

March 1, 1937

Mr. Robert Wohlforth, Secretary  
Subcommittee of the Committee on Education and Labor  
Room 247-C Senate Office Building  
Washington, D.C.

Dear Mr. Wohlforth:

The enclosed affidavit was dictated to Mrs. Hansen of our office on February 26, 1937, by Mr. Foote, who came into the office after work.

Mr. Foote seems to be relieved to be rid of his connection with the Burns Agency, and still has his job as elevator operator in the American Can Company, which will undoubtedly be jeopardized if publicity is given to this affidavit.

Mr. Foote is a World War veteran and is suffering from pernicious anemia. He told us he took this job under dire necessity, so unless some good purpose can be served by giving publicity to this affidavit, I am suggesting that it not be used.

Sincerely yours,

Maurice W. Howard

MWH/H

A F F I D A V I T   O F

E L M E R   F O O T E

STATE OF WASHINGTON )  
                          )  
COUNTY OF KING        )

SS:

Elmer Foote, being first duly sworn on oath, deposes and says that some two years ago, he does not recall the exact date, he went to the Burns Agency in the Vance Building, Seattle, and filled out an application blank, applying for a job. He had heard of the Burns Agency through an acquaintance he met while in the Veterans' Hospital in 1933. A few months after he left his application, Mr. Marshall called affiant on the telephone and asked him to come to the Burns Office. Mr. Marshall then told affiant to go down to the American Can Company plant at Elliott and Vine Streets, Seattle, and see the Superintendent, who would give him a job. Mr. Marshall stated that the Superintendent, Mr. Reberts, would make a full explanation of the duties involved.

Affiant's understanding at the time of his employment was that he was to check on thefts and missing articles at the plant. However, soon after he went there the scope of his work was broadened, and he was asked to report on any union activities or attempts of employees to organize into unions. Some time after he went to work for the American Can Company, the Teamsters Union organized the warehousemen at the plant and he joined this organization. He allowed his dues to lapse, however, and was dropped from active membership after paying three months' dues, for October, November, and December of 1936, and has not attended any meetings of the union since December, 1936.

Affiant states that during 1936 there were two other unions at the plant, one the Machinists Union, and one of the employees who are organized under the Building Service Employees until such time as they can get a Federal union started.

Affiant states that he first made his reports by mailing them every night to Mr. Marshall, manager of the local Burns Agency office, but some time last summer, he does not recall the exact date, he was told by Mr. Marshall to stop making reports to the Burns office and to make them directly to Mr. Green, who was then Superintendent of the American Can Company plant, instead. Affiant's practice, from that time until January 28, 1937, was to make a weekly written report to Mr. Green, commenting on all things relative to thefts in the plant, and to the union, and then, in addition, if anything of special interest came up, he would call Mr. Green in the evening, the call being from his home to Mr. Green's home.

Affiant states that he received \$8.00 per week from the Burns office for his work, in addition to his salary at the plant, where he was an elevator operator. He went to Mr. Marshall's office for his pay, which was given to him in cash, usually by the girl in the office, a Miss Nimsic.

Affiant does not know whether Mr. Green kept the reports which were turned over to him by affiant each week.

Affiant states that he was not given any specific instructions as to how to carry on his operations from Mr. Marshall, but that Mr. Green instructed him as to what type of information he wanted.

On or about January 28, 1937, Mr. Marshall called affiant by telephone and informed him that the service of the Burns Agency was no longer desired by the American Can Company, and had been discontinued. Affiant has made no reports, either oral or written, since that date.

Affiant is still employed by the American Can Company as an elevator operator.

ELMER FOOTE  
Elmer Foote

Subscribed and sworn to before me  
this 28th day of February, 1937.

J.B.L. HICKERSON  
Notary Public in and for the State  
of Washington. Commission expires Mar. 26, 1939.