0151

BOX:
466

FOLDER:
4274

DESCRIPTION:
Smith, George

DATE:
01/25/92

4274

0152

(501)

Witnesses:

Herman Lehmann

Henry Malcolm

Geo. B. Hickey

Counsel,

Filed 25th day of Jan 1892

Pleads, Not Guilty Feb. 9/92

THE PEOPLE

vs.

George Smith

Herman Lehman

Burglary 3rd degree,
Grand Larceny 2nd degree
Receiving Stolen Goods
(Second Offence)
(Sections 498, 506, 528, 1533, 1558)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas. F. DeForest

Foreman.

Indictment Quashed March 17/92

District Attorney's Office,
City and County of New York.

City and County of New York, } ss.

Jacob Freund

of No. 202 Amsterdam Avenue ~~Street~~, aged 46 years, occupation Butcher being duly sworn, deposes and says, that on the 18th day of January 1892, at the City of New York, in the County of New York,

the store ~~on~~ said premises 202 Amsterdam Avenue, occupied by deponent as a butcher store, was broken into and entered, and the sum of two hundred and eighty dollars in money, lawful money of the United States, was taken from the safe ~~which~~ in said store.

Deponent is informed by Detective Sergeant Michael J. Lyman, that the said store was broken into and entered and said property stolen by George Smith, Charles Smith and Frank Clark, ~~for the reason~~ from the fact that said Lyman, as he informs me, was standing opposite the store, in company with Detective Edward C. Freel, and saw said ~~Chas~~ George Smith and Charles Smith break into said store by climbing over the door and entering through the fan light, while the said Frank Clark stood outside the door on watch. When deponent opened the store, on the ~~sixth~~ same morning January 18th he discovered that the store had been entered and the safe was broken open, and said property stolen, taken and carried away.

Deponent therefore charges that the said burglary was committed and said property stolen ~~and~~ taken and carried away by the said George Smith, Charles Smith and Frank Clark (acting in collusion with each other)

Sworn to before me this 21st day of Jany 1892

Jacob Freund

Justice of the Peace
City & County of New York

0154

District Attorney's Office.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Jacob Freund

vs.

George Smith,
Charles Smith
Frank Clark

Offence Burglary 3rd degree
Grand Larceny 1st degree

Dated January 21st 18 94

Witnesses, Off Lyman C.O.,
Off McCauley C.O.
No. Street,
Off O'Brien C.O.,
Off Freel C.O.
No. Street,
Off Dowling C.O.
No. Street,
Accomp Offence Witness
as to Geo. Smith
Stickey & Crowley C.O.
" " Charles Smith
Off Mangin & Stickey C.O.
" " Clark
Off Cottrell C.O.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

3

THE PEOPLE OF THE STATE OF NEW YORK,
against
George Smith

The Grand Jury of the City and County of New York, by this Indictment accuse George Smith

of the crime of Burglary in the third degree

as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and for the City and County of New York, at the City Hall, in the said City of New York, on the twelfth day of August, in the year of our Lord, one thousand eight hundred and eighty-four, before the Honorable Rufus B. Cowing, City Judge of the City of New York and Justice of the said Court, the said George Smith by the name and description of Herman Palmer was in due form of law convicted of a felony to wit: receiving stolen property, knowing the same to have been stolen, upon a certain indictment then and there in the said Court depending against him the said George Smith by the name and description of Herman Palmer as aforesaid,

for that he,

then late of the Nineteenth

Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of July in the year aforesaid, at the ——— Ward ——— City and County aforesaid, with force and arms, a certain part of a building there situate, to wit: the store of one Anna J. Morrison, 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 Anna J. Morrison in the said store then and there being, then and there feloniously and burglariously to steal, take and carry away, and also for that he, then late of the Nineteenth Ward of the City of New York in the County of New York aforesaid, afterwards, to wit: on the said 18th day of July in the year of our Lord, one thousand, eight hundred and eighty four, at the Ward, City and County aforesaid, in the night-time of said day with force and arms, sixty forks of the value of fifty cents each, sixty spoons of the value of fifty cents each, thirty-six razors of the value of seventy-five cents each, and one hundred and eighty pocket-knives of the value of one dollar each, of the goods, chattels and personal property of one Anna J.

Morrison, in the store of the said Anna J. Morrison there situate then and there being found, in the store aforesaid, then and there feloniously did steal, take and carry away, and also for that he, then late of the Nineteenth Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the said Eighteenth day of July in the year of our Lord, one thousand, eight hundred and eighty-four, with force and arms, at the Ward, City and County aforesaid, sixty spoons of the value of fifty cents each and sixty forks of the value of fifty cents each, of the goods, chattels and personal property of one Anna J. Morrison by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen of the said Anna J. Morrison, unlawfully and unjustly did feloniously receive and have, he, then and there well knowing the said goods, chattels and personal property to have been feloniously stolen

And Thereupon, upon the conviction aforesaid, it was considered by the said Court of General Sessions of the Peace, and ordered and adjudged that the said George Smith by the name and description of Herman Palmer as aforesaid, for the felony whereof he was so convicted as aforesaid, be imprisoned in the State Prison at hard labor for the term of four years as by the record thereof doth more fully and at large appear.

And the said George Smith, late of the Twenty-second Ward, of the City of New York, in the County of New York aforesaid, having been so as aforesaid convicted of the said felony in manner aforesaid, afterwards, to wit: on the fifteenth day of January in the year of our Lord one thousand eight hundred and ninety-two at the Ward, City and County aforesaid, with force and arms, in the night-time of the said day, a certain building there situate, to wit: the store of one Henry Schaefer 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 Henry Schaefer in the said store 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 Frank Clark Alias Charles Brown George Smith of the crime of Grand Larceny in the second degree as a second offense, committed as follows:

The said Frank Clark Alias Charles Brown George Smith, late of the Ward, City and County aforesaid, each in them having been so as aforesaid convicted of the said felony as set forth in the first count of this indictment, afterwards, to wit: on the day and in the year aforesaid, at the Ward City and County aforesaid, in the night-time of the said day, with force and arms, the sum of forty-five dollars in money, lawful money of the United States of America (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of forty-five dollars, of the goods,

chattels and personal property of one Henry Schaefer, in the store of the said Henry Schaefer there situate, then and there being found, in the store aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Third Count.

And the Grand Jury aforesaid, by this indictment further accuse the said George Smith of the crime of Receiving Stolen Goods, as a second offence, committed as follows:

The said George Smith, late of the Ward, City and County aforesaid, having so as aforesaid been convicted of the ~~said~~ felony, as set forth in the first count of this indictment, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, the sum of forty-five dollars in money, lawful money of the United States

of America (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of forty-five dollars, of the goods, chattels and personal property of Henry Schaefer, by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said Henry Schaefer, unlawfully and unjustly did feloniously receive and have; the said Francis Clark, Charles Smith and George Smith then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DeLancey Nicoll,
District Attorney.

0162

BOX:
466

FOLDER:
4274

DESCRIPTION:
Smith, James

DATE:
01/09/92

4274

Witnesses:

John Stokes

Officer King

There is not sufficient Evidence to Convict the prisoner and I ask that he discharged on his own recognizance

March 2-92

G. S. N

D.A.

Counsel, [illegible] Kinney

Filed 9 day of Feby 1892

Pleads, Not guilty 70

THE PEOPLE

vs.

I

James Smith

Grand Larceny, second Degree.

[Sections 528, 531, Penal Code.]

Jby. 17/01/2

DE LANCEY NICOLL,

District Attorney.

Odd days

A TRUE BILL.

Henry S. Harrison

Foreman.

Sat 2 - March 2, 1892,

On motion of District Attorney defendant discharged upon his verbal recognizance

NEW YORK GENERAL SESSIONS.

THE PEOPLE &c.,

against

JAMES SMITH.

As complainant in the above case, I beg to recommend the defendant to such leniency as the Court and District Attorney may see fit to show; the defendant hired the horse and cab from me and paid me for the same. He has always had an excellent character for honesty. I do not believe that he intended to steal the horse and I ask to be allowed to withdraw the case and for the defendant's discharge.

John Stokes

Officer King did not state to the complainant that I was purchasing the horse - I was told so by a Jockey - and I don't know his ~~first~~ name & can't produce him - I know nothing agst the prisoner

March 2-91

Frederick D King
Police officer

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

_____ being duly sworn, says that he resides at No. _____ Street, in the City of New York; that he is _____ years of age; that on the _____ day of _____ 18 ____, at Number _____ in the City of New York, he served the within _____ on _____ the _____ by leaving a copy thereof with _____

Sworn to before me this
day of 189

J. J. Connolly Jr. Small Claims

The Parlin "Plaintiff

against

James Smith Defendant

Litchfield

PURDY & McLAUGHLIN,
Attorneys for
No. 280 BROADWAY, New York City.

Due and timely service of copy of the within hereby admitted this day of 18

Attorney.

To _____

CITY AND COUNTY OF NEW YORK, } ss.

Frederick King

aged [illegible] years, occupation Police Officer of ~~No.~~ 25 Prescott Police ~~Street,~~ being duly sworn, deposes and says, that he has heard read the foregoing affidavit of John Stokes and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 3 *day of* February 1890 } Frederick D King

John J Ryan
Police Justice.

(3692)

0167

(1305)

Police Court— L District. **Affidavit—Larceny.**

City and County of New York, } ss. 21 St. 2 & 3 Ave c/o Wills Carriage Factory

John Stokes

of No. 341 East 21 Street, aged 32 years,

occupation Livery Business being duly sworn,

deposes and says, that on the 3 day of February 189 2 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 Horse, Harness and Cab of the value of about Four hundred dollars

$400 00/100

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 James Smith (now here) from the fact that on the 1st day of February 1892 deponent hired said property to said defendant for the time two days.

Deponent is informed by Officer Frederick W. Ring of the 5th Precinct that he saw the said defendant offering to sell a horse at the Horse Market 7th Street and Avenue A. Deponent identifies said property as the property deponent hired to said defendant. Deponent therefore accuses the said defendant with attempting to take that and carry away said property

John Stokes

Sworn to before me, this 3 day of February 189 2

Police Justice.

0168

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

I. ..... District Police Court.

James Smith being duly examined before the undersigned 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 Smith

Question. How old are you?

Answer. 23 Years

Question. Where were you born?

Answer. New York

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

Answer. 340 East 56 Street J Smith

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

James Smith

Taken before me this 3 day of February 1892

John Duffy

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 Defendant

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

Dated July 3 1897 John J. Ryan Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

0170

139

Police Court--- 2 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Stokes

vs.

1. James Smith

2.

3.

4.

Offence Larceny

Dated Feby 3 1892

Ryan Magistrate.

King Officer.

25 Precinct.

Witnesses Call Officer

No. Street.

Mrs Smith

No. 340 Street.

No. Street.

1000 to answer SS.

BAILED,

No. 1, by

Residence *Street.*

No. 2, by

Residence *Street.*

No. 3, by

Residence *Street.*

No. 4, by

Residence *Street.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James Smith

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

James Smith —

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

The said James Smith,

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

one horse of the value of one hundred dollars, one cab of the value of two hundred and fifty dollars, and one set of harness of the value of fifty dollars.

of the goods, chattels and personal property of one John Stokes. —

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.

Second COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said James Smith — of the same CRIME OF Grand LARCENY, in the second degree, committed as follows:

The said James Smith, —

late of the City of New York, in the County of New York aforesaid, on the third — day of February, in the year of our Lord one thousand eight hundred and ninety- two, at the City and County aforesaid, being then and there the — hostler of one John Stokes,

and as such — hostler — then and there having in his possession, custody and control certain goods, chattels and personal property of the said John Stokes —

the true owner thereof, to wit: one horse of the value of one hundred dollars, one cab of the value of two hundred and fifty dollars; and one set of harness of the value of fifty dollars;

did afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, feloniously appropriate the said goods, chattels and personal property — to his own use, with intent to deprive and defraud the said John Stokes — of the same, and of the use and benefit thereof; and the same goods, chattels and personal property of the said John Stokes

did then and there and thereby feloniously steal, 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.

0173

BOX:
466

FOLDER:
4274

DESCRIPTION:
Smith, John M.

DATE:
01/19/92

4274

Witnesses:

.....

.....

.....

.....

.....

192

Counsel,

Filed, 19 day of Jany 1892

Pleads, Not guilty

THE PEOPLE

vs.

B

John M. Smith

VIOLATION OF EXCISE LAW.
(Selling to Minor.)
Section 290, Penal Code, sub. 3.

Transferred to the Court of Special Sessions for trial and final disposition

Part 2 Feby 15th 1892.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. L. Deforest

Foreman.

The New York Society for the
Prevention of Cruelty to Children

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

New York January 14th 1892.

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

The People
against
John Smith

Notice of Prosecution.

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

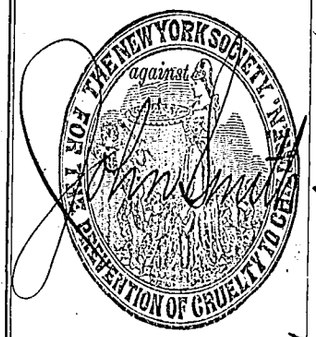
Sir: This Society is interested in the prosecution of the above defendant, and is familiar with the facts of the case. It respectfully requests that before sending the papers to the Grand Jury, fixing the day of trial, consenting to any postponement thereof, or to any reduction of bail, or final disposition of the charge, you will duly notify me as its President and Counsel, so that I may confer with you in regard thereto. This request is made pursuant to the statute (Laws of 1886, Chapter 30, Section 1), and in furtherance of the ends of Justice.

I have the honor to remain, with great respect,

Elbridge T. Gerry,
President, &c.

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN.

Selling liquor to minors,

NOTICE OF PROSECUTION

BY THE SOCIETY.

ELBRIDGE T. GERRY,

President, &c.

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 W. Smith

The Grand Jury of the City and County of New York, by this indictment, accuse John W. Smith of a MISDEMEANOR, committed as follows:

The said John W. Smith

late of the City of New York, in the County of New York aforesaid, on the Ninth day of January in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, certain strong and spirituous liquors, and certain wine, ale and beer, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, and cause and procure and permit to be sold to one Mary Comax who was then and there a child actually and apparently under the age of sixteen years, to wit: of the age of Eleven years, 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.

0178

BOX:
466

FOLDER:
4274

DESCRIPTION:
Smith, Joseph

DATE:
01/25/92

4274

Witnesses:

Antonio Ferrielli

Jas. Tarran

John Rohand

Counsel,

Filed 25 day of Jan 189[illegible]

Pleads, not guilty

THE PEOPLE

vs.

Joseph Smith

Grand Larceny, Second Degree.
(From the Person.)
[Sections 528, 531, Penal Code.]

By white
Buckelew

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas. J. De Forest

Foreman.

Jany 26/92

Jany 29/92

0180

(1865)

Police Court— 5 District.

Affidavit—Larceny.

City and County of New York, } ss.

1578. 3 Ave

Antonio Panzella

of No. ~~23 45 2.~~ avenue Street, aged 34 years,

occupation Barber being duly sworn,

deposes and says, that on the 10th day of January 1894 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession and Person of deponent, in the Night time, the following property, viz:

One Silver watch of the value of Eight Dollars ($8,00)

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 Joseph Smith (New hue) from the fact that at about the hour of 9.30 o'clock P.M. said date deponent was in the Harlem Museum 3 avenue near 115th St. and at that time deponent had said watch in the lower left hand pocket of his vest when this defendant came up to deponent and catching hold of deponents watch chain he the defendant snatched said watch from deponents pocket breaking the ring from the watch.

Wherefore deponent charges this defendant with feloniously taking stealing and carrying away said watch from deponents person.

Dezricelli Antonio

Sworn to before me, this 11th day of May 1894

Police Justice.

(1385)

Sec. 198—200.

5 District Police Court

CITY AND COUNTY OF NEW YORK, } ss.

Joseph Smith being duly examined before the undersigned 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. Joseph Smith

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Troy N.Y.

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

Answer. 16 Chrystie St 7 months

Question. What is your business or profession?

Answer. Brush Maker

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

Joseph his X mark Smith

Taken before me this 11 day of May 1884

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 Defendant

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

Dated July 13 188 9 John Ketcham *Police Justice.*

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

Dated ..... 188 ..... *Police Justice.*

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

Dated ..... 188 ..... *Police Justice.*

0183

$1,000 Bail Cy
Jan 13. 9. a.m

146 44

Police Court 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Antonio Pargalla
2395 Lexington Ave
1 Joseph Smith
2
3
4

Offence Larceny from the Person

BAILED.

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

Dated January 11 1891
Kelly Magistrate
Thos F. Teeson Officer.
29 Precinct.
Witnesses John Rotunno
No. 1728 Lexington Ave Street
No. Street.
No. Street.
$1,000 to answer

RECEIVED, JAN 14 1891, DISTRICT ATTORNEY'S OFFICE

0184

OFFICE OF

Williamsburgh Brush Man'f'g Co.

Horse and Dandy Brushes a Specialty.

192 CONSELYEA STREET,

A. LOUNSBERY, Prop. *Brooklyn, N. Y.* _____ 189 –

Gentlemen
Yours in
Asiatic Smith
has worked out well for
some time and was a fairly
useful and honest
man of fairly genuine
[illegible]

0185

Gentlemen.

Dear Sirs.

We, the undersigned have worked with Joe. Smith. for the past fourteen months and find him a hard worker and an honest man.

From the employees of —
H. Rosenthall's
John Craig.
M. Conway
J. Page.
Joe Farrell.
John Murry.

0186

Thurs Jan 28/42

Dear Sir

I write these few lines in regards to Joseph Smith I think he must have got in some bad company for he boarded with me for over two year and I always found him a very steady yound man and always kept early hours and never knew him to do a wrong act before and would speak well of him to anyone as I always found him to be a Sober Honest young man yours Sincerely

Mrs Powers Formerly S Sprill

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Joseph Smith

The Grand Jury of the City and County of New York, by this indictment, accuse Joseph Smith of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Joseph Smith

late of the City of New York, in the County of New York aforesaid, on the tenth day of January in the year of our Lord one thousand eight hundred and ninety-two, in the night time of the said day, at the City and County aforesaid, with force and arms,

one watch of the value of eight dollars

of the goods, chattels and personal property of one Antonio Perricelli on the person of the said Antonio Perricelli then and there being found, from the person of the said Antonio Perricelli 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.

0188

BOX:
466

FOLDER:
4274

DESCRIPTION:
Sorahan, James

DATE:
01/25/92

4274

Witnesses:

John Donohue

Off Rourke

Outside office

Permolt

The complainant in this case was only slightly injured. So far as can be ascertained, defendant has never been ~~before~~ arrested before. I recommend the taking of plea of Asst 3rd degree.

J. M. Davis
Asst

Feb 9/92.

252

Counsel,

Filed 25th day of Feb 1892

Pleads, Not guilty

2d Brickhaper
443 & 13 Hud

THE PEOPLE

vs.

James Sorahan

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

DE LANCEY NICOLL,
District Attorney.

odd days Feb.

A TRUE BILL.

Chas T. De Forest
Foreman.

Part 2 - Feb 9. 1892
Pleads Assault 3rd Degree
Pen 1 yr B.

Feb. 12

0190

Police Court— 3rd District.

City and County of New York, } ss.:

John Donohue

of No. 327 East 11th Street, aged 23 years,

occupation Bill Poster being duly sworn

deposes and says, that on the 13th day of January 1892 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by James Sorahan (now here) who cut and stabbed deponent in the back, with some sharp instrument, then held in his hand.

This assault was committed with intent.

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~~ may be bound to answer for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 14th day of January 1892. } John Donohue

J. Kilbreth Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. James Sorahan

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer. refused

Question. What is your business or profession?

Answer. Mason

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 don't know any thing about it. I don't remember any thing. James Sorahan

Taken before me this 14 *day of* January 1892

J. Newman

Police Justice.

0192

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 [illegible] 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 January 14 18 92 [illegible] Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

0193

61

Police Court--- 37 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Donohue
357 E 11th St

1. James Sorahan

2. —

3.

4.

Offence Felonious Assault

Dated January 14 1892

Kilbreth Magistrate.

Rourke Officer.

14 Precinct.

Witnesses Call the officer

No. James Boden Street.

144 East 11th

No. Street.

No. Street.

$1000 to answer G. S.

Com

Assault 1

RECEIVED. JAN 18 1892 DISTRICT ATTORNEY'S OFFICE

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Sorahan

The Grand Jury of the City and County of New York, by this indictment, accuse James Sorahan of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said James Sorahan late of the City of New York, in the County of New York aforesaid, on the 13th day of January 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 John Donohue in the peace of the said People then and there being, feloniously did make an assault and him the said John Donohue with a certain sharp instrument to the Grand Jury aforesaid unknown, which the said James Sorahan 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 John Donohue 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 James Sorahan of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said James Sorahan 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 John Donohue in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and him the said John Donohue with a certain sharp instrument to the Grand Jury aforesaid unknown, which the said James Sorahan 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.

De Lancey Nicoll,
District Attorney

0195

BOX:
466

FOLDER:
4274

DESCRIPTION:
Spencer, Charles

DATE:
01/26/92

4274

0196

Witnesses:

Mary Howell

Officer Hay

The last statement contained in the affidavit of Mrs. Mary Howell with regard to the admission made by defendant to Officer Hay is not verified by the Officer. The pawnbroker with whom the property was pawned fails to identify the defendant and I feel that the evidence is not such as to warrant the District Attorney in the bringing the matter before a jury with any hope of a conviction.

Respectfully

Part I. Thomas J. Bradley

May 24/93. Dep. Asst. Dist. Atty.

Approved.

Delancey Nicoll

Dist Atty

270

222

Counsel,

Filed 24th day of June 1893

Pleads, Not guilty May 2/93

THE PEOPLE

vs.

Charles Spencer

Grand Larceny, Second Degree.

[Sections 528, 531 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Foreman.

District Attorney's Office,
City and County of New York.

City and County of New York, } ss.: 253 W 18th Mary Howell

of No. ~~524 8th Avenue~~ Street, aged years,

occupation Housekeeper being duly sworn, deposes and says,

that on the or about 29th day of June 1897, at the City of New York, in the County of New York,

the following described Property was stolen from deponent.

2 lace dresses, one pair of trousers, one coat and one wrap, all of the value of about one hundred and forty dollars.

That said property was in a room in said premises, and was missed therefrom by deponent, on or about said date.

That previous and up to this time, one Charles Spencer had been boarding in said premises, and at about the time said property was missed, said Spencer disappeared.

Deponent has been informed by Allan Hay, a police officer attached to the 20th Precinct, that said Charles Spencer admitted stealing said property.

Sworn to before me } Mrs Mary Howell
this 26th day of Jan. 1898 }

Judge of the
Court of Sessions
City & County

0198

DISTRICT ATTORNEY'S OFFICE.

City and County of New York.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Mary Howell
253 W. 18th St.
Charles Spencer

Offence: Grand Larceny
second degree

Dated Jany. 26th 1892

Witnesses, Allan Hay
50th Precinct

No. Street,

No. Street,

No. Street,

0199

1427

County of New York, ss.:

In the Name of the People of the State of New York, To any Sheriff, Constable, Marshal or Policeman in this State, Greeting:

An indictment having been found on the 26 day of January 1892, in the Court of General Sessions of the Peace of the County of New York, charging Charles Spencer

with the crime of Grand Larceny in second degree

You are therefore Commanded forthwith to arrest the above named Charles Spencer and bring him before that Court to answer the indictment; or if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City Prison of the City of New York.

City of New York, the 26 *day of* January 1892

By order of the Court,

John F. Carroll

Clerk of Court.

0200

1427

COUNTY OF NEW YORK, SS.:

In the Name of the People of the State of New York, To any Sheriff, Constable, Marshal or Policeman in this State, GREETING:

An indictment having been found on the 26 day of January 1892, in the Court of General Sessions of the Peace of the County of New York, charging Charles Spencer

with the crime of Grand Larceny in second degree

You are therefore Commanded forthwith to arrest the above named Charles Spencer and bring him before that Court to answer the indictment; or if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City Prison of the City of New York.

City of New York, the 26 *day of* January 1892

By order of the Court,

John F. Carroll

Clerk of Court.

0201

New York General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,

against

Charles Spencer

BENCH WARRANT FOR FELONY.

Issued Jan. 26th 1892

☞ The officer executing this process will make his return to the Court forthwith.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Spencer

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

The said Charles Spencer

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

two dresses of the value of forty five dollars each, one pair of trousers of the value of ten dollars, one coat of the value of twenty dollars, and one wrap of the value of twenty dollars

of the goods, chattels and personal property of one Mary Howell

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

0203

BOX:
466

FOLDER:
4274

DESCRIPTION:
Spencer, Margaret

DATE:
01/11/92

4274

0204

BOX:
466

FOLDER:
4274

DESCRIPTION:
Penfield, Mary

DATE:
01/11/92

4274

0205

Witnesses:

It appearing that the deft has left the jurisdiction of the state and will not appear as it appears by the within affidavits I recommend that the defts be discharged on their own recognizance

Feb 25/92 Manhattan Sess

Counsel, Stickler Bros

Filed 11 day of Jany 1892

Pleads, Arraigned 15

THE PEOPLE

vs.

Margaret Spencer

and

Mary Sinfield

Grand Larceny, First Degree. (From the Person.) [Sections 528, 530, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

Jan. 26

A TRUE BILL.

Chas J. DeForest

Foreman.

Both discharged on their own recog. on account of doubtful

Feb 24/92

as to Simpson

Feb 24/92

(1365)

Police Court— 2 District. **Affidavit—Larceny.**

City and County of New York, } ss.

Robert A Reill

of No. 178 East 122 nd Street, aged 28 years,

occupation Clerk being duly sworn,

deposes and says, that on the 25 day of December 1891 at the City and County 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 horse shoe diamond scarf pin of the value of about seventy-five dollars

$75—

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 Margaret Spencer and Mary Penfield now here under the following circumstances. Deponent wore the said pin in his scarf when walking in West 42 nd street about the hour of three o'clock a m. Deponent met three girls and was accosted by one of them named Margaret Spencer who he stated that the said Margaret Spence and Mary Penfield stood near deponent and deponent talked with them from three to five minutes. While said conversation was going on the said Margaret Spence put her hand on deponents breast, and the said Mary Penfield also put her hand on deponents

Sworn to before me this day of 189

Police Justice

Shoveder. Then the defendants started to go away and deponent missed the said deed from him and immediately accused the defendants of taking it and deponent detained them until they were arrested and deponent now charges defendants with taking the said property for the reason that deponent felt it in his pocket a few moments before he met these defendants and no other person was near enough to take the said property.

Sworn to before me this 25th day of December 1891

Robt A Reilly

O'Shea Justice

Robert A Reilly

Sec. 198—200. 2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Mary Penfield being duly examined before the undersigned 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. Mary Penfield

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. 12 West 6th St.

Question. What is your business or profession?

Answer. Milliner

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 did not put my hands on the Complainant. I did not see his pin. I was not out of his sight while after I was arrested. I was searched thoroughly at once and nothing was found on me

Mary Penfield

Taken before me this 25 day of December 1887

Police Justice.

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Margaret Spence being duly examined before the undersigned 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. Margaret Spence

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. U. S.

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

Answer. 502 West 55 St — not long

Question. What is your business or profession?

Answer. Dress maker

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 did not steal the manteau. I did not go near enough to him to put my hand on him. I did not see his pin. I do not know who took it.

Maggie Spencer

Taken before me this 25 day of December 1891

Police Justice.

0210

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

Dated Dec 25 *18*51 — *Police Justice.*

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

Dated ..... *18* ..... *Police Justice.*

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

Dated ..... *18* ..... *Police Justice.*

Ex Dec 28th 10.30 A.M.
$1000.00 bail

1604

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Robert A Reilly
178 East 122d St
Margaret Spencer
Mary Penfield
3.
4.

Offence Larceny
Grand Larceny

BAILED.

No. 1, by Mordecai S. Kauffman
Residence 120 E. 91st Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

Dated Dec 27 1891
Hogan Magistrate.
Wm J. Thompson Officer.
19 Precinct.
Witnesses Wm W. Conlon
No. 401 West 52nd Street.
No. Street.
No. Street.
$500 each to answer.

RECEIVED. DEC 1891 DISTRICT ATTORNEYS OFFICE

Court of General Sessions.

THE PEOPLE

Robert A. Reilly

vs.

Margaret Spencer
Mary Penfield

City and County of New York, ss:

John Hanna being duly sworn, deposes and says: I reside at No. 204 E. 21st Street, in the City of New York. I am a Subpœna server in the office of the District Attorney of the City and County of New York. On three different occasions during the month of January and February 1892 I called at 178 E. 122nd street, in the City of New York the alleged residence of Robert A. Reilly the complainant herein, to serve him with a subpœna to appear in Court as a witness, and was informed by persons residing in said house 178 E. 122nd street that the complainant above named was out of the state of New York, and intended to stay away from New York.

Sworn to before me, this 25th day of February 1892.
David Anderson
Notary Public
N.Y. Co.

John Hanna
Subpœna Server.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

Robert A. Reilly

vs.

Margaret Spencer
&
Mary Penfield

Offense:

JOHN R. FELLOWS,
District Attorney.

Affidavit of

John Hanna.

Subpœna Server.

Failure to find Witness.

COURT OF GENERAL SESSIONS

THE PEOPLE

VS.

MAMIE PENFIELD

Sir,-

Please take notice that I will move in the Court of General Sessions, Part One on Thursday February 25th 1892, for the discharge of the above named defendant, on her own recognizance under section 688 of the Code of Criminal Procedure.

Dated February 23rd 1892.

Yours respectfully,

James W.Mc Laughlin,

Counsel for defendant,

280 Broadway,

N.Y.C.

To,

De Lancey Nicoll Esq.,

District Attorney,

N. Y. C.

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

_____ being duly sworn, says that he resides at No. _____ Street, in the City of New York; that he is _____ years of age; that on the _____ day of _____ 18 _____, at Number _____ in the City of New York, he served the within _____ on _____ the _____ by leaving a copy thereof with _____

_____

_____

_____

Sworn to before me this
day of 189 }

Plaintiff

against

Defendant

PURDY & McLAUGHLIN,
Attorneys for
No. 280 BROADWAY, New York City

Due and timely service of cop of the within hereby admitted this day of 18

Attorney.

To

RECEIVED: FEB 24 1892 DISTRICT ATTORNEY'S OFFICE

Court of General Sessions.

THE PEOPLE

vs.

Margaret Spencer et al

City and County of New York, ss:

William J. Thompson being duly sworn, deposes and says: I am a Police Officer attached to the 19th Precinct, in the City of New York. ~~On the~~ ~~day of~~ ~~189~~, ~~I called at~~

~~the alleged~~ ~~of~~

~~the complainant herein, to serve h~~ ~~with the annexed subpoena, and~~ was informed by

Robert A. Reilly, the complainant in said case, about two weeks ago, when the case had been adjourned in court, that he would not appear any more, and that the next time he was wanted, he could be found in Peoria Ill.

Sworn to before me, this 25th day of February 1892

Thos. A. Reguno
Commr of Deeds
N.Y. Co

William J. Thompson.

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

Robert A. Reilly

vs.

Offense:

~~JOHN R. FELLOWS,~~

De Lancey Nicoll *District Attorney.*

Affidavit of Police Officer

William J. Thompson

19th *Precinct.*

Failure to find Witness

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Margaret Spencer and Mary Penfield

The Grand Jury of the City and County of New York, by this indictment, accuse Margaret Spencer and Mary Penfield of the CRIME OF GRAND LARCENY in the first degree, committed as follows:

The said Margaret Spencer and Mary Penfield, both late of the City of New York, in the County of New York aforesaid, on the 25th day of December in the year of our Lord one thousand eight hundred and ninety-one, in the night-time of the said day, at the City and County aforesaid, with force and arms,

one scarf pin of the value of seventy-five dollars

of the goods, chattels and personal property of one Robert A. Reilly on the person of the said Robert A. Reilly then and there being found, from the person of the said Robert A. Reilly 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

0219

BOX:
466

FOLDER:
4274

DESCRIPTION:
Spicer, Minnie

DATE:
01/07/92

4274

0220

BOX:
466

FOLDER:
4274

DESCRIPTION:
Winder, Lizzie

DATE:
01/07/92

4274

0221

BOX:
466

FOLDER:
4274

DESCRIPTION:
Curtis, Sarah

DATE:
01/07/92

4274

Witnesses:

From an Examination of this Case I find stated this a Plea of Petit Larceny will subserve the Interests of the Proper -

Robt Summers
Asst District Atty.

July 28th 92.

Counsel,

Filed 7 day of Jany 1892

Pleads, Not guilty

THE PEOPLE

vs.

Minnie Spicer, P

Lizzie Winder P

Sarah Curtis

Robbery, Degree. (Sections 224 and 225, Penal Code.)

HD

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas. J. De Forest

Foreman.

All Plead Petit Larceny

Each

Pen one yr.

0223

Police Court — 2 — District.

CITY AND COUNTY OF NEW YORK, } ss

(Bailed) Surrendered

Simon Meser

of No. College Point N.Y. Street, Aged ..... Years

Occupation in Silk factory being duly sworn, deposes and says, that on the 26 day of December 1887, at the 15 Ward of the City of New York, in the County of New York, was feloniously taken, stolen, and carried away, from the person of deponent by force and violence, without his consent and against his will, the following property, viz:

Thirteen dollars in good and lawful money of the United States in a pocket purse

of the value of Thirteen DOLLARS,

the property of Deponent

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

three colored women, one of whom is unknown to deponent and the other two were Minnie Speier and Lizzie Winter (now here) the said unknown woman got deponent to go into a room with her at 135 West Third street in the rear for the purpose of prostitution and while deponent was in the said room the three defendants jointly seized deponent and took the said property out of his pocket, and the said unknown woman escaped, and the other two were arrested immediately.

Sworn to before me, this 26 day of December 1887

Police Justice.

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

Amos Meser

of No. College Point Street, being duly sworn, deposes and says,

that Sarah Curtis (now present) is the person of the name of

colored woman unknown mentioned in deponent's affidavit of the 27

day of December 1887, hereunto annexed.

Sworn to before me, this 28
day of December 1887

Police Justice.

Sec. 198—200. District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Sarah Curtis being duly examined before the undersigned 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. Sarah Curtis

Question. How old are you?

Answer. 24 years

Question. Where were you born?

Answer. N S

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

Answer. 206 W 30

Question. What is your business or profession?

Answer. Housekeeper

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

Sarah Curtis

Taken before me this 25 *day of* December 1887

Police Justice.

0226

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Minnie Price being duly examined before the undersigned 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. Minnie Price

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. U. S

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

Answer. 127 Sullivan St. 6 months

Question. What is your business or profession?

Answer. Cook washer and ironer

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

Minnie Price

Taken before me this 27 *day of* December 1891

Police Justice.

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Lizzie Winter being duly examined before the undersigned 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. Lizzie Winter

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. U. S.

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

Answer. 214 West 30 St. 2 month

Question. What is your business or profession?

Answer. I always work at housework

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

Lizzie Winter
mark

Taken before me this 27 day of March 1897

Police Justice.

0228

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 Sarah Curtis Minnie Rice, Lizzie Wenda guilty thereof, I order that they be held to answer the same and they be admitted to bail in the sum of Two Hundred Dollars, each and be committed to the Warden and Keeper of the City Prison of the City of New York, until they give such bail.

Dated Dec 27 1891 [signature] Police Justice.

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

Dated ..... 18 ..... Police Justice.

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

Dated ..... 18 ..... Police Justice.

0229

Ex Dec 28th 10 A.M.

1606

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1 Emma Meser
Police Post 92
2 Minnie Spieda
3 Lizzie Winder
Barah Curtis
4

Offence Robbery

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated Dec 27 1891

Hogan Magistrate.

Donovan Officer.

15 Precinct.

Witnesses Dr. M. Atkinson

No. 102 5 Ave Street.

No. Street.

RECEIVED DEC 31 1891 DISTRICT ATTORNEY'S OFFICE

No. Street.

$ 1000 to answer

Com

0230

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 5 DISTRICT.

James A Donnigan

of No. 15th Precinct Police Street, aged years,

occupation Police Officer being duly sworn deposes and says,

that ~~on the day of 188~~

~~at the City of New York, in the County of New York,~~ Simon Meser now here is a necessary and material witness against Minnie Specie & Lizzie Minder - charged with having committed a Robbery - and that deponent is led to believe that said Meser will not appear at the said trial of said Minnie & Lizzie - he therefore asks that said Meser may be held to await the said trial of said Minnie & Lizzie or find security for his appearance at said trial

James A Donnigan

Sworn to before me, this 21 day of December 1891

Police Justice

Laws N. Y. 1833, p. 10, § 8—Laws relating to the City, p. 604, § 8.

SECOND DISTRICT.

DIS. COND.—RECOG. FOR GOOD BEHAVIOR.

CITY AND COUNTY OF NEW YORK } ss.

BE IT REMEMBERED, That on the 2 day of December in the year of our Lord, 18 91

Simon Meser of College Point N. Y.

of No. ~~Street, in the City of New~~ York,

and Dr M. Attarian

of No. 102 East 7 St Street, in the said City,

personally came before the undersigned, one of the Police Justices in the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW-YORK, that is to say: the said Simon Meser

the sum of one hundred **Hundred Dollars,**

and the said Dr M. Attarian

the sum of one hundred **Hundred Dollars,**

separately, of good and lawful money of the State of New York, to be levied and made of their several and respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition hereinafter mentioned.

WHEREAS, the said Simon Meser held in 100 dollars bail as a witness in the suit of the Complainant against Paul Ruth Nunn Drue and Lee Wade for Robbery has been guilty of such Disorderly Conduct as, in the opinion of the Magistrate who took the complaint, tends to a Breach of the Peace, and was required to find sureties for his Good Behavior in the sum above mentioned, pursuant to the statute in such case made and provided.

Now, therefore, the condition of the above Recognizance is such, That if the above named Simon Meser shall ~~be of~~ appear ~~**Good Behavior** towards the PEOPLE OF THE STATE OF NEW-YORK, and particularly towards~~ as a witness on the trial of said defendants ~~for the term of months,~~ next ensuing the date hereof, then the above Recognizance to be void; otherwise, to be and remain in full force and virtue.

Taken and acknowledged before me, the day and year first above written. }

M. Attarian.

Police Justice.

Simon Meser

POLICE OFFICE, SECOND DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Simon Meser

vs.

Minna Meser
Lizzie Wunder
Sarah Curtis

Recognizance for Good Behavior.

Taken 187

Magistrate.

Filed day of 187

CITY AND COUNTY OF NEW YORK } ss.

Regerdus Fillerian being the within named Bail, being duly sworn, says that he is a freeholder in said City, and is worth one Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of household furniture and personal effects at No 102 East Seventy first Street

Mr. Fillerian

Sworn before me, this 12 *day of* December 1891

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

Minnie Dupree,
Biggie Winder and
Sarah Curtis

The Grand Jury of the City and County of New York, by this indictment, accuse Minnie Dupree, Biggie Winder and Sarah Curtis —

of the CRIME OF ROBBERY in the first degree, committed as follows:

The said Minnie Dupree, Biggie Winder and Sarah Curtis, all —

late of the City of New York, in the County of New York aforesaid, on the 26th day of December, in the year of our Lord one thousand eight hundred and ninety- one, ~~in the time of the said day~~, at the City and County aforesaid, with force and arms, in and upon one Duncan Messer. — in the peace of the said People then and there being, feloniously did make an assault; and the sum of Sixteen dollars in money, lawful money of the United States of America and of the value of — Sixteen dollars, and one quarter of the value of one dollar,

of the goods, chattels and personal property of the said Duncan Messer. — from the person of the said Duncan Messer, against the will and by violence to the person of the said Duncan Messer. — then and there violently and feloniously did rob, steal, take and carry away, the said Minnie Dupree, Biggie Winder and Sarah Curtis, and each of them, being then and there aided by an accomplice actually present, to wit: each by the other. —

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.

0234

BOX:
466

FOLDER:
4274

DESCRIPTION:
St.Clair, Lizzie

DATE:
01/08/92

4274

Witnesses:

Counsel, L. Barker

Filed 8 day of Jany 1892

Pleads, Not guilty

THE PEOPLE

vs.

Lizzie St. Clair

Grand Larceny. First Degree.
[Sections 528, 530, Penal Code]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas J. DeForest
Foreman.

Jany 14 92

Pleaded Not Guilty

1 yr 6 mos Pen

3rd

Police Court— ..... **District.** **Affidavit—Larceny.**

City and County of New York, } ss.

Frederick Richter

of No. 46 Division Street, aged 26 years,

occupation Bar tender being duly sworn

deposes and says, that on the 26 day of Dec 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:

and person

Gold and Lawful money of the United States of the amount and value of Fifty Eight Dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by one Blair Fowler from the fact that at about the hour of one o'clock A.M. the defendant came into the reading room of the Division Lodging House No 46 Division Street attached to the Bar room of said hotel and the defendant commenced putting his arms around deponent and about five minutes thereafter deponent missed the pocket book containing said money from the hip pocket of deponents pantaloons and about thirty minutes afterwards deponent caused the arrest of deponent and fifty eight dollars was found

Sworn to before me, this ..... day of ..... 18..

Police Justice.

in defendants possession deponent identified a ticket dollar bill found in the defendants possession by a page in the centre of said twenty dollar bill

Sworn to before me
this 20th day of Dec 1891

Fred Reichter

John J Ryan Police Justice

0238

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Rosa McClain 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 see 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. Rosa McClain

Question. How old are you?

Answer. 26 years

Question. Where were you born?

Answer. Virginia

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

Answer. 158 Nassau St Brklyn 5 months

Question. What is your business or profession?

Answer. Housework

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 the Complainant had sexual intercourse with me and refused to pay me and I took the money to pay myself

Signed Rosa McClain

Taken before me this 7th day of November 1889

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 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 Dec 7 1911 John J Ryan Police Justice.

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

There being no sufficient cause to believe the within named

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

Dated 18 Police Justice.

0240

Police Court--- 3 District. 1579

THE PEOPLE, &c.
ON THE COMPLAINT OF
Frederick Richter
vs. Disorderly Conduct
Lizzie Blake
2
3
4

Offence

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

Dated Dec 26 1891

Magistrate.

Nicholas Kurtz Officer.

11 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$2000 to answer

RECEIVED, DEC 1891 DISTRICT ATTORNEY'S OFFICE.

9th
Nervous
money

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Lizzie St. Clair

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Lizzie St. Clair

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

The said Lizzie St. Clair

late of the City of New York in the County of New York aforesaid, on the 26th day of December in the year of our Lord one thousand eight hundred and ninety-one at the City and County aforesaid, with force and arms, in the night time of said day, divers promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirty-four

$68.00

dollars; divers other promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as Bank Notes), of a number and denomination to the Grand Jury aforesaid unknown, for the payment of and of the value of thirty-four

dollars; divers United States Silver Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirty-four

dollars; divers United States Gold Certificates, of a number and denomination to the Grand Jury aforesaid unknown, of the value of thirty-four

dollars; divers coins of a number, kind and denomination to the Grand Jury aforesaid unknown, of the value of thirty-four dollars

of the goods, chattels and personal property of one Frederick Richter, on the person of the said Frederick Richter, then and there being found, from the person of the said Frederick Richter 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.

0242

BOX:
466

FOLDER:
4274

DESCRIPTION:
Stearns, Bernard

DATE:
01/20/92

4274

Witnesses:

Counsel,

Filed 20 day of Jany 1892

Pleads,

THE PEOPLE

vs.

Bernard Stearns

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas T. DeJones

Foreman.

Jany 21/92

Plead Guilty

El Ref Jy

0244

(1365)

Police Court— 1 District. **Affidavit--Larceny.**

City and County of New York, } ss.

Jacob W Frank

of No. 157 E 56th Street, aged 62 years,

occupation Painter, being duly sworn,

deposes and says, that on the 2nd 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 day time, the following property, viz:

One Diamond of the value as Two Hundred and thirty five dollars

$235 00/100

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 Gerhard Fonn (marital) from the fact that deponent missed said property that caused the arrest of defendant and that deponent is informed by Officer Cuff that defendant admitted to said Officer that he had stolen said property and that he had pawned it in a pawn office in the City of Brooklyn N.Y. that defendant subsequently informed said Officer that the pawn ticket was at the General Post Office and that said Officer found said pawn ticket at said place. Deponent therefore charges the defendant with having stolen said property and prays that he be held to answer

Jacob W Frank

Sworn to before me this 2 day of July 1892

Police Justice.

CITY AND COUNTY OF NEW YORK, } ss.

John J Cuff

aged ..... years, occupation Officer of ~~No.~~ 23rd Precinct ~~Street,~~ being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Jacob W Frank and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 17th *day of* May 1892 } John J Cuff

John Ryan *Police Justice.*

(3692)

Sec. 198—200.

7th District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Bernard Stearns

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. Germany

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

Answer. 156 E 57th street 6 months

Question. What is your business or profession?

Answer. Salesman

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 refuse to answer the Question

Bernard Stearns

Taken before me this 12th *day of* March 1897

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 [redacted]

DeFreudan

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

Dated January *18* 92 *John Ryan* *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

Dated ..... *18* ..... *Police Justice.*

There being no sufficient cause to believe the within named .....

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

Dated ..... *18* ..... *Police Justice.*

0248

44.

Police Court--- 4th District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jacob W Frank
157 Ludlow St.

1 Bernard Stearns
2
3
4

Offence Larceny

Dated January 12th 1891

Ryan Magistrate.

Cuff Officer.

23rd Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$1000 to answer G.S.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Bernard Stearns

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

The said Bernard Stearns

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

one pin of the value of two hundred and thirty-five dollars

of the goods, chattels and personal property of one Jacob W. Frank

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

0250

BOX:
466

FOLDER:
4274

DESCRIPTION:
Stevenson, Thomas

DATE:
01/26/92

4274

0251

Witnesses:

John McGrann
Offr Geo. P. Lucas
Offr Thos Dolan
Offr John B. Sullivan
Offr M J Conway

Bail $ James 24/92
by Gustave Helbrung
146 Bleecker St

Counsel,

Filed, 24th day of Jan 1892

Pleads, Not Guilty

40
248 B. 128 P.

THE PEOPLE

vs.

~~NA~~

Thomas Stevenson

Feby 16/92

Tried & Convicted

KEEPING A HOUSE OF ILL-FAME, Etc.
(Sections 322 and 385, Penal Code.)

DE LANCEY NICOLL,
District Attorney

Pen 1 yr & $500, RBM, 19
Feby 18/92

A TRUE BILL.

Chas T. DeForest
Foreman.

0252

Filed Jan. 1892.

PHILLIPS & MOWER, 52 Nas

STENOGRAPHER'S MINUTES.

Court of General Sessions. Part I

The People
vs.
Thomas Stevenson

BEFORE

His Hon. Judge Martine

February, 1892

WITNESSES.	Direct.	Cross.	Re-Direct. (Called)	Re-Cross.
David Silverstein	1	5		
Isaac J. Silverstein	9	9		
John McGraw	12	12		
Michael J. Rooney	25	34	47	
Charles Williams	38	40		
Thomas J. Dolan	42	47		
George J. Leeson	55	60	95	
Henry Woolpper	63	66		
James Barrier	67	72		
John Turner	75	79		
Gustus Benedix	84	86		
Lyman Cheever	88	—		
John J. Sullivan	91	92		
Louis H. Frangke	98	102		
William A. Gramer	106	115		
Alexander Menkin	116	116		
Edward George Draper	120	122		
Wm Charlette Draper	122	124		
Wm Howard Hoople	126	—		
Louis Samuel Adam	127	128		
John J. Shannon	132	132		

Judge's Copy 2/92

THE PEOPLE

vs.

THOMAS STEVENSON

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE MARTINE.

Friday, February 12, 1892.

Indictment for keeping a disorderly house.

Asst. Dist. Atty. Lynn for the People.

Messrs. House & Friend for the Defendant.

A Jury was empannelled and sworn.

Mr. Lynn opened the case for the People.

DAVID SILVERSTEIN, sworn and examined by Mr. Lynn.

Q. Mr. Silverstein, where do you reside?

A. No. 442 Lenox Avenue.

Q. This city? A. Yes sir, the city.

Q. What is your business, Mr. Silverstein? A. Well, real estate and pawn broker. Pawn broking business also.

Q. Are you the owner in fee of 157 Bleecker Street, this city?

A. I am.

Q. How long have you been owner of it? A. Four years.

Q. Do you know the defendant Stevenson? A. I do, sir.

Q. When did you first meet the defendant?

Objected to as irrelevant and immaterial.

Objection overruled. Exception.

A. Three or four years ago.

Q. What was the occasion of your meeting him then?

Mr. House: I desire to have it put upon the record in case I have to go beyond this Court, that our objection is that any evidence regarding any transaction of the defendant's maintaining or keeping the house as charged in the indictment other than upon the 5th day of January, is not competent.

The Court: Objection overruled.

Mr.House: Note an exception.

By Mr.Lynn. Q. What was the occasion of your meeting him then?

By the Court. Q. Where did you first meet him, the first time?

A. He paid rent, he came to the store.

Q. Your first meeting, the first time you ever saw him in your life? A. By coming into the place and paying rent.

By Mr.Lynn. Q. Was he the lessee at that time?

A. No sir.

Q. Who was? A. Frank Stevenson.

Q. You saw him subsequent to those times, did you not, in connection with the change of the place? A. Only when he came to pay the rent.

Q. Did he ever come to you and announce a change of ownership?

A. He did.

Q. What time was that A. About six months previous to the expiration of the lease of Frank Stevenson.

Q. About when was that, if you can recollect?

A. His lease expired, Frank Stevenson's three years lease expired last April on the 14th. Frank called on me and stated that. -- I mean Tom ------

Q. About the time of the expiration of that lease April, is that what you say? A. Two or three months prior to the expiration of the lease Tom called on me and asked me if I would give him a lease for three or four years. I stated I would give no lease longer than one year; with that he expressed dissatisfaction.

Q How did he express it? A. I said, "you can stay,

I shall give you the preference if ever I let the place but I will give no lease longer than a year."

Q. Well, what was finally agreed upon at that time between you and him as to the one year lease? A. He then came back and he said, "you make a lease out for McLoughlin." I have got the lease in my pocket. I can tell you the name, McLoughlin.

By the Court. Q. He then came back and said, "make the lease out to McLoughlin"? A. James McLoughlin, March 2nd I believe was the date.

Q. Go on and tell the rest of the conversation?

A. I told him, "I do not know McLoughlin". He says, "well, I own property in Harlem, I will be answerable for him"; I said. "That is satisfactory", and with that I ordered the lease to be made for one year at the terms we agreed upon; he paid the amount of the rent fixed in the lease.

Q. Your son then completed the arrangements about the lease, did he? A. He came on March 2nd. I was very much engaged with a gentleman.

Q. Who came in? A. Thomas Stevenson came in with a man, a short man with a black moustache I believe; he says, "this is McLoughlin."

Q. Who came in? A. Thomas Stevenson came in with another man and represented him to be McLoughlin.

Q. This was another time? A. This was on the 2nd of March, the same day it was issued.

Q. Was that man a stranger to you at that time? A. I never seen him.

Q. Have you seen him since? A. Never seen him since.

Q. What happened, they came into your place? A. They came into my place, I was very much engaged and I told my son, "you attend to these gentlemen and execute the lease as agreed upon." From that time to this day I never seen McLoughlin to my knowledge.

By Mr. Lynn. Q. Now did you receive any rents. Mr. Silverstein on that lease that you then executed? A. No sir.

Q. Who did? A. Certainly I received it when it became due.

Q. Who did you receive the rents from? A. Well, most of the time from Thomas himself.

Q. Did you see Thomas Stevenson. the defendant, about the 5th, 6th or 7th of January. about that time, in connection with the surrender of the place, did you see the defendant?

A. I have, yes sir.

By the Court. Q. In January? A. In January, the 5th or 6th.

By Mr. Lynn. Q. Well now what was said between you and him?

A. Word was sent to me, he sent me word.

Mr. House: I submit according to the indictment the allegation being on the 5th that this witness before he is allowed to detail that conversation ought to fix the date.

By the Court. Q. Can you fix it any more definitely, whether it was the 5th or 6th? A. I really cannot.

Q. Go on, it may be the 5th or 6th.

Objected to. Objection overruled. Exception.

A. Yes sir.

By Mr. Lynn Q. What did he say? A. He handed me the keys and told me I can let the place. I objected to it.

QL When did he tell you that? A. The day previous.

Q. It was the 4th or 5th? A. It must be the 4th, I could not tell you exactly.

By Mr. Lynn. Q. If it was the 7th it would be the 6th?

A. It was no later than the 6th.

By the Court. Q. He handed you the keys and said what?

A. First he said "put a 'to let' up on it." I told him I would not; a day later he came with another and told me, "you can let the place. I am through with it." He told me he will not hold me responsible for breaking the lease.

CROSS EXAMINED.

By Mr. House. Q. These premises that you have spoken about are known as 157 Bleecker Street? A. They are, sir.

Q. You have been the owner in fee of those premises as I understand for about four years? A. Yes sir.

Q. Is that the length of time that you have owned these premises? A. That is the length of time, sir.

Q. Do you recollect when you first became possessed of the fee of this place-157 Bleecker Street? A. I do, sir.

Q. When? A. Well, In March sometime.

Q. Of what year? A. March four years ago, that is 1888; I bought it at an auction sale, a public sale.

Q. You bought it in an auction sale? A. Yes sir, a public sale.

Q. Is the general character of the premises the same now as they were when you purchased them four years ago?

A. Yes sir, the last twenty odd years.

Q. And the basement part of these premises was occupied by

somebody as a liquor saloon, is that so? A. Yes sir, it was.

By the Court. Q. When you bought it? A. Yes sir, when I bought it.

By Counsel. Q. There was a liquor saloon in the basement when you purchased the fee? A Yes sir.

Q. Do you know who was keeping that saloon at the time?

A. My son can give you the name he remembers it better, he is here now.

By the Court. Q. Do you know the name? A. I cannot remember, my memory is not so very good.

Q. If it was suggested to you would you recollect it?

A. Yes sir.

By Mr. House. Q. Was it a man named Hashagan? A. That is it exactly, a German.

Q. How long did Hashagan keep the saloon portion of those premises? A. From March, from the time I bought it until Stevenson took it, about two months.

Q. So that would make Frank Stevenson taking those premises somewhere in the month of May, 1888, is that it?

A. The 14th of April he took it because I dispossessed the other tenant for non-payment of rent, I dispossessed Hashagan for non-payment of rent and Frank Stevenson took it the 14th of April 1888, for three years.

Q. Well, did Frank Stevenson take possession of that store on the 14th day of April, 1888? A. He did.

Q. And the lease according to the provisions here was to run for three years? A. Yes sir.

Q. So that Frank Stevenson's term as the other tenant would

have expired on the 14th day of April, 1891? A. Exactly.

Q. From the 14th day of April, 1888. down to and including the 14th day of April, 1891. the only tenant that you had in the liquor store portion of these premises was Frank Stevenson

A. Exactly.

Q. Now so far as this defendant at the bar was concerned he was not in any way during that period a tenant of yours?

A. Not to my knowledge, I did not recognize him as such.

Q. From the time that you purchased those premises down to this very moment have you ever given this defendant a lease of those premises? A. I did not.

The Court: That is you mean had he ever executed the lease?

By Mr. House. Q. Did you ever execute a lease to him?

A. I did not.

By the Court. Q. You handed him a lease? A. He and McLoughlin were together, he presented McLoughlin as the one who was going to take the lease, my son gave the lease to the two of them together in my private office, I was not present.

By Mr. House. Q. From the time that you became possessed of the fee in those premises down to this very moment have you ever executed any written contract or have you entered into any verbal contract whereby this defendant in law became your tenant? A. NO.

Q. Have you got the McLoughlin lease with you? A. I have.

Q. Let me see it, please? (Witness produced it.)

Q. The lease which you and McLoughlin executed is dated I see, the 2nd day of March, 1891, is that correct?

A. So I see by the date of it, that is all I remember.

Q That is all you know? A. All I know.

Q. Well, then the presumption is when McLoughlin became your tenant under this lease it was on the 2nd day of March, 1891, is not that so? A. From the 14th of April.

Q. Is it not true as matter of fact, Mr.Silverstein, under and by virtue of the contract which you and one McLoughlin made, that on the 14th day of April, 1891, McLoughlin became your tenant of these premises? A. I made no contract with McLoughlin at all.

Q. McLoughlin signed this contract, did he not? A. Mr.Stevenson made a contract for McLoughlin.

Q. But the principle in that contract was McLoughlin, wasn't it?

A. Exactly.

Q. And Mr.Stevenson went on that lease as the surety, didn't he?

A. So he said.

Q. Was not that as you understood it? A. Yes sir.

Q. At that time you understood your tenant to be this man McLoughlin, didn't you? A. I did.

Q. And all that you understood Stevenson to be regarding this lease was that he went on it as the surety?

A. He did.

Q. Mr.Silverstein, since you have been the owner of these premises as matter of fact, you never have looked upon this defendant as your tenant, have you? A. No sir.

ISAAC J. SILVERSTEIN, sworn and examined.

By Mr.Lynn. Q. Mr.Silverstein, you are the son of the last witness?

A. I am, sir.

Q. Did you collect the rent of the premises 157 Bleecker St.?

A. I never collected the rents, they were delivered to me.

Q Now did you collect the rents or were the rents delivered to you under the lease that has been referred to by your father? A. Which one?

Q The lease from him to one McLoughlin, A. Yes sir.

Q. Who paid the rent under that lease? A. Tom Stevenson invariably.

Q. The defendant? A. The defendant.

Q. How did he pay the rent Mr.Silverstein? A. Sometimes in cash and sometimes in check.

Q. How were the checks made out? A. To the order of D. Silverstein, signed by Tom Stevenson.

Q. Signed by Thomas Stevenson, the defendant here?

A. Yes sir.

Q. And that covered a period of what time, do you recollect?

A. Some ten months I believe, not quite, nine months probably.

CROSS EXAMINED by Mr.House.

Q. You were present when the McLoughlin lease was executed?

A. Yes sir.

Q. McLoughlin was there, was he not? A. He was, as far as I know.

Q. There was a gentleman came in there and was introduced to you

as McLoughlin? A. Yes sir.

Q. You understood him to be McLoughlin? A. I did.

Q. You looked upon him as McLoughlin? A. I did.

Q. You recognized him as McLoughlin? A. Yes sir.

Q. McLoughlin executed that lease with your father?

A. Yes sir.

Q. And under and by virtue of that lease he was your father's tenant? A. He was.

Q. Since your father has owned these premises I take it that you have assisted in the conduct of the business regarding the premises? A. Yes sir.

Q. As matter of fact I presume that you have had more of the detailed work to do than your father, is not that so?

A. Exactly.

Q. Now when your father testified here on the stand that since he became possessed of those premises down to the present moment, that he never recognized this man as his tenant that is your understanding of the situation, is it not?

A. That is my understanding.

Q. This defendant Stevenson was on that McLoughlin lease as surety, was he not? A. As the surety, yes sir.

Q. You did not know who McLoughlin was?

A. No sir, I did not know.

Q. Nor did your father? A. No sir.

Q. You did not know whether he was a responsible party or not, did you? A I did not.

By the Court. Q. Did you make the agreement? A. Yes sir, I wrote the agreement out, I executed it, of course they signed it.

Q. But the arrangement for the lease, you made it out?

A. Yes sir, I made it out.

Q. I do not mean the written document, I mean the terms you agree d upon? A. My father made those.

Q. Did not you hear your father say that when McLoughlin and Stevenson came in he turned then over to you to talk the matter over? A. Yes sir.

By the Court. Q. The defendant came and made the arrangement and afterward upon the day of the execution of the lease he brought McLoughlin there, is that right? A. Yes sir.

By Mr.House. Q. As I understood Mr.Silverstein, Sr. to testify he said at that time he was very busy but he notified his son and turned him over to him? A. Yes sir.

Q. Before the lease was executed by McLoughlin you had a talk with the defendant Stevenson and McLoughlin ---- that was, McLoughlin was to become a tenant under the lease?

A. Yes sir.

Q. That he was to pay so much rent per month? A. Yes sir, simply as the counsel suggests, I talked about the general terms of the hiring, the same as any ordinary lease.

By the Court. Q. Who took part in that conversation?

A. McLoughlin and myself.

Q. Did Stevenson take part in the conversation?

A. No sir, no part in it.

By Mr.House. . Stevenson took no part in the conversation?

A. No, it is true as matter of fact, that all that ---

Q. Stevenson appeared on that lease as the surety?

A. Yes, as the surety.

Q. Now Mr.Silverstein you say that for ten months after the execution of the McLoughlin lease that the rent was sometimes paid in actual case and sometimes by check? A. Yes sir.

Q. And that when it was paid either by cash or in check that it was paid by this defendant? A. Invariably, to the best of my memory.

Q. By the check of the defendant? A. By the check of the defendant of course.

Q. Now you do not know when this defendant paid the rent in cash where he got the money from, do you? A I do not.

Q. You do not know whether he derived that money from McLoughlin or not, do you? A. I do not.

Q. Nor can you tell whether when he paid the rent by his own check that he had previously received the money from McLoughlin? A I do not know.

Q. So far as you know whenever this defendant paid the rent either by his own personal check or by cash he might have been acting as the agent and representative of McLoughlin?

Objected to.

A. It is possible.

By the Court. Q. You do not know whether he was or was not?

A. I cannot state positively.

By Mr. House. Q. You never looked upon this defendant as a tenant of your father?

Objected to. Objection sustained.

By Mr. Lynn. Q. Have you ever seen McLoughlin since?

A. No sir.

JOHN McGREW, sworn and examined.

By Mr. Lynn. Q. What is your business? A. Ice business.

Q. Where do you live? 322 West 12th Street.

Q. How long have you been in the ice business? A. I was raised in it, seventeen years.

Q. Since you were a boy of sixteen or seventeen, how many years is that you have been in the business? A. Fourteen years.

Q. Are you in the business still? A. Yes sir.

Q. Do you own a horse and wagon? A Yes sir.

Q Do you know the defendant Thomas Stevenson? A. Yes sir.

Q. Mr. McGrew, you were the licensee of the premises 157 Bleecker Street, were you not? A. Yes sir.

Q. At whose rqquest did you make the application for the license on those premises?

Objected to. Objection overruled. Exception.

A. Thomas Stevenson.

Q. The defendant? A. Yes sir.

Q. And from whom did you receive the money to pay for that license when the license was granted

Objected to. Objection overruled. Exception.

A. Thomas Stevenson.

Q. Did you serve the defendant Thomas Stevenson with ice?

A. Yes sir.

Q. And at the premises 157 Bleecker Street? A. Yes sir.

Q. Who paid your bills for that ice? A. Thomas Stevenson.

Q. So that you as licensee there were the real owner of that place, Mr. McGrew? A. No sir.

CROSS EXAMINED.

By Mr. House. Q. Mr. McGrew, when was it that you appeared before the Excise Board and made application for the license of these premises 157 Bleecker Street? A. In June or July two years ago, two years this coming July or June.

By the Court. Q. Did you receive a license for that place?

A. Yes sir.

Q. Where did you receive it? A. At the ExcisenBoard.

Q. What did you do with it? A. I brought it over and gave it to Mr.Thomas Stevenson.

By Mr.House. Q. Now when you went beforethe Excise Board to make your application for thenlicense you signed some papers, did you not Mr.McGrew? A. An application,yes sir.

Q. And attached to that application was there an affidavit or a declaration on your part? A. Yes sir, there was.

Q. Did you not swear at that time thatyou were the owner of the place? A. No, I do not think I did.

Q. Did you present at the time you made the application to the Excise Board for a license, a bill of sale? A. Yes sir.

Q. From one Charles B. Luff of the city of New york?

A. Yes sir.

Q. To John McGrew of the same place? A.Yes sir.

Q. It was recited in that bill of sale that for $1500 lawful money of the United States paid by you to Luff that he sold and disposed of the chattels and fixtures in the saloon 157 Bleecker Street, is not that so? A. Yes sir.

Q. Now Mr.McGrew, let me see if I can refresh your recollection any, do you remember at the time you made your application to the Board of Excise, seeing Commissioner Koch?

A. Yes sir.

Q Now let us see the application of JohnMcGrew for license at 157 Bleecker Street dated July 11, 1890. "John McGrew being duly sworn testified: By Com.Koch. Q. Where do you live? A.322 West 12th St. " Do you remember Com.Koch asking you that question and did you make that answer which I have just read? A. I may, I do not know, I

could not recollect now, I may have made it.

Q. You cannot recollect? A. No. it is two years ago, I might have made it.

Q. Let us see again, Mr.McGrew; "Q.How long have you lived there? A.A year last May." Do you recollect that question being put and that you gave that answer?

A I may have.

Q You may have but you can't recollect now? . N sir, it is two years.

Q. Well you do recollect at this time that Com.Koch swore you and did put some questions to you? A Yes sir, I remember putting something to me.

By the Court.

Q. Do you recollect when he swore you? A

A. I do not know whether he did or not, I am thinking of that.

By Mr.House. Q. You can't now recollect whether you were sworn by Com.Koch or not? A. No sir, I do not, I remember talking to Mr.Koch.

Q. Now see if you can remember Com.Koch putting this question to you; "Q. What is your business? A.I have been in the ice business since I was sixteen years old." Do you recollect that? A. I might have said it.

By the Court. Q. Do you recollect it? A. No sir, I do not recollect.

By Mr.House. Q. Now see if you recollect at this time that this question was put to you by Com.Koch; "Q.Are you interested in the premises 157 Bleecker Street?". To which you made this answer; "Yes, I am the proprietor."

A. I do not remember it.

Q. You do not recollect that? A No sir.

Q Mr.McGrew, will you say at this present moment that Com. Koch did not put that question to you and that you did not at the time make that answer? A. No sir, I will not.

Q. You would not say that he did not put that question to you?

A. No sir.

Q. You would not say that you did not make that answer?

A. That is right.

Q. It is two years ago and you do not recollect it now?

A. No, I do not recollect.

Q. Now see if you recollect his putting this question to you, first I will preface it by reading the above question and answer because it is necessary to do so; "Q.Are you interested in the premises 157 Bleecker Street? A.Yes sir, I am the proprietor." Then comes the next question; "of what"? And your answer to that was, "of th saloon premises." Now do you remember at this time that Com.Koch asked you of what you were proprietor and your answer was to him, "of the saloon premises? A. No sir, I do not recollect it.

Q. He might have asked you that question and you may have made the answer which I read? A. I might have.

Q. Now see if you recollect this question; "Q.How did you become the proprietor?" And did you make this answer, "I bough the place." A. I do not remember.

Q. Will you say now at this time that Com.Koch did not ask you how you became the proprietor? A. No sir/

Q. Will you say at this time that in answer to that question you did not say, "I bought the place." A. No sir.

Q. You might have been asked that question and you might have made that answer? A. Yes sir, I might have.

Q. Now see if you recollect this question being put to you by Com.Koch; "Q. From whom? (meaning from whom you purchased the place.) A.From Charles B.Luff." Was that question put to you? A. I do not remember.

Q To that question did you make the answer that I have read?

A. I do not remember if I did.

Q. Com.Koch at that time might have asked you from whom you purchased the place and your answer might hav been as it appears here, "from Charles B.Luff", that is it, is it?

A It might have been, I do not know.

Q. Do you recollect that Com.Koch put this question to you; "Q.How much did you pay for it?" And to that your answer was, "$1500." A. No sir, I do not remember.

Q. That question might have been put to you? A. It might have been, yes.

Q. And you might have made that answer but now you do not recollect? A. NO.

Q. Was this question put to you, "did you get a bill of sale"; and to that question did you say, "yes."

A. I do not know whether I did or not.

Q. You do not know whether you did or not? A. No sir.

Q. You are not prepared to say that that question was not put to you? A. No sir, I am not.

Q. You are not prepared to say that you did not make the answer that I have read? A. No sir.

Q. Do you recollect now whether Com.Koch put this question to you or not; "Q. There is a mortgage on the premises?" To which question you responded. "yes sir, $495.00, Ringler's

Brewery owns it.

Q. Can you say now whether that question was put to you and did you make that answer? A. No sir.

Q. The question might have been put to you? A. It might have, yes sir.

Q. You might have made the answer that I have read?

A. I might have.

Q. Did Commissioner Koch put this question to you; "Q. Did you assume the payment of that mortgage?" And to that question did you make this answer, "yes sir"? A I do not remember.

Q. You do not recollect now? A. No sir.

Q. That question might have been put? A. It might have.

Q. And that answer might have been given by you?

A. Yes sir.

Q. Did Com. Koch put this question to you; "Q. Who besides yourself has an interest in that place?" And to that question did you make this answer. "only me."

A. No sir, I do not remember.

Q That question however might have been put to you?

A. It might have, yes sir.

Q. And you may have made the answer that I have read?

A. Yes sir.

Q. Did Com. Koch put this question to you; "Q. Has Luff any interest in it?" And to that did you make this answer, "no sir

A. I do not remember it.

Q. That question however might have been put to you?

A. Yes sir.

Q. And you might have made that answer? A. I might have.

Q. Now Mr.McGrew was this question put to you by the Commissioner; "Q. Has Stevenson any interest in it?"

A. I do not remember.

Q. And to that question did you make this answer; "No sir."

A. I do not remember that I did.

Q. You do not remember that you did? A. No sir.

Q. As matter of fact he might have put that question to you?

A Yes sir.

Q. And as matter of fact you might have made the answer that I read? A Yes sir.

Q. Did he put this question to you; "Q.Has a party by the name of Henry Watson any interest in it?" And to that question did you make this answer, "no sir."

A. I do not remember that I did.

Q. Still that question might have been put to you and you might have made that answer I have just read? A. Yes sir, I might have.

Q. Now see if you recollect the Commissioner putting this question to you; "Q. Has either of these parties (I presume by that Luff and Stevenson and Watson) has either of these parties I have-named or any other person or persons any interest in the profits or income of that business with you?" And to that question did you make answer, "no sir"?

A. I do not remember it if I did.

Q. Still that question that I have just read might have been put to you? A. Yes, it might have.

Q. And you may have made the answer that I have called your attention to? A. Yes sir.

Q. Mr.McGrew, do you recollect that at the time you were with Com.Koch that he put this question to you; "Q.Has any

arrangement been made with either of these parties or with anyone else that they shall become interested in the income or profits to come out of that business." And to that question you said, "no sir."

A. I do not remember it if I did.

Q. Still that question might have been put to you by Com.Koch and you might have made the answer that I have just read to you? A. Yes sir.

Q. I suppose Mr.McGrew, if you were to be shown your signature you would recognize it? A. Yes sir.

Q. Is that your signature? (Showing paper.) A. Yes sir.

Mr.House: I would like, if your Honor please, to have that marked Defendant's Exhibit No.1 for identification.

Q. Now the bill of sale which you received from this man Luff was filed by you with the Excise Board, was it not?

A. I think it was, I could not swear whether it was or not.

Q. Have you from that time down to the present made any bill of sale ~~of the~~ transferring from yourself the property which was transferred to you by the Luff bill of sale?

A. No sir, I have not.

Mr.House: If your Honor please, I offer in evidence Defendant's Exhibit No.1 which has been marked for identification.

Mr.Lynn: I ask that the whole record go in.

The Court: It has not been proved to be a record yet.

Mr.Lynn: It is part of one transaction.

The Court: The District Attorney wants it all in.

Mr.House: I think we had better have it all in evidence.

The Court: Is it conceded to be a record?

Mr.Lynn: I will let it all go in.

By Mr. Lynn. Q. Mr. Bishop, those are the records from your files?

Mr. Bishop was asked this question in open Court but not called to the stand and sworn. He answered, "those are the records of the minutes of the Board.

Mr. House: It will go in as Defendant's Exhibit No. 1 in evidence.

By Mr. Lynn. Q. Mr. McGrew, who gave you the bill of sale of this Luff to yourself, who handed it to take over to the Excise Board? A. Thomas Stevenson.

Q. As matter of fact did you pay $1500.00 as consideration in that bill of sale for that place?

Objected to. Objection overruled. Exception.

A. No sir.

Q. Did you actually pay fifteen hundred dollars?

A No sir.

Q. As matter of fact Mr. McGrew, have you ever received a dollar or any other consideration from the business 157 Bleecker Street of which you were the licensee? A. No sir.

Q. Other than what you received from the sale of ice?

A. That is all.

By Mr. House. Q. How long have you been delivereing ice to those premises 157, Mr. McGrew, if you recollect?

A. Three or four years.

Q. Were you delivering ice there when it is alleged that Frank Stevenson had a lease of the premises? A. I do not know whether he was there or not.

Q. You do not know whether he was there or not?

A. No sir.

Q. Do you recollect whether or not you were delivering ice there while Mr. Hashagan was the reputed proprietor of the place? A. I could not remember whether I was or not.

Q. You could not remember? A. NO.

Q. You deliver ice% to a great many liquor stores in the city, do you not? A. Yes sir.

Q I presume as long as you get your bills paid regularly you do not bother to find out who is the proprietor, do you?

A. No sir.

Q. As matter of fact, do you knowwho was the proprietor of this place during all the time that you have been delivering ice there? A. No sir.

By Mr. Lynn. Q. Your dealings with this place have been entirely through the defendant Thomas Stevenson?

A. Yes sir.

Q. I think I asked you the question who gave you the two hundred dollars to pay for the license? A. Yes sir.

By Mr. House. Q. You do not know where the defendant got the two hundred dollars from, do you? A. No sir.

Q. You do not know to whom the two hundred dollars belonged?

A. No sir.

Q. You took them and went over to the Excise Board and paid it and got the license? A. Yes sir.

By the Court. Q. Do you know Luff? A. No sir.

Q. Did you ever see Luff? A. No sir.

Q. Where did you get that bill of sale?

A. From Thomas Stevenson.

Q. When did you receive the bill of sale? A. I could not tell you.

Q. Was it the same day or the day before? A. It was days before.

Q. Where did you receive that, where was that bill of sale

delivered to you? A. In the place 157 Bleecker St

Q. At the time had you any conversation with the defendant in relation to that bill of sale before it was delivered to you? A. No sir.

Q Did you have any conversation with him at the time he delivered it? A. No sir.

Q. He delivered to you a bill of sale? A. Yes sir.

Q. What did he say? A. He said, "there is the bill of sale for the place.

Q. What did you do? A. I took it over to the Excise Board and put it in there.

Q. How did you come to take it over there? A. I had applied for a license there.

Q. He said "there is the bill of sale of the place " and then you took it over to the Excise Board, is that it?

A. Yes sir.

Q. Is that all the conversation you had about the bill of sale?

A. Yes sir.

By Mr. Lynn Q. I forgot to ask you the question do you know one James McLoughlin? A. No sir.

Q. A person who is alleged to be the lessee of the premises 157 Bleecker Street? A. No sir.

Q. Never saw him in your life? A. No sir.

Q. Now Mr. McGrew, did the defendant give you any instructions when you were delivering your ice as to its disposition and where it was to be put? A. No, he always left that to my own judgment.

Q. But he was there when you came with your ice?

A. Sometimes.

Q. And he directed as to the quantity? A. No, very seldom

he might.

Q. Did he ever tell you what was needed to-day or to-morrow or warm weather or cold weather? A. Once in a while he might turn around and tell me it is too much, anything like that, that was all.

Q. Any instructions that you ever received concerning the delivery of your ice there from whom did you receive it?

A. Thomas Stevenson.

By the Court. Q. Did you ever receive instructions there from anybody else? A. No sir.

Q. With whom were your dealings altogether? A. With Thomas Stevenson.

By Mr. House. Q. There might have been a man of the name of McLoughlin there for all you know? A. There might have been, yes.

Q. You say as a general rule when you delivered ice there you exercised your own judgment? A. Yes.

By Mr. Lynn. Q. State what he said about the quantity of ice?

A. To use my own judgment, what I wanted to put in.

By the Court. Q. What did he say? A. I always had a stipulated price, every week so much.

Q. With whom did you make the stipulation as to the price for the week? A. Thomas Stevenson.

Q. When did you first deliver any ice to that place under any arrangement with Stevenson? A. A year and a half something like that.

Q. And then you continued to deliver ice down to when?

A. To the 5th of January.

Q. Under what arrangement did you continue to deliver? under the agreement made with him a year and a half or two years before? A. Yes sir.

By Counsel. Q. You say it was a year and a half or two years before you had arranged with this defendant regarding the ice that you were to deliver? A. Yes sir.

Q. You had no other arrangement but that that was made a year and a half or two years ago? A. No sir.

one copy

The People
vs
Thomas Stevenson

MICHAEL J. COONEY, sworn and examined.

By Mr. Lynn Q. You are a police officer? A. Yes sir.

Q. Connected with what precinct? A. The 15th.

Q. How long have you been on the police, Mr. Cooney?

A. About nine years.

Q. Do you know the defendant at the bar, Thomas Stevenson?

A. I do.

Q. How long have you known him? A. About five years.

Q. Your acquaintship has been of what kind, simply nominal?

A. Well, nominal, nothing extra, just a passing acquaintance.

Q. Speak to him occasionally? A. Occasionally meet him in the street and bid him good-day.

Q. Do you know the premises 157 Bleecker Street?

A. I do.

Q. Just describe those premises?

Objected to.

Q. First tell me the ward it is in? A. The 15th, that is the 15th precinct.

Q. I mean particularly now the premises known as the "Slide"?

Objected to on the ground that there is no evidence here yet that they are the premises of the defendant.

Q. Do you know the premises 157 Bleecker Street?

A. Yes sir.

Q. Now tell me what kind of a building that is?

A. Three story and basement.

By the Court. Q Brick or wood? A. Brick, high stoop front.

By Mr Lynn. Q. Do you know the character of the place known as the

"Slide"?

Objected to on the ground that it must be shown by facts and not by general reputation.

The Court: This merely would go not to characterize the house. This witness may or may not know it by the name which the District Attorney characterizes it by, "The Slide".

I do not pass upon the point you make now, I think it merely goes to prove the identity of the place.

Mr.House: Give me the benefit of an exception.

By Mr.Lynn. Q Do you know a place known as "The Slide"?

A. Yes sir.

Q. Where is that place? A. No.157 Bleecker Street.

Q. Does the term apply to any particular part of the building or the whole house?

Objected to. Objection sustained.

Q Have you ever been in the premises, Officer?

A. I have.

Q. How recently have you been in them? A. About six weeks ago, six or seven weeks ago, something like that.

Q. About what date would you fix, Officer? A. Well, I should say it was around the 2nd or 3rd of January.

Q. Of this year? A. Yes sir.

Q. And about what time did you enter the premises, what time of day, Officer? A. It was in the evening between nine and ten o'clock sometimes, as nearas I can remember.

Q. Did you see the defendant that night there? A. No sir, I did not.

Q. He was not there at that time, was he? A. No sir.

Q. Did he subsequently come in or did you see him at all that night? A. I did not see him at all that night.

Q. About the 3rd of January of this year I understood you to say

A. Yes sir.

Q. Now you have known that place some time prior to that haven't you, Officer? A. Yes sir.

Q. Well now tell me what you saw in the place the night that you were there that you fix as the 2nd or 3rd of January?

Objected to on the ground that it is not set forth to be on that night in the indictment that the defendant maintained his place.

Objection overruled. Exception.

A. I saw men and women sitting at the table drinking. Some of them that were known to me as prostitutes and men who were known to myself to be subject to unnatural practices commonly known as "tasters."

Q. Now you ~~have~~ just given me your idea, Officer, of how many of those persons were there, women and men. that you have described as prostitutes and the men given to unnatural practices? A. There may have been a dozen all told of both sexes, men and women, I did not stop to count them, I just merely glanced over the party.

Q. There were more than two or three apiece, weren't they?

A. Yes sir.

Q. And run up to five or six apiece? A. Yes sir.

Q. Well. you had seen those persons before that you knew?

A. I have.

Q. Both men and women? A. Both men and women.

Q. And did you know any of the man so called by any name?

Objected to. Objection sustained.

A. I heard them called by names, whether it is their name or not I do not know.

Q. I am speaking of the men now, not the women? A. Yes, I understand. There was one particularly they called "Princess Toto", there was another called himself "Princess Ida", and a third one called himself "Phoebe".

By the Court. Q. Is that all you recollect? A. Those are all I recollect.

Q. Whether that is their real name or not you do not know?

A. NO.

Q. That is the name you know them by? A. Yes sir.

By Mr. Lynn. Q. Would they address one another in those names?

Objected to.

A. On that occasion I did not hear them address themselves.

Q. You had seen them before? A. I had, yes sir.

Q. Well now Officer, I want you to give me in such detail as you can the persons that you described as men calling themselves by the names you have mentioned, how they acted and what they did and their manner.

By the Court. Q. You may tell us what you saw, don't tell us that, that wont do, I don't want you to characterize what they did but what you saw in that place?

A. I did not see them do anything in there but sit at the table drinking at the time I was in there. The mere fact that they knew who I was ---- -

Mr. House: I ask that to be stricken out.

The Court: I will strike it out.

By Mr. Lynn. Q. You had known those people before?

A. I have, yes sir.

Q. You entered the place on this evening in question without any attempt to disguise yourself? A. Yes sir.

By the Court. Q. Dressed as you are now? A. Dressed just as I am at present.

By Mr. Lynn. Q. You are not usually in uniform, Officer Cooney?

A. No sir, I am not.

Q. You are the special officer in the precinct there?

A. Yes sir.

Q. Now when were you there prior to that time, Officer?

A. Sometime around the 20th of December.

Mr. House: We will interpose an objection to this line of evidence on the ground that it is not set out in the indictment.

The Court: Yes.

By Mr. Lynn. Q. What time in the night or the day was it that you entered on the 20th of December? A. About eleven o'clock at night.

Q. Just tell me what you saw on that evening.

By the Court. Q. Was the defendant there on that occasion?

A. I believe he was,, yes sir, I saw him there that evening.

Q Tell what you saw on that occasion? A. I saw men and women sitting at the table drinking.

By Mr. Lynn. Q. Tell me who the men and women were?

A. Some of them prostitutes and others those men that I have mentioned and quite a number of strangers whom I did not know at all.

Q. Did you see anything on that evening, Officer, that was different from what you saw subsequently on the 2nd or 3rd of January, how did they manage, how did they conduct themselves

A. They were sitting in conversation with one another, talking; of course you could distinguish the difference between those people that I have described from the manner

in which they spoke; they spoke in an effeminate manner.

By the Court. Q. These men did? A. Yes sir, the men.

By Mr. Lynn. Q. Did their effeminacy go to the extent of speaking to one another by using effeminate names or terms?

Objected to.

By the Court. Q. The officer can tell what he heard; tell what you heard said? A. I heard them call each other by those names, I cannot particularly state whether it was on that occasion or not but I have frequently heard them I had been in the place two or three times and sometimes I heard them I cannot say which time it was.

By Mr. Lynn. Q. Recall the time you can fix about the remarks you heard? A. No sir. I cannot. I have heard on one occasion in that place.

By the Court. Q During what period of time were those three or four visits of yours? A Within the last three months.

Q. And during that period it was that you heard this conversation or these remarks made? A. Yes sir.

The Court: You may tell.

By Mr. Lynn. Q. Go on and tell me in your own way what they did, give the jury your observations? A. By merely calling each other by these feminine names. If one was sitting at the opposite table they would call the other over, call him in an effeminate manner, "Princess Toto", come here, I want to speak to you", something of that style.

Q. Endeavor to describe as best you can the language used and their manner?

By the Court. Q. I understand you, Officer, what you testified to is this, you heard these persons address each other by these

feminine names you have described? A. Yes sir.

Q. These and other names? A. Only those.

Q. You heard that in this place? A. Yes sir.

Q. Now did you hear any conversation? A. No sir, I did not stop to listen.

Q. You simply observed and heard in addressing each other they spoke to each other using those names? A. Yes sir.

By Mr. Lynn. Q. Did you observe whether or not they had a piano there? A. I did.

Q. Was there any singing indulged in while you were there, Officer? A. Yes sir, I heard singing.

Q. Who sang, if you recollect A. I do not know who the party was.

Q. This one Phoebe that you have spoken of. you have known him some time, have you. A. Yes sir.

Q. Does he perform any service about that place that you know of? A. Not that I know of.

Q. He is simply there with the others of his kind?

A. Yessir.

Q. Now Officer, you answered one of the questions I think put to you by his Honor, that you saw the defendant there at one of the occasions you visited the place, that is correct, is it? A. Yes sir.

Q. Did you talk with him on that occasion? A. I believe I did.

By the Court. Q. That is not the last occasion, it was the time before the last? A. Yes sir on the occasion that I met the defendant in the place.

Q. About December 20? A. Yes sir.

By Mr. Lynn. Q. What did you say Officer, and what did he say, what

was the subject of your conversation? A. I merely bid him good evening and asked him to have a drink at the bar. which he did; I went to look around to see of I could see anything.

Q. You were in search of some information? A. Yes sir, information.

Q? Have you observed the place, Officer, from the outside?

A. I have.

Q. For how long a time last past prior to the 5th of January?

A. About two months, a month or two months, the last three months keeping close watch.

Q. Will you kindly state to me what your observations were as to the character of the people that you saw going into this place, that you have described as being there, what they were and who they were. if you know?

Mr. House: Objected to on the ground first, that the District Attorney is inquiring about a time long prior to the allegation made in the indictment which we shall contend is the only allegation as to time upon which evidence can be offered.

The Court: Do I understand you to contend that the only proof they could offer was proof of what happened on that particular date?

Mr. House: Yes sir.

The Court: The Court is not with you on that point.

Mr. House: I suppose not. Our contention will be that the indictment being partly printed and partly written that when the pleader seeks to insert in writing a specific day in the indictment that then that becomes the jist of the action so far as the proof is concerned against this defendant, and that which is printed as days before and days after cannot

be taken into consideration under the form in which the indictment is drawn. The second ground of our objection is that this witness may not be called upon to characterize the character of any of the people going in or coming out of those premises, that the only evidence that he can give is as to how they conducted themselves when they were going in, while they were in there and as they were coming out, leaving it as matter of fact for the Jury to determine what the character of those people upon that evidence.

The Court: If this Officer knows the persons who went in there and knew their calling he may state it,; he may say one was a lawyer, the other was a clergyman, the other kept a liquor store and the other one was a grocer. I will allow the question.

Mr. House: I will take an exception.

The Court: Do not generalize, in other words, specify if you know the character of the person, you can state it. if you do not I do not want you to speculate .

By Mr. Lynn. Q. Will you kindly state to me what your observations were as to the character of the people that you saw going into this place, that you have described as being there, what they were and who they were, if you know?

A I have seen prostitues go in and out of the place.

By the Court. Q. Once or often? A. A dozen different times, I have also seen those men whom I speak of, going in and out of the place and numbers of persons whom I did not know at all.

By Mr. Lynn. Q. Well, how often have you seen men that you describe given to unnatural practices go in there? A. O, I have seen them probably twenty different times.

Q. In and out, the same ones? A. The same ones, yes sir.

Q. And that covering a period of about two months?

A. Yes sir.

Q. Now Officer, do you know anything about the proprietorship of that place? A. I do not, all that I know is that is was licensed in the name of one John McGrew.

Q. Did you ever see any other person other than the defendant in or about that place at any time assume the control or direct the management of that place?

Objected to. Objection sustained.

Q. Tell us what you have observed in reference to running the place and by whom? A. Well, I did not see anybody ordering while I was in the place, only waiters calling for beer and the bar-tender would serve them; there was nobody particular to take particular charge at the time that I was in there.

Q So that your knowledge is limited on that question?

A. Yes sir.

Q. Now Officer, do you know the reputation of that place?

Objected to.

The Court: I will consider that.

Mr. House: I will give you my memorandum of cases that I have, if your Honor is going to take that under advisement.

The Court: I find the decisions have been both ways.

CROSS EXAMINED by Mr. House.

Q. How long have you been ward man in the 15th precinct, Mr. Cooney? A. Last October one year.

Q And I understaod you to say that you had made about four actual visits into the premises 157 Bleecker Street?

A. Yes sir.

Q. That is now I take it, Officer, your best recollection regarding the number oftimes that you have actually been on the inside of the premises? A. Yes sir.

Q. Amd upon those occasions when you actually entered the premises you have stated to Mr. Lynn that you have seen hobody there that appeared to be exercising the powers of proprietorship or management? A. No sir.

Q. Upon these three or four occasions when you actually entered the premises about what time in the evening was it according to your best recollection? A. It was generally between nine and twelve.

Q. And I take it you saw a goodly number of people sitting at tables? A. Yes sir.

Q. Some of them were drinking and I take it some of them were smoking? A. Yes sir.

Q. And these drinks that were being carried to the tables were brought there by the bar-tenders from the bar, is that so?

A Waiters from the bar.

Q. Now it was a regularly licensed place, was it not?

A. Yes sir.

Q. And the license was hanging in a public exposed manner on tha wall? A. Yes sir.

Q. And the licensee, so far as that license was concerned, was the John McGrew that you have named? A. Yes sir.

Q. Now did I understand you Officer Cooney, to say that upon those occasions all that you witnessed was these men and women would be seated at the table and drinking? A. Yes sir.

Q. Upon any of the four occasions that you were in there you saw no fighting, did you? A. No sir.

Q. And as I understand your testimony now you say that upon those occasions when you have actually been within the premises that these women that you have designated as common prostitutes and these men that you have referred to as men with unnatural desires and depraved tastes, were simply seated at the table and were drinking? A. Yes sir.

Q. And you say that all told you should think, your best judgment was that it was about a dozen? A. Yes sir.

Q. About six of these women and six men. that is according to your best judgment? A. A rough guess.

Q. Well, you saw on these occasions a good many other people there, did you not? A. I did.

Q. Now is it not true as matter of fact, Officer, that upon these three or four occasions when you visited the premises and have gone into the saloon that respectable people were in there? A. As far as I knew they were, nothing against them.

Q. There were men there that you knew not to be as you designated these half dozen that you have spoken of?

A. To my knowledge, yes sir.

Q. And so far as you knew they were perfectly respectable men?

A. Yes sir.

Q. Possibly had dropped in there to get a drink and to see what was going on, something of that kind? A. To see the sights.

Q. Did you ever, while you were there on those three or four occasions, see any one of these women that you have designated as prostitutes commit an act of prostitution?

A. No sir.

Q. Is it not true, as matter of fact, Officer Conney, that upon those four visits of yours that these women that you have designated as common prostitutes other than sitting at the table and drinking with men that were in their company, conducted themselves orderly? A. While I was present, yes sir.

Q. And if they had not I presume that you would have exercised your authority as an officer? A. Well, I would have made a note of it.

Q. Upon those occasions when you were there the people who were in there behaved themselves as other people do in public places, did they not? A. Yes sir.

By the Court. Q. Do I understand you generally to say Officer, that on those occasions you have testified to you saw no improper conduct in there? A. Not while I was present, no sir.

Q. No act of lewdness or impropriety? A. No sir, not while I was present.

Q. You say you saw Stevenson the defendant there?

A. Yes sir.

Q. Did you ever see him there more than once?

A. Only one occasion I can remember I saw him.

Q. That was the only time you ever saw him in those premises?

A. Yes sir, that is all.

Q. What was he doing? A. Standing at the end of the bar talking to the bar-tender.

Q. Did he continue in that position during all the time?

A. I walked up to one side of the bar and had a drink and he came over.

Q. After that what? A. He went back to the same position that he had before, then I looked over the place and went out.

Q. That is all you saw him do upon any occasion in that place?

A. That is all.

By Mr.Lynn. Q. Have you ever talked with him. Officer. concerning that place at any time with the defendant?

A. No sir. I have not.

Mr. House: I believe that is all.

CHARLES WILLIAMS, sworn and examined.

By Mr.Lynn. Q. Mr. Williams, where do you live?

A. No.83 West 3rd Street.

Q. That is near the place known as "The Slide", is it?

A. Yes sir, it is near the place.

Q. Have you ever been in the premises 157 Bleecker Street?

A. Twice.

Q. About what time? A. In the Fall of the year, November.

Q. Did you go there as a visitor? A. That is all.

Q. To see the sights. A. I did not see many sights.

Q. Now tell me what you saw? A. I saw men and women sitting at the table drinking.

Q. Tell me what class of women they were. A I could not tell you that because I was not acquainted.

Q. Were you talking with any of them? A. No sir.

Q. Well, were you talking with any of the men? A. No sir.

Q. What did you observe to be their conduct? A. They acted, had curious ways about them, that was all.

Q. Tell us what those ways were?

By the court. Q. Explain what they did? A. They had peculiar talk, somewhat effeminate.

Q. You mean the tone of voice? A. Yes, that is all.

Q. Men and women? A. The men.

Q. Effeminate? A. Yes sir, an effeminate way of talking.

By Mr. Lynn. Q. Tell us what they would call one another?

A. I could not.

Q. Did you hear them address one another? A. No sir.

Q. Or hear them spoken to by anyone? A. No sir, I sat away from them with a friend of mine, we just went in to visit.

Q. You do not know the names that Officer Cooney has mentioned, did you hear them that night? A. No sir.

Q. "Phoebe" or "Princess Toto"? A. No sir.

Q. Tell us the effeimacy that you speak of, in what way?

A. Their manner of speech.

Q. Their manner of speech? A. Yes sir.

Q. Well, what did they say in their manner of speech?

A. I cannot explain it myself.

By the Court. Q. Did you hear anything said? A. No sir, I did not, just talking.

Q. All you observed was the tone? A. That is all.

Q. Did you hear what was said? A. No sir.

Q. Were you near enough to hear? A. No sir, I was not.

Q. You saw the manner of speech of these men? A. That was all.

By Mr. Lynn. Q. You went there with some friend, did you, to visit the place? A. Yes sir, I did.

Q. You visited it once or twice? A. Once or twice.

By the Court. Q. In November, both in the same month?

A. I think it was earlier, October.

Q. The first was October and the second was November?

A. Yes, I think that was it, I just dropped in, that was all.

By Mr.Lynn. Q. Did you hear them on any of those occasions speak to one another?

Objected to.

Q I am asking the question whether or not you heard them address one another, speak of their stockings and where they kept their money? A. No sir. I did not.

CROSS EXAMINED.

By Mr.House. Q What is your business, Mr.Williams?

A. I keep a summer resort at Rockaway Beach.

Q. How long have you been engaged in that business?

A. Six years.

Q. And how long have you lived at your present address in Third Street? A. Fifteen years.

Q. Are you a man of family in this city? A. A wife.

Q. You look upon yourself, do you not Mr.Williams, as undoubtedly everybody does who knows you as a respectable citizen?

A. Yes sir.

Q. And these friends of yours that went with you into this place at 157 Bleecker Street upon the two occasions that you have spoken of, were like yourself respectable citizens, were they not? A. As far as I know they were, yes sir, considered so.

Q. And did you not see other people in there that appeared to be the same as you were, respectable? A. I guess so.

Q. Well, there is not any doubt in your mind but what upon those two occasions when you visited there there were like yourself a greatmany other respectable people in there?

A. Yes sir, I know that.

Q. You saw men and women at tables, didn't you? A I did.

QL They were drinking, were they? A. They was.

Q. You saw some men there that you described whose tone of speech or voice was more effeminate than that of ordinary men? A. Yes sir.

Q. I suppose that you and your friends had a drink like the others that were there? A. We did.

Q. And you paid for what you got the same as the others?

A. We did.

Q. It was a licensed saloon, was it not? A. I could not tell you.

Q. It was a place where liquors. cigars and beer were sold?

A. I am not supposed to know whether it was licensed or not.

By the Court. Q. Were liquors sold there?

By Counsel Q. Liquors were sold? A. I drank beer.

Q. Beer was sold there? A. Yes sir.

Q. It was paid for? A. Yes sir.

Q. The same as a merchant would sell any commodity over his counter in the stores, is not that so? A. Yes sir.

Q. Now upon these two occasions when you visited there how long did you remain at each time? A. Fifteen or twenty minutes.

Q. All that you saw was that men and women were at the tables drinking? A. Yes sir, that is all I saw.

By the Court. Q. If I understand, you do say you saw no act of lewdness or impropriety of any kind in that place while you were there? A. No sir.

By Mr. Lynn. Q. Did you notice whether or not the persons you have described as talking in an effeminate way paid any attention to the persons in the house in the way of waiting at the table??

By the Court Q. You were asked whether you saw them do any act in there other than you have testified? A I cannot remember.

By Mr. Lynn. Q. I am asking you whether or not you saw anyone bring a glass of beer or seltzer? A. I saw some parties waiting on the table.

By the Court. Q. The same people you have testified to?

A. No, no; I do not know who they were.

THOMAS DOLAN, sworn and examined.

By Mr. Lynn. Q. You are a police officer, Dolan, are you not, of this city? A. Yes sir.

Q. Connected with what precinct? A. The 15th.

Q. You have been on special duty, Officer? A. Occasionally.

Q. Now Officer you know the place 157 Bleecker Street?

A. Yes sir.

Q. You have been in it, have you? A. Yes sir.

Q. How often have you been in it in the last year or two years?

A. I have been in it two or three times.

Q. Now just tell me, Officer, what you found in your visits to the place? A. Well, I found, I saw men and women

sitting down at tables drinking and some singing going on.

By the Court. Q. Who do you mean, people sitting at the tables singing or somebody in the audience? A. Yes, some one from the audience sang.

Q. Someone in the audience was singing, was that it?

A. Yes sir.

Q. Go on? A. Well, I saw the defendant there on two occasions and had a conversation with him, I asked him how business was and he said there was nothing to brag of at present. I had a drink with him and inquired of him if he knew of a girl we were looking for when I went in there; he said he did not know her at the present time but he would try and find out and let me know.

By Mr. Lynn. Q. You know those people, those men that have been described by various names, having unnatural desires, what are they generally known as and called, those fellows. Officer?

A. Fasters

Q. That is the English of it? A. They have different names.

Q. Did you see any of them the evenings you went there?

A. Yes sir, I saw some of them on both occasions.

Q. Tell us what "Princesses" if any you saw? A. I saw "Princess Toto and Princess Ida and Fanny Davenport", those are the names they called themselves.

Q. Then these men, these ersons that you now speak of called themselves by those names? A. Yes sir.

By the Court. Q. You say "Fanny Davenport, Princess Toto" and who else? A. "Hebe."

Q Was that what the Officer called "Phoebe"?

A. I suppose so.

Q. Is that all that you recollect. A. That is about all.

By Mr Lynn. Q. Do you recollect one known as Madam Fisher?

A. Yes sir, I know her.

By the Court. Q. Was she a man? A Yes sir, it is a man.

By Mr.Lynn. Q. I am speaking of the men, Officer Dolan, they would get up from the audience you say and sing? A. There was one of them sang.

By the Court. Q. One of these men? A. Yes sir, I do not know what he was called.

Q. None of these you have mentioned? A. No sir.

By Mr.Lynn. Q. Was he called "Fairy" was that the term they called him?

Objected to as leading.

Q. Do you know the name? A. She was called "Fairy".

Q. Was it a man? A Yes sir.

Q. And he sang, at whose request, if you can recollect?

A. Mr.Stevenson asked me if I would like to hear a good song? I said I did not mind; he walked over to a party and this man he spoke to went to this man and he got up and went to the piano and sang.

By the Court. Q The defendant asked you if you would like to hear a good song and you said you didn't mind and Stevenson spoke to somebody? A. The person he spoke to spoke to this one and he got up and sang.

Q. Was that the same one who played the piano? A No sir, there was another man playing the piano.

By Mr.Lynn. Q. Was the man who played the piano there one of the persons that you have been describing here or not?

A. He did not seem to be, he seemed to be outside of that class of people.

Q. How many Officer Dolan, altogether were there of those persons that you have described, those male persons? A. About eight or nine, I did not count them.

Q. There were at least as many as that? A. About that many.

Q Have you seen them any other time? A. No, I could not say I did.

Q. How many women were there, if you recollect?

A. There were just as many women as there were men of that class there..

Q. Will you give to the jury; Officer, as best you can, I do not want you to imitate the language. give me their ways and manners, the persons you call "Fanny Davenport". "Phoebe", the "Princess Toto", and "Princess Ida", what they would do, give me any one of the mannerisms, how they would act and sit at the table and move about, what they would say?

A. They acted in a feminine way in all their actions while I saw them, much like girls would act and talk, that way.

Q. Did you notice their shoes? A. Yes sir.

Q. What kind of shoes had they on? A. They had regular shoes on, men's shoes ----- they generally have nice feet those class of people, small.

Q. Did you ever see any of them exhibit the calves of their legs show their knees and stockings?

Objected to.

By the Court. Q Describe every act you saw them do, you know what you saw, tell what you recollect? A. All I saw them do or heard them say was talking in this feminine way and carrying themselves much like girls would; they did not expose themselves in my presence in any way but they acted

the same as females generally do.

Q. What did you see them do, you say they acted as females?

A. They would throw their hands at each other --- one of them had a fan in his hand fanning himself, and he would speak across the fan, put the fan to his face like a lady does and speak to the other one; they would call each other those names across the table.

By Mr. Lynn. Q. Did you ever see them with any powder on the face?

A. They might have their face powdered but I did not see them powdering.

Q. Did you observe their faces? A. Yes sir, they had a kind of red flush on their cheeks.

Q. You mean a reddish tint to their cheeks? A. Yes sir, as though they had painted.

Q. Did they have long beards or clean shaven? A. They mostly all had clean shaven faces with the exception of one or two who had a slight moustache.

Q. Which was the one had a slight moustache? A. I dis-remember them now.

Q. As a rule they were clean shaven and effeminate looking?

A. Yes sir.

Q. Would they indulge in cigarette smoking?

A. Yes sir, I saw them smoking cigarettes.

Q. Now Officer, you say that they would talk in an effeminate way and call one another as if they were girls?

A. They called each other "dear" and "pet" and told each other about what nice times they had the night previous, something similar, to that effect, I do not remember all the conversation because I did not sit close enough to them all the time.

Q. Were their associations while in that place with men or with women? A. They were mostly with men, some of them were with women.

Q. Butin the majority of cases it was with men?

A. Yes sir.

CROSS EXAMINED.

By Mr.House. Q. Now you have seen other men smoking cigarettes, haven't you? A. Yes sir.

Q. And the mere fact of seeing a man smoking a cigarette you do not put him down as in the category of those men you have testified to as having seen in this place, do you?

A. Not atall.

Q. Officer Dolen, upon how many occasions, as near as you can recollect, have you been within the premises 157 Bleecker St.

A. About three times.

Q. And were your visits always in the evening? A Yes sir.

Q. And can you recollect now about what hours in the evening your visits would be made? A. Well, between eight and half past eleven o'clock.

Q. I presume you saw a great many people in the place upon each of your visits, did you not? A. There was quite a number, yes sir.

Q. Is it not true as matter of fact, that you saw a large number of respectable people in there?

A. Outside of this class of people I did see they were respectable as far as I know.

Q. You have mentioned some eight or nine of these effeminate men and you have also mentioned some eight or nine women that you characterized as common prostitutes, have you?

A. Yes sir.

Q. Outside of these men and women that you have thus characterized, the rest that you saw in there you have no doubt were respectable people, have you? A. None at all.

Q. Now you have told the Court and Jury all that you saw and witnessed there, have you not? A. Yes sir.

Q. Let me ask you this question, Officer Dolan; upon any one of the visits that you paid to the premises 157 Bleecker Street and when you were within the premises, did you ever see any of these women that you have thus spoken of committing an act of prostitution? A. No sir.

Q. Did you ever see any act of indecency on the part of any of them? A. In this place?

Q. Yes, in the place? A. No sir.

Q. Is it not true, as matter of fact, that upon each occasion when you visited there the people who were in the place conducted themselves in an orderly way? A. Well, yes, only those people that I class as tasters in their actions.

Q. You did not characterize those actions as indecent, did you?

A. Well, no.

Q. There was a piano in the premises, was there not?

A. Yes sir.

Q. There was some man there that was playing?

A. Yes sir.

Q. You say that he was not to be classed with those eight or nine men that you have spoken of who had effeminate ways?

A. Not upon what I saw of him, no sir.

Q. Can you recollect what the song was that this person sang on that occasion? A. No, I cannot.

By the Court. Q. Officer, how many occasions did you see the

defendant in that place? A I saw him on two occasions.

Q. What did you see him doing there? A. The first time he was in there I spoke to him in regard to the girl we were looking for.

Q. What was he doing? A. He was standing in the middle of the floor.

Q. Tell us what he did during all the time that you were there?

A. He asked this party to sing, he went to this party.

Q. You had a song? A. Yes sir.

Q. What else? A We had a drink together and I left .

Q. How long were you there? A About twenty-five minutes.

Q. During that time was he with you? A Well, yes, most of the time except while he left me and went up to this party to ask for the song.

Q. What business of any kind was going on there?

A. Waiters were carrying drinks back and forth.

Q. Now on the second occasion when you went there what was he doing? A. He wa not there on that occasion.

Q. You only saw him once? A. No, the next time I went he was there.

Q. The third time you saw him when you went? A Yes sir.

Q. What was he doing? A. He was standing in the middle of the floor with his hands in his pocket or rather near the piano at this time.

Q. What did you hear him say or what did he do?

A. I spoke to him and asked him how business was? He said there was nothing to brag of at the present time. We

had a drink; there was some of them laughing and carrying on at the further table in the room, and he spoke to a man and he told this man to make them stop their noise, they were laughing rather loud.

By Mr.Lynn Q. Now Officer Dolan, do you know what the reputation of that place is?

Mr.House: Objected to.

The Court: I will dispose of the question hereafter.

By Mr.Lynn. Q. I want you to describe to me the arrangements of that place, when you went down the steps how many steps did you go down, five or six? A. About six or seven steps.

Q. You entered into what? A. A hallway.

Q. That was going where? A. The back part of the saloon.

Q. I am speaking of going in the saloon entrance?

A. The saloon proper?

Q. Yes? A The door is right at the bottom of the stairs,

Q How large is that room and how deep is it about?

A. Well, it is about eighteen or twenty feet wide probably and about sixteen or eighteen feet deep, it might be larger and it might be smaller.

Q. What is back of that, is there a partition?

A. There is a partition and then swinging doors between that and the back room.

Q. There are swinging doors from the outer room, the first room that you enter to the back room? A. Yes sir.

Q. And where was the crowd of persons that you spoke of, were they in the outer room or the back room?

A. Back of this swinging door.

Q. So that it was in the rear of the house? A. Yes sir.

Q. Was the front part or where the entrance is was that place occupied usually by any person standing near the ~~door~~ bar to drink? A. I never saw any men there when I went in there, I was only there on those three occasions.

By the Court. Q. You mean men of whom you speak? A. There was none of them in the bar-room proper.

By Mr. Lynn. Q. They were all back? A. Yes sir.

Q. Isn't it a fact, Officer, that in all your visits there and your observations from the sidewalk looking down into the bar-room, have you on any occasion ever observed persons standing drinking at that bar? A. No, I could not say that I did.

Q. Now how deep and how large is that back room, that is, the width of it and depth of it about?

By the Court. Q. Give an estimate? A. Well, it is about thirty feet deep and about twenty feet wide.

By Mr. Lynn. Q. Is there any other room to the rear of that still?

A. Yes sir, there is a room with a couple of steps going up from that room, that is square, that is about twenty-five by twenty-five. it might be larger, it might be smaller.

Q. A sort of extension that runs over the yard?

A. Yes sir.

Q. That you have to go up three or four steps to get on a level with? A. Yes sir.

Q. What is that used for? A. That was used for dancing purposes, what I saw.

Q. About how deep? A. About twenty-five by twenty-five.

By the Court. Q. Did you see any dancing there? A. Yes sir,

there was dancing going on on one occasion there.

By Mr. Lynn. Q. Did you see the persons you have described dancing?

A. I saw two of them dancing together.

Q. Do you remember which two it was? A. No, I do not remember which two it was, I could not tell whether it was Ida, Hebe or Fanny Davenport, I am not positive.

Q. You think Hebe was one? A. I think so, I would not be positive.

Q. Can you describe the dancers? A. It was regular common waltzes.

Q. When the defendant as you have said, instructed some one to stop the noise, who was that person that he instructed?

A. That I could not say; he seemed to come from where they were dancing.

Q. I mean the person that the defendant instructed to go over and stop the noise, who did he instruct, the bar-tender?

A. No, he was a man with a black coat, I don't know who he was, I did not inquire.

Q. Was the noise stopped after the defendant gave instructions?

A. Yes sir, they did not laugh so loud.

Q. Did the person to whom he gave instructions obey them, that is the first person? A. Apparently he did.

By the Court. Q. The person to whom he spoke, did he go?

A. Yes sir.

By Mr. Lynn. Q. Go back to the room, that is the rear, the very extreme one, twenty by twenty-five you say, it was used for dancing, as you saw on one night? A. Yes sir.

Q. How was the other room made up, had it tables?

A. There was round tables there and chairs surrounding them, that is where most of the crowd sat.

Q. Where was the piano, Officer, was it in the last room?

A. It is in the center room to the left.

Q. Could a person standing on the sidewalk or in the front room proper where the bar-room is, could he see and observe all the things you have mentioned? A. From the sidewalk?

Q. Yes? A. No sir.

Q. You have to go through the first room twenty feet in depth, have you not, and pass through those folding doors?

A. Yes sir.

Q. Did I ask you, Officer, how many in all there were there at the time you mention? A. You did.

By Mr. House. Q. Now let us see about the description of this place Officer Dolan, how many steps from the sidewalk or the pavement in front of 157 do you have to go before you reach the entrance into the saloon? A. I said seven but probably it might only be six.

Q. Six or seven steps? A. Six or seven steps.

Q. When you first enter is the bar near the door as you go in?

A. It is about three or four feet away.

Q. How long should you judge that bar to be, your best recollection, your best judgment? A. About eight or nine feet.

Q. After you enter the door from the steps that you have spoken of and go in, is it not true that the only division between or cutting off the entrance and the back part of the saloon, is a screen that hangs from the ceiling down?

A. There is a partition and there are swinging doors attached to that.

Q. What sort of a partition is it? A. It is frame at the bottom and stained glass on top, two or three panes.

Q. This partition that you have spoken of as being partly frame and then the upper portion of it being stained glass, could you tell us now about how high up that partition extended?

A. Probably about six feet.

Q. In other words, it did not go up to the ceiling?

A. I do not exactly know whether it did or not, it might be higher than that and go up to the ceiling.

Q. It would not surprise you if upon another investigation you should find that it was not over five or six feet in height would it? A. O, it is over that; it is not there at all now.

Q. Has the place been changed? A. Yes sir, altered.

Q. There is a pool room in there now where they play billiards and pool? A. Yes sir, pool.

Q. Do you know when the place was closed up? A. No, not exactly, sometime around New Years, I do not know positively.

Q. As matter of fact, Officer Dolan, do you know this, that the place was closed up some two weeks or perhaps three weeks before the defendant was arrested?

Objected to. Objection overruled.

A. It was. yes sir.

Q. Now you are not positive that people did not stand at the bar and drink, are you? A. I never saw anyone there.

Q. You never saw anyone standing up at the bar? A. No sir.

Q. When you were in there you saw them seated at the tables?

A. Yes sir.

Q. As to whether they did stand at the bar and drink when you were not in there of course you cannot say? A NO.

Q. Did you pay any particular attention upon the three different occasions when you were there as to whether anybody would stand at the bar on this side of that partition and get a drink and go out? A. I never saw anyone, I could not pass any remarks.

54

GEORGE T. LEESON, sworn and examined.

By Mr.Lynn. Q. You are a police officer of the 15th precinct?

A. Yes sir.

Q. How long have you been a police officer? A. Going on fourteen years.

Q. Do you know the place on Bleecker Street. No.157 known as "The Slide"? A. Yes sir.

Q. Officer, can you tell me how it took that name; what its origin or what its meaning is?

Objected to. Question withdrawn.

Q. Have you ever visited the premises 157 Bleecker Street?

A Yes sir.

Q. How recently, Officer? A. I have not been in the place since last October.

Q. Is that the last time you were in there? A. Yes sir.

Q. Now tell me what you saw at that time?

Objected to on the ground that it is too remote.

The Court: The lease runs back to last April.

Mr.House: I simply content myself with taking the objection and exception.

By Mr.Lynn. Q. Tell me in your own way what you did and what you saw?

By the Court. Q. You went in there, you had your eyes and hearing?

A. Yes sir.

Q. You saw and heard? A. Yes sir.

Q. Tell this Jury what you saw and heard, tell the time of day or night it was? A. I went in in the evening about ten o'clock and I went to the bar-tender and asked him about a girl that was missing; there was an alarm out for a girl

and he did not know and he called -------

Mr.House: I object to the conversation between the witness and the bar-tender.

By the Court. Q. You spoke to the bar-tender? A. Yes sir.

Q. You were looking for a girl and you spoke to him?

A. He called Mr.Stevenson.

Q. This defendant? A. Yes sir.

Q. What did he say when he called him? A. He told him that I was looking for a girl. and we went out of the door.

Q. Who is "we"? A. Stevenson and myself; and I gave him a description of the girl and he said he would look around and see if she was around the place and if she came in he would hold her and he would give her to an officer; I came back at twelve o'clock and he did not have any news. While in the place I seen several prostitutes and several of these men of unnatural habits.

Q. What did you see being done there? A They were sitting at the tables and some of them was on the back floor dancing, that was the raised room. By their actions I took it from their actions that they were this class of people and their dress.

By Mr.Lynn. Q. Tell us how they were dressed? A. They had odd looking straw hats, very wide rims and generally blue ribbons. That was the time before I went in this last time I am talking about; the October time I seen several of those people in there, they were si tting at the table drinking and conversing with each other.

Q. Give us an idea of what their conversation was?

By the Court. Q. Did you hear any of the conversation?

A. Yes sir.

Q. Tell us what you heard? A. Two of them was sitting at the table and the argument they had was ------

Q. They were two men? A. Yes sir. "I wish you would let my husband alone." I passed by, I did not see any more.

Q. Is that all you heard? A. That is all I heard as I was going towards the piano, there was a man playing the piano.

Q. Did you hear anything more? A. They were conversing very low to themselves.

Q. So that you did not hear? A. No sir.

Q. That one statement, is that all you heard in there?

A. Yes sir, all at that time.

Q. Go on and tell any other time you were in there what you heard? A. The time before that I was in in the summertime, about July or August, I heard them call each other by feminine names.

By Mr. Lynn. Q. Tell us some of the names, Officer Leeson?

A. I heard one called "Maude", and "Fanny" and "Princess Toto", that is all the names I can remember.

Q. Did you ever observe their feet? A. They had very tidy feet; some of them had patent leather shoes on.

Q. Did you ever remark whether any of them had women's shoes on or not? A. That I could not say.

Q. They never exhibited their hosiery to you, did they?

A. No sir; some of them wore their shirts very low here.

Q. How were their faces? A. Appeared to be powdered, I seen one of them play with a powder box and puff.

Q. What did he do with it? A. Well, he had the powder puff in his hand and he had a feather fan and he carried his

Man the very same way as a woman.

Q. What did he do with the powder puff, Officer?

A. They would rub it on their faces and then rub their faces off with a handkerchief.

Q. As to the use of their hands, how would they do?

A. They would carry themselves feminine.

Q. Would they drop them? A. They would carry themselves like this (showing).

Q. Illustrate to the jury? A. They carried themselves just the same as if they were dressed in female attire, the very same as women; they had no male actions about them, about their walk and conversation; if their voice would be in any way too strong they would try to put it on lighter.

Q. Reduce it? A. Yes sir, reduce it.

Q. Simplify and get it down to a real delicate touch?

A. A real delicate touch.

Q. Well, would they sing at any time, Officer?

A. I never heard them sing in there, I have met them on the street.

Q. You have met the same persons elsewhere, have you?

A. Yes sir.

Q How about the women there? A. They were prostitutes that I have known and arrested.

Q. Women that you knew to be prostitutes, that you have arrested for such often, is that it? A. Yes sir, the two Howard sisters.

Q. And how many were there at the time you were there, men and women that you have described altogether of different sexes?

A. Put them all together, divide them up between each other, about eighteen people, that is outside of the people I

did not know, between the men and women that I knew.

Q. Were the associations of those men that you have described as men of unnatural habits with women or with men principally? A. With men, they would sit in front of the table talking to men, conversing with their fans up to their faces.

Objected to.

Q. Their companions were not women? A. NO.

By the Court. Q. Describe what you saw? A. I never seen them with any women in there.

By Mr. Lynn. Q. Have you ever observed whether at any time you were there their going out with another man outside?

A. Well, I followed three or fourone night and they went out of the precinct, they left me at 14th Street, I wanted to see where they were going.

Q. That is the three or four men that you have described?

A. Yes sir.

Q. The two men that you have described with two other men you did not know? A. The two other men I did not know, I wanted to try to plant the place where they were going.

Q. They went out of the place? A. Yes sir, they would hold men's arms going up Fifth Avenue as if they were ladies.

Mr House: I move to strike out what was done by those people after they left the defendant's premises.

The Court: Motion denied.

Mr. House: Note an exception.

The Court : I rule that the Defendant is not bound by these acts except that it has a tendency to show the character of the persons who frequented that house.

By Mr. Lynn. Q. Now Officer, about the women, have you seen the women go out accompanied by men? A. No sir.

Q. How many visits did you say in all you made?

A. About three altogether.

Q. You knowthe reputation of that house, don't you, Officer --- don't answer that.

By the Court. Q. You can answer yes or no? A. Yes sir.

By Mr.Lynn. Q. Well, now will you please state what it is?

Objected to. Objection sustained for the present.

Mr.Lynn: I reserve the right to recall the witnesses I have offered to show the reputation of this house.

Mr.House: Certainly, it is understood.

CROSS EXAMINED by Mr .House.

Q. How long have you been attached to the 15th precinct?

A. Since April, 1882, I believe.

Q. Have you known the defendant Stevenson during all that time?

A Not all that time.

Q. How long have you been acquainted with the defendant?

A. I guess six or seven years.

Q. Upon how many occasions have you visited the premises 157 Bleecker Street. A. Two or three occasions.

Q. By that I mean, as you readily understand, actually going through these premises ? A. Right clean through the place.

Q. Now were these three visits that you have spoken of as making within the premises all in the evening? A. Well, yes; there was another one that I visited in the daytime that I did not mention.

Q. So then you have been there four times instead of three?

A. Yes, but the time I visited it in the daytime I was in uniform.

Q. But upon these three occasions when you went there in the evening then you were dressed as you are now in civilian suit? A. Yes sir.

Q. About what time in the evening would it be as near as you could recollect that you were in there? A. Between nine and twelve o'clock.

Q. Anywhere ranging from nine up till twelve o'clock?

A. Yes sir.

Q. And I assume that you saw a great many people in the premises did you not? A. Yes sir.

Q. And the majority of them were seated at those tables, as you have stated, and were drinking? A. Yes sir.

Q. Some of them I take it were smoking? A. Yes sir.

Q. The place was so far as you know, a reguarly licensed saloon, was it not? A. Yes sir.

Q. Had you ever seen the license? A. Yes sir. I believe I did.

Q. Ales, beer and liquors were being sold there?

A Any license with a large 3 calls for wines, beers and liquors.

Q. Tobacco was also sold there? A. Cigars I believe.

Q. You say upon these three occasions when you visited these premises your best judgment would be to make the number of these prostitutes and these men of effeminate characteristics about eighteen in all, somewhere around that?

A. About that.

Q. So far as the other persons are concerned whom you saw in the

premises upon those three visits, they were respectable people were they not as far as you knew? A Yes sir, as far as I knew.

Q. Respectable citizens? A. I did not know what their character was.

Q. But as far as you know they were respectable citizens?

A. Yes sir.

Q. Outside of these eight or nine men and eight or nine women that you have spoken of you do not seek to characterize the character of the others at all, do you? A. No sir.

Q. So far as you know they might have been as respectable and decent citizens as any in our community? A. Yes sir.

Q. Now you stated to Mr. Lynn that you never saw any of these women leave these premises with men? A. No sir.

Q. That is to say never upon any of these three occasions when you were within those premises did you see any of these women commit an act of prostitution? A. No sir.

Q. Did you see any act of indecency on their part?

A. No sir.

Q. Now is it not true Officer Leeson, so far as your obvervation went, that the people who were in the saloon upon the occasions when you have mentioned as having visited there including these common prostitutes and those men of effeminate character. conducted themselves orderly?

A. Yes sir.

Q. You never saw any act of indecency on the part of any of them while you were in there?

Mr. Lynn: That has been asked and answered.

HENRY WOELPPER, sworn and examined.

By Mr.Lynn. Q. Where do you reside? A. 139 West Houston St.

Q. What is your business? A. Printer.

Q. Do you know the premises 157 Bleecker Street? A.Yes sir.

Q. Have you visited those premises? A. Yes sir.

Q. What was the date of your last visit there?

A. Well, it was in the month of November, right near Thanksgiving.

Mr.House: In order to save time may it be noted upon the stenographer's minutes now that we object to any evidence on the part of the people given before or after the specific date mentioned in the indictment.

The Court: Yes, I will give you an exception to the admission of any testimony except as to the special date.

By Mr.Lynn. Q. Now you think about November, before Thanksgiving?

A Previous to Thanksgiving, right around that time.

Q. Thanksgiving was on the 28th or 27th of November, it was some time in November you think, just state what time in the evening you went there? A. Towards eleven o'clock.

Q. How long did you remain there? A. Thirty minutes, it might have been three quarters of an hour.

Q. That was your last visit? A. That was my last visit.

Q. Tell us what you saw on that occasion? A. A lot of young men sitting at the tables and a few women and visitors.

Q. Now tell us what you observed on the part of the men that you have described, other than the visitors?

A. What I observed of the men?

Q. Yes, tell in your own language? A. How do you mean, the character of the people?

By the Court. Q. What you saw them do, what acts you saw on their part.

By Mr. Lynn. Q. How they acted? A. Some of the men there, not all of them, acted very familiar in their affections towards each other.

By the Court. Q. What did they do, you say affectionate?

A They called each other pet names.

By Mr. Lynn. Q. Give us some of the pet names they would address one another by? A. I do not know, I do not remember any of the names, any particular ones.

Q. Try and think of some of the names? A. "Phoebe Pinafore."

By the Court. Q. You said they called each other pet names, is that what you mean. "Phoebe Pinafore"? A. Yes sir.

By Mr. Lynn. Q. What did Phoebe do that you recollect?

A. He sang a song.

Q. Do you remember the name of the song? A. I could not tell you.

Q. Give us an idea of their manners, their conduct, their acts, you have told us some of the things they did, now tell us something more so we can clearly grasp the situation?

A. Well, they acted much like women.

By the Court. Q. What did they do, did they kiss each other?

A. NO.

Q. Tell us what they did? A. They sat down at the tables drinking with each other.

Q. Tell us what they did like women, what was effeminate?

A. They spoke like women.

Q. You mean in their tone of voice like women? A. In their voice.

By Mr.Lynn. Q. How was their dress? A. They were very natty in their appearance.

Q. How were their feet, did you notice? A. I did not take notice to that.

Q. You did not notice whether they had ladies buttoned boots or not, did you? A. NO.

Q. Did you observe their stockings or socks? A. No sir.

By the court. Q. You were there halfnan hour, I want you to carry your mind back to that occasion and tell us what it was that attracted your notice there? A. There was nothing there of any importance that kept me there, if there was I would have stayed there longer.

By Mr.Lynn. Q. You mean there was no great exhibition of anything? A. NO.

Q. That would keep you there as long as you did stay, keep you longer you mean, is that it? A. NO.

Q. You went there as a visitor, didn't you? A. As a visitor certainly.

Q. To see something, to see the men or the women there, which was it? A Well, the men.

Q. The men that you have described, that talked like women? A. Yes sir.

Q. Well now, was there any music? A. Music, yes sir.

Q. How many sang or who sang, you say Phoebe sang? A. During the time that I was there there was only one song and thatbwas sung by Phoebe.

By the Court. Q. Was that a proper song? A. Yes sir.

By Mr.Lynn. Q. Did any of them talk to you? A. No sir.

Q. Did none of them come over and address themselves to you at all? A. No, none of the men spoke to me.

CROSS EXAMINED by Mr. Friend.

Q. There was really nothing of an unusual character in the place, was there? A. Nothing that I seen.

Q. And the males and females were well behaved, weren't they?

A. They behaved themselves while I was there.

Q. There was nothing of an indecent and disorderly character going on while you were there? A. No sir.

Q. There were some people, some males whom you saw act in an effeminate manner. ------ you have been to Thiess's, haven't you? A. Yes sir.

Q. And have been to Koster & Bial's? A. Yes sir.

Q. I take it from your appearance you are somewhat of a man about town, am I right? A. No sir.

Q. You have been in a number of places a great many times?

A. I have been in Thiess's and have been in places of amusement, Koster & Bial's.

Q. Perhaps I might ask you were you ever at the French ball?

A. No sir.

Q. You have seen people of the description of the men you have testified to in other places, haven't you? A. Well, yes.

Q. One might go through the streets, through Broadway and meet them almost daily? A. Meet them daily.

Q. In Fifth Avenue? A. Well, I don't know about Fifth Avenue, Sixth Avenue.

By the Court. Q. Have you met them on the street? A. O yes, I have met them on the street.

Q. That is some persons whom you recognized as such?
A. Recognized as such.

Q. Tell us how you recognize them? A. Their appearance, their painted up and powdered look and their walk and talk -- anyone's attention would be attracted towards them.

JAMES BAVIER, sworn and examined.

By Mr. Lynn. Q. Where do you live? A. 222 Hudson Street.

Q. In this city? A. Yes sir.

Q. You have visited the premises 157 Bleecker Street, have you?

A. Yes sir I have.

Q. On how many occasions all together? A. About half a dozen times.

Q Within what period of time did those visits cover?

A. Within the last three years.

Q. How recent were your last visits? A. To November.

Q. Last? A. Yes sir.

Q. Well now you tell us in your own way without any suggestion from me, what you saw and heard, generally the result of your visit there?

Mr. Friend: If I understand the witness, he has not fixed the time.

The Court: Yes, he has, November.

Mr. Friend: November was the last time, but he speaks of half a dozen different times within a period covering three years. That comes under objection.

The Court: I shall hold that you must confine yourself to some time since the 14th of April, 1891.

By Mr. Lynn. Q. You visited the place sometime before November, did you? A. O yes. I have been there before November.

Q. How recently before November? A I cannot tell for a certainty, about some months, four or five months probably.

Q. Four or five months prior to November? A. Yes sir.

The Court: I want you to confine your testimony to what you saw since April, 1891.

By Mr. Lynn. Q. That is about ten months ago, now how many visits have you made in ten months do you think?

A. I guess those two were about all.

Q. Let us hear what you saw in those two visits, what time did you go there first? A. About half past ten at night.

Q. How long would you remain? A Well, about three quarters of an hour probably.

Q. Or probably longer? A. No, not much longer.

Q. Well now let us hear what you saw there?

A. It is a large place, a saloon like in the back.

Q. In the back? A. Yes sir, people seated around the tables drinking, men and women and talking --- a piano in one corner and a man playing the piano, and a class of people there that I was told were ----- -

Objected to.

Q. Tell what you observed. A. I do not know for a certainty that any of these people were anything but the ordinary class of people.

By the court. Q Tell what their conduct was, what they did?

A. They carried themselves all right as far as I could see with the exception that they acted somewhat in the manner of females.

Q. All of them did? A No sir.

Q. Some of them A. A small majority of them.

Q. A small majority of those in the back room? A. Yes sir, it was a saloon, it was not exactly a back room, it is right as you go off the street.

Q. The first room? A. No sir, there is a sort of partition or screen that you go into the saloon to get your drinks.

By Mr.Lynn. Q. You pass through the saloon first going from the street down the basement steps, you go in through doors into the middle room? A. I am not positive whether it was a door or whether it was a screen.

Q You went through the room? A. Yes sir.

Q. Do you know this defendant here, Tom Stevenson?

A. I know him now.

Q. Did you ever see him? A. That is not the man I thought was Tom Stevenson.

By the Court. Q. You are asked if you ever saw him there?

A. No sir.

By Mr.Lynn. Q. You do not know this man? A. No sir.

Q. Tell me what you saw on your last visit, in November, what you observed those people do? A. Well, they were sitting at the tables talking to one another, calling one another pet names. such as "Princess", that is about all I remember --- "Hebe".

Q. Well, what kind was there gestures? A. Very singular, I thought some of them were crazy, they acted as if they were women.

Q. And how were their faces? A. Some of them appeared to have very fine complexions.

Q. Did you notice their feet A. Well, not particularly.

Q. Their shoes? A. Not particularly.

Q. Do you recollect any of them now that you observed?

A. I might have taken notice but I cannot remember at the present time whether I did or not.

Q. Do you recollect any of them wearing women's shoes for instance? A. I have never seen them wear womens' shoes.

Q. Your observations were not directed to that, were they?

A. No sir.

Q. Would they sit at the tables, what would they do?

A. They would sit at the tables drinking with people.

Q. Would they leave one table and go to another?

A. Yes, sit talking to this party and probably someone would call them and they would go over and sit down.

Q. And talk with the second party? A. Yes sir.

Q. When they would get there they would go to some other party.

A. I never followed them up as close as that.

Q. You have seen them at tables? A. Yes sir.

By the Court. Q. Do I understand you to say that those people were talking among themselves or would they go and talk to visitors? A. They would talk to visitors and themselves both or whoever would start a conversation with them.

Q. Did you hear any of the conversation? A. No sir.

Q. Did they ever talk with you? A. No sir.

Q Or you with them? A. No sir.

Q. Did you ever hear anything they said at all?

A. I heard them talking. regular ordinary conversation, but their voice I observed.

Q. Their voice and their feminine actions you observed?

A. Yes sir.

By Mr. Lynn. Q. Give me some of their actions towards other men?

A. I do not know as I can remember any particular actions or anymovements that they made; they appeared to wait to imitate womens' actions, that is about all, no particular action or movement that I can remember.

Q. Would they approach a man you describe as a visitor?

Objected to as leading. Objection overruled.

Exception.

Q. Would they shake hands, what would they do?

A. Shake hands, appear to be acquainted with these people that they were talking to.

Q. Was their conduct anything that you could describe now?

By the Court. Q. Give a description of what you saw them do, you saw them appear to act like women, what did they do?

A. In their movements, in their actions, and in their way of talking.

Q. What were their movements? A. The way they walked across the room, that was one thing.

Q. The way they talked was another? A. Yes sir.

Q. Anything else? A. Their hair was banged and when they would smile they tried to smile as a woman would smile.

Q. Go on and see if you think of anything else?

A. They would laugh.

Q. Did you see anything in their conduct with any of the men?

A. No, I did not.

Q. That would show that they acted in a feminine way?

A. I did not.

By Mr. Lynn. Q. You can't recollect now anything other than you have stated, how many all together did you notice were there?

A. These two were pointed out to me, this is about the only two I have got reference to.

By the Court. Q. Which two A. One was "Princess" and the other one was "Hebe".

By Mr. Lynn. Q. Have you ever seen any of the women you have mentioned any more than once? A. Yes, sir, I have seen one of them at a ball.

By the Court. Q. Which one did you see at the ball?

A. I do not remember their name.

Q. One of these two you saw at a ball, is that it, dressed as a woman? A. Yes sir, a masquerade ball.

By Mr.Lynn. Q. And did he dance with a man or with a woman at that ball?

Objected to. Objection sustained.

By Mr.Lynn. Q. You say dressed in womens' clothes, in complete womens' regalia as to shoes and dress?

Objectedto as leading. Objection sustained.

CROSS EXAMINED.

Mr.House: If your Honor please, regarding this fact of the witness having seen at a masquerade ball somewhere in the city one of the men that he has spoken of as at one time seeing in the place 157 Bleecker Street, I move to have stricken from the record because it is entirely irrelevant and not pertinent to this issue.

The Court: This witness has undertakenato describe as nearly as he can what he claims was feminine actions on the part of these men. He says he saw these persons do certain acts and things in this place which to his mind lead him to believe that they were acting like women, and then upon another occasion he saw one of these men at a masquerade ball. Now it may be that he was dressed in female costume by reason of a desire to disguise himself or to masquerade, or it may be a pretty general scheme of his to like women; it may have a tendency therefore to show it, I will not strike it out; the Jury may take any view of it they like, they have heard it; there is nothing in itself that may be considered

improper, a man going to a masquerade ball and dressing as a woman. The Jury shall say, in the light of the other testimony, whether it has any bearing here or not. If they find that was done and nothing else, I apprehend they have sense enough to know whether or not it would tend to prove the Peoples' case.

Mr. House: I will take an exception.

By Mr. House. Q. Now his Honor has confined your testimony to from the 14th of April, 1891, down to the time of the finding of this indictment which was filed on the 28th day of January, 1892; now between the 14th of April, 1891 and the 28th day of January, 1892, how many times do you think you have visited the premises 157 Bleecker Street?

A. I guess about twice.

Q. And both times you visited there I take it, in the evening?

A. Yes sir.

Q. Did you have any friend going along with you? A. Yes sir.

Q. I do not ask this improperly but you consider yourself the same as I consider myself to be respectable, do you not?

A. Yes sir.

Q. You simply went into this 157 Bleecker Street for the purpose of getting a drink? A. That is about it.

Q. And look about the place and come out? A. Yes sir.

Q. Now have you any doubt at the times that you were there but what there were a great many other respectable people in that place? A. The majority of the people were respectable people.

Q. Now upon these two occasions between the days that I have mentioned, how late did you stay at each time, if you can recollect?

A. I can positively state the longest I remained in the place at one time has been about three quarters of an hour.

Q. And I will ask upon any occasion when you were in that place did you ever see an act of indecency committed by an one?

A. No sir.

Q. Did you ever see an act of disorder committed by any person in those premises? A. No sir.

Q. Did you ever see what could be characterized on your part as an act of ludeness committed by anyone there?

A. No sir.

Q. Is it not true as matter of fact upon every occasion when you visited those premises the people that were in there conducted themselves orderly and decently? A. Yes sir.

The Court adjourned until Monday morning.

Monday, February 15, 1892.

The Court: At the time of the adjournment on Friday there was a question which the Court took under advisement to which question the Court has given consideration since the adjournment. The Court finds that the learned Counsel for the Defendant was right in his citation of the law as the decisions have been in some of the other States and as the decisions were correct down to a certain period, but since the enactment of the Code it has defined in section 718 as follows: "The terms "reputed house of prostitution or assignation" "house of prostitution", "house of ill fame or assignation", "disorderly house" includes all premises which by common fame or report are used for the purposes of prostitution or assignation." In view of that enactment the Court is of the opinion that testimony of the character such

as was offered by the District Attorney would be competent and proper and must be admitted. Therefore the objection of the learned Counsel for the Defendant to its admission will be overruled, and the District Attorney may make the inquiry.

Mr. House: Will your Honor be kind enough to let me get upon the record in view of the determination which you have rendered regarding this question, my exact ground for objecting.

The Court: I certainly will.

Mr. House: We object to the introduction of any evidence regarding the general reputation of the house 157 Bleecker Street which it is alleged was kept, maintained or conducted by the defendant, first, on the ground that such evidence is hearsay and is there clearly inadmissible; second, that upon the trial of an indictment containing allegations as does the one under trial no proof can be offered to support the allegations in said indictment by way of evidence regarding the general reputation or character of the premises; third, we object to the introduction of the evidence on the ground that it does not come under the purview of ~~the last se~~ subdivision sixteen of section 718 of the Penal Code of this State; fourth, we object to it on the general ground that it is irrelevant, immaterial and incompetent and therefore inadmissible.

JOHN TURNER, sworn and examined.

By Mr. Lynn. Q. Where do you live? A. 48 Great Jones St.

Q. And have you ever visited the place 157 Bleecker Street in this city, known ~~we~~ as "The Slide?

A. I have, sir.

Q How many times .

Objected to unless the District Attorney confines himself within the limits of time which your Honor fixed on Friday. Objection overruled for the present.

Q. How many times about have you visited the place since April 14th last, about ten months?

A. About a dozen of times.

Q. What was the date of your last visit, as near as you canrecollect about? A. About four days before Christmas.

Q. That is last Christmas? A. Yes sir.

Q. About what time in the evening did you go there?

A. About ten o'clock.

Q. And how long would you remain. A. About an hour and a half.

Q. Now how many people would you findin the place as a rule, just give me an idea of it? A. I could not tell.

By the Court. Q Whether it was a crowd or whether there were two people? A. Fifty people --- that is only an estimate.

By Mr Lynn. Q Mr. Turner, did you observe any women there?

A. There was a few.

Q. Did you observe any men? A. Yes sir.

Q. Of peculiar habits or antics? A. Well, that ----

By the Court. Q State what you saw, then you can say what their habits were?

By Mr. Lynn Q. Now tell me what you saw in the visits you have described at the place? A. There were a few that I knew.

By the Court. Q. Men? A. Yes sir, men.

Q. Some men that you knew of, is that what you say?

A. Yes sir.

By Mr. Lynn Q. Go on and tell us in your own way what you saw and what your experience was? A. A party came over and sat at the table --- I am brought down here --- do you wish me to tell the truth?

Q. Yes? A. A party, one of the men came over to me, I do not know his name. I asked him over to drink --- we were a party for a little jollification; he came over, and he put his hand on my person, that was all.

By the Court. Q. Did he say anything? A He says, "I would like to have that 'neat'." (The witness laughed.)

The Court: This is not funny.

Witness: I know it is not funny for me, I beg your pardon, Judge.

By Mr. Lynn. Q. "I would like to have that neat", is that the phrase? A. Yes sir.

Q. Describe those men?

Objected to.

Mr. House: We except to any conversation that may have taken place between the witness and an unknown man that he now speaks of in the absence of this defendant Any acts that took place there might be described by the witness, but we object to the introduction or admission of any testimony as to conversations had between an unknown man and this witness in the absence and hearing of the defendant.

Objection overruled. Exception.

Q. Do you remember the name of this person, Mr. Turner?

A. No, I do not.

Q. Was it a male or female name that he had? A. He had a female name.

By the Court. Q. You heard him called by a female name?

A. Yes sir, certainly.

By Mr Lynn. Q. You do not recollect what it was? A No sir.

Q. Would you recollect the name if you heard it --- "Princess Toto", "Phoebe" or "Beatrice"? A. No sir.

Q. Did you see the defendant there that night, you know the defendant don't you, Mr. Turner? A. He is a friend of mine.

By the Court. Q. The defendant is a friend of yours?

A. Certainly.

By Mr. Lynn Q. Mr. Friend was talking to you in court this morning, this lawyer here? A. Yes sir; he asked me what I was doing down here, that was all.

Q You told him?

Objected to.

A. I do not mention any names; he just asked me what I was doing down here and I told him.

Q. Now how many of those persons Mr Turner, did you see about that place, tell me what they were doing, were they singing?

Objected to.

By the Court. Q. At the time how many persons did you see?

A. About four.

Q. What were they doing? A. Nothing, only sitting down at the table drinking.

Q. And then what? A. I did not see anything particular, I did not see anything else.

Q. And that happened to you? A. O, I did not see it done to anybody else.

Q. It was done to you, was it? A. Yes sir, not to anybody else.

By Mr. Lynn. Q. Was there any singing that night, did anybody sing that night you were there? A. No sir.

CROSS EXAMINED.

By Mr. Friend Q. Mr. Turner, did you see me come in the court-room this morning? A. Yes sir, I saw you.

Q. Where dd I sit when I entered the court-room?

A. You sat over there.

Q. Where do you live? A. 48 Great Jones Street.

Q. How long have you been named as John Turner?

A. Well, for the last ten years. Am I supposed to give my righ name in this case?

Q. You understand you are under oath? A Undoubtedly.

Q. You know what that means, do you not? A I do.

Q. That you are to tell the truth? A. Correct.

Now your name is McTiernan, isn't it?

A. Yes sir.

Q. What is your first name? A. John.

Q. You know that was your name this morning? A. Can you prove different?

Q Did you know that was your name when you took your place upon that witness stand? A. Yes sir.

Q. Then why did you gave the name John Turner?

A. I did not want no paper talk in regard to my correct name.

Q. That is the only explanation that you can give why you gave the name John Turner when your real name is John McTiernan?

A. Correct.

Q. What do you do for a living? A. I work in a commission house, 55 Great Jones Street.

Q. When you speak of a commission house, you do not mean a grocery commission house, do you? A. NO.

Q. You mean a pool room, is not that what you are talking about? A. No, a commission house in regard to races, transferring commission.

Q. Well, you sell pools on races? A. Don't sell no pools, transfer commissions to the track.

Q. You execute commissions? A. Correct.

Q. That is, young men as well as old men go there and give you the money and you execute commissions for them on the race track? A. Yes sir.

Q. And receive for that what? A. Ten cents.

Q. How long have you been employed there? A. The last five years.

Q. What has been your business previous to that?

A. Working in Downey's.

Q. Great Jones Street? A. No, working in 48 Wall St. for P.Mead & Co.

Q. Until five years ago? A. O no, I have been working all my life since I have been thirteen years of age.

Q. Until five years ago did you work with this firm in Wall St.?

A. For five years for P.H.Downey & Co. and for Newton & Allen.

Q. What is the name of that firm again? A. Newton & Allen at 28th Street, a commission house.

Q. They have got a commission office too? A. Correct.

Q. That is the commission business as I have described it,

executing commissions on race tracks? A. Correct.

Q. In other words, a pool room A. No, not a pool room, a commission office, transferring the commissions to the track.

Q. But the whole business is in reference to race horses?

A. That is correct.

Q. Now what other business have you been in?

A. I have been in the dry goods business.

Q. Besides the dry goods business, what? A None that I know of.

Q. Have you ever been in the wet goods business?

A. What is the wet goods business?

Q. You were never in the liquor business, were you?

A. Never.

Q. Did you ever work in any establishment where liquor was sold?

A. Never.

Q. Never attended bar? A. Never did.

Q. I understood you to say that you were a friend of the defendant? A. Well, I did, I am still.

Q. You are still? A. Yes sir.

By the Court. Q. This man says he is here against his will?

A. No, I am telling the truth, that is all.

By Mr. Friend. Q. Now you had a conversation the other day, did you not, and by reason of the conversation you were brought here? A. I did not, I never made any such remark.

Q How did you come here? A. I made a remark to certain people.

Q. Well, who were the certain people? A. Mr. Sullivan,

Cooney, Leeson and Dolan; I made the remark that I was to this place and I told them what happened, that is, I was talking to them.

Q. Where did you speak to them? A. On the corner of Mercer and Third Streets.

Q. Did you speak to them first or they speak to you?

A. I spoke to them.

Q. Had you been drinking? A. I was at the time, yes sir.

Q. Is it not true that in a sort of bragadocia you made the remark? A. No.

Q. You knew what you were talking about? A. Undoubtedly.

Q. When was this? A. About four days before Christmas, four or five days, I wont say for certain.

Q. That you had the conversation? A. That is what I am talking about.

By the Court. Q. The conversation you had with Officer Leeson?

A. That was the time, four or five days before Christmas.

By Mr. Friend. Q. Four or five days before Christmas you had the conversation that you speak of now with these officers?

A. Yes sir.

Q. When did you see them again? A. They came and served me with a subpoena.

Q. Do you mean to say between the few days before Christmas and the present time you have not seen the officers or had any conversation with them? A I have seen them since but not in regard to anything like that.

Q. Have you had a conversation with them in reference to this case? A. No sir, I have not.

By the Court. Q. You had that conversation in the street?

A. Only one.

Q. And never since? A. Never since.

By Mr. Friend. Q. Did you go to this place alone on the night in question? A. No, with three friends----- one is in Kansas City, one is in Chicago and the other is in New York.

Q. You saw a great many people there you say?

A. I should judge about fifty.

Q. Were there not a great many respectable people there?

A. Yes sir, there was.

Q. If I understood your testimony rightly you called this person you spoke of over to your table? A. To have a drink.

Q. And that person came to your table and sat alongside of you?

A. Yes sir.

Q. Were you hidden from the other people where you sat?

A. No, they were all together around the table.

Q. They were facing you, were they not? A. They were all around, facing me and back of me.

Q. What I want to get at is this. the other people could not see what this individual did to you from where you sat.

By the Court. Q. From your position could they see?

A. Yes sir.

By Mr. Friend. Q. The other people at the table? A. Yes sir, it was loud enough to be heard.

By the Court. Q. Could they see the motion that was made, what was done? A. Yes sir, they did.

GUSTUS BENEDIX, sworn and examined.

By Mr.Lynn. Q. What is your business? A. Cigar dealer.

Q. Where do you keep your place of business?

A. No.12 Center Street.

Q. Across the street here? A. Yes sir.

Q. Do you know the defendant here, Tom Stevenson?

A. I know him, yes sir.

Q. Have known him for how long? A. O possibly ten or twelve years.

Q. Have you ever visited the premises 137 Bleecker Street in this city known as "The Slide"? A. Yes sir.

Q. How often in the last ten months? A Possibly three or four times a month.

By the Court. Q The last ten months three or four times a month?

A. Yes sir.

By Mr Lynn. Q. Now I want you to tell me in your own way just what you saw in that place at any of the times that you visited there, describe the doings and goings on in the place?

A. I visited the place and found a crowd of people there, ladies and gentlemen. sitting down at the tables drinking, I found there was singing going on, that is all I did see.

Q. Well, did you see any of these persons known as effeminate people?

Objected to as leading. Objection sustained.

Q. Just tell me in detail wont you. more than you have already if you can, what you saw, what time did you go in, let me ask you that? A. About ten o'clock.

By the Court. Q. Are you speaking of on occasion or on all occasions? A It varies, about on an average ten o'clock.

By Mr.Lynn. Q. How many people would you see in the place at different times? A. Fifty or hundred, that varied.

Q. How many women would you see at times in the place?

A. Possibly a few persons would be women at times.

Q. Now the men portion of them, will you describe them to me?

A. The men were sitting down at tables.

By the Court Q. Was there anything about them peculiar or different from what you had seen before? A. Yes, there was three or four that was sort of feminine inclined, that is all according to their voice.

Q. That is from their voice? A. Yes sir, from their voice, that is all.

By Mr.Lynn. Q. Well now, do you remember their names?

A. I remember one, that is all.

Q. Tell us the one you remember? A. Princess Toto.

Q Tell me what those three or four persons did about the place, what did they do? A. They were sitting down drinking.

Q. Drinking with themselves or drinking with anyone else?

A. Drinking with the party amongst others.

By the Court. Q Do you mean to say that they sat between themselves or circulated among the others drinking?

A That I could not describe.

By Mr.Lynn. Q. On any of the occasions? A. On any of the occasions, no sir.

Q. When you say "of effeminate habits" just describe what you term feminine habits?

The Court: He said femininly inclined.

By Mr. Lynn. Q. Was any trait about them feminine only the voice?

A. No. only they were supposed to be that class of people.

Q. What class of people? A. People commonly known as ~~such.~~ Cock Suckers.

Q That is the English of it? A. Yes sir, that is the English of it.

CROSS EXAMINED.

By Mr. House. Q. Where did I understand you to say that your place of business is? A. No. 12 Center Street.

Q. You have been engaged in the cigar business in this city for some time? A. About fifteen years.

Q. And for some time past you have be n the proprietor of the place that you kept, have you not, that is so far as the cigar business is concerned? A. Yes sir.

Q. How long have you lived in this city?

A. About twenty-eight years.

Q. Well, I presume the same as a great many other people in the city you consider yourself to be a respectable citizen, do you not? A. Yes sir.

Q. Now is it not true as a matter of fact thatbon these three or four occasions within the last ten months when you were in these premises 157 Bleecker Street you saw a great many respectable people there? A. Yes sir.

Q. You also saw some women there, is that it? A. Yes sir.

Q. You say you saw four or five men of effeminate manner and of improper tastes, is that it? A. Yes sir.

Q. You have spoken about hearing a song, is that so?

A Yes sir.

Q. Now at this time can you recollect what that song was?

A. No, I cannot recollect it very well.

Q. It was not an indecent song, was it? A. No sir.

Q. Is it not true, as matter of fact, that it was a song you might have heard a dozen different times in some of the principal theaters here? A. Yes sir.

Q. Now Mr. Bendix, getting back to your visit to these premises again, you say that within the last ten months you have been in those premises perhaps three or four times and that you usually got there at about ten o'clock in the evening, is that so? A. Yes sir.

Q. Assuming that your visits were four in number upon any of those occasions when you were in the premises, did you ever see an act of lewdness committed by any person in there?

Objected to. Objection overruled.

A I do not know what the word "lewdness" means, Mr. House.

Q. It is charged in this indictment that acts of prostitution were committed there, did you ever see any of those women commit an act of prostitution while you were in there?

A. No sir.

Q. Did you ever see while you were in those premises any person commit an indecent act in your presence? A. No sir.

Q. So that all that you saw was men and women at tables some of whom were drinking? A. Yes sir.

Q. A great many respectable people were in there and you saw four or five men whom you have designated? A. Yes sir.

Q. Is that all you saw and witnessed there?

A. Yes sir.

LILLIAN CHEEVER, sworn and examined.

By Mr. Lynn. Q. Where do you live, Miss Cheever?

A. In 12th Street.

Q. Do you know the premises 157 Bleecker Street in this city known as "The Slide"? A. I do not know the number of the place.

Q. You know the place commonly called "The Slide"?

A. Yes sir.

Q. Do you know Tom Stevenson? A. Yes sir.

Q. Now how recently have you visited that place wit in the last ten months? A. I could not exactly say.

By the Court. Q Tell us about the last time you were there?

A. Well, the last time I was there was Christmas eve.

Q. Christmas eve? A. Yes sir.

By Mr. Lynn. Q. And what time did you go there? A. I went about twelve o'clock.

Q. And how long did you remain? A. I think it was two or three, I aint positive.

Q. In the morning? A. Yes sir.

Q. Now how many times have you been to the place altogether, in the last ten months? A. Well, I could not exactly say but quite a number of times.

Q. Half a dozen or a dozen of times? A. About a half dozen times.

Q Well, now will you tell me what you saw in the place at any times that you visited the place in the last ten months, I

want you to just tell me what kind and class of people they were? A. Well, all I know about the place is, I simply went there to listento the songs and to get a drink, but I never saw anything wrong in the place.

Q. Tell me what class of people there were there, Miss Cheever, who they were? A. Well, as far as I heard they were a class of people that did not have a very good character but I do not know anything about them.

By the Court. Q. Tell us what you saw? A. I did not see anything only simply at times when I would visit there with gentlemen friends of course going around to see the place I have saw some of those fellows.

By Mr.Lynn. Q. Just go on, it is embarrassing but I want you to tell.

By the Court. Q. It is a disagreeable thing but we have got to get at the facts? A. I simply saw them put their hand in an improper place.

Q. Upon men or women? A. Upon men, I saw them simply fool around the girls, I would be sitting down.

Q You mean about their persons? A. Yes sir, I have seen them put their hand improperly on men too and fool about the girls.

Q. Did they do anything to the girls? A. No, I simply mean they were fooling, skylarking, nothing wrong; I ~~saw~~ was sitting this way and anybody could see as well as myself.

Q I want to ask you if you saw them do anything else at all, describe their actions? A. Well, I have saw them put paint and powder on them.

Q. You have seen the defendant there, haven't you, Tom Stevenson, you know Tom Stevenson? A. Well, from what people

has told me that he was the -------

Q. You saw that man sitting down? A. Yes, I met the gentleman before.

Q. Where did you see him? A I met him in "The Slide".

Q. What was he doing? A. I do not know what he was doing, I saw him standing there, that is all.

By Mr.Lynn. Q. Did he ever on any occasion have any talk with you or give any order? A. No, I only used to laugh and fool becuase I used to know everybody; ~~which~~ and he would laugh and fool.

By the Court. Q. And he would laugh and fool with everybody in there? A. Yes sir.

By Mr.Lynn. Q. Do you remember one occasion when he ordered you out, Miss Cheever? A. Only one time, of course I had been drinking a little.

By the Court. Q. Do you recollect the occasion, yes or no? A. Yes, he did order me out.

By Mr.Lynn. Q. Tell us what took place ? A. I forget now.

Q. I do not mean the details. I mean simply because I understand you to say you had been drinking? A. Yes sir.

Q. What did he say to you? A. He simply told me to go out.

Q. You went out, did you? A. No sir, I did not.

By the Court. Q. You started in to describe about these men, these persons of whom you spoke, you said you saw them put paint and powder on their faces, describe their actions, what you saw them do, what their conduct generally was while you were there? A. All I know is they acted effeminate.

Q. What did they do that makes you think they acted in an effeminate manner? A. In their speech and talking.

Q. Did those people keep their own company, that is, did those persons that you saw sitting side by side by themselves circulate about or what did they do? A. They circulated about, I did not see them do anything, they would speak to people they know and probably people they did not know, I do not know whether they did or not.

Q. Well now go on. A. That is all I know, I saw them go from one place to another talking to one another.

Q. Now how frequent were those occasions when you saw them do these indelicate or improper acts that you suggested a moment ago? A. Well, as a rule I did not stay in there very long, I used to go to see the scenes.

Q. How often did you observe the acts that you have spoken of, that they did these indelicate or improper acts you have described with their hands? A. I saw it once.

Mr. Lynn: I take it, your Honor, that the language of the witness is specific enough as to her designation of the place where ~~he~~ she saw the hands put without any further question.

The Court: I must assume that this Jury have average intelligence or away below it if they do not understand. I have been fifteen days with this Jury now and I think they understand themselves.

Mr. House: No questions.

JOHN S. SULLIVAN, sworn and examined.

By Mr. Lynn. Q. Officer you are connected with the 15th precinct, are you? A. Yes sir.

Q Do you know the premises 157 Bleecker Street this city?

A. Yes sir.

Q. Do you know its reputation, Officer?

Objected to. Objection overruled. Exception.

A. Yes sir.

Q. State what the reputation of the place is, Officer?

A. Well, the reputation is it is a resort for prostitutes and men who are addicted to unlawful practices.

Q. That is the common and notorious reputation, is it?

Objected to. Objection overruled.

A. Yes sir.

Q. Is that commonly known?

A Yes sir.

Q. Generally known?

A. Generally known.

Q

CROSS EXAMINED.

By Mr House. Q. How long have you been in this precinct?

A. Seventeen years.

Q. And how long has the premises 157 Bleecker Street been there?

A. Three or four years I guess.

Q. You were at that time the ward officer, were you not, Mr. Sullivan, or one of them?

A. Yes sir.

Q. You have known the premises since the 14th of April, 1891?, down to the time they were closed?

A. Yes sir.

Q. Do you recollect about when the premises were closed?

A. I think it was a year ago last summer.

Mr.Lynn: Latterly, he asks you: Does Mr.House mean the last time of closing?

By the Court. Q. When were the premises closed?

A. I think they were closed last summer.

Q. A year ago last summer?

A. No, last summer.

Q. They have not been open since? A. O yes, they have been open since.

By Mr. House. Q. Well, it was closed last summer until a new license was procured, is not that it? A. Yes sir, until the new license.

Q. So that when it was closed during the last summer it was only because there was an absence of license there?

A. That is it.

Q. Did you ever raid the place within the last ten months?

A. I did not.

Q. I take it that you made no arrest of the defendant within the last ten months, did you, Officer? A. I went there one night to make an Excise arrest, I could not get in the place after one o'clock; I was in there about one or two nights previous to the last closing up, about the 3rd of January, I was in company with the Captain: we went in about ten o'clock at night.

Q. Were people there? A. Yes sir, four of five women sitting at the table.

Q. Any person that you knew? A. No sir, they were strangers to me.

Q. All of them? A. Yes sir.

Q. I assume there was no acts of impropriety while you were there? A. Nothing more than drinking and smoking, that is all.

~~CROSS-EXAMINED.~~

By Mr. Friend. Q. Everybody was well behaved? A. Yes sir.

By the Court. Q. Were you in uniform; and was the Captain in uniform? A. No sir; when I went in there I heard

somebody make the remark, "here is a new man "

Q. You mean the present Captain? A. Yes sir.

Q. He had been Captain in that precinct how long?

A He came there right before Christmas.

By Mr. House. Q. Now Officer Sullivan, how many times did you go in there with the Captain? A. Once.

Q. Do you recollect that while you were in there that the Cpatain passed any observation to you? A. Yes sir, he says to me, "let us go and look at this back room". We passed in there and went up on the raised platform; we looked around, and he says "do you know any of these people?" I says, "no sir." He says, "I don't see anything out of the way here."

Q. And did not the Captain say this to you, or words to this effect, did not he turn to you and say. "is this the place known as "The Slide"? A. Yes sir, he asked me.

Q. Did not you say, "yes, Captain, this is the place", and then did not he say to you that he had seen more disorder in some churc es than he saw at that time?

A. I did not hear him say that.

Q. He did say te-you that he did not see any disorder?

A. He said he did not see anything the matter with the place, he looked around.

By Mr. Lynn Q. Have you observed during the last ten months any other persons go in that place from the outside?

A. Yes sir.

Q. Describe to me who they were that you saw enter the place from the outside? A. I saw prostitutes go in there, I saw the others because I told you about men addicted to illegal practices.

Q. Was that on one occasion or on numerous occasions?

A. On numerous occasions.

Q. When you say numerous how often during the last ten months have you observed it? A. Half a dozen of times safely.

Q Women that you knew to be prostitutes? A. Yes sir.

By Mr. House. Q. Haven't you also seen respectable people going in there? A. I presume they were, I knew nothing about the people so I could not call them anything else.

Q. You have seen a number of people go in the place?

A. I have, yes sir.

Q. Now every man that you saw go in the place was not of this character of men that you have spoken of to your knowledge?

A. The men I did not know, I cannot say anything against their character.

Q. You have been in that precinct long enough, Officer Sullivan, you are an officer of intelligence enough to know a respectable citizen when you see him, are you not?

A. I presume I do.

Q. Now would you or would you not undertake to say that you had seen respectable people presumably go in these premises?

A. I presume from their dress and conversation I should think they were respectable men, simply out on a little "toot" to see the sights.

GEORGE T. LEESON, recalled by Mr. Lynn.

Q. Officer Leeson, do you know the reputation of the premises 157 Bleecker Street this city known as "The Slide"?

A. Yes sir .

Q. State what it is

Objected to. Objection overruled. Exception.

A. It is a resort for prostitutes and men of unnatural habits.

Q. Will you define for me if it is not too vulgar a word, what the common reputation of the place is in terms known?

A. Well, the men --- the expression I wouldnot want to announce that they use, I would write it down .

By the Court. Q. Write it down.

Witness (wrote) Cock suckers

CROSS EXAMINED.

By Mr. House. Q. Within the last ten months, Officer. I suppose you have seen various people going into the place, have you not?

A. Yes sir.

Q. You have seen presumably respectable people going in?

A. To all appearance, I did not know nothing about ther previous character.

Q. To all appearances they were respectable? A Yes sir.

Q. You have not been called upon as an officer in that precinct within the last ten months to raid this place, have you?

A. No sir.

Q. As an officer in that precinct you have not been called upon within the last ten months to arrest this defendant?

A. No sir.

MICHEAL J. COONEY recalled by Mr.Lynn.

Q. Officer, do you know the reputation of the place 157 Bleecker Street, commonly called "The Slide"? A. I do.

Q. State what it is, Officer? A. The resort for prostitutes and men of immoral character.

Q. When you say "resort" what do you mean?

A. A common resort for prostitutes that frequent it regularly.

CROSS EXAMINED.

By Mr.House. Q. You have been attached to the precinct within the last ten months Officer, have you not? A. I have.

Q. Have you ever been called upon as a police officer in that precinct to raid these premises within the last ten months?

A. No sir.

Q. And I take it that you have not been called upon within that time as a police officer to arrest this defendant?

A No sir.

Q. Now you have stated that its reputation was that of a resort for prostitutes and men of unnatural desires?

A. Yes sir.

Q. I suppose within the last ten months that you have seen many people enter those premises and come out whom you had no reason to believe were other than respectable citizens, is that so? A. To the best of my knowledge.

By Mr.Lynn Q. Do you know what these so called respectable persons that you have described to Mr.House went there for?

Objected to.

By the Court. Q. He may state yes or no if he knows?

A. To see the sights.

By Mr.House. Q. The same as they would go to any other place in this city to see the sights? A. I suppose so if they were to be seen there.

Q. So far as you know they might have gone in to get a drink of liquor there, is that so? A. Yes. liquor was sold.

Q. They might have gone in to get a cigar? A. Undoubtedly they both smoke and drink in there.

LOUIS H. FRANCKE, sworn and examined.

By Mr.Lynn. Q. Where do you live? A. No.21 McDougal Street.

Q. What is your business? A. I am now salesman for A.Francke & CO., wines and liquors.

Q. That is your father, is it? A. Yes sir.

Q. Where is his place? A. 183 Spring Street.

Q. Do you know the defendant? A. Thomas Stevenson, yes sir.

Q. How long have you known him? A. About three years.

Q. Have you been in the premises 157 Bleecker Street within the last ten months? A. Yes sir.

Q. How often? A. About ten or a dozen times.

Q. What time in the evening would you go there?

A. At about twelve o'clock, sometimes later.

Q. How long would you remain as a rule? A. Sometimes stay till four o'clock in the morning.

Q. Mr.Francke, tell me what you observed, who did you see there, what class of people did you see in the place?

A. I saw some prostitutes and saw some cock suckers.

Q. That is what they were known as? A. Yes sir.

Q. And how many would you see of those latter persons?

A. One night I counted forty-nine down there.

Q. How many prostitutes did you see there at the time?

A. I seen as many as fifty prostitutes there.

Q. About what time would the largest number of persons be there, what hour of the morning or the night?

A. About two o'clock.

Q. Now would you tell me what these persons of unnatural habits did, give me an idea of their ways and manners in that place?

A. Well, they would try to be as ladylike as they could and if they saw a stranger they would approach him and try to feel his privates. If they saw anybody go to the urinal they would follow him in.

Q. The water closet you mean? A. Yes sir.

Q. Have you ever been solicited in that place? A. Yes sir.

Q. Give me some idea how they would solicit men, and what they would say, you have got to use words, I want you to state it in the phrases and language that occurred?

Objected to unless the witness will testify as to what occurred at a certain time. Objection sustained upon that ground.

Q. Fix some time that any of the things that I have been asking you about occurred? A. I do not recollect any particular date but I know it occurred because I was there.

Q. Give me about within the last three or four months?

A. No, this was before Christmas.

Q. Before Christmas? A. Yes sir.

Q. Would you say the fore part of December? A. Before that I should judge about.

Q. About the middle of November? A. About October or November.

Q. The latter part of last October or the fore part of last November? A. Yes sir, it may be before that and it may be about that time.

Q. About that time? A. Yes sir.

Q. Well, now give me some instance that you can now describe to the jury that took place? A. Well. I saw a man named Phoebe there and if he would see any stranger he would feel his privates and ask him to go up stairs the same as a female would.

Objected to. Objection overruled. Exception.

By the Court. Q You saw he did that? A. He did it, yes sir

Q. You saw Phoebe go to strangers? A. Yes sir.

Q. On several occasions? A Yes sir, several occasions.

Q. Go to strangers and ask them to go up stairs? A. Yes. I was there on one occasion and I heard a bet of ten dollars made as to who would continue connections with a woman longest, and the people left there and they went next door to the Darragh House.

Q. And between whom was that bet made? A. Between two men.

Q They went away to the Darragh House? A. Yes sir, next door to the Darragh House.

By Mr. Lynn. Q. Give us some other instances that you recollect in the place? A. Well, I seen dancing going on, I seen these men hug each other, the same way that a man would a woman.

By the Court. Q. You mean these men of unnatural habits?

A. Yes sir.

Q. Did any of them ever approach you while you would visit there? A. Yes sir, on one occasion I struck one of them.

Q. Do you recollect which one approached you? A. I think it

was Phoebe.

Q. What did he say to you when he approached you?

A. I do not recollect the language.

Q. What did he say? A. O, I know he tried to feel me and I struck him.

Q. Knocked him down, did you? A. Yes sir.

Q. Have you ever seen any quarrels in the place, or fights?

A. Nothing that amounted to anything.

Q. Tell us what you have seen? A. I did ~~not~~ see fights before ------

By the Court. Q. Within the ten months did you? A. Within ten months I did not.

By Mr. Lynn. Q. You say you do know the defendant. did you see him there any times you visited there? A. Yes sir.

Q. More than once? A. Yes sir.

Q. Tell me what he was doing A. He was superintending the men around there I always believed him to be the proprietor.

Q. He was giving orders? A. Giving orders.

Q. Would the person that received his orders obey them?

--A. Yes sir.

Q. Such orders as what, give me an idea of what they were?

A. Asking waiters to attend at certain tables, I seen him go behind the bar there and make change for drinks.

Q. Have you ever noticed any of the men that you have described doing any waiting on the tables there? A. Yes sir.

Q. Which ones, do you recollect? A. I noticed Phoebe.

Q. Would he take orders and go to the bar and get them?

A. He would bring the drinks in to the customers sitting at the tables.

Q. And take the money from them? A. Yes sir.

CROSS EXAMINED.

By Mr. Friend. Q. Mr. Francke, you have got no ill feeling against this man? A. No ill feeling at all.

Q. How did you come here? A. I was subpoenaed here.

Q. By the District Attorney? A. I do not know who; two young men left the subpoena at the store, I do not know who subpoenaed me.

Q. You say that on one occasion you struck one of those effeminate men? A. Yes sir.

Q. You did not like him, did you? A. Well, I struck him.

Q. You never had any of this class of people in your place, did you? A. Never.

Q. But you did have a place right near by? A. Within a block and a half of it.

Q. Let me see whether my memory is good, you had some little misunderstanding about your place. A. Yes, a little misunderstanding.

Q. And perhaps if I remember right you were charged with keeping a disorderly house? A. Yes sir, but the charge was not proven.

Q. Even though it was not proven the Excise Board saw fit to revoke your license? A. To save the Captain from getting broke himself.

Counsel: I move to strike that out.

The Court: Strike it out.

By Mr. Friend. Q. Did they or did they not revoke your license?

A. They did one day before it expired.

Q. Was it not in your saloon that the famous fight between "The" Allen and Carallo the Italian, took place in which "The" Allen was nearly killed, yes or no? A I do not remember "the" Allen got nearly killed but I remember Carallo got nearly killed.

Q. Was it in your establishment? A. Yes sir.

QL Were you not charged with keeping a disorderly house-

A I was, yes sir.

Q. Were you arrested for that? A. Yes sir, I was arrested and discharged.

Q. Where? A. I was arrested at 142 Bleecker Street and I was discharged at the Tombs.

Q. Are there any indictments against you at this time?

A. I do not know.

Q. You do not know of murder or robbery or any other crime?

A. No sir.

Q. Are there any indictments of any kind against you?

A. I do not know whether there are or not.

Q. You do not remember? A. No sir.

Q. Where was your place of business? A. No.142 Bleecker Street.

Q. That is on the corner of South Fifth Avenue?

A. South Fifth Avenue.

Q. You used to have a back room there, if I remember right?

A. The rooms are there yet.

Q. You still run the establishment? A. Do I still run it?

Q. Yes? A. No sir, I do not run it now.

Q. Who does run it? A. George Brennan.

Q. Was there not some talk in the papers here, if you remember, sometime ago about George Brennan being simply a dummy and the place still belonging to French Francke?

Objected to. Objection sustained.

Q. You are known as Italian Francke? A. No sir.

Q. What is it, French Francke? A. No sir, simply as Louis Francke, the only name I ever had or will have.

Q. What name are you known by? A. Louis Francke, that is all.

By the Court. Q. Any nickname? A. No sir, no nickname.

By Mr. Friend. Q. Do you ever have women in the back room?

A. Yes sir.

Q. Women who reside in that neighborhood? A. I do not know where they live.

Q. Were they prostitutes? A. I do not think they were.

Q. Were they coming in all hours late? A. No sir.

Q. How late? A Up to one o'clock.

Q. Come in alone? A. Sometimes with men and sometimes alone. --

Q. The same women would come in at different times and with different men? A. No sir, I did not see them with different men.

Q. Did they always come in with different men?

A. I do not know, I never kept "case" on them.

Q. What was in the basement of your establishment?

A. There used to be a pool room.

Q. A pool room? A. Yes sir.

Q. That was raided too, was it not? A. I do not know.

Q. Now as matter of fact don't you know that that place was raided. A. I heard it was, I was not there at the time.

Q. Do you remember upon an occasion a prize fight taking place in your very reputable establishment? A. There never was a prize fight took place.

Q. What was the fight, was it a dog fight? A. No dog fight, no fight of any kind that I can remember.

Q. Was not that charge made that in the basement of your establishment you permitted a prize fight to take place?

A. No sir.

Q. Was not that the charge that was made at the time that the Excise Board revoked your license, was not that one of the allegations made in the complaint by the citizens against you? A. That I had a prize fight in the place?

By the Court. Q That there was a prize fight in that place?

A. No sir.

By Mr Friend. Q Was not stakes and ropes taken out of your place?

A. Yes sir.

Q. Is it not true as a fact that before the fight could take place that the police came in and broke up the affair?

A. The police came in and arrested a lot of people there.

Q. How many people did they arrest? A. I believe about a hundred and fifty.

Q. There was a hundred and fifty people in your basement?

A. Yes sir.

Q. And you want his Honor and this Jury to believe as matter of fact that you did not know that there was a fight going to take place that night? A. I did not say that;; you asked me if I was charged by the police with having a

prize fight there. I did not know it was to take place.

Q. Was there a fight to take place, do you know it now?

A. I do not know it now.

Q. Do you know who the persons were? A. I do not recollect the names.

Q. Were they professional fighters? A. Professional fighters, yes sir.

Q. They were taken out of the place too, weren't they?

A. Yes sir.

Q. You do not think that they went there to say their prayers that night? A. They might have gone there to have a wrestling match, there are public meetings held there.

Q. Meetings such as I have described. A. No, every kind.

Q. Is it customary to use stakes at a wrestling match?

Objected to.

By the Court. Q. There were ropes and stakes taken out of there?

A. Yes sir.

Q. You infer there was going to be something done there --- how do you know they were professional fighters?

A. I know by their reputation.

Q. Were they there? A. Yes sir, they were there.

WILLIAM A. GRAMER, sworn and examined.

By Mr. Lynn. Q. Mr. Gramer, where do you reside?

A No. 201 West 88th Street.

Q. Your business? A. I am a reporter.

Q. One of newspaper men, are you? A. Yes sir.

Q. Have you visited the place known as "The Slide," 157 Bleecker Street? A. I have.

Q. Can you recollect the date of your visit? A. I can, on the nights of January 2, 3, 4, and 5.

By the Court. Q Last January? A. Last January, 1892.

By Mr. Lynn. Q. Will youbegin at your first visit January 2, and give me in detail what time of night you got there?

A. On January 2nd, it was Saturday night I went there at nine o'clock at night and I was the only person in the place; I sat down and I waited developements, and had a conversation for about an hour and a half with the waiter in the meantime. He informed me about the place; he said ---

The Court: You need not give your conversation with that waiter.

Mr. Lynn: I ask your Honor to allow the conversation to be narrated

The Court: By that conversation with this waiter it is sought to show the character of the house.

Mr. House: I object on the ground that he was an employee and that the defendant was absent.

Mr. Lynn argued in favor of the admission of the testimony.

The Court: I will consider this during the recess.

The Court took a recess.

-- After recess.

The Court: The objection of the Counsel for the defence will be sustained.

By Mr. Lynn. Q. Omit the conversation with the bar-tender and tell me how long did you sit there and what did you observe.

By the Court. Q. The waiter or bar-tender? A. With the waiter.

Q. How long did you stay there? A. I remained there till about four o'clock that morning.

By Mr. Lynn. Q You are speaking now of January 2nd?

A. January 2nd, I remained till about four o'clock

Sunday morning.

Q. Was that Saturday evening? A. Yes sir.

Q. Well now just give me in your own language what you saw in that place during the hours that you were there?

A. I sat there and saw the people go in and out, and about midnight the place began to fill up with men and women. While I sat at the table I was approached by a person who was designated as the "Fairy".

Q. Was it a male or female? A. A male who introduced himself as "Maud Granger" or Maud Greenoway" I forget which now, it may not be either of those names, and that he had a partner Lois Fuller.

By the Court. Q. You are sure about the names? A. No sir, but he said he had a partner "Lois".

Mr. Friend: I object to this testimony on the ground that it was in the absence of the defendant.

The Court: Objection overruled. Exception.

By Mr. Lynn. Q. He had a partner named "Lois Fuller "?

A. Yes, and would not I invite him to have a drink also. I said I had no objection and they called Lois Fuller over, they sat down.

Q. Was that another one of these persons? A. Yes sir, and after a while I was asked whether I would not like to go and see a circus. I inquired what the circus was; I was told I could pick out - - ---

Q. By those two? A. By Maud, I am certain he called himself "Maud", I am certain of that.---- whether I would not like to see a circus; I inquired what was meant by a circus and it was explained to me.

Mr. House: This is taken under our objection not being in the

presence of the defendant.

The Court: Yes.

Witness: I could pick out in a row girls sitting along the wall, one of whom was called "Flossie" and with one or two of the other class to go to a room and there witness a performance which he described.

By Mr.Lynn. Q. Give me his description.

A. A. It is very vulgar.

By the Court. Q. He said he could pick out any one of -----

A. Any one in a row of girls sitting along the wall ---

Q. They were of girls, one of whom was designated as "Miss Flossie" and go to a room and there witness a performance which he described.

By Mr.Lynn. Q. It will be necessary for you to tell me; of course I know your delicacy about it, please describe to me what he described to be the performance.

The Court: I admit this testimony as going to show the character of the persons there.

Mr.House: We simply object to it first; on the ground that it is irrelevant, immaterial, incompetent and improper; second, that it is calling for conversations had between this witness and some other persons not in the presence of the defendant, and therefore he cannot be bound by what that conversation was; third, that any conversation between this witness and the person of whom he now speaks cannot in any wise go to show other than has already been shown, the character of certain people who frequented the place; fourth, that it is calling for a conversation regarding a certain transaction which it appears from the testimony of the witness now was to

transpire in some other place than in the premises occupied by or maintained or controlled as it is alleged on the part of the people by this Defendant.

The Court: The conversation with the waiter would be hearsay, but here is an act which it is competent to prove; you may go on.

By Mr. Lynn. Q. Describe what he described to be the circus so called.

By the Court. Q. Now what was said and what was done?

A. He said that if I wished to go to a house which he named and which I cannot remember, that on the payment of ten dollars they would go through a certain performance; a vile performance; he described it. To use his language, that they would suck a girl's cunt.

By Mr Lynn. Q. That was the language that he used himself to you?

A. Yes sir.

Q. Well, after that statement by him what else took place?

A. I excused myself, I would not go that night and the parties left me and I remained there and watched the "wall flowers", as they were called also. They sat at one side of the room.

Q. What do you call "wall flowers"? A. These men, they were designated as "wall flowers" because they sat on one side of the house..

By the Court. Q. How many were there? A. All the way at different times from five to twenty-five about during the night.

By Mr. Lynn. Q. Well now give us your whole evening there, you have told us about one instance? A. I saw these men go to different persons who entered and have drinks with them, I saw some of them leave with strangers and heard them use vile language.

Q. Give me an idea of what the language was?

A. In speaking of each other they would refer to each other as "she" and "her"; they would call each other "bitch; "she is a bitch", or something of that kind. That is, one of those male persons would speak of another male -- if her name was mentioned he would say, "I will have nothing to do with her, she is a bitch", and other similar language.

Q. Well, go on? A. They spoke of each other as being "kept".

Q. Anything else? A. There was a girl there they designated "Sarah Bernhardt", whi had his hair bleached.

Q. Was this girl a man? A. A man who had his hair bleached in tissue red and who carried the illusion as far as he could imitating her, wearing bangles and bangs and dance shoes. I was told that he wore corsets and chemise.

Mr. House: I object.

The Court: Leave out the corsets.

Witness: I saw that he wore long stockings; he requested me to put something in his stocking for luck; he raised his trousers leg and showed womens' stockings and diamond garters; they appeared to me to be diamonds.

By Mr. Lynn Q. Requested you to put something in his stocking?

A. I was informed by Maud Granger or "Maud Greenoway" that "Sarah" was not hustling, she was being "kept", that she was kept in a house on 32nd Street.

Q. Go on? A. I think he mentioned the number as 136. These are some of the many things I saw.

Q. Do you recollect any of the other names of the persons there that you have described? A. Yes sir.

Q. Just mention some of the names that you heard called?

A. "Fann. Davenport", "Maggie Vickers", "Princess Toto, "Princess Ida", "Miss Phoebe or Hebe Pinafore", known as the "Queen of The Slide" was pointed out to me, and "Madam Fisher". That is all I can remember ---- many more were mentioned but that is all I can remember.

By the Court. Q. Who was the queen of "The Slide"?

A. Miss Phoebe or Hebe Pinafore, queen of The Slide.

Q. Did you hear her called both names? A. I am uncertain whether it was Hebe or Phoebe.

By Mr. Lynn. Q. Well now what did they do, did they remain seated at the table? A. Their manner, actions and speech were those of women.

Q. Would they move about or would they remain in one place?

A. They went from table to table as they were requested by the waiters. they ~~would call in~~ were calledup in sibilant tones by a waiter, he would motion to the one he wanted to introduce to a person, I saw them leaving with persons they were introduced to, and some of them went back to their seats.

Q. So that they would move about the audience among persons in the room. A. I saw them lift up their trousers leg and apparently receive money, I should judge from the action, I did not see the act itself of putting the money in but I should judge from -----

Objected to.

By the Court. Q I will sustain the objection but you may tell what you saw? A. I saw them remove the stocking part way.

Q. That is pull it down from the top? A. Pull it down from the top and readjust it, and I judged from that -----

The Court: Never mind that.

By Mr.Lynn. Q. They would be obliged to roll up their pantaloons then? A. Yes sir.

Q Have you told us all that you saw and heard on the night of the 2nd? A. I think I have.

By the Court. Q. All that you recollect? A. That is as far as I recollect.

By Mr.Lynn. Q Now on the evening of the 3rd of January give me what you saw? A. That was Sunday night.

Q. What time did you get there Sunday night? A. I went there about midnight, having been told that the business would not begin before that.

Objected to. Objection sustained.

By the Court. Q. You got there about midnight? A. Yes sir.

Q. Were you informed of that fact in the place? A. Yes sir.

Q. You reached there about twelve o'clock midnight on Sunday?

A. I remained there until five or half past four Monday morning, I am not sure which.

Q. Just give us what you saw then? A. I was approached again by the same persons, by "Fanny Davenport" and "Maggie Vickers". after "Maud and Lois Fuller" had left me, they requested me to go out with them and made a similar proposition.

Q. To what you have already stated? A. Yes sir.

Q Go on Mr.Gramer? A. I saw about the same things going on there.

Q. Was beer being sold? A. O beer and whiskey both, I should judge it was whiskey, I drank beer but I saw liquor sold.

Mr Friend: That is objected to, he said he judged so.

By the Court. Q. You saw liquor of some kind? A. Yes sir, in whiskey glasses.

Q. Sold? A. Yes sir, glasses in which whiskey is usually served.

By Mr. Lynn. Q You drank beer yourself. did you? A. I did.

Q. During all the hours that you were there, from twelve up to five? A. Yes sir, not all the time, I was not drinking all the time, I drank occasionally a glass of beer to give some excuse for my being there.

Q. Some of those drinks were after twelve o'clock?

A. O yes, most of them.

Q. Now on the 4th that would be Monday evening, would it not?

A. Yes sir.

Q. What time did you reach there that night? A. I did not remain there on the 4th. I simply went to satisfy myself that the place was open.

Q. Did you go there on the 4th? A. Yes sir, I simply went in to look whether the place was open and went out again.

Q. What time was that? A. That was about eleven o'clock at night.

Q. Did you find a similar condition of affairs so far as the numbers present? A. No, very few.

Q. There was not so many there? A. Very few.

Q. How about the 5th, the last night?

A. That night it was closed.

By the Court. Q. Have you told all that you saw there as far as you recollect? A. I saw these men or effeminate creatures being very affectionate with visitors in the place.

Q. The men? A. Yes sir, the men.

Q. In what way did you see them do it? A. I saw them place their hands near their private parts, lean over and whisper in a very affectionate manner and I saw some of them leave the place with some of them.

Q. That is all you recollect? A. That is all I recollect.

CROSS EXAMINED.

By Mr. House. Q. Your visits were made on the 2nd, 3rd, 4th and 5th of January of this year? A. Yes sir.

Q. On the night of the 5th of January when you got there, the place was closed? A. Apparently.

Q. You could not get in, could you? A. No sir, I could not.

Q. Is it not true as matter of fact that you judged from the observations that you made there that the place was closed?

A. Yes sir.

Q. On the night of the 2nd and the 3rd you remained there until quite late in the morning? A. Yes sir.

Q. And you saw a great many people there? A. Yes sir.

Q. I suppose that you would not have any hesitancy in saying that some people that were in the place were like yourself apparently respectable? A. Apparently so, I suppose they came there to see the sights the same as I did.

Q. Is it not true that you have no doubt but what there were quite a number of respectable people there?

A. Undoubtedly, I knew them to be eminently respectable.

Q. Did you have any conversation with the defendant upon any of these occasions? A No sir.

Q. Did you see him there? A. I did.

Q. Whereabouts was he? A. Well. I say I did; if I had been asked the question before if I saw him. I should say no, but since I saw him here I say I did see him on Saturday night, I saw him behind the bar.

Q. He was not present with you at the time you were having the conversation with these people that you were talking about?

A. No sir.

Q. So far as your knowledge goes, he was not aware of what their conversation was with you? A. No. as far as my knowledge goes he did not know anything about it.

ALEXANDER MEAKIM, sworn and examined.

By Mr. Lynn. Q. You are one of our Excise Commissioners, are you?

A. Yes sir.

Q. You have been such over two years last past? A. Yes sir.

Q. Do you know what the reputation of the premises 157 Bleecker Street in this city is?

Objected to. Objection overruled. Exception.

A. Well, the reputation of the place has been very bad from what I have heard.

Q. Tell me what its reputation was? A. The reputation was the headquarters of prostitutes and "tasters", I suppose I might as well speak English.

CROSS EXAMINED.

By Mr. Friend. Q. Mr. Commissioner, how long have you been a Commissioner did I understand you to say? A. Two years the 4th of last May.

Q. You have issued licenses to a great many establishments during that time? A. Yes sir.

Q. Did you issue a license for a place known as the "Excise Exchange"? A. Yes sir.

Q. Do you remember whether that license was granted by you?

A. I think I voted for that license of course, I cannot tell positively in the absence of the books..

Q. That is your best recollection? A. Yes sir, my best recollection is I voted for it.

By Mr Friend. Q. Where was the "Excise Exchange"?

A. No.338 Bowery I think.

Q. Now near the Board of Excise? A. The third door.

Q. What is the reputation of that place?

Objected to. Objection overruled.

A. The reputation at the time the license was granted-

Q. I ask you what is the reputation now, if you know?

A. There is no such place in existence.

Q. At the time it was closed up do you know? A. At the time it was closed up it was bad.

Q. That was recognized, was it not, as the headquarters of prostitutes and tasters. A. Yes sir, when it was tried.

Q. That was within three doors of the Excise Board?

A. Yes sir.

Q. Well, did you discover that until the Evening World made its accusation? A. We had been investigating it nearly two months previous.------- it had been reported to us that such was the case.

Q. It took you two months to investigate and to discover that, did it, although the place was within three doors of your

office? A. Three doors of the office.

Q. Do you know where the place known as "The Slide" was conducted? A. No.157 Bleecker Street.

Q. How do you know that? A. Because I know that the license had been issued for 157 Bleecker Street.

Q. You passed by? A. I passed by.

By Mr Lynn. Q. At the time you voted for the Excise Exchange license you were not aware of its reputation? A. We were not aware because we had a report from the police that the place was all right.

Q. Did you vote for a license for The Slide? A. No sir.

By Mr. Friend. Q. The reputation of the "Excise Exchange" was considered bad? A. No, it was not when the license was granted; it was considered bad when we revoked the license, that is why I voted to revoke it because it was a bad place.

Q. When you voted tolicense it was it a bad place?

A. When the reputation was good and the report of the Police Captain was that it was good. I voted for it.

Q. Did you know it was a resort of prostitutes and tasters?

A. No sir, it wasnot then.

By the Court. Q. I understood you to say that the license for "The Slide" and the license for the "Excise Exchange" were both revoked? A. Both revoked.

Mr. Lynn: That is the Peoples' case, your Honor.

The Case for the Defence.

Mr. House: The people, through their able representative Mr. Lynn, having announced that so far as they are concerned the case upon the trial of this indictment is closed, the defendant moves that the court direct the Jury to acquit and he also moves that your Honor advise the Jury to acquit upon the following grounds: First, that there is not sufficient evidence or proof to prove the charges laid in the indictment against him; second, that there is not sufficient evidence to put the defendant on his defence; third, that the People have failed to show facts sufficient to constitute the charge in the indictment on the ground, first, that they have failed to prove that the house maintained or alleged to have been maintained and kept by the defendant was so kept as to become a common nuisance in that it disturbed and annoyed and disquieted the neighbors and the passers and repassers by said house -- second, that they have failed to establish that this house was kept and maintained by the defendant as a common resort for prostitutes and people of bad name and ill fame said persons congregating there for the purpose of plying their vocation to the knowledge of this defendant.

The Court: There is sufficient to go to the Jury, I deny your motion.

Mr. House: Your Honor will give us the benefit of an exception.

The Court: Certainly.

Mr. Friend: If your Honor please, the defendant waives the right of opening to the Jury.

EDWARD GEORGE DRAPER, sworn and examined.

By Mr Friend. Q Mr. Draper, where do you reside?

A No. 9 Christopher Street.

Q. In this city? A. In this city.

Q. What is your business or profession? A. Superintendent of the Industrial Christian Alliance.

Q. By reason of the position that you hold in the Alliance I presume that you frequent places of the description of the place charged in the indictment in this action?

A. As secretary of the Florence Mission Rescue Band I have visited all these places.

Q. You are also secretary of the Florence Mission?

A The rescue work.

Q. Will you kindly explain to the Court and Jury what is meant by that? A. The Florence Mission is a home for lost women, supported by Mr. Crittenden of Fulton Street, and I was secretary of that part of the work which went out into the dives of Mulberry Street, the fast houses down town and uptown, concert halls and those places to invite those women into the Home where they can start to lead a better life.

Q. In the course of your good work did you ever visit the place 157 Bleecker Street in this city? A. I have been there about one hundred and forty times in the last four years.

Q. Within ten months past how many times have you been there?

A. About fifty times.

Q. What did you see there? A. I saw a number of people there, some respectable and some that I should judge were

disreputable, I went there because I thought that I should see girls there.

Q. Were you there during the day or at night? A. From eleven o'clock at night till two or three o'clock in the morning.

Q. Did you see any acts of disorder in the premises?

A. NO.

Q. Though the inmates of the place were unfortunate did not they behave themselves while you were there?

A. Always.

Q. You were in the premises some fifty times within ten months?

A. Yes sir.

Q. Did your Mission have a sign up there? A. They had a picture of the Florence Mission inviting girls to come there.

By the Court. Q In this place? A. Yes sir.

By Mr.Friend. Q. Isn't it a fact that in that place the people there gave you every opportunity possible to aid the wayward unfortunate women that frequented there? A. I have been there with from eight to fifteen ladies and Christian workers; they have separated themselves through the double room sitting down at the tables talking with the girls that were drinking beer.

Q. Did these girls talk to you? A. Frequently, always some.

Q. You mean to say while you were there no acts of disorder were seen? A. No sir.

Q They were Christian workers, is that it? A. Yes sir.

Q. Were you there alone at any time? A Never alone.

Q. Were you in company with other gentlemen at times?

A. Possibly a dozen times but as a rule we had ladies with us, usually my wife. I have been there with three or four gentlemen.

Q. At the times that you were with three or four gentlemen the place was properly conducted, in other words there was no disorder and nothing of an indecent character in the place, is not that true? A No sir, nothing.

CROSS EXAMINED.

By Mr.Lynn. Q. So that they got to know you very well?

A. Yes sir.

Q. They knew your face and your object, did they not?

A. Yes sir, they permitted me to put a picture there.

Q. That respect was paid to you while you were there and you say there was nothing improper going on while you were there?

A. Never.

Q. You do not know as matter of fact though, Mr.Draper what occurred while you were not there? A. No sir.

CHARLOTTE DRAPER, sworn and examined.

By Mr.Friend. Q. You are the wife of George Draper, the superintendent of the Christian Alliance? A. Yes sir.

Q. You assisted your husband in the good work that is performed by the alliance of which he is the superintendent?

A. Yes sir.

Q. As well as the work that is performed by the Florence Mission?

A. Yes sir.

Q. Now you have visited 157 Bleecker Street, that is sometimes known as "The Glide", I believe? A. Very many times.

Q. About how many times have you visited the premises within ten months past? A I think on an average we have been there sometimes twice a week.

Q. Twice a week? A. Yes sir.

Q. For the purpose of reforming wayward girls and giving them a home at your Mission? A. We go out in this night work, we give our tracts, we speak to every one that comes in our way and very many times we bring girls to the Florence Mission that want to start new lives; that was our object in going there.

Q. You visit all the resorts in which unfortunate women are apt to be found, do you not? A. Yes sir.

Q. I take it at times you are refused admission?

A. Sometimes we are.

Q. Were you ever refused admission in 157 Bleecker Street?

A. No sir.

Q. Was not every opportunity alwas given you at the place to aid in our good work? A. Always.

Q. Mrs. Draper, the times during which you were inthe place I presume was at night if Iamm right? A. Always.

Q. Did you ever see any act of disorder or any act of indecency while you were there? A. I never have.

Q. Mrs. Draper, will you kindly give us your opinion of the place as compared with the other places that you frequented in your good work, as to the general reputation?

Objected to.

By the Court. Q. You may testify as to the reputation of the place

if you know it? A. I saw -------

Q. First tell us if you know the reputation of that house?

A. I have heard it was very bad.

Q. Was that the house that you went to for the purpose of doing the business that is connected with your association?

A. Yes sir.

By Mr. Friend. Q. Now how did that place compare with other places in which you found these unfortunate, wayward girls?

Objected to. Objection sustained.

Q. Did I understand you to say that you were always given every opportunity to aid you in your work of reclamation or reforming young girls? A. Every opportunity.

By the Court. Q. Who gave you the opportunity?

A. Sometimes I saw this man that is sitting there there and at other times there was a man supposed to be the bar-tender had something to do with the place.

Q. Was this defendant always there when you went?

A. Not always.

Q What did you see him do? A. I never saw him do very much, seemed to be walking around.

ROSE EXAMINED.

By Mr. Lynn. Q. What would you say to him when you spoke to the defendant about permission, Mrs. Draper, how would you address yourself to him? When we first began to go there we told him we were from the Florence Mission.

Q. You told him your object? A. Told him that we sought an opportunity to speak to the young women that frequented that place.

Q. So that the frequency of your visits, Mrs. Draper covering

a period of ten months you say, twice a week, eight times a month, some eighty times in all, it would familiarize people with your face, would it not, they would know you?

A. Yes sir, they all knew me.

Q. When you came you would distribute tracts and speak a kindly word, you mean by that there was nothing offensive going on at the time you were there? A. No sir.

Q. You know nothing of your own knowledge of the acts that took place after you left or later on in the evening?

A. No sir.

Q. Nor would I have you to know, Madam.

By the Court. Q. How long would you remain? A. That varied; sometimes we would get the girls to listento us, we would sit down at the table and talk with them.

Q. Give an idea how much time on an avergge?

A. About half or three quarters of an hour.

Q. Then you would go on somewhere else about your business?

A. Yes sir.

Q. You say you were given every facility? A. Yes sir.

Q. What facility were afforded? A. We were always made welcome.

Q. By whom? A. As I say, the prisoner here would sometimes be there.

Q. In what way would he welcome you? A. Shake hands with us and say good evening; that was all the welcome we wanted.

Q. And sometimes you were going to say what?

A. Then we would go in and if there was any young ladies there we would always talk with them, and sometimes if the gentlemen were in the place we would distribute tracts to all.

Q. Did the business of the place go on while you were there?

A. Just the same.

WILLIAM HOWARD HOOPLE, sworn and examined.

By Mr. Friend. Q. Where do you reside? A. No. 107 St. Marks Avenue, Brooklyn.

Q. You are connected with one of the charitable organizations in New York? A. Yes sir, with the Industrial Christian Alliance and was sometimes a leader of the Florence Mission.

Q. You devote your time to going about doing good in the community, trying to reform the wayward, do you not?

A. A good deal of the time.

Q. You have been in 137 Bleecker Street? A. Yes sir.

Q. And also have been in some of the other resorts in New York?

A. A great number of them.

Q. Have you ever seen anything take place while you were there indecent or disorderly? A. Nothing, no direct act, no sir.

Q. Simply that the place was frequented by the unfortunate?

A. Yes sir.

Q. How many times have you been there within ten months?

A. My visits covered I think ---- possibly only once-- my visits have covered a space of two years and a half.

Q. Hoe, within ten months? A. I cannot place it definitely for the last ten months, I cannot state that definitely.

By the Court. Q. You say you were only once there? A No sir, I have been anywhere from ten to fifty times.

Mr. Friend: I will withdraw the witness.

LEWIS SAMUEL ADAM, sworn and examined.

By Mr. Friend. Q. Mr. Adam, do you belong to the Christian Alliance?

A. I am a member of the Florence Mission Rescue Band, and as a worker working in with the Christian Alliance.

Q. You have been in 137 Bleecker Street in your official capacity as one of the members of the rescuing band of that Mission? A. Yes sir.

Q. How many times about have you been there within ten months, that is between last April and the present time?

A. Well, I should judge from forty to fifty times.

Q. During the times that you were there did you ever see any act of disorder or indecency there? A None whatever.

Q. Were not you always given every opportunity in the premises to aid in the reformation of the unfortunates that were there? A. Yes sir, always.

Q. Were you there at all hours of the night or different hours of the night? A Yes sir, from ten o'clock.

Q From ten o'clock to early morning? A. Yes sir.

Q. And about how long would you remain there?

A. Well, from twenty minutes to three quarters of an hour sometimes.

Q. Now in the performance of your good work I presume you have been to some other resorts, haven't you? that are presumed to abound in our city? A. Yes sir.

Q. Have you ever been refused admission to some of them?
Objected to. Objection overruled.
A. Yes sir we have.

Q. You never were refused admission here, were you?
A. No sir.

Q. On the contrary, always given every opportunity?
A. Yes sir.

CROSS EXAMINED.

By Mr.Lynn Q. In your visit you had some company as a rule?

A. Yes sir, I never went alone.

Q. You always went with ladies and gentlemen? A. Sometimes with ladies and sometimes with gentlemen.

Q. You have been some forty or fifty times during the past teh months? A. I should judge so, yes sir.

Q. So that the inmates of the places you visited became familiar with your face? A. They might have, we would go sometimes three or four or six.

Q. Mrs. and Mr.Draper would be with you sometimes?

A. Yes sir, sometimes.

Q. What is the latest hour you have been there?

A. I should judge two o'clock.

Q. Two o'clock in the morning? A. Yes sir, never later than that.

Q. You are sure it has been as late as that?

A. Yes sir, it might be about that late, occasionally once in a while it might be that late.

By the Court. Q. You say when you went there you were given every facility, what were the facilities given you, who gave them to you? A. We would walk right in.

Q. You meant when you received facilities you had no opposition?

A. No opposition at all.

Q. Did you see anybody, talk with anybody? A. Well, we spoke to the people that congregated there, some sat around there.

Q. Did you speak to the bar-tender? A We have spoken

to some of the waiters therek yes sir.

Q. Do you know this defendant? A. I have seen him there yes sir.

Q. What did you see him do? A. Standing there.

Q. Did you talk with him? A. I have said good evening and shook hands.

Q. You shook hands with him? A. Yes sir, and spoke to him about the work and the Mission and the girls.

Q. What was he doing when you would be there?

A. Nothing at all, he was simply standing there.

Q. Simply standing there? A. Yes sir.

Q. Doing any work or doing anything at all, giving any directions or doing any act? A. No, not that I can remember ever seeing him.

Q. He stood stock still in the middle of the floor?

A No, I did not mean to say that, I have seen him walking around the place.

Q. Doing what? A. I do not know what he was doing.

Q. Did you ever see him do anything except walk around?

A. No sir, I have seen him speak to people; when we would go in I have seen that gentleman there, I have seen him speak to people.

Q. Your party? A. Yes sir speak to us andspeak to the pthers around in the saloon.

Q. Did you ever see him talk with any of the waiters there?

A. I believe I did, yes sir.

Q. Well now you tell us what he did, what acts if any he did there? A. I do not know what he was doing, I have seen him speak to some of the waiters and to other

people that were in the place, I did not know who they were or what they were doing.

Q. Men and women or both? A. Mostly men, I have never seen him speak to any women.

Q. Well now you say you have shaken hands with him, what was the occasion of shaking hands with him?

A. Simply as we went in we had seen him there several times and he always said. good evening, I have always been in the habit when I met him that way to shake hands with him.

Q. Was there any more occasion of speaking with him than to anybody else? A. No sir.

Q. What caused you to speak to him? A. The same as I went to others in the place and shook hands with them and spoke to them.

Q. Your work is entirely with the women? A. Yes sir, with women.

Q. You have nothing to do with men in your work?

A. Yes sir we do.

Q. Is that included in your work? A. The Industrial Christian Alliance is for men and the Florence Mission is for women.

Q. What I want to know is this. what was the purpose and reason of going to this man rather than going to another man who might be a visitor? A. There was no more occasion I would shake hands with waiters too.

Q Shaking hands was a part of your Christian work?

A. I do not know as it was, no sir.

Q. Would he be the first one you would address when you went in there? A. No sir.

Q. Well now you say you were given facilities, who gave you facilities? A. No one, the only facilities we had was to walk right into the place.

Q. As far as you were concerned you looked upon this man at the bar the same as any other man who was there?

A. I saw him there and became acquainted in that way from going time after time and he had spoken to us. I merely looked at it in that light.

Q. You never were insulted, you simply could walk in the same as anyone else could from the street? A. Yes sir, walk right in.

By Mr. Friend. Q. In some places you could not walk in?

Objected to. Objection sustained.

Q. In some places they would not let you in?

A. No sir.

Q. You saw other men in the place there, did you not?

A. O yes.

Q. You saw them speak to waiters too, didn't you?

A. Yes sir.

Q. What he said to a waiter you do not know, do you?

A. No, I do not.

Q. Whether he ordered a drink or not? A. No, I did not.

By the court. Q Did you see anything different done by his defendant than the acts of any other men?

A. No, not at all.

Q. In other words, so far as you saw he was just the same as any other person in that place? A. Yes sir.

Q. Did you know whether he was a visitor or not?

A. No sir, I did not.

JOHN J. SHANNON, sworn and examined.

By Mr. Friend Q. What is your business? A Carpenter and builder.

Q. You have been in the premises known as 157 Bleecker Street in this city? A. I have, sir.

Q. Have you been there often within a period of ten months?

A. Probably a dozen times.

Q. Where do you reside? A. 151 8th Street on the corner of 4th Avenue.

Q. Did you ever see any act of disorder, indecency, prostitution or lewdness in the premises 157 Bleecker Street?

A. I have not, sir.

Q. You say you have been there about a dozen times?

A. Yes sir.

Q. Were you there the early portion of January?

A. I do not think I have been there since Christmas.

Q. Well, what hours of the night were you there.

A. I have been there as late as two o'clock in the morning, going down about twelve.

CROSS EXAMINED.

By Mr. Lynn Q. What did you go there for Shannon?

A. I would like to answer that question in my own way. I belong to a good many societies and clubs uptown. Some of the members knowing I lived in the neighborhood would say "you live down near "The Slide", can I go down with you some night?" I said, "yes, by all means." I would go down with them and sit down and have a drink. They would say to

me, "well, when is this show going to commence?" I would say, presently. Five or six of us together. Young men, would have a round of drinks. They would say, "when is the show coming off." I would keep jollying them pleasantly after sitting there two hours.

Q. What do you mean by "jollying"? A. Just amusing, that is all, all joking about the newspapers. They wanted to go and see the sights. We would remain sometimes for two hours. They would say, "what about this show." I would say, "it has been all the time", invariably; they would say, "I will have to get square with somebody else, I will have to serve them the same as you have served me."

Q. You were a sort of a steerer for the place?

Objected to.

A. Decidedly no sir, a steerer for no such place. I am a man that wants to see what there is.

Q. You have seen what has been described here as men of effeminate habits have you not? A. I have, sir.

Q. How many have you seen in that place? A. I would say I have seen two or three, perhaps four.

Q. What were the names of those that you saw there?

A. I do not know their names.

Q. Never heard them called by any other name?

A. Yes, I have heard one called Ida and Phoebe, two of them therefore.

Q. Did you hear Phoebe sing at any time? A. Not to my knowledge, I have heard others sing.

By the Court. Q. Men? A. Yes sir, men, not those effeminate men.

By Mr. Lynn Q. You were known then from the frequency of your visits? A. I cannot particularly say that I was known from the frequency of my visits but I am known as a resident of the neighborhood doing business around that neighborhood.

Q. You had been there a dozen or so times within the last ten months? A. Yes sir.

Q. Do you know the defendant here? A. Yes sir.

Q. Did you see him there? A. I have seen him there on some occasions.

Q. What was he doing? A. Sitting at a table or standing up against the wall or walking around.

Q. Did you ever talk to him? A. I might have talked to him, I think I have.

Q. Well, what did you say to him, what was said?

A. I might have said, "will you join us in a drink", probably that is all.

Q. Did that happen once or twice? A. It may have happened probably four or five times.

Q. Was the defendant moving from place to place?

A. Yes sir.

Q. Was he giving any directions? A. No sir, I did not see him give any directions at all, he would merely walk from one end of the room to another and look around and walk back again and sit down at the table.

Q. You never had the experience of being solicited by any of the effeminate characters there? A. No sir.

Q. You never went next door to see a circus, did you?

A. No sir.

Q. It was not discussed with you, was it, the circus?

A. No sir, nor in my company.

Q. You would not say that acts such as inviting men to unnatural practices were never indulged in because you never heard it, would you? A. I would not say that men did not indulge in them, is that the question?

Q. You would not say that acts of unnatural practices were solicited from men in that place because you had never heard that, would you? A. I think I might have heard them, if such had transpired in my hearing I would certainly have heard them.

By the Court. Q. Because you never heard solicitation from those people are you prepared to say that such things never happened? A. No sir, I am not, certainly.

By Mr.Lynn. Q. Where do you work? A. I am in business for myself, No.268 Mercer Street, I have been in the Ward sixteen years.

Q. Have you ever done work there? A. Not during the tenantcy of this defendant, I worked there some three or four years ago.

Q. Who was the tenant at that time? A. I think the tenant was Frank Stevenson but I would not be positive about that.

Q. What kind of work did you do there at that time?

Objected to. Objection overruled. Exception.

A. I made alterations to the premises with regard to extending the rear.

Q. That is, the building of that room that goes over the yard?

A. Yes sir, formerly it was a yard.

Q. And that was about three years ago? A. Between three and four years ago to the best of my knowledge.

Q. You have done no work at all since then of any slight character

A. In that place, well now I may perhaps but within the last two years I have not done any work.

Q. Take time now and think whether or not you have not done some slight work in that place in the last year?

A. I have no recollection of having done anything there in the last year.

Q. Now what were the names of the friends that you brought down there? A. Alfred Oakley is one.

Q. Where does he live? A. He lives somewhere in Brocklyn.

Q. Don't you know his address? A. I do not know sir, but I can find out for you by Wednesday night.

Q. What is the name of the others A. Joseph Kearney.

Q. And where does he live? A. He lives somewhere on the east side, I do not know the address, just these friends of mine, I merely meet them in my club, in my lodge.

Q. What club did you meet them in? A. I met them in Foresters for one.

Q You have never been to their house then? A. No sir, I meet them in my lodge.

Q. Can you recollect the name of any others you have brought there? A. I have been there with Charles Grant.

Q. Where does Mr. Grant live? A. He lives in Ninth Ave. in the neighborhood of 28th Street, I do not exactly know where.

Q. You have never been to his house? A. No sir, not to my knowledge.

Q. Can you recollect the name of any other of your friends?

A. Not exactly.

Q. Are these persons that you have named all the persons that

you have brought to "The Slide" during the last ten months?

A. O no, I have been there with others, I know members of the Lodge, I can't call them by name off hand, I do not remember names, I have a very bad memory for names.

Q. Is that because of a bad memory or is it due to a slight acquaintance with these men? A. It is due to a bad memory. I have known you for years, I know you full well now but for a thousand dollars I could not call you by name.

Q. Would they suggest to you or would you speak to them of "The Slide", how would the matter come up as to bringing them there? A. They invariably suggested that we might go to Thiess's or Koster & Bial's.

Q. Why did they suggest to you The Slide.

Objected to.

A. I live on the corner of Thompson and Third Streets on the same block in which The Slide is located and they knew that, and that was the reason they said. "you live down in that neighborhood, can't you take us down to The Slide?" After we came out of Koster & Bials' or Thiess's they would say, "you live down near The Slide, we will ~~de~~ go down there now."

Q. How late have you been in The Slide in the morning?

A. Two o'clock.

Q. Did you buy beer and cigars? A. Yes sir, beer and cigars.

Q. You have never been in the Darrah House next door?

A. No sir.

By Mr. Friend. Q. This show that you speak of, that was a matter of joke, was it not? A. Certainly, emphatically.

Q. They would go there to see what was termed the show and

would see nothing and then they would bring their friends?

A. That is it the newspapers gave it so much notiriety they thought it was something to be seen there.

Q. You are not a steerer, are you? A. Decidedly no sir, I go to church occasionally, I happen to address a congregation at times but I am no moralizer. If there is anything going on I want to see it. I want to be conversant with all phases of life, that is the reason I went to The Slide.

Q. You went there for the purpose of describing the place and not for the purpose of steering business?

A. Decidedly not. I think Mr.Lynn has been there himself.

Mr Lynn: No sir, never in my life, and I ask the Court to rebuke the witness. I have been twenty-five years in this city and I never have been in such a place.

The Court: I must say that by the tenor of the question that you put to the witness you rather invited it.

Mr.Lynn: I was not putting a question to him at all, Mr.Friend was examining him.

The Court: I will allow the defence to go on although I shall say to the witness he must simply confine himself to answering the questions.

By Mr.Friend. Q. Mr.Shannon, you have seen a great many people, respectable people in that place, have you?

A. Certainly I have, sir.

Q. You do not know Mr.Lynn personally, do you?

A. Only by reputation, by sight for a number of years around the neighborhood.

Q. It may be a mistake about your having seen him there?

A. It migh be, it might be.

Q. It may be a case of mistaken identity, a good many are like each other, when you made the statement was there a possibility of your being mistaken? A. There might be a possibility.

Q. Upon mature reflection you wont say as a fact that you saw my friend Mr.Lynn there, will you? A. Decidedly no, I wont say for a positive fact I have seen him there although I have seen him in the neighborhood.

By the Court. Q. How long have you known the defendant?

A. I have known him I guess ten years.

Q. Where did you first meet him? A. I met him in a barroom corner of 4th and Thompson Streets, he used to work for a man a friend of mine named Hickey.

Q. And your acquaintance with him has continued?

A. Yes sir.

Q. What was the character of it? A. Merely casual, he being a saloon proprietor and I going in to take a drink.

Q. When was it you first did any work for the defendant ?

A. I do not recollect doing any work for this defendant.

Q. You do not recollect doing any work? A. No sir, I have men employed, they may have probably done something on their own account that I have not known of, it has nothing to do with me.

Q. You say you have no recollection of having done any work for the defendant at all, is that it? A. No sir.

Q. When you would go to this place during the last ten months, did you see the defendant there? A. I have seen him there, yes sir.

Q. Often or occasionally? A. Occasionally.

Q. What did you see him do there? A. I have seen him stand against the wall and sit down to the table and sometimes walk from the front of the saloon to the rear.

Q. When you went in did you speak to him? A. I might occasionally, I imagine that he or I would say, good evening.

Q. There was no reason for your not speaking to him?

A. Not at all.

Q. When you saw him you spoke to him? A. Invariably.

Q. Did you introduce your friends on any occasion?

A. No sir.

Q. Did he converse with you? A. No, he might have said good evening, that would be all.

Mr.House: That I think, if your Honor pleases, exhausts our witnesses for the night.

The Court adjourned.

Tuesday, February 16 1892.

Mr.House: If your Honor please, the Defendant rests his case and now renews the same motion that was made at the close of the Peoples' case and upon the grounds that were stated at that time.

The Court: The motion will be denied.

Mr.House: To which we may have the benefit of an exception.

The Court: Certainly you may.

The Counsel on both sides summed up to the Jury.

The Judge charged the Jury.

The Jury rendered a verdict of guilty.

The People
vs.
Thomas Stevenson
Indictment filed
January 1892.

Stenographer's Transcript.

February 1892

No. 159 559

CITY AND COUNTY OF NEW YORK, ss.

In the name of the People of the State of New York, To any Peace Officer in this State:

An indictment having been found on the 26th day of January 1892, in the Court of General Sessions of the Peace of the City and County of New York, charging Thomas Stevenson —

with the crime of Keeping a house of ill-fame &c.

You are therefore Commanded forthwith to arrest the above named Thomas Stevenson and bring him before that Court to answer the indictment; or if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the City Prison of the City of New York, or if he require it, that you take him before any Magistrate in that County, or in the County in which you arrest him, that he may give bail to answer the indictment.

City of New York, the 26th *day of* January 1892.

Delancey Nicoll

District Attorney.

N. Y. General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK,

against

Thomas Stevenson

Bench Warrant for Misdemeanor.

DE LANCEY NICOLL,

District Attorney.

Issued January 26, 1892.

.....189 2

The within named defendant was arrested this day and brought to the Court of General Sessions by

.....

.....

To the Honorable the Justices of the Court of General Sessions for the City of New York and the grand inquest in the case of the People of New York against Thomas [illegible]

[illegible]

[illegible] City of New York [illegible] attest by our experience that [illegible] actions [illegible] respectable, [illegible] citizens and [illegible] cheerfully subscribe our signatures in testimony of the same.

J. R. Cassin Drugs 174 Bleecker St

[illegible]

Joseph Nathiel 177 Bleecker St Caps

[illegible]

S. D'Orta tailor 161 Bleecker St

B. Herring 145 Bleecker St Furniture

McGuire Bros. 223 Bleecker St restaurant

Flucklign Bros. Butchers 203 Bleecker St

Joseph Corp 207 [illegible]

John J. Lanigan Estate N. Lorn 205 Bleecker St.

N. A. Schneberger Co 187 Bleecker Street

Thos Corlen Town H. 19 Second 5th Ave

Emil Haarenzahl 146 Bleecker Mellynai

Smith, Wilson 150 Bleecker St

Bill Arty

David McNeight Printer 198 Bleecker St

John O'Neill Dir Printing

R Hamonty 180 Bleecker St Dry Goods

Pagnale Campylia Express 168 Bleecker St

Wm Hagler 168 Bleecker St

Sir:

Please take notice, that the within is a true copy of a in the within entitled action, this day duly entered, and filed in the office of the Clerk of this Court.

Dated, N. Y., *189*

Yours &c.,

LEVY, FRIEND & HOUSE,

Att'ys for

To *Esq.,*

Attorney for

N.Y. General Sessions Court.

The People vs.

against

Thomas Stevenson.

Certificate -

LEVY, FRIEND & HOUSE,

Defendants' ATTORNEYS,

WORLD BUILDING,

PARK ROW, COR. FRANKFORT ST.,

NEW YORK.

Due and timely service of a copy of the within

_____ is hereby admitted.

this _____ day of _____ 189

Attorney for

DEPARTMENT OF
Public Charities and Correction.

New York Penitentiary,
BLACKWELL'S ISLAND,

LOUIS D. PILSBURY,
Warden.

New York, December 16 189 4

This is to certify that Thomas Stevenson convicted of "Keeping a Disorderly House" and sentenced by the Hon. Randolph B Martine on the 19th day of February 1894 to One year imprisonment and fined $500.00 has been an exemplary prisoner since his reception into this Penitentiary on February 20, 1894.

Louis D. Pilsbury
Warden

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

The People vs. }
Thomas Stevenson }

City and County of New York ss.-

Thomas Stevenson defendant above named being duly sworn deposes and says- I am now an inmate of the Penitentiary, having been sentenced to one years imprisonment & fined Five Hundred dollars by the Hon R. R. Martine on an indictment charging me with having been a disorderly house- my term of imprisonment, having been reduced by my good behaviour, expiring on Monday next- I am a poor man and unable to pay the fine imposed upon me- The nuisance alleged to be carried on by me, at the time of my trial has been abated- I aver that I have no means whatever, and upon

my release, will be compelled to again work for a living to support my family and myself. I also promise that I will never again enter into any business against the laws of the land. And my whole future life will be so conducted as to merit the esteem and good will of all men.

Respectfully hoping that the pardon asked will be granted.

Thomas Stevenson

Sworn to before me this 16th December 1882.

Samuel M Crane
Commissioner of Deeds
New York City

Sir :—

Please take notice, that the within is a true copy of an

in the within-entitled action, this day duly entered and filed in the office of the Clerk of this Court.

Dated, N. Y., 189 .

Yours &c.,

FRIEND & HOUSE,

Att'ys for

To

Esq.,

Attorney for

N. Y. General Sessions Court.

The People &c.

—against—

Thomas Stevenson

Certificate & Affid'avit

FRIEND & HOUSE,
Defts. ATTORNEYS,
61-65 PARK ROW,
WORLD BUILDING,
NEW YORK.

Due and timely service of a copy of the within

is hereby admitted.

this day of 189

Attorney for

Motion to permit Prior denied Dec 17.19 RBH J.

2060

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Thomas Stevenson

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

Thomas Stevenson —

(Sec. 322, Penal Code.) of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, *committed as follows:*

The said Thomas Stevenson,

late of the 15th Ward of the City of New York, in the County of New York aforesaid, on the fifth day of January, in the year of our Lord one thousand eight hundred and ninety- two, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

Thomas Stevenson —

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, 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

— Thomas Stevenson —

(Sec. 385, Penal Code.) of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said Thomas Stevenson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the fifth — day of January, in the year of our Lord one thousand eight hundred and

ninety- two , and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in his said house for his own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT:

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

— Thomas Stevenson —

(Sec. 322, Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said Thomas Stevenson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the fifth day of January, in the year of our Lord one thousand eight hundred and ninety- two, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for his own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in his said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency af the neighborhood around and about the said house were, and yet are habitually disturbed, 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.

0405

BOX:
466

FOLDER:
4274

DESCRIPTION:
Stewart, Frank

DATE:
01/20/92

4274

Witnesses:

Part III April 19 1892

I have examined the complt in this case and am convinced that no conviction can be had; as she now swears there was no assault made upon her, Michael O'Hara who was to support her story, and who charges this defdt with assault (see indictment filed Jany 20 1892) cannot be used by the People as he has sworn to an affidavit in which he denies the truth of the charge.

Therefore recommend that this ~~defdt be discharged on his own recog~~ indictment be dismissed

H. A. Macdona
Deputy
D.A.

See copy of Affidavits herewith

164 B+S

Counsel,

Filed 18 day of Jany 1892

Pleads, Arraigned 19

THE PEOPLE

vs.

Frank Stewart

CRAPHES
(Sections 278 and 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas J. DeForest

Foreman.

On recom of Dist Atty indict. dis. RBM
See affdvts. filed.
J.

Police Court 4 District.

City and County of New York. } ss.

Wm Maggie O'Hara

of No. 791 11th Avenue Street, aged 31 years, occupation Trip Stone, being duly sworn, deposes and says, that on the 1 day of January 1892 at the City of New York, in the County of New York, Frank Stewart (now here)

who did willfully, unlawfully and forcibly attempt to ravish and have carnal knowledge of the person of deponent against the will and consent of deponent under the following circumstances to wit: at about the hour of 4 20 P.M. on said date said defendant followed deponent into her deponents apartments in the above premises and did take violent hold of deponent and try to force deponent into a bed room said defendant did also beat deponent on the face and body with his clinched hands said defendant also opened his pants and exposed his person to deponent. Said defendant failed to accomplish his desires owing to the violent resistance of deponent. Deponent therefore accuses the said defendant with forcibly and feloniously attempting to ravish the person of deponent.

Sworn to before me this 7 day of January 1892 } Maggie O'Hara mark

John Ryan
Police Justice

0408

Sec. 198—200.

C District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Frank Stewart being duly examined before the undersigned 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. Frank Stewart

Question. How old are you?

Answer. 28 Years

Question. Where were you born?

Answer. New York

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

Answer. 555 West 53 Street 3 Years

Question. What is your business or profession?

Answer. Long Shoreman

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
Frank Stewart

Taken before me this 5 *day of* [illegible]

[illegible] *Police Justice.*

0409

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Frank Stewart
(2 cases) Rape
Assault

Please put these cases on the calendar in Part III for Thursday ~~Wednesday~~ April 2.

H A Macdonald
District Attorney.

04 10

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 Arthur Clark

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Forty *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 January 7 *18* 92 John Ryan *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

Dated ..... *18* ..... *Police Justice.*

There being no sufficient cause to believe the within named .....

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

Dated ..... *18* ..... *Police Justice.*

041

36

Police Court--- 9 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Maggie Blanck
791 - 11th Ave

1 Frank Stewart

2

3

4

Offence Assault 3d Rape

Dated January 7 1892

Ryan Magistrate.

M. Stafford Officer.

22 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 3000 to answer

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Stewart

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Frank Stewart of the crime of attempting to commit the CRIME OF RAPE, committed as follows:

The said Frank Stewart, late of the City of New York, in the County of New York aforesaid, on the first day of January, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: one Maggie O'Hara, then and there being, wilfully and feloniously did make an assault, and her the said Maggie O'Hara, then and there, by force and with violence to her the said Maggie O'Hara, against her will and without her consent, did wilfully and feloniously attempt to ravish and carnally know, against the form of the Statute is 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 Frank Stewart of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Frank Stewart, late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her the said Maggie O'Hara, then and there being, wilfully and feloniously did make another assault with intent her the said Maggie O'Hara, against her will and without her consent, by force and violence, to then and there wilfully and feloniously ravish and carnally know, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Frank Stewart of the crime of attempting to commit ~~of~~ the CRIME OF RAPE, committed as follows:

The said Frank Stewart,—

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her the said Maggie O'Hara, then and there being, wilfully and feloniously did make another assault, and an act of sexual intercourse with her the said Maggie O'Hara, then and there wilfully and feloniously did attempt to commit and perpetrate, against the will of the said Maggie O'Hara,— and without her consent; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Frank Stewart —— of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Frank Stewart,——

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her the said Maggie O'Hara, then and there being, wilfully and feloniously did make another assault, with intent an act of sexual intercourse with her the said Maggie O'Hara, against her will and without her consent then and there wilfully and feloniously to commit and perpetrate, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

0414

BOX:
466

FOLDER:
4274

DESCRIPTION:
Stewart, Frank

DATE:
01/18/92

4274

Witnesses:

.....

.....

.....

.....

Part III April 19 1892

For the reasons stated on an other indictment against this defendant filed January 18 1892, charging him with attempted rape and this day recommended for dismissal) I recommend that this indictment be dismissed. Both indictments arise out of the same incident

H. D. Macdona
Deputy Atty

See copy of affidavits herewith

218 Dx

Counsel,

Filed 20 day of January 1892

Pleads, Nil dicit

THE PEOPLE

vs.

Frank Stewart

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

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

Chas J. De Forest

Foreman.

On recom. of Dist Atty, indict. dis. See affidvts. filed, RBM

5149

Police Court— 1 District.

City and County of New York, } ss.:

Michael O'Hara

of No. 731 11th Avenue Street, aged 60 years, occupation Truck Driver being duly sworn deposes and says, that on the 1 day of January 189[illegible] at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED and BEATEN by Frank Stewart (colored) who struck deponent two violent blows on the head with a piece of Iron then and there held in said defendants hand, injuring and cutting deponent's head and

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 6 day of January 189[illegible] } As above

John R Ryan Police Justice.

0417

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 2nd DISTRICT.

Walter M. Stafford

of No. 22nd Street, aged years,

occupation Officer 3rd being duly sworn deposes and says

that on the 3rd day of January 1892

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

Frank Stewart (Northern)

charged with Assault upon the

Complainant and Oath of Michael O'Hara.

Deponent says that said Complainant

is now Confined at his residence

from the Effect of injuries received

and is now unable to appear in

Court. Therefore deponent prays that

the defendant be held to answer

the results of such injuries

Walter Stafford

Sworn to before me, this day

of 1892

John Ryan Police Justice.

0418

Police Court-- 4th District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs

Frank Farrar

AFFIDAVIT

Dated Jany 4th 1892

Ryan Magistrate.

Stafford Officer. 22 W Main

Witness, Maggie O'Farrell

791 N 4th ave

Disposition,

5000 Bl Jan 6 - 10 am

Sec. 198—200.

6 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Frank Stewart

Question. How old are you?

Answer. 28 Years

Question. Where were you born?

Answer. New York

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

Answer. 528 West 53 Street 2 Years

Question. What is your business or profession?

Answer. Longshore

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
Frank Stewart

Taken before me this 6 day of March 1893

[illegible] 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 Defendant

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

Dated June 6 *18*92 John R Ryan *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *18* *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated *18* *Police Justice.*

159 30

Police Court--- C **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Michael O'Hara
73 - 4th Ave

1 Frank Stewart

2

3

4

Offence Assault & Bat.

Dated January 6 1891

Regan Magistrate.

Stafford Officer.

22 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer

1000 - Jan 7 - 2 PM

RECEIVED. JAN 11 1891 DISTRICT ATTORNEY'S OFFICE

BAILED,

No. 1, by

Residence *Street.*

No. 2, by

Residence *Street.*

No. 3, by

Residence *Street.*

No. 4, by

Residence *Street.*

0422

OFFICE OF

THOMAS KELLY, M. D.,

357 West 57th Street,

OFFICE HOURS:
8-10, 2-4, 7-9.

New York, Jan 5 189 1.

To whom it may concern:

This will certify
that Michael O'Hara age 78 1-
11 are is suffering from
two (2) scalp wounds and
that is unable to do to work

Thomas Kelly M.D.

Court of General Sessions
City & County of New York

The People etc
-agst-
Frank Stewart

City & County of New York ss:-
Michael O'Hara, being duly sworn deposes and says, that he resides at No 791-11th Ave, in this City that he is complainant in the above case that he desires to withdraw the charge against said defendant and asks that the prosecution be discontinued for the following reasons:- that on the evening of New Years day, he came to the appartments of Margaret O'Hara, his daughter in law, and at the time was pretty drunk, and finding the defendant present, he undertook forcibly to expel him, that the defendant and said Margaret were at the time fooling with one another or sparring, but were not in the opinion of deponent

and tattled about the trouble she had, had with Mrs Purcell; that while defendant was in her house he and deponent were chatting, laughing and fooling together when her father in-law Michael O'Hara, entered the room, that deponent thereupon became a little frightened upon seeing her father in-law - least he should suspect anything wrong and thereupon the defendant and said Michael O'Hara, became involved in some dispute followed by mutual exchange of words that deponent does not believe that the defendant intended committing any assault upon her or any other offence. That at the time of making the charge the deponent was angry and excited by reason of the trouble between the defendant and her father in law, and being under the influence of liquor was thereby influenced in making her statement, that deponent now thinks that the acts of the defendant which the indictment charge to be an attempt at assault were done

in playfulness and fun and
will bear an innocent construction
That in justice to him she
desires to withdraw the charge
as she cannot conscientiously
swear that the defendant committed
or intended to commit any offence
Sworn to before me
this 5 day of Feby 1892 } Margaret her + mark O'Hara
Charles R Logan
Com of Deds
City & Co of Ny.

Court of General Sessions
City & County of New York

The People etc

-agst-

Frank Stewart

~~Copy~~ Affidavits

[illegible]
[illegible]
[illegible] Street, N.Y.

Defts atty

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Frank Stewart

The Grand Jury of the City and County of New York, by this indictment, accuse Frank Stewart of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said Frank Stewart late of the City of New York, in the County of New York aforesaid, on the first day of January 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 Michael O'Hara in the peace of the said People then and there being, feloniously did make an assault and him the said Michael O'Hara with a certain piece of iron which the said Frank Stewart 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 Michael O'Hara 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 Frank Stewart of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Frank Stewart 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 Michael O'Hara in the peace of the said People, then and there being, feloniously did wilfully and wrongfully make another assault, and him the said Michael O'Hara with a certain piece of iron which the said Frank Stewart 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.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Frank Stewart of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Frank Stewart 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 Michael O'Hara in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault and him the said Michael O'Hara with a certain piece of iron which he the said Frank Stewart in his right hand then and there had and held, in (and upon the head of him the said Michael O'Hara then and there feloniously did wilfully and wrongfully strike, beat, ~~stab, cut~~ bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said Michael O'Hara 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.*

0429

BOX:
466

FOLDER:
4274

DESCRIPTION:
Sung, Chin

DATE:
01/19/92

4274

Witnesses:

I have examined the witnesses in this case and find there is no corroboration whatever of complainant's accusation.

In this the Society agrees with me — as no conviction can be had without corroboration, & therefore ask that the prisoner be discharged on their own recognizance.

March 3d '92

G. S. A.
ADA

I concur in this recommendation.

DeLancey Nicoll
Dist Atty

195

Counsel, Jno Cullahan

Filed, 19 day of May 1892

Pleads, Nolle Pros

THE PEOPLE

vs.

Chin Sung

Indictment for ABDUCTION. [Section 282, Sub. 1, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

Chas F. DeForest
Foreman.

Part 2 March 4, 1892

On motion of District Attorney defendant discharged on his own recognizance

0431

1877

CITY AND COUNTY OF NEW YORK, } ss.

Esther Bostwick

aged 15 years, occupation none of No. 10 Clinton Street, Hoboken New Jersey. being duly sworn, deposes and says, that he has heard read the foregoing affidavit of William A. Finn and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 11 *day of* January 1892.

Esther Bostwick

[illegible]

Police Justice.

Police Court ~~First~~ District.

City and County of New York, } ss.

William A. Finn

of No. 100 East 23 Street, aged 26 years,

occupation Special Officer being duly sworn, deposes and says,-

that he has been informed by one Esther Bostwick aged 15 years and sorely grieved that on ~~the~~ or about the 6th day of January 1892, at the City of New York, in the County of New York,

at number ten Doyer Street in said City of New York, one Chin Sang (now present) did unlawfully take, receive, amply harbor and use a certain female (now present) called Esther Bostwick, said female being then and there under the age of sixteen years, to wit, of the age of fifteen years, for the purpose of sexual intercourse not being her husband, in violation of the statute in such case made and provided and especially of Section 282 of the Penal Code of the State of New York.

Wherefore deponent prays that the said Chin Sang may be dealt with according to law.

William A. Finn

Sworn to before me this eleventh day of January 1892.

Morrison

Police Justice

0433

Sec. 193—200.

1st District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Chin Salang

Question. How old are you?

Answer. 28 years

Question. Where were you born?

Answer. China

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

Answer. 16 Mott Street - 3 years

Question. What is your business or profession?

Answer. grocery 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

Chin Sang

Taken before me this 14th day of January 1892

Mulrey

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 Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of Fifty *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 January 11 *18*92 *Police Justice.*

I have admitted the above-named

to bail to answer by the undertaking hereto annexed.

Dated *18* *Police Justice.*

There being no sufficient cause to believe the within named

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

Dated *18* *Police Justice.*

0435

57

Police Court--- 1st District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William A. Finn
vs.
1 Chin Sung
2
3
4

Offence Abduction
Smuggling Act 1882 Penal Code

Dated January 11 1891
Saml. T. McMahon Magistrate.
Finn & Gormley Officer.
S. P. C. C. Precinct.
Witnesses Section Schermer
No. 6 Street.
No. Street.
No. Street.
$5000 to answer G. S.
$5000 Jan 13 91

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Chin Dung

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

Chin Dung

of the CRIME OF ABDUCTION, committed as follows:

The said Chin Dung

late of the City of New York, in the County of New York aforesaid, on the ninth day of January, 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 Esther Bertinda, who was then and there a female under the age of sixteen years, to wit: of the age of fifteen years, for the purpose of sexual intercourse, he, the said Chin Dung, not being then and there the husband of the said Esther Bertinda, 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*~~