

0261

BOX:

270

FOLDER:

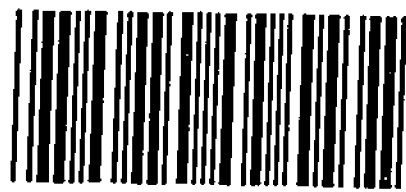
2594

DESCRIPTION:

Speights, Moses J.

DATE:

07/12/87



2594

0262

**BOX:**

270

**FOLDER:**

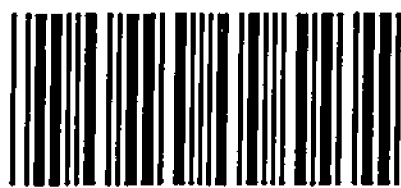
2594

**DESCRIPTION:**

Smith, Gratz M.

**DATE:**

07/12/87



2594

0263

BOX:

270

FOLDER:

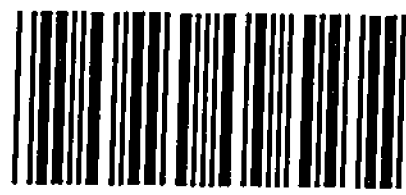
2594

DESCRIPTION:

Barnard, Henry

DATE:

07/12/87



2594

0264

**BOX:**

270

**FOLDER:**

2594

**DESCRIPTION:**

Wesley, Frederick

**DATE:**

07/12/87



2594



0265

Apr 23 Received  
500 of Ref 27

THE PEOPLE

vs.

Moses J. Spaight  
Gratz M. Smith  
Henry Barnard  
Frederick Wesley

[Section 189, Penal Code.]

MURDER IN THE FIRST DEGREE.

16  
 RANDOLPH B. MARTINE  
 District Attorney.  
 I have counsel of mine.  
 To 78 Court St. by Andy  
 Dec 23/97  
 J. W. Pleaschman & Co  
 A True Bill.

[illegible]

State of New York  
County of Westchester  
Town of North Castle

I hereby Certify that the following is a  
true copy of ~~the~~ the complaint of his  
Father on which I committed Moses J Speight  
to the House of Refuge Raritan Island  
N. Y.

Here follows the copy  
that Moses J Speight is his son and that  
he is a disorderly child he will not obey  
any thing he commands him to do or  
cease doing any thing he forbids him to do  
he is out late at night associates with  
characters subversive to good morals  
In fact totally insubordinate to Parental  
authority and good advice

John J Hall  
Justice of the Peace

POOR QUALITY  
ORIGINAL

0267

Mr. Gen. Saffers

people

and

Mr. J. Spingler

Carl's Character

and

Copy Campbell

before Magistrate

Dr. Saffers

99 Napier St

LAW OFFICE OF  
CHAUNCEY SHAFFER,

No. 99 Nassau Street,

Bennett Building.

New York, July 6<sup>th</sup> 1887

To  
Hon Chauncey Shaffer.  
Dear Sir: Allow  
me to state a few things in rela-  
tion to the case of Moses Speights  
who now stands committed  
with killing keeper Cole  
On the 3<sup>d</sup> day of June 1887 he was  
committed to the House of Refuge,  
Randalls Island on what we believe  
to be a baseless charge. His father  
has for some time considered him  
unruly & disobedient at home &  
has at different times threatened  
sending him away. In the latter  
part of May the boy was given  
a watch to sell (by another boy)  
Price of same was \$2.50. He  
took the watch & sold it to a  
man who gave him a \$5. bill

+ told him to leave the change at a certain place, which the boy failed to do within a required time. Whereupon the man to whom he sold the watch went to his father and demanded payment which the father refused to make. He then had the boy arrested, taken before a justice + committed in due form, on what many believe to be a trumped up charge; unjustifiable + uncalled for.

It was supposed that on the Island the boy would be put in a shop of some kind to learn a trade. But during his entire stay there has had nothing to do but wash out halls + clean spittoons.

The father of this boy is an erratic sort of a man, wild on religious subjects + doubtless his home training has not been altogether of a proper kind.

2.

LAW OFFICE OF  
CHAUNCEY SHAFFER,

No. 99 Nassau Street,

Hennett Building.

New York, ..... 188

We are told by Warden Jones of the House of Refuge that not a single mark for mis-conduct or anything else was placed against the boy. His record was good, and at home where this boy lived we can bring 20 good reliable men as any community affords who are willing to come forward & testify to the previous good character of the boy.

He was a member of our Sunday school in good standing.

It was a great surprise to all when it was known that he had been sent to the Island, "Too bad" was the expression, because everybody felt a great injustice had been done the boy.



POOR QUALITY  
ORIGINAL

0271

His being sent to the Island  
has been attended with such  
fearful results & we do sin-  
cerely hope & pray that  
mercy may be shown him.  
He is young being only 15.

Now my dear brother, please take  
hold of this case, & do what you  
can to save him. He is too  
good a boy to be sacrificed  
for what we believe he is not  
altogether responsible.

Doubtless it was a conspir-  
acy a plan to get out.  
The boys were terribly homesick.  
The other boys had been longer  
there & doubtless Moses was made  
a willing tool in their hands to  
carry out their designs.

With very great respect  
I remain

Rev. E. H. Dutcher  
Pastor Bedford & Middle Patent Me E.  
Churches New York Conference  
Post Office  
Box 45 Bedford N. Y.

POOR QUALITY  
ORIGINAL

0272

P. F. VAN EVEREN,  
116 NASSAU STREET,  
LIBRARY SUPPLIES.

NEW YORK July 18 1887.

Hon Channing Shaffer  
10 Bennett Building  
Dear Sir,

With some other papers  
Mr Sprights sends me to  
deliver to you two affidavits  
one from Moses' teacher  
and one from Mrs  
Emmet Smith "one of the  
biggest farmers and  
most upright neighbors  
in Middle Patent."

Mr Sprights has been  
injured by a horse and  
is laid up for the present.

Very Resp  
P. F. Van Everen



Emmit is a very lively boy  
I have known Emmit for  
for about 10 years and he  
has frequently worked for me  
and I have found him very  
industrious and orderly and  
never saw or knew any thing  
against his character.

I consider<sup>ed</sup> him a good  
boy, I would also say  
we are near neighbors.

Emmit Smith

Personally appeared before me Emmit  
Smith who being by me duly sworn  
depose and says that the above  
statement is true and correct

Emmit Smith

Sworn to before me this 16<sup>th</sup>  
day of July 1887

John J. Hall

Justice the Peace

This is to certify that I  
Florence E. Beebe, Teacher of  
Public School, three years,  
and that Moses F. Spights,  
was a pupil of mine, up  
to the time that he was  
committed to Randall's Island.  
His behavior was as good  
as the average boys; he  
never caused me any  
particular trouble.

Florence E. Beebe.  
Teacher.

Personally appeared before me Florence  
E. Beebe who being by me duly  
sworn depose and say that the above  
statement is true and correct.

Sworn to before me this 16<sup>th</sup> day  
of July 1887

John J. Hall Justice of  
the Peace

**POOR QUALITY  
ORIGINAL**

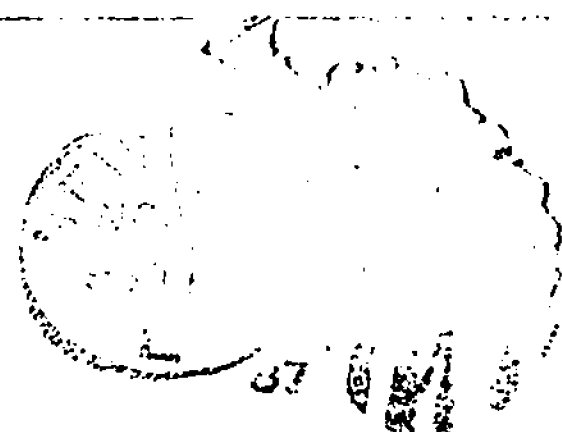
0275

If not called for within Ten Days, return to

HOUSE OF REFUGE,

Station L,

HARLEM, N. Y.



Chauncey Shaffer. Esq.  
99 Nassau St  
N.Y.

POOR QUALITY  
ORIGINAL

0276



New York (HARLEM P.O.) Nov. 22<sup>d</sup> 1884

Chauncey Shaffer Esq

99 Nassau St N.Y.

My Dear Sir

Replying to yours of the 21<sup>st</sup> inst.  
I did not keep a copy of the statement  
sent to the District Attorney nor can I  
recall the contents further than to state  
that the evidence is very damaging to the  
young man, Speight, who is now under  
indictment for the Murder of the Watchman,  
William E. Cole.

Yours Truly

Israel C. Jones  
Supt

People

vs

Speights

County of West Chester S.S.

R. B. Griswold being duly sworn, says that he is a practicing Physician and Surgeon residing in the town of North Castle in said County; that he is acquainted with the father of the defendant, ~~Frank~~ J. Speights, and has visited said Speights, as attendant physician upon himself and family. And from his knowledge of the said Speights, ~~father~~ of the defendant, he believed him to be of unsound mind on religious subjects.

Sworn to before me this

18<sup>th</sup> day of November 1887

Robt. K. Clark

Justice of the Peace

R. B. Griswold M.D.

POOR QUALITY  
ORIGINAL

0278

People  
a  
they're  
Homemade

POOR QUALITY  
ORIGINAL

0279

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

*Copy*

November 1911, 1911.

Isabel M. Jones, Esq.

Superintendent of the City of New York.

SIR:

I have the honor to acknowledge the receipt of your letter of the 14th inst., and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,  
Yours very truly,  
A. D. Barker

Very truly yours,  
A. D. Barker

cc: Mr. Jones

Very truly yours,

*A. D. Barker*

City of New York.



**POOR QUALITY  
ORIGINAL**

0280

People

or

Neighbors and

Neighbors



POOR QUALITY  
ORIGINAL

0281

Matthawan Nov 24<sup>th</sup>  
District Attorney Martine

Dear Sir

My son Frederick Wesley  
trial comes off. on Monday  
i understand and i being  
poor and unable to employ  
good counsel and as i am  
coming to the City on  
Saturday i hope that you  
will grant me an interview  
so that i can explain my  
condition and state to you  
the facts of the case in  
regards to my son yours  
in respect

James Wesley  
Matthawan brother to my

**POOR QUALITY  
ORIGINAL**

0282

The People  
VS  
Frederick Wesley

POOR QUALITY  
ORIGINAL

0283

LAW OFFICES

— OF —

FRANK G. RIKERT,

Matteawan, N. Y., *Sept 22* 1887

W. B. Parker Esq  
Dear Sir:

Can you inform me about what time the trial of Fred Wesley will come on, He is one of the boys who was indicted for the murder of the Prison Keeper on Randall's Island. I have been retained by his father to defend him, and if you will kindly give me such information as you can you will much oblige.

Yours respectfully  
Frank G. Rikert

Oh. Jay - Answer - no day can be fixed at present, being to the prof of hearing. Council will be met in due course.

POOR QUALITY  
ORIGINAL

0284

The People  
vs

Dr. H. W. W. W.

Prepared

by

POOR QUALITY  
ORIGINAL

0285

LAW OFFICES

— OF —

FRANK G. RIKERT,

Matteawan, N. Y., Nov 18 1887

Dear Sir:

Do you think Fred Wesley's  
case will be reached on Monday.  
I understand Spaight & the others will  
be tried first. Will you kindly give  
me such information as you can by  
return mail so I may know what  
steps to take in the matter.

Very respectfully  
Frank G. Rikert  
Atty for F Wesley

Ans'd Nov 18/87

July 1<sup>st</sup> 1887

Statement of Charles Hyman  
in the Case of Killing Nathaniel  
Cole in the House of Refuge on  
Randall's Island, N.Y. on the night  
of June 22<sup>d</sup> 1887.

I was first an inmate of the  
House of Refuge on the 22<sup>d</sup> of June  
1884. My offence was taking two car  
bells from a horse car on the Cypress  
Hill road. A driver on that road  
asked me to take them.

I remained an inmate about  
six months when my parents took  
me out. In about a year I was re-  
committed for sleeping out. I am  
still an inmate of the House of Refuge.

On the night of June 22<sup>d</sup> 1887 I  
slept in the 11<sup>th</sup> Division, 2<sup>d</sup> Hall, East  
Side No. 28 on the Tier, Moses  
Speights, the accused murderer of  
Nathaniel W.E. Cole. Slept. I think  
~~slept~~ in No 7, nearly under one in  
the same Hall.

As soon as I was locked in my  
room on that night I undressed  
myself, laid my papers and went  
to bed. In a short time after Mr.



Cole, the Watchman passed by my door on his first round, and went down from the tier to the floor of the hall. When nearly under my door, he stopped and called to someone in the room to put his shirt on the gate. I have no doubt that the boy thus spoken to was Sprights. No answer was made. Mr Cole then unlocked the door and entered the room; he spoke and said. put your shirt on the door.

Mr Cole spoke pleasantly and I think he shook him gently to wake him, apparently supposing he was asleep.

Immediately I heard a blow which seemed to be strike against the wall and a scuffle like kicking. No word was spoken.

I jumped out of bed and stood by my door. I saw Mr Cole; his head was bent forward and toward the side of the house. I saw Sprights at the same time with a baseball bat which he held with both hands. He struck Mr Cole from behind on the head. He then struck him in the forehead and knocked him backwards to the floor. Sprights struck the two blows with the bat with both hands.

After Mr Cole was down Sprights kicked him in his stomach. Mr

Cole called out for Mr Ward when Speights hit him with his fist. When Mr Cole commenced to breathe heavy and made no more noise.

Speights then rifled Mr Cole's pockets taking his keys and other things. I saw he had some silver money about he dropped on the floor.

When Speights was hitting Mr Cole I said to him to leave him alone he had it done you say. Speights replied, Shut up or I will give you some, meaning the same treatment he had given Mr Cole. Speights then ran up to Wesley's door in the same hall to whom he called and I heard him try to unlock ~~the~~ <sup>his</sup> door. Failing in this he ran up and <sup>down</sup> the hall trying to open the end doors of the Hall. I was afraid he would come to me and I got into bed.

Mr Ward and Mr Denton then came into the Hall and took Mr Cole away after they had locked Speights in his room.

Charles Wyman



POOR QUALITY  
ORIGINAL

0289

LAW OFFICE OF  
CHAUNCEY SHAFFER,

No. 99 Nassau Street,

Bennett Building.

People  
vs.  
Barnard

New York, Nov 25 1887

Hon: Ambrose W. Purdy  
Spt. Dist Atty

My Dear Sir

Acting upon your kind sug-  
gestions, which I have communicated  
to the Parents of Young Barnard,  
they have consented, that he plead  
guilty to manslaughter in the  
2<sup>d</sup> degree, and it shall be done  
next Monday (28 inst) or at such  
other time this term as you may  
designate.

Respectfully Yours  
Chauncey Shaffer  
Counsel for Barnard.

**POOR QUALITY  
ORIGINAL**

0290

People

u

Heights

Hominid

POOR QUALITY  
ORIGINAL

0291

HOUSE OF REFUGE,

NEW YORK L.

HARLEM, N. Y.

People's  
Spengler  
et al  
Homicide

Hon. R. B. Martine  
District Attorney  
NY

**POOR QUALITY  
ORIGINAL**

0292

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

November 9th, 1887.

George F. Britton, Esq.

Secretary, Dept. Charities & Correction.

Sir:

Will you please forward to me at your earliest convenience  
a record of the commitments to the House of Refuge of Moses J.  
Speights, Gratz W. Smith, Henry Barnard or Barnad, and Frederick  
Wesley, who now stand indicted for murder in the first degree, and  
oblige

Yours respectfully,

*A. D. Parker*

Chief Clerk.

A. D. Parker, Esq.,  
Chief Clerk, District Attorney's Office,  
S i r :

You are respectfully informed that the House  
of Refuge is not under the government of this Department, although  
situated on Randall's Island. It is under the control of Mr.  
Israel C. Jones, Agent of the State. Mr. Jones' office is on  
Randall's Island, which can be reached every hour from the foot of  
119th St. by steam launch; or a letter would reach him direct,  
through U. S. Mail. Respectfully,

*G. F. Britton*  
Secretary.

**POOR QUALITY  
ORIGINAL**

0293

ΕΘΝ. ΟΡΓΑΝΟ •

[illegible]

U T L :  
CHIEF CLERK : DEPT. OF VETERANS AFFAIRS OFFICE  
V. D. LUKER : and

*Handwritten:* Conf. 9000  
H. J. G.  
*[Signature]*

**POOR QUALITY  
ORIGINAL**

0294

*District Attorneys Office.  
City & County of  
New York.*

*Copy*

November 9th, 1887.

George F. Britton, Esq.

Secretary, Dept. Charities & Correction.

Sir:

Will you please forward to me at your earliest convenience  
a record of the commitments to the House of Refuge of Moses J.  
Spolights, Grant J. Smith, Percy Barnard or Barnad and Frederick  
Wesley, who now stand indicted for murder in the first degree, and  
oblige

Yours respectfully,

*A. D. Barker*

Chief Clerk.

**POOR QUALITY  
ORIGINAL**

0295

People  
" Spaight's et al.  
" Clunder

POOR QUALITY  
ORIGINAL

0296

*District Attorney's Office.  
City & County of  
New York.*

*Gofy*

November 9th, 1887.

Israel C. Jones, Esq.

Superintendent House of Refuge,  
Randall's Island.

Sir :

Will you please forward to me at your earliest convenience,  
a record of the commitments to the House of Refuge, of Moses J.  
Thompson, Grace H. Smith, Mary Bernard or Barnard, and Frederick  
Wesley, who now stand arraigned for murder in the first degree, and  
children.

Yours very respectfully,

*C. F. D. Parker*

Chief Clerk.





New York (HARLEM P.O.) Oct. 26 1887

Hon. Wendell P. Martin  
District Attorney, New York City  
Dear Sir

If proper will you kindly inform  
me when the trials of Moses J. Speight and  
others, indicted for the Murder of William E.  
Cole, will take place. The witnesses in the case  
are detained here and the friends have been  
requested to defer application for their discharge  
until after the trial. Some of the friends are  
desirous of securing the release of their boys to  
put them to trade; but if the trials will occur  
soon we will hold on to them.

Very truly  
Yours  
Israel C. Jones  
Jabr

**POOR QUALITY  
ORIGINAL**

0298

People  
v.  
Heights et al.

Homicide.

21

POOR QUALITY  
ORIGINAL

0299



New York (HARLEM P.O.) July 9 1887

Mrs. Ellen Barnard  
Harrison Neck, N.Y.

Dear Madam

In reply to your letter  
received to-day I have to say your  
correspondence is filed as part of the  
records of the Institution and I cannot  
return it. I inclose a copy of the  
most important one for your purpose.

There can be no doubt that your unfor-  
tunate son, in mental capacity is  
much below the average boy of his  
age and his intellect appears to have  
been affected by fits. Probably he is able  
to distinguish between right and wrong  
but is easily influenced to <sup>do</sup> wrong.

Yours truly  
Maud C. Jones  
M.C.



New York (HARLEM P.O.) July 6 1887

Mrs. Ann Barnard  
Massachusetts, N.Y.

My dear Madam:

Your note is received. I am sure Mr Shaffer, who is a christian man, will do all for Henry that law and justice will allow. It would be improper for me to interfere in any manner. I do not see on what ground an indictment can be found against him unless there are some facts of which I am ignorant.

If an indictment is found it will be as well to let Mr Shaffer advise as to the plea he shall make and then will be the opportunity to show the status of his mind. In no event do I think it will <sup>do</sup> to return him to the Refuge.

Yours truly  
Grace C. Jones

Court of General Sessions  
for the City and County of New York  
The People  
against  
Henry Barnard,

County of Westchester } S. S.  
Town of Mamaroneck }

Mary Purcell being duly sworn saith  
as follows, I reside in Mamaroneck  
and have known the defendant

Henry Barnard 2 years.

Being a N. Neighbor was intimate  
in his family. saw him in a  
fit once some times he acted  
quite sensible other times I  
would think foolish and  
stupid which was probabely  
owing to the fits

Mary Purcell  
Sworn to before me this 13<sup>th</sup> day of  
July 1887

Wm. A. Boyd  
Justice of the Peace

Court of General Sessions for  
the City and County of New York.  
The People

against  
Henry Barnard

County of Westchester } S.S.  
Town of Mamaroneck }

Carrie Judson being duly sworn  
saith as follows I reside in  
Mamaroneck and have known the  
defendant Henry Barnard 7 years

I have been a daily frequenter of his Mother's  
house. For three years seeing Henry nearly  
every day. I could not call him a bad boy  
always found him quiet and very  
gentlemanly in his home have seen him  
at different times in fits and covered  
with blood from the face At one time  
I saw him lying on the floor in a fit  
literally covered with blood from a wound  
cut in his head. I know him intimately  
he was not bad inclined but was much  
troubled and early led which I believe  
was the result of the fits he was sorely  
afflicted with Carrie Judson

Sworn to before me this 13<sup>th</sup> day of  
July 1887 Jno A. Boyd  
Justice of the Peace



Court of General Sessions  
for the City and County of New York  
The People  
against  
Henry Barnard

County of Westchester } S. S.  
Town of Mamaroneck }

Minnie Tompkins being duly sworn saith  
as follows, I reside in Mamaroneck  
and have known the defendant  
Henry Barnard & Co.

I have <sup>been</sup> a neighbor that many years  
and been intimate with his family  
and have seen him in many fits.  
Which in my opinion weakened his  
mind

Minnie Tompkins  
Sworn to before me the 13<sup>th</sup> day of  
July 1887  
J<sup>ns</sup> A. Boyd  
Justice of the Peace



Court of General Sessions  
for the City and County of New York  
The People

against  
Henry Barnard  
County of Westchester } S.S.  
Town of Ramapo

Nolston Coles being duly sworn says  
as follows. I reside in Ramapo  
and have known the defendant  
Henry Barnard 8 or 9 years.  
I have known him to have  
fits, once in particular  
about two 2 years ago at  
"Kensico" He had one  
very bad it was so hard  
and he was unconscious  
for three hours, I have  
seen him when I thought  
he acted very strange.

Nolston Coles  
Sworn to before me this 14<sup>th</sup> day  
of July 1887

Wm A. Boyd  
Justice of the Peace

Court of General Sessions  
for the City and County of New York  
The People  
against  
Henry Barnard

County of Westchester } S. S.  
Town of Mamaroneck }  
J. Werner Myr being duly sworn saith  
as follows, I reside in Mamaroneck  
and have known the defendant  
Henry Barnard eight years.  
I was witness to one very  
bad fit when he had  
upon him a coat, the same  
having for some time been

J. Werner et al  
Sworn to before me this 14<sup>th</sup> day  
of July 1867  
Wm A. Boyd  
Justice of the Peace

Court of General Session  
for the City and County of New York.

The People

against

Henry Barnard

County of Westchester } S. S.  
Town of Mamaroneck }

Katie E. Gowen being duly sworn  
Sister, Reside in Mamaroneck  
and have known the defendant

Henry Barnard for 5 or 6 years. I  
have seen him in jail at different times  
I have never seen him do anything  
that would lead me to think him of  
a violent nature

Katie E. Gowen

Sworn to before me this 13<sup>th</sup> day of  
July 1887

Wm. A. Boyd

Justice of the Peace

Court of General Sessions  
for the City and County of New York  
The People  
against

Henry Barnard  
County of Westchester } S.S.  
Town of Mamaroneck }

Charles Haviland being duly sworn deposes  
as follows, I reside in Mamaroneck  
and have known the defendant  
Henry Barnard 7 or 8 years.

I have lived a near neighbor  
all those years he has been with  
me a great deal of his time I have  
seen him have fits several times  
have seen him at times act strangely  
so much so that he did not know his  
own home. I could not say he  
was a Bad Boy from anything  
I ever saw him do. I always  
thought he done as well as he  
could.

Charles D. Haviland  
Sworn to before me this 13<sup>th</sup> day of  
July 1887

Wm. A. Boyd  
Justice of the Peace

Court of General Session  
for the City & County of New York  
The People

against  
Henry Barnard  
County of Westchester } S. S.  
Town of Mamaroneck }

John L. Cole being duly sworn deposes and  
follows. I reside in Mamaroneck and  
have known the defendant Henry Barnard  
8 or 9 years.

I lived a near neighbor and  
knew him intimately, and  
have had to carry him in to  
his Mother several times in an  
unconscious state when he was  
badly ill, he had a very  
severe one at "Hempstead" about  
two (2) years ago when he was  
riding with me and fell off  
the wagon, he was unconscious  
for three hours.

John L. Cole  
Sworn to before me this 14<sup>th</sup> day  
of July 1887  
Jas A. Boyd  
Justice of the Peace

POOR QUALITY  
ORIGINAL

0309

Mr. People  
ad.

Henry Barnard

certific

Re. Shaffer  
Gifts Council

Received of  
Mr. People  
the sum of  
\$10.00  
for  
Gifts Council



People  
aft  
mans Joseph

County of Worcester ss.

R. B. Griswold being duly sworn says  
his a regular practicing Physician and  
Surgeon. and resides at Southwick in  
the town of Southwick Massachusetts Co.  
that he has known the defendant  
Mans Joseph for about two years  
and has attended him as such physician  
and is also well acquainted with the father  
and mother of the defendant.

Defendant further says that he knows the  
defendant to be a boy of rather habits  
moral and upright. and that he believes  
his committed to the hands of the law was  
unnecessary and oppressive on the part of  
his father. and the result of  
his father's peculiar notions of his duty  
to his boy.

Defendant further says that he believes  
the defendant pleaded guilty before Justice  
Hall. for the purpose of escaping the harsh  
treatment of his father. and securing a  
trick in Mendon's Island.

Defendant further says that he never heard



POOR QUALITY  
ORIGINAL

0311

any one speaking of the boy except  
his, ~~the boy's~~ father. and never consider  
ed him a badly disposed boy.

I now to before me this } R. B. Griswold  
16<sup>th</sup> day of November 1887 }  
J. B. Clark  
Justice of the Peace

Shapley,  
agony  
suffering!

County of Merced SS

Emmett Smith being aware that he is  
a farmer in the town of Southville and  
a near neighbor of the father of the child  
and much acquainted and was well acquainted  
with the defendant, and had him in his  
employment at all such times. And that  
Emmett Smith being guilty of the same  
act, and never being anyone of interest of  
him except his father who appears to have  
been his only friend. That his mother is  
a poor & infirm woman.

Dependent on the very numerous divisions  
Committee do. I conclude I must have consulted  
him and with all his kindness and that  
the letter on the same subject at the  
presentation of which I was told that the  
President was sending at home some  
very unpleasant, and made so by the peculiar-  
ity of his letter. I therefore, indicate to  
say the least is exceedingly unusual.

Sworn to before me  
this 16<sup>th</sup> day of November 1887

Prot. E. Clark

Justice of the Peace

Emmit Smith

People

Moses J. Spigler

County of Worcester ss

Charles E. Vandenberg being sworn says  
 he is a farmer residing in the town of North  
 Castle in the neighborhood of the resi-  
 dence of the defendant Spigler and is  
 well acquainted with the defendant and  
 also with his father: that he never heard  
 a word against the character of the  
 defendant but has always known him as a  
 worthy upright honest boy of good moral  
 and steady habits: Defendant further says  
 that he knows his father's mind to be  
 unimpaired and religious and  
 well conversant with the law and  
 boundaries of said defendant: accordingly  
 informant deponent further <sup>says</sup> that  
 he believes the Committee of the defendant  
 the Vandenberg Board was unjustly impleaded  
 for and absolutely wrong and that the  
 father of said defendant is wholly respon-  
 sible for such committee  
 deponent further says that he knows the  
 defendant to have some regular attend-  
 ance of the Middle Church in E. Schenck  
 and of the Sunday School

POOR QUALITY  
ORIGINAL

0314

And that his associates were always  
happy of good moral standing in the community  
- known to Indian people  
16th day November 1887. When receiving  
J. H. Clark  
justice of the peace

People  
aft-

Messrs J. Sprights

City & County of New York ss.

Edmond H. Dulcher being sworn says he is a minister of the Gospel in good standing in the Methodist Episcopal Church in the Town of North Castle Westchester County and in charge of the Middle Patent M E Church in said town and within in the neighborhood where the father of the defendant Sprights lives. That he has been acquainted with said defendant for nearly two years and also with his father and mother for the same time; That during the time defendant has been in charge of said Church. Said defendant has been a regular attendant upon Church services and the Sunday School up to the time of his Committee to the House of Refuge Randall Island. That his habits are correct and his associations have been respectable.

And his companions were they  
That up to the time when he was  
committed to Randall's Island no one  
in his neighborhood had ever in the  
hearing of defendant and as far as he could  
learn, spoken evil of the defendant except  
his father; and no act of the defendant  
as far as defendant's information extends  
which is quite sufficient in that respect  
to, even produced even suspicion  
against his character.

Defendant further says that the mother  
of said defendant is a most estimable  
woman.

Defendant further says that he is  
well acquainted with the father of  
this defendant. who is the only person  
he has ever heard speak evil of the  
defendant. That said father is of a quick and ungovernable temper  
eccentric and erratic, and religiously  
insane. And defendant believes his conduct  
at home partakes largely of this nature  
so much so. that he is completely  
isolated from the community.



and has comparatively little standing  
among people of good common sense;  
because his notions are so peculiar as to  
drive thoughtful and intelligent people  
from him. As an illustration of his  
peculiar character the following conver-  
sation with the respondent took place  
shortly after the tragedy at Randall's  
Island. "Spights" said "I don't want  
to know but that he was like Abraham  
when I had called him to offer up his  
son Isaac: that he, Spights, was  
called upon to offer up his son  
Moses, the shepherd, as a sacrifice  
unto the Lord." "Believing as he said,  
the Lord had something to do with  
this matter, That on some occa-  
sion in the winter of '67. about the  
month of January, that many heard  
of a new sect in Cincinnati who  
styled themselves Christian liberals.  
as some such name composed mainly  
of women and of whom I styled myself  
Jeha and one Jesus Christ and one  
the Holy Ghost. <sup>He Spights</sup> went out to Cincin-  
ti with the avowed intention of



of becoming a member of this new sect  
and offering his services as a minister of  
what he termed a new dispensation,  
leaving his wife and <sup>son</sup> child alone and  
uncared for. That he subsequently  
returned and stated that he did not  
remain because he did not find things  
satisfactory. These are examples of his  
pastor's general conduct and conversation  
which appears largely to influence his  
life. Defendant further says that the  
Committee of the Board of the  
House of Deacons was a surprise to all  
and concluded by all who have spoken  
to defendant on the subject; and for  
which Committee his father is alone  
responsible. Defendant further says that  
he believes that such conduct was  
unjustifiable uncalled for, and without  
doubt the result of the father's religious  
visions of the necessity of bringing the  
lay <sup>men</sup> ~~and~~ the subject to his will on <sup>religious</sup> ~~such~~  
subjects. That this complaint, besides  
the fact that the Sons of the  
Company: was his sons associating with

POOR QUALITY  
ORIGINAL

0319

same day. who were among the most  
respectable about the neighborhood: and  
the complaint of the son's staying and  
late at night was only his son remain-  
ing out as late as 9 or 10 o'clock riding  
down hill <sup>including in</sup> ~~pr~~ other ~~children~~ boys' amu-  
ment.

Given in witness whereof this  
15<sup>th</sup> day of November 1887 } Edward H. Dutcher

Thos. H. Wood  
Notary Public (N.Y.)  
New York County

POOR QUALITY  
ORIGINAL

0320

People

as

Spiegel

Homicide

7/2

18

16

14

12

10

8

6

4

2

0

POOR QUALITY  
ORIGINAL

0321

Telephone call  
162 Harlem.

New York House of Refuge, Station L, N. Y.

Dec. 20 1887

Dear Mr. Shaffer

I understand the  
indictment against Henry  
Barraud will be quashed.  
It is apparent to me and always  
has been that he had no  
guilty knowledge of the mischief  
of the other boys. I have so advised  
the District Attorney. In that  
case will it be necessary for  
Mr. Finnis to attend on Friday.  
It is quite inconvenient to have  
him absent unless it is necessary

Yours sincerely

Paul Jones

If not called for within TEN DAYS, return to .  
HOUSE OF REFUGE,  
Station L, HARLEM, N. Y.

Chauncey Shaffer Esq.

99 Nassau St

N.Y.

LAW OFFICE OF  
CHAUNCEY SHAFFER,

No. 99 Nassau Street,

Bennett Building.

*People*  
*vs.*  
*Swight* } New York, July 15 1887

Mr. Davis

Dear Sir

Accompanying, I send you  
five affidavits from North Castle,  
Westchester Co.

- 1 Amos Mead is a farmer.
- 2 Jeremiah Bondiet "
- 3 Herman Brundage "
- 4 Marwin M. Finch Merchant
- 5 R. B. Griswold, an old and leading  
physician that County. All reputable  
square men; as I am informed and  
believe. These affidavits are brought to  
me, by Rev. E. H. Tutcher whom I know  
well and who is a gentleman of integrity.  
He vouches for the credibility and  
good standing of these five men.  
This written statement to me you have.  
Respectfully Yours Chauncey Shaffer

New York General Sessions  
The people  
" Moses J. Wright

County of Westchester  
Town of North Castle

Having known Moses J. Wright  
I hereby testify to his previous  
good character, as being  
a boy of correct habits, moral  
and upright, and worthy a  
merciful consideration in  
his present condition

R. B. Griswold, M.D.

Sworn & subscribed  
to before me. this  
12<sup>th</sup> day of July 1887.  
John J. Hall  
Justice of Peace



New York: General Services  
The people  
Wm. J. Speights

County of Westchester  
Town of North Castle

Having known Wm. J. Speights  
I hereby testify to his previous  
good character, as being  
a boy of correct habits, moral  
and upright, and worthy  
a merciful consideration  
in his present condition  
Amos Mead

Sworn & subscribed  
to before me, this  
12<sup>th</sup> day of July 1887  
John J. Hall  
Justice of the Peace



New York: General Services  
The people  
Wm. J. Speight-

County of Westchester  
Town of North Castle

Having known Wm. J. Speight  
I hereby testify to his previous  
good character, as being a  
boy of correct habits, moral  
and upright, and worthy a  
merciful consideration in  
his present condition

Marvin W. Finch

Sworn & subscribed  
to before me, this  
12<sup>th</sup> day of July 1887  
John J. Hall  
Justice of the Peace

New York: General Sessions  
The people  
Wm. T. Speights

County of Westchester  
Town of North Castle

Having known Wm. T. Speights  
I hereby testify to his previous  
good character, as being a  
boy of correct habits, moral  
and upright, and worthy  
a merciful consideration  
in his present condition

J. Benedict

Sworn to and subscribed  
to before me, this  
12<sup>th</sup> day of July 1887

John J. Hall  
Justice of the Peace

New York: General Serrin's  
The people  
Messrs J. Speights

County of Westchester  
Town of North Castle

Having known Messrs J. Speights  
I hereby testify to his previous  
good character, as being  
a boy of correct habits,  
moral and upright; and  
with a merciful consideration  
in his present condition

Herman Brundage

Sworn & subscribed  
to before me, this  
12<sup>th</sup> day of July 1887  
John J. Hall  
Justice of the Peace

POOR QUALITY  
ORIGINAL

0328

People

us

Spight at a

Homestead

The with papers.

W. W. A.  
July 15, 1877

New York  
July 6<sup>th</sup> 1887

To Hon Chauncy Thaffer

Dear Sir: Allow me to state -  
a few things in relation to the  
case of Wm. J. Speight, who now  
stands <sup>committed</sup> ~~charged~~ with <sup>Killing</sup> ~~murder~~ <sup>Keefe</sup>. Col.  
On the 3<sup>rd</sup> day of June 1887  
he was committed to the House  
of Refuge Randall's Island on  
what we believe to be a baseless  
charge. His father has for some  
time considered him unruly &  
disobedient - at home & has at  
different times threatened sending  
him away. In the latter part of  
May the boy was given a watch to  
see (by another boy) Price of same  
was \$2.50. He took the watch  
& sold it to a man who gave  
him a \$5. bill & told him to bear  
the change at a certain place,  
which the boy failed to do within  
required time. Whereupon the man to  
whom he sold the watch, went to  
his father & demanded payment -  
which the father refused to make.  
He then had the boy arrested, taken  
before a justice & committed in due

2

from, on what many believe  
to be a trumped up charge,  
Unjustifiable, & unnecessary.

It was supposed that on the  
Island the boy would be put in  
a shop of some kind & learn  
a trade. But during his entire  
stay there has had nothing to do  
but work out-hauls & clean  
spittans.

The father of this boy is an erratic  
sort of a man, wild on religious  
subjects & doubtless his home  
training has not been altogether  
of a proper kind.

We are told by Warden Jones of  
the Home of Refuge that not  
a single mark for mis-conduct  
or anything else was placed  
against the boy. His record was good.  
And at home where this boy  
lived we can bring 20 good,  
reliable men as any community  
affords who are willing to come  
forward & testify to the previous good  
character of the boy.

He was a member of our Sunday  
school in good standing.

It was a great surprise to all when  
it was known that he had been  
sent to the Island. Too bad was



3  
the expression, became any body  
felt a great injustice had been  
done the boy.

His being sent - to the Island  
has been attended with such fearful  
results & we do sincerely hope &  
pray that mercy may be shown  
him.

He is young, being only 13'

You my dear mother, please take  
hold of this case, & do what  
you can to save him. He is  
in good a boy to be sacrificed  
for what we believe he is not -  
altogether responsible.

Doubtless it was a conspiracy, a  
plan to get-out; The boys were  
truly homeless. The other boys had  
been longer there & doubtless Mary  
was made a willing tool in their  
hands to carry out their designs.

With very great respect -  
I remain

Thos E. H. Dulcher

Parish Bedford & Middle Patent, M. E.  
Churches, New York Conference  
Post-Office.

Box 43 Bedford, N. H.

POOR QUALITY  
ORIGINAL

0332

Submitted by  
Mr. J. J. J. J.  
99 Warren St.,

New at  
Howard House  
~~600 1st St.~~

POOR QUALITY  
ORIGINAL

0333

CHARGE, VAGRANCY.  
PLEA, GUILTY.

Section 887 of the Code of Criminal Procedure, NOT including Subdivision 8.

ACTS of the Legislature relating to the House of Refuge.  
Chap. 126 of Laws of 1824. Chap. 460 of Laws of 1847.  
" 24 " 1826. " 24 " 1850.  
" 143 " 1846. " 241 " 1860.  
Chapter 172 of Laws of 1865.  
PENAL CODE, SECTION 701.  
CHILDREN ARE COMMITTED TO THE NEW YORK HOUSE OF REFUGE, FROM THE FIRST, SECOND AND THIRD JUDICIAL DISTRICTS.

## Warrant of Commitment to the New York House of Refuge, RANDALL'S ISLAND.

STATE OF NEW YORK,  
TOWN OF *Mamaroneck* } ss.  
COUNTY OF *Westchester*

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

To the Sheriff, or any constable of said County, and to the Superintendent of the House of Refuge Established by The Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York, Greeting:

Whereas, on the *2nd* day of *August*, 188*6*, *Henry Barnard* was brought before me, *Wm. A. Boyd*, one of the Justices of the Peace in and for the Town of *Mamaroneck* in the County aforesaid, charged on the oath of a credible person with, *malicious mischief* ~~that~~ *and injury to property on* ~~the 23rd day of July 1886 did willfully and maliciously break down one street lamp and did destroy the same~~

And Whereas, I, the said Justice immediately, and before any proceedings were had informed the said accused of the charge against him and of his right to the aid of counsel in every stage of the proceedings, and the said charge was then and there distinctly read to the said accused, and said accused was given a reasonable time to send for and advise with counsel.

And Whereas, the said accused did then and there plead *Not* GUILTY to said charge, and ~~in my presence by said plea of guilty, did voluntarily admit and confess that he, the said accused, was and is a vagrant within the intent and meaning of the Statute, and I, the said Justice, having ascertained by sufficient proof that said accused was under the age of sixteen years, said accused was adjudged and determined by me to be a proper subject to be committed to the House of Refuge Established by the Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York.~~

And these are therefore to command you, the said sheriff or constable, forthwith to convey and deliver the said *Henry Barnard* to the Superintendent of the said House of Refuge, and you, the said Superintendent, are hereby commanded to receive the said *Henry Barnard* into your custody in the said House of Refuge, there to be dealt with according to law.

Given under my hand at *Mamaroneck* the *2nd* day of *August* 188*6*.

*William A. Boyd* Justice of the Peace.

\* NOTE.—The Justice should insert in this place the description contained in the subdivision of Section 887 of the Code of Criminal Procedure which is appropriate to the case.

POOR QUALITY  
ORIGINAL

0334

NY 22571

Justice's Court.

Town of *Mamaroneck*

County of *Westchester*

THE PEOPLE OF THE STATE OF  
NEW YORK,

vs.

*Henry Barnard*

Commitment to House of Refuge,

NEW YORK CITY.

*Malicious Prosecution & Impersonation*  
~~VAGRANCY.~~

Section 887 of Code of Criminal Procedure exclusive of Subdivision 8.

*Indolent*  
PLEA OF GUILTY.

JUSTICE.

NOTE:—The Justice should cause the record of conviction to be filed immediately in the office of the Clerk of the County. See Sec. 892 of Code of Crim. Pro.

15-5

POOR QUALITY  
ORIGINAL

0335

CHARGE, DISORDERLY CHILD.  
PLEA, GUILTY.

Chapter 172 of the Laws of 1865.  
Sections 5, 6 and 7.

ACTS of the Legislature relating to the House  
of Refuge.  
Chap. 126 of Laws of 1824. Chap. 460 of Laws of 1847.  
" 24 " 1826. " 24 " 1850.  
" 143 " 1846. " 241 " 1860.  
Chapter 172 of Laws of 1865.  
PENAL CODE, SECTION 701.  
CHILDREN ARE COMMITTED TO THE NEW YORK  
HOUSE OF REFUGE FROM THE FIRST, SECOND  
AND THIRD JUDICIAL DISTRICTS.

Warrant of Commitment to the New York House of Refuge,  
RANDALL'S ISLAND.

STATE OF NEW YORK,  
Town of *Roseton* } ss.  
County of *Letcher*

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

To the Sheriff, or any Constable of said County, and to the Superintendent of the House  
of Refuge Established by The Managers of the Society for the Reformation of Juvenile Delinquents  
in the City of New York, Greeting:

Whereas, on the *15<sup>th</sup>* day of *February* 188*7*, *Gratz Smith*  
, was brought for examination before me, *R. S. Danziger*,  
a Justice of the Peace in and for the town aforesaid, by warrant duly issued by me for his  
apprehension, charged on the oath of *Catharine Smith*, the  
parent or guardian of the said *Gratz Smith*, with  
being a DISORDERLY CHILD, within the meaning and intent of the Statute in such case  
made and provided.

And Whereas, I, the said Justice immediately, and before any proceedings were had,  
informed the said accused of the charge against him and of his right to the aid of counsel  
in every stage of the proceedings, and the said charge was then and there distinctly read to the  
said accused, and said accused was given a reasonable time to send for and advise with counsel.

And Whereas, the said accused did then and there plead **GUILTY** to said charge,  
and in my presence, by said plea of GUILTY, did voluntarily admit and confess that he, the said  
accused, was and is a DISORDERLY CHILD, within the intent and meaning of the statute.

AND I, the said Justice, having ascertained by sufficient proof that said accused was under  
the age of sixteen years, he was adjudged and determined by me to be a proper subject to be  
committed to the House of Refuge Established by the Managers of the Society for the Reformation  
of Juvenile Delinquents in the City of New York.

AND THESE are therefore to command you, the said sheriff or constable, forthwith to  
convey and deliver the said *Gratz Smith*  
to the Superintendent of the said House of Refuge, and you, the said Superintendent, are hereby  
commanded to receive the said *Gratz Smith* into your  
custody in the said House of Refuge, there to be dealt with according to law.

Given under my hand at  
of *February* 188*7*

the *15<sup>th</sup>* day

*R. S. Danziger*  
Justice of the Peace.

POOR QUALITY  
ORIGINAL

0336

No. 1 21862

JUSTICE'S COURT.

Town of *Orangeth*  
County of *Orangeth*

THE PEOPLE OF THE STATE OF  
NEW YORK,

vs.

*Orangeth*  
*Orangeth Smith*

Commitment to House of Refuge, New York City.

DISORDERLY CHILD.

Chapter 172 of the Laws of 1865.

PLEA, GUILTY.

*Orangeth*

JUSTICE.

Note.—The Record of Conviction is required by the Statute to  
be filed immediately.

16-5



State New York  
County of Westchester } ss

In The Name of the People of the State of New York  
To

The Keeper and  
to the Superintendent of the House of Refuge for the  
Reformation of Juvenile Delinquents in the City of  
New York Greeting

Whereas, On the first day of June in the year 1887  
John Moses J Speights was brought before me John J  
Hall one of the Justices of the Peace in and for the  
County of Westchester, charged on the oath of John J  
Speights his Father with being a Disorderly Child he will  
not obey any thing he commands him to do or ceas doing  
any thing he forbids him <sup>not</sup> to do he is out late at night  
associates with characters subversive to good morals in  
fact totally insubordinate to parental authority and  
good advice, which oath was believed by me the said  
Justice, with, on this present day at the Town of North  
Castle County of Westchester State of New York  
And whereas the said Justice immediately and before  
any further proceedings were had informed the said  
Moses J. Speights of the charges against him and of his  
right to the <sup>aid</sup> of counsel in every stage of the proceedings  
and the said charges was then and there distinctly read  
and stated to the said Moses J Speights and he the said  
Moses J Speights was given a reasonable time to send for  
and advise with counsel  
and whereas he the <sup>said</sup> Moses J Speights did then and there  
plead guilty to the said charge

and whereas it was ascertained by ~~the~~ said Justice that said Moses J Sprights was fifteen years old on the eleventh day of May 1887

and whereupon the said Justice did thereupon adjudge and determine that the said Moses J Spright was guilty of the aforesaid charge and offence and the said Moses J Sprights was thereupon convicted of the charge and offense aforesaid and it was adjudged and determined by me that the said Moses J Sprights should be committed to and confined in the House of Refuge for the Reformation of Juvenile Delinquents in the City of New York until he should be thence discharged according to law

Now therefore you the said constable are commanded forthwith to convey and deliver the said Moses J Sprights into the custody of the said Superintendent and you the said Superintendent are hereby commanded to receive the said Moses J Sprights into your custody in the said House of Refuge and him there safely keep untill he shall be thence discharged according to law Given under my hand at the Town of North Castle aforesaid this second day of June 1887

John J Hall  
Justice of the Peace

POOR QUALITY  
ORIGINAL

0339

No. 1 22904

Westchester Co.

child

Warrant to commit a <sup>child</sup> under the age of sixteen

Moses J. Speights

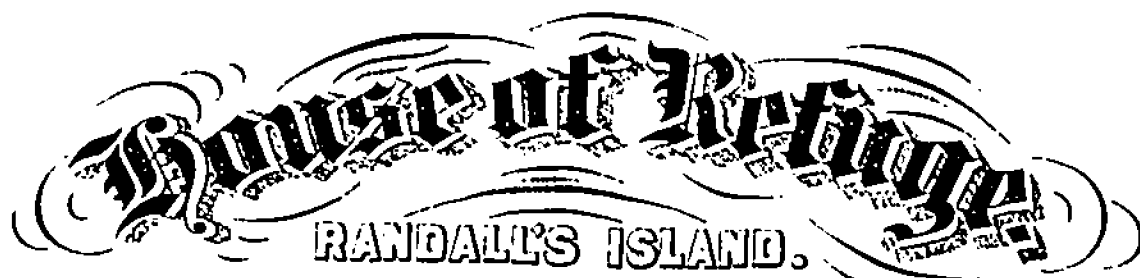
Disorderly

C.S.

15-6

POOR QUALITY  
ORIGINAL

0340



New York (HARLEM P.O.) Nov. 10<sup>th</sup> 1887

A. S. Parker Esq  
Chief Clerk, District Attorney's Office - N.Y.  
Dear Sir

Inclosed herewith please  
find commitments of the four persons  
named in your favor of the 9<sup>th</sup> inst

Yours Truly

Israel C. Jones  
RJR

POOR QUALITY  
ORIGINAL

0341

People

Height and  
weight

Norman

POOR QUALITY  
ORIGINAL

0342

CHARGE, DISORDERLY CHILD.)  
PLEA, NOT GUILTY.

Chapter 172 of the Laws of 1865.  
Sections 5, 6 and 7.

ACTS of the Legislature relating to the House of  
Refuge.  
Chap. 124 of Laws of 1824. Chap. 460 of Laws of 1847.  
" 24 " 1826. " 24 " 1850.  
" 143 " 1846. " 241 " 1860.  
Chapter 172 of Laws of 1865.  
PENAL CODE, SECTION 701.  
CHILDREN ARE COMMITTED TO THE NEW YORK  
HOUSE OF REFUGE, FROM THE FIRST, SECOND  
AND THIRD JUDICIAL DISTRICTS.

Warrant of Commitment to the New York House of Refuge,  
RANDALL'S ISLAND.

State of New York,  
Town of *Watkins* } ss.  
County of *Sullivan*

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

To the Sheriff, or any Constable of said County, and to the Superintendent of the House  
of Refuge Established by The Managers of the Society for the Reformation of Juvenile Delinquents  
in the City of New York, Greeting :

Whereas, on the *5<sup>th</sup>* day of *February* 1887, *Fredrick Wesley*  
, was brought for examination before me, *John B. Whitman*,  
a Justice of the Peace in and for said town, by warrant duly issued by me for his apprehension,  
charged on the oath of *James Wesley*, the parent or  
guardian of the said *Fredrick Wesley*, with being a  
DISORDERLY CHILD, within the meaning and intent of the Statute in such case made and provided.

And Whereas, I, the said Justice, immediately, and before any proceedings were had,  
informed the said accused of the charge against him and of his right to the aid of counsel  
in every stage of the proceedings, and the said charge was then and there distinctly read to the  
said accused, and said accused was given a reasonable time to send for and advise with counsel.

And Whereas, the said accused did then and there plead ~~NOT~~ GUILTY to said charge,  
and was then and there tried by me, the said Justice, and such proceedings were had,  
competent testimony being taken in the presence of the accused, establishing to my satisfaction  
the guilt of the accused of the offense as charged, and said accused was duly convicted  
thereof.

AND I, the said Justice, having ascertained by sufficient proof that said accused was under  
the age of sixteen years, he was adjudged and determined by me to be a proper subject to be  
committed to the House of Refuge Established by the Managers of the Society for the Reformation  
of Juvenile Delinquents in the City of New York.

AND THESE are therefore to command you, the said sheriff or constable, forthwith to  
convey and deliver the said *Fredrick Wesley*  
to the Superintendent of the said House of Refuge, and you, the said Superintendent, are hereby  
commanded to receive the said into your  
custody in the said House of Refuge, there to be dealt with according to law.

Given under my hand, at *Watkins*, the *5<sup>th</sup>* day  
of *February* 1887

*John B. Whitman*  
Justice of the Peace.

*Defendant aged*  
*will be 16 yrs old July 13/87*



POOR QUALITY  
ORIGINAL

0343

No. 1 22780

**JUSTICE'S COURT.**

Town of *Franklin*

County of *Butler*

THE PEOPLE OF THE STATE OF  
NEW YORK,

vs.

*David Wesley*

Commitment to House of Refuge, New York City,

DISORDERLY CHILD.

Chapter 172 of the Laws of 1865.

PLEA, NOT GUILTY.

*John B. Williams* JUSTICE.

NOTE.—The Record of Conviction is required by the Statute to be filed immediately.

15-5

POOR QUALITY  
ORIGINAL

0344

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the house of Coroners Office  
No. 67 Park Row Street in the 4th Ward of the City of  
New York, in the County of New York, this 30 day of June  
in the year of our Lord one thousand eight hundred and 87 before  
John R. Hugent Coroner,  
of the City and County aforesaid, on view of the Body of William E. Cole  
lying dead at

Five good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
William E. Cole came to his death, do  
upon their Oaths and Affirmations, say: That the said William E. Cole

came to his death by Compound Commuted and  
Depressed fracture of the skull caused by a blow from a  
Base-Ball Bat in the hands of Moses J. Speights at the  
House of Refuge Randall's Island on the night of June  
22/87. We also find that there was a Conspiracy existing  
among some of the inmates to make their escape from  
said House of Refuge and find that Fred. Wesley, Gratz W.  
Smith and Henry Barnard were the other principals in said  
Conspiracy.

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

### JURORS.

Gustave Hartley 668 8th	Robert Miller 645-8th
Bernard Karsch. 635-8th	Richard Gray 131 8th
Walter B. Oakley. 746-8th	James Orr 603 8th
Marshall Brown 717 8th	
Henry H. Dreyer 627 8th	
Edgar A. French 794 8th	

John R. Hugent

CORONER, N. Y.

CORONER'S OFFICE.

TESTIMONY.

Abraham R. Ward being sworn says:  
I reside at House of Refuge, Randall's  
Island, where I am Store Keeper. About  
9 PM June 22/87 I was sitting on the stoop  
off of the Rotunda in company with Mr  
Samuel F. Denton when I heard a groan  
and then the fall of some body, I called the  
attention of Mr Denton to it, He said he  
thought a boy had been let out by the watchman  
for a drink, We listened and presently heard  
some one yelling "Boss". Then we rushed up  
the stairs and found the prisoner Moses  
J. Speights at the gate, I asked him what  
the matter was and he said he had knocked  
the watchman down with a club, I unlocked  
the gate and locked the prisoner in his room  
and about 10 feet, right opposite his room  
lay the watchman unconscious and bleeding  
profusely from ugly wounds on the back part  
of the head. The prisoner told me that he and  
five other boys had been talking about making  
their escape since Sunday last and that they  
were to put a club in his room and when  
the watchman came in to see if he had on  
his night shirt, to feign sleep and so  
entice him to open the gate to awake  
him and then to assault him with the club  
knock him senseless, secure his keys and

Taken before me

this

day of

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CORONER.

POOR QUALITY  
ORIGINAL

0346

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CORONER'S OFFICE.

TESTIMONY.

liberate the other boys and so make them  
escape. He said he went to two of the boys  
rooms to liberate them. but they would  
not go with him, He then began calling for  
help.

Abram R. Ward

I have heard the foregoing deposition  
read and do fully corroborate the  
same

Samuel H. Denton

Taken before me

this 23 day of June

1887

John R. M. Jewell

CORONER.

POOR QUALITY  
ORIGINAL

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CORONER'S OFFICE.

TESTIMONY.

Special Officer Patrick F. Gargan 29th Precinct being sworn says, On June 22/87 about 11 PM Mr Ward and Mr Denton of House of Refuge Randall's Island brought to the 29th Precinct Station House, the prisoner Moses J. Spreight and charged him with felonious assault on the person of the night watchman of House of Refuge, Wm Edgar Cole, The prisoner was turned over to me. I learned this morning that Wm Edgar Cole had died from his injuries at Harlem Hospital and I now charge the prisoner Moses J. Spreight with having caused his death.

Patrick F. Gargan.

Taken before me

this 23 day of June 1887

John R. Nugent

CORONER.

**POOR QUALITY  
ORIGINAL**

0348

Mr. Edgar Cole.



Coroner's Office.

TESTIMONY.

Frederick Wesley being sworn says  
I reside at Mattawan. I am at present  
an inmate of House of Refuge Randall  
Island. I will be 17 years old in  
July. I knew the deceased, I  
know the prisoner to be an inmate  
of the House of Refuge. The prisoner  
Moses Spiegels said to me "At Wesley  
on Wednesday. I was out in the yard  
at the time about noon. "I have got  
a big chunk of lead & that he  
would like to hit the watchman  
with that & take his keys, He  
said he would take his keys,  
unlock the gates & let us out  
& escape" He said to me Wesley  
if you put a bat in my cell  
I'll say nothing I'll knock him  
senseless, take his keys & let  
you out, He said he would not  
put his shirt on the gate &  
the watchman would enter his  
cell, he would jump up & hit  
him with a club, He said to  
me "You're going to back out  
Wesley ain't you?" I said  
nothing & then he said he'd  
go alone if I backed out.

Taken before me

this day of

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CORONER.

Coroner's Office.

TESTIMONY.

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He came to my cell after assault  
& went to unlock the gate & I  
told him not to do so. He saw  
that he could not get out the  
big gate & hollowed for the  
Boss. I have been in the  
Institution for some time & one week  
He made the proposition to me  
abruptly. and I put the bat in  
his cell. I told him I'd put the  
bat in the cell if he did not hit  
the watchman with the chunk  
of lead. There were 5 boys in the  
plot. One of them Buchanan did  
not agree as he had to go out soon.  
Only Speight & Grady Smith were  
aware that I had put the bat in his  
cell. I had no idea that it would  
turn out so seriously. He did not  
think so either. I did not know  
that the deceased was hurt so badly.  
I put the bat in his cell at noon  
hour because I was afraid he would  
hit the watchman with the lead.  
This was on the day of the assault.  
We spoke about the affair on the  
day before the assault. We did  
not speak of it on Sunday. I was

Taken before me

this

day of

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CORONER.

POOR QUALITY  
ORIGINAL

0351

Coroner's Office,

TESTIMONY.

in a low class & could not get  
out till I got into a higher class  
when I put the bat in the cell. I did  
not suppose that he would kill the  
watchman. The prisoner planned  
it all himself. I did not encourage  
him to do so.

Fred Wesley

Taken before me

this

30 day of June

1887

Wm R. Nugent

CORONER.

0352

## TESTIMONY.

Graz M. Smith.

this

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**CORONER.**

CORONER'S OFFICE.

TESTIMONY.

J

Joseph Buchanan being sworn says:  
I reside at Raudalls Island I know  
McCole the watchman, I know the  
prisoner who was an inmate of  
the House of Refuge, I first talked  
to him on the morning of the  
assault, Smith came to me  
in the morning & asked my  
opinion of running away, I asked  
him how he was going to get out  
He told me that he & two  
other boys had their plans  
all made up, I asked him  
what they were, He told me  
to come & have a talk with  
him at noon time, I did not  
go at noon time, He asked me  
after noon He came & talk with  
him in the afternoon I said  
I would & I went down in the  
yard after work The whole lot  
of us were together (4 of us)  
Bernard was not there, There  
were Smith, Wesley, Speight & myself  
I asked them what their plans were  
& Speight asked me if I was  
going I told him I did not know  
I asked him what his plans were.

Taken before me

this

day of

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CORONER.



POOR QUALITY  
ORIGINAL

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CORONER'S Office.

TESTIMONY.

9

again, he asked me if I was  
not going, I told him I did not  
think I would, then he told  
me he would see ~~it~~ ~~about~~  
tomorrow morning, That is all  
the talk I had with him. I was  
not aware of the plan, I did not  
know there was a bat in his room  
did not know he was going to hit  
the watchman. I am 65 years old,  
Joseph Buchanan.

Taken before me

this 30 day of June 1887

W. R. Nugent

CORONER.



CORONER'S Office.

TESTIMONY.

10

Henry Barnard being sworn says  
I reside at House of Refuge Randall  
Island, I am 16 year old going on  
17 years. I knew the deceased, I  
last saw him alive at 8.30 P.M.  
on Wednesday when he came around  
the cells. I am about 11 months  
on the Island, I get up in the morning  
at 5.30 A.M. - went to school 1/2 hour  
then to breakfast 1/2 hour - then  
go to work at 7 A.M. I worked in  
tailors shop until 12 M. then went  
to dinner 1/2 hour - then 1/2 hour in  
yard & then to work again till 3 or 3.30  
P.M. then went in yard & remained  
an hour or so & then to supper 1/2  
hour, then in yard at 1/2 hour then  
into school to 8 P.M. & then to bed,  
we slept in a cell, one in each  
we had to put our day shirt on the  
gate & put on our night shirt, the  
watchman would see the shirt  
on the gate. If he did not he  
would go into the cell, I know  
the prisoner. On Wednesday afternoon  
I went into yard at 3.30 P.M. & the  
Wesley called me over & asked me  
if I wanted to run away, I thought

Taken before me

this

day of

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CORONER.

CORONER'S Office.

TESTIMONY. //

he was fooling, I asked him how he was going to run away. Then Speight said he had a bat in his cell & that he would knock the watchman senseless & take his keys & let Wesley out & then come down and let me out. There were five of us altogether. I told him I would go, but I did not think he was going to do it. I did not suggest or urge the prisoner to do this. The prisoner made the proposition himself. That is all I know about it. I was in my bed & I heard the assault. I was just off in a doze. I heard the prisoner run up & down the hall trying to open the gates. My cell door was not opened. I did not associate with the prisoner. We expected to get over the wall at the steam room. I could swim from the Island to New York.

Henry B. Arnold  
M/R

Taken before me

this

30

day of

June

1887

John R. Nugent

CORONER.

Coroner's Office.

TESTIMONY.

12

Frank Schomacher being sworn says  
I reside at House of Refuge Randall's  
Island, I am 14 years old, I know  
the prisoner, I know the watchman  
was A. Cole. On Wednesday night  
when I went to my cell about  
7:45 PM the prisoner told me  
that he ~~was~~ and four other boys  
were going to run away. My cell  
is next to his, He told me this  
through the grating, He told  
me he was going to knock down  
the watchman & take the keys  
from him & go around & open  
these boys' cells & then go out  
the gate, He was going to open  
my cell, & go from there down  
stairs to the other door, & then he  
said he was going to the steam  
room roof & go on the outer wall  
and jump down, He asked me first  
if I wanted to go with him, I said  
"No", I told him I did not believe  
it neither, He said he was going to  
keep his shirt on & if I wanted to come  
with him he would come to my cell  
& open the gate, I never associated  
with those 5 boys. I hardly ever talked

Taken before me

this

day of

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CORONER.

Coroner's Office.

TESTIMONY.

13

To the prisoner, all I would say was good night & go to bed. Mr Cole came round to the West side and from there went to the prisoner's cell. He said to him "Where is your shirt?" He did not answer him. Mr Cole came into his cell & said "Get up" The boy did not answer him. I heard a noise like a blow & I heard Mr Cole yell twice, he halloed out "Oh!" twice, then I heard him moan. Then the prisoner came to my gate & said "Dorcas want to go" & I said "No" & he ran around the hall. He said Wesley was down at the other end of the hall. He commenced to run around the hall twice & tried to open the big gate & then I heard him halloo "Boss! Boss!" I think it was somebody came up the stairs & said "Give me those Keys" I saw the Keys in the prisoner's hands. I was in my bed all the while & did not see the prisoner strike deceased. He told me he was going to keep on his shirt so that the watchman would come

Taken before me

this

day of

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CORONER.



POOR QUALITY  
ORIGINAL

0359

Coroner's Office.

TESTIMONY. 14

into his cell My parents live  
in Albany. I have been in the  
Institution 1 year & 5 months. I  
was placed there for disobedience  
to my parents.

Frank Schoonmaker

Taken before me

this

30 day of June 1887

John R. Angell CORONER.

TESTIMONY.

William O'Meara M. D., being duly sworn, says:  
I have made an autopsy of the body of  
William Edgar Cole now lying dead at  
Hallen Hospital and from such examination  
and history of the case, as per testimony, I am of opinion the cause of  
death is

Homicide by ~~unintentional~~ <sup>commenced</sup> depressed  
fracture of skull, laceration of  
brain, & intracranial hemorrhage.

William O'Meara

M. D.

Autopsy - The body was that of a slight  
young man of middle height, well  
developed and nourished. The skull was  
badly fractured, the fractures involving the  
occiput, both parietal, and temporal  
bones; the brain was lacerated and there was  
considerable <sup>at base</sup> intracranial hemorrhage.  
There was evidence of epistaxis, from  
contusion of the nose by fall or a blow.  
The thoracic and abdominal organs  
were normal, though pale, as if  
from loss of blood. A dark green  
brown fluid mass in the stomach  
like blood mixed with gastric  
secretions.

Death was caused by compound  
commenced depressed fracture of the  
skull, & general intracranial & cere-  
bral hemorrhage, with laceration  
of brain substance, meninges &c.

William O'Meara M.D.

Sworn to before me,

this 23

day of June 1887  
J. R. M. J. L.

CORONER.



POOR QUALITY  
ORIGINAL

0361

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
30 Years	Months	Days	MS	Harlem Hospital	Jan 23 1887

Rev. Thomas N.  
Rector, St. Ann's Church,  
New York City

J. R. N.

St. ...

Quar.

1887

AN INQUISITION

On the VIEW of the BODY of

William E. Cole

whereby it is found that he came to  
his death by

Inquest taken on the ... day

of ... 1887 before

JOHN R. NUGENT, CORONER.

POOR QUALITY ORIGINAL

0362

From Harlem - Hospital.

New York, June 23 1887

To Coroner John R. Nugent

Sir:

Please hold an Inquest on the body of

Name: Leon E. Cole Residence: House of Refuge - Randall's Id.

Age: 30 years - — months - — days. Admitted Wednesday, June

Father — 22<sup>th</sup> 1887, at 10 o'clock P. M.

Nativity, —; of — Mother — By Stretch A

— in U. S., — in City. From Randall's Id. B

Civil Bond: Single Occup.: waitman Examined by Dr. Lewis.

Suffering from symptoms of Shock & Concussion due to in-  
juries received at Randall's Id. House of Refuge, June 22  
9 A.M. C

Said Injuries said to have been received June 22 - House of Refuge  
by means of base-ball bat - homicidal  
Injuries being Compound Comminuted depressed fracture.  
Operation for depressed fracture June 22 E  
at Harlem Hospital

Death took place Thursday, June 23 th 1887 at 6 o'clock P. M.

The Autopsy revealed Compound comminuted depressed fracture F  
of skull, intracranial hemorrhage, laceration  
of brain G

Remarks: — G

Robert Lewis. M. D.  
HOUSE SURGEON PHYSICIAN.

- Ad. I. State the day of the week.  
Ad. A. State whether by Ambulance or Friends.  
Ad. B. State whether from a Precinct or a Residence and give the name.  
Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious due to Injuries, and if so, give name, place, date, number, character, and Extent of Injuries, always stating where indicated, whether right or left.  
Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runover cases, the line of Street Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.  
Ad. E. State name, date, place, character and results of any operation or amputation performed.  
Ad. F. Give a short resume of the Autopsy with the Pathological Diagnosis and the Cause of Death at the End.  
Ad. G. State here any important facts not embodied in the above statements.

John R. Nugent  
Coroner

**POOR QUALITY  
ORIGINAL**

0363

**Coroner's Office.**

CITY AND COUNTY }  
OF NEW-YORK. } ss.

*Frederick Wesley* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him states as follows, viz:

Question. What is your name?

Answer. *Frederick Wesley*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Matteawan, N.Y.*

Question. Where do you live?

Answer. *House of Refuge Randall's Island*

Question. What is your occupation?

Answer. *Hall Boy*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *I am innocent*

*Fred Wesley*

*Taken before me this  
30th day of June 1887.*

*Mr. J. J. Nugent  
Coroner*

**POOR QUALITY  
ORIGINAL**

0364

**Coroner's Office.**

CITY AND COUNTY }  
OF NEW-YORK. } ss.

*Henry Barnad* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to answer, or not, all or any questions put to him states as follows, viz:

Question. What is your name?

Answer. *Henry Barnad*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *Westchester Co. N.Y.*

Question. Where do you live?

Answer. *Randall's Island*

Question. What is your occupation?

Answer. *Tailor*

Question. Have you anything to say, and if so, what—relative to the  
charge here preferred against you?

Answer. *I am innocent of the charge*

*Henry <sup>his</sup> Barnad*  
*mark.*

*Taken before me this*  
*30 day of June 1887*

*Jos R Tugent*  
*Brown*

**POOR QUALITY  
ORIGINAL**

0365

**Coroner's Office.**

CITY AND COUNTY }  
OF NEW-YORK. } ss.

*Gratz M. Smith* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him states as follows, viz:

Question. What is your name?

Answer.

*Gratz M. Smith*

Question. How old are you?

Answer.

*16 years*

Question. Where were you born?

Answer.

*Hyde Park, N.Y.*

Question. Where do you live?

Answer.

*Randall's Island*

Question. What is your occupation?

Answer.

*Hall Boy*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

*I am innocent*

*Gratz M. Smith*

*Taken  
Sworn to before me this  
30th Day of June 1887.*

*Wm R. Nugent  
Coroner*

POOR QUALITY  
ORIGINAL

0366

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, { SS.

Moses J. Speights being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz. :

Question—What is your name?

Answer—Moses J. Speights

Question—How old are you?

Answer—15 years

Question—Where were you born?

Answer—Boston, Mass.

Question—Where do you live?

Answer—House of Refuge, Randall's Island

Question—What is your occupation?

Answer—Farmer Laborer

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

By advice of Counsel I have nothing to say.

Moses J. Speights

Taken before me, this 30 day of June 1887

Mo R. Nugent CORONER.



POOR QUALITY  
ORIGINAL

0367

MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
30 Years. - Months - Days.	U. S.	Harlem Hospital	June 23/87

Subpoena for trial  
Chas. W. Seymour  
Attorney at Law

And also 987-1887  
HOMICIDE  
No. 88  
AN INQUISITION (No. 3)

On the VIEW of the BODY of

William E. Cole

whereby it is found that he came to  
his Death by the hands of

Moses J. Speight

Request taken on 5th day  
of June 1887  
before  
JUL 10 1887  
DISTRICT ATTORNEY

John R. Nugent, Coroner.

Committed

Obit

Discharged

Date of death June 23/87

POOR QUALITY  
ORIGINAL

0368

-----  
T H E P E O P L E  
vs.  
Moses J. Spaignts, Gratz  
M. Smith, Henry Barnard,  
Frederick Wesley.  
-----

The above named defendants are indicted for murder in the first degree for the killing of one William E. Cole on the 22nd day of June, 1887.

It appeared that these four defendants ~~are~~ all boys of tender years, and had been sent to the House of Refuge by their parents for disobedience, etc. Neither of ~~these~~ <sup>the</sup> four defendants had been convicted of any crime leading to their incarceration in this institution.

Some time prior to the homicide a conspiracy seems to have been formed among these ~~four~~ defendants, and possibly some other boys, to escape from the House of Refuge. It appears that it is the custom, when the boys repair to their cells at night, for them to take off the shirts that they have worn during the day and substitute a night shirt upon their persons. The day shirt is hung up on the door. But it frequently happens that a boy forgets, or neglects, to change his shirt, and when the watchman comes along and does not find the day shirt hanging on the door he goes into the cell, and

POOR QUALITY  
ORIGINAL

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and if the boy has forgotten to change his shirt he wakes him up and makes the desired change.

Knowing this custom it was agreed by Spaights and Wesley that Spaight should take a broken base ball bat which he Wesley would leave convenient for him, and that he Spaight should not change his shirt but feign to be asleep, and when the watchman would come along not seeing the shirt on the door he would go into the cell for the purpose of wakening him; then, in that case, he Spaight should knock the watchman senseless and taking the keys from his pocket unlock the cells where the other conspirators were, and that all of them should then escape as best they could.

Spaight's cell was near to Wesley's, and on the same tier. But the cells of Smith and Barnard were on another floor. The programme, as planned by the conspirators, was ~~xxxxxxx~~ carried out. The prisoner Spaight feigned sleep; the watchman opened the door to waken him when he ( Spaight ) struck him in the head with a club. The watchman retired into the hall-way; he was followed by Spaight who struck him several other blows in the back of his head knocking him insensible and causing injuries that resulted in his death.

Spaight then felt the watchman's pocket and took

**POOR QUALITY  
ORIGINAL**

0370

3.

✓ out the keys, as he supposed of the doors. He went to Wesley's cell but Wesley seemed to be panic stricken at the crime, and refused to allow him to open the door, or refused to take advantage of the opportunity to escape. The noise of the blows and the confusion attracted the attention of the authorities and Spaight was secured ~~before~~ before he had any opportunity to make but a feeble attempt to escape.

X Spaight is a boy large for his age but before this homicide seems to have been of not a vicious character. Wesley seems to be a boy of similar character to that of Spaight. The boy Barnard seems to be one of very weak character; and the authorities agree that whatever part he took in the conspiracy was of an entirely passive nature, that he was not active in counselling or advising, but that he had guilty knowledge and did not disclose the plot to the management.

With regard to the boy Smith who is 16 years old it is probable that he had some share in this conspiracy. But just what part of it is difficult to determine. In fact it is impossible on this evidence to fix ~~on~~ upon him a guilty knowledge that he actually knew that the assault upon the watchman was to be made. The only evidence that can be got against Smith would be the evidence

**POOR QUALITY  
ORIGINAL**

0371

4.

of the co-defendants who are accomplices and would need corroboration.

The prisoners Spaight, Barnard and Wesley, have tendered pleas to the indictment. Spaights desires to be allowed to plead manslaughter in the first degree, and Wesley and Barnard to manslaughter in the second degree. And in considering the youth of these prisoners, and all the facts and circumstances, I believe that this would be the proper disposition of those cases. The boys were home sick; they desired to get out, but it is not possible and cannot be claimed that for a single moment any of them anticipated or dreamt that any such serious result could possibly be caused by their acts.

I am satisfied that if tried for murder in the first degree and even convicted on the technical theory that they were engaged in the commission of an assault in the second degree resulting in death that the Governor would commute their sentence on account of their youth and in view of all the facts.

The punishment that may be inflicted on these young men under the pleas would seem to me entirely adequate to the crime; the county would be saved a very large expense and the people the painful spectacle of young boys little more than children being placed on trial

POOR QUALITY  
ORIGINAL

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5.

for their lives.

B

With regard to the boy Smith his counsel has not yet consented to plead to the indictment, insisting upon his innocence, ot at least that his acts do not rise to t the dignity of a crime, but were merely the acts of a boy who, while knowing of the plot, would not betray his fellows, but was not engaged himself, and did not intend to be engaged in the actual commission of the offence.

B

And the boy Bernard, although ready to plead to the indictment for manslaughter in the second degree, Mr Jones of the Refuge and other people insist that he is a boy of very ~~wxxx~~ feeble mind, and that we ought not to permit him to plead to manslaughter in the second degree, or any other offence, as he has not committed any.

It would seem, then, that if the plea could be taken as to Spaight and Wesley, and Smith and Barnard discharged that the ends of justice might be ~~xxxxxx~~ subserved and the court be relieved from a trial ~~caused~~ caused by this most unfortunate and deplorable circumstance.

A. T. Hardy



I have read  
the within report  
of Mr. Purdy  
and concur in  
his recommendation

I do not think

Barnard has

fully knowledge

of the intentions of

the other boys

Grad E. Jones

Ed. Henry Roper

Randall Brown

BM

The People.

eldest J.

Spang, Gray

McMurtre, Henry

Barnard, J.

## REPORT.

For the District Attorney.

Approved  
Dec 19/87 BSM

Dated Dec 19th 1887

A. H. Purdy

Assistant.

My General Services

The People

at.  
Henry Barnard

City and County of New York ss: Thomas S. Finin being  
duly sworn saith as follows. The said Henry Barnard  
was under my from 8.30 A.M. to about 3.30 P.M.  
while he was in the House of refuge. He was not  
over intelligent, but quite the contrary; so much so,  
that I had to put him at the very plainest work:  
such as scrubbing, cleaning &c. He was also  
subject to epileptic fits.

He was quiet, obedient. Nowise vicious, and  
there was nothing in his disposition to warrant  
the idea of his being an accomplice in such  
an affair as killing a man, or anything approach-  
ing it; and I am sure in my own mind, that he  
could not have planned any original conspir-  
acy, while there is no saying what he might very  
easily be brought to assist to. he is so weak-minded

Subscribed and sworn to before  
me this 23 day of December 1887

James A. S. Green

Notary Public for N.Y.

Thos. S. Finin

POOR QUALITY  
ORIGINAL

0375

Mr. Gould, Leppons

The People

ad.  
Murray Barnard

Office of L. J. Finer  
C. Harper W. R.

Channing Shaffer  
Off. Counsel

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Moses J. Speights, Gratz  
M. Smith, Henry Barnard  
and Frederick Wesley

The Grand Jury of the City and County of New York, by this indictment accuse *Moses J. Speights, Gratz M. Smith, Henry Barnard & Frederick Wesley* of the CRIME OF Murder in the first Degree, committed as follows:

The said *Moses, Gratz, Henry and Frederick*, all —

late of the City of New York, in the County of New York aforesaid, on the *twenty second* day of *June*, — in the year of our Lord one thousand eight hundred and eighty-~~seven~~, at the City and County aforesaid, with force and arms, in and upon one

— *William E. Cole*, —

in the peace of the said People then and there being, wilfully, feloniously, and of *their* malice aforethought, did make an assault, and *they* the said *Moses, Gratz, Henry and Frederick*, the said — *William*, — with a certain *club* — which *they* the said *Moses, Gratz, Henry & Frederick*, in *their* right hand then and there had and held, in and upon the *head* of *him* the said *William*, — then and there wilfully, feloniously, and of *their* malice aforethought did strike, ~~stab, cut and wound~~ *and fracture* giving unto *him* the said *William*, — then and there with the — *club* — aforesaid, in and upon the *head* of — *him* — the said *William*, — *and fracture* one mortal wound of the breadth of one inch, and of the ~~depth~~ *length* of six inches, of which said

**POOR QUALITY  
ORIGINAL**

0377

mortal wound ~~and fracture~~ the said William, —  
at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the  
twenty third day of June, — in the same year  
aforesaid, did languish, and languishing did live, and on which said twenty third  
day of June, — in the year aforesaid, he the said  
William, — at the City and County aforesaid,  
of the said mortal wound ~~did die~~ and fracture, died.

And so the Grand Jury aforesaid do say: That the said Moses,  
Gratz, Henry and Frederick, Jr.,  
the said William, — in the manner and form, and by  
the means aforesaid, wilfully, feloniously, and of their malice aforethought, did kill,  
and murder, against the form of the Statute in such case made and provided, and against the  
peace of the People of the State of New York and their dignity.

**RANDOLPH B. MARTINE,**

**District Attorney.**

0378

**BOX:**

270

**FOLDER:**

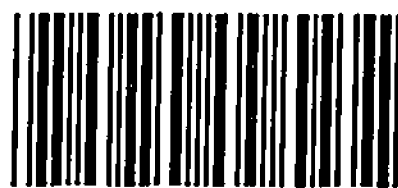
2594

**DESCRIPTION:**

Sperling, Gustav

**DATE:**

07/07/87



2594



POOR QUALITY  
ORIGINAL

0379

28

Counsel, Max Allen  
Filed 7 day of July 1887  
Pleads *Not guilty*

THE PEOPLE

vs.

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

*Gustav Speerling*

RANDOLPH B. MARTINE,  
July 17<sup>th</sup> 1887 District Attorney.

*Bail & Discharge*

A True Bill.

*Edward W. Mearns*  
Foreman.

*John C. ...*

Witnesses:

It appearing by the within affidavits  
that it is impossible to secure the at-

tendance of  
a material and necessary witness for  
the People and without whose evidence  
a conviction cannot be had. I there-  
fore respectfully recommend that the  
defendant herein

be  
discharged on his own recognizance.

W. X. 188

District Attorney.

POOR QUALITY  
ORIGINAL

0380

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To Jacob Stern  
of No. 47 Essex Street,

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 17 day of January instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Bustane Spedding  
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of January in the year of our Lord 1888.

JOHN R. FELLOWS, *District Attorney.*

POOR QUALITY  
ORIGINAL

0381

Court of General Sessions

THE PEOPLE

vs.

Gustave Sperling

City and County of New York, ss.:

James J. Kiernan

being duly

sworn, deposes and says: I am a Police Officer attached to the

Precinct,

in the City of New York. On the

13<sup>th</sup>

day of

January

1888

I called at

47 Essex St

the alleged

Residence

of

Jacob Stern

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

The

Housekeeper of the ~~premises~~ <sup>Premises</sup> which is  
a tenement House that there was  
no such person as Jacob Stern living  
at that place No 47 Essex St nor  
did she know of any one by that  
name I also made enquiries at No  
113 Hester St of some person that were  
acquainted with the said Jacob Stern but  
they could not tell me anything in regard  
to whereabouts at the present time  
I have made diligent search & enquiry to  
find the said Jacob Stern but have failed  
get any reliable information as to his whereabouts

Sworn to before me, this

day

of

1888

James J. Kiernan

John M. Brennan  
Notary Public  
N.Y.C.

POOR QUALITY  
ORIGINAL

0302

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

*Gustave Sperdy*

Offense

RANDOLPH B. MARTINE,

District Attorney.

Affidavit of Police Officer

*Geo J. Krumm*

*11th*

Precinct.

Failure to Find Witness.

POOR QUALITY  
ORIGINAL

0383

**PART I.**

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARK.  
If this Subpoena is disobeyed, an attachment will immediately issue.  
Bring this subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

*Affidavit waived*

**SUBPOENA**

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York.

To *Jacob Stern*

of No. *47* *Allen* Street,

*Not found  
I don't live there*

GREETING:

WE COMMAND YOU, That all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *17th* day of *January* instant, at the hour of Eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

*Gustave Sporking*  
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall in our said City, the first Monday of *January* in the year of our Lord 1888.

JOHN R. FELLOWS, *District Attorney.*



POOR QUALITY  
ORIGINAL

0384

not be called on for trial, and no reason  
please inquire in the District Attorney's  
you may save time.

to remain, and you prefer another day  
District Attorney, in the court.

please send timely word to the District

more testimony than was produced  
ie, or if a fact which you think material  
brought out, please state the same to  
or one of his assistants.

York,  
New York, ss.

poses and says he

he within is a copy, upon

on the day of

this day  
1888

Notary Public,  
N. Y. Co.

vs.  
*Gustave Sperluice*

City and County of New York, ss.:

*Abraham Marks* being duly  
sworn, deposes and says: I reside at No. *435 Grand St*  
Street, in the City of New York. I am a subpoena server in the office of the District Attorney of the  
City and County of New York. On the *16* day of *January* 188*8*,  
I called at *47 Allen St*

the alleged *Residence* of *Jacob Stern*  
the complainant herein, to serve him with the annexed subpoena, and was informed by

*the*  
*Housekeeper of the premises that she*  
*of no such person as Jacob Stern*  
*and that there was no one by that*  
*name living at the above premises no*  
*47 Allen St I also made enquiry*  
*of some tenants in the Building but*  
*could find no one that knew*  
*the said Jacob Stern I have*  
*made diligent search, & enquiry but*  
*have failed get any information in*  
*regard to Jacob Stern*

Sworn to before me, this

of

day

1888

*Abraham Marks*

Subpoena Server.

*John A. Brennan*  
Notary Public N. Y. Co.



POOR QUALITY  
ORIGINAL

0385

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

*Gustavo Sperling*

Offense:

RANDOLPH B. MARTINE,  
District Attorney.

Affidavit of

*Abraham Mump*

Subpoena Server.

Failure to Find Witness.

From an examination  
made of the, evidence  
submitted, and from the  
affidavits of the  
complainant cannot  
be found, I believe  
that a conviction cannot  
be had, and therefore  
recommended that the  
defendant be discharged  
on his own recognizance.

Jan 17/84

*Wm M. Davis*

West

POOR QUALITY  
ORIGINAL

0386

3 DISTRICT POLICE COURT.

THE PEOPLE,  
ON COMPLAINT OF  
Isaac Stern  
agst.  
Eustar Sperling

Examination had June 27 1887  
Before Daniel O'Reilly Police Justice.

I, Walter L. Ormsby Stenographer of the 34 District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of Danah Sholyky and Daniel Lepkowsky as taken by me on the above examination before said Justice.

Dated June 27 1887.

W. L. Ormsby  
Stenographer.

Daniel O'Reilly  
Police Justice.

Police Court  
Third District

The People vs  
Jacob Stern  
Gustav Sperling

Examination Before Justice O'Reilly  
June 27 1887

David Schotzky being duly sworn and  
examined by the court as a witness  
for the people deposes and says:  
I live at No 113 Hester street, I  
am a barber

Q State what you know about this  
case?

A - I bought the place from the  
defendant last month. Yesterday  
he came in to me and said  
"Why don't you pay?" I said "I  
did pay." He said "You are a  
son of a bitch; you did not  
pay." I said "I can swear I  
did." Then he came in and  
wanted to beat me. There

Police Court  
Third District

The People vs  
Jacob Stern  
Gustav Sperling

Examination Before Justice O'Reilly  
June 27 1887

David Schotzky being duly sworn and  
examined by the court as a witness  
for the people deposes and says:  
I live at No 113 Hester street, I  
am a barber

Q State what you know about this  
case?

A - I bought the place from the  
defendant last month. Yesterday  
he came in to me and said  
"Why don't you pay?" I said "I  
did pay." He said "You are a  
son of a bitch; you did not  
pay." I said "I can swear I  
did." Then he came in and  
wanted to beat me. There

were a few of my friends there and they prevented him from beating me. He took a piece of iron about a foot and a half long. I shut the door. He knocked three or four holes in the door. He, (the defendant) then came in with this hatchet. (showing a hatchet) Defendant said ~~the~~ then said "I have got a little razor." The Complainant said "What do you want?" and then he took and pulled the hatchet away. Then the defendant hit me on the head with a knife and cut me across the nose.

Q - A knife?

A - Yes, a pocket knife - He did not strike me with the hatchet.

Q - The defendant came in with a hatchet?

A - He came in and said "I have



got a good razor. The com-  
plainant took the hat off away  
then the defendant took the  
knife and thrust at me and  
cut me on the nose. He also  
had an iron club and fired  
at me. He broke two chairs  
and a rum bottle and a  
customers cup.

Q Who did?

A Defendant

Daniel Lepkowski being duly  
sworn and examined as a witness  
in ~~his own~~ <sup>of defendant</sup> behalf, depose and  
say: - I live at 89 Christie  
St. I am a barber.

Q State what you know of this  
alleged assault?

A I went there about 9 o'clock

Q and what did you see?

A What did you see?

A Then Mr. Shatzky called the



Defendant a son of a bitch  
and insulted him. and Dana  
Shotzky called him a son of a  
bitch. Then defendant got  
to mad. Then a complainant  
came in about half past five o'  
clock. About quarter to 9  
o'clock, complainant was sitting  
down and defendant came  
in and they all commenced  
to beat him with a stick  
and spilled water over him.  
Defendant said "If you don't  
stop that I will show you". He  
defendant did not have a  
baton or a knife in his hand  
I can bring witness to that  
myself.

Q Where did this occur?  
A at the barber shop W 119  
Hester street.

\$500 bail to answer

POOR QUALITY  
ORIGINAL

0392

Police Court— 3 District—

City and County } ss.:  
of New York,

of No. 47 Allen Street, aged 23 years,  
occupation Laborer being duly sworn

deposes and says, that on 26 day of June 1887 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Gustave Sperling  
(now here) who wilfully and maliciously threw  
a knife at deponent—cutting his  
nose severely

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 dealt with according to law.

Sworn to before me, this 27 day  
of June 1887.

his  
Jacob + Stern  
marks

Sam'l C. Hurler Police Justice.

POOR QUALITY  
ORIGINAL

0393

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY {  
OF NEW YORK, } ss

Gustave Sperling 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

Gustave Sperling

Question How old are you?

Answer

38 years

Question. Where were you born?

Answer.

Germany

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

Answer.

113 Bester St 1 month

Question What is your business or profession?

Answer

Barber

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

Answer.

I did not assault him with the  
~~knife~~ <sup>knife</sup> The Complainant and  
others were engaged in a fight.  
in my place and they assaulted  
me and I defended myself  
Gustave Sperling.

Taken before me this

27

day of

June

1887

David J. C. Hall Police Justice.

POOR QUALITY ORIGINAL

0394

BAILED,  
No. 1, by Des. Mendel  
Residence 58 Suffolk Street.  
No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.  
No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Wardroom to 28  
Police Court- 3 District. 967

THE PEOPLE &c.,  
ON THE COMPLAINT OF  
Jacob Stern  
47 Allen  
Justice Speaking  
Offence Assault  
Felony

Dated June 27 1887

D. O. Reilly Magistrate,  
Deen and Officer.

Witnesses \_\_\_\_\_ Precinct 11

No. \_\_\_\_\_ Street.

No. David V. V. V. V. Street.

113 Street

No. 5111 Street. to answer 28

6

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

Dated June 27 1887 D. O. Reilly 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.

POOR QUALITY  
ORIGINAL

0395

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF STATE OF NEW YORK,

against

*Augustus S. Spedding*

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

*Augustus S. Spedding*

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

The said *Augustus S. Spedding*

late of the City of New York, in the County of New York aforesaid, on the  
*Twenty sixth* day of *June*, — in the year of our Lord  
one thousand eight hundred and eighty-~~seven~~, with force and arms, at the City and  
County aforesaid, in and upon the body of one *George S. Kern*, —  
in the peace of the said People then and there being, feloniously did make an assault,  
and *him* the said *George S. Kern*, —  
with a certain *knife* —  
which the said *Augustus S. Spedding*, —  
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 cut, stab and wound,

with intent *him* the said *George S. Kern*, —  
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  
*Augustus S. Spedding* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows :

The said *Augustus S. Spedding*, —

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 *George S. Kern*, —  
in the peace of the said People then and there being, feloniously did wilfully and  
wrongfully make another assault, and *him* the said

*George S. Kern*, —  
with a certain *knife* —  
which the said *Augustus S. Spedding*, —

in *his* right hand then and there had and held, the same being  
an instrument and weapon likely to produce grievous bodily harm, then and there  
feloniously did wilfully and wrongfully 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.

*Handwritten signature of District Attorney*

District Attorney.

0396

**BOX:**

270

**FOLDER:**

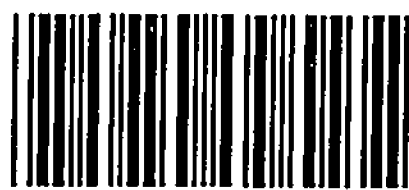
2594

**DESCRIPTION:**

Suarez, Gabriel

**DATE:**

07/12/87



2594



0397

**BOX:**

270

**FOLDER:**

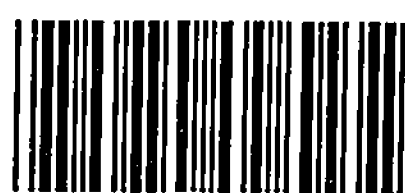
2594

**DESCRIPTION:**

Bracelin, Charles

**DATE:**

07/12/87



2594

POOR QUALITY  
ORIGINAL

0398

Counsel,  
Filed 12 day of July 1887  
Pleads,

THE PEOPLE

vs.

Gabriel Suarez

and

Charles Brasel

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*[Signature]*

Foreman

July 13/87

(Sealed) Jury 24

Apr 1. A.C. 1887

Apr 2. 18 of Sep. 1887

Witnesses:

POOR QUALITY  
ORIGINAL

0399

Police Court— District.

City and County { ss.:  
of New York,

of No. 433 West 13th Street, aged 64 years,  
occupation Real Estate Agent being duly sworn

deposes and says, that the premises No. 425 West 57th Street, Ward

in the City and County aforesaid the said being an untenanted dwelling  
house

and which was occupied by deponent as a

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly turning the  
latch & opening a gate leading  
from the area to said premises

on the 6 day of July 1887 in the day time, and the  
following property feloniously taken, stolen, and carried away, viz:

Lead pipe & gas fixtures of the  
value of about fifty dollars  
\$50.00

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

Tabriell Sporey; Thomas Roca;  
Charles Bracklin; & Henry Rodgers;  
(all now present)

for the reasons following, to wit:

That deponent is inform-  
-ing officer Oscar Adams that  
he was at the time mention-  
-ed found defendant (Sporey)  
in said premises. And that after  
Sporey admitted to him (him)  
that defendants had entered  
said premises in the manner  
described. And that after

POOR QUALITY  
ORIGINAL

0400

at the time a said Burghon de-  
fendant Francis admitted  
in the presence & hearing of  
deponent that the Burghon  
the other defendants names that  
at the time mentioned entered  
said premises in the manner  
described.

Joseph Corbit

Sworn to before me  
this 7<sup>th</sup> day of July 1887  
J. H. Smith  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
of the City of New York, until he give such bail.  
Dated 1887  
I have admitted the above named  
to bail to answer by the undertaking hereunto annexed.  
Dated 1887  
There being no sufficient cause to believe the within named  
guilty of the offence within mentioned, I order he to be discharged.  
Dated 1887  
Police Justice.

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

THE PEOPLE, &c.,  
on the complaint of

vs.

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

Offence—BURGLARY.

Dated 1887 \_\_\_\_\_

Magistrate. \_\_\_\_\_

Officer. \_\_\_\_\_

Clerk. \_\_\_\_\_

Witnesses, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

No. \_\_\_\_\_ Street, \_\_\_\_\_

\$ \_\_\_\_\_ to answer General Sessions.

POOR QUALITY  
ORIGINAL

0401

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Orin H. Sims*  
aged *28* years, occupation *Police Officer* of No *11*  
*22 Presnet Place* Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of *Joseph Corbis*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

183

*Orin H. Sims*

*J. J. Smith*  
Police Justice.



POOR QUALITY  
ORIGINAL

0402

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

Gabriele Suarez

Question. How old are you?

Answer.

11 years

Question. Where were you born?

Answer.

A.S.

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

Answer.

512 West 48<sup>th</sup> Street. 2 months.

Question. What is your business or profession?

Answer.

Employed on Du Wagon

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.

The other boys entered the  
house. I did not touch anything  
in the house but only what in  
with the other boys.  
Gabriel Suarez

Taken before me this

day of July 1884

Police Justice.



POOR QUALITY  
ORIGINAL

0403

Sec. 198—200.

✓ District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*Thomas Ross*

Question. How old are you?

Answer.

*16 years*

Question. Where were you born?

Answer.

*W.S.*

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

Answer.

*533 West 49th Street New York*

Question. What is your business or profession?

Answer.

*None*

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

Answer.

*I was not in the house.  
Thomas Ross*

Taken before me this

day of July

188

Police Justice.

*Michael*

POOR QUALITY  
ORIGINAL

0404

Sec. 198-200.

*A* District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name.

Answer.

*Charles Dracelin*

Question. How old are you?

Answer.

*15 yrs*

Question. Where were you born?

Answer.

*US.*

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

Answer.

*516 West 49th Street. 2 yrs.*

Question. What is your business or profession?

Answer.

*Errand boy*

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 was in the house with other boys.*  
*Charles Dracelin*

Taken before me this

day of

188

*J. J. Whitcomb*  
Police Justice.

POOR QUALITY  
ORIGINAL

0405

Sec. 198-200.

✓ District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Henry Rodgers 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.

Henry Rodgers

Question. How old are you?

Answer.

13 years

Question. Where were you born?

Answer.

N.Y.

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

Answer.

528 West 49th Street - 4 years

Question. What is your business or profession?

Answer.

Employed in Lusk & Blair factory

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.

Not guilty.

Henry Rodgers

Taken before me this

day of July

188

Police Justice.

J. J. Hall

POOR QUALITY  
ORIGINAL

0406

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

43/46  
Police Court

1044  
District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Joseph Smith*  
1433 78, M. 23  
1. *Abraham Lincoln*  
2. *Abraham Lincoln*  
3. *Abraham Lincoln*  
4. *Abraham Lincoln*  
Offence *Swindling*

Dated

188

*John Smith*  
Magistrate,  
King & Hancock Officer.

Precinct

Witnesses

*Wm. Smith*

No.

1003. 2394

Street

No.

1003. 2394

Street

No.

1003. 2394

Street

No.

1003. 2394

Street

No.

1003. 2394

Street

No.

1003. 2394

Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *defendants* *Gabriel Snodgrass & Charles Bracelin* guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *3* 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 7* 188 *J. Smith* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated *July 7* 188 *J. Smith* Police Justice.

POOR QUALITY  
ORIGINAL

0407

Court of Gen. Sessions:

The People  
agst:

John Bracelini

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET.

New York, July 11 1887

CASE NO.

2006

OFFICER

Barkley

DATE OF ARREST

July 6<sup>th</sup>

CHARGE

Grand Larceny

AGE OF CHILD

Thirteen years

RELIGION

Catholic

FATHER

John

MOTHER

Nora

RESIDENCE

5-15 West 4<sup>th</sup> Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT there  
is no record against the boy.  
His parents are temperate  
and respectable people,  
and have a comfortable  
home.

All which is respectfully submitted,

O. Holloway  
Supt

To Dist. Attorney

POOR QUALITY  
ORIGINAL

0400

Count of  
General Sessions

The People

apt:

John Boacelin

Grand Jury

PENAL CODE, %

Report of The New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,

President, &c.,

100 East 23d Street,

New York City.



POOR QUALITY  
ORIGINAL

0409

Cont of Gen. Sessions:

The People  
apt.  
Gabriel Suarez

REPORT OF THE NEW YORK SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO CHILDREN.

100 EAST 23<sup>d</sup> STREET.

New York, July 11 1887

CASE NO. 30064 OFFICER Barkley  
DATE OF ARREST July 6  
CHARGE Grand Larceny  
AGE OF CHILD Twelve years  
RELIGION Catholic  
FATHER Bento  
MOTHER Carmina  
RESIDENCE

AN INVESTIGATION BY THE SOCIETY SHOWS THAT there  
is no previous record of  
crime against the boy.  
He has been running about  
the streets and associating  
with vicious boys. His pa-  
rents are temperate and re-  
spectable people.

All which is respectfully submitted.

William Lawrence  
Supt

To Dir. Atty.

POOR QUALITY  
ORIGINAL

0410

Court of  
General Sessions

The People  
appt  
Gabriel Suarez

Grand Jurors  
PENAL CODE, §

Report of The New York Society  
for the Prevention of Cruelty  
to Children.

ELBRIDGE T. GERRY,  
President, &c.,  
100 East 23d Street,  
New York City.

POOR QUALITY  
ORIGINAL

0411

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Ignatius Smarey and  
Charles Bracelin*

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

*Ignatius Smarey and Charles Bracelin*

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

The said *Ignatius Smarey and Charles  
Bracelin, both* —

late of the *Second* Ward of the City of New York, in the County of  
New York, aforesaid, on the *15th* day of *July* in the year of  
our Lord one thousand eight hundred and eighty-*seven*, with force and arms, at the Ward,  
City and County aforesaid, a certain building there situate, to wit: the *Building* of one

*Wing Shann,* —

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

*Wing Shann,* —

in the said *Building*, 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.

POOR QUALITY  
ORIGINAL

0412

SECOND COUNT—

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

*Lyndell Snavely and Charles Brackin*  
of the CRIME OF *Lyndell Snavely and Charles Brackin* LARCENY in the second degree committed as follows:

The said *Lyndell Snavely and Charles Brackin*, both —

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

*Two hundred pounds of lead pipe*  
*of the value of fifteen cents each*  
*round, and four gas fixtures of*  
*the value of five dollars each.*

of the goods, chattels and personal property of one *Eliza Sloan*, —

in the *building* of the said *Eliza Sloan*, —

there situate, then and there being found, *in* the *building* 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.

*Charles Brackin*

District Attorney.