

Notes for
C. Milner

C A N A D A

PROVINCE OF QUEBEC

SUPERIOR COURT.

DISTRICT OF MONTREAL

NO: 3000 (ex-parte)

PRESIDING: Hon.Mr.Justice François Caron.

REUBEN LEVESQUE, et Al (ex-parte),

PETITIONERS.

APPEARANCES:

Mr.Pacifique Plante.
Mr.Jean Drapeau.

Mr.H.J.Erdrich.
Mr.Myer Gross.
Mr.John G.Ahern, QC.
Mr.Ubald Boisvert.
Mr.Edouard Masson, QC.

HEARINGS OF: March 13th, 1951.

DEPOSITIONS OF: Mr.Alton Gittleson and Mr.Louis Klitzner.

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J. M. HART
OFFICIAL STENOGRAPHER
Room 19, New Court House
MONTREAL

Archives de

Mr. Alton Gittleson.

On this Thirteenth day of March, in the Year of Our Lord, One Thousand Nine Hundred and Fifty-One, personally came and appeared at the Superior Court, Montreal, Quebec:

Mr. Alton Gittleson

of the City and District of Montreal, and there residing at No. 4557 Sherbrooke Street West, age 52, employed in the Wholesale Woollens business, who, having been duly sworn, depose and saith, as follows:

EXAMINED BY MR. PACIFIQUE PLANTE:

Attorney for the Petitioners.

BY THE WITNESS (To the Court)

Your Honour, I refuse to answer any questions that may incriminate me.

BY THE COURT: (To the Witness)

I order you to answer, and you will be given all possible protection according to Law. The protection, naturally, does not include protection against Burglary.

BY MR. PLANTE:

Q. Have you ever operated a Bookie establishment in the City of Montreal?

A. Yes.

Q. At what address?

A. 905 St. Catherine Street West.

Q. For how long?

A. Twelve (12) years.

Mr. Alton Gittleson.

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Q. That is from....?

A. Approximately 1938.

BY THE COURT:

Q. Were you the Owner or Manager?

A. Owner.

Q. For the twelve (12) years?

A. Yes.

Q. Until when?

A. 1947.

BY MR. PLANTE:

Q. Did you operate at 905 St. Catherine Street West continuously?

A. Yes.

Q. Until what time? The year 1947?

A. The end of 1946.

Q. Where were these premises at 905? The Ground Floor?

A. No. Two (2) floors over the street-level.

Q. You had the middle-floor and the top-floor?

A. Yes.

Q. Did you employ the whole of it as a Book-Making establishment?

A. Pretty nearly all the time.

Q. Did you have other tenants?

A. No outsiders.

Q. Were you known to your customers, and to

Mr. Alton Gittleson.

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everybody as Alton Gittleson?

A. Yes.

Q. Did you ever use any aliases?

A. No.

Q. Did you carry on your business as any other business....as openly?

A. Yes.

Q. Nothing hidden about it?

A. Correct.

Q. Open to all comers?

A. Yes.

Q. Did you know that it was against the Criminal Code of Canada?

A. I did.

Q. And you did not hide, try to hide it?

A. No.

Q. Did the Police visit your premises regularly?

A. Yes, sir.

Q. They made Raids?

A. Yes.

Q. Montreal Police, not Provincial Police?

A. Yes.

Q. They would alternate?

A. I know that they were there.

Q. You do not make any distinction?

A. Yes.

Q. They came and went out, and made cases, and

did not stop your business at any time?

A. No.

BY THE COURT:

Q. Your business was really not stopped for any serious period?

A. Two (2) times but, generally speaking, it went on O.K.

BY MR. PLANTE:

Q. When it did stop, if it did, for what reason did the Police ever stop you before 1946?

A. I think so.

Q. What did they do to stop you?

A. They Raided.

Q. But what kind of Raids did they make to stop you?

A. They came too often.

Q. If they came too often, what would you do?

A. Have to go easy.

Q. But, according to Exhibit E-16, the Municipal Police in 1941 obtained seven (7) convictions against you. Did you consider that too much?

A. That might have been one of the "easy" years.

Q. Did they ever make a case against you personally?

A. Not that I know of.

Q. As a boss, you were immune against that?

A. I would not say that. If there was a Raid,

I would be taken in as an inmate.

Q. Everyone knew you were the boss?

A. I would not say that. Maybe the customers did. I do not know about the Police.

Q. All the customers knew it?

A. Yes.

Q. Could there be any mistake about that...that you were the boss?

A. There could be.

Q. Who?

A. Customers.

Q. No one would try to find out?

A. I do not think so.

Q. It would not take much to find out.

A. If a customer was interested, I suppose he would not care one way or the other.

Q. Anyone who wanted to find out could have found out?

A. Yes.

BY THE COURT:

Q. Did you say that you were never arrested as Keeper?

A. I do not think so.

Q. You were never taken down to the Police Station where you had to plead Guilty, or not Guilty, to a charge of having kept a Betting-place?

A. I think I was, but what time I do not know.

Q. But, if you were, it was not often?

A. That is right.

BY MR. PLANTE:

Q. Between 1941 and 1946, did you ever use any other name than your name?

A. As an inmate, I did.

Q. As a Keeper?

A. I do not think so.

Q. When you refer to your close-up on account of Police pressure, that was before 1941. Is that correct?

A. It might be. It might be between 1941 and 1946. What was it in 1942?

Q. Municipal Police, seven (7) times.

A. And in 1943?

Q. Three (3) times. Things were getting soft.

A. In 1944?

Q. Six (6) times.

A. And in 1945?

Q. Five (5) times. Was that all right? Not too hard?

A. (No answer.)

BY THE COURT: (To Mr. Plante)

Q. Would that be all the Raids made against any part of this place?

A. Yes, Your Lordship, Municipal Raids.

BY THE WITNESS:

Q. Have you all the dates?

Mr. Alton Gittleson.

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A. Yes.

Q. Does that cover certain year or certain month?

A. In 1941 - "Found-In" 25th of January; next one, 7th of March; next one, 18th of April; then 29th of May; then 14th of August. No Raids in June or July. These are good months for Racing - June and July?

Q. We did have competition even when the tracks were open.

BY MR. PLANTÉ: (To Witness)

Q. Were you occupying a whole floor or several apartments?

A. Several apartments.

Q. Was there one main Betting Room?

A. Yes.

Q. Was the main Betting Room ever padlocked?

A. Yes.

Q. And the other rooms would be open for customers?

A. Other rooms were padlocked, too.

Q. Was it ever padlocked at one time?

A. The whole complete floor was padlocked.

BY THE COURT:

Q. Were the two (2) floors at any time padlocked?

A. Together?

Q. Yes?

Mr. Alton Gittleson.

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A. No, sir.

Q. If one (1) floor was padlocked, the other one was open?

A. That is right.

BY MR. PLANTE:

Q. Was there not a padlock against the main door in 1946?

A. I do not think there was.

Q. According to records here, there was a padlock order, No. 13, for 1946.

A. There were two (2) addresses on that building - 905 and 905a, and a main door which led to both.

Q. But you were the tenant of both?

A. Yes.

Q. 905 and 905a had entrances?

A. Yes.

Q. And these were your premises?

A. Yes.

Q. According to records here, the Officers had made a case against 905 St. Catherine Street West; another case against 905a. They then give number of apartment as: 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 14, 15, 22 and 40. These do not correspond, in reality?

A. No. These numbers had been changed.

Q. Did you know, following these two (2)

convictions that a padlock was coming?

A. Yes.

Q. What did you do then?

A. I changed the numbers, and put on different numbers.

Q. And the Police accepted that?

A. They did not know about it possibly.

Q. Was it possible for the Police to be that sloppy?

A. I do not know whether they were sloppy. Sometimes when they came in we were working in one room, and sometimes another room.

Q. When padlock came, did a Captain or an Inspector come there?

A. Yes.

Q. In great ceremony to padlock?

A. Not when betting was going on.

Q. They were accustomed to someone to show them where to put the padlock?

A. Yes.

BY THE COURT:

Q. Who would change these numbers?

A. Sometimes I did. Sometimes the Janitor.

Q. It was not the Police that were changing them?

A. No.

Q. When did you decide to change the number

Mr. Alton Gittleson.

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of one room?

A. Maybe 1 day after, maybe 2 or 3 days.

Q. After a Raid?

A. Yes.

Q. Would you generally wait for two (2) Raids made against the same room before you would change the number?

A. No.

Q. After a Raid, you would change the number?

A. Yes.

Q. And did you always change the numbers of the rooms after every Raid?

A. Mostly always.

Q. Either yourself or one of your employees?

A. Yes, mostly always.

BY MR. PLANTE:

Q. Did anyone tell you to do that?

A. No. It was general knowledge amongst Book-Makers.

Q. It was known?

A. Yes.

BY THE COURT:

Q. Book-Makers were rather friendly together?

A. In things of that kind, the word used to get out - someone either meeting someone, or something like that.

BY MR. PLANTE:

Q. Was it not customary for many to meet at Child's Restaurant and talk "shop" together?

A. I was never there.

Q. You are aware of that?

A. No.

Q. At any rate, it was customary for Bookies to change numbers?

A. Yes.

Q. It was no secret?

A. No.

BY THE COURT:

Q. To the best of your knowledge, according to what you knew of all the system or systems used by Book-Makers, approximately the same thing was being done to all of them?

A. I think so.

Q. And the Police, to your knowledge, I suppose were visiting every one of these Book-Makers quite regularly? Very few Book-Makers were not visited by the Police?

A. That is right.

Q. Do you know, approximately, how many active Book-Makers were in Montreal?

A. I could not tell you.

Q. Would there be about 40 or 50 important places?

Mr. Alton Gittleson.

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A. I imagine there were 40 to 50 Book-Makers.

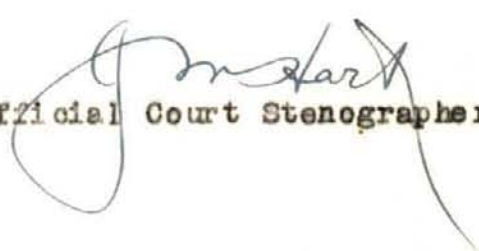
NOTE:

At this point, the Court is adjourned until
Wednesday, March 14th, 1951, at 2:30 P.M.

AND FURTHER DEPONENT SAITH NOT.

I, J.M.Hart, the undersigned duly sworn Official Court Stenographer, for the District of Montreal, do hereby certify that the foregoing pages, numbered consecutively from one to thirteen, are and contain a true and faithful transcript of the testimony of the above-named witness, Mr. Alton Gittleson, as taken by me by means of stenography, the whole in manner and form and as by law required,

And I have signed,


Official Court Stenographer.

C A N A D A

PROVINCE OF QUEBEC

SUPERIOR COURT.

DISTRICT OF MONTREAL

NO: 3000 (ex-parte)

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PRESIDING: Hon.Mr.Justice François Caron.

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REUBEN LEVESQUE, et Al (ex-parte),

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APPEARANCES:

Mr.Pacifique Plante,
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Attorneys for the Petitioners.

Mr.John G.Ahern, QC.,
Mr.Ubald Boisvert,
Mr.Edouard Masson, QC.,
Attorneys for the Defense.

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HEARING OF: March 13th, 1951.

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DEPOSITION OF: Mr.Louis Klitzner.

o o

Mr. Louis Klitzner.

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On this Thirteenth day of March, in the Year of Our Lord, One Thousand Nine Hundred and Fifty-One, personally came and appeared at the Superior Court, Montreal, Quebec:

Mr. Louis Klitzner

of the City and District of Montreal, and there residing at No. 4971 Grosvenor Avenue, age 51, unemployed, who, having been duly sworn, deposeth and saith, as follows:

EXAMINED BY MR. PACIFIQUE PIANTE:
Attorney for the Petitioners.

- Q. What were your responsibilities as Manager of the Bookmaking establishment at H. Felman at 262 St. Catherine Street West?
- A. Looked after the business.
- Q. And what kind of responsibility?
- A. Looked after employees.
- Q. Did you pay the employees?
- A. Yes.
- Q. Were you in charge when there were Fines made on the premises?
- A. Yes.
- Q. Did you put up the Bail-money?
- A. Yes, I did.
- Q. You put up the Bail-money?

- A. Yes.
- Q. For the Keeper and for the "Found-Ins?"
- A. Yes.
- Q. That was the general way of all Bookies at the time towards their clients, to put up Bail-money?
- A. Not always. Sometimes we were taken downtown and Bail-money was put up there.
- Q. Between 1941 and 1946, were you ever taken down? Were "Found-Ins" ever taken down?
- A. I do not think so.
- Q. You are referring to earlier date?
- A. Yes.
- Q. But between 1941 and 1946?
- A. Yes, we were Bailed out on the premises.
- Q. Including the Keeper?
- A. No. I think the Keeper went down. They took the Keeper. I am not certain. I think the Keeper was taken down, but the others were Bailed out on the premises.
- Q. You had authority from Mr. Felman to put up Bail-money out of the cash that was available?
- A. Yes. I had the cash in my pocket.
- BY THE COURT:
- Q. How much would it take, on an average?
- A. Sometimes 20 people; sometimes 50; sometimes 22.

Mr. Louis Klitzner.

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Q. When it was 50 people, how much did you have to pay out in cash?

A. \$500.00 to \$600.00 and \$700.00. I do not mean that it was \$25.00 per man.

Q. According to the number of people, between \$500.00 and \$700.00?

A. Yes.

BY MR. PACIFIQUE PLANTE:

Q. Did the Police give you a receipt for the Bail-money?

A. No.

Q. You just handed out the money that way?

A. Yes.

Q. No receipt?

A. No.

Q. Were you always there when there was a Raid?

A. Nearly always.

Q. Was there a time when you were not there in between 1941 and 1946?

A. Yes.

Q. Who would take over things?

A. One of the employees. I would leave him the money and he would Bail them out.

Q. Anyone of the employees?

A. No, just one.

Q. Which one?

A. George Collins.

BY THE COURT:

Q. Would that be exceptional, if it would be George Collins?

A. Sometimes it was Barney Schulkin.

Q. Was it exceptional that it was not you who looked after the Bailing-out of the inmates?

A. When I was going away, I would hand over the money.

Q. As a rule, were you there?

A. Pretty nearly always.

Q. Was it often the same Officer who was in charge of these Raids?

A. They would change.

Q. Do you know some of them, the Officers in charge?

A. Personally?

Q. By sight?

A. To see him, yes.

Q. Do you know their names?

A. I knew Lt. Parker to see him, by name. I knew Lt. Lemay.

BY MR. PACIFIQUE PLANTE:

Q. Do you know Paul Clair?

A. No, I do not.

Q. Do you know St. Jean?

A. No.

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Q. Is it not a fact that between 1941 and 1946, Clair, Lemay, and St. Jean, were always on the Raiding Squad, either one or the other?

A. Possibly. I knew Lemay, but I did not know the others.

BY THE COURT:

Q. Did you know by sight the Officers in charge of the Raid?

A. By sight, yes, but by names, no.

Q. By sight you knew them?

A. Yes.

BY MR. PACIFIQUE PLANTE:

Q. How would they proceed? Were you warned at any time that a Raid was coming?

A. I was never warned. The Police would just walk in.

Q. You were never warned?

A. No. I was never warned.

Q. You were never warned, either by employees or by anybody?

A. I was never warned by anybody.

Q. Do you know if cases were made against you?

A. No, I did not. I did not know who the informers were.

Q. Did you think there were informers?

A. I think you should ask the Police that

Mr. Louis Klitzner.

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question. I did not know what the procedure was with the Police.

Q. You knew your clients quite well?

A. Plenty of them coming in, and I knew them.

Q. Coming in off the street?

A. Yes, if they were Horse-Bettors.

Q. Your place was so well known that they would go in?

A. Yes.

Q. There were no signs outside?

A. No.

Q. It was known as a "Bookie"?

A. Yes.

Q. As Manager, did you pay for service?

A. Yes.

Q. How much was it?

A. The price varied from \$40.00 to \$60.00 per week, according to tracks. If one (1) Track going, we paid \$40.00. If there were two (2) or three (3), we paid \$50.00. If five (5) or six (6) Tracks going, we paid \$60.00.

Q. Did you pay for the services yourself?

A. Yes.

Q. How did you go about that?

A. Well, Mr. Pearson used to come in on Friday or Saturday, and they would come in and I enquired what it was for the service, and I paid him.

Mr. Louis Klitzner.

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Q. And when it was Cadieux, did he go there?

A. No, he never did.

Q. Who came for him?

A. He had a man, some Frenchman.

Q. Was that not Arthur Frenchy?

A. No, a man called Rivard.

Q. Ed Rivard?

A. I do not know his first name. He used to work for H. Cadieux. Most of the times I paid Mr. Pearson.

BY THE COURT:

Q. Was Pearson working for Cadieux?

A. Evidently, as I paid him.

Q. Before he took charge of the service, was he with Cadieux on the service?

A. He was with him but I do not know whether he was a partner or collector, but I paid him.

BY MR. PLANTE:

Q. How did you pay him?

A. In cash.

BY THE COURT:

Q. Any receipts for that, ever?

A. No, sir.

BY MR. PLANTE:

Q. Did you buy Sheets?

A. Yes.

Mr. Louis Klitzner.

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Q. From the same organization?

A. Yes.

Q. How were they delivered? Were they delivered daily?

A. Yes, but I do not know whether it was direct to 286 or if they were left at the corner news-stand. They may have been delivered to 286, too. I am not certain, because I was not there in the morning when they were delivered.

BY THE COURT:

Q. They were delivered in the morning?

A. Yes.

Q. As you came in, they were there?

A. Yes, that is right.

Q. How much were you paying for that?

A. Small sets were 50¢ per set, and big sets were \$10.00 to \$12.00 per week.

Q. How much would the small sets be per week?

A. \$1.50 per day, or \$9.00 per week.

Q. Sometimes more, when there would be many Tracks running?

A. No, they would charge the same for the Sheets if there were one (1) Track or five (5) Tracks. I may be a little out, 50¢ or 75¢. It is a few years back.

BY MR. PLANTE:

Q. Did that amount which was paid to the

service include only the service?

A. I bought the service and it was a good service, and I paid him.

Q. That included only the Racing information? Nothing else?

A. That was all.

Q. During the Raids you saw, they would seize a telephone or an earphone. What else would they seize?

A. The sets of sheets and slips that were lying there.

Q. The Daily Service?

A. Yes.

Q. The service of the day?

A. Yes, always service.

Q. Did they seize all the service of the day?

A. Pretty nearly all of them.

Q. Did they seize any money?

A. If there was any lying around on the counter, but we never left any lying around. I kept it in my pockets.

Q. Were you ever searched?

A. No.

Q. Were the premises ever searched for money?

A. No.

Q. Did they make any search of any kind to find bookkeeping or bills, or any information, which

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might lead to a charge?

A. The evidence on daily slips or service or sheets was the evidence they took. That is all they took to my knowledge.

Q. Had you not quite a cargo, a very large quantity of betting slips on the 3rd floor? Big bundles of it?

A. Bets? Yes.

Q. Several tons, or something like that?

A. I do not know the weight of it, but I bought a lot of it.

Q. In small bags?

A. Yes.

Q. That was left on the 3rd floor?

A. Yes.

Q. That was your Stock Room?

A. No. Some downstairs in the Basement, and some upstairs.

Q. But in large quantity?

A. Yes.

BY THE COURT:

Q. These were receipts before 1946?

A. No.

BY MR. PLANTE:

Q. I am showing you a package, Exhibit P-108. On left side I see a huge pile or bundle. Would that be it?

Mr. Louis Klitzner.

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A. Yes, these are all pads.

Q. Thousands and thousands of them in all.
A pile would there not be? It is about 6 feet high.

A. This here package (indicating) contains
250 pads.

BY THE COURT:

Q. Did you have a till, or cash-drawer,
or something like that?

A. No.

Q. A safe?

A. No.

Q. No safe at all?

A. No.

Q. All the money that came in, or which was
paid out, was going into your pocket or coming from it?

A. That is right.

BY MR. PLANTE:

Q. And following a Raid, did the Felman
store or place supply the "Found-Ins" as well as
clients with attorneys who would represent them in Court?

A. I did.

Q. And the house paid for that?

A. Yes.

Q. That was included in the service?

A. Yes.

Q. The service that you were giving the
clients?

A. Yes.

Q. To your knowledge, was that the general procedure for other Bookies in town?

A. I cannot speak for other Book-Makers. I can only speak for myself.

BY THE COURT:

Q. You knew it was the same thing?

A. I could not say.

Q. You talked "shop" to other Bookies?

A. Yes, but we did not give out our or their business.

Q. Tell me how this Bailing business was going on with the Officers.

A. They took the names of the "Found-Ins" and the Police Lieutenant would say whatever the Bail was. He would say "That would be \$10.00." Sometimes they were \$15.00 or \$20.00.

If he said that was \$10.00, I would count them, and if there were 50, I would give \$500.00 to him, and if the Keeper was bailed out on the premises, I would give money for the Keeper.

Q. You would give \$500.00 at times?

A. I do not remember what the total was at the time.

Q. Where were you doing that?

A. On the counter.

Q. In the presence of everyone?

A. No. The inmates were told to go out, and I was behind or by the counter, and I paid the Officer the money.

Q. In the presence of all the other Officers while they were there? You did not go into a private place to do so?

A. No. I just paid him on the counter, counted out the money and gave it to him, and he wrapped it up in what I imagine was a Warrant, and that was that.

Q. Did you ever deal with two (2) persons when you were giving the money to the man in charge?

A. Always someone there. Four (4) or five (5) of them around there. Never alone.

Q. The money for Bail for the inmates was paid for them for about 5 years and they never saw what took place? At that particular moment when the Manager was giving Bail-money to the Officer-in-Charge?

A. Well, Your Honour, I mistook that question of yours. I thought you asked me if there were other Officers around. The answer is, yes there were. Never less than four (4).

Q. Right there at the very spot where you were giving the money to Officers?

A. I was giving the Bail-money there and there might be one (1) Officer standing on each side.

BY MR. PLANTE:

Q. Would the Officers ask the "Found-Ins" to

identify themselves with some papers or something, or would they take any name?

A. They took the names that the inmates gave them.

Q. Any name they gave them?

A. Whatever name they gave them.

BY THE COURT:

Q. Did you have to give your own name as a "Found-In?"

A. Yes.

Q. Did you give your right name?

A. No, a fictitious name.

Q. During the whole period from 1941 to 1946?

A. I did not like my name to be publicized.

Q. During the whole period from 1941 to 1946 you state that you always gave a fictitious name?

A. Yes, unless that was during the time that we had our Registration Cards, and we all had to show them. If I was able to avoid it, I did.

Q. You were known to these Police Officers?

A. Yes.

Q. And they would take any name you gave them?

A. I do not think they knew my name.

Q. If they did not know it after having dealt with you for about 20 years, they were astonishingly stupid for Police Officers who are supposed to discover things. They are supposed to be intelligent.

A. (No answer.)

BY MR. PLANTE:

Q. 286. The whole building belonged to Mr. H. Feldman? Is that correct?

A. Yes.

Q. Was there a Barber downstairs?

A. Yes, sir.

Q. Did he work as a Barber?

A. Yes.

Q. He had a shop? Just one (1) man?

A. Two (2) men there.

Q. Working as Barbers?

A. One (1) man owned the shop and the other one (1) was an employee.

Q. Who was the owner?

A. Mr. Hicks.

Q. Would you look at this photograph and say if you know this man?

A. Yes. I do not know him.

Q. What was the name of Hicks?

A. Frank Hicks.

Q. And it is not this man?

A. He was an older man, about 75 years old.

Q. And there was only one entrance leading downstairs to the Barber Shop and Phone Room, and leading also to 1st, 2nd, and 3rd floor. Is that correct?

A. A long hallway. A door here (indicating)

Mr. Louis Klitzner.

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leading upstairs.

Q. One (1) door on the street at 286?

A. Yes, on the street.

Q. And, according to you, Raids were made only on the 2nd and 3rd Floor, never elsewhere until 1946?

A. That is right.

Q. How do you account for it that the Police Officers made cases against 286 - Apts. 1, 2, 3, 4, 5 and 6? Were there different tenants at 286?

A. Only the walls were sub-divided.

Q. Only one (1) tenant - Harry Felman, Bookie?

A. Yes.

Q. Can you explain the different numbers? The Civic Number is 286. Is that correct?

A. Yes.

Q. And the Police made cases against 286, Apartments 1, 2, 3, 4, 5, and 6. How do you account for, or can you account for, different Civic Numbers?

A. We had four (4) rooms. The 3rd Floor and the 2nd Floor were divided in two (2).

Q. That was one (1) big room on each side on one (1) floor?

A. We worked on this side and the other room was vacant. We had divisions 1, 2, 3, and 4.

Q. I show you one (1) big room with board and all the trimmings.

A. That is the one. The partition was taken down

after I closed up.

Q. That was the main Betting Room?

A. We had four (4) Betting Rooms.

Q. Is that the main one?

A. Yes.

Q. You said that no other room on the premises was outfitted like this one?

A. That is right.

BY THE COURT:

Q. You had one (1) main room for the purpose of Betting?

A. Yes.

Q. This was the room shown to you this morning in one of the Exhibits?

A. Yes.

Q. And the other rooms were not quite that way?

A. No.

Q. The other rooms were not equipped like that?

A. They were equipped but not as elaborately as that one.

Q. That was your main place of business?

A. Yes, that is right.

BY MR. PLANTE:

Q. Following cases and convictions, there were padlocks orders issued against the premises?

A. That is right.

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Q. Were you there, or were you informed, when an Ordinance came to padlock the premises at 286?

A. At one time they used to come up with a dossier, notifying us that the place would be padlocked "tomorrow at 12:00 o'clock." After a while they did not notify us. They just came up and padlocked the place.

Q. That was in the latter part, in 1941, 1942, 1943, 1944, 1945. You were notified before?

A. Yes, and they stopped.

Q. But at the end it was only closing time that you were not notified. Is that correct?

A. I do not remember if it was 1941 or 1945.

Q. Were you present usually when padlocking took place?

A. Pretty nearly always.

BY THE COURT:

Q. Did you see them come to your establishment?

A. Yes. That is how I knew they came to put on padlock.

Q. Did you know they were instructed through Dumoulin and Laviolette?

A. I knew that they were high-ranking Officers. I did not know their rank.

Q. In charge of the District in which you were? Did you know that?

A. Yes.

BY MR. PLANTE:

Q. According to this record, they went five (5) times in 1941; five (5) times in 1942; four (4) times in 1943; four (4) times in 1944, the same Officers, Dumoulin and Laviolette. You must have known them by-heart?

A. It is possible.

Q. Would they come themselves? Would they affix the padlocks themselves?

A. They came with, I think, two (2) others with them. There was a Policeman.

Q. In uniform?

A. Not a man in civilian clothes.

Q. All Police in uniform when they came, the Inspector and Captain?

A. Yes.

Q. And three (3) of them would affix the padlock?

A. Yes.

Q. Was there a man in civilian clothes?

A. Yes.

Q. Four (4) men?

A. No, three (3). The high-ranking Officer, a Policeman, and a man in civilian clothes.

BY THE COURT:

Q. As a rule, there were three (3)?

A. Yes.

Q. Not four (4)?

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A. Maybe four (4). There may have been a chauffeur.

Q. One (1) high-ranking Officer, or two (2)?

A. One (1).

Q. With a Constable, or somebody of a lower rank, and a man in civilian clothes?

A. Yes.

Q. After the padlock, would there be an Officer from the Police Department to check?

A. Yes. A Constable used to come in.

Q. Was he in uniform?

A. Yes, he was.

Q. And would you see that Officer when he came?

A. When someone saw him come upstairs, they would tell me, and I would go out and see him. I did not see him every day he came, but I did see him when someone told me that a Policeman was there.

I would go out and see and it was a Police Officer inspecting the padlock. Later, stickers were put on the door.

Q. Would you direct them or him to the place where the padlock was?

A. He came nearly every day and he knew where it was. He would look to see if they were molested, then leave.

Q. Would he look around to see if the place was going on with its ordinary business?

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A. I do not know.

Q. He looked at the padlock and nowhere else?

A. I do not know what he did. He looked at the padlock and walked out.

BY THE COURT:

Q. He was minding his own business.

A. That was his business.

Q. Was he going around anywhere in the establishment?

A. No. Just looked at the door and walked out.

Q. And when someone would receive him, if you were there, that someone would be you?

A. Yes, that is right.

Q. You never concealed your position of Manager of that place?

A. No.

BY MR. PLANTE:

Q. In a way of putting it, the padlock never interfered with your business?

A. No. We were working in another room.

BY THE COURT:

Q. Did they padlock the main room very often?

A. On a few occasions they padlocked the hall.

Q. The main room was padlocked?

A. Yes, it was padlocked.

Q. Often?

A. I used to try to outwit them. I used to

change the numbers around.

Q. And you would outwit them that way?

A. Padlocking called for Room 5. They could not put it on Room 4.

Q. So, if they made a Raid on your main room, right after, I suppose, you would change the number of that main room?

A. No, I would not, but if I was raided there twice, I would.

Q. But if you were raided twice there at the same number, it would be padlocked?

A. Before they would put the padlock, I would change the number. After the Raid was made, after the second Raid was made, I would change the number. If it was No. 3 I would put No. 4.

Q. You would put "No. 3" on another room?

A. Yes.

Q. And when they came to place a padlock there for the case made against the main room, they would go and place it where "No. 3" was?

A. That is right.

Q. And they always fell for that?

A. That is what they did.

Q. I understand you clearly there. If they had made two (2) Raids in a short period of time against your main room, or the one which was well-equipped,

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where this room was bearing "No.3", then before the padlock order would come, you would change the number of that main room, and put another number there, and put "No.3" number on the door of another room?

A. That is right.

Q. So that the padlock for two (2), or following two (2) cases made against your main room, such padlock would be affixed to another room?

A. Yes, that is right.

Q. And in that way you avoided having your main room padlocked quite often?

A. That is right.

Q. Do you know if the plainclothes-man who was coming with the high-ranking Officer to padlock the place, do you know if that plainclothes-man was a man from the Morality Squad?

A. I think he was.

Q. Do you know if this man happened to be the one who had made the Raids, after which the padlock order was issued?

A. No, it was not a Lieutenant or Sergeant. It was a Constable that came.

Q. And was it that Constable who would show the high-ranking Officer where to place the padlock?

A. Not exactly show him, but he was there. They went to the number on the door.

Q. How long did it take before you discovered

that system?

A. Not very long.

Q. When did you start it?

A. It did not take very long. I knew that if I had two (2) Raids, I would get a padlock.

Q. Was that a rule ever since you started in that business?

A. It was not a rule, but I used to do it.

Q. When you started the Book-Making business as a Ticket-Writer, was the same thing done?

A. That part I cannot say, because I do not know. When I was a Ticket-Writer, I did not do anything with that.

Q. Was this done at that time?

A. Perhaps it was.

Q. Did you discover that system yourself? Were you told by someone else to proceed that way to avoid padlocking of the main room?

A. No one told me., but I knew that Room No.1 had been raided twice, and I knew that we were going to get a padlock. To avoid the padlock, I would change numbers.

Q. You do not remember when you started to do that?

A. No.

Q. Did you always do that, ever since you were Manager?

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A. Yes, always did that.

Q. Do you know if this was the rule followed by all of the Book-Makers?

A. I can only speak for 286. I do not know what the others did. I never asked them, and I never wanted them to ask me.

Q. Would it be surprising if I was under the impression, from all the evidence I heard, that it was exactly the same thing that was done everywhere there was a Book-Maker?

A. I am not surprised.

Q. You would not be surprised to see that an identical stunt would be pulled all over the city without any one talking about it. Unless you have an instinct like a Bee has. They do the same thing all over the world.

Men generally proceed otherwise in their actions. They learn. And they generally learn from someone. If they do not learn from someone, they do not always act in exactly the same way.

A. (No answer.)

BY MR. PLANTE:

Q. If you had employees whose duties would have been to make Raids to enforce the Law on your premises, and they would have been so easily fooled by this changing of numbers, would you have kept them? Would you have kept such stupid employees, or would

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you say that they were stupid?

A. Please clarify your question.

Q. If you had employees to enforce the Law and closing your place, and they would be fooled by the changing of numbers, would you keep them? Would you keep such employees?

A. I do not understand.

BY THE COURT:

Q. If a Ticket-Writer did not know the difference between a \$2.00 bill and a \$20.00 bill, would you have kept him?

A. No.

Q. These men who were fooled as easily as that, I have given you an example.

A. (No answer.)

BY MR.PLANTE:

Q. Did you think it was possible for the Police Department to close your place?

A. They could do anything they wanted to do.

BY THE COURT:

Q. If they wanted to close you up, they could have closed you?

A. Yes.

Q. And they never did?

A. Yes.

Q. What did you do towards the Police Force to obtain such a favour - that where they could have

closed you if they wanted to, they never did, and they always knew that your activities were operating daily and continuously?

A. They raided me and I paid Fines.

Q. But they never closed you?

A. No.

Q. You know very well what was the aim of the padlock?

A. To close the door or room.

Q. To suppress gambling institutions.

A. I am not very well versed in the Law.

Q. Your business carried on in spite of padlocks, except either a Raid or a Fine.

A. We always paid our Fines.

Q. That was not sufficient to close you. Could you give me a sound explanation that I could accept to show me why a certain Police Detachment charged with closing a trade, of closing your institution, and others similar, would not do it, and would just make fake Raids and apply fake padlocks on your place. Why would they do that?

A. I do not know.

Q. Would you, yourself, do something illegal just for the pleasure of doing it?

A. No, I would not do anything illegal.

Q. Would you, yourself, protect something criminal just for the joke of doing it?

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- A. No, I would not.
- Q. Why were you in your criminal business?
You were there to make money?
- A. Yes.
- Q. Why was Feldman in that business?
- A. I do not know.
- Q. To make money?
- A. Evidently.
- Q. Or just to help the good people of Montreal?
- A. Evidently to make money.
- Q. Whoever was in that business was there to
make money?
- A. Yes.
- Q. Whoever was helping that business, was he
doing it to make money too?
- A. I do not know who was helping it.
- Q. The Service? Or Services?
- A. They got paid for their services.
- Q. To make money?
- A. Yes.
- Q. When you come to some conclusion on this,
who were protecting your business?
- A. I do not know if there was protection.
- Q. Could you have kept on with your business
without protection?
- A. We kept on without protection. We were
raided.

A. Fake raids. You have stated that if the Police wanted to close you, they could have done it easily?

A. Yes.

Q. It was the duty of the Police to close you. The Police never closed you until 1946. If you allow a criminal to carry on when you have the power of stopping him....if you allow him to commit a crime, do you help him?

A. No.

Q. You do not help him?

A. I do not understand.

Q. If you allow a person to commit a crime to your knowledge, when you have the power of stopping him from committing this crime, do you help him?

A. No, I certainly would not.

Q. You would not help him?

A. No.

Q. But when you have the power of stopping a crime....you know that the crime is being committed in your presence....you have physical, moral, and legal power to stop it, and you do nothing to stop it, do you not then help the crime?

A. (No answer.)

Q. I will give you a supposition. Suppose a man has a son 10 years of age who is playing with a gun, shooting at people on the street, and that father

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allows his son to keep on shooting all day long,
is he not a criminal more than the son?

A. More or less.

Q. You have a very awkward sense of
responsibility. Anyway, your testimony is to this
effect - that the Police could have stopped you if
they wanted to?

A. Yes.

Q. They never did. You were in business to
make money. Everyone in that business was there to
make money?

A. That is right.

Q. And the Police never stopped you. When
I say Police, I never refer to any other Squad but
the Morality Squad during the time concerned.

What was the amount of your Book-business?

A. Daily?

Q. Yes. I know it varied, but approximately?

A. Approximately \$1,000.00 to \$1,100.00 per
day. That was business, not profit.

Q. Would it be, sometimes, \$4,000.00 to
\$5,000.00 in a day?

A. Never as much as that.

Q. \$3,000.00 in one day?

A. No. On an average, about \$1,500.00.

Q. How much were you giving Feldman yearly?

A. \$7,000.00, \$8,000.00, \$9,000.00 per year.

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- Q. Could it have been \$10,000.00 or \$15,000.00?
- A. No, not \$15,000.00.
- Q. That would be \$10,000.00, all expenses paid?
- A. Yes.
- Q. You were paying all expenses?
- A. Yes, that is right.
- Q. Naturally, I suppose you are conservative in your answer, and you would pay all the expenses?
- A. Yes.
- Q. Would you pay some Rent to Feldman?
- A. Yes, I paid rent.
- Q. How much?
- A. \$125.00 per month.
- Q. That is besides the \$9,000.00 or \$10,000.00 you were giving him per year?
- A. Yes, that is right.
- Q. And how much were you paying in salaries?
- A. An average of about \$35.00 per week.
- Q. To each of your employees?
- A. Yes.
- Q. Do you not think such salaries were very low considering the amount of business done there, and the nature of the business?
- A. Well, I was not the boss. I was just the Manager.
- Q. The salaries were about the same in 1943, 1944, 1945?

A. Yes.

BY MR. PLANTE:

Q. No bonuses to the employees?

A. No bonuses.

Q. You had bonuses?

A. Yes.

Q. The others did not have them?

A. No.

BY THE COURT:

Q. You were getting \$1,800.00 per year?

A. Yes, sir.

Q. Your bonus would be higher than your salary sometimes?

A. Sometimes.

Q. What is your business now?

A. Unemployed.

Q. For how long have you been unemployed?

A. 1948.

Q. How do you live?

A. I live off a little money that I saved.

Q. You have no other income?

A. No, sir.

Q. Do you own your house?

A. No, sir.

Q. Where are you living?

A. Grosvenor Avenue.

Q. How much rent do you pay?

- A. \$119.00 per month.
- Q. You have been paying approximately the same Rent since you lost your job?
- A. No. The Rents have varied, because there were increases.
- Q. But three (3) years ago. How much were you paying?
- A. \$85.00 per month.
- Q. Since when did you pay \$119.00?
- A. Since the last increase.
- Q. When was it?
- A. About six (6) months, or one (1) year ago.
- Q. Before that, how much were you paying?
- A. \$97.50, I think.
- Q. And before that, it was \$85.00?
- A. Yes.
- Q. Do you have a family?
- A. Yes, sir.
- Q. How many?
- A. One (1) boy, and one (1) girl.
- Q. And is your wife living?
- A. Yes.
- Q. You have a maid?
- A. No.
- Q. Have you a car?
- A. Yes, sir.
- Q. What make?
- A. Ford.

- Q. What year?
- A. 1950.
- Q. You have only one (1) car?
- A. Yes, that is all.
- Q. Do you own Immovable Properties? Real Estate?
- A. No, I do not. I have no Estate.
- Q. House?
- A. No.
- Q. Office Building?
- A. No, nothing at all.
- Q. Do you have any Shares in any business?
- A. No, sir.
- Q. Any Bonds? Victory Bonds or other kind?
- A. No, sir.
- Q. Any Shares in any Company?
- A. I have 5,000 Shares of Mining Stock at 5¢ per Share.
- Q. Is that the only Stock you own?
- A. I have 2,000 Shares of another Stock that is also in the lower-penny brackets.
- Q. Nothing else?
- A. No, sir.
- Q. How much have you in the Bank?
- A. Very little.
- Q. How much?
- A. \$112.00, about.

- Q. Any other Assets?
- A. No, sir.
- Q. You have about \$100.00 in the Bank?
- A. Yes, that is all.
- Q. No hidden money?
- A. No.
- Q. Anywhere?
- A. No.
- Q. How are you going to pay your Rent two (2) months from now?
- A. That is the problem.
- Q. You do not feel nervous at all?
- A. I am very nervous.
- Q. Does your wife own any Real Estate?
- A. No, sir.
- Q. Are there any Bonds of any kind in her name?
- A. No, sir.
- Q. Any Stock?
- A. No, sir.
- Q. Any Shares?
- A. No, sir.
- Q. Yourself and your wife own nothing?
- A. If you put it all together, if she has more than \$2,000.00, she has been holding out on me, but she has not. I know that.
- Q. When did you buy your car?
- A. In 1950.

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- Q. Where did you buy it?
- A. Genereux Motors.
- Q. When?
- A. I think it was March.
- Q. Last year?
- A. Yes.
- Q. How much did you have to pay in cash?
- A. \$1,400.00.
- Q. How much money did you have then in the Bank?
- A. I did not pay the car cash. I bought it through the Finance Company.
- Q. You did not have enough money to pay for the car in cash?
- A. Not quite.
- Q. And that was when you had no job.
- A. I am looking for one now.
- Q. You have not been looking very hard for the last three (3) years. You bought a car?
- A. Yes.
- Q. Is Feldman contributing to your living expenses?
- A. No.
- Q. Anyone else?
- A. No.
- Q. Why did you say that you were coming to your last penny, that you have only \$100.00 in the

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Bank now, and this is the only money you own? You said that a few moments ago.

A. I was eating it up, all I had.

Q. How much did you eat per month?

A. Not more than anyone else.

Q. How much, I asked you?

A. It should be about \$45.00 to \$50.00 per week.

Q. Is all your money in the Bank? Is all your money in the Bank for the last year?

A. No.

Q. Where is it?

A. In my Box.

Q. Where?

A. Dominion Bank, Bleury & St. Catherine Sts.

Q. Not in a Bank Account at the Bank?

A. Yes.

Q. You mean that you do not have a Bank Account?

A. Yes.

Q. And you would keep your money in a Box?

A. That is right.

Q. And you would keep on living the same as you have for the last few years, even the last few months?

A. No. I cut down pretty slim.

Q. And in your Box you say that you have only \$100.00?

A. Nothing in the Box, but I have \$100.00 in my account.

- Q. You pay for that Deposit Box for nothing at all?
- A. When I get the next bill for it, I will not pay for it.
- Q. What do you use your car for?
- A. Nothing in particular.
- Q. To travel with it?
- A. Yes, pleasure.
- Q. Do you know if 286 St. Catherine Street West is still vacant?
- A. To my knowledge, the last time I visited there, there was a sign there "To Let."
- Q. Do you know if it has been vacant for a few years?
- A. Yes.
- Q. You will establish that what you used as a gambling place is still vacant?
- A. To my knowledge, it is.
- Q. You were asked by your boss to visit it quite often? You were asked?
- A. Yes.
- Q. Whenever you went to visit it at your boss's request, it was vacant?
- A. Yes.
- Q. You are still hoping to re-open?
- A. He was trying to rent it.
- Q. Not hard, the same as you are trying to

get a job, but not hard.

You are performing a miracle, living out of nothing.

A. (No answer.)

BY MR. PLANTE:

Q. In 1949, you say that you tried for a couple of weeks to resume your Book-Making activities at 286?

A. Yes.

Q. Did you belong to Feldman then?

A. I asked him if he would let me have the place, would he rent it to me, and he said: "Go ahead and try it."

Q. What happened?

A. I was not getting any business, so I closed up.

Q. You were not getting any business?

A. No.

Q. Why?

A. I could not get any clients.

Q. No more bettors in town?

A. I do not know, but they did not come in to 286.

Q. Was that the only reason why you did not continue?

A. That is right. No money.

Q. Were there not up to 75 people on Saturdays

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in 1949?

A. No, sir.

Q. You swear to that?

A. Yes, sir.

BY THE COURT:

Q. Any Raids there during the time that you were opened?

A. No.

Q. How long were you there?

A. Two (2) weeks.

BY MR.PLANTE:

Q. Do you know Leo Audet?

A. Yes, I know him.

Q. Do you know that, with the assistance of J.Nish, he was supplying the Bookies with racing information?

A. No.

Q. Maybe now? Yes? Up to 30th of May, 1950?

A. I do not know what he does, Leo Audet.

I know that he was a Book-Maker. That is all

BY THE COURT:

Q. During those two (2) weeks, who was supplying the necessary information? Who gave you the Service?

A. I think it was J.Nish. I am not sure.

Q. The last time you had a job. You must remember.

A. I think, J.Nish.

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Q. Tell the truth.

A. I think it is.

Q. Do you think, or do you know? There is a big difference between thinking and knowing.

A. It was him.

Q. Was it as good a Service as the one you got from Cadieux during the good-days?

A. No, it was not.

BY MR. PLANTE:

Q. What was the difference?

A. It did not come in as fast.

BY THE COURT:

Q. So it is very essential that the Service be good to run a good Book-Making place?

A. Yes, that is right.

Q. And if the Service disappeared, there are none left in business?

A. Yes.

BY MR. PLANTE:

Q. Does it continue to make the gamblers and customers jittery if a Service is raided and put out of business?

A. What?

Q. Does it make Bookies nervous when a Service is interrupted?

A. It did not make me nervous.

BY THE COURT:

Q. You are not nervous at all, even about

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how you are going to live in one (1) month from now?

A. (No answer.)

BY MR. PLANTE:

Q. Did you ever work at 1231 St. Catherine Street West?

A. No, sir.

Q. Or at 1231 St. Catherine Street East?

A. No.

Q. You never did?

A. No.

Q. You always worked for?

A. 286 St. Catherine Street.

Q. You were never convicted at 1231 St. Catherine Street, East or West?

A. No.

Q. You swear to that?

A. Yes, I swear to that.

Q. At any time?

A. At any time.

Q. Do you know if the main door of 286 St. Catherine Street West was padlocked by the Police in 1946?

A. It may have been. I do not think so. I do not remember if it was.

BY THE COURT:

Q. Do you remember the time that everything was seized? All the telephones, all your material?

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- A. Yes. That was in 1946.
- Q. Do you remember that time?
- A. Yes.
- Q. This happened only once in your life?
- A. Yes.
- Q. Did it happen only once from your experience that everything was seized?
- A. Yes.
- Q. Blackboards, telephones, and everything?
- A. Yes.
- Q. That is the time we were talking about.
- A. (No answer.)

BY MR. PLANTE:

- Q. At that time, are you aware that some Petition was made to the Recorder's Court to allow or remove the padlock on the main door, so as to allow this party, Frach, to carry on his business?
- A. I do not know.
- Q. Did Mr. Feldman deal with his attorney, or someone else?
- A. He evidently did because I was not aware of it.
- Q. Who rented to Frach?
- A. Not me.
- Q. Did you not find that curious? You were always the Manager for Feldman.
- A. That was after we were closed.

- Q. In 1946 or 1947?
- A. Yes.
- Q. And you are not aware that the padlock was taken off?
- A. I do not remember that at all.
- Q. How do you know it is Frach? Who told you about it?
- A. I saw him sign up.
- Q. Did you visit the premises?
- A. Yes. Feldman sent me to look at the place, and I saw his sign on the door.
- Q. Was there any Book-Making done then?
- A. No.
- Q. You are positive of that?
- A. To my knowledge, there was not.
- Q. Is it not a fact that, after a while, there was a report from the Police to put Frach out of there and padlock it again?
- A. I had nothing to do with that.
- Q. It was Mr. Feldman?
- A. It must have been.
- Q. Are you aware that, in 1948, everything which was seized by the Police there, everything that was swept or taken away was given back to Mr. Feldman? Were you aware of that?
- A. Yes, I am aware of that.

BY MR.PLANTE: (To the Court)

Your Lordship, I refer to E-16, an entry on 25th of November, 1947. A Raid was made, no Keeper was arrested, but there was a seizure, and an entry signed by Recorder Paquette.

BY MR.PLANTE: (To the Witness)

Q. You are aware that all the stock was returned, that everything which was seized in 1947 on that Raid was returned to Mr.Feldman?

A. Yes.

Q. You are aware of that?

A. Yes.

BY THE COURT:

Q. Through what legal means you do not know?

A. Court Order, I imagine.

Q. You know that these things went back?

A. Yes.

BY MR.PLANTE:

Q. Did you ever discuss the possibility of legalizing Book-Making with some Aldermen or Police Officers?

A. I never did.

BY THE COURT:

Q. There would not be enough money on that?

A. I never did.

BY MR.PLANTE:

Q. When you opened up for these two (2) weeks,

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as you say, who put up the money?

A. I put it up myself.

Q. You got telephones in there?

A. Yes.

Q. How many telephones?

A. Two (2).

BY THE COURT:

Q. No Telephone Room?

A. No.

BY MR. PLANTE:

Q. Did you lose any money on that venture of two (2) weeks?

A. I did not lose any, or make any.

Q. Just broke even?

A. Yes.

Q. How much were you paying Nish for the Service?

A. I think it was \$40.00.

Q. Per week?

A. I think so.

Q. Was there a Restaurant operated at 286?

A. During the two (2) weeks?

Q. No. During the time before.

A. Yes.

Q. Did it have a License from the City of Montreal?

A. Yes.

Q. To whose name was the Permit issued? To

Shulkin?

A. No.

Q. To you?

A. No.

Q. To someone else?

A. Yes.

Q. Who had nothing to do with the place?

A. Yes.

Q. Was he there on commission?

A. No. I gave him the place free. No rent.

Q. What lead you to make a try in 1949 when you opened for two (2) weeks there?

A. I was not doing anything.

Q. That was all?

A. Yes.

Q. No "O.K." coming from anyone?

A. I just tried to make a living.

Q. Did you not enquire as to which way the "wind was blowing" before?

A. I got Service and I opened up.

Q. So, does it mean that when the Service is open and operating, it is O.K. to risk opening?

A. No. It means that if I can get Service, I can try to get business.

Q. Would anyone venture in operating a Service if there would be no Bookie clients?

A. I would not know that.

BY THE COURT:

Q. You say that you decided to open in 1949 because you could get the Service?

A. I knew there was Service, and I opened up to see if I could make some money.

Q. From 1947 to 1949, was there a Service?

A. I do not know. I was not open then.

Q. Was there a Service?

A. There might have been some outside Service.

Q. But local Service?

A. To my knowledge, no.

Q. You were in business and you were still interested, because you tried to go back. Now you are waiting. To your knowledge, maybe 1 year or 2 years before 1949, before you opened, was there any regular Service?

A. To my knowledge, no.

Q. And in 1949 you learned you could get the Service, so you opened?

A. Yes, that is right.

Q. Do you know who was in charge of the Service?

A. No, Your Honour.

Q. Who was running it?

A. I do not know.

Q. You were dealing only with Nish?

A. Yes.

Q. You do not know the "big man" behind Nish?

A. No.

Q. When did Feldman become interested in "Tick-Tock?" ("Tic-Toc.")

A. Early 40's.

Q. Before that, was his only business Book-Making?

A. Well, Your Honour, I did not know of any other of his business but Book-Making. I knew about the "Tick-Tock" because I went to see him. He never told me about his other business.

Q. Before that, did you say that - to your knowledge - you did not know of any other business in which Feldman was interested?

A. No, sir, I did not know.

Q. He might have had something else, but you did not know about it?

A. He might have had.

Q. For your telephone business, you had to keep letter records?

A. Yes, we kept collections and papers.

Q. Were these books ever seized by the Police?

A. I do not think so.

Q. Were they audited by anyone?

A. No.

Q. Feldman just checked your books?

A. That is right.

Q. Did you have a man going around to

collect the Bets, or to pay the Winnings?

A. Yes. Mr. Keller did that.

Q. Was he alone?

A. Yes.

Q. Did Keller do anything else? He was Fined also?

A. Yes.

Q. And for all that work, he had to work mornings and afternoons?

A. Yes.

Q. For all that work he was only paid \$35.00 per week?

A. He got \$50.00.

BY MR. PLANTE:

Q. When you say that the average business was \$1,200.00 to \$1,500.00 per day, are you talking about business upstairs only, or business over the telephone?

A. I did not include business over the phone.

Q. Who was in charge of the business over the telephone?

A. Keller.

Q. He reported to you?

A. Yes.

Q. What was given over the phone?

A. We knew good tabulations, actions.

Q. You call the actions business?

A. Yes. Win or lose in tabulation on amount

of business.

Q. But the figure you gave was not including Bets taken over the phone?

A. No.

Q. Have you figures for the business over the phone?

A. If they phoned the office once, say \$68.00, it would be put on action and put all together. If phone business in morning, Keller would bring me sheets and tabulations would show win of \$100.00. Man would be there and cash this as a win. So that is included in the \$1,000.00 to \$10,000.00 per year.

Q. That is the whole business of the house?

A. Yes.

BY THE COURT:

Q. That was profit paid to Feldman, \$10,000.00?

A. Yes.

BY MR. PLANTE:

Q. You said that you knew about Moe Dettner?

A. Yes.

Q. Do you know what was his share, if any, in "Tic-Toc", and what was it?

A. I do not know.

Q. Do you know if Cleaver operated the Esquire Cafe?

A. I knew that he did. Today, I do not know.

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Q. Do you know if Mr.Feldman had an interest in Book-Making at 1444 Mansfield?

A. No, I do not know.

Q. Do you know J.Weaver?

A. I know of him.

Q. Was he associated with H.Feldman?

A. No, sir.

Q. Do you know P.Dumour, "Baby" Dumour?

A. No, sir.

Q. Do you know Frank Petrollo?

A. No.

Q. F.Ellis?

A. No.

Q. Arthur Frenchy?

A. Yes, I knew him.

Q. Who did he work for?

A. I do not know.

Q. Did he not work for H.Davis?

A. I do not know.

Q. Was he a customer?

A. No.

Q. How did you know him?

A. Just knew him, introduced to him.

BY ATTORNEY FOR DEFENSE:

Q. On November 25th, 1947, do you know who was in charge of the Morality Squad when a Raid was made at 286?

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A. Mr. Plante.

Q. When were you aware of the Raid that took place at 286 St. Catherine Street West, on the 25th of November, 1947?

A. The next day.

Q. Did you go to the place to see?

A. Yes.

Q. What did you find?

A. I found the walls.

Q. Just the walls?

A. Yes.

Q. You saw that a seizure had taken place?

A. They took everything.

Q. And do you know if this seizure was dismissed by Recorder Paquette?

A. Yes.

Q. How was it that no Charge was put against anybody during that Raid?

A. I would not know.

Q. As a matter of fact, H. Feldman was not Charged?

A. No one was Charged.

Q. No Charge against anyone?

A. No.

Q. How long had the place been closed when this Raid took place?

A. It was seventeen (17) months.

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Q. Do you know it personally?

A. We were closed in 1946, and what are the figures when Raid was made?

Q. At the end of 1947, November 25th, 1947.

A. That would be about seventeen (17) months.

Q. Do you think it is ridiculous to make a Raid on a closed place?

A. Well, I have nothing to say. The place was closed and it was raided. That is all I know.

Q. Do you think it ridiculous to make a Raid and have no Charge to put against anyone?

A. It seems that way to me.

BY MR. PLANTE:

Q. Are you aware that when the effects were given back to Feldman on 20th of September, 1946, that I had already been away from the Police Force for some months? Are you aware of that?

A. Yes.

Q. That I had not been with the Police Force when you were given back your stuff, and had not been for several months?

A. That is right.

Q. Do you know that the case was only built up against the owner?

A. I did not know.

BY ATTORNEY FOR DEFENSE:

If seizure took place on November 25th, 1947, and we know that Mr. Plante left the Police Force on March 11th, 1948, this indicates that nothing was done in this interval to proceed with that case.

BY THE COURT:

The Witness is not competent to answer. It is a conclusion that you read in the document that has been filed.

BY ATTORNEY FOR DEFENSE:

Q. When the goods were returned, were they in the same condition as they were when they were seized?

A. No.

Q. Were they damaged?

A. All broken up.

Q. But, before the seizure, they were not all broken up?

A. No.

BY THE COURT:

Q. Were they broken up when they were seized, do you know?

A. I assume they were, because they were ripped off the walls and the counters were broken.

BY MR. PLANTE:

Q. Do you know how many telephones were seized there?

A. About fifteen (15).

Q. How many live phones still operating on

the premises?

A. Now?

Q. At that time?

A. I think there were two (2). I am not sure.

Q. Were there not two (2) downstairs and in the basement, and were there not three (3) live phones at least upstairs?

A. They were extensions. We had extensions on every line, or every room.

Q. Did you talk about the Raid and the Case being made against one H. Ship?

A. Daily.

Q. Following that Raid at H. Ship's, were you not given instructions to take away from 286 all documents which might be incriminating?

A. We were not given instructions.

Q. Did you do it yourself?

A. Nothing there to incriminate anyone.

Q. You did not take anything out of 286?

A. No.

BY ATTORNEY FOR DEFENSE:

Q. Did you pay for the telephone bill while that place was operating?

A. Yes.

Q. How was that amount paid for telephones? Did you pay by the Week or by the Month?

A. By the Month.

Q. What did that amount to, on an average?

A. I do not remember right now. You have got me off-balance. We had quite a few of them. Some were cancelled. Two (2) left.

BY THE COURT:

Q. While you were in operation full-blast?

A. About \$60.00 per month.

Q. For the whole set-up?

A. Maybe more. Perhaps \$70.00.

Q. Between \$60.00 and \$80.00?

A. Yes, something like that.

BY ATTORNEY FOR DEFENSE:

Q. How many Lines did you have?

A. At one time, about ten (10).

Q. Around 1945?

A. Yes.

Q. When it was very hard to get telephones, you had that many?

A. We had these phones for a number of years.

Q. Would you be able to operate without Telephone Service?

A. No.

Q. Did you have Direct-Line or another Service?

A. Yes, at one time we did.

Q. Who would install that Special Line?

A. C.P.R.

Q. It would take an Engineer to install a line like that?

A. It was a direct hook-up.

BY THE COURT:

Q. You had a Special Line to the Service?

A. Yes.

Q. Telegraph Wire?

A. C.P.R. Wire.

Q. Did you receive conversation or signals?

A. Conversation.

Q. It was a regular telephone?

A. You could only hear one way. You heard what they said, but you could not talk back.

Q. This had nothing to do with the Bell Telephone?

A. No.

Q. And was this Line only between your Book and the Service?

A. That is right.

Q. And anyone walking into your place would immediately see that it was a Book?

A. That is right.

Q. Anyone with the slightest knowledge about Races or Betting?

A. Yes.

BY ATTORNEY FOR DEFENSE:

Q. Even the C.P.R.?

A. Yes.

Q. Was the C.P.R. ^{guyal} President one of your customers?

A. We divulge no names.

Mr.Louis Klitzner.

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BY THE COURT:

Q. Do you say that you would not divulge the name of one customer, or that you do not recall the name of one single customer?

A. I do not recall that. I did not know their names.

Q. Not one of them?

A. No.

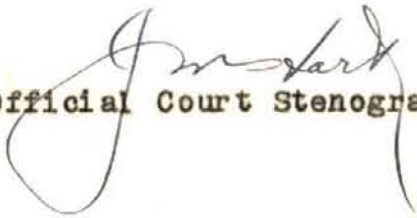
BY THE COURT:

Just one answer like this is possible to make your testimony useless. I could give you a certificate, but not having told the truth whenever it suited you.....Get Out!

AND FURTHER DEPONENT SAITH NOT.

I, J.M.Hart, the undersigned duly sworn Official Court Stenographer, for the District of Montreal, do hereby certify that the foregoing pages, numbered consecutively from one to sixty, are and contain a true and faithful transcript of the testimony of the above-named witness, Mr.Louis Klitzner, as taken by me by means of stenography, the whole in manner and form and as by law required,

And I have signed,


Official Court Stenographer.

1951-42
Enquête Caron

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