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# **Will Go Over Enright's Head; Major Swears to Cops' Acts: Affidavit Filed with Russians' Attorney is is Crushing Indictment of Police Brutality.**

## **Evidence Piles Up: Object of Fight is to Get Mayor on Record as Opposed to Government by Police Clubs. [affidavit filed Oct. 13, 1919]**

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A campaign by public-spirited citizens, in whose minds the disgraceful and brutal actions of the police at the Washington Square demonstration last Wednesday [Oct. 8, 1919] are fresh, was started yesterday, when the first of a mass of evidence against the Police Department began to filter into the office of Charles Recht, counsel for the Russians who were ridden roughshod by the "upholders of law and order."

Over the head of Police Commissioner Richard E. Enright, whose policy of silence on questions affecting his department has become notorious, these citizens will make their campaign. In the hope of wresting from Mayor Hylan a declaration against the indiscriminate use of the nightstick by policemen who may disagree personally with the opinions of individuals, against whose heads they wield their clubs unmercifully, those who denounce the barbaric practice are going to make their appeal direct to the city's executive.

Evidence, particularly dealing with police brutalities at the demonstrations against the Allied blockade of Russia, which resulted in the "conviction" of 7 more or less indirect participants, will be so overwhelming, it is said, that the Mayor will be forced to record himself against the rule of the police club.

### **Major Makes Affidavit.**

Perhaps the most severe indictment by an eyewitness of the work of the police at Washington Square, which included assault upon harmless men, women, and children, is the affidavit of Major Richard C. Tolman, Ordnance Department, USA, now stationed at Washington.

Tolman appeared before Magistrate Howard P. Sweetser in Jefferson Market Court Saturday morning [Oct. 11, 1919] and testified in the case of 8 Russians, held first for treason and then for disorderly conduct, to the wanton cruelty of mounted and foot policemen. He charged members of the Bomb Squad, including [Detective] Sergeant James J. Gegan, its head, with being particularly active in their work of frenzied, wanton brutality.

Tolman, who came from Washington to testify in behalf of the Russians, in his affidavit filed with Recht, which with others presented to Mayor Hylan, declares:

### **Well Dressed Escaped.**

1. The crowd was unusually orderly.
2. Mounted police rode into the crowd, using

nightsticks unmercifully.

3. Sergeant Gegan, head of the Bomb Squad, used a long club upon members of the crowd with no provocation.

4. Innocent women were beaten up.

5. Police offered violence to anybody not well dressed.

Tolman, who is a graduate of the Massachusetts Institute of Technology, a Ph.D., former professor of physical chemistry in the University of Illinois, and former Major in the chemical warfare service, makes the following declaration:

I happened to be taking lunch in a tea room on the South side of Washington Square when the crowd first began to assemble, about 1 o'clock, and saw everything that happened until the crowd had been completely dispersed by the police, about 2 and a half hours later.

I estimated that there were about 2,000 to 2,500 persons in the crowd. They assembled very quietly and without disorder, carrying a number of banners with inscriptions such as "Hands Off Russia," "Mothers, Raise the Blockade and Save the Starving Children," etc.

The crowd seemed to me unusually orderly and very patient, apparently waiting for the parade to start. There were a number of women among the crowd and one or two with children. There were also a number of discharged soldiers in uniform with the group.

There were no policemen present at first. Later a few policemen and plainclothesmen and a man who was Sergeant Gegan, I was later told, appeared. The officers first spoke quite amicably with the people in the crowd, apparently jollyng them along in order to delay the parade.

Later, when more policemen on foot had arrived, they began to jostle the still-patient crowd, and drew their billies. Soon after this the paraders started up Fifth Avenue in a disorganized fashion. They were stopped at one or two cross-streets, but merely filtered around the few policemen present. Finally the head of the column reached the corner of Fifth Avenue and 9th Street. By this time I was on the steps of the Brevoort Hotel and could see everything that happened.

Suddenly about 12 or 15 mounted police rode down from Washington Square into the head of the column, beating the crowd on the head unmercifully with their nightsticks. I saw them drive one woman, who, as far as I know, had nothing to do with the parade, up against the iron picket fence. I saw the mounted police beating her over the head. The crowd tried to disperse, but the foot policemen and mounted policemen were so placed as to make this extremely difficult. The plainclothesmen and foot policemen stationed themselves on the sidewalk and the horsemen drove the crowd into them.

The foot policemen beat people in the crowd over the head and, in particular, Sergeant Gegan took a long staff from one of the banners carried by the paraders and beat the men up unmercifully. I saw one woman fall on the sidewalk, either in hysterics or in apparent faint. It was told afterwards that this was the result of seeing her husband beaten up.

After a half an hour or more after the crowd had been completely dispersed, the police, both mounted, foot, and plainclothesmen, patrolled the district, offering violence to any person who was not well dressed, whether they were known to be connected with paraders or not. In particular the most brutal instance I saw was when a small man was chased down Fifth Avenue, the police beating him.

He escaped into Washington Mews, which is an alley which runs through Fifth Avenue to University Place. The policemen at each end of this alley, foot and mounted at one end, two mounted policemen at the other. A horse mounted policeman chased the man down the alley and when he held up his hands in sign of surrender this mounted policeman forced him to run out at the other end, where he was again unmercifully beaten.

I wish to record once more my general impression that the crowd was unusually patient, well ordered, and quiet, and the only disturbance created was started by the policemen themselves. I saw no case of retaliation by members of the crowd upon the police, for in every case they were running away as rapidly as possible. I also fell like saying in contradiction to a statement appearing in the newspapers that there was no assistance given to the police, as far as I could see, by any civilians or bystanders. With one possible exception, I saw no man who was not a policeman or a plainclothesman beating any members of the crowd.

*Edited by Tim Davenport.*

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