

0840

BOX:

493

FOLDER:

4503

DESCRIPTION:

Connolly, John

DATE:

09/16/92



4503

0841

BOX:

493

FOLDER:

4503

DESCRIPTION:

McCue, John

DATE:

09/16/92



4503

0842

BOX:

493

FOLDER:

4503

DESCRIPTION:

McCoy, John

DATE:

09/16/92



4503

0843

BOX:

493

FOLDER:

4503

DESCRIPTION:

Mallon, John

DATE:

09/16/92



4503

180
XXX
25 Oct 1912

Comsnel,
Filed
Pleads,
day of
1892

THE PEOPLE
vs
John Connolly
John "Mc Cue"
John "Mc Coy"
John "Malon"

DE LANCEY NICOLO
District Attorney
2nd Cir. Oct 1912

A TRUE BILL.
FOREMAN.
Demanded as to John
the boy on motion of
District Atty. See the
indorsement by
Oct 17/12

Witnesses:
Spreed John I. Acquitted
Schadoff Acquitted

I recommend the
removal of the
District Attorney
the Defendant John
McCoy for the reason
that the complain-
ant is unable to
identify him as
being on the hull &
my expert in the hanging
Oct 18th 1912
Geo. M. Osborne
District

Barclay in the Third Degree,
Section 489, 528, 530 and 531

POOR QUALITY
ORIGINAL

0845

Police Court— 3 District.

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

Sophie Blank
of No. 162 East Broadway Street, aged 34 years,
occupation Keep a saloon being duly sworn
deposes and says, that the premises No. 162 East Broadway Street, 7th Ward
in the City and County aforesaid the said being a dwelling house

and which was occupied by deponent as a dwelling
~~and in which there was at the time a human being, by name~~

were **BURGLARIOUSLY** entered by means of forcibly breaking open
a door leading to a room in said
house

on the 10th day of September 1897 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

Three gold rings; one gold watch; twelve spoons
one diamond breast pin
All of the value of about Five
hundred dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

John Connelly (now here) and one McBue; and
one McCoy and one Mallon not arrested

for the reasons following, to wit: that deponent occupies
said building and said property was
in a room therein. At about the
hour of seven o'clock in the evening
of said day deponent passed through
the hallway to light the gas and was
met by the defendant Connelly, who attempted
to stop deponent and while doing so
the other men passed deponent in said

POOR QUALITY ORIGINAL

0846

Railway. Deponent is informed by Bernard C. Ryan & P. B. (now here) that the said other men were the said Mr Cue, Mr Boy and Mallon Deponent then went to said apartment and found the said door broken and ^{now} entered and said property stolen and carried away.

Sworn to before me this 11th September, 1893
[Signature]
Police Justice

[Signature] Captain

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars and be committed to the Warden and Keeper of the City Prison
of the City of New York, until he give such bail.
Dated 1888
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888
There being no sufficient cause to believe the within named
guilty of the offence within mentioned, I order he to be discharged.
Dated 1888
Police Justice.

Police Court, District, Offence—BURGLARY.
THE PEOPLE, &c., on the complaint of
1. 2. 3. 4.
Dated 1888
Magistrate.
Officer.
Clerk.
Witnesses, No. Street, No. Street, No. Street, to answer General Sessions.

POOR QUALITY ORIGINAL

0847

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 23 years, occupation Student of No. 6 Rutgers Street, being duly sworn, deposes and

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

Sworn to before me, this 11th day of September 1893 Bernard C. Ryan

..... Police Justice.

POOR QUALITY ORIGINAL

0048

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. John Connolly

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. New York

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

Answer. 84 Monroe St, 2 years

Question. What is your business or profession?

Answer. Driver

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

Answer. I am not guilty

John Connolly

Taken before me this 11

day of September

[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0049

BAILED,

No. 1, by _____
Residence: _____
Street: _____

No. 2, by _____
Residence: _____
Street: _____

No. 3, by _____
Residence: _____
Street: _____

No. 4, by _____
Residence: _____
Street: _____

1892
1138
Police Court, _____ District.

THE PEOPLE, &c.
ON THE COMPLAINT OF

Joseph Smith
62 East Broadway

John Kinnally

1 - me
2 - me
3 - me
4 - me

Offense: *Burglary*

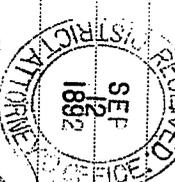
Dated: *Sept 11* 1892

Henry Magistrate.
Stewart Officer.

Witness: *Richard G. Ryan*
No. 6 Rutgers Street.
Call the officer

No. _____ Street.
No. _____ Street.

No. _____ Street.
to answer _____



COMMITTED

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

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

Dated, *Sept 11* 1892 *Richard G. Ryan* Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

THE PEOPLE OF THE STATE OF NEW YORK

against

John Connolly, John
Mc Cue, John McCoy and
John Mallon

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

John Connolly, John Mc Cue, John McCoy and John Mallon

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

The said John Connolly, John Mc Cue, John McCoy
and John Mallon, all —

late of the Seventh Ward of the City of New York, in the County of New York aforesaid, on the
— tenth — day of September, in the year of our Lord one
thousand eight hundred and ninety — two —, with force and arms, in the night time
of the same day, at the Ward, City and County aforesaid, the dwelling house of one

— Sophie Blank —

there situate, feloniously and burglariously did break into and enter, with intent to commit some
crime therein, to wit: with intent the goods, chattels and personal property of the said Sophie
Blank, in the said dwelling house then and there being, then and there
feloniously and burglariously to steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York and
their dignity.

SECOND COUNT—

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

John Connolly, John Mc Cue, John Mc Coy and John Mallon

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

The said *John Connolly, John Mc Cue, John Mc Coy*
and John Mallon, all —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
at the Ward, City and County aforesaid, in the *night* time of said day, with force and arms,

three finger rings of the value of twenty five
dollars each, one watch of the value of
one hundred dollars, twelve spoons of the
value of five dollars each, and one breast
pin of the value of two hundred and
fifty dollars,

of the goods, chattels and personal property of one *Sophie Blank,* —

in the dwelling house of the said *Sophie Blank,* —

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
John Connolly, John McCue, John McCoy and John Mallon
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *John Connolly, John McCue, John
McCoy and John Mallon, all* —
late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year afore-
said, with force and arms, at the Ward, City and County aforesaid,

*three finger rings of the value of twenty five
dollars each, one watch of the value of
one hundred dollars, twelve spoons of the
value of five dollars each, and one breast
pin of the value of two hundred and fifty
dollars,*

of the goods, chattels and personal property of *one Sophie Blank* —

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before felon-
iously stolen from the said *Sophie Blank*, —

unlawfully and unjustly did feloniously receive and have; (the said *John Connolly,
John McCue, John McCoy and John Mallon*
then and there well knowing the said goods, chattels and personal property to have been felon-
iously stolen, against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0853

BOX:

493

FOLDER:

4503

DESCRIPTION:

Cook, Henry

DATE:

09/07/92



4503

POOR QUALITY ORIGINAL

0854

Witnesses:

Four horizontal dotted lines for witness signatures.

Counsel,

Filed,

Pleas,

1892

[Section 68, and 69, Penal Code.]
(Use License.)
ALBANY, N.Y.

DE LANCI NICOLO

District Attorney

A TRUE BILL.

Toreman.

Handwritten signatures and notes including names like Henry Cook, James Talbot, and dates like Sept-13/92.

POOR QUALITY ORIGINAL

0855

Police Court _____ District. Affidavit—Larceny.

City and County } ss:
of New York, }
of No. 18 John _____ Street, aged 36 years,
occupation Jeweller _____ being duly sworn,

George H. Squire

deposes and says, that on the 16 day of May 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away

from the possession of deponent, in the day time, the following property, viz:
One gold watch of the value of Ninety five dollars and nine dollars and a half gold and lawful money of the United States - all together of the value of One hundred and four dollars and a half.

the property of H. H. Squire and Company of which firm deponent is a co-partner

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 Henry Cook (now here) for the reason that on said date defendant entered deponent's place of business and asked to look at some watches. After defendant had seen some watches he told deponent he would take the aforesaid watch and in payment therefore he presented to deponent the annexed check, representing to deponent that said check was good. On these representations and deponent believing the same to be true deponent delivered to defendant the said watch and nine dollars and a half gold and lawful money of the United States. Deponent deposited said check and the same was returned to him, with a notice from the bank of the German American Bank of Buffalo New York - that said check was forged and the person drawing the same had no account in the bank in which said check was drawn nor never had an account in

Sworn to before me, this _____ day of _____ 189 _____ Police Justice.

**POOR QUALITY
ORIGINAL**

0856

the same. Wherefore defendant charges the defendant
with Grand Larceny -

Geo. H. Squire

Sworn to before me, this 27 day
of July 1892
W. H. ... Police Justice

POOR QUALITY ORIGINAL

0857

(1895)

Sec. 198—200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Henry Cook*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *England*

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

Answer. *215 E-10th St - 1 month*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not guilty
I refuse to sign
my name to the*

Taken before me this

27

day of

189*7*

Police Justice

POOR QUALITY ORIGINAL

0050

1370. R. July 29-1892-1002
" Aug 3 2 P.M.
" Aug 3 2 P.M.

The presiding magistrate is authorized to hear and determine this case in my absence and to accept bail.
Police Justice.

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

Police Court, District, 930

THE PEOPLE, &c.,
ON THE COMPLAINT OF

George H. Spence
Henry Cook
Offense, Larceny

1
2
3
4

Dated July 27 1892

White Magistrate.

Officer: John T. Krause

H. W. Bunt, Captain, C. O. Precinct.
George Howard Park, 14th St, N.Y.

Witnesses: Samuel Hammond

No. 62 Wall Street

No. Lewis & Johnson Street

No. 128 Broadway Street

No. 38. Stearns Street

\$ 1500 to answer

No. 110 Wilcox St N.Y.

Superior Court



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

Defendant

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

Dated, Aug 3 1892 Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

**POOR QUALITY
ORIGINAL**

0859

No. 110 Buffalo, May 15th 1892.

German-American Bank

OF BUFFALO.

Pay to J. W. Williams or order

One hundred & four $\frac{50}{100}$ DOLLARS,

\$ 104 $\frac{50}{100}$

A. W. Turner

**POOR QUALITY
ORIGINAL**

0860

JM Williams
For Collection account
H N Equin. Son

POOR QUALITY ORIGINAL

0051

German-American Bank.

Buffalo, N. Y., 5/18 1892

Reasons for return checked below:

- Goods not received.
- Closed up.
- Cannot pay at present.
- Out of town.
- Does not owe it.
- Amount not correct.
- Payment refused.
- No reason given.
- Acceptance refused. *No reason given.*
- Refuses to pay exchange.
- Not according to agreement.
- Goods not satisfactory.
- See endorsement on back of draft.
- No invoice.
- Goods returned.
- Wants more time.
- Account not due.
- Has paid it.
- Party will write.
- Cannot find party.
- Pays no attention to notices.
- Party has written.
- Party has sent check.
- Party will send check.
- Failed.
- Obtain drawee's street and number and return, and will present.
- Does not want goods.
- Pays no attention to his drafts.
- Cannot collect.

Do not know party. Never heard any acct with us. Think or fraud.

GERMAN-AMERICAN BANK
OF BUFFALO, N.Y.

H. W. BURT,
Cashier.

POOR QUALITY ORIGINAL

0862

E. W. Wilson & Co.
Bankers & Brokers,
96 Broadway,

Edw. W. Wilson,
Arch't. S. Watson,
Member N.Y. Stock Exchange

New York, May 14th 1892
[Signature]

Mr C.A. Searing
40 Exchange Place
City

Dear Sir

This will introduce Mr. J.W. Williams a personal friend of mine, any terms you can give him I know you will oblige

yours truly

[Signature]

24 State St
Buffalo
N.Y.

Amer Express

POOR QUALITY
ORIGINAL

0863

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPCENA FOR A NON-RESIDENT WITNESS TO ATTEND THE GRAND JURY OF THE COURT
OF GENERAL SESSIONS OF THE PEACE, OF THE CITY AND
COUNTY OF NEW YORK.

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

To J. W. Bant, Carrier of the German American Bank
of Buffalo,

in the City of Buffalo in Erie County.

YOU ARE COMMANDED to appear before the Grand Jury of the County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the eleventh day of August, 1892, at the hour of 10 $\frac{1}{2}$ in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Henry Cook
Dated at the City of New York, the fifth day of August
in the year of our Lord, 1892.

De Lancey Nichol
JOHN R. FELLOWS, District Attorney.

POOR QUALITY ORIGINAL

0864

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

THE PEOPLE.

vs.

Henry Cook

Upon the affidavit of *John D. Lindsay, Deputy* Assistant District Attorney, stating that he believes that the evidence of the witness *H. W. Bunt* named in the within Subpoena, who resides at *Buffalo* in the County of *Eric* is material, and his attendance at the examination of the above entitled criminal action before the Grand Jury necessary. I, *Randolph B. Martine*, Judge of the Court of General Sessions of the City *and County* of New York, do order that the said *H. W. Bunt* attend pursuant to the requirements of the said Subpoena.

Dated at the City of New York, the *fifth* day of *August* 189*2*

Randolph B. Martine
Judge General Sessions

POOR QUALITY ORIGINAL

0865

Section 618, Cod. Cr. Pr.

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

THE PEOPLE, &c.,
vs.

Henry Cook

Complainer for Grand Jurors

being duly sworn, says that he is one of the ^{deputy} Assistant District Attorneys of the City and County of New York, and that he believes that the evidence of Dr. W. Burr who resides at Buffalo in Erie County is material, and that the attendance of said Henry Cook before the grand jury ^{upon the examination} at the trial of the above-named ~~complain~~ ^{defendant} is necessary.

John S. Indian
Asst. District Attorney.

Sworn before me this 12th day of August 1892

Rufus B. Downing
City Judge.

POOR QUALITY ORIGINAL

0866

Introducing the Rev. Wm Lindsay to
Mrs. Wm K. Coft. 128 Madison Avenue
1873
Rev. George Francis Nelson.
Bicason House,
29 La Fayette Place.

POOR QUALITY
ORIGINAL

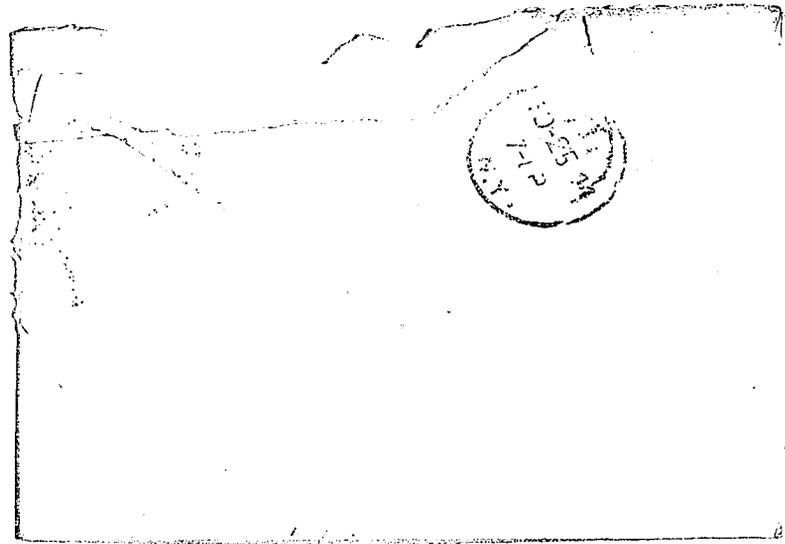
0867

Answered
Oct. 30/94
Judge Martin
2017 5th Ave
New York

NEW
OC
530
F

**POOR QUALITY
ORIGINAL**

0058



POOR QUALITY
ORIGINAL

0869

128 Madison Ave
Oct. 25th

Judge Martine
The Episcopal Ministry
of the South has just
called upon me to be
due me to appear.

You, in the case of
Henry Cook - an ex
British Army man has
will come before you

POOR QUALITY
ORIGINAL

0870

in England - which seems considerable
penitence for a peace officer -
If you should give him a suspended
sentence the Governor & those names
to be his name - will see that he
leaves the country within eight days.
He has a wife and child in a
- destitute situation -

I would like to try & see Sir
Am. B. & interest him but
it is rather late today to expect
him to take any action. What -

Sincerely yours

Am. B. & N. S. S.

POOR QUALITY
ORIGINAL

0871

Armed & sentenced,
His offence is forging
a Rail Road pass - for
this offence he has
served four months of Prison
If he is convicted he
will lose his Pension
in the English Army -
He will lose his right
to receive property - &
also his chance of
claiming some property

POOR QUALITY ORIGINAL

0872

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST
Henry Cook

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

Henry Cook

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

The said *Henry Cook*,

late of the City of New York, in the County of New York aforesaid, on the *sixteenth* day of *May*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms, with intent to deprive and defraud *Moratio N. Squire and George H. Squire, copartners,*

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to *his* own use, did then and there feloniously, fraudulently and falsely pretend and represent to *the said Moratio N. Squire and George H. Squire,*

That a certain paper writing, in the words and figures following, to wit:

"No. 110 Buffalo, May 13th 1892.

German American Bank
of Buffalo.

Pay to J. W. Williams or order
One hundred & four $\frac{50}{100}$ Dollars,

$\$ 104 \frac{50}{100}$

A. W. Turner "

POOR QUALITY ORIGINAL

0073

and endorsed as follows, to wit: "J. W. Williams", which said paper writing he the said Henry Cook then and there produced and delivered to the said Horatio N. Squire and George H. Squire, was then and there a good and valid order for the payment of money and of the value of one hundred and four dollars and fifty cents;

By color and by aid of which said false and fraudulent pretenses and representations, the said

Henry Cook

did then and there feloniously and fraudulently obtain from the possession of the said Horatio N. Squire and George H. Squire, one watch of the value of ninety five dollars, and the sum of nine dollars and fifty cents in money, lawful money of the United States of America and of the value of nine dollars and fifty cents;

of the proper moneys, goods, chattels and personal property of the said Horatio N. Squire and George H. Squire, with intent to deprive and defraud the said Horatio N. Squire and George H. Squire of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said paper writing which he the said Henry Cook so as aforesaid then and there produced and delivered to the said Horatio N. Squire and George H. Squire, was not then and there a good and valid order for the payment of money, and was not

POOR QUALITY ORIGINAL

0874

of the value of one hundred and four dollars and fifty cents, or of any value, but was then and there wholly worthless.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said Henry Cook to the said Horatio N. Squire and George H. Squire, was and were then and there in all respects utterly false and untrue, as he the said Henry Cook

at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said Henry Cook

in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said Horatio N. Squire and George H. Squire then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
District Attorney.

0875

BOX:

493

FOLDER:

4503

DESCRIPTION:

Coon, Alexander

DATE:

09/20/92



4503

POOR QUALITY ORIGINAL

0876

Witnesses:

Upon an Examination of their case - considering the excellent character of the defendant as within affidavits. - The withdrawal of the complainant, & her generous confidence in the defendant by taking him back in his employ & giving him a chance to lead an honest life, touches me, & I ask that the defendant be discharged in his own recognizance
Dec. 21st 1892
G. B. [Signature]

For the People
Counsel
Filed
Pleads
1892

THE PEOPLE
vs.
Alexander Coon
Grand Larceny,
[Sections 629, 630, 631, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Jan 21 1893
Part 3, Dec. 22, 1892
Bail discharged

Bill

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS

Alexander Coon

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself, I desire to withdraw the charge, because the defendant's father is related to me, that I reside with him and his family of which the deft is a member, I have resided with them for years, and have had many thousands of dollars worth of goods in the house while living with them & never lost anything, since the arrest of the deft, I have conversed with him and from an examination of the circumstances attending the taking of the goods herein, I am thoroughly convinced and satisfied that the boy did not know the enormity of his offense, that he had no intention of committing a theft, he had bought

POOR QUALITY
ORIGINAL

0078

a Boy & wanted to buy for it & when
he discovered what he had done he
relented, besides he is a good boy, was
never charged with any crime before
& has always worked, since he left school.
I have him now in my employ
selling goods and delivering goods
I have the utmost confidence in
his honesty irrespective of the
offense committed, & I desire to
prevent any blench against
his heretofore good character.

I therefore respectfully ask
that I be permitted to withdraw
the Complaint against him.

All the goods taken by the
boy has been restored by him.

Given to before me
December 17, 1870 }
J. A. C. }
Com. of the }
City of }
C. J. }
C. J. }

Loeman Geleer }

POOR QUALITY
ORIGINAL

0879

William Reichert,
Leaf Tobacco.

Export
16 Water Street,

New York, September 27/1892.

P.O. BOX 3400,
Office 104 Pearl St.

Dear Sir

I beg to notify you, that
I have known Alexander Coon
to be a good honest boy, and
at any time the young man
should be in want of employ-
ment, my place of business
is open for him.

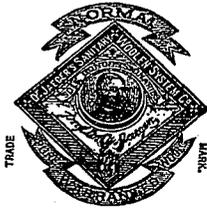
Yours Respectfully
William Reichert

**POOR QUALITY
ORIGINAL**

0880

HERMANN SCHAEFFER, PRESIDENT.

ERNEST BENDER, VICE-PRESIDENT.



CABLE ADDRESS:
"SANITAS," NEW YORK.

DR. JAEGER'S
Sanitary Woolen System INCORPORATED
\$300,000. CAPITAL.

SOLE IMPORTERS
EXCLUSIVE MANUFACTURERS
DR. GUSTAV JAEGER'S
SANATORY
Woolen Goods.

Main Office and
Retail Warerooms,
827-829 BROADWAY,
New York.

[DICTATED.]

Jan. 9/92.

To Whom It May Concern:

This is to testify that Alexander Coon has been in our employ since Oct. 1st, 1888, and has worked to our entire satisfaction. He was mainly employed as stock help. He leaves our service of his own accord, and with our best wishes for his future.

Respectfully,

Hermann Schaeffer

**POOR QUALITY
ORIGINAL**

00001

Office of
H. SCHNITZLER,
Leaf Tobacco
147 MAIDEN LANE.

ESTABLISHED 1860.

NEW YORK,

Sept 27 1892.

To Whom it may concern:

This is certify that I
know Alexander Coor and
know him as an honest
& industrious ^{young man}. I cheerfully
recommend him to those
who may be in ^{need of} his services.

Will be glad to personally
endorse the foregoing to any
one interested
H. Schnitzler.

**POOR QUALITY
ORIGINAL**

0882

OFFICE OF

S. SLADKUS,

MANUFACTURER OF

CIGAR BOXES,

428 & 430 EAST TENTH ST.

New York, September 28 1892

Mr Alexander Coon is known to me as
an honest industrious & upright young man
and I recommend him to any body that
may need his services

S. Sladkus

**POOR QUALITY
ORIGINAL**

0883

L. STARK.
ESTABLISHED

A. L. ACKERMAN.

D. STARK
1883.



New York, Sept. 28, 1892.
To whom it may concern.

We can justly recom-
mend Alex. Leon eighteen years of age,
residing at 402 E. 10th St., as an upright
honest and intelligent young man, who
has been under our notice for the last
eight years, and he will surely succeed
in any undertaking.

Yours respectfully
L. Stark & Co.
per. J.

POOR QUALITY ORIGINAL

0884

(1965)

Police Court 11 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 402 East 10th Street, aged 31 years,
occupation Recurrent center being duly sworn,
deposes and says, that on the 24 day of July 1892 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the night time, the following property, viz:

A quantity of diamonds
and a gold watch case
the whole being
valued at Six Thousand
Dollars \$6000.00

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

Alexander Pome (w/known)
who admits and confesses
to having stolen said prop-
erty, Detective Benjamin Titus
found in the possession of
the defendant a portion of
the stolen property.

Deeman Geleery

Sworn to before me, this 24 day
of July 1892
John A. [Signature]
Justice

POOR QUALITY ORIGINAL

0885

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 33 years, occupation Collector of No. Police Central Office Street, being duly sworn, deposes and

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

Sworn to before me, this 14 day of Sept 1890. Geo. H. Jones

Solomon R. Selman
Police Justice.

POOR QUALITY ORIGINAL

0006

(1885)

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer.

Alexander Coon

Question. How old are you?

Answer.

18 years

Question. Where were you born?

Answer.

New York

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

Answer.

402 E 10th St. All my life

Question. What is your business or profession?

Answer.

Printer

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

Answer.

*I am guilty
Alexander Coon*

Taken before me this

John J. [Signature]
Police Justice.

POOR QUALITY ORIGINAL

0887

BATED,

No. 1, by

James Stark

Residence

405 E 9th

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

Police Court... District

203 1132

THE PEOPLE, &c
vs THE COMPLAINANT OF

James Stark
405 E 9th
Stark

1
2
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4
Offense

Dated *Sept 7* 189

Magistrate

James Stark
Officer

Witnesses

No. Street

No. Street



No. Street
2002 to answer

Stark

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

DePaulant

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

Dated, *Sept 7* 189 *Sam Bernick* Police Justice.

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

Dated, 189 Police Justice.

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

Dated, 189 Police Justice.

POOR QUALITY
ORIGINAL

0000

605

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Alexander Coon

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

Alexander Coon
of the CRIME OF GRAND LARCENY IN THE *first* DEGREE, committed
as follows:

The said Alexander Coon,

late of the City of New York, in the County of New York aforesaid, on the *24th*
day of *July* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*one watch of the value of one
hundred and fifty dollars, one chain
of the value of one hundred dollars,
twenty-five diamonds of the value
of one hundred dollars each, twenty-
five other diamonds of the value of
fifty dollars each, and twenty three
other diamonds of the value of twenty five dollars each*

of the goods, chattels and personal property of one *Leman Gleerd*

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

*De Lancey Nicoll,
District Attorney*

0889

BOX:

493

FOLDER:

4503

DESCRIPTION:

Corr, Annie

DATE:

09/22/92



4503

POOR QUALITY ORIGINAL

0090

Witnesses:

1892-29
Heinzelman

Counsel

Filed

day of

1892

Pleas

THE PEOPLE

vs.

Arnie Carr

Grand Larceny, Second Degree, Penn Code. [Sections 228, 229]

DE LANCEY NICOLL,

District Attorney.

Part II

Oct 5 1892

A TRUE BILL.

[Signature]

Part 2 - Oct. 5, 1892 Foreman.

Tril and Acquired

POOR QUALITY ORIGINAL

0891

Police Court 5th District.

Affidavit-Larceny.

City and County }
of New York, } ss:

Kate Glynn

of No. 320 East 126th Street, aged 29 years,
occupation Laundress being duly sworn,

deposes and says, that on the 30th day of August 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

one diamond Ring, of the value of Forty-dollar,

Annie Coor

the property of deponent

Sworn to before me, this 9th day of September 1892

John W. ... Police Justice.

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 Annie Coor, from the fact, that William Stillwell 320 East 126th Street, saw the defendant take, steal and carry away said property, from a shelf in the kitchen of said premises.

Kate Glynn

POOR QUALITY ORIGINAL

0892

Sec. 198-200.

5

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Annie Corr

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

Question. What is your name?

Answer. Annie Corr

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York

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

Answer. 320 East 126th St. 2 months

Question. What is your business or profession?

Answer. ~~XXXX~~ ~~XXXX~~ Keeps a Candy Stand

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

Answer. I am not guilty.

Annie Corr

Taken before me this

day of

Sept

1892

John W. Bell

Police Justice.

POOR QUALITY ORIGINAL

0893

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

aged 13 years, occupation School-boy of No. 320 East 126 Street, being duly sworn, deposes and

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

Sworn to before me, this 9 day of Sept 1897

William Stowell

John B. Woodis
Police Justice.

POOR QUALITY ORIGINAL

0894

Sec. 151.

1847

Police Court 5 District.

CITY AND COUNTY }
OF NEW YORK, }

ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by William G. Flynn of No. 320 East 176 Street, that on the 30 day of August 1892, at the City of New York, in the County of New York, the following article, to wit:

One diamond ring,

of the value of 75 Dollars, the property of William G. Flynn taken, stolen and carried away, and as the said Complainant has cause to suspect, and does suspect and believe, by Anna Carr

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring he before me, at the 5 DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 9 day of Sept 1892

John R. Vouchis POLICE JUSTICE.

POOR QUALITY ORIGINAL

0895

Police Court..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated..... 189

Magistrate.

Tringali Officer.

The Defendant
taken, and brought before the Magistrate, to
answer the within charge, pursuant to the
command contained in this Warrant.

Officer.

Dated..... 189

This Warrant may be executed on Sunday
or at night.

Police Justice.

POOR QUALITY ORIGINAL

0095

BAILLED, *Wm. K. ...*
 No. 1, by *Wm. K. ...*
 Residence *3014 East 117*
 Street
 No. 2, by
 Residence
 Street
 No. 3, by
 Residence
 Street
 No. 4, by
 Residence
 Street

W 229 5th 1138
 Police Court... District

THE PEOPLE, &c.,
 ON THE COMPLAINT OF
Wm. K. ...
Amie ...

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Dated, *September 9* 1892

Franklin ...
 Magistrate
Frank ...
 Officer

Witnesses *W. ...*
 No. *320 & 322*
 Street

No. *500*
 Street



Amie ...
Amie ...

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 *Wm. K. ...*

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

Dated, *Sept 9* 1892 *John ...* Police Justice.

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

Dated, *Sept 11* 1892 *John ...* Police Justice.

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

Dated, *1892* *John ...* Police Justice.

POOR QUALITY ORIGINAL

0897

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

THE PEOPLE OF THE STATE OF NEW YORK
against
Annie Carr

The Grand Jury of the City and County of New York, by this indictment, accuse
Annie Carr
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said *Annie Carr*
late of the City of New York, in the County of New York aforesaid, on the *30th*
day of *August* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*one finger ring of the value
of forty dollars*

of the goods, chattels and personal property of one *Kate Glynn*

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

De Lancy Mcoll
District Attorney

0898

BOX:

493

FOLDER:

4503

DESCRIPTION:

Cox, James

DATE:

09/07/92



4503

POOR QUALITY ORIGINAL

0899

Witnesses:

Counsel,

Filed,

Pleas,

day of

1892

THE PEOPLE

vs.

32
191 10th St
Washington D
James Cox

[Section 262, Sub. 1, Penal Code.]

RAPE AND ABDUCTION

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

James Nicoll

Part 2 - Sept. 15 1892. Foreman.

Tried and convicted of the
offense charged in 2nd count of indictment.
S.P. 15 yrs & 11 mo
Sept 24/92 R.S.M.

POOR QUALITY ORIGINAL

0900

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York,

The People,

vs.

JAMES COX.

"
"
"
"
"
"

Before,

HON. RANDOLPH B. MARTINE,

and a Jury.

Tried SEPTEMBER 13TH, 1892.

Indicted for RAPE and ABDUCTION.

Indictment filed SEPTEMBER 7TH, 1892.

APPEARANCES:

ASSISTANT DISTRICT ATTORNEY TOWNSEND,

For THE PEOPLE.

JAMES D. McCLELLAND, ESQUIRE,

For THE DEFENCE.

**POOR QUALITY
ORIGINAL**

0901

2

MARGARET HENTZ, being duly sworn and examined through the Official Interpreter, Dr. Dollin, testified that she lived at No. 191 Tenth avenue. She was married; her husband's name being John Hentz. She had three children --- the oldest, Annie, would be twelve years of age on the 10th of November, 1892. Annie lived with her, the witness, at 191 Tenth avenue, and she, the witness, kept a boarding house at that place. She knew Jane McLane; Jane was her servant girl. She occupied the second and third floors, seven rooms on each floor. The front room on the second floor was used as a dining-room, and the room next to the dining-room was the one occupied by the defendant. The defendant could not enter his room without going through the dining-room. The door of the dining-room opened into the hall. The rooms on the third floor were used by the boarders. On the 21st of August, 1892, she, the witness, had eight boarders, all men, the defendant being one of them. She knew the defendant but had only known him after the 20th of August, Saturday. The defendant applied to her husband, on the 20th of August, for a room, and her husband took him to a room. On Sunday, the 21st of August, she, the witness,, accom-

**POOR QUALITY
ORIGINAL**

0902

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panied by her two youngest children and her husband, went to Coney Island. They left the house about half-past two o'clock in the afternoon, leaving the servant girl and the oldest child, Annie, at home. They returned from Coney Island about half-past nine o'clock on Sunday night, and she, the witness, was met by her daughter, Annie, and the servant girl on the Twenty-third street dock, North River. As soon as her daughter, Annie, saw her, she, Annie, commenced to cry. Annie was not married. She, the witness, talked to Annie, and also talked to the servant girl, Jane. Jane was excited at the time. She, the witness, then returned to her home. After returning home she examined all the clothing Annie had on, and found that it was wet. There was a white, slimy substance on Annie's chemise. Annie had no drawers on on that Sunday. She then had a further talk with Annie. Her husband then went for a policeman. This was about half-past ten o'clock in the evening. The room next to the one occupied by the defendant was occupied by a man of the name of William L. Anderson. There was a door between Anderson's room and the defendant's, but Anderson's bed was against the door, and the door was

**POOR QUALITY
ORIGINAL**

0903

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kept locked. Anderson entered his room from the hall. There was a window in the defendant's room, opening on Tenth avenue. When she, the witness, met Annie in the Ferry-house, Annie was crying, and made a complaint to her. Annie said to her, "The new boarder is no good; the new boarder, Cox, is no good." Annie said that in German. She, the witness, saw Officer Rutledge on Sunday evening, the 21st of August, at about half-past ten o'clock. She saw the defendant on that night, when the officer arrested him and took him into her, the witness's, dining-room.

In cross-examination the witness testified that in the Ferry-house Annie complained that the defendant had put his hand over her mouth. She, the witness, did not see any blood on Annie's clothing when she examined her; she could not distinguish it in the slime. She washed Annie's private parts, and noticed at the time that they were swollen, but did not notice any inflammation. The Officer took Annie to a doctor, accompanied by her, the witness's, husband. She, the witness, was not present when the doctor examined Annie. She saw the defendant on the night in question in the dining-room,

in the custody of the officer, but she did not speak to the defendant. She, the witness, did not understand English very well, but she heard the defendant say to her husband, in the dining-room, that he, the defendant, had been at home but had not had any supper. Annie was not in the dining-room when the officer brought the defendant in there.

ANNIE HENTZ, THE COMPLAINANT, testified that she lived with her father and mother at 191 Tenth avenue, between 21st and 22nd streets. Her mother's name was Margretta, and her father's name was John. She had a sister, eight years old. She, the complainant, would be twelve years of age on the 10th of November, 1892. She remembered Sunday night, the 21st of August, 1892. On that day her parents went to Coney Island, about two o'clock in the afternoon. She and Jane McLane, the servant girl, were the only ones at home. She, the complainant, was at home in the afternoon. She had seen the defendant before, at her father's house. She was not any relation to the defendant, nor was she married to him. The defendant came to their house on Saturday, the day before the Sunday in

**POOR QUALITY
ORIGINAL**

0905

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question. She, the complainant, saw the defendant in the hall, Saturday night, talking to her father. She did not see the defendant again until about six o'clock on the following day, Sunday, in the dining-room. At that time it was day-light, and the sun had not gone down. The defendant came down stairs and entered the dining-room through the main-door, from the hall. When the defendant entered the dining-room, another boarder, of the name of Tripp, was there; Tripp left the room soon after the defendant entered. She, the witness, knew what time it was because there was a clock in the room, and she looked at the clock. When the defendant entered the dining-room, the servant girl, Jane, told her, the complainant, to ask the defendant if he wanted any more coffee. She went into the dining-room and saw the defendant there, eating his supper. She asked the defendant if he wanted any more coffee, and he said, "No, but my room is dirty." She knew where the defendant's room was, because her father had told her. She, the complainant, told the defendant that she had not time to clean his room. She was not in the habit of taking care of the rooms; she went to school. She

**POOR QUALITY
ORIGINAL**

0906

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told the defendant that she had work to do in the kitchen, and the defendant said to her, "Never mind that, but clean my room." At that time she was alone in the dining-room with the defendant; Jane was in the kitchen. She and the defendant spoke in an ordinary tone of voice. The kitchen was across the hall from the diningroom, and the dining-room door was closed. She, the complainant, went to run out of the room, but the defendant caught her by the right arm. The defendant pulled her into his room -- the room next to the dining-room; the door of the defendant's room was closed, but the defendant opened it. She tried to scream but could not, because the defendant had his hand over her mouth. The defendant did not put his hand over her mouth until after he had opened the door. After he, the defendant, caught her, and before he opened the door, she, the complainant, screamed, "Jane, help me." As soon as the defendant caught hold of her she thought something was going to happen, although the defendant had not said a word to her about his intentions. When she, the complainant, started to run out of the room, the defendant got up from the table and caught a hold

**POOR QUALITY
ORIGINAL**

0907

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of her. She screamed as loud as she could, but no one came to her aid. The defendant pulled her into his room and then got in front of her and shoved her on the bed. She, the complainant, was crying at that time, but could not make any outcry because the defendant's hand was over her mouth. After putting her on the bed the defendant let go of her arm. He, the defendant, then pulled up her clothes. She, the complainant, had a pair of drawers on at the time. The defendant then unbuttoned his trousers. She, the complainant was still trying to scream, but couldn't. When the defendant unbuttoned his trousers he was on the side of the bed, with one hand over her mouth. The defendant then put her hands under her. After the defendant unbuttoned his trousers she saw his person. The defendant then laid on top of her and put something into her. The defendant shoved her legs apart with his hands and put his feet between them, so that she could not pull them back again. She, the complainant, did not open her legs herself. The defendant then put his person into her private parts, and moved up and down on her. The defendant "put something bad" into

**POOR QUALITY
ORIGINAL**

0908

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her, and she felt wet. The defendant laid on her for about twenty minutes, and during all that time kept his hand over her mouth. The defendant then arose from her, and took his hand off her mouth; his drawers were unbuttoned and she then saw his person. She, the complainant, did not say anything to the defendant after he got up from the bed. She, the complainant, then got up from the bed and ran to the water-closet, where she vomited. In going from the defendant's room to the water-closet she had to pass through the dining-room, and she saw the defendant standing in the dining-room but the defendant did not say anything to her. After vomiting she, the complainant, ran into the kitchen and told the servant girl what had happened. The servant girl looked at her, the complainant, and saw that she was wet, and then the servant girl ran down stairs, calling, "Annie, come on." She, the complainant, then ran down stairs and out on the side-walk. When she and the servant girl were about five doors from their house, she saw the defendant come out of the front door of the house. The defendant went and bought a newspaper and sat down on the stoop. This was about

**POOR QUALITY
ORIGINAL**

0909

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seven o'clock in the evening. Up to this time she, the complainant, had not told anybody else about what had happened. She and Jane then entered the house, passing the defendant, who was sitting on the stoop reading a paper. They did not say anything to the defendant when they passed him. After locking the doors and lighting a lamp, she, the complainant, and Jane went down stairs and went to the dock and met her father and mother. When the defendant was on top of her, she felt slight pain but the defendant's action did not cause any blood to appear. She, the complainant, had never had anything to do with any boy or man before that time. She saw her clothing afterwards, and was sure there was no blood on it. She, the complainant, had on a pair of muslin drawers on that day; her drawers buttoned at the side and were entirely closed in front. The defendant took hold of her drawers and tore them, but they still remained on her person. When she saw the defendant sitting on the stoop with the paper, she did not see him have anything but the paper. She saw the defendant again on that night, when the officer arrested him. The officer

**POOR QUALITY
ORIGINAL**

0910

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asked her, the complainant, in the presence of the defendant, what he, the defendant, had done to her; she told the officer what the defendant had done. When the defendant was in the custody of the officer, he, the defendant, had his clothes in a valise, and he had some of his clothing hanging on his arm. When she told the officer what the defendant had done to her, the defendant denied it, and said he had not done it. It was light in the defendant's bed-room at the time she, the complainant, was in there, and she was absolutely certain that the defendant was the man who had intercourse with her. After entering the defendant's bed-room the defendant fastened the door between the bed-room and the dining-room; there was no lock on the door, it was simply a hook. The defendant's bed was against the door leading into the adjoining bed-room and it was impossible to enter that room from the defendant's room. She, the complainant, did not know how long the defendant remained on the stoop reading the paper. Before her mother had gone to Coney Island it had been arranged that she, the complainant, and Jane would meet her mother on the doock. After the

**POOR QUALITY
ORIGINAL**

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defendant had had intercourse with her and had gotten up from the bed he had money in his hand, but she the complainant, did not see how much money he had; the defendant said to her, "Here is money; don't tell." She, the complainant, refused to answer him, and he put the money back again in his pocket. The defendant did not say anything to her, the complainant, before she asked him if he would have any more coffee; she did not tell him her parents had gone to Coney Island. On Monday evening she went with Officer Schultz to the office of Dr. Gibb, and Dr. Gibb made an examination of her.

In cross examination the complainant testified that she did not know which hand the defendant had over her mouth.. She knew the defendant had been lying on top of her for twenty minutes, because the servant girl said that she, the complainant, had been away that long. After getting up from the bed, the defendant said to her, "Now I will go and finish with the servant. She, the complainant, took off her drawers when she was in the water-closet, after she had vomited, and put them in her bed-room. She did not

show her drawers to her mother. She, the complainant, got up about eight o'clock on the morning in question. She did not know any little boys in the neighborhood in which she lived; she had play-mates, but she never had any improper relations with them. She went down to the dock about eight o'clock, with the servant girl, Jane,, and she did not return until after meeting her mother. After she and the servant girl ran out of the house they walked up and down the block, but did not see any policemen. She, the complainant, did not wash herself in the water-closet.

W. TRAVERS GIBB, being duly sworn, testified that he was a physician, and had been practicing for six years and a half. He was a graduate of the University Medical College. He had seen the complainant before. On the 22nd of August, 1892, the complainant was taken to his office, about seven o'clock in the evening, by Officer Schultz of the Society for the Prevention of Cruelty to Children. He, the witness, made an examination of the complainant, and found that there had been a complete penetration of her genital organs by some blunt instru-

ment; her hymen was ruptured. . He, the witness, was sure the hymen had been ruptured within a week, but he would not say positively that it had been ruptured within twenty-four hours of his examination. The complainant's genital organs were very well developed for a person of her age.

In cross-examination the witness testified that the complainant's genital organs were slightly inflamed at the time of his examination. He, the witness, thought it possible for a man to have intercourse with a virgin without causing any flow of blood; the hymen might stretch. From what he, the witness, discovered in his examination of the complainant, he thought there should have been some slight flow of blood.

ANNIE HENTZ, THE COMPLAINANT, being recalled for further direct-examination, testified that she felt the defendant's person right in her person. The defendant did not get his person right into her as soon as he put it against her; it took him, the defendant, about five minutes to get his person right into her. The defend-

ant did not hurt her very much. She, the complainant, was positive that nobody had ever had nonnection with her before.

In cross-examination the complainant testified that her clothes were not wet on the Sunday evening in question before she met the defendant. The only time she had been out that day was to go to a delicatessen store, about five o'clock in the evening. The delicatessen store was about a block and a half from the house where she lived, and it took her about five minutes to go to the store and return to her house. She did not see any boy that she knew while she was out to the store.

JANE McLANE, being duly sworn, testified that she was employed by Mr. and Mrs. Hentz, at 191 Tenth avenue; she entered their employ on July 8, 1892. She remembered the 21st of August, 1892; on that day she was in the house. She knew the defendant. She had first seen the defendant on the Saturday evening preceding the occurrence, the 20th of August, at which time she saw the defendant in the company of Mr. Hentz. The gas was lit and she saw

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the defendant's face clearly at that time. The defendant occupied a room next to the dining-room. She next saw the defendant on Sunday morning, the 21st of August, when he was looking out of the front door. She saw the defendant again when he went in to supper on Sunday night, about half-past six o'clock. When the defendant entered the dining-room, she, the witness, the complainant and a boarder of the name of Tripp were in the room. Before supper she, the witness, and the complainant had been to a delicatessen store, for milk. The complainant returned to the house with her. That was about a quarter past five. Between a quarter past five and half-past six, the complainant was helping her. When she, the witness, took the defendant's supper into the dining-room, Tripp left the room and went out of the house. She, the witness, and the complainant then went into the kitchen. She sent the complainant into the dining-room to ask the defendant if he wanted any more coffee, and the complainant was absent about twenty minutes. She, the witness, continued to wash the dishes in the kitchen. She did not hear any noise, of any sort, while the complainant

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was absent. When the complainant returned to the kitchen, she, the complainant, was crying, and said to her, the witness, "Look what that fellow done to me." The complainant lifted up her clothes and she, the witness, saw that they were wet. The complainant had her drawers in her hand, but she, the witness, did not look at them. The complainant threw her drawers down on the kitchen floor, and the drawers were washed on the following Monday. The complainant then said something to her, the witness, and she ran down stairs and out on the street, the complainant following her. About three minutes after she and the complainant had left the house, the defendant went out of the house and entered a little candy store, next door. The defendant left the store with a newspaper in his hand, and sat down on the stoop. She, the witness, and the complainant walked up and down the block for about forty minutes. During that time she did not see any policemen, and did not make any complaint to any one. She and the complainant then entered the house again. When they passed the defendant he was talking to another boarder, James Dunn. She

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and the complainant went up stairs and remained about five minutes, and then went to the dock. They arrived at the dock about eight o'clock. They had arranged to meet Mrs. and Mr. Hentz there. They waited over an hour before Mr. and Mrs. Hentz arrived. Immediately upon Mrs. Hentz's arrival, the complainant told Mrs. Hentz what had happened. The complainant was crying at the time. The Hentzs and she, the witness, then returned to their home. She, the witness, saw the defendant going out after they got home, about ten o'clock. The defendant then had a travelling bag in his hand, and had an overcoat and a pair of shoes on his arm. She did not see the defendant again until his arrest, about a quarter of an hour afterward. The officer took the defendant into the dining-room. The complainant, the defendant, the officer, Mr. Hentz, Mrs. Hentz and the witness were present. The officer told her, the witness, to get her hat and coat and go with them to the station house. She, the witness, went to the station house, in the company of the complainant, Mr. Hentz, the officer and the defendant, and stayed there about an hour. The defendant was taken

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before the Sergeant at the desk, and the Sergeant asked the defendant whether he was guilty, and the defendant said that he was not. The defendant then commenced to cry. The defendant was before the Sergeant about five minutes. She, the witness, did not go to the doctor's with the complainant. The next day she went to court with the complainant and the complainant's father, Mr. Hentz. She, the witness, did not know where the court was. The defendant was asked some questions in the court, but she did not know what he said in answer to them. She, the witness, saw the defendant in the same court, the next morning, Tuesday, but she was not asked any questions; she saw the defendant speaking to the Judge, but she couldn't hear what he said. After returning from the dock, she, the witness, saw Mr. Hentz enter the defendant's bed-room and heard Mr. Hentz speak to the defendant and the defendant speak to Mr. Hentz. She, the witness, made up the defendant's bed on the morning of the Sunday in question, but she did not look at the bed again that day. She saw William L. Anderson on Sunday afternoon, about two o'clock; she next saw Anderson on Monday

morning. She made up Anderson's bed on Monday morning. Somebody, apparently, had slept in Anderson's bed on Sunday night, but she, the witness, did not know whether or not Anderson had slept there on that night.

In cross-examination the witness testified that she made up the defendant's bed on Sunday morning, but did not make it up on Monday morning, because no one then occupied the room. There was no window between Anderson's room and the defendant's. The complainant told her, the witness, that the defendant had said, "I will go and finish with the servant," and she was afraid of the defendant; that was the reason she ran out of the house. She, the witness, knew that, if the defendant's actions were such as had been described to her by the complainant, the defendant had committed a crime. She met several people while walking up and down on Tenth avenue with the complainant, but did not make any complaint to any of them. She was looking for a policeman.

JOHN HENTZ, being duly sworn, testified that he lived at 191 Tenth

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avenue, in the city of New York, and kept a boarding house there, occupying the second and third floors. He was the husband of the first witness, and the father of the complainant. He had seen the defendant before. He first saw the defendant on Saturday night, the 20th of August. On that night he was sitting on the stoop of his house, and the defendant came along and asked him if he had any rooms to let; he replied that he had one vacant room. He then showed the room to the defendant, after which the defendant said that he was satisfied, and that he would take the room. The defendant went away, and returned in about five minutes with his clothes. He, the witness, knew that the defendant had previously resided on Tenth avenue, between Twenty-third and Twenty-fourth streets. The defendant's room was next to the dining-room. The defendant paid a week's board in advance. He saw the defendant take possession of his room. He did not see the defendant again until the next morning, Sunday, at breakfast. On Saturday night he, the witness, heard strange noises in the defendant's room; he spoke to the defendant

about it the next morning, and the defendant told him that he, the defendnt, sometimes had dreams during the night. After seeing the defendant at eight o'clock on Sunday morning, he, the witness, did not see the defendant again until about nine or ten o'clock that night. He, the witness, saw the complainant about two o'clock on Sunday afternoon, at which time he and his wife and two youngest children left for Coney Island. He and his wife and children stayed there till about nine o'clock. On their return, they were met on the dock by the complainant and the servant girl. The complainant was crying, and immediately ran to her mother. The complainant had a conversation with her mother, and her mother told him, the witness, the substance of the conversation afterwards. He, the witness, then went to his house. Upon arriving at his house, he found the dining-room door locked. He entered the kitchen, the door of which was unlocked, and went through the kitchen into the dining-room. He rapped on the defendant's door, and the defendant opened the door. This was about ten o'clock. He, the witness, had a light in his hand. The defendant

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said to him, the witness, that he, the defendant, did not need any light; he asked the defendant what was the matter in the house, and the defendant answered "nothing." He then asked the defendant for his name, and the defendant said that he had given him his name. He, the witness, did not ask the defendant for his name when he rented the room to him. He said to the defendant, "What did you do to my little girl?" And the defendant said, "Nothing." He, the witness, then left the defendant and went to look for an officer. He found an officer on the corner of Twenty-third street and Tenth avenue, and he made a complaint to the officer. The officer and he then started to go to his house. They met his, the witness's, daughter Gussie at Tenth avenue and Twenty-second street, and Gussie had a conversation with them. He and the officer then ran to Twenty-fourth street, between Tenth and Eleventh avenues, and there caught the defendant. He pointed the defendant out to the officer, and the officer made the arrest. The defendant was walking towards the river at the time of his arrest, with his satchel in his hand, and his overcoat over his arm.

He did not hear the defendant say anything to the officer at the time of the arrest. The officer took the defendant to his, the witness's, house. He did not hear the officer or the defendant say anything on the way to the house. They entered the dining-room, and there found his, the witness's, wife, the servant girl and the complainant.. He did not hear any conversation between the officer and the complainant in the dining-room; he did not hear any conversation in that room. He accompanied the officer and the defendant to the station house. The complainant and the servant girl also went to the station house. The defendant was taken before the Sergeant. The complainant told the Sergeant what the defendant had done to her, and the defendant denied it and said that he had never seen the complainant before. He, the witness, knew the latter statement was not true, but he did not deny it in the station house. He was a laboring man, in addition to keeping the boarding house.

In cross-examination the witness testified that he did not say to the defendant, when he knocked at the defendant's door and the defendant opened

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the door, "I am going to have you arrested." The defendant did not say to him, the witness, "What are you going to have me arrested for?" The Sunday in question was the first time he had taken his family to Coney Island that Summer. He first thought of going to Coney Island on Sunday afternoon, about two o'clock, and intended to take the complainant with him, but the complainant said that she preferred to stay at home and see that everything was all right. He could not trust the servant girl alone. The complainant was his daughter, She was twelve years of age at the time of the trial; she was born in Germany, near Frankfort-on-the-Main. He, the witness, was married in 1879, but he could not recollect the month in which he was married. He thought the complainant had been born in September or November, but was not positive which. He had a family Bible, and could tell the dates upon referring to that.

OFFICER JOHN C. RUTLEDGE, being duly sworn, testified that he was attached to the Sixteenth Police Precinct. He remembered the 21st of August, 1892. From six o'clock

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that night till twelve he was on post on Tenth avenue, from Twenty-first street to Twenty-seventh street. About ten o'clock on that night he saw the preceding witness, John Hentz, at Twenty-third street and Tenth avenue. He, the witness, and Hentz walked down Tenth avenue, and at Twenty-second street they met Hentz's youngest daughter; the daughter had a conversation with Hentz. He and Hentz then ran to Twenty-first street, between Tenth and Eleventh avenues, and Hentz pointed the defendant out to him and said, "That is the man." The defendant was walking pretty fast when they saw him. He arrested the defendant. Hentz was very much excited. At the time of his arrest the defendant had a valise in his hand and an overcoat over his arm. He, the witness, told the defendant that he wanted him, and the defendant said that he hadn't done anything. He took the defendant back to Hentz's house, and on the way the defendant continued to deny that he had done anything. He took the defendant into the dining-room; the complainant was there, and he, the witness, asked the complainant if the defendant was the man, and the complainant said he was. The

complainant repeated to him, the witness, the details of what she alleged the defendant had done to her, and the defendant denied it. The defendant earnestly protested against his arrest, saying, "I hope to die if I did it." Hentz did not say anything while the defendant was in the dining-room; he, Hentz, walked around the room, and appeared to be very much excited. He, the witness, then took the defendant to the station house, and the case was given over to the Society for the Prevention of Cruelty to Children. He, the witness, asked the defendant what his idea was in running away if he were innocent, and the defendant told him that Mr. Hentz had come to his room and told him that he was going to have him arrested, and he, the defendant, expected trouble, and thought he had better get out of the house. He, the witness, saw the bed in the defendant's room; the bed looked mussed on the outside. The complainant was crying when she told him, the witness, her story.

In cross examination the witness testified that the house where the complainant lived was on his post on the Sunday night in question. He had passed

that house at seven o'clock, on that evening, and again at half-past eight o'clock, and was on his way down again when he met Hentz. The defendant did not state to him, the witness, what Mr. Hentz was going to have him arrested for. He, the witness, had learned, after the arrest of the defendant, that the defendant had been working in Twenty-first street, between Tenth and Eleventh avenues. The defendant was going in that direction at the time of his arrest. On the way to the station house, the defendant told him that he, the defendant, was on his way to the place where he worked when he was arrested. To the best of his knowledge, he had never seen the defendant before the time of the arrest.

WILLIAM L. ANDERSON, being duly sworn, testified that he was employed by the American Metre Company, and boarded at the house of John Hentz, 191 Tenth avenue. He boarded there on the 21st of August, 1892. He occupied a room on the second floor, the door of which was near the head of the stairs. He had never seen the defendant before the trial, to know him. On the Sunday in

question he went to his room about three o'clock in the afternoon, and went to sleep. He did not get up for supper. He was awakened, he thought, about nine o'clock, by the defendant going into his room. The defendant told him that he wanted to get into his, the defendant's, room, but that the dining-room door was locked. He, the witness, got up and moved his bed away from the door leading into the adjoining room, which the defendant said was his room. His, the witness's, hearing was slightly defective. He was asleep from three o'clock until nine, and did not hear anything during that time. He first heard of the trouble in the house on Monday night, when he returned from work.

In Cross-examination the witness testified that he had never been married. He was sixty years of age. He had been working for the American Metre Company continuously from 1880 up to the time of the trial. Previous to 1880 he had been travelling with the Blind Tom Concert Troupe; he travelled with the concert troupe for thirteen seasons. He could hear better with his left ear than he could with his right.

There was a transom over the door leading from his room into the defendant's, but the window was closed on the day in question. He, the witness, had boarded at Hentz's house for about three months. He did not hear the defendant knock at his door; when he awoke he saw the defendant standing in his room. He, the witness, usually left his door unlocked in the day-time. The complainant was not in his, the witness's, room on the Sunday in question. He, the witness, had his breakfast in the house on Monday morning, he thought, but he did not remember who served him or what he ate. He did not know that he had ever been called "Flint."

ANNIE HENTZ, THE COMPLAINANT, being recalled for further cross-examination testified that she lived on the West side of Tenth avenue. The defendant's bed was on the left hand side of the room. After the defendant had thrown her on the bed, he sat down with his face ~~to~~ towards the pillows.

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FOR THE DEFENCE, JAMES COX, THE DEFENDANT, being duly sworn, testified, in his own behalf, that he had heard the complainant testify that he had taken her into his room and raped her; that was false. He had never known the complainant carnally. He, the defendant, was a horse-shoer, employed in Twenty-first street, between Tenth and Eleventh avenues. His working hours were from six o'clock in the morning till six at night. He went to board at Hentz's house, 191 Tenth avenue, on Saturday, the 20th of August, 1892, and paid a weeks' board in advance. He went to bed Saturday night about half-past nine, and got up Sunday morning about half-past seven. After having breakfast, he went to see his children. He had three children -- all boys. His children were in charge of the Sisters of Mercy, at Pelham, where he paid eighteen dollars a month for their support. He left his children about five o'clock in the evening, and returned to his boarding house. He did not know where his wife lived; he had seen her in court during the trial. He and his wife were separated. He arrived at his boarding house at about a quarter past six. When he entered the din-

ing-room there was a man at the table, but he, the defendant, did not know who the man was; he had never seen him before that time, and did not take particular notice of him. The servant served his supper. No one except the servant entered the room while he was eating. He then left the house and went to a cigar store, two or three doors away from the house, and bought a newspaper and some smoking tobacco. He lit his pipe and sat down on the stoop of the house next door to where he was boarding, and read the paper; it was not dark then. An acquaintance of his came along, and he, the defendant, went to the corner of Twenty-first street and Tenth avenue and had a couple of glasses of beer, after which he returned to the stoop and sat outside until he thought it was time to go to bed. He went up stairs and tried to go into the dining-room, in order to get into his own room, but found the dining-room door locked. He knocked on the door, but received no response. He then thought that the people were asleep. The door of the room next to his, the defendant's, was wide open, and he went in there. A man, whose name he had subsequently learned was "Billy"

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Anderson, was lying on the bed. He asked Anderson if the Hentz's had gone to bed, and Anderson told him that they had gone to Coney Island. He, the defendant, asked Anderson if he would have any objection to getting up and allowing him, the defendant, to go through the door which opened into his, the defendant's, room. Anderson replied that he had not, and he, Anderson, got out of bed and they moved the bed away, and he, the defendant, got into his room. He then took off his coat, vest, neck-tie, collar and shirt and sat down on the side of the bed, thinking of the day he had passed with his children. Hentz came to his door and knocked, and he, the defendant, opened the door. Hentz told him that he was going to have him arrested; he asked Hentz what was the matter, and Hentz said that he, the defendant, knew what was the matter; he, the defendant, told Hentz, on the impulse of the moment, to go ahead and have him arrested. He did not shut the door after Hentz left. He began to think that Hentz was going to have him arrested for getting into his room in the manner in which he did. He took his clothes and started for

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the shop where he worked, thinking that in case of his arrest he would have them there. On the way to the shop he was met by the officer and Mr. Hentz. The officer took him back to Hentz's house; they went into the dining-room. The complainant was brought into the room and the charge was made, and he was taken to the station house and the same charge was made. He was taken from the police station to Essex Market Court. He had been a horse-shoer for about nineteen years, and had been working in Twenty-first street for about two months. Previous to that he had worked for a man of the name of Tallon, in Hoboken.

In cross-examination the defendant testified that previous to the 20th of August he had lived at 229 Tenth avenue. In that boarding house there were two beds in the room he occupied; on the Friday night before he left there was a strangeman put into his room, and he, the defendant, missed some money which he had in his trousers pocket; on that account he left that boarding house. Before that he had lived at Twenty-seventh street and Tenth avenue, with his children, but he had given those rooms up after his children

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had been sent to the Home. In January, 1892, he lived at No. 4 Amsterdam avenue, with his wife and children. Upon his return from work, one evening, he found his wife, children and furniture all gone from the house. He, the defendant, was not in the Police Court on February 23; at that time he was working in Hoboken. He had always supported his wife and family. His wife, after leaving him in February, returned to him and lived with him until the 28th of June, when she again left him. He had not seen his wife from the 28th day of June, 1892, until the day of the trial. When he was working in Hoboken, he returned to his home every night, and stayed at home. He, the defendant, did not see his children on the 22nd of February, and did not know at that time where they were. He did not know that they had been committed on the 23rd of February, to St. Agatha's Home, by Justice Hogan. He had looked for his children among the neighbors, but couldn't find them. In March, 1892, his wife visited him, in Hoboken. His children had thereafter been committed to the Home in Pelham, Westchester county, at his, the defendant's, request, in

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Jefferson Market Court. On the Sunday in question, when he called on his children, he did not see his wife there. He did not know the name of the man with whom he had drunk the beer; the man was in the habit of bringing his horses into the shop where he, the defendant, worked, and he only knew the man by sight. He had a cup of coffee with his supper on the night in question, but it had been left on the table by the servant when she took his supper in to him. While he, the defendant, was sitting on the stoop, after returning from the liquor store, he did not see the servant girl or the complainant leave the house; he was sitting on the stoop next door to the boarding house, and did not take notice of all the persons who were passing. He, the defendant, saw Mr. Hentz on Sunday morning, when he was having his breakfast, and he told Mr. Hentz that he would not be back to dinner, as he was going to see his children, but Mr. Hentz did not tell him, the defendant, that he, Hentz, was going to Coney Island. He did not know that the Hentzs had gone to Coney Island until "Billy" Anderson told him. Mr. Hentz had spoken to him, the defendant, on

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Sunday morning, about his talking in his sleep the night before; he, the defendant, was accustomed to talking in his sleep, after he had had the trouble with his wife. After leaving work on Saturday night he, the defendant, had one glass of beer with his employer. He did not drink any more that night. He had talked to some of the boarders who were standing around the door, on Saturday night, but he had not asked one of them to go out and see the girls and have some fun. He, the defendant, had never seen the man pointed out to him as Caspar Simon, before. He did not see Simon on that Saturday night. He was thirty-seven years of age, and had lived in this country twenty-one years. When Mr. Hentz went to his room on Sunday night, Mr. Hentz did not refer to his daughter at all. A girl gave him, the defendant, his clothes; he had given the clothes to the girl the night before, for safe-keeping, because he was afraid they might be stolen. He did not know who the girl was, as he had never seen her before. He intended to return to Hentz's after he left his clothes in the shop. He was a very poor reader and writer. He did

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not see the complainant on Saturday night, when he was talking to her father. He, the defendant, did not say anything to the officer, on the way back to Hentz's house. The first time he ever saw the complainant in his life was when she entered the dining-room, after the officer had taken him there. He did not know what the complainant said to the officer, in the dining-room, because he was excited. He had never been with a police officer before, as a prisoner. He did not know how many people there were in the dining-room, but he thought there was at least ten or twelve. He did not know who the people were--- the only one he took notice of was the complainant. He was not struck by anybody in the diningroom. The reason he was so excited was, he realized the position he was in, and knew that he was in trouble, whatever it might be. He first learned that he was charged with committing an assault on the complainant, in the station house. He could not remember the words that the complainant used in the station house. In Jefferson Market Court the complaint was read to him, and that was the first time he really understood what he

was charged with. The complainant made her statement, but he was not allowed to answer it. Thereafter he was again taken before the Judge.

In re-direct-examination the defendant testified that he had always been a good husband to his wife, and a good father to his children. He did not notice that his bed was at all moist on the Sunday night in question. He, the defendant, had been examined before the Police Justice, and had made practically the same statement at that time as he did at this trial. The complainant did not enter the dining-room while he was eating his supper.

IN REBUTTAL, JANE McLANE, being recalled, testified that when the defendant entered the dining-room on the Sunday night in question, she, Mr. Tripp and the complainant were in the room. She and the complainant had just finished their supper.

In cross-examination the witness testified that the complainant slept with her mother, in the room off the kitchen. Mr. Hentz and his son slept in the room next to the dining-room, and she, the witness,

and the girl Gussie slept together.

CORNELIUS TRIPP, being duly sworn, testified that he was a laborer, and lived at 191 Tenth avenue, at the house of John Hentz. He lived there on the 21st of August, 1892. He knew the complainant. He remember the night of the 21st of August. On that night he had his supper about six o'clock. He knew the servant girl, Jane McLane. He had seen the defendant before. He first saw the defendant on the night of the 21st of August, about six o'clock in the evening. The defendant was sitting at the door when he, the witness, entered the house. He next saw the defendant in the dining-room. When he, the witness, entered the dining-room the complainant and the servant girl were in that room, and they were still in the room when the defendant went in. He, the witness, remained in the dining-room about ten minutes after the defendant entered. When he left the dining-room, the defendant was there alone.

In cross-examination the witness testified that he did not hear any conversation between the complainant and the defendant, nor between the defend-

ant and the servant girl.

CASPAR SIMON, being duly sworn, testified that he was a machinist.

He lived at 191 Tenth avenue, and had been living there about three months at the time of the trial. He knew the complainant and the servant girl, Jane McLane. He first saw the defendant on Saturday night, the 20th of August, when the defendant rented the room. That was about seven o'clock. He had a conversation with the defendant. The defendant first asked him if he was one of the boarders, and he said that he was. The defendant then asked him to go and have a glass of beer, and he went with the defendant, and they had beer at the corner of Twenty-second street and Tenth avenue. He and the defendant remained in the saloon, talking, for about twenty minutes. The defendant told him that he, the defendant, was going up to his old boarding house, for his clothes, and asked him, the witness, to wait till he returned, and they would go out and have some fun with the girls. They then separated. He, the witness, did not wait for the defendant to return.

In cross-examination the witness testified that

the defendant did not say what girls he was going to see. He, the witness, sometimes went to see girls.

WILLIAM L. ANDERSON, being recalled, testified that he did not tell the defendant, when the defendant entered his room on the Sunday night in question, that the Hentz's had gone to Coney Island. He, the witness, did not know at that time that they had gone, but knew that they had talked about going.

In cross-examination the witness testified that he had heard in the morning that the Heintzs intended to go to Coney Island. At the time the defendant asked him to allow him to go through the door, he, the witness, did not know that the defendant was a boarder in the house, but supposed he was from what he said. The door between the rooms opened into his, the witness's, room.

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

THE PEOPLE

VS

BRIEF FOR THE PEOPLE.

JAMES COX.

STATEMENT OF CASE.

The Defendant stands indicted for the crime of Rape, which was perpetrated on the person of Annie Hentz, aged 11 years, in the premises No. 191 10th Avenue, on Sunday, August 21st, 1892.

WITNESSES:

Annie Hentz,
Jane McLane,
Mrs. Margaret Hentz,
John Hentz,
Gussie Hentz,
Officer Rutledge, 16th Precinct,
W. Travis Gibb, M. D.

ANNIE HENTZ, aged 11 years, residing with her parents, John and Margaret, who keep a boarding house at 191 10th Avenue, will testify:

That on Sunday, August 21st, 1892, her parents went to Coney Island to spend the day, leaving the house in charge of their servant Jane McLane and Witness. That Defendant, a new boarder, came into the house at about 6-30 P. M. for his supper, and while he was there Jane sent her (Witness) into the room to ascertain if he (Defendant) would have more coffee. That Defendant remarked: "This is a nice way to treat boarders, your father and mother going away like this"; also "My room is dirty, and I would like to have you clean it up". That Defendant then took Witness by the arm and pushed her into his bed-room, which adjoins the Dining-room. That Witness struggled to free herself, and endeavored to scream, but was prevented by Defendant, who placed his hand over her mouth and retained it there. That Defendant managed to lock his bed-room door, then dragged Witness to and threw her upon his bed, opened his pants, lifted up Witness' dress, inserted his penis into her private parts and had complete sexual intercourse, - hurting her while doing so, making her sick to her stomach and causing her to vomit after Defendant had got off of her. That she then immediately ran into the kitchen and told Jane McLane what had taken place, and that both were afraid and went out into the street, where they remained most of the time until Witness' parents had arrived home, when Witness informed them also of the assault. That meanwhile Defendant had also gone out into the street, sat down on the stoop for a while, and then again entered the house and sat in his room. That Witness later identified Defendant while he was in the custody of a police officer, - Defendant at the time having a satchel in his hand and an overcoat on his arm.

That Witness had never before had sexual intercourse with any person.

JANE McLANE, a servant in the boarding house of Mrs. Margaret

POOR QUALITY ORIGINAL

0943

Hentz at 191 10th Avenue, will testify in corroboration of the testimony of Annie Hentz, as far as the same relates to her sending Annie into the Dining-room on Sunday, August 21st, 1892, at about 6-30 P. M., to see if Defendant, who was the only boarder appearing for supper, desired more coffee; also that a short time after Annie ran to her in the kitchen in an excited condition and informed Witness that Defendant had raped her, - stating that Cox had urinated all over her, and that there was semen then on Annie's clothing. That both Witness and Annie then became frightened, and for the greater portion of the time until the return of Annie's parents remained in the streets, when Witness heard Annie repeat the story of the assault. (I.e., on the return etc.)

MRS. MARGARET HENTZ, mother of Annie, residing at 191 10th Avenue, will testify to the age of her daughter.

Also that on the evening of Sunday, August 21st, 1892, on her return from Coney Island, Annie informed her that Defendant had assaulted her; and that both Annie and Jane McLane were laboring under great excitement at the time; also that on examining Annie's clothing there was evidence of semen still remaining there.

JOHN HENTZ, 191 10th Avenue, will testify in corroboration of the testimony as given by his wife Margaret. Also that on his arrival home Witness went to Defendant's room and charged him with the assault. That Defendant then became excited and apparently alarmed and later left the house while Witness was in search of a police officer, who soon after arrested Defendant in 21st Street near 11th Avenue; and that he was present when Annie identified Defendant as the man who assaulted her. Also that Defendant had at the time of his arrest a satchel in his hand and an overcoat on his arm.

OFFICER RUTLEDGE, of 16th Precinct Municipal Police, will testify to the arrest of Defendant and the identification of him by Annie Hentz.

GUSSIE HENTZ, aged 8 years, residing with parents at 191 10th Avenue, will testify relative to the escape of Defendant from her parents' house, to her following him and notifying the police officer (and her father) who arrested him.

W. TRAVIS GIBB, M. D., 365 Lexington Avenue, will testify: That he made a physical examination of the person of Annie Hentz, and that he found evidence of complete penetration of her genital organs by some blunt instrument. (See Certificate on file)

-----:-----

**POOR QUALITY
ORIGINAL**

0944

N. Y. GENERAL SESSIONS

THE PEOPLE

AGAINST

JAMES COX.

PENAL CODE, ⁷⁴

BRIEF FOR THE PEOPLE.

POOR QUALITY
ORIGINAL

0945

365 Lexington Avenue.

Aug 25th '92

On Aug. 22, '92 I examined
the person of Annie Heutz
aged 11 years, and found there
had been complete penetration
of her genitals, but I was
unable to state definitely
whether the injury was done
prior to 24 hours before the
examination or not.

Respectfully Submitted

W. Travis Gillette

POOR QUALITY
ORIGINAL

0946

365 Lexington Avenue.

Aug. 22 '92

Hon. Elbridge T. Gerry,
President of the Society
for the Prevention of Cruelty to Children,
Dear Sir: -

I have this day
examined the person of Annie
Hentz, aged 11 years, of 191
South Avenue, and find there has
been complete penetration of
her genital organs by some
blunt object.

Respectfully Submitted

M. Travis Gibb, M.D.
Examining Physician

POOR QUALITY ORIGINAL

0947

Police Court, Second District.

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

David De Long

of No. *108 East 23rd* Street, in said City, being duly sworn,
deposes and says, that a certain ~~fe~~ male child called *Annie Hentz*

[now present], under the age of sixteen years, to wit, of the age of *Eleven* years, is a
necessary and material witness on behalf of the People of the State of New York in a certain
criminal case now pending in the Court of *General* Sessions of, in and for the City and
County of New York, entitled, The People against *James Cox*

_____, wherein the said *James Cox*
_____ is charged with the crime of *Rape*,

under Section *278* of the Penal Code of said State, in that he, the said *Defendant*

did unlawfully perpetrate an act of sexual intercourse with a certain female called Annie Hentz, now here, being then and there under the age of sixteen years, to wit, of the age of Eleven years, not being his wife

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

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

Sworn to before me, this _____ day of *August* 18 *92*

David De Long
John Ryan
Police Justice.

POOR QUALITY ORIGINAL

0948

POLICE COURT 3d DISTRICT.

THE PEOPLE, &C.,
ON THE COMPLAINT OF

WITNESS.
AFFIDAVIT.



David Long
11 yrs 2 months care

Dated August 24th 1892

J. L. Ryan Magistrate.

E. P. Long Officer.

E. P. Long

Disposition: Committed to

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

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

POOR QUALITY ORIGINAL

0949

Second District Police Court.

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

David De Long

of Number 108 East 23rd Street being duly sworn,
~~He does claim to believe and does believe, et~~
deposes and says, that on the 21 day of August 1892, at the

City of New York, in the County of New York. At The premises known

as number 191 Tenth Avenue in the City of New York, One James Cox now here did unlawfully perpetrate an act of sexual intercourse with a certain female called Annie Heutz now here, being then and there, under the age of sixteen years, to wit, of the age of eleven years, not being his wife, in violation of the statute in such case made and provided, and especially of Section 278 of the Penal Code of the State of New York.

Wherefore the complainant prays that the said

Defendant

may be apprehended, arrested and ~~dealt~~ ^{dealt} with according to law.

Sworn to before me, this 24 day of August 1892

David De Long
Police Justice.

POOR QUALITY ORIGINAL

0950

POLICE COURT *3d* DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

CRUELTY TO CHILDREN.



DATED *Aug 24th* 189*2*

Magistrate.

Clerk.

Officer.

Witnesses:

*E. Fellows Jenkins, Supt.,
100 East 23d Street.*

.....
.....
.....
.....
.....

Disposition,

.....
.....

LEHMAIER & BRO., 88 FULTON ST., NEW YORK.

**POOR QUALITY
ORIGINAL**

0951

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

Annie Henry
aged Eleven years, occupation None of No.

191 South Avenue Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Jacques De Long

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

Sworn to before me, this 24th }
day of August 1892 } Annie Henry

John Ryan
Police Justice.

POOR QUALITY ORIGINAL

0952

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

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

Question. What is your name?

Answer. *James Cox*

Question. How old are you?

Answer. *37 years*

Question. Where were you born?

Answer. *Ireland*

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

Answer. *10th Avenue May 1 Day*

Question. What is your business or profession?

Answer. *None*

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

Answer.

*I am not guilty
James Cox*

Taken before me this

1914

day of *May*

1914

Police Justice.

POOR QUALITY ORIGINAL

0953

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

Police Court... 2d District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

David DeSmy

1 *James Bx*

Offense *Rape*

Dated, *August 24* 189 *2*

J. J. Ryan Magistrate

Rutledge Officer

16th Precinct

Witnesses *John Henry*

No. *191 10 Ave* Street

No. _____ Street

No. _____ Street



No. _____ Street

No. _____ Street

20-1077

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

Dated, *August 24* 189 *2*

J. J. Ryan Police Justice.

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

Dated, _____ 189 _____ Police Justice.

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

Dated, _____ 189 _____ Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Cox

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

James Cox

\$282

of the CRIME OF ABDUCTION, committed as follows:

The said James Cox,

late of the City of New York, in the County of New York aforesaid, on the 21st day of August, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, did feloniously take, receive, harbor, employ and use one Annie Hartley, who was then and there a female under the age of sixteen years, to wit: of the age of seven years, for the purpose of sexual intercourse, he, the said James Cox not being then and there the husband of the said Annie Hartley, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~DE LANCEY NICOLL,~~

~~District Attorney~~

~~Second~~ COUNT—

278-

AND THE GRAND JURY AFORESAID, by this indictment further

accuse the said *James Cox* —

of the CRIME OF PERPETRATING AN ACT OF SEXUAL INTERCOURSE WITH A FEMALE UNDER THE AGE OF SIXTEEN YEARS, NOT HIS WIFE, committed as follows:

The said *James Cox* . —

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her, the said *Annie Smith* . —

then and there being, wilfully and feloniously did make ~~another~~ assault, she the said *Annie Smith* being then and there a female under the age of sixteen years, to wit: of the age of *eleven* years; and the said

James Cox . — then and there wilfully and feloniously did perpetrate an act of sexual intercourse with her the said

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

DE LANCEY NICOLL,
District Attorney.

0956

BOX:

493

FOLDER:

4503

DESCRIPTION:

Cruzzi, Michael

DATE:

09/08/92



4503

POOR QUALITY ORIGINAL

0957

Witnesses:

Counsel,

Filed

day of

1892

Pleas,

THE PEOPLE

vs.

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

Michael Coruzzi

Dr LANCEY NICOILL,

District Attorney.

Part 3. Sept 23, 1912 B.S.D.
by order of Court

A TRUE BILL.

[Signature]

Foreman.

Part 3. Sept 23/12

Ind. and De. admitted
Sept 22

Part 3. Sept 19 1912
9/16

POOR QUALITY ORIGINAL

0958

(R)

Police Court -

The People vs.
Paulo Romano
Michele Cannizzi

affiant
complainant

City and County of New York:

Paulo Romano being duly sworn deposes and says that he is 40 years of age, married, and resides at No 174 Thompson Street and by occupation is a vendor of fruits.

That on the 17 August 1892 at the City of New York between Houston and Bleeker Streets, in front of No 181 Thompson Street, ^{about 12 m.p.} on the side walk, deponent was cut with a razor on the face and the side of the head, as well as his hat wigwag, and such razor was in the hands of Michele Cannizzi and the cutting was done by him.

That the cause of this was as follows:

That on the said

✓ day in question Deparent went out in the backyard of the premises 175 Thompson Street to lie down and sleep because he had not been feeling well.

That there was a board there on which he lied down, and that also there were people in the yard playing cards.

That about seven o'clock Deparent got up went out and got a bite in the grocery near by.

That Deparent returned to the yard about 8 P. M.

That he ^{was} requested to join in a game of cards, but he declined to do so.

That as he had nothing to do, he was walking up and down, smoking, and watching the play.

That he was in and out of said premises until about ten o'clock, when the crowd that was playing cards started to go out. That Mike

2

Benuzzi in the meantime had arrived and asked to play cards which request was refused as there were just enough to play the game.

This was about a quarter of an hour before the breaking up of the game.

Then Mike Benuzzi remained and so did Depaent, and some various other persons whom Depaent does not know.

Said Benuzzi requested Depaent to play a game of cards, but Depaent declined playing at ~~four~~^{two} unless there were six in the game, or at least four or five.

The game of six could not be made, because there were not that number present who knew how to play.

Said Benuzzi coaxed Depaent until finally he consented to play with him.

X ✓ The said two then commenced playing & Depaent said to Benuzzi (knowing his tendency to cheat at cards) that he Benuzzi must

✓ play honestly, when Bernuzzi
replied Oh so ahead and
play - when I'll cheat all
theat, that's all.

Deparent objected and said
he 2 was - play honestly.

✓ They then commenced playing.
Deparent won three games,
and Bernuzzi paid only for two.

The price of the game was two
beats an eight cents a pint,
and it was drunk by Bernuzzi
and his nephew who was his
present, and this Deparent who
look a less each time not
caring for more.

✓ Deparent said to Bernuzzi that
he owed for the third game.

Bernuzzi said what is the use
of spending eight cents for a
drink, we had better get something
to eat. I'll put in one cent
more than a cent making
ten cents + we'll have something
to eat.

Deparent said he didn't cash
to eat, but did not object.

3/

to putting up the one cent, which he paid.

Cerruzzi's nephew then went with the ten cents for something to eat, which when the food came, Cerruzzi commenced dividing up the portions, taking the biggest portion for himself, & Depueux seeing this said jokingly "I want you to cut this ~~portion~~ ^{square} square! I don't care whether I eat it or not, only divide evenly, and if I don't want it, you can have it, but I don't want to be treated like a fool."

Cerruzzi then requested a portion for his nephew who had bought the food consisting of meat and vegetables.

Depueux said he had already let the nephew drink the beer, & now he wanted the food.

This was said more jokingly than otherwise, because Depueux said only two had been playing & now three were coming in.

Then Cerruzzi cut it evenly. Depueux took only a bite & then

POOR QUALITY
ORIGINAL

0963

placard her patient between
Cerny's nephew and a friend
of Deparent who had been
looking at them playing cards,
but who had not been drinking
with them.

Cerny got angry at seeing
this man receiving a return
said to Deparent: What do
you want to give that man
anything?

Deparent answered that he
Cerny's nephew's nephew
Every day, and why can't I
give something to my friends
too.

Matter was thus left friendly.

Deparent was requested to play
a game which he did, & lost the
hand up, and as before, they
drank between themselves

Deparent was requested to play
another game, but he refused
saying it was too late.

Then Cerny commenced
getting angry saying it
wouldn't hurt Deparent to play

4

again, but Depueant said he didn't want, & that he had enough beer.

Goodnight was then said, & as Benuzzi was passing Depueant, he took Depueant's cards from the table and stuck them in his pocket.

Depueant said nothing as he wanted to see whether it was done purposely or in fun.

Benuzzi went up the stairs to go through the hall of the house into the street, while Depueant was taking the chairs into the store.

When he had the chairs under Depueant came out again to see about his cards & went the same way as Benuzzi - who said making fun of him "What are you doing God father?"

Depueant answered in the street following Benuzzi to see if he would give up the cards.

They came out in the street & Benuzzi started to go away. Depueant then said I see

POOR QUALITY ORIGINAL

0965

you have taken the cards in fair - I thought you were only fooling.
 Bernuzzi denied having the cards; using insulting language. Deparent said I want the cards they don't belong to the saloon, they belong to me. Bernuzzi knew this and after some little talk Bernuzzi gave Deparent the cards who took them placing no hands on Bernuzzi's shoulders. "No! No! do again" as he had been playing that trick for some time.

Then Bernuzzi turned around to go away when Bernuzzi hit him and cut him with a razor inflicting but a slight wound. Deparent yelled for police. Bernuzzi was arrested, corner of Sullivan & Beecher Street behind a wagon.

Room 104
 this 25 August 1912
 through an interview

Paulo ^{was} Romano
 (Mark)

Deparent he the interview

**POOR QUALITY
ORIGINAL**

0966

Police Com.

W. H. H. H.
Pauls Romans

Agard

W. H. H. H.

W. H. H. H.

Charles E. H. H.
1864

POOR QUALITY ORIGINAL

0967

Police Compt

Mr. Booth
Pauls Romanis

Against

Nichols Campaign

Appoint & complete

Charles E. Bon
Ally 72 4
Nights 1000
6 1/2 hrs. x

**POOR QUALITY
ORIGINAL**

0968

COURT OF GENERAL SESSIONS, PART III.

----- x
: The People of the State of New York, :
: against : Before
: Michael Cruzzi. : James Fitzgerald
: : and a Jury.
: :
----- x

Indictment filed Sept. 8, 1892.

Indicted for assault in the first degree.
New York, 1892.

A P P E A R A N C E S:

For the People, Asst. District-Atty. Gunning S. Bedford;

For the Defendant, F. E. House, Esq.

PAUL REINAR, a witness for the People, sworn, testified:

I live at 174 Thompson Street in this city.
I sell fruit with a push-cart. On the 17th. of August I
was in the city of New York. I met the defendant on that
day in a saloon, 175 Thompson Street. We had been playing
cards in the saloon. I got tired and I refused to play.
Then Cruzzi asked me if I would have a game of cards. I
answered "We cannot have a game of cards. If four or five
people play a game of cards there is some amusement, but
there is no amusement when one or two play. Then he kept
on asking me to play cards. I finally played two or three
games with him for a pint of beer. He wanted to play more
games and I refused to play with him. I went out into the
hallway. He asked me where I was going. I answered: "I
am going out on the street". He had a pack of cards that

**POOR QUALITY
ORIGINAL**

0969

2.

belonged to me. I asked him why he didn't return them, and he said I was crazy. . . When he used that expression I got a little angry and I went out of the saloon. He came towards me and put his hand on my shoulder. I said: "Go away. Don't come near me any more". I turned my face to go away and I was struck a blow in the face. I didn't see any weapon in his hand. As soon as he gave me the blow in the face he ran away. Then I saw the blood running down. The wound which is now on my face was left by the blow which the prisoner gave me. As soon as the blood began running I took out my handkerchief and held it to my face. The defendant was arrested by an officer.

Cross-examination:

I have been in this country 16 years. I am a married man. I am in the fruit business. I have known this defendant about ten years. I have had trouble with him two or three different times about business. The cut which is on my face had about ten stitches put in it by the doctors. I do not know with what kind of a weapon the defendant struck me. I didn't strike him, but simply put my hand on his shoulder and asked him to go away from me.

JOHN T. STEVENSON, a witness for the People, sworn, testified:

I am a police officer attached to the 15th. Precinct. I arrested the defendant on the 17th. of August corner of Sullivan and Eleecker Street. His face was cut open with a gash and was bleeding. I asked him if the de-

**POOR QUALITY
ORIGINAL**

0970

3.

defendant was the man that cut him and he said yes. I then brought the defendant to the Station House and had the wounded man taken to the hospital. I have known this defendant about three years. I have seen him around the neighborhood and he always appeared to me to be a peaceable man.

DEFENSE.

NICOLA CARARA, a witness for the defendant, sworn, testified:

I am a tailor doing business at 280 Mott Street. I have been in this country eleven years. I have known the defendant both in this country and in Germany. His character for peace and quietness is good.

GIOVANNI NIGRO, a witness for the defendant, sworn, testified:

I live at 97 McDougal Street. I am going on 17 years of age. I know this defendant. I was present on the night that he was cut with the razor. I saw the defendant come out and go after the complainant. When they got on the street I heard the defendant say "I have not got your cards". Then the complainant followed the defendant and struck him on the shoulder. I then heard Cruzzi say: "I don't want to have any trouble with you". I heard the defendant say: "I won't let you go. I will take your life". I saw something shining at this time in the complainant's hands. I afterwards saw the complainant with his face cut.

**POOR QUALITY
ORIGINAL**

0971

4.

Cross-examination:

I saw the prisoner run away after the complainant was cut in the face. I didn't see the actual cutting. I saw the complainant knock the defendant down. Then the defendant got up and shortly afterwards he ran away. I could not tell how the complainant got the cut on his face.

MICHAEL CRUZZI, the defendant, sworn, testified:

I live at 97 McDougal Street. I am a married man. I have been in this country eleven years. I have never been arrested before charged with any crime. On the day of this occurrence I was in the saloon and had a game of cards. Afterwards I went out in the street. We had a game of cards in the saloon. We hadn't any idea of having trouble together. After we gambled for several pints of beer I was hungry and I sent a boy to a restaurant and got ten cents worth of meat. We eat this meat in the saloon. I went out of the saloon and while I was standing at a wagon I received two blows from behind and one in front of my face. The complainant was there. He struck me and called me vile names. He asked me to give him back the pack of cards which I had taken. I told him I had no cards. He replied that I did. I answered back: "The cards are in your pocket". He then found the cards in his trousers' pocket. I told him I didn't want to kick up any row with him; that I had a wife and children. He said: "I don't care anything about your wife or anybody else".

POOR QUALITY ORIGINAL

0972

5.

I said : "I want to get away from here. I am not a gambler like you and I don't pass my whole day gambling". I started to go away and he struck me a blow in the face. I told him to leave me alone. He would not do it. I saw something glittering in his hand. I do not know whether it was a knife or a razor. He came against me and I just caught hold of him. I didn't want to cut him, but I was afraid he would cut me. When I fell I got up and cut him. He had a knife in his hand at the time. After I cut him I ran away.

Cross-examination:

I ran away because the complainant is a bigger man than I am and he had a knife in his hand. I saw the shining blade. I didn't receive any cut from it. There were no marks of violence on me at the time I was arrested by the officer.

The jury returned a verdict of guilty of assault in the second degree.

Indorsement filed Feb. 9, 1938.

Office of the Sheriff, Chicago, Ill.

RECEIVED

CHIEF OF POLICE

Feb 9 1938

POOR QUALITY ORIGINAL

0973

Indictment filed Sep. 8, 1892.

COURT OF GENERAL SESSIONS

Part III.

THE PEOPLE &c.

against

MICHAEL CRUZZI.

Abstract of testimony
on trial, New York, September 1892.

POOR QUALITY ORIGINAL

0975

(1885)

Sec. 198-200.

..... District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Michael Cruzzi*

Question. How old are you?

Answer. *29 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *94 Mar Douglas St & Manhattan*

Question. What is your business or profession?

Answer. *Iron Riveter*

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

Answer. *I am not guilty*

Michael Cruzzi
Mann

Taken before me this
day of *Jan* 189*7*
[Signature]

Police Justice.

POOR QUALITY ORIGINAL

0976

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

37 1090

Police Court, District

THE PEOPLE, &c.
OF THE COMPLAINTEE OF

Robert Thompson
174 W. 10th St.
New York City

1
 2
 3
 4
 Offense, *Assault*

Dated *Aug 18* 1892

Magistrate

15



Witnesses

No. Street.....

No. Street.....

No. Street.....

1520 E. 20th St.

Aug 20-10am
Aug 26-2pm

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

Sam guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *100* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail

Dated, *Aug 18* 1892 *Sam Ryan* Police Justice.

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

Dated, 1892 Police Justice.

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

Dated, 1892 Police Justice.

POOR QUALITY ORIGINAL

0977

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Michael Cuzzzi

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

Michael Cuzzzi

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

The said *Michael Cuzzzi*

late of the City of New York, in the County of New York aforesaid, on the *seventeenth* day of *August* — in the year of our Lord one thousand eight hundred and ninety-*two* — with force and arms, at the City and County aforesaid, in and upon the body of one *Paul Remo* — in the peace of the said People then and there being, feloniously did make an assault and *hurt* the said *Paul Remo* — with a certain *razor* —

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

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

SECOND COUNT—

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

Michael Cuzzzi

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

The said *Michael Cuzzzi*

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Paul Remo* — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and *hurt* the said *Paul Remo* — with a certain *razor* —

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

**POOR QUALITY
ORIGINAL**

0978

THIRD COUNT—

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

Michael Cruzzi —

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

The said

Michael Cruzzi —

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the said *Paul Remo* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and *him* the said with a certain *razor*, *Paul Remo* —

which *he* the said

Michael Cruzzi —

in *his* right hand then and there had and held, in and upon the

face —

of

him the said

Paul Remo —

then and there feloniously did wilfully and wrongfully strike, beat, stab, cut bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said

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

DE LANCEY NICOLL, *District Attorney.*