

0232

BOX:

437

FOLDER:

4027

DESCRIPTION:

Frank, George

DATE:

05/18/91



4027

POOR QUALITY ORIGINAL

0233

165
653

Counsel,
Filed 1891
day of May

Pleeds, *W. H. Griffith*
THE PEOPLE

vs.
Armed Ben Ali

George Frank

DE LANCEY NICOLL,
Part 2 - July 3, 1891, District Attorney,
tried and convicted of
murder in the second degree,
July 10, 1891

W. E. Skidmore

Chas. G. Ferguson Foreman
Part I June 1

On motion of D.A. and after
hearing counsel for both the
case was set for trial in
the part June 15th

*Under in the first degree
Section 183, Penal Code*

Witnesses:

- Capt. Wm. W. Langford*
- D. William J. Griffin*
- Officers Alchese County*
- Edward Fitzgerald*
- Officer Aug. G. Alonzo*
- Officer William E. Prime*
- Thos. Miller*
- Alice Sullivan*
- Officer Ernest H. Meyer*
- Officer Adam Lange*

(1)

Cross of Amir Ben Ali -

Remained in the Army 8 yrs. - Never went to France with Turcos - He fought in a battle. The first battle he fought in Sgurque. - He fought against the Gabilles - Arabs. 2nd Battle - Sherivak
He left army in 1878. then he ~~went to~~ got married. at his brother's place. at the Beni Aisha. His wife is with his brother. - He does not ~~see her~~ know how long he has not seen his wife not since he left Algeria - He is an Arab - He does not know how long - He left her at Beni Aisha - I left her in my country. - I ~~do~~ heard from them when I was in Para. Brazil. - Since he came to America he has not received a letter from them. The Colonel gave him a discharge from the Regt - He was in the 1st Regt for 8 years. - After leaving army he went home. + don't know.

He remembers the France - German war - It lasted 6 months - The soldier told him so. - He don't know when he came to America - He came from Brazil - Don't know name of steamer - He has been in Marseille - It was just like this when he

x
Alice Sullivan

here to - Don't know Shakespeare woman
I did not speak to her at 3³⁰ on
Thursday April 23/91.

Mary Ann x
Sopez

He thinks he knows Mary Ann Lopez.
She had him arrested. He gave
her a dollar to go with her. She
~~asked~~ would not sleep with
him & he took the dollar away.
He did not throw her down. -
She was not on her back on the
floor. He did not remember her
He don't remember her - I don't recog-
nize her - about 102 women were
brought down to see me at the
Station house. -

v
Mary A. Lopez

When they brought Mary Ann Lopez
down they brought a lot of women
down. And he did not ask me
whether I knew them.

She did not slap me her arm
He saw Alice Sullivan for 1st time
in Court - He gave the woman
that he had to do with in the
basement 50¢ - in 2 pieces.

He don't know where he slept with
Mary Ann Lopez. -

Don't know the Hill Hotel
He went only one time to the
hotel.

Mary A. Lopez.

Alice Sullivan }
Mary Harrington }
Mary A. Lopez }

II

Lawrence B. Breyer - legal Con Op.
 Jeremiah A. Hallahan - 108 E. 90 (R.S.)
 Frank E. Craig (liquors) Con Op.
 Ural E. Harding Con. Op.
 Fred E. Bohde Jr Con. Op.
 John Müller - artist (194 Ave C) legal by Res
 Julius Janssen legal def
 Chas L. Hirsch - 109 E. 44 St. 3
 Adolph Gents - Con Op.
 Chas Hirsch (Broker) Con. Op.
 Wm Walter (jeweler) legal bias -
 Wm Davis (grocer) Con Op.
 Arthur E. Lunderbach - legal def.
 Chas Gorwitz (liquors) Con Op.
 Abraham Park - legal Res
 Michael Kiernan - (liquors) Con Op.
 Max Cohen - (librarian) legal Res
 Conrad H. Steinmetz (Malting Co) (645 5th Ave)
 August Weber (Supp. Ex. Bl. Co.) legal bias -
 Gustav Blum - Con Op.
 Terence J. Lynch - (Retail Liquors) 335 E. 41 St.
 Wm J. McGuire - Ex by Consent
 George S. Bracker -
 Julius Steibel - legal Res.
 Thos M. Goerns Con Op.
 Ira Taylor
 Louis Winkler
 7 Robt Niemann Regard (120-3rd Ave) S
 Geo. D. Perkins (Broker) legal by Def.

POOR QUALITY
ORIGINAL

0237

Chas Lang (Pawn Broker) Ex by Consent
George Weber Chas by Res
George W Cooper (Agr)
Leon Feiber (Salesman) Chas has sold
Frank A Weed (Grocer) Ex by Consent
John W. Husemeyer (liquor) Chas by Res
Chas Green 1191-3 Ave. Ex by Con-
Jacob Goldberg - Ex by Con-
Arthur S. Levy. Con. Op
Diederich Wuehmann -
Wm T. Richmond (50 W 106) Merca
Thos. Clarke
Rudolph Proll (Depts - 243-8 Ave)
8 Saml S. Ritsky (Broker) (57 E 91)
Henry W. Egan Jr. (195-8 Ave D) (Steam Broker) Ex by C
James G. Miller Smith (247 W 125)
August C. Maeterling (179 Bway)
9 Maurice Boon (Belasco 1211 Bway)
Chas Baker (Ex by Consent)
Franklin Hubbard Chas - has sold
Ferd B Siegfried Clem (257 W 27) Chas sold
Chas D. Bodine 131 E 17
Max Schumacher W 55 - Ex by Consent
Grenville A Nassau - Chas sold
Stephen Roeser Con Op
Stephen
Henry A Lochen - (Furs)
James W. Sheehan Con Op

POOR QUALITY
ORIGINAL

0238

Bernhard Levine 211 -	Ex by Consent
Wm ^m Farnsworth -	Ex by Con
Henry Straus	Con Op
Henry C. Porcung - 85 Greenwich Ave.	
Louis J. Morrison	Chal - Sustd.
Elmer Leipziger	Con Op.
Fredrik Schuler -	Con Op
Erno Hook -	Ex -
Richard W ^m Gurin -	Con Op.
W ^m A. Smith.	Con. Op.
Gustave Funkel -	Con. Op.
James H. Martin	Con. Op.
Joseph Clark Jr.	Con. Op.
10 Harris Brown. (Whole sale Clothing) - 622 Broadway	
11 Henry Weikhor. (Tailor 649 & 101 St)	
Mortz Meyer -	Chal. Peo
Isaac Feigel	Con. Op.
Simon Goldsmith (160 & 79 St)	Con. Op.
Ferd B. Morrison -	Chal. Peo
Abm Sternfelds.	
Leon Hirsch.	
Sanders Liebman.	Chal Peo
Alfred Scott.	Ex by Consent -
Saul Gumpert -	" " "
John Dewender -	" " "
Theo. A. Watterson	Con. Op.
Adolph M. Glaser	Ex by Consent
Jas. S. Meredith.	Ex " "
Chas. E. Gross.	Ex by Consent

**POOR QUALITY
ORIGINAL**

0239

(162)

12

Abraham Stenfels Ex by Consent
Sidney A Phillips (salesman) 172 E. 60th St

list of
jurors

People	Defendant
THH THH	THH THH THH
THH THH THH II	THH THH
Wm R. Newburger - Chal. bias sust'd	
Berman Cantor - Chal. by Defense	
James A. Taylor & (S. ...)	Chal. bias ^{by Pro} sust'd
Walter W. Naumberg (48-1155)	Chal. ^{Pro} sust'd
Joseph - Bartels - (805 ...)	
Chas. Eckmanster -	Ex by Consent -
John B. Hill (Fish)	Chal. by Defense
Henry E. Haine	Chal. for bias - sust'd
Egbert B. Seaman	" " " "
John A. Mount - Builder	Ex by Consent -
Wilson Godfrey (Lumber)	Chal. for bias - sust'd
David Mornisly (Liquor)	Chal. for bias
2 John H. Bedeckers	Ferdinand Hegel -
Louis Adler	Chal. for bias pro sust'd
Frederick W. Kamm	
Henry M. Weyrauch	Chal. for bias sust'd
Henry T. Duffield	Chal. for bias sust'd
Harvey T. Brown (nick) ... Ave.	
Tom Sargentich (Carpenter)	
Isaac Tobias	Chal. for bias
Berg F. Park	Can. Op. and sust'd
Nym - A. ...	" " " "
Isaac Jacob (Did not answer)	
Gabriel Franklin (Glass)	Chal. - sust'd
Max J. Guttenberg	
James Shipman -	
3 Adolph Merzsch	
Eugene F. Coates - Painter	
Willis E. Ten Eyck	

POOR QUALITY
ORIGINAL

0241

Louis F. Schneider, Clerk
Frederick W. Perry - Broker - Ex by consent
Chas. F. Seibel -
David Lawson -
Chas. W. ... -
Louis Schweigert
Allen W. McDonald -
... G. Fuller
Gustav Stegman - Ex by consent
Arthur D. Moore (body)
Josiah M. Day - (Hanson) -
Henry Bergh Jr. (PCA)
Chas. E. Wilcox - Ex by consent
Phonel Stein - Ex by consent
Chas H. Vondelisen - Ex by consent
X Ferdinand Heigel (1067 3rd Ave)
Edward Ullman (Hanson) - Ex by consent
4- Berg. H. Waterman (Export tobacco (H. West et))
Joseph J. Moore - Ex by consent
James Carroll
Adam Riederman - Con - Op.
Solomon Kohn, jeweler - Con - Op.
Gilmore Clark - Ex by consent
Joseph H. Lippe - Ex by consent
Bruno W. Berger - Con - Op.
Stephen Stanon - (vet surg) - Ex by consent
John A. Moss, (broker)
Henry G. S. Noble (Broker)
Wm Zimmer - Ex by consent

Mr Brandmeier -

Morris Speir - Chal for trans Suits.

Frank A. Barker.

Joseph Gutwill (Broker)

5 Harry Richtic -

John W. Franck (Clerk)

Shos. F. Burke - (Printer) Ex by Consent.

Leo Poppelwell - (Retail Dry Goods) 575-2 Ave.

xxx

Wesley M. Burke - Chal by Reo

Joseph Hergog - l

Clara E. Day - (Broker)

Henry Weiss - Chal by Reo

Lara Weiss.

Philip Epstein (Clerk)

6 Mr J. O'Riordan - Bond Street Agency

Peter Herman - Ex by Consent

Henry S. Van Schaack - (Clerk) (333 W. 34 St) Chal Def

George H. Franklin - Co Op.

Gustav Seibert - Chal (Lustro) l

Richard Seerkamp (Clerk) - (Ex by Consent) -

Max Amerbach - (Ex by Consent)

Frank B. Kittle - Com Op.

Henry Page (Clerk) - Com Op.

Isidor Blum (Dry Goods) - Com Op.

Joseph Dunlop - Chal by Reo.

Jacob D. Posner - Ch 240 & 73 (Ex by Consent)

Patrick J. Keenan - Chal. Com Op.

3

He would not let me speak when
I went to the hotel with the
Coroner. -

He paid 25¢ for his room in
pennies -

The women have not seen him drink
He slept in the hotel - He went
out through the big door.

~~He went out~~ -

Mary English brought out -

He took her to Bklyn - Never slept
with her at all - the hotel - He
met her in Brooklyn - Not in
New York. - He met Dublin
Mary - She was her lover - She
looked ^{*} from her. -

He came here because the French
people could make 3 a day here he
was informed - He came here to
meet Gen

X
When he was arrested in Brooklyn
He went out of the East River
Hotel about 5 or 5:30 on the morning
of the murder. - He took a walk
after he got out. He had money - he
had ^{*} 75 cents - When he was arrested
he had ^{*} 1.00 in paper & some silver.
He did not wash that day -
He did not stop at a sink to wash himself

Mary a. Lopez
Healy,
Mary. Munnin

Jamaica jail - He said he had a dollar bill when arrested in Jamaica. He had the permits & they gave him back paper. - He did ~~not~~ work in Bklyn after he got out of jail - At the store of his friend Len Allen. He brought ~~the~~ from Brazil. & Exchanged it here.

Shirt shown - He had explained said that the blood on the front flap came from a woman with whom he had connection - at - That she called him in the past month -

When he slept that woman perhaps the blood of that woman got on his shirt -

The blood on the socks he ~~does~~ says came from a wound on his leg. - &

He then testified that he got the blood on his socks from his hands that had been in contact with the blood of the woman - He testified before that he got it from the wound

When asked about whether

Sopez testified }
she called him in }

**POOR QUALITY
ORIGINAL**

0246

French Testimony

**POOR QUALITY
ORIGINAL**

0247

TELEPHONE,
SPRING
564.

**W. P. BENSEL & SON,
COOPERS,**

And Dealers in all kinds of New and Second-Hand Casks,
550, 552, 554, 556, 558 & 560 WASHINGTON ST.

NEW YORK, Dec 9 1886

To whom it may concern.

The undersigned has had Mike Cogan (now undenied) in our employ the last three months, and have found him honest & trustworthy, having allowed him possession of different acct of money
Yours

W. P. Bense & Son

W. P. BENSEL & SON,
No. 550 Washington Street,
NEW YORK.

People

to
Geo. McGuire

+
Michl. Logan

POOR QUALITY
ORIGINAL

0248

ALEX. LAW & SON,
TAILORS,
459 HUDSON STREET,
NEAR BARROW STREET, NEW YORK.

New York, Dec 9th 1886

To whom it may concern

We have had Michael Logan
in our employ for fully
one year, and found him
fully trustworthy;
Having allowed to collect
+ deliver money almost
daily.

Yours Respt.

Alex. Law

POOR QUALITY
ORIGINAL

0249

Handwritten address:
Randolph Martin Esq.
Dublin, Ireland

Dear Sir,

The mother of James
Martin, now in the South,
is in great distress and
she writes that she needs
assistance in the support of
the family as she is a widow
and she has no other child
I understand that the pro-
curator declared that he is
not the person who committed

POOR QUALITY
ORIGINAL

0250

The House of Representatives I cannot
understand the cause of his
being held in prison, certainly
he would be better off with
his mother than in such a
place, he seems to be a bright
boy only eighteen years of age and
for both these facts will be in
greater danger of imitating the
wicked principles of those around
him.

With respect in
Dr. Henry Austin
Director of Energy.

Comptroller of Energy
1045 Madison Ave.
Jan. 26th 1947.

POOR QUALITY
ORIGINAL

0251



300 MULBERRY ST.

New York, _____ 189...

age
Condition
Foreign Parties
Prop. while ~~in~~ ~~the~~ ~~country~~
We can establish that
the are of the same
age.

~~X~~ How he carries his hands

POOR QUALITY
ORIGINAL

0252

District Attorney's Office.

PEOPLE

vs.

McLuire + Co. on

Robbery of

Warrant of Att. out
for complet.

Dec. 14/86

ADD

Let this bill end of Jan
term, then make effort
serve, + dismiss, if not
found.

Jan 12/87. ADD

POOR QUALITY
ORIGINAL

0253

Police Department of the City of New York.

Precinct No.

New York, 189

1030. P. M. September 25th 1890

Frank Shortick 40 yrs. White Female
Gover Married Read & Write Yes
Complainant took Compliment to a Room
at 387 Water St. and gave her one
Dollar after being in the room
for 2 hours. She knocked her
down in the hallway and forcibly
took the Dollar away from her

Mary Egan 123 Roosevelt St
Compliment

off Meyers

POOR QUALITY
ORIGINAL

0254

Memo. of Friendly
Arrest in Sept
1890

POOR QUALITY
ORIGINAL

0255

It is utterly impossible
to find Typhloides & Worms
colored matters of bile
(or Bilirubin) together with
Epithelium found the intestines
in any other part of the
body except the small
intestines.

People
vs
George Frank

Joseph H. Stargrove being duly sworn says I am Warden of the Queens County Jail -- the defendant George Frank was brought to the jail about the 15th day of March 1891 and he was searched by me in the jailer's office: I examined his pockets for ~~an~~ and felt about his clothes for a weapon and to the best of my recollection found nothing in his pockets, however I did not examine the splint on his arm nor did I examine his shoes to see whether he had a knife concealed, and for all I know he could have had a knife concealed ^{between} these splints on his arm or in his shoe. As a rule we do not examine men who are brought for vagrancy as this man was; as carefully as we do in cases where the prisoner is arrested for a felony. All the vagrants are

POOR QUALITY
ORIGINAL

0257

confined in one room, while the other prisoners are separate,

These vagrants and the felons committed ~~sentenced~~ to do the jail for petty larceny, &c go out in the yard to crack stones, but as he complained of a broken arm, he did not go out. to the best of my recollection.

The defendant always spoke good english to me - plain enough at all times to be understood, perfectly well. - I conversed with him sometimes two or three times a day and some times not for several days.

Sworn to before }
me this 30th day
of June 1891 }

Jos A Hargrover

Chas E Dimmick
Notary Public
N.Y. Co

**POOR QUALITY
ORIGINAL**

0258

Testimony of
JOS H. HARGREAVE
Warden Queens C. Jail

(white
Red
Yellowish)

II

- 4 Cholesterol ~~is~~ found in small intestine.
- 5 Triple phosphate - Extraction of salty matter from the organic material - It is remarkably found in the intestine - large & small.
- 6 Epithelial cells - Always found in the lining of the intestine large & small but different in the small from large. They are found no where else they are globular.
- 7 Starch granules - from Bread-crackers.
- 8 Fragments of animal ~~sports~~ ~~for~~ pieces of muscle such as come from beef or any kind of meat slightly digested.
- 9 Threads of tissue - found in hard parts of meat - (Cured or smoked)
(Under microscope these things look as a hair in size)
- 10 Fragments of Cabbage. Pellets of fruit - + various vegetable
- 11 Cabbage characteristic by its spirals.
- 12 - Bacteria. Such as are found in cheese -

POOR QUALITY
ORIGINAL

0260

12 Parasites.

Blood absolutely identical

could form material being
to any thing else than
intestines. — yes but
some come from intestine
alone —

POOR QUALITY ORIGINAL

0261

Handwritten signature

Ar Farhad

(1)

James Hiland Newton - Constable of that town
Has seen Frenchy about March 12
Saw him begging from house to house
Arrested him for vagrancy -
Searched him - Carefully - found
clay pipe - Bunch of cigars & from
100 to 125 pennies - Found no
knife - Found him guilty sent
to County Jail, for 30 days.

Ameer Ben Ali - - Don't know my age
Born - Valley of Matruh between
Alexandria & Helwan - Was
a soldier in Turco regt in Franco
Prussian War - 8 years - received a
discharge - Took part in Battles -
wounded in shoulder & leg - During
Caballes revol 1870 - He was in the
army Sully - Wagon - He was taken
to Hospital - born there - When
he got out he returned to the
army - was discharged - He
then went to work as a laborer -

✓ Came to this Country - Can't
tell the year:

From France to Brazil & from Brazil
here - in the City of N.Y. -

Do you know what you have exchanged
with Country considered a common thing

He said he is innocent he has a wife & children -

~~Did you know~~ Did not know the woman Carrie Brown or Shakespeare
"I don't know her" -

~~Don't~~ He was arrested Thursday
He slept in E R Hotel but he don't remember the night - The night before he was arrested.

"I don't kill her & I don't know her" - He was arrested in Jamaica and they searched him & they did not find a knife - (knife handed to him) never saw that knife - I found saw it in the Court. - The day previous to his arrest he went to Ballyin - Don't know the exact time - 10 or 11 o'clock - in the morning - Went to Battery Park -

Can't tell if was 10 or 11 o'clock at night that he left park -

Q How did you get blood on your slacks & trousers - A. I met women & of course I gave 50¢ to a woman - I then he gave the 50¢ & he slept with her - He can't tell where some place like a basement - Slept with her two days before - - It is not the woman - (Oliver Sullivan)

POOR QUALITY
ORIGINAL

0264

(2)

I don't know her. I don't know
whether she was sick or not.

After the bad con. I found she ~~had~~
was sick.

X. Ex - joined French Army. 1870. F-P. War.
Capt of Steamer, _____

Heard - Jo

POOR QUALITY
ORIGINAL

0265

June

Wals

Length

Motion

Pockets

turned inside

out

POOR QUALITY
ORIGINAL

0266

The People
vs.
George Frank

- I. 1. Name ?
2. Residence ?
3. Business ?
4. The defendant George Frank alias Ameer Ben Ali is indicted for murder in the first degree for the killing of Carrie Brown alias Shakespeare, on the night of April 23rd, or early in the morning of April 24, 1891 in the East River Hotel, in this city; the punishment upon conviction of murder in the first degree in this State is death .
5. Do you entertain any such conscientious opinions or scruples in respect to capital punishment as would preclude you from finding the defendant guilty of murder in the first degree in case the evidence warrants or demands such a finding?
6. Have you heard or read anything of this case?
7. Did what you have heard or read create any impression on your mind as to the guilt or innocence of this defendant ?
8. Were you to go into the jury box and ^{after} take the oath to well and truly try the issue between the People of the State of New York and this defendant, and a true verdict give according to the evidence, do you believe that such impression or opinion (which you have said you possess) will not influence your verdict, and that you can render a fair and impartial verdict according to the evidence and according to that alone ? ^{in accordance with}
9. Are you acquainted with defendant's counsel, Fred. B. House, Emanuel M. Friend, or Mr. Levy, of the Firm of Levy, Friend & House ?
10. The People in this case have no eye-witnesses to the killing (as is the case in a majority of the crimes committed) and must, therefore, resort, to some extent, to circumstantial evidence ?
- II. 11. Do you know the difference between circumstantial evidence and direct evidence ?
12. Will you please explain in your own way, what you

X
Circumstantial
Evidence

POOR QUALITY ORIGINAL

0267

II

1021238-

(2)

understand by circumstantial evidence, and what is direct evidence ?

- X 13. Have you any prejudice against circumstantial evidence ?
- X 14. Are you one of those who are opposed to circumstantial evidence ?

15. Circumstantial evidence being legal evidence, would you give it such consideration and weight as the Court instructs you it is entitled to in law ?

X 16. Would you convict of murder in the first degree on circumstantial evidence alone ?

17. Have you ever served as a juror in a capital case; in a criminal case; in a civil case ?

18. Do you know the duties of a juror ?

19. What are they ?

X 21. You know it is the duty of a juror to pass upon the evidence and accept instructions on the law from the Judge ?

X 22. Are you prepared in this case to discharge your duty as a juror without fear, favor or sympathy ?

X 23. Would the fact that the mode of inflicting the death penalty in this State has been changed from hanging to that of death by electricity, have any weight or effect on your mind in determining the verdict in this case ?

24. You have no prejudice against the testimony of a police officer.

25. You believe it is their duty to endeavor to ferret out the perpetrator of a crime and make every effort to do so, and if they do make such effort ^{submit evidence} ~~criticize or condemn~~ them for their zeal but would accept their testimony the same as that of any other witness. Do you know of any reason whatever that would prevent you from acting as a fair and impartial juror between the People of the State of New York and this defendant George Frank.

POOR QUALITY
ORIGINAL

0258

New York

June 21, 1911

Dear Sir:—

In perusing the columns of to-day's paper, (The Mercury) I see that the defense in the case of "Frenschy" are going to try to put the case off until the 1st week of Sept. I need not point out the fact to you, that should you not succeed in having the case go on tomorrow & let it go over to the Sept. term, the chances for the prosecuting of the case, will be extremely slight. Fred House is on record as having said, that could he but succeed in "gaining the summer" he would have witnesses from the other side, if he had to go after them himself. You can see from this, that the reason of his fight for this stay is apparent. The court in assigning counsel for the defense did not designate W. House in particular & if that particular member of that firm is indisposed, it is no legal reason why the other members of the firm should not be made to go on with the trial. House can be in court if he likes & prompt & direct his associates in a pretty sharp move on W. House's part & if he be allowed to go over to the continent, it stands to reason he can men who will swear to anything & it would make a impression on a jury, they traveling such a distance.

POOR QUALITY
ORIGINAL

0269

to testify. Then the witnesses may have become influenced
& numerous things may happen. Still I need not tell you
all this. I hope you will succeed in stopping him.

Yours etc.

Frank Clark

POOR QUALITY ORIGINAL

0270



300 MULBERRY ST.

Dr. Ed
98
102
207
New York. | January 56

189

- 1st Human blood
- 2nd The age cannot be positively ascertained, but blood in a woman should all physical properties alike -
3. Blood it can be proved if blood can be found or put on a piece of or whether it was a man living blood that deposited on a piece
- 4 - The

Blood mixed with foreign matter from intestines

**POOR QUALITY
ORIGINAL**

0271

How do you prove it.

POOR QUALITY
ORIGINAL

0272

The People
vs
George Frank

The Dist Atty thinks
that Theodore Stiller - Edward Smith
& David Galloway - are entitled to
compensation as witnesses in said case
& that \$ would be a proper
amount said witnesses should be paid
as poor witnesses

July 7, 1891.

Francis L. Kellman
Asst. Dist. Atty.

Five dollars each allowed
FV

POOR QUALITY ORIGINAL

0273

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

THE INFORMATION OF John J. Martin, District
Attorney of the County of New York,
laid before Randolph B. Martine Esquire, General Sessions
and County of the City of New York, and a Magistrate and Officer

having power to issue a warrant for the arrest of a person charged with a crime, the
this 10th day of April in the year of our
Lord one thousand eight hundred and ninety one who, being duly sworn, deposes,
alleges and says, as follows, on information and belief:

THAT on the 10th day of April in
the year of our Lord one thousand eight hundred and ninety one;
one George Francis "Frank" Brown late of the City of New York, in the County of
New York aforesaid, at the City and County aforesaid, did feloniously with force
and arms, in and upon one Caroline Brown,
then and there being, intentionally
and of his malice aforethought did make
an assault, and did then and there intentionally
and of his malice aforethought,
in a manner and by means to be informant
as yet unknown, stab, and
thrust in the said Caroline Brown, and
with a certain knife which he the said
George Francis "Frank" Brown then and there
had and held in his hand, then the said
Caroline Brown, in and upon her breast,
belly and abdomen did then and there intentionally
and of his malice aforethought,
stab, thrust, cut, and wound, giving
to her thereby then and there with the knife
of aforesaid, in and upon her breast, belly and
abdomen, several mortal wounds; of which said
mortal wounds, and also of which said stabbing,
thrusting, and cutting she the said Caroline
Brown then and there died; and thereby the
said George Francis "Frank" Brown then the said Caroline
Brown, intentionally and of his 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.

WHEREFORE, informant prays that a warrant may issue for the arrest of the
said George Francis "Frank" Brown and that he be dealt
with according to law.

Sworn to before me, this 30th day of
April in the year of our Lord, one
thousand eight hundred and ninety one

John J. Martin
General Sessions

POOR QUALITY ORIGINAL

0274

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

George Frank 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. George Frank

Question. How old are you?

Answer. 25 to winter years

Question. Where were you born?

Answer. Algeria - Africa -

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

Answer. Brooklyn - Don't know number

Question. What is your business or profession?

Answer. Sell Bananas Fruits &c

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 always slept alone. Have nothing in my heart. If they think I am guilty - they ought to kill me. If they think I am not they ought to let me go - at 6 A.M. when I left the women were there. I cannot read or write.

George + Frank
his mark

Taken before me this 21st day of April 1887

Randolph B. Machine

Police Justice

POOR QUALITY
ORIGINAL

0275

June 29, 1891.

Memoranda in "Frenchy" Murder Case.

I suggest that, after the examination of Drs. Edson and Fermad on the appearances showing the presence of blood in the specimens examined, these gentlemen be examined with reference to the probable admixture with the of matters from the intestinal canal. As regards this admixture the following facts should be brought out strongly as a preparation for my own examination.

1. The fact of finding partially digested muscular tissue and some muscular fibres that were absolutely unaltered.
2. The presence of crystals of tyrosin (I believe now that all the crystals in bunches of *nuclei* observed were crystals of tyrosin and not crystals of fat or fatty acids) This will be a very important point.
3. The presence of cylindrical *epithelium* colored yellow with the unchanged ^{*biliary*} coloring matter of the (important).
4. The detection of the normal coloring matter of the *bile* by the usual color tests and by the spectroscope (Very important). (I think I saw in some of the *specimens* some globules of *leucin* .-- Ask Dr. Fermad about this)

The other points in the examination of Drs. Edson and Fermad will not have so important a bearing upon my own examination. I should be called after Drs. Edson and Fermad and the important points in my examination will have reference to the admixture with the blood of matters

POOR QUALITY
ORIGINAL

0276

(2)

which must have come from the lower part of the small intestine.

The presence of *Cholera* I do not regard as of very great importance.

SUGGESTIONS WITH REGARD TO THE EXAMINATION OF DR.
FLINT.

1. Name, residence, occupation, when and where graduated in medicine.
2. Have you given special attention to the physiology of digestion?
3. Have you been a public teacher and if so how long and in what institution?
4. Have you written on the subject of digestion, and if so what works?
5. Have you ever made investigations on the intestinal contents and if so what investigations?
6. Have you ever made a special study of the *feces*, or made any original observations or discoveries with regard to the *feces*?
7. Give in plain language, so that the jury may understand, a sketch of the *processes* of digestion in the intestines?
8. What changes are observed in the intestinal contents after they have passed from the small intestines into the large intestines?
9. Did you make any examination of *slides* prepared by Drs. Edson and Formad, and if so, what, in general terms did you observe?

(3)

10. Have you heard the testimony of Drs. Edson and Formad?
11. From the testimony of Drs. Edson and Formad and from your own examinations of the *slides* prepared by Drs. Edson and Formad, what in your opinion, was mixed with the blood ?
12. From what portion of the intestines did these matters come ?
13. Before you ascertained what part of the intestines was cut, did you form and express an opinion from your examination of the *slides* whether the specimens were from the small or the large intestine?
14. What part of the small intestine did your examination of the *slides* lead you to believe had been cut?
15. Give your reasons for this opinion.
16. What important differences are there between the contents of the small intestine and the contents of the large intestine ?
17. Is tyrosine found in the small intestine ?
18. Is tyrosin found in the large intestine?
19. Is the normal coloring matter of the *bile* found in the large intestine?
20. Would unaltered muscular fibres be found in the large intestine?
21. In your opinion, is it possible that the matters described by Drs. Edson and Formad, as mixed with the blood, could be anything but matters from the intestines?

I shall rely mainly upon the testimony of Drs. Edson

**POOR QUALITY
ORIGINAL**

0278

(4)

and Formad with regard to the microscopical appearances and not lay much stress upon my own examination except in so far as they, in a general way, confirm those of Drs. Edson and Formad.

The question of the existence of blood is perfectly plain, and this will not probably be contested.

Shall I be permitted to use notes or memoranda during my examination ?

If I had a small black-board in event, I could illustrate some parts of my testimony and make them plain to the jury.

Austin Flint.

POOR QUALITY ORIGINAL

0279

*Left documents
examination -
Examination set for
May 15th at 2 P.M.
R. B. M. J.*

DISTRICT ATTORNEY'S OFFICE,
City and County of New York

THE PEOPLE, &c.,
ON THE COMPLAINT OF

The District Attorney

vs.

*George Smadar,
alias "Franking"*

Offence

Dated *April 30,* 189*1*

Witnesses,

No. _____ Street,

No. _____ Street,

No. _____ Street,

*April 30/91
Defendant arrested and
remanded to your examination
with view to *George Smadar*
Remanded to R. B. M. J.
*J. C. C.**

The People vs George Frank

Received from the District Attorney in the above case the following exhibits

- 1 Knife found in Room 31 East River Hotel
- 2 Nail scrapings and bone cleaner.
- 3 { Envelope containing pieces of wood from Door of Room 33
and another envelope containing chips from floor of Room 33
- 4 Wood & paper from door, and wall outside of Room 33 -
- 5 { *1-2-3 Pieces of bed tick from mattress in Room 33.
*4 - Piece of wood cut from flooring of hall.
*5 - Scraping from wooden chair in Room 33.
*6. Piece of wood cut from part of casing of door outside of room 33 -
- 6 Piece of mattress of bed in Room 31.
- 7 Envelopes that contained specimens, & were opened to get specimens for Dr Formad on June 20/91.
- 8 Knife taken from Geo Frank in Brooklyn on Jan 7/91
- 9 Plan of Top floor of East River Hotel
- 10 " " Ground " " " " " "
- 11 Splints taken from Frenchy's arm.
- 12 Stockings (taken from Room 31) - belonging to Carrie Brown
- 13 Socks taken from Defendant with blood stains thereon
- 14 Shirt taken from defendant with blood stains thereon
- 15 - wearing apparel belonging to Carrie Brown found in Room 31

July 8th 1891

Jacobson Sergeant

POOR QUALITY
ORIGINAL

0281

Receipt for exhibits
and other articles deliver
ed to Detective Von Bernds
en. this 8 day of July 1891
B.S.P.

The People

vs

George Frank alias

Amee Ben Ali,

Now with present

clerk at Police

Headquarters

~~George Frank~~
alias

POOR QUALITY ORIGINAL

0282

District Attorney's Office.

PEOPLE

vs.

George Frank

Hayland Constable Queens County.

Testimony of Experts -

Dr. Justini - Herald. N.Y.

Dr. Sibirer -- N.Y.

(Dr?) Ronalli B.K.Lyn

Bozob - Arab. B.K.Lyn

Attorney's Office.

faces
Faces certain
PEOPLE
Some are white + red.
vs.
circles - large
proportion of white

Age of blood same
told by coloring matter
serum age

Attorney's Office.

finger - nails -
PEOPLE
we might scratch
himself ^{vs.} But
if that blood con-
tains the same
kind of faces.

Keep it secret
Criminals - Paula:

Find out where
that blanket or
white sheet was
where it was par-
ticularly - The
person that
picked up blood on
sheet had his hand
in the bunch of
woman -

Estab we must es-
tablish beyond doubt
that blood on hall
under these bodies
body was carried
out

Attorney's Office.

Swabbing were taken
off 3 days after
murder PEOPLE

Re-examine sheet
as to exact location
of spots

Dr Jenkins must
be seen by Dr F.
on Thursday -

Very important Dr
I must swear that
entireties were cut
in several places
& that the faces es-
caped & that when
the lifted it up
it were running out
freely

Assassin when dig-
ging graves his feet
were covered with
faces as well as
with blood -

3

There was no evidence of
hemorrhoids (no epithelial cells
from rectum) whatever
in this case

POOR QUALITY
ORIGINAL

0285

~~of any kind~~
~~He must pass~~
Don't let him say
the word faces
Interstinal contents
Selecting interesting
points & meanings
is

No. 1. membrane
Blood about blood
Blood & contents of
Coyle

Characteristics of
Mell
may
Mell was a
said at mid 20 June
A - (Capt Connors
Capt J. J. Sanger
Produced Mell's
Capt McLaughlin saw gut
at East Room Hotel

**POOR QUALITY
ORIGINAL**

0286

ALEX. LAW & SON,
TAILORS,
459 HUDSON STREET,
NEAR BARROW STREET, NEW YORK.

POOR QUALITY
ORIGINAL

0287

Attorney's Office.

Faces are perfect
Some ^{of the} lumps
are ^{vs.} pure faces.

~~For notes on~~
Copy of Autopsy

For how many means
nests did you require
- were ~~any~~ to
did in the house

Dr E. is not able
to stand a thorough
cross-examination as he
would be lowered
up.

① Don't leave as
foreman on the jury.

**POOR QUALITY
ORIGINAL**

0288

Blood on shirt & all
other specimens came from
dead subject

On night of April 23, an old woman entered with a map with a light blue table

On 24, morning, body of Carol Miller found

On same night a person had been wandering for some time little child's camp left a wandering about all day in search of work

Went to his room - at 5 leaves by 7:30
He was carrying a fly in a case
The number of the number

Soldier in French Army
Benar Oshin

Genaki & Boyes Ben Ali

Shall read for blood
Act for actions

Will expect

Dr Rush Henderson
Dean of Vet Dept of Pen
Henry A Mott Jr

POOR QUALITY
ORIGINAL

0290

Dr. Justin Herold
Paul Gebiers.

——— 11 ———

Dr Sewi - 14 - W 33 St - Physic-
since 1857. Teacher of Physi-
ology for 33 yrs - 1858 & 9. Buffalo
59 & Co - W. Med Col. 60 & 61.
61 to present Fall River - Hospital
College & Long Island Col.
Physiol treats of the functions of
the human body - wrote a work
of 3 vols. - & some one vol
& Physiol of the Ed. system a
or 13 vols. -
Did a work on the faces in
1862 & Studies of intestinal contents
made it of slides with Dr Edison & Dr Tomes

Tyrosin - leucine + normal
Gland coloring matter. a bilary
substance -

Tyrosin is a crystalline body
resulting - etc.

Some of these

Tyrosin changes to indole -
& changes to yellow to
Brown

- X Fred Reinert
- X Mary Corcoran
- X Capt O'Connor
- X Officer Crowley
- X " Griffin
- X " Mullarky
- X Dr Jensen
- X Ed Fitzgerald (2)
- X Mary Minter (2)
- X Sam Slune X
- Thos. Thompson
- X Off Lang
- X " Jandas (Stockings)
- X " Calmiche
- Mary Ann Sipes The
- Alice Sullivan
- Mary Harrington
- X Edmund Smith. Theodore Miller
- X David Selway - Ernest H. Menden
- X Theo Miller
- Henry W Sharkey -
- X Off. Jas Connor - 232
- X Off. McLaughlin
- X " Frink
- Dr Formica
- Dr Austin Flint
- Dr Edson.

Call Capt
McL East

People

Witnesses

vs
George Frank

- Mary Cotcoran - housekeeper East River Hotel.
- Capt. Richard Connor - 4 Pct.
- Det. Sgt. Michael Crowley
- Jeremiah Griffin - Detective 4 Pct.
- John F. Mullarky - Officer 4 "
- Dr. W. F. Jenkins - Coroners office
- Fred. Reinhart - dress plans -
- Edw. Fitzgerald - boy in hotel, at night
- Dr. Edson -
- Mary Minter, ex-housekeeper of hotel - ^{night of murder}
- Samuel Shinn - night bartender (hotel)
- Thos. Thompson - properly night man hotel
- Adam Lang - officer 4 Pct, made arrest.
- John Jaudas - doorman 4 Pct.
- Det. Sgt. W. E. Frink
- Capt. W. W. M. Laughlin - Det. office
- Det. Sgt. Geo. A. Aloude.
- Mary Ann Lopez - House of Detention
- Ernest Meyer - officer 4 Pct. { arrested Bruehe time
- Alice Sullivan - House of Detention
- Mary Harrington - { was at 49 Oliver street but comes in subpoena
- Edwin Smith
- David Selway { Brooklyn Jail with Frenchy
- Theo Miller - { Home of Detention - was in the Long Island Jail - saw knife
- Henry W. Sharky - under Sheriff - { still in jail - saw the knife

Det. Sgt. John Connor 73 Wagon - Police

POOR QUALITY
ORIGINAL

0294

Mary M^e Govern (Corpus delicti)

Dear of

Witnesses

POOR QUALITY
ORIGINAL

0295

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

People
vs Frank

COPY

June 22" 1891

Dr. Henry F. Forman

My dear Sir:

Yours of yesterday
was duly received this morning

We are more than pleased
with the result of your ^{investigation} ~~examin-~~
~~ations~~ ^{thus far} and sincerely trust that
your ^{examinations} ~~investigations~~ will disclose
additional evidence ^{for the People} ~~in the case~~

The trial is set for Wednesday
next (June 24) and we will
undoubtedly begin the trial on
that day, but as it will take
several days to get a jury
we will probably not call
you ^{until} ~~for~~ ~~Friday~~ ~~or~~ ~~Monday~~
next, or even later.

Let your examination
be as full and complete as you
can possibly make it, and if
by deferring your trip to New York

POOR QUALITY
ORIGINAL

0296

District Attorney's Office 2,
City & County of
New York.

189
until Wednesday you will
be better able to do this—
by all means do so. If
however you have made a
complete ^{an} investigation, ^{wholly} satisfactory
to yourself ~~by tomorrow (Friday)~~
(~~day~~) we will be much pleased
to meet you at this
office at 11. P. M. tomorrow
(Tuesday) It is expected that Dr
Gebier (the expert on the Pasteur
cure for hydrophobia) and a Dr
Sberald will testify for the defense

Yours very truly

Chas. E. Sumner

Deputy Ass. Dist. Atty.

POOR QUALITY
ORIGINAL

0297

UNIVERSITY OF PENNSYLVANIA,
DEPARTMENT OF MEDICINE.

Philadelphia, June 21 1891

11. P.M.
Charles E. Simmons Esq

Dear Sir

I obtained most excellent results in the investigation of the blood objects I took with me yesterday. I am writing incessantly and have no time to write you a long letter tonight.

I will present to you three blood spots upon the ^{inner} eyelid and three ^{about} from 33 contain faces that is the contents of the bowels of the dead woman, and from other points found that make ~~the~~ identical with 31. Beyond in 31.

Will see you in New York ^{next} Tuesday with me when I can find you about 4 P.M.

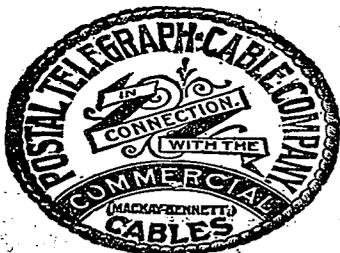
Respectfully yours
Henry W. Henshaw

Write me if you want me sooner

POOR QUALITY ORIGINAL

0298

Form 2.



TELEGRAM

The Company TRANSMITS and DELIVERS messages subject to conditions printed on this blank.
ALBERT B. CHANDLER, President and General Manager. JOHN D. STEVENS, Secretary.

NUMBER	SENT BY	RECD BY	CHECK
57	Rh	Bu	or pd

Dated Phoenix Received at _____
 To Charles Sumner Jr Esq 189

Visit atlys of
 Leave word at your office
 where I can find you
 this eve about seven or
 eight o'clock must see you
 your letter recd dr Formad

POOR QUALITY ORIGINAL

0299

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office
No. 124 Second Avenue Street, in the 17th Ward of the City of
New York, in the County of New York, this 13th day of May
in the year of our Lord one thousand eight hundred and 91 before

Louis H. Schultz Coroner,
of the City and County aforesaid, on view of the Body of Carrie Brown
alias Shakespeare lying dead at

Twelve 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
Carrie Brown alias Shakespeare came to her death, do
upon their Oaths and Affirmations, say: That the said Carrie Brown alias
Shakespeare came to her death by asphyxiation at the
hands of Ameer Ben Ali alias, George
Frank, on or about the 24th day of April
1891, at the East River or Fourth Ward Hotel,
Corner of Water Street and Catharine Slip, New
York City

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.

Thomas S. Brennan
Louis L. Seaman 353 17th St
Jacob Ruppert Jr
Charles N. Eden
R. M. W. W. W. W.
W. H. H. H. H. H. H.
James Trainor
George J. Pittman
Alex J. Slaughter

Geo. M. Brockway 1116-5 Ave
59 University Place
160 E. 93 St
27 E 93 St
1291 Broadway
CORONER, E.C.
Hotel Metropolitan
42nd St + Broadway
305 West 42 St

Handwritten signatures and notes on the right margin, including names like "L. Schultz" and "C. H. H."

POOR QUALITY ORIGINAL

0300

Coroner's Office,

CITY AND COUNTY OF NEW YORK, } ss.

Louis W. Schulz, 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—

Ameer Ben Ali

Question—How old are you?

Answer—

bet 34 + 35 years

Question—Where were you born?

Answer—

Alfonia

Question—Where do you live?

Answer—

New York City

Question—What is your occupation?

Answer—

Laborer

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

I am not guilty & by advice of counsel I decline to make any statement.

*his
Ameer Ben Ali
Mark*

Taken before me, this 14th day of May 1881

Louis W. Schulz

CORONER.

POOR QUALITY ORIGINAL

0301

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
Years	Months	Days			
56			—	Morgue	Apr 24/91

258-112-1891

HOMICIDE
AN INQUIRY.

On the VIEW of the BODY of

Barrie Brown

alias

Shakespeare

whenever it is found that he came to

his death by the hands of

Amos Ben Ali

alias

George Brent

Prisoner taken on the 13th of days

of May 1891

by

John Schultz
CORONER.

Committed

Barred

Discharged

John May 1891

Date of death

POOR QUALITY
ORIGINAL

0302

TESTIMONY.

Wm. J. Jenkins M. D., being duly sworn, says;
I have made an autopsy of the body of
Carrie Brown now lying dead at
the morgue and from such autopsy & examination
and history of the case, as per testimony, I am of opinion the cause of
death is *Strangulation*.
There were multiple incised wounds

Wm. J. Jenkins, M.D.
M. D.

Sworn to before me

this *26* day of *April* 189*1*

Corius to Schutze CORONER.

POOR QUALITY ORIGINAL

0303

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
56			-	Worqua	April 25 th /91

fr. 14 Catherine St.

Said to have been killed in a hotel 14 Catherine St. found on the morning of April 4th at 91. Strangulation & multiple incised wounds.

Product city records
april 30 -

L. W. S. M. I. D.

[Signature]

March 11 -

Quar. 189

AN INQUISTION

On the VIEW of the BODY of

Miss Brown

whenever it is found that he came to
a death by

Inquest taken on the

LOUIS W. SCHULTZ, Coroner

189
day

412

POOR QUALITY ORIGINAL

0304

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
56			-	Morgue	April 25 th /91

fr. 14 Catherine St.

Said to have been pulled in a note 14 Catherine St. found on the morning of April 4th 91. Strangulation & multiple incised wounds.

Debuter calligrapher
Apr 30 -

I. W. S. M. P.

[Signature]

April 1891

AN INQUISITION

On the VIEW of the BODY of

Miss Brown

whereby it is found that he came to a death by

Report taken on the

1891 before

LOUIS W. SCHULTZ, Coroner.

412

POOR QUALITY
ORIGINAL

0305

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

January 12, 1894

Sir:

Application for Executive clemency having been made on behalf of
George Frank who was convicted of *murder 2 deg*
in the county of *New York* and sentenced *July 10, 1891*
to imprisonment in the *State Prison for life* ~~for the term of~~

I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

J. S. Williams

Private Secretary.

Hon. John R. Fellows.

New York City.

POOR QUALITY
ORIGINAL

0306

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

July 12, 1893

Sir:

Application for Executive clemency having been made on behalf of
George Franks who was convicted of *Murder 2^d deg*
in the county of *New York* and sentenced *July 10, 1891*
to imprisonment in the *State Prison* for the term of

Life
I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

J. S. Williams

Private Secretary.

Hon. DeLancey Nicoll
New York City.

POOR QUALITY
ORIGINAL

0307

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

October 4, 1894

Sir:

Application for Executive clemency having been made on behalf of
George Frank who was convicted of *Murder 2^d degree*
in the county of *New York* and sentenced *July 10 1891*
to imprisonment in the *State Prison* for the term of

Life
I am directed by the Governor
respectfully to request that, in pursuance of Section 695 of the
Code of Criminal Procedure, you will forward to him a concise state-
ment of the facts of the case, together with your opinion of the
merits of the application. *Third request*

It is particularly requested that each letter of inquiry from
the Executive Chamber should be separately answered.

Very respectfully yours,

J. S. Williams

Private Secretary.

Hon. John R. Fellows,
District Attorney
N.Y. City

POOR QUALITY
ORIGINAL.

0308

People }
vs }
Frank }

Memoranda.

Jury may view premises, if the Court think proper - Premises must be shown by a judge of the Court or a person appointed for that purpose - §411 Crim

— " —

**POOR QUALITY
ORIGINAL**

0309

Mme Grandee

1. June 29, 1891.

Memoranda in "Trinity" Murder Case.

I suggest that, after the examination of Dr. Edson and Foreman on the appearances showing the presence of blood in the specimens examined, these gentlemen be examined with reference to the probable admixture with the blood of matter from the intestinal canal. As regards this admixture the following facts should be brought out strongly as a preparation for my own examination:

1. The fact of finding partially digested muscular tissue and some muscular fibres that were absolutely unaltered.

2. The presence of crystals of tyrosin (I believe never that all the crystals in bunches of muscles observed were crystals of tyrosin or pure crystals of pure or fatty acids). This will be a very important point.

2

3. The presence of cylindrical epithelium colored yellow with the unchanged coloring matter of the bile. (Important).

4. The detection of the normal coloring matter of the bile by the usual color tests and by the spectroscope (Very important).
(I think I saw in some of the specimens some globules of leucine - see Dr. Hornad about this.)

The other points in the examination of Dr. Gidam & Hornad will not seem so important a bearing upon my own examination. I should be called after Dr. Gidam & Hornad & the ~~important~~ important points in my examination will have reference to the absorption with ^{the food of} matter which must have come from the lower part of the small intestine.

The presence of urostomine I do not regard as of any great importance.

3.
Suggestions with regard to the exam-
ination of E^m Flint.

- 1- Name, residence, occupation, when and where graduated in medicine.
- 2- Have you given special attention to the physiology of digestion?
- 3- Have you been a public teacher or if so how long and in what institution?
- 4- Have you written on the subject of digestion or if so what works?
- 5- Have you ever made investigations on the intestinal contents and if so what investigations & when and when published?
- 6- Have you ever made a special study of the faeces or made any original observations or discoveries with regard to the faeces?
- 7- Give in plain language, so that the jury may understand, a sketch of the processes of digestion in the intestines.

4

- 8- What changes are observed in the intestinal contents after they have passed from the small intestines into the large intestines?
- 9- Did you make any examination of slides prepared by Dr. Howard, or if so, what, in general terms did you observe?
- 10- Have you read the testimony of Dr. Edson and Howard?
- 11- From the testimony of Dr. Edson and Howard and from your own examination of the slides prepared by Dr. ~~Howard~~ Howard, what, in your opinion was mixed with the blood?
- 12- From what portion of the intestines did these matters come?
- 13- Before you ascertained what part of the intestines was cut, and you form ~~an~~ and express an opinion from your examination of the slides whether the specimens were from the small or the large

intestine?

5-

- 14- What part of the small intestine did your examination of the slides lead you to believe had been cut?
- 15- Give your reasons for this opinion.
- 16- What important differences are there between the contents of the large and small intestine & the contents of the large intestine?
- 17- Is tyrosin found in the small intestine?
- 18- Is tyrosin found in the large intestine?
- 19- Is the normal coloring matter of the bile found in the large intestine?
- 20- Should unaltered muscular fibres be found in the large intestine?
- 21- In your opinion, is it possible that the matters described by Dr. Edson and Forward, as mixed with the food, could be anything but matters from the intestines?

6.

I shall rely mainly upon the testimony of Dr. Eddow and Formad with regard to the microscopical appearances and not lay much stress upon my own examinations except in so far as they, in a general way, confirm those of Dr. Eddow & Formad.

The question of the spiculae of blood is perfectly plain & this will not probably be contested.

Shall I be permitted to use notes or memoranda during my examination?

If I have a small black-board in court, I could illustrate some parts of my testimony & make them plain to the jury.

Wm. A. H. H.

POOR QUALITY
ORIGINAL

0316

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

^{vs.}
Arabi *inter alia*
A. Beder.
Amir Beder
No 10 Washington St.

District Attorney.

**POOR QUALITY
ORIGINAL**

0317

Wholesale.

Retail.

E. SULTAN

FINE HAVANA CIGARS.

HOTEL MARLBOROUGH,
BROADWAY
AND 36TH STREET.

108 WEST 42^d STREET,
BETWEEN
BROADWAY AND 6TH AVE.

POOR QUALITY
ORIGINAL

0318

Don - Cherbourg Army
Understand Frank
better than English
E

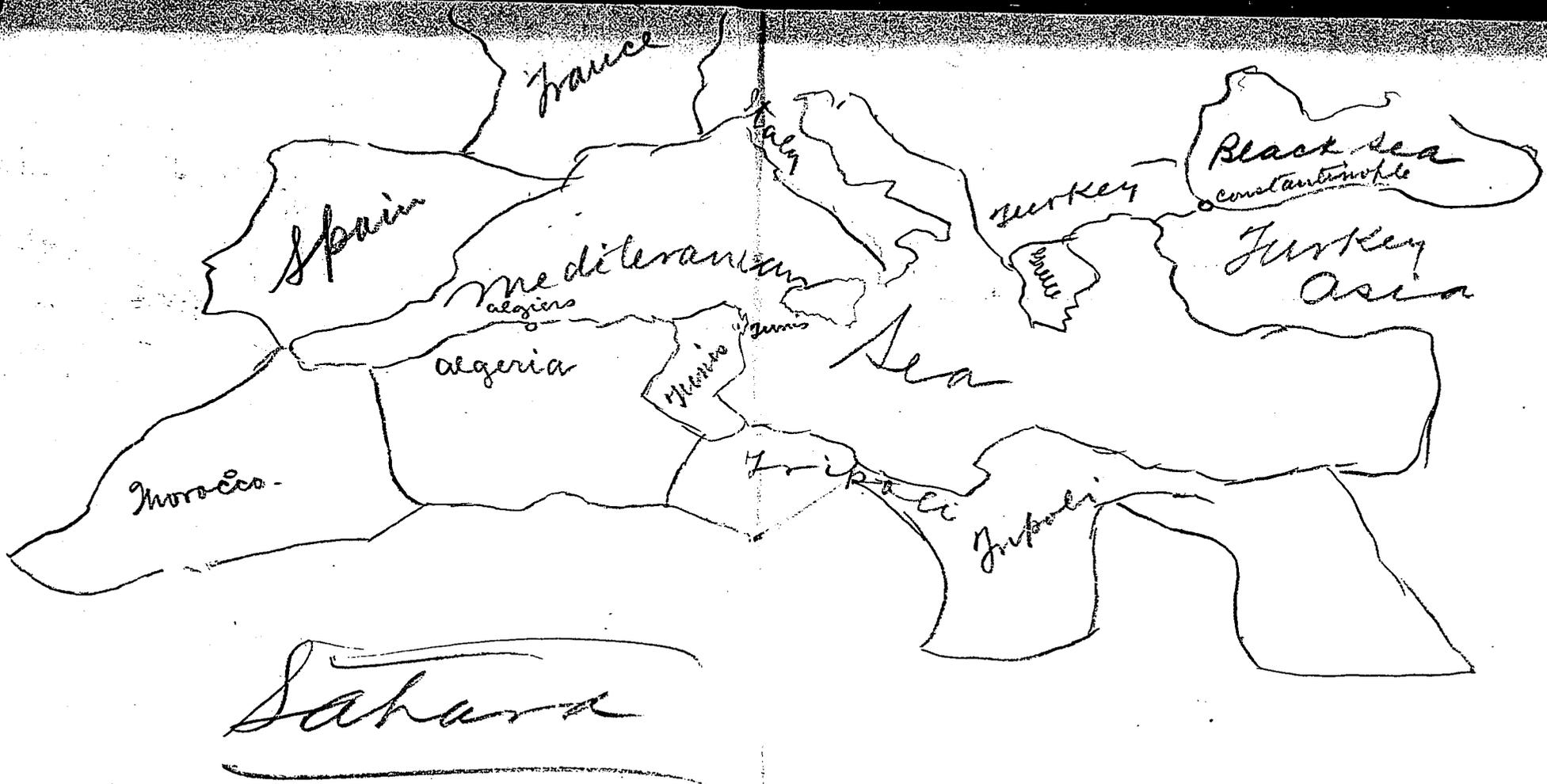
POOR QUALITY ORIGINAL

0319



POOR QUALITY ORIGINAL

0320



POOR QUALITY
ORIGINAL

0321

Caribbean Sea



POOR QUALITY ORIGINAL

0322

Caribbean Sea

Atlantic Ocean

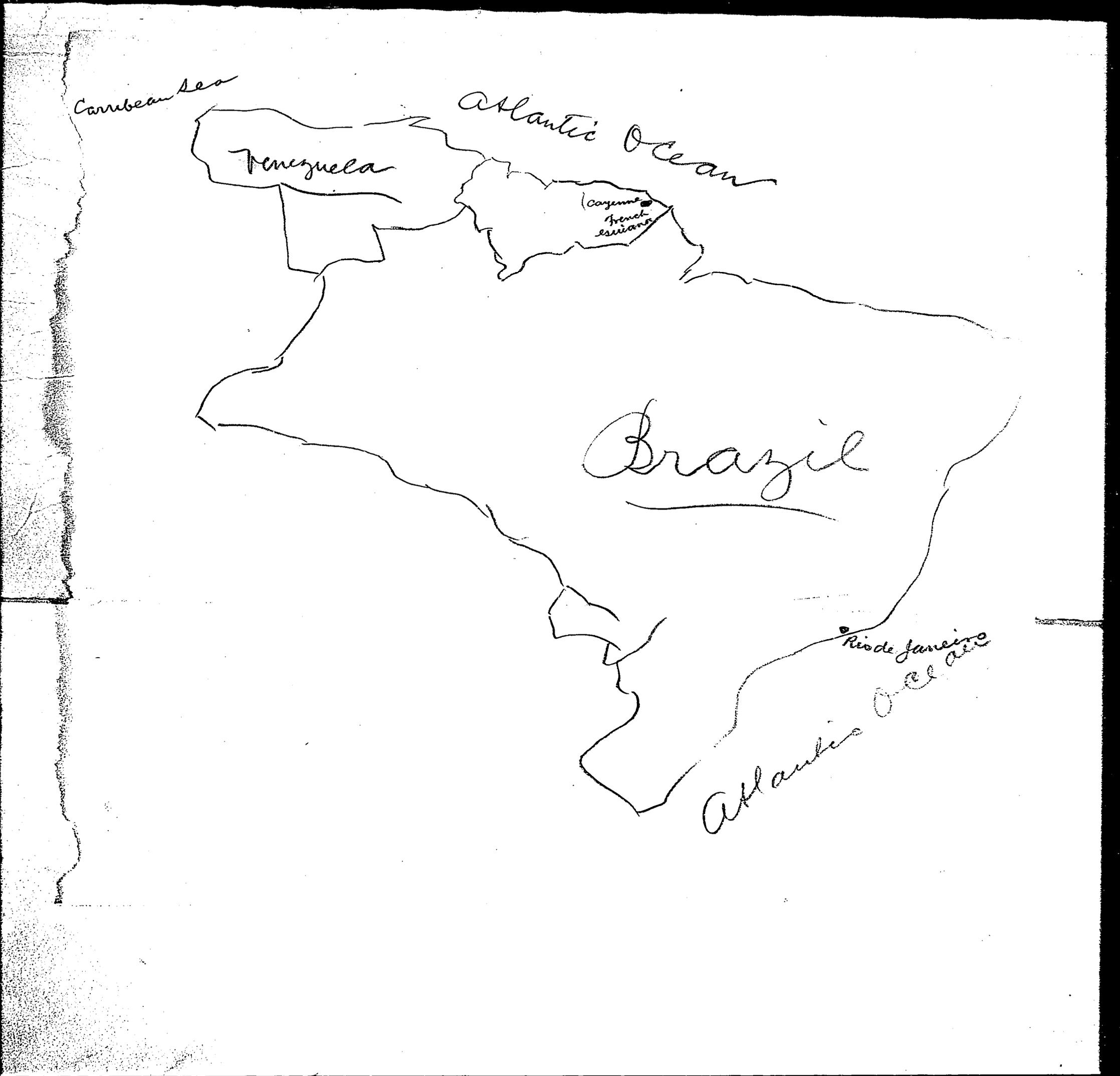
Venezuela

Cayenne
French
Guiana

Brazil

Rio de Janeiro

Atlantic Ocean



3 Blackstone 369 - note 29 cc.

An atheist or a person who has no belief or notion of a God or a future state of reward and punishment ought not in any instance to be admitted as a witness

1. Atk 45. M. N. P. 202 - Peake Rep 11
in this last case J. Buller held that the proper question to be asked of a witness is, "whether he believes in God"
"the obligation of an oath and in
"a future state of reward and
"punishment. There known a witness rejected, a higher court
Court who declared he doubted the
Existence of a God and a future
state.

**POOR QUALITY
ORIGINAL**

0324

Dark - Original
—

POOR QUALITY
ORIGINAL

0325

To Mr. Wallace

Recd July 10/91
6824/91

POOR QUALITY ORIGINAL

0326

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

.....X	:
The People &c.,	:
Respondents,	:
-agst-	:
George Frank,	:
Appellant,	:
.....X	:

To,

John Sparks Esq., Clerk of the Court of General Sessions of the Peace, in and for the City and County of New York and Delancey Nicoll Esq., District Attorney of the City and County of New York.

Gentlemen:-

You and each of you will please take notice that the above named appellant, George Frank, appeals to the Supreme Court of the State of New York, from the judgment rendered against him, in the above entitled action, at a Court of General Sessions of the Peace, held in and for the City and County of New York on the 10th, day of July 1891, and from each and every part of said judgment Dated, New York, July 10th, 1891.

Yours &c.,

Levy, Friend & House,

Counsel for Appellant.

*25 Chambers St.
New York City.*

POOR QUALITY ORIGINAL

0327

W. General Sessions Court.

The People.

against

George Francis

Exhibits of Appeal.

LEVY, FRIEND & HOUSE,
Defendants' ATTORNEYS,
25 CHAMBERS ST., NEW YORK.

Due and thereby service of a copy of the within
is hereby admitted,
this _____ day of _____ 189
T. J. [Signature]
Attorney for

Sir:—
Please take notice, that the within
is a true copy of an
in this action, this day duly filed
and entered, in the office of the
Clerk of this Court.

Dated, N. Y., 189

Yours &c.,
LEVY, FRIEND & HOUSE,

Att'ys for

To
Esq.,
Attorney for

POOR QUALITY ORIGINAL

0328

W. G. General Sessions Court.

The People.

against

George Frantz

Exhibits of Appeal.

LEVY, FRIEND & HOUSE,
Defendants' ATTORNEYS,
25 CHAMBERS ST., NEW YORK.

Due and timely service of a copy of the within
is hereby admitted,
this _____ day of _____ 189-
T. J. [Signature]
Attorney for

Sir:—
Please take notice, that the within
is a true copy of an
in this action, this day duly filed
and entered, in the office of the
Clerk of this Court.

Dated, N. Y., 189

Yours &c.,
LEVY, FRIEND & HOUSE,

Att'ys for

To _____
Esq.,
Attorney for

POOR QUALITY ORIGINAL

0329

THE PEOPLE OF THE STATE OF
NEW YORK

against

George Frank

Memoranda

DE LANCEY NICOLL,

DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,

NEW YORK CITY.

POOR QUALITY
ORIGINAL

0330

Folio _____

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Mr. Sharkey
No receipt for Friends
in Queens Co jail

Prod - 6 pieces
cut out by Fran
del to Mr. S.

Mc Liant 3
two papers

District Attorney.

Mc C
New York, 189 .

~~Monday~~ Scuffed

Tuesday - fixed rooms to

East River Hotel

Wednesday cut pieces
out

Wednesday - took socks
& pieces of shoes.

~~Friday~~
Examined iron

ladder leading

to Scullie on Tues

day 28 April &

~~no~~ no traces of blood

whatever

Ed & Larry around

top of scuttle &

scuffle & found

no blood stains

Set O'Connor - officer

from Pen Cali

with knife - taken

from Pen Cali

POOR QUALITY
ORIGINAL

0332

No. *New. I*

409

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE
vs.

Geo. Evans

- " -

State Mc Govern
(present)

Identified Carrie

Brown

- " -

Mary Sopaz - alias

Mary Esjan had

District Attorney.

Frenchy arrested in

Sept. 1890.

POOR QUALITY
ORIGINAL

0333

1 Can Tyrosine in Combination
with Biliary coloring matters
be found anywhere else
than in the Small intestine

POOR QUALITY
ORIGINAL

0334

District Attorneys Office,
City & County of
New York.

Page 89 - ~~100~~ ¹⁸⁹ - reviews ~~three~~
~~cases~~

Mean 151 - Recorder - Knipe
146 - Byrne Review

168 =

People v Geo Frank }

Questions to be asked jurors

- ✓ 1 Name -
- ✓ 2 Residence
- ✓ 3 Business
- ✓ 4 The deft Geo. Frank alias Anwar Ben Ali, is indicted for the murder in the 1st Degree for the killing of Carrie Brown alias Shakespeare on the night of April 23 or morning of the 24th 1891 in the East River Hotel. in this City.

The punishment upon conviction of murder in the 1st degree is death.

- ✓ 5 Do you entertain any such conscientious opinions or scruples in respect to capital punishment as would preclude you from finding the deft guilty of murder in the first degree in case the evidence warrants or demands such a finding?

- ✓ 6 Are you acquainted defts counsel { Emanuel M. Friend
Fred B. House
Mr. Levy

What is cir ev? What is direct evidence?

- ✓ 7 The people, in this case have no eye witness to the killing (as is the case in a majority of cases crimes committed) and must therefore resort to some extent to circumstantial or indirect evidence -

- ✓ 8 Have you any ~~prejudice~~ prejudice against such circumstantial evidence. -

- ✓ 9 Are you one of those people who are opposed to circumstantial evidence

- ✓ 10 Would you convict of murder in the first degree upon circumstantial evidence alone?

(2)

- ✓ 11 Circumstantial evidence being legal evidence would you give it such consideration as the Court instructs you it is entitled to in law?
- ✓ 12 Have you ever served as a juror in a capital case - In a criminal case. In a civil case?
- ✓ 13 Do you know the duties of a juror - What are they.
- ✓ 14 You know it is the duty to pass upon the evidence and accept ^{instructions on} ~~of~~ the law from the judge.
- ✓ 15 Are you prepared to discharge your duty as a juror, without fear, favor or sympathy?
- ✓ 16 Have you ever heard or read of this case?
- ✓ 17 Did what you have heard or read create any impression on your mind as to the guilt or innocence of this defendant?
- ✓ 18 Were you to go into the jury box and after taking the oath to well and truly try the issue between the People of the State of New York and this defendant and a true verdict give according to the evidence, Do you believe that such opinion or impression will not influence your verdict and that you can render a fair and impartial verdict according to the evidence?
- 19 Would the fact that the mode of inflicting the death penalty in this state has been changed from that of hanging to that

of death by electricity have any weight or effect on your mind in determining your verdict on this case.

20 Do you know of any reason whatever that would prevent you from acting as a fair and impartial juror; between the people of the State of N.Y. and this defendant?

21 Have you any prejudice against police evidence of police officers or detectives.

Would you convict of murder in first degree on circumstantial evidence alone.
§ 282, Abb. S. Brief

The People have no eye-witness to this murder. (committed) at night)

p. 19 G. Ev
14 Ed

In trials of fact, it will generally be found that the factum probandum is either directly attested by those who speak from their own actual and personal knowledge of its existence, or it is to be inferred from other facts satisfactorily proved. - In the former case the truth rests upon our faith in human veracity ~~found~~ sanctioned by experience

In the second case it rests upon the same ground, with the addition of the experienced connection between the collateral facts thus proved and the fact which is in controversy

The facts proved are in both cases. directly attested - In the former case the proof applies immediately to the factum probandum without any intervening process, it is therefore called direct or positive testimony. - In the latter case, as the proof applies immediately to collateral facts, supposed to have a connection near or remote, with the fact

in controversy is termed circumstantial
Perhaps strong circumstantial
evidence in cases of crimes committed
for the most part in secret, is
the most satisfactory of any from which
to draw the conclusion of guilt;
for men may be seduced to perjury
by many base motives, to which
the secret nature of the offense may
sometimes afford temptation; but it
can scarcely happen that many cir-
cumstances, especially if they be such
over which the accuser could have
no control, forming altogether the
basis of a transaction, should all
unfortunately concur to fix the pre-
sumption of guilt on an individual;
and yet such a conclusion be erroneous.

P. 21. Greenleaf on E. 14 Ed.

POOR QUALITY ORIGINAL

0340

FORM NO. 1

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on condition of limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission. This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions stated above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
175	Du	ur	17 paid

RECEIVED at the WESTERN UNION BUILDING, 195 Broadway, N. Y. 6/19 1891

Dated Philadelphia Pa 19
G. Melaney Nicol Esq.
32 Chambers St New York.

I am at your service, will
call tomorrow morning early thirty
two Chambers street New York as
you direct.
Dr Henry A Forward

111
District Attorney's Office.

4 Faeces are all of the same kind & PEOPLE
of the same source

5 The blood came from a dead subject
small bone & good teeth
under Ed. to be struck
in it

6) The blood was not
coagulated
The carburetor acid
which forms from
strangulation ~~causes~~
formation of ~~strangulation~~
coagulation

111
District Attorney's Office.

Elements of decamp.
Bacter - Curves for
the PEOPLE bowls
us.

Bony den matter
to exact nature
material found

1) Blood on all the
objects are of same
age & of same kind
from ~~every~~

(1) Absolutely consistent
with human blood

2) In both sets of
specimens ^{31 + 33} shows
same proportions of red
corp to white.

(3) In nearly all
specimens of blood there
is the same proportion
of admixture of
faeces & other foreign
material in same
proportion.

District Attorney's Office

PEOPLE

vs.

+ delay
+ provide

Over 100 slides
to show Balmaceda
does not show about
microscopic
Nothing under heaven
can outwit med
testy.

Absolute proof of
elements of digestion
found in some spec-
imens as far as 1/4
of the bill - 4

Shows that the
blood is of same
age -

The food is of
the same kind
found in all the
specimens - same

POOR QUALITY
ORIGINAL

0342

Dr. Henry F. Formad.

~~University of Pennsylvania~~

~~36 Wood~~

Residence

3535 Locust St. (Phila)

Office

632 Chestnut St

Phila

District Attorney's Office.

PEOPLE

1 Person died from suffo^{vs.} - This is proven by the hem-
orrhages in the tis-
sues around the ~~neck~~
hyoid bone.

(2) When he comes
again
Coagulated blood
is as wet as
fluid blood.

It would coag.
if she had been
killed by the
knife ~~it~~ but as
she was strangled
it would not
coagulate although
in the same ~~place~~.

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

^{vs.}
Con. Opinions

Read of Case

Def's Counsel

Circumstantial Ev.

Have you served as
a juror in a Cap Case

Where born
Discharge duty
with out fear District Attorney.

Mode of Inflicting
penalty -

Any Reason -

**POOR QUALITY
ORIGINAL**

0344

Court of General Sessions,
CLERK'S OFFICE.

THE PEOPLE

vs.

Frank

*I desire to examine
the*

in the above-entitled action.

Dated _____ 190 .

Name _____

Address _____

*Please ask for this Slip when you return
the above papers.*

**POOR QUALITY
ORIGINAL**

0345

July 01 1891

INDICTMENT _____
COMPLAINT _____
CHECK _____
DEMURRER _____
MOTIONS _____
ORDERS _____
LETTERS _____
SUNDRY _____

POOR QUALITY
ORIGINAL

0346

Folio

TO THE CHIEF CLERK.

Alice Sullivan
Please send me the Papers in the Case of
PEOPLE

Alice's
Miss Sullivan
Was in Georges
about 3 P.M with
Shakespeare - and
she bought + paid
for two cheese.

sandwiches and
Shakespeare took
two or three fork
fuls with me.

New York, The Cabbage was
raw cold - plain

We stayed in there
for some time,
because it
was raining hard.

And there was
also little ~~the~~
sandwiches were
no butter on
the bread and
were corn beef
between the
bread. Pickles
~~were sliced~~ ^{were on} ~~in~~ ^{small} ~~plates~~ ^{plates}.
Gorges as on
~~Roosevelt St~~
near
Roosevelt St
5 doors south

Intestinal contents
in blood on floor.

Dr Heidropen

X Black-board

Biology - natural
Pathology - Science of diseased life -
Ex blood, intestinal contents & urine

I have testified in 56 or 57 of the
remaining case amounting to 74
in all tho I found no blood stains
and so told the prosecuting attorney

Dr. Flint foremost physiologist in
this country ⁵²/₂₂

- F
1²⁰ Partially digested musc. tissues of fibrous
2 Presence of crystal of tyrosin -
{ Only are present in the upper
intestines
3 Presence of cylindrical epithelium
colored yellow. (Biliary coloring)
Lecithin a product of composition
Cholesteroline.

Chemical. - Guacum.

Spectroscopic - Shows presence of blood
but not kind
Put in distilled water
& put in apparatus with
prism attached

various presence of blood -

Microscope - Infallible test - 50000 corp in a drop of blood

- 1 Blood in all of the specimens -
What kind of blood - As Blood consist
ent with human blood - No body
can swear that it is human blood
- 2 Blood ~~and~~ rich in white corpuscles
- 3 Shows that woman was arrested
- 4 Same age of blood - except matrons
blood in Room 33. That was very old
- 5 (1) Dead Blood from dead person
(2) 1st try No Polony whatsoever
(3) Corp were old & semi-correy
(4) White corpuscles were in clusters
(5) Absence of fibreine

6

Admixture -

Red blood & found a lot of
foreign

(1) Bilious coloring matter or bile -

Bile is the fluid contained in the
gall bladder & pours out into
the small intestine & found in
where else -

2 Fat or Oil globules

3 Tyrosin - Product formed as
a result of action of bile on
the food - It is a crystal in
body feeds only in small intestine

POOR QUALITY ORIGINAL

0350

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Brande

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

Indictment accuse *George Brande*

of the crime of *Murder in the first degree,*

committed as follows:

The said *George Brande,*

late of the City of New York, in the County of New York, aforesaid, on the

twenty-fourth day of *April,* in the year of our Lord one thousand
eight hundred and eighty *ninety-one,* at the City and County aforesaid,

in and upon one Pardine Brown, then and there being, with malice aforethought and of his malice aforethought did make an assault, and with his hands and feet made of the said Pardine Brown, then and there being, and thereupon, then the said Pardine Brown, then and there being, feloniously and of his malice aforethought, did strike, and of force and violence, of which said striking, and of force and violence, the said Pardine Brown then and there died.

Strangely

POOR QUALITY ORIGINAL

0352

coroner's office

~~SAMUEL H. ASHBRIDGE,~~

No. 632 Chestnut Street,

PHILADELPHIA.

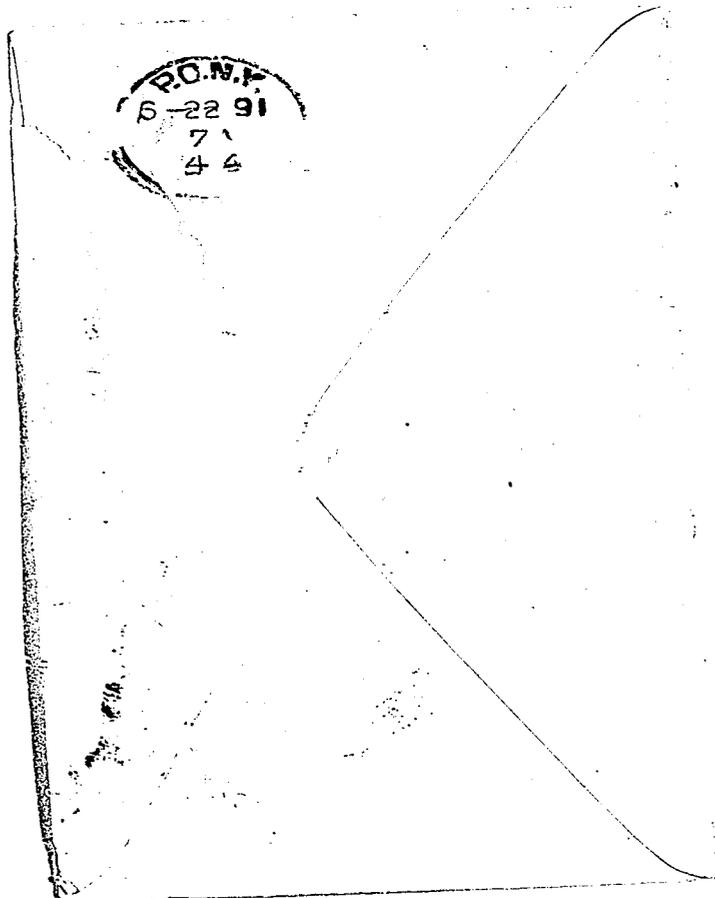
Rec'd June 22/91



*Charles E. Simmes Esq
Assistant District Attorney
32 Chambers St
New York
N.Y.*

**POOR QUALITY
ORIGINAL**

0353



**POOR QUALITY
ORIGINAL**

0354



**POOR QUALITY
ORIGINAL**

0355



POOR QUALITY ORIGINAL

0356

of thunder in the first degree, committed
as follows: -

The said Figeroz Tranda, late of
the City and County of Madrid, afterwards
to wit: on the said twenty fourth day of
April, in the year of our Lord one
thousand eight hundred and ninety
one, at the City and County of Madrid, in
and upon the said Cardine Crown,
then and there being, illegally, feloniously
and against the peace of the said King did make
an assault, and then the said Cardine
Crown, with a certain ridge which the
said Figeroz Tranda in his right hand
then and there took and held, in and
upon the breast, belly, abdomen, back
and sides of the said Cardine Crown,
then and there illegally, feloniously and
against the peace of the said King, did strike,
thrust, cut, stab and wound, giving unto
the said Cardine Crown, then and
there, with the ridge aforesaid, in and
upon the breast, belly, abdomen, back
and sides of the said Cardine Crown,
divers mortal wounds, of which said
mortal wounds the said Cardine
Crown then and there died.

And so the Figeroz Tranda, afterwards
did say, that the said Figeroz Tranda, then,

1.5 miles

the said Pardine Brown, in the manner
 and form, and by the means aforesaid,
 illegally, feloniously and of his 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.

Fourth Count:—

And the Grand Jury aforesaid by
 this indictment further accuse the said
 George Brada, of the same crime of murder
 in due and legal degree, committed as follows:

The said George Brada, late of
 the City and County of New York, aforesaid,
 do int... on the said twenty-fourth day of
 April, in the year of our Lord one thousand
 eight hundred and ninety-one, at the City
 and County aforesaid, in and upon the
 said Pardine Brown, then and there being,
 illegally, feloniously and of his malice
 aforethought, did make an assault, and
 then the said Pardine Brown, in a manner
 and by means to the Grand Jury aforesaid
 unknown, then and there with felonious
 intent and of his malice aforethought
 did kill and murder, against the form
 of the Statute in such case made and

Handwritten note:
 Mrs. Brown
 Prisoner

**POOR QUALITY
ORIGINAL**

0359

mailed, and against the peace of the
People of the State of New York, and
their dignity.

DeBancroft Hill,

District Attorney.

0360

BOX:

437

FOLDER:

4027

DESCRIPTION:

Freeman, John

DATE:

05/01/91



4027

0361

POOR QUALITY ORIGINAL

E. J. Keller

Counsel,
Filed *1* day of *May* 188*9*
Pleeds *W. J. Kelly* 4

Sections — Penal Code]
THE PEOPLE vs. *John Freeman*
vs. *Freeman*
188*9*

Edw. J. Nicoll
District Attorney.

Ordered to the COURT of
the COUNTY of YORK
for trial at the
of the Court of Sessions
at New York City
on the 2nd day of
Oct. 13, 1889.
Child and Acquitted
Edw. J. Nicoll
Robert L. G. Court
W. J. Kelly and Kemmer

Witnesses:
Annus Buttes
James Buttes
Alfies Smiths
11 20th Puch
Annus Keyser

POOR QUALITY
ORIGINAL

0362

Coroner's Office.

TESTIMONY.

Officer George Smith 20th Precinct
being sworn up: I learned that
the prisoner John Brandon boarded
with Elizabeth Merrick at 336 West
42nd Street. That on the 11th day of
April 1891, the prisoner John Brandon
threw a lighted lamp at deceased.
deceased's clothing took fire & she
received burns of the body from which
deceased died in Bellevue Hospital
on the 12th April 1891.
I charge the prisoner John Brandon
with causing the death of Elizabeth
Merrick.

George Smith

Taken before me

this 16 day of April 1891

William H. Lewis

CORONER.

**POOR QUALITY
ORIGINAL**

0363

*Elizabeth Umwick
April 16th 91*

POOR QUALITY ORIGINAL

0364

Dr. Bensen

From Bedford Hospital.

New York, April 11 1891

To Coronet

Sir:

Please hold an inquest on the body of

Name: Elizabeth Merrick Residence: 336 West 42 St.

Age: 42 years - months - days. Admitted Saturday day, April

Father Samuel 11th 1891, at 11 30 o'clock P. M.

Nativity, U. S.; of

Mother Catherine By Rosevelt Ambulance A

Life in U. S., 11 years in City. From residence B

Civil Bond Widowed Occup. Housekeeper Examined by Dr.

Suffering from symptoms of Burns of body face, arms & neck C

Said injuries said to have been received by the explosion of a D
Kerosene lamp on April 10th 1891 at her residence

Death took place Sunday day, April 12 th 1891 at 8 45 o'clock P. M.

The Autopsy revealed

Remarks:

Walter Bensen M. D.
HOUSE SURGEON ~~PHYSICIAN~~

- Ad. 7. State the day of the week.
- Ad. A. State whether by Ambulance or Friends.
- Ad. B. State whether from a Practise 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 rigid.
- 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.

POOR QUALITY ORIGINAL

0365

TESTIMONY.

Amey. Jenkins M. D., being duly sworn, says;
 I have made an examination of the body of
Elizabeth Merritt now lying dead at
the morgue and from such examination
 and history of the case, as per testimony, I am of opinion the cause of
 death is *Shock from extension burn*
of body, face and throat result
of repetition of keratin lamp

B. M. Jenkins, M. D.

Sworn to before me

this 12th day of April 1891

Fernand Levy CORONER.

POOR QUALITY
ORIGINAL

0366

TESTIMONY.

Wm. J. Fennell M. D., being duly sworn, says;
I have made an examination of the body of
Elizabeth Herrick now lying dead at
the morgue and from such examination
and history of the case, as per testimony, I am of opinion the cause of
death is *Shock from extensive burn*
of body, face and throat result
of exposure to kerosine lamp

Wm. J. Fennell, M. D.

Sworn to before me

this

12th

day of

April

189*1*

Fernand Levy

CORONER.

POOR QUALITY ORIGINAL

0367

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
42			U.S.	Thompson for Bellevue Hotel	April 12/91

336 W. 42 St
 New York
 Police 70 22nd St

F. I.

No.

Dist. 189

AN INQUISTION

On the VIEW of the BODY of

Eugene J. Smith

whereby it is found that he came to death by

Inquest taken on the _____ day
 of _____ 189 _____ before
 FERDINAND LEVY, Coroner.

✓ NB

POOR QUALITY ORIGINAL

0368

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroner's Office
No. 124 Second Avenue Street, in the 17th Ward of the City of
New York, in the County of New York, this 17th day of April
in the year of our Lord one thousand eight hundred and 91 before
Ferdinand Levy
Coroner,
of the City and County aforesaid, on view of the Body of Elizabeth Merrick

Eight good and lawful men of the State of New York, duly chosen and
sworn for affirmed and charged to inquire, on behalf of said people, how and in what manner the said
Elizabeth Merrick came to her death, do
upon their Oaths and Affirmations, say: That the said Elizabeth Merrick
came to her death by

From burns received at no. 336
West 42nd Street on the 11th of April 1891,
caused by a lamp thrown by
John Freeman,

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.

JUROS.

- Deebuch van Klein 74 Columbia
- Arnold Schberg 69 Livingston
- Albert Bander 233 Livingston
- Frank Kempf 36 Delancey
- Whitcomb Hodge 26 Livingston
- John J. Peter 259 Delancey
- Henry Ricklefs 35 Livingston
- Fred. Haage 79 Livingston

Ferdinand Levy
CORONER, E. S.

POOR QUALITY
ORIGINAL

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Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

John Freeman 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—

John Freeman

Question—How old are you?

Answer—

71 years

Question—Where were you born?

Answer—

N.Y. City

Question—Where do you live?

Answer—

336 W 42nd St

Question—What is your occupation?

Answer—

Up holder

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

*Have nothing to say
at present*

John Freeman

Taken before me, this 17 day of April 1889

Ferdinand Roy

CORONER.

**POOR QUALITY
ORIGINAL**

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Coroner's Office, New York County.

Inquest into the Death

- of -

ELIZABETH WENRICK.

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: Before
) HON. FERDINAND LEVY.
: and a Jury.
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New York, April 17th, 1891.

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OFFICER GEORGE SMITH, of the 20th Precinct, duly sworn:

On April 13th the Fire Marshall visited the station house of the 20th Precinct and said he believed there was some suspicion as to the cause of death of Elizabeth Wenrick, on April 11th. He said that he believed that it was a case for the police to investigate. The Captain detailed me to investigate it and I visited the premises No. 336 West 42nd Street. There I interviewed Mr. and Mrs. Butler and also the janitor, Mr. Goss in that house. I also had a conversation with the prisoner and I was satisfied that his story would require considerable alteration before I would believe it.

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MRS. JAMES BUTLER, duly sworn:-

I live No. 336 West 42nd Street.

BY THE CORONER:-

Q Are you related to the deceased? A No, sir.

Q You reside in the same house? A Yes, sir.

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Q What do you know with reference to the case? A I went out in the hall to ask Mrs. Wenrick to give me a bottle of oil to rub on my baby's chest and she turned around and put her hand on my shoulder and said, "Yes, in one minute," and she went in the door and shut the door after her and as she opened the door to go in I seen Johnie sitting at the edge of the table and when she went in he stood up and she closed the door and just as the door closed I heard a crash and with that I turned around and the flames came out under the door and I run in and screamed for my husband. As soon as the door was closed I heard this; there was nobody in the room but the deceased and this young man; I didn't see anybody in the room only them at that time.

Q Where was the lamp? A On the middle of the table.

Q A kerosene lamp? A Yes, sir, it was burning; it was about 10 o'clock in the evening.

Q Had you heard any conversation immediately prior to it?

A Early in the evening I went out in the hall to see who it was and I heard Mrs. Wenrick say, "This is no money to give me;" I didn't listen any more; I don't care about anybody else's trouble; I heard her say, "This is no money to give me." When Jonnie was going for her sister and he was going in the front room he said, "Oh, Mamma don't say that I didn't mean to do it;" he was going out to go to some of her relatives.

Q How long have you known this young man? A He has only lived there a few days.

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**POOR QUALITY
ORIGINAL**

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JAMES MITCHELL, duly sworn:-

I am the Fire Marshall. On the morning of the 13th the fire occurred as reported at 10.20 on the evening of the 11th, of July and on examination of the premises where the fire had burnt I questioned Mr. Butler and the janitor and janitress and asked the conditions to the best of my knowledge; I found this lamp, the remains of the lamp there and took possession of it; it has been in my possession since. I found this was a small room 9 by 7 I should say, it had a door about two feet from the northern end of the room and it opened towards the hall on the north ~~end~~ another door, there was a table that stood on the other side on the southern end about five feet from the wash-tub which was built against the northern end of the room which, then the door was opened, was behind the door. I found the whole fire was on the edge of that wash-tub; this is the lamp that is the remnants of it, here is a dent on one side of the burner. I found the fire did not start on the table or between the table and the wash-tub but on the edge of the wash-tub where the lamp had struck it, the casing of the door and the edge of the wash-tub the remains of the lamp had fallen to the floor and the oil had spilled on it and set fire to it; there was no oil near the table where the lamp had stood; no oil in the intervening space; I became convinced from what Mrs. Butler told me that it had not exploded on the table and had not fallen, but had been thrown, and I therefore reported the matter to the police with a view to investigate. I did not treat it with a view of arson, if the lamp was thrown it was a case of homicide; it would have been an accidental fire if it would have been thrown it would not have been a case ^{of arson} A

but an intent to injure the woman. I think the lamp was thrown from an examination of the premises, the condition of the lamp and the appearance.

Q You mean to say if the lamp was thrown it was a coroner's case? A Yes, sir.

Q And if it had not been thrown if it had exploded it would have been an accidental fire? A Yes, sir; that is the condition in which I found the premises and this is the lamp as found.

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ANNA KEYSER, duly sworn:-

I reside No. 45 East 41st Street and the deceased was my mother; She was 52 years old. I know nothing about the occurrence only about 10 o'clock Jonnie came over.

BY THE CORONER:-

Q Who is Jonnie? A That young man(indicating to prisoner) he came over to my house and rung the basement bell and a servant came to the door and he informed me about it. The girl said "How did it happen?" and he said I was filling the lamp and she came in and the wind made it explode. His arm was badly burnt. I then went over there and I saw the ambulance and a crowd of people and I fainted and I didn't know any more and I came to in a barber shop and then the ambulance and everything was gone. I saw her at the hospital and she said, "Pray pray," and when I saw her I said "Oh mama, will you die?" "Hush hush," she said and that is all I know she died and I buried her and that is all I know.

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Q Will you tell us what you know about this young man? A I know my mama kept him, I supported my mama and I went at this place and he lived with a family about three years; about three years ago I had some trunks to move and I found this boy but he was very poor and he told us how poor he was and we felt sorry, I went to Brooklyn and had a large house and we had a room for him, he had no home, and mama always felt sorry for him and we took him in. He was on a ship before that, in the navy or something.

Q Do you know how old he is? A About 21 or 22 perhaps; I think his name is Brandon; his ~~actual~~ name is Brandon. I had a conversation with him on Monday night, mama was in the coffin and he came in and I asked him to come and look at her, and I said it is terrible and he said, "Mrs. Keyser you think I threw the lamp?" "I said, "I will forgive you, if you did, I don't want to punish you, it would't bring her back;" he said he didn't. I said "How did it happen?" and he said, "She was drinking" and when I thought she was drunk and met her death in that way I thought I would bear it all, and he said she came in and pushed against the table; he said he was opposite the lamp and then she pushed it and he tried to grab it and upset it. I was almost dead with grief and the detectives and reporters and everybody came and I said, "Yes, close it up" he didn't do it. I didn't have the heart to ask her; she was afraid we would kill him, she didn't want us to be murderers.

Q This young man is not in any way related to the family?

A We didn't know him until two or three years ago.

Q What is his general disposition as far as you know?

A If you aggravate him I think he is violent but I don't think

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think he wanted to do it because she was his best friend.

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WILLIAM WENRICK, duly sworn:-

I am the son of the deceased; I left home 336 West 42nd Street, I left there about five minutes to eight, Saturday, and mother had just got through cooking supper and I started down town and came up home about between 10 and 11, I couldn't say exactly; just before I got to the house I seen the ambulance and a big crowd and a young lady said "Oh, Billy, they are taking your mother to the hospital," and I quick ran upstairs, we lived on the second floor, I went in the room and my mother was standing in the center of the room all burnt up crisp, her arms, breast and face, I hardly knowed her; she said, "Oh, Willy, look at your poor Mama;" I didn't stop to ask her how it was done - there was a policeman there and an ambulance man there and two or three firemen standing there doing nothing - I took her and said let me get you in there - and she had one of my slippers on and I went to go down stairs with my mother and I got her in the hall and they brought the stretcher in the hall and as they did my sister came from 42nd Street and my mother heard her and she fainted. I finally got her on the stretcher. This young man Brandon was taken into the house after he moved a trunk or something for my sister. he used to be on board a ship in the Navy, I think he said,

he had been all around to the foreign countries and he said he deserted on account of cruel treatment or something. He has been working for a man named Emons at upholstering on 37th Street; I think my sister got him there; ~~xxx~~ he lived with my mother and he paid board to my mother.

Q Did you have any conversation with him after the fire?

A. Yes, sir.

Q What did he say? A. Saturday night as I went over to 42nd Street he said, "Willy, I got on your coat, and he never showed up until Monday after he came to my sisters house and he sat down and we asked him where he went to and he said he got his arm dressed Saturday night and he was walking around all night Saturday night the balance of the night. He came to our house in the evening about dusk-

Q Did he say anything to you how this occurred?

A. Yes, sir; the first explanation I heard was that my mother had been in the water closet and had fell asleep, after about 20 minutes she came in from the water closet and bumped against the table and the lamp a kind of upset; he was washing his hands at the sink about five feet away, he went over to grab the lamp and the lamp fell on the floor; that was the statement I heard.

Q Did he make any other statement? A. No, I didn't hear him make any other statement about the lamp. I heard him say that my mother had been drinking, that she was stupid with liquor and she came in the kitchen and threw herself back this way and said, "Pull off my stocking in front of him and in front of Mr. Free.

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ORIGINAL**

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CHARLES L. FREE, duly sworn:-

I live No. 150 West 48th Street. I know nothing about this; I went there Saturday night at half past 8 o'clock; and I was going out to go, she was not there when I first got there and then Mrs. Wenrick came in and said, wait a minute, I will go to market; I said, hurry up, we got down in the hall and we were talking and she asked me if I would go to market with her.

Q Had she been drinking that evening to the best of your knowledge and belief? A. Not as I know of; I brought her home after she was to the market; I was hurrying up, because I had business to attend to; she said my feet are wet and I said here is a place we had been in before and we went in there and had two drinks.

Q Did she in your presence ask him to take off her stockings? A. No, sir, her feet were wet, and I am not positive whether she took off one shoe or not and she asked me would I pull it off for her which I often did before.

Q Did she stagger at all? A. No, sir, she didn't; there were people in the hall when we came up from the market.

-----oOo-----

JAMES BUTLER of No. 336 West 42nd Street, duly

sworn:-

By the Coroner:-

Q What do you know of this occurrence?

A. My wife woke me up and called fire; I rushed into the rooms in my night dress, the fire was all around the door, I had to open the door to get in and I run back into my own room and grabbed some water and threw it and I heard some loud talking; I didn't know much about the case; I threw two dishes of water at the door and rushed into the front and the janitor of the building was on the fire escape and the lady was on the fire escape too; we got her in and she sat down; when I first went in I didn't see this man. I never saw this man in my life until now with the exception of the night he was there I never spoke a word to him; the man appeared to be stupid, he couldn't do anything; I pushed him out of the way.

Q Did this man have any conversation with the deceased when he took her in from the fire escapes? A. Yes, sir.

Q What was that? A. He was kneeling down and she was sitting and by this time the fire was all out, she was stripped nude from the waist up and this man stood there kneeling and he said "I didn't mean it;" and she took her right hand and pushed him away.

Q You heard him say that? A. ~~xxxxxxx~~ Yes, sir.

Q She held you and pushed the other young man away?
A. Yes, sir.

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JAMES MITCHELL, recalled:

By a Juror: Q How far was the table away from the wash stand?

A. About five feet; it didn't strike the top of the wash

tub, it struck the edge; it could not have fallen from the table at the point at which it exploded, because the table was at least a foot and a half lower than the top of the wash-tub and some five feet distant from the point at which the lamp had evidently struck and broken; it did not set fire on the top -

Q Were there any marks of fire on the table at all?

A. None whatever.

Q It was about so far distant? A. Fully that, sir; the table stood over here and the wash-stand about this distance and the lamp, the edge in that way and the oil spilled over the frame work of the door; the remnants of the lamp were found below the wash-tub right about five feet from the table.

-----oOoo-----

The Coroner: Gentlemen of the Jury, there is no doubt as to the direct cause of death; the only question for you to consider in addition to that is was that death caused by an accident - was it an accidental one or not. If it was an accident in your opinion this young man is entitled to an exoneration at your hands. If the evidence is such as to satisfy you that this young man threw that lamp or pushed it down or was the direct or indirect cause of death of this woman it becomes your duty so to state in your verdict. If that is your conclusion the Grand Jury will have to take up the case

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ORIGINAL**

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and find an indictment. That is all I think it is
necessa ry to say. You may now retire and frame
your verdict.

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VERDICT: We, the Jury find that Elizabeth J. Wenrick
came to her death from burns received at No. 336
West 42nd Street on the 11th of April, 1891, caused
by a lamp thrown by John Freeman.

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POOR QUALITY ORIGINAL

0382

PART II.

THE COURT ROOM IS IN THE THIRD 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 GENERAL SESSIONS OF THE PEACE.

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

To Dr Walter Burrell

of No. Bethune Hospital Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of OCTOBER 1897, at the hour of 11^{10¹⁵} in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

John Freeman

Dated at the City of New York, the first Monday of OCTOBER in the year of our Lord 1897

DE LANCEY NICOLL, *District Attorney.*

POOR QUALITY ORIGINAL

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Bellman
Hoff

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's Office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his Assistants.

POOR QUALITY ORIGINAL

0384

COURT OF GENERAL SESSIONS.

COUNTY OF NEW YORK

Part 1

THE PEOPLE ETC.,

AGST.

JOHN FREEMAN

MOTION

FRANK J. KELLER

ATTY FOR DEFENDANT

61-65 PARK ROW

WORLD BLD'G.,

N. Y. CITY.

RECEIVED
SEP 24 1965
CLERK OF COURT

POOR QUALITY
ORIGINAL

0385

COURT OF GENERAL SESSIONS
NEW YORK COUNTY

THE PEOPLE ETC., :
AGST. : INDICTMENT FOR
JOHN FREEMAN : MANSLAUGHTER

Sir:

Please take notice that the above named defendant will move this Court sitting said Court in Part I thereof, on Wednesday the 9th inst. in the Court House in the City of New York at eleven o'clock A. M., or as soon thereafter as counsel may be heard, that an early day be peremptorily fixed for his trial ~~hereinafter~~ failing which, that the defendant be discharged upon his personal recognizance.

September 5th 1891.

Frank J. Keller

Atty. for defendant,
61-65 Park Row,
N. Y. City.

To Hon. DeLancey Nicoll
District Attorney for the
County and City of New York.

POOR QUALITY ORIGINAL

0386

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

THE PEOPLE OF THE STATE OF NEW YORK
against

John Freeman

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

John Freeman
of the CRIME OF *Manslaughter in the second degree,*

committed as follows:

The said *John Freeman,*

late of the *First* Ward of the City of New York, in the County of New York aforesaid, on the *seventh* day of *April*, in the year of our Lord one thousand eight hundred and *eighty* at the Ward, City and County aforesaid, *with force and arms, in and upon one Elizabeth Warrick, then and there living, unlawfully and feloniously did make an assault, and by means of then and there unlawfully and feloniously acting on fire and burning the clothing then worn by and upon the person of the said Elizabeth Warrick did then and there unlawfully and feloniously burn and wound her the said Elizabeth Warrick, in and upon her head, neck, body and arms, giving into her the said Elizabeth Warrick, then and there by the means aforesaid, in and upon the head, neck, body and arms of the said Elizabeth Warrick, divers mortal wounds and wounds, of which said mortal wounds and wounds, the said Elizabeth Warrick*