

LIBRARY NOTES

The People of the State of New York vs. Isaac Harris and Max Blank before Hon. Thomas C.T. Crane, Judge, New York, November 20, 1911. For the people, Charles S. Bostwick and J. Robert Rubin. For the defendants, Max B. Steuer.

Under certificate filed Sept. 1, 1900 in the County Clerk's Office, the following is a direct quote:

“We are now conducting and intend hereafter to conduct our business under the name of Triangle Waist Company and that we are the sole persons conducting or transacting business under said name at #158 Worster Street, Borough of Manhattan, City of New York, State of New York.”

James P. Whiskeman, called as a witness for the people, identified himself as a civil engineer. Page 28: What was the height of the sewing-machine tables? 2'4" above the floor.

Page 29: The machines rested on the table and it was the height of the machine, which is about 12". Of the 3 tables which are near the Green Street side of the building on the diagram, the total under the first table is

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Page 677: Ida Schwartz. Worked on the 9th floor as an operator.

Page 679: Describes the arrangement for the 9th floor.

Page 691: About the fire escape I didn't know up til the time of the fire.

Did you ever look out of the window at all in the year and a half that you worked there?

Answer: that window was obstructed by the tables of the examiners.

Page 698: She says that Becky Bursky sat at her left hand. Now this is Rose Glantz testifying: My boss was Abraham Binowitz. You did not work for Harris and Blank at all, did you? No, for Abraham Binowitz.

Page 703: I was the first at the door.

Page 710: Ida Singer, who worked on the 9th floor. Did you know there was a fire escape? No. I saw the crowd running toward the window and I ran after them to the fire escape. She worked for Harris and Blank six weeks.

Page 713: I was thrown down over the fire escape

(30)

and I remained hanging somewhere. Did you lose consciousness? Yes.

Page 718: No matter how many times you walked from the third table to your dressing room where you had to pass at least six windows, you never looked out of them? Never. You never even glanced as you walked by? No. Did you carry money in your pocketbook? No, my stocking. Even the money for your lunch? Yes, I was ashamed because they looked into the pocketbooks. I didn't carry my pocketbook. I didn't take any along with me, not even for lunch.

Page 722: Sarah Friedman.

Page 723: Worked on the 9th floor.

long

Page 727: I went to the Washington elevator. I was waiting there and I nearly got choked from the smoke, because the smoke came up from the floor below and then I slid down the cable.

Page 732: The watchman used to come 15 minutes before we used to go home.

Page 733: She apparently was in a position ready to go down by the Greene Street elevator. He didn't come up. We had to push because there was too many girls waiting for the elevator, and I didn't want to walk the stairs. That night was no different than any other night.

Page 734: She made no attempt to go down the Greene Street stairs. She ran after the girls to the fire

escape window.

Page 743: When you came all the way around to go to the toilet you passed the windows on your side, didn't you? Yes, sir. But you never looked out of those windows? No, sir. It never snowed when you went to the toilet, did it? No. And it never rained when you went to the toilet? Well, if it did rain I didn't come near to look at it.

Page 746: Fannie Selmanowitz, examiner, 9th floor, Greene Street side.

Page 750: Born here.

Page 752: Never used the elevator - always walked down nine floors - never walked up. I never walked up, I waited downstairs for the elevator, the freight elevator on the Greene Street side. It took very long for him to come up.

Page 757: It is natural for a girl standing in examining to look up once in a while? Answer: it is when you are not caught.

Page 763: I was over at the windows and I seen the doorway open. I didn't know what it was, whether the staircase or the elevator. Suddenly, he had started away. I just got in. If he had closed the door I would never have gotten in that elevator. I was rubbing against the walls going down the shaft. As the elevator was going

down slowly in the dark I was rubbing against the walls, I was so far on the end.

Page 765: Could anybody else get into that car after you got in? Answer: not even a pin. Washington Place side door.

Page 766: I seen those awful flames from the Greene Street side, sound so loud and the glass coming out with something, and the girls around the windows jumping, all around, it made me think I was - my last moment had come then.

Page 771: Mary Damsky, who worked on the 9th floor as an operator, 18 years old.

Page 775: I went down the steps because I always used to go down the steps.

Page 776: Whenever I passed I showed my pocket-book to him and every other of the girls when they passed they showed their pocketbooks. She is asked: if a girl wanted to she could put three waists in one of those pocketbooks, could she not? And she answered: how could a girl do that, because the waists were counted by the dozen, and when they were brought back the bookkeeper used to count them over.

Page 781: Ida Deitschman, an operator on the 9th floor. She is given a piece of fabric to examine by Mr. Steuer and says we worked on Longerine, and Mr. Rubin takes

the pocketbook from Mr. Steuer, looks in it, and Steuer says, Go ahead, see how many there are in there. And Mr. Rubin does that, whereupon Bostwick acknowledges that it is self-evident, and it is conceded that the bags that were carried by the employees could have carried four shirtwaists in them. Mary is asked about the embroideries. It was counted exactly how much was needed for the waists, and sometimes it happened that if a little piece was missing there was a great deal of trouble before they could get it.

Page 788: Gussie Koppelman, worked six months, 9th floor.

Page 791: I didn't know where the fire escape was. I never saw the fire escape.

Page 795: At first I could not get onto the fire escape - there were boxes. But afterwards I got there, and then there was a crowd of people and then I fell down. I found myself afterwards in the hospital.

Page 797: Minnie Bernstein. (Instructed to skip this.) Lena Yaller, 9th floor, worked about eight weeks, was an operator.

Page 800: My dressing room was near the elevator near Washington Place, so as soon as I took my pocketbook I had heard a girl holler fire. I wanted to turn my face so then I seen this girl - you know, she was a very jolly

girl. She used to like very much to fool us, often saying here comes the boss, here comes the floorlady and there was nothing. So when I turned my face and I saw she is the one, why then I didn't pay any attention to her afterwards. Just continued my work in the dressing room. When I got near the dressing room, then smoke was coming up all around us, in my face and in all the windows, up by all the windows, so I wanted to turn my face back. I saw flames coming up from the Greene Street side. I wanted to turn around to Greene Street, so instead of going to Greene Street the girls were crowded around that place waiting for the Washington elevator, because I seen all the girls were out at that Washington Place. They pushed me into the dressing room, so I could not see anything else. It got very dark and I felt a draft so I wanted to go out, so I seen some breezes coming out from someplace, so I wanted to make my way over to see where it came from. I seen it came from the Greene Street window. Near the Greene Street it was a window and there it was near the elevator, so I wanted to and made my way through the door I wanted. As soon as I pass I seen the examining tables were all burning. As I was passing by I seen smoke. You can see everything burning and I seen the rest of the girls remained in the dressing room, so when I passed the window I opened the window. The window, I saw, opened down, so I wanted to open the window.

It opened double, and opened out, and so I burned my knee from the steam heat, so I turned back and stood there about two or three minutes. Of course it seemed more than four hours for me, but I knocked at the elevator that it should come up, so I was waiting and waiting and I was impatient about the elevator and it didn't come up, and I seen - I turned my face and I seen the door was burning from the elevator - the door was burning from the doors, that door was burning in the factory, so I wanted to jump out on the roof, to go upstairs on the roof, so I burned my arm, my head, my hair and all, but I went on the roof and then some fellows from the Washington Place took me out together on the roof.

Page 804: I went near the window and I opened the window down because I wanted to jump down. The people downstairs they shout for me to do so, but I didn't have enough courage I suppose because as I burned my knee I went back and knocked on the elevator so I could not wait. I didn't have patience enough and I heard a scream.

Page 808: She is 19 years old. All the people what I left in the dressing room are all dead.

Page 809: Here she repeats the long passage again. I did not pay any attention to this girl because I could not believe her word. I followed my way to the dressing room, and wanted to get my clothes. I could not because the smoke

was coming from the Washington Place out of the window, and I turned back to the Greene Street window. All the girls that were standing around outside of the dressing room and I pushed my way into the dressing room, and this all was smoky, I could not make out what they did say, simply. It was so many languages that they all spoke in another language. The smoke and all and some were screaming about their children and anything else, and I was standing there in the dressing room and watching them. I was sure I was going to die there. I never thought I would be out of there and I felt some breeze come out, so I wanted to see from where the breeze was coming, and I made my way over through them, all the rest of the girls were standing in the dressing room, and I followed my way to the window, when I fell over some chairs and benches which were standing around me, so I went on my way. So I went away from the dressing room and the window. The window I suppose was open. I went near the window on the Greene Street side. It was steam heat near it. It was a window near the two elevators - freight elevators, and I wanted to open the window down - I should be able to jump but I didn't have enough courage and I burned my knee. So then I turned back and I goes and knocks at the elevator and I didn't have enough patience to wait until the elevator is coming to me up, and I then went up the stairs and onto the 10th floor.

When I went up the stairs on the 10th floor I burned my arm, my face, my neck, my hair, my nose, and I went up on the 10th floor and got up on the 10th floor. I don't remember which way - it was a window or a door was leading up on the roof - whatever it was I went my way through on the roof some way around and of course I seen some people there. Now at this point, Steuer says, do you think you could tell those words over - you could tell them in the same words again? Answer: I could tell them ten times. Question: How many times have you told this in the same words before? How many times, Miss Yaller, have you told it in the same words before? Answer: I have told it about five times, first to my friends, then to the District Attorney, before the Grand Jury, and now, about four or five times. I can remember it now. Question: All right, thank you very much.

Page 814: Anna Horowitz, 9th floor as an operator.

Page 815: Harris used to stand there and Blank used to demand of the girls to show their pocketbooks in case the watchman was not there whenever the watchman was not there.

Page 820: George F. Dunn, Engine Company 33, who answered on the first alarm, says: When we arrived we took a high pressure hydrant that was on the southeast corner of

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Greene Street and Washington Place and stretched the stand-pipe connection on the outside of the building, then went to the 8th floor and connected to the outlet of the standpipe, then to the 9th floor. 72 engine was the first to get there. 72 was connecting there at the time to the 7th floor and stretching their hose to the 8th floor and intending to enter the building on the 8th floor. We connected on the 8th floor and went to the 9th floor.

Page 825: At this point, the question is raised about Chief Worth's testimony that he had said on page 93 that he saw the fire on the west wall - I saw a small spurt of flame which proved that the fire was extending up the stairways. Dunn knows nothing about that, and does not allow himself to be dragged into a disagreement with his Chief.

Page 827: Dunn: No girls were coming down the Washington Place stairway, but then he adds: I think it was between 8 and 9 minutes, that is 8 and 9 minutes after the alarm came in, and it is probable that those who could have come down from the 8th floor had already done so.

Page 833: Did you see any bodies, this is when you entered the 9th floor? Yes, sir, to the best of my opinion they were about 15 or 18 feet inside of the building to the left.

Page 835: He says that they couldn't get into the

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9th floor until they cooled it down.

Page 836: There was nothing burning on the stairway.

Page 838: This is a little hassle with Steuer. Steuer says the fire was dying down before there had been a drop of water applied to it. This comes after Bostwick asks Dunn, do you know whether the fire near the door on the 8th floor was dying down at the time, and the 9th floor was nearer to its height. Yes answers to both. Steuer then continues, do you know that the men who have testified here worked on the 8th floor and testified that the heat was so intense there that they had to work on their bellies and to stream the water in before they could go in. Bostwick objects that this was on the Greene Street side in the testimony of Captain _____ and the Court agrees with Bostwick.

Page 840: Again Steuer cites Captain Worth's testimony that the fire was raging on the 8th floor and it came from the west to the east.

Page 841: Thomas Meeham, Engine Company 33, arrived on the first alarm, entered the building from the Washington Place side and carted the hose up the stairway. I got to the 8th floor, I connected on the 8th floor and then went up to the 9th. What part of the door was left - this was the 9th floor door? The stiles, each side

and at the bottom. The two stiles each side were standing upright and the piece at the bottom was standing there, an upright panel at the bottom. I helped to kick it in.

Page 857: John D. Moore, an engineer. At the time of March 25th he was a consultant engineer, and he was employed by the District Attorney of the County of New York.

Page 863: He says: (describing the door on the 9th floor) The hinges were on the right hand side; that is to say, if you stood inside the Washington Place loft the hinges would have been on the side to the right. That is to say, if you were facing the door on the inside of the loft the handle to the door, if it had one, would be on your left hand. Now a door which moves in that direction is known as a left-handed door. So much of the inner surface, that is of the door, is charred away that I cannot state with absolute certainty just what the thickness of the door was. At this point, the Judge directs the jury to leave the box and take their places near People's Exhibit 29.

Page 868: He describes the outside of the door, the portion of the casing which is now before me, is unburnt, only the varnish being charred, being scorched, and at least half of the portion of the front door was on the southerly side.

Page 871: He says, about the staircases: They

were identical. The only difference is in the width of the stairwell, and the Greene Street end is 4|- inches wider than the Washington Place side. From the ground floors upward the Greene Street stairs were worn very much more than the Washington Place stairs. The Washington Place stairs showed substantially no wear.

Page 872: The hose was (Now here he is talking about the hose in the Washington Place stairs) - the hose was gone, burned away - it was burned or torn away - there were a few fragments of it hanging to the branch connection.

Page 874: He describes here the wood on the handrail - something more than half circled at the top so that the hand could clutch it and the fingers grasp it underneath so as to give a firm grasp, and that was fastened to the iron by a groove cut in the wood, sunk down upon the iron and screwed on underneath.

Page 875: The handrail on the landing in front of the 9th floor door was scorched, not burnt, on the side toward the door.

Page 877: The handrail directly opposite the doorway - the horizontal handrail - was scorched on the side to the door - that's 9th floor. The hose on that landing was almost destroyed but still on the rack.

There was a hose rack to support the body of the hose, and the coupling was attached to the valve and the hose was folded flat and the edges badly scorched, so that the hose was useless. That is Washington Place, 8th floor.

Page 878: He says: These are about the tables holding the sewing machines. Yes, sir, the legs were screwed down to the floor and the table tops were attached to the legs. When you saw the premises, were the legs still screwed to the floor? Yes, sir, very many of them were still substantially upright.

Page 879: He says: This about the height of the tables. 30 inches, each table carrying a machine. The tables were about four feet wide, there were three spaces, the outer space consisted of a working table, the center space consisted of a trough into which the work fell, and that was about 10 inches deep, and the next outer space was another table.

Page 881: When we cleared away the debris, (this was again on the 9th floor) he finds that in many spots completely destroyed, burned right down to the cinder fill underneath.

Page 882: About the wall. They were 12 inch brick walls carried on steel construction - that's the outside of the wall. The floor arches were of terra cotta blocks with a cinder fill above them and topped with a

wooden-topped flooring. The fireproof arches were in very good condition. A few of the lower faces had fallen off, but probably not more than 1 percent. Then he asked what was the material of the wall on either side of Washington Place door. That was terra cotta blocks - 4 inch terra cotta blocks.

Page 883: He says: The fire escape was of the ladder and balcony open type and protected by no partition or enclosure of any kind, and the ladder from the roof to the 10th floor was known as a goose-neck ladder; that is, a ladder extending above the roof with a couple of handrails so as to make access to the roof. It was a vertical ladder leading from the roof to the 10th floor but all other ladders throughout the fire escape until one passed the 1st floor inclined at an angle of 60 degrees substantially. The platforms were 3'6" wide and 14'6" long. The ironwork, or iron floor, of the fire escape balcony was flush with the lower side of the window sill, which brought it precisely to 23' above the floor of the loft, so that in order to reach it a person would have to step about 29 to 30 inches and then step down 7 inches, and he says substantially all of the ladder was behind masonry work. The lower foot and a half of it projected past the glass. I may say these ladders are on the outside edges of the balcony, the remote side

from the building.

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Page 887: The fire escape proper terminated at a balcony attached to the masonry directly above the 1st floor windows. There was a drop ladder which was 12 feet 9.3/4 inches long and was attached to the floor of the balcony. The ladder hung entirely free, and its bottom was 5 feet 9-1/2 inches above the glass skylight down in the yard. Then you were in a court against which every window except three on that court was barred, and there was a wall 8 feet 4-3/4 inches high on the building line.

Page 892: The area of the 2nd story and all those above it was 9,156.8 square feet.

Page 893: In talking about the elevator doors: Each had wire glass panel, one half of the door fixed and the other half sliding. They are completely metal-clad (about the freight elevators) and they are hinge doors and hinged at the outer so that the entire elevator well could be thrown open. That's for the freight. Now, the passenger elevators, two or more with ornamental canopies.

Page 894: Skylight over the stairway on the

Washington Place side. On the Greene Street stairs there was a window on each floor opening into the court.

Page 895: The machines were run by electric power; they replace four motors on the 8th and 9th floors, it says, were placed close to the Washington wall. I think they were bolted directly to the floor. There might have been a joist perhaps 2-1/2 inches high under it.

Page 897: Table #1 extended to within 15 inches of the Washington Place wall. The radiator came to the corners of those tables about 13 inches from #1 and about 9 inches from #2. The radiator was about 28 inches high, and it was under the window sill and the window sill was about 30 inches. What was the distance from motor #2 to the steampipe? About 9 or 10 inches between #1 table and the motor, counting the belt. The motor was about 25 inches high. There was a covering over it and a raised platform. The total length of the woodwork was 29 feet 6-1/2 inches. This indicates the wooden partition near the freight elevator and near the windows near the freight elevators, running in a westerly direction from Greene Street. Then he says: How much above the floor level was the top of the box over the shaft? His answer is: 12 inches. On the 8th and 9th floors did you find any oil tanks? Yes, on each floor there is an oil tank adjacent to the

pipe shaft near the stairway.

Page 905: Did you calculate the cubic area of the loft? Yes, the height between the floor and the ceiling was approximately 11 feet.

Page 906: 11 feet 2 inches. To estimate the thickness of the hollow tile arch and cinder filling. The floor measured 13 feet 2 inches between bottom and top of the floor. From that must be deducted the thickness of the floor itself. On the windows now, the clear width of the window is 54 inches, with two windows leading to the fire escape. Between the window openings, that is between the clear position of the window, there is a space of 4 feet 5 inches. The height of the window is 8 feet 6 inches between the lintel and the ceiling.

Page 909: These windows, when opened as far as they could open, left a space of approximately 4 feet each, or 54 inches.

Page 910: The width of the platforms at the 8th and 9th and 10th stores was 3 feet 6 inches into the court. Now, that's the fire escape.

Page 911: Again on the staircase of the fire escape. In a direction parallel with the wall and moving in a westerly direction going down, in other words they slope from the east at the top to the west at the bottom. Between the 8th and the 9th and the 9th and the 10th

the ladders were, what was the distance from the wall? 20 inches on the nearest side.

Page 912: 3 feet 8 would be 44 inches and 20 inches and 18 inches, that leaves 4 inches on the far side of the ladder.

Page 913: Guiseppi Saveno. He, together with Pietro Torchin, worked as laborers on the 9th floor, and found the lock.

Page 931: Here we are back with Steuer's objection to the introduction of the lock, and this is Steuer speaking: On March 25th a fire occurred and on March 26th all the conscience of the city is stirred by the terrible catastrophe that has occurred. The newspapers published everything that can be published in the way of pictures, and on the 27th of March the theory of the locked door is already made public by every citizen. Hundreds upon hundreds of people go into that debris and seek the bodies, and the Fire Department makes a conclusive and minute and detailed search into that debris, and the whole question that is being agitated in the press day after day is locks, locks, locks, and the door was locked, and pictures of the doors, your Honor, and nothing is found, when on the 10th of April, as from a clear sky, a detective goes to the premises and as the reports show at that time within 25 minutes a lock is discovered, to show that that lock was

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the lock of the premises

when they have had the lockmaker go over it and he refuses to say that it was the lock. When they have had the man who went over every lock in that building and said it cannot be proved that that was the lock and then bring in a piece of stanchion on an alleged, or whatever you call it, on an alleged portion that somebody kicked in something on the 9th floor and seek 15 days after that fire to say that was the lock of the door. Why argue this, where is the lock of the 10th floor, where the fire did not do damage, where is the lock to the 6th floor, where the SLOS did not touch it? A most mysterious disappearance. The lock of the 6th floor which is covered by a fire door, as an exhibit in this case shows, hung with an iron door, but right after the discovery by the newspapers of this lock there is no lock on the 6th floor; and every one of the locks, may it please Your Honor, in that building were identical with the 10th floor down to the basement, and no lock on the 8th floor, Your Honor, has been discovered. Why, I ask, is there no lock for the 10th floor that has been discovered up to the present time. But the one lock that is wanted that is found on the 10th day of April, and they say that exclusive opportunity has nothing to do with this case? I don't care whether you call it exclusive opportunity or anything else, is it to be really urged upon

Your Honor that the lock that the tongue, I think you call it, has extended on the 10th day of April, 1911, is the slightest evidence that the lock had its tongue extended on the 25th day of March, 1911. Is it even to be suggested in a civilized country where the jurisprudence is practiced as it is practiced here, when everybody seeks a lock, when you find one on the 9th floor, make it competent when you find it on the 10th day of April when you had no evidence as to the condition of affairs between the 25th of March and the 10th of April. And yet the District Attorney says you do not need any evidence to fill in that hiatus.

Page 936: Mr. Bostwick makes reply: We have very clear and distinct evidence that the three locks of the dressing rooms were padlocks, not _____ locks. This is not a padlock. We have in evidence that the toilets were never locked. The only two doors that this could have belonged to were the door on the Greene Street side and the Washington Place door. Now, the Washington Place door, as has been testified to, was a left-handed door, the other was a right-handed door. If we shall obtain evidence that this is not a right-handed door, that evidence has probative force that it belonged to that door. It is found near the door. We will attempt to introduce evidence here of the putting on of this

identical lock by the identical man who put that lock on that door, and we will trace it from manufacturer to the jobber, to the workman who put it on the door, and he will identify your lock. The evidence has probative force. The locks were not all alike in that building, and this lock was put on later. Now the Court leaves the question open about admitting the exhibit.

Page 939: The Court now summarizes the arguments here. He says: One of the issues in this case is whether the death of Margaret Schwartz, named in the indictment, was caused by the omission of duty amounting to culpable and criminal negligence on the part of either the defendant Blank or the defendant Harris, as charged in the indictment. Now, he goes on, the reason he's admitting the information about the fire escapes below the 8th floor is that this in turn depends among other things on the presence or absence of other means of egress from such loft, and the nature and sufficiency.

Page 949: Francis Flynn of the Detective Bureau who on 950 looks at People's Exhibit #30 and identifies it, and says, I saw them pick it under from among the rubbish; it was on the floor. And on 951, about 11 and a half feet from the doorway.

Page 952: He admits that he made no memorandum of it in his notebook.

Page 953: John D. Moore, the engineer.

Page 972: He says: (Again, this is the Judge) I ought not now to receive this exhibit.

Page 973: Again he refuses to receive the exhibit at this point.

Page 975: On the 9th floor the movable door on the northerly passenger elevator was missing. With that exception all of the elevator doors on that floor were intact. Now, with respect to the doors leading into the two dressing rooms on the Washington Place side. Those were quite gone, Your Honor. There was nothing left there but tiny strips of wood, and the floor well short little stubby pieces of wood to indicate where they had once been.

Page 976: These partitions were all of 7/8 inch stock - very light, just merely screens.

Page 977: A mortised lock could not have been put on partitions 7/8 inch thick.

Page 978: A right-hand door is a door which when opening swings in the same direction as the hands of a clock move, and a left-hand door is a door which in opening moves in the opposite direction, that is against the hands of the clock.

Page 979: Moore says he can't tell from looking at a door whether it is left-hand or right-hand, the point

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being of course that it may be a swivel door.

Page 980: Steuer makes a point of that here, that it appears from the testimony of this witness, one presumptive (?) with the door, could not testify whether it was left-hand or right-hand unless he saw it open first, and the witness says, well it could swing both ways.

Page 984: Now, this is where Steuer is asking Moore and Moore makes a reply: The latch is provided, like most locks, with a live bolt which moves either with the action of the knob or is thrown back by coming in contact with what is known as the strike, that is the metal portion which is fixed in the jamb of the door, so that in closing the door one can either close it by holding the knob and releasing the knob when the door is closed, or else it would merely push the door and the spring actuating the live bolt will close it. In order that that can be accomplished by means of the spring, the bevel on the latch has to be such that the beveled portion will collide upon the strike and will be gradually thrown back instead of coming into direct contact with it. Unless the bevel does collide upon the strike, the door won't close into the jamb. Consequently, if the bevel was on the wrong direction, a push on the door won't close it; it won't stay shut after it is closed,

even with a knob. A push on the other side will open it.

Page 989: Bostwick offers People's Exhibit #30 for identification and sums up: It having been shown that it could not have been a right-hand door by the evidence, then it must have been a left-hand door by the evidence, it could not have been a toilet door, it could not have been on the partition which is only 7/8 inch thick, it was found on the 9th floor, in conjunction with the fact that there is some evidence in this case that the door was found locked. Taken in connection with the fact that at the time of the fire none of the dressing rooms were locked, there were nothing but padlocks on the dressing room; and also in connection with the fact that the toilet rooms were never locked, and that it was found 20 and 1/2 feet from the Washington Place doorway and that it should go to the Jury.

Page 990: Charles W. Baxter, who made repairs as a superintendent for J. W. Clark Company in 1902, and there had been a fire in the building, and he had repaired some of the doors on the floor where the fire was at that time, I think it was the 9th floor, and then we have:

Page 992: Emil Woehr, engaged in builders' hardware at 127 Murphy Street, and he says that he purchased his goods from Reading Hardware Company in 1902 and sold to Mr. J. W. Clark in December, 1902.

Page 997: He says: There may be a casting number on the inside of the lock, which he wrote down on his invoice. And then he says: Then Francis J. Kelly. He is in the hardware business, and he worked for Reading and filled the order from Woehr Brothers. He delivered those locks.

Page 999: Is it identical with one of the locks that you delivered to Woehr Brothers in 1902? Yes, sir. Is that lock of your manufacture? Yes, sir. Is that a right-handed or a left-handed lock? May I see the model? That is a left-handed lock.

Page 1000: He has been handling locks for 21 years.

Page 1003: A mortise lock is a lock which is mortised in the door and does not set on the surface.

Page 1008: He positively identifies this as one of his locks. He has handled about 2000 locks in his time.

Page 1009: Our locks were not used in the original building.

Page 1011: This is where Steuer begins his questioning, I think. Yeah, cross-examination by Steuer: Which hand lock is this, right or left? Right hand. Can you change it to a left? Yes, sir. Could you take that lock apart and make it a left-hand lock without

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failing to use every part that is in it now? The answer: You would have to use every part the same as it is now.

In other words, any one of these locks can be made either right-hand or left-hand just as you see fit to put it on. The answer is: Not after it is mortised in. Again, if they are all alike you use the same lock for left- and right-hand doors, don't you? After the latch bolt is reversed.

Page 1012: But when the lock goes out from your place of business, is it any different from the way it is now? No, we ship them all right hand. Then you don't have any such thing in your factory as a left-hand lock? Well, they are made so that they can be reversed by the carpenters at the job. There isn't any such thing as a right-handed or a left-handed door lock, is there? Yes, sir, there is. When you build them, do you build them as right-hand or left-hand locks? We build them so that they can be reversed; the carpenter reverses them. Question: The carpenter puts them on either a right-hand or a left-hand door? Answer: By reversing the latch bolt to meet conditions.

Page 1016: People's Exhibit #30 is received in evidence. Josie Nicolosi, who worked on the 8th floor near the Washington Place side; worked for 15 months, and says: I was standing by my machine, I had my back to the Greene

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Street side; I heard someone holler fire, and I turned around and I see it was at the cutting tables, and I ran to Washington Place door. There were about 30 girls when I reached the door; they were trying to open the door with all their might and they couldn't open the door.

Page 1018: She shows how she tried to open the door. We were all hollering; we didn't know what to do. Then Louie Brown hollered, wait girls, I will open the door for you. We all got on the side and he passed by and opened the door and with the key he twisted the lock, and we went downstairs and got out. There was a crowd that came down after me. I had tried the door many other times in dinner hour but it was never open. It was always kept locked.

Page 1021: I was sick seven months after the fire.

Page 1023: (Told to skip this)

Page 1025: This is the business with the phonograph. Do you remember when they had a phonograph on the 9th floor. Yes, sir, I do. Do you remember that you girls used to go up on the 9th floor and dance? Yes, sir. How did you go up on the 9th floor and dance? From the Greene Street. Always from the Greene Street? Always from the Greene Street. There was not a single girl that went up from the Washington Place side? I never went, and I never

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seen any. These people supplied the phonograph and kept the floors clean for you so that the girls could come up from the 8th or the 9th floor and enjoy themselves during the dinner hour, didn't they? But because - - . Question: Did they or didn't they? Answer: But because we had a strike. Question: Because what? Answer: Because we had a strike, and they wanted us to work for them so they treated us nice when they had the strike, not afterwards, but the doors was always locked at the Washington Place side. We went upstairs because Mr. Blank used to give prizes to the girl that used to dance better, and we went upstairs to see them. After the strike did we put in, because there were more of you girls, a phonograph on the 8th floor? Answer: No, sir, after the strike we didn't have no phonograph at all. Question: What became of them? Answer: I don't know; they didn't play no more phonographs.

Page 1029: Joseph Wexler, 8th floor. I rang the bell; I was standing by the bell near the clock on the Greene Street side. I was supposed to look in their pocketbooks, every girl's pocketbook, but I did not give it my attention.

Page 1032: Augusta Burd, worked on the 8th floor as a cutter. I was in the cloakroom when I heard the cry of fire.

Page 1036: Rosalie Panno, 8th floor.

Page 1037: Mr. Brown was washing his hands near the sink there, and when we heard the cry of fire he said wait here girls because I will open the door for you. He went away from that place and came back and opened the door. Was there any fire in the hallway when you got out there? No, sir. Then you got downstairs? Yes, sir. Did you go downstairs? Yes, sir. Did you see other girls going downstairs? Yes.

Page 255 1040: Celia Himmelstein, 8th floor, an operator, who worked opposite the toilet on the 8th floor "with my back turned toward the toilet. I was sitting there."

Page 1043: Dora Himmelstein.

Page 1044: She worked on the 8th floor. She was in the dressing room.

Page 1050: Irene Seivos, 8th floor. I make trimmings, braidings for dresses and waists - everything, and worked in the 5th row from the Washington Place side and the 2nd machine from Washington Square.

Page 1052: I was ready to dress myself to go home, and when I heard the scream of fire so I was looking. I thought it was maybe on the lower, maybe on the 7th floor, or where. So I jumped and I was looking where, and I saw the girls running from the Greene Street side. The other

girls was running for the Washington Place door, and I could not go because the machine was so close to go, I could not go to the door, so I jumped over the machines and I went to the Washington Street side. I saw there many girls, they were screaming the door is locked, the door is locked. I did not go to the door, I went into the partition from the elevator.

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Page 1050: Irene Seivos, 8th floor, she did trimmings, etc. in the 5th row from the Washington Place side, the 2nd machine from Washington Square.

Page 1052: I was ready to dress myself to go home, and when I heard the scream of fire so I was looking, I thought it was maybe on the lower, maybe on the 7th floor, or where. So I jumped and I was looking where and I saw the girls running from the Greene Street side and the other girls was running to the Washington Place door. I could not go because the machine was so close to go, I could not go to the door, so I jumped over the machines and I went to the Washington Street side, the Washington door. I saw there many girls, they were screaming the door is locked, the door is locked. I went in the partition from the elevator and I went from the elevator. I saw the elevator went up to the 9th floor or the 10th floor, so when he came back I saw he did not stop on the 8th floor and I was screaming. There were more girls screaming. I broke the windows on the elevators and I was screaming fire, fire, and after I jumped I saw

it was no hope. I went to the window. How did you get out of the building? With the elevator.

Page 1054: Lucy Grimaldi, 8th floor. Here, again a description of the floor.

Page 1059: Minnie Wagner, 8th floor. I trimmed and made the whole waist. In the center of the shop there were 5 lines and I was on the 5th line in the center.

Page 1060: I first ran for the elevator, and the girls were standing there and I saw that the elevator did not come up, and then I ran for the other door and there I met Eva Harris. Is that the sister of the defendant? I think so. And she tried the door. What did she say? She could not open it and she cried Mein God the door is locked. I was standing in the door, I was crying for help.

Page 1062: With your own eyes you saw Brown tear the lock out of the door on the 8th floor? Yes.

Page 1063: Rose Lepanto, 8th floor, made waists, operator.

Page 1067: She could not see Brown's hands. He stood in back of the door about two minutes and after that the door was wide open. About two minutes? Yes, sir. Have you ever timed two minutes in your life to see how long it is? Well, it seemed to me a hundred years in time there.

Page 1068: Rose Reiner, 8th floor, operator, who says:

Page 1071: Well, I ran around. I saw the girls going to the fire escape. I went to the fire escape. Did you go down the fire escape? Yes. And did you go to the Washington Place door at any time before you went down the fire escape? I never did. When you went down, did you see Mr. Brown open the door? When I was near the fire escape I saw Brown open the door. And you did not go back? No, I did not go back. You continued down the fire escape? Yes. When you got to the fire escape where did you go? I went down. About how far down the fire escape? Down to the 5th or 6th floor.

Page 1073: I was in the dressing room, I put my hat on my head and I was speaking with the girls. They said look here is a fire you don't take so slow time. Then I started to run and I ran around outside and it was the Greene Street door but I did not remember. I ran to the fire escape.

Page 1089: Christina Lang. She has some change here.

Page 1093: She says: It was a mistake. I never saw people go in and out of the door, but by the door. She apparently was the matron who sat outside the ladies' room.

Page 1096: Thomas Larkin, Battalion Chief. On November 1, 1902, he was foreman of Hook & Ladder Company 20. There was a fire on that day on the 9th floor.

Page 1112: Kate Gartman, formerly Rabinowitz, 9th floor, operator.

Page 1115: She says: I was in the dressing room. Kate Alterman, Margaret Swartz, and I were dressing ourselves in the dressing room, we ran to the Greene Street door over the machines because it was too crowded through the girls.

Page 1119: I turned back to the elevator doors. In going to the elevator doors there is a partition. I had seen Margaret Swartz grab hold of the partition. I don't know - she kind of leaned or fell toward the small dressing room. Then I have seen the elevator come up and I tried to push myself into the elevator, that is how I got down.

Page 1130: As a matter of fact (this is a descriptive question) the Washington Place stairway door, instead of being a little way out, is a little way in from the Washington Place elevator. Yes, into the loft.

Page 1131: I saw them jumping, then I reminded myself I was on the 9th floor, I will get killed. The window was cracked and the woodwork was burning.

Page 1134: She says: Well, I was cool and nice and calm, you know, if I was excited I would have jumped through the window. Question: Sure, now when you are nice and cool and calm that way, you got to a window? I was as cool and calm as you are here. Question: Now,

I'm not half as cool as you think I am. Answer: Well, this I don't know.

Page 1135: She says: I could not understand what you meant by talking because I don't think I am so excellent in the English language to understand it all. Therefore, you have to excuse me if I made a mistake.

Page 1137: The girls were all standing at the stairway door. Therefore, they were not at the elevator because the elevator wasn't up. Why should they stand there at the elevator, for to look and watch it? They can't jump into the elevator, they'll get killed just as well as from the window. They can't stand and watch the elevator. They were trying to break the door open. That is what the girls was trying to do. You are trying to tell me I don't know what. Well, I wasn't in their hearts, I don't know how they felt, but everybody wanted to open the door.

Page 1140: There was a lot of smoke when I went out of the dressing room - there was a lot of smoke.

Page 1141: Much more smoke? Answer: How should I tell you, a pound more, or a half a pound more, I don't know. Question: No, not a half a pound or a quarter pound or ten pounds. Answer: There was more smoke positively. Question: Tell me if it looked as if there was more smoke then. Answer: Yes.

Page 1142: Question: But it was perfectly easy to see all over, wasn't it?

Answer: No, it was dark by smoke. Not all over; where the flames were it was light.

Page 1147: (told to skip this)

Page 1154: Kate Alperman, 9th floor, who worked 4 months, operator.

Page 1155: (These are the long passages for comparison purposes) Was Margaret Swartz with you at this time? Yes, sir. Then I went to the toilet room. Margaret disappeared from me, and I wanted to go out the Greene Street side but the whole door was in flames, so I went and hide myself in the toilet rooms, and then I went outside away from the toilet rooms and bent my face over the sink, and then I ran to the Washington Place side elevator, but there was a big crowd and I couldn't pass through there. Then I noticed someone, a whole crowd, around the door, and I saw Bernstein, the manager's brother, trying to open the door, and there was Margaret near him. Bernstein tried the door; he couldn't open it, and then Margaret began to open that door. I take her on one side, I pushed her on the side and I said wait, I will open that door. I tried, pulled the handle in and out, all ways, and I couldn't open it. She pushed me on the other side, got hold of the handle, and then she tried, and then I saw her bending down on her knees, and her hair was loose and the trail of her dress

was a little far from her, and then a big smoke came and I couldn't see. I just knew it was Margaret, and I said Margaret, and she didn't reply. I left Margaret, and I turned my head on the side and I noticed the trail of her dress and the ends of her hair begin to burn. Then I ran in, in the small dressing room that was on the Washington side. There was a big crowd and I went out from there and stood in the center of the room between the machines and between the examining tables, I noticed afterwards on the other side near the Washington side windows Bernstein, the manager's brother, going around like a wild cat on the windows, and he was chasing his head out of the window and pulled himself back. He wanted to jump, I suppose, but he was afraid. And then I saw the flames covering him. I noticed on the Greene Street side someone else fall down on the floor and the flames covered him, and then I stood in the center of the room and I just turned my coat on the left side with the fur to my face, the lining on the outside, got hold of a bunch of dresses that was lying on the examining tables and not burned yet, covered up my head and tried to run through the flames on the Greene Street side. The whole door was a red curtain of fire, but a young lady came and she began to pull me in the back of my dress and she wouldn't let me. I kicked her with my foot and I don't know what became of

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her, and I ran out through the Greene Street side door, right through the flames, onto the roof. My pocketbook began to burn already but I pressed it to my heart to extinguish the fire. And the last time I saw Margaret Swartz was at the door, she says.

Page 1157: She screamed at the top of her voice, My God I am lost, the door is locked, open the door. That is the last I ever saw of Margaret Swartz.

Page 1161: Now, here she repeats the entire story. Now tell us what you did when you heard the cry of fire? I went out from the dressing room, went to the Waverly side windows to look for fire escapes. I didn't find any. Margaret Swartz was with me. Afterwards she disappeared. I turned away to get to Greene Street side, but she disappeared. She disappeared from me. I went into the toilet rooms, I went out from the toilet rooms, bent my face over the sink, and then I went to the Washington Place side to the elevators but there was a big crowd. I saw a crowd around the door trying to open the door. There I saw Bernstein, the manager's brother, trying to open the door, but he couldn't. He left, and Margaret was there too, and she tried to open the door and she could not. I pushed her on the side and I tried to open the door, and I could not. And then she pushed me on the side and she said I will open the door, and she tried to open the door, and the big smoke

came and Margaret Swartz I saw bending down on her knees. Her hair was loose and her dress was on the floor a little far from her. And then she screamed at the top of her voice open the door, fire, I am lost, My God I am lost, there is fire. And I went away from Margaret. I left and stood in the middle of the room, that is I went in in the dressing room first. There was a big crowd; I went out of the dressing room, went in the middle of the room between the machines and examining tables, and then I went in. I saw Bernstein, the manager's brother, going around the windows putting his head from the windows. He wanted to jump, I suppose, but he was afraid. He brought himself back and then I saw the flames cover him, and some other man on Greene Street, the flames covered him too. And then I turned my coat on the wrong side and put it on my head with the fur to my face, the lining on the outside, and then I got hold of a bunch of dresses and covered up the top of my head. I just got ready to go and somebody came and chased me back, pulled my dress back, and I kicked her with my foot and she disappeared. I tried to make my escape. I had a pocketbook on me and that pocketbook began to burn. I pressed it to my heart to extinguish the fire, and I made my escape right through the flames. The whole door was aflame right to the roof. It looked like a wall of flame? Like a red curtain of fire, she answers.

Question: Now there was something in that that you left out, I think, Miss Alperman. When Bernstein was jumping around do you remember what that was like? Like a wild cat, wasn't it? Answer: Like a wild cat. You left that out the second time. How long have you lived in Philadelphia? Then he comes back: You did leave that out, didn't you, just now when you told us about Bernstein, that he jumped around like a wild cat? Answer: Well, I don't imagine whether a wild cat or a wild dog. I just speak to imagine just exactly. How long have you lived in Philadelphia, he asks?

Page 1165: This is the third time, and he begins it by saying: Now, could you tell us again what you did after that time. And she says, after going out from the dressing room? And he says yes, and she goes on: I went to the Waverly side windows to look for fire escape. Margaret Swartz was with me and then Margaret disappeared. I called her to Greene Street. She disappeared and I went into the toilet room, went out, bent my face over the sink, and then I walked to the door to the Washington side to the elevator. I saw there a big crowd I couldn't push through. I saw around the Washington side door a whole lot of people standing. I pushed through there and I saw Bernstein, the manager's brother, trying to open the door. He could not, and he

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left. Margaret Swartz was there; she tried to open the door and she could not. I pushed Margaret on the side and I tried to open the door. I could not, and then Margaret pushed me on the other side and she tried to open the door. Big smoke came and Margaret bent on her knees, her trail was a little far from her just spreading on the floor far from her, and her hair was loose, and I saw the ends of her dress and the ends of her hair begin to burn. I went into the small dressing room; there was a big crowd and I tried, I stood there and I went out right away, pushed through and went out, and then I stood in the center of the room between the examining tables and the machines. There I noticed at Washington side windows Bernstein, the manager's brother, trying to jump from the window. He stuck his head out; he wanted to jump, but I suppose he was afraid. Then he would draw himself back, then I saw the flames cover him. He jumped like a wild cat on the walls, and then I stood, took my coat, covered my head, turning the fur to my head, the lining to the outside, got hold of a bunch of dresses that was lying on the tables and covered it up over my head, and I just wanted to go, and some lady came and she began to pull the back of my dress. I kicked her with my foot, I don't know where she got to, and then I had a purse with me and that purse began to burn. I pressed it to my heart to extinguish

the fire. I ran through the fire, the whole door was aflame; it was a red curtain of fire.

I went right on to the roof.

Page 1167: Question: (This is Steuer) What you told us here today, you didn't study that and tell it that way, did you? No, sir. You didn't study the words with which you were to tell it? No, sir. Do you remember that you got out to the center of the floor, do you remember that? I remember that I got out to the Greene Street door. You remember that you did get to the center of the floor, don't you? Question: Now tell us from there on what you did. Start at that point now, instead of at the beginning, that is the point being between the tables, between the machines and the examining table in the center. And she tells the fourth time now: In the beginning I saw Bernstein on the Washington side, Bernstein's brother going around like a wild cat. He wanted to jump out from the window, I suppose, but he was afraid, and then he brought himself back and the flames covered him, and I took my coat, turned it on the wrong side with the fur to my face and the lining on the outside, got hold of a bunch of dresses from the examining table, covered up my head, and I wanted to run, And then a lady came along and she began to pull my dress back; she wanted to pull me back, and I kicked her with my foot. I don't know where

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she got to, and I ran out through the Greene Street side door which was in flames; it was a red curtain of fire on that door, to the roof. Question: You never studied those words, did you? Answer: No, sir. Question: Now, Miss Alperman (This is by Bostwick), each time that you have answered Mr. Steuer's questions you have tried to repeat it in the same language that you first told it here in Court, have you not? Yes, sir. And you remember every detail of that story as well today as it happened yesterday? Yes, sir. And it is all true? All true, yes, sir. Steuer on re-cross: Can you tell that story in any other words than those you have told it in? Answer: In any other words? I remember it this way just exactly how it was done. Will you please answer my question; could you tell it in any other words? Probably I can. Then Bostwick: Will you state to the jury why you try to repeat the last time what you told Mr. Steuer in the same language that you used the first time you told Mr. Steuer. Answer: Because he asked me the very same story over and over; I tried to tell him the very same thing because he asked me the very same thing over and over. Question: And did you think you had to tell it in the same words? Answer: No, I didn't think, I just it the way he asked me to say it, over and over, and I told him in the same words.

Page 1170: Charles Lazarowitz. He was on the 8th floor, and he went down the Washington Place stairs. He saw policemen and Brown save two girls from jumping out the window. I was still inside.

Page 1173: James C. Whiskman, again.

Page 1182: Bostwick ties up several exhibits so that placing these exhibits 31, 39, 40, 41 and 32, they now represent the order being first opposite the door of the landing on the 8th floor to the 3 pieces going up the stairs to the 9th floor, and People's Exhibit #32 being the piece directly opposite the door on the 9th floor on the 9th floor Washington Place side.

Page 1183: Was every point in that three feet 9 inches from the door on the 8th floor? No, sir, the nearest point was 3 feet 9 inches, yes, sir.

Page 1185: This is where The People rest.

Page 1198: Bostwick: I suggest that Mr. Steuer open to the jury this afternoon. Steuer: I have no opening to make, Mr. Bostwick. It is a case that to my mind is perfectly clear. There is not anything that I know about the manufacturing business. Court: You do not propose to open, Steuer? No, I am going to put witnesses right on, and I wish to get through just as quickly as possible, and I respectfully ask that we now adjourn. Bostwick: I think it may be within the province and privilege of counsel to

determine the extent to which he likes to open to the jury. I think he ought to outline the theory of his defense. Court: It is entirely optional. Steuer: If you want me to, if you think it will help the People's case or will clarify the subject, I will be delighted to do it, though I do not consider that my kind of talk is at a premium anywhere. Do you want me to tell you what my defense it?

Page 1199: He does open, and he says: Mentions the fact that these lofts were put in - no, no. Steuer: We intend to show that the tables and machines that were put into these lofts were put in by the Singer Sewing Machine Company, that they supplied the whole table, that we did not make them, had nothing to do with making them, that they are standard, highest class, best improved machine used in any shirtwaist factory in the country. We propose to show the same thing with relation to the cutting tables.

Page 1201: We propose to show people walked up through that door and equally so on the 9th and 10th floors, that the steps on the Washington Place side were very, very rarely used, that there was not the slightest occasion for the use of that door except by following people, painters who were there in September 1910. There was not a machine running on the 9th floor at that time, there was not a girl working on the 9th floor. Everything was moved down to the 8th floor and the landlord made a new floor for us,

and we had the place painted up on the 9th floor. Here he talks about the plumbers and the painters and the carpenters, all of whom apparently used the doors during that period. So what?

Page 1206: We will tell you that he turned the key in the door. He will tell you that the key did not turn, and he will tell you how he opened that door and went down with the girls to the street and got a policeman and came back with the policeman, and that at that time the door was wide open, and he saw two girls in their excited condition that were attempting to leave the building by jumping out of the window and he dragged one back, and the police officer dragged the other, and then they took the 2 girls down. He will tell you, as will the colored man who sweeps the place every day, that year in and year out on the Washington Place side on the 8th and 9th and 10th floors the key was all the time in the lock, and that it was never without the lock.

Page 1207: I myself have seen and spoken to two girls who will take the stand before you and who will testify that this first girl to whom I referred went with one of them to the Washington Place doors and the Washington Place elevator did not stop at the 9th floor, and that for that reason they went to the Washington Place door on the 9th floor and they opened the door without any difficulty,

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and that they walked out into the hallway near the 9th floor and that they saw the smoke coming up and the flames coming up, and they looked down and they saw the girls going down the stairs from the 8th floor, and that they then turned back and went downstairs on the Washington Place elevator at the Washington Place doors. And I will show you that these girls sat all year in close proximity to the 9th floor on the Washington Place side. These girls were called to show you that the key was always in the Washington Place door, in the lock on the 9th floor, and that the floorlady and others would come and go out by that door.

were piece workers. By the week there was perhaps a hundred in the whole building. No method of keeping a record of those who actually come? Answer: No, sir, didn't come today, come tomorrow - didn't come tomorrow, come next day, or something like that.

Page 1888: About the machines. This is a detailed account of how many machines in a row.

Page 1890: There is a figure of 278 machines, and this may be the figure for the 9th floor.

Page 1891: There was a break in the row of machines, and the 4th table from Washington Place - there were 3 breaks on the 9th floor; either on this side of the post or on this side of the post.

Page 1892: This simply says that they added machine tables as they needed them.

Page 1896: In the corner at Washington Place on the 9th floor a couple of girls sat there and cut out laces. There were small chairs and dress figures there and nothing else.

Page 1904: Herman Hurwitz, locksmith and electrician.

Page 1940: He is asked by Steuer: I ask you now at the time when the lock was heated through could the heat — the heat — and would the heat shoot the bolt? Answer: Providing the lock is handled around

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when the heat is through the lock, and if it is nothing inside, any obstruction, the lock is dead; the springs get soft, hard steel, soft steel, it turns soft. If it is a bad spring it brittles and breaks. You can take a lock when it goes through the fire and keep on shaking it, it will shoot out the bolt just as well as with a key by shaking it.

Page 1941: The bolt is held by tumblers. In the tumbler there is a spring to it. When the spring gets soft everything is loose inside. Naturally, the tumblers keep on shaking around and the bolt shakes around.

Page 1941: Max Blank, 240 Ocean Parkway.

Apparently there is in the Court an entire section of the sewing machine plant.

Page 1943: The girl sews with the material in front of her, feeding it into the trough.

Page 1944: He spends three quarters of his time of the day in the place of business.

Page 1949: I stood at the shipping department and somebody called out, the taxi is here. I had my two children with me that day from lunchtime on, or at least 3 o'clock, I am not sure whether 2 or 3. I told them to come down that day and I will go out shopping with them because my wife was away at the time in the south, and they

said, the taxi is here. I just thought of it. I forgot all about the children and my shopping business, so I turned back. The governess was with them, so I turned right to go to the office to take my coat and take the children to go out shopping. While going into the office, the front part, somebody ran in through the rear to me and said Mr. Blank there is a little fire there on the 8th floor. I left the children and I started back to the Greene Street side, and when I got right near to the door there I thought that the children will be frightened; I wanted to take care of the children. At the front passenger elevator, while the elevator came up all the pressers, or most of them, all girls, just happened to get in there, started to scream and cry save us, save us, so in rushing into the elevator, I said to the elevator man, take down these girls, and then you will come up again. But while they were running in the little child was just swept into the elevator; she is 5 years old and I caught hold of her hand and just pulled her out of the elevator, and I said to the man take these girls down and come right up again. He took them down, as many as he could, and I stood there for about half a minute, seeing that he was not up. Well, the minutes were too big for me. I said we will go to the other side, and while going to the other side I just noticed the door and I turned the handle and opened the door thinking I will run

down to that side, that way. That was the Washington Place side door. I heard Mr. Harris say, to the roof, to the roof, out I thought I will be smarter, I will run right down here and wouldn't have to go that way. Well, I opened the door and there was so much smoke and I knew that the children will not be able to stand the smoke. I immediately grabbed the two children and ran as far as the middle of the room, and when I got to the middle of the room I was kind of mixed up, I don't know where to go because I have seen smoke and flames from the packing department right near the rear of the floor, and it didn't take a minute when young Eddie, the shipping clerk, ran up to me and just grabbed the little girl off my hands and says to the roof, Mr. Blank, and I followed him with the other girl, with the older one which was 12 years old. When we got up to the roof there was a good many girls there, about 40, and they were all running in each direction both sides to the Greene Street side. Mr. Harris was already on the roof. I have seen some people running to the other side, to the back of the building. I ran with both children to that side but I seen that the coping is so high I knew I will not be able to get up there. I didn't know there was a ladder there which I afterwards found out there was, and I ran back to the Greene Street side, and when I helped up some girls they were pulled up to the next roof. Somebody took my little girl up to the second

roof, and then I handed over the older girl and when there was about one man left, and I don't remember now whether it was Mr. Alter or Louis Senderman, I then climbed up or I was pulled up and afterwards I helped, I believe, to pull up. I believe that last party that was on the roof. And I walked downstairs from the other side of the building, the second building.

Page 1954: We have: An estimate of how much production they made In a week. 800 or 900 dozen.

Page 1957: He is asked by Bostwick: Is it not a fact that employees were searched until they did not have a stitch of clothes on them? Answer: That is not a fact.

Page 1959: There was no such thing as a locked door on our premises.

Page 1967: He describes the pressing operation. They call those the Economical Iron Company. They have installed those irons; they use with air and gas which are mixed and that makes a flame, with a rubber tube attached to each side, and there is a girl standing using that small iron.

Page 1968: About the cans of oil. Each girl had a little oil can about 4 inches large and she would get her oil from a pump, just pump it into a little receptacle and then pour it in and pour it in the little oil can.

Page 1969: They were not covered, these oil cans, but they were fixed so that the oil cannot run out unless you squeeze the bottom of the can.

Page 1972: The tanks were of the same quality, two on a floor, but the oil was different, one was heavier motor oil, the other was a lighter quality.

Page 1977: Francis J. Kelly, recalled by The People.

Page 1982: Did the fact that the lock has ashes in it show that it was attached to this piece of wood that I've got in my hand? That would be a hard assertion, is the answer. Does it show, or doesn't it, to your expert eye? The signs on the bolt indicate to me that it has been through a fire. Seeing ashes on the bolt of a lock enables your expert eye to convey to your mind the information that the lock that has got ashes on it was attached to a particular piece of wood? In this instance, yes. You mean to tell this jury that if this piece of wood had been brought in without your seeing that that particular lock was attached to this particular wood, that you could then have told that this particular lock was attached to this particular piece of wood? No, I could not. But because you found them together you say that they were together? Yes, sir.

Page 1983: Is that only reason? And on the

position of the spindle; it would have been impossible to remove that from it without breaking it off. Question: What is that? Answer: It would have been impossible to have got that through there without breaking it off. Question: It would have been? Answer: Yes, sir. Question: Mr. Horowitz volunteered to do it, in the presence of the jury. Do you still say it is impossible? Answer: Let me see one point. Question: No. Do you still say it is impossible? Answer: I want to look at that lock before I will say anything. Question: Can you say anything without looking at it? Answer: I cannot until I see the lock. Question: Now, I want to ask you to remove this screw here from this knob. Answer: I can do that. Mr. Bostwick: Let us get clear on record what is done here. Mr. Steuer: He is removing the knob that is left on People's Exhibit #30. Answer: If I should get a good hold on that screw there I will; it don't seem to move, I think it has probably got hardened in there from the fire. It don't seem to come out very easily. Question: Didn't you twist it just now? Answer: No, sir, I didn't twist it at all. Mr. Steuer addressing witness Horowitz at defendant's counsel's table: Horowitz, see if you can get it out. Don't do any damage, do it right in the presence of the jury. The witness Horowitz removes the screw indicated. Answer, witness

continuing: I didn't have hold of the key like that, you were holding it with your hand.

Question: You don't find any part of that screw melted now, do you? No, that screw ain't

melted. Question: The screw is all right, is it? Answer: The screw ain't melted, it is a little

bit burnished at the top, that is all. Question: Find it rusty? Answer: Well, as though it

can't rust, a burned screw. Question: I ask you whether you can remove that knob now?

Answer: One the one side, yes sir. Question: Well, that is the side I want you to remove.

Take it off. Or would you rather have Mr. Horowitz do it. Answer: I don't know whether I

can get a — . Question: Now, I ask you whether you can take that lock off? Answer: I can,

it being off now, but not before. Question: What did you mean by telling this jury a minute

ago that it could not be done because it was melted? Didn't you say it was so melted it

couldn't be taken off? Answer: On this side. (Indicating) Question: Did you imagine the

jury or I wanted you to pull that knob through this hole in the wood? Answer: You asked me

a question whether it could be removed from the lock itself. Question: Didn't you swear

positively that you couldn't - that that could not be taken off? Mr. Bostwick: I think that the

lock should be immediately replaced before there is any question as to the condition in

which it was before. The Court: Yes, the lock can be

put back. Question: Now, it didn't take very long to take it off or put it on, did it?

Answer: I said it couldn't be removed from the other side. The Court: Will you answer

the question? Answer: No, sir, it didn't take long. Question: That could have been

done any time between now and that fire, couldn't it, a million times, couldn't it, by a

man who is no more expert than you are? You couldn't have taken it off a million times

and put it on again, couldn't you, between the date of the fire and this time? Answer: I

could by removing that one screw, yes sir. Question: The one screw that was through

that knob, and you don't find anything melted in there that prevents its removal, do you?

Answer: Not from the one side. Question: And was it at all times perfectly easy to

remove that rod from that piece of wood, wasn't it? Answer: By taking this knob screw

off, yes. Question: It is perfectly easy to take that screw off, isn't it? Answer: Yes, sir.

Question: So that it could be done any number of times between the date of the fire and

this alleged discovery. Mr. Bostwick: It has been done here, Your Honor.

Page 1990: If the tumblers were affected by the heat, isn't it a fact that you couldn't move the bolt backward and forward? In my opinion, yes.

Page 1991: And a metal which will melt at less

degree of heat than the tumblers, is that so? (That's about the casing of the lock) Answer: I should say it would melt with a less degree of heat than the tumblers. Otherwise, the tumblers would stand more fire pressure. The case is made of cast iron.

Page 1994: Herman Horowitz is recalled by Mr. Steuer. Mr. Horowitz, if the same degree of heat were required for the tumblers and for the case of the lock, not the face but the case of the lock, at what time would the tumblers become useless? Answer: About half a minute. Question: Have you got everything here with which you can demonstrate that to the jury? Answer: Yes, sir. Question: Within what time would it take the same degree of heat to melt the case of the lock? Answer: A couple of hours, three or four hours. Question: Have you got the materials with which to demonstrate that? Answer: I could not in the face of the lock, the method I have not. Question: What would it require in order to melt the face of the lock? Answer: Putting the door in a crucible; it would take about an hour or an hour and a half to get it to the running point. Question by The Court: If the tumblers are contained within the case, and any heat reaching the tumblers reaches them while they are in the case, would the degree of heat required to melt the tumblers be a degree of heat in excess of that required to melt the case? Answer: It would not melt the

case or tumbler at all, it would get soft, the spring of the tumbler, this part would get soft, and then it is useless, the whole tumbler would become so you could shake it around, and that would take about half a minute. And this is the spring that would yield before anything else would? Naturally. That is the first thing and it is one of those latch springs.

Page 1996: Now, when that yields to the heat would the bolt after that catch? It is useless, you can shake it all around.

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