

0628

POOR QUALITY  
ORIGINAL

Witnesses:

Charles Nagle  
Off My Michaels

192

Price -

Counsel,

Filed

27

day of

March 1890

Pleads

Not guilty

THE PEOPLE

vs.

15  
R. J. G. L.  
Parker  
126 Cherry

John Moore

Assault in the First Degree, Etc.  
(Sections 217 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

10<sup>15</sup> am

A True Bill.

John R. Fellows  
Part 2 April 8, 1890  
Ind and Council, Foreman  
Recommendation to mercy.  
Catholic Society

0629

Police Court— District.

City and County }  
of New York, } ss.:

of No. 9 Henry Street, aged 19 years,

occupation Press feeder being duly sworn

deposes and says, that on the 13 day of March 1889, at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John Moore

now here who cut and stabbed  
deponent on the left  
thigh with the blade of  
a knife which he then  
held in his hand. Said  
assault was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without any justification on the part of the said assailant

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 14 day  
of March 1889.

Charles Nagel  
Charles Linton Police Justice.



0630

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*John Moore* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *John Moore.*

Question. How old are you?

Answer. *16 years.*

Question. Where were you born?

Answer. *New York.*

Question. Where do you live, and how long have you resided there?

Answer. *126 Cherry St. 9 months.*

Question. What is your business or profession?

Answer. *Baker.*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I am not guilty.*  
*John Moore*

Taken before me this

day of

*May*

188*5*

*Charles A. Smith*

Police Justice.

0631

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

Reynolds  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated March 18 90 Charles W. Smith Police Justice.

I have admitted the above-named.....  
to bail to answer by the undertaking hereto annexed.

Dated.....18.....Police Justice.

There being no sufficient cause to believe the within named.....  
.....guilty of the offence within mentioned. I order he to be discharged.

Dated.....18.....Police Justice.



0632

Police Court---

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles Taylor*  
*John Moore*

1

2

3

4

Dated

1890

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

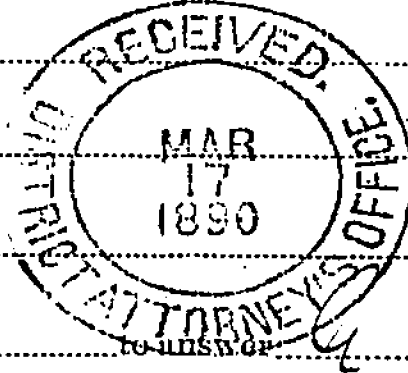
Street.

No.

Street.

\$

500



*Em*

*Am*

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0633

The People etc.

(Chas. Smith)

vs.

John Moore

Indicted: March 26 1890

Convicted: April 8 1890.



0634

COURT OF GENERAL SESSIONS.

----- x  
T H E P E O P L E

-vs-

J O H N M O O R E .

Indictment filed March 27th, 1890.

Indicted for assault in the first  
degree.  
----- x

: Before  
: Hon. Frederick Smyth  
: and a Jury.

Tried April 8th, 1890.

APPEARANCES:

Assistant District Attorney Davis for the People;  
Edmund E. Price, Esq., for the defense.  
-----

Charles Nagle, the complainant, testified that he lived at No. 9 Monroe Street. On March 13th, 1890, at about 11 o'clock in the morning, he met the defendant in Catharine Street. A man on the wagon -- a dog catchers wagon -- which he, the complainant, was driving, took a dog from a boy. The person who took the dog was the official dog catcher. It was at the corner of Monroe and Catharine Streets. The dog was not muzzled, and was running at large

0635

(2)

in the street. The defendant demanded the return of the dog, and commenced to quarrel with the official dog catcher, and threw stones at the wagon. He, the complainant, jumped off the wagon, to avoid being hit with the stones, and a gang of men attacked him, the complainant, led by the defendant. While the fight was going on, the wagon was driven ahead. The defendant was accompanied by five men. They struck the complainant with their fists, and threw stones and coal at him. The defendant cut him, the complainant, in the thigh with a knife. Then the defendant and his friends ran into the house at 15 Monroe Street, and he, the complainant, pursued them, but they escaped, and he, the complainant, then went to the police station, in Madison Street, and made a complaint. A police officer took him, the complainant, to the Gouverneur Hospital, and he had his wound dressed there. He, the complainant, did not give the defendant any provocation for assaulting him. He had nothing to do with the capture of the dog. He was simply driving the dog-catchers' wagon. Before the defendant stabbed him, the complainant, the defendant said that he would get square with him, the complainant.

Under cross examination, the complainant testified that the dog catcher, who caught the dog was named Jack Kehoe, who was appointed by Mr. Flynn, who had the license to catch



0636

(3)

dogs. He, the complainant, was also employed by Mr. Flynn to drive the wagon. He, the complainant, did not assault the defendant, and knock him down on the side walk, before the defendant cut him.

Officer Henry Michaels testified that he belonged to the 7th Precinct. He arrested the defendant on March 13th 1890, at about half past ten o'clock in the evening in Catharine Street, upon the complaint of Charles Nagle, the complainant. The defendant was alone at that time. He, the witness, told the defendant what the charge against him was, and the defendant said that he did the cutting in self defense, and did not stab the complainant very much. The defendant also said, "I only gave him a little dig." The defendant said that the knife with which he cut the complainant was a pen knife, and that he had thrown it away. The defendant also said that the dog-catchers had taken his dog, and he wanted the dog returned. The dog-catchers would not give him back his dog. Then some boys began to throw stones at the wagon, and the complainant came down from his wagon, and he, the defendant, was afraid that he would get hurt, and gave the complainant a little dig with the knife. The defendant did not say that he was struck, knocked down or kicked, before the knife was used. He did say that the complainant tried to catch hold of him, the defendant.

0637

(4)

For the defense, John Moore, the defendant, testified that he was walking down Monroe Street with his dog, and Jack Kehoe jumped off the wagon and caught the dog and put it in the wagon. The boss dog catcher was in the saloon near there, and, when he came out of the saloon, he gave him, the defendant, back his dog, and he, the defendant, put the dog in the house. Soon afterwards he, the defendant and several boys were walking up Catharine Street when the complainant jumped off of the wagon and said, "If you don't stop fooling with that wagon I'll punch you in the eye," and the complainant hit him, the defendant, in the left eye, and he fell to the ground, senseless. While he was on the ground, the complainant was kicking him, the defendant, and he, the defendant, had a small pocket knife that he used in sharpening lead pencils, and he stuck the complainant in the thigh with it.

Under cross examination the defendant testified that he did not intend to strike the complainant with the knife. The complainant kicked against the knife, and stabbed himself. He, the defendant, did not tell Officer Michaels that the complainant kicked or beat him. No one threw any stones at the wagon. He, the defendant had never been arrested but once before, and that was for base ball playing in the street.



0638

(5)

In rebuttal, Officer Michaels testified that, when the defendant was arrested, there was no mark of either a blow or a kick upon the defendant's person.

0639

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*John Moore*

The Grand Jury of the City and County of New York, by this indictment, accuse

*John Moore*  
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

*John Moore*

late of the City of New York, in the County of New York aforesaid, on the  
*thirteenth* day of *March* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Charles Nagel*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *him* the said *Charles Nagel*  
with a certain *knife*

which the said

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent

*him*, the said *Charles Nagel*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

*John Moore*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

*John Moore*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Charles Nagel* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *him* the said  
with a certain *Charles Nagel*  
*knife*

which the said

in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.



0640

BOX:

389

FOLDER:

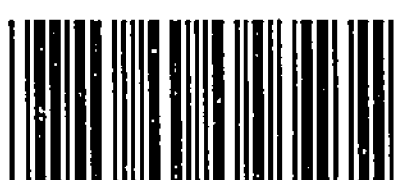
3627

DESCRIPTION:

Moran, Thomas

DATE:

03/26/90



3627

0641

**BOX:**

389

**FOLDER:**

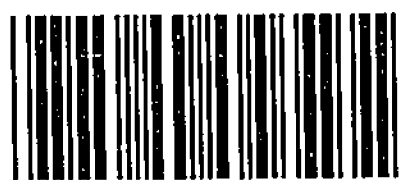
3627

**DESCRIPTION:**

Burke, Thomas

**DATE:**

03/26/90



3627



Witnesses:

Joe Nolan

Off Martin Kapp

185 L. C. 188 a

Counsel,

Filed

26 day of March 1890

Pleads,

City of New York

THE PEOPLE  
vs.  
Thomas Moran  
and  
Thomas Burke  
H. D.

Robbery,  
[Sections 224 and 225, Penal Code].  
degree.

JOHN R. FELLOWS,

District Attorney.

A True Bill.

John R. Fellows

April 2/90 Foreman.

(Book)

Filed

3 m 1 month S.P.  
April 2/90 J.F.

0642

0643

Police Court— District.

CITY AND COUNTY } ss  
OF NEW YORK,

*John Nolan*  
 of No. *190 Park Row* Street, Aged *44* Years  
 Occupation *Mason* being duly sworn, deposes and says, that on the  
*23<sup>rd</sup>* day of *March* 18*90*, at the *6<sup>th</sup>* Ward of the City of New York,  
 in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
 ponent by force and violence, without his consent and against his will, the following property, viz:

*Good and lawful money of  
 the United States of the value of  
 about three dollars*

*of the value of* DOLLARS,  
 the property of *John Nolan*

and that this deponent has a probable cause to suspect, and does suspect, that the said property was  
 feloniously taken, stolen, and carried away, by force and violence as aforesaid by *Thomas*  
*Moran* and *Thomas Burke* (both now  
 here) who were in company with each  
 other and acting in concert for the  
 reasons that deponent was in company  
 with the defendants walking along  
*Park Row* at about the hour of *12*  
*o'clock* *midnight* when suddenly the  
 defendant *Moran* seized hold of deponent by  
 the neck and firmly held deponent  
 and placed his hand into the pocket of  
 the vest then worn on deponent's body  
 and while deponent was being so held  
 the defendant *Burke* aided and assisted

day of

Sworn to before me, this

188

Police Justice.



0644

✓ the said Moran and also held deponent  
and Moran forcibly and against deponent's  
will and consent took said money from  
deponent's person. The money consisted  
of coins of various denomination and  
part of which was scattered upon the  
sidewalk and the defendants each of  
them picked up the coins and went  
away.

Sworn to before me } John Nolan  
this 23<sup>rd</sup> March, 1890 }

John Nolan

Police Justice

Dated 1888 Police Justice.

guilty of the offence mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated 1888 Police Justice.

I have admitted the above named

to bail to answer by the undertaking hereunto annexed.

Dated 1888 Police Justice.

of the City of New York, until he give such bail.

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars and be committed to the Warden and Keeper of the City Prison

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District

THE PEOPLE, &c.,  
on the complaint of

Offence—ROBBERY.

vs.

1.  
2.  
3.  
4.

Dated

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No. Street,

No. Street,

No. Street,

\$ to answer General Sessions.

0645

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Burke* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*,  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer.

*Thomas Burke*

Question. How old are you?

Answer.

*37 years*

Question. Where were you born?

Answer.

*Ireland*

Question. Where do you live, and how long have you resided there?

Answer.

*190 Park Row, 1 day*

Question. What is your business or profession?

Answer.

*Laborer*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*Thomas Burke*

Taken before me this

*23*

day of

*March*

*1897*

at

Police Justice.



0646

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Thomas Burke* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*,  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer.

*Thomas Burke*

Question. How old are you?

Answer.

*37 years*

Question. Where were you born?

Answer.

*Ireland*

Question. Where do you live, and how long have you resided there?

Answer.

*190 Park Row, 1 day*

Question. What is your business or profession?

Answer.

*Laborer*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*Thomas X Burke*  
*mark*

Taken before me this *23*

day of *March* 189*2*

*John J. ...*  
Police Justice.

0647

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas Moran* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer.

*Thomas Moran*

Question. How old are you?

Answer.

*26 years*

Question. Where were you born?

Answer.

*Ireland*

Question. Where do you live, and how long have you resided there?

Answer.

*190 Park Row, 3 days*

Question. What is your business or profession?

Answer.

*Laborer*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I know nothing about it.  
I am not guilty*

x *Thomas Moran*

Taken before me this

*23*

day of *March* 189*8*

*John J. Moran*  
Police Justice.



0648

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

defendants  
guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Five Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until they give such bail.

Dated March 23<sup>d</sup> 1890 [Signature] Police Justice.

I have admitted the above-named.....  
to bail to answer by the undertaking hereto annexed.

Dated.....18.....Police Justice.

There being no sufficient cause to believe the within named.....  
..... guilty of the offence within mentioned. I order h to be discharged.

Dated.....18.....Police Justice.

0649

463  
Police Court---First District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John Nolan*

*Thomas Moran*  
*Thomas Burke*

*Offence*  
*Robbery*

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *March 23<sup>d</sup> 1890*

*Gorman* Magistrate.

*Keogh* Officer.

*4<sup>th</sup>* Precinct.

*Complainant sent*

*to House of Detention*

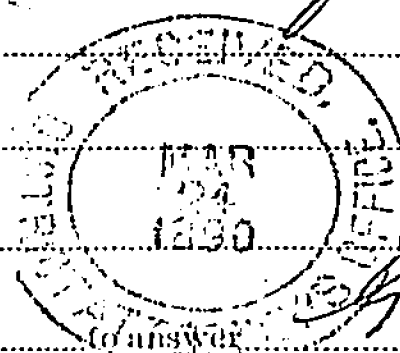
*in default of \$100.*

No. *Bail* Street.

No. .... Street.

*1009* to answer

*Can*





0650

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

*Martin Keogh*  
of No. *4<sup>th</sup> Avenue* Street, aged *36* years,  
occupation *office* being duly sworn deposes and says  
that ~~the~~ day of ~~the~~ 188*8*  
at the City of New York, in the County of New York *John Nolan*

(now here) is a necessary and material witness for the People against Thomas Moran and Thomas Burke charged with Robbery. Said Nolan has no permanent home and deponent fears that the said Nolan will not be found when wanted and asks that said Nolan be sent to the House of Detention in default of bail.  
*Martin Keogh*

Sworn to before me, this *23* day of *March* 188*8*

*John W. McLaughlin*  
Police Justice.

0651

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Thomas Moran  
and Thomas Boudier*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Thomas Moran and Thomas Boudier*

of the CRIME OF ROBBERY in the *first* degree, committed as follows:

The said *Thomas Moran and Thomas Boudier*, both

late of the City of New York, in the County of New York aforesaid, on the *Twenty* day of *March*, in the year of our Lord one thousand eight hundred and *eighty-nine*, in the *day* time of the said day, at the City and County aforesaid, with force and arms, in and upon one *John Nolan*, in the peace of the said People, then and there being, feloniously did make an assault, and

(#3.22)

*one* promissory note for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *two* dollars; *one* promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *two* dollars; *one* United States Gold Certificate, of the denomination and value of *two* dollars; *one* United States Silver Certificate, of the denomination and value of *two* dollars;

*Three* promissory notes for the payment of money, of the kind commonly called United States Treasury Notes, of the denomination and value of *one* dollar each; *three* promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of *one* dollar each; *three* United States Gold Certificates, of the denomination and value of *one* dollar each; *three* United States Silver Certificates, of the denomination and value of *one* dollar each;

and *divers* coins, of a number, kind and denomination to the Grand Jury unknown, of the value of *three* dollars,

of the goods, chattels and personal property of the said *John Nolan*, from the person of the said *John Nolan* against the will, and by violence to the person of the said *John Nolan*,

then and there violently and feloniously did rob, steal, take and carry away, The said

*Thomas Moran and Thomas Boudier*, and each

of them, being then and there aided by

an accomplice actually present, to wit: each

by the other.

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John A. Sullivan,  
District Attorney*



0652

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Morgan, Charles E.

**DATE:**

03/26/90



3627

0653

Witnesses;

*Ricko A. Gable*

Counsel,

Filed *26* day of *March* 18*90*

Pleads *Guilty*

THE PEOPLE

*4th*  
*Jersey City*  
*Prison*

*Charles E. Morge*

Grand Larceny, 1st Degree.  
[Sections 528, 529 — Penal Code]

JOHN R. FELLOWS,  
*District Attorney.*

**A True Bill.**

*John James O'Rourke*

*Part III April 28 Foreman.*

*Has little left 2 1/2 deg 2*

*S. P. 2 yrs 8 mos*

*May 2/90*

*P.B.M.*



0654

(1)  
Richard A. E. Gaebler  
being duly sworn deposes  
and says I am a barber  
my address is to Denver  
Street on the 1<sup>st</sup> of  
November I lost \$1530  
I was walking down  
towards Read Street I  
was approached by a  
man who said How  
do you do? Are you  
Mr Meyer or some other  
such name. I do not re-  
member what name he  
used. I said No you  
are mistaken. I took  
you for an old friend  
I said My name is  
Richard Gaebler  
Excuse me said he I made  
a mistake  
What is your name again  
Richard Gaebler  
I told him I was going  
to look for a situation  
He shook hands and  
bade me good bye.  
I walked further down  
Read to find the place

0655

(2)

I was looking for  
On the next block I met  
a gentleman who was  
leaving against a railing  
He called me. How do you  
do Mr Galtier I looked  
at him approached him  
and said When do you know  
me from.

How you know me Mr  
Galtier from Butte City  
Montana. I answered you  
have the best of me. I don't  
remember seeing you.

My name is Harris I  
am the nephew of the  
President of the 1<sup>st</sup> National  
Bank of Butte City Montana  
The man I am speaking  
of is Mr. This defendant  
He said I don't remember  
your face. I don't doubt  
but you are Mr. Harris  
How long are you  
from Butte City  
He said about 3 months  
My mother died and left  
me about 13000, 14000, & 15000.  
I do not remember the



0656

73

exact amount to start  
a cloth factory in Jersey  
and that he had under  
his employ about 80 or  
100 men. He said I  
wish you would come  
and see me.

I told him I had a  
draft in my pocket for  
fifteen hundred dollars  
signed by his Uncle drawn  
on Clark, Dodge & Co  
on Wall Street.

He said Mr. Geller would  
you like to go with me  
to a real-estate office.

I left my satchel there.  
Would you like to go with  
me, we will take a car.

I have some samples  
from the Cloth factory.

We went to Park Row took  
the car to the corner of  
Grand & Bowery, then  
walked on the right  
side of Grand to the  
corner of Elizabeth Street  
went around the corner  
about four or five doors

0657

4.

crossed the street into the office I think the number is 125 went down two or three steps from the sidewalk entered an office a clerk approached both of us. Mr. Harris said please lend me that satchel which I left here. The clerk gave the satchel to Mr. Harris. We went further into the back part of the office in which was a long table behind a partition. We both sat down to a table on the rear end.

Harris sat near me. The partition prevented me from seeing the street. Harris took our pieces of cloth and showed them to me. I looked at them and said they were nice and whilst we were speaking in came a man short with a black mustache shaggy hair, heavy eyebrows and pretty long hair.



0658

5

He did not take his  
hat off.

He sat down and said  
nothing.

At once he spoke over the  
table looking towards us

He said: Excuse me Gentlemen

Question by  
personally

(I am speaking of the striking  
man) Where is that man? Is he here?

a That is the man (pointing to left)  
Witness I beg your pardon and

depr am I disturbing you

Excuse me could I explain  
you something that happened

to me I am a stranger  
in the City I came from

Missouri I have sold  
cattle to the extent of \$300

I fell into the hands of  
thieves in the City. I have

been robbed of \$150 I would  
like to find somebody who

would take me to a place  
where I could deposit my

money. I will show you  
how I was robbed by

those thieves in New York

He took out four coins  
He showed a card with a

0659

(6)

red spot and said you  
watch that.

He shuffled the cards  
He told me to watch he  
showed them over each  
and said which is the  
one with the red spot? I  
picked it out. He said:  
You struck it right and  
I ~~was~~ done it and that  
is the reason I was robbed.  
Then Davis said. Here  
is my friend Mr. Galt  
he has a draft in his  
pocket signed by my  
uncle the President of  
1st National Bank of Butte  
City Montana.

I said I can take  
you to a good furnishing  
house. Clark Hodge & Co.  
and I took the draft out  
of my pocket at the  
request of Mr. Davis.  
I showed the draft  
to the defendant.

I told him no one  
can get a cent on this  
check except with my



0660

(7)

signature. I told him  
that when I got  
the draft from Butte  
City - Montana that they  
asked me, are you ac-  
quainted in New York  
City. I told them I had  
not been there from the  
last day of June 1872.

The defendant said I  
cannot recommend you  
when I should get the  
draft cashed.

He said Mr. Galt  
can go and cash the  
draft and show you  
that the draft is genuine.  
I said of course.  
The Missionary

(By the Court) who?

A. This defendant

The defendant said I  
will deposit \$150 and if  
you want to deposit some  
thing or will call the  
clerk to get two envelopes.  
The clerk brought two en-  
velopes. The defendant  
took out \$150 - He showed

0661

(8)

considerable money in a satchel which he had opened - He took \$150 from a big roll of bills. Mario took out a \$20 bill.

Mario said How you approve some thing? I took out my bag took a \$50 bill and it was put in the same envelope with Mario's \$20 bill.

The defendants put \$150 in the other. Both envelopes were closed and given back to the Clerk to put in the safe. The defendants said we should be back from the house in about an hour. Mario and I got up and went out and Mario told the defendants not to go out until we came back. Mario said to the Clerk, Don't let that gentleman meaning the defendants go out till we come back. Mario and I left the office and went to Grand



0662

(2)

and the Barrer took across  
to Anne and Para Ross  
Nario went into Jacob's  
Jury place. He came  
out and said, here is a  
card - You must come  
here. When I came back  
I went alone to the banking  
office of Clark & Dodge  
& Company, and drew \$500  
on the said draft.

I went back to meet Jacob  
Nario was standing on  
the same corner.

We went in a car to the  
place where I had left  
the defendants in Elizabeth  
Street. The defendant was  
sitting in the same position  
as he was when he left  
I sat in the same place  
I was before I left to  
go down town. So said  
Nario

Nario said to the defendant  
My friend Mr. Gubler  
has the money - he  
can show it to you.

I had the money rolled up -

0663

10

in bills in my right hand  
pinto pocket. I took it out,  
intended to unfold it, - as  
I was doing so, Davis  
took it in a half rough  
way out of my hand -  
kind of a snatching way  
He unfolded it and  
commenced to count it -  
(Witness explaining) There is  
\$500, There's another 500  
which is 1000 another 100 -  
1100 - Another 100 - 1200 another  
100 - 1300 - ~~Another 50~~ a 50 till  
1350 - Another 50 - 1400, Another  
50 - 1450 Another 50 - 1500.  
He rolled it in his hand  
The defendant had a  
bunch of bills in his  
hand. Davis took that  
out of defendant's hand  
and laid it on top of  
my 1500. At once the  
defendant called out  
"That's my money" Davis  
said he.  
Defendant grabbed at it  
and both ran out with  
my money.



0664

(11)

I forgot to mention that  
when in before I took  
out my money the envelopes  
were brought in and  
opened and the money  
placed on the table

2 Why become of that money  
I don't know.

A  
By the  
Judge

Have you never seen your  
money since

A

No.

I have not seen Davis  
since I saw the defendant  
on Park Row a few days  
after I was robbed but  
he disappeared.

As I was going out I  
was approached by the  
clerk and another man  
in the front part of the  
office. The clerk held  
me by the arm and said  
I will have you arrested  
You have been found guilty.  
I could not pass between  
them they were so close  
together. I went out of  
the place.

0665

112

Could who arrested this defendant  
Ans I went to the other side  
of the Barrony and called  
upon Officer Placey on  
the N. W. corner - ~~at~~ of  
Houston & Barrony  
I said Officer I want  
you to arrest a man -  
he is taking his meal  
in the Grumme - It was  
in February 17

Q How long are you in the County  
A Since June 1869

Q Are you a citizen  
A I am

Q How many times did you  
see the Mission in  
this place.

A Twice

Q Only twice

A Only twice

Q Describe how the man  
was dressed.

A He had a black starch  
hat, a black mustache  
clean shave, he had long  
hair and I think he had  
a dark coat - his whole  
appearance was like that



0666

(13)

- of a countryman
- Q Have you described fully  
his appearance
- A He had a queer walk
- Q Was there anything else  
which he was afraid
- A No sir.
- Q What was the color of  
his mustache.
- A It was a dense black  
looking mustache. There  
might have been a few  
gray hairs.
- Q After the day in question  
did you meet him
- A I think I met him in  
Parrs Row.
- Q How long after words
- A On the morning when  
we had a hearing before  
the judge in the Courts  
when I had George Johnson  
arrested
- Q Did you ever meet him  
again
- A Not to my knowledge
- Q Did anyone tell you about  
it before his arrest
- A Many people

0667

(4)

Q Great many

A Great many

Q Did anybody show him to you.

A I don't think so.

Q Why did you hand over \$50 to be put in an envelope.

A For safe keeping

Q For what purpose?

A So that I should return

Q What was the object in getting that money.

A As a security that I would return with the \$1500

Q Why should you convince him that the \$1500 was good

A To take him to a ford bank where he would not be robbed of the \$1500 which he had.

Q Had you any betting

A None.

Q Is it now true that you bet the old farmer a certain sum of money and to convince him that if you had lost you had money and that was



0668

15

the reason you cashed  
this money

A No -

Q When you caused this  
man to be arrested in  
the Crumrine where were  
you

A I sat opposite him

Q Did you see him go in

A Yes

Q What did you do then

A I stood ~~out~~ <sup>by</sup> side

Q You do go in

A I did

Q How long did you stay

A About 30 or 40 minutes

Q I waited long enough to  
order a cup of coffee  
or drink it and then go off.

I went to the Car off Houston

Street looking for an officer

I went to the D. & C. Car and

called Officer Place

and went into the place

and said I want you

I did not pull out my

revolver. I made an

attempt to pull it out

Q Did you make a threat

0669

16

or the defendants to kill him.

A I did not.

Q Did you go in there expecting to find an officer there.

A I went in there to have a cup of coffee.

Q Why did you not immediately go for the officer instead of going into the Crumie  
A I stood at the door of the next house so that no one in the Crumie could see

As I was standing there an officer passed by me several times but I did not know that officer. He was one from the 10th Precinct. I would rather have an officer from another precinct.

Q Did you complain to the Police about this nothing.

A I did

Q Did you report to Police Headquarters and at Station



0670

(17)

House.

A I did

Q Did you describe the appearance of the men who robbed you.

A I did

Q Was Inspector Byrnes' men

looking for these men

A I presume they were

Q Did you know that the men from Byrnes' office were members of the Police force

A I did

Q This defendant was in the room when an officer passed by.

and though he passed by, you did not speak to the officer

A I was in our back my coffee after the officer passed.

Q Is it not a fact when the officer passed you were not sure that the man was in the room

A I was sure

0671

(18)

Q Knowing that the person  
whom you wanted to have  
arrested was inside in the  
Cremorne you made  
no attempt to have him  
arrested by the first  
officer who passed by  
A No.

Q Were you ever arrested  
A I was

Q What for?

A For shooting at a couple  
of fellows in the back  
when I was buried.

Q Were you ever arrested for  
murder

A In Europe

Q What was the charge?

A I whipped a policeman  
My last arrest took place  
last Saturday night  
I did not say that when  
I was through with the  
Banco men I was going  
to abolish street walking  
I did not make that  
statement as I remember.  
I have a permit to carry  
a revolver. (Permit shown)



0672

(19)

I am now armed  
I made a threat that  
I would shoot the  
defendant if he was  
discharged. I did make  
the threat. I did not  
threaten that I would  
shoot every one con-  
nected with the transaction.  
I carry the revolver  
to protect myself. I carry  
valuables. I have worn  
guns in fellows in the  
past. I was never in  
trouble for shooting  
my pilot. I never  
shot anybody - I have  
to think.

2 When did the transaction  
take place  
a Nov 1<sup>st</sup> 1889 between  
11 and 2 o'clock.

0673

INFORMATION CUT  
OFF AT BOTTOM  
EDGE



0674

Police Court—

3 District.

Affidavit—Larceny.

City and County } ss.  
of New York,

of No.

occupation

deposes and says, that on the

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, in the day time, the following property, viz:

Good and lawful money  
of the United States of  
the amount and value of  
fifteen hundred and fifty  
dollars.

the property of

has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by

Charles Morgan (now here)  
and four others who were acting  
in concert for the reasons follow-  
ing to wit: on the said date  
deponent was enticed by one of  
the said four men to go to a store  
on Elizabeth Street for the purpose  
of ~~showing~~ <sup>being shown</sup> some clock sam-  
ples, whereupon this defendant  
represented himself as being  
a cattle dealer from the West  
and exhibited a quantity of bills  
and told deponent that he wished  
to deposit his money in some bank.  
Deponent told defendant that he

Shore to before me, this

18

Police Justice

TORN PAGE

0675

(deponent) had in Class & Company  
of Springfield for the sum of fifteen  
hundred dollars. Deponent left said  
store with said other man leaving the  
defendants therein and went to the  
furnishing house of Class & Company  
on Wall Street and had said check  
cashed. Deponent returned to said  
store in Elizabeth Street and while  
there exhibited the said money.  
The said other man volunteered to  
count said money. After the money  
was counted the defendants placed  
a quantity of bills on the top of  
deponent's money, which money the  
said other man had in his hands.  
The defendants and said other man  
began to wrangle and both ran  
out of said store with deponent's  
money in their possession. The  
two other men were in said store  
at the time.

Sworn to before me } Richard A. E. Gaehler  
this 17<sup>th</sup> day of February }  
1880

J. M. Patterson  
Police Justice



0676

Sec. 193-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Charles Morgan* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am now fully  
and I demand an examination  
Chas. E. Morgan*

Taken before me this

day of

*Charles E. Morgan*  
Police Justice.

0677

District Attorney's Office,  
City & County of  
New York.

People

*Chicago*

February 21, 1890

Hon. J. M. Patterson  
Essex Street Court

Dear Judge

It will be impos-  
sible for me to be present  
in Court in the  
above matter at 2.30  
O'clock this afternoon,  
and would therefore ask  
that you kindly adjourn  
case to same hour on  
Monday next, and  
very truly,  
yours truly

H. H. Hartman



0678

State of New Jersey }  
 County of Hudson } ss. John F. Waring  
 of full age, being duly sworn ac-  
 cording to law on his oath saith  
 that he is employed as assistant  
 agent ticket agent in the Erie Rail  
 Road depot at Jersey City, said  
 County, that, on the evening of the  
 2<sup>nd</sup> day of February 1890, at the  
 hour of 6 P.M. of that day, this  
 deponent sold to a person, whom  
 he has since ascertained and been  
 informed is one Edward Eaton of  
 New York, a rail road ticket from  
 Jersey City aforesaid, to San Francisco  
 California, for the sum of one  
 hundred and sixteen dollars and  
 seventy five cents. That this de-  
 ponent has been informed that  
 said Eaton then and there purchas-  
 ed said ticket for one Richard Gabler.  
 That this deponent distinctly re-  
 members the fact of the selling  
 of said ticket as aforesaid to said  
 Eaton, from the circumstances of  
 a mistake made by this deponent  
 in the selling of said ticket, in the  
 nature of an undercharge for same  
 being made, That said mistake  
 was then and there rectified by the  
 said Eaton on request to him by

0679

this document.

Sworn and subscribes  
to this 10<sup>th</sup> day of April  
A.D. 1890 before me } John F. Harvey  
A. S. R. Leonard  
a Notary Public of  
New Jersey }



0680

State of New Jersey

Bounty of Hudson } 9 Mary Smythe  
of Jersey City said bounty being  
duly sworn according to law on  
her oath to wit that she is in the  
employ of the Erie Rail Road  
Company, engaged as a telegraph  
operator in the office at the  
Erie Depot Jersey City; that  
on the 27<sup>th</sup> day of February A.D.  
1890 at about 10th hour of P.M.  
of that day, this deponents attention  
was called to or drawn to the occur-  
ence or fact of a large amount of  
money being counted out, and paid  
by one elderly looking stout gen-  
tleman, to one small man, that  
she remembers the amount of  
the money then and there paid  
as being in the amount of fifteen  
hundred and fifty dollars, that  
said money was counted out on  
the shelf or counter of said tele-  
graph office, and paid in her  
presence to said small man, that  
this deponent has since been in-  
formed that the stout elderly  
gentleman aforesaid, whom she  
saw paying to the small man  
the money as aforesaid, was named

0681

Edward Eaton; and that said  
Eaton has since stated to this  
deponent that he is the person  
who paid the money as aforesaid  
and that the person to whom said money was paid was  
Sworn <sup>married Richard</sup> ~~and~~ <sup>Gabeler</sup> subscribed

to this 10th day of April  
A. D. 1890, before me  
Edmund D. Leonard  
Notary Public of New Jersey



0682

State of New Jersey  
County of Hudson } ss

Alfred Walden  
of the City of New York, of full  
age being duly sworn according  
to law upon his oath saith  
That he is acquainted with one  
Richard Gabeler formerly a resident  
of said City of New York, and late  
of Butte Montana, but now  
residing in New York City, and  
that on the 27<sup>th</sup> day of February  
1890, at 6 P.M. at the Erie depot  
in the Parsonia Ferry, in the City  
of Jersey City County of Hudson  
State of New Jersey, this deponent  
saw the sum of fifteen hundred  
and fifty dollars paid in cash  
to the said Richard Gabeler, by  
one Edward Eaton of said City of  
New York, and this deponent  
further saw said Eaton also pur-  
chase for the said Gabeler, a rail-  
road pass or ticket from Jersey  
City to San Francisco California  
for the sum of one hundred and  
fifteen dollars and fifty cents  
also that deponent saw said Eaton  
pay or hand to said Gabeler twenty  
dollars more in cash in addition

0683

to the said sum or cash before mentioned, for the purpose of a sleeping berth on the train to be taken by said Gabler to California as aforesaid on said ticket purchased for him as aforesaid. And deponent further says that said Eaton paid the said Gabler the said money and purchased for him the said ticket, on the state ment made by the said Gabler as follows, to wit: That the Gabler had been gambling at three card monte, with one Charles Morgan, on the first day of November 1929, in the City of New York in Elizabeth St. therein, and had lost thereby the sum of fifteen hundred and fifty dollars, and that if the said sum <sup>was</sup> paid to him then and there, and the said ticket and berth were procured for him as aforesaid, that he said Gabler would go away to California, and agree not to prosecute the said Morgan, on the complaint then and there already made against the said Morgan by him the said Gabler. And deponent further says that at the time of the paying of said



0684

cash money by the said Eaton to the said Gabler as aforesaid, and of the purchasing the said ticket as aforesaid, that there were present there and then at the said transaction, the following named persons as witnesses to the paying of the said money &c. to the said Gabler, as above described, to wit: Frederick L. Train of the City of New York, James J. Kelly, of Jersey City New Jersey, besides the telegraph operator and ticket agent employees in said depot, in said City of Jersey City. That said money was counted out and paid by the said Eaton to the said Gabler on the counter of the office of the Erie depot aforesaid, in the presence of this deponent and of all the above named persons. That this deponent saw the said Gabler again in the City of Jersey City within a month after the payment of said money as aforesaid, and personally saw said Gabler approach the said Eaton and demand of the said Eaton five thousand dollars, then and there stating that he would not take less

0685

these said sum, and go to Europe  
and not prosecute the said Mor-  
gan on the complaint made as afore-  
said.

Sworn and subscribed  
to this 10<sup>th</sup> day of April  
A.D. 1890 Before me

Alfred Welden

Notary Public of New Jersey

Statement and  
affidavit of  
Alfred Welden  
relative to  
Morgan case



0686

than said sum, and go to Europe  
and not prosecute the said Mor-  
gan on the complaint made as afore-  
said.

Sworn and subscribed  
to this 10<sup>th</sup> day of April  
A.D. 1890 Before me

Samuel B. R. Leonard

Notary Public of New Jersey

Alfred Welden

Statement and  
affidavit of  
Alfred Welden  
relative to the  
Morgan case

0687

State of New Jersey }  
County of Hudson } ss Frederick L.  
Train and James J. Kelley, being  
severally sworn, upon their  
respective oaths, according to law  
on their oaths say, that they  
and each of them are acquainted  
with one Richard Gabler, former-  
ly of the City of New York, and late  
of Butte Montana, but at pres-  
ent in the City of New York,  
that on the 27<sup>th</sup> day of February  
1990, at 6 P.m. at the Erie depot  
in the Passaic Ferry, in the City  
of Jersey City, County of Hudson  
New Jersey, these deponents were  
present with one Edward Eaton  
and one Alfred Walden the affiant  
in an affidavit of even date herewith  
and saw the sum of fifteen hundred  
and fifty dollars paid in cash to the  
said Richard Gabler by said Eaton,  
and these deponents further saw  
said Eaton also purchase for the  
said Gabler, a railroad ticket from  
Jersey City to San Francisco Califor-  
nia, for the sum of one hundred  
and nineteen dollars and fifty cents.  
Also that these deponents saw  
said Eaton pay or hand to said



0688

Gabeler twenty dollars money in cash, in addition to the said sum or cash before mentioned as paid to said Gabeler, for the purpose of procuring a sleeping berth on the train to be taken by said Gabeler to California as aforesaid, on said ticket purchased for him as aforesaid. And depositions further say that said Eaton paid them and there paid the said Gabeler the said money and purchased for him the said ticket, on the statement as then and there made by the said Gabeler as follows, to wit, that he Gabeler had been gambling at three card monte, with one Charles Morgan on the first day of November 1889 in the City of New York in Elizabeth St. therein, and had lost thereby the sum of fifteen hundred and fifty dollars. And that if the said sum were then and there paid to him, and the said ticket and berth were procured for him as aforesaid, that he said Gabeler would go away to California, and agree not to prosecute the said Morgan, on the certain complaint then and there already made against the said

0689

Morgan by him the said Gabler. And deponents further say, that the said money paid to said Gabler as aforesaid, was counted out to the said Gabler on the counter of the office of the Erie depot aforesaid in their presence, and in the presence of the telegraph operator and ticket agent, employees of said Erie depot. That these deponents saw said Gabler in said City of Jersey City within a month after the payment of said money to said Gabler as aforesaid, and severally saw said Gabler approach the said Eaton, and then and there heard said Gabler demand of the said Eaton five thousand dollars, then and there stating that he would not take a five cent piece less than said sum, and drop the case against said Morgan, or go to Europe and not prosecute the said Morgan on the complaint made by him as aforesaid.

Subscribed and subscribed  
to this 10<sup>th</sup> day of April  
A.D. 1890. Before me  
Blument de R. Leonard  
a Notary Public of New Jersey

Frederick L. Train  
James J. Kelly



0690

Statement and  
affidavit of Messrs  
Fred L. Braln and  
James J. Kelley  
relative to Mrs  
Margaret Carson

069.1

*It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named*.....

*Referred on*  
*guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of*  
*Forty*..... *Hundred Dollars,*..... *and be committed to the Warden and Keeper of*  
*the City Prison, of the City of New York, until he give such bail.*

*Dated*..... *May 17 1889*..... *Charles N. Linton*..... *Police Justice.*

*I have admitted the above-named*.....  
*to bail to answer by the undertaking hereto annexed.*

*Dated*..... *188*..... *Police Justice.*

*There being no sufficient cause to believe the within named*.....  
*guilty of the offence within mentioned, I order he to be discharged.*

*Dated*..... *188*..... *Police Justice.*



0692

The Presiding Magistrate  
in my absence, will please hear  
and determine the within case.

*M. P. Stearns*  
Police Justice.

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

329  
Police Court---

3348  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Richard H. Gale*  
vs. *Charles Morgan*

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated *Feb 17* 188*9*

*Paterson* Magistrate.

*Placer* Officer.

Precinct.

Witnesses \_\_\_\_\_

No. \_\_\_\_\_ Street.

No. *Ed 270* Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

No. \_\_\_\_\_ Street.

0693

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.:

..... being duly  
sworn, says that he resides at No. .... Street, in the City of  
New York; that he is ..... years of age; that on the ..... day of .....  
1890, at Number ..... in the City of  
New York, he served the within ..... on .....  
the ..... by leaving a copy thereof with .....

Sworn to before me this  
day of ..... 1890. }

*J. H. General Sessions*

*The People*  
Plaintiff,

against

*Charles Morgan*  
Defendant.

*Affidavit*

**HOWE & HUMMEL,**

*Attorneys for defendant,*

87 & 89 CENTRE ST., New York City.

Due and timely service of copy of the within

hereby admitted

this

day of

1890.

*Attorney.*

To .....



0694

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

*Charles R. Morgan*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse *Charles R. Morgan*  
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE,  
committed as follows:

The said *Charles R. Morgan*,

late of the City of New York, in the County of New York aforesaid, on the *first*  
day of *November*, in the year of our Lord one thousand eight hundred and  
*eighty-nine*, at the City and County aforesaid, with force and arms, in the  
*day* time of the same day, divers promissory notes for the payment of money, being  
then and there due and unsatisfied (and of the kind known as United States Treasury  
Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the  
payment of and of the value of *fifteen hundred and fifty*

*1550.* dollars; divers other promissory notes for the payment of money, being then and there due  
and unsatisfied (and of the kind known as Bank Notes), of a number and denomination  
to the Grand Jury aforesaid unknown, for the payment of and of the value of  
*fifteen hundred and fifty dollars*  
dollars; divers United States Silver Certificates of a number and denomination to the Grand  
Jury aforesaid unknown, of the value of *fifteen hundred and fifty*

dollars; divers United States Gold Certificates of a number and denomination to the  
Grand Jury aforesaid unknown, of the value of *fifteen hundred and*  
*fifty*  
dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid  
unknown, of the value of *fifty dollars*.

of the goods, chattels and personal property of one *Richard A.*  
*R. Fagotter*, then and there being found,

then and there feloniously did steal, take and carry away, against the form of the  
Statute in such case made and provided, and against the peace of the People of the State  
of New York and their dignity.

JOHN R. FELLOWS, *District Attorney.*

0695

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Morris, George W.

**DATE:**

03/06/90



3627



0696

POOR QUALITY  
ORIGINAL

Witnesses;

A. I. Nelson

Ada Simon

W. B. Anderson

Counsel,

Filed

Pleads

*Part 1*  
*March 90*  
*City of*  
*Chicago*

THE PEOPLE

vs.

*George W. Morris*

R A P H

(Sections 278 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

*March 27/90*  
*Spied & committed of*  
*Rape.*

A TRUE BILL.

*John R. Fellows*

Foreman.

*Part 1*  
*10 7th St. B.P.*  
*Chicago*

*Ind. 2*  
*March 25/90*

0697

POOR QUALITY  
ORIGINAL

Witnesses;

A. J. Wilson

Ada Simon

W. B. Anderson

33

Counsel,

Filed

Plends

3<sup>rd</sup> June 90

Paul 27<sup>th</sup> 90

THE PEOPLE

vs.

George W. Morris

R A P H

(Sections 278 and 218, Penal Code.)

JOHN R. FELLOWS,

Att. 27<sup>th</sup> 90 District Attorney.

Filed & Committed of  
Rape.

A TRUE BILL.

John R. Rhoads

Foreman.

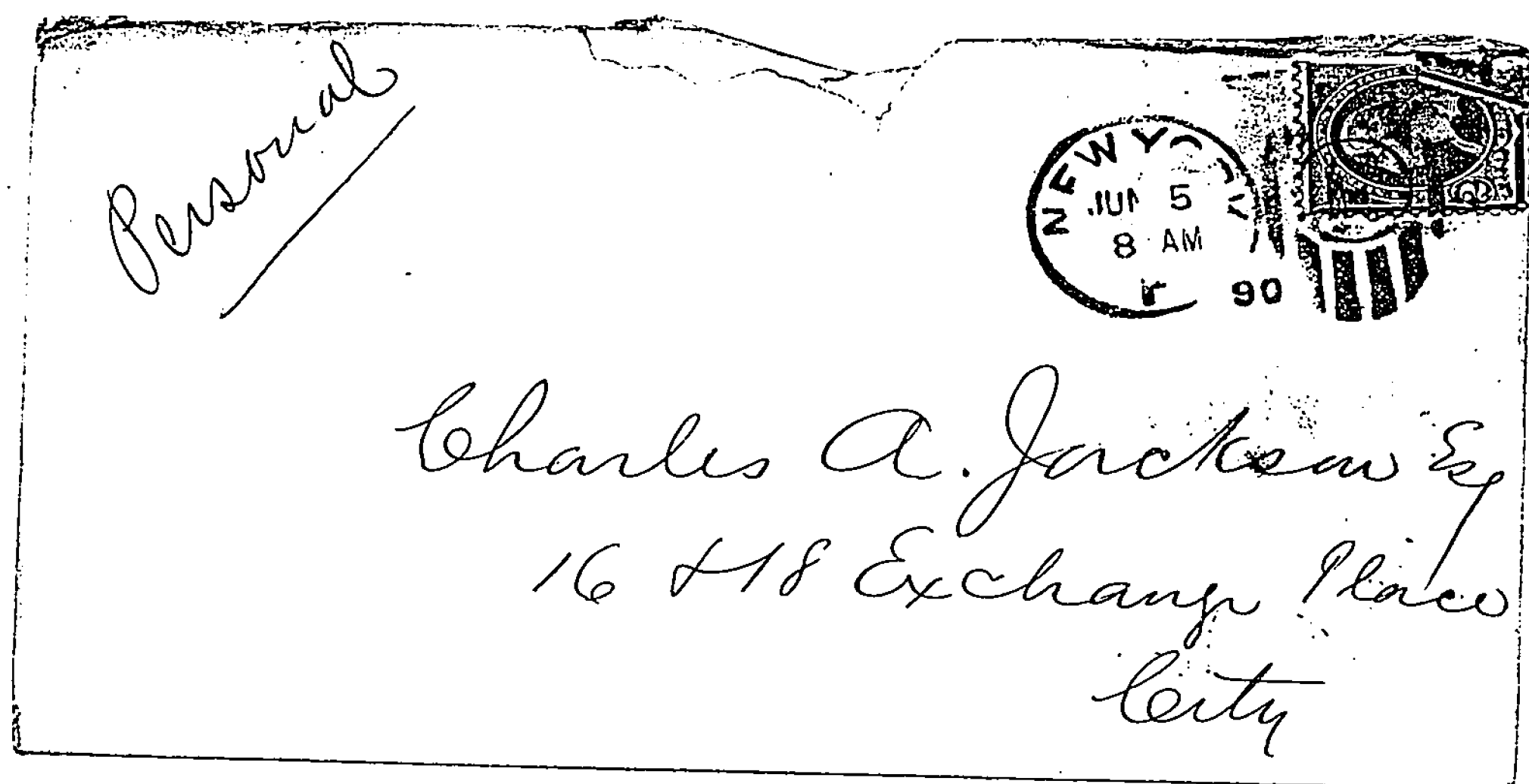
10 7<sup>th</sup> 90 Mrs. S. P.

Reside 25<sup>th</sup> 90

John 25<sup>th</sup> 90



0698



0699

Brooklyn May 28<sup>th</sup>  
90

This is to certify  
that I have known ~~the~~  
under signed Patrick Whaling  
these last twenty years  
working for the Brooklyn  
Gas Light Co to be a  
good sober honest &  
industrious man

Michael Fox Foreman

Resident No 125  
Cumberland St  
Brooklyn N. Y.



0700

Harry O. Clark,  
Blank Book Manufacturer,  
120 William St.,

New York,

June 10 1880

Dear Mr. Jackson, Any  
thing you can do in behalf  
of Mr. Filand will be  
appreciated by me. I am  
convinced that I acted  
somewhat hastily in having  
the boy arrested on such  
a serious charge, in view  
of the fact that it was his  
first offence ~~the~~ punishment  
for which would ruin his  
life. I would only be too  
glad to withdraw the charge  
if it lay in my power  
but my hands are tied there.  
My feeling in the matter  
is that the boy having been

0701

confined in the Fombz  
prison for the last 3 weeks  
has received a lesson which  
will last him through life  
and in view of it being  
his first offence has received  
punishment enough. Rest  
assured that any action  
you may take to secure  
his release will receive my  
approval

Sincerely truly  
Harry A. Clark



0702

HARRY A. CLARK,  
BLANK BOOK MANUFACTURER,  
120 WILLIAM STREET,  
NEW YORK.

Chas. A. Jackson  
No 16 Ex. place  
city

0703

247 Lex Ave  
June 4. 90

Dear Charlie:

Here we are.  
Read the enclosed  
and tell me if it is  
worth while to bother  
in the matter any  
further. Or is some  
influence necessary?

Sincerely  
Geo. F. Shady



0704

CHURCH OF THE SACRED HEART,

41 ADELPHI STREET.

Brooklyn, N.Y. May 29<sup>th</sup> 1890

This is to Certify that Patrick  
Gylenud of 1741 North Elliott  
Place Brooklyn has been a  
resident at that address and  
one of my parishioners for  
several years last past  
and I consider himself and  
his wife honest industrious  
and law abiding people and  
have never known or heard of  
their son being in any trouble  
until the present time.

Rew. John F. Nash,  
Rector

0705

-----x  
IN THE MATTER of the appli-:  
cation of William Morris, :  
for a pardon. :  
-----x

Delancey Nicholl, Esq.,

District Attorney of New York County.

TAKE NOTICE, that an application will be made  
to the Governor of the State of New York, at the Capitol,  
Albany, N. Y., on the *15<sup>th</sup>* day of March, 1893, for the  
pardon of William Morris, who was on the 2nd. day of  
November in the year 189*2*, sentenced by the Honorable  
James Fitzgerald, Judge of the Court of General Sessions,  
to imprisonment in States Prison for the term of seven  
years.

Dated *Feb 27<sup>th</sup>* 1893.

Yours, etc.,

*Wm. Morris*



0706

Let our admiration of  
America from history

0707



*The New York Society for the  
Prevention of Cruelty to Children.*

Nº 100 EAST 23<sup>rd</sup> STREET. (CORNER 4<sup>TH</sup> AVE.)

*New York,* Feb. 18th, 1893. 188

Henry W. Unger, Esq.,

Secretary to the District Attorney

Of the City and County of New York.

Dear Sir:

You are entirely at liberty to transmit to the Governor  
a copy of the letter sent to you by me, as President of this So-  
ciety, in relation to George W. Morris.

Very truly yours,

*Wm. L. Terry*

President etc.



0708

*People v. George W. Morris*

REQUEST TO CHARGE.

1st. The Jury must acquit on the ground that there is no evidence here as to the age of the child. The mother who testified to her age has been impeached and her evidence is absolutely worthless. It has been shown that she deliberately and wilfully committed perjury in her testimony yesterday, and as she is the only witness as to the age of the child, I advise you to disregard her evidence in full. I do that because her perjury was manifest to the Court and proved by the Records. The concession of Counsel yesterday that the girl was of the age, does not bind the prisoner. A man cannot be conceded by his Counsel as guilty of crime, hence, on the question of the girl's age, I advise you that the only evidence is the evidence that the mother impeached, and that you ought to disregard it, but if you do accept it at all, you must do so with very great caution.

2nd. The evidence of the girl herself is not sufficient to convict. It must be corroborated, and it must be corroborated by such facts and circumstances as will convince you independent of her testimony entirely that the defendant was connected with the commission of this crime.

3rd. The corroboration in this case rests solely on the evidence of Anderson. In considering his testimony you will consider his character as it was proved on the witness stand. I charge you now that a man who openly

lives with a prostitute and on her earnings, is not worthy of belief.

4th. The Jury will not be influenced by the fact that Judge Bedford says in his summing up, that unless this man is convicted he will write to Mr. Geary, of the Society for the Prevention of Cruelty to Children, and tell him that there is no use of trying to prosecute people.

5th. That the Society for the Prevention of Cruelty to Children is not here to prosecute, and do not prosecute, and that this case is not brought in the name of the Society for the Prevention of Cruelty to Children at all; that no member of that Society has been brought here in any way, shape, form or manner. This prosecution is carried on by the People of the State of New York on the complaint of Anderson and Ida Simons.



0710

Mr. Purdy: I ask your Honor to charge the Jury that this prisoner's character must be presumed to be good.

The Court: The presumption of law Gentlemen, is that the character of every man is good, that is, a legal presumption and that presumption applies to this Defendant the same as to every one else.

Mr. Purdy: I ask your Honor to charge the Jury that there is no evidence here of any attempt to commit the crime of rape; that if they believe the girl the full crime was committed because she testified he had full connection with her ---- no evidence of any attempt.

The Court: That is the evidence in the case.

Mr. Purdy: I ask your Honor to charge the Jury that there is no evidence here of any assault in the second degree.

The Court: I leave that to the Jury.

Mr. Purdy: I ask you Honor to say to the Jury that they must not compromise in any way, that the crime here in the charge of rape and that they ought not to compromise and say, "well, if we can't convict him of rape we will convict of the attempt."

The Court: I instruct the Jury in relation to that that they must do nothing except what they are convinced of beyond a reasonable doubt to the satisfaction of their consciences.

Mr. Bedford: About this question of age, when that woman swore and the Counsel conceded the age, I showed him the certificate. There is the certificate, (Exhibiting it.) of the birth of the child, corroborating the woman.

The Court: Now Gentlemen of the Jury, your verdict in this case will be either guilty of rape, guilty of an attempt to

0711

commit rape, guilty of assault in the second degree or not guilty. Let me invite your best and most earnest consideration to the evidence in the case and I would impress upon you the importance of arriving at a verdict that will do justice alike to the Defendant and the People of the State.

The Jury retired to deliberate upon their verdict.  
Mr. Purdy: I take exception to ~~his~~ his Honor's refusal to charge as requested in the requests submitted, and to each and every portion of the charge.

The following are the requests to charge of the Counsel:

The Jury returned to the court-room with a verdict of guilty of rape.

The Defendant was remanded for sentence.



0712

Joseph F. Gray, M. D.,  
No. 326 W. 31st Street.

People's  
OFFICE HOURS:  
11 A. M. to 2 P. M.  
6 to 8 P. M.  
Sundays 1 to 3 P. M.

New York, Feb. 23 1890

I hereby certify that I  
made yesterday a physical  
examination of the person  
of Ida Simon, and find  
evidences of rape having  
been committed recently.  
The hymen has been  
completely destroyed, complete  
entrance having been  
effected. There are symptoms  
present pointing towards  
the possibility of pregnancy.

J. F. Gray M. D.  
326 W. 31

0713

AMBROSE H. PURDY.

LAW OFFICE OF  
PURDY & McLAUGHLIN,  
280 BROADWAY,

JAMES W. McLAUGHLIN.

General Sessions. Court

New York, March 19th 1890 18

The People.

vs.

George Morris.

My Dear Sir.

We are actually engaged in the case of Antonio Sammarco, now on before the Recorder in Part 111. As we do not desire to inconvenience the witnesses in the above case, particularly the Doctor, who is a very busy man and cannot attend except at great inconvenience. It would be well to have recall notices sent out so that they will not come down to-morrow. The case can be set down for the 25th when we will be able to try it without fail it cannot be tried to-morrow on account of our actual engagement.

Yours Respectfully.

A. H. Purdy.



0714

AMBROSE H. PURDY.

LAW OFFICE OF  
PURDY & McLAUGHLIN,  
280 BROADWAY,

JAMES W. McLAUGHLIN.

Jef Mr Police Court New York, February 27, 1890  
The People  
against  
George W. Morris }

Friend Malone

Will you kindly set the examination in the case of George W. Morris (abduction) back until Saturday or Sunday Morning, as Mr Purdy & myself are actually engaged in the Court of General Sessions

Yours Respectfully  
James W. McLaughlin

0715

AMBROSE H. PURDY.

LAW OFFICE OF  
PURDY & McLAUGHLIN,  
280 BROADWAY,

JAMES W. McLAUGHLIN.

*Jef Mkt Police Court* *New York, Feb 27* 1890

*The People*  
*against*  
*George W. Morris*

*Hon. Andrew White*

*Dear Judge.*

*Will you kindly allow*  
*the examination in the case of George W. Morris*  
*go off until Saturday or Sunday morning as*  
*Mr Purdy & myself, are actually engaged in the*  
*court of General Sessions.*

*Yours very*  
*James W. McLaughlin*



0716

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK,

POLICE COURT—

2<sup>nd</sup> DISTRICT.

of No.

415 West 38<sup>th</sup>

Street, being duly sworn, deposes and

says that on the

18<sup>th</sup>

day of

January

1890

at the City of New York, in the County of New York,

one George W. Morris

know here, did wilfully, unlawfully and feloniously and by force and violence take seize and force depment to have sexual intercourse with him in the manner following to wit: that on said date at premises 415 West 38<sup>th</sup> Street 1<sup>st</sup> Flat near the same, being the residence of said Morris, depment being a visitor therein, said Morris did seize hold of depment place her on a bed and with his hands garter under clothes insert his penis in depment's private parts and have sexual intercourse with her against her will. depment further says she is of the age of fourteen years and of previous chaste character. depment before me, Ida Simon this 24<sup>th</sup> day of February 1890

Ida Simon

Police Justice

0717

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

George W. Morris being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h<sup>is</sup> right to  
make a statement in relation to the charge against h<sup>im</sup>; that the statement is designed to  
enable h<sup>im</sup> if he see fit to answer the charge and explain the facts alleged against h<sup>im</sup>  
that he is at liberty to waive making a statement, and that h<sup>is</sup> waiver cannot be used  
against h<sup>im</sup> on the trial.

Question. What is your name?

Answer.

George W. Morris

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

MS

Question. Where do you live, and how long have you resided there?

Answer.

341 21 36<sup>th</sup> St

Question. What is your business or profession?

Answer.

Sales

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

I am not guilty

Geo. W. Morris.

Taken before me this

day of

Police Justice.



0718

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Agnes

Twenty Twenty Hundred Dollars, Twenty and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated July 28 1890 Agnes Police Justice.

I have admitted the above-named Agnes to bail to answer by the undertaking hereto annexed.

Dated July 28 1890 Agnes Police Justice.

There being no sufficient cause to believe the within named Agnes guilty of the offence within mentioned. I order Agnes to be discharged.

Dated July 28 1890 Agnes Police Justice.

0719

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 2, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

Police Court--- 2 --- 351 District.

THE PEOPLE &c.,  
ON THE COMPLAINT OF

*Ira Simon*

*Geo W Morris*

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Dated *Feb 27/18* 1890

*White* Magistrate.

*Roberts* Officer.

30 Precinct.

Witnesses *A J Wilson*

No. *10023* Street.

*Wm B Anderson*

No. *415* Street.

*Joe F Gray*

No. *316* Street.

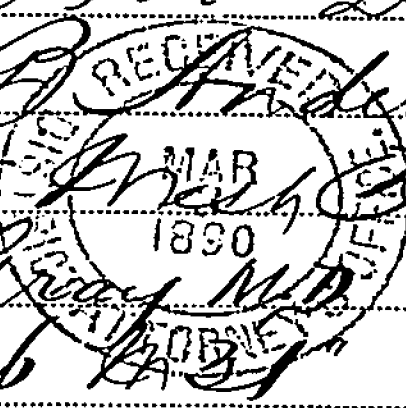
\$ *2.00* to answer

*July 27/ 2.30*

*28/ 9.30*

*Done*

Office *Page*  
*Sec 27/18 P.D.*





0720

Court of General Sessions  
of the Peace

The People of the State of New York  
against  
Thomas Filand.

State of New York ss.  
County of New York

Patrick Filand being  
Soley sworn says that he resides at No 41 North  
Elliot Place and has there resided for several years  
last past in the City of Brooklyn. That he has  
been employed in the gas house of the Brooklyn  
City Gas Light Company at the foot of Hudson Avenue  
for nearly four years last past. That Thomas Filand  
above named is his eldest son and was born on the  
2<sup>nd</sup> day of March 1872 that his said son attended the  
Public Schools of the City of Brooklyn until he was  
about the age of fourteen years and thereafter  
and until about three weeks ago he has the great  
er portion of the time been employed as a book binder  
in the City of New York. Until a short time ago  
he was found quiet respectable and well behaved  
and never knew him to do anything wrong  
until about three days ago weeks ago. I never  
knew of his touching liquor or swearing. He was  
a very quiet boy and at home evenings and did

0721

not look on that corner. His character until a short time ago was excellent and I was much surprised to find there that he had done anything so contrary to his general character as the matter in question herein. He needed little correction & never gave me any cause for uneasiness. Having lived so long in the neighborhood had he done wrong I should have known it from neighbors with whom I am well acquainted and who have known my son from a boy.

Done before me this }  
28<sup>th</sup> day of May 1890 }  
Henry Hesse

his  
Patrick J. Filian  
Mark

Notary Public (45)  
N. Y. City and Co.





0723

Point of General Sessions  
of the Peace  
The People of the State of New York  
against  
Thomas Filant





0725

Count of General Sessions  
of the Peace.  
The People of the State of New York  
against  
Thomas Gilman.

State of Georgia  
County of \_\_\_\_\_

[illegible]



0726

I served Adley Went. some dated knew of his  
Character

Adley Went. some dated knew of his  
Character

28<sup>th</sup> May 1890 Henry W. Hoffmann.

Henry Hesse

Notary Public (45)

N. Y. City and Co.

Certificate filed in Kings Co.

0727

Court of General Sessions  
of the Peace

The People of the State of New York  
against  
Thomas Glauk

John L. Kane  
Counsel for the People

John L. Kane

John L. Kane, Esq., of the City of New York, is a member of the  
Bar of the State of New York, and has been admitted to the  
practice of law in the County of Kings, New York, for  
about fifteen years last past, receiving his degree from  
Columbia University, New York City, in 1881. He has al-  
ways been and is now a resident of New York City, and  
is not now engaged in any other business or occupation  
than that of a lawyer.

John L. Kane

28th Street, New York City. John L. Kane

Henry Hesse

Notary Public (45)

N. Y. City and Co.

Certificate filed in Kings Co.



0728

Out of General Sessions  
of the Peace

The People of the State of New York

against

Thomas Flannery

Defendants

Charles Jackson  
Attorney for Defendant  
166 Exchange Place  
New York City

0729

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, *March 5<sup>th</sup> 1890* -

*Court of General Sessions of the Peace in and for the  
City and County of New York.*

*The People  
against  
George W. Morris*

*Notice of Prosecution.*

*To the District Attorney of the  
City and County of New York,*

*Sir: This Society is interested in the prosecution of  
the above defendant, and is familiar with the facts of the  
case. It respectfully requests that before sending the papers  
to the Grand Jury, fixing the day of trial, consenting to  
any postponements thereof, or to any reduction of bail, or  
final disposition of the charge, you will duly notify me as  
its President and Counsel, so that I may confer with you  
in regard thereto. This request is made pursuant to the  
statute (Laws of 1886, Chapter 80, Section 1), and in  
furtherance of the ends of Justice.*

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,  
President, &c.*



0730

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN

*Rape*

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,  
*President, &c.*

0731

TORN PAGE

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

Henry E. Stocking

of No. 100 East 23<sup>rd</sup> Street being duly sworn, deposes and says,  
that on the second day of April 1890 at the city of  
New York, in the County of New York,Sworn before me this second day  
of April 1890

one Ida Simon, now present, a female child, actually and apparently under the age of sixteen years, to wit: of the age of fourteen years, was found, by deponent, not having any proper guardianship, the whereabouts of the said child's father, being unknown, and her mother, Clara Anderson, now present, being a reputed prostitute and being the proprietress of a reputed house of prostitution or assignation situated at No 138 West 33<sup>rd</sup> Street in said City of New York, in violation of the Penal Code of the State of New York.

Wherefore deponent prays said child may be committed according to law.

Henry E. Stocking

Page of the Court of General Sessions of the City of New York, in and for the County of New York, do hereby certify that the foregoing is a true and correct copy of the original filed in my office on the 2nd day of April 1890.



0732

*General Sessions of the Peace*  
*Police Court* *District*

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Henry E. Stocking*

*Ida Simon*

*Age 14 years*

Dated *April 2<sup>nd</sup>* 1890

*Fitzgerald* Judge *Justice*

*Stocking* Officer.  
*N.Y. S.P.C.C.*

Disposition *Committed to*  
*The New York Society*  
*for the Prevention of*  
*Cruelty to Children.*

(1)

AFFIDAVIT.

*vagrancy*

0733

PHILLIPS &amp; MOWER, 82 Nassau St., N. Y.

## STENOGRAPHER'S MINUTES.

Court of General Sessions, Part I

The People

vs.

George W. Morris

BEFORE

Judge Fitzgerald.

March, 1890

## WITNESSES.

Direct. Cross. Re-Direct. Re-Cross.

Ida Simon	1			
Joseph F. Gray	22	24		
Ida Simon (recalled)	30	36		
William B. Anderson	82	91	117	
Clara Anderson	119	120		
John Roberts	127	131		
Frank M. McCabe	137			
Hugh McEvoy	138			
Edward J. Brett	140			
Clara Anderson (recalled)	140			
The Judge's charge.	145			



0734

61 35-52  
340  
375-52

THE PEOPLE

vs.

GEORGE W. MORRIS.

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE FITZGERALD.

Tuesday, March 25, 1890.

Asst. Dist. Atty. Bedford for the People.

Messrs. Purdy & McLaughlin for the Defendant.

Indictment for rape.

A Jury was empannelled and sworn.

Mr. Bedford opened the case for the People.

Ida Simon sworn and examined.

By Mr. Bedford. Q. Ida, where do you live.

A. 415 West 33rd.

Q. Whom do you live with.

A. My grandmother and my uncle.

Q. Were you living there on the 18th of January.

A. Yes sir.

Q. About what time was it --- did you see George Morris on the 18th of January .

A. Yes sir.

Q. Well, was it at 415 West 33rd Street or 341 West 36th St.

A. No. 341 West 36th Street.

Q. Where did you live on the 18th of January, at 341 West 36th Street.

A. No sir, 415 West 33rd.

Q. What time did you go to 341 West 36th Street.

A. Ten o'clock in the morning.

Q. What did you go there for.

A. His wife sent word to me for me to come.

Q. His wife, the prisoner's wife, sent word for you to come.

0735

A. Yes sir.

Q. And you went there.

A. Yes sir.

Q. When you got there at ten o'clock in the morning whom did you see.

A. Mrs. Morris.

Q. Mrs. Morris.

A. Yes sir.

Q. And who else.

A. Mr. Morris.

Q. That is this man here, this prisoner.

A. Yes sir.

Q. And what did you say to them or they say to you on the morning that you went there, you got there at ten o'clock.

A. Mrs. Morris told me to take off my things.

By the Court. Q. Was the defendant there, was he there.

A. Yes sir.

By Mr. Bedford. Q. Go on.

A. Mr. Morris was in bed.

Q. Did you take them off.

A. Yes sir.

Q. This was about what time.

A. About half past ten.

Q. Well, after you took your things off what did either of them say to you if anything.

A. She told me she was going to cook the breakfast.

Q. She said what.

A. To wait, that she was going to cook breakfast.

Q. After she said that what did she do.

A. Then she called me to have some.

Q. What took place.

A. Then she got ready to go to White Howard's.

By the Court. Q. She got ready to go some place.



0736

2

A. Yes sir.

By Mr. Bedford. Q. Where.

A. To 34th Street and Fifth Avenue, I think it is.

Q. After breakfast she went out.

A. And I went with her.

Q. Oh, you went with her. A. Yes sir.

Q. You went where with her.

A. To White Howard's.

Q. Is it a jewelry place or what is it.

A. It is an embroddery place, a place where girls work and makes dresses.

Q. You went there with Mrs. Morris.

A. Yes sir.

Q. How long did you stay there.

A. About ten or fifteen minutes.

Q. Then where did you go.

A. Then she walked down to Sixth Avenue with me.

Q. Where did you stop, if any place.

A. Then she bought a newspaper.

Q. And after she bought the newspaper what next.

A. She told me to give it to George.

Q. And who is George, this prisoner.

A. Yes sir.

Q. And after she bought the newspaper and told you to give it to George, where did you go, if to any place.

A. She told me to go back then; I said, "there is no use of my staying in there if he was only there".

Q. She bought the newspaper and she told you to give it to George. A. Yes sir.

Q. Did you go back to George's house. A. Yes sir.

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Q. Who was there.

A. Mr. Morris.

Q. That is at 341 West 36th Street.

A. Yes sir.

Q. When you got there what time was it.

A. About twelve o'clock.

Q. Was he still in bed or had he dressed.

A. He was dressed.

By the Court. Q. Mrs. Morris did not go with you.

A. Yes sir, she went with me to White Howard's.

Q. After you got the newspaper you left her on Sixth Avenue,  
is that right.

A. Yes sir.

Q. Well, then did you go back alone to the house.

A. Yes sir.

Q. She did not come back.

A. No sir.

By Mr. Bedford. Q. Now remember you are in George Morris's room,  
in the apartment, who was in there when you got there and  
found him there, who was there besides him.

A. Nobody else.

Q. Well, did you give him the newspaper.

A. Yes sir.

Q. When you gave him the newspaper what did you say.

A. Before I gave him the newspaper I took off my things and  
I had an embroidery towel and I worked on that.

Q. How did you come to take off your things.

A. She told me to take them off and to stay until she came  
back.



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- Q. What things did you take off.
- A. My hat and coat.
- Q. Then did you hand him the newspaper.
- A. Yes sir.
- Q. And what did you say to him when you handed him the newspaper.
- A. Nothing.
- Q. After you took off your hat and coat and handed him the newspaper did you remain standing or did you sit down.
- A. I sat down.
- Q. And what did he do.
- A. He kept on reading the newspaper.
- Q. For how long.
- A. For about half an hour.
- Q. And you sat there.
- A. Yes sir, working, I was working on my towel, embroidery work.
- Q. Well, at the expiration of half an hour what took place, what did he say to you if anything.
- A. He did not say anything to me.
- Q. Well, half an hour has gone by, you were working and he was reading the newspaper.
- A. Yes sir.
- Q. What did occur at any time after you handed him the newspaper and after you commenced your embroidery.
- A. ~~Yes sir.~~ He came up to me and took me out of my seat.
- Q. What did he say.
- A. And he took hold of me and dragged me into the bed-room.
- Q. What happened in the bed-room.
- A. He said to me, "you must do it."

0739

- Q. He said, "you must do it."
- A. Yes sir.
- Q. What did you then say or do.
- A. I said it was wicked to do anything like that.
- Q. What did he say.
- A. He said I would have to do it.
- Q. What then.
- A. Then he pulled me on the bed.
- Q. What then.
- A. Then I resisted him doing, I began to ----
- Q. What did you do.
- A. I began to holla and scream and he put his hand over my mouth.
- Q. He put his hand over your mouth.
- A. Yes sir.
- Q. What did he next do, were you on the bed then.
- A. Yes sir.
- Q. You were on the bed, you commenced to holla and he put his hand over your mouth.
- A. Yes sir.
- Q. Now what then did he do or say.
- A. He did not say anything to me.
- Q. What did he do.
- A. But he got on top of me.
- Q. What then did he do.
- A. Then he began doing it to me.
- Q. What did he do to your clothes, if anything.
- A. Tore my drawers down.



0740

Q. What did he do after he tore your drawers down.

A. I got up afterwards and I slammed the door after me.

Q. You left the room.

A. Yes sir.

By the Court. Q. Did anything else occur before you came out.

A. No sir, but I felt sick and I bled and he went and got a towel.

By Mr. Bedford. Q. You were on the bed, his hand was over your mouth, he had torn your drawers, now did he do anything more to you before you left.

The Court: Tell everything he did to you at that time.

By Mr. Bedford. Q. What did he do to you before you left the room.

By the Court. Q. While you were on the bed what if anything did he do.

By Mr. Bedford. Q. Tell all that he did.

A. He put it in and I told him it hurt me, to stop, and he would not stop.

Q. He put it in.

A. Yes sir.

By the Court. Q. What did he put in, do you know what he put in.

A. Yes sir.

Q. What was it.

A. I do not know what you call it ---- right in me.

Q. His private part.

A. Yes sir.

Q. Was it his private parts he put in.

A. Yes sir.

By Mr. Bedford. Q. You say that he put it in, that you told him to stop, that it hurt you.

A. Yes sir.

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- Q. And he would not stop.
- A. No sir.
- Q. Did he say anything to you after you told him that.
- A. No sir.
- Q. After you told him all that then he put it in, as you say.
- A. Yes sir.
- Q. How long after he put it in your private parts was it before you were able to get from your bed and slam the door and leave the room.
- A. Two or three minutes.
- Q. How long were you on that bed do you think.
- A. About ten minutes.
- Q. What did he say to you before you left in case you would tell.
- A. He said if I told anybody he would kill me.
- Q. That was before you left the room.
- A. Yes sir.
- Q. That was after he had done all this.
- A. Yes sir.
- Q. You left the room, when you left the room did he go after you.
- A. I went in the closet and I stayed a good while, crying.
- Q. What closet, the water closet.
- A. Yes sir.
- Q. Why, what made you cry.
- A. Because it hurt me so.
- Q. Did he come to you.
- A. Yes sir.
- Q. What did he say, if anything, to you when you were crying with pain and in the water-closet.



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A. He told me to stop my crying, he said if I wanted to know anything to ask him.

Q. What did you say.

A. I did not say anything, I came in the room and I said I would be sick to-morrow, that it hurt me so.

By the Court. Q. You went back in the room, is that it.

A. Yes sir.

By Mr. Bedford. Q. Well, you went back in the room and you told him that you would be sick to-morrow.

A. Yes sir.

Q. What did he then say.

A. He said no, you would not.

Q. You said you would be sick to-morrow.

A. Yes sir.

Q. What did he say.

A. He said no, you would not.

Q. Then what took place.

A. Then he asked me how did I like it.

Q. What did you say.

A. I said I did not, it hurt me very much.

Q. Then after you told him that it hurt you very much, what did he then say or do, and what did you say or do.

A. I did not say anything to him.

Q. You said it hurt you very much.

A. Yes sir.

Q. What was the next thing that was said if anything was said.

A. I went and sat in the rocking chair at the window and began my work again.

Q. Where was he.

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- A. Sitting in the rocking chair.
- Q. In the same rocking chair.
- A. No sir, another one.
- Q. Well you were in one rocking chair and he in another, what did you say to him or he say to you.
- A. He warned me not to tell anybody; he said if I told anybody he would kill me.
- Q. He said it again.
- A. Yes sir.
- Q. He had said that on the bed with his hand over you and ~~he~~ then he repeated it.
- A. Yes sir.
- Q. This was when he was sitting in the chair and you sat in a chair.
- A. Yes sir.
- Q. What did you say then when he said, "if you tell anybody I will kill you."
- A. I said I would not tell anybody.
- Q. After you told that what then was said or done.
- A. Nothing more; then his wife came in.
- Q. Well, after his wife came in was he in the room when his wife came in.
- A. Yes sir.
- Q. And you were in the room.                      A. Yes sir.
- Q. Now after his wife came in what was then said, what did you say then if anything.
- A. Nothing more.
- Q. Nothing more about this.
- A. No sir.



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- Q. What did the wife say when she came back, did she say anything to you.
- A. No sir.
- Q. Where did the wife go when she came in.
- A. She went to a store.
- Q. What store --- she came into the front room, what room were you sitting in.
- A. The front room too.
- Q. Did she leave it to take off her things or did she sit down.
- A. She went right out again.
- Q. She went right out again without taking off her bonnet or her cloak.
- A. Yes sir.
- Q. Did you still remain there and the prisoner.
- A. Yes sir.
- Q. Well, after she left did you sit in the rocking chair--- what did you do after Mrs. Morris came in for a moment and went out leaving you and the prisoner in the room.
- A. I went at the little table.
- Q. You went and sat at the little table.
- A. Yes sir.
- Q. Well, what then.
- A. Then I was giving him examples, playing school.
- Q. Giving who examples.                      A. Mr. Morris.
- Q. Examples of what.                      A. Of arithmetic.
- Q. Well, go on, what were those examples, what did you do, you were playing school.
- A. Yes sir.

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Q. After that what took place.

A. Then his wife came in.

Q. Then after she came in what next took place.

A. She took off her things and then she went out in the kitchen and I went out to help her.

Q. What after that.

A. Then we had supper and then Mr. Morris took me home.

Q. What did he say to you or you say to him on the way home.

A. He warned me again not to tell anybody.

Q. What did he say, give his language the best that you can recollect.

By the Court. Q. What did he say on the way home about not telling.

A. He said not to tell anybody, he said if I did "I will kill you" -- "even to tell your father", he said.

By Mr. Bedford. Q. Well, when you arrived home did he go up in the room with you.

A. Yes sir.

Q. Was your father there.

A. No sir.

Q. Who was in the room, what time did you go home, about.

A. About half past seven.

Q. In the evening.

A. Yes sir.

Q. And who was at your home when you arrived with the prisoner at half past seven.

A. My grandmother.

Q. And did he go upstairs with you or leave you at the door.

A. He went upstairs with me.

Q. In the room.

A. Yes sir.



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- Q. Well, what was the conversation then.
- A. Nothing at all.
- Q. How long did he stay.
- A. Only about five or ten minutes.
- Q. You did not tell your grandmother that night.
- A. No sir.
- Q. Do you go to school.
- A. Yes sir.
- Q. Do you remember the day of the week this was.
- A. On a Saturday.
- Q. Then there was no school Saturday.
- A. No sir.
- Q. No school Sunday of course.                      A. No sir.
- Q. So Monday was the first day that you went to school.
- A. Yes sir.
- Q. At any time after this happened did the Defendant call at your school for you and see you or did he wait for you when you came out.
- A. He met me at 32nd Street.
- Q. You say it was of a Saturday he did this.
- A. Yes sir.
- Q. Monday was the first day you went to school, do you remember what day it was that he met you.
- A. No sir.
- Q. But it was a school day anyway.
- A. Yes sir.
- Q. Was it within a week.
- A. I think it was over a week.
- Q. Over a week.                      A. Yes sir.
- Q. What hour was it.

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A. Between half past three and four.

Q. Well, as I understand it, about a week or over a week as you left your school going home, this man met you.

A. Yes sir.

Q. What did he say to you.

By the Court. Q. Where was this, in 32nd Street.

A. Yes sir.

Q. And what avenue. A. And Ninth Avenue and the school is at 28th Street.

By Mr. Bedford. Q. What did he say to you.

A. I was with a girl coming home from school and then he came up to me and spoke to me; he says, "I was just at your house and you wasn't in."

Q. Where was the girl, had he taken you aside or was the girl there to hear this.

A. The girl was there.

Q. Where is that school girl and what is her name, the little girl that you were coming home with from school when this man met you and came up to you and said something.

By the Court. Q. What was her name, do you know.

A. I forget her name now, she was a small, little girl, smaller than I am.

Q. Do you know her well.

A. No sir.

Q. Did she go to that school.

A. Yes sir.

Q. Is she in your class.

A. She is in the class lower than I am.

Q. Does she live near you.

A. No sir.



By Mr. Bedford. Q. Well, what did this man say to you on this occasion, when you were returning from your school going home about half past three, you say that you met him, now what did he say to you, anything.

A. He asked me if I was going home and I said yes.

Q. What else.

A. And then he was telling me about a ribbon that Mrs. Morris saved for me.

Q. And what else.

A. And that was all; in 33rd Street the girl left me at my own block.

Q. Then what did he say when he had you alone.

A. Then he wanted me to go upstairs and see if my grandmother was out.

Q. What did you say to that proposition?

A. I said I did not know whether she was in or out.

Q. Then what happened.

A. I said I would go up and see, that he could wait.

Q. Then what next occurred.

A. So he came upstairs with me.

Q. Go on.

A. I tried the door and the door was locked and I went to the lady next door to see if my grandmother left the keys for me.

Q. What did the lady say.

A. And the lady said yes.

Q. What next took place.

A. So there was another lady named Mrs. Wilson was there and so she told me to go and open the door for her.

By the Court. Q. Who told you that.

A. Mrs. Wilson.

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By Mr. Bedford. Q. To open what door?

A. My door; she came to visit my grandmother and my grandmother was not in.

Q. Well then you opened it.

A. No sir.

Q. What then.

A. I said I would leave my books here and I would be back in a few minutes.

Q. Where did you go.

A. I went down stairs.

Q. With whom. A. Nobody.

Q. What became of this man.

A. He was at the door.

Q. What door. A. The down stairs door.

Q. You met this man, he went home with you, he said he wanted you to go up and see if your grandmother was ~~she~~ home, you certainly went upstairs because you say you found the door locked, did he go up with you.

A. Yes sir.

Q. He went upstairs with you.

A. Yes sir.

Q. Now you say you went down stairs but you left your books with Mrs. Wilson.

A. He went down stairs.

Q. You went down first.

A. Yes sir.

Q. What caused you to go down.

A. I went down and told him that my grandmother was out and Mrs. Wilson was there.

Q. You went down stairs first and where did you meet him.



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A. On the stoop.

Q. What stoop. A. Of my own stoop.

Q. What did you say to him.

A. He said to me, "will you come to my house?" And I said, "no, I could not."

Q. What then.

A. And he said, "you could come", and I said I could not.

Q. What then.

A. And then I said that Mrs. Wilson was there and I had to keep her company until my grandmother came.

Q. When you stated that as the reason for not going, what did he say.

A. He said nothing and walked away.

Q. Well, did he say anything about your not telling that time that he met you coming from school.

A. No sir, he did not mention it to me.

Q. Well then how was it, under what circumstances was it that you told your father what this man had done to you and how long a time had gone by from the time that he threatened to kill you if you told, until you did tell.

A. It was over two weeks.

By the Court. Q. Over two weeks after this occurrence you had a conversation with your step-father, is that it --- where was that conversation had, what place.

A. At my own house.

By Mr. Bedford. Q. And after that conversation where did you and your step-father go to if anywhere.

A. To the doctor's.

Q. To the doctor's first or to this man's first.

A. To the doctor's first.

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Q. Dr. Gray. A. Yes sir.

Q. Well, did he examine you.

A. Yes sir.

Q. What did the doctor say.

Objected to. Objection sustained.

Q. You went with your step-father to the doctor's.

A. Yes sir.

Q. And the doctor was in.

A. Yes sir.

Q. After you left the doctor where did you and your step-father go if any place.

A. Straight to his house.

Q. Whose house.

A. Mr. Morris's house.

Q. Was he in. A. Yes sir.

Q. Then who was in the room, what time was this when you and your step-father went to the Defendant's house.

A. About four o'clock.

Q. Who was in that room when you and your step-father got in.

A. Mrs. Morris and Mr. Morris.

Q. Then as I understand it, when you arrived with your father at the prisoner's house Mr. and Mrs. Morris were there.

A. Yes sir.

Q. And the other two parties were yourself and your step-father.

A. Yes sir.

Q. Was there any other person there besides you four.

A. No sir.

Q. After you and your father went in and found Mr. and Mrs. Morris there, tell us to the best of your recollection what



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your father said to you and what you then said.

By the Court. Q. When you and your father went in you saw Morris and his wife there, did your father say anything to Morris that you heard, your step-father.

A. Yes sir.

Q. Well now, tell us what he said to Morris.

A. He did not even say to Mr. Morris, he said it to Mrs. Morris too.

Q. Was Mr. Morris in the room.

A. Yes sir.

Q. Well now, what did he say.

A. He said that "you did a great injury to my daughter."

Q. Who did he say that to.

A. He said to both of them.

Q. "You did a great injury to my daughter."

A. Yes sir.

Q. What else.

A. And then Mrs. Morris called me out in the kitchen.

Q. Did your father say anything else at that time.

A. No sir.

Q. Did Morris say anything.

A. No sir.

Q. Did Mrs. Morris say anything.

A. She said to me to tell the truth.

By Mr. Purdy. Q. Were you in the kitchen.

A. In the kitchen.

By the Court. Q. I am talking of the room in which the four of you were --- now you testified that your father said, "you have done a great wrong to my daughter."

A. Yes sir.

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- Q. At that time in that place did Mrs. Morris say anything.
- A. She said, tell the truth.
- Q. To you.                      A. To me.
- Q. Was that in the kitchen.                      A. Yes sir.
- Q. Were they all there in the kitchen.
- A. No sir.
- Q. Strike that out.                      I am talking of what took place in the room in which the four of you were, what room was that.
- A. That was the front room.
- Q. Was that the room in which your father made use of that expression, "you have done a great wrong to my daughter."
- A. Yes sir.
- Q. In what room before going into the kitchen did Mrs. Morris say anything..
- A. No sir.
- Q. Did Mr. Morris say anything.
- A. No sir.
- Q. Or did your father.
- A. No sir.
- Q. Well then you went into the kitchen with Mrs. Morris.
- A. Yes sir.
- Q. There was nobody in there but the two of you.
- A. No sir.
- Q. How long did you remain in there.
- A. Only about two minutes.
- Q. Did you come back in the front room again.
- A. Then my Papa came out.
- Q. Out of where.
- A. Out of the front room into the kitchen.
- Q. Did Morris come in.                      A. No sir.



By Mr. Bedford. Q. As I understand it when you and your father went in Mr. and Mrs. Morris were there, your father said to both of them that you had done a great injury to my daughter, was that what he said.

A. Yes sir.

Q. Now I ask when your father charged the Defendant with doing a great injury to you, what did this man then and there say, if anything.

Objected to as leading.

A. He did not say anything.

Q. He said nothing.

A. Yes sir.

Q. Then what did Mrs. Morris say before she left the prisoner, what did she say if anything, in answer to what your father had just stated.

A. And then she says, "O my God, did you do this, George?"

Q. After your father stated to Mrs. Morris that a great injury had been done his daughter, did you then tell what this injury was before the prisoner ----- did your father say, "you tell it."

A. No sir.

Mr. Purdy: This is objected to, it is grossly leading.

Mr. Bedford: Can I not examine the doctor now?

Mr. Purdy: No objection to examining the doctor.

The Court: Suspend the examination and call the doctor.

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Joseph F. Gray sworn and examined by Mr. Bedford.

Q. Doctor, you are a practicing physician in this city.

A. Yes sir.

Q. Are you the family physician of the complainant.

A. Yes; I never saw the girl though before, I have attended her step-father, that is all.

Q. You remember sometime in January I think it was, that he called upon you, didn't he.

A. I do not remember, I know it was three weeks after the occurrence, whatever time that was.

Q. That must have been early in February.

A. Yes sir.

Q. He and the little one called together.

A. Yes sir.

Q. You can't tell us the conversation but you can tell us in consequence of what the father said to you I now ask you, did you examine this little girl, did you examine her as a doctor.

A. Yes, as a physician.

Q. Tell the result of your examination to the Jury.

A. I made a physicial examination, examined the genital organs and found that the hymen had been ruptured and the parts were open, rather more so than you usually find in the case of a girl of that age. There was no sign at thtat time of any abrasion or any tear, I morely noticed that the hymen was absent and the parts were open, more open than usual and she complained of tenderness. That was all that I found.



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Mr. Purdy: I object to what she complained of.

The Court: Yes; strike that out.

By Mr. Bedford. Q. In your opinion as a medical man what caused the condition of her private parts as you found them on that occasion.

A. Well, in my opinion, of course I have to give it problematic, I could not say positively ----

By the Court. Q. From the examination that you made and from your knowledge and experience as a medical man, what in your judgment was the cause of the condition you found.

A. I think the chances were that coition had taken place, I would not say positively because the rupture of the hymen don't prove that.

Q. The question of the District Attorney is ---- you made an examination as a medical man of the parts of this girl

A. Yes sir.

Q. Now he asks you what in your opinion as a medical man, caused the condition that you have described.

A. As I say, the chances were that coition had taken place.

Q. We want to know what in your opinion as a medical man ----

By Mr. Bedford. Q. You wrote a letter did you not stating your opinion.

A. Yes sir.

Q. Is that your signature, is that your handwriting.

(Showing paper to the witness.)

A. Yes sir, that is about what I said.

Q. Then say it, that is what I want you to state as a medical man, in your opinion what was the cause of the condition you found.

A. In my opinion as a medical man the cause of the rupture

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of the hymen was due to sexual intercourse.

Cross Examined.

By Mr. Purdy. Q. When did you examine this girl, Doctor.

A. I t was about three weeks after the event had taken place.

Q. This was February 25rd, the date of your letter.

A. Whatever date is put down there, I do not remember now.

Q. She was brought to you.

A. Yes sir.

Q. This certificate is good now.

A. Yes sir.

Q. I read from it: "I <sup>hereby</sup> certify that I made yesterday a physical examination <sup>of</sup> the person <sup>of</sup> Ida Simon. I found evidences of rape having been committed recently; the hymen has been completely destroyed, complete entrance <sup>present</sup> having been effected; there are symptoms pointing towards the possibility of pregnancy." You thought she was knocked up, did you.

A. At that time from the evidence that she gave me.

Q. That was in February, 1890.

A. Yes sir.

Q. Have you seen her to-day.

A. Yes sir.

Q. She don't seem to be knocked up today, does she.

A. No; the reason why I gave, if you will allow me to explain -----

Q. You said you were the family physician, how are you the family physician.

A I never attended her before, I merely attended her father, Mr. Anderson, her ste-father.

Q. You mean when you say her step-father, this fellow Anderson.

A. Yes sir.



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- Q. How long have you known Anderson.
- A. I have known him, let me see, about three months.
- Q. Three months is all you have known Anderson.
- A. That is all.
- Q. You attended him.
- A. Yes sir.
- Q. What did you attend him for.
- A. I attended him, he had a severe cold.
- Q. What else did you attend him for.
- A. That is all.
- Q. Nothing but a cold.
- A. That is all.
- Q. How many times did he call on you for that cold.
- A. I saw him altogether professionally I suppose about half a dozen times.
- Q. You attended the step-father for a cold and now you have come here saying you are the family physician.
- A. I do not say that I am the family physician, if you want to take it in that sense.
- Q. All you know about it is you attended this man for a cold.
- A. Yes sir.
- Q. Where was the cold situated.
- A. He had a slight pleurisy.
- Q. You attended him for that about how many times.
- A. Well, about half a dozen times, maybe three or four times.
- Q. Did he pay you.
- A. Yes sir, he paid me.
- Q. After that he brought this girl to you on the 23rd of February.
- A. Yes sir.

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Q. He asked you to examine her.

A. Yes sir.

Q. To examine her parts.

A. Yes sir.

Q. To see if anybody had had connection with her, didn't he.

A. He told me the story about what substantially what the District Attorney stated.

Q. Never mind substantially, what did he tell you.

A. He told me that this man had committed a rape and asked me to examine her.

Q. What man.

A. The defendant, Mr. Morris.

Q. And this was on the 23rd day of February and he told you that Morris had committed a rape upon this girl.

A. Yes sir, that he had thrown her -- --

By Mr. Bedford. Q. Was it the 23rd of February.

A. I could tell you by referring to my books.

By Mr. Purdy. Q. What is the date of your letter, he got you to make that certificate.

A. He did not get me to make it, he merely asked me to state what I found, which I did.

Q. After you found it.

A. Yes sir..

Q. Had you known him only as a patient coming to your house about three or four times.

A. Most of my visits I had made to his house and that is the only ~~occasion~~ connection I had with him, simply as a doctor and a patient.

Q. Where was his house.

A. He lived at 415 West 33rd Street.



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Q. You met him there, did you.

A. Yes sir.

Q. When he had the pleurisy.

A. Yes sir, when he had the pleurisy I went to his house.

Q. You called on him several times.

A. Yes sir.

Q. Before he came to you to get this statement.

A. He came to me to examine the girl, which I did and then I gave the statement.

Q. You found everything open.

A. Yes sir, everything open.

Q. Just as open as it would be with any prostitute.

A. Just as open as it would be with one who had connection.

Q. Many times.

A. No sir, not many times.

Q. Several times.

A. I could not say the exact number of times, I could not say that.

Q. More than once or twice.

A. I could not say anything about that.

Q. Can you form any judgment to-day to tell this jury when you looked at that girl's parts, how many times she had connection with men.

A. No sir, it was impossible for me or any other doctor to say that.

By the Court. Q. Could you.

A. No sir.

By Mr. Purdy. Q. Did you understand that the alleged rape had been committed upon her months before that, did he tell you so.

A. I forget the exact length of time he told me, I could not

tell you about that.

By the Court. Q. What is your best recollection upon that subject.

A. I think about three weeks possibly.

By Mr. Purdy. Q. So you undertook to examine the girl to see whether three weeks ago that rape or some connection had been had with her, is that so.

A. Yes sir.

Q. From your examination you undertake to say that two or three weeks before that some rape had been committed upon her, is that so.

A. Yes, when I say rape of course I mean sexual intercourse had taken place.

Q. Three weeks.

A. I could not say the exact length of time.

Q. Three months.

A. Hardly that.

Q. How many months.

A. I could not tell you the length of time, all I know is this, that sexual intercourse had taken place at some time.

Q. One month, two months or three months, you cannot say.

A. I could not tell you how long.

By Mr. Bedford. Q. Doctor, you say these parts were very widely open.

A. Yes sir.

Q. If a girl of her tender years is forced by a man of his strength and size, does that in your opinion as a medical man at once account for the reason that her parts were so widely open.

Objected to, as immaterial and irrelevant.

Objection overruled.



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A. Yes sir, that would account for it.

Q. And voluntary intercourse, intercourse that if it is not forced does not produce that wide opening, does it, that you found in this girl.

A. Other things being equal I would say that it would.

Q. Why did you say in this letter that you thought the little girl was pregnant at that time.

A. Because at the time that she came to me I found tenderness of the breasts and also she told me she had gone beyond her period and for that reason I thought she might become pregnant but she has become unwell since.

By Mr. Purdy. Q. Could you tell from your examination whether one man or half a dozen of men had connection with her.

A. That is impossible for any doctor to tell.

By the Court. Q. Could you tell it.

A. I could not tell it.

By Mr. Purdy. Q. You could not tell.

A. No sir, I could not tell.

Q. You saw that the girl had connection with men.

A. Yes sir, I say that coition had taken place.

Q. With men, one, two or a dozen, you could not tell.

A. I could not say positively, no sir.

Q. Do you belong to the same lodge with this so called step-father here.

A. No sir, I do not belong to any lodge.

Q. When did you know him first.

A. When I was called professionally to him about the end of December.

Q. You never knew him before.

A. No sir, never knew him before.

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Q. Are you a doctor for any lodge.

A. No sir, I am not a doctor for any lodge at all, I merely examine men for insurance in the Catholic Benevolent Legion, that is all.

Q. Does he belong to that legion.

A. No sir, he does not.

By Mr. Bedford. Q. You are an entirely disinterested person in this.

Objected to.

A. Yes sir.

The Court: Strike that out.

By Mr. Purdy. Q. He brought this girl to you a month after he claims that this rape was committed upon her.

A. Yes sir.

Q. You examined her to see if anybody had had connection with her.

A. Yes sir.

Q. And you so reported.

A. Yes sir.

By the Court. Q. You told the Jury the result.

A. Yes sir, without any prejudice at all, in fact I did not want to come down.

The Court adjourned.

Wednesday, March 26, 1890.

Ida Simon recalled by Mr. Bedford.

Q. Now Ida, go back to your recollection of what took place in Mr. and Mrs. Morris's room after your father said that they had done a great injury to you and he said nothing, what did you then say if anything.



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A. Nothing.

Q. What next took place.

A. Then Mrs. Morris said for me to tell what was the trouble.

By the Court. Q. Was Mr. Morris present at that time.

A. Yes sir.

Q. In the same room.

A. Yes sir.

By Mr. Bedford. Q. I call for all that happened in the other room, then Mrs. Morris said to you what.

By the Court. Q. What did Mrs. Morris say to you.

A. "What is the trouble, Mr. Anderson."

By Mr. Bedford. Q. "What is the trouble, Mr. Anderson."

A. Yes sir.

Q. When Mrs. Morris said, "what is the trouble, Mr. Anderson", then who spoke, do you remember.

A. My papa.

Q. Your papa. A. Yes sir.

Q. What did your papa then say.

A. He told me to tell the same story that I told him.

Q. Then, after he told you to tell the same story that you had told him, what did you say, tell us what you then said, did you tell the story.

A. Yes sir.

Q. Now tell us precisely what you said in the presence of your step-father and Mr. and Mrs. Morris.

A. I said the day that she went to White Howard's he took hold of me and dragged me into the bed-room and he flung me on the bed and I began to scream and halloo; so he put his hand over my mouth and said that I would have to do it, and I said that it hurt me so that I bled and so

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he got a towel and wiped me off.

Q. Who got a towel.

A. Mr. Morris, and I said I had so much pain that I went out of the house and slammed the door after me.

Q. What do you mean, out of his apartments.

A. Yes sir, and I went in the closet crying and I stayed over half an hour; he says, "stop your crying"; he said, "if you want to know anything, ask me and I will tell you."

By Mr. Parry. Q. Did you tell them all this.

A. Yes sir.

Q. You went through this narrative while they listened.

A. Yes sir.

Q. Nobody interrupted you at all.

A. No sir.

By Mr. Bedford. Q. Go on.

A. And when we came into the room he said, "don't tell anybody; if you do I will kill you"; and I said I would not tell anybody. Then he asked me how did I like it and I said it hurt me, and I said I thought I would be sure sick to-morrow and he said, "I don't think you would be". So I sat in the rocking chair and did not say anything to him.

By the Court. Q. Did you say this in the room.

A. No sir.

By Mr. Bedford. Q. You stated yesterday you told us that all that you now state you stated to your step-father.

A. Yes sir.

Q. Then it is in evidence that after hearing that he took you to Mr. and Mrs. Morris's room, that is so, isn't it, after you told him this he took you there to tell this man



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what you had told your step-father.

A. Yes sir.

Mr. Purdy: I assumed that she was telling what she said to those three people together.

The Court: That was the assumption upon which the story was permitted.

By the Court. Q. Will you just tell what you said in that room when the Defendant was present, did you tell all about this that you have been telling us.

A. Yes, only I did not tell about going into the room and sitting down at the window.

Q. Strike that portion out as to sitting in the rocking chair. Did you tell any more.

A. No sir.

Q. That was what you told.

A. Yes sir.

Q. You told everything in the presence of the Defendant, up to that portion when I interrupted you, is that it.

A. Yes sir.

By Mr. Bedford. Q. Then as I understand it, the last that is properly admitted is, that you told them at the end of your story that he said, "don't tell anyone or I will kill you."

A. Yes sir.

Q. Then did you go on or say any more.

A. I did not say any more.

Q. Now will you tell us when you were repeating what you told your father where was he and Mr. and Mrs. Morris and yourself ---- you were in the room, who were you looking at, Mr. or Mrs. Morris or were you looking at your step-father when you said all this.

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A. At Mrs. Morris.

Q. At Mrs. Morris.

A. Yes sir.

Q. After you got through did you take any notice of the defendant Morris while you were telling this story, did you look at him at all.

A. No sir.

Q. After you got through what then did your father say or do if anything.

A. He says, "you have got yourself into severe trouble."

By the Court. Q. Who did he say that to.

A. To Mr. Morris.

By Mr. Bedford. Q. When your step-father said to Mr. Morris, "you have got yourself in severe trouble", do you remember what next happened.

A. He fell back into the rocking chair.

Q. Who did.

A. Mr. Morris, and trembled.

Q. At this time do you remember if Mrs. Morris said anything and if so, what did she say.

A. Papa told me to tell the story and I told her and then afterwards she said, "is this the truth?" I says, "yes, mam."

By the Court. Q. Was the defendant there then.

A. Yes sir, so she got down on her knees and cried and says to him, "O my God, is this true?" And he nodded his head as much as to say -----

Mr. Purdy: Let her tell it all.

By Mr. Bedford. Q. How did he nod his head.



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A. He did like that. (Witness bowing her head.)

Q. This way. (District Attorney bowing his head.)

A. Yes sir.

Q. When Mrs. Morris said, "my God George, is this true", then it was that he nodded his head.

A. Yes sir.

By Mr. Purdy. Q. As much as to say that it was true.

A. Yes sir.

By the Court. Q. Did he say anything.

A. No sir.

Q. After he nodded his head, you showing us how he nodded, and then saying as much as to say yes, what then next happened, do you remember.

A. Then my papa told me to come out with him.

Q. Did you go out with him.

A. Yes sir.

By Mr. Bedford. Q. Did you go out.

A. Yes sir.

Q. Where did you go.

A. To the doctor's.

Q. Then yesterday you were mistaken when you said you went to the doctor's first, were you not.

A. Yes sir.

Q. You went to this man's house first.

A. Yes sir.

Q. And then you went to the doctor's after leaving Morris.

A. Yes sir.

Q. Did you see Dr. Gray take the witness stand.

A. No sir.

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Q. Did you see Dr. Gray in court.

A. Yes sir.

Q. Is that the gentleman that you went to see. (Pointing to the Doctor.)

A. Yes sir.

Q. Did he examine you.

A. Yes sir.

Q. And then you and your father left the Doctor's.

A. Yes sir.

Q. You go to school every day, don't you.

A. Yes sir.

Q. And the first time that you have ever missed any schooling was after January 18, wasn't it.

A. Yes sir.

Q. You go to Sunday School too.

A. Yes sir.

A. Did you suffer much pain during those two weeks.

A. Yes sir.

Q. After the Doctor examined you<sup>you</sup> and your father went home, did you not.

A. Yes sir.

Q. Cross Examined by Mr. Purdy.

Q. After you left the court-room yesterday where did you go to.

A. I went to the Society.

Q. Did not you go upstairs into Judge Bedford's room.

A. Yes sir.

Q. Wasn't your father there.

A. Yes sir.

Q. And who else was there, your mother.

A. Yes sir.

Q. And then you talked the whole matter over again, didn't



A. Yes sir.

Q. Your evidence was all gone over for you, wasn't it.

A. Yes sir.

Q. So you could recall what took place, that was the object of going over the whole of the testimony again, wasn't it.

A. Yes sir.

Q. And your father put questions to you, didn't he.

A. No sir.

Q. Nobody but the judge.

A. Yes sir..

Q. Was your father there.

A. Yes sir.

Q. And your mother there.

A. Yes sir.

Q. Did they speak to you.

A. My father did.

Q. What did he say to you, you say father, he aint your father at all, is he.

A. He is my step-father.

Q. Your step-father. A. Yes sir.

Q. Who is your father. A. He is dead.

Q. How do you know he is dead, did you ever see him in your life.

A. I remember seeing him once.

Q. Where were you born.

A. In New York.

Q. Where In New York.

By the Court. Q. Do you know what part of New York city you were born in. A. No sir.

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By Mr. Purdy. Q. You do not know where you were born.

A. No sir.

Q. You saw your father once.

A. Yes sir.

Q. When was that you saw him once.

A. Over eleven years ago.

Q. Where did you see him.

A. At the house.

Q. What house.

A. I don't remember the house.

Q. You do not know the house.

A. No sir.

Q. How old were you when you saw him.

A. Three years old.

Q. How do you know he was your father, did your mother tell you.

A. Yes sir.

Q. You were three years old, you were in this house and some man was brought in to you and your mother told you that that was your father, is that so.

A. He was living there all the time.

Q. He was living there all the time.

A. Yes sir.

Q. How long did he live there.

By the Court. Q. You do not know how long he lived there.

A. No sir.

By Mr. Purdy. Q. But you told us a moment ago you saw him once, you do not mean that, do you, you said you saw him once and if he was living there all the time you must have see him more than once, didn't you.

A. Yes sir.

Q. Well then how many times did you see him, why do you hesitate so, Ida, tell me the truth about it, I am only your friend, we only want to get the truth out, I am not here



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to browbeat you, you were living in some house when you were three years old.

By the Court. Q. If you can remember say so, if you can't recollect, state that.

A. I can't recollect.

By Mr. Parady. Q. Your first recollection was when you were three years old, was it.

A. Yes sir.

Q. And you lived you don't know where.

A. No sir.

Q. And you told us that you saw some man once, you don't mean that do you.

By the Court. Q. Do you remember seeing your father more than once

A. Yes sir.

By Mr. Parady. Q. More than once.

A. Yes sir.

Q. More than once or only once.

A. More than once.

Q. How many times did you see your father when you were three years old, since then.

A. I have not seen him since that time.

Q. You have not seen him since you were three years old.

A. No sir.

Q. And where did you see him, do you recollect, some house in New York.

A. Yes sir.

Q. How many times did you see him.

By the Court. Q. Can you tell that.

A. No sir.

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By Mr. Purdy. Q. You can't tell how many times.

A. No sir.

Q. How did you know that he was your father.

A. My mother told me.

Q. Your mother told you so.

A. Yes sir.

Q. Can you tell where you were living with your mother at that time.

A. No sir.

Q. Have you any memory or can you recollect now what kind of a looking man he was.

A. I think he was short and stout.

Q. Short and stout.

A. Yes sir.

Q. And how was it that your mother told you that he was your father.

By the Court. Q. Do you remember anything about that.

A. No sir.

By Mr. Purdy. Q. You told me a moment ago that you knew he was your father because your mother told you so, can you recollect how she told you, what she said to you.

A. I always called him papa.

Q. You always called him papa.

A. Yes sir.

Q. And he was in the house when you were three years old.

A. Yes sir.

Q. How long did you remain in that house.

A. I do not remember.

Q. Who lived in the house.

A. My mother.

Q. And who else.

A. And my papa.



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Q. You always called him papa, how long did you live with him.

By the Court. Q. Do you know.

A. No sir.

By Mr. Purdy. Q. A year or two.

A. I could not say.

Q. You have not seen him since you were three years old.

A. No sir.

Q. Could you speak well when you were three.

A. I do not remember.

Q. Then all you know is that when you was three years old  
somewheres in New York there was a short man whom you  
called papa and whom your mother called papa, is that it.

A. Yes sir.

Q. And that is all you know about who your father was.

A. Yes sir.

Q. And never seen him from that time until this.

A. No sir.

Q. You said he was dead, how do you know whether he was dead  
or not.

A. I had an idea he was.

Q. You did not see him, where did you get that idea.

A. Because I did not see him any more.

Q. You did not see him any more since you were three years old  
and hence you thought he was dead.

A. Yes sir.

Q. Where was the first house in New York that you lived in that  
you now recollect.

By the Court. Q. The first place you remember living in.

A. With my grandmother.

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Q. With your grandmother.

A. Yessir.

Q. Where did she live, do you recollect.

A. 33rd Street.

By Mr. Purdy. Q. 33rd Street, what number.

A. No. 415.

Q. How old was you then.

A. Five years old.

Q. You went to your grandmother's did you.

A. Yes sir.

Q. How long did you live with your grandmother.

A. Going on nine years now.

Q. You are living with her now.

A. Yes sir.

Q. That is, you were when the Society took you.

A. Yes sir.

Q. Have you been living with this lady ever since you were five years old.

A. Yes sir.

Q. With your grandmother.

A. She is not my right grandmother.

Q. She is not your right grandmother.

A. No sir.

Q. Whose grandmother is she.

A. My step-father's grandmother.

Q. What is your name.

A. Ida Simon.

Q. How do you know your name is Ida Simon.

A. My papa told me so.

Q. Which papa.

A. My step-father.

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Q. Your step-father told you, when did he tell you that it was Ida Simon.

A. Lately he told me.

Q. You went to live with somebody you thought was your grandmother when you was five years old.

A. Yes sir.

Q. But she is not your grandmother.

A. No sir.

Q. She is Anderson's mother, is that it.

A. Yes sir.

Q. You went there, who took you there.

A. My papa did.

Q. That is, this Anderson, your step-father.

A. Yes sir.

Q. You lived there with this old lady I suppose.

A. Yes sir.

Q. How many lived there in the family with you.

A. My uncle and my grandmother.

Q. Your uncle, what is his name.

A. Benjamin Franklin Anderson.

Q. That is a brother of your step-father.

A. An uncle.

Q. An uncle of your step-father.

A. Yes sir.

Q. That is Benjamin Franklin Anderson and his wife lived together in this place, is that it.

A. No sir, he is not married.

Q. Well then, is your grandmother married.

A. Yes sir.



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- Q. Where is her husband.
- A. Her husband is dead.
- Q. She is a widow, her brother lives with her.
- A. Her son.
- Q. You were brought there when you were five years old.
- A. Yes sir.
- Q. Did they ask you what your name was.
- A. No sir.
- Q. Nobody asked you what your name was..
- A. No sir.
- Q. How long did you live with them.
- A. Going on nine years now.
- Q. And did you go to school.
- A. No sir, not until I was six years old.
- Q. Then when you was six years old you went to school.
- A. Yes sir.
- Q. What school did you go to.
- A. To 35th Street.
- Q. Have you lived all this time in the city of New York.
- A. Yes sir.
- Q. Have not been out of it at all.
- A. No sir.
- Q. Not in the country at all.
- A. No sir, only visiting in the country.
- Q. Where did you go to visit in the country.
- A. At Rockland County.
- Q. And whom did you visit in Rockland County.
- A. My aunt.
- Q. What is her name.                      A. Cooper.
- Q. What aunt is she.                      A. My step-father's.

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- Q. Was it your step-father's family.
- A. Yes sir.
- Q. Have you got a cousin a young boy up there.
- A. Yes sir.
- Q. What is his name.
- A. Danny Cooper.
- Q. How old is Dan.                      A. Fifteen years old.
- Q. Do you know John Appleyard.
- A. Yes sir.
- Q. How old is he.                      A. Going on fifteen.
- Q. He lives up there, does he.
- A. No sir, he lives in Brooklyn.
- Q. Was he up there last summer.                      A. Yes sir.
- Q. You were up there.                      A. Yes sir..
- Q. Had you ever been up there before.
- A. Yes sir.
- Q. Didn't this cousin of yours have a little thing to do with you.
- A. He attempted but he did not succeed.
- Q. Oh, he attempted.                      A. Yes sir.
- Q. Tell us how he attempted and did not succeed, what do you say his name was, Appleyard.
- A. Yes sir.
- Q. The cousin tried it first, did he, and Appleyard afterward.                      A. Yes sir.
- Q. Where was it, in the barn or in the lot.
- A. In the fields, blackberrying.
- Q. What did he do to you.
- A. He wanted to knock me down and I fell down and he says, "I am going to do something to you."

Q What did he say as near as you can remember.

A He spelled a bad word to me.

Q He spelled it. A. Yes sir.

Q Spell us that bad name.

A F-u-c-k.

Q He knocked you down and said "fuck". A. Yes.

Q That is "fuck" aint it? A. Yes sir.

Q Well now, dont weep. Just tell us calmly and quietly, the cousin you say knocked you down and said, "fuck", is that what he said? A. Yes sir.

Q He only said f-u-c-k-? A. Yes sir.

Q He did not say "fuck". A. No sir.

Q But f-u-c-k. A. Yes sir.

Q You understood that to be a bad word. A. Yes.

Q How did you know that fuck spelt a bad word. A. Because when I was up in the country before, it was on the water closet. My cousin seen it, and I asked her what it was and she said it was a bad word.

Q When you was up in the



country before, how long before  
was you up in the country.

A About a year.

Q About a year before. A Yes sir.

Q You were in the water closet.

A Yes sir.

Q Then you asked your cousin-  
what cousin. A A girl cousin.

Q How old is she? A Nineteen  
years old.

Q You asked her what "fuck" meant  
and she told you. A Yes sir.

Q That it meant a bad word.

A Yes sir.

Q Did she make any other explan-  
ation. A No sir.

Q You were in a field, you were  
alone were you with your cousin.

A Yes sir.

Q How did you come to go out in  
the field with him?

A I went blackberrying with him.

Q Went blackberrying. A Yes sir.

Q This was in the field was it  
with your cousin. A Yes sir.

Q In the blackberry patch.

A Yes sir.

Q And after he said 'fuck' and

Knocked you down, then what did he do? A. I got up and ran away from him.

Q What did he try to do when he knocked you down and took hold of you? A. Yes.

Q What did he then do, pull up your clothes? A. Yes sir.

Q Did he unbutton his pants? A. No sir.

Q He just pulled up your clothes.

A. Yes sir.

Q And then you ran away from him. A. Yes sir.

Q Where did you go, back home.

A. Yes sir.

Q To the house? A. Yes sir.

Q Was this John Appleyard?

A. Yes sir.

Q When was it that Appleyard tried to do it with you.

A. The next day we went blackberrying.

Q The next day you went blackberrying with Appleyard.

A. Yes sir.

Q What did Appleyard do.

A. My cousin told me what he



was going to do to me.

Q Was Appleyard and your cousin together. A. No sir, not that time.

Q How do you know your cousin told Appleyard anything about it.

A He told me so.

Q Appleyard. A. Yes sir.

Q What did Appleyard tell you.

A He said that my cousin was going to do something bad to me.

Q Used his language. A. He said the dirty word right out to me.

Q What did Appleyard say to you.

A He said cousin told him he was going to do something to me.

Q I am sorry to ask you to use his language - did Appleyard say to you that the cousin had said that he was going to fuck you? A. Yes.

Q And that he wanted to fuck you himself. A. Yes sir.

Q What did he do - did he fuck you.

A No sir, I said I would not let him.

Q Officer said you would not let him.

A Yes sir.



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Q. Then what did he do.

A. He said, "all right, if you do not want to do it I will not compel you to do it."

Q. That is all that Apployard said.

A. Yes sir.

Q. Did you go home.

A. Yes sir.

Q. You were blackberrying all the time, were you.

A. Yes sir.

Q. Was your uncle or was your step-father in the house.

Q. Which house?

Q. Up in the country, after you came back from blackberrying who was in the house.

A. My uncle, my auntie, my grandmother and the two cousins and my other cousin.

Q. And your other cousin.

A. Yes sir.

Q. All grown people, were they.

A. Yes sir.

Q. Of course after your cousin had knocked you down in the blackberry patch and said he was going to <sup>fuck</sup> ~~ass~~ you and had ~~done~~ all that, you ran home, you went right away to your uncle and aunt and told them about it.

A. Yes sir.

Q. You told them then.

A. Yes sir.

Q. That your cousin was trying to do this thing to you, did you.

A. Yes sir.

Q. Who did you tell.

A. My uncle.

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Q. Your uncle, as soon as you got home you told him.

A. Yes sir.

Q. And when you went out the next day in the blackberry patch with Appleyard when he told you that he wanted to assault you you went right back and told the people about it.

A. No sir.

Q. Why didn't you tell them that those two boys were taking you out into the blackberry patch and trying to ~~assault~~ <sup>fuck</sup> you, as you say you understood what ~~it~~ <sup>fuck</sup> meant, why didn't you tell them about it and have them fire the boys out.

A. He was not there at the time.

Q. Who was not. A. My uncle.

Q. But your aunt was there, why didn't you tell your aunt; by the way, when was this.

By the Court. Q. How long ago.

A. Last summer.

By Mr. Purdy. Q. Last summer.

A. Yes sir.

Q. What month.

A. August I think it was.

Q. How long did you stay up there.

A. About three weeks.

Q. You are sure you told your uncle about it.

A. Yes sir.

Q. That your cousin had taken you into the blackberry patch and tried to assault you.

A. Yes sir.

Q. But you did not tell your aunt about it.

A. No sir.

Q. Why didn't you tell your aunt, never told her at all about it, did you.

51 A. No sir.

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Q. Why didn't you.

By the Court. Q. Do you know any reason why you did not.

A. No sir.

By Mr. Purdy. Q. Was your uncle home when you came back.

A. Yes sir.

Q. What did your uncle say ---- this young cousin of yours, what is his name.

A. Dan Cooper.

Q. Dan Cooper is the son of your uncle, is he.

A. No sir.

Q. What is he.

A. He is a nephew I think.

Q. He is a nephew of Anderson's uncle, no blood relation to you at all are they, any of them.

A. No sir.

Q. Now as I understand it, you told your uncle that Dan, his nephew, had taken you out to the blackberry patch, knocked you down and told you that he was going to <sup>fuck</sup> ~~assault~~ you.

The Court: That has been answered time and time again.

By the Court. Q. Did the uncle say anything.

A. Yes sir.

Q. What did he say.

A. He said he ought to be ashamed of himself.

Q. Where was Dan Cooper at the time.

A. He was in the barn.

Q. Did he call Dan in. A. No sir.

Q. Was the aunt Mr. Cooper's wife there. -- she is quite an old lady aint she, how old is she.

A. Fifty years old.

Q. There was a young girl there nineteen years old, the daughter.

A. Yes sir.



Q. Well, what else was done after you told about this.

By the Court. Q. Do you remember anything else that was done there at that time.

A. No sir.

By Mr. Purdy. Q. I ask you again why was it that you did not tell Mrs. Cooper about this attack upon you.

The Court: I will exclude that question; she answered it, she did not know why she did not tell her.

By Mr. Purdy. Q. Why did not you tell the uncle about this boy Appleyard, that he was trying to do this thing to you.

By the Court. Q. Do you remember why you did not.

A. No sir.

By Mr. Purdy. Q. How long did you remain there after this.

A. Not a week.

Q. Why did you go away.

A. Because it was almost time to go to school again.

Q. That was the reason you went away, it was time to go to school again.

A. Yes sir.

Q. Do you know the obligations of an oath.

A. Yes sir.

Q. Do you know what will be done with you if you swear falsely or commit perjury.

A. Yes sir.

Q. You are fully aware of that.

A. Yes sir.

Q. Now is it not the fact --- are you afraid of anybody in testifying.

A. No sir.

Q. You are up in Mr. Gerry's Society rooms, are you.

A. Yes sir.

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Q. Have they told you that they will put you in the Protective or somewhere for being a bad girl.

A. No sir.

Q. Nobody has told you anything of the kind.

A. They always said I was a good girl.

Q. Who said that.

A. The lady of the house.

Q. In Mr. Gerry's Society.

A. Yes sir.

Q. Now is 't it a fact that both your cousins up there in the blackberry patch or somewhere else had connection with you from time to time.

A. No sir.

Q. They never any of them had connection with you.

A. No sir.

Q. When you came back to New York did you tell your step-father Mr. Anderson about these boys trying to have connection with you.

A. No sir.

Q. Why didn't you tell him about this outrage that had been attempted upon you.

By the Court. Q. Do you remember.

A. No sir.

Q. You did not tell him.

A. No sir.

Q. Your grandmother or anybody else.

A. No sir.

By Mr. Purdy. Q. After you went to live with your grandmother or supposed grandmother at five years old, how often have you seen your mother between that time and this.

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A. Sometimes once a week and sometimes twice a week.

Q. When did you first go to see her.

A. I do not remember.

Q. Well, how old are you now.

A. Fourteen.

Q. When was the first time that you recollect going to see her.

A. I do not recollect.

Q. Was you eight, nine or ten years old.

A. Yes sir.

Q. During the last few years, say three or four years have you been in the habit of going to see her.

A. Yes sir.

Q. Where was she living the first time that you went to see her.

A. At No. 138 West 33rd Street.

Q. Who was she living with.

A. My step-father.

Q. With Anderson.

A. Yes sir.

Q. And did they have a flat.

A. Yes sir.

Q. You went down to visit her.

A. Yes sir.

Q. Did she send for you or did you go yourself.

A. She told me to come and see her.

Q. When did she tell you to come and see her.

A. Once a week or twice a week.

Q. Did she come to your grandmother's house to ask you to come, or how did you come to go and see her.

A. My step-father told me to come.

Q. Your step-father, Mr. Anderson.

55 A. Yes sir.



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- Q. He came after you and told you to come down and see your mother, is that it.
- A. Yes sir.
- Q. It is right on the same street, your grandmother lives where.
- A. No. 415 West 33rd Street.
- Q. And your step-father Mr. Anderson lives on the same street how far away.
- A. About two blocks away.
- Q. About two blocks away on the same street.
- A. Yes sir.
- Q. So he came to the house and as far as you can recollect, told you to go down and see your mother, is that so.
- A. If I wanted to.
- Q. And you did want to.
- A. Yes sir.
- Q. And when did you go, the next day or two or three days after.
- A. I do not remember.
- Q. This was how many years ago when you first went to see your mother, I mean.
- A. I do not remember when I first went.
- Q. Can't you remember whether it was three, four or five years ago.
- A. No sir.
- Q. At any rate, you did go to see your mother.
- A. Yes sir.
- Q. And then you got in the habit of going to your mother's house and seeing her.
- 56 A. Yes sir.

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- Q. It was a flat, was it.
- A. Yes sir.
- Q. And you always saw your step-father there, did you.
- A. Yes sir.
- Q. Who else did you see.
- A. Nobody else.
- Q. Did you see Mrs. Adams there.
- A. No sir.
- Q. Did you see any other lady there.
- A. No sir.
- Q. Nobody but your mother.
- A. No sir.
- Q. And Anderson. A. Yes sir.
- Q. How long used you to remain there.
- A. Sometimes I would only stay ten minutes and sometimes I would stay half an hour.
- Q. But you came there most every day, did you not.
- A. No sir.
- Q. About twice a week, to see your mother.
- A. Yes sir..
- Q. Did you ever be there at night.
- A. No sir.
- Q. Always in the daytime.
- A. Or about five o'clock at the latest.
- Q. Was Mr. Anderson there most of the time.
- A. Yes sir.
- Q. Every time you came Mr. Anderson was there, was he.
- A. Most every time.
- Q. And that continued for a period of four or five years, has that been going on five years.

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A. Yes sir.

Q. How often do you go to the country to visit these people, every summer.

A. Yes sir, sometimes I go to different places.

Q. How many times have you been up to Cooper's house.

A. I do not remember.

By the Court. Q. Four or five times, about how many.

A. About four or five times.

By Mr. Purdy. Q. Who takes you to different places.

A. My grandmother does.

Q. Did she take you up to Mr. Cooper's.

A. Yes sir.

Q. Have you ever been away in the summer time with Anderson and your mother.

A. No sir.

Q. Never have been away with them.

A. No sir.

Q. Your grandmother always takes you away.

A. And my uncle and Mr. Anderson generally comes.

Q. But you never went away with your mother and Anderson.

A. No sir.

Q. Then this going visiting with your step-father and your mother has been going on for three or four years has it not, is that so.

A. Yes sir.

Q. How did you first come to go to Mr. Morris's house, who took you there.

A. My papa did.

Q. When did he take you to Mr. Morris's house.

A. About a month and a half ago.



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- Q. You do not mean a month and a half ago, when was it, what month was it that he took you there.
- A. I do not remember the month, it was before January.
- Q. Before January. A. Yes sir.
- Q. How did he come to take you to Mr. Morris's house.
- A. Mr. and Mrs. Morris came to our house and Mrs. Morris told me that she would like me to come and learn to make embroidery things, if he would let me go.
- Q. You mean Anderson's house.
- A. Yes sir.
- Q. You met them there. A. Yes sir.
- Q. When did you meet them there.
- A. It was one Sunday.
- Q. But you did not live there at all, did you.
- A. I do not mean at my mother's house, at my grandmother's house.
- Q. They were at your grandmother's house.
- A. Yes sir.
- Q. They knew your grandmother, did they.
- A. Yes sir.
- Q. Was your step-father present.
- A. Yes sir.
- Q. He also visited your grandmother. A. Yes sir.
- Q. Did your mother also visit her. A. Sometimes.
- Q. But you first met Mr. and Mrs. Morris at your grandmother's house, is that it. A. Yes sir.
- Q. Now what took place, what was said, how did you come to go to Mr. Morris's house.
- A. She asked my papa if I could come, that she would like me very much to come and she would learn me embroidery and

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anything I wanted to know.

Q. She is a dress-maker and an embroiderer, is she not.

A. Yes sir.

Q. Well after that how long was it before your step-father took you there, or did you go yourself.

A. I went myself.

Q. You went yourself.

A. Yes sir.

Q. Then you were mistaken a moment ago when you said your step-father took you.

A. He said he was going to take me but I did not wait for him to take me.

Q. You went before January.

A. Yes sir.

Q. Where did Mr. and Mrs. Morris live.

A. 346 West 38th Street.

Q. A flat.

A. Yes sir.

Q. And when you went there what took place.

A. Nobody was in but her, so she told me to take off my things and then she showed me different embroidery things she had.

Q. You took off your things and she showed you different embroideries that she had.

A. Yes sir.

Q. Well, what did you do, did you learn it.

A. She learned me how to hemstitch then afterwards.

Q. You were not going to school at this time, were you.

A. It was on a Saturday.

Q. Were you going to school all the time.

A. No sir.

Q. Why weren't you going to school, when did you stop going to school.

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A. I went after I came home from school to her house.

Q. In the meantime you were going to school all the time.

A. Yew sir.

Q. And then you were learning embroidery after time, is that so.

A. Yes sir.

Q. She showed you how to embroider and hemstitch, did she.

A. Yes sir.

Q. How long did you remain there.

A. Until five o'clock and then I went home.

Q. That was the first time.

A. Yes sir.

Q. Did your uncle come after you or did your step-father come after you.

A. No sir.

Q. You went home alone, did you.

A. Yes sir.

Q. Then what was the next time you went there.

A. I do not remember.

Q. You went there most every day, didn't you.

A. Sometimes I did and sometimes I did not.

Q. How many times in all were you constantly going there to learn this trade of embroidery, every day almost.

A. Not every day.

Q. Pretty near every day.

A. Sometimes I would go every day and sometimes every second day.

Q. Now during this time did you see Morris there.

A. Not the first time I did not.

Q. How many times did you see him there.

A. Most every time that I went.



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- Q. Did you ever see your step-father.
- A. Yes sir.
- Q. He was often there, wasn't he.
- A. Yes sir.
- Q. He and Morris were good friends, were they not.
- A. Yes sir.
- Q. It was a sort of family affair, you were learning embroidery and learning to sew and your step-father was there with you and a great friend of Morris's was he not.
- A. Yes sir.
- Q. How long had this continued, you say that this assault or this rape was committed upon you about what time.
- A. On January the 13th.
- Q. How do you fix the 13th of January as the time.
- A. Because that day I went with Mrs. Morris to White Howard's to get a receipt for money, she could not get it so when she got home it was there for her.
- Q. So you fix it on that day because of the White Howard business.
- A. Yes sir.
- Q. And you went out that morning with Mrs. Morris, did you.
- A. Yes sir.
- Q. And when you left her you came back, did you.
- A. Yes sir.
- Q. What did you go back to the house for.
- A. She told me to give the newspaper to George.
- Q. So she gave you a newspaper.
- A. Yes sir.
- Q. And where did she leave you.

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- A. At Sixth Avenue and 34th Street.
- Q. At what time of day was it.
- A. About dinner time.
- Q. About noon. A. Yes sir.
- Q. She gave you a newspaper and told you to go home and give it to George.
- A. And to stay until she came back.
- Q. And to stay until she came. A. Yes sir.
- Q. When you came back to the house you found Morris there, did you .
- A. Yes sir.
- Q. Now did you ring the bell to get in, what was the first thing took place.
- A. Yes sir.
- Q. Is there a servant in the house. A. No sir.
- Q. You rung the bell to get in, now does the flat work like all flats do, the door fly open when you ring the bell.
- A. No sir.
- Q. How did you get in.
- A. They have not any door opener on the first floor; he came out to the door and opened it for me.
- Q. After you rung the bell. A. Yes sir.
- Q. What was the first thing that took place when you got into the flat.
- A. I first sat in the rocking chair and I handed him -----
- Q. What did you first say to him when you came in.
- A. I said, "I have a newspaper for you."
- Q. Then what did he say.
- A. He said, "all right."

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Q. Then what.

A. Then I went into the room and I took off my things.

Q. Went into the bed-room and took off your things.

A. No sir, the front room.

Q. Into the front room and took off your things.

A. Yes sir, then I put them in the bed-room.

Q. Why didn't you go home.

A. She told me to stay there.

Q. Until she came.

A. Yes sir.

Q. What next took place.

A. And then I laid my things on the bed and I went into the front room and he was sitting reading the paper and I took out my embroidery work and worked on it for half an hour.

Q. What did you say to him, anything.

A. Nothing.

Q. Nor he did not speak to you for half an hour.

A. No sir.

Q. You sat there working on your embroidery and he sat there reading the paper and did not say a word for one half hour, is that so.

A. Yes sir..

Q. Then what took place.

A. Then he dragged me into the bed-room.

Q. Did he say anything to you.

A. When he was dragging me into the bed-room he said I would have to do it.

Q. Did he grab hold of you before you knew it.

A. Yes sir.

Q. You were sitting quietly embroidering and the first thing you knew he jumped up and grabbed you.



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A. Yes sir.

Q. Where did he grab you.

A. By the arm.

Q. Did not say a word to you. A. No sir.

Q. He dragged you into the bed-room.

A. He said "you will have to do it."

Q. That is all he said. A. Yes sir.

Q. You did not understand what he meant, did you.

A. I had an idea but I was not sure.

Q. Where did you get the idea of what he meant, from what had occurred up in the country.

A. Yes sir.

Q. From the boys having tried to do it in the blackberry patch.

A. Yes sir.

Q. That was your idea. A. Yes sir.

Q. He took hold of you, rushed at you and dragged you into the bed-room and as he dragged you he said, "you will have to do it."

A. Yes sir.

Q. Then what did he do.

A. Then he laid me on the bed and I began to holla and scream so he put his hand over my mouth, he said, "you will have to do it, I will make you do it."

Q. Then what.

A. Then he laid on me and began to do it.

Q. When you went into the flat he was dressed.

A. Yes sir.

Q. All dressed and his clothes all on him.

A. Yes sir.

Q. And he took hold of you and dragged you in and put you on

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the bed.

A. Yes sir.

Q. And said, "you will have to do it, I will make you " and that is all.

A. Yes sir.

Q. And when you undertook to scream he put his hand over your mouth.

A. Yes sir.

Q. And then did he unbutton his trousers, you haven't told us about that.

A. He pulled down my drawers.

Q. He tore down your drawers.

A. Yes sir.

Q. What kind of drawers did you have on.

A. White ones.

Q. I mean are they drawers that button up or split drawers.

A. Button up the sides.

Q. They button up the sides and he tore down your drawers.

A. Yes sir.

Q. Then what did he do about unbuttoning his trousers.

A. I did not look at him.

Q. Can you say whether he did or did not unbutton his trousers.

A. I have an idea that he did.

Q. You have an idea that he did.

A. Yes sir.

Q. But you did not see him.

A. No sir.

Q. Did he put his hand over your mouth all the time to prevent your screaming.

A. Yes sir.

Q. And he was tearing down your drawers and unbuttoning his

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trousers and his hand was over your mouth all the time, was it.

A. Yes sir.

Q. And then he commenced to do it.

A. Yes sir.

Q. And he did do it,

A. I told him to stop, that it hurt me.

Q. What did he say then.

A. He said, "no, it did not hurt you at all."

Q. Well, then what, he did it, did he.

A. Yes sir.

Q. Had connection with you.

A. Yes sir.

Q. How do you know what connection is, how do you know he had connection with you or not if you never had connection with a man before.

By the Court. Q. Did you tell us what he did to you yesterday.

A. Yes sir.

Q. Is that what you mean by connection.

A. Yes sir.

By Mr. Purdy. Q. What was that, he put his penis in you.

A. I do not know what you call it.

Q. Had you ever seen anybody have connection.

A. No sir.

Q. Had you ever seen your father and mother in bed before, had you ever seen the private parts of a man before that.

A. No sir.

Q. Had you ever seen your mother and father in bed together.

A. Once I have.

Q. Where was that.

A. At 33rd Street.



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Q. And where were you.

The Court: I will exclude that.

By Mr. Purdy. Q. Have you ever seen anybody in bed with your mother but your father.

Objected to. Objection sustained. Exception.

Q. Did your father Mr. Anderson tell you to cry on occasions when it was necessary, did he tell you to cry when you came on the witness-stand.

A. No sir.

By the Court. Q. Did your father or anyone tell you to cry when you were testifying.

A. No sir.

By Mr. Purdy. Q. You say that he put you on the bed and he had connection with you, then what did he do next.

A. He went into the kitchen and got a towel to wipe me off.

Q. You waited while he was going in the kitchen.

A. Yes sir.

Q. Why didn't you get up and run away.

A. Then afterwards I ran away.

Q. But you did not run away until he went into the kitchen and wiped you off.

A. Yes sir.

Q. What did he wipe off, the private parts.

A. Yes sir.

Q. You laid on the bed.

A. Yes sir.

Q. Then what did you do.

A. I got up and went out to the closet and slammed the door after me.

Q. The water-closet.

A. Yes sir.

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Q. And slammed the door after you.

A. Yes sir.

Q. After you went into the water-closet what did you do.

A. I sat there crying with the pain.

Q. And after you got through crying with the pain, what did he do.

A. He came in.

Q. To the water-closet.

A. Yes sir, he just opened the door; he says, "what is keeping you so long there?" And I did not answer him; then he told me to stop my crying and if I wanted to know anything to ask him and he would tell me.

Q. Well then what did you do.

A. Then I came in and he went in too; then he asked me did I like it and I said no, it hurt me, that I would be sick to-morrow; he said, "no, you would not be sick at all."

Q. Then what did you do.

A. Then I sat at the little table.

Q. What was you doing at the little table.

A. I was giving him examples.

Q. Examples in what.

A. In arithmetic.

Q. What examples were you giving him in arithmetic.

A. School examples.

Q. And he was answering them, was he.

A. Yes sir.

Q. Playing school together were you.

A. Yes sir.

Q. And how long did you play school together there.

CS A. Over half an hour.

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Q. Then what did you do.

A. I just sat there, then his wife came in.

Q. Then what did you do, put on your things and go home.

A. No sir.

Q. What did you do then.

A. I went into the kitchen and helped her.

Q. Helped her do what.

A. Set the table and then went to the store for her.

Q. Then you came back, did you, and then you went home.

A. Yes sir.

Q. Well, the moment you got home of course you told your grandmother about what a terrible thing this man had done to you of course right away.

By the Court. Q. Did you tell.

A. No sir.

By Mr. Purdy. Q. why.

A. Because he told me if I told anybody he would kill me.

Q. When did he tell you that he would kill you.

A. After I came out of the closet and went into the room.

Q. And before you played school together.

A. Yes sir.

Q. And before you went to the grocery store.

A. Yes sir.

Q. And before you worked the embroidery, you was working embroidery.

A. Yes sir.

Q. You did not tell his wife when she came home about it, anything.

A. No sir.

Q. You did not tell your grandmother.

A. No sir.

Q. When next did you go back to Mr. Morris's house.



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- A. I went back afterwards, I had a dress and sacque to be made and I went to get it tried on.
- Q. Did you see him.
- A. No sir, he was out.
- Q. You saw Mrs. Morris.                      A. Yes sir.
- Q. And had the sacque tried on.                      A. Yes sir.
- Q. This was on the 18th day of January you say, in which this assault was committed upon you.
- A. Yes sir.
- Q. What time was it when you went back the first time, how long after, the next day or two or three days after.
- A. Two or three days afterwards.
- Q. You tried on the sacque, didn't you.
- A. Yes sir.
- Q. Then where did you go, went home again.
- A. Yes sir.
- Q. And did you go back there again after that.
- A. Yes sir.
- Q. What did you go back the next time for.
- A. For the sacque..
- Q. How long was that, did you see Mr. Morris there when you went back to get the sacque again.
- A. No sir.
- Q. You saw Mrs. Morris.                      A. Yes sir.
- Q. Did you get the sacque.                      A. Yes sir.
- Q. When next did you go again, was it two or three days afterwards.                      A. I do not remember.
- Q. Weren't you going there all the time from the 18th day of January up to the time you came there with your step-father, did not you go backwards and forwards to see

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Mrs. Morris and have your saccos fitted and sewing all the time, wasn't that so.

A. Yes sir.

Q. Why did not you tell Mrs. Morris or somebody during the whole of the month that this husband of hers was a wretch and had actually ruined you.

A. I was afraid to.

Q. Don't you recollect the dog show.

A. Yes sir.

Q. Did not you go to the dog show with Mr. and Mrs. Morris.

A. Yes sir.

Q. After he had committed this great outrage upon you.

A. Yes sir.

Q. After this did not you go with your mother and Mr. and Mrs. Morris up to the High Bridge one Sunday, the next Sunday after Saturday the 18th, when you say he committed this terrible outrage upon you.

A. Yes sir.

Q. On the Sunday following did not you go with him, his wife and your mother and step-father up to High Bridge.

A. Yes sir.

Q. Why did not you tell any of them there that you were afraid that he would kill you.

A. Because I told him that I would not tell anybody.

Q. You told him you would not tell anybody.

A. Yes sir.

Q. Then it was because you promised him that you would not tell anybody, that was the reason you did not tell anybody was it.

A. Yes sir.

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By the Court. Q. Was it because you were afraid he would kill you or was it because you promised him, that you did not tell.

A. It was both.

By Mr. Purdy. Q. Who did you first tell that this man had committed this crime upon you.

A. My step-father.

Q. When.

A. About two or three weeks.

Q. Was it on the 23rd or 24th of February.

A. Yes sir.

Q. That is over a month, the 18th of January you say the thing occurred.

A. Yes sir.

Q. The 24th of February was the first time you told him, where was he when you told him.

A. In the street.

Q. Whereabouts in the street.

A. Eighth Avenue and 34th Street.

Q. How did you come to tell him, what took place.

A. I was sick with pain.

Q. Sick with pains.

A. Yes sir.

Q. What kind of pains.

A. In my stomach.

Q. In your stomach.

A. Yes sir.

Q. Why did not you tell your aunt or some of your female relatives about it, your mother or somebody.

A. I did tell my grandmother.

Q. Did not you think you were in the family way, you know what I mean, don't you by being in the family way.



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A. Yes sir.

Q. You thought you were in the family way, didn't you.

A. Yes sir.

Q. And then you went to your step-father and told him you thought you were in the family way, didn't you.

A. Yes sir.

Q. You met in the street, was it.

A. Yes sir.

Q. And that was when you thought you were in the family way that you told your father about it.

A. Yes sir.

Q. Now wasn't your step-father the man that had connection with you, did not you go to him because you thought you were in the family way, is that the truth of it.

~~A.~~ Objected to.

By the Court. Q. Do you understand that question.

A. No sir.

By Mr. Purdy. Q. Wasn't it your step-father that had connection with you.

By the Court. Q. Was it your-step-father that had onnection with you.

A. I do not know what you mean.

Q. You know your step-father, don't you.

A. Yes sir.

Q. You know what you told us this Defendant did to you, this man here, Morris.

A. Yes sir.

Q. The Counsel asked you if it was not your step-father that did that to you, if it was not Anderson.

A. No sir.

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By Mr. Purdy. Q. Anderson never had onnection with you, did he.

A. No sir.

Q. Why then did you go to him when you thought you were in the family way.

A. I do not know what you mean by the family way.

Q. Did not you tell us a moment ago you knew what the family way meant, you had pains.

A. Yes sir.

Q. Did not you tell us that you knew what being in the family way meant.

A. I thought you meant something else.

Q. What did you think I meant.

A. About having monthlys.

Q. About having your monthlies.

A. Yes sir.

Q. You had your monthlies did you and your pains with your monthlies.

A. Yes sir.

By the Court. Q. Is that what you meant by the family way.

A. Yes sir.

By Mr. Purdy. Q. You went to Anderson because you had your monthlies, is that it.

A. Yes sir.

Q. Did you have them. A. Yes sir.

Q. How do you know what monthlies means, who told you what monthlies meant.

A. Because I have them.

Q. Who told you what it means.

A. It will be a year in September when I got it. (Meaning monthlies.)

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Q. You say that it was a year in September since you first had your monthly flows.

A. Yes sir.

Q. Then why did you go to Anderson, when you had your monthlies a year before that.

A. Because I suffered so much pain I never had ----

Q. Had not the monthlies stopped and was not that the reason you went to Anderson.

A. Yes sir.

Q. Then because they had stopped you thought you were in the family way, didn't you.

A. I was not thinking about the family way.

Q. The monthlies had stopped. A. Yes sir.

Q. And hence you went to your step-father because they had stopped, is that so.

(Witness hesitated.)

Q. Now Ida, you need not weep, can you give us any better explanation of your going to your step-father excepting the fact that your monthlies had stopped .

A. I was sick in bed.

Q. Well, you were out on the street, you went to him, you met him on the street.

A. Yes sir.

Q. Where did you meet him.

A. At Sixth Avenue and 33rd Street .

Q. What did you say to him.

A. He asked me how did I feel, if I felt any better and I said no.

By the Court. Q. You had been sick in bed at this time.

76 A. Yes sir.



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~~A. Yes sir.~~

By Mr. Purdy. Q. He asked you how did you feel.

A. I said I did not feel any better.

Q. Had you told him before that you felt bad.

A. Yes sir.

Q. When did you first tell him that you felt bad.

A. About a week or so.

Q. You told him a week before this that you felt bad, did you tell him what was the matter with you.

A. I told him I had pains in my stomach and in the breast.

Q. What did he say to that.

By the Court. Q. What did he say to you when you told him that, do you remember.

A. He says, "I am going to take you to the doctor's and see what is the matter with you;" then I says, "Papa, if you don't tell I will tell you about it."

By Mr. Purdy. Q. This was a week before this time, I mean the first interview that you had with your father, you told him you had pains in your stomach and pains in your breast.

A. Yes sir.

Q. What did he say at that time.

A. He says, "I will go to the doctor and see what is the matter with you."

Q. The next time about a week afterwards you met him on the street and he asked you how you felt, did he.

A. Yes sir.

Q. What did you tell him.

A. I told him I had pains in my stomach and they hurt me awfully.

Q. Did you tell him that your monthlies had stopped.

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- A. I did not mention monthlies to him.
- Q. Did you tell him you had any sickness.
- A. No sir.
- Q. Did not you tell us a moment ago that the reason that you went to your step-father was because your monthlies had stopped, can you give any answer to that.
- A. No sir.
- Q. Well then this was on Sixth Avenue.
- A. Yes sir.
- Q. Then you saw your father that day and then it was that you told him as you say, that Morris had had connection with you.
- A. Yes sir.
- Q. What did you do next, what was the next thing was done.
- A. Then he went straight to this house.
- Q. He took you right over to the house and you saw Mr. Morris and his wife there.
- A. Yes sir.
- Q. You rang the bell and came right in.
- A. Yes sir.
- Q. What next.
- A. He says, "you got yourself into severe trouble."
- Q. He said to Morris, "you have got yourself into severe trouble."
- A. Yes sir.
- Q. What did Morris say.
- A. Nothing but he fell back in the chair and trembled.
- Q. And then what next took place.
- A. Then Mrs. Morris says, "what is the trouble, Mr. Anderson?" And then my papa told me to tell the story just the way I told him.

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Q. Your papa told you to tell the story and then you went over the story, did you.

A. Yes sir.

Q. You told that Morris had taken you on the bed and had connection with you.

A. Yes sir.

Q. And then what took place.

A. Then Mrs. Morris says, "is that the truth?" And I says, "yes mam, the day that you went to White Howard's it happened; then she got down on her knees and cried; she said, "O my God, is this the truth, George?"

Q. Did not Mrs. Morris take you out in the kitchen.

A. Yes sir.

Q. And left the men in the front parlor.

A. Yes sir.

Q. She asked you about it in the kitchen alone by herself, didn't she.

A. Yes sir, then she came in crying.

Q. Did not she ask you about it.

A. Yes sir.

Q. And did not you say, "it is not the truth but my father makes me say it, did not you tell Mrs. Morris that, yes or no, quick, why do you hesitate.

By the Court. Q. Did you tell Mrs. Morris in the kitchen that it was not the truth but that your father made you say so.

A. It was the truth, I said, "the day that you went to White Howard's it happened."

By Mr. Purdy. Q. Did you in the kitchen when Mrs. Morris took you back and asked you there alone by yourselves, the two men



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being in the parlor, did not you then say to her when she says, "is this true", "no, it is not the truth but my papa makes me say it is."

A. No sir.

Q. You did not say that to her.

A. No sir.

Q. In all this matter why did you confide in your step-father you had your mother and this aunt is about fifty years old you say.

A. Yes sir.

Q. A nice lady.

A. Yes sir.

Q. You have lived with her since you have been five years old.

A. Not with my aunt I have not.

Q. I mean your grandmother.

A. My grandmother is over eighty.

Q. You have lived with her since you have been five years old and her son is there.

A. Yes sir.

Q. And he is a man about fifty.

A. Forty-two.

Q. And these people have educated you, have they not.

A. Yes sir.

Q. They have paid your schooling.

A. I go to the public school.

Q. They have adopted you.

A. Yes sir.

Q. You are their child, you have lived with them all the time, you never knew Anderson except as seeing him with your mother.

A. No, but he had clothed me.

Q. Anderson clothed you and paid your uncle for your board and took care of you.

A. Yes sir.

Q. But you lived with these people.

A. Yes sir.

Q. Why was it that you went to him to confide to him instead of to your grandmother or the people with whom you lived since you were five years old or why didn't you go to your mother.

By the Court. Q. Can you give any reason for that.

A. No sir.

Redirect Examination.

By Mr. Bedford. Q. You came into my office yesterday, did you not with your step-father and your mother and Mr. Stocking.

A. Yes sir.

Q. Did I not tell you to be sure to tell the truth and nothing but the truth as a witness, I told you that, didn't I.

Objected to. Objection overruled.

Exception.

A. Yes sir.

Q. Did I not also say to you not only to tell the truth and the whole truth but not to answer any question that either myself or Mr. Purdy would put to you unless you understood it.

A. Yes sir.

Q. And not to get worried but to tell the truth.

A. Yes sir.

By Mr. Purdy. Q. Mr. Anderson, your step-father, was ~~all~~ there all the time was he.

A. Yes sir.

Q. And looking right at you.

A. I was looking straight to the lawyer's face.

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William B. Anderson sworn and examined.

By Mr. Bedford. Q. Mr. Anderson, where do you live in this city.

A. No. 415 West 33rd Street.

Q. I believe you are the step-father of Ida Simon.

A. Yes sir, step-father.

Q. Did you know George Morris previous to January 13.

A. Yes sir.

Q. For how long did you know him and Mrs. Morris.

A. About four to five months.

Q. What were your feelings between each other and to each other previous to January 13.

A. Very friendly.

Q. It is in evidence that Ida told you something about this man doing something to her, do you remember that day.

A. I remember the circumstances.

Q. You remember the circumstances.

A. Yes sir.

Q. Previous to that what for ten or fifteen days was Ida's health.

A. Sickly, so much so that she had been away from school several days.

Q. She has always been so healthy up to the 13th of January that she never missed school.

A. No sir, never been away from school.

By the Court. Q. You had then a conversation with her.

A. Yes sir.

By Mr. Bedford. Q. Did you ask her what was the matter with her.

A. Yes sir.



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Q. The first time you asked her what did she say, if anything.

A. She complained of having a headache and having pains in her throat and stomach.

Q. Did you ever find her crying.

A. Yes sir, two or three times I found her in the front room by herself and that is the cause of my asking what was the matter with her.

Q. Was that previous to or after January 18.

A. After.

Q. What did you say to her when you found her crying and alone.

Objected to. Objection sustained.

Q. In consequence of what Ida told you what did you do and what did you say to her.

Objected to.

Q. What did you do, now understand my question before you answer it, you found her crying and alone.

A. Yes sir.

Q. Mr. Purdy very properly objects to the conversation because Morris was not there, but what did you do in consequence of she having told you something.

By the Court. Q. Did you go any place.

A. I took her to the doctor's.

Q. First. A. Yes sir.

Q. That was the first thing you did, was it.

A. O, that was sometime before this when she first -----

By Mr. Bedford. Q. I am talking about --- when she told you did you go and see the prisoner.

Objected to.

A. I started -----

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Q. When did she tell you that the prisoner had had connection with her.

A. I do not remember the date, it was the day previous to the arrest.

Q. When was the arrest.

A. That I do not remember, the date, the papers will show, it was on a Sunday afternoon.

Mr. Purdy: The complaint is dated the 24th of February.

By Mr. Bedford. Q. Then she told you on or about the 23rd, we will call it.

A. Yes sir.

Q. Now what did she tell you.

A. She told me that she was up in that house in the morning at about half past ten or eleven o'clock in the day, that Mrs. Morris was out, and that George Morris took her and dragged her from the front room into his bed-room and threw her on the bed and she commenced to cry; he then says to her, "I will make you do it", and put his hand over her mouth, dragged her clothes down and tore her drawers. So then she said she did not know what happened for a few minutes, he went out and got a towel and used the towel on her, that she went out in the water-closet in the hall and remained in the water-closet about half an hour, that he came out in the closet and says to her, "don't cry, if you want to know anything you ask me, nothing will happen you; if you tell anybody I will kill you; don't you open your mouth to a soul." I then went right up to the house and in the presence of Morris -----

Q. Who went with you.

84 A. The little girl.

Q. Right after her telling you this.

A. Right after her telling me she and I started to go to the doctor's and went two blocks, I changed my mind and went right up to his house.

Q. That is Morris's house, with Ida.

A. Yes sir, Morris's house.

Q. When you entered Morris's house who did you find there.

A. Morris and this woman.

Q. What woman.

A. I do not know who she is, the woman that was with him there, with Mr. Morris.

Q. What name did she go by.

A. Under the name of Mrs. Morris, which I had always known her by until that time.

Q. What name do you know her by now.

A. Alice Tech, some such pronunciation as that, the original Mrs. Morris is in Chicago, that is his own confession.

Counsel: I move to strike that out.

The Court: Strike it out.

By Mr. Bedford. Q. Now you and Ida entered the room with Mr. Morris and the woman there whom you always knew as Mrs. Morris up to a certain day.

A. Yes sir.

Q. Who spoke first after you and Ida had entered that room where the Morris's were.

A. I did.

Q. Now to the best of your recollection give your very words if you can, what you said.

A. I said to him, "you have got yourself into serious trouble."



haven't you?" He looked up at me and he says, "what is that?" I says, "concerning this little girl"; and Mrs. Morris got up and says, "for God's sake what is it?" I says to the little girl, "tell your story exactly as you have told it to me." The little girl then commenced to tell the story about how Morris had dragged her from the room in on the bed and tore her clothes down.

Q. What did Mrs. Morris say.

A. "For God's sake what is it."

Q. And then you told Ida to tell the story.

A. Exactly as she told me; she then started to tell the story of how he had dragged her from the room and Mrs. Morris said, "when was it?" And she said, "the morning you went to White Howard's." She went over to collect a bill or something.

Q. You heard her tell this story.

A. Yes, I did.

Q. And substantially she repeated what she told you.

A. Exactly.

Q. Did you watch George Morris while she was telling it.

A. Yes sir.

Q. Tell us how he acted and what he said if anything.

A. He got up from the side of the room he was sitting on and he staggered over to the other side of the room into a large arm-chair and fell into the arm-chair with his head lying back and his arms that way (illustrating) and his face deathly pale. Before she was through with her story Mrs. Morris says, "tell me the truth now" and commenced to cry on her knees; the little girl says, "I am telling you

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the truth, it is all the truth that I am saying." After she had finished, Mrs. Morris turns around and says, "my God, George, did you do this?" He fell back in the chair and nodded his head and laid back his head again in the chair from that time.

By the Court. Q. As you illustrate.

A. Yes sir, as I illustrate.

By Mr. Bedford. Q. After Ida got through Mrs. Morris said what.

A. She either made the remark, she said to him, "my God, George, did you do this", or, "is this so" --- it was either one of those remarks; I was quite excited at the time, I could not give the exact words but the substance.

Q. When she said, "my God, George, did you do this", or "is this so", then what did he do or say in reply if anything.

A. He nodded his head and fell back in the chair.

Q. ~~How did he nod it.~~ How did he nod it.

A. In that shape. (Showing.)

Q. In the affirmative.

A. Yes sir.

Q. Now what did you next do after that scene was over.

A. I then said to the little girl, "come on, we will go; I shall attend to your case", and beckoned to him; he did not say a word, he did not open his mouth, I got half way to the door and Mrs. Morris came and says, "let me talk to you a little while, let us talk this matter over, don't get excited." I said, "I will attend to this, there is no more talking necessary."

Q. What did Morris say.

A. He did not say anything, he sat still in that chair, he did not move out of that chair yet.



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Q. Then after you declined to talk more about it with Mrs. Morris saying you will attend to this yourself, what next took place.

A. I went to the doctor's.

Q. Immediately from this man's house.

A. With the little girl to the doctor's.

By the Court. Q. Dr. Gray's.

A. Yes sir.

By Mr. Bedford. Q. He was a witness here yesterday.

A. Yes sir.

Q. Was he in.

A. Yes sir.

Q. Who went with you to Dr. Gray's.

A. The little girl.

Q. That is Ida.

A. Yes sir.

Q. Did the doctor examine the little girl.

A. Yes sir, in my presence.

Q. Her private parts.

A. Yes sir.

Q. He wrote you a letter, didn't he.

A. Yes sir.

Q. Look at that letter; is that the letter that Dr. Gray wrote to you. (Letter shown.)

A. Yes sir.

Q. I ask you to read it to this jury.

A. "February 23. I hereby certify that I have made yesterday a physical examination on the person of Ida Simon. I find evidences of rape having been committed recently; the hymen has been completely destroyed, complete entrance having been effected. There are symptoms present pointing towards the possibility of pregnancy. J.F.Gray,M.D., 336 West 31st Street.

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Q. After you received this letter from Dr. Gray dated February



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23, what did you next do, if anything, regarding this matter.

A. I then went up to the 20th precinct and obtained the assistance of Detective Roberts.

Q. You had a conversation with him, did you not.

By the Court. Q. You had a talk with Roberts.

A. No more than that I wished ----

Q. Did you have a talk with him, no matter what it was about.

A. Yes sir.

By Mr. Bedford. Q. In consequence of that conversation Roberts helped to arrest this prisoner, didn't he.

A. Yes sir.

Q. Do you remember when was the arrest, do you recollect that day.

A. It was on Sunday he was arrested at two o'clock in the afternoon.

Q. At what hotel.

A. At the Sixth Avenue Hotel, 44th Street and Sixth Avenue.

Q. You were with Roberts, searching to find him, were you not.

A. Yes sir, we had been watching his house for two days.

By the Court. Q. At what hotel.

A. The Sixth Avenue Hotel, Sixth Avenue and 44th Street. When we came to his house he was not there of course.

By Mr. Bedford. Q. Where was he when you arrested him.

A. The Sixth Avenue Hotel, northwest corner of 44th Street and Sixth Avenue.

Q. How long did you have to remain at that hotel before you saw George Morris.

A. About twenty minutes or half an hour, that was all.

Q. Where did you see him for the first time.

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A. Going through the sideway of the hotel, Roberts was in the front.

Q. You were where.

A. I was behind the stoop in the next house to the hotel.

Q. Each watching.

A. Each watching a door.

Q. So that he could not escape without passing you.

A. Roberts went in and inquired for him, his name was not registered, knowing that the woman had gone in twenty minutes before.

Q. You remained there.

A. Yes sir.

Q. What woman was that.

A. Mrs. Morris.

Q. Did you see her come down.

A. She came out first.

Q. Then what took place.

A. And he was following her and as soon as he laid eyes on me he halloos to her, "my God, Alice, save me."

By the Court. Q. Did you hear him.

A. Did I hear him --- certainly, you could have heard him across the street.

By Mr. Bedford. Q. Roberts was at the other door at this time.

A. Yes sir.

Q. You were at the front door when he said, "my God, Alice save me", and he was looking at you.

A. Yes sir.

Q. Did he run or walk, after saying "my God, Alice save me."

A. He ran then, he ran through the hotel.

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Q. Did you run. A. No sir, I did not.

Q. Did Roberts run.

A. Roberts ran after him.

Q. Who caught him.

A. Roberts and another officer, the other officer had stopped him previous to Roberts going up to him, he escaped through the front door afterwards.

Q. How far did he run about, do you know.

A. Very near 45th Street, about a block, an avenue block.

Q. Do you know anything more about the arrest than what you have stated.

A. No sir.

Q. Now you have stated all that you know of your own knowledge regarding this case, have you.

A. All, sir.

Cross Examined.

By Mr. Purdy. Q. You are sure about the last question, are you sure that you have stated all you know about this arrest, yes or no.

A. Yes sir.

Q. Where is that pistol you had that night in your pocket.

A. I had no pistol that night, I had a pistol in my pocket that afternoon.

Q. Did you have a pistol at the time this man was arrested.

A. In my pocket, yes.

Q. Where is it now.

A. It is at home, I have a right to carry it.

Q. Have you a permit to carry a pistol.

91 A. No sir, I do not require one.



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Q. When this man was arrested that night up at the Sixth Avenue Hotel did you have a pistol with you.

A. I had one in my pocket, yes.

Q. Did you draw it, yes or no.

A. No sir, I had it in my hand.

By the Court. Q. Where did you have the pistol.

A. I had it in my hand.

Q. Where did you carry it first off.

A. In my overcoat pocket.

By Counsel. Q. What did you have it in your overcoat pocket for.

A. That is where I carry it.

Q. What did you take it out of the overcoat pocket and hold it in your hand for.

A. To prevent this man doing me bodily injury, which he would have done in order to escape as he knew the detective was after him.

Q. When you told Judge Bedford a moment ago that you told everything why did not you tell him you had a pistol in your hand, a loaded revolver, why didn't you tell him that.

A. I did not know that that concerned the arrest.

Q. At the time of the arrest, wasn't it.

A. No, it was before the arrest.

Q. You claim that you are a United States officer.

A. Yes sir..

Q. You are a Custom House officer, are you.

A. A United States Custom House officer.

Q. What particular branch of the United States service do you adorn.

A. I am in the Custom House, a night inspector.

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Q. Inspector of customs.

A. Yes sir.

By the Court. Q. What department.

A. The surveyor's department.

By Counsel. Q. How long have you been such.

A. About two years.

Q. Who appointed you.

A. Collector McGowan.

Q. On whose recommendation.

A. I do not know sir, I do not remember the names that were attached to my application; it can be produced though.

Q. You do not know you say whose influence appointed you, do you.

A. I do not know.

Q. Prior to that you had been I think in the post office, had you not.

A. Yes sir.

Q. What position did you hold in the Post Office.

A. Clerk.

Q. Who appointed you there.

A. Postmaster James I suppose or Peirson.

Q. You resigned from there, didn't you.

A. Yes sir.

Q. About when did you resign.

A. In 1881 I guess, February or March, somewhere around there

Q. You resigned voluntarily, I suppose.

A. Yes sir.

Q. Got tired of the service.

A. Yes.

Q. That was the reason.

A. Well, probably, I may have had a little misunderstanding

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with the chief of my department which you are liable to have in any department especially in a political department.

Q. Did you have a misunderstanding.

A. I did, yes.

Q. Did not that misunderstanding arise out of your having been thieving or having stolen.

A. No sir, I never was accused of any such thing.

Q. Was your resignation asked for.

A. No sir.

Q. You resigned voluntarily.

A. Well, it may have been asked for, it may have been understood, it was not asked for.

Q. It was strongly intimated you had better get out.

A. Well, yes.

Q. Who indicated to you you had better get out.

A. The chief of my division.

Q. On what grounds did he make this intimation.

A. That I never inquired.

Q. But you promptly got out.

A. Why of course, I would not if I was told to-morrow occupy a position where I was not wanted.

Q. They told you you had better get out and you got out.

A. Yes.

By the Court. Q. You resigned.

A. Yes sir.

By Mr. Brady. Q. That was in 1891. A. Yes.

Q. What did you do.

A. I kept a cigar store and then I went in the insurance business.



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- Q. Where was that cigar store.
- A. 102 32nd Street and Sixth Avenue.
- Q. How long did you continue there in the cigar business.
- A. I guess about seven or eight months.
- Q. Then did you close it up.
- A. I sold it out.
- Q. And then was appointed in the Custom House.
- A. No sir.
- Q. What was the next business that you went into.
- A. I went in the insurance business then.
- Q. Where.
- A. Lloyd's plate glass insurance company.
- Q. How long did you remain with them.
- A. Probably a year..
- Q. And then you got appointed in the Custom House.
- A. No sir.
- Q. What business did you then go into.
- A. Then I went down to the Isthmus of Panama and worked on the Panama railroad for thirteen months.
- Q. Then when <sup>you</sup> came back you went to the Custom House.
- A. Yes sir.
- Q. Where did you come from before you came to New York.
- A. I was born in New York.
- Q. Always lived here in the city.
- A. Always lived in this city and born in the one district that I live in now.
- Q. You are quite a politician.
- A. No sir.
- Q. How did you get appointed in the Post Office, did you pass

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a Civil Service examination.

A. Yes, without a doubt.

Q. And before you were appointed by Mr. McGowan you passed a Civil Service examination.

A. Yes.

Q. But you can't tell us whose influence got you into the Custom House.

A. I suppose the influence of the gentlemen's names who were attached to the certificate.

Q. Who was the man that had the pull.

A. I do not remember.

Q. Now when did you marry this lady who is now your wife.

A. About in 1881, I think.

Q. That was when you were in the Post Office.

A. Yes sir.

Q. You married her then.

A. Yes sir.

Q. What month in 1881.

A. I do not remember the month, I believe in January.

Q. Have you ever been married more than once.

A. No sir.

Q. Can you tell us the month of the year.

A. In January I said.

Q. January, 1881, can you give us the date.

A. The 31st, I believe.

Q. The 31st of January.

A. Yes sir.

Q. And where were you married.

A. 31st Street and Ninth Avenue.

Q. By whom.

A. By S.P. Rossiter, a minister in the

church.

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Q. Well, she was a widow at the time you married her, was she.

A. Yes sir.

Q. Before your marriage had you seen this child, this girl.

A. Yes sir.

Q. Where had you seen her.

A. Before th at?

By the Court. Q. Before marriage.

A. Oh yes, previous to marrying, certainly I seen her.

By Mr. Purdy. Q. Where.

A. At her mother's house.

Q. She lived with her mother, did she.

A. Yes sir.

Q. How old was the girl then.

A. About five years I guess.

Q. About five years old.

A. About that.

Q. You had met her at her mother's house.

A. Yes sir.

Q. Where did her mother live.

A. No. 232 Chrystie St.

Q. Occupied a house or had a flat, which.

A. No sir, she had a flat there.

Q. And had this child with her.

A. Yes sir.

Q. And so you married her and then you went there to live with her, did you.

A. No sir.

Q. What did you do after the marriage.

A. The same as I always done ---- no sir not at the time I got married I did not right away, I lived home with my folks.



Q. But after the marriage she went back to Chrystie Street and you went home to your folks.

A. Yes sir.

Q. Where do your folks live.

A. 33rd Street.

Q. How long did you live home with your folks while your wife was living in Chrystie Street.

A. Objected to as irrelevant.

Counsel: This question I claim is proper as to his credibility.

The Court: I will rule it out.

Counsel: Note my exception.

By the Court. Q. When did you and your wife first live together as man and wife.

A. About one week after.

By Mr. Pur-

dy. Q. Where did you go.

A. To her house.

Q. Did you take the child with you.

A. The child was there.

Q. You went to her house to live.

A. Yes sir.

Q. How long did you continue to live there with her and the child, about how long, I do not press you for the exact date.

A. Probably six or seven months.

Q. And then what became of the girl.

A. She went to my folks, I took the child home to my folks house.

Q. That is, your uncle and your grandmother.

A. Yes sir.

0032

Q. And she has lived there ever since, has she not.

A. Ever since.

Q. You have paid for her clothing and her board and have looked after her.

A. Yes sir.

Q. You have sent her to the country where she went among their relatives and yours.

A. Yes sir, paid her board there.

Q. And she knows that, doesn't she.

A. Yes sir.

Q. She has never lived home with her mother at all.

A. No sir.

Q. Why have 't you taken this child home to the mother's in all these years.

A. Because I preferred to keep her at my grandmother's.

Q. Why.

A. In the first place, my grandmother is old and the help which she could give her, running errands, etc., was a great help to an old lady over eighty; in the next place, I thought she would be better taken care of than she would with her mother.

Q. Why.

A. I have my reasons, I do not want to answer any such question it affects my domestic relations.

By the Court. Q. You state your reasons are of a domestic nature and you did this on your best judgment, is that it.

A. Yes sir, I have not lived with my wife.

By Mr. Purdy. Q. As you have not lived with your wife.

A. That is my answer.

0033

Q. When did you cease to live with your wife .

A. I have lived home ever since.

By the Court. Q. When did you cease to live with your wife.

A. Well, probably six years.

By Mr. Purdy. Q. You have not lived with your wife for six years.

A. No sir, my home has been with my folks six years, I have seen her, I know where she lives. I have went to her house.

Q. Every day almost.

A. No sir.

Q. This girl tells us that you took her and she came almost every day to her mother, you took her there first and that she came there and was in her mother's house and saw you there, is that so.

A. No sir not every day; that child has been to her mother's house probably once a week and sometimes once in two weeks.

Q. You were not living with her mother.

A. No sir.

Q. What did you take her there for.

A. On a visit, I went to visit there.

Q. Isn't it a fact that the mother is a prostitute and that you are her pimp and do not live with her for that reason, answer yes or no.

A. No sir, it is not a fact.

Q. Why then don't you live with your wife, although you go to visit her and see her every day.

A. I have my reasons for not living with her.

Q. Those you want state.

A. No sir, I do not think it is necessary for me to state.

Q. Where did you meet Morris.



0034

A. At Sixth Avenue and 33rd Street in a pool room there.

Q. What were you doing in the pool room.

A. I went in there to look around.

Q. To bet on the races.

A. If I saw fit to.

Q. You do bet on the races.

A. I have occasionally.

Q. Many times.

A. Probably a dozen times.

Q. You met him there. A. I did.

Q. As a chance acquaintance.

A. He was introduced to me there.

Q. Who introduced him.

A. A gentleman in the room.

Q. What is his name. A. Allen.

Q. Mr. Allen introduced you.

A. Yes sir.

Q. You and he became friends, did you not.

A. He seemed to be.

By the Court. Q. Did you become friends.

A. Yes sir, became friends.

By Mr. Purdy. Q. When was that you first met him.

A. Probably six or seven months ago.

Q. You went home to his house.

A. Yes. I went to his house.

Q. Many times, did not you become very friendly.

A. Yes sir.

Q. Well, you took this child to his house, did you.

A. She has been to his house.

0035

Q. Did you take her to his house.

A. Yes sir.

Q. What did you take her there for.

A. His wife was making clothing for the little girl and was learning her to do embroidery.

Q. You took her there for that purpose.

A. Yes sir.

Q. Now Mrs. Morris or the woman that he lived with, you have tried to tell us about Chicago, you ascertained she is not his wife.

A. I have ascertained so since.

Q. She made dresses and clothing for people, did she.

A. For my grandmother and for the little girl.

Q. But you took the little girl there to learn to embroider and to make clothes.

A. Not to make clothing but have clothing made.

Q. To have clothing made for her.

A. For her.

Q. And when did you first take her there.

A. Well, probably after I had known him three weeks or so.

Q. And then you became quite friendly, you took her there and did he and his wife also visit with his people at your wife's house.

A. Yes sir, they had been over once, I think.

Q. The wife that you did not live with.

A. Yes sir, I was out walking.

Q. And also to the grandmother's house.

A. Yes sir.

Q. Both of them have been to the grandmother's.

IO2A. Yes sir.

0836

Q. And the relations were entirely friendly all around, were they.

A. His wife had made clothing for my wife.

By the Court. Q. Were they friendly visitors.

A. Yes sir.

By Mr. Purdy. Q. Can you fix the 16th of January, it was Saturday.

A. Yes sir.

Q. On the following Sunday do you recollect going with him and his wife and your wife and the little girl up to High Bridge, that is your wife you don't live with.

A. Yes sir, that is so.

Q. You went up in a very friendly way.

A. Yes sir.

Q. And had a good time I assume.

A. Yes sir.

Q. She is your step-daughter, is she.

A. Yes sir.

Q. Who is her father, did you ever see him.

A. No sir.

Q. Do you know whether he is living or dead.

A. Dead, I understand.

Q. Who told you so.

A. Her mother.

Q. That is the only way you know it.

A. Yes sir.

Q. When did she tell you, before or after she married.

A. Before.

Q. So you took her word for it and married her.

A. Yes sir.

Q. But you have no evidence that he is dead.



0037

- A. No sir.
- Q. You have been out to a ball with this step-daughter of yours.
- A. A ball of my lodge, of the American Legion of Honor.
- Q. When did you go with her to the ball.
- A. I think it was the 12th of February.
- Q. Where did it take place.
- A. Adelphi Hall.
- Q. You are a dancer yourself, are you not.
- A. No sir, I never danced in my life.
- Q. Who went with you with this girl to that ball.
- A. My grandmother, my uncle, the little girl and myself.
- Q. But not your wife.
- A. No sir.
- Q. Are you sure that your grandmother and your uncle went with you.
- A. Positive.
- Q. You went with her, did you, you were her beau.
- A. No sir, not necessarily, we all went together.
- Q. This lady eighty-two years old went to that ball.
- A. There was an entertainment previous to the ball, the entertainment lasted until twelve o'clock and I came home a little after that myself.
- Q. Who came home with the girl.
- A. I did.
- Q. Where was the grandmother and the uncle when you were coming home with the girl.
- A. They were on the way home too.
- Q. They went home first.
- A. They started out ahead of me.
- Q. But you took care of the girl.
- 104 A. Yes sir.

0030

Q. You say this girl told you that she was sick, did she.

A. Yes sir.

Q. When did she tell you that, I mean with reference to her telling you that Morris had to do with her.

A. I do not remember the day.

Q. How long before.

A. The day that I took her to the doctor.

Q. You did not take her to the doctor till you first took her to Morris--- hadn't she ever spoke to you about being sick.

A. Oh yes, about being sick.

Q. How long before.

A. Probably a week or ten days before.

Q. Where did she tell you about it.

A. In my folks house.

Q. Did you live there.

A. Yes sir.

Q. But you lived there all the time.

A. Yes sir.

Q. Then this girl and you and your grandmother and her uncle lived there in one house.

A. Yes sir.

Q. You have always lived there for many years.

A. Yes sir, always.

Q. What apartments do you occupy in that house.

A. One pair of stairs up, the second floor.

Q. What rooms.

A. I occupy the front room.

Q. What room does the girl occupy.

A. The room next to the kitchen, the first bed-room from the kitchen.

0039

- Q Down stairs.
- A. On the same floor.
- Q. The same floor with her.
- A. With her grandmother.
- Q. The grandmother and the uncle and you have one floor, is that so.
- A. Yes sir.
- Q. And the old lady occupies a room, does she.
- A. Her and the little girl occupies the first room from the kitchen.
- Q. The uncle occupies another room.
- A. Yes sir.
- Q. All this time you have been living with her and seeing her every day.
- A. Yes sir.
- Q. And taking her out to balls.
- A. Once, yes sir.
- Q. And sending her away to the country.
- A. Yes sir, her and her grandmother went in the country together.
- Q. In the meantime you have been taking her to your wife's house who lives in the same block.
- A. Yes sir, once a week she wanted to see her.
- Q. Did you want to see her mother too.
- A. No sir.
- Q. She told you that she was sick, did she tell you what was the matter.
- A. No sir.
- Q. She told you there in the house, did she, in your room.
- A. Yes sir.



0040

- Q. Who was present.
- A. Her grandmother.
- Q. Her grandmother was there when she told you that she was sick.
- A. Yes sir.
- Q. What did she say was the matter with her.
- A. She did not say what was the matter; she said she had pain, she had headache, she did not wish to go to school that morning.
- Q. When next did you have a talk with her about being sick.
- A. Probably a week after that .
- Q. Where did that take place.
- A. On 33rd Street and Sixth Avenue.
- Q. Just happened to meet her.
- A. Yes sir, just happened to meet her.
- Q. What did she tell you was the matter.
- A. What she told me before, she felt sick, she had pains, that was all.
- Q. Where did she say she had pains.
- A. In her stomach.
- Q. Where else.
- A. That was all.
- Q. Didn't she tell you she had pains in her stomach and pains in her breast.
- A. No sir.
- Q. Then when did she tell you she had pains.
- A. I don't know, she told me she had pains in the stomach and in the head.
- Q. She did not tell you about pains in the breast.
- A. That was after we had been to the doctor's.

0841

Q. She did not tell you she had pains in the breast when she met you on the street.

A. No sir.

Q. She told you she had pains in the stomach.

A. Yes sir.

Q. Then it was you said you would bring her to the doctor's.

A. I told her I guess I had better take you to the doctor and see what is the matter; then she started to tell me on the street.

Q. Did you have your pistol with you that day.

A. No sir, not then.

Q. Not that day.

A. No sir.

Q. Where was it, home.

A. It was home.

Q. You took her and went away with her to Morris, as you have described.

A. Yes sir.

Q. Now did not Mrs. Morris take this girl into the back kitchen after this conversation.

A. Mrs. Morris took hold of the girl's arm and wanted to pull her into the kitchen and I objected.

Q. Did she take her into the kitchen.

A. For about one moment.

Q. And had a talk with her.

A. She did not get a chance because I would not allow it.

Q. The girl says that she was taken by Mrs. Morris into that kitchen and had a talk with her and left you two men outside.

A. I never lost sight of the girl while I was in that house.

0042

Q. She did not take her into the kitchen at all.

A. She did for one or two minutes while we were at the door.

Q. And had a talk with her.

A. Yes sir.

Q. You heard what Mrs. Morris and the girl said.

A. Yes sir, I was right at the kitchen door.

Q. What did Mrs. Morris say and what did the girl say.

A. She started in saying, "tell me the truth, tell me the truth;" she was on her knees crying in front of the little girl.

Q. The knee act was in the kitchen.

A. And in the front room, both times.

Q. In the front room she dropped down on her knees and then she dropped on her knees again.

A. Yes sir.

Q. She was always on her knees that day.

A. Yes sir.

Q. What did she say to her on her knees, tell me the truth.

A. Yes.

Q. What did the girl say.

A. The girl told her the same thing, she repeated before.

Q. You were standing listening.

A. Right at the door.

Q. Did you hear what the girl said.

A. I did.

Q. You heard everything she said to her.

A. I think I did.

Q. Did not Mrs. Morris say, "is this the truth, tell me the truth."

109 A. Yes sir.



0043

- Q. And didn't she say, "no, it is not but papa says I must say so."
- A. No sir, she never said that.
- Q. Then you grabbed the girl.
- A. I said to the girl, "come with me."
- Q. You took her and carried her away.
- A. I took her out through the hall.
- Q. Of course burning with righteous indignation, you are the step-father.
- A. Yes sir.
- Q. You went up to the Police Court and had him arrested, did you.
- A. Yes sir, after I went to the Doctor.
- Q. Why did you go to the doctor after.
- A. To prove the child's story.
- Q. You did not believe the child.
- A. I did not want to get a warrant for the prisoner unless I had the doctor's certificate to have him arrested of course.
- Q. In order to have him arrested you wanted a warrant.
- A. Yes sir.
- Q. You thought the child's evidence would not be enough notwithstanding the nod of the head, you wanted to go to the doctor and have more evidence.
- A. Yes sir..
- Q. You have had something to do with law.
- A. No sir, never have been on the witness-stand in my life.
- Q. Have you ever been arrested.
- A. I have, a year ago.
- Q. What were you arrested for.
- A. Disorderly conduct probably.

0844

Q. How many times have you been arrested.

A. Twice.

Q. You are not a lawyer at all.

A. No sir.

Q. What was the first time you were arrested ---- your memory is good.

A. I will try and recollect it if you will wait a moment.

Q. I will give you time.

A. I think 1877.

Q. Give us the month please.

A. I do not remember the month.

Q. The Magistrate.

A. That I could not remember.

Q. The Court.

A. Jefferson Market.

Q. Jefferson Market in 1877 under your right name.

A. Yes sir, under my right name.

Q. What was the charge against you.

A. Disorderly conduct.

Q. Disorderly conduct, sure about that.

A. Yes sir.

Q. What was done with you.

A. Discharged.

Q. Did not you see the Judge, you made a statement, didn't you.

A. Yes sir.

Q. Were you sworn.

A. No, I was not sworn.

Q. What was the next time you were arrested.

Objected to. Objection sustained.

Exception.

Q. You don't object to answering it, do you.

Objected to.

0845

Q. Now then, after you went to the doctor you took this little girl to the Magistrate, did you.

A. No sir.

Q. Where did you take her.

A. I took her home.

Q. And left her there.

A. Left her home and then I went up to the Station House..

Q. Then you went up to the Station House and saw the detective.

A. Yes sir.

Q. When did you swear out a warrant against this man.

A. I did not swear out any.

Q. Did not get any at all.

A. No sir.

Q. Why did not you go to Court and swear out a warrant against you.

A. For fear this man would leave New York and if I had to wait until Monday morning undoubtedly he would have been out of the reach of the Court.

Q. You think he would.

A. Yes sir.

Q. So then you went home and armed yourself with your pistol, did you.

A. I put it in my pocket when I went home that night.

Q. After you had been to the Doctor's.

A. No sir, not until after I had met Detective Roberts and was in company with him to point the man out.

Q. Did Roberts tell you to go home and load the pistol.

A. No sir.

Q. What kind of a pistol is it.

A. An ordinary revolver.



0046

By the Court. Q. Describe the revolver.

A. It is a five chambered revolver, thirty-two caliber.

By Mr. Purdy. Q. What caliber.

A. About thirty or thirty-two.

Q. You have owned it for some time.

A. No sir, I have not owned it.

Q. Who does it belong to.

A. A gentleman up in Eighth Avenue.

Q. When did you borrow it of him.

A. I carried it for quite a while.

By the Court. Q. How long have you been carrying it this time.

A. About three months.

By Mr. Purdy. Q. When you need any revolver you go and borrow it of this man.

A. Yes sir, I can get one from him.

Q. What is his business.

A. He has revolvers, jewelry and musical instruments.

Q. And when you need a revolver you borrow one of him.

A. Yes sir.

Q. Did you load it.

A. It was loaded when I picked it up from behind the counter as I am in the habit of working in this store evenings.

Q. After you got this revolver loaded what did you do.

A. I went down and stayed all night across the street.

Q. With the loaded revolver in your pocket.

A. In my pocket, yes.

Q. When he was coming down out of the hotel what was the first thing that occurred when you first saw him.

A. I came from the next house, I was under the stoop in the

0047

next house, I seen this woman come out first and look up and down the street.

Q. Mrs. Morris came out first.

A. Yes sir, I expected them to see Detective Roberts come out with the prisoner.

Q. What did you do when she came out.

A. I just came around from the stoop and stood in front of the stoop and as soon as I got in front of the stoop he holloed out to her to save him.

Q. Then what did you do, did you have a revolver in your hand.

A. I started to go up the stoop, I had the revolver in my hand before he cried out, I did not get the chance to see him.

Q. When you saw her you took it out of your pocket.

A. No sir.

Q. When did you take it out of your pocket.

A. I started to go up the stoop, I intended to prevent him getting away if possible from the detective, knowing he was going the other way after him, I knew the detective was around the other way.

Q. You had a revolver in your hand, you had not seen him before you drew the revolver, had you.

A. After I seen him I had the revolver in my hand.

By the Court. Q. When you drew the revolver had you seen him at that time.

A. Yes sir.

By Mr. Purdy. Q. You saw him, and then you drew the revolver.

A. Yes sir, took it out of my pocket.

Q. Then what did you do with the revolver.

0048

- A. I did not do anything with it., I did not get a chance to point it at him.
- Q. How near were you to him.
- A. Probably ten feet away from him.
- Q. And did not point it at him.
- A. No sir.
- Q. The woman Mrs. Morris was there too, wasn't she.
- A. Yes sir.
- Q. Now isn't it a fact -----
- A. The woman put her arms up and fell p against me.
- Q. And grabbed the revolver.
- A. No sir, but put her arms around me here, and in a minute he ran away.
- Q. Isn't it a fact that she put her finger on that revolver and that it fell on her finger. up prevent its discharge.
- A. No sir.
- Q. Nothing of the kind occurred.
- A. Not to my knowledge.
- Q. But you had this revolver.
- A. Yes sir.
- Q. No officer told you to go and get it.
- A. No sir.
- Q. You never fired a revolver in your life, did you.
- A. I have.
- Q. Did you ever shoot at a man in your life.
- A. I have, in the United States of Columbia.
- Q. Are you what is called a bad man.
- A. No sir.
- Q. But you do use a revolver sometimes.
- A. I had to on this occasion.



0049

Q. What for.

A. Down there, I mean.

Q. But you had not used any on him.

A. No sir, I had no occasion.

Q. Do you think you would have used the revolver on him at all.

A. To frighten him, to keep him from getting away and to prevent him from doing me bodily injury.

Q. You did not intend to hurt him at all, you would not have shot him.

A. I do not know but I would the first day I went in that house.

Q. You would not have shot him under any circumstances that night, would you.

A. If I got a chance I might have, there is no accounting for what I might have done ---- I had no warrant.

Q. You were not an officer of the law.

Objected to. Objection sustained.

Q. Were you up in the country with this girl the time she was up there when these boys were fooling with her.

A. I know nothing of that kind, my grandmother was with her.

Q. Did you take her up.

A. No sir.

Q. Were you up there when she was there during last summer.

A. Yes sir.

Q. Did you ~~go~~ go up there and bring her back.

A. No sir, she was with her grandmother and uncle.

Q. You told us you do not know why your resignation was required from the Post Office department.

A. No sir, I do not know why, I never inquired.

0050

Q. What was your salary there.

                    Objected to.           Objection sustained.

Q. Have you been known by any other name excepting the name you go by now.

A. No sir.

Q. By the name of Dean.

A. No sir.

                    Redirect Examination.

By Mr. Bedford. Q. You say distinctly to this Jury that you have never been arrested in your life except those two times for disorderly conduct.

A. That is all.

Q. For any other crime.

A. Never before for any crime.

Q. Up to January 18 friendly intercourse, the intimacy which sprung up between you and George Morris after you met him in the pool-room, that lasted up to January 18, did it not, the intimacy between you and the Morris's.

A. Yes sir, longer than that.

Q. Until Ida told you this story.

A. Yes sir.

Q. And up to the time that Ida told you this story you had implicit confidence in George Morris, did you not.

A. Yes sir.

Q. And the reason that you used to take Ida to the Morris's was because Mrs. Morris or whoever this woman is that goes by the name of Mrs. Morris, made clothes for Ida and for the grandmother, that was the object of taking her there.

117 A. Yes sir.

Q. It is in evidence that you did not live with your wife but you have been in the habit of taking Ida there about once a week, was it not an understanding between you and your wife when you separated, that she should be able to see Ida once a week.

Objected to.

A. Yes sir.

Q. That was the reason you took her.

A. Yes sir, the understanding if she wanted to see the child she could see her.

Q. In pursuance of that you went there on an average once a week with her own child, Ida.

A. Yes sir.

Q. And the little girl also went there to learn embroidery from Mrs. Morris.

A. Yes sir, was working at embroidery the day this happened, she had embroidery in her hand.

Counsel: I move to strike that out.

The Court: Yes.

By the Court. Q. She went there to learn this embroidery, did she, did you go with her at any time in connection with that matter of learning embroidery.

A. I do not think I ever went up with her over once, she generally went herself.

Q. Went to that house to do it.

A. Yes sir.

Q. When did she begin going there, do you recollect, what time of year.

A. In November.



Q. And up to the time of this story being told you was she still going there to learn embroidery.

A. Yes sir.

Q. Did you have any difficulty with your wife regarding taking that child away from her mother.

A. No, never.

Q. It was by mutual agreement between you.

A. Yes sir.

Q. The child never visited her mother without your knowledge.

A. No sir.

The Court: I suppose it will be conceded that the house 341 West 36th Street is in the city of New York.

Mr. Purdy: Oh yes.

Clara Anderson sworn and examined.

By Mr. Bedford. Q. I believe you are Mrs. Anderson.

A. Yes sir.

Q. You are the mother of Ida Simon.

A. Yes sir.

Q. How old is Ida Simon.

A. 1867.

Q. When was she born. A. 1867, that year, 28th of January.

Q. The 28th of January, 1867.

A. 1867.

Mr. Purdy.: That will make her twenty-three years old, I don't think that will work.

Witness: 1876.

By Mr. Bedford. Q. On January 28, 1876, Ida was born.

119 A. Yes sir.

0053

Q. Then according to that calculation when will she be fourteen, she was fourteen last January according to that, no, next January.

By the Court. Q. How old is she now, how old is Ida.

A. She is fourteen years.

By Mr. Bedford. Q. Then she was fourteen last January, the 28th.

A. Yes sir.

Q. She is in her fifteenth year now.

A. Yes, she was born 1876.

Cross Examined by Mr. Purdy.

Q. When were you married to Ida's father.

A. The second husband or the first husband? I have been married before.

Q. When were you married to Ida's father.

A. I can't tell what year, I do not remember.

Q. What was his name.

A. His name was Simon.

Q. Where did he live, what was his first name.

A. His first name was Maurice.

Q. And where were you married to Maurice Simon.

A. I was married in Europe, in Russia.

Q. What year.

A. I do not remember what year.

Q. You are a Russian yourself.

A. I am a Jewish Russian.

Q. You married him sometime ago, can't you give us the year or about the year.

A. No, I cannot tell you what year.

0854

- Q. How old were you when you married him.
- A. Seventeen or nineteen, I can't tell you.
- Q. Did you come to America with him.
- A. Yes sir.
- Q. Where did you go when you came here to the city of New York.
- A. To the City of New York.
- Q. And always remained here in the city since.
- A. Yes sir.
- Q. Where did you and Mr. Simon go to live when you came here.
- A. We were not together at all.
- Q. Did not he come over with you.
- A. Yes sir, he came over with me, I would not live with him only two or three weeks.
- Q. Where was Ida born.
- A. In New York.
- Q. But you did not live with him after you came to New York.
- A. NO.
- Q. Where did you separate from him.
- A. In New York, he is dead.
- Q. How long after you landed did you separate from him.
- A. Three weeks.
- Q. Three weeks after you landed you separated from him.
- A. Yes sir.
- Q. You landed here in Castle Garden, did you.
- A. Yes sir.
- Q. Three weeks after you separated from him you never seen him since.
- A. NO.
- Q. When was Ida born. A. 1876.
- Q. You landed in New York what time, what year.



0055

A. I do not know.

Q. How long before Ida was born did you land in New York, one, two, three, four or five years, can't you tell us anything about it.

A. No, I can't tell you.

Q. When you landed here in New York with your husband how long after that was Ida born, after your landing here in the city.

A. What day she was born?

Q. How long after your landing here in New York was Ida born, a year or two years.

A. Well, she was born ----

By the Court. Q. How long were you in America when Ida was born.

A. Five or six weeks.

By Mr. Purdy. Q. Five or six weeks.

A. Yes sir.

Q. About three weeks after you landed your husband disappeared, did he.

A. Yes sir, he went away.

Q. You never have seen him since.

A. No, he is dead, he is away.

Q. How do you know whether he is dead or not.

A. I heard it.

Q. Where was Ida born.

A. In a Jewish hospital.

Q. You went to a lying in asylum and she was born there, is that so.

A. To Mt. Sinai Hospital.

Q. You say about five or six weeks after you landed, is that so.

A. I do not remember everything.

0056

Q. Were you in the family way when you landed.

A. Yes, when I landed.

Q. Was it five or six weeks or five or six months, which was it.

A. I can't tell you.

Q. But you know your husband was not with you.

A. NO.

Q. You had to go to this hospital, you never have seen your husband from that day to this.

A. NO.

Q. Ida said when she was three years old she saw him and you told her that was her father and he was a stout man, giving a good description of him.

A. She never saw him.

Q. How do you account for her saying she saw her father and that he was a short, thick set man.

A. She never seen him.

Q. Then Ida never saw her father.

Objected to.

A. She never saw her father.

Q. Ida was all the child you ever had.

A. The only child.

Q. Do you recollect when you married Anderson.

A. Yes sir.

Q. And after Ida came from the hospital, after she was born where did you and Ida go, do you recollect.

A. Some woman took care of her four years.

Q. Some woman took care of her.

A. Yes sir.

Q. Who was the woman.

A. The woman is away now.

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Q. What were you doing all the time that Ida was being farmed out to some woman.

A. Objected to. Objection <sup>sustained</sup> ~~overruled~~ Exception.

Q. You met Anderson and married him.

A. Yes sir.

Q. What were you doing at the time you met Anderson.

Objected to. Objection sustained.

A. Doing nothing, I had a little money.

Q. You had a little money. A. Yes sir.

Q. Were you living in Chrystie Street.

Objected to. Objection sustained.

Q. You <sup>do</sup> did not live with him at all, do you.

A. No.

Q. You are good friends.

A. Yes sir, we were friends.

Q. Never had any trouble with him at all.

Objected to. Objection <sup>sustained</sup> ~~overruled~~ Exception.

A. Well, I had a little trouble.

Q. And he lives in the same street with you, does he.

Objected to. Objection sustained.

Q. Was he in the habit of bring this little girl, this child of yours to your house every little while to see you.

Objected to. Objection overruled.

A. He never brought my child, she used to come once in a while to see me a little while, about once in a month.

Q. He never brought her, did he.

A. NO.

Q. Was there any arrangement between you and him when you separated, that he should bring the child, that you should see the child whenever you wanted to.



0050

A. No arrangement whatever.

Q. No arrangement of that kind.

A. NO.

Q. She comes when she wants to see you, she is free to come.

A. No, she is not free but if the old lady will allow her to come she will come and see me.

Q. But as matter of fact she does come to see you quite often.

A. Not quite often, once in a month.

Q. But Anderson comes to see you quite often, doesn't he.

A. NO.

Q. How often do you see him, your husband.

A. Once in a month or a week.

Q. Something of that kind..

A. Yes sir.

Q. And yet you are good friends.

A. Yes sir, we are good friends.

Q. Don't you see him almost every night.

A. NO.

Q. Do you rent a flat house.

Objected to. Objection sustained.

A. I have a flat and two boarders.

Q. Do you have two boarders with you.

A. Yes sir.

Q. Are they male or female boarders.

Objected to. Objection ~~overruled~~ <sup>sustained.</sup> Exception.

Q. Is it not true that you are a prostitute.

Objected to. Objection sustained. Exception.

Q. Is it not true, Madam, that you have been arrested.

A. It is not true.

0059

Q. And fined and convicted, for disorderly conduct and for soliciting on the streets, is not that so.

A. NO.

Q. Were you not convicted and fined ten dollars within a month at Jefferson Market.

A. NO.

Q. On the 23rd of December last.

A. NO.

Q. Weren't you arrested and convicted and fined ten dollars.

A. NO.

Q. Are you sure that you recollect it.

A. I am sure.

Q. Were you there in Court.

A. No sir.

Q. You know that you are under oath, do you not, weren't you taken from your door in your night dress with a sealskin sacque on by an officer.

A. NO.

Q. Nothing of that kind ever took place.

A. NO.

Q. Are you sure about that.

A. Yes sir.

Q. Do you know the officer that took you.

A. NO.

Q. You are perfectly conscious of what you are saying.

By the Court. Q. You know what you are saying.

A. Yes sir.

By Mr. Purdy. Q. After you were taken to Jefferson Market tried and convicted, did not McEvoy, the messenger at Jefferson Market, take you in a cab and did not you go up with him to your house, go into your safe and get the money out with which to pay your fine, get your watch and send him off to pawn it.

0060

A. NO.

Q. Never saw McEvoy and don't know him at all.

A. NO.

Mr. Bedford: She was born January 23, 1876. (Exhibiting certificate of Board of Health.

Mr. Purdy: I don't make any point of that.

The Court: There is no question made as to the age; she is under sixteen years of age.

Mr. Purdy: There is no question of the girl's age; she is under sixteen.

John Roberts sworn and examined by Mr. Bedford.

Q. Officer Roberts, you are a member of the municipal police of this city and a detective, are you not.

A. I am detailed ---- I am a member of the municipal police detailed to do duty in citizen's clothes as an officer.

By the Court. Q. What precinct, Officer.

A. The 20th; I am detailed to do police duty in citizen's clothes by the Captain.

By Mr. Bedford. Q. You are a detective.

A. No sir, a detailed officer.

Q. Do you remember one night visiting a hotel in company with Mr. Anderson.

A. One afternoon.

Q. One afternoon about what time.

A. About two o'clock.

Q. What hotel.

A. Corner of Sixth Avenue and 44th Street, I think known as the Sixth Avenue Hotel.



Q. Who was with you.

A. Mr. Anderson.

Q. What did you and he go there for.

A. We followed a woman there for the purpose of arresting a man called George Morris.

Q. Do you know the woman, the name she goes by.

A. She was known as Mrs. Morris.

Q. Who does she live with.

Mr. Purdy: I will produce her.

By the Court. Q. You followed a woman to the hotel, Mrs. Morris.

A. Yes sir, known as such in the house where they lived.

Q. What time of day was it.

A. About two o'clock in the afternoon.

Q. Who was with you.

A. Mr. Anderson.

Q. Well now, when you got to the hotel what did you do or who did you see.

A. I saw this lady go into the hotel and went to the office of the hotel and inquired ----

Q. You made some inquiries at the office.

A. Yes sir.

Q. Then after that what did you do.

A. I went across the street to the barber shop and saw the proprietor of the hotel.

Q. And had a talk with him.

A. Yes sir.

Q. And came back again to the hotel.

A. Yes sir.

Q. What was the next thing that happened that you saw after you came back, not what you said but what you saw yourself.

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- A. I saw this man the proprietor of the hotel go upstairs.
- Q. You saw the proprietor go, upstairs.
- A. Yes sir.
- Q. Then what happened.
- A. He stayed sometime upstairs and I went around to the side door and I saw two or three people running from the side door, I saw Mr. Anderson and he said, "he has just gone back through the hotel."
- Q. Anderson said something to you.
- A. Yes sir.
- Q. You were then at the side door.
- A. Yes sir.
- Q. On what street.
- A. On 44th Street.
- Q. In consequence of what Anderson said what did you do.
- A. I ran around to the front door and saw this man, the defendant, running up Sixth Avenue; I ran after him and he was caught by a policeman nearly up at the end of the block.
- Q. When you say running, was he running fast or what.
- A. Going about as lively as he could.
- Q. You ran too at the top of your speed.
- A. Yes sir.
- Q. Then did you arrest him.
- A. He was caught by another officer before I got there.
- Q. You got up there, did you talk with him.
- A. Yes sir.
- Q. Tell us what you said to him and what he said to you.
- A. I told him he was my prisoner, I was an officer and I stated to the other officer that I was a police officer and this man was the man I was after, the man at the hotel.

Q. What did the defendant say.

A. He saw Anderson come up the street and he said, "don't let that man kill me."

Q. What did you say then.

A. I told him I would not let the man do him any harm; he said, "he has got a pistol". By that time Anderson got there; I asked him if he had a pistol and he said he had one. I said, "give it to me"; and he put his hand in his pocket, took it out and handed it to me.

Q. Handed the pistol to you.

A. Yes sir.

Q. What was said by you or by Anderson or by the defendant.

A. I told him he was my prisoner, he would have to go down to the Station House with me.

Q. Did you tell him what for.

A. Yes, I do not know that I did then; he said he was afraid of Anderson and I said I would not let Anderson do him any harm, that he was under my protection, and he then came along with me; and on the way to the Station House ---- this lady was with us, she said to look out for Anderson. not to let him do any harm; and he said so also; and I said, "you know what you are charged with I suppose, what I am arresting you for?" And he said that he did, and I said, "if you are guilty of what you are charged with I would not blame him if he shot you"; he said, that remained to be proved.

Q. That remained to be proved.

A. Yes sir.

Q. Did you bring him to the Station House.

130A. Yes sir.



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Q. What occurred there.

A. Well, I do not think he made any statement in there, I do not think he did, he said very little anyway.

Cross Examined.

By Mr. Purdy. Q. When you first came round did Anderson have a pistol in his hand when you first saw him.

A. No sir.

Q. And the first thing you say Anderson told you that he had gone out some other way.

A. Yes sir.

Q. But Anderson did not have a pistol in his hand.

A. Not at that time when I saw him.

Q. In his pocket.

A. I presume he did.

Q. You saw the prisoner running.

A. I did.

Q. And some other officer stopped him.

A. Yes sir.

Q. And as you came up you were in plain clothes.

A. Yes sir.

Q. You told the other officer that he was your prisoner.

A. Yes sir.

Q. You had no warrant, had you.

A. No sir.

Q. No warrant had been sworn out.

A. No sir.

Q. Anderson came to the Station House after you, did he.

A. No, he sent another man to the Station House.

0065

- Q. Who did he send to the Station House.
- A. A fellow by the name of Jake Janosky; he has changed his name.
- Q. What is his name now.
- A. I can't think of his name.
- Q. He has changed his name you say.
- A. Yes sir.
- Q. Where does he live.
- A. He keeps a jewelry store between 37th and 38th Streets on Eighth Avenue.
- Q. He first came to the Station House.
- A. Yes sir.
- Q. You say he has changed his name, when did he change his name.
- A. Well, sometime within the last five or six months I believe----- Jack Postley.
- Q. He is now Jack Postley.
- A. Now Jack Postley.
- Q. How do you know he has changed his name.
- A. He told me so.
- Q. Postley first came to the Station House.
- A. Yes sir.
- Q. What did he tell you.
- A. He told me that this man had committed a rape on a little girl.
- Q. That Morris had.                      A. Yes sir.
- Q. What did he want done.
- A. He wanted me to go up to the store and see the father of the child.

0066

- Q. So you did go to his jewelry store and there you found Anderson.
- A. Yes sir.
- Q. It was then you had a conversation with Anderson.
- A. I did.
- Q. It was not Anderson that first came to the Station House.
- A. Anderson came to the Station House first but I did not see him, he said he had been to the Station House.
- Q. Did he see anybody there at all.
- A. I presume he did; Postley was the first man I spoke to.
- Q. You went out with Anderson to find Morris.
- A. Yes sir.
- Q. Morris said, "don't let that man kill me."
- A. Yes sir, "don't let him kill me."
- Q. You said to Anderson, "have you got a pistol."
- A. I did.
- Q. Did he give you the pistol.
- A. He did, he handed it to me and I took it.
- Q. Have you got it yet.
- A. No sir.
- Q. When did you give it back to him.
- A. The next morning in Court.
- Q. Did you ask him if he had a permit to carry that pistol.
- A. He informed me that he was a United States officer and he had a right to carry it.
- Q. He thought he had because he was a United States officer.
- A. Yes sir.
- Q. Do you know this man, Anderson.
- A. Not personally, I never knew him previous to this case.
- Q. Do you know him by reputation.



A. No sir.

Q. Don't know his reputation at all.

A. Don't know anything about it.

Q. Did you hear of him before this case.

A. I do not think I did.

By Mr. Bedford. Q. When Morris said, "don't let that man kill me",  
was that before Anderson had shown any pistol.

A. I did not see Anderson showing a pistol.

Q. How far was Anderson away from Morris when Morris said,  
"don't let that man kill me.

A. Perhaps about twenty-five feet going up Sixth Avenue.,,  
perhaps as far as that, maybe twenty feet.

Q. Did Morris explain to you any reason why he said, "don't let  
that man kill me", meaning Anderson.

A. He said he was afraid Anderson would kill him, that is all.

Q. That was on the way to the Station House.

A. That was at the time that I arrested him <sup>and</sup> on the way to the  
Station House also.

Q. At the time that he said he was afraid Anderson would kill  
him Anderson did not have any pistol pointing at him, did  
he.

A. He had no pistol in his hand, the pistol was in his pocket,  
I think he had it in the side pocket of his coat.

Q. Then it was after he said he was afraid that Anderson would  
kill him that you said, "if you committed rape he ought to  
shoot you."

A. This man said he was afraid of Anderson and I said, "if you  
are guilty of what Anderson charges you with, you ought to  
be killed."

0068

By Mr. Purdy. Q. On the way to the Station House there was a conversation by Anderson and all hands, was there, what did Anderson say.

A. Anderson said that he deserved to be killed, that he ought to have killed him.

Q. That he, Anderson, ought to have killed him.

A. Yes.

Q. What else was said.

A. This man stated that he was afraid of Anderson even at that time after I had taken the pistol. I told him he need not have any fear of Anderson.

Q. You did not have any fear of Anderson.

A. Not a particle.

Q. Pistol or no pistol.

A. No sir.

Q. Were not you of the opinion that Anderson was a blusterer offering to scare somebody.

Objected to. Objection sustained.

Q. You were not afraid of him, pistol or no pistol.

A. No sir, neither one of them.

Q. Anderson in a very exciting manner said, "if I had done what I ought to have done, I would have killed you."

A. He said if he had shot him he deserved to be killed.

Q. That he, Anderson, ought to have killed him.

A. Yes sir, I told this defendant that he need not have any fear of Anderson, he was under my protection, it was my duty to protect him and I should do so.

Q. Anderson was shouting out this in a very loud tone of voice.

A. Not very loud, he spoke in an ordinary tone so he could be distinctly heard.



By Mr. Bedford. Q. Now when Anderson said he ought to have killed him and you said yes, he ought to be shot if he raped the girl, what did Morris say in answer to this.

A. He complained about the way Anderson was talking to him, in a threatening way.

Q. What did ~~Anderson~~ say Morris say when you said. "if what Anderson charges you with, raping his daughter, is true, you ought to be shot" ---- what did Morris say.

A. Morris said that had to be proved.

Q. Did he deny it, did he say anything else.

A. That is all he said in relation to the denial.

Q. What was his conduct when you arrested him, how did he act.

A. He seemed to be very excited.

Q. What was the color of his face.

A. He looked pale and very much excited, about as much as a man could be I should think.

Q. Did he tremble.

A. He did.

By Mr. Purdy. Q. Did he tremble.

A. He did.

By Mr. Purdy. Q. Did he act like a man who just had a loaded revolver drawn on him with a threat to kill him.

A. He looked as though he was pretty well scared, he said he was afraid Anderson would kill him, he had a pistol in his pocket.

Q. And he said he ought to kill him.

A. That is what he said.

Mr. Bedford: That is the case for the People.



The Case for the Defence.

Mr. Purdy: I wish to give a notice of motion. It does seem to me there is not the corroboration which the law requires.

In a somewhat informal way -- and I do not care to dwell very largely on it -- I wish to call your Honor's attention to it over night. The girl's testimony must be corroborated, and under the decision it must be with such evidence as tends to connect the Defendant with the commission of the crime, and this evidence don't corroborate anything.

Anderson said all that the prisoner said was to nod his head. Is that corroboration enough? That is the point I shall insist on. I throw it out as a question for your Honor's consideration. I will make that motion in the morning but I think it is right to give this notice because your Honor is often called upon suddenly to rule on a point of law. I shall produce my authorities.

The Court adjourned.

Thursday, March 27, 1890.

Frank W. McCabe sworn and examined.

By Mr. Purdy. Q. Mr. McCabe, what is your business.

A. Assistant to my father in the Jefferson Market Police Court.

Q. And what is his business.

A. Chief clerk.

By the Court. Q. You are court clerk.

A. No sir.

By Mr. Purdy. Q. I hand you a paper, will you please to look at it.

(Paper shown.)

By the Court. Q. Do you recognize that paper.

A. Yes sir.

0071

By Mr. Purdy. Q. Is that a copy of the record of that court.

A. It is a true record itself.

Q. That is the record itself.

A. Yes sir.

Q. Do you know to what woman that record applies.

A. No more than the name in the affidavit.

Q. You cannot identify the woman.

A. No sir.

The paper was marked Defendant's Exhibit No. I for identification.

Hugh McEvoy sworn and examined.

By Mr. Purdy. Q. Mr. McEvoy, what is your business.

A. Messenger.

Q. A messenger where.

A. At the Jefferson Market Police Court prison.

Q. Do you know this woman. (Pointing to Clara Anderson.)

A. I know of her.

By the Court. Q. Do you know her.

A. Yes sir.

By Mr. Purdy. Q. Do you recollect seeing her under the name of Anderson, did you see her on the 22nd day of December of last year.

A. I saw her on the 23rd.

Q. Where did you see her.

A. At Jefferson Market Court in prison.

Q. In prison.

A. Yes sir.

Q. What took place.

A. She was fined ten dollars by Judge Gorman.

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Q. What did you do with her.

A. I paid her fine.

Q. How did you get the money to pay her.

A. Out of my own pocket I paid it.

Q. Did you take her anywhere.

A. I took her home in a cab.

Q. And did she pay you.

A. She paid me back.

Q. You took her watch and pawned it.

A. No sir.

Q. She paid you.

A. Yes sir.

Q. Did she send it out anywhere.

A. She did, by a messenger boy.

Q. Did she take it out of a safe.

A. She did, out of a small safe.

Q. You went to the house 138 West 33rd Street.

A. I did, sir.

Q. Was she the same woman that was convicted and fined under the name of Clara Simon.

A. Yes sir.

Q. You identify her.

A. I do, sir.

Mr. Purdy: I offer this record in evidence, Defendant's Exhibit I.



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Edward F. Brett sworn and examined.

By Mr. Purdy. Q. You are a police officer.

A. Yes sir.

Q. What precinct.

A. 19th precinct.

Q. Did you know William McConnell a police officer in your precinct.

A. It is Matthew McConnell.

By the Court. Q. He is a police officer.

A. Yes sir.

By Mr. Purdy. Q. Were you present last night when my partner went up and left a subpoena for him.

A. No sir.

Q. When did you see Matthew McConnell last.

A. I think it was last night about twelve o'clock, I met him on the corner of 30th Street and Sixth Avenue.

Q. Did you know a subpoena was in the Station House for him.

A. No sir.

Q.

Clara Anderson recalled by Mr. Purdy.

Q. Mrs. Anderson, we have put in evidence now that you were tried, convicted and sentenced on the 22nd day of September for soliciting men, that you were fined ten dollars as a common prostitute and that this man paid your fine and went with you to your house and you sent out and pawned your watch, is that true or not.

A. NO, I will tell you; one Sunday night -----

Q. It is not true that you were tried, convicted and sentenced.

A. No, I will tell you what it is.

By Mr. Bedford. Q. You can explain.

A. One Sunday night somebody rung my bell, I came down, I did not have a chance to dress myself, I went down stairs in a night gown, I wanted to go back upstairs, I tried to go upstairs and two fellows came in and dragged me out of the hall and took me down town and fined me ten dollars.

Q. You were fined ten dollars.

A. Yes sir, and the gentleman paid.

Q. You were convicted and fined ten dollars.

A. I did not do anything, they dragged me out of the hall.

Q. Clara Simon was the name you gave to Judge Gorman.

A. Certainly, yes sir.

Q. And Officer McConnell was there.

A. Yes sir.

Q. And he charged you with being a common prostitute.

A. No, I do not do anybody any wrong, I was fined ten dollars and somebody paid my fine, I did not have a cent; they took me in the night gown.

Q. Why did you tell us yesterday that you knew nothing about this.

A. I thought it not necessary to do anything, I never had anything to do with the child, she never lived with me.

Q. Madam, why did you tell us yesterday when I put the question to you, if you were not on the 23rd of last December tried, convicted and sentenced for disorderly conduct and fined ten dollars and went home in a cab with a man and got the money, why did not you tell us that that was not so at all, why did you lie and purjure yourself about it, can you give any good reason for it? You can't, but you did lie.

and perjure your self yesterday.

No answer.

By Mr. Bedford. Q. You were asked have you been arrested, this was three months ago.

A. Three months.

By Mr. Purdy. Q. Do you recollect testifying to all that yesterday.

By the Court. Q. Do you remember telling that yesterday, say yes or no to that.

A. I do not remember.

Q. Do you remember yesterday in Court telling that, what the gentleman read there now.

By Mr. Purdy. Q. You do not remember telling it at all.

A. Yes, I remember.

Q. Why did you lie and perjure yourself on that stand yesterday, tell us why you did it, you said you never saw McEvoy but you did see him, why did you perjure yourself, who told you to do that, this Anderson fellow.

A. No, he did not tell me.

Q. Why did you do it.

A. I got nothing to do in the case, it is unnecessary to tell everything, the little girl never lived with me.

By the Court. Q. Is that the reason you testified so yesterday.

A. Yes sir.

Q. But she is your daughter and this man Anderson is your husband.

A. Yes sir.

Q. Why did you give the name Clara Simon when you were arrested.

A. I did not want to tell the right name.



Q. I mean when you were arrested, how many times have you been arrested.

Objected to. Objection sustained.

A. I do not remember how many times.

Q. Is it not the fact, Madam, that you are a common prostitute, that this fellow Anderson is your pimp, that you are what is known as a badger puller and a woman that gets men into your house and gets him to act as the outraged and injured husband, is not that the fact.

A. He don't live with me.

By Mr. Bedford Q. You say that is not so.

A. It is not so, he don't live with me.

By Mr. Purdy Q. Of course he don't live with you ---- aint you known as "Shoony Clara".

Objected to. Objection sustained.

Q. The little girl says that on some occasions you went to various watering places with Anderson and that she went to various watering places.

A. I never went at all.

Q. Never went out into the country at all.

A. No, never to any place, I had nothing to do with the child; she had been in a good place, taken care of.

Q. Did not you go up to High Bridge.

Objected to.

A. I went once.

The Court: Do you move to strike that answer from the record?

Mr. Bedford: I do, sir.

The Court: Motion granted.

Mr. Purdy: I ask your Honor to advise this Jury to acquit this

0077

defendant on the ground that there is no corroboration of the statement of the complainant.

The Court: Your motion is that the testimony of the female is unsupported by other evidence and you move to advise the Jury to acquit upon that ground.

Mr. Purdy: Yes sir.

The Court: I deny the motion.

Mr. Purdy: I am willing to rest the case on the prosecution's evidence.

The Court: The Court asks you to hand up your requests to charge.

Mr. Purdy: I refuse to do that and ask the liberty to read them from my place at the counsel table, is that request denied?

The Court: I ask to have the requests to charge handed up; you cannot read them now, Mr. Purdy.

Mr. Purdy: I ask to read them from my place. I of course take my exception.

The Court: Take your exception.

Mr. Purdy: I think I ought now if I have made any concession with regard to the age of this child, to ask to withdraw it.

In making that concession I thought the mother would tell the truth, but she has been convicted before this Court manifestly of perjury, I was deceived and I withdraw any concession that I have made if I can withdraw it in that behalf.

The Court: The statement of the Counsel may be put upon the record and the former statement in relation to the concession will stand also.



0078

Count of General Lee Part I

The People  
vs.

George W. Morris.

Stenographer's Transcript.

March. 1890



0079

Pol 1

Court of General Sessions of the Peace.

For the City and County of New York.

----- X  
The People of the State of New York. :  
against :  
Samuel W. Lewis. :  
----- X

Sir:

2 Please take notice that upon the annexed affidavit  
and in all the proceedings in this case, I will move this  
Court at a Trial Term thereof to be held in Part I. on the  
9th day of July 1891, at the opening of Court on that day,  
or as soon thereafter as counsel can be heard, for an order  
placing this case upon the day calendar of this Court for  
trial.

Yours,

To

H.W. Grindal.

Hon . De Lancey Nicoll. Def't Attorney  
Dist. Attorney.

3

0000

Fol 1

Court of General Sessions of the Peace.

For the City and County of New York.

----- X  
The People of the State of New York. X  
against X  
Samuel W. Lewis. X  
----- X

City and County of New York. SS.

Herbert W. Grindal being  
duly sworn says,

2

That he is the counsel for the defendant above  
named. That the defendant herein was arrested and im-  
prisoned on October 22nd 1891. That he entered a plea  
of "not guilty" on March 2nd 1891. The case was noticed  
for trial for March 20th but was adjourned because of the  
illness of one of defendant's witnesses. The case was  
again set for trial on June 3rd and the defendant was  
ready to proceed, but notice was given deponent on the af-  
ternoon of June 2nd that the case could not go on by rea-  
son of the illness of Mr Weeks.

3

On July 1st deponent moved this Court in Part III,  
where this case had previously been called for trial, for  
an order directing a speedy trial and his Honor Judge Mar-  
tine ordered that the District Attorney put the case on  
the calendar for trial on July 8th. This case was not  
placed on the Calendar for July 8th and deponent is now  
informed by Mr Weeks that he does not intend to take this  
case up until after the trial of another case which will  
possibly occupy a week or ten days: and that whether he  
will then try this case or not will depend upon his phy-

00001

Fol 1 Court of General Sessions of the Peace.

For the City and County of New York.

----- X  
The People of the State of New York. X

against X

Samuel W. Lewis. X  
----- X

City and County of New York. SS.

Herbert W. Grindal being

duly sworn says,

2

That he is the counsel for the defendant above named. That the defendant herein was arrested and imprisoned on October 22nd 1891. That he entered a plea of "not guilty" on March 2nd 1891. The case was noticed for trial for March 20th but was adjourned because of the illness of one of defendant's witnesses. The case was again set for trial on June 3rd and the defendant was ready to proceed, but notice was given deponent on the afternoon of June 2nd that the case could not go on by reason of the illness of Mr Weeks.

3

On July 1st deponent moved this Court in Part III, where this case had previously been called for trial, for an order directing a speedy trial and his Honor Judge Martine ordered that the District Attorney put the case on the calendar for trial on July 8th. This case was not placed on the Calendar for July 8th and deponent is now informed by Mr Weeks that he does not intend to take this case up until after the trial of another case which will possibly occupy a week or ten days: and that whether he will then try this case or not will depend upon his phy-



0002

4

sical condition. By reason of this uncertainty deponent is unable to arrange his other professional matters satisfactorily because the trial of this case will probably occupy three or four days at least.

Deponent therefore desires an order of this Court fixing the date of trial of this action with some positiveness.

Sworn to before me this

8<sup>th</sup> day of July 1891.

*James W. Gindal*

*Louis E. Salmon*  
*Notary Public*  
*N.Y. Co.*

General Sessions Court.

The People of the  
State of New York  
Plaintiff  
against

Samuel W. Lewis

Defendant

Copy  
affidavit submitted  
motion

HERBERT W. GRINDAL,

Attorney for defendant  
160 BROADWAY,  
NEW YORK CITY.

To Me Lacey Wood Esq.,  
Attorney for District Attorney

Due and timely service of a copy of the within

is hereby admitted.

Dated, July 15/91 189

Attorney for

C. B. MERVIN, PRINTER, 218 FULTON ST., N. Y.

0004

District Attorney's Office.

PEOPLE

vs.

Herbert W. Grindal  
160 Broadway

will again take  
place to day -

Hewy Winger

will not be able to  
go on. see enclosed  
app. which please  
hand in with

H. W. Grindal



0005

Fol 1

At a Trial Term of the Court,  
of General Sessions of the  
Peace for the City and County  
of New York, held in Part III  
of said Court, on the 20th day  
of March 1891.

Present Hon-Frederick Smyth.

Recorder.

-----X  
The People of the State of New York.  
against  
Samuel W. Lewis.  
-----X

2

*by the affidavit of W. G. Guedes*  
It appearing to the satisfaction of the Court that  
Sarah F. Richards a material witness for the defendant  
herein is sick and unable to attend and testify upon the  
*and upon the annexed stipulation*  
trial of this cause, it is hereby,

O r d e r e d , that the said Sarah F. Richards  
be examined before *Henry W. Ungeles*  
at her residence 358 West 58th Street New York City on the  
21st day of March instant at 2 o'clock in the afternoon  
of that day in accordance with the statute in such cases  
made and provided.

3

A copy of this order shall be served on the  
District Attorney forthwith.

*[Handwritten notes and signatures]*

0005

General Sessions Court.

The People vs

Plaintiff

against

Samuel W. Lewis

Defendant.

Order to examine witnesses

HERBERT W. GRINDAL,

Attorney for Defendant

160 BROADWAY,

NEW YORK CITY.

To Esq.

Attorney for

Due and timely service of a copy of the within

is hereby admitted.

Dated 18

Filed 20th March 1891

Attorney for

C. B. MERWIN, Printer, 218 Fulton St., N. Y.

0007

The Brooklyn Gas Light Company  
ENGINEER'S OFFICE,

BROOKLYN, N. Y. May 27<sup>th</sup> 1890

Gentlemen  
The Barer  
Lat. Whalin is in our  
works for the last (24)  
years he is faithful  
and truthful and  
his character is good  
he is honest and sober  
man

Yours Respt  
J. J. Mc Intyre  
#85 Oxford st  
B Klyn



0000

# District Attorney's Office.

## PEOPLE

vs.

Samuel W. Lewis

### Witnesses

Alice G. Lewis 55 N. 82<sup>d</sup> St.

Lestia A. Bostwick 55 N. 82<sup>d</sup> St.

~~First Ave Bank~~

John Keeler 20 Williams St.

Wm. E. Voyce 96 Bway

Mrs S. E. Richards 358 W. 58

W. S. Johnson<sup>x</sup>

East 4th Murray Hill Hotel

Benjamin Graham with John Paton & Co

20 Williams St

Rebuttal

541 Henry St. Bklyn

Benedict Bros 4th St + Bway

Joseph Schmidt Opera House 14 St

J. F. Gladding 55 Fulton

First Ave Bank Cashier to

produce account of Alice G.

Bostwick and Alice G. Lewis

from Jan 87 to Jan 90 -



0090

County General Sessions

The People

vs

Samuel W. Lewis

Notice to produce.

Harper W. Grindal  
Deputy Counsel  
160 Broadway  
N.Y. City.

Do Not Sign  
District Attorney



0891

COMMITMENT UNDER THE PENAL CODE.

~~Police Court~~ General Sessions ~~Printed~~.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } ss.

By Honorable James Fitzgerald Esquire,  
*Judges*  
ONE OF THE ~~JUDGES~~ FOR THE CITY OF NEW YORK.

To *Any*  
ONE OF THE POLICEMEN OF THE CITY OF NEW YORK.

Whereas, *Ida Simon*  
a *female* child, actually and apparently under the age of sixteen years, to wit, of the age of *14*  
years, was heretofore on the *second* day of *April* 1890, duly brought  
before me for examination, charged before me upon the allegation under oath of *Henry E -*  
*Stocking* that *he*, the said child, *Ida Simon*  
on the *second* day of *April* 1890, at the City and County aforesaid,  
was found *not having any proper guardianship,*  
*the whereabouts of the said child's father*  
*being unknown, and her mother Clara*  
*Anderson, being a reputed prostitute*  
*and being the proprietress of reputed house*  
*of prostitution or assignation situated*  
*at No. 138 West 33<sup>rd</sup> Street in said*  
*City of New York*

in violation of the provisions of the Penal Code of the State of New York and the acts amendatory thereof.

And *Clara Anderson*

the parent guardian and custodian of such child, having been present at the examination before me, and *she*  
having had such notice of the examination before me as I have deemed and adjudged sufficient.

And, I, having in due form of law examined the said complainant and the witnesses before me produced,  
and also the said child, *Ida Simon* who was duly produced for my personal  
inspection pursuant to law, and it appearing and having been proven to me to my satisfaction, by competent testi-  
mony and evidence, that the material allegations and matters set forth and charged in the complaint are true, and

0892

that the said child, Ida Simon is, and on the day  
last aforesaid was, actually and apparently under the age of sixteen years, to wit, of the age of 14  
years, and on the second day of April 1890  
at the City and County aforesaid was found not having any  
proper guardianship, the whereabouts  
of the said child's father being unknown,  
and her mother Clara Anderson being  
a reputed prostitute and being the proprietress  
of a reputed house of prostitution or assignation  
situated at No 138 West 33<sup>rd</sup> Street in said  
City of New York

in violation of the Code and laws aforesaid.

And, it having been further proved to my satisfaction, by competent testimony and evidence,

and by the examination of the child, that such child is embraced within the provisions of the Penal Code of the  
State of New York and the acts amendatory thereof, and that it is expedient and desirable for the welfare of the  
child that said persons, to wit: the said Clara Anderson

should be deprived of its custody hereafter, and that such child is a proper object for the care and instruction of  
the Society and Corporation hereinafter named.

Now, therefore, in the name of the People of the State of New York, you are hereby Commanded  
immediately to take charge of the said Ida Simon  
a Female child actually and apparently under the age of sixteen years, to wit: of the age of  
14 years, who has been proved to me, by competent testimony and evidence, to be  
embraced within the provisions of the Penal Code of the State of New York and the acts amendatory thereof,



0093

and who also appears to my satisfaction to be a proper object for the care of the Corporation created by an Act  
entitled "An Act

*for the incorporation of Societies for  
the prevention of Cruelty to Children, passed  
April 21-1875*

and known as

*The New York Society for the Prevention  
of Cruelty to Children*

and to deliver the said child without delay to the said Corporation at its house of reception in this city

*Number 100 East 23<sup>rd</sup> Street*

to which Corporation such child is hereby **Committed**, under and in pursuance of the provisions of the Penal  
Code of the State of New York and the acts amendatory thereof, to be and remain under the guardianship of the  
said Corporation until therefrom discharged pursuant to law. And for so doing this shall be your sufficient warrant.

Given under my hand and seal at the City of New York, this *second* day of *April* 18*90*

CERTIFICATE OF PHYSICIAN

NEW YORK,.....188

I hereby certify, pursuant to Section 3, Chapter 633, Laws of 1886, that I have this day examined, at the  
request of the Officers of the.....

a.....male Child, age..... That such Child is.....apparently suffering with Diphtheria,  
Scarlet Fever, Measles, Whooping Cough or any contagious or infectious Disease, especially of the Eyes or Skin, which  
might be communicated to the other inmates of the Institution. That the physical condition of the Child is as follows :

That the mental condition of the Child is as follows .....

That there is the presence of.....hereditary or other constitutional Disease.

And also.....deformity or abnormal condition which I find upon examination to exist.

.....M.D.

I order the discharge of the within Child from strict quarantine from the other inmates of the Institution,  
pursuant to Section 4, Chapter 633, Laws of 1886, and certify such Child has remained in quarantine from

.....until this.....day of.....188  
the date of its discharge therefrom.

.....M.D.



No. ....

## Commitment

OF  
-  
Ida Simon

Date April 2<sup>nd</sup> 1893

Cause Vagrancy

Fitzgerald Justice.

H.E. Stocking Officer.  
M.C. to C.

108 E. 23<sup>rd</sup> St.  
N.B.—It is requested that no action be taken  
to Indenture or Discharge the within-named  
child, without first advising the above Society.

In case of legal process to obtain possession of  
this child, immediately notify the Society (Office  
100 East 23<sup>rd</sup> Street, corner 4th Avenue, New  
York City), and it will take charge of all Court  
proceedings.

0094

0095

COURT OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*George W. Morris*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *George W. Morris*  
of the CRIME OF RAPE, committed as follows:

The said *George W. Morris*,  
late of the City of New York, in the County of New York aforesaid, on the  
~~nineteenth~~ day of *January*, in the year of our Lord one thousand  
eight hundred and ~~eighty~~ *ninety*, at the City and County aforesaid, with  
force and arms, in and upon a certain female not his wife, to wit: one  
*Ada Simon*, then and there being, wilfully and,  
feloniously did make an assault, and her the said *Ada Simon*,  
then and there, by force and with violence to her the said *Ada*  
*Simon*, against her will and without her consent, did wilfully  
and feloniously ravish and carnally know, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *George W. Morris*,  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *George W. Morris*,  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Ada Simon*, then  
and there being, wilfully and feloniously did make another assault, with intent her the  
said *Ada Simon*, against her will and without her consent, by  
force and violence, to then and there wilfully and feloniously ravish and carnally know,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

0096

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *George W. Morris*  
of the CRIME OF RAPE, committed as follows:

The said *George W. Morris*,  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Ida Sumner*, then  
and there being, wilfully and feloniously did make another assault, and an act of sexual  
intercourse with her the said *Ida Sumner*,  
then and there wilfully and feloniously did commit and perpetrate, against the will of the  
said *Ida Sumner*, and without her consent; against  
the form of the Statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *George W. Morris*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *George W. Morris*,  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Ida Sumner*,  
then and there being, wilfully and feloniously did make another assault, with intent, an  
act of sexual intercourse with her the said *Ida Sumner*,  
against her will and without her consent then and there wilfully and feloniously to commit  
and perpetrate, against the form of the Statute, in such case made and provided, and against  
the peace of the People of the State of New York and their dignity.

~~JOHN R. FELLOWS, District Attorney~~



0097

First COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further  
accuse the said George W. Morris

of the CRIME OF RAPE, committed as follows:

The said George W. Morris

late of the City and County aforesaid, afterwards to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her, the said Ida Simon — ,  
then and there being, wilfully and feloniously did make another assault, she, the said  
Ida Simon — being then and there a female under the  
age of sixteen years, to wit: of the age of fourteen years; and the said  
George W. Morris — then and there  
wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said  
Ida Simon — , against the form of the  
Statute in such case made and provided, and against the peace of the people of the  
State of New York and their dignity.

JOHN R. FELLOWS, *District Attorney.*

0090

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Morvay, Samuel

**DATE:**

03/12/90



3627



0099

Witnesses:

Rudolph Mether

Officer Looke

After an examination of the  
complainant in the case  
I believe there can be  
no conviction - I therefore  
recommend the defendant  
discharged upon his own  
recognizance -

Apr 9/90 Wm M. D.  
Aest

36 Wms

Counsel,

Filed

Pleads

12<sup>th</sup> March 1890  
day of

THE PEOPLE

vs.

B  
Samuel Morway

Grand Larceny & second degree.  
[Sections 628, 629, Penal Code].

JOHN R. FELLOWS,

District Attorney

A True Bill.

John Sam Rhoads

Left and on recogn.  
now Recog on  
no effect  
FF.



0900

Court of General Sessions &c.

The People &c.

Upon the Complaint of Rudolph Brettner

-against-

Samuel Morvay.

Samuel Morvay.

City and County of New York, ss:

Samuel Morvay being duly sworn deposes and says: I am the defendant above named. I am accused herein of obtaining from Rudolph Brettner in August, 1888, a diamond of the value of sixty dollars in the manner known in the Jewelry trade, as I am now told as "on memorandum and of failing to return the same to him. I am a cigar-dealer at 251 6th Ave., this City and have been such in the same place for the last eight years continuously. I knew nothing of the custom of the jewelry trade prior to my arrest herein. I purchased at the time charged herein, the diamond complained of from Rudolph Brettner upon a credit. I then told him I wanted a credit on it and he gave this credit to me. On the day I obtained it a man named John Kelly, then employed at Dockstadter's Minstrels. It appears now that he pawned it but this I did not know until this Kelly sent me the pawnticket from Chicago, long afterward. I have however paid Brettner in full for the diamond which was regularly sold to me by him upon a credit. Brettner had known me a long time. I was then and am now financially responsible and he then knew it.

Sworn to before me this  
3rd day of April 1890.

*John A. McQuib*  
Commissioner of Deeds  
City & County of New York

*Samuel Morvay*

0901

Sec. 568.

District Police Court.

UNDERTAKING TO ANSWER.

CITY AND COUNTY } ss.  
OF NEW YORK,

An order having been made on the

28

day of

February

1898

Police Justice of the City of New York. That

be held to answer upon a charge of

Larceny

upon which he has been duly admitted to bail in the sum of five Hundred Dollars.

We,

Samuel Murray

Defendant

of No.

225 W.

Street; Occupation

Seaman Dealer

and

Jamie Rollenberg

of No.

308

Second

Street;

Occupation Stationer

Surety, hereby undertake jointly and severally

that the above-named

Murray

shall appear and answer the charge above-

mentioned, in whatever Court it may be prosecuted; and shall at all times render himself amenable to the orders and process of the Court; and if convicted, shall appear for judgment, and render himself in execution thereof

or if he fail to perform either of these conditions that we will pay to the People of the State of New York the sum of five Hundred Dollars.

Taken and acknowledged before me this

day of

February

1898

Do J. C. Reilly

Police Justice

Samuel Murray

Jamie Rollenberg



0902

CITY AND COUNTY  
OF NEW YORK, } ss.

any of  
1881  
Police Justice

Sworn to before me this

the within-named Bail and Surety being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth  
exclusive of property exempt from execution and over and above the amount of all his debts and liabilities,  
and that his property consists of

stock and fixtures of a  
store situated at 308 Second  
Street and household furniture all  
of the value of twenty five thousand  
dollars free and clear of all  
incumbrance  
Jannie Rollins

Underlying to Answer.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Samuel Moray

Taken the 28 day of May 1881

Justice

Filed day of 188



0903

WEST SIDE LOAN OFFICE, No. 476 SIXTH AVENUE, Bet. 38th & 39th Sts., NEW YORK.	
18.	15 AUG 38
<i>[Signature]</i>	
7981	14-0207
<i>[Signature]</i>	
Not accountable for fire, loss, breakage, robbery or theft.	
On sums of 100 Dollars, or under, 3 per cent, per month, or any fraction thereof for first six months, and 2 per cent, per month thereafter. On sums over 100 Dollars, 2 per cent, per month for first six months, and 1 per cent, per month thereafter. <i>or This Ticket Good for One Year Only.</i>	
E. J. LEMON & SON, Props.	

0904

Police Court—4th District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Rudolph Brettnu

of No. 203 E 69 Street, aged \_\_\_\_\_ years,occupation Diamond Setter being duly sworndeposes and says, that on the 23 day of February 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One diamond weighing  $\frac{3}{4}$  of a  
carat of the value of Sixty  
dollars

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Samuel Morray (alias)

That said defendant came to deponent  
place of business and represented that he  
had a purchaser for the aforesaid property  
and requested deponent to give him  
the same to show said customer <sup>any</sup>  
he would return the same or the value  
thereof the following day. Deponent  
relying upon the truth of the aforesaid  
statement gave to said defendant  
the same. That said defendant has  
not returned said property or the value  
thereof. Wherefore deponent charges  
said defendant with feloniously taking  
said property and unlawfully appropri-  
ating the same to his own use.

Rudolph Brettnu

Sworn to before me, this 27 day  
of Feb, 1890

John W. McNeill  
Police Justice.



0905

Sec. 198-200.

4

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Samuel Moray* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him, that the statement is designed to enable him — if he see fit to answer the charge and explain the facts alleged against him — that he is at liberty to waive making a statement, and that his waiver cannot be used against him — on the trial.

Question. What is your name.

Answer.

*Samuel Moray*

Question. How old are you?

Answer.

*25 years*

Question. Where were you born?

Answer.

*Hungary*

Question. Where do you live, and how long have you resided there?

Answer.

*225. W. 15th St 1 month*

Question. What is your business or profession?

Answer.

*Seign dealer*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty of the  
Charge  
Samuel Moray*

Taken before me this

day of

*July*

1890

*27*

*1890*

*1890*

*1890*

*1890*

*1890*

*1890*

*1890*

*1890*

*1890*

*1890*

*1890*

Police Justice.



0906

Sec. 151.

Police Court 44 District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*  
OF NEW YORK, } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police  
Justices for the City of New York, by Rudolph Bretliner  
of No. 203 E 69 Street, that on the 23 day of February  
1888 at the City of New York, in the County of New York, the following article to wit:

One diamond weighing  $\frac{3}{4}$  of a Karat

of the value of Fifty Dollars,  
the property of Complainant  
w. as taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and  
believe, by Samuel Morray

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to  
answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said  
Sheriff, Marshals and Policemen, and every of you, to apprehend the bod 4 of the said Defendant  
and forthwith bring him before me, at the 44 DISTRICT POLICE COURT, in the said City, or in  
case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the  
said charge, and to be dealt with according to law.

Dated at the City of New York, this 27 day of Feb 1890  
So. J. C. [Signature] POLICE JUSTICE.

0907

age 25 Hungarian, Res 225 W. 15 St

The within named

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated..... 188

Police Justice.

Police Court..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Warrant-Larceny.

vs.

Dated..... 188

Magistrate

Officer.

The Defendant Samuel Marway  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Officer.

Dated February 27 1890

This Warrant may be executed on Sunday or at  
night.

Doyle Police Justice.



0908

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, ..... and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated July 27 1880 So J. V. McRae Police Justice.

I have admitted the above-named defendant to bail to answer by the undertaking hereto annexed.

Dated July 28 1880 So J. V. McRae Police Justice.

There being no sufficient cause to believe the within named ..... guilty of the offence within mentioned, I order he to be discharged.

Dated ..... 188 ..... Police Justice.



0909

Police Court

351  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Rudolph Bittner

203 East 69 St  
Samuel Murray

2

3

4

Offence Carrying  
Fines

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Dated

27 February

1890

Samuel O'Reilly

Magistrate

Tooker

Officer.

Court

Precinct.

Witnesses

Samuel Brooker

E. J. Lennon

No.

476 - 6th Ave

Street.

No.

Street.

No.

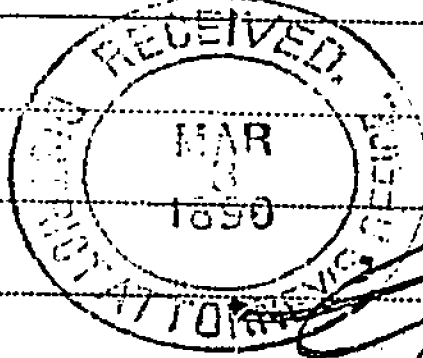
Street.

\$

500

to answer

Committee  
Backa



09 10

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Samuel Morway*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Samuel Morway*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows :

The said

*Samuel Morway*

late of the City of New York, in the County of New York aforesaid, on the *twenty-third* day of *February* in the year of our Lord one thousand eight hundred and *eighty-eight*, at the City and County aforesaid, with force and arms,

*one diamond of the value of sixty dollars*

of the goods, chattels and personal property of one

*Rudolph Brettner*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Hellows,*  
*District Attorney.*

0911

**BOX:**

389

**FOLDER:**

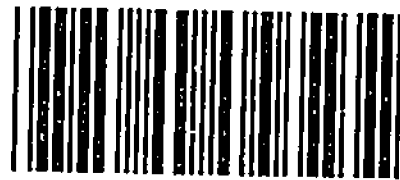
3627

**DESCRIPTION:**

Mullane, Thomas

**DATE:**

03/27/90



3627



Witnesses:

Michael Kane

off Masters

Counsel,

Filed

27 day of March 1890

Pleads,

Not guilty

THE PEOPLE

vs.

John E. 327

Thomas Mullane

Grand Larceny, first Degree.  
(From the Person.)  
[Sections 528, 530 — Penal Code].

JOHN R. FELLOWS,

District Attorney.

A True Bill.

1<sup>st</sup> term of March

Foreman.

Part IV April 8/90-

Verdict and convicted

Elmora Ref. P.B.M.

09 12

## COURT OF GENERAL SESSIONS, PART III.

- - - - - x  
The People of the State of New York :  
against : Before  
Thomas Mullane. : Hon.Randolph M.Martine,  
and a jury.  
- - - - - x

Indictment filed March 27, 1890.

Indicted for grand larceny in the first degree.

For the People,

Assistant District-Attorney Wm. T. Jerome.

For the defendant,

Mr. Robert J. Haire.

New York, April 8, 1890.

M I C H A E L   K A N E,      a witness for the People, sworn,  
testified:

I am employed as a driver of a brewery wagon. On St. Patrick's Day, the 17th. of March, I went to Jones Wood in this city at eight o'clock in the evening. I bought a ticket at the gate and started in. There was quite a crowd. I had my watch in my pocket. As I approached the dancing platform, a crowd had gathered and was so great I could not get through. I stood for a few minutes going up the steps and I saw the face of this defendant directly in front of me. I felt a tug at my chain

09 14

2

and when I looked down the defendant had hold of my chain. I caught his hand with the chain in it. I held him and brought him over to the gate where there was an officer and turned him over to the officer. I asked him to give me my watch and he said he didn't have it. He told me that I dared not accuse him of such a thing as that. I am certain that he is the man that had his hand upon my watch. The watch was worth \$25. I have never seen it since.

CROSS EXAMINATION:

Jones Wood is an open park. It was in the open air that my watch was stolen just as I was going up the steps of the dancing platform. There was considerable of a crowd around me, but I could not be mistaken about the defendant having his hand upon my chain. The first I noticed of him was when he stood right in front of me in the crowd. He was pushing along with the others, apparently trying to get in on the platform. When I felt the pull at my chain, I looked down and got his hand upon my chain. I kept hold of him all the time until I turned him over to the police officer at the gate. He did not try to escape from me at any time. When I brought him to the officer he denied having taken the watch. I did not make any outcry of any kind at the time he took it.



09 15

3

H U G H M A R T I N, a witness for the People, sworn, testified:

I am an officer of the Municipal Police attached to the 25th. Precinct . I was on duty in citizen's clothes at Jones Wood on the 17th. of March. I saw the complainant and the defendant there. I was standing at the entrance to Washington Park at 67th. Street and Avenue A. The complainant and another young man and the defendant came over to me, and the complainant said that the defendant had stolen his watch. The defendant denied it, said he did not steal it and did not know anything at all about the watch. The complainant related the circumstances of the taking of the watch to me the same as he related them here. I asked the defendant what he did with the watch, and he denied having taken it, or having seen it.

CROSS EXAMINATION:

I was stationed at the gate where the people give their tickets and pass through. I did not notice anybody having hold of the defendant except the complainant himself.

D E F E N C E.

T H O M A S M U L L A N E, the defendant, sworn, testified:

I am seventeen years of age. I left school on the 3d. of July, 1887, and I have worked ever since. I have

09 16

4

never been convicted of any crime. On the evening of the 17th. of March I went up to Jones Wood to look for my brother who had gone there in the afternoon. I got there about eight o'clock. I looked all around for my brother and I was just on the point of going on to the dancing platform. There was quite a crowd and I was crushed between two men. The first thing I knew, this complainant grabbed hold of me by the coat and accused me of taking his watch. I did not have my hand on his chain and I did not touch his watch, or take it. After he accused me I told him that I did not take it, that he could search me and that I would go with him to an officer and let the officer search me. I told him that I was not in that sort of business. I was in front of the complainant while going on to this platform, as he has stated. He took me over to the officer and accused me before the officer of taking his watch. I denied it there, and I have denied it ever since. The man must have mistaken me for somebody else. One policeman<sup>to</sup> whom he brought me refused to arrest me, but the officer at the gate did arrest me and take me to the Station House.

CROSS EXAMINATION:

I had my hand on my own watch to take care of it while I was in this crowd. I was afraid that I might lose it. I saw my brother at about three o'clock in the afternoon and I told him I would come up in the evening and would look for him at Jones Wood. I have worked in

0917

5

a blacksmith shop for about eleven months in West 39th. Street. I started up to Jones Wood at half past seven in the evening. I have never been to the Protectory, to the Penitentiary or in State Prison. I was arrested once for playing ball in a lot when I was a boy.

The jury returned a verdict of "guilty of grand larceny in the first degree."



Indictment filed Mar. 27<sup>th</sup> 1890

---

COURT OF GENERAL SESSIONS

Part III.

---

The People &c.

against

THOMAS MULLANE

---

Abstract of testimony on

trial New York April 8<sup>th</sup>

1890.

---

09 18

0919

Court of General Sessions  
The People &c }  
- agt -  
Thomas Mullane }

City & County of New York:-

May Ann Mullane being  
duly sworn deposes and says:  
That she is the mother of the  
defendant in the above entitled  
case. That the defendant has  
always been a hardworking, in-  
dustrious boy & an obedient son.  
That the defendant has never been  
in any trouble of any kind be-  
fore & that this deponent is to  
a large extent dependent upon  
the defendant for her support &  
that she has always contributed  
the larger portion of his earnings  
to deponent's household expenses.

Deponent further says that  
the defendant had no vices or  
bad habits, & associated with  
no bad company. Deponent  
further says, that she thinks



0920

that there is some mistake  
about the conviction of the de-  
fendant, & that she prays  
that sentence may be sus-  
pended, & if sentence is sus-  
pended she is assured by  
defendant's late employer  
that he will at once take  
said defendant into his  
employ again.

Subscribed & sworn } Mary Ann Mullaney  
before me this 11<sup>th</sup>  
day of April 1898

Geo. A. Hooker

Notary Public,

Suffolk County.

Cert. filed in N.Y. Co.

City & County of New York:-  
Mary Ann Mullaney being duly  
sworn says that she has read  
the foregoing affidavit of Mrs.  
Mullaney & that so far as  
it relates to the honesty & industry  
of the defendant, therein named  
she knows it to be true. That  
she knows the defendant Mrs.  
Mullaney & has known him



0921

for the last fifteen years, dur-  
ing of all of which time  
the defendant has lived in  
one of four houses, of which  
this document, as housekeeper  
has had charge

Subscribed and sworn to by Margaret Esson  
before me this 11-  
day of April 1890

W. A. Drake

Notary Public  
Suffolk Co. Mass.

Cert. filed in Sup. Co

0922

General Sessions Court.

The People vs

Plaintiff

against

John Mullane.

Defendant.

Affidavit.

R. J. HAIRE,  
23 Chambers  
440 & 151 CHURCH STREET,  
NEW YORK CITY.

Attorney for *R. J. Haire*

To \_\_\_\_\_ Esq.

Attorney for \_\_\_\_\_

0923

Hon. W. B. Martin  
Judge of General Sessions  
City of New York

Dr Sir,

I write you these few lines, beseeching  
your aid in helping a mother, who has  
been two years a widow; and who is  
about to be bereft of one of her two  
sons; who have been her main sup-  
port since the death of her husband.  
He is about to be sent to prison for a  
crime of which I believe him innocent.  
I have known him since childhood;  
and have never known or heard of any  
wrong act of his. Hoping you will



0924

give the above ladies due consideration  
and I sincerely hope and pray that  
you will show as much clemency in  
the premises as lies in your power  
By doing so I am sure that you  
will have the sincere and heartfelt  
thanks of a broken hearted mother  
I have the honor to remain,

Sincerely Yours,

Geo. Guental

707-1<sup>st</sup> Ave

City

New York City

April 10<sup>th</sup> 1890

0925

Police Court—4<sup>th</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss.Michael Hane  
of No. 3030, Third Avenue Street, aged 25 years,  
occupation Driver being duly sworndeposes and says, that on the 17<sup>th</sup> day of March 1890 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

and person of deponent, in the night time, the following property, viz:

One Silver Watch of the  
value of Twelve Dollars  
(\$12.<sup>00</sup>/<sub>100</sub>)

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Thomas Mullane (now here)for the reason that at about the hour  
of 10 P.M. on the aforesaid day  
said property was in the lower  
left hand pocket of the vest then and  
there worn upon deponent's person  
and deponent felt somebody tugging  
or pulling deponent's watch from  
out of said pocket, while deponent  
was in a crowd, and deponent  
saw said defendant holding the  
end of the chain which had  
~~been~~ attached to said watch and  
the watch was gone, and deponent  
~~saw said defendant~~ plus put  
Michael HaneSworn to before me, this  
18<sup>th</sup> day of March 1890

Police Justice.

Subscribed and sworn to before me this 18<sup>th</sup> day of March 1890  
Police Justice



0926

~~his hand behind his back~~



0927

Sec. 198—200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

4 District Police Court.

Thomas Mullane being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name.

Answer.

Thomas Mullane

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

Brooklyn

Question. Where do you live, and how long have you resided there?

Answer.

N<sup>o</sup> 327 East 39 Street & about 9 months

Question. What is your business or profession?

Answer.

Laborer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

I am not guilty

Thomas Mullane

Taken before me this

day of

1899

Police Justice.

0928

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Mar 18 18890 J. Henry Bond Police Justice.

I have admitted the above-named.....  
to bail to answer by the undertaking hereto annexed.

Dated.....188..... Police Justice.

There being no sufficient cause to believe the within named.....  
..... guilty of the offence within mentioned, I order he to be discharged.

Dated.....188..... Police Justice.



0929

Police Court

4440 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael Ward  
3030 - 3 Ave  
Thomas Mullane

2

3

4

Offence

Ward

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Dated

Mar 18

1890

J Henry Ford

Magistrate

Martin

Officer.

25

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

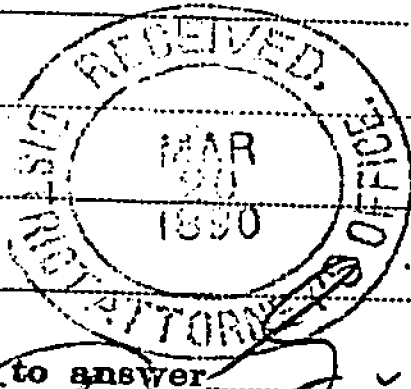
Street.

\$

1000

to answer

Ward



921  
Harrow



0930

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Thomas Mullane*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Thomas Mullane*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*Thomas Mullane*

late of the City of New York, in the County of New York aforesaid, on the *seventeenth*  
day of *March* in the year of our Lord one thousand eight hundred and  
*eighty-ninety*, in the *night* - time of the said day, at the City and County  
aforesaid, with force and arms,

*One watch of the  
value of twelve dollars*

of the goods, chattels and personal property of one *Michael Kane*  
on the person of the said *Michael Kane*  
then and there being found, from the person of the said *Michael Kane*  
then and there feloniously did steal, take and carry away, against the form of the statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

*John R. Fellows,*  
*District Attorney*

093-1

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Murphy, James

**DATE:**

03/05/90



3627

0932

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Williams, John

**DATE:**

03/05/90



3627



0933

**BOX:**

389

**FOLDER:**

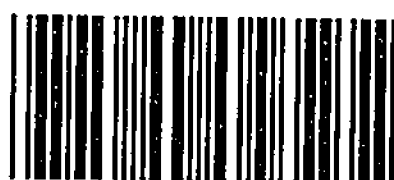
3627

**DESCRIPTION:**

Meyer, Susan

**DATE:**

03/05/90



3627

## Witnesses;

273- Joseph J. Green with

Counsel,

Filed

## Pleads.

THE PEOPLE

vs.

Grand Larceny, Second degree. [Sections 528, 531, 532, Penal Code].

P  
James Murphy,  
2<sup>d</sup>.-las. County Clerk of  
the County of Washington  
John Williams  
and  
Susan Meyer

Mar 14 1872 by order of  
JOHN R. FELLOWS,

District Attorney.

*Dr. J. C. McLaughlin*

# A True Bill

James W. Church

*Foreman.*

Parish Church 2<sup>nd</sup> 1890

Mr. & Mrs. Smith and family  
L. D. Smith

1867

no 3 6 mos. P. 11 April 21  
a/p 11 P. 11 April 21

Apr 11

0934



0935

Police Court—7 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.Peter Van Mistrumof No. 127. Rosevelt.Street, aged 37 years,occupation Tobacconist

being duly sworn

deposes and says, that on the 20 day of February 1897 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:Five Boxes containing 135 Pounds of chewing  
Tobacco of the value ofForty Seven 25/100 Dollars\$ 47 25  
100the property of deponent and Nicholas V Mistrum  
his copartnersand that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by James Murphy, John Williams  
and Susan Meyer (all known here)from the fact that said property was  
standing in front of said premises,  
and deponent at about 6 o'clock in the  
evening of said day discovered that said  
property was stolen and carried away.  
Deponent immediately informed the Police  
of the 4th Precinct of the loss of said property.  
Deponent is informed by John Canavan  
of the 4th Precinct Police that after he received  
the information of said larceny he immediately  
came to said premises and he was informed  
by some unknown person that said  
property was carried to the first floorSworn to before me, this  
18

day

Police Justice.



0936

of premises 289 Broad Street that he  
went to said premises, and found said defendant  
Susan in said Room. That he asked her  
for said property, and she denied that any  
property was brought to her Room, that she  
was in her Room all day and nothing  
was brought there. That then said officer  
made search for said property and found  
five Boxes of Tobacco in the Fire Escape  
of said premises, and they made further  
search for the defendants who were  
found lying in a bed, with their  
clothing and shoes on their person.  
Deponent further said that John Williams  
one of the defendants was in deponent's  
store immediately before the Barrer.  
Deponent examined the property found  
in the possession of said defendants  
and fully identified the same as having  
been stolen from deponent.  
Deponent Charges that said Murphy  
and Williams did steal said property  
and that said Susan Meyer did  
feloniously receive the same she well  
knewing at the time that the same  
was stolen property.

sworn to before me this  
21 day of July 1890

Peter van Twister

*[Signature]*  
Recorder

0937

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 43 years, occupation Police officer of No. 4  
Recruit Police

Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Alvin Karpis  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

1882

Police Justice.



0938

Sec. 198—200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*James Murphy* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer. *James Murphy*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live, and how long have you resided there?

Answer. *446 Broadway Brooklyn E.D. 1 year*

Question. What is your business or profession?

Answer. *Seaman & Longshoreman*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. *I am not guilty*  
*James Murphy*

Taken before me this *21*

day of *December*

188*8*

*John J. McManus*  
Police Justice.



0939

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*John Williams* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *h* right to  
make a statement in relation to the charge against *h*; that the statement is designed to  
enable *h* if he see fit to answer the charge and explain the facts alleged against *h*;  
that he is at liberty to waive making a statement, and that *h* waiver cannot be used  
against *h* on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*John Williams*

Taken before me this *24*

day of *July*

188*7*

*John Williams*  
Police Justice.

0940

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Susan Meyer* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *her* right to  
make a statement in relation to the charge against *her*; that the statement is designed to  
enable *her* if *she* see fit to answer the charge and explain the facts alleged against *her*  
that *she* is at liberty to waive making a statement, and that *her* waiver cannot be used  
against *her* on the trial.

Question. What is your name?

Answer.

*Susan Meyer*

Question. How old are you?

Answer.

*40 years*

Question. Where were you born?

Answer.

*Ireland*

Question. Where do you live, and how long have you resided there?

Answer.

*289 Grant Street 1 week*

Question. What is your business or profession?

Answer.

*Washing*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*I am not guilty*

*Susan F Meyer*

Taken before me this

day of

1880

Police Justice.

0941

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendants

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Five Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated February 2 1890 John H. Jones Police Justice.

I have admitted the above-named \_\_\_\_\_  
to bail to answer by the undertaking hereto annexed.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
\_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



0942

Police Court---

325  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Peter Van Driest  
127 Horwells St  
1. James Murphy  
2. John Williams  
3. Susan Meyer  
4.

Office of the  
Clerk

John  
G. Lantry

Dated July 31 1890

James  
Magistrate.

Lawson Carter  
Officer.

4  
Precinct.

Witnesses James  
No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

No. Street.

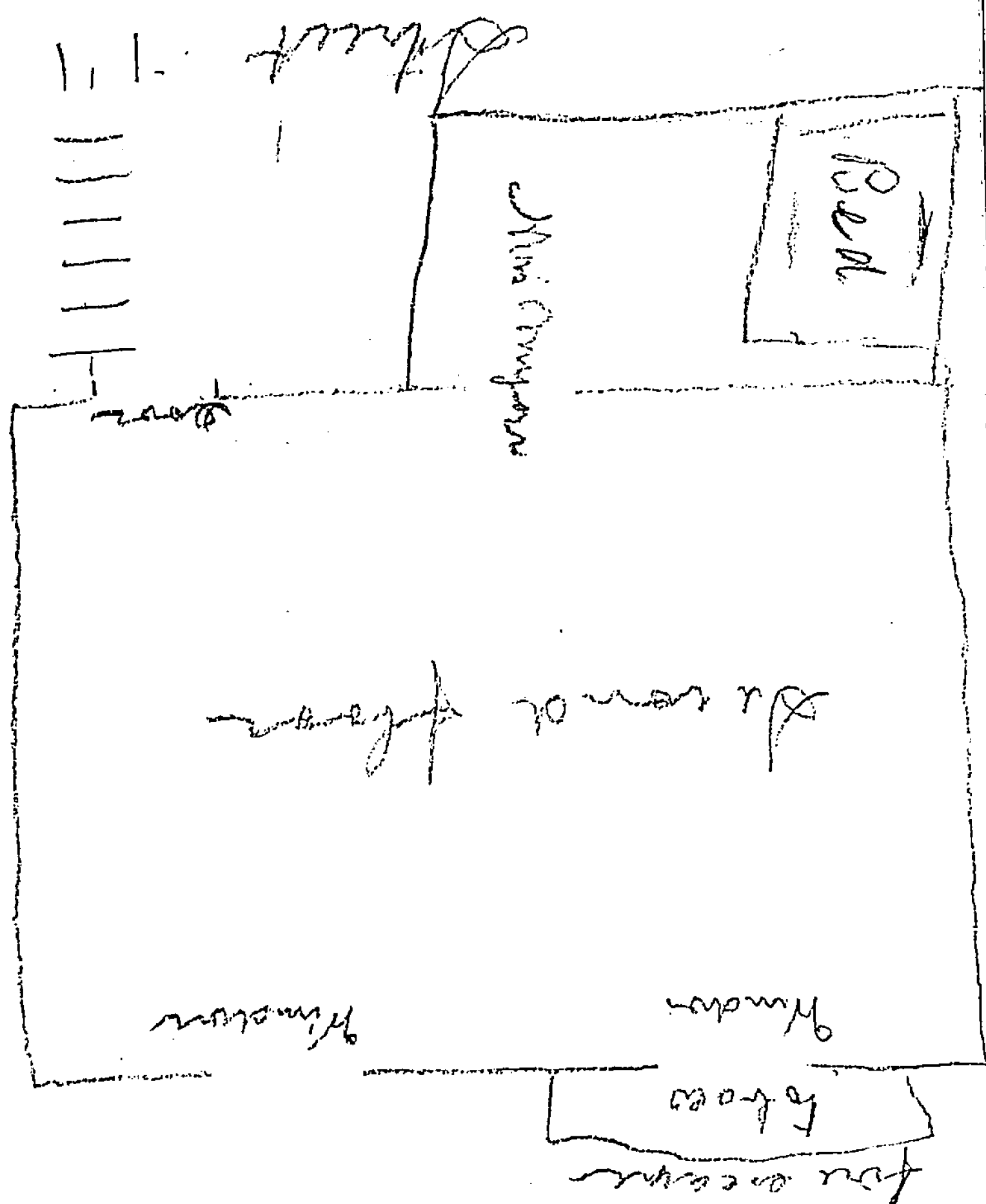
No. Street.

No. Street.

No. Street.

No. Street.

0943

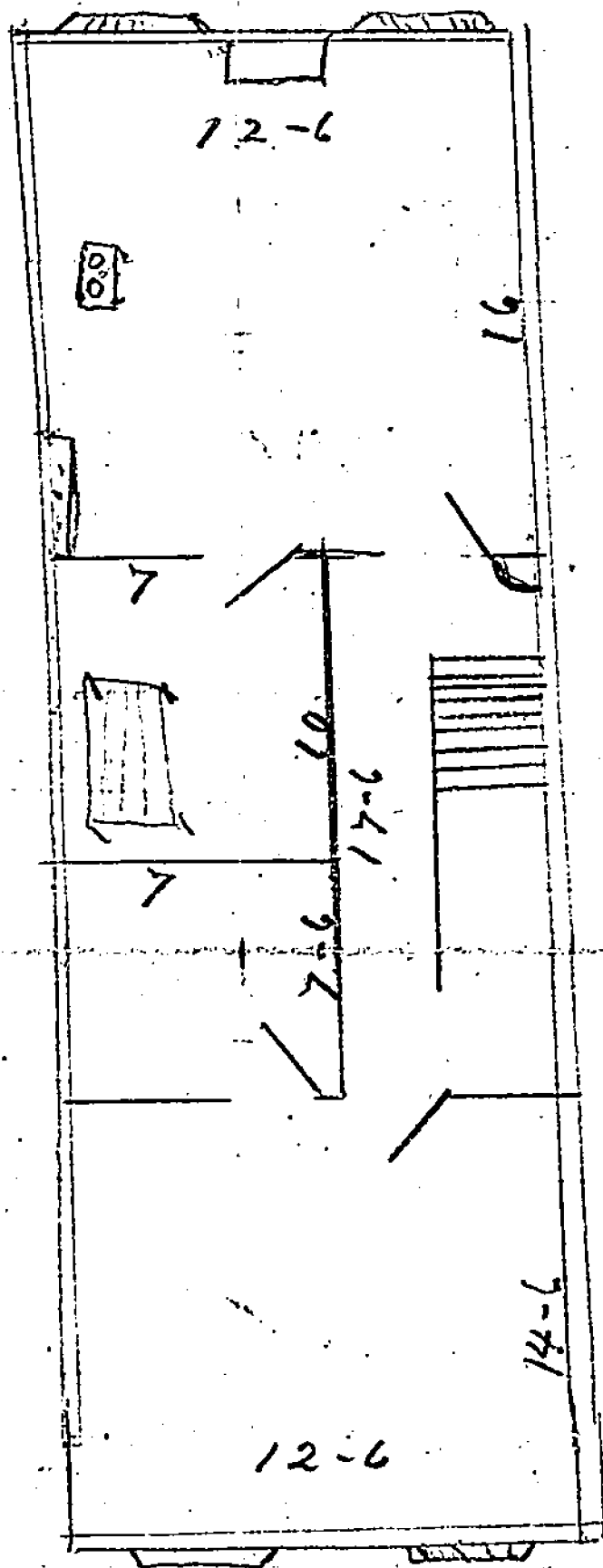








0945



289  
Front ST

0946

Meyers

Williams

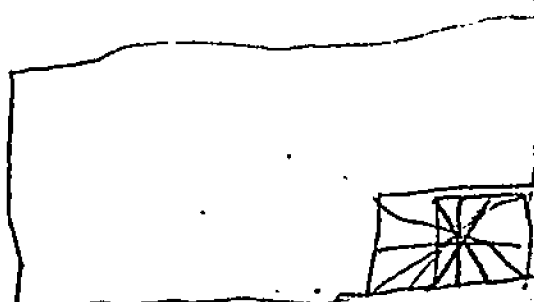
<sup>and</sup>  
McDonnell

Larry of  
Tobacco

from 127  
Roosevelt St

Police Department of the

New York



0947

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James Murphy, John Williams and Susan Meyer*

The Grand Jury of the City and County of New York, by this indictment, accuse *James Murphy, John Williams and Susan Meyer* — of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows :

The said *James Murphy, John Williams and Susan Meyer*, all late of the City of New York, in the County of New York aforesaid, on the *twentieth* day of *February* in the year of our Lord one thousand eight hundred and *ninety*, *one hundred and thirty-five* pounds of tobacco of the value of *thirty-five* cents each pound, and *five* pounds boxes of the value of *ten* cents each

of the goods, chattels and personal property of one *Peter von Twister*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.



0948

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

Susan Meyer  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said

Susan Meyer  
late of the City and County aforesaid, afterwards to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms,

one hundred and thirty-five pounds  
of tobacco of the value of thirty-  
five cents each found and five  
boxes of the value of ten cents  
each,

of the goods, chattels and personal property of one Peter von Twister  
by James Murphy, John Williams, and also  
by a certain <sup>other</sup> person or persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said Peter von Twister

unlawfully and unjustly, did feloniously receive and have; the said

Susan Meyer

then and there well knowing the said goods, chattels and personal property to have been  
feloniously stolen, taken and carried away, against the form of the statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,  
District Attorney.

0949

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Murphy, James

**DATE:**

03/13/90



3627

0950

**BOX:**

389

**FOLDER:**

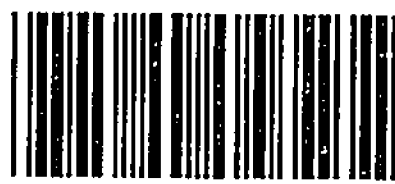
3627

**DESCRIPTION:**

Hardy, John

**DATE:**

03/13/90



3627



0951

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Duffy, John

**DATE:**

03/13/89



3627

0952

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Lehman, John

**DATE:**

03/13/90



3627

0953

**BOX:**

389

**FOLDER:**

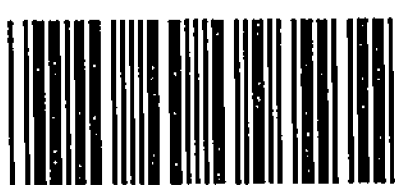
3627

**DESCRIPTION:**

Haberman, Anthony

**DATE:**

03/13/90



3627



Witnesses;

De la Cruz, J. Santa  
McCune, J. McCune

Counsel,

Filed

Pleads,

13 March 1890

THE PEOPLE

vs.

James Murphy,

John Haran,

John Wolf,

John Lehman,

Anthony Abernethy,

JOHN R. FELLOWS,

District Attorney.

12.3rd A C Polatory

104 Justino Rayburn

A True Bill.

John H. H. H. H. H.

March 14/90

12.4 x 5-3

Read Runy 3 day

Subscribed in the Third degree.  
Grand Jury, Second  
degree returning.  
[Section 498, 506, 525, 531]

0954

0955

Police Court—2 District.City and County } ss.:  
of New York,De Lancey T. Smith  
of No. 533 Lexington Avenue Street, aged 29 years,  
occupation Agent being duly sworn.deposes and says, that the premises No. 318 West 35th Street,  
in the City and County aforesaid, the said being a 3 story & basement  
house

and which was occupied by deponent as a

and in which there was at the time a human being, by name unoccupiedwere **BURGLARIOUSLY** entered by means of forcibly breaking open  
a basement dooron the 4 day of March 1890 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:a quantity  
of lead pipe, and other plumbing  
materials of said house of the  
value of over three hundred  
dollars. \$300

Robert Morrison

the property of Harriet Peab and then in deponent's care  
and deponent further says, that he has great cause to believe, and does believe, that the aforesaid**BURGLARY** was committed and the aforesaid property taken, stolen, and carried away byJames Murphy, John Hardy, John Duffy, John  
Lehman and Anthony Habermanfor the reasons following, to wit: The said house was securely  
locked and closed by deponent on the  
morning of March 4th 1890, and was found  
broken open on the following morning,  
and the defendants were found on the  
premises and in the act of feloniously  
taking said property from said  
building, deponent and Policemen the owner  
of the house present caught the

0956

defendants in said building, and  
now recognize them as the perpetrators  
of said burglary

Sworn to before me this 7 day

of

March 1899

A. J. White

Police Justice.

McLancey T. Smith.

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Degree

Burglary

Dated

1899

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$

Bail.

Bailed by

No.

Street.



0957

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK } ss.

*Meltony Haberman* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *Meltony Haberman*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *MS.*

Question. Where do you live, and how long have you resided there?

Answer. *445 West 75 St. 1 year*

Question. What is your business or profession?

Answer. *- paper factory*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I run across the way*

*I my haberman*

Taken before me this

day of

1889

Police Justice.

0958

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*John Laman* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I went with the others that had the bag*

*John Laman*

Taken before me this

day of

*John Laman*

1891

Police Justice.

0959

Sec. 198—200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

*James Murphy* being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

*James Murphy*

Question. How old are you?

Answer.

*14 Years*

Question. Where were you born?

Answer.

*New York*

Question. Where do you live, and how long have you resided there?

Answer.

*528 West 39 Street*

Question. What is your business or profession?

Answer.

*Messenger Boy*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

*I am not guilty*

*James Murphy*

Taken before me this

day of

1894

Police Justice.



0960

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

John Duff being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is h right to  
make a statement in relation to the charge against h; that the statement is designed to  
enable h if he see fit to answer the charge and explain the facts alleged against h  
that he is at liberty to waive making a statement, and that h waiver cannot be used  
against h on the trial.

Question. What is your name?

Answer. going on 15 years John Duff

Question. How old are you?

Answer. going on 15 years

Question. Where were you born?

Answer. N.Y.

Question. Where do you live, and how long have you resided there?

Answer. 502 West 29th St few weeks

Question. What is your business or profession?

Answer. Errand boy

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. I was across the way  
when I met them

John Duff

Taken before me this

day of

188

Police Justice.

0961

Sec. 198—200.

CITY AND COUNTY } ss.  
OF NEW YORK,

2 District Police Court.

John Hardy being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

John Hardy

Question. How old are you?

Answer.

12 - 13 in August

Question. Where were you born?

Answer.

N.Y.

Question. Where do you live, and how long have you resided there?

Answer.

536 West 34th St - 1 year

Question. What is your business or profession?

Answer.

Paper factory

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

I was in the last part of it

John Hardy

Taken before me this

day of

March

1887

at

New York

City

State

of

New York

County

of

New York

City

State

of

New York

Police Justice.



0962

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant

Three Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.  
Dated March 7 1890 A. J. White Police Justice.

I have admitted the above-named John Duff  
to bail to answer by the undertaking hereto annexed.

Dated Mar 6 1890 A. J. White Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_  
\_\_\_\_\_ guilty of the offence within mentioned. I order he to be discharged.

Dated \_\_\_\_\_ 18 \_\_\_\_\_ Police Justice.



0963

Police Court--- 2 District. 384

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

De Lancey T. Smith  
333 Lexington Ave

1 James Murphy  
2 John Hardy  
3 John Duffy  
4 John Deane  
5 Anthony Haberman

Dated March 17 1890

White Magistrate.

McCauley Officer.

20 Precinct.

Witnesses J. B. Bureland

No. 100 E 23rd Street.

No. 103 Bailed Street.

No. 500 Street.

\$ 500 to answer G.S.

Cow

Burgess  
C. R.  
Burgess

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by Owen Ward

Residence 469 W 57 Street.

No. 4, by

Residence Street.

0964

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*James Murphy, John Harty,  
John Duffy, John  
Lehman and Anthony Haberman*

The Grand Jury of the City and County of New York, by this indictment, accuse

*James Murphy, John Harty, John  
Duffy, John Lehman and Anthony Haberman*  
of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*James Murphy, John Harty, John  
Duffy, John Lehman and Anthony Haberman, all*

late of the *Twentieth* Ward of the City of New York, in the County of  
New York, aforesaid, on the *fourth* day of *March* in the year of  
our Lord one thousand eight hundred and *ninety*, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the *building* of one

*Robert Morrison*

feloniously and burglariously did break into and enter, with intent to commit some crime therein,  
to wit: with intent, the goods, chattels and personal property of the said

*Robert Morrison*

in the said *building* then and there being, then and there feloniously and burglariously  
to steal, take and carry away, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.



0965

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said *James Murphy, John Harty, John Lehman, John Duffy and Anthony Haberman* of the CRIME OF *Grand LARCENY in the second degree* committed as follows:

The said *James Murphy, John Harty, John Lehman, John Duffy and Anthony Haberman*, all late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the *day* time of the said day, with force and arms, *five hundred pounds of lead pipe, of the value of twenty cents each pound, and divers other goods, chattels and personal property, a more particular description whereof as to the Grand Jury aforesaid unknown, of the value of two hundred dollars*

of the goods, chattels and personal property of one *Robert Morrison* in the *building* of the said *Robert Morrison*

there situate, then and there being found, *in the building* aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

*John R. Fellows,*  
*District Attorney*



0966

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Murphy, John

**DATE:**

03/13/90



3627

0967

Witnesses:

*Geo A Ferguson*

Counsel,

Filed

Pleads,

*day of March 1890*

THE PEOPLE

vs.

*P*

*John Murphy*

*Indictment*  
*Indictment in the Third degree.*  
*X Oletti Savarney*

[Section 498, 496, 492 & 493]

JOHN R. FELLOWS,

District Attorney.

A True BILL

*John H. Runk*

*March 13/90 Foreman.*

*Henry Rung*

*Ed R. J. H.*

0968

Police Court— District.

City and County of New York, ss.:

of No. 38 Gold Street, aged 27 years,  
 occupation Bookkeeper being duly sworn  
 deposes and says, that the premises No. 38 Gold Street, 5<sup>th</sup> Ward

in the City and County aforesaid the said being a five story building  
 and which was occupied by ~~deponent as a~~ Richard S. McNeill for  
~~business purposes~~  
~~and in which there was at the time a habitation being, by name~~

were BURGLARIOUSLY entered by means of <sup>breaking</sup> forcibly a pane of glass  
in the door on the second floor of said  
premises and crawling through the  
aperture

on the 4<sup>th</sup> day of March 1890 in the day time, and the  
 following property feloniously taken, stolen, and carried away, viz:

A quantity of lead pipe of the  
value of about Five dollars

the property of William N. McMahon and in care of deponent  
 and deponent further says, that he has great cause to believe, and does believe, that the aforesaid  
 BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John Murphy (now here)

for the reasons following, to wit: that on said day the door  
leading to the second floor of said  
premises was securely locked and  
fastened and said lead pipe was  
a part of the plumbing fixture thereof.  
That one of the panes in said door was  
partly broken. Deponent met the defen-  
dant coming down stairs with a  
quantity of lead pipe concealed under



0969

his defendants' coat. Deponent detained  
the defendant and made an investigation  
of said premises and found the door  
locked but a portion of the broken  
glass removed. Deponent found the  
sink broken and the lead pipe removed

Sworn to before me  
this 5<sup>th</sup> March, 1890 } John H. Ferguson  
for the reasons following to wit:  
J. W. Widdmaker

BEFORE ME, the undersigned authority, on this day personally appeared  
John H. Ferguson, known to me to be the person whose name is subscribed to the foregoing  
petition, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Dated \_\_\_\_\_ 188\_\_\_\_ Police Justice.

\_\_\_\_\_ guilty of the offence mentioned, I order he to be discharged.

There being no sufficient cause to believe the within named

Dated \_\_\_\_\_ 188\_\_\_\_ Police Justice.

to bail to answer by the undertaking hereto annexed.

I have admitted the above named

Dated \_\_\_\_\_ 188\_\_\_\_ Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

committed, and that there is sufficient cause to believe the within named

appeared to me by the within depositions and statements that the crime therein mentioned has been

committed, and that there is sufficient cause to believe the within named

appeared to me by the within depositions and statements that the crime therein mentioned has been

committed, and that there is sufficient cause to believe the within named

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committed, and that there is sufficient cause to believe the within named

appeared to me by the within depositions and statements that the crime therein mentioned has been

committed, and that there is sufficient cause to believe the within named

0970

Sec. 198-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK, } ss.

*John Murphy* being duly examined before the under-  
signed according to law, on the annexed charge; and being informed that it is *his* right to  
make a statement in relation to the charge against *him*; that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer. *John Murphy*

Question. How old are you?

Answer. *17 years*

Question. Where were you born?

Answer. *Newark N. J.*

Question. Where do you live, and how long have you resided there?

Answer. *38 Monroe Street 4 years*

Question. What is your business or profession?

Answer. *Errand Boy*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer. *I am not Guilty*  
*John Murphy*

Taken before me this

*5th*

day of *March* 1890

*Wm. J. ...*  
Police Justice.



0971

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

..... *Defendant* .....  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Fifteen* Hundred Dollars, ..... and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he *give* such bail.

Dated *March 5<sup>th</sup>* 1890 *A. D. Maher* Police Justice.

I have admitted the above-named.....  
to bail to answer by the undertaking hereto annexed.

Dated..... 18 ..... Police Justice.

There being no sufficient cause to believe the within named.....  
..... guilty of the offence within mentioned. I order he to be discharged.

Dated..... 18 ..... Police Justice.



0972

Police Court---*First* District. <sup>340</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John A. Ferguson*  
*38 Gold St*  
*John Murphy*  
1  
2  
3  
4

*Burglar*  
Offence

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *March 5th* 18*90*

*McMahon* Magistrate.

*Harlowe* Officer.

Precinct.

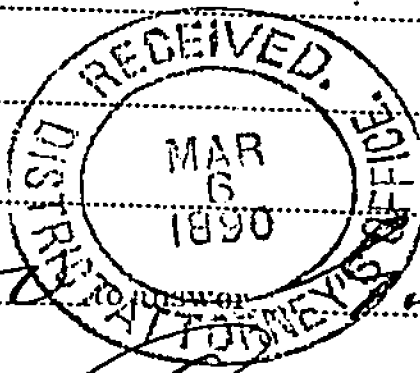
Witnesses *John Burger*

No. *38 Gold St* Street.

No. .... Street.

No. .... Street.

\$ *150* *Spt*



0973

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK  
against

*John Murphy*

The Grand Jury of the City and County of New York, by this indictment, accuse

*John Murphy*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

*John Murphy*

late of the *Second* Ward of the City of New York, in the County of  
New York, aforesaid, on the *fourth* day of *March* in the year of  
our Lord one thousand eight hundred and *ninety*, with force and arms, at the  
Ward, City and County aforesaid, a certain building there situate, to wit: the *building* of one

*John William W. Mc Mahon*

feloniously and burglariously did break into and enter, with intent to commit some crime therein,  
to wit: with intent, the goods, chattels and personal property of the said

*William W. Mc Mahon*

in the said *building* then and there being, then and there feloniously and burglariously  
to steal, take and carry away, against the form of the statute in such case made and provided, and  
against the peace of the People of the State of New York and their dignity.

0974

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said

of the CRIME OF

Petitor LARCENY

committed as follows:

The said

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,  
at the Ward, City and County aforesaid, in the day - time of the said day, with force and arms,

fifty pounds of lead pipe of  
the value of ten cents each  
pound

of the goods, chattels and personal property of one

in the building of the said

~~John A. Ferguson~~  
William W. McMahon  
William W. McMahon

there situate, then and there being found, in the building aforesaid, then and there  
feloniously did steal, take and carry away, against the form of the statute in such case made and  
provided, and against the peace of the People of the State of New York and their dignity.

John L. Fellows,  
District Attorney



0975

**BOX:**

389

**FOLDER:**

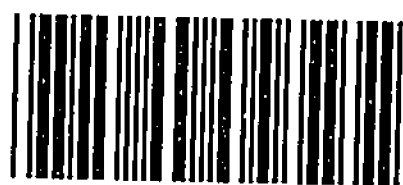
3627

**DESCRIPTION:**

Murphy, Michael

**DATE:**

03/12/90



3627

Patrick Goodwin  
Thos W Blackwood  
Peter White

From ~~supp~~ - Rhoads  
March 12/90 Foreman.  
W. L. G. L. G. L.  
W. L. G. L. G. L.  
30th and City Dennis  
Ellis 1/16/90

Filed

div of

## Pleads,

THE PEOPLE

vs.

Grand Larceny Secured degree.  
[Sections 528, 537, —, Penal Code].

Michael Murphy

JOHN R. FELLOWS,

*District Attorney.*

0977

Police Court

District.

Affidavit—Larceny.

City and County } ss.:  
of New York, }

Patrick Goodwin

of No. 184 Hudson Street, aged 40 years,

occupation Clerk being duly sworn

deposes and says, that on the 22 day of February 1889 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession

of deponent, in the day time, the following property, viz:

One watch of the value of

One hundred dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,

and carried away by Michael Murphy (now here)

for the reasons that on said day deponent was in the company with the defendant and visited the liquor saloon 195 Hudson Street, deponent being intoxicated and subsequently missed said watch. Deponent is informed by Thomas T. Blackwood (now here) that he is the bartender in said saloon and recollects the said day when deponent in company with said defendant visited said saloon and saw deponent lay said watch upon the counter and the defendant picked it up and

Sworn to before me, this 1889 day of

Police Justice.



0978

and the defendant remakes to said Blackwood that he defendant took it to scare deponent, Since deponent has learned of said circumstance deponent has demanded the return of said property but the defendant denies that he ever received the same or that it was ever in his possession.

Wherefore deponent charges the defendant with obtaining possession of said property by the means aforesaid and appropriating the same to his own use and benefit depriving deponent of the use and benefit.

Sworn to before me this 28<sup>th</sup> February, 1870 Patrick Goodwin  
John Gorman  
Police Justice

0979

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Thomas V. Blackwood*

aged *39* years, occupation *Barber* of No.

*157 Chrysalis* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Patrick Goodwin*

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *28<sup>th</sup>*  
day of *February* 188*7*

*Thomas V. Blackwood*

*John J. Gorman*  
Police Justice.



0980

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Michael Murphy* being duly examined before the under-  
signed according to law, on the annexed charge, and being informed that it is *his* right to  
make a statement in relation to the charge against *him*, that the statement is designed to  
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*,  
that he is at liberty to waive making a statement, and that *his* waiver cannot be used  
against *him* on the trial.

Question. What is your name?

Answer.

*Michael Murphy*

Question. How old are you?

Answer.

*48 years*

Question. Where were you born?

Answer.

*Ireland*

Question. Where do you live, and how long have you resided there?

Answer.

*71 Varick St. 1 year*

Question. What is your business or profession?

Answer.

*General laborer*

Question. Give any explanation you may think proper of the circumstances appearing in the  
testimony against you, and state any facts which you think will tend to your  
exculpation?

Answer.

*"I don't know nothing about the  
watch"*

*I am not guilty  
Michael Murphy*

Taken before me this

day of

188

Police Justice



0981

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

*defendant*  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Five* Hundred Dollars,.....and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated: *Feb 28* 189*1* *Wm J. Ennis* Police Justice.

I have admitted the above-named.....  
to bail to answer by the undertaking hereto annexed.

Dated.....18.....Police Justice.

There being no sufficient cause to believe the within named.....  
guilty of the offence within mentioned. I order he to be discharged.

Dated.....18.....Police Justice.

0982

Police Court---

354 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Patrick Goodwin*  
184 vs. *Hudson St*  
*Michael Murphy*

2

3

4

BAILED,

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *February 28* 18*90*

*Gorman* Magistrate.

*Nancy D. Jones* Officer.

*5* Precinct.

Witnesses .....

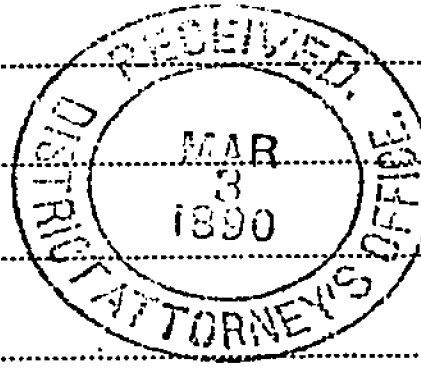
No. .... Street.

No. .... Street.

No. .... Street.

\$ *500* to answer *95*

*W. Connelley*





0983

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Michael Murphy*

The Grand Jury of the City and County of New York, by this indictment, accuse

*Michael Murphy*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows :

The said

*Michael Murphy*

late of the City of New York, in the County of New York aforesaid, on the *twenty second* day of *February* in the year of our Lord one thousand eight hundred and *ninety*,  
at the City and County aforesaid, with force and arms,

*one watch of the value of  
one hundred dollars*

of the goods, chattels and personal property of one

*Patrick Goodwin*

then and there being found, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

*John R. Feltows*  
District Attorney



0984

**BOX:**

389

**FOLDER:**

3627

**DESCRIPTION:**

Murtaugh, James

**DATE:**

03/25/90



3627

0985

Witnesses:

167. *ordered J. Oliver*

Counsel,

Filed *25* day of *March* 1890

Pleads,

*Not guilty*

THE PEOPLE

vs.

*B B*  
*James Murtough*

*indemnified  
(Chapter 44 & 5, Laws  
of 1888)*

JOHN R. FELLOWS,

*transferred to the Court of Special  
Sessions for trial and final disposition.*

*April 20th 1890*  
A TRUE BILL.

*John R. Fellows*

*Sent to Special  
Deportation by Court  
District of Columbia*  
*Foreman*  
*W. H. [Signature]*



0986

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY  
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James M. Langan*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse

*James M. Langan* of

*a misdemeanor,*

~~of the crime of~~

committed as follows:

The said

*James M. Langan*.

late of the City of New York, in the County of New York aforesaid, on the

*ninth* day of *January* in the year of our Lord one thousand  
eight hundred and ninety *—*, at the City and County aforesaid,

*not being a registered pharmacist known  
as a graduate in pharmacy, or as a  
licentiate in pharmacy within the meaning  
of Title Six of Chapter XXXI of the laws*



0987

Under the said Foundation Act of 1882, did  
intentionally open and conduct a certain  
pharmacy and store there, for retailing,  
dispensing and compounding and poisons,  
the said agent, defendant not being  
the legal representative of any deceased  
person who was a registered pharmacist  
known as a graduate in pharmacy or  
as a licentiate in pharmacy within the  
meaning of the said Title, then and there  
conducting the business of such deceased  
pharmacist; against the form of the  
Statute in such case made and pro-  
vided, and against the peace of the  
People of the State of New York, and  
their dignity.

John R. Bellows,

Attorney at Law