

0211

BOX:

283

FOLDER:

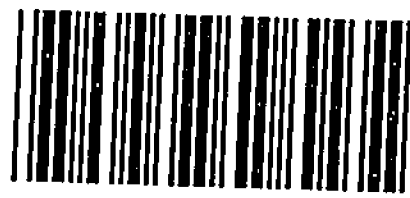
2704

DESCRIPTION:

Garrison, Martha

DATE:

11/18/87



2704

POOR QUALITY
ORIGINAL

0212

Witnesses :

The Comptroller
of the Court
has examined
the above and
finds it correct

[Signature]

169/ J.P.

Counsel,
Filed, 18 day of Nov 1887
Pleads, *Chargable*

Grand Larceny *second* degree
[Sections 528, 529, 530 Penal Code]

THE PEOPLE
vs.

Martha Garrison
33.
422 24 44.

Chas. B. Martin
RANDOLPH B. MARTINE,
District Attorney.

pleads guilty

A True Bill.

[Signature]
Foreman.

J. W. B. B.
J. W. B. B.

POOR QUALITY
ORIGINAL

0213

Police Court—4th District.

Affidavit—Larceny.

City and County } ss.
of New York, }

Nellie Achenbach
of No. 109 West 46th Street, aged 37 years,
occupation Housekeeper being duly sworn
deposes and says, that on the 8th day of November 1887 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property viz:

A black silk dress. About nine
yards of striped flannel and a
Silver Cup. Collectively of the value
of about "fifty dollars"

that the property of deponent and from the property
of Annie Raleigh who left the
dress in deponent's custody & charge

and that this deponent
has a probable cause to suspect and does suspect that the said property was feloniously taken, stolen,
and carried away by Nanthe Garrison now prisoner

who at said time was a servant
in the house and as such had
access to the property. That after
deponent had discharged the defendant
and discovered that said property
had been stolen deponent went
to where the defendant lives and
there found part of the stolen flannel

That the defendant's husband gave
an order for the delivery of the stolen
dress to Officer James W. Riley 22 Dec
and admitted to him that the defendant
had given him the dress to bring to a woman
named Robinson who lives in Brooklyn and
who now has the dress, as the officer informs deponent
Nellie Achenbach

Sworn to before me, this
10th day of November 1887
at New York
Police Justice.

POOR QUALITY
ORIGINAL

0214

CITY AND COUNTY
OF NEW YORK, ss.

James H. Riley
age *22* years occupation *Police Officer* of No. *the 22 Street*

being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Nellie Eckenback*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *15*
day of *November* 188*7*

James H. Riley
Sam Brown
Police Justice.

POOR QUALITY
ORIGINAL

0215

Sec. 1000

CITY AND COUNTY
OF NEW YORK

District Police Court.

Martha Garrison being duly examined before the undersigned, according to law, on the annexed charge, and being informed that it is *h* *ev* right to make a statement in relation to the charge against *h* *ev*; that the statement is designed to enable *h* *ev* if *he* see fit to answer the charge and explain the facts alleged against *h* *ev* that *he* is at liberty to waive making a statement, and that *h* *ev* waiver cannot be used against *h* *ev* on the trial,

Question. What is your name?

Answer. *Martha Garrison*

Question. How old are you?

Answer. *33 years*

Question. Where were you born?

Answer. *Maryland*

Question. Where do you live, and how long have you resided there?

Answer. *422 West 41st*

Question. What is your business or profession?

Answer. *Servant*

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 - I brought the dress and the flannel from the complainant*

Martha Garrison

Taken before me this

May 1st 188

Police Justice.

POOR QUALITY
ORIGINAL

02 16

BAILED,
No. 1, by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

24th Nov 1865
Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William Schenck
100 West 116th St.
Martha Garrison
Green
felony
Offence

Dated November 15 188

Magistrate.

James H. O'Brien Officer.

Precinct.

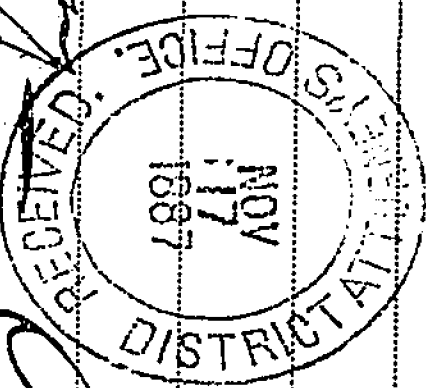
Witnesses

No. 122 W 44th St.

No. _____ Street.

No. _____ Street.

\$ _____ to answer



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 _____

guilty thereof, I order that she be held to answer the same and she be admitted to bail in the sum of Five Hundred Dollars, _____ and be committed to the Warden and Keeper of the City Prison of the City of New York, until she give such bail.

Dated Nov 15 188 _____ Police Justice.

I have admitted the above-named _____ to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ 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 _____ 188 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0217

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 17th, 1888.

Sir:

Application for Executive clemency having been made on behalf of Martha Garrison-----who was convicted of petit larceny-----in the county of New York-----and sentenced Nov. 28th, 1887, to imprisonment in the New York Penitentiary-----for the term of nine months-----, I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

very respectfully yours,

Hon. Frederick Smyth,
Recorder of the City of New York,
New York City.

William L. Rice
Private Secretary.
W. L. Rice

**POOR QUALITY
ORIGINAL**

0218

VI

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 17th, 1888.

Sir:

Application for Executive clemency having been made on behalf of Martha Garrison-----who was convicted of petit larceny---
-----in the county of New York-----and sentenced Nov. 28th, 1887,
to imprisonment in the New York Penitentiary-----for the term of
nine months-----, I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, as amended in 1884, you will forward to him a concise statement of the facts and circumstances developed upon the trial, or upon the preliminary examination, or before the coroner's jury if no trial was had, together with your opinion of the merits of the application. Will you also inform the Governor of any other matters having a bearing upon this case which have come to your knowledge since conviction?

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

I am,

Hon. John R. Bellows,
District Attorney, &c.,
New York City.

very respectfully yours,

William G. Rice,
Private Secretary.
W. G. Rice

**POOR QUALITY
ORIGINAL**

02.19

TO THE HONORABLE
MEMBERS OF THE
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C.
FROM THE
COMMISSIONER OF THE
BUREAU OF LAND MANAGEMENT
DEPARTMENT OF THE INTERIOR

Dec 27 1902

Very respectfully,
[Signature]
Commissioner

POOR QUALITY
ORIGINAL

0220

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Martha Ferguson

The Grand Jury of the City and County of New York, by this indictment, accuse

— Martha Ferguson —

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Martha Ferguson.

late of the First Ward of the City of New York, in the County of New York aforesaid, on the
Fifteenth day of *November*, in the year of our Lord
one thousand eight hundred and eighty-*nine*, at the City and County aforesaid,
with force and arms,

one dress of the value
of forty dollars, nine yards
of flannel of the value of one
dollar each yard, and one
cap of the value of two
dollars.

of the goods, chattels and personal property of one

Nellie Achendach.

then and there being found, 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.

Samuel J. Beane

District Attorney.

0221

BOX:

283

FOLDER:

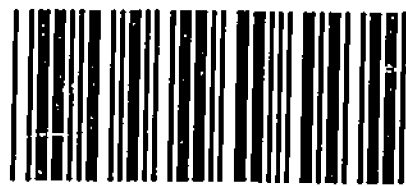
2704

DESCRIPTION:

Gartland, James

DATE:

11/28/87



2704

Foreman.

POOR QUALITY
ORIGINAL

0223

Filed, 28 day of Nov 1887
Plends, Mich. Wiley

THE PEOPLE,

vs.

MISDEMEANOR.
(SERVING OLEOMARGARINE AS FOOD, &c.)
Chap. 183, Laws of 1885, (as amended by Chap. 583, Laws
of 1887, § 1), § 27.]

James Gartland

Dec. 17 3 1887

DOLPH B. MARTINE,

District Attorney.

72 Apr 12, 1889

34 Trial & Convicted

A True Bill.

with account to meet

for the best of the people

Wm. Wiley

Foreman.

7

7 Nov 30 1887 Park 3.

Witnesses

William Wiley

28. 8. 1887

POOR QUALITY
ORIGINAL

0224

STATE OF NEW YORK.

CITY OF

New York

S.S.:

COUNTY OF

New York

William W. Meeter, being duly sworn, says,
that he resides at number 1833 Bathgate Avenue Street, in the City of
New York, County of New York and State of New York,
is 48 years of age, and an expert appointed by HON. JOSIAH K. BROWN, the New

York State Dairy Commissioner; that, at the times hereinafter mentioned, one John Doe (the name

being fictitious his real name being unknown to deponent) was the keeper and proprietor, of a Restaurant

a place of public entertainment, and had his said Restaurant in a room in number

2431 Fifth Avenue Street, in the City of New York, County of

New York, within this State, and occupied and controlled such room and was

in charge of such room and restaurant;

that on the 20th day of September, 1887, deponent went to such

John Doe's said Restaurant and ordered a

Cup of tea and bread & butter;

and the said John Doe John Doe in response thereto in his said

Restaurant

then and there served to deponent as food for deponent and as a part of the said bread & butter

so ordered by deponent, who was then a guest and customer of said John

Doe in his said Restaurant, a substance

in imitation and semblance of natural butter, produced from pure unadulterated milk or cream

of the same, which had been made out of some animal fat or animal or vegetable oils not

produced from unadulterated milk or cream from the same and by mixing, compounding

with and adding to milk, cream or butter such animal fats or animal or vegetable oils not

produced from milk or cream, so as to produce an article, substance and human food in imi-

tation and semblance of natural butter and which had been made in violation of the provisions of Sec-

tion 7 of Chapter 183 of the Laws of 1885, as amended by Chapter 577 of the Laws of 1886; that a

more particular description of such manufactured substance, the ingredients thereof and the amount

of the same are unknown to deponent and cannot be stated herein for that reason; that the same

was so served by said John Doe John Doe in the ordinary course of his said

business; and said John Doe John Doe

asked, and deponent then and there paid him 10 cents for such tea, bread & butter

that deponent then and there took from the substance so served to him by said John Doe

John Doe a sample thereof for analysis in the manner

required by law; and thereafter, on September 20th, 1887, deponent

delivered such sample so taken by him as stated, to one Charles M. Stillwell who was

and is known to deponent to have then been, and who since has been and is now, a chemist,

practicing as such at number 55 Fulton Street, in the City of New York

County of New York, within this State, and deponent caused the said substance

to be analyzed by such chemist; that the certificate of such analysis thereof made by said chemist,

is hereto annexed.

Deponent charges that the said John Doe John Doe against the peace

and dignity of the People of the State of New York, and the statutes in such case made and pro-

vided, wrongfully and unlawfully so served such manufactured substance and caused, procured and

suffered the same to be so served to deponent, and was thereby guilty of a misdemeanor; and

deponent, therefore, asks for a warrant against the said John Doe John Doe

for violation by him of Section 27 of Chapter 183 of the Laws of 1885, as added thereto by Chap-

ter 583 of the Laws of 1887, and that he may be dealt with as the law directs.

Sworn to before me

this 18th day of November, 1887.

William W. Meeter

JUSTICE:

POOR QUALITY
ORIGINAL

0225

Police Court
Court of 5th Dist
County of New York

THE PEOPLE, &c.

vs.

~~John Doe~~
James Eastland

Affidavit:

William F. Weston
288 GREENWICH ST.,
NEW YORK CITY.

Witnesses:

Joseph. Smogard
Residence 288 GREENWICH STREET,
NEW YORK CITY.

Residence Charles M. Stillwell
55th Fulton St

Residence

POOR QUALITY
ORIGINAL

0226

Sec. 198-200.

5 District Police Court.

CITY AND COUNTY)
OF NEW YORK, ss.

James Gartland being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is ~~h~~ 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 ~~h~~ a waiver cannot be used
against ~~him~~ on the trial.

Question. What is your name?

Answer. *James Gartland*

Question. How old are you?

Answer. *50 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live, and how long have you resided there?

Answer. *2431, 1st Ave. 1 year*

Question. What is your business or profession?

Answer. *Restaurateur*

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you may think will tend to your
exculpation?

Answer. *I am not guilty and if
held demand a trial by
jury*
James Gartland

Taken before me this

day of

Police Justice.

POOR QUALITY
ORIGINAL

0227

CHAS. M. STILLWELL, A.M.
THOMAS S. GLADDING, A.M.

Office and Laboratory of
STILLWELL & GLADDING,
Analytical and Consulting Chemists,

Old Series, No. 9,406.
New Series, No. 23510.

P. O. Box 1261.

No. 55 Fulton St., cor. Cliff St.

Certificate of Analysis.

State of New York,
CITY OF NEW YORK } ss.
COUNTY OF NEW YORK.

I, Charles M. Stillwell, a chemist,
practising in the City of New York, County and State of New York, do hereby certify that I
have analyzed the sample duly sealed and marked 1212 H-2433 First Ave NY City September 20th 1887. W. W. Meeter
received from W. W. Meeter } J. J. Sorgan
on September 20, 188 7

THE SAMPLE CONTAINS:

WATER.	8.62	%
ANIMAL AND BUTTER FAT,	88.22	%
CURD,	1.63	%
SALT,	1.53	%

ANALYSIS OF THE FAT:

INSOLUBLE FATTY ACIDS,	0.05	%
SOLUBLE " "	96.82	%
SPECIFIC GRAVITY OF THE FAT AT 100 deg. F.,		

This sample is composed mainly of animal fat, and was not produced from unadulterated milk, or cream from the same. It was not produced from milk or cream alone. It contains coloring matter, whereby it is made to resemble butter, the product of the dairy, and is in imitation and semblance of butter, produced from pure unadulterated milk or cream from the same.

I further certify that the foregoing is a true statement of the analysis of such sample so made by me as stated.

Respectfully yours,

Charles M. Stillwell
Chemist.

Dated September 26, 188 7

W. W.

State of New York,
CITY OF NEW YORK } ss.
COUNTY OF NEW YORK.

On the twentieth day of October, in the year
one thousand eight hundred and eighty seven, before me, the subscriber
personally came Charles M. Stillwell, to me well known to be the same
person described in and who executed the foregoing instrument, and
acknowledged that he executed the same.

W. S. Holbrook

NOTARY PUBLIC,
KINGS COUNTY.
Certificate filed in N. Y. County,

POOR QUALITY
ORIGINAL

0220

No 121274

New York, Sept. 20 1887

Chromogonins

Certificate of Analysis.

S. M. Stillwell

POOR QUALITY
ORIGINAL

0229

Sec. 151.

Police Court 5th District.

CITY AND COUNTY }
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County 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 William H. Muter of No. 1833 Bathgate Avenue Street, that on the 20th day of September 1887 at the City of New York, in the County of New York, one John Doe (fictitious name, real name being undisclosed) then being the keeper and proprietor of a restaurant at No. 2431 First Avenue in said city, unlawfully kept and used in his said restaurant and served to the complainant while complainant was a guest therein a certain manufactured substance known as oleomargarine made and colored in imitation and semblance of butter the product of the dairy and not made from unadulterated milk or cream.

Wherefore, the said Complainant has prayed that the said Defendant 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 Defendant, and bring him forthwith before me, at the 5th 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 18th day of November 1887
A. J. White POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0230

Police Court *5th* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. Muttin
vs

John Doe
James Hartland

Warrant-General.

Dated *Nov-18* 188

Magistrate.

Blas Officer.

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

Phillips Blas Officer.

Dated *Nov-18* 188

This Warrant may be executed on Sunday or at
night.

Police Justice.

REMARKS.

Time of Arrest, *Nov 18/88*

Native of *France*

Age, *30*

2431 1st Avenue

Sex, _____

Complexion, _____

Color, _____

Profession, _____

Married, _____

Single, _____

Read, _____

Write, _____

POOR QUALITY
ORIGINAL

0231

BAILED
No. 1, by W. J. Miller
Residence 3493, 1 Ave Street.
No. 2, by Edward Bail to Detd
Residence 3493, 2nd Ave Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

1920
Police Court- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Miller
288 prepared
James Hartland

2
3
4
by _____

Offence Chap 583 Rates
of 1887

Dated November 17 188

Wm. J. Miller
Magistrate.

Officer.

Prelect.

Witnesses

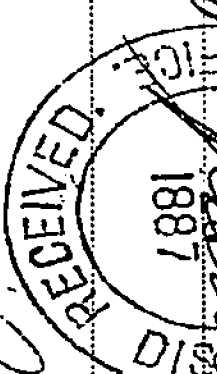
No. Michael J. Horan
388 prepared Street.

No. James Hartland
288 prepared Street.

No. James Hartland
288 prepared Street.

No. James Hartland
288 prepared Street.

No. James Hartland
288 prepared Street.



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 Cyfluchant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One 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 November 18 188 A. J. White Police Justice.

I have admitted the above-named Cyfluchant to bail to answer by the undertaking hereto annexed.

Dated November 18 188 A. J. White 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 _____ 188 _____ Police Justice.

People of State re.

James Gartland.

James Gartland. the defendant
herein says: -

On the 20th day of September
1887 I was in Norwiche in the
Clarendon Hotel where I
had been employed since the
1st day of June & where I remained
until the 1st day of October of
the same year.

At said time & place
mentioned I was neither the
keeper nor owner of premises No.
2431 First Ave. mentioned
in the indictment herein.

Said not see the replacement
~~was~~ said day & know nothing
of alcoholic liquors being served kept
or used in said restaurant
at the time.

I never owned said
restaurant, never bought any article
used in said business for the conduct
thereof nor paid for any of said last
mentioned article. Never paid rent.
It was owned then by J. J. [unclear] and now
by one named in James Gartland.

166 E 110 st.

POOR QUALITY
ORIGINAL

0233

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James F. G. G. G.

The Grand Jury of the City and County of New York, by this indictment, accuse

James F. G. G. G.

of a Misdemeanor committed as follows:

The said

James F. G. G. G.

late of the *12th* Ward of the City of New York, in the County of New York aforesaid, on
the *12th* day of *September*, in the year of our Lord one
thousand eight hundred and eighty-seven, at the Ward, City and County aforesaid,

being *the keeper and proprietor*
of a certain restaurant there situate.

did therein unlawfully keep, use and serve to one *William W. Martin*,
then being a guest, patron, *and customer* of the said

James F. G. G. G. at said restaurant, a quantity of a
certain article, substance and compound in imitation and semblance of natural butter produced
from pure, unadulterated milk, or cream of the same, the said article, substance and compound
so sold as aforesaid, being rendered, manufactured and produced out of divers animal fats and
oils not produced from unadulterated milk, or cream from the same, the said article substance
and compound not having been manufactured prior to, and not being in process of manufacture,
on the sixteenth day of June, in the year of our Lord one thousand eight hundred and eighty
seven, (a more particular description of which said article, substance and compound, is to the
Grand Jury aforesaid unknown, and cannot now be given), against the form of the statute in
such case made and provided, and against the peace and dignity of the said people.

RANDOLPH B. MARTINE,

District Attorney.

0234

BOX:

283

FOLDER:

2704

DESCRIPTION:

Gebisch, Kaspar

DATE:

11/17/87



2704

POOR QUALITY
ORIGINAL

0235

131 Two days' notice

Bozsch

Gen. H. K. Roache

19 Aug 87

Counsel,

Filed 17 day of Nov 1887

Pleads

Guilty (11)

THE PEOPLE

vs.

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

B

Haspar Gebisch

Sec 5073 ADP

RANDOLPH B. MARTINE,

District Attorney.

A True Bill

131

W. Magowan
Foreman.

Part III December 5/87.

Indictment and Acquittal.

Witnesses:

POOR QUALITY
ORIGINAL

0236

Police Court— 3 District.

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

of No. 539 East 12th Street, aged 24 years,
occupation Rag dealer being duly sworn
deposes and says, that on the 30th day of October 1887 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Kaspar Gebisch (now here)
who Cut deponent on the
Chin and on the left wrist
with a knife then and there
held in his (defendants)
hand

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 31st day
of Oct 1887.

W. G. Duffy Police Justice.

John Brown

POOR QUALITY
ORIGINAL

0237

Sec. 198—200.

3
District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Kaspar Gebisch 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.

Kaspar Gebisch

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

Germany

Question. Where do you live, and how long have you resided there?

Answer.

No 865 Second Ave. 2 months

Question. What is your business or profession?

Answer.

None

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

✓ *Kaspar Gebisch*

Taken before me this

day of

Oct

1887

Police Justice.

POOR QUALITY
ORIGINAL

0238

BAILED,
No. 1, by Henry Blair
Residence 558 Eldridge St.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

Henry Blair
558 Eldridge St.

Police Court--
District--

THE PEOPLE & c.,
ON THE COMPLAINT OF

John Brennan
539 E 12

Stephen Gubick

Offence Assault
Battery

Dated Oct 31 1887

Magistrate.

Officer.

Precinct.

Witnesses

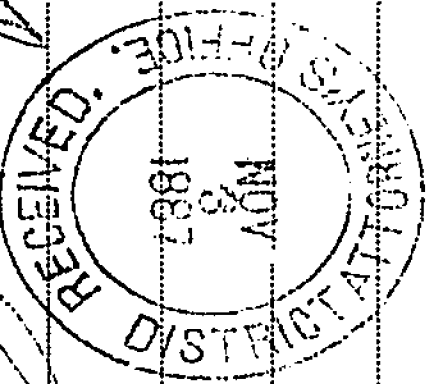
No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ Street.



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 _____

defendant
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of five 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 31 1887 P. G. Duffy Police Justice.

I have admitted the above-named defendant to bail to answer by the undertaking hereto annexed.

Dated Oct 31 1887 P. G. Duffy 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 JD Police Justice.

POOR QUALITY
ORIGINAL

0239

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF STATE OF NEW YORK,

against

Harman F. Gindler

The Grand Jury of the City and County of New York, by this indictment, accuse

Harman F. Gindler

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows :

The said *Harman.*

late of the City of New York, in the County of New York aforesaid, on the
Twentieth day of *October*, in the year of our Lord
one thousand eight hundred and eighty *seven*, with force and arms, at the City and
County aforesaid, in and upon the body of one *John Brown*,
in the peace of the said People then and there being, feloniously did make an assault,
and *him* the said *John*,
with a certain *knife*
which the said *Harman*,
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon then and there wilfully and feloniously did cut, stab and wound,

with intent *him* the said *John*,
thereby then and there feloniously and wilfully to kill, 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
Harman F. Gindler
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *Harman.*

late of the City and County aforesaid, afterwards, to wit: on the day and in the
year aforesaid, at the City and County aforesaid, with force and arms, in and
upon the body of the said *John Brown*,
in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *him* the said
John.

with a certain *knife*
which the said *Harman*,

in *his* right hand then and there had and held, the same being
an instrument and weapon likely to produce grievous bodily harm, then and there
feloniously did wilfully and wrongfully cut, stab and wound, 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.

Harman F. Gindler

District Attorney.

0240

BOX:

283

FOLDER:

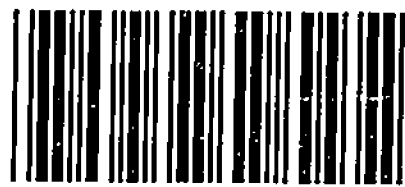
2704

DESCRIPTION:

Geiger, Charles

DATE:

11/15/87



2704

POOR QUALITY
ORIGINAL

0241

Witnesses:

After finding
imprisoning me. That
the couple child
to whom Legier
was sold cannot
be found & I
therefore ask that
the Indictment be
dismissed Jan 25
G. J. B
A.D.A.

Counsel,

Filed, 15 day of Nov 1887.

Pleads,

Not guilty (16)

THE PEOPLE

vs.

Violation of Excise Law.
(Selling to Minor).
[III Rev. Stat. (7th Ed.) p. 1982, § 15].

B

Charles Seiger

RANDOLPH B. MARTINE,

District Attorney.

By Mr. Seiger 20/88
Indictment dismissed

A True Bill. Hail dock!

John Magoun

Foreman.

Jan 25
G. J. B

0242

POLICE COURT.

DISTRICT.

Charles Geiger, now here, did at and within the premises No. 816 Third Ave. (S.W. Corner of E. 50th Street), unlawfully and willfully sell a certain strong and spirituous liquor, to wit: one pint of mixed ale to a certain minor child, to wit: to one May Brennan, who was then and there of the age of nine years, said Charles Geiger having reason to believe said child to be under the age of fourteen years, in violation of statutes in such cases made and provided and especially of section 15, chapter 628, Laws of 1857, as amended.

Wherefore deponent prays
that said ~~man~~ Charles
Seiger may be dealt with ac-
cording to law

Frank C. Parker

Sum and Subscribed & before
me this 19th day of July 1887

John W. Miller Police Justice

0243

POOR QUALITY

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Charles Geiger 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 Geiger*

Question. How old are you?

Answer. *Twenty-five years.*

Question. Where were you born?

Answer. *New Jersey*

Question. Where do you live, and how long have you resided there?

Answer. *No. 816 Third Ave. 3 mos.*

Question. What is your business or profession?

Answer. *Bar-tender*

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 and I demand a trial by jury*

Chas Geiger

Taken before me this

day of

188

Police Justice.

0244

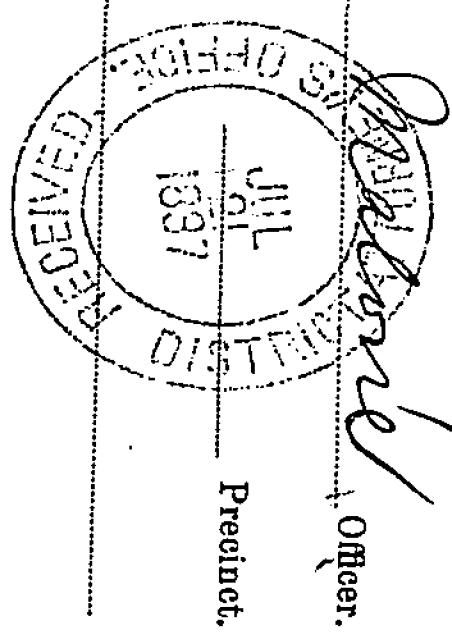
POOR QUALITY

BAILED
No. 1, by Henry H. Green
Residence 216 E 104th St.
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____

108 9V
Police Court-- 2 District. 115

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Frank B. Barkley
100 St 2-3
1 Chas. Cooper
2 _____
3 _____
4 _____
Offence Miscellaneous
Selling liquor to minors

Dated July 19th 1887
Murray Magistrate.



Witnesses
No. _____ Street _____
No. _____ Street _____
No. _____ Street _____
to answer Green
Cooper

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 _____

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 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 July 19th 1887 Henry H. Green Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated July 19th 1887 Henry H. Green 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 _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0245

*The New York Society for the
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, November 12 1887

*Court of General Sessions of the Peace in and for the
City and County of New York.*

*The People
against
Charles Geiger*

Notice of Prosecution.

*To the District Attorney of the
City and County of New York,*

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponements thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1886, Chapter 30, Section 1), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

POOR QUALITY
ORIGINAL

0246

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN.

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

**POOR QUALITY
ORIGINAL**

0247

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles Geiger

The Grand Jury of the City and County of New York, by this indictment, accuse

Charles Geiger

of a MISDEMEANOR, committed as follows:

The said *Charles Geiger*

late of the City of New York, in the County of New York aforesaid, on the
nineteenth day of *July* in the year of our Lord
one thousand eight hundred and eighty-*seven*, at the City and County aforesaid,
certain strong and spirituous liquor and certain wine, ale and beer, to wit: One gill of wine,
one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one
gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully
did sell to one *May Brennan* who was then and there a minor
under the age of fourteen years, to wit: of the age of *nine* years, as *he*, the said
Charles Geiger, then and there well knew and had
reason to believe; 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.

0248

BOX:

283

FOLDER:

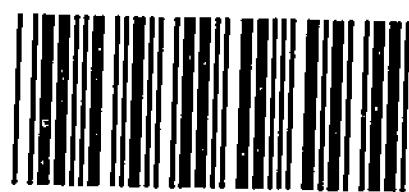
2704

DESCRIPTION:

Gibson, John W.

DATE:

11/02/87



2704

POOR QUALITY
ORIGINAL

0249

Witnesses:

Officer Butler.

On reading the return
withdrawal and on exam-

ination of the witnesses
herein I am satisfied

that criminal intent

cannot be shown and

I recommend a dismissal

of the indictment

December 14, 1887

G. L. B.

A. G. A.

Counsel,

Filed 2 day of Nov 1887

Pleads

THE PEOPLE

vs.

ASSAULT IN THE THIRD DEGREE

(Section 219, Penal Code)

John W. Gibson

Dec 8 1887

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

J. L. Morris

Part III December 14, 1887

Indictment Dismissed

POOR QUALITY
ORIGINAL

0250

Police Court—3 District.

CITY AND COUNTY } ss.
OF NEW YORK,

Thomas A. Butler
of No. the 10th Precinct police Street, aged 24 years,
occupation Police Officer being duly sworn, deposes and says, that

on the 29 day of October 1887 at the City of New York,

in the County of New York, in the Lager Beer Saloon at Prince street
he was violently ASSAULTED and BEATEN by John W. Gibbons

(now here, who struck the deponent one
violent blow on the forehead with his
said deponents fist cutting deponents
forehead while deponent was in uniform, and
in the discharge of his duties as an officer of the
municipal police
without any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be ~~apprehended~~ and bound to
answer the above assault, &c., and be dealt with according to law.

Sworn to before me, this 30 Thomas A. Butler
day of October 1887

W. J. Duffy Police Justice.

POOR QUALITY
ORIGINAL

0251

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK } ss.

3 District Police Court.

John W. Gibson 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

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 do not remember having struck the Complainant as I was partially intoxicated at the time.

John W. Gibson

Taken before me this

day of October 1888

Police Justice.

POOR QUALITY
ORIGINAL

0252

BAILED,
No. 1, by John Fried
Residence 1208 Broadway Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

#439 B.D.
Police Court-- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Harriet M. Miller

10th Precinct.

George W. Graham

10th Precinct.

10th Precinct.

10th Precinct.

Offence Assault on
An Officer

Dated Oct. 30 188

Butler Magistrate.

to Officer.

to Precinct.

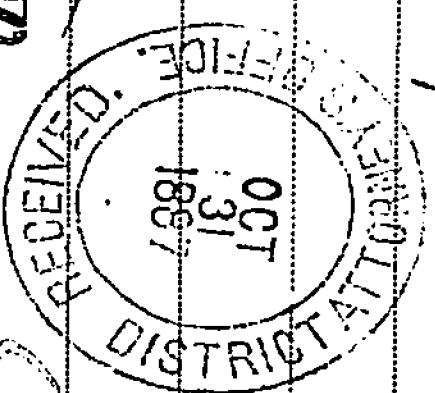
Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

No. _____ to answer.



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 defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of five 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. 30th 188 P.J. Butler Police Justice.

I have admitted the above-named _____ to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ 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 _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0253

CRAB

COURT OF GENERAL SESSIONS.

-----X
THE PEOPLE
vs.
JOHN W. GIBSON.
-----X

:
:
: ASSAULT IN THE THIRD
:
: DEGREE.
:
:
:-----X

City and County of New York, ss:

THOMAS H. BUTLER, being duly sworn, deposes and says: I am an officer of the Municipal Police Force attached to the Tenth Precinct, and the complainant in the above entitled action. I beg leave to recommend the defendant to the leniency and clemency of this Court. I expressly state that my reasons for making this recommendation are not on account of any personal advantage to myself, but because I believe the defendant had no intent to assault me. At the time of said assault, I was doing duty outside the Lager Beer saloon at 24 Prince Street, and I was told by a passer-by that there was a fight in there. Upon that suggestion I entered and found the defendant and quite a number of others in that saloon playing Pool as I understood, for money. The defendant appeared excited. I understand he was losing money. He was also somewhat under the influence of liquor. When I went in, I went up to the crowd and towards him and said "What is the matter here?" He turned to me and said "What did you come in for", and made a pass at me, scratching my forehead with his nail. I took him into custody as an officer, whereupon he desisted. He made no statement to

POOR QUALITY
ORIGINAL

0254

CRAB

COURT OF GENERAL SESSIONS.

-----X
THE PEOPLE
vs.
JOHN W. GIBSON.
-----X

:
:
: ASSAULT IN THE THIRD
:
: DEGREE.
:
:
:-----X

City and County of New York, ss:

THOMAS H. BUTLER, being duly sworn, deposes and says: I am an officer of the Municipal Police Force attached to the Tenth Precinct, and the complainant in the above entitled action. I beg leave to recommend the defendant to the leniency and clemency of this Court. I expressly state that my reasons for making this recommendation are not on account of any personal advantage to myself, but because I believe the defendant had no intent to assault me. At the time of said assault, I was doing duty outside the Lager Beer saloon at 24 Prince Street, and I was told by a passer-by that there was a fight in there. Upon that suggestion I entered and found the defendant and quite a number of others in that saloon playing Pool as I understood, for money. The defendant appeared excited. I understand he was losing money. He was also somewhat under the influence of liquor. When I went in, I went up to the crowd and towards him and said "What is the matter here?" He turned to me and said "What did you come in for", and made a pass at me, scratching my forehead with his nail. I took him into custody as an officer, whereupon he desisted. He made no statement to

POOR QUALITY
ORIGINAL

0255

me after being taken into custody until next morning, when
he told me in the Police Court that he did not know at the
time he assaulted me that I was an officer.

Thomas A. Butler

Sworn to before me
this 14 day of Dec. 1887

Rudolph L. Scharf

COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.

Thomas A. Butler

POOR QUALITY
ORIGINAL

0256

ADP

COURT OF GENERAL SESSIONS.

-----X
THE PEOPLE
vs.
JOHN W. GIBSON.
-----X

:
:
: ASSAULT IN THE THIRD
:
: DEGREE.
:
:
:-----X

City and County of New York, ss:

JOHN W. GIBSON, being duly sworn, deposes and says:
I am the defendant above named. I have heard read the
affidavit of the complaining officer herein, which I con-
firm in every particular. I was intoxicated at the time
of the assault and made a pass to knock off the officer's
hat, not knowing who he was, or that he was a Police Offi-
cer. In making that pass, partly through the quickness
with which I made it, and partly through my condition of
intoxication, I happened to strike him on the forehead
with my nail. I had no intention of committing any as-
sault upon a Police Officer, and the whole thing was a mere
momentary fit of bad temper.

*Sworn to before me }
this 14th day Dec. 1887 }
Rudolph L. Schauf
COMMISSIONER OF DEEDS,
N. Y. CITY & COUNTY.*

POOR QUALITY
ORIGINAL

0257

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 W. Fidderson

The Grand Jury of the City and County of New York, by this indictment, accuse

John W. Fidderson —

of the CRIME OF ASSAULT IN THE THIRD DEGREE, committed as follows:

The said

John W. Fidderson.

late of the ~~First Ward of the~~ City of New York, in the County of New York
aforesaid, on the *29th* day of *October*, in the year of our Lord
one thousand eight hundred and eighty-*seven*, at the ~~Ward~~, City and County
aforesaid, in and upon the body of one *Thomas A. Butler*,
in the peace of the said people then and there being, with force and arms, unlawfully
did make an assault and ~~in~~ the said *Thomas A. Butler*,
did then and there unlawfully beat, wound and illtreat, to the great damage of the
said *Thomas A. Butler*, 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

0258

Second COUNT. [Sec. 280, N. Y. City Consolidation Act of 1882.]

And the Grand Jury aforesaid, by this indictment, further accuse the said

John W. Filderson —

of the CRIME OF USING PERSONAL VIOLENCE UPON A MEMBER OF THE POLICE FORCE, WHEN IN THE DISCHARGE OF HIS DUTY, WITHOUT JUSTIFIABLE OR EXCUSABLE CAUSE, committed as follows :

The said

John W. Filderson, —

late of the City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the

City and County aforesaid, with force and arms, in and upon one *Thomas A. Butler*,

being then and there a member, to wit: a *John* of the

police force of the City of New York, and then and there being in the discharge of his duty as such

John, unlawfully did make an assault, and did then and there unlawfully,

wilfully and without justifiable or excusable cause, use personal violence upon the said

Thomas A. Butler, so being in the discharge

of his duty as aforesaid, and him the said *Thomas A. Butler*

did then and there unlawfully and wilfully strike, beat, wound and illtreat; 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.

0259

BOX:

283

FOLDER:

2704

DESCRIPTION:

Gill, John E.

DATE:

11/21/87



2704

0260

BOX:

283

FOLDER:

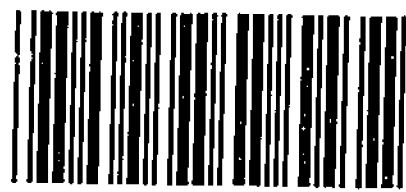
2704

DESCRIPTION:

Foster, John

DATE:

11/21/87



2704

0261

BOX:

283

FOLDER:

2704

DESCRIPTION:

Worley, George T,

DATE:

11/21/87



2704

0262

BOX:

283

FOLDER:

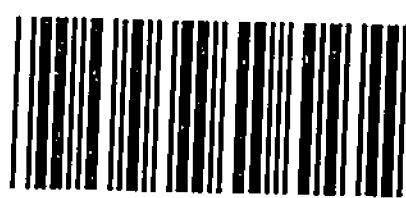
2704

DESCRIPTION:

McDonald, James

DATE:

11/21/87



2704

0263

BOX:

283

FOLDER:

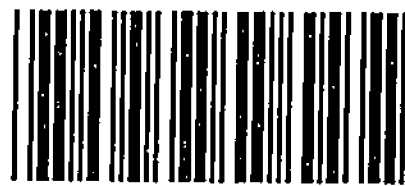
2704

DESCRIPTION:

Campbell, John A.

DATE:

11/21/87



2704

POOR QUALITY
ORIGINAL

0264

Witnesses:

107.

Counsel,

Filed,

1887

Pleads, *Not guilty (or) with leave*

THE PEOPLE

vs.

John E. Gill
John Foster
George J. Worley
James McDonald
John A. Campbell

RANDOLPH B. MARTINE

Pl. 3 Jan 5 1887
of District Attorney.

July 17 1888

A True Bill.

W. C. Magruder

Foreman.

July 12 1888

Nov. 12 1888

Plead Guilty

[Section 168, subsec 6, Penal Code]

Conspiracy

POOR QUALITY
ORIGINAL

0265

14 DISTRICT POLICE COURT.

THE PEOPLE,
ON COMPLAINT OF

Adver Hartt

agst.

John E. Gill

John Foster

George F. Worley

James McDondes

John A. Campbell

I, James H. Lyon

Examination had April 21st 1887

Before Hon. Solon B. Smith Police Justice.

Stenographer of the 2nd 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

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

Dated April 25th 1887

Solon B. Smith

Police Justice.

James H. Lyon

Stenographer.

1st District Police Court
New York April 4, 1887

The People vs on Complaint of
Odder Hartt

against
John E. Gill.
John Foster.
George F. Worley.
James M. Donald.
John M. Campbell.

Before Hon. Colonel B. Smith
Police Justice.

Appearances.

For the People Edgar J. Phillips Esq.
and Franklin Curry Esq.

For the Defence - Louis F. Post Esq.

Odder Hartt, the complaining witness
being duly sworn testified as follows:

Cross Examination - by - Mr. Post.

Q. What is your business?
A. Shoe business

- Q. How long have you worked at it?
- A. Eighteen years.
- Q. In what different capacities?
- A. As a shoemaker and foreman.
- Q. How long have you been a foreman?
- A. About twelve years.
- Q. Continuously?
- A. Yes, sir.
- Q. For whom were you foreman during that time?
- A. For Hannan and Beddick -
- Q. Where?
- A. Warren Street, New York, corner of Church Street, and Jay Street.
- Q. Where else?
- A. At Grand O. Silvers in Parrytown, and with Gardner and Estes, at 14th Street and 9th Avenue.
- Q. Is that all?
- A. Yes, there are the bosses I was foreman for.
- Q. Those are all the houses where you have worked as foreman, for the past twelve years?
- A. Yes, sir.
- Q. During the past twelve years have you been employed by any other houses except those?
- A. I was foreman for Hefz Brothers in Baltimore.
- Q. Were you employed as foreman or otherwise

by any other house for the past twelve years.

A. No, sir.

Q. When did James E. Gill, one of the defendants, make threats against you, as a shoemaker.

A. About the middle of January.

Q. 1887?

A. Yes, sir.

Q. Where?

A. At Gardner and Estes' factory.

Q. On more than one occasion?

A. Not in there, on more than one occasion.

Q. Did he do it, at all, on more than one occasion?

A. I think he did.

Q. What was the first occasion — when?

A. About the middle of January, 1887.

Q. Where?

A. At Gardner and Estes' factory.

Q. When was the next occasion?

A. It was, to the best of my knowledge, and belief in Baltimore.

Q. When did he personally make threats against you?

A. I will swear to that; the first threat he made in Gardner and Estes' factory.

Q. And when next?

A. In Baltimore he interfered with me.

Q. Did he ever personally make threats, to

your knowledge, excepting in January in
Gardner and Estes?

A. Yes he did.

Q. When was the second time he personally made
threats, to your knowledge?

A. In Mr. Hannon's.

Q. When?

A. I couldn't give the exact date.

Q. About when?

A. Some time in September?

Q. 1886.

A. Yes sir.

Q. The first time being in January 1887, and the
second time he made threats being in
September 1886, when was the third time he
made threats if at all?

A. I made a mistake saying that the first
time was in January. The first time being in
September 1886.

Q. And the second time was in January 1887?

A. Yes sir; about the middle of January 1887.

Q. And a third time if at all, was where?

A. In Baltimore.

Q. Where?

A. In Hess Bros.

Q. When was that?

A. Between the first and the third of March
1887.

Q. And the forth time, if at all; was where?

- A. I don't know anything about the fourth time.
- Q. That is all you know about it personally?
- A. I know at different times that he insisted on my being discharged by the manufacturers, to the manufacturers.
- Q. When did he make threats in your presence to your knowledge?
- A. He made threats in February to my knowledge.
- Q. Where was it?
- A. Downtown and he made threats in January also.
- Q. Where was the February occasion?
- A. In church street.
- Q. On the street?
- A. No sir; in a building.
- Q. In whose building?
- A. I don't know.
- Q. In whose shop was it, if it was in a shop?
- A. It was at a meeting where the Knights of Labor and the manufacturers met to effect a settlement.
- Q. Was it a meeting between a committee of the Knights of Labor and a committee of the manufacturers?
- A. Yes sir.
- Q. Shoe Manufacturers
- A. Boot and shoe manufacturers.
- Q. Have you told all the occasions on which

he made threats against you personally.

A. I don't recall to mind any other threats, ~~with~~ just now.

Q. When did John Foster first make a threat against you, to your knowledge, as a shoemaker?

A. In February.

Q. That was the first time?

A. Yes, to my knowledge.

Q. Where was that?

A. At the same place, in Church Street.

Q. Was Gill present then?

A. Yes, sir.

Q. Did Gill make any threats then?

A. Yes, sir.

Q. When was the second time that Foster made threats against you to your knowledge?

A. I don't know that Mr. Foster was there at that time.

Q. You know, of your own knowledge, one occasion on which he made threats?

A. Yes, sir.

Q. Now about Horley, when did he make his threats?

A. At the same time.

Q. In January?

A. In February.

Q. On one of the occasions when Gill was present and Foster was present?

A. Yes sir.

Q. Did Worley at any time make threats, to your knowledge?

A. No sir.

Q. When did Mr. W. C. Donald first make threats?

A. In the middle of January:

Q. 1887.

A. Yes sir.

Q. On an occasion when Gill was present, one of the occasions?

A. Yes sir.

Q. The second occasion I suppose?

A. Yes sir.

Q. Did Mr. C. Donald make any threats, any subsequent time, to your knowledge?

A. I don't recall it to my mind now.

Q. When did Campbell first make threats to your knowledge?

A. The same time Mr. C. Donald did.

Q. Was that the only time to your knowledge?

A. Yes; he appeared to the meeting of the Manufacturers several times.

Q. Would they make any threats then?

A. He didn't.

Q. The first time Gill made any threats was in September 1886?

A. Yes sir.

Q. That was in whose shop?

A. Mr. Hannan's.

Q. Where is that?

A. Centre and White Streets.

Q. Who was present then?

A. Mr. Hughs.

Q. Who is he?

A. He is the foreman of Hannan & Sons.

Q. Was anybody else present?

A. Not on that occasion.

Q. You were also present?

A. Not then.

Q. Weren't you present, at the time Lill made threats?

A. Not that time.

Q. On the first occasion when he made the threats, you didn't hear him make them?

A. No, sir.

Q. You didn't hear him make threats until January?

A. I didn't hear him then.

Q. Did you hear him make threats in September 1886, or at any time before January 1887?

A. Yes, sir.

Q. Didn't you hear him make threats in January?

A. I was present.

Q. Did you hear him?

A. No, sir.

Q. Did you hear any of the defendants make threats in January?

A. Not relative to me.

Q. You never heard them make threats relative to me?

A. Not with my own ears.

Q. All you know is what somebody else told you?

A. That is all. That is right.

Q. When did you first work for Hannan and Reddick, as I remember?

A. In 1874 and '75, something like that.

Q. You went to work for them about 1874 or 1875?

A. Yes, sir.

Q. How long did you remain there?

A. From five and a half to six years, nearly six years.

Q. Was Hannan and Reddick's shop, at that time, known to the trade as a Union shop?

A. No, sir; as a briber's shop. It had an organization known as that.

Q. That was a trades Union?

A. I don't know.

Q. It was a society to keep up the wages of the men?

A. Yes, sir.

Q. It was known then as a briber's shop?

A. To the best of my knowledge, and belief I think so.

Q. Was there any strike when you went there?

9.

A. Soon after I was there, there was.

Q. Did you know the alleged cause of that strike?

A. I believe they were opposed to me and some machinery there.

Q. You weren't a member of the Crispin?

A. No sir.

Q. Did that shop continue as a Crispin shop up to the time of the strike?

A. It was so considered, I believe.

Q. Did you take on any men who were not members of the Crispin organization, prior to the strike?

A. No sir.

Q. You made no charges in that respect?

A. No sir; a young man came there with me and Mr. Hannan hired him.

Q. How long after you went there, did the strike take place?

A. A week, or ten days, I think, to the best of my knowledge and belief. Maybe a little longer. Sometimes in that neighborhood.

Q. How long did the strike last?

A. Six or eight weeks.

Q. Were men obtained during the strike?

A. Yes; I think so.

Q. The shop then ceased to be a Crispin shop?

- A. Yes, I believe so -
- Q. And remained in that condition all the time you were there, as foreman?
- A. Yes, there were none there when I left.
- Q. And hadn't been since the strike?
- A. Not to my knowledge.
- Q. You had taken pretty good care that there shouldn't be?
- A. No, not particularly so.
- Q. What was the occasion of your leaving there?
- A. Mr. Hannan and I had some little disagreement.
- Q. And you separated?
- A. Yes sir.
- Q. That was about when?
- A. Some time in July, or the latter part of June.
- Q. What year?
- A. 188 or 1880 I think -
- Q. Where did you go from there?
- A. To G. and D. Silver's.
- Q. When?
- A. In July.
- Q. 1881?
- A. I ain't positive whether it was 1881 or 1880.
- Q. Immediately after leaving Mr. Hannan's?
- A. Yes sir.
- Q. Was Silver's known as a Union shop?
- A. No sir.

A. No sir -

Q. Was there a strike then when you went there?

A. No sir.

Q. Or soon after you went there?

A. No sir -

Q. There was no strike there when you were there?

A. There was a strike there, in three or four years I went there, there was a strike.

Q. The shop wasn't a Union shop?

A. No sir, it was to be organized when the strike took place.

Q. There was no trouble with you until then on account of your being foreman.

A. No sir -

Q. And the time of the trying to organize to shop as a Union shop?

A. No sir.

Q. How long after that did you leave?

A. About two years.

Q. How long did the strike last?

A. It was going on two or three months before it was finally settled up.

Q. How was it settled up?

A. Mr. Silver made some arrangements with them. He was to keep the hands on he had employed and if he had any places and could use those who went on a strike, he was to take them back.

- Q. Did it become a Union shop?
- A. Yes; some months later he made it a Union shop.
- Q. Did you remain there as foreman then?
- A. Yes.
- Q. Until when?
- A. Last September, the 25th.
- Q. Up to that time there was no trouble with you and Mr. Silver?
- A. No sir, and the men and I got along well together.
- Q. The men were friendly?
- A. Yes, they must have been for they made me a present of a gold headed cane.
- Q. Then you came here to Hammond?
- A. No sir; I went to Gardner and Estes.
- Q. In September last?
- A. Yes sir.
- Q. You went almost directly from Silver's to Gardner and Estes?
- A. A few days.
- Q. Did you work at any other place in the meantime?
- A. No sir.
- Q. Was Gardner and Estes a Union Shop?
- A. I understood it was.
- Q. You don't know it was.
- A. I was told and have every reason to believe so.

- Q. How long had you been with Gardner & Estes before there was any trouble in regard to your self?
- A. About three months.
- Q. No trouble there in September?
- A. Not while I was there.
- Q. Was there a man named Powers discharged in September?
- A. No sir, Potter, but not in September.
- Q. When was he discharged first?
- A. On or about the first part of December.
- Q. So that, from September to December, there was no trouble on that account at all?
- A. No sir -
- Q. You state that Potter's first discharge was about the 20th of November 1886?
- A. Yes sir.
- Q. In your affidavit you state that; is it correct?
- A. November, does it say?
- Q. So my copy reads.
- A. I don't remember the exact date. Probably it was in the latter part of November or the first of December; somewhere in that neighborhood.
- Q. You discharged Potter on the ground that he was swindling the firm by his checks?
- A. Yes sir.
- Q. You say that upon your discharging him

the shop Committee of the Knights of Labor or-
dering the strike.

A. Yes, sir.

Q. Explain what the shop committee is?

A. It consisted of a steward, a President and Mr.
Delacy and Mr. Powers.

Q. Both were working in the shop?

A. Yes, sir.

Q. And employed by Mr. Gardner?

A. Yes, sir.

Q. And the shop was organized as a shop?

A. Yes; I understood so.

Q. And these two men were officers of the shop
or organization?

A. Yes, so far as I know.

Q. You weren't a member of the shop organ-
ization?

A. No, sir, the foreman is not supposed to be,
as I understand it.

Q. Do you know whether any meeting of the
shop was held, in regard to the discharge
of Potter?

A. Yes; they went out and held a meeting out-
side.

Q. All the workman?

A. Yes, sir.

Q. And before the two men called upon you?

A. After. They came to me and said if Potter
was not reinstated before noon they would strike

and they did.

Q. They held this meeting?

A. They all went out, and didn't return.

Q. Did they send any further committee to you?

A. The committee came in and said, others would not.

Q. Came in from the meeting?

A. Yes, sir.

Q. The same men that came there before?

A. No, sir, different men.

Q. Potter was reinstated?

A. Yes, he was pending Mr. Gardner's return.

Q. How long was the shop out?

A. Half a day.

Q. They came back the next morning?

A. Yes, and I reinstated Potter, pending Mr. Gardner's return.

Q. Did they say anything in your presence about prosecuting the man Potter?

A. I think something like that was said by the committee.

Q. You claimed that he was discharged for the dishonesty.

A. I did.

Q. For stealing practically?

A. Yes, it was nothing else.

Q. The committee insisted that he should be either reinstated or prosecuted?

- A. Yes, there was some talk to that effect.
- Q. You didn't prosecute him?
- A. It was not my business to do so. I said I would not take any further action until the return of the firm.
- Q. The firm didn't prosecute him?
- A. They got a warrant and he skipped the State.
- Q. When was that?
- A. That was the first part of January.
- Q. 1887-
- A. Yes sir.
- Q. Do you know that yourself?
- A. Yes sir.
- Q. Do you know the warrant was taken out?
- A. Yes sir.
- Q. Personally you know that?
- A. I didn't see the warrant.
- Q. Did you go to the Police Court?
- A. No sir.
- Q. Mr. Gardner told you that he had taken a warrant out?
- A. Yes sir.
- Q. What do you mean in your affidavit, by swearing that, at the strike of the shop, the first strike of shop, they remained out from six to eight weeks whereupon said Potter was reinstated, out said employees went to work, pending the return of Mr. Gardner, who was in the South?

A. That was before the six weeks strike. They had two strikes. One lasted half a day, and the other lasted between seven and eight weeks.

Q. Why did you state in your affidavit that the first strike lasted six or eight weeks, whereupon he, (Potter) was reinstated, pending the return of Mr. Gardner.

A. I never stated that, to my knowledge.

Q. Did you read the affidavit before swearing to it?

A. Yes, sir.

Q. It is a fact that that strike lasted only half a day.

A. Yes, sir.

Q. It is a mistake, the statement in the affidavit is that it was from six to eight weeks.

A. Yes, sir; the first strike.

Q. It was a mistake in saying that the first strike lasted six or eight weeks.

A. The first lasted half a day?

Q. You didn't read that affidavit over carefully?

A. Yes I did, but I don't remember seeing anything like that in it. If I did I would surely have corrected it.

Q. Upon Mr. Gardner's return Mr. Potter was again discharged, after the matter was submitted to him?

A. Yes, sir; immediately.

Q. Do you know about the shop making any

complaint that the accusation against Potter was subterfuge, and that your purpose was to gradually change the shop from a Union shop to a Acab shop?

A. I heard a good many threats.

Q. Did you hear any such talk either at the first strike or the beginning of the second?

A. After the next men went on a strike.

Q. From the shop people.

A. Some of them. They had no grounds for it though not a particle.

Q. Who is John W. Fuller?

A. Foreman of the sole leather room.

Q. Was he there when you came there?

A. No sir.

Q. Was he a subordinate of yours?

A. In a measure he was under me. He was the foreman of his department.

Q. That department was under you also?

A. Yes sir.

Q. Did you bring Mr. Fuller there?

A. I informed Mr. Gardner that the man could be hired. He wanted a man and I found this man for him. He wanted a man and I found this man for him. I heard the man was going to be in the city and I spoke to Mr. Gardner about him.

Q. Is he a member of the trades organization?

A. No sir; I think not.

- Q. You knew he was not?
- A. I knew the foreman hadn't any right to be.
- Q. You knew he had not been?
- A. I knew he was not, in my time.
- Q. Who is Waldon?
- A. He is a foreman of the filling department.
- Q. He was also a subordinate of yours?
- A. He was boss of his own department.
- Q. It was under you?
- A. To a certain extent.
- Q. The same as Fuller?
- A. Yes, sir, of the same nature.
- Q. Was he there, when you went there?
- A. No, sir.
- Q. Did you bring him there?
- A. Mr. Gardner hired him.
- Q. How did Mr. Gardner find out that such a man, or this particular man, was in the Market?
- A. I suppose he had various ways of finding it out.
- Q. Didn't you tell him of it?
- A. He and I talked the matter over.
- Q. You told him of the man?
- A. Yes I told him there was a good man and he said he knew him.
- Q. He was working some where else?
- A. Yes, in Philadelphia.
- Q. He was a Union man?

A. No sir. I told you before it, was not necessary for a foreman to be, a member of the Union.

Q. There are foreman known, as Union foreman and foreman known, as scab foreman?

A. I understood there are some of the foreman in the organization. I don't belong to it, but I have heard of some.

Q. You know some foreman that are known to the favor, as Union and others, oppose it?

A. If a foreman discharges his duties honestly I suppose —

(interrupted by Mr. Post)

Q. Answer the question please. Some are known as Union foreman, and some as scab foremen.

A. Some foremen have been scared in. I don't understand the word "scab", and I fail to see the meaning.

Q. You don't know what it means?

A. I don't see why it should be, a scab foreman.

Q. When you heard the men talking about scab foreman you didn't know what they meant?

A. They meant to throw a slur upon them.

Q. Don't you know that you are known in the trade as a scab foreman, and that you have been known in the trade as a scab foreman and that you have been paid such for

years.

A. I don't know that I was - I never knew I was that?

Q. It never came to your knowledge until this minute. I heard it used in some underhanded way.

A. I heard it used in some underhanded way.

Q. You heard you were known in the trade as a scab foreman?

A. Yes, sir.

Q. This six or eight weeks strike in Spentner's shop was pretty generally known to the trade in the city - was it not?

A. It was well advertised through the daily papers.

Q. Where?

A. Yes, sir.

Q. It appeared in the papers that the strike was largely in regard to yourself?

A. It appeared it was a strike.

Q. Was it not known that it was a strike in regard to yourself, and known generally to the trade, in the city and country that such a strike was in progress and that you were the cause of it?

A. The strike started on Mr. Potter, and they claimed they wanted three men discharged.

Q. The newspaper published it extensively?

A. Yes, sir.

- Q. Told me what the strike was?
A. Not a very full account of it.
Q. The strike at Gardner's shop?
A. Yes, sir.
Q. You were the foreman of that shop?
A. Yes, sir.
Q. And it was on account of some of your acts?
A. Yes, sir.
Q. And so far as the newspapers could carry it,
it was generally known as a strike against
you?
A. It was a demand for a discharge of three
foremen.
Q. Was it not generally known that it was a-
gainst you?
A. I can't say who read the papers.
Q. So far as the papers could bring it to the
knowledge of the people it was so known.
A. Yes; I suppose so.
Q. When you left Gardner's you went to Baltimore?
A. Yes, sir.
Q. Did you hunt up the job, or were you sent
for?
A. A man applied for me, and hired me here.
Q. To go there?
A. Yes.
Q. Was this the agent of Heess Bros. who asked
you to go there?
A. It was one of the firm

Q. Did he tell you whether their shop was a Union Shop?

A. He said it was but he couldn't control his own hands.

Q. Did he ask you if you would have any difficulty with his men.

A. He talked with his men, and knew the absurdity of it, and would not countenance it.

Q. Did he say what would happen if they did?

A. I don't know.

Q. He didn't say he couldn't keep you if there was?

A. He said nobody of working men could work the foreman out of his shop.

Q. He didn't say that your employment there would be a contingent upon the organization men being satisfied?

A. No sir.

Q. When did you go to Heess's to work?

A. The 2nd of March.

Q. On the 2nd of March?

A. Yes sir.

Q. How long did you remain there?

A. One day.

Q. The shop refused to work with you?

A. Yes; they went on a strike.

Q. They worked one day all right and they

claimed they had a notice from District 91 of New York, to go on a strike.

Q. Who told you that?

A. The committee; Mrs. Peacock, Mrs. Clemond and Mr. Barrett.

Q. They all told you that?

A. Yes, I have their signatures.

Q. Given to you in writing?

A. It was a verbal notice. They gave their signatures before they left the office.

Q. Have you them here?

A. Yes; there are their addresses and their own writing.

Q. Is that all the written notice you got?

A. I meant their names.

Q. How many were employed there at Hess Brothers?

A. I guess there was in the neighborhood of 125 to 150. About eighty men went out.

Q. One hundred and fifty are employed there?

A. Yes; the girls didn't go out the men did.

Q. Aside from their having mitigated the strike, you know nothing aside from what you are told?

A. The committee told me direct that it came from District 91 of New York.

Q. Aside from what you were told you know nothing about that?

A. That time.

- Q. Or any time.
- A. Two other committees united upon these Bros - they informed me.
- Q. You never heard any of the defendants say anything of that kind?
- A. They never said it to me.
- Q. You never seen any letters or telegrams from them.
- A. I couldn't say I did.
- Q. Demanding your discharge from these Brothers?
- A. They said they would drive me out of New York, and also out of the United States.
- Q. Where did they say that?
- A. It is hearsay.
- Q. I am not asking you for hearsay, and you know very well I ain't. You never seen any letters or telegrams from any of these defendants ordering the Hess strike?
- A. No sir; I didn't see them.
- Q. You didn't hear any of those defendants say anything of that kind?
- A. No sir.
- Q. Where are you working now?
- A. I am not working at all.
- Q. Not since you left Hess Bros?
- A. No sir.
- Q. How long did Hess Bros. hire you for?
- A. No specified time.

Charles C. Estes, a witness, called for prosecution, being duly sworn, testified as follows:

Direct Examⁿ - by - Mr. Phillips.

Q. Where do you reside?

A. Number 175 N. 13th Street.

Q. What is your business?

A. Shoe manufacturer.

Q. Where is your place of business?

A. Ninth Avenue N. 11th Street.

Q. Are you a member of the firm here that employed the complaining witness here, Mr. Hart as foreman.

A. Yes, sir.

Q. On the month of January 1887 were you visited by a Committee or a number of persons of which Mr. J. E. Gill, Mr. Campbell & Mr. W. K. Donald the defendants were among the number?

A. They were all there and one more I believe. Mr. Gill, Mr. W. K. Donald, Mr. Campbell and I had an impression there were some other persons.

Q. Was it either of these defendants Mr. Worley or Mr. Foster?

A. I don't think so. I don't remember that.

Q. Do you remember about the three defendants Gill, Campbell, and W. K. Donald being there?

A. Yes, sir.

Q. Did any conversation take place?

A. Yes sir.

Q. What was it?

A. They came to me, and inquired for my partner, Mr. Gardner, and I told him he was out, and would return shortly. They then said that as I was a partner I would do as well. They then started that they had come to this decision: that Mr. Potter must be reinstated in the factory, and that Mr. Hartt, Mr. Waldron, and Mr. Fuller should be discharged. I said very well, that is your decision. I think think that is the remark I made. I said I would like them to wait, and see Mr. Gardner. That is all the conversation passed between the committee and me.

Q. Who was the spokesman of the committee?

A. I think Mr. Gill was.

Q. And Mr. Campbell, and Mr. W. C. Donald were present?

A. Yes sir.

Q. And heard the conversation?

A. Yes sir. I wouldn't swear which of them spoke to me in that way.

Q. & One spoke in the presence of the others?

A. Yes sir.

Cross-Examination - by - Mr. Post.

Q. This was just at the beginning of the strike in January?

A. After they had this little season with Potter.

Q. Had the strike commenced?

A. Yes, all the men went out.

Q. Prior to that when Mr. Gardner went away?

A. I was too. Mr. Gardner and I got home the same night.

Q. You don't know anything about that?

A. No sir.

Q. This was the first interview you had in regard to the matter?

A. Yes sir.

Q. Which of the partners was home?

A. Neither of them. Mr. Gardner's brother W. J. Gardner took charge of one floor, and Mr. Hart was at the factory.

Q. He was in general charge of the business.

A. Yes sir.

Q. Was this the first interview you had with those people?

A. Yes, personally. I was attending to the factory part of the business, and wouldn't want to swear positively.

Q. There was no previous interview at which you were an auditor?

A. No sir; I don't think I was when Mr. Potter was there.

Q. The trouble was about Mr. Potter's discharge?

A. I don't know.

Q. Am I right in supposing that this is all of the Committee was a final call, after some previous interviews were had with some of your people?

A. They said, "This is our decision."

Q. You inferred that there had been some previous interview?

A. Yes, sir.

Q. Is this the first interview you had personal knowledge of?

A. Yes, sir.

Q. Have you told all that was said?

A. Yes; I heard a very few words. It was only just a moment.

Q. Was anything said about prosecuting Potter at that interview?

A. No, sir.

Q. You didn't hear about it before?

A. No, sir.

Q. The question of Potter's dishonesty toward your firm you know was investigated?

A. Yes, sir.

Q. By whom?

A. The same three a committee. As to them I knew Mr. Donald & Mr. Gill.

Q. There was an Employers Committee who met

with them -

A. Mr. Gardner was in there, and Mr. Hartl and I went in there -

Q. Don't you know that the question was submitted to the Employers' organization, and, as committee of the Knights of Labor?

A. Yes, sir.

Q. You know about that in general way?

A. Yes; it was in the sample room they met.

Q. It was on the question of whether, or not Mr. Potter was dishonest that they met?

A. Yes, sir.

Q. Did you know that the people of your shop, that the reason they objected to Potter's discharge, was that it was not done in good faith and not on account of the dishonesty of Potter but because it was done by Hartl, who did it to gradually change the shop to a peacab shop.

A. No, sir.

Q. You never heard that?

A. No, sir; I never heard that.

Q. You knew all your men went out?

A. Yes, I guess I did.

Q. And you didn't know why?

A. I know they struck on a

Q. Did any of them tell you that?

A. No, sir; I didn't know what they struck for until after that?

A. Most of the business is attended to by your

partners?

A. Yes. I didn't have anything to do with the men.

Q. Your part of the business, is what?

A. The financial part.

Q. You knew your shop, was known to the trade as a Union Shop?

A. Yes; I think every man and woman in there was a member of the Union.

Q. And have been for a long time?

A. Yes, sir.

Q. How long is it since your trouble with the men commenced?

A. It was, in October I think the men were on a machine a day or two.

Q. It was some labor saving machine?

A. Yes, sir.

Q. Which they claimed would deprive them of work?

A. Yes, sir.

Q. You have given this conversation in full to the best of your knowledge?

A. Yes, sir.

Hubert Gardner, a witness for the prosecution being duly sworn testified as follows:

Direct Examination - by Mr. Phelps.

Q. Where do you reside?

A. At number 270 west 132nd street.

Q. Where is your place of business?

A. At 9th Avenue and 14th Street, this city.

Q. You are a partner of Mr. Estes, the last witness?

A. Yes, sir.

Q. What is your business?

A. Shoe Manufacturer.

Q. Do you remember the occasion on which you were waited upon by Mr. Gill, Mr. Campbell, and Mr. W. E. Donald, the three defendants here?

A. Yes, sir.

Q. About when was that?

A. In January.

Q. Did you have a conversation with them?

A. Yes, sir.

Q. What was it?

A. Mr. Gill called on me to inform me that they wouldn't allow any of the men —
(interrupted)

Q. Who was with him?

A. Mr. Campbell, and Mr. W. E. Donald; the other man I don't know. I don't think it was either of the other two men, Morley and Foster.

Q. Who was the spokesman?

A. Mr. Gill.

Q. What was said?

A. He said they wouldn't allow any of the members of District Number Ninety One, to go to work in the shop, until Mr. Lotter was reinstated, and Mr. Hart, Mr. Halden and Mr. Fuller were discharged.

Q. What did you say?

A. I said they had better order me, and finish it.

Q. What else?

A. There was some other language used. I said "You had bitten off more than you can chew this time," and they said they know what they could "chaw."

Q. That was in January.

A. Yes; early in January.

Q. Did the strike continue after that?

A. You for, over six weeks.

Q. And until when?

A. The latter part of February.

Q. Were you present, on an occasion when you heard a conversation by Gill, Foster and Worley, subsequent to this date in January?

A. Yes, sir.

Q. Where was it?

A. In our factory. I don't think it was Gill, Foster and Worley - Was it previous to making

a demand for the discharge of the men?

Q. Subsequent?

A. There was a meeting in the Astor House.

Q. Who was present there?

A. Gill, Mr. Donald, and Campbell, were there, the three of them but I ain't sure about Worley.

Q. Who else was there?

A. A committee of the shoe manufacturers; Mr. Garride, Mr. Kenny and Mr. Murphy.

Q. What was said there in regard to Mr. Hart?

A. The shoe manufacturers made a proposition to have the shoe go back to work. That was previous to the strike and they refused.

Q. Who did?

A. The Committee; Mr. Gill was the spokesman. Then they made as a proposition to suspend Hart, and re-instate Potter and they would let the shop to work. He refused to do that and they said they would not let the shop go to work with Mr. Hart there.

Q. Did Gill say whether he had anything personally against Hart?

A. Mr. Mr. Donald made the most charges against him. I think he said he had nothing personally against him, that he worked with him and had nothing personally a-

- ganist him.
- Q. What further was said, against Hartt?
- A. They were to give us an answer the next day, whether they would let the shop go to work or not.
- Q. What was said about the members of District Assembly Number 91, going back to work, until Hartt was discharged, if anything.
- A. They said they wouldn't allow the shop to work with Hartt.
- Q. Are most of these employees of your shop members of District Assembly 91.
- A. They don't allow them to go to work until they belong.
- Q. Who don't?
- A. The officers of the shop committee.
- Q. When did your shop resume work?
- A. About the latter part of February, or the beginning of March.
- Q. Did the shop resume work upon your, dispensing with Mr. Hartt's services?
- A. Yes, sir.
- Q. Did you, do that by reason of the statement they made?
- A. Yes; to get the shop to work.

Cross-Examination by Mr. Post.

Q. Your shop was a Union shop?

A. Yes sir.

Q. And had been how long?

A. It was, always, a Union shop; When I first came to New York, I don't think it was.

Q. There was a shop organization there?

A. Yes sir.

Q. Composed of the people who work in the shop?

A. Yes sir, in each department.

Q. That shop organization will not remain with you if you employ a non-union workman?

A. No sir; the shop would strike.

Q. When you say the officers of the shop wouldn't allow the men to work unless they are members of the Union, that is what your men told you?

A. Yes sir.

Q. And these officers represent the shop people and the committee of the shop people?

A. Yes; it is the shop's crew.

Q. You don't mean that the officers threaten any violence, anything of that kind if a person is not a member of the Union?

A. They would stop work if we insisted upon putting the man on.

Q. They wouldn't work with a non-union man?

A. No sir.

Q. Do I understand you to say that the shop officers exercised any powers over the man of

your shop by which these two officers would drive just one hundred and fifty men out, if you didn't do as they wanted?

A. They had the District Assembly behind them to enforce their decision.

Q. The shop acts for itself?

A. Yes if the dispute refers to the district.

Q. These officers so far as you know are the same as officers of any Society, they carry out the wishes of the Society?

A. They are generally picked out for their efficiency.

Q. This Employers Association, are you a member of that?

A. Yes, sir.

Q. It is composed of employing shoemakers, in the City of New York?

A. Most all of the larger houses in fact all of them.

Q. Have you a club house?

A. We meet in a hotel, sometimes. There is another club house we go to but it don't belong to us.

Q. That association considers matters of interest to the trade generally.

A. Every shop attends to its own business, unless it is important.

Q. Are the questions of price ever considered there?

A. They attend to them; yes.

Q. Don't they discuss the price with a view to get a uniformity of prices and discuss the question of wages?

A. It is necessary for me to give away the business of the Association.

Q. You never discuss the subject of wages?

A. We might talk about the question of wages brought but it is not brought up much. Maybe a person would talk about it.

Q. You never take any action on it?

A. We haven't yet; I can't tell for the future what we may do.

Q. It is a store employers trade Union?

A. Yes sir.

Q. And it acts through its officers representing the general body?

A. Yes sir.

Q. In that respect it is pretty much the same as the Knights of Labor?

A. Yes sir.

Q. This is a general body behind its officers who do the work for them, such work as is done in connection with your work?

A. Yes sir.

Q. And in this very work your organization appointed a Committee to meet, a Committee of the Knights of Labor?

A. Yes sir.

- Q. Did the committee meet them?
- A. Yes sir.
- Q. And discussed the matter, as to whether the man Potter was dishonest or not?
- A. Yes sir.
- Q. Went into a trial to ascertain whether he was dishonest?
- A. Yes sir.
- Q. Did you prosecute Mr. Potter?
- A. No sir.
- Q. Not at all?
- A. No sir.
- Q. Didn't you take a warrant out for him?
- A. I went to get one, and he was out of the state and I couldn't get one.
- Q. Couldn't you get a warrant?
- A. I went to get a warrant, and there was no justice sitting at that time, and I couldn't get it.
- Q. You made no further effort to get it?
- A. No sir.
- Q. When was that?
- A. Sometimes in the end of February.
- Q. Was the strike well under way then?
- A. It was a little while after the strike.
- Q. The strike commenced in January?
- A. Yes sir.
- Q. The committee had seen you prior to the conversation occurring in January?

A. Yes sir.

Q. More than once prior to this time?

A. They were in there for several hours a day but I don't know whether the committee went in to insist upon the same question about Potter's discharge.

Q. When you came from the South you found he was discharged and had been reinstated pending your return, and upon a reinvestigation he was again discharged?

A. Yes sir.

Q. And the shop struck, wasn't you met then at all by the District Assembly?

A. No sir.

Q. Were you waited upon by the shop committee?

A. Yes sir.

Q. Who demanded his reinstatement?

A. Yes sir.

Q. Didn't they demand that you should either reinstate him or prosecute him?

A. They didn't seem about prosecuting him. I heard they said that to my brother in my absence. They didn't demand any prosecuting from me.

Q. You refused to reinstate him and they struck, went on a strike immediately, is that true.

A. No sir, they said they asked me if I

would be willing to refer it to District Assembly 91st and I said, all right.

Q. Did the shop committee ask that?

A. Yes, sir.

Q. What next happened?

A. The District Assembly Committee came there to investigate.

Q. Who were there?

A. Mr. Gill, Mr. Mc Donald and Mr. Campbell I think; they were the three.

Q. That is the first interview you had with the District Assembly?

A. Yes, sir.

Q. Didn't they put the matter in the alternative, either to put him back or to prosecute him?

A. I don't recollect that they did.

Q. Are you sure about that?

A. I think so.

Q. Were you a little bit excited?

A. I may have been.

Q. Something may have been said at that time and escaped you?

A. Yes, maybe so.

Q. After the interview with the Committee they were to come back subsequently and give you an answer?

A. Yes, sir.

Q. When they returned, you were away and they

seen Mr. Estes?

A. Yes, sir.

Q. And they gave the answer to him, instead of to you?

A. Yes, sir.

Q. When did the joint Committee of the employers Union and the Working Union try Potter?

A. Some two or three weeks after. Two weeks I think after the strike; about that time I think.

Q. The conversation you testified to, when the committee made the final demand, give that conversation exactly, as near as you can?

A. Mr. Gill said "He came to the conclusion that no members of District Assembly 91, will be allowed to work, until Mr. Potter is reinstated and Mr. Hart, Mr. Walden and Mr. Butler were discharged."

Q. That was after you had consented to the District Committee coming in there to investigate?

A. Yes, sir.

Q. After the trial of Potter by the joint Committee?

A. No, sir.

Q. It was the result of this investigation so far as they were concerned that you had

assented to?

A. Yes, sir.

Q. As I understood you, the trial of Potter by the joint committee occurred after that?

A. Yes, sir.

Q. At one of these conversations at the Astor House Mr. Donald made charges against Hart?

A. Yes and he made a long harangue, and said he was an enemy of Union people.

Q. Did he say anything about his undermining union shops?

A. No sir; he said he was an enemy of Union people.

Q. That was the substance of it?

A. Yes, sir.

Q. He didn't go into details?

A. He may have. That was the gist of it. He began talking about when he was in Silver's.

Q. About Hart trying to change Silver's from a Union to a Non-Union Shop?

A. I believe Silver's shop is a union shop.

Q. Was the claim made to your knowledge by the shop people, your shop people, or by the people of District Assembly 91, that the discharge of Potter was not in consequence of any dishonesty but for the purpose of injuring the union in a union shop?

A. No sir

Re Direct Examination - by Mr. Philips

Q. Did you investigate the subject of Mr. Potter's dishonesty?

A. I didn't go into the details thoroughly enough until he left the state.

Q. Did you go to Mr. Martt about discharging him?

A. Yes, to go ^{and} discharge him. The mistake was detected in the office, ^{mean} Potter's alleged dishonesty ~~dishonesty~~ was detected in the office and I gave Mr. Martt orders to discharge him.

Re - Cross Examination - by Mr. Post.

Q. How long was it after the shop committee came to you just prior to the second strike when you went to get a warrant for Potter's arrest?

A. Two or three days I think.

Q. Early in January?

A. Yes, sir.

Q. When did the strike commence?

A. Very early in January.

Q. And early in January you applied for the warrant?

A. Yes, sir.

Q. When did you apply?

Q. To the Tomb Police

Q. Who was sitting there?

A. There was no Justice sitting, at the time I went there with my lawyer.

James Connelley, a witness for the prosecution being sworn, testified, as follows:

Direct - Examination by Mr. Phillips

Q. Where do you reside?

A. At number 166 West 83rd Street.

Q. What is your business?

A. I am a shoe manufacturer.

Q. Here you present on any occasion when Mr. Gill, Mr. Foster and Mr. Worley, or Mr. Gill, Mr. Campbell and Mr. W. C. Donald had any conversation with reference to Mr. Hart?

A. Yes sir.

Q. Whereabouts?

A. At 168 Church Street.

Q. When about was that?

A. On the 19th of February I believe, on a Saturday 1884.

Q. Who of that five, was present?

A. Mr. Gill, Mr. Worley & Mr. Foster.

Q. Who was the spokesman on that occasion of the three?

A. Mr. Gill.

Q. What did you hear him say in the presence of the other two in reference to Mr. Hart?

A. He said he couldn't start Mr. Gardner's factory until Mr. Hart was discharged?

Q. Who said that?

A. Mr. Gill.

Q. What further was said, if anything?

A. I went there for the purpose of starting Mr. Gardner's factory. I was on a committee. My object was to get the factory started.

Cross-Examination - by - Mr. Post -

Q. When was the meeting?

A. On the 19th of February.

Q. 1887?

A. Yes sir.

Q. Where?

A. At 168 Church Street.

Q. Who was present besides you on that day?

A. Mr. Mears of Burt and Mears, and Mr. Garside of Garside and Sons.

Q. You, Mears and Garside composed the committee?

- A. Yes sir.
- Q. Of what?
- A. To get Mr. Gardner's factory started.
- Q. Were you selected from an organization?
- A. I suppose you could call it such, from the Shoe Manufacturers Association.
- Q. Or Union?
- A. Yes sir.
- Q. Has it a president and other officers?
- A. Yes sir.
- Q. Is it a regularly organized body?
- A. Yes sir.
- Q. Do Mr. Ester and Gardner belong?
- A. Yes, Mr. Gardner does.
- Q. The strike was in progress in Gardner's shop when you went to see if you couldn't bring on a settlement and start it again?
- A. Yes sir.
- Q. At whose ~~invitation~~ ^{invitation} did you go on the committee?
- A. I was nominated by the shoe manufacturers.
- Q. Do you know how they came to take up the matter?
- A. Through a grievance brought the association by Mr. Gardner.
- Q. He was a member, and he had a grievance in the trade which he laid before them?
- A. Yes sir.

- Q. And they appointed a committee to investigate it and see what action could be taken?
- A. It was appointed through an investigation of District Assembly Number One.
- Q. So there could be a joint meeting of the employers and employees in a certain trade?
- A. Yes sir.
- Q. This Association of the Manufacturers bears about the same relation to the manufacturers that District Assembly Number One does to the working men?
- A. I don't know anything about District Assembly Number One.
- Q. What relation does the association bear to the employers?
- A. It is an organization for mutual benefit.
- Q. To consider matters relative to the trade?
- A. Yes sir.
- Q. And look into the different grievances members may have?
- A. Yes.
- Q. And about wages?
- A. No sir.
- Q. That is never discussed?
- A. Such things have been talked about.
- Q. You three gentlemen met a committee of District 9?
- A. Yes, three days before that one, did, at Lerner's place.

- Q. That is in regard to what?
- Q. Who was discharged from Mr. Gardner's shop?
- A. Yes sir.
- Q. You six gentleman met in regard to it?
- A. Yes sir.
- Q. And made an investigation as to whether he had been discharged for dishonesty or without cause.
- A. Yes there was a little meeting of the two parties.
- Q. What was the result of that investigation?
- A. It was a tie vote.
- Q. A tie vote, on the first ballot?
- A. It was a tie vote so far as the sense of the meeting was. I made a mistake. I said not guilty instead of guilty and I corrected it and the gentleman saw it was a mistake?
- Q. How soon after the vote was announced?
- A. Immediately.
- Q. How was your attention called to it?
- A. When it was called.
- Q. When you saw the vote stood four to two you noticed you had voted wrong.
- A. Yes sir.
- Q. Why did you think you had?
- A. Because I knew it. I recognized it after.
- Q. You recognized you voted not guilty?
- A. Yes sir.

Q. You wrote your ballot?

A. Yes and I had my minutes made and summed up, for the other side; so that you can see it was a mistake on my part.

Q. The meeting you speak of was subsequent to the third meeting?

A. Yes, sir.

Q. Please repeat exactly all that was said at the final meeting?

A. He met on Saturday morning February 19th; Mr. Gull and myself thought we should have time to consider the evidence taken. It was my wish to discuss the matter prior to the vote being taken. It was decided to take a vote immediately and I gave my opinion after that and concluded he was guilty from the examination we made. Then the question was brought up about what terms Mr. Gardner was going to work.

Q. That is on what terms his men would go back.

A. No, sir.

Q. That was not the question?

A. No, sir.

Q. He was not allowed to keep his shop open?

A. No, sir.

Q. How was it prevented?

A. I can't go into those details. I know the shop was on a strike.

- Q. It means his men wouldn't work after that?
- A. They were called by, "District Assembly 91."
I suppose.
- Q. You understood that the shop had nothing to say in the matter?
- A. The shop was on a strike, and we tried to set it a going.
- Q. If you say Mr. Gardner could not go to work?
- A. We were appointed a committee to try and get the fancy started.
- Q. Which means you tried to get the people to work?
- A. Yes sir; to get the people from District 91 to come to their senses?
- Q. Those people represented Gardner's people?
- A. The three men sitting there were men who were supported to hold the rods over them. If Mr. Gill had said to go to work they would have done so.
- Q. What was the rod?
- A. They were the three men who had the shop in their hands.
- Q. They were a committee representing the working men the same as your committee represented the Employers?
- A. They represented District 91.
- Q. That is composed of working men in Gardner's and other shops.

A. I don't know.

Q. You don't know that they represent an organization of workmen, including Gardner's people the same as your organization represents the employers?

A. District 91 is a part of the organization and they were a committee from that organization.

Q. They were a committee from any organization of shoemakers?

A. Yes from District 91.

Q. It is an organization of workmen?

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

Q. Mixed?

A. I don't know whether there are different trades in it or whether it is exclusively composed of the shoe trades.

Q. You don't know whether Mr. Gardner's men who struck belong to it?

A. I don't know.

Q. How did you expect to bring about a settlement?

A. With these three men; because they had the power to say to keep the place open.

Q. To say to these one hundred and fifty people to go back or not was all these three men had to do. The one hundred and fifty people had to do as they said?

A. Yes sir.

Q. You understood it that way?

A. Yes, sir.

Q. And with that understanding, you went in that morn'g?

A. Yes, sir.

Q. And the people themselves, had no say about it?

A. I understood they couldn't go to work unless they said so.

Q. They had no say. Did you understand that they couldn't go to work voluntarily?

A. I don't know.

Q. You understood that they could not act voluntarily in the matter?

A. They could set the shop to work, or not as they pleased.

Q. So you understand that these people had entrusted their rights to a committee and, authorizing the committee to act for them?

A. I didn't so understand it. I knew that the shop was called out and I suppose by the same three gentlemen we were dealing with.

Q. You don't remember that they were a committee to represent the people the same as your committee was to represent the employers?

A. No, sir.

Q. You thought you were dealing with

three cars?

A No sir; I thought I was, dealing with three workmen like myself.

Q. The same, as you represented your working men?

A. Yes; I am, a workingman.

Re-Direct Examination - by - Mr. Philips

Q. Do I understand the matter of these three men that they had control, the three men?

A. Yes; they said they could set the men to work if they chose.

Q. And they said they would not do it until Hartl was discharged?

A. Yes sir.

Re-Cross Examination - by - Mr. Post

Q. What do you mean by the word "control" was the word "control" used?

A. No sir; I think not.

Q. Did you understand from any words they used, that they had absolute control over the men or that the men had entrusted them to act for them?

A. It was generally understood that they could put them back to work or keep them on the strike?

Q. Whether from anything said or not you understood that these three men were a representative committee?

A. Yes; a committee.

Q. From what?

A. I suppose from District Assembly 91.

Q. What is that?

A. I don't know much about it.

Q. It was a big figure that could knock off hands and keep them out of work?

A. I don't know.

Q. What was said?

A. When we met for the final decision in this case, it was on Saturday, February 19th at 168 Church Street. There was Mr. Gill, Mr. Foster, Mr. Worley, Mr. Garride, Mr. Weare and myself present. I stated that our object in meeting was to get Mr. Gardner's factory running, our body favored that and their body wanted to get Mr. Hartt out of the place, because it was said by Mr. Gill that the shop could not run until Hartt was discharged, Mr. Worley said there was not much use in minding the matter. He said Mr. Hartt couldn't go to work or couldn't work

in this city, or in this vicinity. The reason given for it was, that some twelve years ago he had some interference with people here at Mr. Hannan's. He came here from the East to start or keep the factory going.

Q - They said there was trouble in Hannan's factory twelve years ago and that Mr. Hartt had come from the East and got him out of his trouble then?

A. I didn't understand it. He came on with others. I believe Mr. Worley said that. Then Mr. Gill said the factory couldn't run until Hartt was discharged. Then I asked them if Mr. Hartt was discharged from Mr. Gardner's factory if they would interfere with him in getting work in and around New York or in the territory covered by District Assembly 91. They said he could not get work in that district.

Q. Who said that?

A. Mr. Gill. I don't know whether Foster, or Worley said anything then.

Q. Is that all?

A. Yes sir.

Q. Have you told everything that was said there?

A. I can't say anything else.

Charles E. Mears, a witness, called
for the prosecution, being duly sworn testi-
fied as follows:

Direct - Examination - by - Mr. Philips

Q. Where do you reside?

A. At Elizabeth H. J.

Q. What is your business?

A. I am a shoe manufacturer at Number 59
Reed Street, this City.

Q. Were you present at this interview at the
Alford House?

A. Yes, sir.

Q. In Church Street were you present?

A. No, sir; I was in Gardner and Estes' factory.

Q. When?

A. On the 16th and 17th of February.

Q. Did you see either Gilt, Campbell and Mac
Donald?

A. I seen Gilt, Foster and Worley.

Q. Did you hear any conversation on the
subject of Mr. Hart?

A. None, unless.

Q. What was said bearing upon that?

A. Mr. Gilt, as Chairman, stated that after
the trial of Potter, the trial of Hart would
take place - He and we were sitting at a table
together.

Q. Was Mr. Gill, Mr. Foster, and Mr. Worley present?

A. Yes, sir. Gill said that Hartt couldn't work in the District, where District 91 had control.

Q. Was Mr. Hartt to be re-employed by Mr. Gardner?

A. He couldn't work there, and he was to be discharged.

Q. Or he couldn't work any where in the jurisdiction of District 91?

A. Yes, sir.

Q. Who said that?

A. Mr. Gill.

Q. And Foster, and Worley were present?

A. Yes, sir.

Q. When he said that?

A. Yes, sir, I asked Mr. Gill if Mr. Hartt got a job outside of District 91 if they would interfere, and to the best of my knowledge and belief, he didn't state one way or the other.

Q. What is that district's jurisdiction?

A. Somewhere not within forty miles of New York.

Q. Taking in Tarrytown and Newark?

A. Yes, sir.

Q. (Over)

Cross-Examination - by - Mr. Post.

Q. You understand how far the jurisdiction of District Assembly 91 extends?

A. I couldn't say whether it is ten or fifteen miles.

Q. Has jurisdiction of the Union Shops in that territory?

A. If you call it Union shops. They are Knights of Labor shops.

Q. You understand that there are Union and Non-union shops.

A. Yes sir.

Q. Your shop is what?

A. ~~A~~ Knight of Labor shop.

Q. And this jurisdiction is territorially as you have stated, and it has sway over the Union shops in that territory?

A. Yes sir.

Q. Are you sure it was Mr. Gill said that?

A. Yes sir.

Q. Did Mr. Gill say that?

A. No sir; Mr. Gill was Chairman, and I spoke to him.

Q. This was in Gardner's place?

A. No sir; It was on the 19th of February in the boot, and shoe room in Church street.

Q. Have you an organization?

A. Yes sir.

Q. That is the Shoemakers Association?

A. Yes, sir.

Q. Are you a member of it?

A. Answer Yes, sir.

Q. Are you an officer of it?

A. No, sir.

Q. You were one of a committee appointed by the association to meet a committee from District 91?

A. Yes, sir.

Q. In regard to Mrs. Gardner's shop?

A. Yes, and the strike there.

Q. Was there anybody else there present except these two committees?

A. No, sir.

Abraham Garside, a witness for the prosecution, being duly sworn testified as follows:

Direct Examination - by - Mrs. Phillips.

Q. Where do you reside?

A. At number 225 West 130th street

Q. What is your business?

A. I am a shoemaker.

Q. Did you meet any of these defendants

in January, or was it in February?

A. In February I think.

Q. That was where?

A. In the Astor House.

Q. Who of these defendants was there?

A. Gill, Mc Donald and Campbell I believe.

Q. State the subject of the conversation in so far as it referred to Mr. Hart?

A. In trying to settle the difference between the workmen, the journey man and Messrs Gardner and Estes firm, we tried to put the shop to work, and every body was to go to work pending the investigation. Potter, Hart and Fuller, and that was refused.

Q. What was said at that interview in regard to Mr. Hart?

A. They said he was an enemy of the workmen.

Q. Who said that?

A. Mc Donald.

Q. What was said about Mr. Hart being discharged before the shop would return to work?

A. That was understood by all the committee.

Q. Campbell, Gill and Mc Donald?

A. Yes sir.

Q. Do you remember more in detail what was

said?

A. Several propositions were made.

Q. In reference to Mr. Hartl, and in regard to the factory going to work?

A. Several propositions were made, and the last and only one we could possibly agree upon, was to suspend Hartl, and Potter and the factory was to go to work provided Messrs. Gardner and Oster agreed to finish his work and they weren't to stop the work when they got the shoes finished, which were in progress of manufacture at the time the strike commenced?

Q. Mr. Potter was already discharged?

A. Yes, and he had left the city.

Q. It resolved itself down to Mr. Hartl, being discharged?

A. Yes sir.

Q. Were you present at a subsequent meeting in Church Street?

A. Yes sir.

Q. Who was present then of the defendants?

A. Mr. Foster, Mr. Gill, and Mr. Worley.

Q. And the others?

A. They didn't meet us there.

Q. Campbell and Mr. Donald were at the Ador House Meeting, and Worley and Foster at the Church Street meeting and Gill was at both?

A Yes sir.

Q. What was said in Church Street by either of them in reference to Mr. Hartt?

A. I believe I asked the question myself and under what conditions they would put Gardner and Estes' factory to work, and the answer was that under no condition excepting Hartt's discharge.

Q. Has anything said about Hartt if discharged getting employment in any other place?

A. Yes I believe Mr. Mears asked it. Maybe it was Mr. Cousins that provided Mr. Hartt was discharged, would they interfere with him in getting a job anywhere in the jurisdiction of District 9, and they said "Yes." They were asked if they would interfere with him if he left the city and they wouldn't answer him?

Q. He couldn't work in the jurisdiction of District 9?

A Yes sir.

Q. Do you recognize that paper?

A. Yes sir.

Q. In whose hand writing is that?

A. Gills.

Q. Where was it written?

A. In Church Street.

Q. Here you present?

A Yes sir.

Q. Were Foster and Worley present?

A. Foster was there but I don't know whether Worley was there or not.

Q. Was Mr. Worley there, on that day?

A. I ain't sure about that.

Q. You are sure Mr. Foster was there?

A. Mr. Worley was present I am sure when I took the note.

Q. Was a similar writing given to Bill?

A. There was some difference the guaranteeing that.

Q. Was there a postscript attached to the one delivered to them?

A. Yes, to the one delivered to them.

Q. The one delivered to them contained the same body that excepting the postscript?

A. Yes sir.

Q. What was the postscript?

A. The words "laid off; should be discharged."

(Paper referred to above was here marked "Exhibit One" for identification).

Q. Who wrote that?

A. Mrs. Mears I think.

Cross-Examination - by - Mr. Post.

Q. Are you certain that in the duplicate of

"Exhibit One" there was a postscript which said the words "laid off" should be "discharged".

A. Yes, sir.

Q. Was there any discussion over the case of "Exhibit One" which reads that only Mr. Gardner had the power to hire and discharge in any department.

A. Yes, there was.

Q. Was it stated to the reason for that clause?

A. I understood the reason for that was, that they, the men, had an idea that Mr. Gardner would make a very nice man to employ and discharge and would be more satisfactory than Hartl or anybody else. That is my understanding of the matter.

Q. You understood that Mr. Gardner's shop, was what was called, a Union shop?

A. Yes, sir.

Q. Did you understand from the Knights of Labor committee that they had more confidence in Mr. Gardner's dealing with the Union and keeping it a Union shop than they had in Mr. Hartl a stranger?

A. Yes, sir.

Q. Wasn't that the object of the committee as it was indicated to you meaning that the shop was a Union shop?

A. I inferred that they wanted to get rid.

of Hartt.

Q And it was, on account of him in a Union shop?

A. Yes, evidently.

Q. They were afraid he would destroy it as a Union shop?

A. They didn't tell me so. They had it in for Hartt and they wanted to get rid of him. They said he was not a good man for them.

Q As a Union man?

A. Yes, sir.

Q. Was there anything said about Hartt having broken up Union shops before?

A. They spoke of Hannan and Reddish's factory some years before.

Q. Did they say anything about Silver's?

A. No, sir.

Q. Did you know what the jurisdiction of District 91 was?

A. I should judge I know it. It reaches from New York to Hack, Williamsburg and possibly it might have extended to Newark.

Q. It claimed jurisdiction over Union shops in that territory?

A. Yes, sir.

Q. And you understood that within that territory Hartt couldn't work in a Union shop?

A. Yes, sir.

Q. One of these committee men testified, as

as you say that Hartt was an enemy to the workingmen or organization of Labor?

A. Of organized labor I believe.

Q. This Manufacturers Association is an association of employing shoemakers?

A. Yes, sir.

Q. And organized with committees, officers &c.

A. Yes, sir.

Q. And you were appointed on this committee by that Association?

A. Yes, sir.

Q. For the purpose of meeting a committee of Workingmen's Association?

A. Yes, sir.

Q. You understood that Mr. Gardner's employees on a strike were members of District 91.

A. Yes, sir.

Q. And these gentlemen who met you were a committee from District 91?

A. Yes, sir.

Q. They came there representing those people who were on a strike?

A. Yes, sir.

Q. They bore the same relation to the working people in Mr. Gardner's place, as you bore to Mr. Gardner?

A. They represent District Assembly 91.

Q. Didn't you understand that you, as a committee of employers, were meeting a com-

mittee of workmen

A. Yes, sir.

Q. Both were representative bodies?

A. Yes, sir.

Q. Didn't you understand that whatever you did, as a committee, Mr. Gardner would accept?

A. Yes, sir.

Q. Hadn't he asked the association to appoint a committee?

A. Yes, sir.

Q. What you meant was that whatever you agreed to would be a recommendation to your body, and they would recommend it to Mr. Gardner?

A. Yes, sir.

Q. And he as a good member would probably accept it?

A. Yes, sir.

Q. And you understood that whatever this committee from District 91 did, it would be a recommendation to their association?

A. No, sir.

Q. Didn't you understand that whatever their association agreed to the members in good standing would abide by?

A. No, sir; I understood that this committee had absolute power to settle it, Sell, Foster and Wolley.

Q. From whom did you understand they received that power?

A. I don't know.

Q. You don't know whether it was conferred upon them by the working men in their association or they got it by some arbitrary power?

A. No, sir.

Re-Direct Examⁿ - by - Mr. Philips.

Q. From conversations you had with them you understood they had the power or control of the striking employees of Gardner and Estes, so that they would work as recommended by the committee?

A. I so understood it.

Q. And Mrs. Heath must be discharged before they resume work?

A. Yes, sir.

Re-Cross Examⁿ - by - Mr. East.

Q. From which member of the committee did you understand that?

A. Mr. Gill -

Q. What was your question?

A. I said, "Mr. Gill have you absolute power to settle this question?"

Q. What was the substance of your question?

A. Yes, sir.

Q. And his reply was what?

A. He said "Yes."

Q. Are you sure of that?

A. Yes, sir.

Q. Were you asked whether you had absolute power to settle?

A. No, sir.

Q. You were not?

A. No, sir.

Adjourned to April 11th 1887 at
10.30 A. M. at 4th District Police
Court.

POOR QUALITY
ORIGINAL

0337

Handwritten notes, possibly a list or index, including the word "Papers" and various numbers and names.

Handwritten notes, possibly a list or index, including the word "Papers" and various numbers and names.

Handwritten notes, possibly a list or index, including the word "Papers" and various numbers and names.

POOR QUALITY
ORIGINAL

0338

Chief Clerk Putnam's
order
has papers on his desk
NORTH
Lampton
HOSPITAL

Lampton
Geo. P. Bellows
District Attorney
Dear Sir.

Will you please
see that the case of the
people against Bill P
Lotters is put on trial at once
you will do me a very
great kindness by so
doing. Those fellows have
kept me from getting employ-
ment for nine months. The

POOR QUALITY
ORIGINAL

0339

have been in the hands
of the District Attorney since
last April.

Will you please
inform me if that cannot
be got through at once.

I would like to
know who I am to look
to for justice the laws of the
United States or the U.S.A.
I would like very much
to know just where I do stand.
Are those people to be allowed
to do just as they please
in spite of the law.

Should be very
much pleased to hear

from you.

My address is
Boston - Arlington
Mass.

Very Resp. Yours

S. M. Scott

**POOR QUALITY
ORIGINAL**

0340

*District Attorneys Office.
City & County of
New York.*

*Hon. John R. Fellows -
District Attorney.*

Court of General Sessions.

<p>The People vs. John E. Gill. John Foster, George J. Worley, James McDonald & John A Campbell.</p>	<p>The People vs. John E. Gill. John Foster & Fred. Brunbauer.</p>
--	--

Hon. John R. Fellows.
Dist Atty. &c.

Dear Sir:-

Concerning the indictments found by the Grand Jury against the defendants above named, and which, with the testimony taken before the Committing Magistrate, were, by you, referred to me with instructions to report to you as to whether the facts warranted, in law, the submission of the charges to a trial jury for determination, I have to report, as follows:-

Upon consulting with Assistant District Attorney Temple, he informs me that, after the defendants were held by the Committing Magistrate April 29, 1887, & before these indictments

were found, (which was in Nov: 1887) application was made by the defendant, John E Gill, by his counsel Louis F Post Esq; to the Justice Barrett for a Writ of Habeas Corpus, for the purpose of effecting the said defendants discharge, upon the ground that the facts upon which he was committed, did not, in law, constitute a crime, being in the nature of a discovery to the Complaint & evidence taken before the Magistrate.

The writ was accordingly issued to the Warden of the City Prison, the prisoner produced and a return made by said Warden on the 13th day of May, 1887. when, after argument had upon the whole record, as disclosed by the return, the Court decided, in a lengthy opinion, that the prisoner was properly held, dismissed the writ & remanded the relator.

An order was entered to this effect September 29, 1887, from which an appeal was taken to the General Term of the Supreme Court.

This appeal, as I am informed

by Mr. Sempke, who has the argument of the appeal in charge, will be heard on the 3rd Friday of January 1888.

I have examined the evidence taken before the Committing Magistrate and used upon the Habeas Corpus proceeding, and I find that it is the same as that used before the Grand Jury which resulted with indictment against Gie & his four codefendants above named.

In view of these facts, and as the appeal presents for determination the question of law before the General Term as to whether or not, ~~the~~ concerning the truth of the facts changed, the accused was, in law, properly held, it is my opinion that it would not be advisable, at the present time, to examine the cases further. and in this I would state Mr. Sempke coincides with me.

Upon the result of the decision of the appellate Court, you will, at once, be able to conclude whether or not it will

be judicious to press the in-
dictments to trial.

The same questions are
substantially involved in the
case of *the People v. Gild, Foster and
Brennan*, and I am of opinion
that this case should likewise
await the decision of the General
Term in the former case.

Accordingly, I respectfully re-
turn the papers herewith, and
await your further instructions
in the premises.

N.Y. Jan'y 4/88.

Yours very Respy
Benjamin T. Parsons

POOR QUALITY
ORIGINAL

0345

S U P R E M E C O U R T

THE PEOPLE OF THE STATE OF NEW YORK
ex rel James E. Gill,

against

THOMAS P. WALSH, Warden and and Solon
H. Smith, Police Justice.

Habeas corpus and
certiorari con-
spiracy against
John H. Hanan.

Sir:

PLEASE TAKE NOTICE that the above named re-
later James E. Gill, appeals to the General Term of this
Court from the order of Hon. George C. Barrett, Justice Sc
at the Special Term of this Court
made and entered herein on the 4th day of October, 1887,
dismissing the writs of habeas corpus *and certiorari* *and the proceedings thereon*
and every part of said order.

Dated N. Y. City. Oct. 11th, 1887.

Yours be.

Levin H. Post,
Att'y for Relator,
P. O. and Office Address
21 Park Row, N. Y.

To

Hon. Randolph B. Hartine,

District Attorney.

James A. Black Esq
Clerk &c.

0346

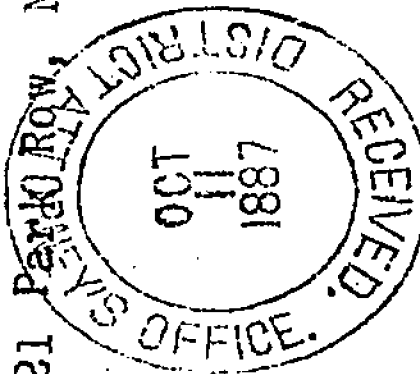
[illegible]

Thomas P. Walsh, Warden and
Solon B. Smith, Police Justice.

ॐ नमो भगवते वासुदेवाय ॥

NOTICE OF APPEAL.

Louis F. Post,
Att'y for Relator,
21 Park Row, N. Y.



Howlandolph B. Martineau
L. W. H. H.

POOR QUALITY
ORIGINAL

0347

EDWIN T. POST,
LAW OFFICE,
21 PARK ROW, N. Y.

New York, Mar. 17 — 1888

Hon John R. Fellows
Dist Atty

My dear Sir:-

I want to appeal
the habeas corpus case in
behalf of John T. Gill,
to the Court of Appeals.
Will you waive the
indentations? I have
spoken to Mr. Lindsay
about it and his opinion
accords with mine. That the
importance of getting an
authoritative decision
on this question of labor
strikes involved in this
Case makes it proper to
waive any technical obstacles
such as this indentations
might be

Truly Yours
Lewis T. Post

POOR QUALITY
ORIGINAL

0348

District Attorney's Office.

Perone
PEOPLE

vs.
Wm E. Gier
et al

Bail & Seizure
at Seane
May 9
for true
May 12

POOR QUALITY
ORIGINAL

0349

Part One

John E. Gill

et al

for trial

July 12th

All Subpoena

+ Basic Writings

Issued

July 9

Conrad Waterford

Court of Appeals.

The People, ex rel
John E. Gill,
Appellants
against
Thomas O. Walsh, Warden
vs. and Solon B. Smith,
Police Justice.
Respondents.

Terence J. McManus being
duly sworn says: I am a clerk in
the District Attorney's Office. On the
sixteenth day of May, 1888, I served the
annexed notice of argument on Louis
F. Post, Esq. by delivering a copy thereof
to the clerk in charge of his office, and
who was duly authorized to receive said
notice, in the absence of said Louis F.
Post, therefrom. That the said Louis F.
Post is the attorney for the above-
named appellants.

Sworn to before me } Terence J. McManus
this 16th day of May, 1888
Jm H. Du Rochelle
Notary Public (46)
N. Y. Co.

Cont. by Original

George & at 2
John. F. 22
overboard

again

W. L. Warden
and Respondents

Notice of Demand
and Obligation of
service

John. F. 22
within 24 hours
for respondents

POOR QUALITY
ORIGINAL

0352

W. Reid Gould, Law Blank Publisher and Stationer,
168 Nassau St. and 120 Broadway, N. Y.

In the Court of Appeals
The People of the State of
New York, et al John C.
Gill, Appellants
against
Thomas P. Walsh, Warden
et al and Solon B. Smith
Police Justice, Respondents

Notice of Argument.

Sir:

Please to take Notice, That the appeal in the
above action will be brought on for Argument before this Honorable Court,
at a Term thereof, to be held at the Town Hall in the vil-
lage of Saratoga Springs on the seventh day of June at the opening
of the Court on that day, or as soon thereafter as Counsel can be heard.

Dated the sixteenth day of May 1888

To Louis F. Post Esq.,
Attorney for Appellants,
21 Park Row, or
Temple Court.

Yours, &c. John R. Fellows,
District Attorney,
Attorney for Respondents

Court of Appeals
People, ex. rel.
John E. Gill,
Appellants

^{against}
Walsh, Warden &c.
et. al.

Respondents

NOTICE OF ARGUMENT.

John R. Fellows,
District Attorney
for Respondents.

I admit due service of the within notice.
Dated, N.Y. May 16/88

Lewis & Post.
Atty. for appellants.

STATE OF NEW YORK.



Court of Appeals.

Clerks Office.

Albany May 17 1888

John R. Fellows Esq
Dist Atty. or
D. S.

The enclosed notice of
Argument for June 7. is incorrect.
unless the case is a criminal
case, and entitled to a preference
Under Rule XX-1. + C. C. P.
You will observe that no preference
of any sort is claimed - and I
would like to know what sort of
a criminal case it is. Is it
brought on indictment by
Grand Jury or commitment

POOR QUALITY
ORIGINAL

0355

By a Judge. In any event in its
present shape it cannot be set
down for June 7. or go on any
preferred calendar.

E. D. Smith
for Plaintiff



At a Special Term of the Supreme Court
of the State of New York, held in and
for the City and County of New York,
at the County Court House in the City
of New York, on the 23^d day of June,
1888,

PRESENT:

The Honorable *George P. Anderson*,
Justice.

THE PEOPLE OF THE STATE OF NEW YORK

ex rel J O H N J. G I L L

Appellants

-- Against --

Thomas P. Walsh, Warden &c. and

Solon B. Smith, Police Justice &c.

Respondents

Whereas at a special term of this Court, held at the
County Court House in the City of New York on the 20th
day of September, 1887, it having appeared on the returns
to the writs of habeas corpus and certiorari allowed
by the Honorable George S. Barrett, one of the Justices
of this Court herein, on the 16th day of May, 1887, that
the above named relator upon whose application the said
writs were issued was lawfully detained in custody by
the above named respondents Thomas P. Walsh, Warden &c. as
aforesaid, by virtue of a commitment for a criminal

offense to wit: conspiracy, and had been legally committed for the said criminal offense, it was ordered that the said writ of habeas corpus be and the same was dismissed and that the said relator be discharged from custody upon his giving bail in the sum of five hundred dollars for his appearance to answer for the said criminal offense as required by law in whatever court the same might be prosecuted, and that in default of his giving bail as aforesaid, he the said relator be relator be remanded to the custody of the said Thomas P. Walsh, Warden as aforesaid, and further that the said writ of certiorari and the proceedings thereon be and the same were dismissed.

And whereas the relator and appellant aforesaid, thereafter duly appealed from the said order to the General Term of this court.

And whereas at a General Term of this court held in and for the first judicial department at the County Court House in the City of New York on the second day of March 1888, the said appeal having come on to be heard in due form of law, it was ordered and adjudged that the said order so appealed from as aforesaid, be and the same was in all things affirmed, and further, that the said relator and appellant pay to the respondents herein the sum of ten dollars costs and the disbursements of the said appeal.

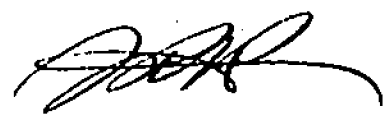
And whereas the said relator and appellant thereafter duly appealed from the said last mentioned order to the Court of Appeals of the State of New York.

And whereas at a term of the said Court of Appeals held at the Capitol in the City of Albany on the 19th day of June, 1888, the said order of the General Term of this Court so appealed from as aforesaid, was in all things affirmed with costs, and the record herein and the proceedings in the said Court of Appeals were by the order of the said Court of Appeals remitted to this Court there to be proceeded upon and enforced according to law as appears by the remittitur of the said Court of Appeals filed herewith.

NOW therefore, on reading and filing the said remittitur and on motion of John D. Lindsay, Esq. Deputy Assistant District Attorney, it is

~~ORDERED~~ that the said order of the said Court of Appeals be and the same is hereby made the order of this Court, and that the order of the General Term of this Court so appealed from as aforesaid to the said Court of Appeals be and the same hereby is affirmed with costs, and it is further

Ordered that the said order of the Special Term of this Court so appealed from as aforesaid and affirmed, and the said order of the General Term of this Court ~~be~~ herein be and the same are hereby directed to be enforced and carried into effect and execution.



A Copy
James A. Black
Clerk

0359

SPECIAL TERM.

THE PEOPLE, ex d.

Ans. Frage Respondents.
us. answer

Thomson, Walter
Warden of the
Smith, George
Benjamin
Appellant.

ORDER ON REMITTITUR.

JOHN R. FELLOWS,

District Attorney.

Service No or certificate
number with order
admitted

June 23, 1884
Genl. F. Park
attn to order
for cash on,

EDGAR J. PHILLIPS.

PHILLIPS & AVERY,
ATTORNEYS AND COUNSELLORS AT LAW,
154 Nassau Street, Tribune Building.

FRANK M. AVERY.

NEW YORK, *May 3^d* 1887

Hon. Randoeph B. Martine.

Dr Sir:

In the two cases against John E. Gill & others, in one of which cases Odber M. Hartt is complainant, and in the other John H. Hanan, in which the defendants were held for the Grand Jury, by Justice Smith, on Friday last, on a charge of conspiracy, we would say that when you desire witnesses to appear before the Grand Jury, we will take pleasure, if notified, in producing the complainants' witnesses. We write this as Hartt and some of the witnesses may be out of town, and we shall be glad to save you any trouble in procuring their attendance.

We understand that it is the intention

POOR QUALITY
ORIGINAL

0361

of the defendants' counsel to obtain a
Writ of Habeas Corpus & Certiorari. If this
is done, and it would be of any assistance
to your office to have our brief collating
the evidence on the part of complainants,
we should be glad to send it to you.

Very truly yours,

Philipps & May.

Mr. Parker
1000
1000

POOR QUALITY
ORIGINAL

0362

Tamylor
No 14

187
Tamylor H. J. Esq.
W. B. Martin Esq.
District Attorney
Dear Sir

Will you kindly inform
me as to the position of
the case of the people against
Gill & others. When I last
saw you it was to be argued
this month.

I wish to ask
you as a special favor
if you will be kind enough

POOR QUALITY
ORIGINAL

0363

Spent the case on trial
at once. You can understand
how I have been made
to suffer by those men.

I am your
Obedient Servant.

O. M. Hart

North Tarrytown
N.Y.

POOR QUALITY
ORIGINAL

0364

The People
vs
Gill & ors
Conspiracy

POOR QUALITY
ORIGINAL

0365

NORTH
Tarrytown
ON
Hudson

Tarrytown N.Y. Nov 30/37

F. B. Martin Esq
District Attorney
Dear Sir

Will you please
have my case, or I should
say the case of the people
against ~~Bill~~ ^{and others} brought
to trial as early as
possible. I am still out
of work with a family
of six to support. You
will appreciate the

POOR QUALITY
ORIGINAL

0366

situation, I have been told by a number of manufacturers, when those men are convicted I can get employment at my trade.

I trust you will pardon me for troubling you.

Hoping that you may see the importance of the situation.

I am your obedient servant.

O. M. Hartt
North Perry town
N.Y.

POOR QUALITY
ORIGINAL

0367

The People
vs
John E. Gill
& al

affidavit pending
to grand jury

Court of General Sessions
New York County

The People
vs
John E. Sill
Et al.

State of New York }
City & County of New York } ss:
John Foster & Coe John
E. Sill do hereby make Frederick Braunbauer
constitute and appoint
Louis F. Post, Esquire,
our counsel and attorney
for us and each of us to
appear and plead to the
indictment herein pur-
suant to section 297 of the
Code of Criminal Procedure
whether in our presence or
absence, and to do all other
things in respect thereto
that may be legally done in
our absence as fully and
completely as we might

do if personally present
Dated Nov. 30, 1887

John Foster
John E. Gill
Frederick Brombauer

State of New York }
County of Kings } ss: John E. Gill
John Foster Frederick Brombauer

above named
on this 30th day of Dec
1887 personal appeared before
me and personally acknowledged
the execution of the foregoing
instrument the said John
E. Gill John Foster and
Frederick Brombauer
being personally known
to me and known to me to
be the person described in
the executed said instrument

Wm H. Scheidt
Notary Public
Kings County

POOR QUALITY
ORIGINAL

0370

General Sessions
The People

apx
John E. Hill

Power of Attorney

Wm. T. Reed
accepts offt
21 Park Street
Ct.

POOR QUALITY
ORIGINAL

0371

DISTRICT ATTORNEY'S OFFICE,

New York,

188

Odorous Hartt North Parrytown N.Y.
Chas. A. Estes 14 St. 2nd 9 Ave.
Herman Gardner 14 St. 4 9 "
Abraham Garside, Kerame St. near Church.
James Cousins Grand near Elizabeth.
John Hannan, South East Corner
center White St.
Mr. Mears, 90 Burt & Mears
Kende St. near Bway
John Edwards, Cor. Centre & White St.
C. O. Hannan & Son

**POOR QUALITY
ORIGINAL**

0372

John E. Hall
Etal

Police Court
City of New York

The People
against
John E. Gie
John Foster, first
James Fitzgerald
John Fitzgerald, first
James McDonald
and John Campbell.

City County of New York ss.
Oskar W. Hart.

being duly sworn deposes and says
that the abovesaid defendants
have conspired to prevent deponent
from exercising a lawful trade
or calling by threats & intimidation
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 and did intem-
perate deponent.

Deponent says that on or about

the 25th day of September 1886, he entered the employ of Messrs Gaidner & Estes, at 9th Ave & 14th St. N.Y. City, as foreman in the bottling room in the shoe factory of said Gaidner & Estes.

On or about November 20th 1886 an employee of said firm named J.W. Potter, being under the supervision and direction of deponent was suspected of subverting said firm by altering checks or coupons showing work performed by him, and thereby securing payment for labor not performed. Deponent thereupon in performance of his duties discharged said Potter. That a strike was ordered by the shop Committee of the Knights of Labor, consisting of John Delany and James Powers.

That said John Delany and James Powers threatened to put the employees in said shop on a strike unless Potter was reinstated and reemployed. Deponent refused to ^{add} the employees in said shop at the

(2)

instance of said committee and in pursuance of their direction and command, went on a strike the same day at noon. That said employees remained on strike on strike for from six to eight weeks whereupon said Potter was reinstated and said employees returned to work pending the return of Mr. H. Gardiner a member of said firm who was then absent in the South. When he returned about two weeks later further investigation as to said Potters guilt was made and said Gardiner and deponent being convinced of the guilt of said Potter deponent was ordered to and did in pursuance of the direction of his Employer, Mr. H. Gardiner again discharge said Potter. On or about January 13th 1887 an Executive Committee of the Knights of Labor, composed of John E. Gill, James M. Donald, and John Campbell called on said Gardiner and Estes and demanded that

The abovesaid Potter be restored to his position and reemployed; and that three former employees by said Gardner & Estes be paid. Our Hart, this deponent John W. Fuller and H. W. Waldron be discharged.

That after the second discharge of said Potter as above all the employees of said Gardner & Estes stopped work.

That said last named Committee further stated to said Gardner and Estes and threatened that no employees of theirs would be permitted to return to work unless said Deponent and Fuller and Waldron were discharged.

That the Deponent is informed and truly believes at or about this time said last named Committee threatened and stated that they would drive deponent out of the shoe business in the United States, and that he

(3)

would have to go to Canada. That thereafter said Committee repeatedly demanded the discharge of deponent and threatened that said employees would not be allowed to return until deponent was discharged.

That on or about February 2nd 1887 said Gardiner said that he could not hold out any longer and deponent was told that he would have to resign or be discharged. That thereupon deponent ceased work under protest, because of said threats and intimidation, and was unlawfully and wrongfully prevented by said defendants from exercising this lawful trade or calling, and the said defendant committed an act injurious to trade or commerce. That deponent had no other means of support except his salary for which he was entirely deprived by reason

of the acts of said last named Committee.

That before the termination of said strike and before Feb. 21st 1887, said Committee of the Knights of Labor was changed, by Geo Foster and one Wobley taking the place of said W. Donald and said Campbell, said Gill however continuing. That the said last named Committee also demanded the discharge of deponent and threatened that deponent should not obtain work in the United States, and refused to permit any attempt whereby deponent could have worked in New York and also threatened that no employee would be permitted to go to work until deponent was discharged.

That in the statement made as aforesaid, and threats made and intimations used, said Gill acted chiefly as spokesman and his said words and threats were made in the presence of others.

4

members of said Committee, respectively, and were acquainted with by and spoken for each of the individuals composing said Committee respectively, ^{and} said members and each of them participated in said threats, intimidation and conspiracy. That on or about March 2^d 1887 deponent entered the employ of N. Hess and Bro. in Baltimore, Md. they being shoe manufacturers. After one day's work there the district ~~assembly~~ ^{Assembly} No 41 of the Knights of Labor, at the instance of District Assembly No 91 of New York, of which said defendants were members and of which they were on committees as aforesaid, and as deponent is informed & believes at the instance of the defendants, ordered a strike and all the employees of said Hess & Bro, under charge of deponent, to the number of about eighty left work and struck and

thereupon threatened to Messrs
Bro. to remain on strike until
the discharge of deponent.

They further stated as depon-
ent is informed and believes
that they were acting under in-
struction, orders, letters and tele-
grams received from District
Assembly No. 91, of New York of the
Knights of Labor.

That the Executive Committee
of District Assembly No. 41
of Baltimore was J. L. Packer,
R. K. K. and Michael P.
Garrett.

Deponent asked said last
named Committee as they en-
tered the establishment of
Messrs Bro., what was
their grievance.

They stated that deponent
favored non-union help
and was opposed to Union
labor. They further stated
that their action was in-
stiguated by said District
Assembly No. 91 of New York
that they were part and parcel

of the same body and they
were not to go to work until
defendant was discharged.

Defendant alleges upon infor-
mation and belief that these
defendants and each of them
participated in ^{the} giving of such
direction, and caused and
last mentioned strike and
the discharge of defendant
from the employment of M.
Hess & Bro. and that the
same was part and parcel
of the conspiracy of the de-
fendants to prevent defen-
dant from exercising a
lawful trade and calling
and exacting and an act
injurious to trade or
commerce.

Shown to before me
this 25th day of March 1897

Solo R Smith
Police Justice

Qdbr. M. North

POOR QUALITY
ORIGINAL

0382

Police Court

John Joseph
D. M. Work

against
John Lee
to issue.

Affidavit to procure
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

POOR QUALITY
ORIGINAL

0303

Sec. 151.

Police Court 125 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 Edw M Hartt
of the City of New York, during days between 13th day of January & February 21st 1887
Street, that on the

at the City of New York, in the County of New York,

John E Gill, John Foster, John Harley, James McDonald
and John Campbell did conspire to prevent complainant
from exercising a lawful trade or calling by threats and
intimidation in said city and County,

Wherefore, the said Complainant has prayed that the said Defendant 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 Defendant, and bring them
forthwith before me, at the 125 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 21st day of March 1887

Solou B Smith POLICE JUSTICE.

Police Court 125 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edw M Hartt

1 John E Gill
2 John Foster
3 John Harley
4 James McDonald
5 John Campbell

Warrant-General.

Dated March 21 1887

Solou B Smith Magistrate.

The Defendant

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

James E. Gill Officer.
John E. Foster John

James E. Gill Officer.

Dated March 20 1887

This Warrant may be executed on Sunday or at
night.

Solou B Smith Justice.

REMARKS.

Time of Arrest, March 22 - 87

1 John E Gill

2 John Foster

Native of U.S.

1 40

Age, 1 25 4

2 40

Sex, M

M

Complexion, fair

fair

Color, 15

15

Profession, Shoemaker

2 40

Married, 1 yes

1 yes

2 no

Single, 1 yes

Read, 1 yes

Write, 1 yes

POOR QUALITY
ORIGINAL

0384

Sec. 192.

12 District Police Court.

Undertaking to appear during the Examination

CITY AND COUNTY } ss.
OF NEW YORK,

An information having been laid before Solomon B. Smith a Police Justice
of the City of New York, charging John E. Gell 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

John E. Gell Defendant of No. 363 Broadway
Robert E. Ford Street; by occupation a Shoemaker
and Robert E. Ford of Astor House
Street, by occupation a Publication Surety, hereby jointly and severally undertake that
the above named John E. Gell Defendant
shall personally appear before the said Justice at the 14th 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 22d
day of March 1888

Solomon B. Smith
POLICE JUSTICE

POOR QUALITY
ORIGINAL

0385

CITY AND COUNTY { ss,
OF NEW YORK,

Sworn to before me, this
17th day of March 1888
John J. Smith
Police Justice.

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 ten 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

Robert E Ford
House
stock of a General Publishing
House situated at No. 17 Barclay
Street in said City said property being
of the value of ten thousand dollars.

Robert M Ford

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

0386

Sec. 192.

1st
4 District Police Court.

Undertaking to appear during the Examination

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before *Solomon B. Smith* a Police Justice
of the City of New York, charging _____ 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 Foster* Defendant of No. *140 Ninth*
Robert C. Ford Street by occupation a *Shoemaker*
and *1* of No. *Aston House*
Street, by occupation *Publisher* Surety, hereby jointly and severally undertake that
the above named *John Foster* Defendant
shall personally appear before the said Justice at the *4* 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 *22d*
day of *March* 188*7*

Solomon B. Smith
Police Justice

John Foster
Robert C. Ford

POOR QUALITY ORIGINAL

0387

CITY AND COUNTY OF NEW YORK, ss,

Sworn to before me, this 1st day of March, 1888.
Police Justice.

Robert E Ford House

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 *ten* 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 of a General Publishing House situated at No 17 Barclay street in said City said property being of the value of ten thousand dollars*

Robert E Ford

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

0388

BAILLED.

No. 1, by Henry W. Leonard

Residence 309 East 31st Street.

No. 2, by Henry W. Leonard

Residence 309 East 31st Street.

No. 3, by George J. Worley

Residence 391 Canal Street.

No. 4, by George J. Worley

Residence 193 Bowers Street.

No. 5, by Michael Ballarain

112 Charleston Square

Police Court 1 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Edgar Mustate
with 1 accomplice

John E. Giee

John Foster

George J. Worley

James McDonald

John A. Campbell

Offence Conspiracy

Dated March 22 1887

Smith Magistrate

Witnesses

No. 1, to answer

No. 2, to answer

No. 3, to answer

No. 4, to answer

No. 5, to answer

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 Foster, George J. Worley, James McDonald and John A. Campbell

guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated April 29 1887 Solon B. Smith Police Justice.

I have admitted the above named John Foster, George J. Worley, James McDonald and John A. Campbell 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.

POOR QUALITY
ORIGINAL

0389

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. Fife, John E. Fife
George S. Water, James
Donald E. Fife, Fife, Fife, Fife.*

The Grand Jury of the City and County of New York, by this indictment, accuse

The above named defendants,
of the CRIME of *Rampage.* —

committed as follows:

The said *defendants, all late* —

~~late of the~~

~~Ward~~ of the City of New York, in the County of New York afore-

said, on the *thirteenth* day of *January*, in the year of our Lord

one thousand eight hundred and eighty ~~seven~~, at the ~~Ward~~ City and County aforesaid,

*did unlawfully conspire together, between
and amongst themselves, and with
divers other persons, whose names are
to the Grand Jury aforesaid as yet
unknown, by force, threats and
intimidation, to prevent one Oliver
M. North, then residing and exercising
the lawful trade and calling of a
~~book and~~ *pharmaceutical*, and being then engaged by
and in the employment of *Michael
Gardiner and Charles A. Estes, book and
shoe manufacturers then and there carrying
on business in and by the firm, name
and style of Gardiner and Estes, as such
book and shoe makers in the capacity**

by a foreman in their factory, there
situate, from using and exercising
his said lawful trade and calling.

And the said defendants, together
with the said other persons, in pursuance
and furtherance of, and according to
the said conspiracy between and
amongst themselves as aforesaid,
afterwards, to wit: on the day and
the year aforesaid, at the City and
County aforesaid, did unlawfully
threaten him the said Oliver W.
Hall, that they would prevent him
from exercising his said lawful
trade and calling and would cause
and procure him to be dismissed and
discharged from his said employment
without any just or sufficient cause
whereof, and for no just reason,
and would forever thereafter prevent
and hinder him the said Oliver W.
Hall from obtaining employment
at his said trade and calling at
any dock and wharf ^{or place} in the
City of New York, or at any place
within a great distance of and from
the said City.

And the said defendants, together
with the said other persons, in the
further pursuance and furtherance

2.
 do, and according to the said conspiracy
 between and amongst themselves
 as aforesaid, afterwards, to wit: on
 the day and in the year aforesaid,
 at the City and County aforesaid,
 did unlawfully cause and procure,
 induce and persuade the said ~~John~~
Cyrdiner and Charles A. Estes, for
 no just reason, and without any
 just or sufficient cause, by means
 of divers threats, extortions, solicitations
 and falsehoods, and against their
 own good judgment and desires,
 to dismiss and discharge the said
 Oliver W. Hart from their employment.

And the said defendants, together
 with the said other persons, in the
 further pursuance and furtherance
 of, and according to the said
 conspiracy between and amongst
 themselves as aforesaid, afterwards,
 to wit: on the day and in the year
 aforesaid, at the City and County
 aforesaid, did unlawfully, by means
 of divers threats, attempts and endeavor
 to intimidate and ruin the said Oliver
 W. Hart, and to constrain and coerce
 him, against his own free will, and
 desires, to leave the said City of New
 York, and to go and remain away

from the said City, and away from
the opportunity of obtaining work and
employment at his said Trade and
calling, and to induce to bear and
great fear and apprehension on the
part of him the said Oliver M. Hart,
to wit: For the better carrying on
the said conspiracy into effect and
execution, to the great damage, oppression
and grievance of the said Oliver M.
Hart, 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

defendants of the same -
of the CRIME of Conspiracy

committed as follows:

The said defendants, all

late of the City and County aforesaid, afterwards to wit: On the day and in the year aforesaid,
at the City and County aforesaid, together with divers
other persons whose names are to
the Grand Jury aforesaid as yet
unknown, did unlawfully conspire,
between and amongst themselves,
to induce, coerce and compel
Ferdinand and Charles A. Ester,
book and shoe manufacturers,
then and there carrying on business
in and by the firm, name and style
of Ferdinand and Ester, against their
own free will and judgment, without
any just or sufficient cause, and for
no just reason, to dismiss and discharge
from their employment their partner
and finally, one Obed M. Hart

them being engaged by them and in
their employment as a boat and
dock master, in the capacity of a
foreman in their factory, these being
the same being an act injurious to
trade.

And the said defendants, together
with the said other persons, in pursuance
and furtherance of, and according
to the said conspiracy between
and amongst themselves as aforesaid,
did forward, to wit: on the day and
in the year aforesaid, to the City
and County aforesaid, did unlawfully
by means of divers threats, intimi-
dations, solicitations and seductions,
induce, coerce and compel the said
Hubert F. Gardner and Charles A.
Estes, against their own free will
and judgment, without any just
or sufficient cause, and for no
just reason to dismiss and discharge
the said Hubert M. North from
their employment, to the grievous
prejudice and injury to trade and the
common and public good and
welfare, to the great damage and
oppression of the said Hubert
F. Gardner and Charles A. Estes, and
also of the said Hubert M. North,

POOR QUALITY
ORIGINAL

0395

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.

Richard J. Lawrence

District Attorney.