

0840

**BOX:**

493

**FOLDER:**

4503

**DESCRIPTION:**

Connolly, John

**DATE:**

09/16/92



4503

0041

**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



Witnesses:

Spe. Oct 19/92

1. G. out.

Spred & M. I. Acquitted  
Sehd 2 off. Acquitted

I recommend the

dismissal of the  
defendant & his  
the defendant John  
McCoy for the reason  
that the complain-  
ant is unable to  
identify him as  
being on the hull &  
any expert in the hanging  
Oct 18th 1892  
Geo. M. Osborne  
Reporter

Counsel,

Filed

Pleads,

1892

THE PEOPLE

vs. John Connolly

John "Mc Coy"

John "Mc Coy"

John "Malone"

DE LANCEY NICOLL

District Attorney.

2nd Cir. Oct 19/92

" " Oct 23/92

A TRUE BILL.

OVER

James T. O'Connell

Foreman.

Demanded as to John

McCoy on motion of

def. atty. See the

indorsement by

Oct 17/92. OVER

Police Court—3—District.

City and County } ss.:  
of New York,

*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, *7<sup>th</sup>* 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 *10<sup>th</sup>* day of *September* 189*7* 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 Connolly (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 Connolly who attempted  
to stop deponent and while doing so  
the other men passed deponent in said

Railway. Deponent is informed by Bernard C. Ryan (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 <sup>room</sup> entered and said property stolen and carried away. Sworn to before me this 11<sup>th</sup> September, 1893.

*[Signature]*  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_ guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of \_\_\_\_\_ Hundred Dollars \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.  
Dated \_\_\_\_\_ 188\_\_\_\_  
I have admitted the above named \_\_\_\_\_ to bail to answer by the undertaking hereto annexed.  
Dated \_\_\_\_\_ 188\_\_\_\_  
There being no sufficient cause to believe the within named \_\_\_\_\_ guilty of the offence within mentioned, I order he to be discharged.  
Dated \_\_\_\_\_ 188\_\_\_\_  
Police Justice.

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

THE PEOPLE, &c.,  
on the complaint of \_\_\_\_\_

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

Offence—BURGLARY.

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

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

Bernard C. Ryan 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 11<sup>th</sup> 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

John J. Deady  
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 \_\_\_\_\_

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

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph Smith*  
162 East Broadway  
St. Louis, Mo.

*John Connolly*

1 - me

2 - me

3 - me

4 - me

Offense

*Burglary*

Dated, *Sept 11* 189*2*

*Stuffy* Magistrate.

*Stuffy* Officer.

*Stuffy* Street.

*Stuffy* Street.

*Stuffy* Street.

*Stuffy* Street.

*Stuffy* Street.

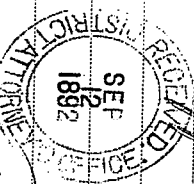
*Stuffy* Street.

*Stuffy* Street.

*Stuffy* Street.

*Stuffy* Street.

*Stuffy* Street.



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 \_\_\_\_\_ 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* 189*2* *Stuffy* 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 felon-  
iously did steal, take and carry away, against the form of the statute in such case made and pro-  
vided, 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:

Counsel,

Filed,

Pleads,

1892

[Section 628, and 681, Penal Code.]  
(Notice of License.)

DE LANCHE NICOLE

District Attorney

A TRUE BILL.

Foreman.

2nd

Source: *W. H. H.*

POOR QUALITY  
ORIGINAL

0855

Police Court

District.

Affidavit—Larceny.

City and County  
of New York, ss:

of No. 18 John Street, aged 36 years,  
occupation Jeweller

George H. Spurr

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. Spurr 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. Defendant 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

of

189

day

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. Squire  
Police Justice

POOR QUALITY  
ORIGINAL

0857

(1895)

Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*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-10<sup>th</sup> 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*

day of *July* 189*7*

Taken before me this *27*

Police Justice.

POOR QUALITY  
ORIGINAL

0050

1370. R. July 29-1892-1002

" Aug. 3-1892-1002  
80 " Aug. 3-1892-1002

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

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court,

District,

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George A. Spivee  
A. S. John R.  
Henry Cook

Offense, Larceny

Date,

July 27

1892

Magistrate.

John T. Kraus

Officer.

H. W. Bunt, Clerk, C. O.

Presided.

Witnesses: Samuel H. Hunsberr

No. 62 Mall

Street.

Levi E. Johnson

Street.

No. 1285 Broadway

Street.

Chas. A. Deering

Street.

No. 38. Sperry Place

Street.

1500

to answer

1. 10 Wilson St. N.Y.

Street.

Sub. H. C.

Office.

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 15<sup>th</sup> 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

0061

### 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.

H. W. BURT,  
Cashier.

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

GERMAN-AMERICAN BANK  
OF BUFFALO, N.Y.

POOR QUALITY  
ORIGINAL

0862

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

Edw. W. Wilson,  
Arch't. L. Watson,  
Members 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  
oblidge

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.]

SUBPOENA 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 H. W. Bant, 500/4, Cashier 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  
in the year of our Lord, 1892.

day of August

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 Erie is material, and his at-  
tendance 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 1892

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

Complainant for Grand Larceny

being duly sworn, says that he is one of the <sup>deputy</sup> 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 <sup>upon the examination</sup> at the trial of the above-named ~~complainant~~ <sup>defendant</sup> is necessary.

John S. Indian  
deputy Assistant District Attorney.

Sworn before me this 12<sup>th</sup>  
day of August 1892

Rufus Blooming

V. I. O.

City Judge.

**POOR QUALITY  
ORIGINAL**

0866

Introducing the Rev. Wm. Lindsay to  
Mrs. Wynkoop. 128 Madison Avenue.  
1893  
Rev. George Francis Nelson.  
Bicaron House,  
29 La Fayette Place.

POOR QUALITY  
ORIGINAL

0867

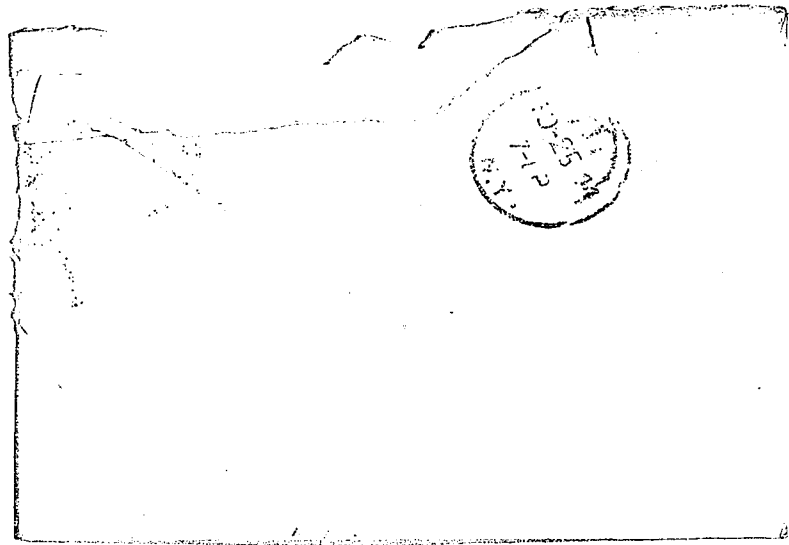
Answered  
Oct. 30/94  
Judge Martin  
2017 5th Ave  
New York





**POOR QUALITY  
ORIGINAL**

0058



POOR QUALITY  
ORIGINAL

0069

128 Madison Ave  
Oct. 25th

Judge Martine  
The Episcopal Ministry  
of the South has just  
succeeded upon me & in  
due time to address  
you, in the case of  
Henry Cork - an ex  
British Army man who  
will come before you

POOR QUALITY  
ORIGINAL

0870

in England - which seems considerable  
penetration for a peace officer -  
If you should give him a suspended  
sentence the Minister whose name  
is on this card - will see that he  
leaves the country within eight days.  
He has a wife and child in a  
- destitute situation -

I mean to try & see Sir  
Am. Barker & interest him but  
it is rather late today to expect  
him to take any action. Very -

Sincerely yours

Wm. E. Myer.

According to the statement,  
his offence is for passing  
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 *Horatio 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 Horatio*

*N. Squire and George H. Squire,*

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

"No. 110" Buffalo, May 13<sup>th</sup> 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 "

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 afore-  
said 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 pro-  
vided, 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 this case - considering  
the excellent character  
of the defendant as  
within affidavits. -

The withdrawal of  
the complainant, & his  
generous confidence in  
the defendant by  
taking him back in  
his employ & giving him  
a chance to lead an  
honest life, touching me,  
& Jack that the  
defendant be discharged  
in his own recognition

Dec. 21/1892 G. H. B.  
adva

Counsel

Filed

1892

Pleads

THE PEOPLE

vs.

Alexander Coon

Grand Larceny,  
[Sections 608, 609, 610,  
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

at Bayle & 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 blemish 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.

From before me  
December 17, 1890  
F. A. C. H. A. N. G. E.  
Com. Adm. S.  
W. J. C. H. Y.

Loeman Geleerd

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.

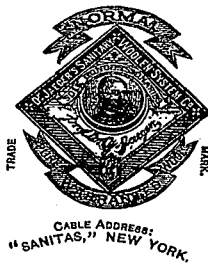
Yours Respectfully  
William Reichert

**POOR QUALITY  
ORIGINAL**

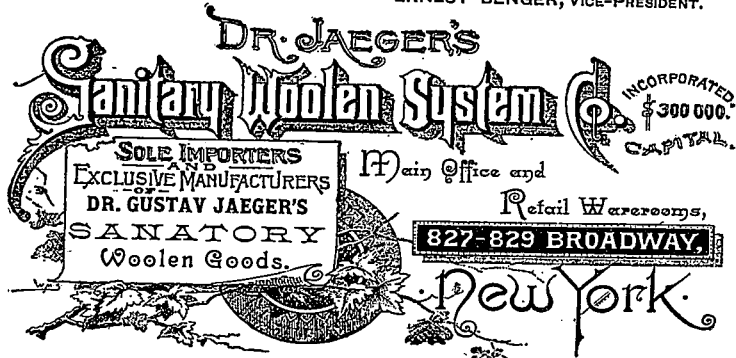
0880

HERMANN SCHAEFFER, PRESIDENT.

ERNEST BENDER, VICE-PRESIDENT.



CABLE ADDRESS:  
"SANITAS," NEW YORK.



[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 Govin and  
know him as an honest  
& industrious <sup>young man</sup>. I cheerfully  
recommend him to those  
who may be in <sup>need of</sup> 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 anybody 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 recommend Alex. Leon eighteen years of age, residing at 402 E. 10<sup>th</sup> 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

0004

(1965)

Police Court—11 District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

of No. 402 East 10<sup>th</sup> 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 Dorn (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.

Laeman Geleer

Sworn to before me, this  
day of  
July 1892  
at New York  
City  
Justice.

POOR QUALITY  
ORIGINAL

0885

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Sworn to before me, this

day of Sept 1890.

Solomon R. Selman  
Police Justice.

POOR QUALITY  
ORIGINAL

00006

(1835)

Sec. 198-200.

CITY AND COUNTY  
OF NEW YORK ss.

District Police Court.

*Alexander Coon* 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 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. New York City*

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. Smith*  
Police Justice.

POOR QUALITY ORIGINAL

00007

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court--- District

203

1132

THE PEOPLE, &c  
vs THE COMPLAINANT OF

*William H. ...*  
*Charles ...*

Dated

189

Magistrate

*John ...*  
*Magistrate*

Prinect

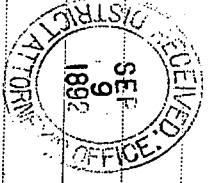
Witnesses

No.

Street

No.

Street



No.

Street

to answer

*2000 ...*

*John ...*

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, *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

505

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

THE PEOPLE OF THE STATE OF NEW YORK

against

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 Gleed

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

0890

Witnesses:

11-22-9

Heinzelman  
Counsel  
Filed day of Sept 1892  
Pleads. Myself

THE PEOPLE

vs.

B

Annie Carr

Grand Larceny, Second Degree.  
[Sections 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,

District Attorney.

Part II

Oct 5 1892

A TRUE BILL.

James A. Carr

Part 2 - Oct. 5, 1892 Foreman.  
Trial and Acquitted

POOR QUALITY  
ORIGINAL

0891

Police Court 5<sup>th</sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss:

Katie Glynn

of No. 320 East 126<sup>th</sup> Street, aged 29 years,  
occupation Laundress being duly sworn,  
deposes and says, that on the 30<sup>th</sup> 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 pos-  
session of deponent, in the day time, the following property, viz:

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

Annie Corr

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 Annie Corr, from  
the fact, that William Stillwell  
320 East 126<sup>th</sup> Street, saw the de-  
endant take, steal and carry  
away said property, from a  
shelf in the kitchen of said  
premises.

Katie Glynn

Sworn to before me, this

of September 1892

day

John W. Macdonald Police Justice.



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 *he* sees fit, to answer the charge and explain the facts alleged against *her*; that *he* 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 126<sup>th</sup> St. 2 months*

Question. What is your business or profession?

Answer.

*XXXX XXXX Works 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*

189*3*

*John H. McLaughlin*

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

Sworn to before me, this  
day of Sept 9 1892

William Stowell

John B. Woods  
Police Justice.

POOR QUALITY  
ORIGINAL

0894

Sec. 151.

Police Court 5 District.

CITY AND COUNTY } ss. In the name of the People of the State of New York; To the Sheriff of the  
OF NEW YORK, } 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 Flynn  
of No. 320 East 126 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 700 Dollars,  
the property of William Flynn  
was 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. Vouchie POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0895

Police Court..... District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated.....189

Magistrate.

*Truett* 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

0096

BAILLED, *Wm. H. H. H. H.*  
No. 1, by *Wm. H. H. H. H.*  
Residence *304 East 117*  
Street  
No. 2, by  
Residence  
Street  
No. 3, by  
Residence  
Street  
No. 4, by  
Residence  
Street  
No. 5, by  
Residence  
Street

W 229 5 1/2 1138  
Police Court... District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Wm. H. H. H. H.*  
*320 E. 116*  
*Annexed*

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

Offense

*Grand Larceny*

Dated, *September 9* 189 2

Magistrate.

Officer.

Witnesses

No. *320 & 326* Street

No. *320 & 326* Street

No. *320 & 326* Street

No. *320 & 326* Street

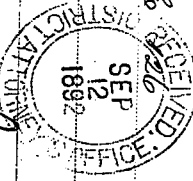
No. *320 & 326* Street

No. *320 & 326* Street

No. *320 & 326* Street

No. *320 & 326* Street

No. *320 & 326* Street



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. H. H. H. H.*

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* 189 2 *John H. H. H. H.* Police Justice.

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

Dated, *Sept 11* 189 2 *John H. H. H. H.* Police Justice.

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

Dated, *189* *John H. H. H. H.* 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

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 Lancey McCall  
District Attorney

0898

**BOX:**

493

**FOLDER:**

4503

**DESCRIPTION:**

Cox, James

**DATE:**

09/07/92



4503

POOR QUALITY  
ORIGINAL

0099

Witnesses:

Counsel,

Filed,

day of

1892

Pleas,

THE PEOPLE

vs.

32  
191 1st Ave

Brooklyn N.Y.

James Cox

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

ABDUCTION

De LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*James M. Smith*

Foreman.

Sept. 2 - Sept. 15, 1892.

Tried and convicted of the  
offense charged in 2<sup>nd</sup> count of indictment.

S.P. 15 yrs & 11 mo  
Sept 2/92 P.S.M.



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

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The People,

vs.

JAMES COX.

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Before,  
HON. RANDOLPH B. MARTINE,  
and a Jury.

Tried SEPTEMBER 13TH, 1892.

Indicted for RAPE and ABDUCTION.

Indictment filed SEPTEMBER 7TH, 1892.

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APPEARANCES:

ASSISTANT DISTRICT ATTORNEY TOWNSEND,

For THE PEOPLE.

JAMES D. McCLELLAND, ESQUIRE,

For THE DEFENCE.

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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-

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

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

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

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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

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



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

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

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

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

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



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

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

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

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

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

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.

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"



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 arrestee. 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

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

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

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

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

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

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)

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**POOR QUALITY  
ORIGINAL**

0944

**N. Y. GENERAL SESSIONS**

<b>THE PEOPLE</b>  <b>AGAINST</b>  <b>JAMES COX.</b>	<b>PENAL CODE, "</b>

**BRIEF FOR THE PEOPLE.**

365 Lexington Avenue.

Aug 25<sup>th</sup> '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 am  
unable to state definitely  
whether the injury was done  
prior to 24 hours before the  
examination or not.

Respectfully Submitted

W. Travis Gibbs M.D.

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

W. Travis Gibbs 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 23<sup>rd</sup> 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  
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

AFRIDAVID.  
WITNESS.



*David Long*

*Amended  
11 yrs 26 days*

Dated August 24<sup>th</sup> 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 & CO., STEAM PRINTERS, 77 EIGHTH AVENUE, NEW YORK.

Second District Police Court.

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

*David De Long*  
of Number *108 East 23<sup>rd</sup> Street* being duly sworn,  
*He does claim to believe and does believe, that*  
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~~ <sup>dealt</sup> with according to law.

Sworn to before me, this *24*

day of *August* 1892

*David De Long*  
*John Ryan*  
Police Justice.

POOR QUALITY  
ORIGINAL

0950

POLICE COURT *3d* DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF



CRUELTY TO CHILDREN.

DATED *Aug 24<sup>th</sup>* 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 Tenth Avenue Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of David De Long  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this 24<sup>th</sup> }  
day of August 189 2 } Annie Henry

John Ryan  
Police Justice.

POOR QUALITY  
ORIGINAL

0952

(1885)

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK } ss.

District Police Court.

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

Question. What is your name?

Answer. *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. *10 W. Avenue May 1 day*

Question. What is your business or profession?

Answer. *Barber*

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

Answer.

*I am now guilty  
James Cox*

Taken before me this

day of

Police Justice.

POOR QUALITY  
ORIGINAL

0953

BAILLED,  
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 DeLong

1. James Cox

Offense

Rape

Dated, August 24 1892

J. J. Ryan Magistrate.

Putledge Officer.

16th Precinct.

Witnesses John Henry

No. 191 10 Ave Street.

No. Street.

No. Street.



No. Street.

No. Street.

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<sup>th</sup> 1892

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.

515

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* —

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 Henry*, 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 Henry*, 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 afore-  
said, 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

Pleads,

THE PEOPLE

vs.

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

Dr LANCEY NICOILL,

District Attorney.

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

A TRUE BILL.

Foreman.

Part 3. Sept 23/12

Ind. and Dep. committed

Sept 22

Sept 19

Sept 18

Sept 17

Police Court -

The People vs.  
Paulo Romano

Michele Cannuzzi

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, <sup>about 12 m.p.</sup> on the side walk, Deposition was cut with a razor on the face and the side of the head, as well as his left hip, and such razor was in the hands of Michele Cannuzzi and the cutting was done by him.

That the cause of this was as follows:

That on the said

✓ day in question defendant 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 defendant got up went out and got a bite in the grocery near by.

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

That he <sup>was</sup> requested to join in a game of cards, but he declined so doing.

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  
Bernuzzi 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 Bernuzzi remained and so did Depaent, and some various other persons whom Depaent does not know.

Said Bernuzzi requested Depaent to play a game of cards, but Depaent declined playing at ~~four~~ <sup>two</sup> unless there were six in the game, or at least four or five.

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

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

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

✓ play honestly, when Bernuzzi  
replied oh so ahead and  
play - when I'll cheat all  
the time, that's all.

Defendant objected and said  
he would play honestly.

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

The price of the game was two  
beer at eight cents a pint -  
and it was drunk by Bernuzzi  
and his nephew who was his  
opponent, and this defendant who  
looked a little each time not  
caring for more.

✓ Defendant 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 no cent  
more than a cent making  
ten cents - we'll have something  
to eat.

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

3/

to putting up the one cent, which  
he paid.

Cerruzzi then  
went with the ten cents  
something to eat, which when  
the food came, Cerruzzi commenced  
dividing up the portions, taking  
the biggest portion for himself, &  
defendant seeing this said jokingly  
I want you to cut this ~~portion~~<sup>piece</sup> and  
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 brought  
the food consisting of meat and  
vegetables.

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

This was said more jokingly  
than otherwise, because defendant  
said only two had been playing  
and these were coming in.  
Then Cerruzzi cut it evenly.  
Defendant took only a bit & then

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

Cerruzzi got angry at seeing  
this man receiving a woman  
said to Deparent. What do  
you want to give that man  
anything.

Deparent answered that he  
Cerruzzi was his nephew  
everybody 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 Cerruzzi commenced  
getting angry saying it  
wouldn't hurt Deparent to play



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

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

Defendant 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 defendant was taking the chairs into the store.

When he had the chairs inside defendant 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?"

Defendant 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. Defendant then said I see

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  
him placing his hands on Bernuzzi's shoulders  
saying "Not to do again as you  
had been playing that trick  
for some time."

Then DeParent turned around.

✓ went away when Bernuzzi  
hit him and cut him with  
a knife inflicting but a slight  
DeParent yelled for police.

✓ Bernuzzi was arrested, corner  
of Sullivan & Beecher Street behind  
a wagon.

Room 1040  
this 25 August 1912  
through an interpreter

Pauls <sup>and</sup> Romano  
(Mark)

DeParent has the interview

POOR QUALITY  
ORIGINAL

0966

Police Com.

W. H. H. H.  
Pauls Romans

Agard

W. H. H. H.

W. H. H. H.

Charles H. H.

W. H. H. H.

W. H. H. H.

POOR QUALITY  
ORIGINAL

0967

Police Compt

Mr. B. B. B. B. B.  
Pauls Romans

Aganul-

Wich's Compt

W. J. J. J. J.

Charles E. B. B. B.  
B. B. B. B. B.  
Wich's Compt  
B. B. B. B. B.

0968

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

Indicted for assault in the first degree.  
New York, 1892.  
A P P E A R A N C E S:

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

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**

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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**

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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  
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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.

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

ber 11, 1892.

POOR QUALITY  
ORIGINAL

0974

Police Court— District.

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

of No. 174 Thompson Street, aged \_\_\_\_\_ years,  
occupation Freight Dealer being duly sworn

deposes and says, that on the 17 day of August 1887 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Michael Cragg

Who then used a sharp knife  
upon the left cheek with  
a razor which he then used there  
and in his hand

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

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

Sworn to before me, this 18 day  
of August 1887

John Ryan Police Justice.

Paul Remo  
X  
witness

POOR QUALITY  
ORIGINAL

0975

(1385)

Sec. 198-200.

2  
District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *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 Douglass St & Manhattan*

Question. What is your business or profession?

Answer. *Brick Builder*

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 X Cruzzi*  
*Mar*

Taken before me this

day of

1897

Police Justice.

0976

Police Court, \_\_\_\_\_ District  
(2553)  
THE PEOPLE, &c.,  
vs. *James M. Thompson*  
ON THE COMPLAINT OF  
*William C. Smith*  
174  
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3  
4  
Offense, \_\_\_\_\_  
*Assault*

720

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1570 E. Aug 20-10 am  
" " " 26: 7 PM

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

Dated, Aug 18 189 2 San Diego 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

0977

474

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 Cuzzit*

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

*Michael Cuzzit*

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

The said

*Michael Cuzzit*

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 *him* the said  
*Paul Remo* — with a certain *razor* —

which the said

*Michael Cuzzit*  
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

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

The said

*Michael Cuzzit*

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 *him* the said *Paul Remo* —  
with a certain *razor* —

which the said

*Michael Cuzzit*  
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

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 wrong-  
fully inflict grievous bodily harm upon the said

*Paul Remo*

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.