Final Day of B. R. T. Strike Full of Excitement and Some Humor

nation represented but a small minority of the 13,000 operating employes of the road.

But Patrick Shea and Louis Fridiger, representing the union, denied that such was the case and refused to consider anything short of complete surrender on this point. It was here that Judge Mayer took part in the discussion, inviting the participants into his chambers, on the theory that it might be easier to break the deadlock in private than at the public hearing.

Discussion Continued Until Late at Night

It was in this discussion, which lasted until 9 o'clock in the evening, that Mr. Garrison consented to grant the same measure of recognition to the Amlagamated Association of Street and Electric Railway Workers as had been accorded to the Brotherhood of Locomotive Engineers.

Since the brotherhood, in which the B. R. T. motormen are enrolled, has been given full recognition, this was all that the Amalgamated officials asked. There was a proviso, however, that it should be shown that 50 per cent of the employes eligible for membership in the Amalgamated were actual members of the union on August 8. The union offcials said this could easily be done and Commissioner Nixon said he thought the men could show the enrollment demanded.

As soon as this agreement had been reached Judge Mayer and the other participants in the conference returned to his courtroom, and the settlement of the strike was announced.

The next step was the calling of meetings in half a dozen union halls in Brooklyn. It was shown that an overwhelming majority of the strikers favored the proposed agreement. Actual voting had not begun at midnight.

Shea telephoned his subordinates in the Brooklyn Labor Lyceum within a few minutes after the agreement had been reached.

"Get the men together," he said. "I have something for them to vote on. I have great news for you."

Strikers Cheer Report Of End of the Strike

There were several hundred strikers in and about the hall at the time and the news soon spread that a victory had been won. There was a storm of cheering and wildest enthusiasm during the time the men awaited the arrival of their leaders.

Meanwhile, Commissioner Enright telephoned orders for the removal of policemen from the cars. Such subway and elevated trains as were in operation continued to do so, much to the surprise of such passengers as made use of them, without the familiar blue coated guardian in evidence.

At the office of the B. R. T. Colonel Timothy S. Williams, president of the system, refused to discuss the numerous developments of the evening.

"The argument speaks for itself," was all he would say.

Operating officials of the line said that it was strictly up to the men as to when cars again would be in operation.

"We are all ready and can begin operation just as soon as the men report for work," they said.

Scores of the strikers went at once to their barns to prevent the loss of more time and took out their cars. The service was materially increased, too, by the assurance that no further violence would be faced by the crews who otherwise would have operated their cars throughout the strike.

At the opening of the conference Judge Mayer explained that the hearing had been called for a candid, frank and temperate discussion of the situation with a view to bringing the conflicting interests to an understanding. He said during his absence from the city, while he had been able to keep in touch with the general situation, he obviously could not keep posted on all details.

Mayor Hylan came to the meeting accompanied by Police Commissioner Enright, Deputy Commissioner Lahey and Assistant Corporation Counsel Nicholson. Others present were Public Service Commissioner Nixon, Clarence Farley, counsel for the Public Service Commission; Traction Construction Commissioner Delaney, Receiver Garrison, George Yeomans, counsel for the B. R. T.; Louis Fridiger, attorney for the union, and Patrick Shea, chairman of the executive committee of the union.

Judge Mayer said he would hear Receiver Garrison first, then permit all others interested to express their views and make suggestions. Mayor Hylan rose.

Programme Announced At Opening of Session

"Do I understand this conference is called solely for the purpose of settling this strike and getting the streetcars in operation?" he asked.

"That is the only purpose I have, if that is obtainable and no other," replied Judge Mayer.

Mr. Garrison began:

"Last March I was approached by an organization named the Amalgamated Association of Street and Electric Workers of America with the request that I make arrangements with them in respect to the hours, wages and working conditions of the employes of the Brooklyn Rapid Transit system. I ascertained at that time that this association had as members a very small proportion of the men and women employed upon the system, and I announced, as a principal which would be operative throughout the time of the receivership, that I would deal in respect of any grievances that the employes might have either with the individual aggrieved employe, in respect to his personal grievance, or with any groups in the shop, mechanical department, track repairing, or operating guards, ticket sellers, porters, motormen, conductors or what not, in regard to matters which pertained to those groups and different departments which might differentiate them with respect to those matters from other employes. Or if there were general conditions obtaining throughout the system, I would deal with the entire body of employes, making no conditions whatever, excepting that the employes affected must be represented by people of their own choice, from among their own number and in position to bind them as employes of the system to whatever arrangement might be agreed upon.

Refused to Deal With the Amalgamated

"As a natural corollary of that, I refused to deal with this national association, and told them I would not and could not make any arrangement with the national association with respect to the working conditions of the men employed by the B. R. T.

"During the course of that controversy the matter was brought to the attention of your honor, and a public hearing, much like this, was held; at the conclusion of which you restated the situation, restated the conditions under which the road had been and would continue to be operated, and indicated that if the employes, either in the departments or as a whole, desired to select representatives to deal with the receiver, you would see that an absolutely free and unhampered opportunity would be given them for such a selection, and guarantee to have it done under the court's supervision in such a way as to get rid of any untoward consequences, or any getting out of hand.

"From March on until this month I have been visited by numerous committees representing different shops, different employments, porters, car cleaners, ticket sellers, men working at different stations and at Fresh Pond, about conditions of motormen, maintainers and committees of towermen. These are not by any means all—those occur to me while I am on my feet. And in each case we have had complete negotiation and settlement and a written agreement on behalf of these men who represented the employes and by me representing the company.

"The matter of the recognition of the Amalgamated as the sole person or agency with whom I was to contract was not raised again until I was informed while I was away on vacation that on Friday night the Amalgamated had held a mass meeting and they had adopted some resolutions which would result in a communication being delivered to me on Monday. I gave instructions to receive it on my behalf, and I immediately started home and reached here Tuesday morning.

Resolution Passed By Union Summarized

"The communication recited to me that this mass meeting had been held, and incidentally that it was attended by about 1,050 employes of the company; that they had passed resolutions which they summarized. As they were summarized they were substantially as follows: First, that I should reinstate all men discharged for union activities; second, that I should recognize the Amalgamated Association; third, that I should pay 75 cents to my operatives, which means motormen, guards and so forth, and grant proportional increases to all the other employes of the association; fourth, that I should put into effect a universal eight-hour day throughout the system.

"Mr. Menden, an assistant manager, who had been deputed to receive the committee and the communication, asked which one of their demands they wished to bring to my attention as the paramount issue, and they said No. 2, which was the recognition of the Amalgamated Association.

"I immediately restated my position to these gentlemen, which the court had restated to them before, and that was that if any employes in groups, or throughout the system, or as individuals, had grievances, they had an absolutely open approach to me under any and all conditions, and that I would not deal with outside organizations that insisted that I make contracts with them concerning my employes. I thought that had been made perfectly clear last March, so that any men on the system having grievances had an open way to get relief.

"I do not know who these people were, but whoever left this communication the information was that unless I replied by 6 o'clock on Tuesday night, agreeing to make my arrangements with the Amalgamated in regard to the working conditions of my employes, they would strike at 5 o'clock the next morning—Wednesday morning.

Tells of Negotiations With Mayor Hylan

"I inclosed a copy of their communication to me and my communication to them to Mayor Hylan, stating, what was obvious, of course, that the two letters were self-explanatory; stating if they meant what they said there would be a strike, and calling his attention to the fact that he should be alert to see that intimidation did not prevent the operation of the road.

"On Wednesday morning at 5 o'clock—I am speaking now without any figures before me—on the surface, out of 1,294 cars which are in normal operation"——

At this point Judge Mayer interrupted the Receiver and inquired whether the figures meant the surface lines.

"Yes, I mean the surface lines," he answered, and continued: "Out of 1,294 cars which are normally in operation, some 1,143 cars were full crewed and started, and in addition to that, by reason of there being some motormen and conductors at some of the depots, more than necessary, and less than necessary at some of the other depots, there were some thirty-two conductors and thirty-two motormen more than were on the existing cars out on the runs. That meant practically a normal operation. That was what I expected. The fact is at that time this association had a very large proportion of its membership, made up from the employes in the shops. We employ in our shops, say, roughly, 2,000 men, and I do not doubt they had 1,000 of the 2,000.

They had none of the elevated motormen whatever, and they had very few of the surface motormen, and they had from the guards on the elevated and guards and conductors on the surface another thousand. I doubt if they had so many. They had a very small proportion of the total number of the 13,000 people employed. They had a very small proportion of the operatives, those that are essential to the operation of the road, and they had a very small proportion of the operators plus the shop men, even although they had 50 per cent of the men in the shop.

Effect on Wednesday Was What He Expected

"Therefore, as I say, the effect of the strike on Wednesday morning was what I expected—practically no impairment of the service whatsoever—and for the first three hours there was no impairment whatever. The defection of the strikers was absolutely negligible, but their effectiveness in intimidating and commiting acts of violence, driving back the crews, stopping the progress of the cars and scaring loyal men on the cars so that they would not take out the cars again—and their comrades coming in the depots and learning what had happened—resulted in completely paralyzing the road, and the result of the day found us operating a negligible number of cars."

Mayor Hylan at this point suggested that Mr. Garrison enumerate the acts of violence he talked of. The receiver ignored the interruption and continued:

"In consequence of this state of affairs I wrote a letter to His Honor the Mayor, telling him the result of this unrestrained violence was practically to stop the operation of the road and asking him for efficient police protection. He responded to my letter, in which I had told him that if a strike broke, I wished to notify them that they must take precautions, stating they would take all precautions.

"The things which had been done that were observable to us was the stationing of policemen about the barns, the covering of reserves at the station houses, and an occasional patrol upon some of the streets near the barns. This, of course, was utterly ineffective. Attacks were not made upon the barns. Attacks were not made upon the police station house. Attacks were made upon the cars as they proceeded through the streets, and usually in more or less unfrequented parts of the city, where they were not observed by the policemen on patrol.

"I, therefore, notified the Mayor in a second letter that day that, in my judgment, nothing would be effective to prevent the continuance of this disorder and intimidation except at the source of attack, and that the source of attack was the car.

Tells of Conference Held With the Police

"I was informed that Deputy Commissioner Porter had been sent to Brooklyn to take direct charge of the matter, and after telephonic communication he and I met at the headquarters at Brooklyn. Inspector Murphy was also present. I found Mr. Porter thoroughly sympathetic with the idea that we should have the very best police protection possible, but I found him without any authority to place men upon the cars. I impressed upon him the absolutely essential requirement of that character, and he told me that he would communicate with his chief. I understood that to mean Commissioner Enright, and that he would communicate with me later.

"In the meantime I had dispatched my letter to the Mayor that I have outlined, and later Mr. Hylan called me up. First, however, Deputy Commissioner Porter called me up, and he said he had had an interview with his chiefs, and they told him they were doing all the case called for, and, therefore, there would not be any further move made for efficient police protection.

"The Mayor called me up later and said he had received my letter, and said he would send for the commissioner and have a talk with him and communicate with me later. He did so. He communicated with me later and told me he had arranged to have policemen put on the cars. He told me Chief Inspector Daly would come to Brooklyn and would communicate with me.

"The chief inspector did come to Brooklyn, did get in touch with me, and my men went to him to inform him where the policemen should be sent, and then it developed that at that time he did not have enough men free to make it worth while to put the plan in effect Wednesday night. It seems that these men who were coming to Brooklyn for this work came from The Bronx and had no time or were just being relieved, and they could not get to Brooklyn in time to be distributed.

No Attempt Was Made To Run Surface Cars

"Therefore, by mutual understanding, there was no attempt made to run the surface cars on that Wednesday night. On Thursday morning police were sent to the car stations, with instructions to be put on the cars. Through nobody's fault, I think, because simply no one could tell in advance where the stress would come, more policemen were sent to one barn than necessary, and fewer sent to other barns than necessary, and as the police force is very properly run as a military establishment, men who had been sent to one place could not be sent to another place without the proper orders; so orders had to go back to the different precincts, and it was necessary to wait a considerable time before matters were straightened out, and we got the number of men to accompany the number of cars the different barns were prepared to send out."

Mr. Garrison said that on Thursday he made an inspection of the various car barns. He said reports he received from the officials varied, but were in most cases similar. In speaking of these reports he said:

"The cars would go out and would proceed a certain distance, sometimes a short and sometimes a longer distance. They would then be held up by a crowd or a truck backed across the track, and which stayed there and waited until the motormen and conductors had either been pulled off the car or taken off the car. In many instances the ropes were cut and the air pipes slipped, and the fuses blown, and in many instances personal violence visited upon the men upon the cars. Some of the men I saw were suffering from the effects of the physical violence. Some car windows I saw were shattered by missiles thrown through them.

"In each station I found a large number of employes who said they were ready and willing to go out as soon as they were assured of efficient police protection. I said to them that the police were there and the Mayor had particularly stated that they were there to protect them. And while they did not phrase it as I am about to phrase it, what they said was in substance that: Instructions or no instructions, they were not doing it; they were standing there and permitting these things to happen. As I say, they said—they did not use this particular phraseology—they said the police permitted these things without interference.

Tells of Cannon Ball Found in One of Cars

"In one station that I was in there was a cannon ball as big as this glass of water here before me that they had just taken out of a car that had been brought in. The cannon ball had been thrown in through the window.

"In another place they had thrown things through the window, and a conductor had received a gash as a result. In another instance a motorman had received a gash and a smashed finger.

"The effect oft his upon the men was that they would not go out until they were assured that the streets of Brooklyn were peaceable and that the lives of the men would be safe in going out. That was the situation throughout Saturday.

"On Friday I was away all the afternoon at a hearing of the Public Service Commission and could not give my personal attention to the situation, but I am advised by reports that the situation was largely the same, except that the strikers by now had adopted the method of going to the men's homes and terrorizing their wives by telling them that if they permitted their husbands to go to work, they would never see them again; that they would be killed, and the like of that, and many of the men that did go out on previous days were held back by their women folks, terrorized by these men who have been able up to the present to keep Brooklyn in a state of terror.

"The situation with the receiver is simply this: I am entirely willing and will remain entirely willing to take up with the men employed by the Brooklyn Rapid Transit Company any grievance or any question, of any kind, sort or description, they have, in the utmost spirit of fairness, equity and justice, to settle the thing along right lines. I have not been willing and I will not be willing, as far as I am concerned, to allow any outside organization to come to me and say to me, 'You have got to deal with us concerning the working condition of your men, which you employ in your system; and if you don't do that we will create such a reign of terror that you will have to do it.'

Whole Question Can Be Put In Nutshell

"It seems to me the whole question can be put in a nutshell in this case as: Whether or not you are willing to concede the right to an organization, streetcar company or any other kind of industrial company that is trying to carry on a peaceful vocation to deal with its own people or not, or whether they are going to have to deal with somebody who intrudes themselves in between this company and the company's employes, and whether or not we have got a right to pursue our peaceful vocations in peace, and not, by violence, be compelled to yield to what it would otherwise be utterly improper to ask us to yield to."

As soon as Mr. Garrison had finished, Judge Mayer inquired of Mayor Hylan whether he desired to make any statement.

"It seems to me, Judge Mayer," said the Mayor, "that this is an attack on the administration rather than an endeavor to try to settle this strike. If we are here for the purpose of trying to settle the strike, let us find out what the grievances of the men are and see if it is not possible to bring Judge Garrison and his men together. Otherwise I will withdraw."

Judge Mayer said he would accept the suggestion of the Mayor and hear what the representatives of the men had to say. Mr. Fridiger, for the union, addressed the court. He explained that he was the representative of the employes of the Brooklyn Rapid Transit Company who belonged to the Amalgamated Association of Street and Electric Employes of America. He said his clients stood ready and willing to settle the controversy and that they sent him before the court in a spirit of "give and take."

Story of Demands Made By Employes Last March

"Last March, the court will recollect, a number of employes who had joined the Amalgamated Association met and presented certain demands and requests to Mr. Garrison," Mr. Fridiger continued. "At those meetings I want to state to the court now, as an officer of this court, that there were at least a number of the newspaper men here present now who attended this meeting—at least 3,500 to 4,500 employes present in Octavia Hall, which I dare say was the largest hall in the Borough of Brooklyn. Such proceedings were had that after a conference with the court, at which our international president, Mr. Mahon, met the court, and after the entire situation was reviewed I do not think it is a breach of any confidence to say that we agreed to do our utmost to prevail upon the men not to strike at that time.

"Your Honor will recall, because you have undoubtedly received reports of it, that we went over to the men that night, and after numerous gentlemen had addressed them we carried to them the communication of the court, asking, begging and pleading, because begging and pleading became necessary—absolutely necessary—to restrain those men from taking the action which they desired at that time, we were met with cries of "Traitor! You sold us out. How much did you get from Garrison?" and remarks of a similar nature. I am only referring to that, so that the court may know that it is not an outside organization that has brought this situation about. That is the first point.

"The second, to let your honor know, and the others interested, that as far back as last March, and the official reports of the company themselves will show it, the hall was ight across, or located right cross the street from their Halsey Street barn—as far back as last March there were over 4,500 members enrolled in the Amalgamated Association, those members being employes of the operating branch of the B. R. T.

"We succeeded in carrying out the wishes and desires of this court, thinking an adjustment might be reached. Day after day went by, week after week went by, and two or three months came about, and the men themselves, clamoring for an organization that could do something fo them, sent to their parent organization in Detroit request after request that officials be sent in here to help them obtain what they considered to be the fair requests they were making, all looking toward betterment of their wages and working conditions."

Says Appeal to Union Came From Employes

Mr. Fridiger said there had been numerous requests from the officials of the B. R. T. local organization for the officers of the Amalgamated to come to Brooklyn to take charge of the situation. He said when Mr. Shea was sent here there was no thought in the minds of the Amalgamated officers that there would be a strike. He then charged that after the committee of operators had presented their demands on the B. R. T. no effort was made to avert the strike.

He told in detail of the meeting in Labor Lyceum, where the strike was voted, and explained that neither he nor Mr. Shea had addressed the meeting, but that after Mr. Garrison's reply to the demands was read there was a spontaneous demand for a strike. Mr. Fridiger estimated that there were 3,500 at that meeting.

Mr. Fridiger then launched into a bitter attack on the alleged methods employed by the officers of the B. R. T. to continue operation after the strike had been called. He said the inspectors and starters in the car barns asked the men to stay in the barns after they came in from their night runs, and offered them double pay for taking cars out in the morning. In addition to the double pay he said they were given meal tickets. Mr. Fridiger said he knew well that there were many men employed by the B. R. T. who would not join the Amalgamated.

Judge Mayer sought to obtain some information at this point as to the number of men enrolled members of the union on Monday. Counsel for the strikers said he was unable to furnish the information because the books had not been made up.

Mr. Fridiger then called the attention of the court to the conditions on the elevated lines to show that the union was powerful among these workers. He pointed out that none of the motormen was on strike, because they were members of the Brotherhood of Locomotive Engineers, and that notwithstanding this fact the company was unable to operate trains anywhere near normal schedule. He then said Mr. Garrison had recognized the brotherhood, which statement was immediately denied by the receiver, who explained that he had signed a contract with a group of men from the B. R. T.

The attorney then charged that Sherwood's Eagle Detective Agency was supplying strike breakers and that such action was in violation of the agreement reached last spring when the workers appeared before Judge Mayer. The court broke in at this point and said:

"Now, the cold fact is that since Wednesday morning there has been a strike. That strike still continues. We are here to-day to see whether some solution or attempt at solution can be had along orderly lines which involve no negation of principle, in order that the city may have restored to it this extremely necessary and important thing, transportation service, and in order that the public officials may be relieved, as soon as may be, of the very important responsibility and strain that rests upon them; and it does not rest wholly upon them, but the care of it rests, to an extent, upon this court, which does not own this property.

"It does not, in fact, belong to anybody excepting to its owners, who in a sense are in part private individuals and in part municipality, but its custody is in this court, and it is this court's duty, so far as it can, to see if there can be a solution of this situation.

"Now, we must approach this, as I said at the outset, by a temperate approach, with an earnest desire to see whether we can have a solution which would be fair.

"The question asked by His Honor the Mayor at the beginning, as I understood it, was directly to the point: That our coming here to-day was to be simply for the purpose of seeing whether there was to be a solution of the problem. The receiver stated, as I understood it, a series of events from his point of view, and now you have stated a series of events from your point of view. Now, cannot we—without wanting to shut you off for a moment, and in a realization of the fact that we have here several public commissioners and the Mayor of the city and the Corporation Counsel, as well as the rest of us—cannot we get down as near as we can to see whether anybody has got a solution of the existing conditions? That is what we are here for."

Lawyer for Union Tells of Strike Prevented

Mr. Fridiger cited the recent threatened strike of the streetcar employes of Staten Island to show that his organization was one to be trusted by the traction interests. He said Mr. Shea had been called in and with great effort kept the men at work, so that they would not violate a contract they had with the company. He said Mr. Shea had threatened to take their charter away if they broke their contract.

The attorney said the B. R. T. was sending out cars a few blocks to provoke an attack, when Judge Mayer broke in and said.

"That is a most indefensible and outrageous statement. Mr. Garrison is an officer of this court, he is a lawyer and has been a judge and has been a member of the President's Cabinet, and to say that he has deliberately planned to create a situation in which there shall be an attack of violence is something that is so outrageous that it must be condemned at once, and I do condemn it."

"If this court can see fit or if the receiver can see fit through this court to recognize the organization of these men, we will withdraw our insistence as to the other three demands," Mr. Fridiger continued. "As far as wages are concerned, let us go back to our men and women with some appreciable increase.

"We will arbitrate the rest, as to whether we are entitled to 75 cents or less. We will arbitrate as to whether or not these men should be reinstated who were discharged for union activities. We will arbitrate the question whether or not we are entitled to an eight-hour day, and if a board of arbitration says we should work ten hours, or fifteen hours, or twenty hours, we will work those hours. If a board of arbitration says we are entitled to 48 or 42 cents an hour, even less than we are entitled to to-day, we will take that. Let the court bring about the recognition of the union of these men and women, and we will withdraw absolutely our insistence upon the provision of these others, and we will go to arbitration on it.

Refuses to Arbitrate Recognition of Union

"Now, you might say, 'Why not? I am sure the court will not'; but some may say, 'Why not?—why not withdraw with reference to the union and arbitrate that?' Your honors knows quite well that the question of the recognition of the union is not an arbitrable one. These men and women feel they cannot get what is coming to them without their union. The court said that as far as wages were concerned these men and women should receive proper consideration."

After Mr. Fridiger had finished, Mr. Garrison declared he had adjusted every demand made on him by the committee of employes of the system. He said no committee of motormen, conductors or guards had approached him through their committees of employes and presented grievances.

Mr. Fridiger, in answer, and pleading for recognition of the organization, quoted the following paragraph from a letter President Wilson wrote to Railroad Director Hines concerning the threatened strike of the railroad shopmen:

"You are, therefore, authorized to say to the railroad shop employes that the question of wages they have raised will be taken up and considered on its merits by the Director General, in con-

Continued on next page

Principals Are Pleased With Agreement

PRINCIPALS in the Brooklyn Rapid Transit strike settlement expressed themselves as well pleased with the conclusion of the striko. Here are the comments:

Patrick J. Shea, executive officer of the carmen's union—It is a complete victory for the men. We have been given much more than we had reason to expect.

Lindley M. Garrison, receiver for the Brooklyn Rapid Transit system—I am satisfied with the situation or I would not have signed the agreement. It will result in service to the people, and that is what we are all after.

Lewis Nixon, Public Service Commissioner—I think the interests of everybody concerned will be conserved by the agreement, which means slight sacrifices on both sides. I am delighted with the settlement.

Mayor Hylan—I am delighted to have had a small part in the settlement. We have done everything possible to end the intolerable situation which has confronted the people of Brooklyn.

Judge Julius M. Mayer, who called the conference—The leaders on both sides are to be congratulated on the spirit in which they entered the conference and for the concessions they made for the common good.

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