

Truth is mighty and *will* prevail

Extract from Former Att'y-Gen. LEWIS' letter:

In re FORSTMANN & HUFFMANN Co. and
JULIUS FORSTMANN

AFTER three weeks of almost continuous study of the records in this case, Mr. Otis now presents a report going thoroughly into the evidence, from which it appears to my satisfaction that, if I had been able to give the time personally to an examination of the complete record, I should *not* have approved of the report, as made by Mr. Becker, in so far as it reflects upon your clients. Indeed, I am satisfied that if it had not been for pressure by the War Trade Board for an immediate report, Mr. Becker

would *not* have made the reflections upon the loyalty and integrity of your clients that appear therein.

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"In view of this I have carefully gone over Mr. Otis' report . . . I am forced to the conclusion that the report as made by Mr. Becker and approved by me contains reflections upon the loyalty and integrity of Mr. Julius Forstmann which are *not* warranted by the evidence. . . . and I think make the reflections cast upon him unfair and unjust."

(SIGNED) MERTON E. LEWIS

The libels against my firm and myself have been repeated so often that I have accepted the advice of our counsel, Mr. Robert H. McCarter of New Jersey, and Mr. Julius Henry Cohen of New York, to publish the following letter, from which the above is a part. I am sure our many good friends will be glad to have this clear statement from former Attorney General Lewis to combat the subtle and powerful influences that have been used against us.

JULIUS FORSTMANN
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October 27, 1919.

In re Forstmann & Hoffman Co. and
JULIUS FORSTMANN

My dear Mr. Cohen:

Some weeks ago you called my attention to a report in the above entitled matter, dated April 3, 1918, made by Mr. Alfred L. Becker, a Deputy Attorney General during my term of office, who had charge of the investigations conducted by my office pursuant to the provisions of the Peace and Safety Act, Chapter 595, Laws of 1917. The report was approved and adopted by me and you have asked me to examine the record and determine whether such approval was justified. As this record is voluminous, I requested Mr. Alexander Otis, also a Deputy Attorney General under my administration, to examine the testimony and documents and prepare a report thereon for me.

After three weeks of almost continuous study of the records in this case, Mr. Otis now presents a report going thoroughly into the evidence, from which it appears to my satisfaction that, if I had been able to give the time personally to an examination of the complete record, I should not have approved of the report, as made by Mr. Becker, in so far as it reflects upon your clients. Indeed, I am satisfied that if it had not been for pressure by the War Trade Board for an immediate report, Mr. Becker would not have made the reflections upon the loyalty and integrity of your clients that appear therein.

I recall distinctly that at one of the hearings at which I was present, I gave to

Mr. Forstmann's representative my assurance that his client would be given full opportunity to answer any matters which he might care to explain. Mr. Forstmann appeared voluntarily and not in response to a subpoena, and without such an appearance my office would have had no jurisdiction to inquire into his loyalty. During his examination he was repeatedly requested not to interpose any explanation, but to answer directly the questions put to him. This was during the examination of March 15th and 16th, 1918, at which I was present. I did not attend the subsequent hearing held March 27th, March 29th and April 2nd. It was not until the last hearing that Mr. Forstmann's defense and explanations were put in. His side of the case covers 175 pages of testimony and includes many documents and letters, the due consideration of which required considerable time. This was April 2nd, and the report is dated April 3rd. On April 6th, as I am advised by Mr. Otis, the minutes of the last hearing were delivered to Mr. Becker by the stenographer. *It appears, therefore, that the report was dictated by Mr. Becker without having before him the minutes of the proceedings in which Mr. Forstmann's defense was interposed and without the advantage of any brief or summary by counsel which might have indicated the value and significance of the evidence introduced in Mr. Forstmann's behalf.*

In view of this I have carefully gone over Mr. Otis' report and have read considerable portions of the evidence presented at the hearings which I did not attend. I am forced to the conclusion that the report as made by Mr. Becker and approved by me contains reflections upon the loyalty and integrity of Mr. Julius Forstmann which are not warranted by the evidence. While there were circumstances tending to create suspicion, Mr. Forstmann's explanations seem to me satisfactory, and I think make the reflections cast upon him unfair and unjust.

Any public officer may make a mistake in war times, when quick action is required, but when it appears that an innocent man has suffered with the guilty, I feel it my duty to say so and express my regret.

I hand you herewith a copy of Mr. Otis' report in this matter, which goes into the details at length and you are at liberty to make such use of it as you may deem proper. I hope that it will have the effect of correcting the injustice that has been done to your clients.

Sincerely yours,

(Signed) MERTON E. LEWIS