

OE 1

OSCAR ELSAS, sworn, testified:

EXAMINATION BY MR. DAILY.

Q (Referring to statement furnished by Mr. Elsas:) I notice the capital stock is \$600,000. Does that refer to common and preferred, or only one kind? (Identified as "Exhibit 1".)

A We have but one kind of stock, common stock.

Q You state that stock is not sold in the market.

A It is not.

Q And is held by the officers of the company?

A To the greater percentage.

Q Has any of that stock been exchanged between the holders of it recently and sold to each other in the company?

A I do not know.

Q What is the value of this stock, Mr. Elsas?

A I prefer not to answer that question.

Q Are there bonds issued?

A Yes Sir.

Q Do you object to saying how many?

A \$1,000,000.

Q What is the interest paid on this stock?

A I prefer not answering.

Q I made a request for a copy of the payroll for the week preceding May 20th? Have you that payroll?

A I have not. We are not willing to furnish the

detailed payroll, although we are willing to furnish the total figure for that pay roll. Our reason for declining to furnish the detailed pay roll is as follows: The labor involved is considerable; secondly the pay roll represents in our estimation the confidential relation between employer and employee which is not for public use and thirdly as this investigation, or commission is considered a public body, that ultimately these matters must become a matter of public record and will be used to the annoyance and detriment of our help by the labor people in solicitation and otherwise, to all of which we will not be a party.

Q "Fines and Deductions." I requested a statement as to fines and deductions for the last fiscal year. Have you such a statement?

A I hand it to you herewith itemized for the entire year, not only by names but also the week in which the fine was assessed, the amount of each fine, the total number of each fine to each individual, and a summary at the bottom of each department giving the full information. The total pay roll of the department, the total amount of the fines, the percentage of the fines as applied to the pay roll, the total premiums due for discovery of fines by employees which, in cases as shown, will exceed the amount of the fines; the average number of operatives

in the department; the average amount of fines per operative per week, the total number of fines levied and the percentage of number of fines on total number of operatives. (The itemized statement above referred to is identified as "Exhibit 2". See Appendix to this testimony.)

Q I noticed in your report, Mr. Elsas, that you speak of fines and deductions returned. What do you mean by that statement?

A The processes in a cotton mill are so interlinked one with the other that it is of interest to each operative to have turned over to him for his operation work in good condition. To facilitate the operations and see that they do good work we offer to the operatives discovering defective work the amount of the fine that is customarily assessed for making bad work. In other words, if a hand in the spinning room discovers bad work coming from the card room (each bobbin being marked with the color indicating the name of the operative). We can always locate the name of the hand that made it, to get back to that operative and show him the bad work and fine him, and the fine automatically goes to the party who discovers it. That is what we call the "fines returned". The record shows that this exceeds the amount of fines assessed in this particular operation I refer to.

Q Now when fines and deductions are being imposed or

made, and are returned as stated, to what account is that money put?

A They are simply covered up in the regular payroll. They do not go to any specific account.

Q I have asked you to give me information as to the employment of whole families. Have you such information?

A I have a detailed record which has the names eliminated but representing actual conditions of people now working in the plant; from the standpoint of privacy I have indicated this as merely groups "A", "B" and "C", etc., until the list is exhausted, showing each member of the family, so that whether workers or not, their age, earning capacity, etc., are shown. This represents the only family group we were able to get in the limited time we had to work it up.

Q This is correct, as taken from your books?

A Yes Sir. (Identified as "Exhibit 2 $\frac{1}{2}$ ".)

Q I have asked you what encouragement there was to the help to save their earnings, and you have replied that there are "quite a number depositing their earnings with the company; many of the number have availed themselves of this, etc." What type of help have availed themselves of that?

A What do you mean by "type"?

Q What class? Does this statement apply to overseers?

A Oh no, it applies to those who avail themselves. Of course overseers have, but of those who avail themselves and those whom we are most interested in are what you would call plain workers. Overseers have reached that point of mentality where they realize that they ought to save.

Q Could you tell me how much and to what extent that deposit is?

A I have not looked it up, nor did I think it material to report it. I mean by that it varies with the hands as they come and go.

Q Do you know the number of accounts that you have?

A No, I do not know that.

Q Nor the amounts?

A No Sir. They are changing continually. This account is not like a savings account where they are compelled to keep it for a fixed time before they can draw interest. They are not absolutely subject to be drawn on daily, they do not have to keep a balance for a fixed time as is customary in savings accounts, so I cannot keep track of these details.

Q Is this a seasonal industry?

A No Sir, we operate continuously on the same schedule. We do not work rush periods and then have dull periods. Our demand is seasonal, but we keep running on

one level full tilt all the time.

Q On one level all the year round?

A Yes Sir, in other words we give steady employment,

Q In your statement that you have prepared for me you stated that some reasonable number of operatives owned their homes. Are those operatives plain workers, or are they other employees?

A They are to the greater extent plain workers, and we find it runs about 10%.

Q "What is the attitude of the company as to each laborer?" is a question I asked you. What have you to say about the Nunally case of which so much was made in the papers throughout the country?

A I think we covered that in my answer as well as I can.

Q You state that there is an affidavit attached?

A Yes Sir, I would like to introduce copy of the affidavit and retain the original, which I want returned for my record. ("Exhibit 3.")

Q All persons employed are required to sign a contract, are they?

A Yes Sir, before entering our employ.

Q Have you a copy of that contract?

A Yes Sir, both adults and minors. ("Exhibits 4, 4½- to which is attached a copy of the legal decision marked '4-a,' and '4-b'", and also made a part of this deposition.)

Q Has this contract been in use by the company since the beginning of the company or not?

A No, I would not say since the beginning, but a great many years. It was in use here 25 years ago when I came here.

Q Without change?

A Oh no. It has been modified from time to time as our experience dictated.

Q Have you changed it any since the labor troubles you have had here?

A Yes Sir, this labor contract is one we have had since last December, the one we have now.

Q The one you have now you have had since last December?

A Yes Sir.

Q Have you the contract that was in force in October, 1913?

A No Sir.

Q What is the change you made in it, Mr. Elsas?

A I think it was worded in a rather plainer way with less legal phraseology, so that the average operative in reading would understand. We eliminated the clause pertaining to the damage of machinery and the right to charge them for it.

Q With this exception the other contracts are the same in effect?

A Here (indicating) are the two old forms; they are filled out but absolutely, so far as present forms are concerned, the contracts used in October, 1913, and for two or three years preceding that time and until May 20th, 1914, or some time after that, unchanged.

(Identified as "Exhibits 5 and 5½")

Q As to wages, Mr. Elsas, do you know how your wages compared with other mills in Georgia?

A I have not, in the last year, made a personal investigation, but prior to that time, periodically, once a year made it my business to find out in any way I could what the rates of wages were in our surrounding mills and then always kept our wage scale a little above our competitors. But I believe I can say that without fear of contradiction our wage scale is higher than that of any mill in the South on the same class of work.

Q What particular reason had you for keeping it a little higher, if any?

A Two. One is, being located in the city, living conditions are naturally higher, and more difficult. The other was we wanted to get the best help and we knew, if we paid for it, we could get it and we resorted to that method.

Q Under the contract that you have exhibited here, the first contract that was enforced at the time of the

troubles there was a provision in reference to withholding the wages when notice was not given by the employee.

A It is still in effect.

Q Was that provision exercised usually?

A Always.

Q You stated at the opening of this examination that you were not willing to give a copy of the payroll, but that you had aggregates. Will you please give me those?

A Yes Sir. For the last fiscal year the total was \$3,684.25.

Q Will you state just the time of the last fiscal year? When was that?

A November, 30th, 1913, to November 14th, 1914. For the year 1913, \$2,245.73. For the year 1912, \$2,177.45. For the year 1911, \$2,048.05.

You therefore notice that this runs the average to about \$2,100 per year when we eliminate this period of great excitement and labor disturbance, as the last fiscal year covered both the October to May disturbance; but in looking over the records I find that about \$1500 of the total of that year is applicable to the disturbance which originated in May. I want to say that prior to this trouble we were getting on, what I considered, the nicest and most favorable footing between our help and ourselves that we had ever been; that the liquidated tickets were growing smaller

for each month, which was gratifying to us, showing that there were not the number of changes. It also showed that they were beginning to realize we were their friends. I thought you would be interested in getting the percentage between the total payroll and the amount forfeited for these periods, and I would like to insert that now:

Last fiscal year, payroll	\$427,617.80.
Liquidation,	3,684.25.
Percentage,	.861.
1913, payroll,	482,057.70
Liquidation,	2,245.73
Percentage,	.466
1912, payroll,	430,779.05
Liquidation,	2,177.41
Percentage,	.505
1911, payroll,	408,476.00
Liquidation,	2,048.05
Percentage,	.5001

Q To what account are those forfeits placed, if you know?

A They are now given to the Fulton Mutual Aid Society.

Q Were they put there at the time of the trouble in 1913 and the spring of 1914?

A No Sir.

Q

Q To what account did they go prior to that?

A To the liquidation account.

Q Do you remember the first trouble that arose here in 1913, Mr. Elsas?

A Yes Sir.

Q Were there any instructions given at the time or after the trouble in 1914 to your superintendent or superintendents, or overseers, by your board of directors or any member of it or by yourself personally, as President, as to discharging employees who either had been members of the Union in 1914, or had become so after the trouble of 1913 and up to May 20th, 1914?

A There had not been.

Q Then, in the 331 and more discharges that you set out, do you know how many of them belonged to the Union?

A Only from the letter dated May 19th, 1914, signed by Mr. S. B. Marks, President of the Georgia Federation. At this time I should like to tender you, in the shape of a photograph that original letter attached so that you can identify it (exhibiting). That is my only opportunity to know what they claimed. I had no facilities for knowing. I want to introduce the photograph. I want the original for my record. (Identified as "Exhibit 6")

Q This was sent to you on May 19th, 1914?

A Yes Sir, delivered by hand.

Q When was the strike?

A May 20th, next morning at 9 o'clock.

Q Have you set out in the statement you have given here as to whether you received that letter or not?

A I state clearly as to the time said letter was received, the methods adopted by us, ^{as to} our giving it consideration, etc.

Q In answer to the question, what effort was made to inform you of the troubles that the strikers claimed they had?

A No effort was made directly nor indirectly to my knowledge in any manner or form as to any complaint on the part of any operative with the exception of this letter dated May 19th which was received by me a few minutes after 5 o'clock on the afternoon of May 19th, and I am absolutely sure of the time, because I looked at the clock which was immediately back of me after said letter was received.

Q Did you consider that letter that evening or the next day?

A I did not consider it that evening because our stenographers' hours stop at 5:30 in the afternoon. I had not had a chance to sign my mail. My policy is to sign my mail and give corrections before they leave.

Q Would you have been willing to discuss this proposition

with them in the event you had had the time?

A We should.

Q With the committee that was appointed to take it up with you?

A I never heard of any committee. I did not know whether there was such a thing as a committee in existence.

Q Would you have been willing to discuss it with MILES?

A No Sir, we would not have discussed it outside of our business.

Q You would have been willing to discuss it with the men themselves?

A Our employees were welcome in the office at all times.

Q Whether organized or not?

A We have no objection to the method of approach.

Q I have asked you already to give the number of discharges one year back, stating reasons; also to state how many left your employ last year without being discharged. You have given me here a statement setting out that for 1915 the number discharged was 536. Those who left and removed were 3,875. Will you amplify that?

A Yes Sir. Since making that answer I have made further investigation with reference to the larger figure, 3,875 I believe it is, and find that I have not made provision for at least 100 hands that we hire each year for what is

known as scouring machinery, that is, a mechanical operation of cleaning the flutes on the different rolls of the roving and spinning frames. In addition to that we employ between 300 and 500 new hands during the year for unloading and loading cars during our largest shipping seasons, none of which were taken in consideration when I made that answer, therefore it would be proper to consider we have 600 of those changes chargeable properly to those two conditions that have come to my mind.

Q Does that temporary condition exist each year?

A Yes Sir, each year.

Q Correctly speaking, you stated, that there were probably 900 new names of men who quit. The balance were known as repeaters out of this number?

A Yes Sir. I want to reduce that figure of 900 now, due to this supplemental investigation, running it down to about 750 new names, because this new information leads me to the definite conclusion that there ought to be 750 instead of 900.

Q Will you explain the system of repeating to me?

A Yes Sir. A good many of our employees, for one cause or another, work what is known as a notice, and according to the terms of the contract, could get every dollar of their money on Saturday. We have two types of notice, one is the "call notice". The "call notice" provided

for the operatives the privilege of drawing 75% of their pay when that notice had matured; that is on Saturday. The other is the "quit notice", which means they can draw all their money if they do not want to leave 25% on deposit. In the latter case the employee has to sign a new contract when he comes back to work. In the former case, on the "call notice", he did not have to sign a new contract, the old contract remaining in effect; according to the terms of the "call notice" this is not required as that is nothing more nor less than a loan of their own money which automatically gets back into the payroll.

The "quit notices" which are referred to under this title could be explained in this way. When they get their money on Saturday a great many of them do it under the impression that they need their money or want it, but they want to come back on Monday morning after having drawn all their money. The result is that their names come back on the roll as new employees, which they are not. In analyzing that I have come to the belief, after investigation, a full and fair average estimate of these repeaters is 33 1/3%, and I mention that to show what I have in mind, that if I reduced that 3875 by 600, representing these additional employees, which I know definitely are only seasonal workers, temporary workers, it brings the total up to 3300, and dividing that by

three will produce very nearly what is known as total repeaters. We have some cases where they come as often as eight and ten times a year; quit that often and come right back. (Identified as "Exhibits 7 and 8".)

Q When that happens, would the man turn up on Monday morning?

A Oh in a great many cases; in 50%, I should say, of the cases they come right back on Monday morning and the balance of them will vary from two weeks to six months in coming back. I want to say that possibly, from information I have been able to give, that these figures look large to you, and if it is proper and you will permit it I would like to give my personal reasons why these figures are as large as they are in comparison with my personal knowledge of local conditions.

Q You are permitted to give these reasons.

A We maintain a very large and expensive clerical force to keep records of voluminous reports of all kinds with the object in view of knowing what is going on. The average cotton mill of this size is content with about three men in the office; and it is natural to suppose that these three men cannot keep as accurate and detailed records that the large number of possibly three times that many can. In fact we have forty such people in our offices. Certain mills make the claim that their changes would

involve a minimal percentage. My own experience, from investigation in our local territory, permits me to say unhesitatingly that in a year's time we will hire, let us say, from the Exposition Mills possibly 200 hands of their own employees, and they will hire that many from us, without the knowledge or consent of one or the other, as we have no connection with one another; but we know where they come from because they have to tell us where they come from. Now, that is a definite illustration of what may occur between the Exposition Mills and ourselves, and on a smaller scale with the other mills and ourselves, similar conditions exist. I mention that because I want to get clearly in the record that any representations as to a figure that would not carry out a check along with these claims must be erroneous from some cause or other. We know we had fully that many from local mills. If we do they must fill in with somebody else. That is what I want to bring clearly to your mind.

Q Prior to the labor troubles of 1914, Mr. Elsas, and for a reasonable time back, have there been any demands made upon your company for an increase in wages by the operative?

A Absolutely none.

Q Where there any demands made from October 20th, 1913,

to May 20th, 1914, for a greater wage?

A Absolutely not. I would like to say right there, just for your information, that every wage change must be under my personal O. K. I would know it. No one can change the wages of a regular hand without telling me.

Q Were there ever any representations made to you by employees in person or by representatives of them, or by committees of them as to unsanitary conditions in your mill village for some reasonable time prior to October 20th, 1913, or up to May 20th, 1914?

A I never heard a word along that line until this trouble existed after May 20th, 1914.

Q Had ever any demands been made upon you with reference to the employment of child labor during the periods that I mentioned from employees?

A Do you mean by that any employees at all?

Q Any employee.

A Never heard of a single complaint, and we have never employed any in violation of the law.

Q Were any complaints ever made to you by operatives discharged from the mill?

A Never have been approached on the subject.

Q Did you ever have any litigation in any court as an employer of child labor, as to having violated the law?

A No Sir.

Q Were any representations made to you be employees as to fines and deductions?

A Never. Do you speak collectively or individually?

Q Individually or collectively.

A Yes Sir, I had once or twice an individual complaint from an employee in which he stated he did not think he ought to be fined for this or that in the future, in which event I sent immediately for the person in charge and rectified it myself if I thought the fine had not been imposed properly. If imposed properly, as I understood the facts, I stated then as well as I could to the complainant and always satisfied him. These have been very, very infrequent. I should say, in the course of five years, I have not handled five cases.

Q Is it your practise to make an investigation of troubles when brought to you personally? Do you look into them?

A Personally, yes Sir, and I use every force at my command.

Q Did you look into the trouble of Fleming? You remember some trouble about Fleming, one of the original strikers?

A The only trouble about Fleming was in October. He was most vixious and malicious in leading that trouble, and I simply gave orders he could not work here any more.

Q Did you see him anymore?

A He saw me several times, with a "growler" of beer in his hand, and always wanted to go back to work. I told him, "No, not for the present." I said we would let him stay/^{out} on probation for awhile and see how good a man he is later.

Q You did know already of his general character?

A Yes Sir, I knew his general character.

Q What charges are made for the rental of houses in the mill village?

A We charge from 25¢ to 35¢ per room per week, depending on the location of the rooms. All rooms are outside rooms. We have no inside rooms. They are all subject to daylight and sunlight. It would be of interest to you to know that the same commission, investigating mill conditions in 1900 propounded the same question to me, and at that time I gave them the same rates. Those rates have been in effect all previous years. The United States records will confirm this.

Q You have built some new houses recently, haven't you?

A No, we have not built any houses in a great many years.

Q You refer to an exhibit as to assaults.

A Yes Sir, here is the exhibit (Identified as "Exhibit 9").

Q Have you any other exhibits that you desire to put in?

A Yes Sir, I might tell you that I refer to the one

entitled "Exhibit A", showing how help is employed, a procedure by the paymaster, what he knows and each of the requirements. (Identified as "Exhibit 10".)

Q You speak about connection with other mills. I will ask you this question, have you any system of supplying other mills with the names of persons that are out of jobs, or of obtaining from other mills information of that character?

A We have no connection whatever.

Q Have you or not, or your company, or anybody connected with it to your knowledge, furnished any other mill a list of people who went on strike or to another mill?

A We have never done this. I will say this to you for your edification. When this alleged strike was on, the mills surrounding us had evidently made up their minds, and this is purely hearsay on my part, that they would not hire anybody from the Fulton Mills, because they felt they were trouble makers, and anybody who came from this city they thought were Fulton ex-employees, and the jig was up.

Q What are your views as to the exact cost of this trouble you had last year?

A I never made up figures, and I am so disgusted with the whole situation I don't think I ever will.

I don't want to know.

Q Haven't you ever arrived at any conclusions in your own mind as to why the 74 went out?

A As to why they went out?

Q Yes.

A May I be permitted to testify to what I have heard? It is not of my own knowledge.

Q From what they stated to you, any of them.

A They stated nothing to me. It is what I have heard subsequently of those who had gone out and returned. That is all I can tell, I never heard a demand from them.

Q What did these people say when they came back here?

A Some of them said they went out because they were intimidated and threatened.

Q Who did they say did that?

A Well, I cannot give you any more than what they have given me.

Q In this statement you say that free passage was furnished by officials of the Union to the members of Local No. 886 on the railroads, free transportation over their lines for strikers. What have you to say about that?

A I tender herewith a pass dated June 13th, 1913, made in the name of J. L. Brannon, and signed by D. L.

Miller, Secretary, with the official seal of the Union, Local 886. Also a pass dated June 14th, issued by the same Local signed by H. N. Mullinax, Secretary, in the name of Will Webb and Henry Suttree, or some such name. I tender herewith the original passes as corroborative of the correctness of the photographs, as I wish to retain the originals for my files. (Identified as "Exhibits 11 and 12".)

Q Will you furnish from your records the names of the persons who struck on May 20th, 1914?

A I submit herewith a list dated March 19th, 1915, covering the hands who walked out on the morning of May 20th, 1914. This list gives not only each individual name, but also gives the average weekly earnings, the date when final settlement, if any, was made with them, the length of time employed up to that particular date, May 20th, and also a remark column indicating the number of times they have been in our employ, where we could find such records.

Q Have you a record of the wages that were due them, that is to say if they had forfeited?

A Liquidated?

Q Yes.

A No Sir, I have not that list.

Q They did not give notice, did they?

A No Sir, none of them gave notice. I want to say in connection with this question that this list is absolutely, to my best knowledge and belief, accurate, because, at 9 o'clock, when the furor hubhub arose among the ~~all~~ hands, I promptly told Mr. Johnstone to go to the lower gate and waive the requirement of the customary pass necessary for persons to leave the premises, and simply demand their names so that our payroll record could be properly kept. That is the only record we have, We got all the names of people going out, but in checking it over we found all the names checked up correctly except two names, P. H. Wood and Liberty Smith, which we could never check up. So this comprases all the names. (Identified as "Exhibit 13".)

Q Does this list contain names referred to by Mr. Johnstone in his testimony?

A Yes Sir.

Q Let me ask you this: Have you any further list of people that struck on that May 20th?

A No, we quit keeping lists then.

Q When they would quit you would have a reason for quitting?

A OH no. Quite a number of them quit because they had been intimidated, threatened, cajoled, and some were

mised, but they quit.

Q Would you know when they stopped work as a rule?

A Yes Sir, we knew because they would not show up for two or three days. They did not give us notice. We had a good many who quit without notice and returned after a short time saying they were misled.

Q How many of the operatives who went on strike May 20th, 1914, are in your employ?

A That list shows three or four of them, I believe that are back here. I don't know just the number.

Q Have any particular number come back and asked for re-employment subsequent to this list?

A Yes Sir, we have a great many of them back. We have never questioned any of them except the rudest and most vicious ones.

Q But the names on that list, with the exception of the last, you would be willing to take back?

A Oh yes, we have nothing against any of them.

Q Have you taken back more than three or four of them?

A On that list, I don't think so. They have disappeared and left town. Those people are so ignorant that after they found they were misled the first thing they did was to leave town and they have not come back since in large number, but if they come back we will take them back.

We have nothing against them.

Q Had you any system, prior to that October trouble, 1913, of espionage or keeping tab on your workers?

A None at all, up to May 20th, 1914. We had never anyway to keep track of our employees as to whether they belonged to any church, union or anything else. We had no necessity for it.

Q You have in no way kept tab on them before May 20th; but there was testimony yesterday that from the strike up to now you have had means employed of keeping yourselves informed.

A We still have that and intend to continue same the balance of our natural lives.

Q What is your idea in keeping these men?

A To know what is happening.

Q Have you had them in the camps of the strikers?

A Yes Sir, they are living there now.

Q Do you anticipate any trouble from the camp now, Mr. Elsas, or not, from those in the camp?

A What do you mean by trouble? To us personally?

Q In the destruction of property or anything of that kind.

A Not for the present moment; but I have reports sent this very Commission over and over which they have hung their caps on as a most truly wonderful

saviour to them that possibly later on they may show their hands. I have no fears. It is a very unfortunate situation that people should be allowed to create trouble and be stirred by an outside element who carry so little merit and so little weight as these people do. They do not want to work, and will stay there during the balance of their natural lives as long as they are supported.

Q Have you paid any attention to the picketing system that the strikers employ?

A Yes Sir, I have been in personal and close contact since May 20th, 1914.

Q Do you know the men and women engaged in that picket line?

A I know practically all of them.

Q Were they employees in your company?

A A very, very, small percentage, and if you will allow me here to touch on that, since you bring it up, I want to call your attention to the fact that during the worst part of the troubles, two or three weeks after the beginning of this trouble in May, they resorted to parades in town and parades out here and all the usually known methods to create public sentiment. I heard of their first public parade in town to take place on the street. To know the personnel of this parade I had four persons Mr. Johnstone, general manager, Dr. Hawkins our land

agent, R. F. McDonald, one of the payroll clerks, and Mr. Rogers, superintendent, to go together to a point of vantage and to conduct an analysis of the parade and report to me. The report was that 273 formed a double line, and out of the 273 on two different counts they checked up respectively 26 and 28 ex-employees. That is all they could find. The balance was made up of such persons as they could get together with whom to make a public demonstration. That represents in a general way the percentage of actual workers that have been mixed up with them. Not over 10% was in it; and the tent colony at the present time, from the latest census I have, contains very few of our ex-workers who were in our employ either on May 20th, 1914, or any time subsequent thereto. The pickets that are going around here now, I should say, only represent 5% of our employees. They are all the bums and floaters in town who want to get a free meal and a free bed.

Q What steps if any were taken by you to arbitrate the matter?

A To arbitrate? None.

Q Were any representations made to you as to having the troubles investigated by people from the Department of Labor or any other concern?

A Oh yes, the Department of Labor has sent us two sets of mediators, and we have answered them as we did all others who approached us on the subject, that the people had quit of their own accord without giving us the opportunity to know what they quit for, except the presentation of the letter of May 19th from Mr. Marks as President of the Federation of Labor, who did not give us sufficient time to consider it, from the night of May 19th, or somewhere thereabouts, until the next morning at 9 o'clock. Of course that is not a reasonable time, and considering that was a slap in the face without justification to support it, we decided we had nothing to arbitrate.

We decided to fight our own battle. The fact is we knew the majority of our people were faithful and wanted to work. There was nothing to do but go ahead and run the mill. Had we followed many suggestions made by leading business men the unfortunate conditions would have been such that those who had interfered would have had more charity cases than they could have taken care of. In other words they advised us to close down the plant, or declare a lockout. We would not do this, as we felt that 90% of our old workers wanted and needed employment.

Those who came there were met in a spirit of the best cordiality and friendship, except that we drew the line on the strike.

Q It was suggested that Rabbi Marx and Dr. Wilmer be selected as arbitrators.

A Dr. Marx' name never has been brought into the affair. Dr. Marx' name had never been mentioned to me. Dr. Wilmer's name, as a sort of self-appointed arbitrator, has been brought to me in different ways; but when a man publicly criticizes you as he did us in the Grand Opera House as a member of the Men and Religious Movement, without giving us a chance to be heard, and after slapping you says, "I want to talk to you", we draw the line. That is the class in which we put Dr. Wilmer. We wrote him so. We wrote him he had already censured us and we were not in a position to arbitrate with him.

I would like to submit for your consideration and for the record an original letter I can vouch for as having been received, as an illustration. In fact it gave me quite a surprise. It is from one of our ex-workers who went out on strike, one of the most vicious workers on the picket line. She is not in our employ today. It is signed Lula Church. I offer the photographic copy. I want to introduce it to show that we have treated

our employees fairly.

I also want to tender as an exhibit a photograph of the original letter written under date of February 17th on the official paper of the United Textile Workers, Local 886, by Mr. Hullinax to the Crystal Springs Bag Manufacturing Company, a competitor of ours who was sufficiently friendly to give it to us and tell us to use it as we saw fit. It is a sample of his conduct, and we would like to introduce the photographic copy for the record retaining the original for our files. (Identified as "Exhibits 14 and 15".)

A great deal has been said regarding the character, both physically and morally of our workers. Dr. Wilbur F. Chapman, who is at the present time carrying on a revival in this city, voluntarily has held some services around our plant, and recently in holding services remarked on the appearance of our help and wrote a letter under date of March 24th to Mr. McIntyre, our counsel, who in turn has given us the privilege of using it. He has the original, and this is a photographic copy (indicating). We should like to have the privilege of introducing that photographic copy as an exhibit, and at the same time the photograph of the meeting taken under the direction of Dr. Chapman.

(Identified as "Exhibits 16 and 17".)

Q Prior to the request for a letter?

A Yes Sir. It was made by the official photographer of

Dr. Chapman's party. I should also like to introduce for the information of your committee certain forms used by us in carrying out the several systems that are used for the protection as well as the edification of the help themselves, and attach herewith the form used by us in the pay envelopes which refer especially to the week's notice, methods of cleaning, etc., and also what is known as an employment blank entitled "Rules for Operatives", which is self-explanatory. (Identified as "Exhibits 18 and 19".)

Also an inclosure marked "Form 120", which goes into our pay envelopes at least once a month, with reference to suggestions. Also a form entitled "Return Pass", which represents the method of employees leaving the premises and returning without any further instructions whenever so desired. Also the form of pass by which people are permitted to enter the premises. ("Exhibits 20, 21 and 22".)

Also, our "Pay Tickets", showing method of issuing pay, and receipt taken on the back thereof. ("Exhibit 23".)

Note: Mr Elsas here makes the request that he be permitted to make a statement relative to pellagra among the cotton mill employees, upon the ground that a certain physician, Dr. W. V. Garrett, has published, through the medium of the "Strikers' Journal", a paper issued by Local No. 886 and circulated largely throughout Atlanta and surrounding communities which has been copied by

journals throughout the country. This statement is permitted to be given and it is as follows:

Dr. W. V. Garrett has indiscriminately, at a nominal cost, issued medical certificates to employees stating that they were sick, designating the nature of the sickness and thereby enabling them to get their tickets although they were not due according to the terms of the contract.

Attached is the original certificate to this effect, made out on May 20th, 1913, by Dr. Garrett in favor of Mrs. Addie Hudson whom we found at work at the Atlanta Woolen Mills on the date presented. It also contained a certificate made by Dr. Garrett in the name of Etta Williams, indicating that she was sick, and attached to same is an affidavit by her to the effect that she was not sick; that it was her baby that was sick. ("Exhibit 24".)

Attached also find a clipping from the Strikers' Journal in which it stated Dr. Garrett makes a statement regarding pellagra, confining it to several of the employees of the Fulton Mills. Attached to this clipping are affidavits from the parties in question which kill any such accusations. (Identified as "Exhibit 25".)

With reference to the certificate given by Mrs. Addie Hudson we want to show that it is our purpose to always furnish employees their money whether due or not, if sickness

prevents them working a notice. Dr. Garrett took advantage of this to charge for certificates, the certificates of the people themselves.

Note: Here Mr. Elias produced certain newspaper clippings and gave documents containing statements of John Golden, President United Textile Workers and they are deemed part of this deposition, and states he will file a supplemental brief in his own behalf.

Q Now then make your statement about Minnie Ware.

A I believe reference has been made to the Minnie Ware matter in which we were accused of heartless dispossession at a time when she was not able to be dispossessed. I have the original record here which I shall be very glad to introduce. It is the original record that gives the article published in the strikers' journal and also gives affidavits pertaining thereto from her neighbors showing she was of bad character. Her mother admitted that she and her sister both had illegitimate children. (Identified as "Exhibit 26".)

I also want to submit for your consideration an article taken from the strikers' journal signed by W. H. Norris, an ex-employee of ours with reference to being evicted when he claims some member of his family was physically unable to be moved, and these papers will show that the Chief of Police personally took charge of the matter and

ordered them to move for carrying on a lewd house.

(Identified as "Exhibit 27".)

That bears upon the subject of eviction and ought to be admitted.

Note: The following papers were taken by Mr. Daly: The original statement, Ex. 1, and Exhibits 4, 4 $\frac{1}{2}$, 4a; 4b, and 5 and 5 $\frac{1}{2}$. The other Exhibits accompany the original copy of these depositions.
