

0186

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Frank, Max

**DATE:**

05/10/93



4745

POOR QUALITY ORIGINAL

0187

131

Witnesses:

*Henry Yorkoff*

Counsel,

Filed

day of

*10th day of May 1893*

Pleads,

*My guilty*

THE PEOPLE

vs.

*Max Frank*

Grand Larceny, *pleads* Degree  
[Sections 528, 531, 532 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Chas. J. Embury*

Foreman.

Part 3. May 15/93

True and Accepted

Police Court - 1<sup>st</sup> District.

1012

Affidavit—Larceny.

City and County of New York, ss.

Henry Fockoff of No. 108 Greenwich Street, aged 23 years, occupation Copper Smith, being duly sworn, deposes and says, that on the 14th day of May 1893 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 valise containing  
One suit of clothes  
Two pairs of pants  
6 Shirts  
One suit of underwear  
One pair of shoes  
One pair of rubber boots  
One necktie. and One Hat  
Being in all together of the value of  
Thirty dollars (\$30.00)  
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 Max Frank (number)

for the reasons following to wit:  
On said day deponent had said property in said valise in a room in said premises, and that deponent locked said room and left the key of said room hanging on a nail in a restaurant in said premises and that said defendant knew the said key was at said place and deponent missed said property and found a shirt which is a portion of said property described as the person of said defendant which he fully identifies as being his and he caused him to be arrested and charges him with the larceny of said.

Henry Fockoff

Sworn to before me this 14th day of May 1893

Police Justice.

POOR QUALITY ORIGINAL

0189

Sec. 198-200.

1882

City and County of New York, ss:

District Police Court.

*Max Frank* 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.

*Max Frank*

Question. How old are you?

Answer.

*31 years.*

Question. Where were you born?

Answer.

*Germany*

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

Answer.

*108 Greenwich Street 10 days*

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*

*Max Frank.*

Taken before me this  
day of *August* 189*3*  
*Thomas J. ...*

Police Justice.

POOR QUALITY ORIGINAL

0190

BAILIED,  
 No. 1, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 2, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 3, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_  
 No. 4, by \_\_\_\_\_  
 Residence \_\_\_\_\_ Street \_\_\_\_\_

1917  
 Police Court...  
 District...  
 508

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

*Henry West of  
 100 Broadway  
 New York*

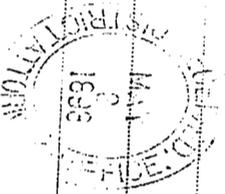
1  
 2  
 3  
 4  
 Offense \_\_\_\_\_

Dated *May 5* 189*3*

*Wentworth*  
 Magistrate  
*By*  
 Officer

Witnesses

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



No. *500* Street \_\_\_\_\_  
 to answer \_\_\_\_\_

*C*

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 \_\_\_\_\_

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

Dated, *May 5* 189*3* \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ 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

*Max Frank*

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

*Max Frank*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Max Frank*

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *May* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

*one coat of the value of eight dollars, one vest of the value of three dollars, three pairs of trousers of the value of four dollars each pair, six shirts of the value of one dollar each, one other shirt of the value of seventy-five cents each, one pair of drawers of the value of seventy-five cents, one pair of shoes of the value of three dollars, one pair of boots of the value of three dollars, one bracelet of the value of fifty cents, one hat of the value of fifty cents, and one valise of the value of two dollars*  
of the goods, chattels and personal property of one *Henry Zuckoff*

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.

POOR QUALITY  
ORIGINAL

0192

SECOND COUNT—

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

*Max Frank*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said

*Max Frank*

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,

*the same goods, chattels and personal property described in the first count of this indictment*

of the goods, chattels and personal property of one

*Henry Yockoff*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

*Henry Yockoff*

unlawfully and unjustly did feloniously receive and have; the said

*Max Frank*

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.

DE LANCEY NICOLL,

*District Attorney.*

0193

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Franklyn, William

**DATE:**

05/02/93



4745

0194

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Randall, Harry

**DATE:**

05/02/93



4745

POOR QUALITY ORIGINAL

0 195

No 2

Counsel,  
Filed *2* day of *May* 1893  
Pleas *Guilty*

Burglary in the Third Degree.  
[Section 498, 492, 491, 490, 489, 488, 487, 486, 485, 484, 483, 482, 481, 480, 479, 478, 477, 476, 475, 474, 473, 472, 471, 470, 469, 468, 467, 466, 465, 464, 463, 462, 461, 460, 459, 458, 457, 456, 455, 454, 453, 452, 451, 450, 449, 448, 447, 446, 445, 444, 443, 442, 441, 440, 439, 438, 437, 436, 435, 434, 433, 432, 431, 430, 429, 428, 427, 426, 425, 424, 423, 422, 421, 420, 419, 418, 417, 416, 415, 414, 413, 412, 411, 410, 409, 408, 407, 406, 405, 404, 403, 402, 401, 400, 399, 398, 397, 396, 395, 394, 393, 392, 391, 390, 389, 388, 387, 386, 385, 384, 383, 382, 381, 380, 379, 378, 377, 376, 375, 374, 373, 372, 371, 370, 369, 368, 367, 366, 365, 364, 363, 362, 361, 360, 359, 358, 357, 356, 355, 354, 353, 352, 351, 350, 349, 348, 347, 346, 345, 344, 343, 342, 341, 340, 339, 338, 337, 336, 335, 334, 333, 332, 331, 330, 329, 328, 327, 326, 325, 324, 323, 322, 321, 320, 319, 318, 317, 316, 315, 314, 313, 312, 311, 310, 309, 308, 307, 306, 305, 304, 303, 302, 301, 300, 299, 298, 297, 296, 295, 294, 293, 292, 291, 290, 289, 288, 287, 286, 285, 284, 283, 282, 281, 280, 279, 278, 277, 276, 275, 274, 273, 272, 271, 270, 269, 268, 267, 266, 265, 264, 263, 262, 261, 260, 259, 258, 257, 256, 255, 254, 253, 252, 251, 250, 249, 248, 247, 246, 245, 244, 243, 242, 241, 240, 239, 238, 237, 236, 235, 234, 233, 232, 231, 230, 229, 228, 227, 226, 225, 224, 223, 222, 221, 220, 219, 218, 217, 216, 215, 214, 213, 212, 211, 210, 209, 208, 207, 206, 205, 204, 203, 202, 201, 200, 199, 198, 197, 196, 195, 194, 193, 192, 191, 190, 189, 188, 187, 186, 185, 184, 183, 182, 181, 180, 179, 178, 177, 176, 175, 174, 173, 172, 171, 170, 169, 168, 167, 166, 165, 164, 163, 162, 161, 160, 159, 158, 157, 156, 155, 154, 153, 152, 151, 150, 149, 148, 147, 146, 145, 144, 143, 142, 141, 140, 139, 138, 137, 136, 135, 134, 133, 132, 131, 130, 129, 128, 127, 126, 125, 124, 123, 122, 121, 120, 119, 118, 117, 116, 115, 114, 113, 112, 111, 110, 109, 108, 107, 106, 105, 104, 103, 102, 101, 100, 99, 98, 97, 96, 95, 94, 93, 92, 91, 90, 89, 88, 87, 86, 85, 84, 83, 82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, 70, 69, 68, 67, 66, 65, 64, 63, 62, 61, 60, 59, 58, 57, 56, 55, 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1, 0]

THE PEOPLE

vs. *7*

*William Franklyn*  
and  
*Harry Randall*

DE LANCEY NICOLL,  
District Attorney.

Part I  
*May 10<sup>th</sup>*

A TRUE BILL.

*Chas. J. Imbrie*  
Foreman  
*May 4 1893*

*Discharged*  
*own recognizance*

Witnesses:

*Part I May 4 1893*

*I have examined the witnesses herein and am convinced that on their testimony it would be impossible to obtain a conviction, I therefore recommend that the defendants be discharged on their own recognizance.*

*H. A. Macdonald*  
*Attest*

POOR QUALITY ORIGINAL

0196

Police Court 2 District.

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

Mary F Rudd

of No. 114 Riverside Avenue Street, aged 30 years,  
occupation Housekeeper being duly sworn.

deposes and says, that the premises No 260 West 25<sup>th</sup> Street,  
in the City and County aforesaid, the said being a four story and basement  
brick dwelling house  
and which was <sup>un</sup>occupied ~~by deponent as a~~ at the time  
and in which there was at the time <sup>no</sup> ~~a~~ human being, ~~by name~~

were BURGLARIOUSLY entered by means of forcibly breaking open  
the door leading from the street into the  
Basement of said house

on the 21 day of April 1893 in the night time, and the  
following property feloniously taken, stolen, and carried away, viz:

one lot of lead pipe weighing about 500  
pounds and <sup>one</sup> copper boiler, all of the  
value of about one hundred dollars  
( \$100 <sup>00/100</sup> )

RW  
learned  
162 9<sup>th</sup> Ave  
156 W 29<sup>th</sup> St

the property of Deputant

and deponent further says, that she has great cause to believe, and does believe, that the aforesaid  
BURGLARY was committed and the aforesaid property taken, stolen, and carried away by  
William Franklin of Henry Randell Both (now here) and  
while acting in concert with each other.

for the reasons following, to wit: That on the 19<sup>th</sup> of April the  
deponent was in the said premises and  
that everything was in good order and all  
the doors and windows were securely fastened  
when she left the house. And that on the  
21 of April she was informed by officer  
John J. Bannan of the 16<sup>th</sup> precinct that  
about the hour of 8 o'clock on 21 instant he  
arrested the above named defendants while

POOR QUALITY ORIGINAL

0197

Carrying the aforesaid property from the front Basement door which was open at the time and putting said property in a wagon which was standing in front of said premises. and he further says he notified the deponent and she saw the above mentioned property and identified the same as her property

Wherefore the deponent asks that that the said defendants may be held and dealt with as the law may direct

Sworn before this }  
27 day of April 1893 } Mary L. Spedd.

John B. Trodie

Police Justice

Police Court \_\_\_\_\_ District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Degree

Burglary

vs.

Dated \_\_\_\_\_ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ \_\_\_\_\_ Bail.

Bailed by \_\_\_\_\_

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

**POOR QUALITY ORIGINAL**

0198

CITY AND COUNTY }  
OF NEW YORK, } ss.

1021

*John J. Bannon*

aged \_\_\_\_\_ years, occupation *Police 16<sup>th</sup> Precinct* of No. \_\_\_\_\_

\_\_\_\_\_ Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of *Mary F. Rudd* 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 *April* 189*3*

*John J. Bannon*

*John P. Woodie* Police Justice.

**POOR QUALITY ORIGINAL**

0199

Sec. 198-200.

2

District Police Court.

1882

City and County of New York, ss:

*William Franklin* 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. *William Franklin*

Question. How old are you?

Answer. *17 Years*

Question. Where were you born?

Answer. *New York*

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

Answer. *11 Cornelia St 3 weeks*

Question. What is your business or profession?

Answer. *Laundry business*

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*

*W Franklin*

Taken before me this

day of

*April 22*

1893

*John Bell*

Police Justice.

**POOR QUALITY ORIGINAL**

0200

Sec. 198-200.

2 District Police Court. 1882

City and County of New York, ss:

Henry Randall 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. Henry Randall

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. Long Island

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

Answer. 5 Perry St 9 months

Question. What is your business or profession?

Answer. Clerk

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

Henry Randall

Taken before me this

day of April

22

1893

John McLaughlin

Police Justice.

POOR QUALITY ORIGINAL

0201

BAILED,  
 No. 1, by .....  
 Residence ..... Street,  
 No. 2, by .....  
 Residence ..... Street,  
 No. 3, by .....  
 Residence ..... Street,  
 No. 4, by .....  
 Residence ..... Street,

Police Court... 2  
 District... 443

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF

Mary of Randall  
 William Frankland  
 Henry Randell

3  
 4

Offense... Bus-glans

Dated, April 22 1893

Boorhain Magistrate  
 Bammer Officer

16 Precinct

Witnesses Paul W. Connelise

No. 162.9 are

No. Street  
 No. Street

\$ 1000



Handwritten signatures and initials

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 \$1000 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, April 22 1893

John R. ... Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

POOR QUALITY  
ORIGINAL

0202

**Court of General Sessions of the Peace**  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
*William Franklyn*  
and  
*Harry Randall*

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

*William Franklyn and Harry Randall*

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said *William Franklyn and Harry Randall*, both —

late of the *16th* Ward of the City of New York, in the County of New York, aforesaid, on the *twenty-first* day of *April* in the year of our Lord one thousand eight hundred and ninety-*three*, in the *night* time of the same day, at the Ward, City and County aforesaid, a certain building there situate, to wit, the *Building* of one *Mary J. Rudd* —

there situate, 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 *Mary J. Rudd* 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.

POOR QUALITY  
ORIGINAL

0203

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

*William Franklyn and Harry Randall*

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

The said *William Franklyn and Harry Randall*, both

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 *right* time of said day, with force and arms,

*five hundred pounds of lead pipe of the value of twelve cents each found, and one boiler of the value of forty dollars*

of the goods, chattels and personal property of one

in the

there situate, then and there being found, in the

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.

*Mary F. Rudd*  
of the said *Mary F. Rudd*

*building*

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said *William Franklyn and Harry Randall* of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *William Franklyn and Harry Randall* both late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

*five hundred pounds of lead pipe of the value of twelve cents each pound, and one boiler of the value of forty dollars*

of the goods, chattels and personal property of

*Mary J. Reed*

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

*Mary J. Reed*

unlawfully and unjustly did feloniously receive and have: (the said

*William Franklyn and Harry Randall*

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, 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.

0205

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Franklyn, William

**DATE:**

05/11/93



4745

POOR QUALITY ORIGINAL

0206

Witnesses:

Stocking

Barbery

*[Signature]*

Dean Johnson

Lumyer

Frank Foster

Quinn

see minutes of  
Part 2 - Oct 25, 1893  
for confirmation of  
report of Commissioner

Counsel,

Judge

Plends

THE PEOPLE

RAPE (1st and 2d Degree)  
(Sections 278, 218 and 282, Penal Code)

William Franklyn

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*[Signature]*

Foreman.

*[Signature]*

Jury Foreman

*[Signature]*

*[Signature]*

*[Signature]*

THE PEOPLE,

COURT OF GENERAL SESSIONS, PART 1.

vs.

BEFORE RECORDER SMYTH.

WILLIAM FRANKLYN.

Friday, November 17, 1893.

Indictment for Rape, in the First and Second degree.

A Jury was empanelled and sworn.

THERESA KELLY, sworn and examined, testified as follows:

You are the mother of Katie Kelly; are you not? Yes. Where do you live? 222 West 27th street. Where did you live on the 19th of April of this year? 222 West 27th street. How old is your daughter, Katie? Six years old. When was she six years old? The 26th of June. Do you recollect the 19th day of April of this year? Yes. The day on which this crime is alleged to have been committed; what time in the evening did Katie leave your house? Before 5 o'clock, I think; I am not sure. Do you occupy the whole house? No, the top floor, through; it is a four-story house. Is your husband living? Yes. What is his name? Jeremiah Kelly. And he is the father of this child? Yes. Do you recollect what time Katie went out that evening or afternoon? About half-past 4, I think; I am not sure -- before the painters left their work. What time did she return to your house? About five minutes to 8. When she went out, did she have her clothing on? Yes. Did she have her hat on; anything of that sort? No, she had a little shawl. What did she go out for? She went out to play with the other children, jumping the rope. The other children in the street, in front of the house? Yes. When she came back did you observe the condition of her clothing? Yes. Tell the jury how her clothing was? Her drawers was tore off her; her

hair was covered with dirt, and her dress was torn and blood on it. Did you see this defendant, Franklyn, on that evening? Yes, I seen him when they were bringing him out of the hall of Mrs. Gillis's house, in 27th street. She lives a few doors from where you do? Yes. Who had him the time he was coming out, if anybody? There was three or four men had him; one was Mr. Gillis, and the other men I didn't know. Did you say anything to the defendant at that time? Yes, I called him a dirty loafer. Did you have any conversation with him, or did he say anything to you? He turned around and he says to me -- I gave a slap over the head; and he says to me, "Leave me alone; didn't I get enough?" Where was that little girl born; in New York? Yes, she was born in 27th street.

SAMUEL B. W. McLEOD, sworn and examined, testified:

You are a police surgeon of this city; are you not? I have been; I was retired on the 22nd of June. You were a police surgeon on the 19th of April of this year? Yes. Did you treat this little girl, Katie Kelly? I examined her on the evening of the 19th of April, about 8:50, in the 16th precinct station house, on 20th street between Seventh and Eighth avenues. Is that the little child that you saw here a moment ago, doctor? Yes. Tell the result of your examination? I made the usual examination; I found there was a distinct red mark on the upper front part of the neck, extending from the edge of one jaw bone to the other. I found no marks at all upon the body or upon the limbs. Examining the genitals, I found that there were signs of irritation, redness and some swelling, and that there was a slight laceration at the lower part of them; that was all that I found.

DROSS EXAMINATION:

You examined the child; you examined her private parts? Yes. Did you see any marks on the private parts that you examined? No; there were no marks, except signs of irritation, some redness, and a slight swelling and the laceration. The red color that you saw, the laceration, could not that have been caused by uncleanness or something of that sort? The laceration could not. I do not refer to the laceration; I mean the coloring? I suppose the irritation and redness and the swelling might have been, sometimes it is. What laceration did you see? It was a slight laceration; probably a quarter of an inch long, at the lower part of the genitals; it seemed to be recent; it was not extensive, though; very small, a quarter of an inch. You could not tell what caused the laceration; could you? No, I could not. It was caused by some force, by the application of some force to that part of the body? Yes. Did you, in your further examination of the child, find as to whether or not there was any penetration? I should think that the condition precluded much penetration. Was there any penetration? I could not say that there was. From your examination, you would not be able to testify as to whether there was or no some penetration; you say you examined the child, and could not tell as to whether there was or not? I do not think I could tell anything, except there must have been some force to produce the laceration; there must have been something applied to produce the irritation, but the penetration of the man into a girl so small would occasion a great deal of tearing; it would be impossible; they are not the size to permit of it. You mean by that, complete penetration? Yes. Was there any penetration whatever? I could not find any.

BY THE COURT: Was there any penetration; it is not necessary for a full penetration? If you call that much (illustrating), I should say there was, but I would not call that penetration. That would be a quarter of an inch? Possibly it might.

(By counsel:) Could you settle from the examination as to what caused the penetration? whether it was the private parts of a man or a finger? No, not at all. You could not? No. Then that penetration that you stated a moment ago, which was a quarter of an inch, might have been caused by a finger or anything else beside the private parts of a man? Certainly. Slight penetration would produce all the symptoms you saw, however? It might.

" BARBARA GILLIS, sworn and examined, testified:  
Where do you live? 230 West 27th street, on the third floor, rear; I am the house-keeper. You are acquainted with Katie Kelly; are you not? Yes; my little daughter played with her. What is your girl's name? Katie Gillis. How old is she? Six years old. Do you recollect the night of the 19th of April, the evening upon which this crime is alleged to have been committed? Yes. Did you see the defendant on that evening? Yes. Where did you see him? Down in the cellar. What caused you to go down into the cellar? My little girl came up stairs and she spoke to me. In consequence of what she said to you, what did you do? I took the lamp and went down in the cellar, and when I came down in the cellar I saw Franklyn lying down on the floor; Katie Kelly was lying down, and Franklyn was alongside of her, and he had his pants open and his vest, and the child was crying. I says, "What are you trying to do, you dirty brute?" He says, "Nothing." I says, "I will show you," and with that

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I took little Katie Kelly up stairs; the wood barrel was right beside the cellar door, and I put the barrel up to the cellar door, and the young man came out from the liquor store and sat on the barrel. Franklyn tried to get out, but he could not. Themy husband came along, and he opened the cellar door, and Franklyn came out, and he took him and brought him as far as Eighth avenue, to the officer. You went down stairs, and saw Franklyn had his pants open and his vest? Yes, unbuttoned. Did you see any of his person? Yes, I did. His privates? Yes; Katie Kelly was lying down on the ground. What was the condition of her clothing? Her clothes were all up, and her drawers were all torn off. Did Katie Kelly say anything while you were down in the cellar with Franklyn? "Yes; she said, "The man wanted to kill me, Mrs. Gillis." Did Franklyn say anything? He says, "I ain't doing nothing." I says, "I will show you." Did Franklyn or Katie Kelly say anything else? No, he didn't say another word; he wanted to get out. As soon as you saw that, you took Katie? No, I didn't take her; another girl, Effie Murray, took her; she is here. You went down with a light into the cellar? Yes. Did any one go down with you? No, only myself. Was anybody else in the cellar except this man and that little child? No, there was nobody else. Did you take the child up? No, the child came along with me up, and she ran up in the street. You took the child up stairs, by the hand, is that it? Yes, with the lamp, and shut the cellar door. Did the cellar door lead out into the yard? No, it is right in the hall; we have no yard; it is under the stair-way. You shut that? Yes. Is there a liquor store there in that building? Yes. I understood you to say some man came out of the liquor store? Some man, and sat on top

of the barrel; I halloed and this man came out; the defendant tried to get out, by forcing the door, but he could not. My husband came about five minutes after. When your husband came, did you see what was done? No, I was so frightened I went up stairs; I was delicate that time. At the time you went down into the cellar you say you saw Katie Kelly lying in the cellar? Yes. Was she lying on the back or front or side? She was lying on her back. Did Franklyn live in that house? No; I never seen the man before.

CROSS EXAMINATION:

This cellar is a regular tenement house cellar, for keeping coal and wood there? Yes. What time of day was it that you heard cries in the cellar? Five minutes past 8, when my child told me; I didn't hear any cries. Was there a light in the cellar? No. It was perfectly dark, was it? Yes; I had a big, lighted lamp in my hand. There was a water-closet there, and they were right by the water-closet. The defendant did not look to me as if he was drunk. The little girl was crying, and he let her go when he seen me coming down. Did he have hold of her when you first came down? Yes. How did he have hold of her? He was lying alongside of her; he says to her, "I will kill you;" the child, of course, was crying; she was afraid. That you want the jury to understand you heard? Yes, I did hear it. Did Franklyn say anything to you? He said, "I am doing nothing." Effie Murray brought the child up to her mother. Effie Murray is a girl of thirteen years of age. You screamed for assistance, didn't you, and a lot of people came there? Yes, sure, all the people in the house came out. Did you see anybody have hold of the defendant? Yes, I saw a couple of men. They were hitting him; were they not? They were not hitting

him in the hall at that time. Were they hitting him at all that you saw? No, I didn't see that.

EFFIE MURRAY, sworn and examined, testified:

How old are you? Thirteen. Where do you live? 224 West 27th street. The next house to where Katie Kelly lives; is it not? Yes. Do you remember the 19th of April of this year, and did you see Katie Kelly on that evening and where? Yes, in the street, crying, right by her door. Was she with anybody? No, all alone. Where did she go after she left there; did you stay with her? I took her as far as the door and she asked me to bring her up stairs. You took her as far as her mother's door? Yes. Did you take her inside into her own rooms? Yes; she lives on the top floor. After you carried her up stairs, whom did you meet in her rooms? Her mother. Did you see how Katie Kelly was at that time, her clothes? Her hair was all open, hanging around. Did you notice anything about her clothes at all? No.

JOHN J. BANNON, sworn and examined, testified as follows:

You are an officer of the Municipal police force? Yes, connected with the 16th precinct. It was you made the arrest of this defendant; was it not? Yes. About what time in the evening did you make the arrest? A little after 8 o'clock, on the 19th of April. Whereabouts did you place him in custody? Between 23rd and 24th streets on Eighth avenue. Who had him at the time when you got him? There was one man, Gillis, and two other men whom I didn't know. What did they say to you, in his presence, at the time when you got him into your control? The crowd was following him up, and told me that he had tried to outrage a child in the

cellar at 227 West 27th street. What did he say? I asked him if such was the case; he said no, he had been in the cellar but did not do nothing with the child. You brought him to the station house? Yes. Did you have any other conversation with him, at any time? Yes, when I came to the station house; I had a conversation with him at the desk; I asked him, in the presence of the child and the child's mother, what he had done in the cellar, and why did he interfere with the child; he denied it then; he said that he had done nothing with the child, but that he had been in the cellar. Did you have any conversation with Katie, in the station house, on that evening, while Franklyn was present? Yes. What did you say to Katie? I asked Katie what this man had done to her, and she pointed to her neck, that he had choked her in the cellar, and tore her clothes and had torn her drawers; she was then in the main room in the station house; that is about the substance of the conversation. What did he say when she said he tore her drawers? He said he did not do it. Was the doctor sent for then? Yes; Dr. McLeod. And he made an examination of the girl? Yes.

KATIE GILLIS was called, and, after a private examination by the Court, the Court said: I will let her be examined. How old are you? Six years old. Where do you live? 230 West 27th street. Do you know Katie Kelly? Yes. Do you remember seeing this man, the defendant; did you ever see him? Yes. In what street did you see him? In 27th street, at our house, in the night-time; I don't know what time. Who was with you when you saw him? Katie Kelly. Was anybody else with Katie Kelly? No. What were you and Katie Kelly doing; were you playing? Yes. Tell what he did? He

carried Katie Kelly down in the cellar. While you were on the side-walk with Katie Kelly, you saw this man; didn't you? Yes. Did he speak to you? No. Did he speak to the other girl, Katie? Yes. Did you hear what he said to Katie Kelly? No. Tell us again what you saw him do? He carried her down the cellar. When he carried her down the cellar what did you do? I went up and told mamma and she came down the cellar with a lamp. Did you see him afterwards? Yes, my papa had him, and he took him to the station house.

CROSS EXAMINATION:

Katie, did he try to get you down the cellar? Yes. Did he want to give you any candy? Yes. Then he did say something to you; he wanted you to go down in the cellar with him? Yes. You did not want to go? No. When he offered you a five-cent piece why didn't you take it? I didn't want it. The other girl took it; didn't she? Yes. Why did you go up stairs and tell your mother? Because I was afraid that he would kill us. You did not go down? No. You were afraid that he was going to kill the other girl? Yes. Did you ever see her go down in the cellar before? No. You did not see any other men go down in the cellar with Katie; did you? No. Did you talk with that man there (pointing to Mr. Stocking)? Yes. And this gentleman, did you tell him all that you saw (pointing to the District Attorney)? Yes. You told them all the same thing as you said here? Yes. Didn't you tell him that this man didn't ask you to go down in the cellar? Yes. Don't you remember, first, when you spoke to these two gentlemen, that you told them that this man didn't ask you to go down in the cellar at all; do you remember saying that? Yes. Now, didn't you say here, a minute ago, that he did ask you to go down the cellar? Yes.

Why do you say yes now, and before no; were you mistaken before? Yes. Was there anything else which you said in which you are mistaken? No. Are you sure that is the man? Yes. What time in the night was it when you saw him; do you remember? Five minutes to 8. Who told you to say five minutes to 8? Nobody. How do you know it was five minutes to 8; did you look at the clock? Yes. Can you tell the time? No. Then how do you know it was five minutes to 8; didn't your mother tell you to say it was five minutes to 8? No. Didn't this man here (Mr. Stocking) tell you to say it was five minutes to 8? No. Who told you to say it was five minutes to 8; your father? No.

KATIE KELLY, called and examined:

What street do you live in? I live in 222 West 27th street. How old are you? Six years. Do you know Katie Gillis? Yes. Does she live in the same street with you? Yes. Do you remember one night when you were down in Katie Gillis's cellar? Yes. Who took you in the cellar? Franklyn. How did you know his name was Franklyn? Mrs. Gillis told me. When did Mrs. Gillis tell you that? I don't know when she told me. When you went down in the cellar, was it dark in the cellar; was it in the night time or day time? In the night time. Did you see the man very well who brought you down? Yes. When you went down in the cellar, what did the man do? He choked me. Where did he put his hands? Here (pointing to her neck). Did he do anything else to you? Yes. What else did he do? I am ashamed to tell. What did he do to you; did he tear your clothes? Yes. What part of your clothes did he tear? The back and the front; he tore my clothes down on the bottom; he tore my underdrawers. Were

you standing up, or were you lying down? I was lying down. Did you lay down yourself, or were you thrown down? I lay down myself. Did the man say anything to you? No. Did the man hurt you? Yes. Where did he hurt you? I don't want to tell. Did he hurt your legs or your face or what? I don't want to tell. Did your mother look at the part which was hurt afterwards? Yes. Did you see a doctor; did the doctor look at you? Yes. Did the doctor look at the part which was hurt? Yes. Who took you out of the cellar? Mrs. Gillis. What did Mrs. Gillis have, anything in her hand? A lamp. What did Franklyn do when Mrs. Gillis came down; do you remember? I do not know. Where was the man when you were lying down? He was lying down too. Was he near; was he close to you? Yes.

CROSS EXAMINATION:

Do you see that man there? Yes. Do you remember when you went down the cellar? Yes. Do you remember seeing a man go down with you? Yes. Where did he meet you; in the hallway or in the street? In the street. You can't tell the man, if you see him? Yes. Look at this man here; is that the man (pointing to Mr. Smith, a subpoena clerk)? No. Is that the man (Mr. Stocking)? No. Is that the man (the defendant)? I don't know. You saw the man, didn't you; can't you tell him again if you see him; is that the man? I don't know. When this man, whoever it was, took you in the hallway, did he do anything to you? He did. What did he do? He put his hand on the back and in the front. Did you see him open his pants? Yes. It was dark in the cellar? Yes. Did you see what he put to your body? (Counsel repeated the answers of the witness.)

between her legs, and she said his hand; lasked her if she saw the hand there, or felt it, and she said yes. You aresure you saw his hand there? Yes. Why were you crying? For my mamma. You went down stairs with this man; didn't you? Yes. What did he give you? Five cents. Did you get the five cents? Yes. Be sure, because you ought to know; is that the man who gave you the five cents (pointing to the defendant)? I don't know. When Mrs. Gillis brought the lamp down in the cellar, you remember that; do you not? Yes. It was light enough then to see the man in the cellar; wasn't it; you saw that his pants were open, didn't you? Yes. Didn't you look at his face? Yes. Still, you say you do not know whether that is the man; he is not the man, is he? I don't know.

(The People rest)

THE CASE FOR THE DEFENCE:

WILLIAM FRANKLYN, sworn and examined, in his own behalf, testified as follows:

My right name is William Watson; I gave a false name on account of getting away from the place in Poughkeepsie. You gave a ficticious name; is that so? Yes. How old are you, Watson? I am thirty-three, going on thirty-four, years. You have been in trouble before; haven't you? Yes, I have. Where were you sent? About two years and a half ago, I was chased around the same neighborhood; I had trouble with a man right near Harry Miner's in Eighth avenue. Were you in jail? I was not in jail; I was in Poughkeepsie. In Poughkeepsie? The Poughkeepsie hospital. An insane asylum; is that it? Yes; I understood it to be a hospital; I found it to be an insane asylum. You were sent to the Poughkeep-

sie Insane Asylum? Yes. How long were you at Poughkeepsie? I was eleven months, and I wrote a letter to Judge Fitzgerald, New York, and when they found that out they showed me down to Matteawan, the doctors did. The Matteawan Insane Asylum? Yes. That insane Asylum is for criminals? Yes. Judge Fitzgerald had something to do with it? I wrote to Judge Fitzgerald.

(The Clerk reads the endorsement on an indictment: "Inquisition taken, and the jury find the defendant now insane.")

By Counsel: You were charged at one time with assault, in the first degree, and brought into this court; were you? Yes. Do you remember what the verdict of the jury was in your case at that time -- you remember an inquisition being taken as to whether you were sane or insane? I remember something of the kind; I couldn't tell you what it was. You remember what the verdict of the jury was? I remember finding myself in Poughkeepsie.

BY THE COURT: You were examined before doctors in this building? Yes, I had been. They found that you were then insane, and then Judge Martine sent you to an insane asylum? No; the last time I had been examined only by two doctors speaking to me a few minutes.

By Counsel:

Q You know what the charge is against you here? Yes, I do. I want you to tell the Court and Jury exactly what you know about this case, and make it very short?

By the Court: You were in that cellar? Yes, I was in that cellar. Go on and tell us all about it? I got work for a man in Broadway, a man that was moving from the Cambridge Hotel; he had a wine cellar there for ten years; he had given up

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the lease of the place, and he was moving up in Broadway, between 45th and 46th streets -- Richter, I believe the man's name is; he lives right opposite the Windsor Hotel, in Fifth avenue. I came along Broadway; I asked if there was any chance for a job; I told him I was a machinist; he says, "I may have for you, later on." I went to work for Mr. Richter Saturday. I had been living in Brooklyn. To be near his place, I took a room in Eighth avenue, right near 28th street; I paid twenty-five cents a night. Saturday I got some money given to me from the boss. I didn't get all that was coming to me. Sunday morning I went to this place and stayed there, the Waverly, in Eighth avenue, and paid twenty-five cents a night. Sunday morning, I saw a man standing there shaking, and he asked me if I could save his life; I asked him what he meant; he said, "I have been on a drunk." He was in this same lodging house. He asked me if I could buy him a drink; he took me to the same place where this trouble occurred. I felt like having a drink myself, and, instead of giving him one drink, I filled him and filled myself. Wednesday morning I met this same man, the day of the trouble I have got in to-day; I had never been in that place before that day, and that man was with me; I won't say that he done what I am accused of. How I got in the cellar, God himself only knows. Did you take the little child in the cellar? No. Did you have anything to do with what was done in the cellar? I don't remember seeing the child; I saw her in Essex Market, the following day, Thursday. The only thing I knew about the charge was when the sergeant came down in the station house and told me my nose was broke; I lost teeth here (pointing to his mouth). I remember coming up out of the cellar, and they jumped and kick-

ed me around the hall. You went there with two men? I went there with one man. Did he go down in the cellar? I could not tell you what became of him. You do not know how you got in the cellar? No; but that I was there, I acknowledge. Are you sure you did not take the child there? Yes; I know the child is against me; I know it is a twenty years offence; I could take life rather than take a plea to what I know nothing about. Did you treat the child to any candy? I do not remember seeing the child. The man in the saloon, he himself knows the man that treated me; that same day I gave him money to start a little business for himself, on the morning of the day I got into this trouble.

By the Court: You remember being in the cellar? Yes. Tell us what took you down into that cellar? I couldn't tell you how I got there. You do not remember whether you fell down or walked? I didn't fall; there is a side door going down stairs; we had to go through this hall by the cellar stairs to get in Sunday. This day I got into this trouble was the only time I was in the place. You do not remember Mrs. Gillis coming down with a lamp? No; all I recollect is when I came up out of the cellar.

By Counsel: Did you see anybody coming down with a lamp? No. Were you lying on your back with your trousers open, and with your private parts exposed? No, I came up all buttoned up.

By the Court: When you were down in the cellar, were you on your back? I couldn't tell you how I was; I picked myself up.

By Counsel: How long have you been out of Matteawan Asylum? Seven teen months.

By the Court: When did you come out of Matteawan? May last, a year ago.

CROSS EXAMINATION:

Do you remember making a statement, at any time, to any persons, that they were chasing you around and wanted to kill you, because you were insane, or something of that sort? No; I know what I am getting tried for; I am not insane. You are perfectly responsible for what you are doing now? Yes. You know full well that you are being tried on a charge of rape? Yes. You know what the punishment is? Yes; I knew the charge before; I knew everything until I got in the Tombs; I was sane; I knew everything I done; I even asked in the station house, two years and a half ago, before I got in the trouble, in the City Hall station house, I asked for protection, stating that it was a party tried to dome up; it was no delusion; it was facts. A park policeman told me that they could not give me no protection. During the time that you were at Matteawan and Poughkeepsie, were you insane, or were you a sane man? I was not a week in Poughkeepsie until I saw where I was; then whatever was in me got out of me, whatever drugs; I don't know, God only knows. You were a sane man? Yes. They kept you there, although sane, they charged you with being insane? Yes; I pleaded with the doctors to have them send me back to the Tombs; in case there was a charge against me, to have me tried; they would not send me back. The first thing I knew I wrote to Judge Fitzgerald.

Monday, November 20, 1893.

Cross-examination of THE DEFENDANT, continued:

How old a man are you? I will be thirty-four the 10th of next May. Are you married or single? Single. Have you any recollection at all of the occurrences of the 19th of

April of this year? All the recollection I have is hearing a noise in the hall and I came up out of there; I had been down there, I don't know how long.

By the Court: How do you know you were down there, if you have no recollection? I was told in the station house; I asked the party where I was, and he told me about it.

By District Attorney: You have no recollection of what time you went down there? No, I do not recollect how I got there. You have not any recollection of whether you went down there alone or in company with anybody else; have you? No. You have no recollection with regard to the circumstances connected with your going down into that cellar? No; all I can say is, I don't know how I got down there; whether I went down with any one or not. What is the last thing you remember before going down in the cellar? I don't remember anything. You do not remember anything that occurred that day? Yes, I remember, the last thing, being with this man that brought me to this place; I don't know his name; I only saw him twice or three times before; he was in the same place there; that is where I got acquainted with him. Do you recollect seeing Mrs. Gillis down in that cellar, with a lamp in her hand? No. How much had you drunk on that day? I had been drinking pretty much all that week.

By the Court: How much did you drink on that day? I couldn't exactly say. Give us as nearly as you can recollect? I remember I was stupefied with drink; that is all I remember. Do you recollect how many glasses you drank? No, I didn't count them; I was drinking pretty much all day.

By District Attorney: You have some recollection with regard to the events of that evening? I recollect in the morning, the Sergeant coming down and telling me about it, what I

said the night before; I didn't recollect anything; I was in my cell; my nose was broke, and the teeth was knocked out of my mouth; I was kicked around the hall, I was told. You did not recover your senses after you were pummelled and beaten? Not until morning. Have you ever seen any of the witnesses for the People, Mrs. Gillis, Katie Kelly or any of the children? The first I seen of them, to my recollection, was in Jefferson Market, the following day. You do not know what you went down in the cellar for? No; I remember being there.

By Counsel: Did you ever see any of these parties before, Mrs. Gillis or the girls? No. Who was that man you went with? We got work in Broadway -- being I lived in Brooklyn, to be near my work, I took a room in 28th street, in this place.

By the Court: Do you know the number? I do not know the number; I was only there about a week. Whom did you hire the room from? The book-keeper; I didn't know any one in that place; it is supposed to be a hotel, it is a lodging house.

By Counsel: Do you remember meeting with some man on the day in question when it is alleged you committed this crime? Yes, I met him in the forenoon. You were not exactly intoxicated at the time you met him? No, I had a drink in, but I knew enough; then I only had about three or four drinks; we drank again. He asked me for a little money, and I let him have it; we got drunk in the place. Is that the man that wanted you to save his life? Yes, the man I got acquainted with the Sunday previous. Your answer to the charge is an absolute denial that you raped this little girl? Yes, I didn't do it; I don't remember anything about the place; I was born and raised between Brooklyn and New York. I know that is out of my line; I never done a thing

of that kind in my life. Before you were sent to the Poughkeepsie Insane Asylum and to Matteawan, were you an inmate of any asylum? No. You assert now to the Court and Jury that, at the time that you were at Matteawan and Poughkeepsie insane asylums, that you were a perfectly sane man? I was in Poughkeepsie a week before I knew what was into me.

By the Court: What did you think you had in you? I couldn't tell you whether it was a drug or not; I know when I was in court I couldn't tell what happened; I could see everything going on.

By Counsel: How long were you in Poughkeepsie? I was eleven months in Poughkeepsie, and one month in Matteawan. You were there eleven and a half months, a sane man in an insane asylum? Yes.

By District Attorney: How did you get out of Matteawan? The way I got out of Matteawan -- I could get out no other way, and I wrote to Judge Fitzgerald, thinking I had been tried before him.

By the Court: How did you get out? I saw a chance to get away, and I got away; helped myself.

By District Attorney: You escaped from Matteawan? Yes; I escaped; I have been out eighteen months.

By the Court: Judge Fitzgerald didn't help you? He wrote me an answer; I never got the answer; the people wouldn't give it to me. He didn't help you? I helped myself to get out.

What time in the morning did you meet that man? I met him about 9 o'clock, Sunday morning, the first time. On the 19th of October, what time did you meet that man? About half-past 7 in the morning. Where did you meet him? I

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this house I had been stopping in; the Waverly, I believe they call it. Had you been in bed that night? Yes. You undressed yourself; didn't you? Yes. You got up in the morning at halfpast 7 and dressed yourself? Yes. Where did you meet the man, what part of the house? I met him in the reading room. We went around and got something to drink; I went around that morning to different places, with this man, drinking; I left this man about 11 or half-past 11 o'clock in the morning; I gave him some money and he went about his business, and then I went around drinking, myself. I couldn't exactly tell you where was the first place I went in; I can't tell how many places I went in, I should judge about six or seven. I remember drinking on the corner of Seventh avenue and 27th street; I drank whiskey. You got back again to this store? Yes; some time in the afternoon, I should judge about 3 o'clock. Did you drink again there? Yes, I met this man again, and had another drink with him; I believe he paid for that, that time; he had the little money I had given him. How many drinks did you have? I drank until I got into this trouble; I didn't count them. I recollect paying for them. None of those bar-keepers gave you anything to drink without being paid for it? No. What time did he leave the place? I couldn't tell you; he was with me until I got into this trouble; what became of him, I couldn't tell you. I only worked for Mr. Richter five or six days, and I got a little pay on Saturday, two or three days'. There was a couple of dollars coming to me from the week before; about seven days, I should judge, I worked for him altogether. I am a machinist by trade, but this man I was helping him to fix up the place on Broadway between 45th and 46th streets; he used to have a wine cellar.

By Counsel: One of the jurymen would like to know if you were ever convicted of any crime? I was, for assault, once, in 1879; that time I was fined \$20. or \$25., or twenty five days, in the Special Sessions, for assaulting a man. What about that other matter?

THE COURT: In the other case, the record shows that he was indicted for assault; that there was a question as to his sanity at the time when he was indicted, and that the Court, under a provision of the Statute, appointed a commission for the purpose of ascertaining whether he was then sane or insane. There was such an examination, and he was determined to be insane at the time, and he was committed to this place at Poughkeepsie. He was not tried. He was then sent to Matteawan.

REBUTTAL.

MRS. GILLIS, being recalled by the District Attorney: You told us your story upon the direct-examination, that you had seen Franklyn on this night; did you observe what his condition was with regard to sobriety or intoxication, whether he was drunk or sober? He was perfectly sober when I seen him. You saw his actions, and you spoke to him, and he spoke to you? Yes.

By the Court: When You got down into that cellar with a light, as I understand it, it was a dark cellar? Yes. Whereabouts in the cellar was he; was he nearer the rear of the house, or was he towards the front? He was right in the back; there is a water-closet to the rear of the house, and this man was lying down with his clothing disarranged and the child was lying beside him. What was the first thing you said to that man? I says, "You dirty brute, what are you

trying to do down here?" He says, "Nothing." "Well," I says, "I will show you what you are doing here," and I took the little girl up stairs, and I took the barrel and put it behind the cellar door. Did you say nothing else down in the cellar? That is all I said to the man. When you took the little child up, you put the barrel against the cellar door, and you got somebody to come out of the liquor store and sit on that barrel; and I understood you to say that he tried to push that cellar door open? Yes. When he came up out of the cellar, you saw him again; didn't you? Yes. The door was open; how was his clothing then? He had the pants buttoned at that time. Did he have his hat on? He had a hat on, a derby. Did he have his hat on when he was lying down the cellar? No. Do you recollect saying anything to him when he came out? No, I didn't say a word to him. Did you hear anybody else say anything to him? No, I did not. Were you there when he was hustled around the hall? No, I went up stairs.

By counsel: How long after you reached the top of the stairs and closed the door was the barrel put to the door? Right away, the minute I went up I put the barrel there; it was an ash-barrel, full of ashes. I rolled it myself. Was there a lock on the door? No; the only thing that kept that door shut and kept this man in the cellar was the man sitting on the barrel. How long after the barrel was placed, did the man come there? He came right out; he heard me screaming, everybody in the house was down; I waited until my husband came. My husband took him out of the cellar and brought him into the hall. When you went down to the cellar did you see the defendant make any attempt to get the girl to him? No, I didn't see it. All that you know about

it is, when you came down stairs you saw this man lying there? Yes. Did he get up upon your coming down? Yes, he got right up. And buttoned his clothes? Yes. Did the child get up on its feet? Yes, the child knew me, and she screamed when she seen me; I got hold of her and I took her up; I walked her up with me. I couldn't carry her, when I had the lamp.

OFFICER BANNON, recalled by the District Attorney, testified as follows:

You told us, on your direct-examination, that you had the prisoner in custody from the time you met him on Eighth avenue until you brought him to the station house? Yes. You were there with him for some time; did you observe what his condition was with regard to drunkenness or sobriety; was he drunk or sober? He was well able to walk to the station house; he didn't seem to be a man that was drunk. Did you have a conversation with him? Yes, at the station house.

By the Court: Did he act rationally or irrationally? Steady and quiet. He walked with you, did he? Yes, peaceably and quiet. Did you talk with him on the way to the station house? Yes. What did you say? I asked him what he was doing with the girl in the cellar; he told me he didn't do it. I asked him if he was in the cellar, and he said yes. When I got him to the station house, the girl was there; I asked him if he assaulted the girl, and he said no, but he was in the cellar; that is all the conversation I had. Was his pedigree taken? Yes. Was the sergeant there? Yes, sergeant Landman; he gave his name as William Franklyn, and that he was born in Brooklyn; his age and occupation; how

old he was, and whether he was married or single, and whether he could read and write. He answered all those questions correctly.

By Counsel: When you first got this man, where was he? Between 23rd and 24th streets, on Eighth avenue. Who had him? Mrs. Gillis's husband, and there was quite a crowd. Did anybody else have hold of him, beside Mr. Gillis? Another man, whom I did not know. Did you see his condition at that time? Yes. What was it? He was bleeding a little from the mouth. His nose was broken? I didn't know that until afterwards. You found his nose was broken? The doctor found so. The defendant talked rationally enough to me going down to the station house, and he talked rationally when he got into the station house. You say that he was perfectly sober? I couldn't say that; he might have been drinking. Was he able to walk? Yes, I had hold of him by the shoulder. Did anybody else have hold of him when you had him? No; not when I had him.

By the Court: You didn't carry him to the station house? No; I led him.

By Counsel: You dragged him? No; I held him hard, the same as I would hold any ordinary prisoner. Didn't he make any other statement to you beside all this story in giving his name, address, residence, &c? That is all, and telling me he was in the cellar, but he didn't----- Why didn't you say that?

The Court: He did, twice.

The Witness: Three times, on Friday.

By Counsel: Did he mention anything about an asylum? No, not at that time. Did he mention it to you at any time? No. Did he mention to anybody, in your presence, that he was in an

**POOR QUALITY  
ORIGINAL**

0231

insane asylum? No. He didn't tell you, as he told the jury, he was an escaped lunatic? I didn't know it until two weeks afterwards. From whom did you derive your information? The Society for the Prevention of Cruelty to Children. They informed you that he was an escaped lunatic; is that so? Yes, that they heard so. Did you ever have a supposed lunatic in your custody? Yes, I had some loons, crazy men, in my custody a couple of times. Did this man's actions differ any from the loon's? Yes, quite a good deal? Do you consider this man a loon? No.

The Jury rendered a verdict of GUILTY of RAPE, in the SECOND DEGREE; and the defendant was sentenced to the state prison for eight years and five months.



The People  
v.  
William Franklyn } Court of General Sessions. Part I  
} Before Recorder Smyth.  
} May 19<sup>th</sup> 1893.

J. S. Shipman, sworn and examined  
by the Recorder Q What is your name?

A Dr. J. S. Shipman.

Q You are a minister? A Yes sir.

Q Do you know this man? A Yes sir.

Q His Counsel says that the man is an  
escaped lunatic? A Yes sir.

Q Do you know that to be a fact?

A I got a letter; I have had several  
letters from Dr. Allison, the Superintendent  
of Matewan with regard to him; I  
have written; I expect Dr. Allison here  
today.

Q Do you know him personally?

A I do. He was confirmed in Christ church  
four or five years ago.

Q What evidence of insanity have you  
seen in him - I don't want anything  
particular? A About three years ago  
he was shot accidentally. His physician  
told me his brain was left in so  
sensitive a condition that any occasion  
of excitement would be apt to produce  
harmful results to him. He imagined

people were after him, and all that.  
Two years ago he committed an assault.

Q Was it an indecent assault? A. No; not at all - imagining that it was an enemy. He was brought here for trial, but was adjudged insane, and sent to Poughkeepsie and from there to Matewan, and from there he escaped about two years ago.

Q Was he tried in this Court? A. He was brought to this Court for trial, I think he was not sentenced, but simply adjudged a lunatic and sent to Poughkeepsie. His name is Watson; it is not Franklyn.

Q What is his first name? A. William.

Q About how long ago do you think it was since he was sent from this Court?

A I should say two years ago.

Q Under the name of Watson?

A Under the name of Watson there.

Q He was sent where? A. To Poughkeepsie and transferred to Matewan afterwards.

Q

**POOR QUALITY  
ORIGINAL**

0235

The People  
has  
you of frontiers.

**POOR QUALITY ORIGINAL**

0236

Police Court, 2<sup>nd</sup> District.

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

of No. 108 East 93<sup>rd</sup> Hugo Schuster  
Street, in said City, being duly sworn,  
deposes and says, that a certain female child called Katie Kelly  
[now present], under the age of sixteen years, to wit, of the age of five years, is a  
necessary and material witness on behalf of the People of the State of New York in a certain  
criminal case now pending in the Court of General Sessions of, in and for the City and  
County of New York, entitled, The People against William

Franklin, wherein the said William  
Franklin is charged with the crime of Rape, under  
Section 978 of the Penal Code of said State, in that he, the said Defendant

did willfully and unlawfully perpetrate  
an act of sexual intercourse on & to the  
said Katie Kelly aged five years,  
not being his wife.

and that the said Katie Kelly  
will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his  
testimony at the instance of the people.

Wherefore, deponent prays that the said child Katie Kelly  
may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed  
temporarily to an institution authorized by law to receive children on final commitment, and to  
have compensation therefor from the City or County authorities, as a witness, to appear on the  
trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided,  
and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me, this 20<sup>th</sup>  
day of April 1893 } Hugo Schuster

John Woodis  
Police Justice.

POOR QUALITY ORIGINAL

0237

POLICE COURT 2 DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

AFRIDA VIT.  
WITNESS.

*Magistrate*



*Katie*  
*S. U. J. 227 W. 27 St.*

Dated *April 20* 18*83*  
*Worin* Magistrate.  
*Schulter* Officer.

Disposition: *Com: to New York So-*  
*ciety for the Prevention*  
*of Cruelty to Children.*

STILES & CO. STEAM PRINTERS, 77 EIGHTH AVENUE, NEW YORK

POOR QUALITY  
ORIGINAL

0238

Police Department of the City of New York.

Precinct No. 16 -

New York, April 19th 1893

This certifies that Katy Kelly -  
aged six years and residing  
at 222 West 27th street was  
carefully examined by me in  
the 16th Precinct station house  
at 8.50 P.M. April 19th 1893.  
I find a reddened mark  
across the upper and front  
part of the neck, but no other  
marks on body or limbs - The  
privates showed signs of irritation  
at the entrance to the internal  
organs and slight laceration  
there -

P. W. M. Lee M. D.  
Surgeon of Police

**POOR QUALITY ORIGINAL**

0239

2<sup>d</sup> District Police Court.

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

of Number 108 East 23<sup>d</sup> street. being duly sworn,  
deposes and says, that on the 19<sup>th</sup> day of April, 1893, at the  
City of New York, in the County of New York, At the premises

known as Number 230 West 27<sup>th</sup> street  
in said city of New York, the William  
Franklin, now here, did wilfully and un-  
lawfully perpetrate an act of carn-  
al intercourse with a certain female child,  
now here, called Katie Kelly, said child  
being then and there actually and ap-  
parently under the age of sixteen years,  
to wit of the age of five years, not  
being his wife: in violation of the  
Statute in such case made, and pro-  
vided and especially of Section 278  
of the Penal Code of the State of  
New York

Wherefore the complainant prays that the said

William Franklin

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 20<sup>th</sup>  
day of April 1893

Hugo Schutter

John W. Morris

Police Justice.

**POOR QUALITY ORIGINAL**

0240

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Barbara Gillis*

aged 31 years, occupation housekeeper of No.

230 West 27<sup>th</sup> Street, being duly sworn, deposes and

says, that she has heard read the foregoing affidavit of Hugo S. Spector

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

Sworn to before me, this 20<sup>th</sup> day of April 1898 } *Barbara Gillis*

*John P. ...*  
Police Justice.

**POOR QUALITY ORIGINAL**

0241

Sec. 198-200.

2 District Police Court. 1882

City and County of New York, ss:

William Franklin 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. William Franklin

Question. How old are you?

Answer. 30 years

Question. Where were you born?

Answer. U.S.

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

Answer. Waverly Hotel, 28 Jt + S' Avnu - 4 days

Question. What is your business or profession?

Answer. Mechanic

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 -

Wm Franklin

Taken before me this

day of April

20

1893

John McLaughlin

Police Justice.



**POOR QUALITY  
ORIGINAL**

0243

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

THE PEOPLE

VS.

WILLIAM FRANKLIN.

BRIEF FOR THE PEOPLE.

STATEMENT OF CASE:

The Defendant, William Franklin, stands indicted for having perpetrated the Crime of Rape on the person of one Kate Kelly, aged five years, in the cellar of premises No 230 West 27th Street, on April 19th, 1893, at or about 8-00 o'clock, P. M.

WITNESSES:

Kate Kelly,  
Theresa Kelly,  
Kate Gillis,  
Effie Murray,  
Mrs. Margaret Gillis,  
John Gillis,  
Officer Bammon,  
Dr. McLeod,  
Hugo Schultes,  
W. Travis Gibb, M. D.

KATE KELLY, aged 5 years, residing with parents Jeremiah and Theresa at 222 West 27th Street, will testify that at or about 8-00 o'clock P. M. on April 19, 1893, she left her home with her mother's permission to visit a friend, named Kate Gillis, aged 6 years, living at 230 West 27th Street, and after meeting her that both (Witness and Kate Gillis) went down into the street for the purpose of jumping rope. That while thus engaged, the defendant, who was standing in the hallway of 230 West 27th Street, came over to where the girls were playing and offered Kate Gillis the sum of five cents to purchase some candy with, but it was not accepted. That the offer was then tendered to Witness, who, on reaching for the money, was suddenly seized by the defendant and dragged into the hallway, and thence down into the cellar, where he (defendant) pushed witness down on the floor, tore her drawers off, opened his pants, laid down on top of her and put something into her private parts.

That during this time, Witness struggled hard to release herself and cried out until Defendant grasped her throat and prevented her from making a noise.

That Defendant evidently heard some one coming, for he got up just as Mrs. Gillis (Kate's mother) came to the cellar door and looked in. That then Defendant attempted to make his escape but found the door locked. That soon after, Michael Gillis and his wife came down into the cellar and took the defendant out. That Witness then went home and told her mother what had occurred.

THERESA KELLY, residing at 222 West 27th Street, mother of Kate, the preceding witness, will testify as to the age of the child. ALSO,- that on the evening of April 19th, 1893, daughter Kate received permission from her to go and see Kate Gillis and

**POOR QUALITY  
ORIGINAL**

0244

that somewhat later ( between 8-00 and 9-00 P. M.) child returned home and told her (witness) what the Defendant had done to her.

KATE GILLIS, aged 6 years, residing with her parents John and Maggie at 230 West 27th Street, will testify in corroboration of that part of the testimony of Kate Kelly up to the time that Defendant got the said Kate Kelly down into the cellar, when Witness ran and told her mother that Defendant was killing a girl down in the cellar heretofore referred to, which caused her mother to go to the cellar at once.

EFFIE MURRAY, aged 8 years, residing at 230 West 27th Street, will testify to having heard a noise in the hallway, and, on going downstairs, discovered Defendant in the custody of Mr. Gillis coming out of the cellar, and following them up was Kate Kelly who was crying.

MRS. MAGGIE GILLIS, housekeeper of and residing at 230 West 27th Street, will testify: That on April 19, 1893, at or about 8-00 o'clock, P. M., on being informed by her daughter Kate that a man was killing a girl in the cellar, she (witness) immediately went down into the cellar, where she found the defendant lying next to the child Kate Kelly, having hold of her, with his pants open and private parts exposed to view, while the child was lying on her back with her private parts likewise exposed.

That witness then ran out of the cellar and closed and barricaded the door so that Defendant could not escape, and then proceeded to inform her husband, who at once accompanied her, the Witness, down into the cellar and took the defendant into custody, dragged him into the hall and out into the street, and, in spite of the threats to lynch the defendant made by the people who had assembled, managed to take him to 8th Avenue, where defendant was turned over to Officer Bannon.

JOHN GILLIS, residing at 230 West 27th Street, will testify in corroboration of the preceding witness' testimony, relative to finding the defendant and the child Kate Kelly in the cellar of the premises, to taking him into custody and later to turning him over into the custody of Officer Bannon.

OFFICER BANNON, attached to the 16th Precinct Municipal Police, will testify to having arrested the Defendant who was under the influence of liquor and admitted having been in the cellar of No. 230 West 27th Street in the company of the child Kate Kelly, but denied having harmed her.

DR. McLEOD, Surgeon attached to the 16th Precinct Police Station, will testify to having made a physical examination of the

**POOR QUALITY  
ORIGINAL**

0245

child Kate Kelly and to having found no indication of violence, although there appeared to be a slight laceration of her genital organs.  
(Certificate on file with court papers).

HUGO SCHULTES, Complaining Witness and an Officer of THE N. Y. S. P. C. C., will testify that while in the Second District Police Court, Defendant admitted to him (witness) that on April 19, 1893, he was drunk and went into the cellar of premises, 230 West 27th Street, for the purpose of going to sleep and that if he did do anything to the child Kate Kelly he was too drunk to know it. That Defendant had the appearance of being a bum.

W. TRAVIS GIBB, M. D., 365 Lexington Avenue, will testify to having made a physical examination of the person of Kate Kelly and to having found no evidence of penetration of her genital organs.  
(Certificate on file).

**MATERIAL EVIDENCE:**

The Five-Cent Piece given to child by Defendant.

**POOR QUALITY  
ORIGINAL**

0246

**N. Y. GENERAL SESSIONS**

**THE PEOPLE**

**AGAINST**

**WILLIAM FRANKLIN.**

PENAL CODE, §

**BRIEF FOR THE PEOPLE.**

*filed May 11 193*

POOR QUALITY  
ORIGINAL

0247

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*William Braddley*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *William Braddley*  
of the CRIME OF RAPE IN THE FIRST DEGREE, committed as  
follows:

The said *William Braddley*,  
late of the City of New York, in the County of New York aforesaid, on the *minseventh*  
day of *April*, in the year of our Lord one thousand eight hundred and  
ninety-*three*, at the city and County aforesaid, in and upon a certain female not his  
wife, to wit: one *Kate Kelly*, feloniously did make an assault,  
and an act of sexual intercourse with her the said *Kate Kelly*,  
then and there feloniously did perpetrate, against the will of the said *Kate Kelly*,  
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.

SECOND COUNT,—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *William Braddley*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *William Braddley*,  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid  
at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said  
*Kate Kelly*, feloniously did make an assault, with intent  
an act of sexual intercourse with her the said *Kate Kelly*,  
against her will, and without her consent, then and there feloniously to 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.

POOR QUALITY ORIGINAL

0248

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said *William Sandalyn* of the CRIME OF RAPE IN THE SECOND DEGREE, committed as follows:

The said *William Sandalyn*, late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said *Kate Kelly* feloniously did make an assault, she the said *Kate Kelly* being then and there a female under the age of sixteen years, to wit: of the age of *five* years; and the said *William Sandalyn* then and there (under circumstances not amounting to Rape in the first degree) feloniously did perpetrate an act of sexual intercourse with her the said *Kate Kelly*, 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 *William Sandalyn* of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *William Sandalyn*, late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon a certain female not his wife, to wit: her the said *Kate Kelly* she the said *Kate Kelly* feloniously did make an assault, being then and there a female under the age of sixteen years, to wit: of the age of *five* years; with intent then and there (under circumstances not amounting to Rape in the first degree), feloniously to perpetrate an act of sexual intercourse with her the said *Kate Kelly* 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.

**POOR QUALITY  
ORIGINAL**

0249

FIFTH COUNT--

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *William Trandaly*  
of the CRIME OF ABDUCTION, committed as follows:

The said *William Trandaly*,  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the  
City and County aforesaid, did feloniously take, receive, harbor, employ and use her, the said  
*Kate Kelly* so being then and there a female under  
the age of sixteen years, to wit: of the age of *five* years, as aforesaid,  
for the purpose of sexual intercourse, he, the said *William Trandaly*  
not being then and there the husband of the said *Kate Kelly*.  
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.*

0250

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Friedman, Philip

**DATE:**

05/19/93



4745

0251

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Oberstein, Jacob

**DATE:**

05/19/93



4745

0252

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Goldstein, Nathan

**DATE:**

05/19/93



4745

0253

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Isaac, Gussie

**DATE:**

05/19/93



4745

POOR QUALITY ORIGINAL

0254

Witnesses:

Bernhard Hoffman  
Philip B. Seaman

Upon the within affiant's and  
the my examination of the case  
do not believe that deft Goldstein  
should be placed outside with a few  
the arrest of the other defts who are  
more guilty than he - in view of his  
very good character and the des-  
erting circumstances of his family  
I recommend the discharge of deft  
Goldstein on his own recognizance  
Dec 8. 94

Paul J. ...  
670 ...  
J. J.

THE PEOPLE

vs.

Philip Friedman, N.A.  
Jacob Oberstein, N.A.  
Nathan Solomon, N.A.  
Dessie Jones, N.A.

DE LANCEY NICOLL,

District Attorney.

re #111  
Nov 17 1894  
Chas. Ford to read  
A TRUE BILL. Part III Dec 17

Chas. J. ...

Mr. J. ... Foreman.

Mr. J. ...

Part III Dec 18 94  
Mr. J. ...

277 B. 15th Street  
Counsel, W. S. ...  
Filed 1. 24. 1894  
Plaintiff, ...

Grand Larceny, Second Degree.  
[Sections 528, 531, Penal Code.]

POOR QUALITY ORIGINAL

0255

Police Court 3<sup>rd</sup> District.

1912

Affidavit—Larceny.

City and County }  
of New York, } ss.

Bernard Hoffman  
of No. 127 Suffolk Street, aged 21 years,  
occupation Presser being duly sworn,

deposes and says, that on the 15<sup>th</sup> day of April 1893 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 day time, the following property, viz:

Three hundred dollars lawful money of the United States

Sworn to before me, this 189 day of \_\_\_\_\_

1. corporation  
the property of the deponent's care and charge  
3 Emigrants

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 Philip Friedman, Jacob Oberstein, Nathan Goldstein, Gusie Isaacs who were acting in concert for the reasons that the deponent's were formerly trustees of a corporation known Rothschild Young Brothers, Sisters Benefit Association existing under the laws of the State of New York. That said association has its funds on deposit with the Industrial Savings Bank in New York City. That said funds were to be drawn from said Bank by an order of said association by its order signed by its trustees and

Quigney

Police Justice

presented at said Bank. That the defendants had been trustees and had had such authority but their terms had expired. That the signatures of the trustees elected in the defendants stead had not been filed with said Bank. That on the 13<sup>th</sup> day of April, 1893 at a meeting of said Association of which deponent is a member, a motion was made and it was ordered that said Association draw from said Bank the sum of Twenty dollars. That said defendants without authority from said Association and without the knowledge of its officers drew signed and executed an order for the payment of Three hundred dollars and presented or caused to be presented said order to said Bank and deponent is informed by Philip B. Seaman (now being a clerk of said Bank) that said money was paid to defendant Friedman upon presentation of said order and the defendants have since secreted themselves and appropriated the money to their own use.

Deponent asks that the defendants be arrested and dealt with as the law directs

Barnet Hoffmann

I swear to before me }  
 this 2<sup>nd</sup> May, 1893 }  
 }  
 }

Charles N. Linton  
 Police Justice

**POOR QUALITY ORIGINAL**

0257

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

*Philip B. Seaman*

aged 30 years, occupation Clerk of No.

51 Chambers Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Bernard Koffman  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 2 day } *Philip B. Seaman*  
of May 1893 }

*Charles N. Loring* Police Justice.

POOR QUALITY ORIGINAL

0258

Sec. 198-200.

3 District Police Court. 1882

City and County of New York, ss:

*Nathan Goldstein* 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. *Nathan Goldstein*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *42 Norfolk St. 3 days.*

Question. What is your business or profession?

Answer. *Barber*

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*

*Nathan Goldstein*

Taken before me this *3* day of *May* 189*3*

Police Justice.

POOR QUALITY ORIGINAL

0259

Sec. 192.

3

District Police Court.

Undertaking to Appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, }

An information having been laid before Charles N. Luntz a Police Justice of the City of New York, charging Nathan Goldstein Defendant with the offense of Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

WE, Nathan Goldstein Defendant of No. 42 Suffolk Street, by occupation a Barber

Max Hochstein and of No. 120 Suffolk Street, by occupation a Restaurant Keeper Surety, hereby jointly and severally under-

take that the above-named Nathan Goldstein Defendant shall personally appear before the said Justice, at the 3 District Police Court in the City of New York during the said examination, or 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

4

day of May 1893

Nathan Goldstein

Max Hochstein

Charles N. Luntz Police Justice.

**POOR QUALITY ORIGINAL**

0260

City and County of New York, ss:

Sworn to before me this 17 day of May 1933  
*Charles W. Hamilton*  
Police Justice.

Max Hochstein

the within-named Bail and Surety, being duly sworn, says, that he is a resident and house holder within the said County and State, and is worth Ten Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities,

and that his property consists of the fixtures of the restaurant at 126 Suffolk Street valued \$5000  
free

Max Hochstein

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Undertaking to Appear during the Examination.

Taken the ..... day of ..... 1933

Justice.

POOR QUALITY ORIGINAL

0261

No. 3, by Max Anckelstein  
 Residence 120 Suffolk Street

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

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

\$500.00 for SR  
May - 4/93 10 AM  
May 4/93 3 PM  
May 5/93 8 AM  
May 8/93 3 PM  
May 9/93 3 PM  
May 9/93 3 PM  
May 11/93 3 PM  
May 12/93 9 AM

Police Court... 318 District 533

THE PEOPLE, &c.,  
 ON THE COMPLAINT OF  
Edward H. [unclear]  
12 Suffolk St  
Nathan Goldstein  
 Offense Harvey Kelly

Dated May 12 1893  
Davidson Magistrate

Witnesses  
P. O. [unclear]  
B. J. [unclear]

No. 500 Street [unclear]

[unclear]

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

True 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, May 12 - 1893 Charles N. Justice Police Justice.

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

Dated, May 12 - 1893 Charles N. Justice Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offense within mentioned, I order h to be discharged.

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

GLUED PAGE

0262

POOR QUALITY ORIGINAL

**PART III.**

THE COURT ROOM IS IN THE SECOND STORY.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this Subpoena with you, and give it to the officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE. 6246

In the Name of the People of the State of New York.

To Bernard Hoffman

of No. 177 Suffolk Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the New Criminal Court House on Centre Street, between Franklin and White Streets, in the City of New York, on the 18 day of DECEMBER, 189X, at the hour of 10.30 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Nathan Goldstein

Dated at the City of New York, the first Monday of DECEMBER,

in the year of our Lord 189X

JOHN R. FELLOWS, *District Attorney.*

GLUED PAGE

0263

POOR QUALITY ORIGINAL

Court of General Sessions.

2280

THE PEOPLE

vs.

Nathan Goldstein

County of New York, ss:

Abraham Maas being duly deposes and says: I reside at No. 153 Broome

Street, in the City of New York. I am a Subpoena Server in the office of the District Attorney of the

City and County of New York. On the 17<sup>th</sup> day of December 1894

I called at 127 Suffolk Street

the alleged Residence of Bernard Hoffman the complainant herein, to serve him with the annexed subpoena, and was informed by

Mrs Cohen, Housekeeper of Premises, that Bernard Hoffman did not reside there during her term as Housekeeper which was for the past three months. I also inquired from other tenants none of them knew him to have resided there. I called them several times and was unable to find him.

Sworn to before me, this 18 day of December 1894, John J. Madden Com. of Deeds N.Y.C.

Abraham Maas Subpoena Server.

state was early to the District Attorney, in the Court. If ill when served, please send timely word to the District Attorney's Office. If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

**POOR QUALITY ORIGINAL**

0264

**Court of General Sessions.**

THE PEOPLE,  
ON THE COMPLAINT OF

*Ronald Hoffman*

vs.

*Bethan Goldstein*

Offense,

**JOHN R. FELLOWS,**

*District Attorney.*

Affidavit of

*Abraham Naas*

*Subpoena Server.*

**FAILURE TO FIND WITNESS.**

**POOR QUALITY ORIGINAL**

0265

N. Y. Court of General Sessions.

:-----X  
 The People &c.,                   )  
                   -vs-                   )  
 Nathan Goldstein.               )  
 :-----X

City and County of New York, ss:- Harry Roberts being duly  
 sworn deposes and says; That he is engaged in the business of  
 crockery and house furnishing goods at Number 43 Hester Street  
 in this city. He has known the above named defendant Nathan  
 Goldstein for the last past five years and during all of that  
 time has known him to be a hard working, industrious and  
 honest citizen of the community.

Sworn to before me this            )  
 17th day of December 1894.        )  
   )  
*Joseph W. Public*  
*Notary Public*

*Harry Roberts*



**POOR QUALITY  
ORIGINAL**

0267

N. Y. Court of General Sessions.

```

:--:--:--:--:--:--:--:--:--:--:--:--:--X
The People &c., )
               )
  -vs-         )
Nathan Goldstein. )
               )
:--:--:--:--:--:--:--:--:--:--:--:--:--X

```

City and County of New York, ss:- Abraham Amstar being duly sworn deposes and says; That he is engaged in the business of tailor at Number 18 Suffolk Street in this city. He has known the above named defendant Nathan Goldstein for the last past five years and during all of that time has known him to be a hard working industrious and honest cotizen of the community.

Sworn to before me this )  
17th day of December 1894. )

*Abraham Amstar*

*Abraham Amstar*  
Notary Public  
*NYC*

City and County of New York, S.S.

Paul Fisher being duly sworn says: I reside at No. 197 Division St. in this city and was a member of the Rothschild Young Brothers and Sisters Benefit Association and am acquainted with the defendant Nathan Goldstein and the complainant Bernard Hoffman. I met Hoffman about three or four months ago - he said that he knew Goldstein was innocent and that he would not bother any more about the case as he knew that the other three defendants were the guilty ones. I told Mr Stecker of this and last Thursday at his request I searched for the complainant Hoffman where he formerly was accustomed to be and made inquiries as to his whereabouts about but without succeeding in finding him or any trace of him.

The society above spoken of has gone out of existence for a year at least and during that period we have had no meetings or social gatherings.

Paul Fisher

known to Fisher on Nov 17  
 day of December 1937  
 Randolph B. Macaulay  
 Attorney at Law  
 N.Y.C.

POOR QUALITY  
ORIGINAL

0269

City and County of New York, N.Y.  
~~Paul Fisher being duly sworn says: I know that the defendant keeps a barber shop in 102<sup>nd</sup> St between Second and Third Avenues.~~

City and County of New York } S.S.  
duly sworn says: I live at No. 104 Allard  
St. in this city - I am acquainted with  
the complainant Bernard Hoffman and with  
the defendant Nathan Goldstein - About  
eight or nine months ago I saw the  
complainant Hoffman - he said that  
he never would go against Goldstein  
as he knew that he was innocent  
and that the others were the guilty  
persons - I told this to Mr.  
I took her and upon his asking me I  
looked for the complaint Hoffman since  
last Thursday, but have not been  
able to find him.

Sworn to before me  
this 17<sup>th</sup> day of Dec 1894.  
Randolph B. Martine  
Notary Public  
N.Y.Co.

Jacob Wrensky

POOR QUALITY  
ORIGINAL

0271

Count of General Sessions  
The People vs

against

Nathan Goldstein

et al.

Grand Jury Finding

**POOR QUALITY  
ORIGINAL**

0272

1707

I, JOHN F. CARROLL, Clerk of the Court of General Sessions of the Peace, and Clerk of the Court of Oyer and Terminer held in and for the City and County of New York (each being a Court of Record and having a Common Seal), do hereby certify that the annexed is a copy of

*An Undertaking to answer*

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom and of the whole of such original.



GIVEN UNDER my hand and attested by the seal of the said Court this *3<sup>rd</sup>* day of *November* in the year of our Lord one thousand eight hundred and ninety-*four*

3d Vol. 2. 5. 5th Ed., § 74. p. 687.

*John F. Carroll*

POOR QUALITY ORIGINAL

0273

District Police Court

CITY AND COUNTY }  
OF NEW YORK, } ss.

An order having been made on the 17 day of May 1893 by  
Charles H. Taintor Police Justice of the City of New York. That  
Nathan Goldstein be held to answer upon a charge of

Barony (fornary)

upon which he has been duly admitted to bail in the sum of five Hundred Dollars.

We, Nathan Goldstein Defendant of No. 42 Norfolk

Street; Occupation barber and  
Max Hochstein of No. 172 Suffolk Street;

Occupation Restaurant Keeper Surety, hereby undertake jointly and severally  
that the above-named defendant shall appear and answer the charge above-

mentioned, in whatever Court it may be prosecuted; and shall at all times render him self amenable to the orders  
and process of the Court; and if convicted, shall appear for judgment, and render him self 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 17<sup>th</sup>  
day of May 1893

Nathan Goldstein  
Max Hochstein

Charles H. Taintor POLICE JUSTICE.

**POOR QUALITY ORIGINAL**

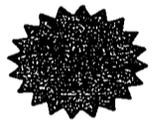
0274

State of New York,  
CITY AND COUNTY OF NEW YORK, } ss.

1417

I, Mary Hochstein the surety mentioned  
in the annexed undertaking to answer, do hereby authorize and empower any  
Policeman of the City of New York, or Henry Goldsmid  
or either of them, in my name, place, and stead, to take, seize and  
surrender the said Nathan Goldstein (in the said  
undertaking held as defendant,) to the Court wherein he is bound to  
appear for trial, or deliver him to the custody of the authorities of said city  
and county, in my exoneration as surety therein.

Dated Nov 11 1892

Mary Hochstein Surety. 

**POOR QUALITY ORIGINAL**

0275

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Nathan Goldstein*

*Undertaking to Answer.*

Taken the *14* day of *May* 188*9*

*Justice.*

Filed *16* day of *May* 188*9*

*Copy*

*Police Justice.*

188

of

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

Hundred Dollars,

POOR QUALITY  
ORIGINAL

0276

505

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against  
Philip Friedman, Jacob  
Oberstein, Nathan  
Goldstein and Sussie Isaacs

The Grand Jury of the City and County of New York, by this indictment, accuse  
Philip Friedman, Jacob Oberstein,  
Nathan Goldstein and Sussie Isaacs  
of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed  
as follows:

The said Philip Friedman, Jacob Oberstein,  
Nathan Goldstein and Sussie Isaacs, all  
late of the City of New York, in the County of New York aforesaid, on the fifteenth  
day of April in the year of our Lord one thousand eight hundred and  
ninety-three, at the City and County aforesaid, with force and arms,

the sum of three hundred dollars  
in money, lawful money of the  
United States of America, and  
of the value of three hundred  
dollars

of the goods, chattels and personal property of ~~one~~ a certain corporation, known  
as the Rothschild Young Brothers and Sisters Benevolent Association

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.

POOR QUALITY  
ORIGINAL

0277

Second COUNT:—

510

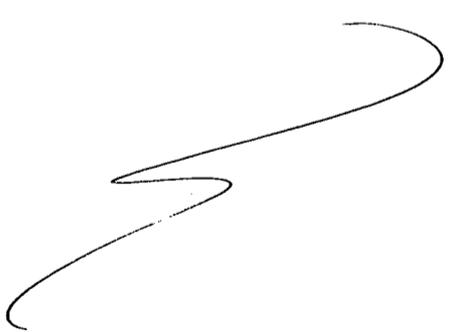
AND THE GRAND JURY AFORESAID, by this indictment further accuse

the said *Philip Friedman, Jacob Oberstein,*  
*Nathan Goldstein and Gussie Isaacs*

of the CRIME OF GRAND LARCENY IN THE *second*  
DEGREE, committed as follows:

The said *Philip Friedman, Jacob Oberstein, Nathan Goldstein and Gussie Isaacs*, all late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *April* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

*the sum of three hundred dollars in money, lawful money of the United States of America, and of the value of three hundred dollars*

  
of the goods, chattels and personal property of ~~one~~ *a certain corporation*

*known as the Emigrant Industrial Savings Bank*

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.

*Third* COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further accuse  
the said *Philip Friedman, Jacob Oberstein,*  
*Nathan Goldstein and Gussie Isaac*  
of the CRIME OF GRAND LARCENY IN THE  
DEGREE, committed as follows:

The said *Philip Friedman, Jacob Oberstein, Nathan Goldstein and Gussie Isaac*, all late of the City of New York, in the County of New York aforesaid, on the day of *April* in the year of our Lord one thousand eight hundred and ninety-*three*, at the City and County aforesaid, with force and arms,

*the sum of three hundred dollars in money, lawful money of the United States of America, and of the value of three hundred dollars*

of the goods, chattels and personal property of ~~one~~ *certain one*, —

*Bernard Hoffman* —

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.

*De Launcey Nicoll,*  
*District Attorney*

0279

**BOX:**

521

**FOLDER:**

4745

**DESCRIPTION:**

Frische, Charles

**DATE:**

05/05/93



4745

**POOR QUALITY ORIGINAL**

0280

No 58  
Counsel,  
Filed 5 day of May 1893  
Plends,

Grand Larceny, second Degree,  
[Sections 829, 837, Penal Code.]

THE PEOPLE,

vs.

Charles Frische

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Char. Frische Foreman.  
Jan 8 1893  
Filed 2 day  
At over of Refuss

Witnesses:  
Christian Frische

**POOR QUALITY  
ORIGINAL**

0281

Court of

General Sessions

The People

vs

Charles Fische

PENAL CODE, <sup>vs</sup>

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

**ELBRIDGE T. GERRY,**

*President, &c.,*

No. 297 Fourth Avenue,

Corner East 23d Street,

NEW YORK CITY.

**POOR QUALITY ORIGINAL**

0282

Court of

General Sessions

The People

vs

Charles Fricke

Grand Jurors

PENAL CODE, ss

Report of the New York Society  
for the Prevention of Cruelty  
to Children.

**ELBRIDGE T. GERRY,**

*President, &c.,*

No. 297 Fourth Avenue,

Corner East 29th Street,

NEW YORK CITY.

**POOR QUALITY ORIGINAL**

0283

*Court of General Sessions*  
*The People*

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

V S

No. 297 FOURTH AVENUE,  
(Corner East 23d Street.)

*New York, May 4<sup>th</sup> 1893*

*Charles Frische*

CASE NO. *72127* OFFICER *Schmitt*  
DATE OF ARREST *May 1<sup>st</sup>*  
CHARGE *Grand Larceny*

AGE OF CHILD *15 years*

RELIGION *Prot*

FATHER *Frederick Frische dead*

MOTHER *Christina Frische*

RESIDENCE *422 - E - 76 st*

AN INVESTIGATION BY THE SOCIETY SHOWS THAT *The boy*  
*had served a term in the Snake Hill*  
*Prison for Larceny, committed in Jersey City*  
*about 1 1/2 years ago, but he has been working*  
*steady of late, and he has a good home.*  
*Society's records show nothing*  
*against boy.*

*All which is respectfully submitted,*  
*O. Holloway*  
*Dist*

*To Dist. Atty*

POOR QUALITY ORIGINAL

0284

(1365)

Police Court— 4 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 422 East 76<sup>th</sup> Street, aged 50 years,  
Christiana Fisher  
occupation... Housekeeper  
being duly sworn,

deposes and says, that on the 29 day of April 1893 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:

50 fifty dollars gold and lawful money of the United States

Sworn to before me, this

of 1893

the property of Sophie Schroeder and in deponent's care and custody

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 Charles Fisher (now here) for the reason that on said date deponent missed the said property from her bureau in the aforesaid premises and deponent admitted to her in the presence of Officer Edgar Douglas of the 25<sup>th</sup> Precinct that he stole the said money. Wherefore deponent charges the deponent with the larceny of the same.

William Griffin

Police Justice



POOR QUALITY ORIGINAL

0286

Sec. 198-200.

4 District Police Court. 1882

City and County of New York, ss:

Charles Fisher

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 a 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. Charles Fisher

Question. How old are you?

Answer. 18 years

Question. Where were you born?

Answer. Germany

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

Answer. 422 East 76th Street. 4 Weeks

Question. What is your business or profession?

Answer. Paper box worker

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 guilty.

C. Fisher

Taken before me this

1892  
Police Justice

**POOR QUALITY ORIGINAL**

0287

BAILIED,

No. 1, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street

Police Court... 4 District... 486

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
John James Tully  
422 E. 36th St.  
Charles Tucker  
Grand Larceny

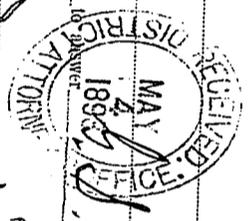
Offense \_\_\_\_\_

Dated, May 2 1893

Magistrate  
Joseph 93-1  
Officer

Witnesses  
Edgar Douglas  
No. 205th Street  
Friedrich Schmidt  
No. 297-4th Street

No. 1000 Street  
JMS  
cp 2



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 \_\_\_\_\_

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, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offense within mentioned, I order h to be discharged.

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0288

505

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 Frische*

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

*Charles Frische*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

*Charles Frische*

late of the City of New York, in the County of New York aforesaid, on the *29th* day of *April* in the year of our Lord one thousand eight hundred and ninety *three*, at the City and County aforesaid, with force and arms,

*the sum of fifty dollars in money, lawful money of the United States of America, and of the value of fifty dollars*

of the goods, chattels and personal property of one

*Sophie Schroeder*

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.

*De Lancey Ricoll*  
*District Attorney*