

0830

**BOX:**

447

**FOLDER:**

4126

**DESCRIPTION:**

Townsend, Edward

**DATE:**

08/14/91



4126

169

Witnesses;

Thomas D. Lee

Thomas D. Lee

Officer Schmidt

In view of all the  
circumstances  
recommmend the  
acceptance of a  
Plea of Petition  
Wardship from  
8/14/91  
file a verdict

Counsel,

Filed 14 day of Aug 1891

Pleas: *Atty*

THE PEOPLE

machines of the  
550 E. 16 St

Edward Townsend

Grand Larceny, Second Degree.  
(From the Person.)  
[Sections 529, 531 Penal Code]

JOHN R. FELLOWS,

Dist. Atty.

Sept 2 - Sept 9  
Plea of Petition  
Pen 9 months.

A TRUE BILL.

*John Andrews*

Foreman

Part 2

0832

Police Court— 4 — District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 266 South 9<sup>th</sup> Street Boklyn <sup>E.D.</sup> street, aged 31 years,  
occupation Salesman being duly sworn

Theodore L. C. C.

deposes and says, that on the 10<sup>th</sup> day of Aug 1911 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 day time, the following property, viz:

A silver watch of  
the value of Eleven (11) 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 Edward Townsend (nowhere) for

the reasons following to wit:

Deponent says— he was walking on East 20<sup>th</sup> Street and had said watch in a pocket of his vest worn by deponent at the time, and is informed by Officer George H. Schmoll of the 1<sup>st</sup> Precinct that he saw defendant place his arm around deponent's person and saw defendant take said watch from deponent, and arrested defendant with said watch in his possession. Wherefore deponent charges defendant with feloniously larceny, stealing and carrying away said watch from deponent's person and possession.

T. L. C. C.

Sworn to before me this 10 day of Aug 1911  
of Boklyn  
Police Justice.

0833

CITY AND COUNTY } ss.  
OF NEW YORK, }

*George H. Schmoll*

aged \_\_\_\_\_ years, occupation, \_\_\_\_\_ of No. \_\_\_\_\_

*1<sup>st</sup> Avenue*

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of \_\_\_\_\_

*Wendell Lee*

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this *10<sup>th</sup>* day of *Aug*, 189*6*, } *George H. Schmoll*

*W. E. ...*  
Police Justice.

0834

Sec. 198-200.

4 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Edward Townsend 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 m; that the statement is designed to  
enable h m if he see fit to answer the charge and explain the facts alleged against h m  
that he is at liberty to waive making a statement, and that h m waiver cannot be used  
against h m on the trial.

Question. What is your name?

Answer. Edward Townsend

Question. How old are you?

Answer. 23 yrs

Question. Where were you born?

Answer. United States

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

Answer. 550 E 16<sup>th</sup> St 9 yrs

Question. What is your business or profession?

Answer. Machinist

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  
Edw. Townsend

Taken before me this

day of July 1914

James J. Brown  
Police Justice

0835

*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* Aug 10 <sup>1891</sup> *\_\_\_\_\_ Police Justice.*

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

*Dated* \_\_\_\_\_ <sup>188</sup> \_\_\_\_\_ *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* \_\_\_\_\_ <sup>188</sup> \_\_\_\_\_ *Police Justice.*

0836

1064

Police Court— 4 District

THE PEOPLE, &c.

ON THE COMPLAINT OF

*Theodore Lee*  
*736 South 9th St Brooklyn*  
*E.D.*  
*Edward Townsend*

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

*Lawrence J. ...*  
of Police

Dated *August 10-1891*

*Murray* Magistrate.

*George K. Schmitt* Officer.

*18* Precinct.

Witnesses *Thomas S. Cooper*

No. *257 Division Avenue* Street.  
*Brooklyn E.D.*

No. *Said Officer* Street.

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

*1891* to answer *G.S.*



*Mr* *New*

BAILED,

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

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

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

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

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

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

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Townsend

The Grand Jury of the City and County of New York, by this indictment accuse Edward Townsend of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said Edward Townsend,

late of the City of New York, in the County of New York aforesaid, on the tenth day of August in the year of our Lord one thousand eight hundred and eighty-ninety-one, in the day - time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of eleven dollars

of the goods, chattels and personal property of one Theodore Lee on the person of the said Theodore Lee then and there being found, from the person of the said Theodore Lee 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.

De Lancey Nicoll, District Attorney.

0838

**BOX:**

447

**FOLDER:**

4126

**DESCRIPTION:**

Trainer, James

**DATE:**

08/06/91



4126

0839

**BOX:**

447

**FOLDER:**

4126

**DESCRIPTION:**

Shannon, Timothy

**DATE:**

08/06/91



4126

Witnesses:

*Mary Herin*

*Off Funnell*

Counsel,

Filed

6  
day of *Aug* 188*9*

Pleads,

THE PEOPLE

vs.

*James Trainor*  
and  
*Timothy Shannon*

Grand Larceny, *3rd* Degree.  
(From the Person.)  
[Sections 529, 530 — Penal Code].

**JOHN R. FELLOWS,**

*District Attorney.*

**A True Bill.**

*William J. ...*  
*July 19*  
*Foreman*  
*Head of ...*  
Each

*V.P. 2 1/2 - 4 ...*

0841

Police Court / District.

Affidavit—Larceny.

City and County } ss:  
of New York, }

Henry Sherin

of No. 50 North Moore Street, aged 33 years,  
occupation Iron Worker being duly sworn,

deposes and says, that on the 22 day of July 1891 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:

Two dollars and sixty  
cents of gold and lawful money of the  
United States

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 <sup>from his person</sup> Pamela Trainor and ~~John~~ <sup>John</sup> Shanahan (both now here) who were acting in concert with each other, for the reason that on the aforesaid date deponent was sitting on a stoop in North Moore Street, and had the above described property in the left hand pocket of his trousers. Deponent fell into a sleep and awakening suddenly, he found the defendant Trainor's hand in his pocket and the aforesaid property was missing. The defendant Shanahan at the same time was standing beside him and in the company of the defendant. When Officer Kennell of the 5th Police Precinct was arresting the defendant - the aforesaid ~~Shanahan~~ <sup>Trainor</sup> told deponent in the presence of Officer Kennell "if you go to my mother's house she will pay you all you best." Wherefore deponent

Sworn to before me, this 13th day of July 1891  
Police Justice.

0842

charges the said Trainor and Kanawha  
with the larceny of the said property  
and prays that they may be held to answer.

Sworn to before me this }  
22<sup>nd</sup> day of July 1891 } Henry Sherwin  
Police Justice

0843

CITY AND COUNTY }  
OF NEW YORK, } ss.

William H. Fennell

aged 38 years, occupation Police man of No.

5<sup>th</sup> Precinct Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Henry Sherin

and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 22 }  
day of July 1898 } Wm H. Fennell

[Signature]  
Police Justice.

0844

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK }

James Tramer 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 Tramer

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 121 Charlton Street. 4 years

Question. What is your business or profession?

Answer. Driver

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 Tramer

Taken before me this  
day of July  
1891

Police Justice.

0845

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Timothy Shannon* 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. *Timothy Shannon*

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. *86 Vandam Street. 3 years.*

Question. What is your business or profession?

Answer. *Labour*

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.*  
*Timothy Shannon*

Taken before me this

day of *July* 1891

Police Justice

0846

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, *500* 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 22* 1891 *[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 he to be discharged.

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

0847

Police Court--- / District. <sup>957</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Merrin  
601. North Moore St.  
526-283  
1 James Marnon  
2 John Shamaton  
3 Timothy Shannon  
4

Officer *L. L. Linn*  
*Thompson*

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *July 22* 19*11*  
*Dover* Magistrate.

*Fennell* Officer.  
*5* Precinct.

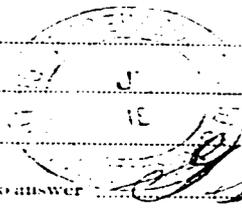
Witnesses *William H. Fennell*  
No. *5th Police Precinct* Street.

No. .... Street.

No. .... Street.

\$ *500* to answer *9/8*

*Cann* *AK*  
*Person*



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 Trainor and Timothy Shannon

The Grand Jury of the City and County of New York, by this indictment accuse James Trainor and Timothy Shannon of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said James Trainor and Timothy Shannon, both

late of the City of New York, in the County of New York aforesaid, on the 22nd day of July in the year of our Lord one thousand eight hundred and eighty-ninety-one, in the night time of the said day, at the City and County aforesaid, with force and arms,

\$7.60

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

two 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; two promissory notes for the payment of money of the kind commonly called Bank Notes, of the denomination and value of one dollar each; two United States Gold Certificates, of the denomination and value of one dollar each; two United States Silver Certificates, of the denomination and value of one dollar each; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of two dollars and sixty cents

of the goods, chattels and personal property of one Henry Sherwin on the person of the said Henry Sherwin, then and there being found, from the person of the said Henry Sherwin 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.

De Lancey McCall, District Attorney

0849

**BOX:**

447

**FOLDER:**

4126

**DESCRIPTION:**

Trautwein, Albert

**DATE:**

08/03/91



4126

15

*Section*

Counsel,

Filed *3* *1891*  
Pleads *Not guilty*

*Assault in the Second Degree.*  
(Section 218, Penal Code).

THE PEOPLE

vs.

*Albert Trautwein*

JOHN R. MELLOWS

District Attorney.

Witnesses:

*Geo. Fels*

*Wm. Cameron*

A True Bill.

*Wm. Proctor*

Foreman.

*Wm. Proctor*

*Geo. Fels*

0851

Police Court 4 District.

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

of No. 245 East 36<sup>th</sup> Street, aged 53 years,  
occupation Cabinetmaker being duly sworn  
deposes and says, that on 25<sup>th</sup> day of July 1891 at the City of New  
York, in the County of New York,

he ~~was~~ violently and feloniously ASSAULTED and BEATEN by Albert  
Trantawire (now here) who cut and  
stabbed deponent upon the head  
and chin with a chisel which  
he, defendant held in his hand

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 dealt with according to law.

Sworn to before me, this 26 day  
of July 1891

W. M. M. M. M. Police Justice.

Albert Trantawire

0852

Sec. 198-200.

X District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Albert Trautwein 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. Albert Trautwein

Question. How old are you?

Answer. 49 years

Question. Where were you born?

Answer. Germany

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

Answer. 427 East 68<sup>th</sup> Street, 3 years

Question. What is your business or profession?

Answer. Cabinetmaker

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

Albert Trautwein

Taken before me this

26

day of July 1891

H. B. ...

Police Justice

0853

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 26* 1891 *W. M. ...* 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.

0854

Police Court--- 4 District. <sup>970</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Charles F. ...*  
*245-36 St*  
*Albert ...*

*Fel Assault*  
Offence

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 *July 26* 1891

*Murphy* Magistrate.

*Cannon* Officer.

*21* Precinct.

Witness *William Fisher*

No. *414 6<sup>th</sup> Street* Street.

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

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

\* *1000* \_\_\_\_\_



*Com ...*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Albert Trautwein

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse

Albert Trautwein

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

The said Albert Trautwein

late of the City and County of New York, on the twenty fifth day of July in the year of our Lord one thousand eight hundred and eighty nine, with force and arms, at the City and County aforesaid, in and upon one

Charles Fels in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault; and the said Albert Trautwein

with a certain *knife* which *he* the said

*Albert Trautwein* in *his* right hand then and there had and held, the same being then and there a weapon and an instrument ~~and weapon~~ likely to produce grievous bodily harm, *him*, the said *Charles Fels* then and there feloniously did wilfully and wrongfully strike, beat, ~~cut,~~ bruise 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.

Al Lancy Nicoll,  
District Attorney.

0856

**BOX:**

447

**FOLDER:**

4126

**DESCRIPTION:**

Travis, John J.

**DATE:**

08/12/91



4126

1048

Counsel,  
Filed 12 day of Aug 1891  
Pleads,

THE PEOPLE  
vs.  
Grand Larceny, Second Degree.  
(From the Person)  
[Sections 528, 531 Penal Code].

John J. Travis  
A.D.

DELANEY NICOLL  
JOHN R. PEIRSONS,  
District Attorney.

A TRUE BILL.

*Wm. Andrews*  
Aug 13/91 Foreman  
Members of Jury  
*R.P.*

Witnesses;

Police Court - 1 - District.

Affidavit - Larceny.

City and County }  
of New York, } ss.

Fred Hogland

of No. Street, aged 40 years,  
occupation Seaman being duly sworn,

deposes and says, that on the 8 day of August 1891 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:

Good and lawful money of the United States  
consisting of one bill of the denomination  
and value of Five dollars  
\$5.

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 ~~John~~ Travis (prohere)

Deponent says he was walking along James Street in said City when said defendant came towards him and snatched said money from his hand and ran away.

That deponent pursued him and said defendant was caught by officer John Hogan with said money in his possession.

Fred Hogland

Sworn to before me, this 9 day of Aug 1891

W. J. McLaughlin  
Police Justice

0859

Sec. 198-200.

CITY AND COUNTY OF NEW YORK

District Police Court.

*John J. Travis* 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 J. Travis*

Question. How old are you?

Answer. *23 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *12 Chatham Square 6 mos*

Question. What is your business or profession?

Answer. *Driver*

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 J. Travis*

Taken before me this

day of *Aug*

*9/11*

1891

*J. P. Murphy* Police Justice.



0861

1048

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Fred Boyland

vs.  
John Travis

1  
2  
3  
4

Officer *Lawson* from the *Station*

BAILED,

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

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

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

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

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

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

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

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

Dated August 9 1891

Daniel O'Reilly Magistrate.

John Hogan Officer.  
4<sup>th</sup> Precinct.

Witnesses Officer \_\_\_\_\_

Complainant committed to  
the House of Detention  
in default of \$100 to testify

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

\$ 150.00 to answer *G. B.*

COMMITTED.

*G. B.*  
*Lawson*

0862

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

John Hogan  
of the 4th Precinct Police Street, aged years,  
occupation being duly sworn deposes and says,  
that on the day of 188  
at the City of New York, in the County of New York, Fred Hogland

the within named Complainant is a  
necessary and material witness against  
John Travis charged with a felony  
warrant says, <sup>that said</sup> Complainant is a sea  
faring man and has no permanent place  
of abode and prays that he give surety  
for his appearance to testify

John Hogan

Sworn to before me, this  
of Aug 1891

Doyle  
Police Justice

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 J. Travis

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

of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

John J. Travis late of the City of New York, in the County of New York aforesaid, on the eighth day of August in the year of our Lord one thousand eight hundred and eighty-ninety-one, in the day - time of the said day, at the City and County aforesaid, with force and arms,

one promissory note for the payment of money of the kind commonly called United States Treasury Notes, of the denomination and value of five dollar \$; one promissory note for the payment of money of the kind commonly called Bank Notes, of the denomination and value of five dollar \$; one United States Gold Certificate, of the denomination and value of five dollar \$; one United States Silver Certificate, of the denomination and value of five dollar \$;

of \$5.00

of the goods, chattels and personal property of one Frederick Hogland on the person of the said Frederick Hogland then and there being found, from the person of the said Frederick Hogland 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.

De Lancey Nicoll, District Attorney.

0864

**BOX:**

447

**FOLDER:**

4126

**DESCRIPTION:**

Turner, George W.

**DATE:**

08/04/91



4126

1488  
W. E. C. Webster

85  
Carter  
Counsel,  
Filed 4 day of Aug. 1891  
Pleas  
By *George W. Turner* Sept 24  
*George W. Turner*

THE PEOPLE  
vs.  
George W. Turner  
Misdemeanor  
(See 507 Code of Criminal)

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Wm. A. Wood*  
3/4/91  
Foreman

On Recm. of Dist. Atty.  
indict dis. P. B. M.  
Recorder

Witness:  
*George W. Turner*

The statute upon which  
this indictment was  
found has since been  
repealed without re-  
vival or saving  
clause the probat-  
ion necessarily falls  
See Statute, 26 July 1867  
I therefore recommend  
that the indictment  
be dismissed  
By De Lancey Nicoll  
for Dist. Atty.  
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ROCHFORD & STAYTON  
COUNSELLORS AT LAW  
STOKES BUILDING, 45 CEDAR STREET

THOMAS E. ROCHFORD  
WILLIAM H. STAYTON

NEW YORK Sept. 26<sup>th</sup> 1891.

Hon. DeLancey Kiell,  
District Attorney.

Dear Sir:

Referring to the conversation which our Mr. Rochford had with you on September 24<sup>th</sup>, in regard to indictment of Mr. George W. Turner, for publishing in the New York Recorder an account of the execution of certain murderers, we beg leave to state to you the position of Mr. Turner and the Recorder.

You said that you did not propose to prove that the Recorder published an account of the details of such execution in violation of the Statute; that the Recorder must admit that the account which it published was other an account as was prohibited by the Statute.

Mr. Turner will admit that he caused to be published the account which appeared in the Recorder. As neither he nor any representative of the Recorder was allowed to be present at the execution, and as witnesses who were present are within your control, he refuses to

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STOKES BUILDING, 45 CEDAR STREET

2  
THOMAS E. ROCHFORD  
WILLIAM H. STAYTON

NEW YORK.....189

admit what is not within his actual knowledge, and what it is within your power to prove, namely, whether or not the account given in the Recorder was correct. You ask, in effect, that he will admit that he is guilty. His reply is, in effect; I admit every fact within my knowledge; all the other facts necessary to maintain the indictment it is for you to prove. If the statute is such that you cannot do this, but must ask the accused to admit himself to be guilty, then the statute is absurd as well as unconstitutional.

Mr. Sumner and the Recorder desire that these charges be tried at once. If, however, you intend to ask that the indictment be dismissed unless we make the admissions referred to, then we ask that you will do this at once, in order that we may be spared the trouble of preparing for trial.

Yours Respectfully,  
Rockford & Stayton.

0868

ROCHFORD & STAYTON

COUNSELLORS AT LAW

STOKES BUILDING, 45 CEDAR STREET

THOMAS E. ROCHFORD  
WILLIAM H. STAYTON

NEW YORK, Oct 20th 1891.

*Recorder*

*9/11/91  
Please see  
New York*

Hon. DeLancey Nichols,  
District Attorney.

Dear Sir:

On September 26<sup>th</sup> we wrote to you with regard to the indictment of Mr. George W. Turner, of the New York Recorder, for publishing an account of the execution of certain murderers, and requested you to inform us whether you intended to press the indictment, and stated that Mr. Turner would not admit, but would ask you to prove, that the account given in the New York Recorder was correct. You will remember that you stated to our Mr. Rochford that unless he admitted this, you would cause the indictment to be dismissed. In our letter we requested you to inform us whether or not you would do this, or whether you proposed to try the indictment; and if you intend <sup>to</sup> try it that it be tried at once.

Through your private secretary you acknowledged, on October 7<sup>th</sup> 1891, receipt of our letter, and said that you would be unable to take up the case against Mr. Turner until after the disposition of certain prison cases. You made no reply to our question as to the dismissal of the indictment. Will you kindly inform us, first, whether you intend to try this case, and, second, if so, when it is likely to be tried?

Awaiting your reply, we are,

Yours Respectfully,  
Rochford & Stayton

0869

ROCHFORD & STAYTON  
COUNSELLORS AT LAW  
STOKES BUILDING, 45 CEDAR STREET,

THOMAS E. ROCHFORD  
WILLIAM H. STAYTON

NEW YORK, 5 October, 1891

~~Mr. J. J. [unclear]  
[unclear] Attorney~~

Sir: On September 26, 1891, we wrote to you requesting information as to the trial of the indictment against the New York Recorder. As we have received no reply to our letter, we beg leave to call your attention to it and to ask that you will do us the favor of

Yours perfectly  
Rockford & Stayton  
[Signature]

0870

No. 1.

408

District Attorney's Office.

PEOPLE

vs.

Turner

Record Indictment

Stating that Turner  
will only admit facts  
within his actual know-  
ledge.

Requesting early  
disposition of the  
case.

0871

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. Turner*

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

Indictment accuse

*George W. Turner* of a

Misdemeanor

of the crime of

committed as follows:

Heretofore, to wit:

*on the seventh day of July in the year of our Lord, one thousand eight hundred and ninety one, within the yard or enclosure adjoining the State Prison of the State of New York at Sing Sing, Joseph Wood, Harris A. Smiler, James J. Hocum and Schriek Jugers, each of whom had been theretofore in due form of law convicted in the said City and County of New York of the crime of murder in the first degree, committed after the first day of January in the year of our Lord one thousand eight hundred and eighty nine, and thereupon sentenced to the punishment of death, were duly executed according to law, and the punishment of death was then and there*

inflicted upon the said Joseph Wood, Harris A. Smiler, James J. Slocum and Schihisk Jugero in the manner and form provided by law.

And afterwards to wit: on the eighth day of July in the year of our Lord, one thousand, eight hundred and ninety-one, at the City of New York, in the County of New York aforesaid, the said George W. Turner late of the said City and County, did unlawfully publish and cause and procure to be published in a certain newspaper published in the said City of New York, called the "New York Recorder" a certain account of the details of the said execution beyond the statement of the fact that the said Joseph Wood, Harris A. Smiler, James J. Slocum and Schihisk Jugero were on the said seventh day of July in the year aforesaid, duly executed according to law, at the said prison, which said account is as follows, that is to say:

## DEATH THAT CAME SWIFTLY

Within Two Minutes Each of the Four Murderers Succumbed to the Deadly Electrical Current.

But the Mooted Question of Whether or Not They Passed Away in Agony Is Unsettled.

~~EYE WITNESSES DO NOT DISAGREE.~~

One of Them Says that Death Came Painlessly and with Only One Application of the Electrical Current; the Other Insists that All Four Wretches Were Burned in the Chair, Struggled for Freedom and Succumbed Only When a Second Current Was Applied.

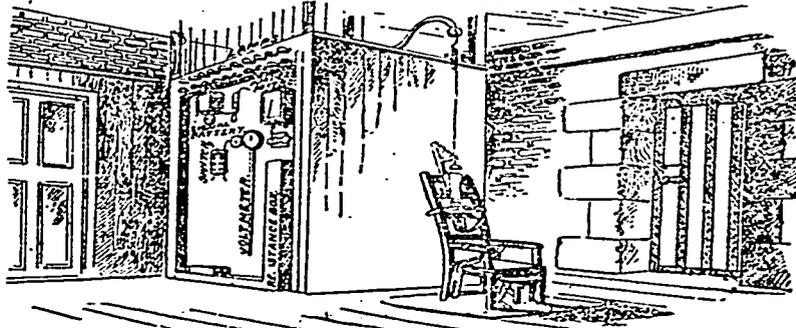
Four more human beings—James J. Slocum, Harris A. Smiler, Joseph Wood and Shibuya Juciro—have with legal form been put to death by electricity. Whether they died painlessly or whether they died as in the case of Komrater, writhing and twisting in agony, may never be known.

In obedience to a provision of the law, and following the order of a county prison warden, representatives of the press were excluded from the death chamber. In addition to this the prison warden had caused to be placed around the prison wall a cordon of men with Winchester rifles under orders to shoot down the first newspaper correspondent who in his efforts to get information should pass beyond a certain line.

As a further means of suppressing information, all those whom the Warden had invited to be present at the executions were compelled to swear a solemn oath and sign a written obligation not to divulge the secrets of the chamber house to any one who would be likely to care to know about them.

TWO SOURCES OF INFORMATION.

All but one of these men respected the oaths they took. That one violated it, and his statement of what occurred within the chamber is given here. He shall be nameless, but he was



~~INTERIOR OF THE EXECUTION CHAMBER.~~

the accredited representative. Although the Warden professes not to have known it, of a great news collecting association and he obtained access through a political pull with Governor Senator David B. Hill.

In striking contrast with his statement is also presented the story another witness tells of the solemn scene. This witness, whose story comes first in order below, violated no oath, for he took none. He was not even asked to do so, so great was the confidence of the Warden in his friendship for him. He, too, must be nameless, for he told his story under a promise that his identity should not be revealed.

Of the other twenty-five witnesses a few of the most prominent consented to talk a little, express an opinion, perhaps, but all refused to go into details. The public must therefore de-



WARDEN W. R. BROWN.

pend upon these two statements and upon such corroborations or contradictions as the others afford for information as to whether the warden killed them with neatness and dispatch.

## WHERE CREDIT, IF ANY, IS DUE.

If he has done the latter it reflects no credit upon him, for it is universally known that his predecessor, ex-Warden Brush, and not he, perfected the plant that sent the men to eternity. Head Keeper Connaughton and Yard Captain Hilbert, both trained by Mr. Brush, handled the condemned men and Dr. Macdonald gave the signals, while "Agent and Warden Brown" rubbed his hands and looked important.

Here are the conflicting statements. The first witness not only tells the story of the execution, but of the night before and of the autopsy. He was present at all of them.

## TOLD BY THE WARDEN'S FRIEND.

## So Free From Horror that the Doctors Had to Wax Jocular.

"Soon after Warden Brown told the men that they were to die in a few hours," said this friend of the Warden's, "Slocum made a confession in which he admitted killing his wife, and expressed the opinion that he was getting no more than his just deserts.

"He was nervous, but said that he was prepared to go, and felt relieved that the end was near. Wood said that he, too, was ready, and had never been, nor would he ever be, better prepared for death. Smiler spent much of his time in singing and praying, while Jugiro sulked in his cell.

"Keepers Davis, Corrigan and Cary were added to the regular death watch on account of Jugiro. All had been attacked by him and each one had beaten him into submission. His ugly temper made it probable that he would resist at the last moment, and these men were brought there to subdue him if necessary.

"All of the condemned men lay down in their cells at 11 o'clock, but not to sleep. Their eyes were never closed during the long night watch, but they were calm and apparently cheerful. At 3 o'clock they were called, and Slocum was told to go first. His face blanched a little, but he instantly regained his composure and he and Wood knelt in prayer.

"Father, Corrien, Lynch and Hogan said mass and administered the last sacrament to them. By the time mass was over, and the men had breakfasted it was 4.30 a. m. Smiler all the while was praying fervently with the Rev. Drs. Edgerton and Law, his spiritual advisers. Jugiro sat in his cell, sneered sardonically, ate heartily and seemed to care not at all.

Once he broke out into a wild, weird chant, some song of the sea, perhaps, but as it disturbed the religious thoughts of the other men

he was compelled to stop. He was to have been the first to go, but Warden Brown decided to put him at the bottom of the list for fear of a scene that might unnerve the others.

## SLOCUM'S SUMMONS TO DEATH.

"Presently Mr. Connaughton came over to where I stood, beside Slocum, and putting his hand on the man's shoulder, said simply:

"Come on, my boy."

"Slocum stood with a half smile and walked firmly after the keeper past the screens that hid the other men from view. There were no farewells and not a word was exchanged among the four men on the verge of death. The door leading into the death chamber swung open easily and noiselessly, and I followed them as Slocum and his escorts stepped into the little room. This was at exactly 4.30 a. m. The spectators were

arranged in a semicircle around the big oak chair with its leather straps and the other paraphernalia of death. Slocum walked briskly, even jauntily, up to it, sat down naturally, and sank back easily and calmly into its embrace. As I hope for salvation, there was nothing more impressive in it thus far than the formal entrance of an awkward man into a room filled with strangers.

"The straps were quickly adjusted, the electrodes were put in position on the back and at the crown. Dr. Macdonald looked into Slocum's eyes. There was not a tremor as glance met glance. Then the doctor dropped the handkerchief he held behind him, and Mr. Davis signaled to the man concealed in the closet behind the chair. Then came a sharp click.

"A shudder passed through Slocum's body. His eyes closed and partly reopened, and as I looked upon his face it assumed an expression of such infinite peace that I fairly envied him. The expression was that of a man who dreams of pleasant fields and of his boyhood days.

So death came to him, as I hope it may come to me, save for the infamy of it.

#### DEAD IN TWO MINUTES.

"The current was kept on for twenty seconds. Then it was turned off, and not the slightest muscular movement was discerned. The doctors pronounced Slocum dead, and the guards carried the body into an adjoining room and laid it on one of the three tables there. I looked at my watch involuntarily. It was just 4.41 1/2 a. m. We had been in the death chamber two minutes to the second. A soul had been released.

"The witnesses talked in undertones, which mingled with the low crooning of the ministers and the doomed men in the other room. Twenty minutes passed in this way. The machine of death must have time to renew its strength. Then the Warden nodded to Keeper Connaughton and he disappeared into the cell room. When he came back Smiler was with him. This man walked slowly and deliberately as he entered the dissecting room.

"He glanced about at the faces of the spectators in an inquiring way, planted himself in the chair in a business-like way, and vaulted. Click, click, went the strap buckles. Again Dr. Macdonald dropped the handkerchief and a tremor ran through Smiler's body. That was all. He was dead.

"Another wait—of twenty-five minutes this time—another nod from the Warden, another trip by Connaughton, who came back with Wood at his side. The negro's face was fairly radiant with joyous ecstasy. He was in a condition of the highest religious fervor, and he seemed fairly to court the death he once had feared so much.

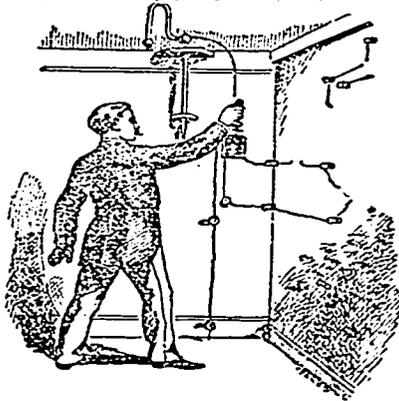
"I never saw such perfect happiness betrayed as shone from the eyes of that black murderer. He died as easily as Slocum and Smiler, and before I fairly realized what had happened the body was gone. The three tables in the dissecting room was filled.

#### NO TROUBLE WITH JUGIRO.

"We all expected trouble, and when after twenty minutes more Keeper Connaughton left for Jugiro we held our breaths and listened for the struggle we thought was coming. Keepers Corrilin, Davis and Cary went with Keeper Connaughton. We heard a sharp command to the Jap to come out of his cell, and to our surprise he came promptly and willingly.

"There was a sneer on his face as he entered the room, surrounded by the guards, which gave place to a look of intense hatred as his glance fell upon the chair. For an instant he hesitated; then he walked coolly and deliberately over and seated himself with evident hesitancy, again the nimble fingers of the attendants piled here and there amid the maze of straps.

"No time was lost, and the guards had barely straightened up from their work when Jugiro's big frame shook slightly and we knew that the



THE INTERIOR OF THE BOX.

current was on. In twenty seconds Jugiro was dead, and the dreadful work of killing men was over. I looked at my watch again. It was just 5.06. Four men dead in one hour and twenty-four minutes.

#### JOCULAR MEDICAL GENTLEMEN.

"Dr. Southwick snapped his fingers jubilantly, and Dr. Macdonald said he

"Reminds me of a pleasant family party at a wedding breakfast," said another medical man, and we turned into the covered pathway leading to the Warden's house, leaving Jugiro in the chair. Then, after a while, we breakfasted and sat on the front and side porches, smoking and talking, until 10.30. After that we went back to the dissecting room and made an autopsy on Slocum, which was finished at noon. There were no marks, burns or bruises on any of the

bodies, and the hair on the men's heads was not even singed. I am a convert to electrical executions."

#### QUITE ANOTHER STORY.

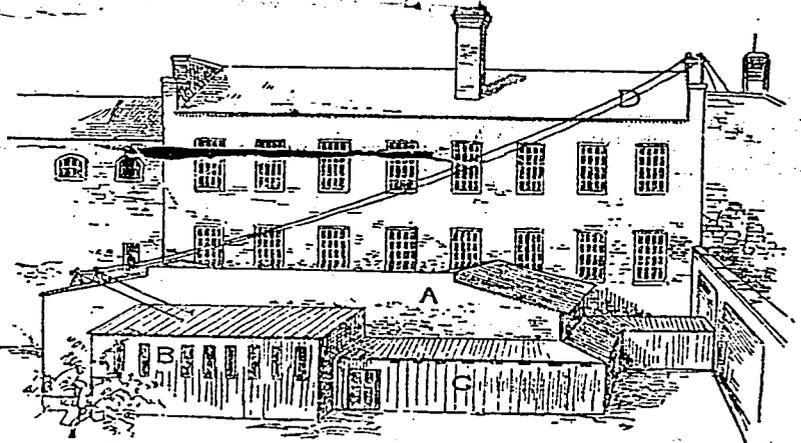
The Victims Suffered and the Current Had to Be Repeated.

And now for the other story. The narrative begins with the entrance into the death chamber, from the covered walk between the Warden's house and the condemned cells house, and then tells of Slocum's death.

The witnesses distributed themselves about the chamber. The story, up to where it describes the effect of the electrical current upon Slocum, does not differ, in essentials, from that already given. The death scene is described as follows:

The falling of the handkerchief was the signal for the shifting of the switch-bar which threw the whole strength of the electric current into the circuit passing through the execution chamber. Almost simultaneously with the turning of the current into the execution closet—hardly a second intervened—the executioner shifted the switch.

**DEATH STRUGGLE IN THE CHAIR.**  
 In an instant the body in the chair stiffened against the straps—became perfectly rigid. All the muscles were firm set as though some awful effort to escape from the bonds that held them tight made them like springs of tempered steel. The straps strained with the peculiar sound of stretching leather. Their edges pressed deep into the yielding flesh of the face and gripped the clothing tightly. The expression of the face was lost under the broad bands drawn across the eyes, nose and chin, but the

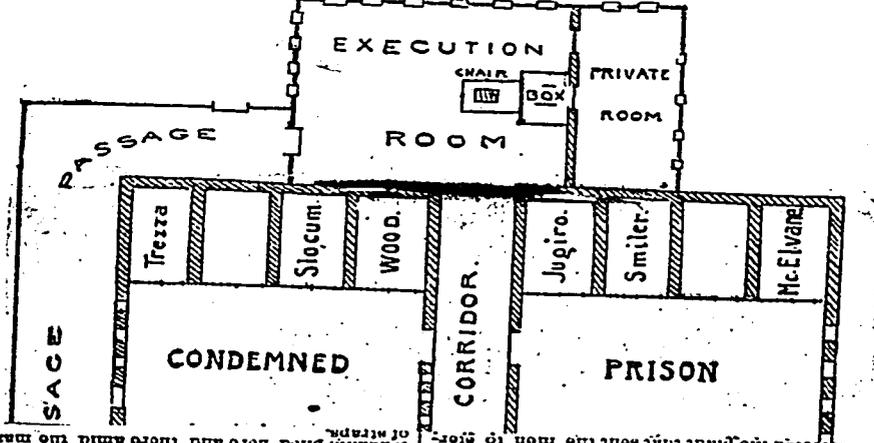


**VIEW SHOWING LOCATION OF DEATH CHAMBER.**  
 A—Condemned prison.  
 B—Execution room.  
 C—Passage to main prison.  
 D—Wires from dynamo room.

skin exposed to view turned a purple red. The spectators drew about the chair, standing on the rubber mats for safety and the physicians compared notes on the physical phenomena presented.

Dr. Macdonald fixed his eyes on the stop watch in his hand and watched it tick off minute fractions of seconds. When it marked twenty seconds Electrician Davis, who stood waiting for the signal, threw the switch-bar across the board and the current ceased to flow through the apparatus. The effect on Slocum's body was almost instantaneous. From a position of great muscular activity it suddenly switched into a hollow-chested collapse. Instead of straining against the straps it hung in them limp and uneasy. A moment of uncertainty followed. The experts at Auburn had said that the current turned on Kemmler was too weak—that it had been turned off too soon. Through this body a steady current of strength of the average current that passed through Kemmler's body. It had been on for twenty seconds, or five seconds longer than the current in the Kemmler case. Would the man move or would he give the sickening suggestions of returning life that had horrified the spectators at Auburn?

**HE WAS STILL ALIVE.**  
 "The seconds passed slowly; how many of them is not known, but in less than one minute's space there came from between the lips of the pallid face hanging in the death harness a puff of air which whistled between the half-clenched teeth and ended in a half sigh, half groan. Only once did the lungs seem to contract. Quickly as Dr. Macdonald could raise his hand to give the signal the electrician threw the switch, the electric current rushed through the death circuit, and the body in the chair stiffened once more against the straps. The time of the contact



such corroborations or contradictions as the...  
 whether he killed them with needles and dis-  
 patch.  
 It has done the latter it reflects no credit  
 upon him. It is known that his  
 predecessor, ex-Warden Hiram, had  
 not expected the plant that sent the man to elec-

**PLAN OF THE PRISON AND EXECUTION CHAMBER.**

was not made public. Dr. Macdonald has the record of it. The stop watch did not regulate the length of the contact this time. The same unhappy event that brought the Kemmler execution to a close made a sudden end of Slocum's experience in the electric chair. The skin and flesh of the leg and arm most immediately afterward the skin of the forehead began to smoke. Dr. Macdonald again signalled the electrician to turn the switch, the current was withdrawn, and instantly the body collapsed again. This time there was no response from the muscles. The figure hung silent and motionless in the straps. There was no doubt that Slocum was dead. The Warden's assistants stepped forward and loosened the electrodes. One by one the straps which confined the body to the chair were unbuckled. Unlike the case of Kemmler, Slocum's legs were so limp that they would have slipped from the chair as the last strap was unfastened had not the attendants held them in place. Kemmler's body instantly remains sat upright in the chair when the straps were removed, and glared at the warden of the execution chamber while the witnesses of the electrocution went to breakfast. From the chair Slocum's body was carried to the adjoining apartment, where it was laid on a table.

While the body was being removed the witnesses earnestly the similarity which Slocum's death bore to Kemmler's.

**THE OTHER DEATH SCENES.**

This is the description given of the other death scenes:

Again the white handkerchief fell, the electrician threw the switch, and in a moment more the straps tying Smiler to the chair tightened under the straining of taut muscles, as the electric current shot through the body. The contact in this case as in the others, with perhaps some almost inappreciable variation, was twenty seconds. The current measured about fifteen hundred volts.

At the end of twenty seconds the current was turned off, but only for a moment. The chest of the man in the chair began to heave and the current was turned on once more until, as in the case of Slocum, it burned the flesh. Then it was shut off again and after a delay which showed that there was no chance of a revival, the body was unstrapped and taken from the chair to the autopsy room adjoining.

The only difference in the arrangement of

Wood's case was the attaching of the negative electrode to the left leg instead of to the right. The reason for this change was that there was an ulcerated sore on the right leg at the point of first contact in Wood's case, as in the others, did not seem to be final, and it needed a second contact which was completed before the man was dead. In Kemmler's case the burning of the body was described in part to the fact that the sponges at the electrodes were not well wetted. In all four cases to-day the sponges were wetted constantly, and still the body was burned. The reason for this unhappy result will have to be sought elsewhere.

The electrical current affected Jugro as it had the other three, and with like results. The first contact did not destroy all appearance of life, and the second burned the flesh. There was no doubt, though, of the death of the Japanese when he was taken from the chair.

**WHY THEY SUFFERED.**

**History of the Four Criminals and the Crimes They Exploited.**

Harris A. Smiler was once an officer in the Salvation Army, and he followed the trade of a printer. He successively married Margaret Leora and Lizzie Gates, both of whom he brutally ill-treated, and in June, 1899, he married Maggie Drainey, whose murder he has just exploited.

In April, 1890, after enduring an experience similar to that of her two predecessors, the good woman left her husband and took refuge in the house of Mrs. Wilson, at 234 Seventh avenue. There he found her and emptied the

contents of his revolver into her body. Two bullets entered her breast, one penetrated the brain and one shattered her right arm.

Smiler was traced to the house of his second wife in West 20th street, where he was arrested while attempting to murder her also. He was convicted on June 10, 1890, and was sentenced to a term of years. His life was prolonged by various appeals.

**WOOD'S VICTIM A DESPERADO.**

Joseph Wood was an aqueduct laborer, and he committed the crime for which he suffered in Fiorillo's grocery, at Shaft No. 2. On May 10, 1889, Wood became involved in a quarrel with a fellow laborer, Charles Hull, and drew a revolver and shot him twice in the abdomen. Hull was a notorious, desperate character, and Wood, who bore the reputation of a quiet, peaceable man, insisted to the last that he used his weapon only in self-defense. Wood was convicted before Recorder Smyth in March, 1890, and was sentenced to die in May of that year.

**SLOCUM SLAUGHTERED HIS WIFE.**

James J. Slocum, once a professional ball player, married a handsome young woman who supported him out of the earnings of her dissipated career. As usual with men of his class he subjected the unfortunate creature to the most brutal abuse. On the night of December 31, 1891, Slocum, who had just been released from jail after a term for larceny, found his wife in the room of a fellow tenant in the house at 114 Roosevelt street, where they lived, and in a fit of jealous rage he dragged her into his own room.

Two days later, when the neighbors, having become suspicious at the long absence of the Slocums, broke down the door, they found the woman's body on the floor with her skull crushed in and a bloody ax by her side. Slocum was arrested after a search of sev-

oral weeks, and was convicted and sentenced in March, 1890.

#### JUGIRO'S DEADLY KNIFE-THRUST.

Shibuya Jugiro and Mura Chani, Japanese sailors, met in November, 1889, in the sailors' lodging house kept by Charles Eymoto, at 84 James street, where they were awaiting a chance to ship aboard a vessel bound for their native land. On November 9 Chani had the luck to get a ship, which aroused the jealousy of Jugiro, who, finding that his mate would not surrender his berth to him, suddenly attacked him and tried to beat out his brains against the wall.

The men were separated, and Jugiro, who professed repentance for his violence, went upstairs, saying that he would go to bed. Instead of doing so he stole to the kitchen, where he procured a long carving knife, and creeping behind the unsuspecting Chani he threw his arm around him and buried the knife to the hilt in his left breast. The blow was instantly fatal, but to make sure the assassin plunged his weapon into his victim's abdomen before attempting to make his escape. He was seized before he reached the street and was turned over to the police.

On Dec. 8, 1889, Jugiro was convicted of murder in the first degree and was sentenced to die in the electrical chair in the following February. His case was carried to the United States Supreme Court on the ground that the punishment was un-Land unusual and that all the resources of the law had been exhausted the original sentence was confirmed.

#### WHAT THE DOCTORS SAID.

Among the others who saw these executions, the stories about which vary so widely, were Drs. Rockwell, Macdonald, Daniels, Virdi, Southwick, Cortelou, Van Girsten and Prof. Laundry of Columbia College. These men conducted the autopsies, which were completed at 3 o'clock. After they came out from the prison they talked just a little, Dr. Southwick taking the leading part.

"The men died painlessly and without a struggle," said he. "The executions were a success in every respect and the law was carried out properly. I am not permitted to give details and will neither deny nor affirm the story about there being two contacts in each case, and burnip; of flesh."

Dr. Macdonald said: "I can't give details and I will not deny or admit this story; but I

will say that nothing occurred to mar the dignity of the occasion."

Dr. L. P. Cortelou, a Brooklynite, alone told a different story. "There were two contacts in each case," said he, "but the last shocks were merely precautionary and to insure death."

The Rev. Dr. Law says that the deaths were painless, and so do the other witnesses. So the burden of proof is against the story which says otherwise.

After the autopsies were finished the bodies were put in plain pine boxes. To day they will be buried—Jugiro, Slocum and Wood in the prison cemetery on the brow of the hill above the Hudson, and Smiler in the Long Island Cemetery.

Smiler's wife besought Fred Hulberg, an undertaker at 265 West 125th street, to have her husband buried decently, and as Smiler once worked for him, the undertaker consented to do so to-day. The other bodies will be covered with quicklime. Smiler's will not.

#### WHEN TOLD OF THEIR DOOM

**Smiler Fainted, Jugiro Stormed, but the Others Bore Up Bravely.**

Warden Brown, without that jaunty air that he usually wears, paid a visit to the condemned men at 9 o'clock Monday night. He went to Smiler's cell first and told him that he would be put to death about sunrise in the morning. Smiler had expected to hear this at a moment, but when the words finally came he fell to the floor as if he had been struck with a club. It was more than a half hour before he became fully conscious.

Wood was the second man to hear his fate. Not a muscle of his phlegmatic face quivered, and a little smile played around his lips when the Warden complimented him upon his display of courage.

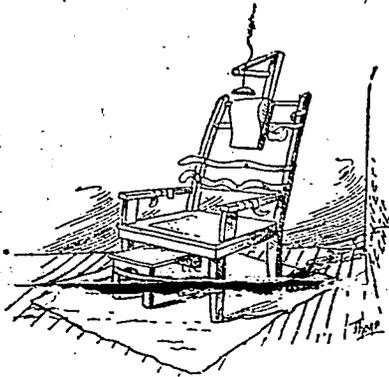
The Warden then went to Slocum, who was surly and could not get up from his cot. He did not show the slightest feeling when he learned of the time he had to die. Jugiro was the last one, and when the Warden told him that he would be executed in the morning he burst into a fit of passion and appeared to have lost his reason.

He was given a narcotic which kept him in a stupefied condition to the very moment that he was led to the death chamber.

#### SLOCUM WANTED TO DIE FIRST.

The Warden was called to Slocum's cell at 2 a. m. and found him standing at the cell door very calm and peaceful. He said in a strong voice: "I hope you will excuse me for waking you up at this hour, Warden, but I have a request to make. I want to be the first to die."

"All right, Slocum," said the Warden. "I



#### THE DEATH CHAIR

will see that your wish is carried out, and your desire has taken a great load off my mind."

The witnesses were all called at 1 o'clock. A number of them did not need calling. They had not been able to sleep. Their minds dwelt upon the scene that they had been invited to witness. They had breakfast and then went to the Warden's room and awaited patiently the moment that they were to be summoned to the execution chamber.

The Warden telegraphed the fact of each execution to the watchers outside by raising a white flag when Slocum was killed, a blue flag for Smiler, a black flag for Wood and a bright red one for J. Jiro.

#### THE PRISONERS CAUGHT ON.

It was Warden Brown's desire to get through with the executions before the prisoners left their cells to go to the workshops as he wanted to keep from them the fact that the men had been killed. He did not succeed in this.

A gang of forty convicts came from the women's prison at 6.15 in charge of keepers. At the rear of the line was Ferdinand Ward, who, as he passed a reporter, turned his mouth sideways and said:

"Did Juiro fight the executioners?"

The answer was in the negative and he said,

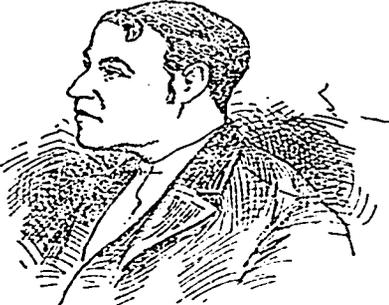
"That's good," and quickened his step at the command of the guard behind him.

The following is the official statement of the Warden, which was put in writing after consulting with Counselor Hogan:

"The law prohibits me from making any statements except the two mentioned on the 7th day of July, 1911. The four condemned men were executed according to the law governing such cases.

#### HE DOES AS HE LIKES.

The Warden left on the 5.49 train for Newburg. He said: "I do not feel very well, and I do not think that any one could after what I have passed through. I have committed a murder—some four of them—and I do not think that I ought to be blamed if I am a little shaky. I do not believe in private executions, but I do not make the law. If I had my way I would



JAMES J. SLOCUM.

admit reporters and others who desired to see executions to the limit of the room.

"Was the killing carried out in every respect?"

"I cannot answer."

"Were two currents turned on because the first one did not kill?"

"I cannot go into the details of the execution. I must positively refuse to answer any questions about the killing. Men were at the



prison to-day to see that the law was faithfully carried out, and if they have seen anything wrong in the method of killing they will certainly make complaints to the proper authorities.

"Is it true that many of your personal friends were invited who were not legitimate witnesses and who did not sign the death certificate?"

**THE WARDEN TOOK CARE OF HIS FRIENDS.**  
 "Some of my friends were there. Some did not sign the agreement not to talk on the



**HARRIS A. SMILER.**

tificate of death, but that concerns me alone. Who they were I will not tell, because the law does not allow me to."

"Is there any legal authority for you to make a dead-line on a public road and prevent citizens from crossing it when they are going to their homes or about their business?"

"I don't know whether there is any law on the subject or not. I have the right to protect the prison in any way that I see fit."

"But have you the right to put men armed with Winchester rifles on a public highway."



**A. JUDINO.**

who, according to your orders, have threatened to shoot a number of law-abiding citizens who had no intention of going near the prison, but were merely passing?"

"I don't know whether I had any right to do it or not, but I did put the men there and gave them orders to do certain things under certain emergencies, and if any one has been hurt or wronged he can get redress. I would do it again if I thought there was any reason for it, and take my chances. I fear nobody, and will do what I like around the prison."

LAWYER HAIRE'S EFFORTS.

Lawyer Robert J. Haire, counsel for the negro Wood, declared when he returned from Sing Sing yesterday that Judge Lacombe, of the United States Circuit Court, has rendered himself liable to impeachment by ordering a mutilation of the court records.

When Mr. Haire delivered to Judge Lacombe, in Albany, on Sunday afternoon, the papers upon which he based his demand for a writ of habeas corpus, he was told that they would be passed upon and returned to him by 3 o'clock on Monday afternoon.

The papers did not arrive in this city until 8:30 o'clock in the evening when Gilbert M. Rogers, deputy clerk of the Circuit Court, opened them in the presence of Mr. Haire, who had anxiously awaited them for hours.

They consisted of the application for the writ allowing an appeal from the denial to the Supreme Court of the United States, a citation directed to Warden Brown, and a letter from Judge Lacombe of the Circuit Court, and the letter from the clerk to erase his signature from the orders and the citation unless Mr. Haire could prove his right to act as an attorney in the Circuit Court.

Mr. Rogers found that Mr. Haire's name was not upon the rolls, and he immediately mutilated all of the papers except the application, despite Mr. Haire's protestation that anybody has standing in court in habeas corpus proceedings.

After filing his application with the clerk and taking a copy with the clerk's certification of the filing attached, he started for Sing Sing to serve the copy upon Warden Brown, maintaining that it operated as a stay.

Mr. Haire said to a Republican reporter yesterday that Judge Lacombe's order in annulling his own orders is a State prison offense and that the matter ought to be taken up by the New York Bar.

He declared that the Judge yielded to the clamor of a small but influential crowd, and criticized him in forcible language.

Roger M. Sherman, who has fought the election law before the United States Supreme Court, holds that Judge Lacombe has not acted improperly. He can say what the records of the court shall or shall not be, and he can annul his own orders.

He had no need to give any excuse whatever, and if he had not been a comparatively new man upon the bench he would probably not have raised the point of Mr. Haire's failure to qualify as an attorney of the court.

As a matter of fact, said Mr. Sherman, he was justified in denying Mr. Haire's application, for the simple reason that it was based upon mere frivolities, and did not raise a single valid Federal question.

Judge Lacombe has not yet returned to the city. United States Commissioner John A. Shiple, who is clerk of the Circuit Court, said yesterday that he knows nothing about the proceedings in his office on Monday evening, except what his deputy, Mr. Rogers, had told him.

He was certain that Mr. Haire has no good cause for complaint against the court or any of its officers.

MURDERERS WHO REMAIN.

Two murderers yet in the cells in Sing Sing were to have suffered death before the four men who were killed yesterday morning, but they managed to dodge the deadly chair through the efforts of their lawyers in taking advantage of the weaknesses in the law.

These men are Charles Melvaine, who murdered a grocer named Lucca in Brooklyn, and Nicola Trezza, who murdered a fellow Italian in Flatbush. Melvaine has been sentenced three times and Trezza twice.

Melvaine was to have followed Kemmler to the chair, but his lawyers secured a new trial for him, then a stay, and when the effect of that stay lapsed, yet another stay on an application for writ of habeas corpus. This will be argued before the Supreme Court, which does not meet until the third Monday in October.

There are three murderers in the Tombs prison under sentence of death by electricity, and twelve prisoners awaiting trial for murder. One of the convicted men is Martin D. Lonny, who was convicted of the murder of his wife, Hester Lonny, and sentenced on Nov. 28, last year, to death within the week beginning Jan. 12, 1891.

His lawyers secured a stay, and his fate is still undecided. The other two men under sentence are James Minnaugh, convicted of the murder of Edward Moran and sentenced on June 16 last to death within the week commencing July 27, 1891, and Henry C. Fanning, who, for the murder of Emily Taylor, was sentenced to death on June 19, to be executed within the same week as Minnaugh.

Charles Honigsberger, charged with causing the death of Jacob Goldschmidt, committed to the Tombs Feb. 12, 1891.

William Langohrinc, also charged with causing the death of Jacob Goldschmidt, and committed at the same time.

John B. Neese, charged with the murder of Marianna Neese, committed to the Tombs Feb. 23.

John Craven, charged with murdering Arthur Maceel, and committed to the Tombs March 30.

Carrie W. Harris, the young medical student, who was committed to prison March 30, charged with causing the death of his young wife, Helen Harris.

Thomas Whitelaw, committed April 2, charged with killing Hannah Whitelaw.

John Freeman, committed April 17, charged with causing the death of Elizabeth J. Worrick.

Patrick Mitchell, committed May 5, charged with killing Maggie Mitchell.

Alexander Hupp, committed May 5, charged with the murder of Frank Kretschmar.

Henry Falk, committed May 26, charged with the murder of Frederick Bornstall.

George Kaiser, committed to the Tombs

May 31, charged with causing the death of John Wolf.  
 Thomas Welch, committed June 30, charged with causing the death of Francis Jenkins and of William L. Dunn.

#### HILL FAVORS THE CHAIR.

But He Is Not to Receive Any Report from the Doctors and Witnesses.

Gov. Hill arrived in the city last night, accompanied by Col. John McEwen of the Adjutant-General's office and Major J. W. Hinckley, formerly member of the State Committee from Poughkeepsie. The three are to leave tomorrow for a yachting cruise of several days with Edward S. Stokes. In speaking of the Sing Sing execution, the Governor said that he had not seen Warden Brown for ten days, and that all he knew of the execution besides what he had read in the papers was a short dispatch from Warden Brown yesterday morning in which the latter announced that the four men had been killed, and that the operation had been successful. The Governor said the report that he was to meet the doctors and the witnesses of the execution and receive a report from them was unfounded. In the ~~past~~ ~~case~~, he said, a report was made to him, which, while it was not credited by law, had proven highly useful and had been sent for from all parts of the world by people interested in the matter. Whether such a report would be made in this case or not the Governor did not know.

Gov. Hill refused to pass any opinion as to Warden Brown's rigid construction of the law in the matter of publicity, but he did say that he was in favor of electrical executions, and believed that the system had come to stay.

In regard to the reports of the Kemler execution at Auburn, the Governor said that he believed the reports had been exaggerated, owing to the fact that the witnesses had never seen a man killed before and were too vividly impressed with the sight to write fairly upon it.

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