

STATE OF MISSOURI )

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CITY OF ST. LOUIS )

(COPY)

DAVID B. PORTNOY, of lawful age, being duly sworn, upon his oath states that he is a citizen and resident of the State of Missouri, that he is forty years of age and lives at 6705 Chamberlain Avenue, In University City, St. Louis County, Missouri, adjoining the City of St. Louis, that he is a manager of the Portnoy Garment Company; that the Portnoy Garment Company operates a manufacturing plant which is located at 1113 Washington Avenue in St. Louis, Missouri; that the garments produced by said Company consist of ladies dresses made of silks, imitation silks, such as rayon, cotton and linen; that this type of dress and material of which it is made is classified in the trade as a whole, under the general and accepted code of the industry as silk dressed and the adopted wage scale and hours of work of the silk industry are applicable thereto.

Affiant further states that he is a member of the Associated Garment Industries of Missouri and that the Associated Garment Industries include among its members all the manufacturers of silk dresses as hereinabove defined, in the City of St. Louis, that the Association consists of forty-five manufacturing concerns which employ possibly 2,000 workers, that the type of dresses manufactured by these concerns are dresses that are sold from \$2.25 per dress wholesale up to and including \$10.75 per dress wholesale, and that the Portnoy Garment Company manufacturers dresses that are sold for \$31.75 dress or \$45.00 per dozen wholesale.

Our first collective relations with the union were established in 1933. This first agreement ran for one year and was renewed for an additional year in 1934. In 1935 the contract was again renewed but the term was extended to two years. Upon last Saturday, October 2, 1937, the agreement was again renewed for a period of two years.

Our experience with the Union has been very commendable. We never had a stoppage or lock-out or strike; all disputes have been very satisfactorily settled by conference on both sides. Prior to 1933, when contractual relations were established with the Union, the average working hours in our factory were fifty-three hours a week;

today with thirty-five hours a week we produce as much merchandise as we did then with the same amount of help, which in my opinion was due to the influence of the Union and the way they were instructed to work.

Further affiant saith not.

Subscribed and sworn to before me this day of OCTOBER, 1937.

My commission expires:

Notary Public within and for the City of St. Louis, State of Missouri.

UNITED STATES DISTRICT COURT, WESTERN DIVISION, WESTERN DISTRICT OF MISSOURI.

No. 2924

DONNELLY GARMENT COMPANY, a corporation and DONNELLY GARMENT SALES COMPANY, a corporation,

Plaintiffs,

vs.

INTERNATIONAL LADIES GARMENT WORKERS' UNION, et al,

Defendants.

AFFIDAVIT OF DAVID P. PORTNOY

(COPY)

FRANK P. WALSH

JEROME WALSH

ATTORNEYS FOR DEFENDANTS