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**BOX:**

377

**FOLDER:**

3528

**DESCRIPTION:**

Pierce, Charles W.

**DATE:**

12/27/89



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Wm. A. Brown

5<sup>th</sup> Feb 26 1890. 449. ~~tail~~ March 1<sup>st</sup> by  
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IN THE CORONER'S COURT OF THE CITY & COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF THE: BEFORE  
DEATH OF: HON. M. J. P. MESSEMER,  
HENRY HARRIS: AND A JURY.  
Coroner,

NEW YORK CITY, TUESDAY, DECEMBER 10TH, 1889.

For the relatives of deceased appeared Mr. Leonard  
Bronner, of 320 Broadway.

For the District Attorney's Office appeared Mr.  
H. D. Macdonna.

For the Brush Electric Light Company appeared Mr.  
Paul D. Graveth, of the firm of Carter, Hughes & Graveth  
of 120 Broadway.

THE CORONER: Gentlemen, the case that claims our  
attention this morning is that of Henry Harris, who was  
23 years of age at the time of his death, a native of  
this City and who on the night of November 30th of this  
year came to his death at the corner of 8th Avenue and  
43rd Street, at the Southwest corner, in front of No.  
675 8th Avenue, a building occupied by Bernard Collen as



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a dry goods store in whose employ he was. In view of the fact that many deaths have been due to electricity recently, the jury should make a thorough inquiry into this case, without fear or favor, and render a verdict, if they can, fixing the responsibility for this man's death. We have a number of witnesses here. The first that I will call to-day is officer John W. Walters

J O H N W. W A L T E R S

(a police officer) sworn and examined.

BY THE CORONER:

Q. You are a patrolman? A. Yes, sir.

Q. Attached to what precinct? A. The 23rd Precinct.

Q. How was your attention attracted to this case?

A. I was travelling South on the West side of 8th Avenue on the night of the 30th of November, at 11 o'clock P.M., and I heard a scream. A man screamed and I thought it was some man that was stabbed, the way he hollered. He yelled and I ran down and I saw this man sitting down with his back up against the cor-

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near show window in front of No. 675 8th Avenue. I made inquiries of the man who owned the store as to what was the matter and he told me the man had received an electric shock. I asked him how; he said by lifting the case and the top of it coming in contact with the bottom of the electrical metal lamp, and being that there was a metal ball on the top of the case and the lamp struck it he received a shock. He seemed to be dead when I got there. I ran to the station house and rang for an ambulance. The ambulance came and when I got back to the man Dr. Campbell was attending to the man. They had him inside the store at this time on the counter and they pronounced him dead. That is all I know about the case.

Q. Did you make an examination of the lamp?

A. No, sir.

Q. What was the name of the man that told you about it?

A. Bernard Callan.

Q. He is the proprietor of the store at which this accident happened, is he not?

A. Yes, sir.

Q. On what date was this?

A. On the 30th of November.



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Q. On the 30th of November of this year ? A. Yes,  
sir.

Q. And where ? A. In front of 675 8th Avenue.

Q. What disposition was made of the body ?

A. It was taken in an ambulance to the Station House.

Q. What station house ? A. The 12th Precinct  
station house in West 47th.

Q. That is all you know of the case ? A. That  
is all I know.

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FRANK J. MORRIS

(a police officer) sworn and examined.

BY THE CORONER:

Q. You are a patrolman? A. Yes, sir.

Q. Attached to what precinct? A. The 12th Precinct.

Q. In what way was your attention attracted to this case? A. On the morning of December 1st, about 2.30 A. M., acting ~~under~~ under your instructions, Mr. Coroner, I went down there and examined as to the height of the lamp from the sidewalk.

Q. What time did you go there? A. About 2.30 A.M.

Q. Where did you find this lamp? A. I found the lamp at the Southwest corner of 8th Avenue and 43 Street.

Q. And that particular lamp was situated in front of what number? A. I don't know the number; it was the most southerly of the three.

Q. What did you do when you got there? A. I

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went to obtain the height of the lamp from the sidewalk. I got the measurement as near as I could possibly do it. I had no exact means of measurement. By the measurement I made I found it to be about 8 feet and three or four inches from the sidewalk.

BY MR. MACPOTHA:

Q. How did you determine that? A. I had an officer down there whose height is six feet one inch and got a pole from his head to the bottom of the lamp, which measured exactly 25 inches, and this pole fell short one inch from the bottom of the lamp. That was the way I obtained the height. I had no other means at my disposal at that time in the morning.

Q. Could that six feet one inch man that was with you about reach the lamp with his hand? A. I think so.

Q. Do you know? A. I don't know; no, sir.

BY THE CORONER:

Q. Is that lamp here? A. We telegraphed for it from the 3rd precinct.

Q. Did you do anything further? A. Nothing

Get officer's name

$$\begin{array}{r} 6.1 \\ 23 \\ \hline 6.24 = 8 \\ 1 \\ \hline 625 = 8-1 \end{array}$$

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further. That was my instruction from you, Mr. Coroner

BY MR. MACFARLANE:

Q. Were all the lamps the same distance from the sidewalk? A. I was only told to measure that special lamp.

Q. I ask you if you measured any of the others?

A. None of the others.

Q. As you were in the neighborhood, as you went by there did you notice? A. I did notice the two in front of this store.

Q. Were they all as low as this one you did measure?

A. That I don't know, because I didn't measure them.

Q. Did you notice whether they were on about the same line? A. They were on about the same line.

Q. Could you touch that southerly lamp? A. No, I could not.

Q. Could you touch it with your stick? A. Oh yes.

Q. How long after the man was killed did you go there to look at that lamp? A. The man was killed



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sometime between 11 and 11.30 P.M.; I was down there about 2.30 A.M.

BY MR. BRONNER:

Q. Did you make any examination of that lamp at the time that you arrived upon the premises? A. No, sir; only just for the height.

Q. Did you notice whether any carbon protruded out?

A. It was too dark; the lights were out at the time I went down there.

Q. And as to that you can make no statement about it? A. Not as to the carbon. I didn't notice whether it protruded out; simply the height.

Q. I did not quite understand you. You say you measured the distance of the lamp from the pavement?

A. There is an elevation where they lifted the show case, about an inch above the sidewalk. It is above the stoop line, and I measured it from that elevation.

Q. With what? A. By the aid of an officer and my night stick; that is the only means I had of measuring it.

Q. And are you quite sure that the distance of that

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lamp from the pavement was about 8 feet? A. Between eight feet three and four; not over eight feet four.

Q. And you say you made no inspection of the lamp whatever as to whether it was insulated or as to the carbon? A. Well, no, not as to the insulation.

Q. How high can you reach? A. I don't know the exact ~~high~~ height.

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BERNARD CALLAN

sworn and examined.

BY THE CORONER:

Q. What is your occupation? A. Dry Goods.

Q. Where do you reside? A. 675 and 677 Eighth Avenue.

Q. Do you do business there also? A. I don't live there; that is where I do business.

Q. Where is your residence? A. 337 West 48th Street.

Q. Did you see this occurrence? A. No, sir.

Q. You have electric lights in front of your building, have you not? A. Yes, sir.

Q. How many? A. Three.

Q. Where are they situated? A. Well, there is one opposite each door and one on the corner.

Q. There are two stores are there? A. Yes, sir.

Q. Nos. 675 and 677? A. Yes, sir.

Q. And one at the corner? A. Yes, sir.

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Q. That was the southwest corner of 8th Avenue and  
43rd Street ? A. Yes, sir/.

What  
Q. ~~The~~ company supplies the electricity for those  
lamps ? A. The Brush.

Q. How high are these lamps from the ground ?

A. I couldn't tell you, sir.

Q. By Mr. MACDONALD:

Q. Mr. X Callan, did you give any instructions  
about these lamps ? A. No, sir.

Q. You went to the Company and told them you wanted  
three lamps ? A. Yes, sir.

Q. And they hung them in the way they were on the  
day you procured them ? A. Yes, sir.

Q. Were they lighted on this ~~day~~ night ? A. Yes,  
sir.

Q. Was Harris in your employment ? A. Yes, sir.

Q. For how long ? A. Oh going on four or five  
years.

Q. All the while ? A. All the time; yes, sir.

BY THE COUNSEL:

Q. You have not lowered those lamps yourself at any  
time, have you ? A. No, sir.



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Q. You left them in the position they were placed in by the men of the Brush Electric Light Company?

A. Yes, sir.

BY MR. BROWDER:

Q. How long have you been the owner of this metallic case that young Mr. Harris at that time undertook to move into the store? A. Eight or nine years, I think.

Q. How long had it been the duty of Mr. Harris to help or assist in moving that case into the store?

A. Four or five years; from the time that he came there.

Q. From the time that he entered your employ until the time he met his death you testify he had been in the habit of assisting in moving that case into the store? A. Yes, sir.

Q. And are we to understand that he did what daily; that is, continuously? A. Well, not all the time, because somebody else might take it in when he mightn't be there.

Q. You were not there at the time the accident occurred? A. No, sir.

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Q. Did you see Mr. Harris shortly afterwards ?

A. Yes, sir.

Q. Did you notice his wearing apparel or clothing that he had on ? A. Yes, sir.

Q. Did you notice his body, whether it had received any burns or bruises ? A. No, sir; I did not.

Q. As to that you know nothing about it ? A. No, sir.

Q. What is the height of this case ? A. I couldn't tell you, sir.

BY THE CORONER:

Q. Will you describe this show case which Harris attempted to carry in at the time that he came to his death ? A. Well, I couldn't describe it any more than that it is an ordinary case with glass in it.

Q. It is metal, isn't it ? A. Yes, sir.

Q. Holding the glass together ? A. I couldn't say; I suppose it is , the frame of it.

Q. The frame of it is metal ? A. Yes, sir.

Q. And the top ? A. It is ~~wid~~ and fixed off with metal the same.

Q. With metal also ? A. Yes, sir.



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BY MR. BROWNER:

Q. Did you ever carry that case in yourself or assist in carrying it in? A. Yes, sir; often.

Q. Do you say that you frequently did that?

A. Yes, sir.

BY MR. MACDONNA:

Q. Did anybody see this man fall after he raised the case? A. The young man is here that was with him.

Q. What is his name? A. Hughes. He is here. He was with him when he was taking in the case.

BY JUROR E GOODMAN:

Q. Was that case very heavy? A. Not very heavy.

Q. How many pounds does it weigh? A. I couldn't tell you, sir.

BY JUROR Koch:

Q. Was that case standing in front of the store when those lamps were put up; did that company know that case was standing there steady? A. The case has been there for four or five years.

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Q. Was the case out every day, whether it was a rainy day or not? A. Every day.

Q. The Company knew that case was standing there?

A. It was out every day; yes, sir.

BY MR. BROWDER:

Q. The question of the Juror leads to another question. Do you know whether any of the employees of the electric light company knew or saw that case there in making their circuits or examinations of the lights or putting up the arcs or carbons in the lamps? A. I don't know, sir; but the case has been there all the time for the last four or five years---five years to my knowledge.

Q. Was that case on the outside in front of the premises at any time when the wire was being strung or the carbon was being put in the lamp? A. It is always on the inside of the stoop line.

Q. And outside of the store? A. Yes, sir; outside of the store.

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SCHUYLER S. WHEELER

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 141 West 84th Street, New York.

Q. What is your occupation? A. Electrical engineer.

BY MR. MACDONALD:

Q. Mr. Wheeler, are you employed by the Board of Electrical control? A. Yes, sir.

Q. What is your position there? A. Electrical Expert to the Board.

Q. As the Electrical Expert to that Board, is it part of your business to inspect the various circuits of the various electric light companies in this City?

A. Not directly. It is my business to overlook that inspection occasionally, as I see fit, but to take mostly inspections from the reports of men employed for that special purpose.

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Q. From those reports which are made to you are you in a position to tell us what electric light company operated those three lamps in front of 675 8th Avenue on the 30th of November last? A. Yes, sir. (Referring to a little memorandum book) They were operated by the Brush Company.

Q. Did you on the 30th of November, or sometime immediately preceding, make an inspection of the line on which those lamps were strung? A. Well, I omitted to put the date down, but it was the Monday morning after the accident.

Q. Did you inspect the lamps? A. I inspected the lamps and I inspected a portion of the circuit; that is, I followed it for some distance.

Q. Now just let us know what that inspection and investigation of yours was and what you found out?

A. I found that the lamps at this store were about one hundred inches high from the sidewalk; that the carbon which is connected to the circuit was exposed at the bottom of the lamp and projected about an inch or so; that there was a bare connector exposed at



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the bottom of the lamp---that is to say, a piece of brass used to fasten the wires together by setting a screw up in it; that the lamps were connected by underwriters wire at that point. This, however, did not extend beyond this store. It was simply some local wire, about 75 feet of it, which was used for the local connections and had not been replaced at the time near the main body of the line; that is, the direct wire was replaced with better wire, the Company of course being able to work more rapidly on the main line, and as they are very much pressed in doing this work and had a great many miles to fix, they simply worked with their main lines until they got all those attended to, and then they proposed to come back and take out the little local pieces; and that was evidently the reason why this piece of underwriter's wire was in use at that point.

Q. As a matter of fact, all the loops on that main line were of underwriter's wire? A. I couldn't say, as I did not examine them all.

Q. Well, they were all about the same quality; and do you know whether they were of the same age as the

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Underwriters wire on the main line where it was taken down? A. As I say, I did not examine all the other loops.

Q. Well, how as to the loops in front of 875?

A. Those were all of underwriters wire; yes, sir.

Q. Would a man touching this binding or brass connection that you speak of that was exposed, or that carbon that was exposed on the bottom of that lamp—would a man touching that with his feet on the ground be liable to receive a charge of electricity through his body? A. If the rest of the conditions were right he would.

Q. Suppose he were standing on an iron grating and had a good ground and he held something that was a high conductor, like a metal case or a metal bar, up against this carbon, what, as an electrical expert, is your opinion as to whether he would get a shock or not? A. He would if the rest of the circuit was not properly insulated, and he would in this case, as I think Mr. Heinrichs proved himself.

Q. Just explain to us what the insulation of the



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rest of the circuit would have to do with it, given a man standing on an iron grating touching this exposed carbon or the brass connection that you speak of?

A. The current----

Q. (Interposing) First, let me ask you what was that; was that a small arrangement big enough to admit two ends of wire binding on it? A. It is a cylindrical piece of wire about half again as thick as that (illustrating), a trifle shorter, with a hole running through lengthwise in it which two wires can be inserted and two screws in such position that one can grip each of the wire ends, an ordinary connector. The current that is put on an electric light circuit will not leave the circuit and go to ground unless it has a chance at some other point to return through the circuit. The current is not unlimited in quantity. It starts out from the dynamo, travels through the wire and seeks to return to the dynamo. It will not escape unless there is another point where it can return to the line. Consequently, if the wire line is perfectly insulated all over and the person makes a contact at one point he will not get any current from that wire until there is a other defective point in

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the line from which the current after coming off of the line at the point where it is touched in going through the feet to the earth can get from the earth back up on to the wire through the other defect.

Q. Now, Mr. Wheeler, let me ask you do you want us to understand that if an electric light line were perfectly insulated, no defective place on it but one--- for instance, take the insulation off the wire and with a man standing on the ground and touching that exposed part of the wire that he wouldn't get a shock? A. Yes, sir; if the wire was perfectly insulated at other points he would not.

Q. Then you want us to understand that, if that line was perfectly insulated and a man absolutely took hold of it and had a good ground connection with his feet, the current would not pass through him at all?

A. It would not.

Q. It would go right along on the line? A. Yes, sir.

Q. Now you can answer that question about whether a connection was made between the top of the case and



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anything under this man from the bottom of that carbon ?

A. I haven't heard that question, I think.

Q. Just explain to us what the insulation of the rest of the circuit would have to do with it, given a man standing on an iron grating touching this exposed carbon or the brass connection that you spoke of; what would be the force of the current that was on that main line ? A. If the main line had another defective spot, or another contact somewhere, or a series of very small leaks which altogether would aggregate one considerable leak, in other words so that the current can get back to the wire at some point, the current will come along the line until it reaches the point where the metal or show case touches it there and part of it would leave the wire, would travel down the show case to the man's hand, through the man's body and out of the feet into the iron grating, into the earth, through the earth to the other bad spot in the wire, or several slightly bad spots which equal one very bad spot, back on to the line through those places and back to the dynamo, and the current travelling through the man's

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body in that way would give him a shock.

Q. Did you examine those lamps? A. Yes, I examined them in some respects.

Q. In what respects did you examine them? A. Well, to see if they were as high as our rules require, and to see by that also whether we had our rule stiff enough; to see whether they were properly insulated on the bottom or wherever they could be touched by a person, as our rule requires, and to see the general condition of the line with which they were connected.

Q. Now as to the first point. Did you find that the rules of the Board had been followed out in the suspending of those lamps? A. No, sir; I found that they had not been followed out.

Q. What is the lowest limit that you allow to hang lamps? A. Such that there will be nine feet clear between the bottom of the lamp and the sidewalk.

Q. How many feet clear were there between the bottom of this lamp and the sidewalk? A. Eight and one third; that is to say, one hundred inches.

Q. And in what other respect did you find them defective? A. I found the connection at the bottom



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of the lamp was not insulated, and that there was some underwriters wire in use there. That I do not consider of any importance in this particular case. Those are the main features of the trouble.

Q. And nine feet is considered by the Board as the limit of safety? A. Yes, sir.

Q. And on that whole inspection would you say what that lamp was a safe lamp or an unsafe lamp? A. I should say it was extremely unsafe.

Q. And was this lack of safety in that lamp apparent to anybody? A. It was very apparent--

Q. (Interposing) I mean to anybody who was ordinarily familiar with electric lighting, who knew anything about that business? A. Yes, sir. But a man working a long time on any particular thing becomes callous to it. The whole subject itself becomes monotonous and he is not likely to take as severe a view of things as a person going over to find trouble. I don't know whether I made my meaning clear in that last remark, but what I mean is, you take an ordinary workman, he will go along and he will say "That is

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about the way we generally put up lamps."

BY MR. PROSSER:

Q. Mr. Wheeler, rule 28 prescribes, if you will look at that rule, that "All circuits must be tested every hour, and when a ground comes on effort must be made to remove it at once." A. Yes, sir.

Q. In this case can you state whether or not if an examination had been made and rule 28 had been complied with, so far as making the test of the circuit as the rules require, this accident would have been likely to have occurred? A. I can say that the accident would not have been likely to have occurred if the test had been made as frequently as that.

Q. Do you know whether rule 28 was complied with? A. No, sir; I don't know positively.

Q. But we are to understand you are testifying that if the rule had been complied with the chances are that the accident would not have occurred? A. Yes, sir.

Q. Or probably would not have occurred? A. Yes, sir.



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BY THE CORONER:

Q. (Exhibiting a paper) This is a copy of your rules? A. Yes, sir.

THE CORONER: The Stenographer will make it Exhibit No. 1.

BY MR. MACDONALD:

Q. Do you know how many circuits the Brush Company have working on the Western side of the City?

A. No, sir.

Q. From the station that this electricity was supplied from that went over that line that fed the lamps at 375 8th Avenue? A. No, sir.

Q. You do not know? A. No, sir.

Q. Do you know how many lamps were on that circuit? A. No, sir.

Q. Is there any way you could tell us how we could find out? A. From some manager of the Company. I have no means of knowing.

Q. Is there any rule as to the number of lights which shall be put up on the same circuit? A. No, sir; there is no rule as to that. There is simply a rule that if they increase the number of lights (this is the practical force of the rule) they must see that the

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line is built properly to stand that increased number.

Q. Then there is no limit? A. There is no limit; no, sir.

Q. And you cannot tell us how many lamps were on that circuit, or how much power was going over that line? A. No, sir; I cannot. Part of that line may go through the cables underground, in which case it becomes subject to the supervision of the Subway Company, and if that is the case their electricians could tell you how that part of the line tested in the quality of its construction---that is, in the insulation---and also what the statement given to him was of the number of lamps used on the circuit.

Q. Did you trace that circuit from the lamps to the subway? A. No, sir.

Q. It was still an aerial line? A. Still an aerial line; yes, sir.

Q. How far did you follow it up? A. I followed it from about 40th Street to 85th Street.

Q. Along 8th Avenue? A. Along 8th Avenue.

Q. Is there any report or any paper in charge of the Board from which we could find out how many lamps



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were on that circuit, or any record at all of how it is run----what portion of it is underground and what portion of it is an aerial line? A. No, sir; there is no record of that that we use. The electrician of the subway company may have a record, which is merely a statement from the Company.

Q. What is his name? A. William Mavery, Jr.

BY JUROR HILMER:

Q. If the case had not been covered with metal, could this accident have happened? A. If it had been constructed of wood it would not have happened; but it might be constructed of something else besides metal which would carry the current; for instance, compressed carbon; something of that sort. That is not at all likely, but I want to make a correct answer to your question.

BY MR. MACDONALD:

Q. Do I understand you to say, Mr. Wheeler, if a man touched that with a stick, could a current have gone down and the other conditions have prevailed; you don't regard wood as an insulator, do you? A. Well, I regard wood in a show case eight or nine years old as

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not a sappy stick. I assume that the conditions were ordinary. For instance, this piece of wood would not have caused the accident, but if it had been covered with rain from a violent storm at the time, that would have given the man a shock of some degree. I don't know as it would have been fatal.

Q. It altogether depends on how much moisture he carried with the stick? A. Yes, but an ordinary dry stick in the ordinary meaning of the word would not have carried the current is what I mean.

Q. Would you like to touch that wire under the conditions you have spoken of? A. When I want to touch a live wire and want to do it with perfect safety and I think the wire may be very dangerous, I use a stick to touch it with.

Q. A dry stick? A. A dry stick.

Q. (Indicating) Can you identify that lamp?

A. I can simply identify it as a lamp of the Brush style, such a one as was in use at this place.

Q. Now that connection is not there? A. The wires have all been removed, I think.

Q. Now where was that connection? A. There



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was a carbon rod. (Manipulating lamp) This lamp carries two rods, one fastened in there (indicating) and one fastened in here (indicating). One end of the line wire connected with this rod (indicating); the other end connected with this rod (indicating), and the current in passing across from one to the other makes a series of sparks, or continuous flame, which furnishes the light. Therefore, this carbon is necessarily connected to the wire. Now this one (indicating) projected through the bottom here a small distance, about that much (illustrating), and it was possible for a man to touch it there. There seems to be a part of that connection here now. The wire went from this connector (indicating) through this hole (indicating) and up that tube (indicating). Unless I am very much mistaken. That is the ordinary construction. I did not examine it carefully for that, but I think there is very little doubt about that. Anyway, the wire passed across the bottom of the lamp there and was clamped in this piece of brass which was not insulated.

Q. Is there any rule of the Board about having all

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that mechanism covered up ? A. Yes, sir.

Q. What rule is it ? A. Rule 24, which says:  
"The insulation must be preserved throughout the entire  
circuit, and if any portion of a lamp or fixture is  
a part of the circuit and can be touched, it must be  
insulated."

Q. And that fixture there on that lamp was a part  
of the circuit ? A. Yes, sir.

BY THE CORONER:

Q. You have a rule drawn up to reach this case ?

A. This case seems to fit the rule.

BY MR. MACDONALD:

Q. The rule was drawn to avoid just such accidents ?

A. Yes, sir.

(At this point the lamp which it is alleged was  
the cause of the accident was submitted to the Jury  
and explained in its details to the Jury by the witness.)

BY MR. BROWNE:

Q. You have testified and undertaken to explain  
to the Jury that possibly the accident might have been  
avoided or the risk diminished had there been a frame  
other than a metal frame. Now the question is ~~whether~~



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are there not generally metallic cases placed outside of the stores for the purpose of enclosing goods which are put upon exhibition or desired to be displayed?

A. Well, I am not very familiar with show cases, but my impression is that there are. I don't know, really; I thought I did.

Q. You said that if there had been a wooden frame that would in a measure have diminished the risk?

A. Yes, sir.

Q. Would it operate as a non-conductor? A. Yes, sir.

Q. Assuming that the frame of the wooden case had been varnished? A. Yes, that would have made it still better and safer.

Q. Now you have said that the possible thing that might be introduced to avoid an accident of this character might be compressed carbon? A. No, I did not; I said just the opposite. One of the gentlemen of the Jury asked me if the accident could have happened if metal had not been used. I said that if you did not use metal, that would not mean wood. Wood would not cause the accident, but you might have something

**POOR QUALITY  
ORIGINAL**

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else besides wood that would have caused the accident.

Q. There was nothing unusual or strange about this metallic case, was there, different from what you have seen? A. No, I think not. It had a high ornamentation on the top also of metal. I was surprised at the amount of metal there was to it.

Q. No more than you have seen in the exhibit of seeing? A. No, I think not.

Q. Was there at that time any wire missing or all running from here (indicating on lamp) into where the carbon should be placed? A. No, sir; I think not.

Q. Was there any loose wire suspended? A. No.

Q. And what we are to understand is, that there had been no insulation? A. That is it.

Q. Immediately adjacent to or by the carbon?

A. That is it, and on the connector used on the wire.

Q. And that is what immediately contributed to the cause of this young man's death? A. Yes, sir.

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POOR QUALITY  
ORIGINAL

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LAWRENCE H. HUGHES

sworn and examined.

BY THE CORONER:

Q. What is your residence? A. 645 Sixth Ave.

Q. What is your occupation? A. Salesman.

Q. In whose employ? A. Bernard Gallen.

Q. Where? A. At 675 and 677 Eighth Avenue.

Q. Did you see this occurrence? A. I was carrying in the case with him.

Q. Will you tell the jury how this occurred; on what date was this? A. November 30th.

Q. At what hour in the day? A. From 11 to quarter after 11 Saturday evening the 30th.

Q. Well, go on. A. We went out to take in the material around the store, went out to take in the dry goods case. I took the outside and he took the inside going into the store and lifted it, he backing up and I on the outside, and it struck the light and he let out a yell and the case dropped and he fell.

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POOR QUALITY  
ORIGINAL

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and of course I dropped my end and there he was lying.

BY MR. MACDONALD:

Q. Where was he standing when he let go; was he on the sidewalk? A. No, sir; I was on the sidewalk.

Q. And he was on the iron getting? A. Yes, sir.

Q. What sort of a case was this; describe it to us as minutely as you can; first, how high is it? A. I couldn't tell you the height.

Q. Higher than your head? A. Yes, higher than I am. I never measured the case. It is a glass case with silver rods or metal on the sides of it and the handle on top and that is of metal and a little ball on each end of it.

Q. How had you both lifted this thing free of the ground? A. He lifted his end first and I had just lifted mine and had just started and he struck.

Q. Now let us understand that. When he took hold of his end of it he backed up against it and took it this way with his hands behind him? A. No, sir; with his back towards the door and his face towards the case, backing up.



**POOR QUALITY  
ORIGINAL**

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Q. Backing up into the place? A. Yes, sir.

Q. He lifted his end of it? A. Raised it about an inch or an inch and a half up to the sidewalk proper. We had just made about one or two steps with it.

Q. Did you feel any shock? A. No, sir.

Q. None at all? A. No, sir.

Q. Do you know which portion of that case it was that struck the bottom of the lamp? A. No, sir; I couldn't tell, because I was behind.

Q. Did the case fall and break? A. No, sir; it was only raised maybe an inch and a half, or say from the ground two inches most likely.

Q. Was it a heavy case? A. I couldn't tell the exact weight of it.

Q. What was in it? A. Notions and various trimmings and things of that description.

Q. And it was higher when you were? A. Yes, sir.

Q. And you say that it went off the ground not more than two inches? A. No, not more than two inches.

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Q. Now after this happened what did you do; did you look at that lamp? A. No, sir. He was lying there.

Q. I mean the lamp; did you look at the lamp?

A. No, sir; I did not.

Q. Was your attention called to the lamp by anybody after that? A. No, sir.

Q. Was there any discussion or <sup>inquiry</sup> ~~inquiry~~ as to how the man had been killed; did you have any idea how he had been killed; did you figure it out heart disease, or what? A. I didn't know first off what it was. We carried him into the store.

Q. Was there some inquiry made as to how it happened or how he died? A. There were passers-by outside that asked about it.

Q. But I am speaking of yourself and whoever was in the store---Mr. Gallen; did you have any talk about ~~xxxxxxx~~ it? A. They asked how it was and I said it struck the lamp.

Q. Did you or anybody else in the store go out to look at that lamp at that time? A. No, sir.



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Q. It didn't excite your curiosity enough for you to go out and look at it? A. I was more excited about having the man lying there and in going for a doctor and trying to restore him.

Q. When did the doctor come; was he taken away in an ambulance? A. The doctor was there before the ambulance came.

Q. What was the doctor's name? A. Dr. Campbell.

Q. Did you point out the map to Dr. Campbell, or the place where this man had been stricken down?

A. I did not; no, sir.

Q. Did anybody? A. Not as far as I know; no, sir.

Q. Well now, after Dr. Campbell pronounced the man dead, what happened? A. Well, just at that time, the ambulance surgeon came and some other doctor, and they examined him, then they took him away to the station house.

Q. They carried the body to the station house?

A. Yes, sir.

Q. And when the store was closed up after that, was it? A. One store was closed already at the time.

**POOR QUALITY  
ORIGINAL**

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Q. Well, the store in which he was had been closed?

A. Yes, sir.

Q. And did you go away from the store down to your house; you live on the Avenue, don't you, near by?

A. I live on 4th Avenue.

Q. And you left the store then? A. Maybe in about 15 or 20 minutes after.

Q. Was the electric light lighted when you left the store? A. I didn't take notice, sir.

Q. You didn't look at it? A. No, sir.

Q. You went on and understood that although you left that store you don't know whether there was a blazing electric light in front of the store or whether it was out? A. I didn't take notice whether it was lit or not.

Q. And at no time did you think it necessary to look at the lamp to see what condition it was in, from the time the car was switched down until you went home?

A. No, sir; I was inside all that portion of the time.

Q. Now have you told us everything that you can remember of what occurred from the time you took hold



**POOR QUALITY  
ORIGINAL**

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of that case to lift it? A. Yes, sir.

Q. Had you lifted that case in before? A. Yes, sir.

Q. Frequently? A. Frequently, yes, sir; he and I together.

Q. Was it in the same place? A. We carried it in the same way; yes, sir; he might be on the other side and I might be on his side, at different times.

Q. But the show case always occupied about the same position? A. Yes, sir.

Q. Immediately under that light? A. Yes, sir.

Q. Do you ever recall having noticed that light before? A. Not as I could say; no, sir.

BY MR. BROOKER:

Q. You stood on the stone pavement and seeing Mr. Harris stood on an iron grating at the time you were taking in the metallic case? A. Yes, sir.

Q. And the reason why you don't recall anything which occurred subsequent to the time Mr. Harris received the shock, is, I suppose, because you were full of excitement and partially terrorized? A. Yes, that is about the idea.

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BY JUROR HENDER:

Q. You said that W. Harris had taken in that show case often before and you said it was only two or three inches off the ground, though the show case must have been nearly as high as the lamp. Were you ever informed by the company that it was dangerous to strike that lamp with the show case. A. No, sir.

Q. You never were informed that it was dangerous if you struck that lamp? A. No, sir.

BY JUROR HENDER:

Q. Now is from the top of the show case was that lamp usually when the show case was striking there?

A. I couldn't give you the exact measurement. I never hardly took notice of it, because from carrying it in so long I never thought of it.

Q. You never took notice how far it was from the lamp? A. No, sir.

Q. Were the bundles on the show case low down; did you have to bend to lift it, or could you just take it like that and lift it away? A. No, you had to get down that way to lift it.

Q. Then might you not have elevated it more than

~~the~~



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two inches when you had to bend down very low? A. No, sir; I don't think any more than that.

BY JUDGE HILDE:

Q. Of course all those show cases are made with handles on each side? A. Yes, sir.

Q. And Mr. Harris took the show case one way and went backwards and you took it the other way and went forward? A. Yes, sir.

Q. And while he was altogether on the grating you were on the sidewalk? A. Yes, sir.

Q. And when it affected him it didn't affect you?

A. No, sir.

BY MR. BRODER:

Q. All you want the Jury to understand, so far as lifting this case is concerned, is that you and he simply lifted it sufficiently that it could be moved in order to enable you to carry it in? A. To carry it in; that is all.

Q. And that was simply an inch or an inch and a half? A. Yes, sir.

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POOR QUALITY  
ORIGINAL

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DR. WILLIAM C. CAMPBELL

Sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 259 West 42nd Street.

Q. What is your occupation? A. I am a physician.

Q. You were called in to attend this man, were you not? A. I was.

Q. On what date was this? A. On November 30th last.

Q. About what hour? A. Shortly after eleven o'clock in the evening.

Q. Well, what did you do? A. I found Henry Harris, the deceased, lying on a counter in Bernard Callan's store at 375 Eighth Avenue. I found that he was not breathing; he had no pulse at the wrist; that there was no heart beat to be heard; that his eyeballs had lost their tension, which is present in life; that

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the muscles were relaxed and that the surface of his body that was exposed was of a bluish white color, and decided from the appearance of the man he was dead. In order to give him any chance of recalling any life that might be there that I had overlooked, I gave him hypodermics of brandy and ammonia over the region of the heart. I tried artificial respiration without avail.

Q. Did you notice any injuries on the body of the deceased at that time? A. No, sir; I didn't look for them at that time.

Q. Did you see him at any time? A. I did.

Q. When? A. On December 2nd, at the residence of the deceased, in the presence of the deputy coroners, who were making an autopsy.

Q. Describe them, Doctor? A. On the inner surface of Harris' left hand there were evidences of a burn. The skin was charred and it was marked by several white spots, varying from the size of a pin head to a split pea, that appeared to be dried blisters. On the outer surface of his left foot, at the base of the little toe, was a charred spot in the skin about

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a quarter of an inch in diameter. They were the only markings on the surface of the body that I noticed.

BY MR. MAGOWAN:

Q. Where was the second one? A. It was on the left foot.

Q. On the ball of the foot or on the heel?

A. Just at the base of the little toe of the left foot, on the lower surface of the foot.

Q. About as big as a quarter? A. A quarter of an inch in diameter. The spot was blackened, hardened and depressed.

Q. Did you see his shoes, doctor? A. I did.

Q. Describe the condition of his shoe that was on that foot? A. The upper part of the shoe was cut open and at a certain nail which corresponded to the position of this burn in the foot the leather about this nail for the distance of an eighth of an inch was burned. The rest of the shoe seemed not to have been changed at all.

Q. You say the top of it was cut? A. That was for the purpose of examination inside of the shoe. The burn was evident from the outside and the inside.



**POOR QUALITY  
ORIGINAL**

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Q. This little nail which you speak of went clean through the sole? A. It could be seen on both sides of the sole.

Q. It was exposed on both sides? A. Both sides.

Q. You attended the autopsy? A. I did.

Q. Anything further, doctor? A. There were no external evidences----

BY MR. PRO: MR:

Q. (Interposing) You say you attended at the autopsy? A. I was present.

MR. PRO: MR: I suppose the autopsy doctor will testify as to the organs and what caused the death?

THE DOCTOR: Oh yes.

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ORIGINAL

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P.R. THOMAS R. KILLICK

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 541 West 47th Street.

Q. What is your occupation? A. Policeman.

Q. Now, you were present at the autopsy upon deceased, were you not? A. I was.

Q. You saw this body? A. Yes, sir.

Q. Will you describe to the jury what the injuries were? A. It is merely a contusion.

Q. When was it that you saw this body? A. I believe it was December 1st, but I am not positive about the date because I didn't make any note of it.

Q. Did you see it the day of the death? A. No, sir; the next day. I saw the body first at the station house. It was brought over there on the way to the hospital. I just looked at the body as it lay on the stretcher.

Q. What time did you see it? A. It was about half past eleven o'clock.

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Q. What day? A. It was the day previous to the autopsy. He had only been a dead matter of a few moments when I saw it. He was killed by the light and he was brought down there and they brought him to the station house. I didn't examine his body then; I just merely looked at it. I didn't look at it for any cause of death. It simply came into the station house as a dead man. That is all the interest I took in it then, beyond the fact that he was killed by the electric current. The next day, the day of the autopsy, I was invited by the Deputy Coroners to come around and witness the autopsy. I went around there and found there were not very many external evidences of being killed by an electric current; but on the sole of the foot, I believe it was the left foot, just at a point corresponding to---I will give it to you technically---at about a point at a place corresponding to a point at the base of the metatarsal bone, as we call it, of the left foot. That is just where this line I too meets with the bone, corresponding to this bone in the hand, (indicating), and it is a spot analogous to

**POOR QUALITY  
ORIGINAL**

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that spot there (indicating). We found there a spot probably burned. It was discolored, and in diameter probably a quarter of an inch. On the left hand side were evidences of what might have been blisters. From the man being dead then probably several hours the fluid contents of the blisters had come through or leaked themselves in some way, and there were then these little corns and little bumps. That was about all the external evidence of death from an electrical current that we found. In describing the body we found that there were what Dr. Jenkins said was to be little red spots not quite the size of the head of a pin, which Dr. Jenkins concluded was not having, and was in any other autopsies beyond those of the bodies of people who had been killed by the current, to be in that distinct evidence of death from electricity. This view is not a positive fact yet, and I do not believe the profession can accept it. But still it has never been found in any other bodies, I believe. There is nothing in the literature which described it. Dr. Jenkins declares that he has found it only in those bodies that have died from electricity. We found those spots



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on the heart, we found that on the liver, we found them on the lungs, and we also found in the lower lobe of the left lung little areas where the sinuses had been ruptured by an engorgement of blood.

Q. You found no blood fluid, did you not?

A. Blood, generally in fluid. Of course we found it a little more fluid than under ordinary circumstances.

Q. But you do not see any of fluid? A. Yes, sir.

Q. Now, Doctor, did you do some tests? A. Well, I was associated with a gentleman, a Dr. Charles J. Hainrichs, in making a test, but I am not in a special expert and I was simply requested by his Honor, Governor Hassemer, to accompany Dr. Hainrichs in making some tests. Dr. Hainrichs requested that some gentleman be associated with him and that that person be a medical person, and of course, at Dr. Hassemer's request, I associated myself with him. We went down to Gallatin and we examined the light.

BY MR. HATCHER:

Q. What day was it? A. The afternoon of the

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autopsy. We had the autopsy in the morning. That afternoon we went down to examine these lamps. I believe we were compelled to do it on that afternoon by reason of threatening weather, and also having to borrow the instruments from the Columbia College.

Q. What were these experiments you made? A. We examined the light in the afternoon and we found that the carbon was protruding through from the bottom probably to the extent of an inch or an inch and a half, and we took the measurements of the lamp and also took the number of the lamp. I have the number here. (Referring to small memorandum book). The number of the lamp as determined by Mr. Heinrichs was 36,481.

Q. Where was that numbering; on the glass or on the metal of the lamp? A. I believe it is on the metal of the lamp, somewhere up near the top.

Q. See if you can find it on that lamp there?

A. (After examining lamp) Yes, sir; here it is, 36,481 on the metal here, which is stamped with the stamp of the Brush Electric light Company.

Q. Can you state how far that lamp was from the surface of the sidewalk? A. We measured, but we



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had no real accurate measurement. It was probably eight feet and a few inches; but it was not measured with a tape or any rule by which we could altogether determine the exact measurement.

Q. Now what else was done? A. Then we were compelled to postpone our operations until evening. We sent to Columbia College and they kindly loaned us a few instruments. As I stated, I am not an electrical expert and I am not very very familiar with the instruments, but I believe one of them was to determine the escape of the current from the lamp. Mr. Heinrichs had a sort of a clip, which is a piece of metal, being somewhat flexible or springy like a piece of steel, which was attached to the end of the protruding carbon and from that we had probably eight or nine feet of wire, I am not sure as to the exact length of the wire, of insulated copper wire, and we placed this instrument on a wooden box and then had a ground wire from the instrument, as I believe, the ground wire running from this instrument to a metal plate that lay upon the iron slab upon which Harris stood at the time of his

**POOR QUALITY  
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death, and we held that in position by a small packing box. The connection was made by the gentleman who was with me by ~~examining~~ attaching this wire which led down from the electric lamp to this electrical instrument, and I believe the voltage or the escapement of the current was determined that way. What the real escapement was I am not fully prepared to state. I was informed, though, by several gentlemen, and have since been informed that the estimated escapement was about 2500 volts.

Q. What time of the day or night was this test made? A. This test was made about half past eight-- in the neighborhood of half past eight.

Q. The lights were going? A. The lights were going as usual; yes, sir.

BY THE CORONER:

Q. That is all you know about the case, doctor?

A. That is about all; yes, sir.

BY MR. BOWLER:

Q. Were the organs of the body in a healthy and normal condition? A. Yes, except the apex



**POOR QUALITY  
ORIGINAL**

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of the left lung, and there we found evidences of tuberculosis.

Q. No heart failure or trouble? A. I could not determine. The heart always fails when a man dies.

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POOR QUALITY  
ORIGINAL

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H E N R Y   B A U M

sworn and examined.

BY THE CORONER:

Q. Where do you reside ?    A. 525 West 45th Street.

Q. What is your occupation ?    A. Assistant engineer, stationary engine.

Q. Where is this engine situated ?    A. 517 and 519 West 45th Street.

Q. By whom is this engine owned ?    A. Moch Lumb.

Q. Did you see this occurrence ?    A. Yes, sir; I passed by Saturday evening, the 30th of November, coming home from the theatre and in passing the dry-goods store between 42nd and 43rd Streets, nearest to 43rd Street, I heard a scream.    I turned around and I saw a man fall and that is all I know about it.

BY MR. MACPHER:

Q. Did you see that case touch the lamp ?    A. I didn't notice the case at all.

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ORIGINAL**

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Q. Did you notice the lamp afterwards? A. I noticed the lamp shaking.

Q. Did you go over to help this man up when he fell down? A. No, sir; a crowd came there right away. I didn't get any show to get near him.

Q. The Street was crowded at that time, wasn't it?

A. Yes, sir.

Q. With people coming out of the theatre and going up and down the Avenue? A. When the gentleman let out a scream a big crowd came running along.

Q. Was the Street full of people too in the immediate neighborhood of that store? A. Not so many.

Q. The theatres were out, you had just come from the theatre, you say? A. Yes, sir.

Q. Were you going up or down the avenue? A. Going up town.

Q. Did you go over and look at the lamp after the thing occurred? A. No, sir; I didn't look at the lamp at all. I turned around and saw it shaking and I didn't notice anything after that.

Q. You had no conversation with anybody around there? A. No, sir.

Q. You went right on home? A. Yes, sir.

POOR QUALITY  
ORIGINAL

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D R. O T T O A. M I S S I S S I P P I

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. 101 East Third Street.

Q. What is your occupation? A. Electrician.

Q. Electrical engineer? A. Yes.

BY MR. BROWDER:

Q. Dr., have you had any examination of the premises on Eighth Avenue where this lamp was situated?

A. I have.

Q. When? A. Yesterday afternoon.

Q. In company with anyone else? A. With Mr. Ralph Pope.

Q. Did you hear the testimony given by Mr. Wheeler, the expert of the Board of Electrical Control? A. I did.

Q. Did you see the lamp at these premises yesterday afternoon? A. The lamp had disappeared yesterday.

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**POOR QUALITY  
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Q. From the inspection which you made on the testimony which you heard this morning, are you able to describe to the Jury intelligently and precisely the cause of the death of Mr. Harris? A. Although the lamp is not there it is only removing the cause of death. I have the distance of the lamp; therefore, we can very readily imagine the lamp to be present. The man having been found dead under the lamp, the body bearing all the marks according to what I have heard to-day from the expert testimony, the Coroner's physicians and so on, I think we can safely assume that the man was killed by a current of electricity. However, not being present at the autopsy, I cannot say. I visited the ground and found all that was necessary to cause the death of this man by a current of electricity, except the location <sup>of</sup> the "ground" which short circuited through him outside of the main circuit. That I was not called upon to test, and probably the evil had been removed by the Company within an hour or so after the occurrence, because they test frequently during the day for all such leaks, and it had probably been removed,

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it being to the interest of the Company, of course, to get rid of leaks as soon as possible, since they are financial leaks as well as electrical leaks.

Q. Now we will start with the one lamp which is here. Will you describe to the Jury how the death of young Mr. Harris could have been prevented provided there were proper insulation adjacent to that lamp immediately adjacent to the carbon? A. The lamp is one with which I am quite familiar. It is the ordinary Brush Lamp, one that is in use by tens of thousands over the country. Judging by the number that I have read, this is already up in the tens of thousands. The insulation of which the counsellor speaks is necessary in order to prevent those who handle the lamps from coming in contact with the current. Of course it is out of the question for anyone other than the employees of the Company to handle lamps. They are expressly forbidden doing that. So that there is a distinct understanding between the consumer and the supplier of current that there is to be no handling of the lamps, all the danger being experienced by the trimmer, the man who is employed by the company.



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So that if there be insulation more or less perfect it is a matter of no very great importance, because the trimmer is thoroughly well aware whether the arc lamp is in condition to injure him or not. As far as the death of this gentleman, Mr. Harris, is concerned, I think the matter is very easily explained. There is always in every lamp a portion of the circuit exposed, inevitably and necessarily. That is that portion of the circuit which is gradually changing the carbons. Before a lamp can burn the current has to pass through the carbons whose consumption furnishes the light. They are gradually diminished in length, and by an automatic regulation and adjustment they are fed up as they are consumed. So that it is impossible for them to be protected in any way whatever satisfactorily, unless you apply something exterior to them.

Q. To the carbons? A. To the carbons. Now in the lamps that I have seen of this character there is an orifice at the bottom which allows the trimmer to introduce the lower or the negative carbon and fasten it into position. It projects a little.

Q. Will you illustrate that to the jury by that lamp, if you please? A. (Referring to lamp and

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indicating) At the bottom of this lamp here you see is an adjustable carrier. Through this orifice here a carbon is introduced. There is a globe on here and for convenience in adjusting the lower carbon and centering it with the upper carbon which is here, this hole is allowed to remain. Then the carbon is clamped here, and sometimes, according to the relative length of it, there is more or less of it projecting. In some cases it need not project. It is not absolutely necessary that it should. But if it do project, it should be perhaps protected with something, something very easily applied to it and which I think the companies do put upon the carbons, as a rule, or should. Now when the carbon is introduced here a portion, as I remarked, projects. That is a part of the main circuit direct. Every carbon forms such a part of the circuit <sup>and</sup> as the wire that passes over the poles carrying the current to the point where it is consumed. So that if that carbon in any way is brought into a position where it can be exposed to being handled or touched, the person, for the time being, is in a position



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to come in contact with, as it were, a naked wire. This is due to the very nature of the lamp. You cannot cover carbons. They must move up and down. Had that unfortunate man brought the top of his show case in contact with the top carbon the same result would have occurred. As it is, I am convinced from an inspection of the lamp and the surroundings, and from the fact that the show case was so heavy, that they moved it only a small distance. It is very natural to suppose that the top of the show case came in contact with the carbon. That if there were a link somewhere on the main line he was in a position to introduce himself into what is known as a "shunt" circuit, not into the main line. He could only introduce himself into the main line, supposing the carbon to be a part of the main line, by catching hold with one hand of the negative carbon, the lower, and with the other hand of the positive carbon, separating them, breaking the circuit, extinguishing the lamp and causing the current to pass through his body as this missing link in the main circuit. That he did not do. Consequently, he received only a portion of the current of the main

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line and that portion was what passed off between the main line through him into a conductor upon which he stood, (and iron grating) and through the ground back again to some portion of the main line. Where that was no one can say without testing it. It may have been miles away that that main line was in contact with the ground accidentally. As I say, the companies immediately remove any leaks or grounds that they find, because it is like having a faucet turned on. If you are selling liquor of any kind, wine or something of that kind, if you would allow the faucet to remain turned on it would be so much pure loss. So that you turn it off as soon as you can. In the meantime, though, you may waste something. In that interim this man Harris was killed.

Q. Then first we are to understand that there was a leakage there? A. Yes, sir.

Q. Next that the carbon protruded below the arc perhaps an inch or a little more, and that there was no protector over that carbon? A. I doubt if there was. I think that this metal cap of the show case came in contact directly with the carbon and passed through the metallic binding of the case into



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the man, down into the iron grating and so back again to the line.

Q. And third, the Jury is to understand that there was no insulation there? A. That is immaterial, because the carbon is a naked wire?

Q. Now if there had been a cap or protector over that carbon this accident would not have occurred?

A. I don't think it would have occurred.

Q. And it was owing probably to the fact that the carbon protruded below the lump that this shock was received? A. I think so.

Q. It immediately struck the metallic case, and then ~~we~~ how are we to understand the current passed ~~into~~ into the young man; through the hand or the foot?

A. I think it is very evident that under the exertion of lifting a heavy case---because I lifted it and it was quite heavy---probably a perspiration exuded from his hand. Perspiration contains salts that are excellent conductors of electricity. He had to grasp, of course, the metal frame containing the glass with his hand, consequently he exposed a very large surface of good contact to it. With the other hand,

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as I was informed, he held on to a handle that was there for that purpose. From the testimony given by Dr. Killilea,, it is very evident that the current passed through the man while he was on tiptoe exerting himself to lift this case, passed through an iron peg that had through some misfortune passed through the leather on the inside of his shoe, and perhaps that irritated his skin at that point and had given it already a bruise and made it ready to pass the current very freely. Then it went into the metallic grating; (you might say it is corrugated; it is solid, but it looks like a grating;) passed through that into this nail and formed in that way a perfect shunt circuit; that is, a circuit off from the main line.

Q. Then the Jury are to understand that in fact this small nail in the shoe, in connection with the feet of the carbon protruding, was the immediate cause of the accident? A. I think if the peg had not been there the man would not have been killed; because the peg had perforated the sole leather and then had perforated the stocking and also, perhaps, the skin had been abraded. Then it passed through him, he



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being in a perspiration from lifting this case and it being an excellent conductor, through his hand up into the top into a little brass ball that crowned this thing and from that into the naked wire of the line; that is to say, the carbon. The insulation seemed to be on the rest of the line in very good condition.

Q. But near the wire? A. There is no insulation on the carbon; there cannot be; it has to be burned; no more than you would expect to insulate every piece of coal that would be put in a grate so that children would not burn themselves. The <sup>sole</sup> ~~sole~~ has to be burned and the carbon has to be burned. So that, if you come in contact with it, you will have to suffer provided there is a current to pass through your body.

Q. Would not this lamp serve the same purpose provided the carbon had been protruding at a place in such position as is usually done? A. Yes, sir.

Q. That is, even with the lower part of the frame? A. I think that the carbon should not have been allowed to protrude. But in the rapid adjusting of this carbon the men are generally careless. The ~~injury~~ <sup>overcoming</sup> injury done generally is <sup>overcoming</sup> to their employers' fortune.

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So that in this case there was a great deal of injury caused by the carelessness of a man who perhaps had received many times an injunction not to allow those carbons to protrude.

Q. One more question, if you please. You were at the premises yesterday. I wish you would try and explain to the Jury exactly how this case stood before the accident with relation to where the lamp itself was suspended so that they can understand exactly how the top of the case struck the lamp? A. In front of this store there seemed to be two levels, one composed of an iron grating extending along the length of the store, with some interruptions, consisting of absolute gratings filled in with plates of glass to furnish light to the cellar. Then there is a lower terrace, as it were, about two inches under that. Then there comes the ordinary pavement. When I saw this show case yesterday it was on the upper terrace; consequently, it would have been necessary to raise it to bring it in towards the store. But being originally no doubt, on the outer pavement, it had been ~~raised~~



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raised on to this terrace and in order to clear it it had been raised high enough to come in contact with the lamp.

Q. The lamp being suspended from the pavement, was that an essential and important factor that contributed to the death? A. I think that was a factor, a very important factor. I think that the lamp should have been higher under the circumstances. It is true that nobody nowadays feels inclined to have anything to do with lamps, but in a case of this kind by mere accident danger was present. So that I think that lamp ought to have been several inches higher to escape any possibility of an accident.

Q. Had the lamp been placed as required by the rules of the Board of Electrical Control, in your judgment, would this accident have been avoided? A. I think so; decidedly.

BY MR. MAGDOFIA:

Q. Are you familiar with the patterns of these electric lamps? A. Yes, sir.

Q. (Indicating) Is that a new one, or a very old one, or what sort of a lamp is that? A. That is

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a lamp whose action depends upon an arrangement that was introduced in 1878 by Mr. Brush.

Q. I am speaking now with reference to the frame. I don't mean the feeder; the bottom of it. Do you know of any other adjustment for setting carbons than that one? A. Oh yes, there are several; but they are generally founded on about the same general principle.

Q. Do you know of any other means in which that negative carbon is exposed? A. Well, they are allowed to protrude, but in some lamps they are protected by screens, such as could be very easily applied to that. In fact, I would suggest that a bit of rubber ~~tube~~ <sup>tube</sup> about two or three inches long should be attached by each feeder to the bottom of every carbon as he puts it in, and when the carbon is consumed let him apply it to the next carbon that he puts in, to make it safe.

Q. Do you know anything about the rules of the Board of Electrical Control? A. In a general way.



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Q. Isn't it a fact that they have a rule concern-  
ing the insulation of these lamps that, where they are  
suspended they shall be protected, and the carbon  
shall be protected, and that they shall be suspended a  
certain distance from the sidewalk? A. I only  
know from what I have heard of the testimony given by  
the Expert of the Bureau of Electrical Control with  
regard to the distance that they must be from the pave-  
ment. It is a reasonable distance; it is a reasonable  
regulation. With regard to the insulation, I hardly  
think that they would dwell upon that, because it is  
essential in the very nature of the thing that there  
should be an insulation.

Q. Now about the fact of the time. If that  
man that received the shock had let the wire which he  
held in his hand touch that bottom carbon and that line  
had been in a perfect state of insulation, he would not  
have been killed, would he? A. Oh no, not at all;  
because the man he held the other side of the wire  
stepped, he being on an insulating pavement. It wasn't  
wood; it was a very good non-conductor---the Flagstone.

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I observed the flagstone yesterday upon which this gentleman stood who testified that he was with Mr. Harris at the time of the accident.

Q. I will read to you Rule 124 of the Rules and Regulations of the Board of Electrical Control for overhead conductors for electric light and power:

XXXXXX "The insulation must be preserved throughout the entire circuit, and in any portion of a lamp or fixture is a part of the <sup>circuit</sup> ~~same~~ and can be touched, it must be insulated."

A. On general principles it ought to be insulated for the safety of the man who are engaged in lighting lamps. I presume it is done.

Q. And for the safety of the public generally?

A. Of course; but ~~the~~ the public are cautioned never to touch a lamp, by hanging it above their heads and by forbidding those who take the lamps, they agreeing not to touch the lamp.

Q. Then we have another condition. Here is a lamp a little over eight feet from the sidewalk, not suspended high enough to avoid an umbrella, for instance,



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and hung in front of a show window where people would be directly under it on a rainy night with umbrellas. Now the public were interested in that to that point

A. Oh undoubtedly.

Q. I speak now about the danger of a lamp in that condition, suspended as that was, to the public?

A. I think that that lamp ought to have the current brought into it through an insulated, and a well insulated, conductor.

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D R. R A L P H W. P O P E

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. Elizabeth, N.J.

Q. What is your occupation? A. I am an electrician by profession, Secretary of the American Institute of Electrical Engineers, and an editor.

Q. Of what paper? A. The Electric Power.  
BY MR. BROWDER:

Q. Did you accompany Dr. Moses yesterday afternoon in his visit to the premises 675 Eighth Avenue? A. I did.

Q. Did you make an examination of what was left there, for the purpose of ascertaining the immediate cause of the death of Mr. Harris? A. I did.

Q. Did you find the lamp there that has been introduced in evidence or exhibited to the jury? A. No, the lamp had been taken away and the circuit completed. It was cut out, a wire connected across.

Q. From the examination which you have made and

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the evidence which you heard this morning as presented to the Jury, will you state whether or not in your opinion there was a leakage, on November 30th, 1880, which in any way contributed as a cause to the death of Mr. Harris. A. There must have been a leakage on the line elsewhere in order to fulfil the conditions necessary to cause death.

Q. And from such facts in your possession and the evidence which you have heard are you able to state where that leakage was? A. I am not.

Q. From the examination which you have made and the evidence which you have heard, will you state or explain to the Jury what in your opinion was the direct and immediate cause, or the causes, of the death of Mr. Harris? A. I examined the place where the lamp was and compared it with the location of a lamp located a few feet away, opposite the other door, which was, as I understood, a lamp of the same pattern and hung apparently at the same distance. I also compared that with the height of the show case which was moved in. As near as I could judge by my eye, it was

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merely necessary to raise the show case one or two inches to come in contact with the carbon, provided the carbon protruded below the lamp, as has been testified. That appeared to be very probable, for the reason that the show case has been carried in frequently and the lamp is broad, as you may see, the base of it, and the probabilities are that if the show case would have hit the lamp at all it would have been hit before, it would have been noticed. But on the top of the show case, the point that runs up, is a bar with a ball on it and in carrying it by there was a chance, of course, if that carbon protruded far the ball to come in contact with the carbon. But it was a mere chance. It might have been carried past those hundreds of times and missed it. But the distance was such that admitting the carbon to have been there the contact could have been made. The show case has a wooden base about <sup>height</sup> ~~that side~~ (illustrating about three feet) from the floor. From there up the case is built on this wooden base and metallic corners run up to a point and the ball and the projection are fastened into the frame.



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Mr. Hughes who carried the case with the deceased showed how it was carried, which was a perfectly natural way. A man would raise it by its handle and would steady it by placing his left hand on the corner of the case, provided he was a right handed man, and carry it in that way.

4. The left hand would be on the metallic part of the case? 7. On the corner of the case. It was the corners of the case where the metal was. That would form an excellent contact, for the metal was bright. Thus there was a path for the current from the carbon which was in the circuit through the knob and through the metal frame into the hand of the deceased, through the body, through the nail in the toe of his shoe, to the iron plate or grating on the sidewalk; and owing to the surface of those gratings, they are always a good ground. We consider them a good metallic contact. So that the course of the current is perfectly plain to one who is familiar with the action of electricity. Taking that in connection with the testimony of the physicians as to the location of the nail,

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the location of the burns and the conditions as they appeared together, there can be no doubt as to the cause of his death from that particular wire. That was the only wire there was in the neighborhood.

Q. In your judgment, and you so testify, the primary cause of the death was owing to the fact that the lamp was not, in the first instance, suspended high enough from the pavement; is that correct? A. That is correct.

Q. Now, consequently, should not the company have provided some cap or protector to the carbon protruding underneath? A. It was a matter of surprise to me ~~that~~ to learn that lamps of that kind were now in use. Five years ago I was connected with the Union Electric Manufacturing Company and we made lamps for the Fuller-Wood Co., and the insurance inspector came up there at that time and insisted on this frame being insulated before they would be accepted by the Company and paid for and we had to go to the expense of insulating those lamps before they would be accepted. And that was five years ago. I have not paid any particular attention to the details of lamps since that time,



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but knowing that to have been the case five years ago

I was somewhat surprised to learn that lamps were still permitted to be used in which the frames were not insulated.

Q. A rubber covering or cap would in a great measure have aided in preventing this accident?

A. Some device. (Indicating on lamp) A cap of a similar description below, with sufficient space so that the carbon would not touch it, would have been a protection provided the whole base was insulated from the current. There could have been space enough, and I think that a cap of that kind is used on lamps. I saw some yesterday that would permit that carbon to project below. But if I understood the employees correctly, they are not supposed to allow those carbons to project; they are supposed to knock them off. So that in that case that very inch in my judgment, was the immediate cause of the death.

Q. One of the factors? A. Yes, sir.

Q. Doctor Moses referred to carbon being adjusted above the same as below and said if the case had struck

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the upper piece of carbon the result would have been the same? A. Yes, sir; that is the other pole of the circuit.

Q. And that could be owing to the fact that there was a leakage and no proper <sup>ins</sup>ulation? A. Yes, sir.

BY MR. CANTAR:

Q. (Referring to lamp) Now, Mr. Pope, the lamp usually has a globe over it is that right, does it not?

A. Yes, sir.

Q. How high does that glass globe come usually?

A. (Indicating) That is the base of it there.

Q. The globe that would act as a protection so that any person could not touch that portion of the carbon, the glass being an insulator, a non-conductor?

A. Glass being an insulator it would not be liable to hit that part. The carbon is fastened in there (indicating).

Q. So that in actual practice this part is covered down here (indicating) and this side is insulated and a globe is on. The only portion which could be touched would be a small portion up here (indicating)?



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A. A small portion there.

BY MR. KROHMER:

Q. I wish you to state to the Jury, so far as the testimony you have heard given before the Jury is concerned, the investigation you have made, what, in point of fact, was wanting as far as this <sup>lamp</sup> ~~are~~ <sup>was</sup> concerned in showing that there was no proper insulation; tell the Jury in what respect there was no insulation there? A. As Dr. Moses explained to you, both of these carbons are virtually in the electric circuit. The whole length of these carbons forms part of the circuit, and consequently that carbon protruding below the base was a part of the circuit. All that is required was the connection from that carbon to the ground, in connection with this supposed leakage at a distance, and that connection was formed by the metallic frame of the show case and through the body of the deceased and through the nail in his shoe. It was all complete from the carbon.

BY THE CORONER:

Q. Is that part of the lamp which holds the carbon <sup>was</sup> ~~isolated~~ in this lamp? A. No, that appears to be

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connected with the base. I do not see any insulation there at all. There appears to be no insulation there, as near as I can judge.

BY MR. BRONNER:

Q. What insulation was wanted? A. Hard rubber. Hard rubber is used because it is easily worked.

Q. Pliable? A. No, you can turn it or cut it any shape and it is formed like metal.

Q. In your judgment that particular piece of insulation was wanted and missing at the time of the accident? A. Yes, that would have insulated it if it had been properly put in there, as long as the carbon protruded.

BY JUDGE HILGREN:

Q. You said there was a leakage in the <sup>area</sup> ~~place~~ which caused the death of Mr. Harris. That is the way for the Company to find it when there exists a leakage; how long after the leakage takes place will the Company find it out; will they have to wait until an accident like this happens? A. No; if a leakage is ~~xxxxx~~ very heavy it will be known at once at the station. But it might be enough to cause death without showing on the dynamo. But where these tests are made every



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hour they should be made with proper instruments, which would show a very small leakage; and that was of the rule the intention of the Board of Electrical Control that every hour a test of the line should be made, which would show whether there was any leakage upon it which would be sufficient to cause death.

Q. Do not the Company do that now? A. That I do not know. It is one of these rules that is set down for them to carry out. It appears now that although these rules are made for them they do not in all cases comply with them. That was the case in regard to the height of this lamp from the sidewalk, for instance.

Q. This accident happened at 11 o'clock at night. Had this leakage occurred in the afternoon did the company have any way to find that out? A. They have a way of finding it out; yes, sir.

EXAM. PROCEED:

Q. Doctor, assuming that the Company had performed its duty in making this examination of the circuit every hour, as required by the rules, or had they in a measure

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done as was required of them, would not this leakage have been discovered in time to shut it off? A. It might. But there was a chance, of course, that it might not. Of course a test might be made now, for instance, and in five minutes after this a round would come on that would not be discovered for 55 minutes and in the interval an accident of this kind might occur.

Q. That is a remote possibility or probability that between the time of making the examination and the time of the accident the leakage might occur?

A. Yes, sir.

Q. That is an explanation you give? A. Yes, sir.

Q. But could not a leakage of this nature or character have been detected provided there had been proper examination made of the circuit? A. The probabilities are that it could have been.

adjourned to meet to-morrow morning, December 11th, 1969, at 11 o'clock A.M.

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S E C O N D   D A Y .

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New York, Wednesday, December 11th, 1889.

11.30 A.M. Met pursuant to adjournment.

Same appearances.

W I L L I A M   T .   M O O R E

sworn and examined.

BY THE CORONER:

Q. Where do you reside? A. The Murray Hill Hotel, at present.

Q. What is your occupation? A. I am the President of the Brush Electric Light Company at present.

BY MR. MACDONALD:

Q. Mr. Moore, have you anything to do with the ~~physical~~ <sup>financial</sup> management of the Brush Company? A. Not the slightest. ~~financially~~ <sup>financially</sup>.

BY THE CORONER:

Q. Do you know anything about it? A. Not the slightest about the money affairs.

MR. MACDONALD: Well, we want the Superintendent.

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C H A R L E S   W .   P I E R C E

sworn and examined.

BY THE CORONER:

Q. Where do you reside?   A. 190 east 76th Street.

Q. What is your occupation?   A. I am connected with the Brush Electric Light Company.

BY MR. MACDONALD:

Q. In what capacity, Mr. Pierce?   A. As Superintendent of lamps.

Q. And as such Superintendent is it your business to inspect and put up lamps for that Company?   A. Yes, sir.

Q. On these various circuits in this City?

A. Yes, sir.

Q. Did you put up the lamps in front of 765 Eighth Avenue?   A. Mr. Callan's place; yes, sir.

Q. The place where Mr. Harris was killed?   A. Yes, sir.



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Q. When did you inspect these lamps last before the 30th of November last? A. Oh I have been by there a number of times.

Q. That is not the question. I asked you when you inspected them last previous to the 30th day of November 1889? A. I have not been there to make a regular inspection since the work was done.

Q. When were they put up? A. It was shortly after the fire, in February, I think.

Q. February 1889? A. February 1888, I believe so.

Q. And do I understand you that you did not inspect them from February 1888 until this occurrence in November 1889? A. Oh I have seen the lamps a great many times since that.

Q. That is not the question, Mr. Pierce. I ask you did you inspect the lamps? A. (Referring to small memorandum book) February 20th, 1888. That is the last work that I did that I have a record of.

Q. Now I ask you between February 1888 and the time of this occurrence, November 1889, how often and when did you inspect these lamps? A. Well, I don't

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call it an inspection at all. I have been up by there and seen the lamps hanging up.

Q. And you did not inspect them? A. It might be called an inspection, but I don't say that it was.

Q. Now will you tell what was the number of the circuit on which these three lamps in front of Callan's store <sup>hang</sup> ~~was~~? A. Uptown commercial seven, we call it.

Q. Commercial seven. Is that what it is known as in your book? A. Yes, sir.

Q. Now you trace that circuit out to be commercial No. 7 from your dynamo and back again. Where is the station for it? A. 210 Elizabeth Street.

Q. Take it from 210 Elizabeth? A. That circuit goes up Broadway.

Q. Which side? A. Partly on the East and partly on the West side.

Q. Which side does it strike from Elizabeth Street?

A. Broadway, West side.

Q. How far? A. It may cross at 10th Street; I think it does cross at 10th Street.

Q. Tenth Street, East side? A. Yes, sir.



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Q. And along the East side of Broadway from 10th Street to where? A. Well, at present it goes to 13th Street.

Q. And where did it go on the 30th day of November? A. The same place.

Q. How does it go from 13th Street; East or West?

A. It goes up Broadway under ground from 13th Street through Union Square.

Q. At 10th Street and Broadway on the East Side it goes into the subway? A. No, sir; it crosses Broadway at 10th Street from the West to the East side.

Q. How does it go from 10th Street and the East side of Broadway to 13th Street? A. Overhead on our poles.

Q. Still overhead to 13th Street? A. Yes, sir.

Q. And at 13th Street and Broadway? A. It is underground.

Q. Now what corner is that pole on from which it goes underground at 13th Street and Broadway? A. It is on the Northeast corner.

Q. How then where does it go from 13th Street and Broadway through the subway? A. One part of the

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circuit goes through 14th Street <sup>up</sup> to Sixth Avenue, and the other part through Broadway up to 25th Street and then through 25th Street to Sixth Avenue and 25th Street.

Q. How do you divide that; please let us know about that? A. Well, I am not familiar with that underground system much. That is the way the cable is run.

Q. You are Superintendent of the electric light company? A. I am superintendent of lamps; I am not superintendent of the company.

Q. Tell us how one part of that goes in one direction and another part in another; how is that cable bifurcated? A. Simply one cable goes through one duct and another cable through another one. Instead of carrying them parallel, they are divided.

Q. Did you understand my first question, Mr. Pierce?

A. What was that, sir? \*\*

Q. About what was the course of the circuit on which these lamps were strung? A. I was giving it to you.



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Q. Now we have got a single wire. I am speaking of the single wire that carried the circuit on which those lamps came that were in front of Callens. I understand you go to the corner of 13th Street and Broadway, and that the circuit is split there, one end going uptown, and the other across town? A. Are you aware it is a metallic circuit? It takes two wires.

Q. I suppose so. A. One goes through Broadway and one through Sixth Avenue.

Q. Explain how it is split? A. For convenience I suppose, One supplies circuits on Sixth Avenue, and the other a part of Broadway. Instead of two wires or two ducts, it takes one up Broadway and one up Sixth Avenue. They both start from the two parallel wires; they are both carried up to 25th Street and 6th Avenue through different Streets, that is all.

Q. From 13th Street & Broadway one goes in the subway to where? A. 25th Street and Broadway, through 25th Street to 6th Avenue.

Q. And the other? A. Through 14th Street, up Sixth Avenue to 25th Street and 6th Avenue.

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Q. Mr. Pearce, have you anybody under you whose business it is to inspect the lamps, or is that your special business? A. No, sir; that is my business.

(The lamp used as an Exhibit in this inquest was here produced).

Q. Now, Mr. Pearce, will you look at that lamp. Is that one of the lamps belonging to your Company?

A. Yes, I presume it is. It was carried to the Station House.

Q. Don't you know whether it is or not? A. Yes, I should say it was.

Q. Turn it around and look at it? A. It is a Brush lamp.

Q. You sell those lamps to other people?

MR. GRAHAM: They buy them.

Q. Have you a memorandum about you, Mr. Pearce, or in your possession, showing what lamps you put up in front of Mr. Callen's place, if any? A. There were three lamps placed there.

Q. Well, what were the lamps? A. Similar to that (indicating lamp already produced); three Brush arc lamps.



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Q. What were the numbers of the three Brush arc lamps? A. We never take the numbers.

Q. You haven't any way of identifying them?

A. We never take the number of a lamp when it is sent out.

Q. How many lamps have you got out in service belonging to that Company? A. There are probably something like 2000 hanging up.

Q. And you don't know the number of anyone of them?

A. No, sir.

Q. Is there no way of keeping any record?

A. We know where they go. Each customer is charged with the lamps he gets.

Q. Well, a lamp. You don't know whether it is a new lamp or whether it is an old lamp, or what number it is, or anything else? A. We never have kept any record of that. I can open that lamp and show you the day it left the station. It is marked inside on the magnet.

Q. The station where it was built, or your station?

A. Our station. The man that tests the lamp puts

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his mark inside the lamp.

Q. Have you any way of getting it that we let us know? A. If I had a screw driver I could.

This has a mark put on by the man that tested the lamp.

Q. What is the mark; is it a plain mark or an arbitrary mark that you alone know? A. The man that

put the mark on can understand it. It is plain figures

(here opens lamp) there is the mark---. . It is  
24  
seven, 24th day.

Q. Seventh, 24th day of the year? A. There is no year on there. That was this year without a doubt.

Q. How do you know; did you put in another lamp in front of Callan's this year? A. Oh, we often change the lamps.

Q. That is not what I asked you, Mr. Pierce. Now you are an intelligent man and there is no use of your sparring with me. Did you put up another lamp?

A. I can look through the books and tell you.

Q. Why didn't you bring them? A. Perhaps the book that has this mark may be up to the station.

Q. Why couldn't you bring them without suggesting where they might be? A. I can look over the books and



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bring it to-morrow.

BY MR. GRAVATH:

Q. Can you tell approximately when that lamp was put up? A. Oh I know when the lamp was put up, but it might have been changed since that time. We change more or less lamps every day.

BY MR. MAGDOFFA:

Q. You haven't anything to do with the condition of that line, have you? A. No, sir.

Q. Your special business is the inspection and putting up of these lamps as they are ordered? A. Yes, sir.

Q. And who has charge of the inspection and the superintendence of that line? A. A man by the name of Frank Sears.

Q. What is his title in the company; chief lineman?

A. He is superintendent of poles and lines.

Q. And his name is Frank what? A. Frank L. Sears.

BY MR. PROFFER:

Q. Did you at any time make any inspection or examination to see whether or not those lights were raised

POOR QUALITY  
ORIGINAL

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a sufficient distance from the pavement so as to comply with the rules of the Electrical Board? A. I believe when the lamps were put up the rule called for eight feet.

Q. ~~Was~~ No; have you made such an examination?

A. At the time they were put up, they were put up according to the Rules.

Q. Do you know that of your own knowledge?

A. Certainly I do.

Q. What distance was that lamp put up? A. 6 feet 6 inches.

Q. Were you there at the time it was placed in front of Mr. Callan's residence? A. Yes, sir.

Q. At the time that lamp was placed there did you know the rules of the Board? A. I believe the rules called for eight feet.

Q. Did you know the rules of the Board? A. I have read the rules, yes.

Q. And you state that that lamp was placed there in February 1889? A. 1888.

Q. And have you read the rules since 1888?

A. Yes, sir.



**POOR QUALITY  
ORIGINAL**

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Q. Did you see the rules as revised or amended in 1889? A. Yes, sir.

Q. And despite that fact you did not undertake to see if that lamp was raised, did you? A. No, sir.

Q. So that notwithstanding the fact that the rules require the lamp to be raised at least nine feet, and you being acquainted with the rules as laid down on January 1st, 1889, no step was taken by you as superintendent of the Lamp Department to see that that lamp was put in such a condition as to comply with the rules of the Board of Electrical Control? A. I did not interfere with the lamp at all; I did not move it in any way.

Q. After November 30th, 1889, was this lamp in any way changed, raised, or altered? A. I can tell you that by the books that I have at the office, when I changed the lamp last.

Q. Was it at any time within the last two weeks that any change or alteration has been made of that lamp? A. Not a particle, no change at all.

**POOR QUALITY  
ORIGINAL**

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Q. Of that lamp? A. No, sir; except to take it down and carry it to the police station at the request of the Coroner.

Q. Was there any work done on those premises or about that lamp on the Sunday succeeding the preceding day when this accident occurred? A. No, sir.

Q. Was there any work done on 8th Avenue? A. Yes, sir.

Q. Were there any lamps raised on eighth avenue?

A. I have a list in my pocket dated from Thursday of work that was to be done from Sunday, the day succeeding the one upon which this accident occurred.

Q. Were any lamps raised on the north of Seventh on 8th Avenue? A. I didn't order any lamps changed; I ordered a little repairs.

BY MR. HADGON A:

Q. Did I understand you that that lamp had gone to your place after being taken down from Mr. Gellan's place? A. Oh no.

Q. What was the history of that lamp after it was taken down? A. It was carried to the police station.

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DR. WILLIAM E. JENNINGS

sworn and examined.

THE CORONER:

Q. Where do you reside? A. 100 West 20th Street.

Q. What is your occupation? A. Coroner's physician.

Q. You made an autopsy on the body of Henry Harris?

A. Yes, sir.

Q. On what day? A. On the 22d day of December 1929, about noon, at 549 West 45th Street.

Q. What did you find? A. I found the body in an ice box, from whence it was removed by the assistance of the undertaker and placed convenient for an autopsy. Upon examination of the body, I found it fairly well nourished, and rigor mortis, or the stiffness which follows death, well marked. The changes which occur in death, that is, the lividities of the back and so forth, were well marked. Upon examining the left hand on the inner and palmar surface, from about the base

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**POOR QUALITY  
ORIGINAL**

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of the little finger all along this surface of the left hand, I found minute points, white, like blisters, varying in size from a pin point to that of a pin head. Upon examining the sole of the left foot, just below the junction of the little toe with the foot proper, I found a scorched surface about a quarter of an inch in diameter and corresponding to the surface in the sole of the shoe through which a nail passed and around that nail a slight discoloration as of scorching. Upon opening the body I found hyperaemia, or congestion, of all the organs. The heart contained only a small quantity of blood and what it did contain was fluid, dark colored, and on the surface of the heart, the membrane which covers the heart, underneath it, I found minute small hemorrhages, particularly well marked on the left ventricle. The lungs were congested and oedematous; that is, containing some amount of fluid; and on the pleura covering the lung, underneath it, I found minute hemorrhagic spots, very small hemorrhages more marked in the interlobar spaces, and some larger spots which upon cutting into I found were larger



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hemorrhages, varying in size from half an inch to three quarters of an inch in diameter, which had ruptured the lung substance. The other organs were practically normal, as far as any disease was concerned. The only condition marked was the marked congestion. There was no tendency at any point to coagulation. I don't know whether it becomes my province to say that I examined the place and had a statement made and attempted to make the conditions of the body satisfy those of the place of the accident, but I will say that my opinion is that death was caused by shock from discharge of electric current through body by conduction of current through iron framework of show case, which came in contact with an electric light lamp while deceased was carrying in said show case and standing on the metallic plate above the sidewalk.

BY MR. MACDONALD:

Q. One moment, doctor. How did you determine that the top of that show case came in contact with the lamp and not with the carbon? A. I don't mean to say that; I speak of the lamp as a whole, without respect to any part of it. I don't know, sir.

**POOR QUALITY  
ORIGINAL**

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Q. Because we have it here in evidence that there was a clamp exposed, a carbon exposed? A. I don't know about that. I simply looked at the lamp. It may have been another lamp for what I know, but from the condition of the lamp and the position of the man which Mr. Callan gave and the manner in which the man was carrying in the show case this conclusion was deduced, together with the autopsy.

Q. You have made a number of autopsies on men who were alleged to have been shocked to death by the electric current, have you not, doctor? A. Yes, sir.

Q. And you found the same general conditions in this case as in the others? A. Yes, sir.

Q. You found those peculiar conditions which exist in cases where it is alleged death was caused by the electric current? A. Yes, sir.

THE CORONER: The witness desires to make an explanation with regard to the show case.

THE WITNESS: Mr. Callan's statement to me and my examination of the body would coincide. Mr. Callan stated that the man had hold of the ring of the show



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case with his left hand on the iron framework and as he stepped back with the left foot he stepped on the iron plate and then got the shock . That is simply in accordance with the testimony.

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MR. MACDONALD: Now Mr. Coroner, I think we have arrived at the point where it is proper to terminate this inquiry. The question here for this Jury and for your Honor to decide is how this man came to his death at this place, and there is evidence here that he came to his death by an electrical shock, and there is absolutely no confusion or no contest as to where he got the shock from. He got it from a Brush Electric Light and that was the cause of his death, and there is evidence enough here on which this Jury can find a ~~unmistakable~~ verdict. For that reason I move that the case now be given to the Jury in order to determine that fact. Any further investigation, you know very well, would be an interference and an infringement of the rights of the Grand Jury of this County in the premises.

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the Grand Jury will go on in this case after the Coroner's Jury have found that death was caused by electricity and locate the responsibility of his death.

THE CORONER: Gentlemen of the Jury, do you think you have had enough testimony to enable you to arrive at a proper verdict?

SEVERAL JURORS: We think so.

C H A R G E.

THE CORONER: Gentlemen, you are intelligent and the testimony is very brief and it is fresh in your memory, and I think for that reason it will not be necessary for me to go into it at great length. But in view of the fact that we have had so many horrible deaths due to the wires, men being roasted alive by these wires charged with this deadly current, I think it is meet and just and proper that the Jury bring in a verdict which will censure those responsible for the death of this man, without fear or favor.

In the first place, the Jury has heard from the witnesses that this lamp was placed in position by the Brush Electric Light Company; that it was not properly



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ORIGINAL**

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insulated; that the inspections required by the Board of Electrical Control were not made; that the lamp was hung too low. The gentlemen of the Jury have been furnished with a copy of the Rules and Regulations of the Board of Electrical Control to guide them, and according to those they will find that this lamp should have been hung nine feet from the ground, while it was only one hundred inches.

In view of the testimony, there can be no doubt but that the lamp of the Brush Electric Light Company caused this death, and that it was negligence on the part of that Company in not having the lamp hung properly, in not having had it properly insulated and in not having had it properly and often inspected, as required by the Board of Electrical Control.

You should find further, gentlemen, when, where and how deceased Henry Harris came to his death. The testimony also clearly shows that Henry Harris met his death on the 30th day of November 1889, opposite No. 675 Eighth Avenue, in the City of New York, and that it was due to an electric shock received through the metal frame of a show case of and from some part of, or fix-

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ORIGINAL**

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tures connected with, an arc lamp of the Brush Electric Illuminating Company suspended in front of said store.

The main part of your verdict here is principally to ascertain the cause of this man's death; that is, that the electric current passed through his body. As I said before, the Brush Company is clearly responsible. If you think that there are any of the officials who have not done their duty in this matter, you must also censure them, without fear or favor. We all know that the electric wires and the other wires of the city are an eyesore, not only a danger but an eyesore to every one coming to this great metropolis. Nowhere in the civilized world outside of America will you find these wires which are not only an eyesore but, as we find in this case, are charged with deadly currents, as in the City of New York, above ground, and you should recommend that these wires be placed underground as soon as possible. I believe that they can be placed underground safely. It is being done and it has been done in all the large capitals in Europe, and it should be done here.

As I said, if in your opinion any of the officials



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or any of the departments of the Company have not done their duty wholly towards the citizens of New York in this matter and you think they are censurable, you must censure them without fear or favor.

Gentlemen, if you require any further instructions you will please inform me. You may now retire.

At this point the Jury retired and after some time spent in deliberation returned and submitted the following:

VERDICT.

We, the Jury, find that Henry Harris came to his death by shock from electric current while carrying a show case into the premises of No. 675 Eighth Avenue in this City, said show case coming in contact with an electric light belonging to the Brush Electric Light Company.

We censure the said Brush Electric Light Company for carelessness in not having had the light above referred to placed high enough and in accordance with the existing regulations of the Board of Electrical

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Control, and for not having the said light properly insulated and examined, as prescribed in the Regulations of said Board of Electrical Control.

And we, the Jury, find that the Brush Electric Light Company is solely responsible for the death of Henry Harris which took place on November 30th, 1889.

We also offer the following recommendations:

1. That the Board of Electrical Control and Board of Health of the City of New York be requested to use extraordinary and speedy measures to have the wires of all the electric companies of this City laid under ground, and

2. To use all necessary care to have the wires and lamps belonging to the electric companies properly insulated.

JACOB EITZ-----324 East 43rd Street.

CHAS. BOSS-----161 East 82nd Street.

JOSEPH KOCH-----329 First Avenue.

ELIAS GUTHMAN-----1389 Second Avenue.

ADAM GERLING-----1435 First Avenue.

MICHAEL BONDY-----415 East 86th Street.

VITATIS HINER-----420 East 116th Street.

WILLIAM VIGELIUS-----175 Pearl Street.



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ORIGINAL

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STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the in Part 4 Superior Court Room New  
H. Court House Street, in the Ward of the City of  
New York, in the County of New York, this 19<sup>th</sup> & 11<sup>th</sup> days of December  
in the year of our Lord one thousand eight hundred and 84 before  
MICHAEL J. B. MESSEMER, Coroner,  
of the City and County aforesaid, on view of the body of Harry Harris

now lying dead at  
Eight. Upon the Oaths and Affirmations of  
good and lawful men of the State of New York, duly chosen and  
sworn, and affirmed, and charged to inquire, on behalf of said people, how and in what manner  
the said Harry Harris came to his death, do upon  
their Oaths and affirmations, say: That the said Harry Harris  
came to his death by  
For verdict see inside

In Witness Whereof, We, the said Jurors as well as the CORONER, have to this Inquisition  
set our hands and seals, on the day and place aforesaid.

JURORS.

Jacob Eidl 324 East 43 Street  
Chas Boor 161 E 82<sup>nd</sup> Street  
Joseph Koch 829 7<sup>th</sup> Ave.  
Eli Guttmann 1389 2<sup>nd</sup> Ave  
Samuel Gering 1765 1<sup>st</sup> Ave.  
Michael H. Gandy 415 East

Ustalis Himmer 420 E 116 St.  
William Vigelius  
175 East Street

CORONER, T. S.

POOR QUALITY  
ORIGINAL

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MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
22	Years	Months Days	New York City	22nd Street Station	December 1st

Salesman  
employed by 345 + 347 W. 4th St.  
Bernard Callan 675 8th Ave.  
Married - wife & two children

His left hand  
on the palm  
and a part  
of little finger  
stained

Residence  
345 W. 4th St.  
W. 4th St. & 1st Ave.  
Dead at 175  
S. 1st Ave.  
of his employer  
before 100 - 100  
above 100 - 100  
Bernard  
675 - 8th  
Insurance company  
675 - 8th  
Henry Bernman  
545 W. 4th St.  
Offices  
Offices of W. 4th St.  
Offices of W. 4th St.  
Offices of W. 4th St.

He is a...  
metal...  
the...  
W. 4th St. & 1st Ave.  
on...  
of...  
above...  
with the electric...  
these...  
billed.

M. J. B. M.

1824

Sp. 761  
Att. 761  
1889

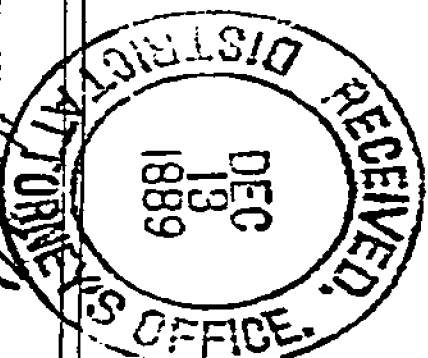
AN INQUISITION

On the VIEW of the BODY of

He is a...

whereby it is found that he came to  
his death by

Electric light  
Current



Inquest taken on the 10-11 days  
of December 1889 by  
MICHAEL J. B. MESSEMER, CORONER.

V 761



**POOR QUALITY  
ORIGINAL**

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THE CITY OF NEW YORK  
DEPARTMENT OF RECORDS AND INFORMATION SERVICES  
MUNICIPAL ARCHIVES

SEPARATION SHEET

INSTRUCTIONS: For each item or unified group of items separated, complete two exactly duplicate forms. Place one form within the collection at the exact place the separated item would occupy if it could remain in the collection. File the other form with the separated item in its new location.

DESCRIBE ORIGINAL LOCATION OF ITEM (S):

1. Record Group:  
**COURT OF GENERAL SESSIONS  
INDICTMENTS**

2. Subgroup:

3. Series:  
**COURT OF GENERAL SESSIONS  
INDICTMENTS**

4. File Unit & Box No.

Pierce C. "P". Dec 1884 Box 377  
Folder 3528

5.

BRIEF DESCRIPTION OF ITEM (S):

Marriage Certificate

\*28

SEPARATED TO:

6. New Location:

Oversize box

7. Room:

8. Date Separated:

8-7-1997

9. Separated By:

M.L.

0975

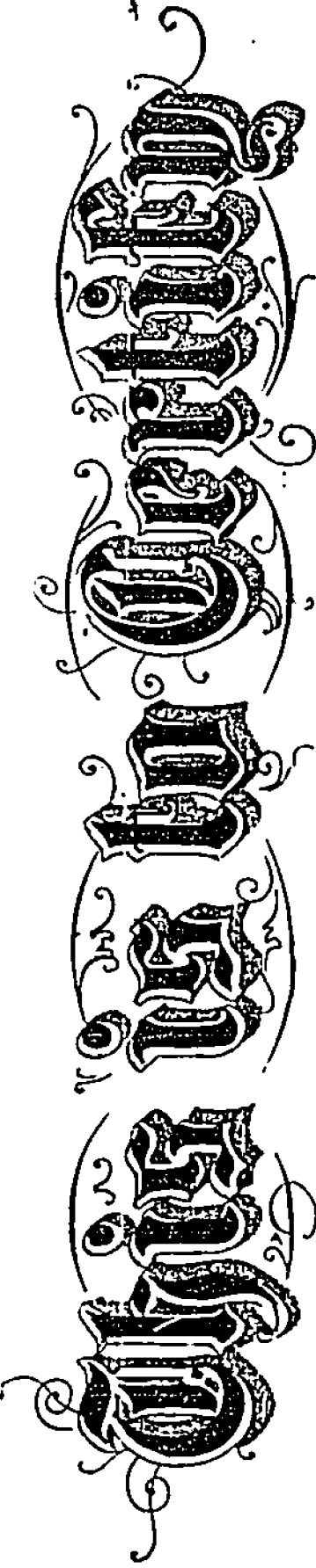
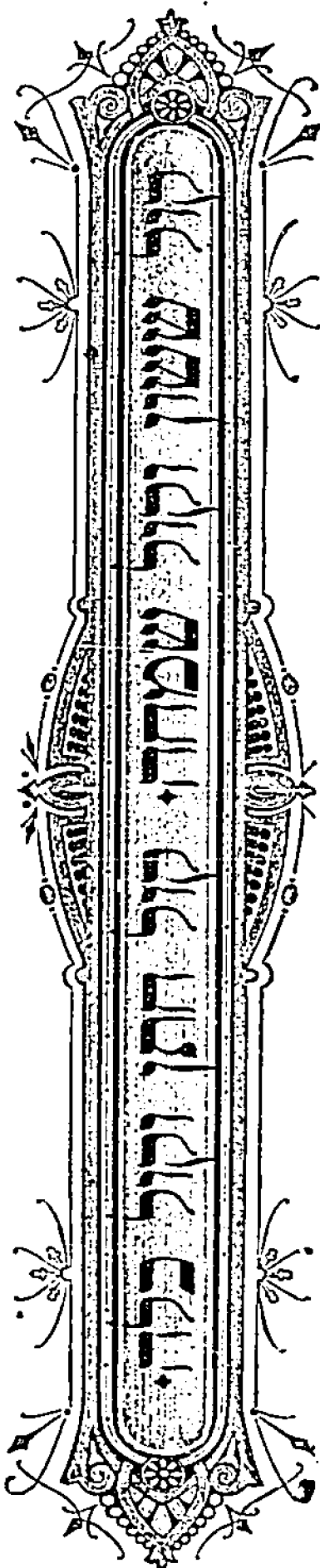
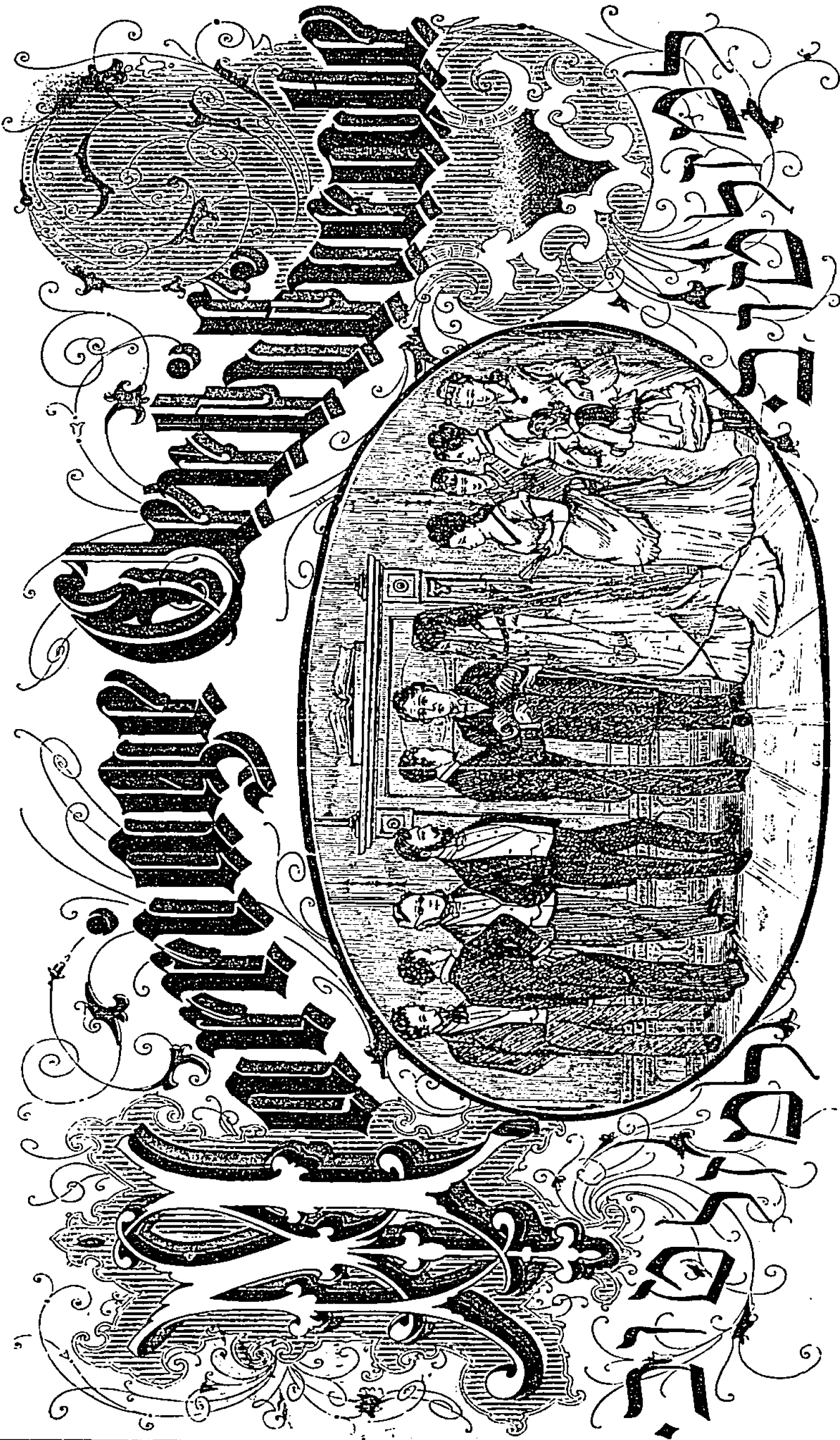
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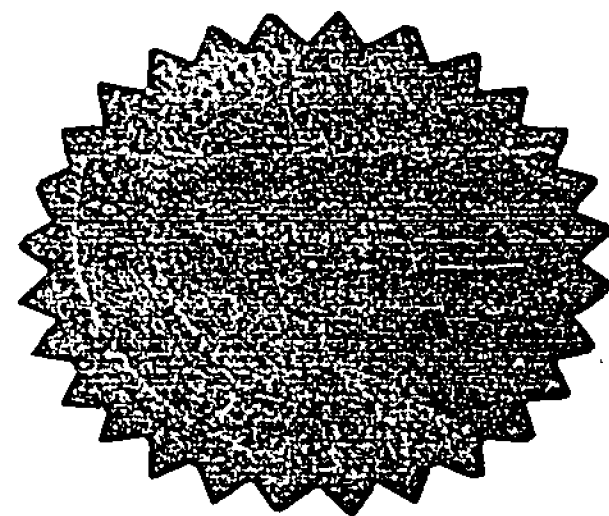
626  
42643

POOR QUALITY  
ORIGINAL

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That on this 20th day of the month of October in the Year  
1889 corresponding to the Jewish date of Emdar the 25th day  
of Tishri in the year 5649 in the presence of the witnesses  
signed, I united in lawful marriage, at New York  
Mr. Philip Silbermann and Miss Elizabeth Glaser  
with their free consent, and according to the laws of the State  
and customs of Israel.



Philip Silbermann  
BRIDEGROOM  
Elizabeth Glaser  
BRIDE  
Rabbi Dr. Przeworski  
Minister of Congregation  
Residence 738 5th St.  
New York

Witnesses:  
Jacob Lachman  
Henry Schatz

MADE IN U.S.A.



# Verdict

New York Dec 11<sup>th</sup> 1889

We the jury find, that Henry Harris came to his death by shock from Electric current, while carrying a show case into the premises of 675 Eighth Avenue, in this city, said show case coming in contact with an electric light belonging to the Brush Electric Light Co.

We censure the said Brush Electric Light Co. for carelessness in not having had the light above referred to, placed high enough and in accordance with the existing regulations of the Board of Electrical Control, And for not having the said light properly insulated and examined as prescribed in regulations of said Board of Electrical Control. and we the jury find that the Brush Electric Light Co. is wholly responsible for the death of Henry Harris which took place November 30<sup>th</sup> 1889.

We also <sup>offer the following</sup> recommendations:

- 1<sup>st</sup> That the Board of Electrical Control and Board of Health of the City of New York be requested to use extraordinary and speedy measures to have the wires of all the Electric light companies of this City, laid underground. and 2<sup>d</sup> to use all necessary care to have the wires of all the Electric



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*Companies, and lamps properly in-  
sulated.*

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District Attorney's Office  
City & County of  
New York

People

vs.  
Pierce

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John Walters C. O.  
Central Office  
Frank J. Morris  
22<sup>nd</sup> Prec.

22<sup>nd</sup> Precinct  
base Mr. Macdonald  
Thursday  
~~Wednesday~~ morning  
10 30 without fail

For Monday 28<sup>th</sup> April

Bernard Ballan	645	8 <sup>th</sup> Ave.	✓
Schuyler & Wheeler	141	W 34	✓
Lawrence H. Hughes	645	6 <sup>th</sup> Ave.	✓
Dr W. H. Campbell	259	W 42 <sup>nd</sup> St	✓
Dr Killilea	342	W 44 <sup>th</sup> St	✓
Henry Baum	525	W 45 <sup>th</sup> St	✓
Dr O'Lochness	131	E 43 <sup>rd</sup> St.	✓
William J. Moore	Murray Hill Hotel		✓

Do not subpoena Moore for  
Monday; serve him on Monday for  
next day.



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The People of the State of New York" "  
against "  
Charles W. Pierce. "

The said Charles W. Pierce, late of the City of New York, in the County of New York, aforesaid, on the thirtieth day of November, in the year of our Lord one thousand eight hundred and eighty-nine, at the City and County aforesaid, with force and arms, in and upon the body of one Henry Harris then and there being, wilfully and feloniously did make an assault, and a current of electricity of great and deadly power and intensity, through and into the body of him the said Henry Harris, then and there wilfully and feloniously did put, place and pass, and cause and procure to be put and placed, and to pass, and the said current of electricity, through and into the body of him the said Henry Harris did then and there wilfully and feloniously keep and continue, and cause and procure to be kept and continued for a space of time, to wit: for the space of five seconds, thereby giving unto him the said Henry

**POOR QUALITY  
ORIGINAL**

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COUNTY OF ALBANY SESSIONS OF THE JUDGE

Harris then and there, with the electric current aforesaid, a mortal electric shock, of which said mortal electric shock he the said Henry Harris then and there died.

And so the Grand Jury aforesaid do say: that the said Charles W. Pierce, him the said Henry Harris, in the manner and form aforesaid, and by the means aforesaid, willfully and feloniously did kill and slay; 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 W. Pierce of the same crime of MANSLAUGHTER, committed as follows:

HERETOFORE, to wit: on the thirtieth day of November, in the year of our Lord one thousand eight hundred and eighty-nine, the Brush Electric Illuminating Company was, and for a long time prior thereto had been, a corporation duly organized and existing under and by virtue of the laws of the State of New York, and on the day and in the year aforesaid, and at all the times herein mentioned at the City and County aforesaid, the said corporation was engaged in the business of generating and distributing throughout the said City, electric currents for the purpose of thereby operating lights called electric lights, such electric currents being generated by certain dynamo-electric machines in a certain building



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there situate known as number two hundred and ten Elizabeth street, and called the "Central Station" of the said corporation, and being distributed and conducted to the electric lights operated by the said corporation by means of certain lines of wires, called "circuits", in part suspended upon poles erected in the public streets of the said city; and in part laid in cables placed in underground subways, constructed beneath the surface of the public streets of the said city.

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**POOR QUALITY  
ORIGINAL**

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subject was entered into the public records of the said city and county and the same was duly recorded.

And on the day and in the year aforesaid, at the city and county aforesaid, the said Charles W. Pierce, late of the City and county aforesaid, was and for a long time prior thereto had been, a servant and employee of the said corporation, called the Superintendent of lamps, having the charge, management, supervision and control of the electric lamps of the said corporation, and of the erection, placing and arrangement thereof.

And so being such servant and employee of the said corporation, it was then and there the duty of the said Charles W. Pierce to so place and arrange, and cause to be placed and arranged, all of the electric lamps of the said corporation as that the citizens of this State going, returning, passing and laboring in and through the public streets of the said city wherein the said electric lamps were so placed and operated by the said corporation, might and could so go, return, pass and labor in and through the said public streets without danger or hazard of their lives or personal safety, and particularly so that such citizens should and might be without peril of injury by reason or chance of touching or coming in contact with any of such electric lamps, and for that purpose it was then and there the duty of the said Charles W. Pierce as such servant and employee, to keep and maintain and cause to be kept and maintained all of the electric lamps of the said corporation at such a height from the ground that the citizens going, returning, passing and laboring as aforesaid, should not be in danger of touching the same or coming in contact therewith, with their persons or otherwise; and also to properly



POOR QUALITY  
ORIGINAL

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OF THE CITY AND COUNTY OF NEW YORK, AND FOR THE PURPOSES  
OF THE CITY AND COUNTY OF NEW YORK, AND FOR THE PURPOSES  
OF THE CITY AND COUNTY OF NEW YORK, AND FOR THE PURPOSES

and safely insulate, surround and protect, and cause to be  
so insulated, surrounded and protected, all of the said  
electric lamps, and the carbon electrodes fixed, placed and  
adjusted therein, and in each of them, in such a manner as  
to prevent the current of electricity conducted to the  
said electric lamps and by which the same <sup>were</sup> ~~was~~ so operated  
as aforesaid, from being transferred to or from the said  
electric lamps, by conduction; so that <sup>under any</sup> ~~no~~ circumstance, and  
especially in the event of a chance or accidental transfer  
of a current of electricity in any part of the said circuit,  
another circuit should <sup>not</sup> ~~be~~ liable to be created by reason of  
such transfer of the current of electricity distributed and  
conducted by the said "Commercial Circuit, Number Seven."

Nevertheless, the said Charles W. Pierce, well know-  
ing the premises, afterwards, to wit: on the said Thirtieth  
day of November, in the year aforesaid,, at the city and  
county aforesaid, wilfully and feloniously did culpably  
neglect and omit to place and arrange and to cause to be  
placed and arranged the said electric lamp <sup>so</sup> ~~as~~ aforesaid,  
theretofore erected, suspended and hung by the said corpor-  
ation in front of the said building known as Number six  
hundred and seventy-five Eighth avenue, as that the citizens  
of this State, going, returning, passing and laboring ~~in and~~  
in and through the said public street known as Eighth avenue  
where the said <sup>electric lamp</sup> ~~was~~ so placed and operated by the said cor-  
poration as aforesaid, might and could so go, return, pass  
and labor without danger or hazard of their lives and per-  
sonal safety, and so that such citizens should and might  
without peril of injury by reason or chance of touching ~~or~~

**POOR QUALITY  
ORIGINAL**

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coming in contact with the said electric lamp ; and then and there wilfully and feloniously did culpably neglect and omit to keep and maintain and cause to be kept and maintained, the said last mentioned electric lamp at such a height from the ground that the citizens<sup>so</sup> going, returning, passing and laboring in and through the said Eighth avenue should not be in danger of touching or coming in contact therewith, with their persons or otherwise; and then and there wilfully and feloniously did culpably neglect and omit to properly and safely insulate, surround and protect and cause to be so insulated, surrounded and protected, the said last mentioned electric lamp and the carbon electrodes so fixed, placed and adjusted therein as aforesaid, in such a manner as to prevent the current of electricity conducted thereto and by which the same was so operated, as aforesaid from being transferred to or from said electric lamp by conduction; but on the contrary the said Charles W. Pierce, then and there wilfully and feloniously did with culpable negligence, cause, suffer and permit the said last mentioned electric lamp to be and remain so placed and arranged as that the citizens of this State could not go, return, pass and labor in and along the said Eighth avenue, and the westerly sidewalk thereof in front of the said last mentioned building over which the said electric lamp was so suspended, and hung as aforesaid without danger or hazard of their lives and personal safety, and peril of injury, by reason or chance of touching or coming in contact with the same; and then and there wilfully and feloniously, did



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with culpable negligence cause, suffer and permit the said last mentioned electric lamp to be kept and maintained, and to be and remain at a most inadequate and dangerous height from the ground and from the said sidewalk there, to wit: the height of eight feet and four inches from the said ground and sidewalk, so that the said citizens then and there going, returning, passing and laboring in and along the said Eighth avenue and the said sidewalk thereof, in front of the said building, were then and there in great danger of touching the same and coming in contact therewith, with their persons or otherwise; and then and there, wilfully and feloniously, did with culpable negligence cause, suffer and permit the said electric lamp last mentioned and the said carbon electrodes, to be and remain, then and there, without any proper or safe insulation, or protection, and without any insulation whatever, to prevent the current of electricity conducted to the said electric lamp, and by which the same was so operated as aforesaid, from being transferred to or from the said electric lamp by conduction.

And on the day and in the year aforesaid, at the city and county aforesaid, and whilst the said electric lamp was so as aforesaid by the culpable negligence of the said Charles W. Pierce placed and arranged as aforesaid, and at such inadequate and unsafe height from the ground and from the said sidewalk, and whilst the same and the said carbon electrodes so fixed, placed and adjusted therein as aforesaid were so without any safe or proper insulation, and without any insulation whatever to prevent the current of

**POOR QUALITY  
ORIGINAL**

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electricity conducted to the said electric lamp and by which the same was so operated as aforesaid from being transferred to or from the said electric lamp by conduction, and whilst a powerful current of electricity was being passed and caused to be passed by the said corporation between the said carbon electrodes by means of the said, "Commercial Circuit, Number Seven", and the said electric lamp was being thereby operated and an electric light was being produced in the manner aforesaid in the said electric lamp, one Henry Harris, in the place of the said People, then and there being, and then lawfully laboring in the said Eighth avenue, to wit: being then lawfully engaged in carrying and moving a certain show case made in part of certain metal to the Grand Jury, aforesaid, unknown, upon the said westerly sidewalk of the said Eighth avenue in front of the said building last mentioned, he the said Henry Harris, then standing upon a certain iron plate set in and forming a portion of the said sidewalk, ~~with the said show case,~~ and having hold of the said show case <sup>with the said show case,</sup> with his hands, and by means of lifting and raising an end of the same, touched the said electric lamp, and one of the carbon electrodes so fixed, placed and adjusted therein as aforesaid, and a portion of the metallic part of the said show case thereby came in contact with the said electric lamp and the said carbon electrode, and there being then and there in some place and in a part of the said "Commercial Circuit, Number Seven", to the Grand Jury, aforesaid, unknown, a transfer of the current then being distributed and conducted thereby and such current being conducted to the ground, such trans-



**POOR QUALITY  
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fer being occasioned and the said current being so conducted in a manner to the Grand Jury aforesaid, unknown, another circuit of electricity of powerful intensity was then and there produced, and a current of electricity of great and deadly power and intensity, from the said circuit so created was then and there, by the means aforesaid, put, placed and applied, and did then and there pass in and through the body of the said Henry Harris, and did then and there continue to pass in and through the body of the said Henry Harris for a space of time, to wit: for the space of five seconds:

And the said Charles W. Pierce, on the day and in the year aforesaid, at the city and county aforesaid, with force and arms, by reason and by means of his culpable negligence, hereinabove alleged, and by reason and by means of the touching of the said Henry Harris with the said show case and his thereby coming in contact with the said electric lamp and the said carbon electrode, and by reason and by means of the circuit so as aforesaid, thereby created, in and upon the body of the said Henry Harris, wilfully and feloniously did with culpable negligence, make an assault, and the said last mentioned current of electricity through and into the body of him, the said Henry Harris, then and there wilfully and feloniously did with culpable negligence, put, place and pass, and cause <sup>and procure</sup> to be put and placed, and to pass, and the said current of electricity through and into the body of him, the said Henry Harris, then and there wilfully and feloniously did with culpable negligence, keep and continue, and cause and procure to be

**POOR QUALITY  
ORIGINAL**

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kept and continued for the said space of five seconds;  
thereby giving unto him, the said Henry Harris, then and  
there with the electric current aforesaid, a mortal elec-  
tric shock, of which said mortal electric shock, he, the said  
Henry Harris, then and there died.

And so the Grand Jury aforesaid, do say: that  
the said Charles W. Pierce, him the said Henry Harris, in  
the manner and form aforesaid, and by the means aforesaid,  
wilfully and feloniously did kill and slay; against the  
form of the Statute in such case made and provided, and  
against the place of the People of the State of New York,  
and their dignity.

John R. Fellows,

District Attorney.



0990

**BOX:**

377

**FOLDER:**

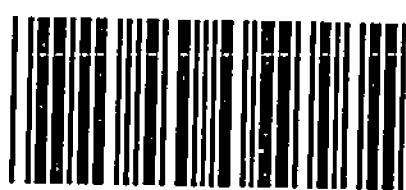
3528

**DESCRIPTION:**

Plant, John C.

**DATE:**

12/05/89



3528

POOR QUALITY  
ORIGINAL

0991

Witnesses;

John R. ...  
Apparatus

Counsel,  
Filed 5 day of Dec 1889  
Plends, Apprately

THE PEOPLE

vs.

John C. Slant

Grand Larceny in the 5th degree,  
(MONEY)  
(Sec. 528 and 53, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Foreman.

Dec 9/89  
George C. ...  
State Refractory ...



POOR QUALITY  
ORIGINAL

0992

Police Court

2 District

Affidavit—Larceny.

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

of No. 220 West 24 Street, aged 35 years,  
occupation Machinist being duly sworn

deposes and says, that on the 20 day of November 1887 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, in the day time, the following property, viz:

Good and lawful money of  
the United States to the amount  
of the value forty dollars  
(40.00)

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by John C. Paul New York

that at about the  
hour of 9:30 o'clock A.M. said  
deponent left the said defendant in  
his bedroom in said premises  
while deponent went downstairs  
to have breakfast and when deponent  
went down deponent left said  
sum of money in the pocket of  
his right shirt which said shirt  
deponent left lying on his bed  
and when deponent returned to  
his bedroom the said defendant  
was gone and the said sum of  
money was also missing.

Subscribed before me this

1887

Police Justice

POOR QUALITY  
ORIGINAL

0993

Wherefore defendant charges the said  
defendant with taking stealing  
and carrying away the said sum  
of money and frays that he may  
be held and dealt with as  
the law directs

Sworn to before me }  
this 27 November 1854 } J. R. Richards  
J. W. Florman  
Police Justice



POOR QUALITY  
ORIGINAL

0994

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

2  
District Police Court.

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

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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

Answer.

Taken before me this

day of 188

Police Justice.

POOR QUALITY  
ORIGINAL

0995

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

Police Court... 2 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John E. Planch  
John E. Planch  
Larceny  
(felony)

2  
3  
4

Offence

Dated

Nov 27 1889

Magistrate

Magistrate

Officer

Officer

Precinct

Precinct

Witnesses

No.

Street

No.

Street

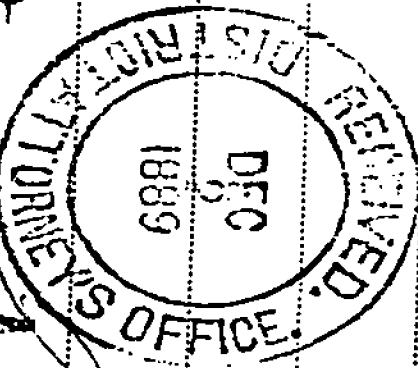
No.

Street

No.

Street

to answer



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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \$300 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 Nov 27 1889 John J. Planch Police Justice.

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

Dated 1889 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 1889 Police Justice.



POOR QUALITY  
ORIGINAL

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Ino 6 Plant  
age 19  
Born N.J.  
Capt. Painter  
Rev Master at  
Newark N.J.  
Single  
Parents Living  
Rev ~~Almon~~  
N.J.

POOR QUALITY  
ORIGINAL

0997

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John C. Plant

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

John C. Plant  
of the crime of GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said

John C. Plant

late of the City of New York, in the County of New York, aforesaid, on the *twentieth*  
day of *November* in the year of our Lord one thousand eight hundred and eighty-*nine*

at the City and County aforesaid, with force and arms, in the *day* - time of  
the same day, *one* promissory note for the payment of money, being then

*#40.00* 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 ;

*two* promissory note 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* ; *four* promissory note 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* ;

*ten* promissory note 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* ; *twenty* promissory note 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 ; *two*

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 ten dollars *each* ; *four* 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 five dollars *each* ; *one* United States Silver Certificate of the



POOR QUALITY  
ORIGINAL

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denomination and value of twenty dollars *two* United States Silver  
Certificate of the denomination and value of ten dollars *each*; *four* United  
States Silver Certificate of the denomination and value of five dollars *each*; *ten*  
United States Silver Certificate of the denomination and value of two dollars *each*;  
*twenty* United States Silver Certificate of the denomination and value of one dollar  
*each*; *one* United States Gold Certificate of the denomination and value of  
twenty dollars *two* United States Gold Certificate of the denomination  
and value of ten dollars *each*; *four* United States Gold Certificate of the  
denomination and value of five dollars *each*; and divers coins, of a number, kind and  
denomination to the Grand Jury aforesaid unknown, of the value of *thirty dollars*

of the proper moneys, goods, chattels and personal property of one

*Joel R. Richards*

then and there being

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

JOHN R. FELLOWS,

District Attorney.

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**END OF  
BOX**