

0009

BOX:

180

FOLDER:

1816

DESCRIPTION:

Pearson, Charles

DATE:

06/19/85



1816

7-20-1944

Counsel,

Filed 19 day of June 1888

Pleads

Grand Larceny 2nd degree [Sections 628, 68 Penal Code]

THE PEOPLE

vs.

E

Charles Pearson

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

A. M. Kirby Foreman

Guilty
Starkford

Witnesses:

Thos. Mides M. D.

0011

Police Court— 2 District.

Affidavit—Larceny.

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

Thomas Aldes

of No. 55 West 51 Street, aged 46 years,

occupation Mercantile being duly sworn

deposes and says, that on the 4th day of June 1885 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 Seasonal Dress suit consisting of coat, pants & vest of the value of Forty-six dollars \$46-
- One Morning Process of the value of Fifteen dollars 15-
- One Self Umbrella of the value of Two dollars 2-
- One Ruby & Diamond Leaf ring of the value of Sixty dollars 60-
- One Copied Irony Leaf pin of the value of Five dollars 5-
- One Pair Ivory (Morse) Buttons of the value of Two dollars 10-
- One Gold & Platinum Tooth pick of the value of Five dollars 5-
- One Engraved Gold pen & pencil case of the value of Ten dollars 10-
- One Allegator Skin Bag case of the value of Three dollars 3-
- the property of One Allegator Skin Hat box of the value of One dollar 1-
- One Smith & Wesson Revolver of the value of Fifteen dollars 15-
- All of value of One hundred & Twenty-two dollars \$172

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 Charles Lemmon (now here) for the reason that about the hour of 1 o'clock on the above date deponent left his residence at the above address and left the defendant who was in his employ as a servant at work in the house; that about the hour of 7.45 o'clock on the same day deponent returned to his residence and found that the said Charles Lemmon had disappeared and that the above described property was missing.

Deponent further says that he has been informed by Officer Michael Casey, Detective Officer of the 19th Precinct that the defendant acknowledged and confessed to him that he had taken the above described property and had pawned the same; and also that he had found a portion of the above described property which had been taken at the time & in the manner above described viz One Allegator Skin

Sworn before me, this 17 day of June 1885
W. Duffey
Police Justice.

0012

log case, in the possession of the defendant after his arrest
New York Department - Charles the said Charles Pearson with
feloniously taking, stealing & carrying away the above
described property

C. W. Niles

Arrested by me this

17 day of June 1885

J. G. Coffey
Police Justice

Dated 1885 Police Justice

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

Dated 1885 Police Justice

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

Dated 1885 Police Justice

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

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

Police Court, District

THE PEOPLE, &c.,
on the complaint of

Offence—LARCENY.

1
2
3
4

Dated 1885

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

to answer

Sessions.

0013

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 80 years, occupation Michael Casey Policeman of No. 29th Street

says, that he has heard read the foregoing affidavit of Thomas Mulder

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

Sworn to before me, this 11 day of June 1885

Michael Casey
P. J. Duffy Police Justice.

Answer: I am guilty

Charles Pearson

Taken before me this 11 day of June 1885
P. J. Duffy Police Justice.

0014

CORRECTION

0015

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 80 years, occupation Michael Casey of No. Policeman

29th Street Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Thomas Aldes

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

Sworn to before me, this 17 day of June 1885

P. J. Duffy Michael Casey
Police Justice.

0016

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

2 District Police Court.

Charles Pearson 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. Charles Pearson

Question. How old are you?

Answer. Twenty Years

Question. Where were you born?

Answer. New York City

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

Answer. No 118 East 11 St. Six Years

Question. What is your business or profession?

Answer. Servant

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

Charles Pearson

Taken before me this

day of

1885

Wm. J. Kelly

Police Justice.

0017

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

Charles Pearson

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Seven* 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 *June 17* 188*5* *J. G. Duffy* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0018

612

Police Court-- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Aldis
35 West 91 St
1 Charles Crosson
2
3
4

Offence Domestic Violence

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated June 17 188 5

Patrick J. Duffy Magistrate.

Michael Barry Officer.

69 Precinct.

Witnesses Charles Single

No. Pamphlet George W. S. D. & Co. Barney

Storn

No. 57 1/2 West 91 St Street,

Mary M. Barry

No. 85 West 91 St Street.

\$ 400 to answer Paul Sessions.

Carroll

0019

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 Pearson

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

Charles Pearson

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

The said *Charles Pearson,*

late of the First Ward of the City of New York, in the County of New York aforesaid on the *fourth* day of *June,* in the year of our Lord one thousand eight hundred and eighty-*five*, at the Ward, City and County aforesaid, with force and arms,

one coat of the value of twenty five dollars, one vest of the value of seven dollars, one pair of trousers of the value of fourteen dollars, one overcoat of the value of fifteen dollars, one umbrella of the value of two dollars, one scarf ring of the value of sixty dollars, one scarf pin of the value of two dollars, two sleeve buttons of the value of five dollars each, one tooth pick of the value of five dollars, one pen and pencil case of the value of ten dollars, one cigar case of the value of three dollars, one match box of the value of one dollar, and one pistol of the value of fifteen dollars, —
of the goods, chattels and personal property of one *Thomas Wilder,*

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.

Randolph B. Martinie,

District Attorney.

0020

BOX:

180

FOLDER:

1816

DESCRIPTION:

Peterson, Knied

DATE:

06/12/85



1816

No 132

Day of Trial, *May 12th 1880*
Counsel, *Wm. G. Garry*
Filed *June 15th 1880*

Pleas *Not guilty*

THE PEOPLE

vs.

B

Oliver Peterson

Violation of Excise Law.
Selling without License.

Wm. G. Garry
District Attorney.

A TRUE BILL.

Wm. G. Garry

June 23, 1880 Foreman.

Please as guided

June 19th

Wm. G. Garry

Witness:

Officer Corcoran

I recommend that judgment be suspended, as the defendant will leave the country for his native land (Norway) at once, and because I am satisfied that the transgression was committed through sheer ignorance of our laws.

Wm. L. Bedford
A. D. C.

0022

Sec. 198-200.

34 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss

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

Question. What is your name?

Answer. *Kenneth Peterson*

Question. How old are you?

Answer. *30 years*

Question. Where were you born?

Answer. *Norway*

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

Answer. *135 Cherry Street ten days*

Question. What is your business or profession?

Answer. *Saloon Keeper*

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 and I demand a trial by Jury*

Kenneth Peterson

Taken before me this

day of *March* 188*5*

William J. ...
Police Justice.

0023

Excise Violation—Selling Without License.

POLICE COURT— 34 DISTRICT.

City and County }
of New York, } ss.

of No. the 7th Precinct Police Cornelius Leary Street,
of the City of New York, being duly sworn, deposes and says, that on the 3^d day
of April 1885, in the City of New York, in the County of New York, at
No. 115 Cherry Street,
Kenneth Peterson (now here)

did then and THERE SELL, CAUSE, suffer and permit to be sold, under his direction and authority,
strong and spirituous liquors, wines, ale and beer, being intoxication liquors, in quantities less than
five gallons at a time, to be drunk in the house or premises aforesaid WITHOUT HAVING A
PROPER LICENSE THEREFOR contrary to and in violation of the statute in such case made
and provided and that the defendant
sold a glass of beer to the deponent
and received the money for said
glass of beer.

WHEREFORE, deponent prays that said Kenneth Peterson
may be arrested and dealt with according to law.

Sworn to before me, this 4 day }
of April 1885 } Cornelius Leary

John J. Hanna Police Justice.

0024

Police Court, 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Samuel Deary
vs.
James Peterson

EXCISE VIOLATION.
SELLING WITHOUT A LICENSE.

Dated 9 day of April 1885

James Peterson Magistrate.

James Peterson Officer.

Witness, *John J. Plance*

By *John J. Plance* Sessions.
Filed 8 10 1885

By *James Peterson* 135 6th St.

The Mayor with City Clerk
Charles L. ... of reports annexed

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

James Peterson guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of one 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 7 1885 *John J. Plance* Police Justice.

I have admitted the above named *James Peterson* to bail to answer by the undertaking hereunto annexed.

Dated April 7 1885 *John J. Plance* Police Justice.
There being no sufficient cause to believe the within named *James Peterson* guilty of the offence within mentioned, I order he to be discharged.

Dated April 7 1885 *John J. Plance* Police Justice.

0025

At a Court of General Sessions of the Peace in
and for the City and County of New York,
on the 24 day of June A. D. 1885

Present,

Hon Henry A. Goldbeck
OF THE CITY OF NEW YORK.

Judge
Justice of the
Sessions.

THE PEOPLE OF
THE STATE OF NEW YORK,
against

David Peterson

On indictment for Violation of
Excise Law

An order of Police Justice having been
granted, admitting the Defendant to bail in the sum
of One hundred dollars, and the Defendant having
deposited the said sum of money with the County Treasurer
of New York, in lieu of bail.

And it appearing that the said Defendant has
appeared in Court, pursuant to the condition of the said
order of bail and having pleaded guilty to
the indictment, and judgment being suspended
by the Court,

By consent of the District Attorney, It is Ordered,
that the County Treasurer be and he is hereby directed
to refund the said money deposited as aforesaid to the
David Peterson who deposited said money for
said Defendant.

H. A. Goldbeck
J. C. S.

I consent to the entry of the above order.

Samuel J. Redfern
District Attorney.

Dated June 24 1885

0026

New York Court General Sessions

THE PEOPLE OF THE STATE OF NEW YORK

against

David Peterson

ORDER REFUNDING MONEY DEPOSITED
IN LIEU OF BAIL.

To THE COUNTY TREASURER,
City and County of New York.

Filed June 24 1885.

0027

Court of General Sessions of the Peace

OF THE CITY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Amiel Peterson

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

of the CRIME of *Selling Spirituous Liquors without a License*, committed as follows :

The said *Amiel Peterson*

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *third* day of *April*, in the year of our Lord one thousand eight hundred and eighty *five*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to *Randolph Seary*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

Randolph Seary

~~JOHN SEARY~~ District Attorney.

0028

BOX:

180

FOLDER:

1816

DESCRIPTION:

Pierce, Robert

DATE:

06/12/85



1816

720.66 B

White N. [unclear] Counsel,
Filed [unclear] 1888
Pleads, Am. July 15

Grand Larceny, 2nd Degree.
(From the Person.)
Sections 528, 531, Penal Code.

THE PEOPLE

vs.

For Punishment
Robert Price

July 15/88

Speedy Trial
RANDOLPH B. MARTINE,
District Attorney.

Adj. Gen. Court
and on [unclear] Calendar
ALL Done

A True Bill.

[Signature]
Foreman
July 15
[Signature]
9-10

Witnesses:

0030

Police Court— 4 District.

Affidavit—Larceny.

City and County } ss.:
of New York,

of No. Edward J Ward Street, aged 37 years,

occupation Liquor Dealer being duly sworn

deposes and says, that on the 30th day of May 1883 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:

A gold watch and chain
with gold locket attached thereto
collectively of the value of four hundred
dollars

the property of Deponent

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

Robert Pierce now present from the fact that on the morning of said day deponent was a passenger on a Sixth Avenue Surface Railroad Car on which car the defendant was a conductor

that he came to where this deponent was sitting and telling deponent that there were thieves in the car and that said property was in danger while they remained. He took from deponent's possession and person the aforesaid property for safe keeping as he then told deponent but he has since refused to return the property and denied having taken it. Deponent therefore charges the defendant with the larceny of the aforesaid property.

Edward J Ward

Sworn to before me this 30th day of May 1883
John Robinson
Police Justice.

0031

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK

CD District Police Court.

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

Question What is your name?

Answer

Robert Pierce

Question How old are you?

Answer

26 years

Question. Where were you born?

Answer.

Burlington Vermont

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

Answer.

756-6th Avenue

Question What is your business or profession?

Answer

Conductor

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 I never saw the
property referred to and did not know
that the Complainant had such property
Robert Pierce

Taken before me this

day of May 1888

Sam W. Thompson

Police Justice.

0032

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

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

Dated May 30 1888 Henry H. ... Police Justice.

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

Dated _____ 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

0033

Handwritten scribbles and signatures at the top left of the page.

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court _____ District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

Edward Ward
20 Deage St
Robert Pierce

1 _____
2 _____
3 _____
4 _____

JUN 1 1885

3-95
Office *John...*

Dated *May 31st* 1885

McQuay Magistrate.
Thomas Brady Officer.
19 Precinct.

Witnesses *John Cooper*
No. *500 W. 46* Street.

Mrs. Cooper
No. *500 W. 46* Street.

No. _____ Street.

to answer
John D. et al vs. Alice
et al

0034

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Robert Pierce

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

Robert Pierce

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

The said *Robert Pierce*,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the *thirtieth* day of *May* in the year of our Lord one thousand eight hundred and eighty *five*, in the *day* time of the said day, at the Ward, City and County aforesaid, with force and arms,

one watch of the value of three hundred and fifty dollars, one chain of the value of thirty dollars, and one pocket of the value of twenty dollars,

of the goods, chattels and personal property of one *Edward of Ward,* on the person of the said *Edward of Ward,* then and there being found, from the person of the said *Edward of Ward,* 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.

Randolph Martin,
District Attorney.

0035

BOX:

180

FOLDER:

1816

DESCRIPTION:

Pope, Charles

DATE:

06/04/85



1816

No 30

H.C. Beach

Counsel,

Filed 4 day of June 1885

Pleas in Equity of

THE PEOPLE

vs.

Charles Pope

ASSAULT IN THE FIRST DEGREE, ETC.
(Sections 217 and 218 Penal Code).

RANDOLPH B. MARTINE,

District Attorney.

Spelled

A True Bill.

A.M. Morby

Foreman.

Witness appeared
in Court 19th June 1885

Witnesses:

James McLeod

Henry Thompson

James O'Hall

Officer Dennis O'Hara
27 Court.

0037

Police Court Second District.

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

of No. 123 West Third Street, aged 29 years,
occupation Brass finisher being duly sworn
deposes and says, that on the 26th day of May 1885 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Charles
Pope Crow here, who wilfully and
maliciously cut and stabbed deponent
three times on the back and twice
on the right arm with a knife, which
he the said Pope held in his hand, inflicting
painful and dangerous wounds
Deponent charges the said Pope with
assaulting him as aforesaid

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

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

Sworn to before me, this 28th day }
of May 1885 } James Wilson

John Smith
Police Justice.

0038



For.....

May 27

This is to certify that
 Jas. Wilson was admitted
 to No. 15, Bellevue Hosp. on Tuesday
 May 26, 85. He was brought
 by a private ambulance - He told me
 that he had a small
 cut on his hand which was
 by the surgeon. I directed
 him to take a bath &
 go to bed. He refused
 to do either & said he
 preferred leaving the

Date.....

M.D.

0039

hospital. He was three-
ore discharged. + walked
out.

G. de N. Hough M.D.
Horse Surgeon

0040

James Wilson being duly sworn
deposes and says Cross Examined
I am employed at 109 Trovater
Street and have been employed there
11 years and have worked there continuously
for 11 years. a day and a half or two
days is the longest period that I was
absent from work with that firm
that I was employed with during
the 11 years. This assault took
place on the 26th of May between
the hours of ¹¹ 10⁰⁰ AM and the morning
as I was going to work, number 123
N 3rd St is between 6th Avenue and
5th Avenue all streets I was alone at
the time the assault on me was
committed. This assault was committed
on Houston Street, corner of 5th Avenue
about 20 to 30 feet from the corner I
was assaulted. I was in 5th Avenue
beginning Stone South 5th Avenue & Houston
Street before the assault took place
I had no conversation with anybody
in the liquor store I only drank while
in the saloon a glass of Seltzer, I saw
the prisoner in the liquor store and
I spoke to him, and asked him what

0041

He was asking there if he was following
me around. ^{and} he said no. ^{and} I walked
out ^{and} he followed me, I didn't say
to him that I had met him six months
before when he had ^{said} something to me
that I had been ^{and} was going to
fix him before he left that block.
I left the saloon by the Houston Street
entrance, I had my breakfast before
I left my house that morning
there is a restaurant near the Saloon
I didn't go in there after I left the
saloon. It is not true that the prisoner
went out first ^{and} I followed him
into the restaurant; there were other
people on the street at the time I
cannot say how many. When I was
stabbed the prisoner was on top of me
I think he stabbed me while I was standing
up ^{and} I fell and he got on top of me.
I am positive I was not on top of
him at any time I didn't know
the prisoner to speak to, ^{and} I say without
any cause or provocation he followed
me out of the saloon ^{and} stabbed me
the bartender ^{and} the prisoner ^{and} a boy ^{are} the
only persons I saw in the saloon
I saw no colored man there.

0042

after I was cut I was taken to St Vincent's
Hospital and from there to Bellevue
Hospital and was placed in charge of
a doctor, I did not see the doctor, the
doctor directed the person who was
in charge of me to ^{give me} take a bath
which I refused to do. and I said I
wanted to go home. and I was told to
go home. saying I would take all
the responsibility on myself;

To view to before me }
This 28th day of May 1955 } James Wilson
Solon D. Murray

Police Justice

0043

Reminis O'Hara being duly
paid expenses and pay.

I am an officer attached to the 7th
precinct police on the morning
of the 26th of May about the hour
of half past six I was coming through
South 5th Avenue and on the corner
of Houston Street and 5th Avenue I
saw a crowd of people on the
street. And I went to see what was
the matter and I saw Wilson and the
prisoner rolling around the street
and fighting with each other, I did not
see Wilson on top of the prisoner
but I did see the prisoner on top
of Wilson. When separated Wilson
said I am stabbed and told him to
take off his coat and his shirt was
punctured with blood, I asked where
the knife was and a young man
said a fellow here is the knife
he handed me the knife and I took
Wilson and the prisoner to the Station
house the parties made no state-
ment to me about how the
scuffle occurred the prisoner
said he had a conversation with

0044

Thompson but it was not his
fault. I saw the bar tender of the
Keever's Saloon and had a conversation
with him, and he told me there was
a colored man in there with
the prisoner, at the time, ^{and} before the
flight occurred.

Given to before me } Dennis O'Hara
this 28th day of May 1885 }
Solomon S. Smith

Peace Justice

0045

Sec. 198-200

CITY AND COUNTY OF NEW YORK, ss.

Second District Police Court.

Charles Pope

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. *Charles Pope*

Question. How old are you?

Answer. *21 years*

Question. Where were you born?

Answer. *State of New Jersey*

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

Answer. *141 Hudson street, N.Y. about 2 months*

Question. What is your business or profession?

Answer. *Horse Jockey*

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, and demand an examination what I did was in self defense when attacked by complainant and others*
Charles Pope

Taken before me this

28

Day of
Robert A. [unclear]
Justice.

0046

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } es: POLICE COURT, Second DISTRICT.

Dennis O'Hara

of No. the 27th Precinct Police ~~Street~~, being duly sworn, deposes and says,

that on the 26th day of May 1885

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

Charles Pope (now here), who was identified by James Wilson in the presence of deponent, as the person who violently and feloniously assaulted him on said date. That said Pope cut and stabbed the said Wilson four times on the body and once on the right arm with a knife which he the said Pope held in his hand. That the said Wilson is now confined in Bellevue Hospital suffering from the injuries inflicted as aforesaid and unable to appear in Court to make a Complaint —

Wherefore deponent prays that said Pope be committed to await the result of injuries done to said Wilson

Sworn to before me Dennis O'Hara
this 26th day of May 1885

Henry J. White
Police Justice

0047

Police Court 2 District.

THE PEOPLE, &c,
ON THE COMPLAINT OF

James Wilson
123 W 3rd St

Charles Pope

2
3
4

Office Jelmarus
Nov and

Dated May 28 1885

Smith Magistrate.

Denis O'Hara Officer.

139 Precinct.

Witnesses Edw. Scoppa

No. 139 Street.

9 de N. 26th

No. Bellevue Bellevue Hospital

Map 27 James Neill

No. 12 Congress St. Newark Street.

\$ 500 to answer G. J.

Daniel McFarlane

202 Greene St

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

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 May 28 1885 Solomon S. Smith Justice.

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

Dated May 28 1885 Solomon S. Smith Police Justice.

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

Dated May 28 1885 Solomon S. Smith Police Justice.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0048

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 Page

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

Charles Page

of the Crime of ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Charles Page,

late of the City of New York, in the County of New York aforesaid, on the twenty-sixth day of May, in the year of our Lord one thousand eight hundred and eighty-five, with force of arms, at the City and County aforesaid, in and upon the body of one James Wilson, in the peace of the said People then and there being, feloniously did make an assault and ruin the said James Wilson, with a certain knife

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

with intent ruin the said James Wilson, thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said Charles Page of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Charles Page,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of one James Wilson, in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and ruin the said James Wilson, with a certain knife

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

THIRD COUNT--

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

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

The said Charles Page,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of one James Wilson,

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make an assault, and ~~him~~ the said James Wilson,

in and upon the back and right arm of ~~him~~ the said James Wilson, did then and there feloniously, wilfully and wrongfully strike, beat, ~~beat, cut,~~ bruise and wound, and did thereby then and there feloniously, wilfully and wrongfully inflict upon ~~him~~ the said James Wilson, grievous bodily harm, to the great damage of the said James Wilson, 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.

RANDOLPH B. MARTINE,
District Attorney.

0050

BOX:

180

FOLDER:

1816

DESCRIPTION:

Postel, William F.

DATE:

06/09/85



1816

No. 92

Counsel,
Filed *June* 1885
Pleads

THE PEOPLE

vs.

F
William F. Postel

Grand Larceny in the
(MONEY)
degree.
(Sec. 528 and 534, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

R. B. Martine
Francis J. ...
Foreman
S. P. ...

Witnesses

Josiah L. Hunt
290 Washington St.

0052

New York. June 6.

1885.

Hunt, Esq.

Please pay on this
letter \$35.

I got 2 men
with me here, which
I am going to take
along too to Charleston.

So I am short of
that amount, and
my account with you
will be \$85. Respectfully.

Yours obliged
A. V. Postel

0053

No. 44.

NIGHT MESSAGE THE WESTERN UNION TELEGRAPH COMPANY

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sender. The company will not be held liable for errors or delays in transmission or delivery of Unrepeated Night Messages, sent at request and beyond a sum of ten times the amount paid for transmission; nor in any case where the claim is not presented in writing within thirty days after sending the message. This is an UNREPEATED NIGHT MESSAGE, and is delivered by request of the sender under the conditions named above.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

NUMBER	SENT AT	RECD AT	CHECK
94	11 24	1890d	rite

Received at the WESTERN UNION BUILDING, 195 Broadway, N. Y. June 3 1885

Date Charleston S C
To Hunt Voorhees 298 Washington St

D.V.P. has not been
in New York in two years the
man representing him is a fraud
J. D. Leroy, Jr.

0054

Police Court Frist District.

Affidavit—Larceny.

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

of No. 298 Washington Street, aged 50 years,
occupation Produce dealer being duly sworn

deposes and says, that on the about 1st day of June 1885 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:

Goods and lawful money
of the amount and value
of fifty dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by William F Postel (now here) under the following circumstances to wit. On or about June 1st 1885 said Postel came to deponent's store, and falsely represented to deponent that he was a man named William D. V. Postel and that he lived in Charleston South Carolina; and that he was short of money and asked deponent to let him have the above sum of fifty dollars and that he would return it to deponent when he returned.

Sworn to before me, this
day

188

Police Justice.

0055

to Charleston. Deponent had seen said Postel in Charleston and believed him to be said DV Postel and gave said money to said Postel. Deponent has received the annexed telegrams from his partner in Charleston which states that DV Postel the party whom said William F Postel represented himself to be has not been in the city of New York for two years last past. Said William F Postel has admitted and confessed to deponent that his name is not DV Postel and that he is not that person but that his name is William F Postel. Wherefore deponent charges said William F Postel with obtaining said money from deponent by means of said false representations and deponent prays he may be held to answer.

Josiah C Hunt

Dated 188

Police Justice

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

There being no sufficient cause to believe the within named

Dated 188

Police Justice

I have admitted the above named

to bail to answer by the undertaking hereto annexed.

Dated 188

Police Justice

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

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

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

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

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

Police Court, District

THE PEOPLE, &c.,
on the complaint of

1
2
3
4

Offence—LARCENY.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses, No. Street.

No. Street.

No. Street.

\$ to answer Sessions.

Josiah C Hunt
 Police Justice
 1/5/88

0056

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss

William J Postel 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 J Postel*

Question. How old are you?

Answer *26 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *New York*

Question What is your business or profession?

Answer *Farmer*

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. I did represent my self as my brother asen got the money*

W. J. Postel.

Taken before me this

Robert W. Smith
1885

Police Justice.

0057

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

William F Postel

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 *June 6th* 188*5* *Solon Smith* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0058

Police Court *584* *First* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Josiah C Hunt
298 Washington St
William F Postel

Offence
Grand
Larceny

2 _____
3 _____
4 _____

Dated *June 6* 188*5*

Smart Magistrate.
Dunn & Handy Officer.
5 Precinct.

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Witnesses _____
No. _____ Street.

No. _____ Street,

No. _____ Street.

\$ *500* to answer *q. s.* Sessions.

Con

0059

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 F. Postel

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

William F. Postel
of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *William F. Postel*,

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the *first* day of *June*, in the year of our Lord one thousand eight hundred and eighty *five*, at the Ward, City and County aforesaid, with force and arms, in the *day* time of the same day, *two* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars *each*; *five* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars *each*; *ten* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars *each*; *twenty* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars *each*; *thirty* promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar *each*; *one* promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars *—*; *three* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars *each*; *six* promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars *each*; and divers coins, of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of *fifty dollars*,

of the proper moneys, goods, chattels, and personal property of one *—*
~~on the person of the said~~ *Josiah C. Hunt*, *—* then and there being
found, ~~from the person of the said~~ *—* 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.

RANDOLPH B. MARTINE,
District Attorney.

0060

BOX:

180

FOLDER:

1816

DESCRIPTION:

Pudney, William H.

DATE:

06/12/85



1816

No 136

Counsel
Filed
pleads
day of
1887
McGee

THE PEOPLE
'08.
I
William H. Rudney
vs
James H. ...
District Attorney.

A True Bill.

A. M. ... Foreman
Selected for
Foreman of
Cape
S. L. ... 10

James ...
Officer Augustus ...
Sec. P. C. to C.
Mr James ...

0062

The New York Society for the
Prevention of Cruelty to Children

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

New York, June 10 1885

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

The People
against

William B. C. C.

Notice of Prosecution.

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

Sir: This Society is interested in the prosecution of
the above defendants, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail,
or final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1875, Chapter 130, Section 3), and in
furtherance of the ends of Justice.

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

N. Y. GENERAL SESSION

THE PEOPLE

against
William
H. Pudney

Case in Child
CRUELTY TO CHILDREN
Wm. & S. Sherman
Oct 10

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,
President, &c.

0064

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

The People
vs.
Wm. H. Pudney.

BRIEF FOR THE PEOPLE.

HISTORY OF THE CASE.

The prisoner is indicted for rape on a little girl Lizzie E. Speerschneider, aged 10 years. He is fifty years of age, married and the father of a family. He has been for two ~~years~~^{months} sexton of St. George's Protestant Episcopal Church in Rutherford Place in this City. In 1874 he was the janitor of Primary School No. 13 in Downing Street, near Bleecker, of which Miss M. Louise Roome was principal. In 1877 to 1878 complaint was made by Mrs. M. Broderick of indecencies committed by Pudney upon her daughter Maggie Broderick, and she brought her neighbor's child to school in support of her complaint. Pudney denied the charge.

In 1879 or 1880, Mr. Van Iderstine complained to Miss Roome that Pudney had attempted indecencies upon his daughter Ida Van Iderstine aged 10 years. Miss Roome confronted Pudney with the statement and the next day Pudney informed her that he had seen Mr. Van Iderstine and made it all right. In 1880 or 1881, another complaint was made to Miss Roome by another lady whose daughter attended the school of the like improper conduct by Pudney, but she did not report these charges to the school trustees, and in the spring of 1881 Pudney was made janitor of Grammar School No. 41 situated at No. 40 Greenwich Avenue.

0065

2

While at Grammar School No. 41 in 1881, the principal of which was Miss Lizzie Cavanagh, Pudney was observed by her and the teachers to continually hover about the girls' play room and to talk with them a great deal in the halls and about the stairs. He was seen especially in very familiar relations with one very pretty girl of frivolous character, and was advised by the principal Miss Cavanagh of the girl's character and requested to observe his proper position in the school. Miss Cavanagh shortly after saw him chasing a girl up stairs who had gone down during the session. She remonstrated with Pudney very sharply, adding that if she observed any such behavior in future and if he did not keep away from the girls, she would report him to the trustees. In 1882, complaint was made to Miss Cavanagh that Pudney had been guilty of indecencies towards her on more than one occasion. She thereupon made a formal written complaint against him to the school trustees. The girl appeared before them and repeated her statement without variation. Pudney denied everything. The trustees did not discharge him, but in 1884 he was discharged "for wilful disobedience of orders in refusing to make a fire."

The facts in the present case, are as follows: Lizzie Speerschneider with another little girl called Eva Michel on Whitsunday May 24, 1885, about 4 P.M., entered St. George's Church. On entering they met Pudney at the first seat in the main aisle and asked him if there was any service. He said No and he must lock the doors. They asked him to let them out. He told them not to be afraid and took them up the main aisle into the third or fourth seat of the choir to the left of the pulpit in the southwest corner of the church. There was no one else in the church. He then sat down, pushed one of them in the pew, took the other in his lap and then between his legs. He opened his pantaloons and her

0066

3

drawers and then inserted his privates into hers. He did this to one after the other, gave them five cents each and told them not to tell their mothers. He told them to come again on Saturday, which was Decoration Day, and they came accordingly, when he repeated the act of sexual intercourse with Lizzie in the dark corner of the vestibule in the northeast corner, he sitting on a chair and she standing up between his legs as on the first occasion; and then he took Eva Michel up stairs from this vestibule into the gallery where he laid her down in the passage way in the northeast corner, got on her, and had connection with her. She says that he did not do anything because she got up and went down stairs. The fact is that she does not like to say what he did. But she admits that he got on her and pushed her, and that she was wet when she got up. During the proceedings both times they asked him not to do it and asked him to let them out. He prevented them from getting out by holding them and by locking the door. He told them he would do something to them if they told any one, and he gave them each five cents on first time Whitsunday and ten cents each on Decoration Day, which they spent in candy and soda water. The prospect of candy was really the cause of their going into the church on the second occasion on Saturday, although they deny the fact. During the talk between the girls and Pudney he wormed out of them that an Italian and a Mr. Kennedy of 197 Third Avenue sometimes gave them pennies. On this he founds his defence that it was they and not he, that did whatever was done.

Eva Michel says she sometimes got pennies from Kennedy who has a business place in basement under Mr. Michel's store, but both the girls say and repeat that no boy or man ever did to them

0067

4

what Pudney did.

The fact of the rape was discovered on Wednesday June 3, when Mrs. Michel found Eva too sore to walk easily. She then questioned her and then had her examined by Dr. Edward Frankel, 217 East 17th Street. See his certificate attached to the commitment papers before the Police Magistrate. Eva then told her parents the story of Lizzie, the sexton and herself, and Mrs. Michel then communicated with the Speerschneiders.

EVIDENCE FOR THE PEOPLE.

1. - LIZZIE E. SPEERSCHNEIDER, aged 10. Will give the entire description of the occurrence.

2. - DR. JAMES J. FRIEDRICH, 131 East 52nd Street, examined Lizzie Speerschneider, June 4, and the condition of her genital organs indicated plainly that an attempt at assault had been made upon her, the parts being inflamed, swelled and discharging purulent matter.

3. - DR. CORNELIA S. SIMPSON, 57 Lexington Avenue, examined Lizzie Speerschneider on June 11th, and found that the hymen had been completely torn away and that fragments of it were still visible where it was attached to the vulva. Also found the orifice of the vagina and the labia minora very much inflamed and sensitive to touch, and all this plainly showing that sexual intercourse had been attempted and penetration through the hymen had been accomplished.

DEFENCE.

The defence will be good character, which The New York Society for the Prevention of Cruelty to Children is fully prepared to

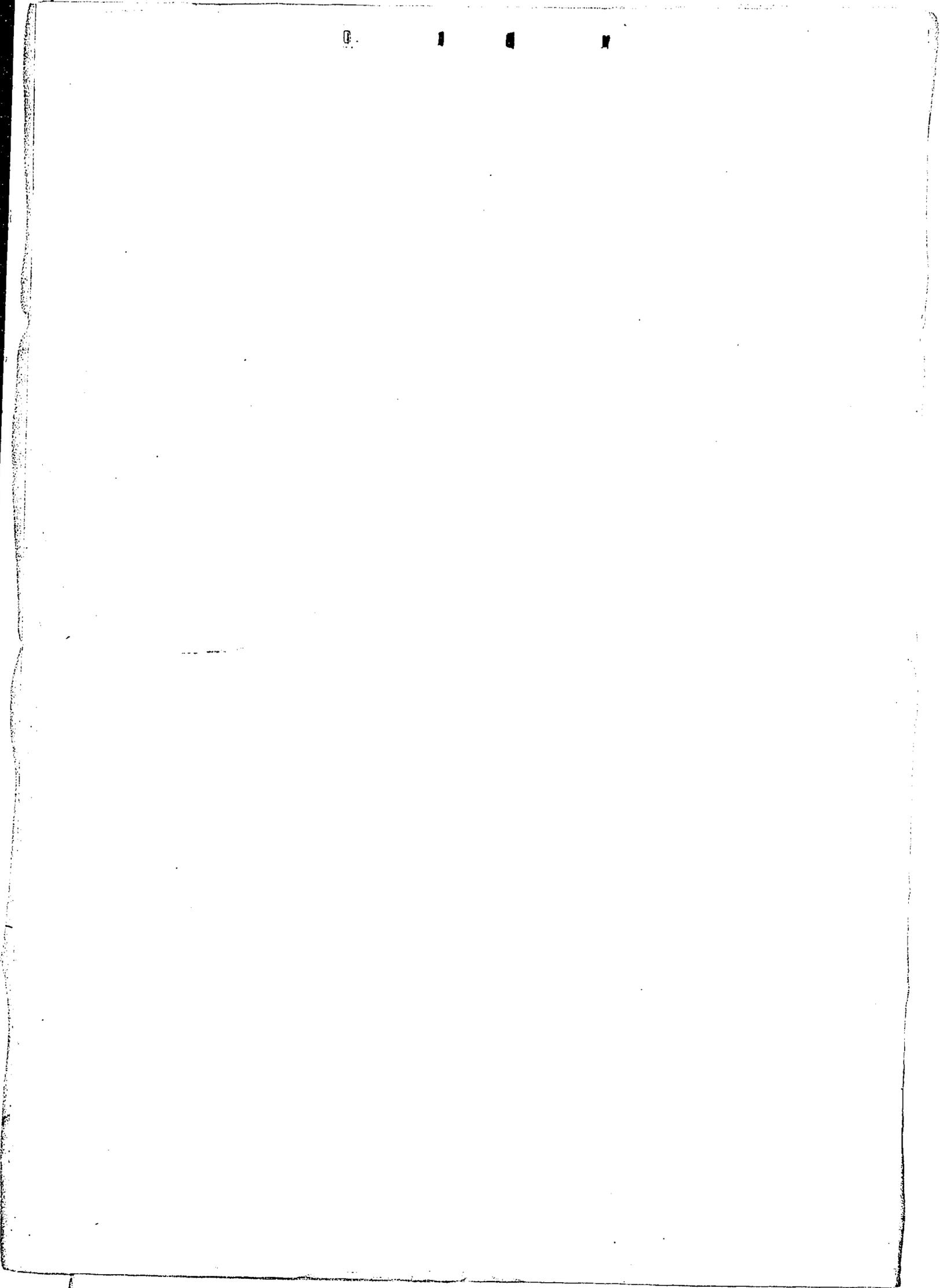
0068

5

meet, and will produce the witnesses when so notified. It will also consist of a general denial. The statement of Pudney, however, which is annexed to the papers in this case, is as follows:

"On last Sunday afternoon a week ago, these two little girls came around to the church. One of them asked me for ten cents. It was Eva. I said I did not want to give ten cents, for their mother would find it out. I said playfully, 'ten cents for a kiss?' They said, We often get ten cents for a kiss. I asked who gave it to them. They said a man named Kennedy a barber, and an Italian who kept a place in a basement. I do not know where. One said to the other, 'You know what he did.' I asked them what else he did besides kiss them. They said they had often been in this man's basement. One of them said Kennedy had often said things to her and she would tell her mother. I saw them again on Saturday May 30th in the church. I told them they would have to go out. They said they had to play. The two children were together. That is all I had to do with them."

0069



0070

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

Mr. H. Rudney.

PENAL CODE, *§ 278.*

BRIEF FOR THE PEOPLE.

0071

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

The People
vs.
Wm. H. Pudney.

BRIEF FOR THE PEOPLE.

HISTORY OF THE CASE.

The prisoner is indicted for rape on a little girl Eva A. M. Michel, aged 9 years. He is fifty years of age, married and the father of a family. He has been for two ^{months} ~~years~~ sexton of St. George's Protestant Episcopal Church in Rutherford Place in this City. In 1874 he was the janitor of Primary School No. 13 in Downing Street, near Bleecker, of which Miss M. Louise Roome was principal. In 1877 to 1878 complaint was made by Mrs. M. Broderick of indecencies committed by Pudney upon her daughter Maggie Broderick, and she brought her neighbor's child to school in support of her complaint. Pudney denied the charge.

In 1879 or 1880, Mr. Van Iderstine complained to Miss Roome that Pudney had attempted indecencies upon his daughter Ida Van Iderstine aged 10 years. Miss Roome confronted Pudney with the statement and the next day Pudney informed her that he had seen Mr. Van Idenstine and made it all right. In 1880 or 1881, another complaint was made to Miss Roome by another lady whose daughter attended the school of the like improper conduct by Pudney, but she did not report these charges to the school trustees, and in the spring of 1881 Pudney was made janitor of Grammar School No. 41 situated at No. 40 Greenwich Avenue.

0072

2

While at Grammar School No. 41 in 1881, the principal of which was Miss Lizzie Cavanagh, Pudney was observed by her and the teachers to continually hover about the girls' play room and to talk with them a great deal in the halls and about the stairs. He was seen especially in very familiar relations with one very pretty girl of frivolous character, and was advised by the principal Miss Cavanagh of the girl's character and requested to observe his proper position in the school. Miss Cavanagh shortly after saw him chasing a girl up stairs who had gone down during the session. She remonstrated with Pudney very sharply, adding that if she observed any such behavior in future and if he did not keep away from the girls, she would report him to the trustees. In 1882, complaint was made to Miss Cavanagh that Pudney had been guilty of indecencies towards her on more than one occasion. She thereupon made a formal written complaint against him to the school trustees. The girl appeared before them and repeated her statement without variation. Pudney denied everything. The trustees did not discharge him, but in 1884 he was discharged "for wilful disobedience of orders in refusing to make a fire."

The facts in the present case, are as follows: Eva Michel with another little girl called Lizzie Speerschneider on Whitsunday May 24, 1885, about 4 P.M., entered St. George's Church. On entering they met Pudney at the first seat in the main aisle and asked him if there was any service. He said No and he must lock the doors. They asked him to let them out. He told them not to be afraid and took them the main aisle into the third or fourth seat of the choir to the left of the pulpit in the southwest corner of the church. There was no one else in the church. He then sat down, pushed one of them in the pew, took the other in his lap and then between his legs. He opened his pantaloons and her

0073

3

drawers and then inserted his privates into hers. He did this to one after the other, gave them five cents each and told them not to tell their mothers. He told them to come again on Saturday, which was Decoration Day, and they came accordingly, when he repeated the act of sexual intercourse with Lizzie in the dark corner of the vestibule in the northeast corner, he sitting on a chair and she standing up between his legs as on the first occasion; and then he took Eva Michel up stairs from this vestibule into the gallery where he laid her down in the passage way in the northeast corner, got on her, and had connection with her. She says that he did not do anything because she got up and went down stairs. The fact is that she does not like to say what he did. But she admits that he got on her and pushed her, and that she was wet when she got up. During the proceedings both times they asked him not to do it and asked him to let them out. He prevented them from getting out by holding them and by locking the door. He told them he would do something to them if they told any one, and he gave them each five cents on first time Whitsunday and ten cents each on Decoration Day, which they spent in candy and soda water. The prospect of candy was really the cause of their going into the church on the second occasion on Saturday, although they deny the fact. During the talk between the girls and Pudney he wormed out of them that an Italian and a Mr. Kennedy of 197 Third Avenue sometimes gave them pennies. On this he founds his defence that it was they and not he, that did whatever was done.

Eva Michel says she sometimes got pennies from Kennedy who has a business place in basement under Mr. Michel's store, but both the girls say and repeat that no boy or man ever did to them

0074

4

what Pudney did.

The fact of the rape was discovered on Wednesday June 3, when Mrs. Michel found Eva too sore to walk easily. She then questioned her and then had her examined by Dr. Edward Frankel, 217 East 17th Street. See his certificate attached to the commitment papers before the Police Magistrate. Eva then told her parents the story of Lizzie, the sexton and herself, and Mrs. Michel then communicated with the Speerschneiders.

EVIDENCE FOR THE PEOPLE.

1. - EVA A. M. MICHEL, aged 9. Will give the entire description of the occurrence.
2. - MRS. CHARLOTTE MICHEL, 197 Third Avenue, says she first noticed Eva's difficulty in walking on Tuesday June 2, three days after the last assault on Saturday, May 30, but owing to domestic duties, did not think more of it till Wednesday evening when Eva again complained of pain and informed her during examination that a man in church had done something bad to her. Whereupon she sent her to be examined by Dr. Frankel. Mrs. Michel will testify to the child's age.
3. - DR. EDWARD FRANKEL, 217 East 17th Street, states that he was called at 9.30 P.M., June 3rd, to examine the physical condition of Eva, the ten year old daughter of Emil Michel, resident at 197 Third Avenue. He found her suffering from several superficial abrasions of the skin of both buttocks, extending from the anterior portion of the vulva to the portions posterior to the anus, also considerable irritation, redness and a muco-purulent discharge from the vulva; also considerable blood stains on the drawers and

0075

chemise. As to the cause of the above conditions, they appeared as the result of irritation of whatever kind that had been applied to the parts.

4. - DR. CORNELIA S. SIMPSON, 57 Lexington Avenue, examined Eva on June 11th, and the examination showed that she had been cruelly dealt with, the hymen having been violently and entirely torn away, leaving the parts of attachment in a very inflamed and swollen condition, and so sensitive to touch that the most careful touch in examining caused them to bleed. Also found that the orifice of the vagina was very much inflamed and swollen and bleeding readily. All showing that great force had been used in the endeavor to make a complete penetration, which had been accomplished to the destruction of the hymen.

DEFENCE.

The defence will be good character, which The New York Society for the Prevention of Cruelty to Children is fully prepared to meet, and will produce the witnesses when so notified. It will also consist of a general denial. The statement of Pudney, however, which is annexed to the papers in the Speerschneider case, is as follows:

"On last Sunday afternoon a week ago, these two little girls came around to the church. One of them asked me for ten cents. It was Eva. I said I did not want to give ten cents, for their mother would find it out. I said playfully, 'ten cents for a kiss?' They said, we often get ten cents for a kiss. I asked who gave it to them. They said a man named Kennedy a barber, and an Italian who kept a place in a basement. I do not know where. One said to the other, 'You know what he did.' I asked

0076

6

them what else he did besides kiss them. They said they had often been in this man's basement. One of them said Kennedy had often said things to her and she would tell her mother. I saw them again on Saturday May 30th in the church. I told them they would have to go out. They said they had to play. The two children were together. That is all I had to do with them."

0077

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

Mr. H. Rudney.

PENAL CODE, § 278.

BRIEF FOR THE PEOPLE.

0078

Police Court, H District.

City and County } ss.
of New York, }

9 a.m.
Ev. Michel

of No. 197 Third Avenue Street, aged nine years,
occupation, Attends School, being duly sworn, deposes and says,
that on the 24th day of May 1885, at the City of New
York, in the County of New York,

William H. Pudney, now here,
did feloniously and forcibly
violate deponent and had sexual
intercourse with deponent and
Carnal Knowledge of her person
without her consent and against
her will.

That deponent was of the age of
nine years on the 14th day of
October last past. ^{on the day just above named}
That deponent was then ^{within}
St. Georges Church on 16th Street
and Rutherford Place when
in passing down the stairs the
said deponent pulled deponent
into a room, or vestibule, and
sat down in a chair and
pulled deponent up to him
between his legs and there
and there inserted his penis
into the vagina of deponent
causing to deponent great pain
and compelling deponent to cry
out

That Lizzie Spear-Schneiders,
now present, was within the
room with deponent and said
deponent at said time, and
saw said deponent assault
deponent in the manner aforesaid.

That thereafter, to wit: on the
30th day of May last the said deponent
and deponent had sexual connection
with deponent in said church.

Ev. J. St. Michel.

*Sworn to before me this
4th day of June 1885-
J. M. Patterson
Notary Public*

0079

Police Court-- 4th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Geo. A. M. Michale

vs.

William H. Dudley

2 _____
3 _____
4 _____

Offence, Rape

Dated June 4 1885

Mattison Magistrate.

Officer.

Clerk.

Witnesses, Lizzie C. S. Schneider

No. 26 S. Main Street

No. _____ Street,

No. _____ Street.

\$ _____ to answer _____ Sessions

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 _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0080

No. 217 East 17th Street
June 4. '85.

I hereby certify that I was called
at 9.30 p.m. last night (June 3rd) to
examine the physical condition
of Eva, the 10 year old daughter
of Mr. Emil Michel resident at
197 - 3rd Avenue.

I found her suffering from several
superficial abrasions of the skin of
both buttocks extending from the
anterior portion of the vulva to the
portions posterior to the anus,
also considerable irritation, redness
and a mucous-purulent discharge
from the vulva, also considerable
blood-stains on the drawers and
chemise. As to the cause of the
above conditions I can only
state that they appeared as the
result of irritation of whatever
kind that had been applied to

0081

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

William H. Pudney

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 H. Pudney*

Question How old are you?

Answer *50 years of age*

Question Where were you born?

Answer *New York City*

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

Answer *329 Spring St. Three months*

Question What is your business or profession?

Answer *Sexton of a church*

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. By advice of Counsel I have further examination here*

W. H. Pudney

Taken before me this 9th day of

March 1888

William H. Pudney

Police Justice.

0082

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

William H. Padney

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty* 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 *June 9th* 188 *J. M. Patterson* Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0083

Police Court *H* District *D 394*

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Dea A. M. Michel
197 3rd Ave
Wm H. Rodney

Rapes
Offence

Dated *June 11* 188*5*
Patterson Magistrate.
John Cooney Officer.
H Precinct.

Witnesses *Edmund Hankel, Jr*
No. *217 East 17th* Street.

C. F. Jenkins
No. *110 East 23rd* Street,
Mrs. Charlotte Michel

No. *197 - 3 Ave* Street.
\$*2000* to answer *Gen* Sessions.

Dr. L. S. Simpson
57 Lexington Ave.

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

0084

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 A. Pendergast

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

William A. Pendergast

of the CRIME OF RAPE, committed as follows:

The said *William A. Pendergast*

late of the First Ward of the City of New York, in the County of New York, afore-
said, on the *24th* day of *May* in the year of our Lord
one thousand eight hundred and eighty-*five*, at the Ward, City and County
aforesaid, with force and arms in and upon one *Sigge Sverdrup*,
wilfully and feloniously made an assault, and the said *William A. Pendergast*
Pendergast her the said
Sigge Sverdrup, then and there by force and with
violence to her, the said *Sigge Sverdrup*, and against her
will, did wilfully and feloniously ravish and carnally know, against the form of the
Statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

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

William A. Pendergast

of the CRIME OF ASSAULT ^{*in the second degree*} ~~WITH INTENT TO RAVISH~~, committed as follows:

The said *William A. Pendergast*

late of the Ward, City and County aforesaid, afterwards, to wit, on the
day and in the year aforesaid, and at the place aforesaid, with force and arms, in and
upon her, the said *Sigge Sverdrup*, wilfully and feloniously
made an assault, with intent her the said *Sigge Sverdrup*,
against her will, and by force and violence, to then and there wilfully and feloniously
ravish and carnally know, against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York, and their dignity.

John McKee
~~JOHN MCKEE~~, District Attorney.

0085

137

Court

Filed

day of

1885

Propley
107 Centre
June

Pleas

with July 15

THE PEOPLE

vs.

R

William H. Sudney

(2 cases)

Randolph C. Madison

District Attorney.

A True Bill.

A. M. Kirby
Foreman

June 30th

G. S. B.

0086



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

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

New York, June 10 1885

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

*The People
against*

William H. Padney

Notice of Prosecution.

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

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail,
or final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1875, Chapter 130, Section 3), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

0087

N. Y. GENERAL SESSIONS.

THE PEOPLE



Rayne on Child
 CRUELTY TO CHILDREN.
vs. A. M. Clarke
Sept 9

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c.

0088

The People
vs.
William H. Pudney. } Court of General Sessions, Part I.
Before Judge Cowing.

July 8, 1885.

Indictment for rape.

Eva A. M. Michel sworn. I live 197 Third Avenue in this city, I go to school in 20th Street, I was nine years old the 14th of last October, I saw the defendant on Whit Sunday, the 24th of May, in St. George's Church, 16th Street in this city in the afternoon. I went in and asked him if there was service, Elizabeth Speerschneider was with me; the defendant was standing by the box where you drop money in; he said there was service and that I should sit down on the bench, I sat down on the back bench with Lizzie, I don't think it was very long that we sat there; the prisoner did not say anything to me while I was sitting there, he made me go in the choir back with Lizzie, he made us go up the stairs, he had us both in front of him, he put his hands here (pointing to the shoulder) until he got us in the choir; we had only to go up four little steps; he made Lizzie go in first and then he took hold of me here (pointing to her right side) and then he unbuttoned my drawers and he put something in me and then he did something with me. He had hold of Lizzie first in one hand and then when he got through with me he took me by the hand just as Lizzie and then he opened Lizzie's drawers and did the same thing with her. Then we commenced to holler and he would not let us holler loud and then he opened the door to let us out, and before he let us out he said, if you tell I will do something to you and he would not tell us what. Then on Saturday

0089

morning we did not think he was there that morning because we did not see him only on that Sunday and then I went in and me and Lizzie was afraid to see him and Jizzie said we should ask if there was service and then we asked him.

The Court said he would confine the examination to what occurred on the 24th of May, Whit Sunday.

Witness. I dont know what you call it that he put in me; it was some part of his body between his legs; he put it between my legs; it went in my person.

I was standing up when he did this thing to me and he was sitting down upon the bench and then he pulled me up and made me sit down too on top of him, he made me cross my legs, I do not know howlong it was, I think about ten minutes. After ten minutes he pulled Lizzie up to him and made me sit down where Lizzie was. When he got through with me I felt pain, much pain and I cried and commenced to holler and he said he will do something to me if I holler, I still feel that pain; he did not do anything else to me that time, I left the church and went home, it was not so very dark when I got home, Mamma, Papa and my sister was in my house and her husband and babies, I was afraid to tell what happened to me because he said he would do something to us, on Wednesday night I told my Mamma when she asked me, the next Wednesday after Saturday. I told my Mamma because she had told me I could not walk good.

Cross Examined. I do not remember the time I went to church on Sunday afternoon; before I went there I went to the Quaker Church just across the street; it has

0090

service from two till four o'clock, I had been home before two o'clock, I had been at St. George's Church till twelve o'clock and had been to Sunday School at nine o'clock, I go to St. George's from four to five o'clock in the afternoon. Lizzie and me spoke at once when we asked the defendant if there was any service in the church. There were flowers in the church on Whit Sunday; we did not ask him for some flowers, we only looked at them. The defendant did not take hold of us very tight but he would not let go of us when we asked him. I said, let me go. I want to go home. He then said, if we aint still he will do something to us. Lizzie asked him to let go of her too, we were afraid he would do something, he had no stick or cane in his hand, he talked to me in an angry kind of manner. I had not seen the defendant before that Sunday, I went to Sunday School there since I first commenced to walk. I was afraid to make any noise when he said he would do something to us, I thought he would kill us, I did not cry very loud because I was afraid to, I hollered out a little, we not laughing and taking that morning in church and he did not put us out of the church that morning. I saw him open his drawers and he said, if you do not keep your mouth still I will do something to you. He put my leg across his. I went there the following Saturday morning. He did not follow us out of church on Sunday, we were going to commence to holler loud and then he opened the door and let us go out. When we were sitting down there he locked the middle door; the side doors were shut, I cried out Oh, Oh. I never asked the

0091

defendant for ten cents and Lizzie did not in my presence, I did not say anything to the defendant about a man round Third Avenue giving me ten cents; he asked me whoever have me pennies and then I says, a man I know, a barber, Mr. Kennedy; he met me in the street and he said, do you want this? Then me and Lizzie says, if you will give it to us we will take it, it was five cents; there was nothing further said to the defendant about getting money. I did not say anything to the defendant about someman talking bad to me and giving me ten cents unless Mr Kennedy said God damn to us because we were playing and making a noise. The defendant did not say that he would tell my mother if I did not stop taking money from Kennedy, I did not ask the defendant for ten cents for a kiss and did not say to him that a man round Third Avenue was giving me ten cents for a kiss, Lizzie did not say anything of that sort in my presence. I have been in the room in the church where there is a piano. The defendant said to me and Lizzie, you play a tune, Lizzie said she could not play, then he says, you play and I said, I can't play neither and he said, you must play, then I did play, this was on Saturday, Decoration Day. I did not tell my mother because I was afraid, my mamma asked me because I walked so. Lizzie said, I can't walk and then I says, I can't walk either. Sunday we got all right and I did not feel no pain then Saturday when we got back again on Monday we felt awful sick; she happened to speak about it because we walked so crooked, Lizzie and I did not say anything about not telling our mammas, I did not change

0092

my underclothing during the week, my mamma put me to bed every night that week.

Redirect Examination. My legs were wide apart; when I told my mamma on Wednesday after Decoration Day she went to the doctor's, she did not say anything to me, she gets nervous, she examined my drawers when I took them off, they were the same drawers that I had on when I saw the defendant in church on Whit Sunday and they were the same I had when I was there on Decoration Day.

Edward Frankel sworn. I am a physician at 217 East 17th Street, I know the parents of the last witness the young girl Eva, I was sent for on the 3rd of June between nine and ten o'clock in the evening and examined her parts. I found the child in bed and was requested by the mother to examine her. The first thing that attracted my attention was apparently blood stains on the underclothing, on the drawers and on the chemise together with stains of puss. Upon making an examination of the genitals I found excoriations and abrasions extending from the posterior portion of the buttox forward to the anterior portion of the vulva which is the external genitals; they were very red, irritated and inflamed. I postponed a more thorough examination until the following morning. On the following morning I found the mucus membrane of the external genitals as I said before, very much irritated and the hymen so called, excoriated and a very profuse purulent discharge. I treated the girl accordingly and she is now well. I was of the impression that the injuries were caused by assault by some person and that is my opinion now. The existence of the hymen I believe is a

0093

very relative matter. We call any repudication at the entrance of the vagina, the hymen; it varies in appearance and in condition in almost every female. In this case it was abraded.

Cross Examined. you say that the hymen so called, was not gone? No. It had simply been injured? Yes sir, it was injured. I should say that the injury occurred at least five or seven days, perhaps longer before. I do not think it hardly possible that the injury could have occurred in any other way than by assault, not to such a degree. Isn't it possible that injuries such as you found, such as you say this girl had, arose from purulent discharge occasioned by constipation and small worms? Not in this case. Is it not possible that such a thing could occur? yes, but not in this case.

Cornelia S. Simpson sworn. I am a doctor and have been so for three years, my specialty is diseases of women and children. I examined the parts of the child that was on the witness stand June 11 at the request of the Society for the Prevention of Cruelty to Children. I found that they bled very readily, that you could not give them the slightest touch without their bleeding.

Lizzie Speerschneider sworn. I live 268 Third Avenue and know the complainant in this case Eva A. M. Michel, she was in my class in day school, I saw the defendant in St. George's church on the corner of 16th

0094

Street and Rutherford Place in this city on Whit Sunday, I think it was the 24th of May, Eva was with me. We thought there was service on Sunday afternoon and we went in and asked him if there was service. He said he did not know and then we were going out and he locked the doors and we could not get out. He took hold of us and would not let us go. He went and took us through the choir and then he put Eva between his legs and made me sit in the seat and then he made Eva sit in the seat and took me between his legs; then he said it was about time to light the lamps and he opened the door for us. When we first went in he gave us some flowers but nothing else. He lifted up Eva's clothes and drew her near to him, I did not see him do anything else, I did not see any part of the defendant's body naked. He held Eva in his lap about five or ten minutes, I did not hear her say anything at the time and did not hear her cry, I did not hear the defendant say anything to her; when we went out he said, we should not tell. I am living now with the Society for the Prevention of Cruelty to Children about five weeks. I go to 20th Street school, I have not talked with Eva about this case since. After we asked him about the service he locked the doors and then told us we should not be afraid and he took us by the arm and made us walk each by the side of him and took us to the choir gallery. We tried to get away from him but he said, come here I want to show you something.

Cross Examined. I was in the Quaker church that Sunday afternoon before going to St. George church; that morning I went first to Sunday School and to St.

0095

George's church and after morning church I went home and remained home till two o'clock and then I went to Eva's house to go to Quaker church, I went to her house in the morning to take her to Sunday School, I went to the Quaker church about half past two and remained till four and then I wanted to go to St. George's church, I saw the defendant inside the church, we were both standing together and we both could hear what he said. He said, I will lock the doors because I don't like people coming in so late, he took each of us by the arm and walked us through the central isle, I made a little noise, I halloed Oh, two or three times, I said to Eva, I am going to scream, he was locking the doors, he said, don't be afraid, he did not say he would do something to us, I was frightened a little and could not understand him so well, he talked kindly to us, I wanted to climb over the bench and it was too high; he lifted up Eva's clothes and drew her near to him, he pressed Eva to his bosom, first he took Eva on his lap and then he took her between his legs, I did not see him unbutton any part of his clothing, I did not see him unbutton Eva's drawers. I knew the defendant was doing something wrong to Eva and me, I did not tell my mother when I got home because I thought she would whip me. Eva and I asked the defendant for flowers, neither of us ever asked him for any money, I know a man named Kennedy in Third Avenue, I never said to the defendant that Kennedy used to give us ten cents for a kiss. I was ten years old the 14th of May, I took the flowers home and told my mamma I got them at church.

0096

The Case for the Defence.

William H. Pudney sworn. I live 229 Spring Street and have lived in the City of New York all my life, I am fifty-five years old and am sexton of St. George's church, I know the two little girls who have been witnesses here by sight, seeing them in church, I saw them on Whit Sunday the 24th of June and saw them twice before that. On this Sunday afternoon they came to church between half past four and five; they were in church in the morning at the eleven o'clock service, I saw them in the gallery sitting at the end, I went to them and told them they must sit at the other end near the organ where they could be seen and then during the service they were very unruly at one time, they were moving about and talking and laughing, I went up and told them if they were not quiet they would have to go out of church; then I went up the second time and told them that they would have to go out of church, they were making too much noise. They came down stairs and went out. That same afternoon between half past four and five o'clock they came in the church again. The first Sunday that I saw them they said they were sisters, that is all the conversation I had with them then, but on the 24th they came in between half past four and five again, I was about half way down the church. The church is four or five times the size of this room. They began running in and out of the pews gathering up some papers and church chronicles and some circulars about the Avenue A Mission and I kept telling them to stop, to let them alone but they kept coming in and out so I had to tell them pretty sharp to keep them in their place and when they got

0097

down by the end of the church where the choir sat they passed into the row of seats and sat in the front and I passed a little up to the top sitting by the window and took up one of the papers and began to look at it. They sat there a few minutes and then they began moving about. One of them says, here is where my boy sits, here is where my fellow sits, they kept on for a couple of minutes that way, then all of a sudden they jumped up and began running around, they went to go in the chancel and into the pulpit and play on the organ and I continually told them they must not do it; then we all walked down to the front of the church and on the way out this smallest child, the last one that gave evidence asked me if I would not treat her to cream, give her ten cents for cream. I said the weather was not warm enough for cream and besides I do not want to give it to you because your mother wont like it. She says, we often have money, our father gives us money and there is a man around in Third Avenue, mentioning his name Kennedy, that often gives us ten cents for a kiss. So I said in a playful way all right, ten cents for a kiss, I gave them ten cents and then they commenced talking one to the other, calling her by name, she says, you know about the Italian don't you, you know about Kennedy, don't you know what they done in our basement; so they kept saying that way and finally I says, I hope you haven't done anything wrong. The first child that gave evidence said, I am going to tell my mother every time I go near to Kennedy, he says something and does something bad to me. I says, I will go around and tell your mamma. They said no, they were not going anywheres near him

0098

again. I did not see any more of them that day, I did not lock the church, it is a free church, the doors are open from eight in the morning till five in the afternoon, children and everybody are admitted into the church. I never took these girls by the arm and never touched them, they ran around the church, I did not in any manner assault the girl Eva or attempt to assault her or unbutton her drawers or take any improper liberties with her. At no time did these girls want to leave the church and I did not prevent them from leaving, I did not at any time say to them when they tried to get away, do not be afraid, I never took the girl Eva on my lap or lift up her clothes, I never had a conversation with either of the girls with reference to not telling their mother about anything.

Almost all times in the day there is from one to six people in the church, they are going in and out all the time; Whit Sunday is one of the great religious holidays and the attendance usually is greater than on ordinary Sundays

By the Court. On this Whit Sunday when you and these two little girls were in the church was there anybody else in there?

No sir, there was nobody in there at that time. Do you know any reason why this complainant makes this serious charge against you? I do not know unless it is I, put them out of the church in the morning for being unruly, that is the only reason I can think of, I do not know why they should say it.

Cross Examined. They were not in the church more than fifteen minutes, I closed the church soon after they went out and locked the doors, they ran ahead of me up to the choir until they got to the end of the

0099

church by the pulpit, I was following all the time, I wanted them to get out to see that they would do no mischief, I told them to let the papers alone and not to make so much noise. I gave them ten cents, I kissed them, they were nice children, it was on the impulse of the moment and I acknowledge that I did, I kissed both of them only once, I never kissed them before that time, I did not know whether they belonged to that Sunday School or not, I did not know where they lived only they said they lived in Third Avenue. Do you know how old they are? I heard them say here one is nine and the other ten. They talked boldly in my presence and this Italian, they talked to each other, they did not seem to think anything of it. Were you distressed at all at the picture of these two hardened girls talking about this matter in that cool way? I did not hardly think it was true, I did not give it much thought anyway for they went out of the church. Did you think it was true? I did not know what to think. Did you think it was probable? I thought it might be, they were so bold about it. Did you know anything about these little girls reputation or character that would lead you to believe that such a thing would be probable? No, only I thought they were addicted to story telling because when I gave them the flowers that Sunday they wanted to make up a story. One says to the other, we will go home and tell our mother that a man gave them to us in the street, that we asked a strange man in the street. I said, no, don't you do that, tell them that the sexton of the church gave you flowers and it will be all right, I wanted them to tell the truth. Considering that fact,

0100

that story they were going to tell and the very cool and hardened way in which they spoke of their relations with this man Kennedy and the Italian, what impression did you get of the character and disposition of these little girls? I thought they were inclined to be bad, I thought they were inclined to be bold and rude and what I should call bad, not be afraid to go with anybody or do anything that was wrong. Did you have any conversation with them in the church other than this one about the flowers which led you to believe that the girls were not good girls? Only when they went down yby the door ready to go out what they said about Kennedy an the Italian. What is your present opinion of their character? My present opinion is that they are bad girls, hardened girls. girls as you say, who would go with any man? Yes. I am a married man my wife is li ving andI have one daughter married, I live with my wife, I have beenjanitor in public schools in this city, I was removed a year ago last July from the Greenwich Avenue school, Miss Cavanagh is the principle, I was not removed from that school because of indenemies committed upon a female child there, I got my discharge from the trustees, I think I tore it up, I was discharged merely to satisfy the whims of troublesome women, the woman that was continually finding fault to the trustees and making complaints; sometimes in the winter time it would be too hot and sometimes too cold, sometimes the school was not clean enough and she kept on continually making those charges and finally succeeded in getting me out, one of the trustees told me that he was sick and tired of hearing her complain and for that reason they thought it

0101

best to remove me. She never charged me with taking improper liberties with her pupils. I was janitor in Primary School No. 13 in Downing Street nearly seven years, Miss Roome was the principal, I do not know that she made charges against me of taking improper liberties with children, I was called upon to answer charges that were made, I do not decline to answer that question, they will not disgrace me, I know Maggie Broderick, she went to school in Downing Street while I was janitor, she made a charge of indecent liberty taken with her daughter which I denied, the girl owned up herself that she told it to spite the other girl, that was nine years ago. I know Ida VanIdersteine, she was a pupil at that school, I do not know that Mr. Van Idersteine complained to the principal that I attempted indecencies upon his daughter Ida, aged ten years, there was a complaint of some kind made and when I was asked about it I went around immediately and saw the father and asked him what it was. The father said that the daughter said I had made free with her, I explained to the father what it was, I was playing with the child at the time and she took it wrong, I do not remember whether I was playing with her in the yard or in the school, I do not know whether I kissed Miss Van Iderstein or not, I used sometimes to run around the yard with the children while they were playing. The trustees transferred me from that school up to Greenwich Avenue in the same ward, I think Miss Cavanagh was principal, it is a girls school I remember Miss Cavanagh remonstrating with me for chasing one of the girls upstairs and telling me that she would complain of me if I did not observe my proper

position in the school. The girl was about fourteen years old and her name was Sarah Lema. I did not chase her up the stairs, it was all a made up story, the girl went upstairs and said I chased her up to the class room, she went in the room crying and the teacher asked her what was the matter. The teacher knew nothing about it, she had not seen the girl come in, it is likely Miss Cvavagh made a formal complaint to the school trustees, it was investigated and dismissed. Mr. Scully was instrumental in getting me turned out of school, he was a trustee and he got out himself afterwards for being intoxicated.

Ellery Dennison sworn. I am a physician at 124 West 13th Street in this city and have been practising over thirty years, I have known the defendant twenty years, I was a member of the Board of School trustees of the 9th ward for ten years, I have never heard the defendant's character for truth and veracity disputed and I regard his character as good. I never heard the slightest whisper as to his chastity except what he himself has narrated here. I investigated the complaint against him in Primary 13, I heard the testimony of Dr. Frankel. Injuries such as has been testified to could be occasioned by other causes than an assault upon the child such as by a bad general condition of digestion, either constipation or a diarrheal condition continuing for quite a period of time or they may be caused by small worms which infest the anus, that is sufficient to cause sometimes a free purulent discharge with excretion and swelling and a general soreness and tenderness.

By the Court. Could they have been caused also by an assault made by a man upon the parts? Oh yes.

Cross Examined. I was trustee of the 9th Ward at the time when the defendant was janitor of the school and the complaint came against him before the Board of Trustees. The children were not then connected with the school; three girls made the charge of impropriety, one of the girls charged that he gave her five cents to get candy and the three girls did not agree on any point, he was appointed janitor upon my recommendation and that of two others of the trustees. I never heard of any charge of indecency against the defendant in 1879 or '80 in school No. 13 until very recently, I heard of the Van Iderstein charge since this arrest, I was trustee when he was transferred which was done as a matter of promotion, I heard a complaint made against him as janitor of 41, I inquired about the matter and did not find anything favorable against the girl who made the charge from the teachers.

George Olivet sworn. I live at 82 Grove Street and am a merchant at 335 Washington Street and have been in the city about twenty-two years, I know the defendant for the last twelve years, I always considered his reputation for truth and veracity first class, I lived in the house with him a year, I never knew anything against him in any way, shape or manner, I never heard of any charges in public schools until this thing has sprung up. It is twelve years ago since I lived in the house with him and our families have been very intimate

ever since, I haven't much time to visit , I have not seen him since he was arrested but previous to that I saw him once or twice a week .

James Greer sworn. I have known the defendant over thirty years and I have never heard his character for truth and veracity questioned and I always considered his general character, including character for chastity, good.

Cross Examined. I live 527 East 118th Street, I have not known where he lived since he left the school in Greenwich Avenue, I never heard his character discussed, his family visited mine and my family visited his. My present occupation is book-keeper, I was formerly a captain of police in this city.

Eugene Ward sworn. I live in No. 6 Leroy Street and have lived in that house thirty years, I have know the defendant twenty-five years and have never heard anything against his character until this charge.

John D. Lent sworn I live at 20 Leroy street and have known the defendant since 1854; his reputation for truth, veracity and chastity is good so far as I know.

James Ferdon sworn. I live 1638 Madison Avenue since the first of May and before that lived at 50 Commerce Street in the 9th ward, I have been on the police force twenty-eight years and know the defendant about thirty years, his character for truth, veracity and

chastity is very good.

Maria Louisa Roome sworn. I reside at 316 West 12th Street and know the defendant. I am principal of Primary School No. 13 in Downing Street. When I first knew the defendant he had my implicit confidence but from complaints of taking improper liberties with children in my school made by parents that confidence is very much shaken; his reputation among the people whom I know is not good.

John S. Scully sworn. I live at 11 Grove St., and am a broker, I have known the defendant since 1882 and his reputation for chastity is bad.

Cross Examined. I was a member of the Board of Trustees of the 9th Ward, I did not hear the defendant's testimony that I was discharged as trustee for being drunk. He was discharged from the school for insubordination, the Board having failed to dismiss him on charges of immorality.

George E. Horne sworn. I live 58 Morton Street and am a lawyer, I have known the defendant since January 1883, I have no knowledge as to his reputation as respects truth and veracity but from the people whom I have met I should say his reputation for chastity is bad, I have been a school trustee.

Isaac M. Van Idersteine sworn. I live at present No. 11 Fourth Street, Brooklyn, E. D. and am a baker, I know the defendant for ten years I think ~~his~~ his reputation for chastity is very bad. I am the

0106

father of the child that made the complaint.

The Jury rendered a verdict of guilty.

Handwritten notes:
2/20
2/21
2/22
2/23
2/24
2/25
2/26
2/27
2/28
2/29
2/30
3/1
3/2
3/3
3/4
3/5
3/6
3/7
3/8
3/9
3/10
3/11
3/12
3/13
3/14
3/15
3/16
3/17
3/18
3/19
3/20
3/21
3/22
3/23
3/24
3/25
3/26
3/27
3/28
3/29
3/30
3/31
4/1
4/2
4/3
4/4
4/5
4/6
4/7
4/8
4/9
4/10
4/11
4/12
4/13
4/14
4/15
4/16
4/17
4/18
4/19
4/20
4/21
4/22
4/23
4/24
4/25
4/26
4/27
4/28
4/29
4/30
4/31
5/1
5/2
5/3
5/4
5/5
5/6
5/7
5/8
5/9
5/10
5/11
5/12
5/13
5/14
5/15
5/16
5/17
5/18
5/19
5/20
5/21
5/22
5/23
5/24
5/25
5/26
5/27
5/28
5/29
5/30
5/31
6/1
6/2
6/3
6/4
6/5
6/6
6/7
6/8
6/9
6/10
6/11
6/12
6/13
6/14
6/15
6/16
6/17
6/18
6/19
6/20
6/21
6/22
6/23
6/24
6/25
6/26
6/27
6/28
6/29
6/30
6/31
7/1
7/2
7/3
7/4
7/5
7/6
7/7
7/8
7/9
7/10
7/11
7/12
7/13
7/14
7/15
7/16
7/17
7/18
7/19
7/20
7/21
7/22
7/23
7/24
7/25
7/26
7/27
7/28
7/29
7/30
7/31
8/1
8/2
8/3
8/4
8/5
8/6
8/7
8/8
8/9
8/10
8/11
8/12
8/13
8/14
8/15
8/16
8/17
8/18
8/19
8/20
8/21
8/22
8/23
8/24
8/25
8/26
8/27
8/28
8/29
8/30
8/31
9/1
9/2
9/3
9/4
9/5
9/6
9/7
9/8
9/9
9/10
9/11
9/12
9/13
9/14
9/15
9/16
9/17
9/18
9/19
9/20
9/21
9/22
9/23
9/24
9/25
9/26
9/27
9/28
9/29
9/30
9/31
10/1
10/2
10/3
10/4
10/5
10/6
10/7
10/8
10/9
10/10
10/11
10/12
10/13
10/14
10/15
10/16
10/17
10/18
10/19
10/20
10/21
10/22
10/23
10/24
10/25
10/26
10/27
10/28
10/29
10/30
10/31
11/1
11/2
11/3
11/4
11/5
11/6
11/7
11/8
11/9
11/10
11/11
11/12
11/13
11/14
11/15
11/16
11/17
11/18
11/19
11/20
11/21
11/22
11/23
11/24
11/25
11/26
11/27
11/28
11/29
11/30
11/31
12/1
12/2
12/3
12/4
12/5
12/6
12/7
12/8
12/9
12/10
12/11
12/12
12/13
12/14
12/15
12/16
12/17
12/18
12/19
12/20
12/21
12/22
12/23
12/24
12/25
12/26
12/27
12/28
12/29
12/30
12/31

0107

To

Testimony in the
case of
A. W. H. P. H. H. H.
filed June
1883

WITNESSES TO THE DEED OF THE

DEED OF THE DEED OF THE

Police Court, 4 District.

City and County of New York, ss.

Lizzie C. Speerschnieder

of No. 268 Third Avenue Street, aged 27 years,

occupation Attends School being duly sworn, deposes and says,

that on the 24 day of May 1885, at the City of New

York, in the County of New York,

William H. Pudney, now here, did feloniously and forcibly violate deponent and had sexual connection with deponent and carries knowledge of deponent's person against deponent's will and without her consent.

That deponent was of the age of 10 years on the 14th day of May last past. That deponent was with in St. George's Church on 16th Street and Rushford Place when the said deponent pulled deponent into a room and while he sat upon a chair he pulled deponent between his legs and forcibly held deponent while he inserted his penis into deponent's vagina. That he caused deponent intense pains and in spite of deponent forcibly held and detained deponent until he had sexual connection with deponent. That John Michel was in the room with deponent at said time and witnessed said assault. That he again had connection with deponent in said church on the following Saturday.

Sworn to before me this Lizzie Speerschnieder 4th day of June 1885

J. M. Patterson, Clerk

0109

New York, June 4th /85

I herewith certify to have examined
Miss Lizzie Greenschneider, No 265 Third Ave.
The condition of her genital organ indicates
plainly that an attempt at assault
was made upon her, the parts being
inflamed, swelled & discharging
pusulent matter.

James J. Friedrich M.D.
1319.52^d St.

0110

New York June 1st 1885
H His Police Court.
William H. Rodney being sworn
says: On last Sunday
afternoon a week ago, three
two little girls came around
to the Church. One of them
asked me for 10¢ Maria
Cora. I said I did not
want to give 10¢ for them
another would give it out.
I said playfully 10¢ for a
Kiss. They said we often
get 10¢ for a Kiss. I
asked who gave it to them,
they said a man named
Kennedy a barber and an
Irishman who kept a place
in a basement. I do not
know where. One said to
the other Gen Know
what he did. I asked
them what else he
did besides Kiss them

1

01111

2

They said they had
 often been in this
 narrow basement, one
 of them said Kennedy
 had often said things
 to her, and she would
 tell her mother. I saw
 them again on Saturday
 May 30th in the Church,
 I told them they would
 have to go on. They said
 they had to plan. The 2
 children were together. That
 is all I had to do with
 them.

Sworn to before me
 this 4th day of June 1885

A. M. Patterson

W. H. Praney
 Justice

2

0112

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK { ss

William H. Padney

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 H. Padney*

Question How old are you?

Answer *50 years of age*

Question. Where were you born?

Answer. *New York City*

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

Answer. *329 Spring St. 3 months*

Question What is your business or profession?

Answer *Sexton*

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. By advice of my counsel I waive all further examination here.*

W. H. Padney

Taken before me, this

day of

188

Police Justice.

0113

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

William A. Courtney

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty* 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 *June 9* 188*5* *J. M. Patterson* Police Justice.

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

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0114

Police Court District.

543

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Luigi & Speers Schneider
268 3rd av
Wm H. Padney

Offence
Draper

BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

Dated *June 14* 188 *57*

Patterson Magistrate.

John Corey Officer.

H Pre

Witnesses *James J. Friedrich*

No. *131 East 52nd* Street.

C. J. Jenkins

No. *100 East 23rd* Street,

Dr. Cornelia Simpson

No. *57 Lexington Ave* Street.

\$ *1000* to answer *Pen.* Sessions.

Conrad

0115

For Michels -

Don't remember the time - had been in the Friends' Soc - just cross street -

We must go then -

Service from 2 to 4

Before 2 at home from the Church at 12.

Was in Church from Sunday School to 12.

Went to S.S. at 9 AM. before that at home.

From 4 to 5 Clock Church at St. George.

Went from Princes Street to St. George

There were flowers in church.

Did not ask him for any flowers - No sir: We only looked up at him -

We opened the front door -

I said "now leave go of me, I want to go home" -

He then said If we ain't still he will do something to us.

Fizza said "leave go of me too - He then threatened again -

We was afraid he would something - I don't know -

He had no stick in his hand,

He talked in an angry kind of manner - just as if he was going to do something to us if we collected -

Never saw left before.

Went to Sunday school ^{there} since I first began to walk

Did not always go to Church -

He dragged us along to the choir.

0116

He had us by the shoulder & pushed us -
First he had hold of me & then he had hold
of Lizzie.

I did not make any noise - I was afraid -
I thought he'd kill us.
I didn't cry very loud I was afraid -
I hollered out.

At 11:30 in the morning, I sat near
the front upstairs.

Putney did not put us out of church
that morning -

We asked if there was church -

At first ~~he~~ he said we should not cry as he
would not do anything - Then we cried and he
said he would do something.

When he unbuttoned my drawers I said let me
alone. He then threatened - I cried -

Stayed about 10 minutes - He then took hold of
me by the hand - Then he did the same thing
to Lizzie -

He made me sit on top of him - He made me
cross my legs.

He let us go out - he opened the door for us
when we was going to holler -

He locked the middle door when we was
sitting down - There are three doors - the
side doors were locked -

Never asked left for 10¢. nor did Lizzie
in my presence -

0117

Wm. J. G.

Padney:

N.Y. City all life - 55 yrs.

I, 24th were in Church - morning - & afternoon bet 4³⁰ & 5 -
I followed up them very sharp
read a paper while they were in the choir -

Gave them 10 cts for a kiss -

Did he get the kiss:

8 A.M. to 5 P.M. Church Open -

Now you running after them

Denison - 9th Ward ~~traced~~ ~~1872~~

ES

0118

Xmtn Sp

Was in Quaker Church -

Was in Church Sunday May -

Went to Sunday School first - then to Church
then home till 2 when I went to Eva's
house -

In the morning I went to the house to take her
to Sunday School -

Took me by right arm & Eva by the left
arm -

Asked him if he could take any flowers

0119

A Barbara Mr. Kennedy
Never said anything about men talking bad to me. to dept.
Never asked P. for 100 for a Kiss -
nearly Every Sat. day changes underclothing
Sat before Whit. he changed them - the next
time was Wed night after ~~Disc~~ day

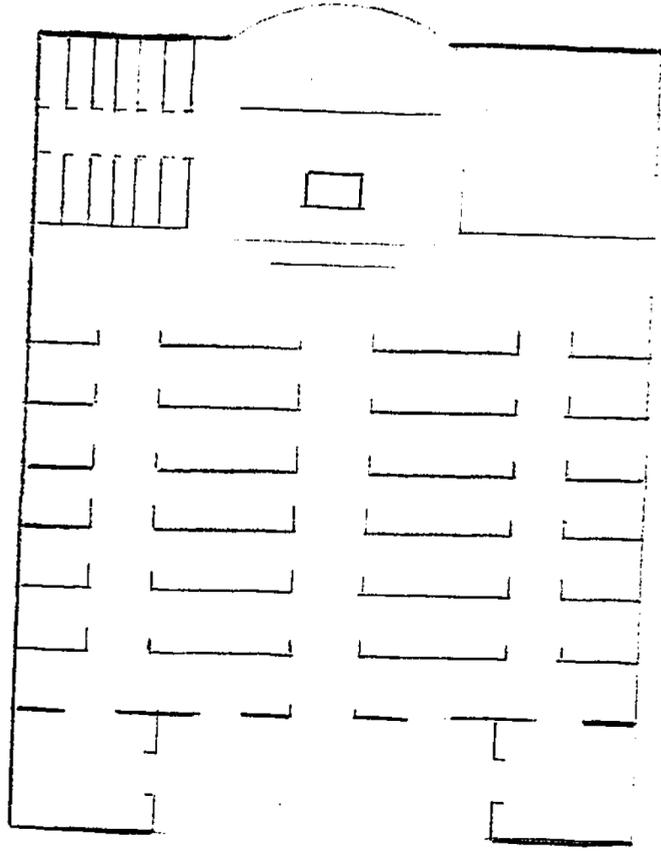
Camelia V Simpson -

3 yrs Specialty - Dis. of W & Ch -
Examd her June 11/85 - at request of Soc of Puro Ch. Ch.
Part Med very modestly -

1882. ^{Big} ^{Convent} ¹⁸⁸¹
Guth Sch. School - Charge was made for indigence - there
was a tie vote. Jeannine Jacquith.
Dayton

Cause in
- Epidemic -
McCarron

0120



1000

0121

Magnum
Stamps
Chen & R

0122

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 D. Pudney

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

William D. Pudney

of the CRIME OF RAPE, committed as follows:

The said *William D. Pudney*

late of the First Ward of the City of New York, in the County of New York, afore-
said, on the *twenty fourth* day of *May* in the year of our Lord
one thousand eight hundred and eighty-*five*, at the Ward, City and County
aforesaid, with force and arms in and upon one *Eva D. M. Michael*,
wilfully and feloniously made an assault, and the said *William D. Pudney*
Pudney her the said
Eva D. M. Michael, then and there by force and with
violence to her, the said *Eva D. M. Michael*, and against her
will, did wilfully and feloniously ravish and carnally know, against the form of the
Statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

Second Count:

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

William D. Pudney

of the CRIME OF ASSAULT ^{*in the second degree*} ~~WITH INTENT TO RAVISH~~, committed as follows:

The said *William D. Pudney*

late of the Ward, City and County aforesaid, afterwards, to wit, on the
day and in the year aforesaid, and at the place aforesaid, with force and arms, in and
upon her, the said *Eva D. M. Michael*, wilfully and feloniously
made an assault, with intent her the said *Eva D. M. Michael*,
against her will, and by force and violence, to then and there wilfully and feloniously
ravish and carnally know, against the form of the Statute in such case made and provided,
and against the peace of the People of the State of New York, and their dignity.

~~JOHN McHEON, District Attorney.~~