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RS#08: Triangle Owners Acquitted by Jury

New York Times, December 28th, 1911. In early December of 1911, factory owners Harris and Blanck were brought to trial for the deaths of the Shirtwaist employees. The *Times* was known for being less sensational in its reporting than its competitors, such as the *New York World*.

Triangle Owners Acquitted by Jury: The jury in the case of Isaac Harris and Max Blanck, owners of the Triangle Waist Company at Washington Place and Greene Street, where 147 persons lost their lives in a fire on March 25 last, who have been on trial in General Sessions for manslaughter in the first and second degrees, brought in a verdict of not guilty yesterday after being out an hour and forty-five minutes.

Judge Crain praised the jurors for the close attention they had given to the case, and then gave orders that they be smuggled out of the courtroom by a rear entrance. Harris and Blanck were taken into the Judge's chambers, where a squad of policemen lead them through a maze of courtrooms to the Tombs Court, through which they finally left the building, surrounded by a guard of policemen and detectives. They were escorted to the Worth Street Subway station amid the hissing and reviling of relatives of victims of fire, who were kept out of the courtroom by order of Judge Craig.

The scene in the courtroom when the jury announced its verdict was commonplace enough, and no demonstration was made. Outside, however, there was excitement and confusion. Men rushed about shouting: "Harris and Blanck are acquitted!" while lawyers gathered in groups and freely discussed Judge Crain's charge. Many of them commented upon the fact that he had failed to make any mention of the number of lives lost, or of the locked door in the waist factory. One well-known criminal lawyer said it was also strange that no mention was made of the witnesses for the defense, who first made sworn statements to the District Attorney that the door was locked and then testified in court that it was open.

Judge Crain in his charge first explained the law applicable to the case, and said that the District Attorney contended that Margaret Schwartz met her death as the result of the Washington Place door on the ninth floor of the factory being locked. In charging the jury on this point he said:

"Because they are charged with a felony, I charge you that before you find these defendants guilty of manslaughter in the first degree, you must find that this door was locked. If it was locked and locked with the knowledge of the defendants, you must also find beyond a reasonable doubt that such locking caused the death of Margaret Schwartz. If these men were charged with a misdemeanor I might charge you that they need to have no knowledge that the door was locked, but I think that in this case it is proper for me to charge that they must have had personal knowledge of the fact that it was locked."

The jury retired at 2:50 o'clock and filed in again at 4:56. Before they consented to leave the jury room they made the court attendant step to one side and came into court with blanched faces...

Just as Harris and Blanck stepped out in Franklin Street David Wetner of 1,476 Madison Avenue, whose sister Rose was among those lost in the fire on March 25, rushed up to them and shouted: "Murderers! Murderers! You are acquitted now, but we will get you yet!"

None of the jurors would make a statement, but it was learned that three ballots were taken, the first being 8 to 2 for acquittal, with two jurors not voting, the second 6 to 6, and the last a vote for acquittal. Here is a list of the jurors: Leo Abrahams, 164 West 147th Street; Anton Scheurman, 223 West 113th Street; William E. Ryan, 547 West 142nd Street; Harry R. Roder, 82 West Nineteenth Street; Charles Vetter 3,485 Broadway; Abraham Weschler, Hotel Majestic; Joseph J. Jacobson, 603 West 131st Street; William O. Akerstrom, 1,272 Nelson Avenue; Arlington S. Boyce, 122 East Twenty-fourth Street; Victor Steinman, 72 East 160th Street; H. Huerston Hiers, 97 Gold Street, and Morris Baum, 201 West 100th Street.

The New York Times. "Triangle Owners Acquitted by Jury." December 28, 1911.

<http://www.law.umkc.edu/faculty/projects/ftrials/triangle/trianglenyt1228.html> (accessed June 28, 2010).