
**Testimony to the Special Investigative
Committee of the New York State Assembly
by George R. Lunn,
Jan. 28, 1920**

Published in State of New York, *Proceedings of the Judiciary Committee of the Assembly in the Matter of the Investigation by the Assembly of the State of New York as to the Qualifications of Louis Waldman, August Claessens, Samuel A. DeWitt, Samuel Orr, and Charles Solomon, to Retain Their Seats in Said Body: Volume 1.*
Albany, NY: J.B. Lyon Co., Printers, 1920; pp. 352-366.

George R. Lunn, called and sworn as a witness, testified as follows:

Direct examination by Mr. [John B.] Stanchfield:

Q. Mr. Lunn, where do you reside?

A. Schenectady, NY.

Q. And what is your occupation?

A. Mayor of the city.

Q. When were you last elected mayor of Schenectady?

A. The fall elections, last year, 1919.

Q. Have you been a member of Congress?

A. I have.

Q. From when to when?

A. Taking my seat March 1917. My term expired 1919, March.

Q. Now, you were at one time a member of the Socialist Party?

A. I was.

Q. Now, at that time were you elected?

A. I was.

Q. There was quite a strenuous campaign, if I recall right, in the newspapers publications, was there not?

A. If I recall it, very strenuous.

Q. Now, prior to the time of your election as mayor, had you become a regularly affiliated member of the Socialist Party?

A. I had.

Q. Now, do you recollect at the time of that election who were looked upon as the leaders of the Socialist Party in Schenectady?

A. Do you mean the names of those who were supposed to be leaders?

Q. Yes.

A. I recall two or three of them that were leaders.

Q. I am not curious about their names, unless counsel upon the other side desire them, but you did know who the men were that claimed to be the leaders of the movement?

A. I did.

Q. Now, shortly before the election came off for the mayoralty in 1911, did these parties come to you with any document or paper that they desired you to sign?

A. On the night before election in 1911, about 11 o'clock, they, for the first time, presented a blank resignation, which aroused my ire, but I was either to sign it or there would be a squabble next day. I considered it illegal, but, nevertheless, I did sign it in 1911, once and only.

Q. Now, do you recollect the name of the men that brought this blank resignation to you?

A. I do.

Q. Who were they?

A. Mr. Charles Noonan; Mr. Russell Hunt.

Q. Do you recollect the general phraseology of it, Mr. Lunn?

A. I do not, except that the import was that unless the mandates of the party were carried out, that the resignation could be sent in to the common council. I have forgotten the detail.

Q. I call your attention, Mr. Mayor, to a blank form of resignation, which appears in Exhibit 2, which has been offered in evidence upon this hearing, and ask you to read it and inform us as to whether or not it is in substance the form of the resignation that was presented to you for signature and which you say you did sign?

A. Either the exact form or in substance this as submitted.

Mr. Stanchfield: Do the Committee desire me to read it, or is it fresh in your minds?

The Chairman [Louis M. Martin]: I think you had better put it in the record right there.

Mr. Stanchfield (reading). "Section 2. Recognizing the Socialist Party as a purely democratic organization in which the source and

seat of all power lies in the dues-paying membership, as an elected or appointed official of the party, it shall be my duty to ascertain and abide by the wish of the majority of my local or political subdivision. To the end that my official acts may at times be under the direction and control of the party membership, I hereby sign and place in the hands of Local to which I may be elected (or appointed), such resignation to become effective when the Local shall so vote. I sign this resignation voluntarily as a condition of receiving such nomination of appointment, and pledge my honor as a man, a Socialist, to abide by it.”

Q. How long did you hold office, Mr. Lunn, as Mayor?

A. For the two-year term of 1912 and '13.

Q. Were you again renominated for Mayor?

A. I was renominated again in 1913.

Q. Now, at that time of that campaign did you again sign a resignation?

A. I did not.

Q. You were not elected that year, were you?

A. I was not elected.

Q. Were you again renominated for Mayor?

A. In 1915.

Q. Now, at that time did you come out with any public statement in regard to your position as being bound by any constitution that required you to place in the hands of any committee your resignation?

A. May I make a statement rather than answer yes or no?

Q. I prefer that you should. I am only addressing you that question in order to call your attention to the information that I desire, and I prefer that you state it in your own way.

A. I considered this resignation in 1914, or this blank, was more or less of child's play, but during the administration of 1912 and '13 there was no serious division of opinion on any matters, but I made up my mind I never would do it again, so that in 1913 I refused to sign and no fuss was made about it. I was defeated, and I felt I was defeated in large measure because of that fact, that the people knew that under the Socialist Party an elected official was supposed to be under the control of the Local rather than responsive direct to the whole population, as he should be. In 1915, in order that there might be no possible misunderstanding, before I was nominated I came out

with a clear statement and repudiated that section of the constitution, that I would not stand for it, and that I wanted them to know it before they nominated me and not accuse me of receiving a nomination under a misapprehension.

This caused a great furore. Members of the [New York] State Committee came to Schenectady endeavoring to heal up the differences. They could not be healed up, and on the night that I received, in the unofficial convention, the nomination for Mayor, I stated before the nomination is made understand throughly that I will be Mayor; I will not be dictated to by the Local; I will not acknowledge that part of the constitution, and so forth and so on. With bitter opposition I was, nevertheless, nominated and elected, but in spite of the fact that I had repudiated that particular part of the constitution, as soon as I came to make up my appointments there was evidently the determination to influence me far more than I was willing to be influenced. I retained as superintendent of water a very efficient engineer, who was a Republican. This was very antagonistic to the Socialist Local. I appointed a Socialist who was enrolled but not a member of the dues-paying organization.

To make a long story short, this was violently opposed and they threatened discipline, and I don't know whether they were ordered to discipline me from New York, but they made charges against me as violating the constitution, violating that part which I had repudiated before nomination. That being done, I was called to New York, trying to harmonize things. The State Committee were willing to pass over the appointment of the engineer to the water department, but they wanted me to discharge an enrolled Socialist who was not a dues-paying member for the reason that the Local claimed that he had voted for other than the Socialist nominees in certain particulars; that he had not voted for the Socialist candidate for Assembly and they wanted him discharged. I refused to discharge him and the discipline was attempted in the way of throwing me out of the organization, but they could not get the necessary two-thirds vote, so the New York organization, in order to discipline me, took away the charter from Local Schenectady and really fired the whole Schenectady contingent out and reorganized with those that would abide by the rules as regards control.

By the Chairman:

Q. May I ask who Russell Hunt and this other gentleman you referred to were — they were the Executive Committee of the Local?

A. No, they were simply prominent members, leaders, and they were the ones that suggested after 11 o'clock at night that I ought to sign that. I signed it and that was the last I heard of it.

Q. You mean leaders of the Socialist organization?

A. Yes.

Q. There was an Executive Committee of that organization that had control of it?

A. There was, but I have forgotten the names.

Q. That is composed of the dues-paying members?

A. The Executive Committee was elected by the dues-paying members.

By Mr. [Seymour] Stedman:¹

Q. And the Executive Committee was the committee that called on you to discuss the administration of the city?

A. Yes.

Q. When you were elected, you employed men from outside of the city to take positions there?

A. I did.

Q. One of them was Mr. John Cole?

A. Yes. He was from Scotia, across the river.

Q. He was employed as what?

A. Commissioner of Public Safety.

Q. You did not find any particular opposition on that?

A. None whatever.

Q. He was not a member of the party?

A. He was a member of the party.

Q. Frank Cooper, was he a member of the party?

A. He was not. He was a Democrat.

Q. There was no particular objection to that appointment, was there?

A. None whatever.

Q. And then there was Thomas Woolley, city engineer; he was not a Socialist?

A. He was not a Socialist.

¹ Morris Hillquit and Seymour Stedman were the chief attorneys for the 5 suspended Socialist Assemblymen who were the subjects of this legislative inquiry.

Q. He was first appointed when?

A. Appointed in 1911 — January 1912.

Q. Was there any particular objection to his appointment?

A. There was none.

Q. Then there was Walter Kruse — what position was he appointed to?

A. Commissioner of Charities.

Q. He was not a Socialist?

A. He was.

Q. Was he a Socialist?

A. Yes.

Q. Was there any disagreement over his appointment?

A. None whatever.

Q. Was he a fairly good man in his position?

A. Yes.

Q. You appointed a Commissioner of Public Works, Charles Mullen?

A. I did.

Q. He was an expert, or supposed to be, on paving.

A. He was.

Q. And you secured him from—

A. Milwaukee.

Q. Was there any opposition to his appointment in any way?

A. No opposition.

Q. The opposition, when it came to appointments, centered against this one man, did it not?

A. This opposition was in 1915. There was no opposition in 1911.

Q. In 1911-12 there was no opposition for the physician?

A. No.

Q. Frank Krause was the candidate?

A. William Fause.

Q. And that is equally true of Dr. Towne?

A. Yes.

Q. And the party did not act in the case of Dr. Towne, did they?

A. His appointment was during the 1912-13 administration, after the resignation, through illness, of Dr. Fause. They approved his appointment.

Q. The meetings were held openly?

A. Openly.

Q. The public could attend?

A. The public could attend, yes.

Q. And you felt as a legal proposition, of course, the resignation had no legal, binding effect?

A. No.

Q. You knew that?

A. Yes.

Q. Now, there was some trouble, was there, over track inspector?

A. There was.

Q. His name was George West?

A. No.

Q. What was his name?

A. I did not allow George West to trouble me. The track inspector was a man by the name of Bedford. I do not recall his first name.

Q. When was he appointed?

A. January 1916.

Q. Well, there was opposition to the continuation of that man, was there not?

A. There was.

Q. And the position asserted was he had been hostile to the labor movement and been a strikebreaker, was it not?

A. No.

Q. Was that statement made?

A. No, he was an active union man.

Q. I am not saying what he was. I am asking what the statement was.

A. The statement was not made.

Q. What was the statement against him?

A. That he had opposed the Socialist candidate for the Assembly and he was not a member of the dues-paying branch.

Q. In other words, he had not stood by the party?

A. No.

Q. You are serving now, I think, as a Democrat?

A. I am.

Q. You are familiar, somewhat, with Democratic politics?

A. I am.

Q. It does not come as strange to you that a man may be removed who does not stand by the party nominees, does it?

A. It depends upon the official.

Q. I am not personal; I am speaking as a matter of practice; a person who belongs to a political party is not ordinarily retained in appointive position if he is knifing some of the candidates and supporting others, is he?

A. I think that is generally the case.

Q. The position of the Socialist Party in Schenectady, then, was not a rare thing in this instance; it was a general political party proposition?

A. Yes, that is true.

Q. The branch cooperated with you in endeavoring to give the city an efficient administration, did it not?

A. The first administration. The second administration was more antagonistic because they did not consider me a good Socialist.

Q. While you were a Socialist, and they felt so, you had the party support for an effective administration?

A. If I would only admit that the local ought to have the final say.

Q. Was there any other body in the city of Schenectady that offered suggestions?

A. A great many.

Q. Then the organization of the Socialists, in offering suggestions, was only in degree different from that of other organizations?

A. It was different in that they claimed the right of mandate.

Q. There were other organizations that did not claim the right of mandate, but they did presume to suggest very emphatically, did they not?

A. Yes.

Q. The difference in the emphasis of their suggestion was only in the fact that the Socialists claimed you as one of them?

A. And as bound by the regular rules of the organization.

Q. You at no time felt that any of the suggestions were from corrupt motives in any sense, did you?

A. I am quite sure they were not; they were from devotion as to their particular views, as to how it should be done; and I did not always agree with them.

Q. Well, we do not always agree in any party, do we?

A. That is true.

Q. The Democrats and Republicans assisted in the administration?

A. Yes, sir.

Q. You did not feel that their opinion should ostracize them from administration?

A. Not for a moment.

Q. That was true with your work in the council, too, was it not?

A. It was true, yes.

Q. As a Democratic Mayor you have appointed Socialists, too?

A. I have not. The Socialist movement is very weak in Schenectady.

Q. You say you have not?

A. No, not at this time. During the former administration I appointed some.

Q. You have a city committee and county committee there of Democrats?

A. I have.

Q. And they make suggestions to you now, I suppose?

A. Yes, they do.

Q. And they tell you who they want?

A. Yes.

Q. And they usually want Democrats?

A. Yes. (*Laughter.*)

Q. And you do as you please?

A. I do as I please, yes.

Q. You treat them both alike?

A. Yes.

Q. Both parties?

A. Yes.

Q. Have you expressed any opinion on this proceeding?

A. I have. I am very much opposed to it. My antagonism to the Socialist Party is very great, but not so much that I consider that this proceeding is contrary to the fundamental provisions [*sic.*]; and I am in sympathy with the New York state law bodies, like the New York State Bar, as well as the state. I am not always in sympathy with lawyers, but I am in this case.

Redirect-examination by Mr. Stanchfield:

Q. Mr. Mayor, how many dues-paying members were there in the last two or three years in the Socialist organization in Schenectady?

A. I couldn't tell you even approximately except during 1912 and 1913 there were about 800.

Q. That were dues-paying members?

A. That were dues-paying members.

Q. Out of a total voting population, Mr. Mayor, of how many?

A. At that time about 14 or 15,000 of all parties. We did not have the women voting then. Now the vote is much larger.

Q. Now, if I understand your attitude correctly, you said in response to Mr. Stedman that representatives of the committee of the Democratic Party came to you and solicited the bestowal of patronage; that is true, is it not?

A. That is true.

Q. The Socialist Party asserted the right to dictate and control your distribution of patronage, did they not?

A. Yes.

Q. And that was the rock upon which you split?

A. Yes.

Q. And to enable them to thoroughly control your distribution of patronage, they desired that you should sign one of these resignations in order that, if you refused to comply with their demand, they could file it and deprive you of your office?

A. Well, I would say in answer to that question that I think their idea was that if they made a platform pledge that was not carried out, they would do that. I do not think they had in mind so much the patronage. I give them credit for that.

Q. Well, not carrying out the platform then?

A. Yes.

Q. And that if you did not carry it out in the way they insisted it should be carried out, then they wanted the right to file this resignation, in order that they could use that as a basis for expelling you from the party?

A. Yes.

Recross-examination by Mr. Stedman:

Q. I understood you to say that you felt that was to keep a platform pledge?

A. I think it was put in there with the best of intentions.

Q. And you think it applied primarily to the platform rather than patronage?

A. The idea being that the official represented the Socialist Party and that he should carry out the provisions of the Socialist Party platform, the promises and so forth.

Q. Let me call your attention to a meeting of the [New York Socialist Party] State Committee, at which Mr. Bodencamp was president. Do you recall whether or not, in opposition to the track inspector, it was mentioned that he was a strikebreaker?

A. I do not recall that name, Bodencamp.

Q. Do you recall Bodencamp making a statement in the committee there, to that effect, or in the central body?

A. I do not recall that because this mad was recommended by the Trolleyman's Union before Mr. Bedford was recommended to me by the Union, and I do not think they ever would have done it if he had been a strikebreaker.

Q. You do not recall this man making the statement in the Assembly?

A. I do not recall that.

Q. You would not say it was not made, but simply that you do not recall.

A. Simply that I do not recall.

Q. You attended the Rochester Convention of the Socialists, did you not?

A. In what year?

Q. 1914.

A. Yes, sir; I did.

Q. At that convention did you speak upon the subject and take any attitude on the constitutional provision for control of elected officials?

A. I did, endeavoring to get it changed.

The Chairman: What year was that?

The Witness: In 1914.

The Chairman: Was that defeated?

The Witness: I was defeated in that proposition.

Q. Didn't you make a motion for a provision in that convention that was defeated for the control of the constitutional provision?

A. I do not recall just what it was, but it was some kind of an amendment that was put through, I think.

Q. Let me call your attention to it; wasn't there a provision in the constitution — didn't you offer an amendment to it and wasn't your amendment carried?

A. Well, I think it was.

Q. And that is the present constitutional provision?

A. I think it was. It was a fundamental difference of opinion on the whole question.

Q. Would you say it is the one in the constitution now? Are you clear whether the one in the constitution now is the one that your motion was carried?

A. I think it is there now.

By Mr. Stanchfield:

Q. Addressing your attention, Mr. Mayor, to the dues-paying membership of which you spoke in the year, I think 1919, as numbering approximately 800, do you know whether in the 800 were included minors?

A. I think that the age is 18, and is not limited to citizens.

Q. I was going to say both minors and aliens?

A. I remember distinctly, because my argument against the idea of the party controlling an elected official was that he was representative of the whole people — the greater democracy, as I called it, and made a great deal of fun about the sources, because of the greater democracy that I believed I was elected to serve. I made an illustration that if that were true, if it was a true principle by which elected officials could be instructed, and the meeting was called, and only 100 attended, and the instruction and amendment was passed 51 to 49, and among the 51, or the majority, was a non-citizen, it would be that an elected official was instructed to carry out official acts by someone that even had no right to vote, and that was, to my mind, very undemocratic and an un-American method.

By Mr. Stedman:

Q. Did you have in mind at that time, Mr. Lunn, that a person who is not a citizen, or under age, is not only subject to the laws of the country, but eligible to any office, excepting where the law specifically imposes qualifications to exclude him?

A. That would be true, certainly, if he was excluded by law.

Q. yes, he would be eligible to a great many offices in different states, in different places?

A. If not a citizen I think he would be eligible for very few, if any, Mr. Stedman.

Q. You mean the state of New York, but there are places where he would be eligible.

A. I do not know of other places, but I know in New York he would not be.

Q. When I speak of offices, I would say public employment.

A. We are not allowed to employ aliens in the city.

Q. You can employ them for street work?

A. No, not in New York.

Q. But you realize that while that may be true in your state, it would not generally prevail. The point I make is this: That persons who are under the legal age for voting, for instance, and yet for contracts, in the sense, would be eligible. Take a woman 18 or 19 that would be responsive to the laws of the state and of the nation that would be eligible for office, excepting where their qualifications are specifically required which exclude them.

A. Yes, sir.

Q. Did you at any time find any motion, resolution, or policy outlined by the vote of persons in the branch who are not qualified electors for national or state offices which was contrary to, for instance, your policy?

A. I would not be able to answer that; I do not know.

Q. You do not know of any instance where their influence stood out distinct from that of the voting members?

A. No.

By Mr. Stanchfield:

Q. If I understand your position, Mr. Mayor, you do not regard it as an un-American doctrine that the Mayor, for illustration, of the city, which was the office you filled, should have his official conduct subject to the dictation of the committee where a vote of that committee might be determined by the ballot of an alien or minor?

A. I would say I do not think he ought to be under such dictation even if they were all citizens.

Q. But in this circumstance some were aliens and some were minors of which you speak?

A. Yes, sir.

Q. Can you tell me, Mr. Mayor, about what the proportion of voters was in 1914 in the city of Schenectady were dues-paying members, that is, of the Socialist Party?

A. Well, if I remember rightly, I was elected by 7,300 votes, and the dues-paying members numbered about 800.

Mr. Stanchfield: That is all, sir; I am very much obliged to you.

By The Chairman:

Q. Was there any request made of you or to you by the Democratic organization to file a resignation with them?

A. No, it was not, and I do not think they would have the foolhardiness or hardihood to try it.

Q. That is, as I understand the law now in this state, they cannot employ on public works an alien?

A. We cannot.

By Mr. Stedman:

Q. You understand that the moral obligation to the Democratic or Republican Party are quite as fast and binding as the written one in the Socialist Party, generally speaking?

A. I think regardless of parties, that the moral suasion made upon the elected official is made as efficient and fast, hoping they may succeed in landing their man, and they are all alike.

Q. It is about the same, whether it is understood or whether it is singing your name, isn't it?

A. (*Laughter.*)

By Mr. [Louis A.] Cuvillier:

Q. The Declaration of the Socialist Party that any member of Congress or of the Legislature of the state who voted any public moneys for an appropriation of the Army and Nave were to be expelled from the organization — would you approve of that?

A. I certainly do not. In 1915, I think, or 1914, was the last time I attended the National Committee at Chicago. Mr. Stedman will recall this. A resolution was brought in that any member of Congress — I think Mr. [Meyer] London was then a member — should not

vote for an appropriation for the Navy or Army, and I led, with others, an opposition to the resolution very strenuously, and asked if they meant that we should let the Navy deteriorate and the Army go to pieces. There were some answers that were not very pointed to that. I made a speech against the resolution, and one gentleman from Kentucky saw a solution of the whole matter. He said it was easy to solve. "Let us pass the resolution." Then I asked him, "Suppose we are attacked by England or Germany; should we lay down?" "Well, but," he says, "we have quick means of transportation, and we have the telegraph and telephones, and if anything like that happens, we can call the Committee together and change the resolution." (*Laughter.*) It was passed with 9 in opposition to that resolution. I do not know the wording, but I think to be fair, and I want to be fair with them, I think the object all along was opposition to war under all conditions.

By Mr. Stedman:

Q. Now, Mr. Lunn, I probably can recall to your attention something that might clear that in a sense. Do you recall that Victor Berger believed in arming people?

A. I remember he was one of the 9 that was in favor of it.

Q. And in their state [Wisconsin] they regarded it as proper to make an appropriation for the state, in the state, and that he believed that every man should be armed?

A. Yes, sir.

Q. Do you know whether there was carried out an appropriation in Wisconsin for an efficient militia?

A. I would not answer that, I do not know.

Q. Do you recall any instances of protest in this state, or suggestion on the subject being given to Socialist representatives as long as they have been in the State Legislature?

A. Not until the present proceeding.

Q. Until the proceeding here at the present time?

A. Yes, sir.

Q. I mean barring the recent discovery you do not know of any?

A. None whatever.

By Assemblyman Cuvillier:

Q. Mr. Mayor, you know that Mr. Meyer London, the Socialist Congressman from New York City, did vote against the war?

A. Yes, sir.

By Mr. Stedman:

Q. And you know that he did vote for an appropriation?

A. Yes, sir.

Q. And you know that he was not thrown out of the party?

A. Yes, but I think, Mr. Stedman, he would have give better service down there if he had not been under the feeling that he had to go according to the dictates of his party.

Q. Of course, his party was an anti-war party?

A. Yes, sir.

Q. And the others were pro-war?

A. Yes, sir.

Q. And it is hard for a man to be with this side when his policy is with the other, and he is trying to keep with his party?

A. It is very difficult.

By Mr. Stanchfield:

Q. Is the form of resolution pencilled to which I call your attention the provision that was introduced in the Convention — this is simply for the purpose of identifying it.

A. Whether in the words — but in substance absolutely that.

By Mr. Stedman:

Q. There were about 50 Republicans or Democrats who, with London, voted against that resolution?

A. There were 49 men and 1 woman.

By Mr. Stanchfield:

Q. And the resolution to which you referred reads in substance that “We recommend that the convention instruct our elected representatives in Congress, in the State Legislatures, and in local bodies to

vote against all proposed appropriations or loans for military, naval, and other war purposes.”

A. That was the one I opposed.

Q. And that resolution, notwithstanding your opposition, was carried at the convention?

A. Carried with 9 in opposition.

Mr. Stedman: What year was that?

The Witness: 1915.

Mr. Stanchfield: That is all, Mr. Mayor.

Mr. Stedman: And your understanding was that it was really an attempt to emphasize opposition to war?

The Witness: Yes, all war.

Mr. Stedman: All war.

Mr. Stanchfield: That is all, Mr. Mayor.

The Chairman: We are very much obliged to you, Mr. Mayor.

Mr. Stanchfield: It is within a few minutes of the adjournment time, and we have a document to read that will take quite some time. Could we adjourn now until 2:00 or a few minutes before 2:00?

The Chairman: Yes, we will adjourn until 2 o'clock. The meeting stands adjourned until 2 o'clock sharp.

(Whereupon, at 12:20 pm, the hearing was adjourned until 2 o'clock.)

Edited with a footnote by Tim Davenport

1000 Flowers Publishing, Corvallis, OR · February 2012 · Non-commercial reproduction permitted.