between the middle of January and this date?

A Yes Sir.

Q Didn't you just swear that you didn't attend any of the meetings of District Assembly Number 91 or any of the subordinate branches *from the middle of January to the present time?*

A No Sir, I said I didn't attend any of the meetings of the subordinate Committees.

Q The shop's crew is one of the subordinate branches of District Assembly Number 91?

A No Sir, its composed of one of the subordinate parts.

Q It is a part of the Knights of Labor?

A They form a part of the shop's crew.

Q When you stated that you had not attended any of the meetings of the subordinate branches of the Knights of Labor from the middle of January it was not correct?

A Yes it was.

Q How many times did you attend any meetings of the shop's crew from the middle of January?

A Every time the bosses met and there was a proposition to hear we attended there and we went there to see if we could make any arrangements.

Q How many times were you there?

A I can't say.

Q Were you there on the 21st of February?

A No Sir.

I40.

Q On the day of Exhibit "A" April 16th, 1887 was signed?

A No Sir.

Q On the day before?

A No Sir.

Q or the week it was signed?

A I was there on the 18th of February when the Committee stated to the shop's crew that the manufacturers were willing to let Mr. Hartt go and the shop's crew stated they wouldn't go to work unless two more were discharged or stricken out.

Q Were you at any meetings of the shop's crew subsequent to the 18th of February?

A Yes Sir; when the manufacturers made the proposition to put all the men to work pending investigation.

Q What day after the 18th of February, the paper was signed on the 21st, when subsequent to that time?

A I wasn't there at all at the shop's meeting.

Q Then you 18th of February was the last meeting you attended any of the shop's meeting of Gardner & Estes?

A To the belief, yes, I wasn't there.

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Q You stated that you didn't fine Mr. Bricleaster anything for doing too much work. You remember going into the shop of Davis & Pincus of which this is one of the firm (pointing to a man) and demanding of Mr. Bricleaster the amount of a fine which had already been imposed, don't you remember that?

A No Sir.

Q Do you ever remember seeing Mr. Pincus there?

A Yes Sir.

Q In his shop?

A Yes Sir.

Q Did you have any conversation with Mr. Briclaester?

A Yes Sir.

Q On that occasion?

A Yes Sir.

Q In reference to what amount of money he was to give you?

A Yes Sir.

Q Which was due?

A Yes Sir.

Q To whom?

A To Local Assembly 2070.

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Q What for?

A For dues.

Q Do you remember the amount of dues?

A No Sir.

Q Was it thirty three dollars?

A It might be.

Q Do you have any dues in your organization that would amount to thirty three dollars in the gross for a year?

A Yes Sir.

Q How long does a member remain in your organization before he is dropped for non-payments of his dues?

A Three months.

Q Would any dues amount to thirty three dollars in three months for a single man?

A No Sir.

Q Then the thirty-three dollars demanded for him would be for dues?

A He is not a member of my local and I can't say anything about it.

Q Who was with you when you went in that shop?

A I believe Mr. Foster and Mr. Worley.



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Q Anybody else?

A I don't remember the third one.

Q Did any of the gentlemen who were with you on that occasion demand any dues from him?

A I don't know.

Q You didn't hear what they said?

A No, I was busy talking to somebody else.

Q Did they demand a fine of him?

A I don't know?

Q Who did the talking to him?

A I spoke to him once.

Q Who did the balance of the talking to him?

A I don't know.

QX Your memory is very bad?

A Yes, sometimes.

Q Sometimes; you mean on some occasions it is bad and on other occasions it is bad?

A No Sir.

Q Did you ever see Mr. Hughes before?

A Yes Sir.

Q You remember having a conversation with him about

Mr. Hartt?

A Yes Sir.

Q Was it last Spring?

A No Sir.

Q Was it last Fall?

A Yes Sir.

Q In the month of September and October?

A Yes Sir.

Q Was the subject of that conversation, Mr. Hartt?

A It might have been.

Q Was it about the time Mr. Hartt first started at Gardner & Estes?

A I believe so.

Q Do you remember saying to Mr. Hughes that it was just this way - "we haven't made our mind up yet whether we will allow Mr. Hartt to remain with Gardner & Estes?" or not?

A No Sir.

Q Did you use the words - "We would let Mr. Hartt remain with Gardner & Estes" or not?

A No Sir.

I45.

Q Did you use the language just this way - "Whether we would let him go to work" or not?

A No Sir.

Q In substance nothing of that kind at all?

A No Sir.

Q I understood you to say that you attended one of the meetings of Gardner & Estes shop where they voted that they wouldn't work with Mr. Hartt?

A Yes Sir.

Q That was subsequent to the middle of January after you recovered from your illness?

A Yes Sir.

Q You were there then and able to attend all the meetings after January 15th?

A Yes Sir.

Q Did you attend the meeting of the Assembly where the strike was voted upon?

A No Sir.

Q Was there a vote upon it to your knowledge?

A I wasn't there and I don't know, it must have been voted.

Q By that District Assembly?

A ~~Mr~~ Sir. Yes Sir.

Q By District Assembly 91?

A Yes Sir.

Q Approving or disapproving of the action of the shop's crew?

A Yes Sir.

Q Did they approve of the action of the shop's crew?

A I don't know, I wasn't there.

Q Don't you know?

A I was told it did.

Q You have been the Secretary of the Executive board continuously from the First of September down to the present time haven't you?

A Yes Sir.

Q Who is the Recording Secretary of District Assembly 91?

A Alexander D. McDonald.

Q One of the defendants here?

A No Sir.

Q Where does he live?

A I believe it is in Berry Street, in Brooklyn, Williamsburg.

Q Are the records of that order in his custody?

A That is what I believe.

Q You have studied law?

A Yes Sir.

Q And these answers to these questions are guided some by your knowledge acquired in law?

A I don't know.

Q Have you any doubt that those records are in the possession of Mr. McDonald in Berry Street?

A I don't know.

Q In what other custody would they be except in his?

A I don't know, how do I know.

Q During the strike in Gardner & Estes shop was any financial aid rendered to the shop's crew by District Assembly 9I?

A Yes Sir.

Q That is, the members of all District Assembly 9I contributed an assessment towards the aid of the strikers of that shop?

A The majority did.

Q All those who remained members in good standing did?

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ORIGINAL**

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A Yes Sir.

Q Did you?

A Yes Sir.

Q Do you whether Mr. Campbell or Mr. Worley or Mr. McDonald did?

A I don't know.

Q Did you disburse or pay out any of the money during that strike to the employees of Gardner & Estes?

A Yes Sir, I paid the first week.

Q Who paid subsequent to that?

A A man named Dulles.

Q Did he pay all that was paid out subsequent to the week you paid?

A Yes Sir.

Q Did you give him the money to pay out?

A Yes Sir.

Q Subsequent to the week you paid out, you gave Dulles the money and he actually distributed it?

A Yes Sir.

RE-DIRECT EXAMINATION BY MR. POST.

Q There was a fine imposed by members of Knights of Labor?

A Yes Sir.

Q Do you know whether they imposed a fine on people who were not members?

A I don't believe they did.

Q You don't know anything of that kind?

A No Sir.

Q All the fines, so far as you know are confined to members of the order?

A Yes Sir.

Q Under the rules of their own Local?

A Yes Sir.

Q You said in your direct examination that Local Assemblies obeyed the District Assembly, if they refuse to obey, what is the penalty?

A I don't know the penalty because we have nothing to do, never have had any dispute.

Q Is there any character of a penalty known in the order other than expulsion?

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A No Sir.

Q So that a member of the order can do precisely as he pleases but if he violates a rule he can't remain in the order?

A Yes Sir.

Q Is that the extent of the coercion ordered in any case?

A Yes Sir.

Q Is that the extent of it?

A Yes Sir.

Q Some reference was made to walking delegates, do you know of their being any such position in the order?

A Only what I read.

Q You never heard of it in the order?

A No Sir.

Q Is not a great deal of it in the paper?

A Yes Sir.

Q You were instructed by the shop's crew when you acted on this Committee of Arbitration to insist upon the discharge of the four foremen named?

A Yes Sir.



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Q How did you come to make the compromise by which  
X if you allowed all the men to remain there except  
Hartt?

A The shop's crew came to the conclusion that Mr. Wal-  
dron and Mr. Fuller didn't have any control over  
them to any extent and that Mr. Hartt had super-  
vision over the whole business, and after attending  
a meeting with the manufacturers' Committee we went  
back to the shop's crew and ~~they~~<sup>we</sup> said ~~they~~<sup>we</sup> were wil-  
ling to allow Mr. Hartt to go to work and were wil-  
ling to put the words "laid off" for a certain lim-  
it of time in the agreement. They said we could do  
what we pleased but they wouldn't go to work until  
the word "discharged" was put in there, then we  
~~went~~ went back and told the manufacturers' Commit-  
tee what they said and they said they would give us  
an Answer at 3 o'clock on Monday.

Q Who drafted that agreement which was marked Exhibit  
"A" April 15th, 1887?

A Mr. Mears and myself. He did the writing on the  
back of <sup>the</sup> stenographer's minutes which Mr. Philips  
showed to Mr. Garside and you objected to the ques-

tion?

Q The draft was in the hand writing of Mr. Mears?

A Yes Sir.

Q And you copied Exhibit "A" from that draft?

A Yes Sir, we after that drew up one to show it to Mr. Gardner then we took a copy of it and added something to it.

Q After you came to the agreement expressed in Exhibit "A" April 15th, 1937, you added that about being discharged, did you confer with the shop's crew and deliver a copy of it to them?

A We went there and where the words "laid off" were, we put the word "discharged."

Q You then went to the shop's crew to see if they would accept that compromise?

A Yes Sir, and the manufacturers told us that they would give us an answer at 3 o'clock on Monday.

QX Up to that time, you made no ~~any~~ compromise?

A We told the manufacturers' Committee that Mr. Fuller & Mr. Waldron would be allowed to go to work and we wouldn't insist upon Potter's reinstatement.

Q And they insisted upon the work "discharged" and then you came back and that addition was put on?

A Yes Sir.

Q And the bosses Committee agreed to it?

A Yes Sir.

Q The crew was locked out before you were called in at all?

A Yes Sir.

Q After you were called in upon this investigation, the shop's crew then had agreed to strike?

A Yes Sir, I believe the District Assembly had order-  
ed it.

Q You testified in your cross examination about some objection to a man doing too much work?

A Yes Sir, I might have.

Q That is the way the question was put?

A Yes Sir.

Q Do you remember the man referred to there?

A Barblott, I believe, XXXXXXXXXXXXXXXXXX  
 OXXXXXXXXXXXXXXXXX.

Q The correct is Barblett instead of Roblett, as it appears in the minutes?

A Yes Sir.

Q You testified that you told him that any man work-

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ing in the jurisdiction of District Assembly 9I and under Assembly 49 must obey the rules of District Assembly Number 9I?

A Yes Sir.

Q You were then asked if a man doing a certain amount of work ~~should have~~ would have ~~to pay~~ to pay a fine and you said No?

A Barblett and I were raised together in a country place and I went to him and advised him to comply with the rules of District Assembly 9I and that if he didn't maybe he would get himself into some trouble.

Q Was he a member at that time?

A Yes and he is yet I believe.

Q What did you say - that he would get himself in some trouble?

A Some of the Locals asked the members to do so much work.

Q Fixed a limit?

A Yes Sir.

Q What kind of trouble did you mean that he might get himself into?

A He might be fined or suspended.

Q He understood that was the extent of his trouble?

A Yes Sir.

Q Is there any trouble a man can get into through the order except to be suspended? Or fined?

A No Sir.

Q Do you know what that rule was about the hours of work?

A I don't know exactly, it is not in my branch.

Q Do you know the object of that rule?

A Yes, to give men work and keep them off the street.

Q So there should be a less number of unemployed men in the trade?

A Yes Sir.

Q Do you know what effect a number of unemployed men has upon the trade?

A Yes Sir, it tends to reduce the wages.

Q The object of the rule is to keep up wages?

A Yes Sir.

Q What is the rule in Local Assemblies and not in District Assemblies?

A Yes, in the Local Assemblies.

Q To which he belongs?

A No Sir, he belongs to the cutters.

Q It is a rule of the Local Assembly of <sup>the</sup> ~~a~~ particular branch of ~~a~~ trade to which he belongs?

A Yes Sir.

Q You testified this morning that the District Assembly votes on the propriety of strikes on all occasions?

A Yes Sir.

Q How does the question get before them?

A It comes from the locals.

Q Where such a complaint is made before the District Assembly is an investigation made of the case?

A Yes Sir.

Q What is the object of that investigation? Is it to create a strike or to prevent ill advised strikes?

A Yes Sir.

Q And they wouldn't endorse a strike unless they think it is proper?

A That is it.

Q Is that the object of that rule?

A Yes Sir.

RE-CROSS EXAMINATION by MR. PHILIPS.

Q Did you draw that rule?

A No Sir.

Q Then how do you know what the object of it is?

A I ~~xxxxxx~~ can think the object of a rule is, can't I?

Q You can guess?

A Yes Sir.

REDIRECT EXAMINATION by MR. POST.

Q Do you know the object of the rules?

AN Yes Sir.

Q When a Local Assembly or a shop's crew wants to strike and refers the matter to the District Assembly, does the District Assembly make any inquiries as to the merits of the complaint?

A A Committee inquires into it.

Q And they bring in a report?

A Yes Sir.

Q As to the grounds for the strike proposed?

A Yes Sir.

Q If the District Assembly votes against the strike what happens then?

A There is no strike.

Q The shop's crew or the Local Assembly would violate the rules of the Assembly if they struck?

A Yes Sir.

Q Have you or the rest of the Committee that acted with the employers' Committee any power from anywhere to affect a compromise in Gardner & Estes shop that didn't involve the discharge of Hart?

A No Sir, we had no power.

RE-CROSS EXAMINATION by MR. PHILIPS.

Q Last week I understood you to say that you never heard about anybody being fined for doing too much work?

A I never did.

Q You have refreshed your memory since then which en-



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ables you to find out they have?

A No Sir, I did not.

Q Didn't you swear last week that you know of no rule by which a fine was imposed?

A I heard such a rule but I never heard of any being fined.

Q Do you know now?

A Yes sometimes.

Q Last week you testified that you didn't know of any rule by which a person could be fined for doing more than a certain amount of work?

A I don't know of my own knowledge, except what I hear.

Q Then you still wish to repeat that the testimony given by you last week that you don't know anything about a fine being imposed upon anyone doing such an amount of work?

A I don't know it of my own knowledge.

Q When you say the highest punishment a party gets is expulsion for not obeying the rules of the order - when he is expelled he then becomes a scab in accordance with the parlance of the trade?

A I don't know what he becomes.

Q Is he called a scab?

A Some might call him that.

Q Wouldn't you?

A No Sir, unless he actually did scab it.

Q What do you call, did scab it?

A Going to work in a man's place when the men are out on a strike for a raise of wages.

Q If the man got employment where there was a strike he would be a scab?

A Yes Sir.

Q If a man got work in any shop where the members of your order ~~had decided to work~~ were and he was a scab, would the men decline to work with him?

A Yes Sir.

Q ~~If~~ If a scab stayed in to work in any shop would the members of your order work there with him?

A No Sir.

Q So that the rules would not only be expulsion but a refusal to work with him?

A I don't know.

Q Wouldn't that be the general rule?

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A It might be.

Q Wouldn't that amount to a man being refused work in any Assembly District from which he had been expelled?

A I couldn't say.

Q You never knew of a party expelled from an order who was refused work in a District Assembly?

A No Sir.

Q You never heard of such things?

A No Sir.

Q Haven't you heard of the case of Mr. Hartt?

A Yes Sir.

Q I want to know of a party that hasn't joined your Union ~~was in~~ a shop whether you don't order a strike?

A No Sir, I never do.

Q Is it not a fact that any of these shops such as Gardner & Estes, every man in there is a member of the Knights of Labor?

A Yes, I believe so.

Q You so testified at the last hearing?

A I might have, I believe Mr. Dullea testified to that.

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Q If any man was brought in that shop who was not a Knight of Labor would the men work with him?

A I don't know what the men would do.

Q What would the custom be, the rules of your order, that heretofore prevailed in a case of that character?

A Every shop has its own rules.

Q Didn't you testify that the reason you wished to get rid of Mr. Hartt was that he was desirous of getting rid of Union men and putting non-Union men in their places?

A I didn't testify as to that.

Q Do you now?

A No Sir.

Q You don't know what the result would be if a man was introduced there who was not a member?

A No Sir.

Q Do you know what the men did in the past?

A No Sir.

Q Is it not a fact that a man can't work unless he first joins your order?

A I don't know.

**POOR QUALITY  
ORIGINAL**

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Q This agreement which you say was drafted by Mr. Hears and subsequently signed by the parties, where did you copy it?

A Right in the room.

Q Where did you sign it?

A Right there.

Q The same day?

A Yes, the day it was written it was signed.

QX The same day it was written and signed it was copied and sent off the same day?

A Yes Sir.

Q Did the members of your Committee meet the members of the Manufacturers' Committee on the 21st of November?

A We met two of them on that day I believe.

Q And prior to that when had they been seen?

A On the 18th.

Q So that between the 18th and 21st of November you had not seen the manufacturers' Committee?

A No Sir.

Q What time on the 18th day you see the Manufacturers' Committee?

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A At 9 in the morning.

Q

RE-DIRECT EXAMINATION by MR. POST.

Q The term scab is generally applied to a man working under wages or when a shop is on strike?

A Yes Sir.

Q Or who engages in putting men to work under wages, is that the idea?

A Yes Sir.

Q What do you mean by saying you don't whether a man can get work in a shop unless he is a member of the order?

A It lays entirely with the shop's crew.

Q They can work with a non-Union man as not as they please, as far as the rules of the order is concerned.

A Yes Sir.

RE-CROSS EXAMINATION by MR. PHILIPS.

Q Did you say that you told Mr. Gardner that Potter

would be held twelve hours here for the purpose of arresting him?

A Yes Sir.

Q You told that to himself?

A Yes Sir, I told that to the crowd and Mr. Gardner was present.

Q Did you tell that to Hubert Gardner?

A Yes Sir.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

JOHN A. CAMPBELL, a witness for the  
Defence, being duly sworn, testified as follows :-

DIRECT EXAMINATION by MR. POST.

Q Where do you reside?

A Number 749 Broadway, Brooklyn, E. D.

Q What is your age and occupation?

A I am a shoe maker by trade and I am 41 years of age.

Q You are one of the defendants?

A Yes Sir.

Q When did the trouble over Mr. Hartt in ~~the~~ Gardner & Estes' shop first come to your knowledge?

A In January.

Q You are a member of the shop's crew?

A No Sir.

Q How was it brought to your attention?

A By report made by the shop's crew to the Local of which I was a member.

Q Some of the members of Gardner & Estes' crew told you of Assembly?

A Yes Sir.

Q They reported it to your Assembly?

A Yes Sir.

Q In consequence of that report did you do anything?

A No Sir.

Q The Assembly did?

AA They sent a communication to the District Assembly.

Q Were you then a delegate to the District Assembly?

A Yes Sir.

Q Did anything further come to your attention until



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you heard of it in the District Assembly?

A No Sir.

Q You heard of it the next time the matter came up in the District Assembly?

A Yes Sir.

Q How was it brought to the attention of the District Assembly?

A Through the delegates from the different Locals reporting the matter.

Q The members of the shop's crew made their reports to the Locals and they had it carried to the District Assembly?

A Yes Sir.

Q And it came to your attention again?

A Yes Sir.

Q Were you a member of the Board of Arbitration of the District Assembly then?

A Yes Sir.

Q What did the District Assembly do?

A They first sent the Executive Board to investigate the matter.

Q And you <sup>as</sup> ~~were~~ one of that Board did investigate it?

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A Yes Sir.

Q Did you go to the shop?

A Yes Sir.

Q And investigate among the crew?

A Yes Sir.

Q At the time you went there had they been locked out?

A No Sir.

Q You made an investigation, what did you do as a result of that?

A At the time we made the investigation and before the investigation was finished Mr. Gardner was about to discharge Mr. Potter and we deemed from the evidence we received that he was not as guilty as he was painted and we thought he should remain there until the investigation was finished and Mr. Gardner got considerable excited that day and the next day the lockout took place.

Q Before you came to any conclusions from your investigations?

A Yes, it was only ordered and we wanted ~~potter~~ re-  
Potter retained.

Q What was the next thing done by your Committee in

connection with it?

A We took our ~~next~~ next from the District Assembly.

Q Acting under them what did you do?

A We went to Mr. Gardner and notified him that the District Assembly had come to the conclusion that all the people under the jurisdiction of District Assembly 91 would remain away from his establishment until Hartt, Fuller and Waldron were discharged.

Q At whose request or instigation did you require the discharge of these three men?

A The District Assemblies.

Q Did any of the Locals have anything to say about it?

A The delegates did.

Q Did you confer with the shop's crew about it?

A Yes, their shop's crew sent the communication to the different Locals to which they are members.

Q Was that their demand?

A Yes Sir.

Q On that basis you conferred with the Committee of the Manufacturers?

A Yes, at their request.

Q At Mr. Gardner's request?

A I believe Mr. Gardner was the man who got the employers to request us to confer with him.

Q You had several meetings with him in that connection?

A Yes, ~~and~~ the only particular meeting was one in the Astor house.

Q Part of this investigation was as to whether Mr. Potter was guilty of this charge or not?

A No Sir.

Q In the meantime, after the lock out, the strike was declared, that is what you mean when you told Mr. Gardner that no member of District Assembly 91 would remain until this matter was settled?

A Yes Sir.

Q And as a final compromise you waived the discharge of all the foremen except Hartt?

A Yes Sir.

Q How did that come about?

A At the meeting in the Astor house Mr. Gardner presented his side of the charges against Mr. Potter and one of our men presented charges against Hartt.

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and the manufacturers asked us if there was any way possible by which we could come to a compromise by which the shop's crew could go to work and ~~work~~ we came to the conclusion then that we could compromise on Mr. Waldron and Mr. Fuller by leaving Mr. Hartt and Mr. Potter both out.

Q You had been in the conference with the shop's crew about that?

A Yes Sir, through the different locals.

Q Was this their demand, that Hartt should be discharged?

A Yes Sir.

Q Throughout this matter did you act in any other respect except as an arbitrator between the men and Gardner & Estes?

A No Sir.

Q State whether or not Mr. Campbell, you had any power or authority to settle that difficulty which did involve the discharge of Mr. Hartt?

A No Sir.

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CROSS-EXAMINATION by MR. PHILIPS.

Q You are a member of the Executive Committee? of District Assembly 9I and from what period?

A From about the last of September ~~to the last~~ or the first of October until the last of January.

Q When you met with Mr. McDonald and Mr. Gill the manufacturers committee on some occasions down to about the last of January?

A I believe there was but two occasions.

Q You met on those occasions for the purpose of coming to some agreement by which the shop of Gardner & Estes was to be set to work?

A Yes Sir.

Q You were a Committee to negotiate on behalf of the Knights of Labor?

A Yes on behalf of the employees of Gardner & Estes' shop.

Q Were you ever employed in Gardner & Estes' shop?

A No Sir.

Q Were you ever in their shop?

A Yes two or three or four times, I don't exactly

know the number of times.

Q Did you ever attend in any other capacity except as Mr. Gill or Mr. McDonald did as Committee waiting on Mr. Gardner?

A No Sir.

Q You never attend any meeting?

A Only with McDonald and Gill.

Q Were you ever waiting on Gardner and Estes, you never attended any meeting of the order?

A No Sir, not in there?

Q Or any meeting of the shop's crew of Gardner & Estes?

A I believe I have.

Q When?

A Shortly after the strike was described at Caledonia Hall in Jackson's Square.

Q Was there more than one meeting of that kind which you attended?

A I believe there was but one. I have been there two or three times but not for meetings?

Q It was held early in January?

A Yes, the week after the strike.

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Q From the early part of January down to the time that you were conferring with the manufacturers' Committee at the Astor House you had no direct communication yourself with the shop's crew at Gardner & Estes did you?

A Not personally.

Q Any communication you had was one that had been <sup>flustered</sup> through your local Assembly?

A It came in a legal and proper manner?

Q From your Assemblies?

A Yes Sir.

Q Then you learned of it at the District Assembly?

A Yes, at both.

Q You started in to say that you met for the purpose to see if you could get them to agree to finish the work?

A Yes, to see if we could settle the differences.

Q You didn't mean to say that you could start the shop to work?

A No Sir, to settle the difficulties.

Q You tried to make some settlement by which you could set them to work?



A Yes Sir.

Q Did you ever order a strike in any instance?

A No Sir, and I didn't order this.

Q The strike was in progress there?

A Yes Sir.

Q Somebody ordered it?

A The Executive Board did.

QX District Assembly 9I did?

A Yes Sir.

Q You say you belong to the Local Assembly and that you attended the District Assembly and there you heard about Hartt's case and this strike, what did you hear in the District Assembly about Mr. Hartt?

A I heard that Hartt was going to take this place in Gardner & Estes' shops and that he would weed out the New York men and put others in their place.

Q I speak more particularly in regard to the action to be taken by the working men working there. Did you hear anything in District Assembly 9I in regard to whether they would work or not?

A I heard they wouldn't work with Hartt.

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Q Did you vote upon it in the District Assembly also?

A Yes Sir.

Q Whether such a strike was proper, that was the resolution or something of that character?

A I couldn't repeat the resolution.

Q Whether the strike should be continued or discontinued?

A Yes, as Mr. Gardner had made a lockout we decided we would declare a strike.

Q And the resolution came up that unless Hartt was discharged the strike would continue?

A Yes Sir.

Q Were you present at any of the meetings of the District Assembly?

A Yes Sir, at that time.

Q Did you vote in favor of it?

A I don't know.

Q Or against it?

A I don't know.

Q If you had voted against it you would have voted against it?

A My attention was called to it and I was told not to

vote because I was one of the Executive Board, who was going to take charge of the negotiation, Mr. McDonald I think, told me.

Q I understood you to say when you called on Mr. Gardner that you stated to him "we come to the conclusion that all the people under the jurisdiction of District Assembly 9I refuse to work with Mr. Hartt" was that the substance of the resolution voted on at the Assembly meeting?

A I suppose those were the instructions given to us which were to be carried out.

Q You are aware that District Assembly 9I had many people belonging to it that were not in the employ of Gardner & Estes?

A Yes Sir.

Q And you know it included practically every shoe-shop within fifty miles of District Assembly number 9I?

A No Sir.

Q Are you not aware of it now?

A No Sir.

Q Don't you know it does include every shop within

fifty miles?

A No Sir.

Q If there was a non-Union shop in that district you wouldn't know it?

A No Sir.

Q Do you remember an occasion when you were at Gardner and Estes' shop, when you met Mr. Gardner there in the early part of the strike or just before the strike and at or about the time of the investigation of Potter that Mr. Gardner said that Mr. Potter couldn't set any more shoes there?

A Yes Sir.

Q Do you remember anybody else saying there to Mr. Gardner that nobody else would be allowed to set shoes until Mr. Potter was permitted to?

A No Sir, I don't remember it.

Q Will you swear there was not such a thing said?

A No Sir, I don't remember.

Q Will you swear there was not such a thing said?

A No Sir, I don't remember it.

Q Is <sup>it</sup> not your best impression that something of that kind was said about Potter at the time Mr. Gardner

said that?

A I wouldn't swear there was or was not.

Q Is it not your best memory that somebody used that language at that time?

A I can't remember.

RE-DIRECT EXAMINATION by MR. POST.

Q During the early part of this strike what demand did the Committee make upon Mr. Gardner in reference to Mr. Potter, if any?

A They said if he was a guilty man he should be arrested and if an innocent man he should be reinstated.

Q At the end of this investigation between the two Committees did your Committee say anything to Mr. Gardner about the arrest of Mr. Potter?

A I believe our Committee met at the Astor House and had a subsequent meeting at the office of Mr. Kenny in College Place and we said, if Mr. Potter was a guilty man he should be arrested and if not, he should be reinstated and we said we would use our

best endeavors to have him in the City if they wanted him arrested, and Mr. Gardner said he had a warrant for his arrest at that time but he couldn't him.

Q Who said that to Mr. Gardner?

A John E. Gill.

Q When Mr. Potter was brought to the City wasn't it under a stipulation that he was not to be arrested?

A I don't know, I wasn't a member of the Committee at that time.

Q It might have been the case that such a stipulation was entered into before he returned to the City?

A I know at the Astor House we asked them that he shouldn't be arrested until the investigation was had.

Q Were you on the committee that investigated Potter with the employers' Committee?

A Yes Sir.

Q When was that?

A In January.

Q When did you go off that Committee?

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A About two weeks after.

Q You had nothing more to do with it?

A No Sir.

JAMES McDONALD, a witness called for the  
Defence, being sworn, testified as follows :-

DIRECT EXAMINATION by MR. POST.

Q Give your age, residence and occupation?

A I am a shoemaker and live and 293 East Broadway and  
I am 37 years of age.

Q Are you a Knight of Labor?

A Yes Sir.

Q Of District Assembly 91?

A Yes Sir.

Q Are you a member of the Executive Board of that  
District Assembly?

A No Sir.

Q Were you last year?

A Yes Sir.

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Q Up to what time?

A To about a week previous to the 1st of February.

QX Were you on the Executive Board that acted in the matter of the Gardner & Estes strike?

A Part of it.

Q What was the first you knew of it?

A The shop meeting was called and they had a grievance; they said that Hartt was driving Union men out of the place and putting non-Union men in their places, it was then referred to the Local to which the men in the shop are attached and referred from there to the District Assembly and from the District Assembly to us.

Q What did you do on it being referred to your Executive Board?

A We heard the grievance and were ordered by the District Assembly to see Mr. Gardner.

Q What did you tell him?

A We said we were very sorry but we had a message to convey and we hoped he wouldn't blame us for it.

Q What did he say?



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A We told him that none of the members of District Assembly number 9I would go to work unless he discharges Hartt, Fuller and ~~Waxley~~ Wormley and re-employed Potter.

Q It didn't make any difference to you personally if they were discharged?

A No Sir.

Q From whom did this proposition originally come to you?

A From the shop's crew.

Q Was anything said about Mr. Potter to Mr. Gardner?

A Yes, before the second strike was ordered, which was considered the principal strike Mr. Gardner brought these grievances against Mr. Potter and he was willing to leave it to us ~~the~~ as the Executive Board of District Assembly 9I to try the case and said he would abide by our decision. We spent seven hours trying the case and we found the man innocent and Mr. Gardner broke his word with us and immediately discharged the man.

Q Was there a joint meeting between your Committee and the bosses' Committee?

A There was.

Q There was a joint Committee meeting then?

A ~~Yes~~ Yes, we met Mr. Gardner first, the Committee of bosses wasn't with us then.

Q The joint Committee that tried Potter met subsequently?

A Yes Sir.

Q Were you on that Committee?

A Yes Sir.

Q In connection in demanding Mr. Potter's reinstatement did you say anything in regard to arresting him?

A We informed the employers and also Mr. Gardner that we as men had to protect ourselves and under no circumstances did we want to associate with a thief and if he was guilty he should be arrested and should be punished.

Q When was that?

A The day we held the investigation in Mr. Gardner's office previous to the employers coming in as a joint Committee then and the same thing was said in the Astor House.

Q Was any attempt made to prevent him from being arrested?

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A None except in the testimony Mr. Gardner himself gave.

Q Did Mr. Gardner say anything about not being able to find him?

A He said in the Astor House when some of the employers said how could he be arrested if he skipped and I said we told Mr. Gardner that we were in communication with him and that we would have him here in twelve hours notice.

Q Did you know where Potter lived?

A Yes Sir.

Q Did you know whether he had changed his residence?

A No Sir, and he has not up until to-day.

Q He lives in the same place that he did when he worked for Mr. Gardner?

A Yes Sir.

Q Did you attend any meetings of the shop's crew?

A Previous to that I used to attend the meetings of the Committee because I was a member of Gardner's shop.

Q Did you belong there at the time of the strike?

A No Sir, I was out of the shop for several weeks

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then on business of my own and on District business

Q You weren't there at the time of the trouble and personally don't know anything about it?

A No Sir.

Q Was it communicated to the Committee or the shop's crew?

A The shop's crew notifies the different Locals to which they belong and it is referred to the District after that.

Q Were you in communication with the shop's crew either through the Local or otherwise?

A No Sir, I didn't work in the shop for three weeks before the trouble.

Q You ~~were~~<sup>as</sup> a member of the Executive Committee didn't report that to the District Assembly?

A Yes, we had to report everything.

Q Did you have any communication with the shop's crew directly or indirectly?

A No Sir.

Q How was the matter referred to the shop's crew - the result of the investigation. You didn't see

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the shop's crew during the time you were arbitrating it?

A No Sir.

Q Did you communicate to the District Assembly ?

A We don't carry any communications, the Locals did.

Q From the Locals, did you get any information back again?

A Yes, to the delegates.

Q In the District Assembly?

A Yes Sir.

Q How did the delegates get the information?

A Through meeting together and hearing the different reports coming from the minor board.

Q Weren't you a member of the Executive Committee?

A Yes Sir.

Q Wasn't that a minor Board?

A I consider the shop's crew and the different Locals were, we were only messengers.

Q And as messengers did you report what you did?

A Yes Sir.

Q To whom?

A To the District Assembly.

Q Was that communicated to the Locals?

A Yes Sir.

CROSS-EXAMINATION by MR. PHILIPS.

Q Were you present at the meeting of the District Assembly that voted upon the resolution in regard to Mr. Hartt?

A Yes Sir.

Q Did you vote on that resolution?

A No Sir.

Q Do you know whether there were any dissenting votes to it?

A Yes some.

Q But the majority vote controlled.

A In important cases like that, it requires two-thirds vote.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

GEORGE THOMAS WORLEY, one of the defendants. being duly sworn, testified as follows :-

DIRECT EXAMINATION by MR. POST.

Q Give your age, residence and occupation?

A I am thirty six years of age, and live at 349 E.  
61st Street and am a shoemaker.

Q Are you a member of the Executive Board of District  
Assembly number 91?

A Yes, of the present Board.

Q Were you of the last?

A Towards the end.

Q Were you a member of the one immediately the one of  
which you are a member now?

A Yes Sir.

Q How long was that Board in office?

A About three weeks.

Q Were you a member of the one immediately preceding  
that one?

A No Sir.

Q When did you first go on the Executive Board?

A Sometime in January.

Q Had this lockout or strike taken place at Gardner  
& Estes then?

A Yes Sir.

Q So that you had nothing to do with the beginning of it?

A No Sir.

Q What was the condition of it when you became a member of the Executive Board?

A The shop's crew were on a strike.

Q How long had they been out?

A I think three weeks.

Q Were you one of the Committee that made the investigation as to Mr. Potter?

A No Sir.

Q Were you one of the Committee that sat generally with the Committee at the Astor House?

A No Sir.

Q But you were a member of the Committee that made the final arbitration?

A Yes Sir.

Q Were you on a Committee or present at any time when anything was said about the arrest of Potter?

A I heard Mr. Gill say something regarding Potter but what it was I don't know.



Q When was that?

A It must have been the first time I met in Mr. Gardner's office.

Q Was it near the end of the strike?

A It had been in progress six weeks.

Q You were present at the final settlement?

A Yes Sir.

Q State what happened there?

A I was one of a Committee of three to meet the employers Committee of three. Mr. Foster, Mr. Gill and myself were on our Committee, and Cousins, Mr. Garside and Mr. Mears was the Committee of the manufacturers. We met for the purpose of investigating the Potter case. We investigated the case for two days and on Saturday morning we met again and we both had stenographer's notes and we went over them. Then we took a vote and ~~then~~ the vote was guilty, two, not guilty, four. One of the bosses voting with our Committee. After that it got down to how the factory would be set to work and then they would fall back on the original condition made by the previous Committee and which suggestions from

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both parties that Mr. Waldron and Mr. Fuller should go to work and Mr. Gardner should have the exclusive right to hire and discharge and Mr. Hartt should be kept and we should keep Mr. Potter out. Then the draft was drawn up by, I think Mr. Mears, and it was referred to Mr. Gardner to see if he would agree to the settlement and Mr. Gardner said he was entirely in the hands of the manufacturers' Committee and whatever settlement they made he would abide by it. It was about 11.30 in the morning and they weren't quite satisfied and they adjourned until one o'clock and they weren't then prepared to make a settlement. They stated they would call the manufacturers together for a special meeting which would take place on Monday and we agreed to meet them at <sup>3</sup> 2 o'clock Monday for the final answer. I didn't meet with them on that occasion but Mr. Gill and Mr. Foster were there. That is all I had in connection to do with it.

Q When did you have any further knowledge in the matter, was the compromise concluded in your presence?

A Yes, and I had no knowledge of it until the Friday

after when it was reported from my District Assembly and the men had gone to work.

Q You had no ~~xxxxxx~~ conference with the shop's crew?

A No Sir.

Q Or the District Assembly?

Q No Sir.

Q Did the draft include all Exhibit "A."?

A To the best of my knowledge that is the draft composed by all parties.

Q What about the concluding clause, did they agree upon that, both of them?

A Mr. Mears suggested that. He stated that Mr. Hartt being engaged by Mr. Gardner for twelve months and whether he was in his employ or not, he'd have to be paid and, to prevent any legal proceedings, Mr. Mears suggested that the words "lay off" should stand in place of the word "discharged," so that Mr. Hartt shouldn't take proceedings against Mr. Gardner.

Q Had you any power or authority to settle that difficulty and consent to the retention of Hartt?

A No Sir, none whatever.

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Q Could you have effected a compromise if you had agreed to retain Hartt?

A No Sir, because Mr. Hartt was accused of being an old time scab and the men wouldn't work with him.

Q Were they all Union men in the shop?

A To the best of my knowledge they were.

CROSS-EXAMINATION by MR. PHILIPS.

Q Mr. Worley, when you stated that Mr. Mears asked that the words "laid off" be used instead of the word "discharged", at whose suggestion was that Post Script put there?

A I wasn't there.

Q You don't mean to say that Mr. Mears suggested the Post Script to it?

A I merely meant to say what Mr. Mears said when I was present.

Q You wanted Mr. Hartt discharged?

A That was the original proposition.

Q They wanted Mr. Hartt to be discharged?

A Yes Sir.

**POOR QUALITY  
ORIGINAL**

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Q The original proposition was to have Hartt discharged?

A Yes Sir.

Q In the agreement itself Mr. Mears wanted the words "laid off" instead of the word "discharged"?

A He said that.

Q And the word "discharged" was put there afterwards?

A I wasn't there then.

Q How long have you been a member of the order?

A About one year and eleven months and for nearly nineteen years I have been connected with labor organizations.

Q How long have you been a member of the Executive Board?

A About twelve months.

Q Were you a member of it in September?

A No Sir.

Q You came in after McDonald and Campbell?

A No Sir, they served the first term about two or three weeks.

Q And you and Mr. Foster took their places?

A No Sir.

Q Were you present at the meeting of the District Assembly where a vote was taken about Hartt?

A Yes Sir.

Q You heard the result of it?

A Yes Sir.

Q There were some dissenting votes but not enough to carry it?

A Yes, about three.

Q Did you vote?

A Yes Sir.

Q In the affirmative?

A In the affirmative, as I should always do.

Q What shop did you work in at that time?

A In Mr. McKay's.

Q You weren't in the employ of Gardner & Estes then?

A No Sir, I am a custom shoemaker and don't work in factories.

Q You were employed by Gardner & Estes?

A No Sir.

Q You have a shop of your own?

A No Sir, I take the material out of the shop and make what the customer wants and if he wants three

pair I put them right through.

Q You said that Mr. Potter always lived in the same place?

A I never spoke of that.

Q Do you know whether he is working in Philadelphia?

A I believe he was at the time of the investigation.

Q Has he ever worked in the City since?

A I don't know.

Q You speak about the vote on Potter being four not guilty and two guilty, wasn't the votes scratched and changed?

A Yes Sir.

Q How did the votes stand as corrected?

A Three to three.

Q All the manufacturers' Committee voting one way and your Committee the other?

A Yes, the one when his signature was discovered, voting the other way.

Q Do you know that Potter came back during the investigation?

A Yes Sir.

Q Was it stipulated as the condition of his coming

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back by your Committee or your Association that he  
was <sup>not</sup> to be arrested?

A Certainly not.

Q Nothing of the kind?

A No Sir, the man was there two days.

Q If it was testified to that such a stipulation was  
made it was untrue if it was made by your Associa-  
t<sup>ns</sup>?

A It was not to my knowledge.

Q If they did, it was untrue?

A What they did I am not accountable for.

Q You have no knowledge of any such stipulation?

A No Sir.

Q Do you know that Mr. Gill demanded a written letter  
from Mr. Gardner that he wouldn't arrest him if he  
came back?

A I have no knowledge of any such communication.

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JOHN FOSTER, one of the defendants being  
duly sworn, testifies as follows :-



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DIRECT EXAMINATION by MR. POST.

Q Give your age, residence and occupation?

A I reside at 141 Gwynatt Street, Brooklyn, E. D., I am 39 years of age and am a shoe maker.

Q Are you a member of District Assembly 91, Knights of Labor?

A Yes Sir.

Q A member of the Executive Board?

A Yes Sir, since the middle of January this year.

Q You had no connection with Gardner & Estes until then?

A No Sir.

Q What was your first connection then?

A Meeting a Committee of the bosses Union to investigate, charges against Potter.

Q What was the result of it?

A The first vote was four not guilty and two guilty, and it was afterwards changed to three to three. It was a question as to the honesty of Potter while in Gardner & Estes shop. There was a second ballot taken and Mr. Cousins withdrew his ballot and voted guilty, he was one of the employers Committee.

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Q Was anything more done at that meeting?

A There was a conference then between the houses and this agreement, Exhibit "A." was drawn up.

Q Was the Post Script on it when it was first agreed to?

A No Sir.

Q Were you present when it was finally signed?

A I was.

Q Was anything said at the times you were there about arresting Potter?

A There was a remark made in Potter's shop after the investigation, it was said that Mr. Potter would be in the City for twelve hours, I didn't hear anything about his being arrested.

Q You don't belong to Gardner's factory?

A No Sir.

Q And the matter was already in the hands of the Executive Committee when you became a member of it?

A Yes Sir.

Q Was your information of what had preceded got from the Local Assembly or from the District Assembly?

A From the District Assembly.

Q Was there a head of the Committee?

A Mr. Gill was, I believe.

Q Were reports made through the chairman or through somebody else?

AN Through Mr. Gill, the Secretary.

Q Outside of the meetings of the Executive Committee, if any messenger work is to be done or any report to be carried <sup>who</sup> would ~~any~~ arrange for a meeting or who would make the arrangement?

A The whole Committee?

Q Always would?

NA No Sir, they would make the arrangement.

Q When the whole Committee didn't come together who did that work?

A I don't understand you.

Q Did the Committee appoint any <sup>sub-</sup>Committees to do any part of the work?

A Yes Sir.

Q Did they appoint members of the Committee to go around places and confer with members?

A Yes Sir.

Q What members were appointed or sub-committees?

A Mr. Gill, Mr. Worley and I were appointed on the Sub-Committee to meet the Boss Committee.

Q Any other such Committees?

A Yes, in several minor cases.

Q Were there any sub-Committees of one?

A No Sir, except ~~as~~ to convey a message to Mr. Gardner to notify him that a Committee had been appointed.

Q At the time you were <sup>not</sup> on the Board you don't know anything about it?

A No Sir.

Q Do you know of anybody on the Board having a conference with the Local or shop's crew or a Committee of the shop's crew?

A I never did and I don't know anybody else that did.

Q It might have been done?

A Yes, it could have been done.

CROSS-EXAMINATION by MR. PHILIPS.

Q This meeting at which the conversation in regard to Mr. Potter was had, what time was it?

A I don't remember.

Q Where was it?

A At Mr. Gardner's shop.

Q Who was present then?

A Worley, Gill and I.

Q That was before the manufacturer had investigated it?

A It was after but I don't remember the date.

Q Was it in February?

A I don't know.

Q Was this a joint meeting that was held at Mr. Gardner's where this was said?

AM It was said in my presence and Gill and Worley were there.

Q Did you hear Gill say anything about Potter?

A Yes Sir, we were going out of the office at the time  
EX and I didn't pay much attention at the time to what was said.

Q Was that in the afternoon?

A It was at the end of the conference, I couldn't say when.

Q In whose shop do you work?

A At Coffin's.

Q Did you at the time of the strike?

A No Sir.

Q Were you ever employed at Gardner & Estes?

A No Sir.

Q Did you attend a meeting of the District Assembly  
when  
~~xxxxx~~ the resolution in regard to Hartt was passed?

A No Sir.

Q You afterwards heard what had taken place?

A No Sir.

Q You didn't hear that they had instructed you to  
take charge of the Hartt matter?

A Yes, I learned it after the meeting.

Q Didn't you learn of the resolution that had been  
passed there?

A I did.

Q Then you did know what action the District Assembly  
took?

A I was informed by the Secretary of the Executive  
Board what work we had to do.

Q Were you present when Exhibit "A." was signed in  
Church Street?

A Yes.

Q Is that the agreement?

(Showing witness Exhibit "A.")

AM Yes Sir, to the best of my knowledge.

Q Do you remember having a conversation with Mr. Coffin, in regard to Hartt?

A I don't remember any such conversation.

Q Do you remember a few days after Hartt was discharged and the strike occurred in Baltimore, having any conversation with Mr. Coffin?

A No Sir.

Q You are sure you didn't have any?

A Not to my knowledge.

Q Are you positive you didn't have any conversation with Mr. Coffin about Hartt since the strike in Baltimore?

A Not to my knowledge.

Q You would remember it if you had?

A I might and I might not.

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PATRICK McBRIDE, a witness for the Defence, being duly sworn, testified as follows :-

DIRECT EXAMINATION by MR. POST.

Q Give your age, residence and occupation?

A I live at 187 Liberty Street, I am a shoemaker and 67 years of age and I have worked at the trade since 1838.

Q Did you ever hear people in the trade talking about Mr. Hartt?

A I first heard of him, I think, in 1876.

Q Do you know anything yourself in regard to him, in the trade?

A No Sir. I never spoke to him and wouldn't work in the same shop with him in any capacity.

Q Did you ever work in Mr. Hannan's shop?

A Yes, the last time was the 12th of January, 1876.

Q Was there a strike there then?

A Yes.

Q Did Hartt have anything to do with that, if you know?



A I don't know. He was working there when the rest of us refused to work. There was a change of system and Hartt was one of five brought here from Boston to engineer the new machinery and to learn the employees how to use it. We refused to have anything to do with him it as it would reduce our wages.

Q He came here just before the strike?

A Yes .

Q When was Mr. Hartt brought to that shop?

A Just about that time.

Q Did he go out on a strike?

A No Sir, he remained there and got other men to work at the system.

Q Do you know of any strike at which Hartt was connected?

A No Sir.

Q That is all you know of it?

A Yes Sir.

Q All that you know about Hartt is his reputation in trade?

A Yes Sir.

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CROSS-EXAMINATION by MR. PHILIPS.

Q What order do you belong to?

A Number 105 Knights of St Crispin, I joined it in 1857 or 1858.

Q In 1876 had Mr. Hannan introduced steam power in his factory?

A Yes Sir.

Q Prior to that it was hand power?

A Yes Sir.

Q Was the introduction of steam power a violation of your By-Laws?

A No Sir.

Q Mr. Hartt declined to become a member of your organization?

A So I heard.

Q Were you present when Mr. Hartt addressed the men and stated that he was there as an instructor to teach them how they made shoes down East?

A No Sir.

Q You said there was a great deal of talk about Hartt in 1876 and since that time you said there was a

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great deal of talk about him?

A Yes, I believe so and I talked about him a great deal him myself though I believe it is dangerous to say that before him.

Q You said the system he was introducing here reduced your wages? ~~from~~

A Yes Sir.

Q Didn't that consideration enter into your objection to Mr. Hartt? under the new system?

A Yes Sir.

Q

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FRANK D. HENNING, of 309 West 13th Street,  
a shoemaker, being now testified as follows :-

DIRECT EXAMINATION by MR. POST.

Q You work at Gardner & Estes' factory?

A Yes Sir.

Q With the exception of the strike you worked there during the Fall and Winter?

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A Yes Sir.

Q Do you remember any trouble when Mr. Hartt came there?

A Yes, in fact there was trouble before <sup>he</sup> ~~he~~ came there, and there was a meeting of the shop's crew called and I believe then the matter was laid over.

Q Then did you communicate with Mr. Gardner?

A Yes Sir.

Q You weren't a member of the Committee but I was present at the time that the reply was read. And they laid the matter on the table for a month or two, I know it was at one time laid over for a month and again laid over two months.

Q What is the objection the shop's crew had to Hartt?

A He was a scab, a disorganizer and always trying to cut down wages.

Q After you laid it over the second time some trouble arose?

A Yes, it was claimed that Mr. Potter was dishonest and he was discharged by Mr. Hartt, I believe and Mr. William Gardner. Mr. Hubert Gardner wasn't

was in the City.

Q What did you do?

A We held a meeting and refused to work unless Potter was reinstated and an apology offered.

Q Was anything said about arresting him?

A I believe there were twenty four hours to arrest him.

Q You weren't on the Committee and personally don't know what was done?

A No, but I know he was reinstated.

Q Was there any more trouble until January in regard to Mr. Hartt?

A I can't tell the dates but I know that Mr. Gardner returned and I heard him tell Potter the season was over and he had no fur her use for his services.

Q Were any others laid off then?

A It was what we term a lockout.

Q At that moment, I mean?

A No Sir, only Potter.

Q Did you take action on that?

A Yes, a Committee was appointed to wait on the firm. I wasn't on the Committee and personally don't know

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what was done.

Q When that Committee reported what did the shop do?

A They went to work because Potter was reinstated.

Q Was he reinstated a second time?

A We worked on but I don't believe they could employ a man to work on Potter's machine and a day or two after that Mr. Hartt came over to the workmen and asked for their addresses and would send for them when he wanted them. There was plenty of work on the floor at the time, we called a meeting of the shop's crew, we reported to our District and the officers of the District came up and consulted with us, it was looked upon as a lock out and for our protection, they put a strike at the shop.

Q You communicated with your Locals?

A Yes Sir.

Q What is a lockout?

A There are different kinds, this was a kind of a star chamber business that Hartt did and we couldn't get our support from our District, it would prevent us from obtaining any aid from the Association.

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Q Did the shop's crew at the time have anything to say about Hartt's being retained at the time of the compromise I mean.

A They refused to work under him if they strike was declared off.

Q No compromise could be affected by his being retained?

A No Sir.

Q And that was done by the crew itself?

A Yes Sir.

CROSS-EXAMINATION by MR. REELIES PHILIPS.

Q Did you attend a meeting of the shop's crew when they desired ~~me~~ to pass upon the question as to whether or not they should work, did they take a vote?

A Yes Sir.

Q Does a majority vote carry there?

A Yes Sir.

Q In regard to this question Hartt, were you present on that occasion?

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A Yes Sir.

Q Were there both sides to the question, some dissenting votes?

A Every vote in the house was against him.

Q Were all the members of the shop's crew there that day?

A I think not, there were a few absent.

Q Did you have any knowledge of any case where Mr. Hartt lowered wages or instituted proceedings to lower them?

A I can't answer that.

Q Of your own knowledge you don't know?

A I don't know.

Q Do you remember saying to Mr. Hartt in Gardner's shop that you in substance, approved of Mr. Hartt's action but that the men were opposed to it?

A I say a great many things to a scab.

Q Did you say that?

A I don't recollect I did.

Q If you did say it then you didn't mean it - it was as a decoy?

A As a matter of diplomacy to draw him out I might



have said it.

REYDIRECT EXAMINATION by MR. POST.

Q Why did the shop object to Mr. Hartt in the first place?

A Because he was a man who had the reputation of cutting down wages, increasing hours and disorganizing the men.

Q Do you know whether the Executive Committee of ~~xxxxxx~~ District Assembly 91 came to the shop's crew with the proposed terms?

A I was there, Yes.

Q Was it in writing?

A Yes Sir.

Q Do you know whether that was it?

(Showing witness Exhibit "A.")

A I don't remember seeing anything like the word "discharge" in it, the word "laid off" I do.

Q Do you remember anything being said about the word "discharged"?

A I believe Mr. Gill said something to me about

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Hartt going to be laid off.

Q You don't know anything about the word "discharge"?

A I am sure that was not there. I recollect the words "laid off".

Q Do you remember whether the Post Script was on it at the time?

A I don't remember that.

RE-CROSS EXAMINATION by MR. PHILIPS.

Q Who brought that written proposition into the shop?

A I couldn't say who, but I could say who I seen it with.

Q Was there any meeting in session when it was brought?

A No Sir.

Q Was there a session of the shop's crew at the time it was brought?

A No Sir, I can't recollect.

Q It was not brought to your knowledge by somebody telling you about it?

A I don't know how it was brought, & know how it was conveyed to me.

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Q Who conveyed it to you?

A Mr. Gill.

Q Was anybody with you at the time or was any body with him at the time?

A I seen him and went over and spoke to him.

Q While Mr. Hartt was employed in Gardner and Estes' did you receive an advance in your wages or compensation?

A Yes Sir.

RE-DIRECT EXAMINATION by MR. POST.

Q What advance was it?

A The benefit never came under Mr. Hartt's management. Mr. Gardner was going on the road and he ~~xxxxxx~~ engaged me for another year and he offered me a quarter of a cent on woman's, I was getting two twenty five and I got two and a half.

Q When was that?

A It dated from the 1st of January.

Q When did Mr. Hartt come there?

A In September, 1880.

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Q And this contract you made was made in December for the January following?

A Yes Sir.

RE-CROSS EXAMINATION by MR. PHILIPS.

Q What do you mean to say when you say that that advance wasn't derived under Mr. Hartt?

A Mr. Hartt wasn't present when the advance in those wages was made and Mr. Gardner sent for me personally and it was made through Mr. Gardner a member of the firm.

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JAMES POWERS, a witness for the Defence, being duly sworn, testified as follows :-

DIRECT EXAMINATION by MR. POST.

Q Give us your age occupation and your residence?

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A I am 25 years old, a shoemaker and live at Pearl Street, this City.

Q Employed where?

A At Gardner & Estes.

Q How long have you been there?

A In the neighborhood of two years.

Q Were you there when Hartt came there as foreman?

A Yes Sir.

Q Did the shop's crew take action to him either when he came there or before that?

A Yes, about two weeks before he came there.

Q When they heard ~~that~~ he was coming there?

A Yes. I believe they sent word to Mr. Gardner and appointed a Committee of three.

Q Were you on that Committee?

A No Sir.

Q When the Committee reported back what was done?

A Mr. Gardner said it was not right on account of him hiring Hartt for a year to chase him from work.

Q What did the crew do?

A They put it off for a month to give Hartt a chance, to see what he would do, I believe.

Q What do you mean by believe, do you know?

A Yes, I know that. It was taken up again and put off for two months longer.

Q Prior to the expiration of the two months did any trouble arise in the shop?

A Mr. Potter was discharged for theft as they claimed it. A Committee of the shop's crew, of which I was a member, waited on Mr. Hartt and Mr. William Gardner and asked them if they had discharged Potter. They said both of them did and we asked what for and they said they thought he had been doing wrong. We asked them to prove it and if he was a thief we didn't want him there and we wanted him persecuted and we gave them twenty-four hours to do that. They reinstated him unconditionally. We waited until Mr. Gardner came home from the road. Then Mr. Potter was discharged. Then a Committee waited on Mr. Gardner. I was one of the Committee and we asked him about Mr. Potter. He wouldn't say that Mr. Potter stole but he thought he did wrong. We asked Mr. Gardner if he thought the man was innocent would he reinstate him and he said he wouldn't for two or three seasons. Mr. Potter was gone and Mr. Gardner

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asked us to refer it to the Executive Committee of District Assembly 91 of the Knights of Labor. They waited on Mr. Gardner and I don't know what conclusion they came to and they left word that nobody would set edges but Potter. We worked two or three days without some edge setter and Mr. Hartt then came and took the address of each and every man in the place and he said he would send for them when he wanted them. We were about to be locked out. He said we had nothing to do and the next day the shop was declared on strike but it was after we were locked out.

Q Do you remember hearing anything said about arresting him or about reinstating him to the Senior Gardner?

A Nothing. Mr. asked me where Potter was and I said I thought he would be around in a day or two, but Potter did not come around.

Q Do you know where he lives?

A Somewhere's near Philadelphia and he has lived there all the time.

Q Was he working here then?

A Yes.

Q Look at "Exhibit A" of this date and say whether it was ever brought to your attention during the strike?

A Yes, I seen that during the shop's meeting. We heard when the Executive Board brought it up.

Q Was the Post Script on it then?

AE Yes Sir.

Q Had it all been signed?

A I don't know about it being exactly the words "laid off" when it came before the shop's crew and the shop's crew didn't know the meaning of it and asked what it meant and we told them then we wanted to know whether it meant to lay off or discharged and as they wouldn't work under him.

Q Who said that?

A The crew, they said they would not accept any compromise excepting the man Hartt was discharged.

CROSS-EXAMINATION by MR. PHILIPS.

Q You were present at that meeting yourself?



A Yes Sir.

Q You have seen the Executive Committee yourself?

A Yes Sir.

Q It was composed of Gill, Campbell and McDonald?

A Some of them. I don't remember them all.

Q The parties who were representing you were present at the shop's meeting?

A Yes Sir.

Q Did they make any report?

A Just as I was going back to work on the 22nd and we had a vote on that and some did not.

Q Do you remember how many of the Executive Committee addressed the meeting?

A I don't remember.

Q The Executive Committee were there with this paper?

A Yes Sir.

Q That meeting was held there?

A At Caledonian Hall, 8 and 10 Horatio Street.

Q Do you remember the date?

A It was Saturday or Monday, February 21st, I think.

Q Your meeting was held after that paper was signed?

A We held one meeting, it was our last meeting and we

came there to see if there had been a settlement to see if we were to go to work and we wouldn't go to work unless the words "laid off" meant "discharged".

Q You met once a week - was Monday night meeting night?

A It depended when we got the cash.

Q When was the next preceding meeting before that - was there any meeting between that meeting and this meeting of the shop's crew?

A I don't understand you.

Q How long did the session last?

A Until half past six.

Q You said Mr. Gardner said something about Potter - do you remember Mr. Gardner asking you to produce him?

A Yes Sir.

Q For the purpose of arresting him?

A He didn't say that.

Q You inferred from that, that he desired to arrest him?

A No Sir.

Q Did you produce him?

A I didn't see him.

Q Wasn't it stated that Potter could be produced at any time if he wanted?

Q I might have said that.

Q You say the shop's crew in the conversation Mr. Gardner had with them or your Committee that he requested you not to chase Hartt any further but to wait - what reply did you make to that?

A I wasn't on the Committee?

Q Did you see that Committee?

A No Sir.

Q When you were testifying to that you were testifying to the report of a Committee?

AQ Yes Sir.

Q Did the Committee state what reply they made to Mr. Gardner when Mr. Gardner said it was not fair to chase the man?

A I couldn't say.

Q In regard to this investigating Committee or the Executive Committee of District Assembly 91, didn't

that Committee ask Mr. Gardner if he would consent to leave it to the Committee?

A Yes, the Executive Committee.

Q Mr. Gardner didn't make that request did he?

A Yes Sir.

Q Himself?

A Yes Sir.

Q Is it a fact that the request was made by yourself - or by some of the members of the Committee, asking him if he would consent to it?

A Yes Sir.

Q This is when Mr. Dullea asked him if he would consent to let it go to the Committee?

A No Sir, he suggested that it go to the Executive Board himself.

Q Did it come from Mr. Gardner first?

A Yes Sir.

Q While Mr. Gardner was away did you order the shop to quit work at four o'clock and change the hour?

A Yes Sir.

Q Did you change the hour for the time of payment on

Saturday making it an earlier hour?

A I didn't change it.

Q Did you give such an order in regard to it?

A I asked it.

Q Did you order the men to stop at a certain hour?

A I did.

Q Did you tell Mr. Hartt to pay them at a certain hour?

A I did.

Q

RE-DIRECT EXAMINATION by MR. POST.

Q When you and Mr. Dullea went to Mr. Gardner, who did the talking?

A Mr. Dullea.

Q What was the objection on the part of the crew to Mr. Hartt in the first instance?

A They knew him to be a scab and they didn't think it was right to work with him on account of him doing some of his funny work there, dropping Union men when he could!

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HUBERT GARDNER, a witness for the People,  
recalled by

MR. PHILIPS.

Q It has been testified here that Mr. Potter when he came back to this City at the time of the investigation, that you were told that he would be in the City, for twelve hours and you could arrest him if you wanted to?

A There was nothing of the kind said. There was a Committee of the shoe manufacturers who met a Committee of the Knights of Labor and Mr. Gill demanded a letter from Mr. Garside and Mr. Garside asked me for such a letter and I wrote it and Mr. Garside said he gave such a letter.

Q After this assurance was given Mr. Gill stated that he said he would hold Potter here twelve hours?

A Nothing of the kind was said. I used all diligence to have Potter arrested, I have asked Mr. Powers where he was and I wanted him to produce him.

**CROSS-EXAMINATION by MR. POST.**

Q How long did Potter work for you?

A About three years.

Q Was he a good workman?

A Yes; fair.

Q That was the first time you knew of any charge against him?

A Yes Sir.

Q Did you know where he lived at that time?

A Yes, outside of Philadelphia, in New Jersey.

Q You had known that some time?

A Yes.

Q Did you get a warrant for him?

A No Sir. My lawyer and I applied for one and there was no Judge sitting and I left my lawyer with the understanding that I would go and try to get Mr. Powers produce him. At 9 o'clock he said he would let me know in an hour. That was two or three days after the strike.

Q Did you know where he was working?

A I don't know. - I understood he was outside of the City.

Q You made no effort to arrest him out of the State?

A No. I asked my lawyer what means I could resort to get him out of the State and I left the matter with the understanding to ascertain where I could find him. I was to furnish myself the means to arrest him.

Q You never made any effort to get him out of the State?

A No Sir.

Q You don't know Mr. Potter's place now?

A Yes, he was employed in Fredman's.

Q When did you find that out?

A Probably a month or two ago.

Q Had any person with his present employer directly or indirectly told you about him?

A No Sir.

Q When you first discharged him you knew he was around the City?

A No Sir.

Q Didn't you?



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A No Sir; I understood he was out of the City.

Q Gone out immediately on his being discharged?

A Yes Sir.

Q Didn't you know he was about?

A No Sir.

FINISHED.

POOR QUALITY  
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BAILED.  
No. 1 by John E. Grier  
Reside enter 300 East 31<sup>st</sup> Street.  
1. 2 by Henry W. Wood  
Residence 413 Street.  
3. 4 by Rein  
Residence 413 Street.  
5. 6 by Rein  
Residence 413 Street.

# 135 Police Order 16/15  
Police Court 1 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John M. Stanway

John E. Grier

John Foster

Frederick Brunbauer

Offence Conspiracy

Dated March 24 1887

Smith Magistrate

Officer

Precinct

Witnesses

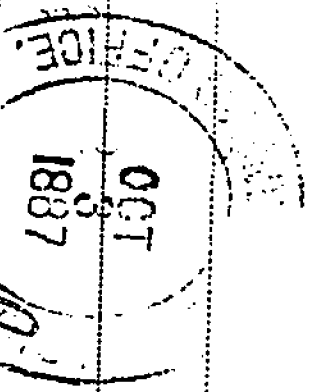
No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. 500 Street.

No. 100 Street.



Charles S. S. S.

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named John E. Grier John Foster and Frederick Brunbauer guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated April 29 1887 Solon B. Smith Police Justice.

I have admitted the above-named John Foster and Frederick Brunbauer to bail to answer by the undertaking hereto annexed.

Dated May 13 1887 Solon B. Smith Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.

Dated \_\_\_\_\_ 1887 \_\_\_\_\_ Police Justice.

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Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*John E. Figg, John Foster,  
and Frederick Brundage*

The Grand Jury of the City and County of New York, by this indictment, accuse

*John E. Figg, John Foster and Fred-  
erick Brundage*

of the CRIME of *Conspiracy,*—

committed as follows:

The said

*John E. Figg, John Foster, and  
Frederick Brundage, all*

late of the *Third* Ward of the City of New York, in the County of New York afore-  
said, on the *Tenth* day of *March*, in the year of our Lord  
one thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,

*together with divers other persons whose  
names are to the Grand Jury aforesaid  
unknown, did unlawfully conspire, for  
force, threats and intimidation, to prevent  
John H. Hanson and James Hanson,  
co-partners, then and there carrying on the  
lawful trade and calling of labor and  
shoe manufacturing, from working and  
exercising their said lawful trade and  
calling.*

*And the said John E. Figg, John Foster  
and Frederick Brundage, together with  
the said other persons, in pursuance and  
furtherance of, and according to the said  
conspiracy, afterwards, to wit: on the day*

and in the year of aforesaid, at the Ward, City  
and County of aforesaid, did unlawfully threaten  
the said John H. Hanan and James  
Hanan, that they would cause and procure  
enough and persuade a large number of  
persons, to wit: one hundred and upwards,  
then in the employ of the said John H. Hanan  
and James Hanan, to quit their employment,  
without any sufficient cause, and without  
any notice or warning to the said John H.  
Hanan and James Hanan, quit their work,  
and to cease to do and perform the labor and  
duties of their employment, and thereby to  
greatly harass, annoy and disturb the  
said John H. Hanan and James Hanan  
in the use and exercise of their said trade  
and calling, unless the said John H. Hanan  
and James Hanan would dismiss from  
their employ, and without any sufficient cause  
and for no proper or just reason, and against  
their own good judgment and desire, one  
William Drummond then in their employ.

And the said John E. Hyde, John Foster,  
and Frederick Brumbauer, together with  
the said other persons, in further pursuance  
and furtherance of, and according to the  
said conspiracy, aforesaid, to wit: on the  
day and in the year of aforesaid, at the Ward,  
City and County of aforesaid, did unlawfully  
intimidate the said John H. Hanan and

James Stanton, and then and there, by  
means of the threats aforesaid, by direct  
and indirect means, by stratagems  
and devices, and by other means, unlawfully  
coerce, constrain and compel the said John  
St. Stanton and James Stanton, against  
their own good judgment and desire,  
for no cause or for reason, and for no  
right or sufficient cause, to discharge and  
dismiss the said William B. Mumford  
from their employ, to wit: for the better  
carrying on the said conspiracy into  
effect and execution, against the form  
of the Statute in such case made and  
provided, and against the peace of the  
People of the State of New York, and  
their dignity.

Second COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said

John R. Figg, John Foster and  
Fredonia Brundage  
of the CRIME of Conspiracy,—

committed as follows:

The said John R. Figg, John Foster and  
Fredonia Brundage, all—

Ward,  
late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,  
Ward,  
at the City and County aforesaid, together with divers other  
persons whose names are to the Grand  
Jury aforesaid unknown, did unlawfully  
conspire to commit an act injurious to  
the trade, to wit: to coerce, compel and  
constrain John H. Starnes and James  
Starnes, partners, then and there carrying  
on business as boot and shoe manufacturers,  
against their own good judgment and  
desire, for no proper or right reason, and  
without any just or sufficient cause, to  
discharge and dismiss from their employ  
one William Dunning, who was then  
employed by them as a workman in  
their said business.

James Hanan, and then and there, by  
means of the threats aforesaid, by indirect  
and indirect means, by stratagems  
and devices, and by other means, unlawfully  
coerce, constrain and compel the said John  
H. Hanan and James Hanan, against  
their own good judgment and desire,  
for no proper or just reason, and for no  
just or sufficient cause, to discharge and  
dismiss the said William Cunningham  
from their employ, to wit: for the better  
carrying on the said conspiracy into  
effect and execution, against the form  
of the Statute in such case made and  
provided, and against the peace of the  
People of the State of New York, and  
their dignity.







0590

BOX:

283

FOLDER:

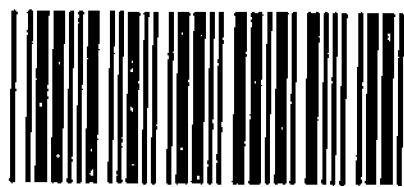
2705

DESCRIPTION:

Gomer, Oscar

DATE:

11/09/87



2705

0591

BOX:

283

FOLDER:

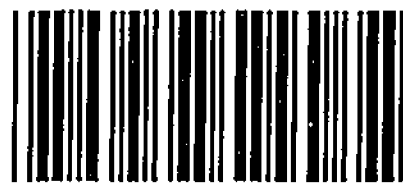
2705

DESCRIPTION:

Bennett, Thomas

DATE:

11/09/87



2705

0592

BOX:

283

FOLDER:

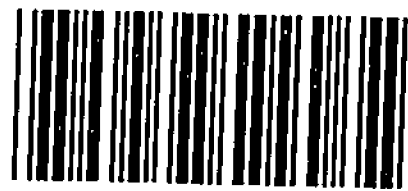
2705

DESCRIPTION:

Redding, William

DATE:

11/09/87



2705

POOR QUALITY  
ORIGINAL

0593

Counsel,  
Filed 9 day of Nov 1887  
Pleads, *Chrys. C. C. C. C.*

THE PEOPLE

vs.

*P*  
Oscar Homer  
Thomas Bennett  
William Redding  
*P*

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

Foreman

*1822*  
*Chrys. C. C. C. C.*  
Each  
Voice of Refuge

POOR QUALITY  
ORIGINAL

0594

*Court of  
General Sessions  
The People etc  
vs  
Charles Houston*

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.  
100 EAST 23<sup>d</sup> STREET,

*New York, Oct 25 1887*

CASE NO. *32017* OFFICER *Andrew Vincent*  
DATE OF ARREST *October 23/87* *1st Dist*  
CHARGE

*Burglary*

AGE OF CHILD *14 years*

RELIGION *Catholic*

FATHER *Edward*

MOTHER *Annie*

RESIDENCE *28 Thompson Street*

AN INVESTIGATION BY THE SOCIETY SHOWS THAT *Charles has  
never been arrested before and bears  
good character and his parents  
are respectable and well to do  
people*

*All which is respectfully submitted,*

*Wm. T. Terry  
President*

*To the Dist. atty*

POOR QUALITY  
ORIGINAL

0595

<u>Count of</u>	
<u>General Sessions</u>	
<u>The People etc</u>	
vs.	
<u>Charles Roston</u>	<u>Daugherty</u>
PENAL CODE, §	

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,  
100 East 23d Street,  
New York City.

POOR QUALITY  
ORIGINAL

0596

Count of  
General Sessions  
The People etc  
v/s

Oscar Gorman

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.  
100 EAST 23<sup>d</sup> STREET,

New York, Oct 25 1887

CASE NO. 32017 OFFICER Andrew Nugent  
DATE OF ARREST October 23/87 1st Dist  
CHARGE Burglary  
AGE OF CHILD 13 years  
RELIGION Catholic  
FATHER dead  
MOTHER Delia  
RESIDENCE 87 Sullivan Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT there is no record of the boy having ever been arrested before but he associates with bad boys and is beyond mother's control. Nothing known against boys mother who is well spoken of by her neighbors.

All which is respectfully submitted,

Miss Terry  
President

To The Dist Atty.

POOR QUALITY  
ORIGINAL

0597

Court of General Sessions	
The People etc	Penal Code, § Crawford
vs	
Oscar Gorman	

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,  
100 East 23d Street,  
New York City.



Police Court— District.

City and County } ss.:  
of New York,

of No. 24 John Street, aged 42 years,

occupation Inspector of Municipal Boxes being duly sworn

deposes and says, that the premises No. 21 John Street, 1st Ward

in the City and County aforesaid the said being a four story brick

building the ground floor of

and which was occupied by deponent as a store for the sale of musical

boxes and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly breaking the

glass in the show-window of said

store

on the 23rd day of October 1887 in the day time, and the

following property feloniously taken, stolen, and carried away, viz:

Four musical boxes of the

value of five dollars

the property of Deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid

BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Oscar Gorham, Charles Houston,

Thomas Bennett and William Redding

for the reasons following, to wit: deponent saw the doors

and windows in said premises were

securely locked and fastened the

said property by being in the said

show window and having missed the

same is informed by George Mink

her friend that he Mink hearing

the sound of breaking glass saw the

said Oscar Gorham taking two of the

said musical boxes, which property  
Moritz saw the said Norman throw  
into a furnace on said street. Said  
Moritz further says that all four  
of the defuncts were together when  
the said glass was broken. Deponent  
is further informed by Officer Cecconi  
(Magistrate's Prisoner) that he  
found one of the said boxes in the  
possession of the said Thomas  
Bennett. Deponent having since  
seen the said property and having  
identified the same charges the  
said defendants with furiously  
taking, stealing and carrying away  
the aforesaid property.

I am to inform me

This 24<sup>th</sup> day of Oct 1884

David O. Smith

Police Justice.

I have being no sufficient cause to believe the within named  
guilty of the offence mentioned, I order he to be discharged.

Police Justice.

I have admitted the above named  
to bail to answer by the undertaking hereto annexed.  
Dated 1884  
of the City of New York, until he give such bail.  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named

Police Court, District,

THE PEOPLE, &c.,  
on the complaint of

vs.

Offence—BURGLARY.

1.  
2.  
3.  
4.

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street.

No.

Street.

No.

Street.

\$ to answer General Sessions.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 39 years, occupation Stationer of No. 9 John Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles C. Sullivan and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 24 day of October 1887 } Geo. Moritz

Daniel C. Sullivan  
Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 30 years, occupation Police Officer of No. 24 Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Charles C. Sullivan and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 24 day of October 1887 } Anchut. Kuznetsov

Daniel C. Sullivan  
Police Justice.

POOR QUALITY  
ORIGINAL

0601

Sec. 198-200.

152

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Oscar Gorman* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him, that the statement is designed to  
enable him if he see fit to answer the charge and explain the facts alleged against him  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name.

Answer.

*Oscar Gorman*

Question. How old are you?

Answer.

*13 years*

Question. Where were you born?

Answer.

*New York City*

Question. Where do you live, and how long have you resided there?

Answer.

*7 Sullivan St one year*

Question. What is your business or profession?

Answer.

*School Boy*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*Oscar Gorman*

Taken before me this

day of

188

*Samuel J. McQuinn* Police Justice.

POOR QUALITY  
ORIGINAL

0602

Sec. 198-200.

152

District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Charles Houston* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name.

Answer.

*Charles Houston*

Question. How old are you?

Answer.

*14 Years*

Question. Where were you born?

Answer.

*New York City*

Question. Where do you live, and how long have you resided there?

Answer.

*28 Thompson Hall my life*

Question. What is your business or profession?

Answer.

*School boy*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty*

*Charles Houston*

Taken before me this

day of

188

*Samuel J. Kelly*  
Police Justice.



POOR QUALITY  
ORIGINAL

0603

Sec. 198—200.

102 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Thomas Bennett being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is his right to  
make a statement in relation to the charge against him that the statement is designed to  
enable him if he see fit to answer the charge and explain the facts alleged against him  
that he is at liberty to waive making a statement, and that his waiver cannot be used  
against him on the trial.

Question. What is your name.

Answer.

Thomas Bennett

Question. How old are you?

Answer.

16 Years

Question. Where were you born?

Answer.

New York City

Question. Where do you live, and how long have you resided there?

Answer.

31 Thompson St 5 Years

Question. What is your business or profession?

Answer.

Work with a Pedaler

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

I am not guilty  
Thomas Bennett  
Mark

Taken before me this

day of

188

Police Justice.

POOR QUALITY  
ORIGINAL

0504

Sec. 198—200.

152 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*William Redding* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name.

Answer.

*William Redding*

Question. How old are you?

Answer.

*15 years*

Question. Where were you born?

Answer.

*New York City*

Question. Where do you live, and how long have you resided there?

Answer.

*56th Avenue 2 months*

Question. What is your business or profession?

Answer.

*School Boy*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty*

*William Redding*

Taken before me this  
day of

*Oct 7*  
188

*Samuel J. Murphy*  
Police Justice.

POOR QUALITY  
ORIGINAL

0505

1000 each for 2  
2 1/2 PM Oct 24/1887

BAILED,  
No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 2, by Edward Houston  
Residence 28 1/2 St. 3rd Ave  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_

5  
1st 1183  
Police Court - District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Charles Houston  
21 1/2 St. 3rd Ave  
1 Ocean Berman  
Thomas Bennett  
William Reeking  
Offence Burglary  
Dated Oct 24 1887  
Magistrate  
Daniel O'Reilly  
Officer  
Charles Houston  
Precinct  
1st  
Witnesses  
Emmanuel Burdick  
No. 100 Car 123rd  
Street  
George Bennett  
No. 1st St. 3rd Ave  
Street  
\$ 1000 to answer 8.8  
Bennett

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Oct 24th 1887 Daniel O'Reilly Police Justice.

I have admitted the above-named Charles Houston to bail to answer by the undertaking hereto annexed.

Dated Oct 24 1887 Daniel O'Reilly Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order h to be discharged.

Dated \_\_\_\_\_ 1887 \_\_\_\_\_ Police Justice.



42  
The People v. William Redding (Before Judge Coving. Nov. 15. 1887.  
Jointly indicted with Oscar Gornes and Thos. Bennett  
for burglary in the third degree.

It was admitted by the defendant that  
21 John St. was burglariously entered by the breaking  
of glass in the show window of a store on the 23<sup>d</sup>  
of October 1887 in the day time and that five  
musical boxes valued at five dollars were  
taken, and that the premises are in the 2<sup>nd</sup> ward.

Geoff Moritz, sworn and examined, I  
am a private watchman for jewelers. I heard  
the sound of breaking of glass on the 23<sup>d</sup> of Oct;  
Sunday, about two o'clock in the afternoon. I  
was in front of No 9 John St; I saw four  
boys standing together and the prisoner was  
one of them. I saw them before the breaking of  
the glass, I was not present when two boys plead-  
ed guilty. They stood around the show window  
of 21 John St. where there is musical boxes  
in the window; at the same time I saw  
one of the boys' arms go and heard the  
glass break. I could not tell which of the boys  
it was. I went down slowly because I could  
not catch them; they went down to the  
corner, the four boys followed down Nassau  
St and they went up Maiden Lane.  
So I ran up towards Broadway and then  
they came round the corner. I knew they

were coming back. I stopped in the door way; so they sent this small boy Gomer down and he put his hand in and got the two musical boxes out. The defendant was with the boys all the time. Then Gomer left them the other boys stood waiting in Broadway; he went to the place, put his hand in and got the musical boxes. I caught him; the other boys scattered towards Portland St. and I did not follow them up. I did not see the defendant have any property. I did not see him break the glass. I never saw the defendant before that time.

Andrew Nugent, sworn. I am a special police officer, I arrested the prisoner on the night of the day this took place, Sunday night. The day this window was broke I saw the crowd and went up to it; the watchman had Gomer, and knowing me, he turned the boy over to me; the boy had two music boxes. I took him to the station house, and on being questioned - the boy Gomer pleaded guilty; in consequence of a conversation had with Gomer I arrested the defendant that night with two others in the eighth ward. I asked him what he did with the other music boxes? The prisoner told me he gave one to Johnny Bennett, and I found the musical box

with Jimmy Bennett in bed; he has pleaded guilty.

William Redding, sworn and examined in his own behalf testified. I am fifteen years old. On this Sunday afternoon I was going up Broadway with Charles Huston and we met Bennett and Gomer. Huston was arrested, but he got out on bail. We saw Gomer going up Broadway with two music boxes; he broke the window first. I did not want to have anything to do with him, I went home. The officer brought Gomer down to the station house and Gomer said I was with him. Bennett and him were together at the time. I was not with the boys when they broke the window. I heard the crash and took the Broadway car corner of Broome St. and Broadway. and I went home. Bennett came around and threw the music box in the yard and he put it in his yard in the water closet. Then he brought it up in the night time, he was playing on it. Cross examined. I jumped out the car when the boys scattered because I did not want to have anything to do with it. I did not see the watchman when he grabbed Gomer. I heard them break the window but I did not have anything to do with it. I was not with them in

front of the window when they broke it. When I heard the crash I was at the corner of Broadway and John St. on the other side of the street. I supposed they were breaking the window and I did not want to have anything to do with it. It is not true, as the watchman testified, that I stood in front of it when the window was broken, nor is it true that I waited and sent Gomer back for the music boxes. I told the officer that I had given the box to Bennett. I was in this Court before upon a charge of receiving stolen goods. I do not know how long ago it was. I had nothing to do with it; a man gave me a quarter for carrying some goods. I did not know they were the proceeds of a burglary. Then I was arrested. I showed the detective the quarter the man gave me. I was brought to this Court, the charge was investigated and I was discharged. I work with my father in Wallack's Theatre cleaning up furnaces; he is the engineer there. Gomer was a colored boy and the others were white boys. I go to school sometimes. I do not prowl the streets and steal whenever I get a chance.

The jury rendered a verdict of guilty. He was sent to the House of Refuge.

POOR QUALITY  
ORIGINAL

06 10

Testimony in the  
case of  
Mr. Redding.

filed Nov. 1887



POOR QUALITY  
ORIGINAL

06 1 1

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Oscar Fymer, Charles  
Hanson, Thomas Bennett  
and William Redding

The Grand Jury of the City and County of New York, by this indictment, accuse

Oscar Fymer, Charles Hanson,  
Thomas Bennett and William Redding

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Oscar Fymer, Charles  
Hanson, Thomas Bennett and  
William Redding, all —

late of the First — Ward of the City of New York, in the County of  
New York, aforesaid, on the 23rd day of October, in the year of  
our Lord one thousand eight hundred and eighty-seven, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the store of one

— Charles E. Fiddlerat, —

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to  
wit: with intent, the goods, chattels and personal property of the said

Charles E. Fiddlerat, —

in the said store then and there being, then and there feloniously and burglariously  
to steal, take and carry away, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York, and their dignity.

POOR QUALITY  
ORIGINAL

06 12

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Oscar Figner, Charles Stanton, Thomas*  
*Bennett and William Redding* —  
of the CRIME OF *PELIX* LARCENY, — committed as follows :

The said *Oscar Figner, Charles Stanton, Thomas*  
*Bennett and William Redding*, all —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms,

*five musical boxes of the value*  
*of one dollar each,*

of the goods, chattels and personal property of one *Charles Figner*, —

in the *Store* of the said *Charles Figner*, —

there situate, then and there being found, *in the Store* aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided and against the peace of the People of the State of New York and their dignity.

*W. J. Figner*  
D. A. Attorney.

POOR QUALITY  
ORIGINAL

06 13

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Oscar Fymer, Charles Stanton,*  
*Thomas Bennett and William Redding*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Oscar Fymer, Charles Stanton,*  
*Thomas Bennett and William Redding,* all  
late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at  
the Ward, City and County aforesaid, with force and arms,

*Five musical*  
*boxes of the value of one dollar*  
*each,*

of the goods, chattels and personal property of one *Charles E. Fuller.*

by ~~a~~ *persons* of persons to the Grand Jury aforesaid unknown, then lately before feloniously  
stolen, taken and carried away from the said *Charles E. Fuller.*

unlawfully and unjustly, did feloniously receive and have; the said *Oscar Fymer,*  
*Charles Stanton, Thomas Bennett*  
*and William Redding*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen,  
taken and carried away, against the form of the statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**



POOR QUALITY  
ORIGINAL

0614

Witnesses:

Counsel,

Filed

day of

188

Pleads,

THE PEOPLE

vs.

Oscar Goner  
Charles H. Bennett  
Thomas Bennett  
William Redding

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

ag't. Goner Bennett  
W. Redding  
J. H. Magowan  
Dismissed as to  
C. H. Bennett  
J. H. Magowan

Bringing in the Third Degree, Six  
Sections 498, 506, 528, 532, 550.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Oscar Homer Thomas  
Bennett and William  
Redding.

The Grand Jury of the City and County of New York, by this indictment, accuse

Oscar Homer, Thomas Bennett,  
and William Redding

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Oscar Homer, Thomas Bennett  
and William Redding, all

late of the First Ward of the City of New York, in the County of  
New York, aforesaid, on the 23rd day of October, — in the year of  
our Lord one thousand eight hundred and eighty-seven, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the store of one

— Charles E. Guillerat —

feloniously and burglariously did break into and enter, with intent to commit some crime therein, to  
wit: with intent, the goods, chattels and personal property of the said

Charles E. Guillerat, —

in the said store then and there being, then and there feloniously and burglariously  
to steal, take and carry away, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York, and their dignity.

POOR QUALITY  
ORIGINAL

06 16

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Oscar Isomer, Thomas Bennett,*  
*and William Redding*  
of the CRIME OF *Petit* LARCENY, \_\_\_\_\_ committed as follows:

The said *Oscar Isomer, Thomas Bennett,*  
*and William Redding, all* \_\_\_\_\_

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms,

*five musical boxes of the value of*  
*one dollar each,*

of the goods, chattels and personal property of one, *Charles E. Jullerat*

in the *store* of the said *Charles E. Jullerat*

there situate, then and there being found, in the *store* aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided and against the peace of the People of the State of New York and their dignity.

**POOR QUALITY  
ORIGINAL**

06 17

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Oscar Homer, Thomas Bennett and  
William Redding,*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Oscar Homer, Thomas Bennett  
and William Redding,* all

late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at  
the Ward, City and County aforesaid, with force and arms,

*five musical  
boxes of the value of one dollar  
each,*

of the goods, chattels and personal property of one *Charles E. Fullerat*

by *a certain person or persons* to the Grand Jury aforesaid unknown, then lately before feloniously  
stolen, taken and carried away from the said *Charles E. Fullerat*

unlawfully and unjustly, did feloniously receive and have; the said

*Oscar Homer, Thomas Bennett and William  
Redding*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen,  
taken and carried away, against the form of the statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**