

QUESTION ACCUSERS IN MARKET INQUIRY

Supervisors Are Permitted to
Cross-Examine Through
Prosecutor.

LAY CHARGES TO ANGER

Pushcart Man Says 10-Cent Fee
Was Refused, and Thrown Back
at Giver.

Supervisors Edward Klein, Nathan Haas and Henry Mandelbaum of the Department of Public Markets, accused by various witnesses in the investigation which Magistrate George W. Simpson is conducting, were confronted by their accusers yesterday and received the privilege of cross-examining, through Assistant District Attorney, Jacob Gould Schurman Jr., the men who have made charges against them.

Each of the supervisors stoutly denied all allegations of improper solicitation or extortion. They declared that the prejudice against them which prompted the peddlers' charges was possibly due to the fact the supervisors had been obliged, in the pursuit of their duty, to issue summonses compelling the peddlers to answer charges of market rule violations.

Carl Brenner, one of the complaining witnesses, when recalled to the stand, admitted that he never had paid money personally to Mandelbaum, but insisted that he had seen Mandelbaum make Sunday collections of 50 cents apiece in the Avenue C market from a considerable number of peddlers, one of whom, he said, was named Kastenbaum. "I made charges against the supervisor," said Brenner.

"Did Mandelbaum collect money at Christmas time?" asked Mr. Schurman.

Threw Dime Back, He Says.

"No; peddlers collected it for him."

Mandelbaum, according to the testimony of Louis Herbst, refused to receive from peddlers' contributions smaller than 50 cents. After swearing that he had paid 50 cents to the supervisor, who had refused to accept a quarter from him and had accept the half-dollar with seeming reluctance, Herbst declared that another peddler had offered to Mandelbaum a dime.

"And what did he do with the dime?" asked the Prosecutor.

"He threw it back at the man," replied the witness.

"Just what did Mandelbaum do and say to you?" inquired Magistrate Simpson.

"He held out his hand, in which was some loose silver, and said: 'I want half a dollar.'"

"And what did you do?" continued the Court.

"I offered him a quarter. He refused it and said he must have half a dollar." With a shrug of the shoulders, the witness added: "So I paid him the half-dollar."

Jacob Herbst, brother of the preceding witness, also swore to having been solicited for 50 cents by Mandelbaum, who told him it was "for protection."

Magistrate Simpson's query concerning the nature of the "protection" elicited the explanation that it was protection against being interfered with while peddling on Sundays.

"Did you pay the 50 cents?" asked the Court.

"No. I told Mandelbaum I was busy, and he said, he'd come back later. He didn't come."

Louis Raines testified that, while he never had given money personally to supervisor Nat. Haas, he had given \$5 to a man named Simon, Haas's friend, after Nat. had told him to "talk to his friend."

"I saw Simon yesterday," said Raines, "and he called me a squealer."

"How do you know the money you gave to Simon was for Haas?" asked Magistrate Simpson.

"I gave \$1 in all to Simon," said Raines. "Haas told me to see his friend. But I never saw Simon give any of the money to Haas. I only know that Simon took the money away." Raines said that Haas personally never had asked him for money.

Louis Greenberg, recalled at the request of Haas, was questioned by Assistant District Attorney Schurman, to whom Haas suggested the questions.

Greenberg reiterated his original testimony. Haas, he declared, had demanded from him \$1, instead of 50 cents, for one-half day's privilege, and had caused his arrest after he had refused to pay.

Says Peddlers Were Angry.

Samuel Weinstock testified that he had looked on while Jacob Belsky had paid Mandelbaum 50 cents for protection on the Sunday immediately preceding the Jewish New Year. Weinstock said he had refused to comply with Mandelbaum's suggestion that he also pay up, and he stood only two or three feet from Belsky when the latter surrendered 50 cents.

Belsky corroborated Weinstock, admitting that he had paid the 50 cents to Mandelbaum on the date named.

Witnesses against him interrogated. They were asked whether they were not angry with the supervisor because he had ordered them to have their pushcarts cut down in length in accordance with a department ruling. Each denied any such feeling.

Joseph Kehoe, Assistant Supervisor to Mandelbaum, swore that he accompanied Mandelbaum whenever the latter collected money in the market; that he never had known him to make any collections except of the regular weekly fees for stands, and that when these were collected Mandelbaum took the money and the witness made out and delivered receipts for every penny collected.

"All peddlers who were ordered to cut down the length of their carts were sore," declared Kehoe. "Some were served with summonses for failing to comply with the order. They all kicked about having to do it."

Jacob Simon of 82 First Avenue advanced to be uncollected from Louis Raines, asserted to be his friend. Louis Raines, as the reason for the charges made against him earlier in the day by Raines.

Raines had asserted that Simon had collected from him \$15, the money being paid, he said, with the thought that Simon had been authorized to collect for supervisor Nathan Haas. Simon denied flatly that he had made such collections and added that he had never had any one connected with the Department of Markets.

Magistrate Simpson in adjourning the hearing said all persons against whom accusations had been made would receive further opportunity for reply at the next hearing, which was set down for tomorrow at 10:30 A. M. The Magistrate said after the hearing that he expected to finish the "John Doe" proceedings tomorrow.

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