

0026

**BOX:**

537

**FOLDER:**

4888

**DESCRIPTION:**

Kallday, William

**DATE:**

10/04/93



4888

0027

**POOR QUALITY ORIGINAL**

Witnesses:

*Emma Neumann*

Counsel,

Filed *4* day of *Oct* 189*3*

Pleads, *Murder*

THE PEOPLE

vs.

*H.D. I*  
*William Kalleday*  
*(2 cases)*

*First* Degree.  
Robbery,  
(Sections 284 and 22 of Penal Code.)

*40*  
*129*  
*320*

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Edward G Taylor*  
*Oct 17 1893*

Foreman.

*Friedrich Leopold*  
*of Grand Jurors*  
*S.P. 4 1893*  
*Oct 24 1893*

0028

POOR QUALITY ORIGINAL

Witnesses:

*Emma Newman*

# 25

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

vs.

*H.D. I*  
*William Kalladay*  
*(2 cases)*

*First*  
Degree.  
Robbery,  
(Sections 224 and 228, Penal Code.)

*129*  
*129*

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Edward G. Taylor*

*Oct 17/93*

Foreman.

*Tried & convicted*  
*of Grand Larceny 2d deg*  
*S.P. 4/93*

*Oct 24/93*  
*RBA*

Mr. Macdonna will  
 please return this to you  
 Anderson  
 Official Stenographer. Part I

PHILLIPS & MOWER, 82 Nassau St., N. Y.

Filed Oct.  
 Anderson has 1893  
 Judge's charge.  
 N. Y. 11  
 420

STENOGRAPHER'S MINUTES.

Court of General Sessions  
 The People Part I  
 vs.  
 William Kalleday

BEFORE

His Honor Judge Martineau

October, 1893

WITNESSES.

	Direct.	Cross.	Re-Direct.	Re-Cross.
Emma Skerman	1	11		
Mary Siebert	42	44		
Bernard J. Farrell	44	46		
The Defense				
Patrick Louis Ward	49	50		
William Kalleday	57	60		
Ella Winkler	76	79		
Wilhelmina Kalleday	81	84		
Fritz Friedmann	110	111		
Samuel Steinetz	112	112		
Anna Reinfleisch	114			
Mary Siebert (recalled)	117	118		
Emma Skerman	121	123		
Samuel Prantik	130			
The Judge's Charge				

THE PEOPLE, COURT OF GENERAL SESSIONS, PART 1.  
vs. BEFORE JUDGE MARTINE.  
WILLIAM KALLEDAY.

Thursday, October 12, 1893.

Indictment for Robbery, in the First Degree.

Assistant District Attorney Weeks, For the People.

Mr. Lowe, counsel for the Defendant.

A Jury was empannelled and sworn.

EMMA NEUMANN, sworn, and examined by Mr. Weeks, through the interpreter, testified:

Q How old are you, Emma? A. Seventeen.

Q Where were you born? A. In Breslau.

Q When did you come to the United States?

A. It was eight months ago.

Q When you first came to this country, did you go into employment?

(Objected to, as leading.)

Q Where did you go to, where did you live, when you first came here? A. I lived in Sixth street.

Q In this city? A. Yes, sir.

Q Did you do any work or anything?

A. I was a domestic in that time.

Q How long did you stay in Sixth street? A. Two months.

Q From there, after that, where did you live?

A. Then I went, as a domestic, to Brooklyn.

Q How long did you remain in Brooklyn? A. Two months.

Q Then where did you go to? A. Then I lived in Fifteenth street.

Q New York city? A. Yes, sir.

Q Were you working there? A. Yes, sir.

Q What kind of work? A. I was a servant.

Q From Fifteenth street, where did you go?

A. Then I went to these people.

Q Where is that? A. No. 129 Third avenue, corner of Fourteenth street.

Q Did you go there to work? A. I went there in order to live with German people, and also in order to work; but, as I was there, they told me-----

Q Never mind that; that doesnot answer my question. When you went there, did you go there as a boarder, did you pay rent for your room, or what? A. Yes, sir, I went there to live and to sleep.

By the Court:

Q As a boarder? A. Also to board.

By Mr. Weeks:

Q How much were you to pay for your room and board?

A. Six dollars a week.

Q With whom did you make that arrangement?

A. I heard that from a gentleman, out of the paper-----

Q Who did you make the agreement with, with the man or with the woman? A. I went to the lady and asked

for lodgings; she says, "All right, you can live here."

Q Now, at the time that you went there, did you have the dress that you now have on? A. No, I had not the dress that I have now.

Q From whom did you buy that dress? A. I bought it from that lady.

Q Which one -- this one sitting here? A. Yes, sir.

Q Did you know her as the wife of the defendant?

A. She does not know anything about the defendant.

Q. You know this man here? (Pointing to the defendant)

A. Yes, sir.

Q. Now, how much were you to pay for that dress, the one you have on?

A. \$35.00.

Q. Did you pay for it?

A. Oh, yes.

Q. Now, I show you this dress; when you went there, did you have this dress? (Dress shown)

A. No.

Mr. Weeks: Mark that No. 1 for identification.

Q. And from whom did you agree to buy that dress?

A. The lady told me that I should buy the dress.

Q. How much did you agree to pay for it?

A. \$150.00.

Q. Now, when you went there, did you have any jewelry?

A. No, I had simply a dress.

Q. Did you pay \$150.00 for this dress?

A. Oh, yes.

Q. Now, I show you these two bracelets. Did these belong to you?

A. Oh, yes.

Q. From whom did you buy them?

A. From the lady.

Q. How much did you pay for them?

A. \$8.00.

Q. For the two, or for each one?

A. For one.

Q. \$16.00 for the two?

A. Oh, es.

Q. When you went there, did you have these ear-rings? (Ear-rings shown to the witness)

A. No; every-

thing I bought.

Q. Just ask the question, did she have those ear-rings when she went there?

A. No, these I bought.

Q. From whom?

A. From the people.

Q. How much did you pay for them?

A. \$8.00.

Mr. Weeks: Mark the bracelets No. 2 and

the ear-rings No. 3.

Q And, when you went there, did you have this ring(ring shown)?

A. No, sir.

Q From whom did you buy that?

A. From those people.

Q How much did you pay for it?

A. \$15.00.

Mr. Weeks: Mark the ring No. 4.

Q I show you that ring. From whom did you buy that?

A. These two I bought from them.

Q After you went there, how much did you pay for them?

A. \$20.00.

Q You paid the money for all these things; did you?

A. Yes, sir.

Q Now, while you lived there, how did you get the money that you paid for those things with?

(Objected to, as immaterial.)

The Court: Objection sustained. You may ask her the general question, where she got the money.

By Mr. Weeks:

Q While you were living there, how often did you see this defendant, the man?

so he was always there.

A. He was out of work, and

By the Court:

Q Did she see him every day?

A. Yes; sir.

By Mr. Weeks:

Q Was he at home in the evening?

A. Oh, yes.

Q When did you leave 129 Third avenue, how long before you had the defendant arrested?

A. I left fourteen days ago.

Q What time of day did you leave?

A. Thursday evening.

By the Court:

4 Q About what hour?

A. Eight o'clock.

Mr. Weeks: It was the 21st of September, the day before the complaint.

By Mr. Weeks:

Q How long were you there?

A. Four months.

Q You left there, you say, Thursday evening; when did you come back to the house after that?

A. Friday evening.

Q About what time?

A. Friday, at 8 o'clock in the evening; the lady stopped me in the street.

Q Did she speak to you?

A. Yes, sir; very amicably.

Q After she spoke to you, did you go into the house?

A. Yes, sir; because she told me that there was for me a letter.

(Objected to)

Q That Friday evening, when you went there, what dress did you have on?

A. That dress (the \$150.00 one.).

Q Did you have on these bracelets and ear-rings, and the two rings?

A. Yes, sir, and a watch.

Q When you went into the house, what room did you go into?

A. In the parlor.

Q Did you see the defendant, the man, there?

A. The man and the woman.

Q Were they in the parlor?

A. Yes, sir; we went

all into the parlor.

Q The three of you?

A. Yes, sir.

Q Was any one else there?

A. No.

Q Now, tell the jury what happened when you three were in the parlor?

A. We went into the parlor; the man locked the door.

Mr. Lowe: The translation was not cor-

rect; let her repeat it. The interpreter injected a remark which was not in the German language.

The Court: You can correct that afterwards. He is a sworn officer, and, if there is anything incorrect, I will have it corrected afterwards. If there is anything incorrect, it shall be corrected. You make a memorandum of anything that you think is incorrect; there are plenty of gentlemen on the jury who understand the German language, who will straighten it out.

By Mr. Weeks:

Q What happened when you all three were in the parlor?

A. The man told me whether I would willingly-----

By the Court:

Q Go back to what was first done. I got started on, "The man locked the door." Now, you are going back to what the man told you. Go back to what was said and done?

A. As I entered, the door was locked.

Q She means after she got in?

A. Yes, sir.

Q All right; go on. Who locked it?

A. That man.

Q Now, go on.

A. Then the lady asked me whether I would divest myself willingly of that dress; otherwise, I would not come out alive. I said, "Yes," and I stripped the dress, and she said it was all right. Then the man compelled me to write a letter, under the condition that if I would not write the letter I could not get out alive. I did not want to do it, and I defended myself against it, but, as I saw that it was useless, so I did it; then the lady gave me an old dress, and I put it on and went away.

Q What was done about the jewelry?

A. This has been

taken away from me, everything.

Q At the same time? A. Yes, sir.

Q Under the same circumstances? A. Yes, sir.

Q She took it off and laid it down; is that it?

A. They took it away from me.

Q How? A. The lady loosened it from me, and took it away from me.

By Mr. Weeks:

Q What? A. The ear-rings.

Q The ear-rings and the bracelets?

A. The wristbands and the rings.

Q Who took the rings off your finger? A. The lady.

Q Where was the man standing at the time?

A. The man stood behind her.

Q What did he say? A. He said nothing when he saw that I gave up everything.

Q Who was it that told you that you would not get out alive, if you did not give up those things, the man or the woman?

A. First the lady said so, and then the man, both.

By the Court:

Q The man said something about writing a letter?

A. Yes, sir.

Q The woman said about giving up the things? A. Yes, sir.

By Mr. Weeks:

Q Is this the letter that you wrote then? (Letter shown)

A. Yes, sir.

Mr. Weeks: It is in German. I offer it in evidence. I will offer the dress as Exhibit 1, the bracelets as 2, the ear-rings 3, the large ring 4, and the small ring 5, and the letter 6. I ask the

the interpreter to read it over carefully, so that he may make a good translation of it.

The interpreter translated as follows:

"Mrs. Kalleday: The \$250.00 which I owe you for board and clothing, the same which you made for me"-----

The interpreter: There is a word omitted, she meant to say, "I shall pay."

Mr. Weeks: What does it say?

The interpreter: "I shall, at the longest, within eight days of that time or two weeks, to-wit, on the 30th of this month, deposit the above amount, and shall come and take these clothes; otherwise, the things remain with you. I remain, respectfully, etc."

The Court: What is the signature?

The interpreter: Emma Neumann.

THE WITNESS: My name is Emma Clanthy.

By Mr. Weeks:

Q You say it was at the dictation of the defendant that you wrote that letter?

(Objected to. Objection sustained.)

Q Why did you write that letter?

(Objected to. Objection overruled. Exception )

A. I wrote it because I had been frightened that way.

By the Court:

Q What did he say? A. I would not, otherwise, get out alive from the room.

Q He must have told you more than that. What did he say when he asked her to write the letter? A. If you write

willingly the letter, then every thing-----

Q What letter? How did you know what to write?

A. I did not know myself why-----

Q How did she know what to put on that paper?

A. Because the lady dictated to me, word by word.

By Mr. Weeks:

Q Who dictated it? A. The man.

Q Did you say, just a moment before, that the lady dictated it to you -- which one was it? A. I am entirely confused from this position.

Q Do not get frightened about it now, it is all over. Think a moment, and tell us who dictated the letter to you, the man or the woman? A. The man dictated the letter to me.

Q Are you sure of that now? A. Oh, yes.

Q Did you leave the house then? A. Yes, sir.

Q What did you do? A. I went to a friend of mine, to a woman friend of mine, and communicated to her this occurrence.

Q Where did you go from there? A. I remained with her, and slept with her.

Q That night? A. Yes, sir.

Q The next day where did you go, Saturday? A. Then I went to the station house.

Q What time on Saturday did you go to the station house? A. At 4 o'clock, afternoon.

Q Did you see Officer Farrell there? (Objected to. Objection overruled.) A. I don't know the name.

Q Did you see that officer there (Farrell)? A. Yes, sir.

Q Did you go anywhere with him?

A. I went with him into the house.

By the Court:

Q The defendant's house? A. In the house of the lady there

By Mr. Weeks:

Q Did you see the man there when you went there with the officer?  
A. Yes, sir, both.

Q Now, did any one then say anything to you, when you got to the house with the officer?  
A. I told the officer these are the people, and then the man asked if the people would give me the effects willingly; otherwise, they might go to the station house.

Q Did either the man or his wife say anything?

A. Oh, yes; they did not want to come at all.

Q What did they say? A. The woman began to cry out loud, and refused to go.

Q What did the man say? A. The man would not go himself, but finally he went.

Q Was any one else in the house beside the man and the woman and yourself, while you were living there?

A. Yes, sir, a young lady who lives there, and the daughter.

Q That was Mary Siebert? A. Yes, sir.

Q And the daughter of these two? A. Yes, sir.

Q How old was that daughter? A. Thirteen years.

Q At the time that you took off this dress, and this jewelry was taken from you, were you in fear of personal injury?

A. I took them off immediately, and so they did nothing to me.

Q Were you afraid they would do something to you, if you did

not take them off?

A. Yes, sir; otherwise, I

would not have taken them off.

C r o s s   E x a m i n a t i o n .

By Mr. Lowe:

Q How much money have you paid in all to Mr. or Mrs. Kalleday?

A. For the dress I paid \$150.00, and for hats \$11.00.

Q Let me understand you, my dear child. You say you paid to Mr. and Mrs. Kalleday \$150.00 for the dress; is that the truth?

A. Yes, sir.

Q You also paid \$11.00 for hats; did you do that?

A. Yes.

Q Then you paid \$16.00 for the bracelets?

A. Yes.

Q \$8.00 for some rings?

A. Yes.

Q \$15.00 for some rings?

A. Yes.

Q \$20.00 for some additional rings?

A. Yes.

Q So that you paid the sum of \$219.00 for dresses and for finery; is that true?

A. Yes.

Q Did you pay them anything in addition to these amounts, for board?

A. I have paid extra board.

Q How much did you owe Mr. or Mrs. Kalleday on the day when you left their house?

A. I owed them nothing.

Q Are you very sure that you did not owe them anything at all, either for clothing or for board?

A. No, sir,

I did not owe them anything.

Q I also show you a letter. Look at the letter now shown you and state how this letter came to be written by you, or by some one in your behalf, if it was written by some one in your behalf. Was that letter written by you?

A. I did not write this letter, but a gentleman wrote

this letter.

Q At your request? A. By my order.

Mr. Lowe: Mark that letter, for identification, Defendant's Exhibit A.

Q Now, Miss Neumann, I do not want to entrap you; I give you fair warning. Kindly remember, did you owe anything to these people for dresses or for board at all on the 21st or the 22nd of September last? A. No, sir.

Mr. Lowe: Will the interpreter kindly read this letter?

The interpreter reads: "New York, September 22, 1893. Dear Mrs. Kalleday: Having found a friend who will fix a lodging for me, so I shall not return to you, because this will be to my advantage. My intention is to avoid all sins, and for this reason I shall send one of my acquaintances to forward my belongings and to pay you the amount I owe you. I beg you to communicate to my address following how much I owe you, and subsequently I shall pay you the amount. As everybody is caring for his own advantage, and as I see therein a future for me, I beg you ~~not~~ to grudge on account of this, and I hope we shall remain friends also in the future. With best greetings, I remain, your, Emma Neumann, General Delivery, Post Office."

Mr. Lowe: I ask that the letter be received in evidence.

Mr. Weeks: No objection.

By Mr. Lowe:

Q Did any one enter into that room while you were writing the  
12

letter alleged to have been written on compulsion?

A. No.

Q Do you know that man over there? (Pointing to Mr. Buchwalt.)

A. Oh, yes.

Q Did that man enter the room while that letter was being written?

A. No.

Q He did not enter?

A. No.

Q Did any one else enter the room?

A. When I was

dressed, then he came in.

Q Who came in after you were dressed?

A. Mr. Buchwalt.

Q Did you speak to him?

A. Oh, no.

Q Did you complain to him of what happened to you?

A. No.

Q Did you appeal to him for help?

A. No, he is a

thoroughly foreign gentleman, I could not have done it, he is a stranger.

Q You left the house about what time in the evening?

A. At 9 o'clock.

By the Court:

Q That is, after leaving the things behind her; is that what she means?

A. Yes, sir.

By Mr. Lowe:

Q And where did you go?

A. I went to my lady friend.

Q Will you kindly give us her name and address?

A. Oh, yes.

Q What is her name, and what is her address?

A. 27th street and Third avenue.

Q What is her name, my dear daild?

A. Miss Schmidt.

Q What part of the house does Miss Schmidt live in?

A. The third floor.

Q Did you go out that evening with your friend, Miss Schmidt,

or did you stay home with her? A. We remained at home.

Q That night? A. Yes, sir.

Q Where did you take supper that evening, on the 22nd?

A. I had already eaten.

Q Before you came to the Kalleday's? A. Yes, sir.

Q Did you, on going out from the Kalleday's, on the evening of the 22nd, meet any policeman?

A. What policeman?

Q Any policeman? A. Not on that evening.

Q When did you come to the United States?

A. Seven or eight months ago.

Q Do you want this Court and jury to understand that, when you came to the United States, you were a pure girl, honest and good?

(Objected to)

By the Court:

Q Were you, when you came to the United States, a pure girl?

A. Yes, sir, I was innocent.

By Mr. Lowe:

Q Where did you stop first after coming to this country?

A. In Sixth street.

Q I show you a letter. Kindly state whether this is a letter received by you, and from whom it was received? (Letter shown)

(Objected to)

By the Court:

Q Ask if that is a letter which she received, yes or no?

A. I do not know.

Q Look at it, and find out.

By Mr. Lowe:

- Q Kindly read it, and refresh your memory. A. No, sir.
- Q Did you ever read that letter before?
- A. No, I have not read it before.
- Mr. Lowe: Mark it, for identification, B.
- Q What is the name of the family you lived with in Sixth street?
- A. They were entirely strange people. I do not remember it any more.
- Q You said that you worked there for two months?
- A. Yes, sir, the lady was there on that day; she was going out for work herself, and I had a room there.
- Q What did you do there? A. I worked.
- Q What kind of work did you do? A. I was in a boarding house, to deck the tables.
- Q Where is that boarding house? A. It was in Eighth street.
- Q Do you know the number? A. No.
- Q Do you know the name of the keeper of the boarding house?
- A. Yes, sir.
- Q What is the name? A. Frau Meyer.
- Q What part of the street? A. Towards 6th and 7th avenue.
- Q Do I understand you to say that you worked in a boarding house on Eighth street, between Sixth and seventh avenues? You lived on Sixth street during that time; is that so?
- A. I did not remain there over the night.
- Q Don't you know that Sixth street extends only as far as the Bowery? A. Sixth street and Second avenue.
- Q Where you lived? A. Yes, sir.
- Q Now, what wages did you receive in that boarding house?
- A. \$15.00 for the whole month.

Q Kindly remember, if you can, the name of Mrs. Meyer, the Christian name, the surname? A. I do not know it,

because I did not remain a long time there.

Q How long did you remain there? A. Eight days, maybe.

Q Didn't you say that you lived there two months?

A. In Sixth street I lived.

Q Eight days you worked. How much money did you receive from Mrs. Meyer? A. \$15.00 the month.

Q But you didn't work a month? A. I did not fill out the whole month.

Q How much did you receive for the time that you did work?

A. I became sick, and so I received my full wages.

Q From Mr. or Mrs. Meyer? A. From the lady.

Q You don't know her name? A. No.

Q You don't know her address? A. No; Eighth street.

By the Court:

Q Between what avenues? A. Eighth street, between Sixth and Seventh avenues.

By Mr. Lowe:

Q Tell her to think again? A. Eighth street, between Sixth and Seventh avenues.

Q She is sure it was Eighth street, between Sixth and Seventh avenue? A. Yes, sir.

Q Now, she is sure about the Sixth and seventh avenues part of it? A. Yes, sir, I know it, because I went home every day.

Q How long were you sick, after you left Mrs. Meyer?

A. Fourteen days.

Q At home, lying in your room? A. Yes, sir.

Q Attended by a physician? A. Yes, sir.

- Q What is the name of the physician who treated you?  
A. I went to the dispensary.
- Q What dispensary did you go to?  
A. Eighth street and second avenue.
- Q On what day did you go there? A. I cannot remember that.
- Q Did you receive a card at the dispensary?  
A. I received a blue card.
- Q Have you got that card yet? A. I had some cards with Mrs. Kalleday, but I do not know if they are the same.
- Q Have you been repeatedly at the dispensary? A. I returned there when I did not feel well.
- Q After you regained your health, where did you work, while still living on Sixth street?  
A. Yes, sir.
- Q Where did you go to work then? A. When I had no position at all, somebody told me that I could go and work in a coffee house.
- Q Did you go to work in a coffee house? A. Yes, sir, I was in a coffee house, but not long.
- Q What coffee house, and where? A. To the Black Eagle.
- Q Where is the coffee house designated by the Black Eagle situated?  
A. In Fifth street.
- Q What part of Fifth street? A. I do not know well the avenues and the names, because it is not long that I am here.
- Q How long did you work in the coffee house, the Black Eagle?  
A. Three weeks.
- Q What was your salary or what were your wages?  
A. \$6.00 for the full week.
- Q What were you working at, to entertain customers or to wash dishes?  
A. I served customers.

- Q You didn't do any kitchen work? A. No.
- Q You didn't wash any dishes? A. No.
- Q Did you at any time since you came to the United States, work as a servant-girl in any family, anywhere?
- A. Yes, sir, in Brooklyn; as a nurse of children.
- Q How long did you work? A. One month and a half.
- Q What is the name of the family you were working with?
- A. Frau Meyer.
- Q Do you know where Frau Beyer lives? A. I do not know any more the name.
- Q Do you know where Mrs. Beyer lives, the family you worked with, what street, what number? A. I do not know it exactly, but I may have the address at home.
- Q What part of Brooklyn is it that Mrs. Beyer lives?
- A. I do not know what the part is called, because, at that time, I was here only one month, in this country.
- Q Is that true? A. Oh, yes.
- Q Is that as true as anything you have testified to here?
- A. Yes, sir.
- Q In your direct-examination you said, in answer to the District Attorney, "I lived in Sixth street, I worked there two months;" didn't you so testify? A. I said that I lived two months in Sixth street, and that I worked in Eighth street eight days.
- Q After you lived in Sixth street, you went over to Brooklyn? A. No; in Brooklyn I was first when I came to this country.
- Q What steamer did you come on, do you know? A. The "Scandia"
- Q Where did you go from the steamer? A. I had an address of some people, but these people did not come, and so

I went to New York, and in the paper I found the address for Brooklyn.

Q Then you were mistaken in stating, in answer to the District Attorney, that you first lived in Sixth street? "I was there two months, and I worked in Eighth street; then I worked in Brooklyn." I want you to tell, if you can, where did you live first, in Sixth street or in Brooklyn?

A. In Brooklyn.

Q Do you know the address of Mr. or Mrs. Beyer, in Brooklyn?

A. I do not know exactly, but I may have the address at home.

Q Ask her how many are there in the family of Mrs. Beyer?

A. Through the paper I received the address.

By the Court:

Q If she did not know the streets, how did she reach there when she went there?

A. I went there with a gentleman.

By Mr. Lowe:

Q What is the gentleman's name you went there with?

A. It was a gentleman who lived in the house where I lived, and the lady asked him if he was willing to do a favor and to accompany me.

By the Court:

Q What house was that?

A. The address was in 31st street

of these people.

Q Where was it you lived?

A. It was 35th street.

Q What number in 35th street?

A. I do not know that,

because I lived there only a couple of days.

By Mr. Lowe:

Q Do you know the name of the gentleman who accompanied you

19

over to Brooklyn?

A. It was an entirely strange gentle-

man.

- Q Do you know the name of the family you lived with on 35th street?  
A. No, it was a very old woman with whom I lived there.
- Q Do you know the family of Mrs. Beyer, was there a husband in the house?  
A. No.
- Q You worked for Mrs. Beyer, did you, as a nurse for children; did you say so?  
A. Yes, sir.
- Q How long did you work for her?  
A. One month and a half.
- Q What salary did she pay you?  
A. For a full month, \$6.00, and eating and drinking and sleeping.
- Q Why did you leave before your second month was out, were you discharged or did you go on your own account?  
A. It was too heavy work for me with children.
- Q How many children were there in the family?  
A. Five children.
- Q What was the age of the oldest?  
A. Thirteen years.
- Q And the age of the youngest child?  
A. Eight months.
- Q How many servants were in the family?  
A. I was only the nurse of children -- no other servants.
- Q Do you know whether Mrs. Beyer had a husband at home?  
A. I do not know.
- Q Did Mr. and Mrs. Beyer, or Mrs. Beyer, or the family you lived with in Brooklyn, have a horse and wagon, had they a carriage?  
A. No; they were people of the middle situation in life.
- Q What kind of a house did they live in?  
A. It was a common house, just as other people live in.
- Q Did they occupy the whole house, or only part of the house?  
A. The first floor.

Q Did they occupy the first floor and the basement, or the first floor all alone by itself? A. The full first floor only.

Q How many families were in that same building? A. Four or five, I guess.

Q Do you know the name of any other of the families living in that same house? A. No.

Q While you were at Brooklyn with this family, did you write home a letter, to your mother or to your brother? A. Oh, yes, many.

Q Did you tell them to send their answers to that house in Brooklyn? A. Oh, yes.

Q And yet you do not remember the number? A. I may have letters in the house.

Q I don't want any speech. I asked her if she knows the number? A. I do not know it by memory.

Q From Brooklyn where did you move to? A. Sixth street and Second avenue.

Q Do you know the name of the family with whom you lived? A. Oh, yes; Frau Meyer.

Q Do you know her Christian name? A. NO.

Q Has Mrs. Meyer a husband in the house? A. No.

Q Has Mrs. Meyer any children? A. No.

Q What part of Sixth street is it, do you know? A. Between first and Second avenue.

By the Court:

Q Is Mrs. Meyer the woman who keeps the house in which she lived in Sixth street? A. Yes, sir.

Q What is the name of the woman she worked with in Eighth street? A. Excuse me.

Q Tell her to tell me the name of the woman she worked with in Eighth street; the boarding house woman, in Eighth street?  
A. I am so confused.

Q (Question repeated.)  
A. I think Frau Meyer.

Q Did I understand her to say that the woman's name was Meyer who keeps the house in Sixth street?  
A. I cannot keep everything in memory, because it is all past eight months.

Q Were they both named Meyer?  
A. Oh, no.

Q Which one was Meyer, Sixth street or Eighth street?  
(No answer)

The Court: All right; I won't press it.

By Mr. Lowe:

Q How long did you remain in Sixth street?

A. Two months.

Q And where did you move from there?

35th street.

A. I went to

Q How long did you live in 35th street?  
A. Not long.

By the Court:

Q Had she ever lived in 35th street before that?

A. I had been often there before, in 35th street.

By Mr. Lowe:

Q Did you forget to state to the District Attorney that you had been in 35th street after leaving Sixth street?

A. I may have forgotten it.

Q How long did you stay in 35th street?  
A. Not long at all.

Q How long?  
A. Fourteen days, not even fourteen days.

Q What did you do there?  
A. I was there for a position, for a situation.

22 Q You lived there two weeks, you say?  
A. Yes, sir.

Q What is the name of the family you lived with?

A. I do not know; it was Miss.

Q Do you know the number of the house you lived in? A. No.

By the Court:

Q Do you know between what avenues?

A. Between Sixth and Seventh.

By Mr. Lowe:

Q Who took you there? A. A man.

Q What is that man's name? A. I do not know it.

Q Where did you pick that man up?

(Objected to. Objection sustained.)

(Question withdrawn.)

Q Where did you meet that man? A. I made acquaintance with the people where I was living.

Q Where, on Sixth street? A. Yes, sir.

Q Did he take you to 35th street, to secure for you a position there? A. I went there to see myself for a position.

Q A few minutes ago, you said that a gentleman took you there?

A. Yes, sir; I lived there.

By the Court:

Q Was it a boarding house or an employment agency?

A. It was a plain house.

Q A house in which she could get board, or a house where they got employment for girls, or what? A. It was a house where only working people live.

Q She got board there? A. They were married, working people.

Q Whom did she live with, did she pay her board, or how did she stay there? A. I only slept there.

Q Who else slept there? A. The gentlemen took me to those people.

Q Did she pay any board there? A. Yes, sir.

By Mr. Lowe:

Q How much did you pay? A. For a whole week, \$5.00.

Q And do you know the name of the people that you lived with in 35th street? A. No.

The Court adjourned.

Friday, October 13, 1893.

EMMA NEUMANN, recalled for further cross-examination:

By Mr. Lowe:

Q Miss Neumann, will you kindly look at Defendant's exhibit B, which you had seen yesterday, and try to refresh your memory, whether it is a letter you had ever seen before?

A. No, I think not.

Q Do you know the hand-writing that letter is written in?

A. No.

Q What is your father's name? A. Ernest Clanthy.

Q Have you any brothers and sisters? A. Oh, yes.

Q What is your sister's name? A. Gertrude Clanthy.

Q Have you another sister? A. The other sister is Frieda Clanthy.

Q Have you got a brother? A. Yes, sir.

Q Did your mother, on your coming to America, escort you as far as the port where you embarked, to Cox-Haven?

A. Yes, sir.

Q I now read you from the letter, Defendant's exhibit B:

(Objected to. Objection sustained.)

- Q Have you stated to the Court and jury all the places you ever resided at in this city? A. What I told yesterday I do not remember now, because I was so confused.
- Q Are you confused now? A. No.
- Q Now, kindly state all the place where you resided since you came to the United States, and please to state, as nearly as you can, when you resided in them?
- A. I cannot state all these places; I can only state one place where I have lived, one place where I have worked.
- Q Have you ever resided in this city on Ninth street, at 325?
- A. No.
- Q Have you ever resided with a gentleman named Wolf, husband and wife, in Ninth street? A. No.
- Q Do you know a gentleman named Mr. Wolf?
- A. No, I do not know any one.
- Q Have you resided in 43rd street? A. No.
- Q Have you ever resided in 33rd street? A. No.
- Q Have you ever resided at 241 West 33rd street? A. No.
- Q Are you very sure of that? A. In 33rd street I have people, acquaintances, but I did not live there.
- Q Didn't you pay \$3.00 a week for your board in West 33rd street? A. No.
- Q Do you know Madame Hedrick Winckler? A. Yes, sir.
- Q Do you know that lady? (Pointing to a lady in court).
- A. Oh, yes.
- Q This lady came with you to America from Europe; did she?
- A. Oh, yes.
- Q When did you come to America? A. I think eight months ago.

By the Court:

Q Can she tell the month in which she arrived?

A. I do not know very exactly.

By Mr. Lowe:

Q Before January or after January of this year did you come to the United States? A. I do not know it any

more.

Q Look at this envelope, please, and state whether you recognize this envelope as having seen it before?

A. It appears to me, I think I know it, but I can't tell it exactly.

Q Miss Neumann, how long have you born the name of Neumann?

A. Since I am in America.

Q Why did you assume the name of Neumann? A. My father told me ~~not~~ to give my true name, on account of a gentleman whom my father wanted I should marry.

Q To marry at home, or to marry in this country?

A. In Germany.

Q Was that Mr. Neumann you were about to marry? A. No.

Q Have you ever been in Koster & Bial's? A. Oh, yes.

Q How often have you been there since you have been in the United States? A. As long a time as I lived

with my boarding misses, with the lady that kept the boarding house.

By Mr. Weeks:

Q This one here, Mrs. Kalleday? A. Yes, sir.

By Mr. Lowe:

Q When did you live in 15th street? A. I never lived there.

Q Are you sure that you never lived in 15th street, in this

city?

A. Yes, sir, I am sure.

Q Why did you swear, yesterday, that you did?

A. What I told yesterday I do not remember any more today, and is of no value, because I was so confused.

Q Do you mean to withdraw everything you swore to yesterday?

A. Yes, sir; I do not want to have that any more stated.

Q So that you want to withdraw all the testimony you have given yesterday, as untrue and as false?

A. I believe so, because-----

(Objected to)

By the Court:

Q Give me the whole of the answer?

A. What I told yesterday is of no value any more, because I was so confused.

By Mr. Lowe:

Q All that you have testified to yesterday is untrue; is that so?

A. Maybe; I do not know what I have said.

Q Didn't you say, a few minutes ago, "Yes, it is untrue?"

A. Yes, sir.

Q You did say so?

A. Yes, sir.

The Court: Coupled with the statement that she did not know what she said, I think, in all fairness.

By Mr. Lowe:

Q Have you saved up any money since you have been in the United States?

A. Yes, sir; as long as I did not live with Mrs. Kalleday-----

Q How much money did you have when you came to Mrs. Kalleday to live?

A. \$20.00.

Q You paid for the dress, Exhibit No. 1, \$150.00?

A. Yes, sir; Mrs. Kalleday first gave me other dresses, and sent me to the street, in order that I may earn some money.

Mr. Lowe: I move to strike out the answer, as irresponsible.

The Court: I will do it.

By Mr. Lowe:

Q Did you pay \$150.00 for the dress now produced here?

A. Yes, sir, I paid it.

Q Are you sure? A. Oh, yes.

Q You are cool, calm and collected, and not confused now?

A. No.

Q You have been examined as a witness before the Police Magistrate? A. Yes, sir.

Q Look at the deposition before the Police Magistrate, and state whether this is your signature attached to it?

A. Yes, sir.

Q In this examination before the police Magistrate, you stated that the value of the dress is \$40.00, and that you paid \$40.00? (Objected to)

The Court: The indictment states its value at \$40.00. You may ask her if she swore to such and such a statement.

By Mr. Lowe:

Q You swore in the statement before the Police Magistrate that the dress, the ear-rings and the two finger rings and the enameled bracelets and money was of the value of one hundred dollars.

By the Court: Did you so swear?

A. No, sir.

By Mr. Lowe:

Q. What did you swear to, before the Police Magistrate?

A. I told, before the Police Magistrate, that the dress has been charged to me \$150.00, and while Mrs. Kalleday said that it was worth only \$100.00, and I paid \$150.00.

Q. Did Mrs. Kalleday, a few days before the 22nd of September, tell you of a dream she had; yes or no?

(Objected to. Objection overruled)

A. No.

Q. Did she tell you that she dreamed that you were about to steal, or sneak out of the house, and carry the dresses and jewelry away with you?

(Objected to, as immaterial. Objection overruled.)

A. Nothing of the kind has been said to me; for God's sake-----

Q. Has Mrs. Kalleday used to you the words, "Emma, I have dreamed that you will sneak out"? A. Not one word.

Q. Have you got an aunt whose name is Eida, she lived in Berlin?

A. Yes, sir.

Q. Do you know Mrs. Merkert, in Breslau, Germany?

A. No.

Q. After the dresses were taken from you, on the night of the 22nd, or by you given to the people, how long did you remain in the room, the dresses and the other articles mentioned here?

A. I remained there the time necessary to strip off the things and to write the letter, and then I went away.

Q. After you had written the letter, did you remain there for some time or any time? A. Oh, no.

Q. Did you weep when you went away; yes or no? A. No.

Q. Did you resist in any way, did you try to prevent Mr. or Mrs. Kalleday or anybody to take off your dresses; answer yes or no?

A. Yes, sir, in the beginning I resisted somewhat.

Q. Didn't you swear yesterday that, "After these people had said, 'You do not leave this room alive,' I voluntarily took off my dress and gave it up"?

A. I did not resist so far as the dress, the wearing apparel, are concerned, but I resisted so far as the letter writing is concerned.

Q. Why did you say, a few minutes ago, that you did resist the taking off of the dress?

A. I could not speak, I was of the opinion that everything was meant, altogether.

Q. How many doors lead into or out of the parlor in which the occurrence took place on the evening of September 22nd?

A. Three doors.

Q. Explain where those doors lead to? A. One door leads to the sleeping room, another door looks into the sleeping room, and the other door to the floor.

By Mr. Weeks:

Q. To the hall, I suppose? A. Yes, sir, to the hall.

By Mr. Lowe:

Q. At which door did Mr. Buchwalt enter when you were writing the letter? A. After having addressed it, Mr. Buchwalt came from the door of the hall.

Q. How did he come in, did he knock at the door?

A. Yes, sir, he had to knock at the door, because the door was locked.

Q. Who opened the door for him? A. Mr. Kalleday.

Q How long did he remain in the room? A. I do not know that, because I immediately went away.

Q Did you kiss Mrs. Kalleday good-bye when you went away?

A. Oh, no, I did not kiss her, but I was polite enough to greet her.

Q Did you shake hands with Mr. Kalleday when you went away?

A. No, I did not.

Q What was the reason that you changed your name to Neumann when you came to this country?

(Objected to, on the ground that she has already answered)

(Objection overruled)

A. On account of my father.

By the Court:

Q Why did she select the name of Neumann?

A. I think that it is indifferent what name I have selected.

Q Tell her to answer why she selected that name?

A. I do not know.

Q Ask her if she had any reason at all for selecting the name of Neumann, rather than some other name?

A. No, I had no reasons.

Q What put the name of Neumann in your mind? A. I knew a young lady whose name was Neumann.

By Mr. Lowe:

Q Didn't you tell people in this country that Neumann is the name of your husband? A. I did not say that.

Q When you entered the parlor where this happened, on the evening of September 22nd, who lit the gas?

A. Mrs. Kalleday.

Q What was the conversation then and there held?

A. She told me that I should take off that dress.

Q Did she speak to you in the German language?

A. Yes, sir, because I do not know English.

Q Now, state the language in which she said that to you, the words, if you can?

A. She said that I should take off the dress and take off the other things. I asked her why, because everything was paid by me.

By the Court:

Q She said that to the other woman? Does she say that she said that to the other woman?

A. Oh, yes.

Q Go on?

A. And as I saw them grow rough

with me-----

Q All we want is the conversation; we don't want the roughness.

A. She said, "Ehema, will you willingly take off that dress? It is better for you; otherwise, you do not get out alive, out of this room;" and then I said, "All right."

By Mr. Lowe:

Q Is that all that happened?

A. I allowed myself

to be stripped off of everything, and everything took place very shortly.

Q What did you say?

A. I said, I allowed all

the apparel that I had on to be stripped off from me, to be taken from me, taken off me, and then the man compelled me to write a letter, and I resisted very much to it; but, under such a heavy threat, I cried, I commenced to weep, and I wrote the letter.

Q Was pen, ink and paper handed to you to write that letter?

A. They first fetched that to me.

Q Who fetched it?

A. Mr. Kaleday.

Q Whence did he bring it from?

A. From the sleeping room.

Q Was the sleeping room closed and locked? A. No.

Q You didn't owe a cent to those people on the 22nd of September, you said you did not owe them any money on the 22nd of September? A. I did not owe them one cent.

Q Why did you write that on the 22nd of September, that you would pay them all you owed as soon as you had an arrangement with your gentleman friend?

(Objected to.)

The Court: Let the interpreter see if the words "gentleman friend" are in the letter. Look at the letter and see if she says anything about that.

The interpreter: Yes, sir.

The Court: Tell us what she said, translate it.

The interpreter: "My intention is to avoid all sins, and for those reasons I shall send one of my acquaintances, in order to forward my belongings and to pay you the amount which is due to you."

Mr. Weeks: I have no objection to that part of it.

By Mr. Lowe:

Q Why did you write that letter, or cause it to be written?

A. Thursday night I was to go away, Thursday my week ended, and I had to pay the board, I had to pay \$6.00 on Friday, but that day I was not at home, and I did not give up the room to the lady.

By the Court:

Q Let me understand. What day of the week did she leave?

A. Thursday evening.

Q Had she been there from the previous Thursday without paying

any board? A. Oh, yes, I always had paid it.

Q Had she paid that last week's board? A. Yes, sir.

Q Did she pay it twice, what was the \$6.00 due for?

A. On Thursday evening my rent was due.

Q In advance or otherwise? A. My week was up Friday, I had to pay the rent for a new week.

Q Go on? A. I went away without giving up the room; I thought I owed the lady the rent, and, therefore, I wrote to her the letter that I will make everything all right with her.

By Mr. Lowe:

Q How much did you pay to Mrs. Kalleday per week, on an average, on account of board and on account of dresses and on account of jewelry, or on any account?

A. I paid \$6.00 board, and, when I received a new dress, I paid it to her.

Mr. Lowe: I move to strike that out;

that is not responsive.

The Court: I will leave it in. It is in part responsive; it may not be fully responsive.

By Mr. Lowe :

Q How much did you pay, on an average, per week for everything? A. \$6.00.

Q Do you want this Court to understand that if you received a dress, you paid for it all at once and not in installments?

A. Yes, sir, because I had not every moment a new dress made.

By the Court:

Q When she received a dress did she pay for it the entire amount agreed for it, or did she pay in installments?

A. I paid it immediately.

Q Did she pay \$150.00 in one sum? A. Yes, sir.

Q Where did she get it? A. I had saved them.

Q Saved them from what? A. Through the advice of the lady that I should go to the street.

Q For money you earned by going into the street; is that it?

A. Yes, sir; otherwise, I would not have had made such dresses, I would not have had made such dresses.

Q Then you must have had a pretty active business?

A. Yes, sir.

By Mr. Lowe:

Q About what time did you pay the \$150.00 to Mrs. Kalleday?

A. When the dress was ready.

Q When was the dress ready, in the month of September or the previous month -- was it in the month when this occurrence happened or the month previous? How old was the dress on the 22nd of September?

A. I think three weeks or fourteen days.

Q When you paid the \$150.00 to Mrs. Kalleday for this dress sometime in the early part of September, or in the first week in September; is that so?

A. I paid for the dress when it was ready, some days before, because I had the money ready.

Q When, that is what I want to know?

A. I cannot remember that.

By the Court:

Q How long had you been there when you paid for the first dress you received? A. Three or four months.

By Mr. Lowe:

Q Which was the first dress she made for you?

A. A dress of black silk with red flowers.

By the Court:

Q How long were you there altogether? A. Four months.

Q Am I to understand that she paid for the first dress at the expiration of three or four months?

A. I do not exactly remember; it may be three or four months; it may be five months that I was there.

Q How long was she there altogether?

A. Something over four months.

Q When did she first receive a dress from these people?

A. The dress I received when I was there fourteen days.

Q Did she pay for that? A. Oh, yes.

Q When? A. If I had not earned the money, she would not have ordered it for me.

Q Strike that out -- when did she pay for it?

A. Immediately.

Q At the time that she received it? A. Oh, yes.

Q And those were earnings of yours within the fourteen days; is that right? A. Yes, sir.

Q When did you receive the second dress?

A. One month after that.

Q That would be six weeks after she had first went there; is that right? A. Yes, sir.

Q How much did she pay for the first dress?

A. \$60.00.

Q How much did she pay for the second dress?

A. \$90.00.

Q Did you get any other dress while you were there?

A. This one. (Pointing to the one she wore)

Q How many dresses did you receive from these people in all?

A. Five.

- Q And bought them from them? A. Yes, sir.
- Q And paid for them? A. Oh, yes.
- Q How much in all did you pay for dresses, the whole five?  
A. \$60.00, \$90.00, \$35.00, \$150.00, \$40.00.
- Q \$375.00 ---how much jewelry did you buy? A. All those  
jewels that are there.
- Q How much did you pay in all for jewelry?  
A. I do not remember altogether.
- Q Get at it as nearly as you can, from these people?  
A. I did not buy them all together, all at once.
- Q Now, tell us how much you bought. You told us before you  
bought bracelets. How much did you pay for them?  
A. \$16.00.
- Q Now, go on. you bought rings; how much did you pay for  
them? A. For the ear-rings, \$8.00.
- Q Finger rings? A. \$20.00 for one finger ring.
- Q How much were the other two? A. \$18.00 for those.
- Q Did you buy hats from them? A. I bought four hats.
- Q How much, about? A. \$10.00, \$12.00, \$8.00,  
and, for one, \$5.00.
- Q Did you buy anything else, while you were there, from them?  
A. No, nothing else.
- Q How about your underclothes; did you buy any underclothing?  
A. Yes, sir, linen.
- Q From them? A. Those people, they always went to  
buy for me.
- Q Did you give them the money for it? A. Oh, yes.
- Q About how much did you spend for that while you were there?  
A. \$20.00.

Q Now, do you recollect buying anything else during the four months that you were with them?

A. The man also bought me shoes.

Q How much did you pay for shoes while you were there, during those four months? A. For those shoes, \$5.00.

Q Is that all the shoes you bought, one pair?

A. Another pair.

Q How much were they? A. \$2.50.

Q Now, do you recollect buying anything else during that period? A. Stockings, but those belong to the

laundry.

Q Is that all you recollect having bought from them?

A. Yes, sir.

Q If my arithmetic is correct, that is \$497.50. Where did you get that \$497.50 to pay for those things?

A. I earned it.

Q During what period? A. The time that I remained with the people.

Q Four months; is that it? A. Yes, sir.

By Mr. Lowe:

Q In addition to this amount, you also paid your board, \$6.00 per week? A. I had just \$6.00 in my pocket-

book, and she took that away from me.

Q Now, had Mr. or Mrs. Kalleday any weapon in their hands at the time they took off your dress, did they threaten you with something in their hands, a knife or a stick?

A. He had a cane, a stick.

Q What kind of a cane? A. A cane.

Q Did he raise it? A. Yes, sir.

Q Why didn't you state that on your direct-examination, that

a cane had been raised, that he had a cane and that he raised the cane?

A. Probably I did not think of it at that moment.

Q I show you this letter, Defendant's Exhibit B. Look at it and state if that is not a letter written to you by your mother?

(Objected to. Objection overruled.)

A. This is not the hand-writing -- nobody in our house writes with this hand-writing.

By the Court:

Q Did she ever receive that letter from anybody?

A. I see this letter for the first time.

Q (Question repeated.)

A. No; just now is the first time I ever saw it.

Mr. Weeks: That envelope was not marked.

Let it be marked defendant's Exhibit C.

By Mr. Weeks:

Q Now, Emma, you said that you had some money in your pocket-book when you were up there that Friday night; what became of that?

(Objected to. Objection overruled.)

A. The people took it away from me, and I remained without a cent.

Q Who took it away from you?

A. The lady took out everything.

Q Out of your pocket-book?

A. Yes, sir.

Q How much money did you have in your pocket-book when you went up there?

A. \$6.50.

Q Did that money belong to you?

A. I just came there

intending to pay for the coming week's board.

Q And that was \$6.00? A. Yes, sir.

Q Now, you say that all these clothes that you bought from them and the jewelry were paid for by you in one large sum; where did you keep your money?

A. I kept it locked.

Q Whereabouts? A. In the drawer, in a sort of a bureau.

Q Do you know whether or not Mrs. Kalleday kept any book with an account in it of how much you bought from her and how much you paid her? A. I do not know.

Q Did she ever show you such a book?

A. Not to me.

Q Who is this Mrs. Winckler that they pointed out to you?

A. The lady came over with me to this country.

Q She lives up in this place in 33rd street that they were asking you about, doesn't she, West 33rd street?

A. Yes, sir.

Q Does she have a flat there? A. No.

Q A house? A. No.

Q What has she? A. She is a person entirely strange to me, and she associated with me in order that I am not entirely alone.

By the Court:

Q She has not answered the question. Has she a house or a flat? A. In a house where they are working people.

By Mr. Weeks:

Q Did she take boarders? A. No.

Q Now, this Mr. Buchwalt that they pointed out to you the other day: Does he live at 129 Third avenue, or did he come

there to see some of the girls?

(Objected to. Objection sustained.)

Q This Mr. Buchwalt that they pointed out to you, did he live at 129 Third avenue?

A. I saw him afterwards, when I already was in that house.

Q Did he live there or did he board there?

A. Yes, sir, he lived there.

Q With the Kalledays?

A. Yes, sir.

Q Slept there every night, did he live there all the time and sleep there?

A. Yes, sir.

Q And while you were living there did this other young lady in the court-room live there, the one with the glasses?

A. Yes, sir.

Mr. Lowe: Annie Dietz is her name.

By the Court:

Q When was it, after she says that this property was taken from her, that she wrote the letter in which she promised to pay all, or that she caused the letter to be written?

A. The belongings were not yet taken from me at that time.

Q How long before these things were taken did you write that letter?

A. I wrote this letter at noon, and I was returning back when the lady was waiting for me.

Q Ask her if she can tell this jury how much she earned per week?

A. It is uncertain.

Q Give us an approximation, about how much?

A. Some nights \$30.00, or \$20.00, or \$35.00, or \$10.00; not less than \$10.00.

By Mr. Weeks:

Q A night?

A. Yes, sir.

MARY SLEBERT, sworn and examined, testified:

By Mr. Weeks:

Q On the 23rd of September of this year, Mary, were you living at the Kalleday's, at 129 Third avenue?

A. Yes, sir.

Q How long had you been living there? A. Six weeks.

Q Through whom did you first come there?

A. By this girl, by Emma Neumann.

Q During that time, did you see both Mr. and Mrs. Kalleday in the house? A. When I came there, yes, sir.

Q On the 21st of September, Thursday, the day that Emma left, did you see Mr. Kalleday and Mrs. Kalleday together?

A. Yes, sir.

Q Did you hear them talk at all about Emma's leaving?

A. Yes, sir, they were talking about because she was not home.

Q What did you hear either of them say to the other?

A. Well, the woman told me-----

Q Was Mr. Kalleday there? A. Yes, sir---the woman told me when the girl did not come back she will take the scissors along and cut the dress from up and down.

Q When was this? A. That was on Thursday.

Q On Thursday; you are sure of that? A. Yes, sir.

Q The same day that Emma left? A. Yes, sir.

Q And what did Mr. Kalleday say to that, the man?

A. Mr. Kalleday told the same-- he said he would go along with his wife.

Q He said he would go along with his wife? A. Yes, sir.

Q Did you hear either of them say anything on the next day, on Friday? A. Well, on Friday they

told me they find the girl.

Q Who told you that? A. Mrs. Kalleday.

Q Was Mr. Kalleday there? A. Yes, sir; she told me they find the girl on the street and they took her home; they told her there was a letter from her mother.

Q What else did they say? A. So they took everything away.

Q What time was it that they told you this?

A. About 2 o'clock in the morning.

Q 2 o'clock in the morning? A. Yes, sir.

Q Were you in the house on Friday night when Emma came there?

A. No, sir; I was out.

Q Did they say anything about how they got the things from her?

(No answer)

By the Court:

Q Did they tell you how they got the things? A. No, they didn't tell me nothing about it.

By Mr. Weeks:

Q Now, did you ever hear Mrs. Kalleday say anything, in the presence of Mr. Kalleday, in regard to those things, as to whether or not Emma had paid for them?

A. No, I didn't hear nothing about it.

Q Did Mrs. Kalleday ever show you any book, or any account in it?

A. She showed me the book that she put the money in, but I don't know how much money she put in; I didn't look so much on that.

Q Were you in the house the following day, when the police officer came?

A. Yes, sir.

Q Were you in the room where the police officer saw Mr. and Mrs. Kalleday?

A. No; I was in the next room.

Q Could you hear what was said in there?

A. No, sir.

By Mr. Lowe:

Q Miss Siebert, you are one of those unfortunate girls who ply their vocation on the street?

A. I didn't understand that.

By the Court:

Q Are you German or French?

A. I speak French and German.

Q Which do you prefer?

A. German.

Q (Mr. Lowe's question is repeated in German by the interpreter.)

A. I came to such a pass on account of some people.

By Mr. Weeks:

Q Can you tell whether or not this defendant knew that you made your money that way?

(Objected to, as irrelevant and immaterial.)

(Objection sustained.)

By the Court:

Q Did you live in 129 Third Avenue?

A. Yes, sir.

Q How long?

A. Six weeks.

Q Was the girl Emma there when you got there?

A. Yes, sir.

Q You went there with her?

A. Yes, sir.

BERNARD J. FARRELL, sworn and examined, testified:

By Mr. Weeks:

Q You are an officer of the Municipal Police, attached to the Eighteenth precinct?

A. Yes, sir.

Q And when did you first learn of the charge made by Emma Neu-

mann against the defendant, William Kalleday?

A. Saturday, September 23rd.

Q What time of day? A. About half-past 1.

Q Where did you learn of it? A. In the station house.

Q After learning of it, what did you do?

A. I went to 129 Third avenue, in company with Emma Neumann, and stated to those-----

Q Tell us whom you saw and just what you said to them?

A. Mr. and Mrs. Kalleday and their daughter.

Q How old is the daughter?

A. Thirteen years old, I should say, about. I told them that this young girl, Emma Neumann, said that they had stolen some property off her, and that they would have to come to the station house. Mr. Kalleday can't speak English; Mrs. Kalleday spoke very broken English; she said, "No," she didn't take nothing off her; she said she made the clothes for her. I asked her if they belonged to her. Well, the defendant, she was speaking in German, I couldn't rightly understand her, but she wanted to give me to believe that the clothes belonged to herself, Mrs. Kalleday.

Q Did you say anything to her about the jewelry?

A. The jewelry;--we went to the station house then I placed her and Mr. Kalleday under arrest.

By the Court:

Q Took them to the station house?

A. Yes, sir, to the station house; at the station house I learned, through the interpreter, the sergeant, that they were willing, Mrs. Kalleday was willing-----

(Objected to)

By Mr Weeks:

Q What was said in the presence of Mr. Kalleday by any one?

A. That she would go back and get the property spoken of.

By the Court:

Q The woman said that? A. The woman said that.

Q The jewelry or all the property?

A. All the property; I went back to the house, and she went to the back room, the kitchen; they have a cabinet placed on the wall, a small box; she took the jewelry out of the box; she gave me the jewelry and she went into Miss Neumann's room and gave me the clothes. She showed me the dresses she claims she had taken off Miss Neumann the night before.

Q Who did that? A. Mrs. Kalleday.

Q Mrs. Kalleday said she took the dresses off Miss Neumann, the night before? A. Yes, sir.

By Mr. Weeks:

Q What then? A. I took all the property to the station house.

Q Was anything said then at the station house?

A. No, sir; only that she claimed, through the interpreter, the articles belonged to her, Mrs. Kalleday.

C r o s s E x a m i n a t i o n .

By Mr. Lowe:

Q Throughout all this proceeding, Mr. and Mrs. Kalleday claimed that this property, the dresses and the jewelry, were her own? A. Mr. Kalleday didn't; Mrs. Kalleday, she claimed that they belonged to her.

Q You are a ward detective? A. Yes, sir.

Q You know the place 129 Third avenue?

A. Yes, sir, I know the place 129 Third avenue.

Q You know that house?

A. Yes, sir.

Q It is an orderly, decent house, so far as your knowledge of the place is concerned?

A. Yes, sir.

By Mr. Weeks:

Q Before this occurrence you had no knowledge of the character of the house?

A. No, sir.

Q You know the character of the house now; do you?

A. Yes, sir.

By the Court:

Q At the time you went back to the premises where you say Mrs. Kalleday showed you the dresses, was he with you?

A. Mr. Kalleday? No, sir.

Q The time she spoke about the dresses, he was not present?

A. No, sir.

The Court: I will strike that out from the record, and tell the jury that the defendant cannot be bound by a statement made by another person, unless it be in his hearing. I charge you not to consider any statement made by Mrs. Kalleday as against him, unless the statement should be made in his hearing. I might supplement that further: From the testimony of the officer, who said the woman spoke some English, and it appeared that the defendant spoke none; therefore, if you should come to the conclusion that the woman spoke English and the defendant did not understand it, it would not be fair to charge any remark made by her, although made in his presence, if he was not capable of un-

derstanding what she said.

Mr. Weeks: The People rest.

THE CASE FOR THE DEFENCE:

Mr. Lowe: In behalf of the defendant I make a motion to dismiss, or a direction to acquit, on the ground, first, that it is admitted by the complaining witness that she parted with the property alleged to have been taken voluntarily; second, on the ground that it is admitted that the property taken was so taken under a claim of title, if taken at all; and third, on the ground because it does not appear that the complaining witness parted with her property in question, not only against her will but in spite of resistance.

The Court: It is alleged that the girl parted with her property through the operation of fear upon her mind; that is the claim of the prosecution, I suppose; not that the property was taken forcibly, but that she divested herself of it and left it there through fear; is so, that is robbery.

Mr. Lowe: There is no proof that she was in danger or of fear.

The Court: There is some. I think I will have to deny this motion to take the case from the jury. It seems to be a question of fact.

People vs. Mrs. Kalleday

Counsel for the defendant opened the case to the Jury.

PATRICK LEWIS WARD, sworn and examined, testified:

By Mr. Lowe:

Q Where do you live, Mr. Ward?

A. 129 Third avenue, in this city.

Q The flat apartment occupied by the Kalledays?

A. Yes, sir.

Q How long have you lived in that house?

A. Since November, 1892.

Q Do you know Mr. and Mrs. Kalleday?

A. Yes, sir.

Q How much room did they altogether occupy in that flat?

A. The entire flat.

Q Consisting of how many rooms?

A. I should say seven

or eight rooms, including a bath room.

Q You occupied one of them?

A. Yes, sir, one.

Q You have lived there since November?

A. Yes, sir, 1892.

Q What is the general reputation of Mr. and Mrs. Kalleday?

A. Good.

Q Have you ever seen any immoral practices going on in that house, of any kind or nature?

A. Never.

Q What is your business?

A. I am clerk in the

shipping department of Best & Co., West 23rd street.

Q You have been in that employ how long?

A. Three years and six months.

Q You are still there?

A. Yes, sir, still there.

By the Court:

Q What is Best's business?

A. Childrens' outfitters.

By Mr. Lowe:

Q You were brought here by subpoena? A. Yes, sir.

By the Court:

Q How long have you been in the house of Best & Co.?

A. Three years and six months.

C r o s s E x a m i n a t i o n .

By Mr. Weeks:

Q How long have you known the Kalledays?

A. Since November, 1892.

Q You didn't know them until you went to board there?

A. No, sir.

Q How did you come to go there?

A. I wanted a furnished room, and I went there.

Q How did you come to see their sign?

A. They had a sign out, "Furnished rooms."

Q Where? A. On the post of the door-way.

Q What floor did they live on? A. The first floor.

Q One flight up? A. Yes, one flight up.

Q Where had you been living before then?

A. No. 19 Seventh street.

Q What board did you pay? A. I paid \$2.00 a week for my room.

Q Didn't get any meals there? A. No, sir, no meals.

Q What room did you occupy? A. About the center of the flat, right in the center of the hallway.

Q Did you know any of the other boarders there?

A. Only one.

Q Who was that? A. Mr. Buchwalt.

Q How long have you known him? A. Since September

0080

the 26th or 27th of this year.

Q Of this year? A. Yes, sir, of this year.

Q You lived there from November, 1892, until the 26th of September without ever meeting him?

A. Yes, sir; without ever meeting that gentleman.

Q How long had he been living there at that time?

A. That I couldn't say.

Q What time did you usually go to your room?

A. In the evening.

Q What time? A. 8 or half-past 8 o'clock.

Q And remained in your room then the balance of the evening, as a rule? A. Yes, sir.

Q How is that flat arranged-- there is a parlor in front?

A. Yes, sir, a parlor and a private hall.

Q Do all the rooms lead from the private hall?

A. Oh, no, sir.

Q Open on to a private hall? A. No, sir.

Q Is there any room that connects with the parlor?

A. Yes, sir.

Q How many rooms? A. I believe there is two; I won't say for certain.

Q Two bed-rooms; do you know who occupies them?

A. I don't know, sir.

Q Two bed-rooms connect with the parlor?

A. I won't say for certain; I think it is two.

Q Next to that is another bed-room?

A. On the main hall, yes, sir.

Q Who occupied that? A. Mr. Buchwalt now, I believe.

Q Are you still living there? A. Yes, sir.

Q Don't you know whether Mr. Buchwalt occupies it or not?

A. He is there now, at the present time.

Q Why did you hesitate, if you knew?

A. You asked me previous to that.

Q No, I asked you who occupied that room?

A. Mr. Buchwalt does, I believe, at the present time.

Q Next to that came another bed-room?

A. Yes, sir; that is mine.

Q That was yours?

A. Yes, sir.

Q And next to that came what?

A. Another bed-room.

Q Who occupied that?

A. I don't know, sir.

Q Who occupied the room immediately adjoining you, prior to September?

A. I don't know.

Q When did you first learn the occupant of the room next to you?

A. On the 26th or 27th of this month.

Q How did you learn it?

A. He came and told me

of Mr. Kalleday's trouble.

Q And asked you if you would come and testify?

A. Yes, sir, to his good character.

Q Do you know anything about Buchwalt's character?

A. No, sir.

Q Do you know where he is in the habit of spending his evenings?

A. No, sir.

Q Do you know anything about his relationship to the Kalledays?

A. No, sir.

Q Did you ever see the girl Emma Neumann in the house?

A. Yes, sir.

Q Where did you see her?

A. Passing through the hall.

Q How was she dressed?

A. Dressed in street costume.

Q Dressed as she was upon the witness-stand?

A. Without any hat.

- Q The same dress? A. I don't know, sir.
- Q Did you ever see her in a black silk dress?
- A. No, sir; I have seen her once or twice or two or three times a week.
- Q Did you ever speak to her? A. No, sir.
- Q Did you ever see Mary Siebert? A. I don't know
- her; I never saw her. I saw her here to-day -- I don't recollect ever seeing her before.
- Q Then up to the 26th of September, you didn't know the people that occupied the rooms on either side of you; is that right? A. That is right.
- Q You have now told us about a parlor and five bed-rooms; are there any more? A. There may be more than five; I don't know.
- Q You have told us of five? A. Yes, sir.
- Q Do you know the location of any other rooms?
- A. That is all I know, all the bed-rooms.
- Q Was there a dining room? A. Yes, sir.
- Q Were you ever in it? A. Yes, sir.
- Q When? A. When I went to pay my rent, every Saturday night.
- Q You used to go in there? A. Yes, sir.
- Q What time? A. Half-past 6, may be 8 or 9 o'clock -- different times.
- Q Is there a kitchen there?
- A. Yes, sir, the dining room and kitchen is all one.
- Q Is there a bath-room? A. Yes, sir.
- Q Were you ever in that? A. Yes, sir.
- Q Were you in that bath-room prior to the 26th of September?
- A. Yes, sir, almost every day I have occasion to go there.

Q You have the use of the bath-room; have you?

A. Yes, sir.

Q Were you ever in the parlor?

A. Yes, sir.

Q On many occasions?

A. Two or three, to the best of my knowledge.

Q What caused you to go into the parlor?

A. To pay my room rent; I went to the front room, and she was not there; she was working at the time, Mrs. Kalleday.

Q Did you ever go into the parlor in the evening?

A. It was open to me; I never went there.

Q Did you ever meet anybody that lived in that flat from November, 1892, until September 26, 1893, other than the Kalledays, to speak to?

A. No, sir.

Q Never met any of the other boarders?

A. No, sir.

Q You say that you met Miss Neumann two or three times in the hall?

A. Yes, sir, in the hall.

Q You never spoke to her?

A. Never spoke to her.

Q Are you a married man?

A. No, sir.

Q Did you ever say anything about her to Mrs. Kalleday?

A. Not a word.

Q Did you know whether or not she was a boarder in the house?

A. I believed she was a boarder.

Q You believed she was? A. Yes, sir, I believed she was.

Q Did you ever see any one in that flat, prior to the 26th of September, except Mr. and Mrs. Kalleday and Miss Neuman, two or three times?

A. In Kalleday's flat -- no, sir.

Q Never saw a soul there except Mr. and Mrs. Kalleday?

A. Oh, I have seen a gentlemen come and call for Mr. Kalleday; one of them is present now in the court-room. He rapped on my door by mistake and asked for Mr. Kalleday. I told them to go in the back.

Q How many times did you say that happened?

A. Oh, half a dozen times.

Q Did you ever see any one else?

A. Yes, sir.

Q Who else?

A. Men came there to look for rooms.

Q Is there a sign out for furnished rooms?

A. Yes, sir.

Q Furnished rooms, for gentlemen only?

A. Every family in the house -- furnished rooms, I won't say for gentlemen only.

Q There was a sign out for furnished room there always; was there?

A. Yes, sir, there are four families in a flat.

Q I am not talking about the other flats; I am talking about the Kalleday flat?

A. I saw a sign out pretty much all the time.

Q You were there and occupied one room, Mr. Buchwalt was occupying another, Emma Neumann was there, and Mary Siebert was there?

A. I don't know her (Mary Siebert). I saw her in the Yorkville Police Court.

By the Court:

Q You never saw her until after this complaint was made?

A. No, sir.

By Mr. Weeks:

Q You never saw any one in that house except these gentlemen that sometimes knocked at your door by mistake, gentlemen who were applying for rooms, and the Kalledays themselves

and Miss Neumann, until this trouble; is that right?

A. That is right.

Q How did you come to see the gentlemen that were applying for rooms?

A. They rapped on my door, inquiring for Mr. Kalleday, who was out.

Q Does your room open on the public hall?

A. Yes, sir; on the main hall.

Q On a private hall?

A. Not on a private hall; anybody passing to and fro would have to pass my door.

Q In leaving your room to go out of the house, or in entering your room, you enter directly from the public hall into your own room?

A. Into my own room.

Q You have no occasion to go anywhere near the parlor or any of the other rooms; is that right?

A. That is right.

Q Your room is away off in the back?

A. In the center of the flat.

Q But you do not have to pass through a private hall to get to your room?

A. No, sir.

Q Your usual method of coming in and going out was to go through the public hall?

A. Yes, sir.

Q You had that little room all to yourself, it was not part of the flat; is that right?

A. Yes, sir.

Q Is there more than one door to your room?

A. Only one door; there was sliding doors in my room, connecting with the other rooms. Mr. Buchwalt had one room, on one side, September 27th; I didn't know him previous to that time.

By the Court:

Q Do those doors open?

A. They are sliding

doors, they were fastened -- they were not fastened, just shoved to.

Q What did you do in Best & Co's?

A. I was a clerk in the shipping department.

WILLIAM KALLEDAY, THE DEFENDANT, sworn and examined, through the interpreter, testified:

By Mr. Lowe:

Q Your name is William Kalleday? A. Yes, sir.

Q You are the defendant in the action here?

A. Yes, sir.

Q Do you remember the evening of the 22nd of September, 1893?

A. Yes, sir.

Q You were arrested on the 23rd; were you?

A. Yes, sir.

Q Did you, on the evening of the day preceding your arrest, meet Miss Emma Neumann, the complaining witness, in your house?

A. On the street, yes, sir.

Q Did you go home to your house with her?

A. Not in her company; I remained back.

Q Where did you meet Miss Neumann that afternoon?

A. I don't remember if it was the 21st; it was between 23rd street.

By the Court:

Q On what avenue? A. And Broadway.

By Mr. Lowe:

Q You were in the company of your wife? A. Yes, sir.

Q Your wife and Miss Emma Neumann walked home, and you followed? A. Yes, sir; we were walking arm in arm.

By the Court:

Q Who was walking arm in arm? A? My wife with Emma.

By Mr. Lowe:

Q You followed behind, or did you walk a third one arm in arm?

A. I kept behind, out of consideration for the public, in order not to obstruct the street.

By the Court:

Q How far behind? A. Probably two or three paces.

By Mr. Lowe:

Q When you reached the house, what happened then and there?

A. As I reached home, with all respect to you, I went to the water-closet.

Q Where did your wife, and where did Miss Emma Neumann go to?

A. They were ahead, in the front room.

Q Did you follow them into that front room? A. No.

Q What time of the evening was it, about, that they got home?

A. It was not over 9 o'clock.

Q Did you follow your wife and Miss Neumann into the front room?

A. No, I went to my room, near the kitchen.

Q Were you present at any time in the evening when Miss Neumann divested herself of her clothes?

A. I only saw her when she was going away.

Q Did you threaten Miss Neumann in any way, shape, form or manner?

A. I never did so; I never did it.

Q Did you tell her, "You will not leave this room alive if you do not give up the goods?"

A. I never had been in the room to the moment when I was called inside in order to bid her good-bye.

By the Court:

Q Then ~~his~~ answer is, no? A. No.

By Mr. Lowe:

Q Did you have a cane, which you raised, and with which you threatened Miss Neumann?

A. I insist in saying that I never carried-----

By the Court:

Q Why doesn't he say no; did he answer no, ask him?

A. No.

By Mr. Lowe:

Q Were you present at all when Miss Neumann took off her clothing?

(Objected to. Question withdrawn.)

Q Did you at any time during the evening dictate any letter to Miss Neumann? A. No, sir.

Q When did you come into the room where your wife and where Miss Neumann were together?

A. I haven't at all been in the room together with them.

Q When were you called into the room?

A. I haven't been called at all into the room.

Q Where did you bid good-bye to Miss Neumann?

A. It was the moment that she with one foot on the ground and with one foot on the steps of the stairs-----

Q How did you come there? A. My wife said,

"Emma, wants to say to you, 'Good-bye.'"

Q Mr. Kalleday, when did you come to the United States?

A. Last year, in the month of April.

Q You are working as what? A. I work as waiter.

Q Where do you work, or where did you work last?

A. Of late I worked in a German club.

Q Where is that? A. 112 West 59th street.

Q When did you work there last? A. The latest time I

worked was in the month of July.

Q Where did you work in the month of August?

A. I belong to a workmen's lodge, and the furnish me work in summer.

By Mr. Weeks:

Q Work or money?

A. Work.

By Mr. Lowe:

Is the secretary of our society present?

By the Court:

Q Answer where did he work last?

A. In Lion Park.

By Mr. Lowe:

Q When did you work at Lion Park?

A. I couldn't say exactly the date.

Q Did you work in the month of August?

A. Yes, sir.

Q Were you ever arrested or charged with any offence or crime, misdemeanor or felony?

A. I never have been punished.

Q I didn't ask him whether he was punished. Were you ever

charged with crime?

A. No.

#### C r o s s E x a m i n a t i o n .

By Mr. Weeks:

Q What steamer did you come over on?

A. The Ratchet.

Q When did you land here, what month and what year?

A. Last year, the month of April.

Q Has he been here a year and a half, or has he been here seven or eight months?

By the Court:

Q In 1892 or 1893?

A. Last year.

By Mr. Weeks:

- Q In 1892? A. Yes, sir; 1892.
- Q When you got here, where did you go to live first?  
A. I took a habitation, an apartment, in Avenue B.
- Q What number? A. No. 24.
- Q Did your wife come over with you?  
A. Yes, sir; also my child.
- Q How long did you live at 24 Avenue B?  
A. From April to October.
- Q Then where did you move to? A. We moved into the house that we inhabit now.
- Q Where did you work first when you came over?  
A. On the third day of my arrival, at Fleischman's; 10th street near Broadway.
- Q How long did you work there? A. About a month.
- Q Where did you work next? A. Then I went to Mr. Vecht el, to College Point.
- Q How long did you work there? A. To the month of October.
- Q How long were you out of work from the time you left Fleischman's until you went to College Point?  
A. May be eight days, but I worked within those eight days.
- Q Why did you leave Fleischman's? A. Because the work was too heavy for me.
- Q A waiter in Fleischman's? A. No.
- Q What were you? A. I had to carry big boxes of ice.
- Q What is, a bakery there, at the corner of 10th street and Broadway?  
A. Everything is in that house; a coffee house, confectionery, and bakery.

Q What did you do at Mr. Vechtel's?

A. There I worked as a waiter.

Q You worked there until October; is that right?

A. Yes, sir.

Q Then where did you go next? A. I returned to the agent who has charge, who has to provide work.

Q I don't want to know anything about the agent. Where did you go next? A. I went to such places as I was sent to; the Arions, the Liederkrantz, where there is work to do; he had the carnival.

Q As a waiter? A. Yes, sir.

Q Did you work steadily at any place?

A. Not steadily, not permanently, until I went to the German club.

Q When did you go to the German club?

A. In the month of February.

Q You remained in the German club until July?

A. Yes, sir.

Q You were a waiter there? A. Yes, sir.

Q Was the work too hard there? A. No.

Q Why did you leave there? A. Because, in the summer time, the public goes away from New York, and there is less need of hands.

By the Court:

Q Was he laid off, or did he leave?

A. I went away of my own accord.

By Mr. Weeks:

Q Well, then, the fact that there was not as much demand for waiters had nothing to do with your going away at all?

A. The public is reduced.

Q Did you leave there because you didn't want to work any more, or did you leave because they wanted you to leave?

A. The main point, the main reason was this, that there was another steward, and that is the main reason I went away.

Q Now, I will ask you again. Did you leave because there was a change of stewards, or did you leave because there was not as much business?

A. The main reason was the change of stewards.

Q Why didn't you give that reason before?

A. I had no occasion to say, because nobody asked me.

Q Where did you work next?

A. Always extras, sent by my lodge.

Q Where did you work?

A. Exactly where they sent

me, where I was sent by the lodge.

By the Court:

Q We don't know where they sent him. Tell him to tell us?

A. The secretary noted down where I was to go.

By Mr. Weeks:

Q Don't you know yourself?

A. Lion Park cafe, in Second street, where I was as a helping hand.

Q What is the number of the cafe in Second street?

A. The Manhattan, in 10th street.

Q What is the number of the cafe in Second street?

A. Yes, sir, I worked there a few weeks.

By the Court:

Q What number?

A. Corner of Second avenue; I

don't know the number.

By Mr. Weeks:

Q Corner of Second avenue and what street?

A. And Second street.

Q You are sure it was on Second avenue and Second street?

A. Cross.

Q Where did you work next? A. I have been sent also by the agent, Mr. Brinsky, to work on excursion boats.

Q When did you work last? A. I worked, the latest time was before the holidays.

By the Court:

Q What holidays? A. The Israelitish holidays.

By Mr. Weeks:

Q Don't you understand English? A. No.

Q Can't you speak English? A. No.

Q You understand it, though; you understand what I am saying to you now? A. That I understand.

Q You say you can't speak any English?

A. No, I know only words, and I understand some.

Q Did you ever see Emma Neumann in your house, that girl?

A. I know that you talk about Emma Neumann, but I don't understand what you say.

Q Where did you live before you came to this country?

A. In Berlin.

Q What business were you in in Berlin?

A. I had my own business.

Q What was it? A. As it is called here, a liquor store.

Q Was it called there a disorderly house -- weren't you arrested in Berlin for keeping a disorderly house?

A. This is new to me.

Q Why did you leave Berlin? A. I have a brother in America, and he called me here, and he told me to come over

to America.

Q You gave up your own business, in Berlin; is that right?

A. Yes, sir.

Q And came over here to do nothing, without any business, I mean?

A. I worked.

Q But you had no business when you came over here?

A. It is not necessary to carry with one'sself one's business.

Q How often did you see Emma Neumann while she was living in the house?

A. As often as I was at home

when she was at home.

Q Did you eat at the same table with her?

A. Yes, sir, when I was home.

Q Did you see Mary Siebert there, too? A. Yes, sir.

Q And eat at the table with her? A. When I was home.

Q And Annie Dietz, did you see her there?

A. At what time?

Q When she was living there? A. Yes, sir.

Q She used to live there; didn't she? A. Yes, sir.

Q And you all used to eat at the same table; is that right?

A. Whosoever lived with me in my house always ate at the same table.

Q Did Mr. Ward eat at your table?

A. He didn't board in the house.

Q Did Mr. Buchwalt? A. When he declared that he wanted board, so he got board; but, when he worked, he said he didn't want to board in the house, and so he got none, and he had board, while he was sick, in my house.

Q How long has he been living with you?

A. He is still living there.

Q When did he come there? A. I don't know it.

By the Court:

Q About how long? A. It might be absolutely five months, five or six months, and may be longer; this business my wife she knows, and I don't care.

By Mr. Weeks:

Q You never interfere with the business that she does in the house? A. Absolutely not, so far as renting is concerned.

Q What room did you occupy? A. The back parlor and the room next to the kitchen.

Q Where did you sleep yourself? A. I slept in the back parlor.

Q Where did your wife generally sleep?

A. Since a lady threw herself from the third story, I sleep in the back parlor; before, we slept into that room near to the kitchen; but, since the time that the lady threw herself down, nobody wanted to dwell there, and now we sleep in the back parlor.

Q Did you and your wife occupy the same room or separate rooms?

A. The parlor is capable of being divided, by means of a glass door.

By the Court:

Q Let him answer the question. Did they occupy the same apartment? A. Yes, sir.

By Mr. Weeks:

Q What room did Emma Neumann occupy?

A. The last room, near Mr. Ward's.

Q The next room to Mr. Ward? A. Yes, sir, the room just next to Mr. Ward's.

Q What room did Miss Siebert occupy?

A. The hall room.

Q How far from Mr. Ward?  
diagram, in order to know.

A. I should have here a

Q Now, what time were you in the habit of coming home at night?

A. When I was out of work I was regularly at home at 7 o'clock.

Q Did you ever buy any jewelry or any clothes for Emma Neumann?

A. No.

Q Ever buy anything for her?

A. Not for her.

Q When did you first learn that your wife had got from Emma Neumann this dress and all the other jewelry?

A. When Emma was gone.

Q What time, how soon after she was gone?

A. Probably five minutes.

Q Your wife told you about it?

A. She told me a great many things.

By the Court :

Q Did she tell him about this?

A. Yes, sir.

By Mr. Weeks:

Q What were you and your wife doing on Broadway at half-past 8 or 9 o'clock at night?

A. When it is nice weather we go out in the street ourselves, in the park, or walking.

Q Did you go out looking for Emma Neumann that night?

A. No, not in the least.

Q When you met Emma Neumann what did you say, and what did your wife say?

A. I didn't see her myself; at once I saw that my wife had struck in with Emma.

Q What did your wife say to Emma?

A. I only know in

the very moment that they met, Emma said, "I was just now about going home to go in the house."

By the Court:

Q Their house or her house?

A. In our house, because she had no other house.

By Mr. Weeks:

Q Did you know that Emma had stayed out all night the night before?

A. This happened very often.

By the Court:

Q Did you know, that particular night?

A. Yes, sir.

By Mr. Weeks:

Q Who told you that?

A. These things are known

in the morning; my wife told me about it. She was absent also five or six days once.

Q You say that it happened very often, that she stayed out all night?

A. Yes, sir.

Q Did your wife tell you that Emma had taken anything that belonged to her?

A. No.

Q When did you first learn that your wife claimed that Emma had taken anything that belonged to her?

A. It was when Emma was away, after Emma went away.

Q You mean after she had gone and left those things?

A. Yes, sir.

Q Up to that time, your wife hadn't told you anything about it?

A. No.

Q Is your wife in the jewelry business?

A. No.

Q Did you ever know your wife to deal in jewelry?

A. I brought that always to my wife; I, myself, brought such things always to my wife.

Q Did you present those bracelets, did you give those to your wife?

A. Yes, sir.

Q You did?

A. Yes, sir.

Q Where did you buy them?  
certain Mr. Rosenfelt.

A. I bought them from a

Q Where is his place?  
only deals in them.

A. He has no business, he

Q Where can he be found?

A. Second avenue and 5th street.

Q How much did you pay for them?  
don't know exactly.

A. \$12.00 or \$14.00, I

Q When did you give them to your wife?

A. May be two months ago.

Q Was it a birthday present, or anything of that sort?

A. No.

Q Just a little present that you wanted to make your wife?

A. Yes, sir.

Q Did you ever see your wife wear them?

A. She can't wear it.

Q Why not?

A. Because they are too small for

her.

Q Then why didn't you take them back to the jeweler's and get a  
larger pair?

A. I couldn't do that.

Q Do you mean to say that you bought these for your wife?

A. It was all second-hand.

Q You mean to say you bought these for your wife, and, when  
you found that were too small for her, and you couldn't  
do anything with them -- that she couldn't get them on, the  
man wouldn't take them back?

A. No.

Q How about this ring; did you buy that for your wife? (Ring  
shown)

A. Yes, sir.

Q From whom did you buy that?

A. From the same man.

- Q How much did you pay for that?  
A. \$15.00.
- Q And did your wife ever wear it?  
A. Yes, sir, sometimes she wore it.
- Q Which finger did she wear it on? A. I don't know.
- Q Point out on your own hand which finger?  
A. I can't remember that.
- Q When did you give it to your wife?  
A. Together with the bands.
- Q At the same time of the bands? A. Yes, sir, at the same time of the bands.
- Q That was not a birthday, or anything of that sort?  
A. No, no.
- Q Now, how about this ring? (Another ring shown)  
A. I also gave her this ring.
- Q At the same time? A. Later.
- Q That was less than two months ago? A. May be three weeks before having been arrested.
- Q How much did you pay for that?  
A. I bought two for \$25.00.
- Q What kind of a ring was the other one?  
A. I guess that that ring is on the finger of my little Anna.
- Q Is that the ring that you bought? (Pointing to Mary Siebert's ring)  
A. No, this is another one; this cost more.
- Q You bought this ring and another one for \$25.00?  
A. Yes, sir.
- Q You bought that about a month before you were arrested?  
A. Yes, sir.

Q And you gave this one to your wife? A. Yes, sir.

Q What for; a birthday or any event at all?

A. There was no particular occasion; I gave it out of a feeling of friendship.

Q From whom did you buy this ring?

A. Also from Mr. Rosenfelt.

Q And did you ever see your wife wear that ring?

A. Yes, sir.

Q What finger did she wear it on? A. I don't know.

Q Now, how about these ear-rings; did you buy them?

A. Yes, sir.

Q Did you give them to your wife? A. Yes, sir.

Q How much did you pay for them? A. \$5.00.

Q From whom did you buy them? A. In Houston street, from a certain Singer, I don't know the number.

Q When did you buy them? A. May be three months ago.

Q Now, this ring that Mary Siebert has on; when did you buy that? (Pointing to Miss Siebert's ring)

(Objected to)

A. You please call Mr. Rosenfelt, and he will tell you that this ring has been-----

Q When did you buy this ring?

A. I absolutely didn't buy it; the man was in embarrassed circumstances, and he wanted \$5.00.

Q You gave the man \$5.00 on that ring? A. Yes, sir.

Q What is the name of the man you lent the money on it to?

A. Rosenfelt.

Q The same man that you bought all these from; when was it that you lent him the \$5.00 on it?

A. He knows better, and I don't know exactly, and I don't

want to tell lies.

Q About how long ago? A. I don't know.

Q Did you give that to your wife?

A. I gave it to her, in order to keep it.

The Court: That is the Siebert ring?

Mr. Weeks : Yes, sir, that is the Siebert ring.

Q Now, where did you get all the money to pay for this jewelry; you were out of work?

(Objected to)

By the Court:

Q Ask him now when he last worked?

A. Before the holidays.

Q When was that, about how long ago? A. It was on Sunday before the 20th of September.

By Mr. Weeks:

Q Where did you work, the last place that you ever worked?

A. Second avenue and 5th street.

Q How long did you work there? A. I was there only as a helping hand, instead of another waiter.

Q How long did you work there? A. Two days.

Q Before that, where did you work?

A. In Lion Park.

Q When did you last work in Lion Park?

A. I don't know exactly---in the office of the society they will know.

Q Didn't you say that the last time that you worked in Lion Park was in the month of August?

Very naturally; Brinsky knows the place where I worked.

By the Court:

72 Q Tell him to tell what he knows or doesn't know. We will find

out from the other parties what they know. Go on?

A. When I am sent away on excursions, on boats, I don't know myself where I work; I am detailed for work.

Q If he goes upon a boat, he knows what boat he goes on; doesn't he?

A. I never look at the name of the boat.

By Mr. Weeks:

Q You did work in Lion Park; didn't you?

A. Yes, sir.

Q When did you work last in Lion Park?

A. I don't know that exactly.

Q Was it in the month of July or in August or September or October?

A. I worked there several times.

Q The last time that you worked there?

A. I don't recollect exactly.

Q How long were you out of work before you went to 5th street; you worked there two days?

A. There were two or three days in the week I worked always.

Q Now, how many watches did you buy during the months of August and September?

A. I brought only one small watch.

Q When did you buy that?

A. I don't know exactly.

Q When was it, how long before you were arrested?

A. I can't recollect very well.

By the Court:

Q He knows whether it is a month or a year? Give us some impression, some idea, about the time?

A. I don't want to tell lies -- the gentleman can find out.

Q I don't want him to. We want him to tell as nearly as he can recollect. Give us your best recollection?

A. In August.

By Mr. Weeks:

Q Did you give that watch to your wife? A. Yes, sir.

Q Has she got it now? A. I think so.

Q When did you see it last?

A. Which, the watch that I got at that time?

Q Yes, the watch you bought at that time, the one you bought in August? A. I saw it in the Police Court.

Q Who had it in the Police Court?

A. It was among the adornments that we had.

Q That who had? A. The warden in the Police Court.

Q Then your wife didn't have it the last time you saw it?

A. No, sir.

Q How many watches have you bought and given to your wife?

A. One and one with my wife.

By the Court:

Q He means to say two; one he had and one he bought?

A. Two, I mean.

By Mr. Weeks:

Q You say you have one?

A. Yes, sir; I have none now.

Q Where is it? A. I gave it out.

Q To whom? A. To my wife.

Q And then you gave her two watches; didn't you?

A. It is a question of the watch which I bought.

Mr. Lowe: I object; it is immaterial. We are ready to admit that he pawned it for the purpose of preparing for his defence. I withdraw all ob-

jections. You may go on.

By Mr. Weeks:

Q You had a watch of your own; did you?

A. Yes, sir.

Q Where did you get that watch?

A. It is my watch.

Q Where did you get it; on the other side or here?

A. I bought it, as I naturally would.

Q Where did you buy it?

A. That watch is older

than I am; I got it from my brother.

Q Did you buy it from your brother?

A. Mine?

Q Yes, your own watch?

A. Yes, sir.

Q You bought it from your brother?

A. No, no, I didn't buy it; I got it from my brother.

Q Why did you say you got it a person naturally would?

A. I didn't understand what you meant, all those questions of the watch.

Q Where is your own watch now, the watch you got from your brother?

A. I gave it away when I was in

prison.

Q To whom did you give it?

A. I gave it to Friedman.

Q Who is Friedman?

A. He lives in Second avenue.

Q Is he here in court?

A. I don't see him.

Q What is his business?

A. He has a coffee house.

Q Did you owe him any money?

A. Yes, sir, he put

out money for me.

Q You gave him the watch?

A. And the rings.

Q How many rings did you give him?

A. Two rings and a

chain.

Q Were the rings that you bought men's rings or ladies' rings,

that you gave him?

A. It was my mother-in-law's ring that belonged to me, and a diamond ring which my wife gave me for a birthday.

Q You say that you bought these rings and these diamond earrings and gave them to your wife, in August or September; is that so?

A. The one ring with two circles is two months since.

Q And this is your wife here in court; isn't it? (Pointing to Mrs. Kalleday)

A. Yes, sir.

Q Did you ever see any of this jewelry worn by Emma Neumann?

A. I think that my wife said that she lent her the rings.

Q I don't want to know what you think. Please answer my question. Did you ever see Emma Neumann wear them?

A. Yes, sir, I saw it.

Q All the time?

A. No; mostly when she

went away, when she was going out.

By Mr. Lowe:

Q Who retained me counsel for defending you?

A. I think Mr. Steinert.

IDA WINCKLER, sworn and examined through the interpreter, testified:

By Mr. Lowe:

Q Miss Winckler, where do you live?

A. 241 West 33rd street.

Q Are you living there with your husband? A. Yes, sir.

Q Did Emma Neumann, the complaining witness, ever reside at your house?

A. Yes, sir.

Q About what time?

A. In the beginning of January.

Q This year?

A. In this year.

Q How long did she live with you?

A. Eight days.

Q After she left your house, did she call on you?

A. Yes, sir, several times.

Q Look at Defendant's Exhibit B now shown to you, and state whether you recognize this letter as having seen it before, the envelope and letter?

A. Yes, sir, I recognize this letter.

Q That letter came to you by mail? A. Yes, sir.

Q What did you do with that letter?

(Objected to) (Objection overruled)

By the Court:

Q What did you do with that when you got it?

A. I put it by, thinking that she would come.

Q What did she do with it? A. I put it by, I

kept it.

By Mr. Lowe:

Q Until when? A. Thinking that she-----

Q Until when did you keep it? A. About three weeks.

By the Court:

Q What did you do with it then? A. In the time

Emma called upon on, and I told her a letter is for you here.

Q Did you hand her the letter?

A. Yes, sir; I handed the letter to her.

By Mr. Lowe:

Q Did Emma Neuman tell you it was a letter from her mother, or from her parents?

(Objected to)

The Court: You may ask this witness what she said about it, if anything, after she handed it to her.

Mr. Weeks: This witness doesn't identify that letter as being contained in that envelope.

The Court: She may testify that she gave an envelope with an enclosure, and leave the jury to draw whatever inference they please, whether this is the enclosure.

By Mr. Lowe:

Q What did Emma tell you, if anything, about that letter?

By the Court:

Q After you gave her this letter, what did Emma Neumann tell you, if anything. That I will allow her to answer.

A. Nothing.

By Mr. Lowe:

Q Did she read the letter in your presence?

A. I don't very well remember now if she read it at once or afterwards.

Q Did she ever tell you that it was a letter from her parents?

A. Yes, sir; she said, "This is a letter of my parents."

Q Did Emma Neumann leave your house of her own free will, or did you discharge her?

(Objected to)

Q How did she come to leave your house?

(Objected to, as immaterial)

(Objection overruled)

A. I and she came together in this country, and she went to Brooklyn, and from Brooklyn she came to see us; to call upon us; she complained that she-----

By the Court:

Q Did she understand the question? She is asked now how Emma came to leave her house, after staying there eight days. What

was the cause of her leaving?

A. We sent her away, because she remained out of the house two days, and my husband did not like that.

By Mr. Lowe:

Q She remained out over night? A. Two nights.

C r o s s E x a m i n a t i o n .

By Mr. Weeks:

Q Miss Winckler, that is the envelope that you refer to, isn't it, in which you received the letter? (Envelope shown)

A. Yes, sir; there is here still the name of Winckler on it.

Q That is, it was directed to you; was it?

A. It was the name of Emma, and then there was care of Winckler.

Q Where is the rest of it? A. I don't know where the other part of the cover is.

Q Do you mean to say that this envelope had first Emma's name on it, care of you; is that right?

A. Yes, sir.

Q And do I understand you to testify that this letter is the letter that was contained in that envelope?

A. This I don't know, because I didn't see the letter inside.

Q Then you don't know what was inside of that envelope that you gave to Emma? A. No.

Q Will you look on the back of this envelope. Do you see what date that was received at the New York post-office, if you can tell?

The Court: She need not prove that; you

can tell that.

Mr. Lowe: I offer it in evidence.

Mr. Weeks: I object to it, because it is imperfect. It is a mutilated document, with the top of it torn off. It has the post-mark "20, 1893."

Q Wasn't it received at the New York post-office the third month and the twentieth day? A. Yes, sir.

Q Now, can you tell me the date of that letter?

A. The 5th of March, 1893.

Q I ask you whether that is the 5th of March or the 3rd of May?

A. It is the fifth month, March, 1893.

Mr. Lowe: I offer now that letter and envelope in evidence.

Mr. Weeks: I object to it.

The Court: Objection sustained. The envelope may be received in evidence as an envelope which she testifies that she handed to this woman, the complainant.

Mr. Lowe: I offer it in evidence for another purpose, for the purpose of impeaching the testimony of the complaining witness.

The Court: The complainant said that she did not recognize the letter. This woman, the witness, could not, manifestly, recognize what was in the envelope. This witness is not able to identify that paper as the paper which was enclosed in that envelope.

Mr. Weeks: I have no objection to the envelope going in. I will withdraw my objection.

to the envelope going in, if the counsel wants it put it.

The Court: The envelope may be received, if offered; the letter I cannot receive.

Mr. Lowe: I offer the letter and the envelope.

The Court: Excluded, in that form. If offered separately, the envelope may be received.

Mr. Lowe: We offer the envelope.

Mr. Weeks: I withdraw my objection to it.

The Court adjourned.

Monday, October 16, 1893.

WILHELMINA KALLEDAY, sworn and examined through the interpreter, testified:

By Mr. Lowe:

Q You are the wife of the defendant? A. Yes, sir.

Q You reside at 129 Third avenue, in this city?

A. Yes, sir.

Q How long have you lived there?

A. Since the 10th of October. It is one year since the 10th of October.

Q What is your business? A. Dress-maker.

Q How long have you been in that business?

A. So long as I am in this country.

By the Court:

Q She has not told us how long she has been in the country?

A. Since the 17th of April, 1892.

By Mr. Lowe:

Q When did you move to Third avenue, do you say?

A. On the 10th of October, 1892.

Q Do you know Emma Neumann?

A. Yes, sir.

Q How long have you known her?

A. Since the 17th of February, 1893.

Q Has she lived with you at your house?

A. Yes, sir; she has boarded in my house.

Q Since when did she live with you?

A. Since the 17th of February, 1893.

Q If the woman, Emma Neumann, said that she had lived with you four or five months, she doesn't tell the truth?

(Objected to) (Question withdrawn)

Q State to the Court and jury under what circumstances did Emma Neumann come to live with you?

A. I have an inscription on my door for furnished rooms, and Emma Neumann asked for a room.

Q On what day did she come to you? A. It was a Saturday.

By the Court:

Q On what date? A. It was on Saturday, February 17, 1893.

By Mr. Lowe:

Q What agreement did she make with you or did you make with her? A. She wanted a room; I showed her

the room; she asked how much the rent was; I told her \$3.00, and then she asked for the key.

By the Court:

Q Did she rent her a room? A. Yes, sir.

Q At what price? A. \$3.00.

Q A week? A. A week.

By Mr. Lowe:

Q. Describe your apartments?

A. It is a long flat; first comes the parlor, and, next to the parlor, a hall room, with one window; and then a back parlor; near to the other hall room, which is closed by a glass door -- into this parlor there is a door, which from the hall leads also into this parlor, and then comes a dark bed-room, and then another bed-room, and then another bed-room, and then the water-closet, and then the kitchen, and then comes the dining room, with two windows, and each room has a separate entrance from the hall.

Q. How many people lived in that house in the month of September, on the 22nd of September, 1893?

A. On the 22nd of September Emma Neumann was already gone away; there was Mary Siebert, Mr. Buchwalt, Mr. Ward, my husband, my daughter and myself.

Q. How old is your daughter?

A. My daughter, on the

15th of February, attained thirteen years of age.

Q. Have you anything to show that you are a dress-maker in good faith?

A. Oh, yes.

Q. What have you got to show?

Mr. Weeks: I object, as immaterial. I

ask that it be limited from February to September.

Mr. Lowe: I will accept the suggestion.

Q. Have you anything to show that since February, 1893, to September, 1893, up to the day of your arrest, you had been a dress-maker, carrying on business as a dress-maker?

A. Yes, sir.

Q. Now, show to the Court what you have got to show.

(Objected to)

The Court: You need not tell us yet what it is.

(The witness showed the Court some papers.)

By the Court:

Q Ask her if this is all, these two papers?

A. No.

By Mr. Lowe:

Q What is that book you have in your hand? I didn't ask you for any names?

A. This is the book where I inscribe the names of my customers, and the measures I take for making their dresses.

Q What is that other paper you handed up to the Court?

The Court: This seems to be a bill of a subscription to a ladies' pattern paper, or something of that sort.

Mr. Lowe: I offer the book and the bill in evidence.

Mr. Weeks: I object to the bill, as immaterial.

By the Court:

Q These entries in this book are from February, 1893, until now?

A. Yes, sir.

Mr. Weeks: May I cross-examine this witness first?

The Court: Yes.

C r o s s E x a m i n a t i o n .

By Mr. Weeks:

Q What is the first entry in that book?

A. The first is for Mrs. Lovenbeck, in 51st street.

Q I again open the book at the first page, and ask you what

is the entry on the first page of that book, if it is not the year, 1891?

A. Here are inscribed articles-----

Q Is not the date 1891 on the first page of that book?

A. Yes, sir.

Q Now, turning the page over; is not the date on the next page 1892?

A. Yes, sir.

Q Is there any date in that book of 1893?

A. No; this is a book, as I told before, which I brought over from Berlin, and here there is-----

Q In whose hand-writing are those entries?

A. The ladies who came to work for me have themselves inscribed names; sometimes, also, my daughter has written something in it.

By the Court:

Q Is any of it in her hand-writing? A. My own also.

Q Were you a dress-maker in your own country?

A. No; I had a millinery store.

Q She only conducted a dress-making business after she came to this country; is that right?

A. Yes, sir.

The Court: Any entry relating to anything prior to coming to this country, October 10, 1892, would have no bearing, of course, upon the dress-making trade.

By Mr. Weeks:

Q This card, in whose hand-writing is that; do you know?

A. I can't know whose hand-writing is this, because this card has been sent to me.

Mr. Weeks: I object to the admission of

any of these papers.

Mr. Lowe: I offer these in evidence.

The Court: I think, in the light of the cross-examination, I shall sustain the objection of the District Attorney to their admission.

Mr. Lowe: I take an exception.

The Court: For the reason that there is no proof of the hand-writing upon the card, and for the reason that there is no proof of any entries in relation to the dress-making business in this book, so far as my attention has been called to it, and for the reason that this bill, standing alone -- I will admit that bill, and that only. I will let that in.

Mr. Lowe: Let me cross-examine as to the entries.

The Court: I will let that bill in, if you want it. I will let that in. It might be some evidence tending to prove she was in the dress-making business.

D i r e c t E x a m i n a t i o n resumed.

By Mr. Lowe:

Q You may take that book into your hand and take it page by page.

(Objected to, on the ground that she has already testified to it, and that it refers to an entry of 1891.)

The Court: Tell her if there are any entries in this book containing matters since October, 1892, to show them.

By Mr. Lowe:

Q Read off from that book all the entries relating to your business as a dress-maker, which are made by you, or in your presence by somebody else, since February, 1893, up to date. Take it page by page. Do not slip a single page.

(Objected to, on the ground that all memoranda in her hand-writing is inadmissible, upon the ground that she cannot offer that as any proof, she cannot make evidence for herself.

The Court: If she kept a book-account, in connection with her business, it would be competent to show any entries that she made in reference to that business.

Mr. Weeks: She can be examined as to whether she had any book account. It could not be admitted in evidence.

The Court: This is a question as to whether or not this woman was honest, and had a bona fide business of dress-maker.

Mr. Weeks: Exactly, but I submit the direct testimony of that is not to call herself, but to call her customers; that is proof of a legitimate business, if there is any question of attacking it.

The Court: That would be evidence also, if, at the same time, she can show entries in her books.

Mr. Weeks: I withdraw any objection. They can go ahead and put anything they want in.

The Court: I want you to see the dates--- if there are any dates, in the first place. Look

first and see if there are any dates.

The Interpreter: In examining this book I see that there are indications of the month, often, but not indications of the year in which these months run.

The Court: You may ask her when these entries were made.

By Mr. Lowe:

Q Give me the name and the addresses, if you can, of people you have been manufacturing dresses for, since February, 1893?

A. Miss Rice.

Q If you can, give the address and the date?

A. No. 46 Eighth street, Miss Rice.

Q Who else?

A. Miss White, 151 27th street; I

do not remember whether East or West.

Q Is it East of Third avenue?

A. It is off

Third avenue, going towards Broadway.

Q Who else?

A. Miss Stoltzenberg, 171 Third

avenue. Mrs. Dr. Veslar, 222 Fifth avenue. Miss Schmidt,

corner of Second avenue and 15th street, and also I worked

for the house-keeper in the same house; Miss Kling, No. 10

Eighth street; Miss Schwartz, in 16th street, I do not re-

member the number.

By Mr. Weeks:

Q Where is Miss Schmidt's place?

A. Corner of

Second avenue and 16th street; and Miss Traubeck, 10th

street and Second avenue; I know the house but I don't know

the number.

By Mr. Lowe:

Q And all the measurements of the ladies, or some of them, are

in that book?

A. Some of the names are

in this book, the measurements, yes, sir; everything is herein.

Mr. Lowe: Under the testimony, I now offer the book in evidence.

The Court: Those pages which contain these entries.

Mr. Lowe: Yes, sir.

By Mr. Lowe:

Q Now, madam, did, at any time, any single woman have a room in your house, with your knowledge and by your consent, for the purpose of assignation?

A. No, never.

Q Did you ever induce, or attempt to induce, any woman to occupy a room in your house for the purpose of plying her vocation as a prostitute?

A. Never.

Q Did you ever at any time, directly or indirectly, aid or abet or help or induce Emma Neumann to lead an improper life?

A. No.

Q Did Emma Neumann, or any other woman, ever ply their nefarious practices of prostitution in your house, to your knowledge?

A. No.

Q Did you ever permit a man to enter the room of any girl who lived with you?

A. Never.

Q Would you have permitted any woman whom you thought to be a prostitute to sit at the same table with you and your husband and your child?

A. No.

Q What did Emma Neumann tell you when she came to you?

A. She told me that she was a cashier in a big business.

Q Did she tell you where?

A. No.

Q How much was she to pay you when she first came to you?

A. \$3.00.

Q Did that include room and board?

A. No, she didn't take board.

Q When did she begin to board at your house?

A. On the 1st of March.

Q Did Emma Neumann ever tell you that she had changed her place of business?

A. Oh, yes.

Q When did she tell you that she had? A. In April.

Q What did she tell you that she had become?

A. That she wanted to quit the cashier business, and to take up with the theatre, to go to the theatre.

Q Did she tell you that she had become an actress?

A. Yes, sir.

Q And during all the time that Emma Neumann resided at your house, you honestly believed and thought her to be an actress?

A. Yes, sir.

Q Did she ever tell you in what branch of her legitimate profession she worked?

A. Yes, sir.

Q What did she tell you?

A. That she danced.

Q Did she tell you where?

A. In Koster & Bial's.

Q Did you ever tell that girl to go to Koster & Bial's?

A. No.

Q Did you ever tell that girl to go on the street, to ply her vocation on the street?

A. Oh, no; never.

Q Did you make a dress for Emma Neumann? A? Yes, sir.

Q Emma Neumann testified here, a few days ago, that you made her a dress for which she paid you \$150.00; is that true?

A. I never have made a dress for \$150.00.

Q How much was she to pay you when she first came to you?

A. \$3.00.

Q Did that include room and board?

A. No, she didn't take board.

Q When did she begin to board at your house?

A. On the 1st of March.

Q Did Emma Neumann ever tell you that she had changed her place of business?

A. Oh, yes.

Q When did she tell you that she had?

A. In April.

Q What did she tell you that she had become?

A. That she wanted to quit the cashier business, and to take up with the theatre, to go to the theatre.

Q Did she tell you that she had become an actress?

A. Yes, sir.

Q And during all the time that Emma Neumann resided at your house, you honestly believed and thought her to be an actress?

A. Yes, sir.

Q Did she ever tell you in what branch of her legitimate profession she worked?

A. Yes, sir.

Q What did she tell you?

A. That she danced.

Q Did she tell you where?

A. In Koster & Bial's.

Q Did you ever tell that girl to go to Koster & Bial's?

A. No.

Q Did you ever tell that girl to go on the street, to ply her vocation on the street?

A. Oh, no; never.

Q Did you make a dress for Emma Neumann?

A? Yes, sir.

Q Emma Neumann testified here a few days ago, that you made her a dress for which she paid you \$150.00; is that true?

A. I never have made a dress for \$150.00.

The Court: I understand the testimony that she sold her a dress, the making and material. Did you so understand?

Mr. Lowe: Yes, sir.

Q Look at the dress now shown you?

A. Yes, sir, I made this dress; for this dress she had to pay me \$60.00, but she did not pay me one cent.

Q Have you got the measure of that dress in your book?

A. Yes, sir.

Q Point it out; have you got that entry?

A. These are the measurements.

Q When were those measurements made?

A. On the 25th of August.

Q Of 1893, this year?

A. In this year.

Q You made the entry on the day when you took the measurements; did you?

A. On the 24th I had already written it, entered it.

Q Did you ever sell a dress to Emma Neumann at the price of \$150.00?

A. No; never.

Mr. Lowe: Now, I offer that entry in evidence.

Mr. Weeks: I have no objection.

Mr. Lowe: I ask that the entry be translated.

The Interpreter (reads): There is a heading on the page where these entries are made, and the heading is "Emma." Then comes the first line; there is the word, "August," and a word is written in which is the length from behind, the back length, 15 inches; and then there is the width of the back,

12 inches; and then comes the third line, this line, between the third and the fourth line; under the word, "August," there is a figure, which appears to me to be the date, the 27th.

Mr. Lowe: What date is this?

The interpreter: This is the 24th. Length in front, 14 inches; width of the chest, 24; width of waist, 22, and then sleeves, 21; length of skirt, 39; and then there is drawn a line under the figures, and the figure "60," which is written underneath, which means the price of the dress.

Q Madam, where did you buy the material for this dress?

A. At Vearn's, 14th street.

Q How much did you pay a yard?

(Objected to, as immaterial) (Objection overruled)

A. \$1.75.

Q How many yards are there there? A. Twenty yards.

Q Did you buy anything else towards the building of the dress?

A. Oh, yes.

Q What? A. Fifty-six yards of lace.

Q How much did you pay for the lace? A. Ten cents a yard.

Q How much did you charge for your work as a dress-maker;

about how much? A. For this dress, \$15.00.

Q Out of the \$60.00, \$45.00 went into materials to make the dress?

A. Yes, sir.

Q Have you made dresses for Emma Neumann before?

A. Yes, sir.

Q Are the entries of all the dresses you ever made for Emma Neumann in that book?

A. Yes, sir.

Q How much did you charge for the first dress you made for her?

A. \$40.00.

Q When did you make that dress? A. In February.

Q Where did you buy the material?  
A. Also at Hearn's, in 14th street.

Q How much was your profit on that \$40.00 dress?  
A. \$10.00.

Q What was the next dress which you made for her?  
A. A green woolen dress that she has on.

Q And how much did she pay you for that dress?  
A. \$20.00.

Q How much was your profit? A. \$8.00.

Q You charged that for the making of it?

A. Yes, sir, for the making of it; for my work.

Q What was the next dress you made for her?

A. It was a silk dress; I have here the samples (producing them).

By the Court:

Q What price? A. \$60.00.

Q Material and making? A. Yes, sir, for the whole.

By Mr. Lowe:

Q And how much was your profit for making that dress?  
A. \$10.00 for the work.

Q Did you ever at any time sell jewelry to Emma Neumann?

A. Never sold, but lent.

Q You saw the jewelry produced here at the last hearing?

A. I saw that there has been exhibited bracelets for the arms, and rings, and they are mine -- also the ear-rings are mine.

Q Did you ever sell to Emma Neumann these particular goods which are here produced?  
A. Never.

Q How did you come to lend these articles to Miss Neumann?

A. Because she wished to appear elegantly in the theatre, and therefore I lent her the things, under the condition that she should make restitution of the same when she should leave.

By the Court:

Q That is, the jewelry?

A. Yes, sir; the jewelry.

By Mr. Lowe :

Q Did Emma Neumann ever pay you the \$60.00 which was to be the price of the dress in question?

A. Never.

Q When you made the dress for Emma Neumann, what did you tell her as to the price and as to the payment?

A. I gave her the dress under the condition that she should pay or make restitution of it; she told me that she was to receive her salary on the 1st of October, and that she would pay.

Q How did you come repossessed of this and of the jewelry?

A. I went to take a walk with my husband, on Broadway, and met Emma Neumann.

Q When was that, madam?

A. On Friday, the 22nd.

Q Of what month??

A. September; she was just going over the street, in 22nd street, and I called her, "Emma." She came towards me and put her arm under mine and asked me, "Where are you going? I just was going to your house." And so I said, "Well, then, we may return." She said, "I just wanted to return the dress and the jewelry, and probably you have received a letter from me." I answered, "Yes, I received your letter; and there is a letter also for you."

By the Court:

94 Q How was she dressed at that time, what dress did she have

on?

A. She wore that dress, and had

also with her all the jewels.

By Mr. Lowe:

Q State what conversation did you have with her on the way going towards your home?

A. She told me, "Mrs. Kalleday, you are not angry with me because I left your house?" I said, "Oh, no; I am not angry, but it was not a nice thing on your part to go away with the dress and the jewelry," and she answered, "No, Mrs. Kalleday, I didn't want to take these things from you," and I said to her, "I always have been like a mother to you."

Q Then you came to your house?

A. Yes, sir.

Q State to the Court and jury what happened when you came up to your room?

A. We went up stairs; I opened the parlor and lit the light, and, while this was going on, she had already taken off her hat and put it on the piano.

Q Did you lock that door?

A. No.

Q Did you lock any door of the parlor, leading from or into the parlor?

A. No.

Q Who was present in that parlor during the evening of the 22nd?

A. In the back parlor was Josie, my daughter, sleeping in bed.

Q And, in the front parlor, who was there?

A. There was nobody else, excepting that while Miss Neumann was engaged in writing the letter there entered one, Mr. Buchwalt.

Q Was your husband present at any time in the evening, that evening, in the parlor, while you and Emma Neumann were engaged together in transacting any business?

A. No, my husband was not in that room.

Q State what occurred between you and Emma?

A. Emma disrobed herself, she has already decided in the street that she wanted to make restitution of that dress; and she took off the dress and requested me to go into her own room and to take another dress that she had there; I told her that she, herself, had to go into her room and change her dress, and she answered me, "Little mother, I am afraid to go." I went there and took the dress that she has now on. She put it on, and when I returned she had disrobed herself of the dress that she had before, and had put all the jewels on the table. She stood before the looking-glass and was turning herself before the glass, and I laughingly said, "Of course, it is not like the silk dress." "That is all right," she said, "I didn't intend to cheat you, and within a few days I shall call on you with a friend, who is a rich man, and he will pay everything, and therefore, for this reason, I leave with you also my other things." Then she asked me how much money she owed me, and I took a piece of paper and put it down for her. I told her, "As you already know, Emma, the dress cost \$60.00, and you also owe me since the 19th of August the board, which makes \$30.00, and \$10.00 I lent you cash, and \$3.50 which I paid for you for the laundry." She took this account and put it in her pocket, and then she requested me to give her some paper. I gave her the paper. She sat down and wrote, and while she was engaged in writing, Mr. Buchwalt entered and inquired of me about my husband; I told him that he was back; he then said a few words with me, and went away, went out of the room. While writing, Emma Neumann asked me the date of the day;

I told her it was the 22nd. When she was through with her writing, she put on her hat and said, "Oh, I am in a great hurry; I will be late." She went out, and when she was just at the staircase she said, "Where is Mr. Kalleday? I want him, to tell him, 'Good-bye.'" So I stepped a little back in the hall, and called my husband; she stretched her hand toward Mr. Kalleday, and told him, "Good-bye. I must go, I am in a great hurry." My husband says, "Well, Emma, you intend to leave us? I am sorry." She answered, "Oh, we will remain good friends; I will come back again," and then she went.

Q Did you at any time threaten, in any form, by menace or by threats, in any shape, form or manner, that she could not leave that room unless she surrendered the dresses and the jewelry?

A. No; she took off the

dress of her own accord.

Q Did you threaten her life?

A. Oh, no.

Q Did you tell her that she cannot leave the room alive unless she gave them back?

A. No; she left the

things of her own accord, because when I returned she already had taken off the dress.

Q Is the testimony of Emma Neumann, that you and your husband were together, and that you threatened that she should not leave the room alive, unless she surrendered the dresses and the jewelry, true or false?

A. It is not true.

Q Did at any time anybody warn you that Emma Neumann wanted to leave your house, and not to pay for the dresses and to steal the jewelry you had loaned her?

A. Yes, sir.

Q Did you communicate with Emma Neumann this information you had received?

A. Yes, sir.

Q Who told you that she intended to do so?

A. Her friend, Mary Siebert.

By the Court:

Q What is, that she meant to leave?

A. That they both should leave the house, and have another dress and go away without paying, and, if objection should be made, that we should be arrested, me and my husband.

By Mr. Lowe:

Q In what form did you communicate with Emma Neumann the fact that you knew that she intended to do so?

A. Miss Siebert requested me not to betray her, and I gave her my word and my hand; and so I said to Emma, "I had a dream, and that some thing was to happen; either that I should be the victim of a theft or that you were to leave me; child, you should not leave me so -- that you were to go from my house." "Oh, Mrs. Kalleday," she answered, "I never will do that, even if I should tell a lie, but never would I cheat you; I always paid you, and so I will pay you then, too, what I owe you; and if you doubt, or are afraid of it, I will give you the things back." She went to her room and brought me the dress and gave me the jewels and put it on the sewing machine.

Q When was this? A. Thursday evening.

Q The Thursday preceding the day on which this alleged robbery took place?

A. On the 21st of September.

Q Now, how did she come again possessed of the property?

A. She came back crying and saying to me, "It is not a

nice thing to suspect me that way; give me those things at least for this evening and this day. She threw her arms around my neck and told me, "Little mother, I will pay you everything on the 1st of October, when I receive the money," and I said, "All right, Emma; I do neither believe that you are so bad." She said, "You allowed yourself to be influenced by Mary Siebert, as she is the girl who told you so; she is a very bad girl and you must not believe what she says."

The Court: When was this conversation?

Mr. Weeks: On Thursday.

The Court: The night that she first left?

Mr. Weeks: Yes, sir.

By Mr. Lowe:

Q And upon that you let her have the goods again?

A. I told her, "I don't believe that you will skip out, but, if you should ever leave, I beg you to leave with me the things."

Q Did you then and there give her the goods again for the use of that evening?

A. Yes, sir, I told her to use them, and if she didn't want to keep them, she should make restitution of the same, because the jewels they were, anyhow, my property; and then she put on these things and went out earlier than she was used to go on other days.

By the Court:

Q When was it that she asked you to be allowed to take those things for one evening?

A. On the 21st of September.

Q When was it that she came to your place and disrobed?

A. It was on the 22nd when I met her.

Q How did she become possessed of the property before the 22nd.

or before the time you loaned her for one evening, before the 21st?

A. She had brought back the things to me when I told her of the dream, and that she saw that I had conceived distrust against her.

Q How long before the 21st? A. It was two days; on the 21st of September she gave me first back the things.

By Mr. Weeks:

Q What time of day? A. At 6 o'clock in the evening.

Q What time did she give them back again?

A. On the 22nd evening, toward 9 o'clock.

By Mr. Rowe:

Q You had told Emma Neumann that you were warned that she would go away? A. Yes, sir.

Q You had told her that on the 21st?

A. Then I told her on the 22nd only while on the way toward the house.

Q When did you tell her the dream you had?

A. On the 21st of September.

Q At what time of day?

A. About half-past 5.

Q Then Emma gave you the property all back?

A. Yes, sir.

Q She begged of you again to let her have it for that evening, did she, the same night? A. Yes, sir.

Q And you did? A. Yes, sir.

Q Madam, how many women did ever live with you at your house since you were in the United States, or since you kept furnished rooms? A. Two.

Q Who were those two women?

A. Emma Neumann and Mary Siebert.

Q Did any other woman live with you before they had come to you?  
A. Yes, sir.

Q Who?  
A. Annie Dietz.

Q These are the only three women that ever lived at your house?  
A. Yes, sir.

Q How did Annie Dietz come to live with you?

A. She came seeing the bill on my door for furnished rooms, she came up stairs to inquire.

Q Had you known her before she had come to live with you, Annie, that lady over there?

A. I knew her from Berlin.

Q You have stated how Emma Neumann came to live with you; state how Mary Siebert came to live with you?

A. Because Emma Neumann is a friend of Mary Siebert, and took her up stairs in our house; she said she was a very regular, quiet and good girl, and that I should room her in my house.

Q What did Mary Siebert tell you she had been doing?

A. She told me that she was a chambermaid in a Broadway hotel, and was just going to work that moment. She showed me also a book, which was proof of her former occupation in a Broadway hotel.

Mr. Lowe: I offer that book in evidence.

Q This is the book given by Mary Siebert at the time she came to live with you?  
A. Yes, sir.

Mr. Lowe: According to the laws of Germany, all German girls must have a book.

Mr. Weeks: The last entry is November, 1890. I don't see its materiality.

Mr. Lowe: I offer it. It shows that in

Germany she was a domestic; that is all.

Mr. Weeks: They offer this book, which the witness has testified Mary Siebert gave her when she came there. I object to it, as immaterial.

Mr. Lowe: It is very important evidence to show the bona fides of the woman taking a boarder. Mary Siebert claimed that she was a servant girl in Germany, and that she was working in an hotel here as a chambermaid.

Mr. Weeks: I withdraw the objection; I want it in.

The Court: It is received, by consent.

Cross Examination resumed.

By Mr. Weeks:

Q Mrs. Kalleday, do you understand English?

A. No, only some words.

Q Are you fond of jewelry?

A. Yes, I like jewels.

Q Are you in mourning? I notice that you dress in black.

A. No, I am not in mourning, but our life is sufficiently mournful.

Q That is the reason you are dressed in black?

A. Yes, sir, this is the reason.

Q How long have you been in the habit of wearing black?

A. That is variable.

Q Have you any jewelry on at present?

A. Not at all now, at present.

Q Do you wear ear-rings?

A. Not in this moment.

Q Do you wear ear-rings?

A. I am used to wear-

ing ear-rings, and those are those that I lent Miss Neumann.

- Q How long did you have those ear-rings that you say you lent Miss Neumann?  
A. Since the beginning of August.
- Q Which finger did you wear the rings on that Miss Neumann had?  
A. I wore the small ring on the small finger of the left hand.
- Q And the other one?  
A. The other one I wore on the little finger of the right hand.
- Q How long had you had those rings?  
A. The small ring I was possessed of since the 20th of September.
- Q When did you get it first?  
A. Three weeks before we were arrested.
- Q Is this the small ring? (Ring shown)  
A. Yes, sir, that is the small ring.
- Q How long did you wear this ring before you lent it to Emma Neumann, as you claim?  
A. Three weeks.
- Q Will you please put it upon the finger of your left hand?  
(The witness did so.)
- Q You say you wore it about three weeks; did you?  
A. Yes, sir.
- Q Did you ever wear the bracelets?  
A. No, I didn't wear them.
- Q Why not?  
A. Because they were too narrow for me.
- Q Did you ever wear the ring that Mary Siebert has on?  
A. No.
- Q During all the time that Mary Siebert was with you, you thought she was a chambermaid in some hotel?  
(Objected to) (Question withdrawn)

Q How long was Mary Siebert with you?

A. Since the 26th of August.

Q Did she tell you that she was working at any place while she was there?

A. Yes, sir.

Q Where did she say she was working?

A. She said she went to Koster & Bial's to dance.

Q Did you make any clothes for Mary Siebert; answer yes or no?

A. I am just working about one dress.

Q And did you give Mary Siebert any ring?

A. My husband had in his custody a ring, and this ring bore a French inscription, which reads, "Under the mask there is truth," and owing to the fact that this had a French inscription, she requested me to lend her the ring for one or two evenings, and she did not make restitution of this ring.

Q Did you ever ask her for it?

A. Yes, sir, two or three times I requested her.

Q Now, was Mary Siebert dressed when she came to your place, on the 26th of August, as she is now?

A. Yes, sir-- she had not this dress on, but a silk dress.

Q Otherwise, she was dressed?

A. Yes, sir.

(Mary Siebert was called to the bar.)

Q She was dressed just as she is now, except that she had a silk dress on; is that right?

A. She had a dress in shades, in colors.

Q A silk dress?

A. A silk dress, and also had the accompanying hat to it.

By the Court:

Q Then she was not dressed as she is now?

A. No -- the waist that she has on, I complimented her.

By Mr. Weeks:

- Q Presented, you mean? A. I gave her as a present, as a gift, because she had done some work in my house.
- Q You thought that she, coming in that shape, was a chambermaid, had been a chambermaid in -- where do you say? A Bowery hotel? A. She told me that she was in a Broadway hotel.
- Q Did she tell you what hotel? A. Yes, sir, she told me; but I don't remember any more.
- Q Now, you speak about a girl by the name of Annie Dietz that used to live there with you. How long did she live there? A. Two and a half months.
- Q Does she live with you now? A. No.
- Q Are you on good terms with her now? A. She visited me in prison.
- Q You are on good terms with her; aren't you? A. Yes, sir.
- Q Is her name Annie Dietz or Annie Reinfleisch -- you know her under the name of Annie Reinfleisch? A. Yes, sir.
- Q That is your signature; is it? (Paper shown) A. Yes, sir, my signature.
- Q And the Annie Reinfleisch that is referred to there is the woman that is here in court with you, and that you speak of as Annie Dietz; isn't it? A. Yes, sir.
- Q You had her arrested, did you not, claiming that while she was a lodger in your house that she had stolen a dress of the value of \$65.00?

Mr. Lowe: We will admit that.

By the Court:  
105Q Yes or no?

A. Yes, sir.

By Mr. Weeks:

Q She was tried and acquitted; wasn't she?

A. Yes, sir.

Q And didn't she say, on that trial, that she was in the habit of taking men to your house there, and that you furnished her with a dress for that purpose?

(Objected to)

The Court: If she was present and heard it, I will let her answer. She may answer.

Mr. Lowe: I withdraw the objection.

Q (Question repeated)

A. No, she never received a man in my house.

By the Court:

Q Did she swear so?

A. I think so.

By Mr. Weeks:

Q You heard her; didn't you?

A. Yes, I heard.

Q Now, Mrs. Kalleday, did you receive this letter from Emma Neumann, the one that she wrote there that evening, did she give it to you? (Letter shown)

A. No.

Q When did you get it?

A. When Emma left,

and I returned to put out the light in the parlor, I found the letter on the table.

Q That was the first you ever saw of it?

A. I saw her writing.

Q But you didn't know what was in it until after she had gone? Is that right?

A. No, I didn't know the

contents of the letter.

Q What time did you get the other letter, what time did you receive the other letter, this one? (Showing a letter)

A. I think it was about 7 or half-past 7 in the evening.

The Court: When was this letter received?

Mr. Weeks: The 22nd.

By Mr. Weeks:

Q How soon after that did you go out with your husband?

A. About 8 or half-past 8 o'clock.

Q Where did you go?

A. We went through 14th

street to the park, and to Broadway.

Q What did you go out for?

A. We were used to going

out every evening.

Q What time were you in the habit of going out in the evening?

A. After taking our supper.

Q And when you met Emma did you tell her that there was a letter at the house for her?

A. Yes, sir.

Q Was there?

A. Yes, sir.

Q Did you give it to her?

A. Yes, sir.

Q When did you make up your mind that Emma had gone away with your property?

A. I didn't imagine this,

because I was always waiting till I received the letter which she wrote to me, that she didn't return home.

Q When you received that letter you made up your mind that she had gone away and taken your property; did you?

A. Yes, sir.

Q Did you go to the police station and make any complaint against her?

A. No.

Q Why not?

A. Because I imagined that

she would, anyhow, return -- because other times she had been absent for eight days.

Q What time was Emma in the habit of going out?

A. About 8 o'clock; occasionally, also, before 8 o'clock.

Q What time did she return?

A. In the last four

weeks she never passed a night in the house.

Q And yet you allowed her to remain there?

A. She told me that it was not my business, and I had no business to inquire after her.

Q When she was in the habit of coming back to the house, what time did she come back?

A. It was 9, half-past

9, 10, 11 or 12; it was variable.

Q Did you know when she came in?

A. Yes, sir.

Q Did you ever go to the theatre to see Emma act?

A. I never had time for that.

Q Don't you ever go to the theatre?

A. As long as I am here in this country, I have never been in any theatre nor concert.

Q Did you say that you made a dress for Mrs. Schmidt, corner of Second avenue and 16th street?

A. Yes, sir.

Q You are sure of Mrs. Schmidt's address; are you?

A. Yes, sir.

Q Have you ever been to her house?

A. Yes, sir, I passed before that house.

Q Are you sure of that, Mrs. Kalleday?

A. Yes, sir, because she has a domestic in that house; and also for the house-keeper did I work.

Q Did you know there is not any corner of Second avenue and 16th street?

A. There is a sort of green

around that house, and an iron gate around.

Q Do you know that the park on Second avenue runs from 15th street to 17th street?

A. I don't know that;

I may have mistaken for 16th, it may be 15th street.

Q Now, Mrs. Kalleday, do you mean to say, that during all the

time that Emma Neumann and Mary Siebert were living in your house, you supposed that they were decent, respectable girls?

A. I know know them as such; yes.

Q And that you never sold to Emma Neumann any of this jewelry?

A. No.

Q Had she paid you for all the dresses you had made for her except this one?

A. Yes, sir.

Q Now, you have produced a book here of Mary Siebert's?

A. Yes, sir.

Q And I understand you to say that when Mary Siebert came there she gave you that book, for the purpose of convincing you that she was a girl of good character?

A. Yes, sir.

Q Did you suspect that she was not a girl of good character?

A. Yes, sir.

Q Did you suspect that she was not a girl of good character?

A. Oh, no; I thought that she was very good.

Q Did you ask her for any reference?

A. She said that she had a father and aunt and a brother, at 43 Spring street.

Q Now, will you please answer my question yes or no. Did you ask her for a reference? Mary Siebert?

A. Yes, sir.

Q Was it when you asked her for a reference that she gave you this book?

A. Yes, sir.

Q And you took that as a good reference; did you?

A. Yes, sir.

Q Now, since your arrest and liberation on bail, the trunks and clothing of these two girls have been up in your house, at 129 Third avenue; haven't they?

A. Yes, sir.

Q The trunks are not locked; are they? A. No.

Q How do you know that they were not?

A. Because I go up to those rooms.

By Mr. Lowe:

Q Madam, did the father of Mary Siebert visit at your house?

A. Yes, sir.

Q That is the only man who ever came to visit her at your house, so far as you know?

A. He is the very only man that inquired, that came to call on Mary Siebert.

FRITZ FRIEDMAN, sworn and examined through the interpreter, testified:

By Mr. Lowe:

Q Where do you live? A. 86 Second avenue.

Q What is your business? A. Cafe and restaurant.

Q You can speak English? A. No.

Q Do you know William Kalladay? A. Yes, sir.

Q How long have you known him? A. A year and a half.

Q Has he ever worked for you? A. No, sir.

Q Has he ever helped others to work for you, others in your employ? A. Not in my place.

Q Does he frequent your place? A. Yes, sir.

Q How often do you see him in about a week?

A. As often as he was out of work, after he was through with his work he came with his wife and daughter into my place.

Q From what you know of him, what is his general reputation,

his general character?

(Objected to)

The Court: You may ask him first if he knows his general character and others who know him.

By Mr. Lowe:

Q Do you know his general reputation? A. Yes, sir.

Q What is his reputation as a man, good or bad?

A. Good.

Cross Examination.

By Mr. Weeks:

Q How long have you been keeping a coffee saloon there?

A. Four years.

Q You speak English, don't you, in your business?

A. A little.

Q How long have you known Kalleday?

A. A year and a half.

Q Did you ever go up to his house?

A. Never.

Q Are you a married man?

A. Yes, sir.

Q You have girl waiters, don't you, in your coffee saloon?

A. No, sir.

Q You know places in that neighborhood that have?

A. Yes, sir.

Q Do you know the Cafe Spitz?

A. Yes, sir.

Q That has, hasn't it?

A. Yes, sir.

Q Do you know the Black Eagle?

A. Yes, sir.

Q And that has girls?

A. Yes, sir.

Q Did you see these two girls here, Emma Neumann and Mary

Siebert?

A. Never.

Q Did you see them here in court?

A. Yes, sir.

Q You never saw them in either of those coffee saloons; did you?  
A. I don't go around in coffee houses.

Q You didn't go up to the Kalledays? A. No.

SAMUEL STEINITZ, sworn and examined, testified:

By Mr. Lowe:

Q Where do you live? A. 118 East 16th street.

Q What is your business? A. I am a general agent for the New York Life Insurance Company.

Q How long have you been employed in that?

A. Over four years, going on five.

Q Do you know the defendant, William Kalleday?

A. I do.

Q Have you visited him at his house? A. Quite often.

Q How long have you known him? A. I know him over a year here; I used to go to school with him in the old country.

Q You have known him over a year here, visiting at his house here in this city? A. Yes, sir.

Q Do you know his reputation among his neighbors, among his friends, among the Hungarians and Austrians with whom he associated?

A. Yes, sir; I don't know anything bad.

Q Is that reputation good or bad?

As good as possible.

C r o s s E x a m i n a t i o n .

By Mr. Weeks:

Q When you went there, did you ever see Emma Neumann and Mary Siebert? A. I saw Mary Siebert but

112 once, and Emma Neumann I might have seen two or three times

in the course of several months.

Q What time were you in the habit of calling there?

A. One day I went there in the morning when I had forgotten my umbrella from the day before that; I generally called in the evening, around supper time.

Q And did you ever take supper there with them?

A. I ate there on two occasions.

Q Did either of the girls eat at the same table with you?

A. One time the two girls did, yes, sir.

Q Were you introduced to them? A. I was introduced under my name; not formally.

Q Was there any reason that made you think you should be introduced in any other name?

A. No, sir, I didn't mean to say when I said just formally.

Q What did you mean? A. Merely as a matter of every day courtesy; when several people are in the room, that they get introduced.

Q You sat at the table with them? A. Yes, sir.

Q And entered into conversation with them?

A. Yes, sir.

Q Did you get any information as to their occupation or means of livelihood? A. No, sir.

Q Have any talk with them about it?

A. I had with one; with Emma Neumann I talked about ten or twelve days previous to the arrest of the defendant, just in the evening. She was going out, and showed me how nice she looked, and showed me that dress and jewelry, and said-- I remember her mentioning the fact how kind Mrs. Kalleday was in lending her the jewelry; that is all that I know,

that is all the conversation I had with her.

Q What time was this? A/ That was about half-past 7 in the evening.

Q Didn't it strike you as rather peculiar for a respectable young lady to be going out alone with borrowed finery?

A. That much I know--I asked Mrs. Kalleday what the girl was doing, and she said she is employed in Koster & Bial's, that much I knew; it didn't strike me-----

Q You never saw her in Koster & Bial's yourself?

A. I was not in Koster & Bial's for over two years.

Q Are you a married man? A. No, sir.

Q And that was all the interest you took in these young ladies? A. In this young lady I didn't take any interest at all.

Mr. Lowe: The defence rests.

REBUTTING EVIDENCE.

ANNIE REINFLEISCH, sworn and examined, testified:

By the Court:

Q Did you understand what the Clerk said when you took that oath? A. Yes, sir.

By Mr. Weeks:

Q Where do you live? A. 316 East 14th street.

Q Have you been here in court the last two or three days under a subpoena? A. Yes, sir.

Q Received from the defence? A. Please excuse me, I cannot understand.

114Q A subpoena from Mr. Lowe, the lawyer for Mr. Kalleday?

A. Yes, sir.

Q Did you ever live at the Kalledays? A. Yes, sir.

Q When? A. From the 3rd of January,  
last year, 1892 -- I cannot speak English.

Q Until March, 1893? A. Yes, sir.

Q Now, were you there when Emma Neumann came?

A. Yes, sir.

Q Now, is it not a fact that the use of your room when you  
lived there, and the use Emma Neumann made of hers, was  
known to Mr. and Mrs. Kalleday?

(Objected to)

Q I will ask you did not Mr. and Mrs. Kalleday know the use  
you made of your room while you were there?

The Interpreter: She says that she un-  
derstands quite good English, but the strain in  
leading attention to what she is to hear and to  
answer does not allow her to collect her ideas. She  
prefers to speak in German.

Q Didn't Mr. and Mrs. Kalleday know the use to which you put  
your room while you were there?

A. No.

Q Did they not know that you received men in your room?

A. No.

The Interpreter: She wants to say some-  
thing.

The Witness: First Emma Neumann went to  
leave there, and then I had a little variance with  
Mrs. Kalleday. In that time Emma Neumann told me  
that I should abandon, leave that house, and we went  
both away from this house. What have I to say now?

Q Ask her, while you were living there, did you not give to Mrs. Kalleday money for using your room with men, taking men to your room?

(Objected to)

A. No; I paid Mrs. Kalleday for rooming and eating.

Q Now, do you remember when you were arrested on the charge of Mrs. Kalleday for stealing a dress?

A. Yes, sir.

Q Do you remember your testimony in court on that occasion?

A. No.

Q Do you remember that you did testify in court at that time?

A. Yes, sir.

Q Do you remember saying on that occasion, when you testified in your own defence, that you had given money to Mrs. Kalleday for that purpose?

A. I don't remember it any more.

Q Did you not so testify? A. I cannot repeat now what I have declared at that time.

Q Now, when did you leave the Kalleday house?

A. I think it was in the month of March.

By Mr. Lowe:

Q You have been asked if you came here under a subpoena; you know what a subpoena is? A. No.

Q Didn't Mr. Lowe, the man who is now speaking to you, tell you he didn't want you in court, he didn't want you as a witness, and you need not come here at any time?

A. Yes, sir; he said so.

By Mr. Weeks:

Q When? A. All last week.

Q Not before you came to court; was it? A. No.

Q He didn't tell you that until I inquired and pointed you out in the court-room, did he -- ask her if he told her that before I pointed her out in the court-room?

A. No.

MARY SIEBERT, recalled by Mr. Weeks:

Q Now, Mary, Mrs. Kalleday testified that when you came to her you gave her this book as a proof of your good character; did you?

A. Yes, sir.

Q You gave it to her?

A. Yes, sir.

Q Did you tell her that you worked at Koster & Bial's?

A. No, sir.

Q How soon after you went there did you begin to take gentlemen to your room?

(Objected to) (Objection overruled)

Q While you were living at Mrs. Kalleday's, did you take men to your room?

A. Yes, sir.

Q How soon after you first went there did you begin to take men there?

A. So soon as I was in the place.

Q As soon as you were in the place?

A. Yes, sir.

Q And how soon after you went there did Mrs. Kalleday know that you took men to your room? Did she know it right away?

A. Yes, sir.

Q How did she know it, did you tell her? A. I told her.

Q Did you give her money? the room, \$1000.

A. The men paid her for

Q Did they pay her everytime you took a man into your room?

A. Yes, sir.

Q And that continued during all the time that you stayed there; did it?

A. I don't understand.

Q All the time that you stayed there, when you took a man to your room, did he give Mrs. Kalleday a dollar?

A. Yes, sir.

Q And was Mr. Kalleday ever around when that happened?

A. He went out in the morning and he came back in the afternoon.

Q In the evening?

A. Yes, sir.

Q Was he there in the evening?

A. Yes, sir.

Q And did he know of it?

A. Yes, sir.

Q Did you ever see him around at that time?

A. Yes, sir; in the evening he was there.

Mr. Lowe: It is understood this goes in under objection and exception?

The Court: Yes.

C r o s s E x a m i n a t i o n .

By Mr. ~~Howe~~

Q How long did you stay at the house of the Kalledays?

A. Six weeks.

Q When did you come there?

A. I cannot remember

the day when I came there; I know I was about six weeks in the place.

Q Is it not true that you lived there only two weeks; Mrs. Kalleday says you moved into her house on the 26th of

August; is that so?

A. I cannot remember more

what day, I cannot remember any more.

Q You cannot remember whether it was on the 26th?

A. I cannot remember.

Q It may be that you did go there on the 26th of August?

A. It could be; I cannot remember.

118Q Do you know when was the birthday of Emma Neumann?

A. No, I don't remember.

Q Have you heard Emma Neumann and have you heard Mrs. Kalleday speak of the birthday party they had on the day when Emma Neumann had her birthday?

A. Yes, sir, they were speaking about it.

Q But you were not there at the birthday party?

A. I don't understand that.

Q You were not at the house of Mrs. Kalleday when they had the birthday party, when Miss Emma Neumann had her birthday party?

A. I don't understand.

By Mr. Weeks:

Q Were you at the house of the Kalledays when Emma had her party?

A. Yes, sir, I was in the place.

By Mr. Lowe:

Q When she had her birthday, or didn't you come after her birthday?

A. No, I was there when she had it.

Q When was her birthday?

A. I cannot remember.

Q How long had you been in this house when this party was there?

A. I was there about two weeks.

Q So you say you were there about six weeks altogether?

A. Yes, sir.

Q And did your father come to see you at the house?

A. Yes, sir.

Q And your brother?

A. No, my brother didn't

come so long as I was there.

Q What did you tell your father that you were doing?

A. The woman told me-----

By the Court:

Q What woman?

A. Mrs. Kalleday.

By Mr. Lowe:

119Q

What did you tell your father that you were doing?

A. I told my father I worked for them people, because I wouldn't tell my father about it.

Q You told that to your father, in the presence of Mrs. Kalle-  
day?

A. Yes, sir; I told my father I

worked there, because the woman told me to tell him.

A. Twenty.

Q How old a girl are you?

Q Have you ever worked as a chambermaid in a Broadway hotel?

A. Yes, sir.

Q What hotel?

A. The Bartholdi Hotel.

Q How many men did you bring up there into the house of Mrs.  
Kalleday?

A. I can't remember how many

men I brought there; I brought a man every day; and some  
days I didn't bring any --- some days I bring some men in  
the place.

Q When did you bring up the first man after you moved in the  
house?

A. I don't understand; I can't remem-

ber.

By the Court:

Q Can you tell?

A. I can't remember now.

By Mr. Lowe:

Q Had you a special friend who came to see you, or did you  
take in, indiscriminately, Tom, Dick and Harry?

A. It was no friend; it was a strange man.

Q Have you a friend whom you like better than any other man?

A. No, mister.

Q Have you had a friend visit you at the house?

A. No, mister; I have got no friend.

Q How many men did you bring up into that house in the course  
of a day, one or two?

A. I can't remember.

that -- how many I bring there.

Q What was the largest number of men you ever did bring there in one day?

By Mr. Weeks:

Q As nearly as you can remember? I don't expect you to tell exactly.

A. I cannot remember that.

By Mr. Lowe:

Q Did you speak about this case to anybody?

A. No.

Q About this testimony being given? A. No, mister.

Q Who visited you at the House of Detention since you have been there?

The Court: Ask her in German.

A. Nobody.

By Mr. Lowe:

Q Do you know why you are kept in the House of Detention?

A. I think that I am kept there very unnecessarily.

Q Have you ever been taken to the Office of the Society for the Prevention of Cruelty to Children? A. Yes, sir.

Q You were examined there about some occurrences in the house of the Kalledays? A. The people asked us

why we are there; we both answered, we are here for our dresses.

EMMA NEUMANN, recalled by Mr. Weeks:

Q Could you hear the testimony given to-day?

A. Some things, but not all.

Q Did you hear Mrs. Kalleday's testimony, that all this jewelry that you had on belonged to her, that she never gave or sold it to you, but had only loaned it to you?

A. I heard that, but they belonged to me.

Q You say they are yours? A. Yes, sir.

Q You bought them from her, and paid for them; did you?

A. Yes, sir; otherwise she would not lend them to me.

Mr. Lowe: I move to strike out that part of the answer.

The Court: Strike out the reasoning part.

By Mr. Weeks:

Q Did you, on the night that you left there, just before you left there, hand this jewelry back to Mrs. Kalleday?

A. She took them away from me.

Q How was that? A. Because she uttered a threat against me, that I could not get out any more from the room if I did not give them up.

Q I don't mean on that day. That was on Friday; wasn't it?

A. Yes, sir.

Q I mean the day before that, the Thursday, did you give them back to her? A. No, Thursday I wore them still.

Q Now, you were a witness, were you not, in the case of Mrs. Kalleday against Anna Reinfleisch, for stealing that dress?

A. Yes, sir.

Q Before that time, was Anna Reinfleisch living in that house just the same as the rest of you?

A. Yes, sir.

Q Did you go out in the evening with Anna?

A. Very little or nothing.

Q When you brought men to the house there, did Mrs. Kalleday know it?

Q Were you in the habit of taking mento your room there?

(Objected to, as immaterial and not in rebuttal.)

(Objection overruled) (Exception)

A. Yes, sir, since the hour that I entered the house.

Q And did you do that with the knowledge of Mrs. Kalleday?

A. Oh, yes, because she had the key to my room.

Q Do you know whether or not she was ever paid for that?

A. The men paid the dollar for the room.

Q Did Mr. Kalleday know that? A. Oh, yes.

Q Why do you say that Mr. Kalleday knew it?

Mr. Lowe: I suppose you will allow me an exception to this to be entered?

The Court: Yes, to all this line of testimony.

A. Because he was at home.

By Mr. Weeks:

Q Did he ever see you go into the house with different men?

A. Oh, yes.

C r o s s E x a m i n a t i o n .

By Mr. Lowe:

Q How long did you live with the Kalleday people?

A. I think four or five months.

Q Are you sure of that?

A. I think I am correct;

I cannot tell to full exactness.

Q Didn't you live with them six months?

A. I don't know it any more.

Q Didn't you live with them seven months?

A. I don't think so, but I don't remember any more.

By the Court:

1230 Let her think of the months she went there and the months

she went away? A. I absolutely cannot remember it with exactness.

Q Approximately? A. Four or five months, but not longer.

By Mr. Lowe:

Q Did you not swear that you had been living there more than six months? A. I do not swear it, because I do not know.

Q Have you not lived there fully ten months?

A. No, sir, for such a length of time I did not live there

Q You have been a witness in this court-room in the case in which Mrs. Kalleday and that other woman there were involved?

A. Yes, sir.

Q How long had you been living with the Kalledays at the time when you became a witness in that case?

A. This I cannot remember either.

Q Are you bewildered and excited just now?

A. No, sir, but I cannot say what I do not know.

Q Look at the paper now shown you, and state whether this is not a letter received by you from your mother? (Letter shown)

A. I say that I don't know.

Q I read to you from a letter which I have.

(Objected to) (Objection sustained)

Q On Friday you testified you withdrew and recalled all the testimony you had given on Thursday, because you were bewildered and excited, and all the testimony you had given on Thursday was untrue and false. Now, how much of your testimony do you recall and withdraw from your testimony given on Thursday last?

A. The right answers are those that I gave latest.

By Mr. Weeks:

Q On Friday? A. The last answers that I gave only, Friday.

By Mr. Lowe:

Q So let me understand you. All the testimony you have given on Thursday is untrue and false, and only the testimony you gave on Friday is the true testimony?

By the Court:

Q Is that what you mean to say?

A. Yes, sir, because I was so confused.

By Mr. Lowe:

Q Are you confused now? A. No.

Q And do you understand the questions put to you?

A. Oh, yes.

Q All the testimony by you given on Thursday is untrue and false, and only the testimony given on Friday is true and correct?

A. Yes, sir; I was so confused

on Thursday.

By the Court:

Q Does she mean to say when she was confused she made false statements? A. I don't know myself

what I said, because I was so distracted in mind that I could not know a word I said.

Q If she doesn't know what she said, how is she able to say now that anything was false? A. I do not yet say that I said anything false.

Q I understood you just to say so in answer to counsel.

A. I did not say that exactly; I said that I was so confused I did not know myself what I said.

Q Then you do not mean now to be understood as having stated

or as meaning that what you said heretofore was false?

A. I don't know what I said on Thursday.

By Mr. Weeks:

Q Now, let me see if I understand it, Emma. You say you were so confused on Thursday that you don't remember now what you said; is that right?

A. No, sir, I do not know what I said then.

Q But what you said on Friday, and everything that you said on Friday, is true, because you understood yourself then?

A. Oh, yes; I remember still what I said on Friday.

Q And if there was anything that you said on Thursday that does not agree with what you said on Friday, that is the thing may be untrue; is that so? Does she understand?

A. Oh, yes, I have a perfect understanding.

By the Court:

Q If she understands you repeat the question.

A. I did understand the question you addressed to me before and now; but, as I don't know what I said on Thursday, I cannot state whether there are differences or not.

Q But if there are any contradictions, what you said on Friday is the truth?

A. Yes, sir.

By Mr. Lowe:

Q And what you said on Thursday is not true? (No answer)

By the Court:

Q Do you see that black dress on the table? Ask her if she sees it?

A. Oh, yes, I see it.

Q Did you ever see it before?  
three weeks.

A. I did not wear it for

Q Where did you first see it?  
she bought them.

A. I saw the goods when

Q Do you know whose property that dress is?

A. That is my dress, my property.

Q Where did she get it?

A. I got possession of that dress for the payment of \$150.00.

Q Ask her if she heard Mrs. Kalleday's testimony here to-day, that she made it for her for \$60.00?

A. Yes, sir, I heard.

Q What do you say to that?

A. The lady in the station house declared that the dress cost \$100.00.

Q Did you agree to pay \$60.00 for it?

A. No, I paid \$150.00.

Q In one sum?

A. At once, at one time.

Q Where did she get so much money?

A. I earned it.

Q Ask her if it is not the fact that Mrs. Kalleday gave her the dress for her to pay for from time to time as she might get the money?

A. She didn't give me a dress under such conditions, unless I paid immediately.

Q How did she come to have so much money at one time as \$150.00?

A. I had saved money.

Q How long had you been saving it?

A. Fourteen days.

Q Now, at the time that you testified that you went to the Kalleday's house on the night of the 22nd-- when you went there had you that dress upon your person?

A. Yes, sir; I had that dress on.

Q In what room were you when you took that off, or when it was taken from your person, whatever the fact is?

A. I was in the parlor.

Q Who else was there?

A. We were three; I, the lady and her husband.

Q Did either Mr. or Mrs. Kalleday lay hands upon you, assist-

ing you in taking off the dress, or did they do anything toward removing it from your person, any act of laying hands upon the person?

A. The dress and everything has been taken from me; I gave up everything willingly, so nothing would happen to me.

Q Now, state to the jury under what circumstances she removed that property from her, from your person -- that is, the dress and the jewelry?

A. The dress has been taken from me in that way which a dress is loosened and taken off.

Q She unloosed it herself?

A. The lady loosened it from me.

Q Who took it off? A. She took the sleeve and stripped it off.

Q Didn't I understand her to say, a moment since, that she herself took it off willingly and nobody laid hands on her?

A. I said that I willingly allowed the things to be taken from me, in order not to suffer any harm.

Q What did the man, Kalleday, do in that room?

A. He took away from me, he loosened away from me the ear-rings and the rings.

Q What did he say? A. He didn't say anything that moment; before that, he expressed the threat, so I allowed the things to be taken from me.

Q What threat did he express?

A. That I would not come out of the room alive.

Q If what? A. If I did not give up everything, and if I did not abandon also all the other dresses that I possessed.

Q Had you other dresses there? A. I had dresses that

I brought over from Germany, and others that I caused to be made here.

Q State the circumstances under which you wrote the letter?

A. I wrote the letter under the pressure of threats that were made to me, but I resisted in the beginning, but the man came and placed himself behind myself with a cane, with a stick, and he dictated to me word for word everything, the contents of the letter.

By Mr. Lowe:

Q Emma Neumann, do you know the nature of an oath?

A. I imagine that it ought to be something very important, but I never have been in court in a trial.

Q This is the first time that you appeared in a court-room?

A. I have been here only once more, on the occasion of Anna Reinfleisch.

Q Now, Emma Neumann, don't you know that everything you have testified to is a lie?

A. Oh, no, sir; oh, no.

Q You are very angry at the Kalledays?

A. I not even have a desire that they be imprisoned--- what I want is my dress.

Q And to get your dress you will swear to anything?

A. No, I only say the truth, that those dresses belong to me.

Q Didn't you swear before the Police Magistrate that you brought this dress from Europe?

A. This I never said.

Q Have you ever seen this gentleman before? (Pointing to Mr. Franke)

A. Not yet in my life.

The Court: The case is with the defendant, if there be anything further for surrebuttal.

SAMUEL FRANKE, sworn and examined, testified:

By Mr. Lowe:

Q Where do you live? A. 347 East 49th street.

Q Have you seen this Emma Neumann on the witness-stand?

A. I seen her in the 57th street court.

Q On the day when the Police Magistrate's examination was held?

A. Yes, sir.

Q What did you do there? A. I was there in the proceeding against Mr. Smith, on a chattel mortgage -- goods that had been removed.

Q Have you seen this dress before? A. I have.

Q Have you heard that woman's testimony given in the police Court? A. I did.

Q What did she say?

(Objected to) (Question withdrawn)

Mr. Lowe: I will close the case.

(Counsel then summed up.)

0 16 1

York, Sept. 22, 93.

Mrs Kalledez

The 250 Dollars I owe you for Board and clothings, the same you made for me, I shall fetch off at the longest within 8 days, that is to say on the 30th inst, against deposit of above amount, otherwise the things will remain with you.

I remain respectfully

Emma Neumann

My name is Emma Klante.

---

I owe you \$250 for Board & clothings you made for me. I shall fetch them off at the longest within eight days, that is to say on the 30th inst, against disbursement of above amount, otherwise the things will remain with you.

0 162

New York, Sept. 22, 1893.

Dear Mrs. Kaldey.

Having met a friend who will fix a habitation for me, I shall not return to you, since this will be to my advantage. My intention is to avoid all scenes, and therefore shall I send one of my man acquaintances, to have my belongings forwarded and to pay you the amount which is owed to you. I beg you to notify under the address here below how much I owe you and I subsequently shall pay you the amount.

As everybody is minding one's own interest and I see that there is a future in this, I beg you not to grudge me on account of this and I hope we will remain friends also henceforward. With my best greetings, I remain yours

Emma Neumann

General Delivery

Post Office.

The People  
vs.

William Halliday

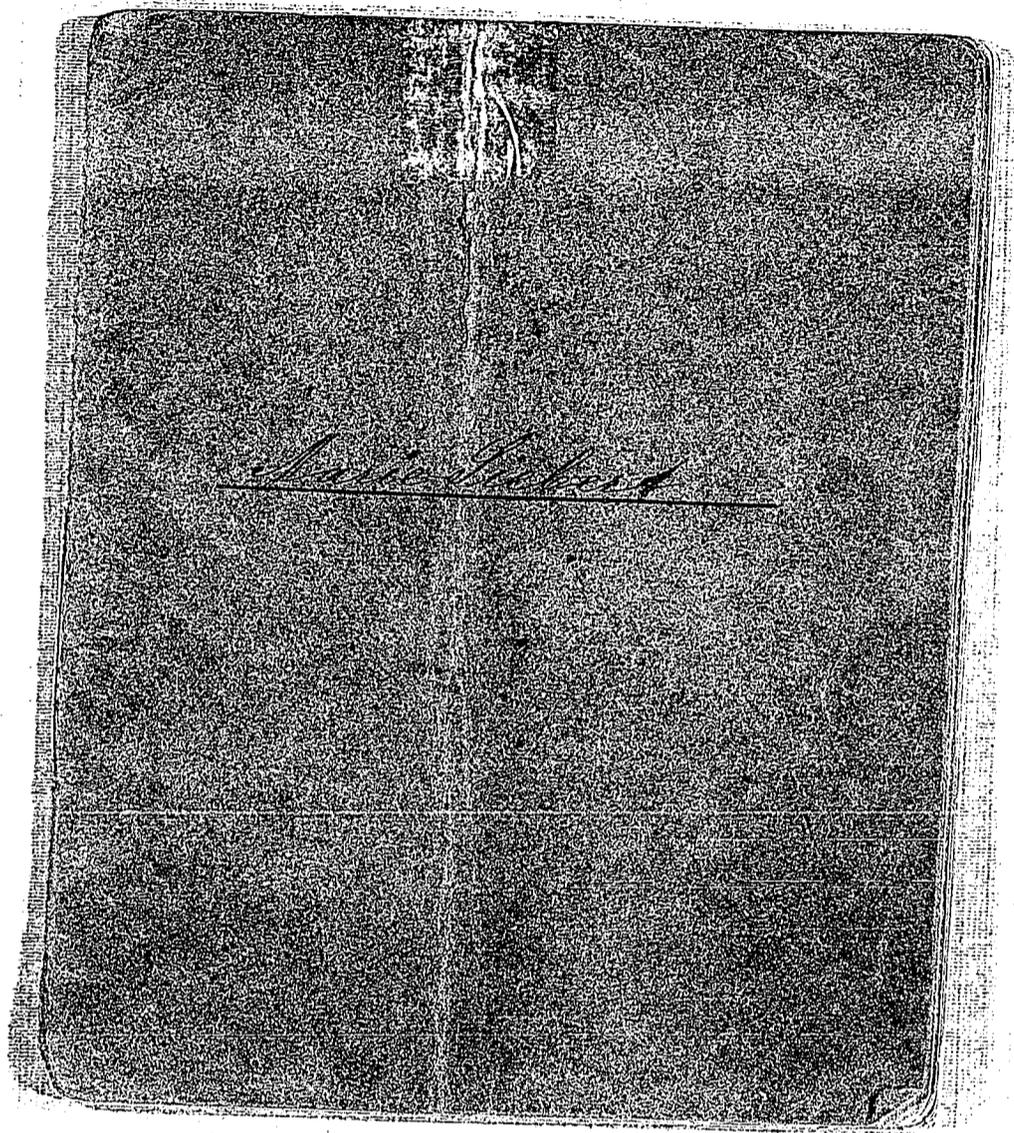
Filed Oct. 1893

Stenographer's Transcript.

October 1893

~~Handwritten signature~~

0164



0 165



Arbeitsbuch

für

Moritz Diebst

geboren am

10 August 1873

zu

Hildesheim

0 166

Unterschrift des Inhabers.

*Marie Liebert.*

Eingetragen

in das Verzeichniß des Jahres 1888 unter Nr.                     

*Münch* den 20 März 1888

*Joh. Lützner*  
*Bezirksamt*



Bemerkung: Von der ausstellenden Behörde ist hierunter ein Vermerk zu machen, wenn das Arbeitsbuch an Stelle eines nicht mehr brauchbaren, verloren gegangenen oder vernichteten Arbeitsbuches ausgestellt wird (Gewerbeordnung §. 109).

### Bestimmungen der Gewerbeordnung

über

### Arbeitsbücher und Arbeitszeugnisse.

(Gesetz, betreffend die Abänderung der Gewerbeordnung, vom 17. Juli 1878, Reichs-Gesetzblatt Seite 199.)

#### §. 107.

Personen unter einundzwanzig Jahren dürfen, soweit reichsgesetzlich nicht ein Anderes zugelassen ist, als Arbeiter nur beschäftigt werden, wenn sie mit einem Arbeitsbuche versehen sind. Bei der Annahme solcher Arbeiter hat der Arbeitgeber das Arbeitsbuch einzufordern. Er ist verpflichtet, dasselbe zu verwahren, auf amtliches Verlangen vorzulegen und nach rechtmäßiger Lösung des Arbeitsverhältnisses dem Arbeiter wieder auszuhändigen.

Auf Kinder, welche zum Besuche der Volksschule verpflichtet sind, finden vorstehende Bestimmungen keine Anwendung.

#### §. 108.

Das Arbeitsbuch wird dem Arbeiter durch die Polizeibehörde desjenigen Ortes, an welchem er zuletzt seinen dauernden Aufenthalt gehabt hat, wenn aber ein solcher im Gebiete des Deutschen Reiches nicht stattgefunden hat, von der Polizeibehörde des von ihm zuerst erwähnten deutschen Arbeitsortes kostenfrei und stempelfrei ausgestellt. Die Ausstellung erfolgt auf Antrag oder mit Zustimmung des Vaters oder Vormundes; ist die Erklärung des Vaters nicht zu beschaffen, oder verweigert der Vater die Zustimmung ohne genügenden Grund und zum Nachtheile des Arbeiters, so kann die Gemeindebehörde die Zustimmung desselben ergänzen. Vor der Ausstellung ist nachzuweisen, daß der Arbeiter zum Besuche der Volksschule nicht mehr verpflichtet ist, und glaubhaft zu machen, daß bisher ein Arbeitsbuch für ihn noch nicht ausgestellt war.

## §. 109.

Wenn das Arbeitsbuch vollständig ausgefüllt oder nicht mehr brauchbar, oder wenn es verloren gegangen oder vernichtet ist, so wird an Stelle desselben ein neues Arbeitsbuch ausgestellt. Die Ausstellung erfolgt durch die Polizeibehörde desjenigen Ortes, an welchem der Inhaber des Arbeitsbuches zuletzt seinen dauernden Aufenthalt gehabt hat. Das ausgefüllte oder nicht mehr brauchbare Arbeitsbuch ist durch einen amtlichen Vermerk zu schließen.

Wird das neue Arbeitsbuch an Stelle eines nicht mehr brauchbaren, eines verloren gegangenen oder vernichteten Arbeitsbuches ausgestellt, so ist dies darin zu vermerken. Für die Ausstellung kann in diesem Falle eine Gebühr bis zu fünfzig Pfennig erhoben werden.

## §. 110.

Das Arbeitsbuch (§. 108) muß den Namen des Arbeiters, Ort, Jahr und Tag seiner Geburt, sowie seine Unterschrift enthalten. Die Ausstellung erfolgt unter dem Siegel und der Unterschrift der Behörde. Letztere hat über die von ihr ausgestellten Arbeitsbücher ein Verzeichnis zu führen.

Die Einrichtung der Arbeitsbücher wird durch den Reichskanzler bestimmt.

## §. 111.

Bei dem Eintritte des Arbeiters in das Arbeitsverhältnis hat der Arbeitgeber an der dafür bestimmten Stelle des Arbeitsbuches die Zeit des Eintritts und die Art der Beschäftigung, am Ende des Arbeitsverhältnisses die Zeit des Austritts und, wenn die Beschäftigung Veränderungen erfahren hat, die Art der letzten Beschäftigung des Arbeiters einzutragen.

Die Eintragungen sind mit Dinte zu bewirken und von dem Arbeitgeber zu unterzeichnen. Sie dürfen nicht mit einem Merkmale versehen sein, welches den Inhaber des Arbeitsbuches günstig oder nachtheilig zu kennzeichnen bezweckt.

Die Eintragung eines Urtheils über die Führung oder die Leistungen des Arbeiters und sonstige durch dieses Gesetz nicht vorgesehene Eintragungen oder Vermerke in oder an dem Arbeitsbuche sind unzulässig.

## §. 112.

Ist das Arbeitsbuch bei dem Arbeitgeber unbrauchbar geworden, verloren gegangen oder vernichtet, oder sind von dem Arbeitgeber unzulässige Eintragungen oder Vermerke in oder an dem Arbeitsbuche gemacht, oder wird von dem Arbeitgeber ohne rechtmäßigen Grund die Aushändigung des Arbeitsbuches verweigert, so kann die Ausstellung eines neuen Arbeitsbuches auf Kosten des Arbeitgebers beantragt werden.

Ein Arbeitgeber, welcher das Arbeitsbuch seiner gesetzlichen Verpflichtung zuwider nicht rechtzeitig aushändigt oder die vorschriftsmäßigen Eintragungen zu machen unterlassen oder unzulässige Eintragungen oder Vermerke gemacht hat, ist dem Arbeiter entschädigungspflichtig. Der Anspruch auf Entschädigung erlischt, wenn er nicht innerhalb vier Wochen nach seiner Entsetzung im Wege der Klage oder Einrede geltend gemacht ist.

## §. 113.

Beim Abgange können die Arbeiter ein Zeugniß über die Art und Dauer ihrer Beschäftigung fordern.

Dieses Zeugniß ist auf Verlangen der Arbeiter auch auf ihre Führung auszuweihen.

## §. 114.

Auf Antrag des Arbeiters hat die Ortspolizeibehörde die Eintragung in das Arbeitsbuch und das dem Arbeiter etwa ausgestellte Zeugniß kosten- und stempelfrei zu beglaubigen.

## §. 146.

Mit Geldstrafe bis zu zweitausend Mark und im Unvermögensfalle mit Gefängniß bis zu sechs Monaten werden bestraft:

- 3) Gewerbetreibende, welche der Bestimmung im §. 111 entgegen die Eintragung mit einem Merkmale versehen, welches den Inhaber des Arbeitsbuches günstig oder nachtheilig zu kennzeichnen bezweckt.

## §. 150.

Mit Geldstrafe bis zu zwanzig Mark und im Unvermögensfalle mit Haft bis zu drei Tagen für jeden Fall der Verletzung des Gesetzes wird bestraft:

- 1) wer den Bestimmungen der §§. 106 bis 112 zuwider einen Arbeiter in Beschäftigung nimmt oder behält;
- 2) wer außer dem im §. 146 Ziffer 3 vorgesehenen Falle den Bestimmungen dieses Gesetzes in Ansehung der Arbeitsbücher und Arbeitskarten zuwiderhandelt;
- 3) wer vorsätzlich ein auf seinen Namen ausgestelltes Arbeitsbuch unbrauchbar macht oder vernichtet.

0168

Eintragungen

bei dem Eintritt in das Arbeitsverhältnis.

1. Eintritt am 19. März 1888  
Beschäftigung\* Emaltherie Lehrling

Des Arbeitgebers  
Unterschrift H. M. Sunk  
Gewerbe Bijouteriefabrikant  
Wohnort Pforzheim

2. Eintritt am 16. April 1890  
Beschäftigung\* Schlosser

Des Arbeitgebers  
Unterschrift H. Barth Haas  
Gewerbe M. Wessl Fabrikant  
Wohnort Wersaustraße 67 Pforzheim

\*) Angabe, ob der Inhaber zur Zeit Werkstätte, Geschäft, Behrking oder Fabrikarbeiter ist.  
†) Im Falle des §. 18 Abs. 1 der Gewerbeordnung hinzuzufügen:

der Arbeitgeber

bei dem Austritt aus dem Arbeitsverhältnis.

Austritt am 27. April 1890 †)

Letzte Beschäftigung\* Emaltherie Lehrling

Des Arbeitgebers  
Unterschrift H. M. Sunk  
Gewerbe Bijouteriefabrikant  
Wohnort Pforzheim

Austritt am 12. Juli 1890 †)

Letzte Beschäftigung\* Schlosser

Des Arbeitgebers  
Unterschrift H. Barth Haas  
Gewerbe M. Wessl Fabrikant  
Wohnort Wersaustraße 67 Pforzheim

\*) sowie die Art seiner Beschäftigung, falls diese aus erster Angabe nicht von selbst herborgeht.  
„wegen Wechsels des Gewerbes“ (oder „des Berufes“).

Die Eintragungen sind mit Sinit zu bezeichnen.

Die hier als die vorgeschriebenen Eintragungen sind unvollständig.

0 169

Eintragungen  
bei dem Eintritt in das Arbeitsverhältnis.

3. Eintritt am 22. September 1890  
Beschäftigung\* Eisenwerkzeugen

Des Arbeitgebers  
Unterschrift Carl Heide Rastwitzer  
Gewerbe Rastwitzer  
Wohnort Lutzger.

4. Eintritt am 25. November 1891  
Beschäftigung\* Eisenwerkzeugen

Des Arbeitgebers  
Unterschrift Franz Antoner Meier  
Gewerbe Meier  
Wohnort Rastwitzer 16 Kaulberg

\*) Anzugeben, ob der Inhaber zur Zeit Geselle, Gehülfe, Lehrling oder Fabrikarbeiter ist.  
†) Im Falle des §. 12 Abs. 1 der Gewerbeordnung hinzuzufügen:

der Arbeitgeber  
bei dem Austritt aus dem Arbeitsverhältnis.

Austritt am +)  
Letzte Beschäftigung\*

Des Arbeitgebers  
Unterschrift  
Gewerbe  
Wohnort

Austritt am +)  
Letzte Beschäftigung\*

Des Arbeitgebers  
Unterschrift  
Gewerbe  
Wohnort

sowie die Art seiner Beschäftigung, falls diese aus erster Angabe nicht von selbst hervorgeht.  
„wegen Wechsels des Gewerbes“ (oder „des Berufes“).

Sie Eintragungen sind mit Hilfe zu bewirken.

Andere als die vorgelegenen Eintragungen sind unzulässig.

0170

**REMAINING  
PAGES ARE  
BLANK**

0171



L'ART de la MODE REVUE de la MODE,

A Journal of the Latest Styles,

And la France Elegante, United,

PER YEAR, \$3.50. SIX MONTHS, \$2.00 PER YEAR, \$3.62. SIX MONTHS, \$2.06.

Office, No. 3 EAST 19th STREET, bet. Broadway, & 5th Ave.

Sept 4 New York, Sept 6<sup>th</sup> 1893

Mr. W. Kallidy 129. 3d Ave.

To W. MORSE, Dr.  
PUBLISHER AND IMPORTER.

1 years subscription to  
Les Nouveautés Parisiennes from  
April 1893

10 00

May 25 By Cash

Balance due

6 00

4 00

Recd Payment

W. J. Morse

per Robt Bennett

0172

Mrs J. Kalledey  
12-3<sup>d</sup> Ave

---

400 balance

0173

AFFIDAVIT FOR COMMITMENT OF WITNESS.

4771

POLICE COURT 10 DISTRICT.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Bernard J. Farrell

of the 18 Precinct Police, being duly sworn, deposes

and says that Emma Newman

(now here) is a material witness for the people against  
Melodiana Kalladay and William Kalladay, charged

with Robbery. As deponent has  
cause to fear that the said Emma Newman

will not appear in court to testify when wanted, deponent prays

that the said Emma Newman be

committed to the House of Detention in default of bail for her  
appearance.

Bernard J. Farrell

Sworn to before me this  
day of Sept 1892

287

Wm. J. Kelly  
Police Justice.

0174

Police Court 4 District.

CITY AND COUNTY }  
OF NEW YORK, } ss

Emma Newman  
of No. None Street, Aged 17 Years

Occupation None being duly sworn, deposes and says, that on the  
22 day of September 1893, at the 18<sup>th</sup> Ward of the City of New York,  
in the County of New York, was feloniously taken, stolen, and carried away, from the person of de-  
ponent by force and violence, without his consent and against his will, the following property, viz:

One Dress, One Pair of Pear Rings  
Two Finger Rings and Two Emerald Bracelets  
and Gold and lawful money  
of the United States of the amount  
of Seven Dollars and

all  
of the value of about One Hundred and DOLLARS,  
the property of deponent

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

Nihilmina Kalle dan and William Kalle dan  
(both men here) and while acting in concert with  
each other from the following facts, to wit:  
that at about the hour of 8 P.M. said  
Nihilmina met deponent on Broadway  
and induced said deponent to accompany  
her to premises No 129 Third Avenue  
that about one hour after deponent's  
arrival there deponent accompanied  
said defendants in a room where said  
William locked the door and then seized  
hold of deponent's arm and did forcibly  
take said property from the possession  
and person of deponent and said

Sworn to before me this

188

Police Justice

0175

Williamina was present when said  
William did so forcibly take said  
property.  
Defendants therefore charges both  
of said defendants, while acting in  
concert with each other with having  
appointed said Pappas and asked  
that they may be dealt with as the  
law directs.

Sworn to before me, this 24<sup>th</sup> day of September 1903  
The City Police Justice: *Emmie Cummings*

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

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

Dated 1888 Police Justice.

of the City of New York, until he give such bail.

Hundred Dollars and be committed to the Warden and Keeper of the City Prison  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

committed, and that there is sufficient cause to believe the within named

It appearing to me by the within depositions and statements that the crime therein mentioned has been

Police Court, District, Offence—ROBBERY.  
THE PEOPLE, &c.,  
on the complaint of  
1.  
2.  
3.  
4.

Dated 1888

Magistrate.

Officer.

Clerk.

Witnesses.

No. Street.

No. Street.

No. Street.

No. Street.

§ to answer General Sessions.

0176

Sec. 193-200.

4 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. William Kalleday

Question. How old are you?

Answer. 40 years

Question. Where were you born?

Answer. Hungary

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

Answer. 129, 3<sup>d</sup> avenue about 1 year

Question. What is your business or profession?

Answer. Waiter

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

Answer. I am not guilty

William Kalleday

Taken before me this 24  
day of September 1893  
Wm. J. Brady  
Police Justice.

0177

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

Wilhelmine Kalladay and William Kalladay  
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of 75 Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Sept 27 189 3 W. F. Brady Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

There being no sufficient cause to believe the within named Wilhelmine Kalladay  
guilty of the offense within mentioned, I order h<sup>e</sup> to be discharged.

Dated, Sept 27 189 3 W. F. Brady Police Justice.

0178

1042  
1894

Police Court--- 4 District.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

Emma Herman  
of  
HOUSE OF DETENTION CASE.  
William Haleding

Offense  
Coffin

3  
4

Dated, Sept 24- 1893

Magistrate.  
Farrell Officer.

18 Precinct.

Witnesses Edward V. Cornley

No. 297-4' cur Street.

Complainant in the Name  
of Detention

No. ~~Henry Kibber~~ Street.  
W. B. Drechsler

No. 2

\$ 1000 to answer



\$ 1000 each Sep. 27. 2 P.M.  
29. 2 P.M.

BAILED,

No. 1, by.....

Residence..... Street.

No. 2, by.....

Residence..... Street.

No. 3, by.....

Residence..... Street.

No. 4, by.....

Residence..... Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Kalleday

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

William Kalleday

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

The said William Kalleday

late of the City of New York, in the County of New York aforesaid, on the twenty second day of September in the year of our Lord one thousand eight hundred and ninety-three, in the night time of the said day, at the City and County aforesaid, with force and arms, in and upon one Emma Neumann in the peace of the said People then and there being, feloniously did make an assault; and

one dress of the value of forty dollars, one pair of earrings of the value of thirty dollars, two finger rings of the value of ten dollars each, two bracelets of the value of five dollars each, and the sum of seven dollars in money, lawful money of the United States of America, and of the value of seven dollars of the goods, chattels and personal property of the said Emma Neumann from the person of the said Emma Neumann against the will and by violence to the person of the said Emma Neumann then and there violently and feloniously did rob, steal, take and carry away, the said William Kalleday being then and there aided by an accomplice actually present, whose name is to the Grand Jury aforesaid unknown against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Launcey Mcoll  
District Attorney

0 180

**BOX:**

537

**FOLDER:**

4888

**DESCRIPTION:**

Kalledey, William

**DATE:**

10/04/93



4888

0184

**BOX:**

537

**FOLDER:**

4888

**DESCRIPTION:**

Kalledey, Wilhelmina

**DATE:**

10/04/93



4888

0182

**POOR QUALITY ORIGINAL**

Witnesses:

Emma Neumann

Henry A. Stodding

Admitted on  
another indictment  
and sentenced to  
D.P. 4 years Oct 24/93

# 24

Counsel,

Filed

4 day of Oct 1893

Pleads,

Guilty

THE PEOPLE

vs. H. D. P.

William Kalleday

Wilhelmina Kalleday

DE LANCEY NICOLL,

District Attorney.

Subscribed by order of the Court  
Oct. 24/93

A TRUE BILL.

Edward G. Taylor

Foreman.

Plenty Guilty  
P. 6 was certified

Indem. canon  
Sec. 289, Penal Code

0183

Police Court, 4 District.

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

Edward V Gornley

of No. 297-4 am Street, in said City, being duly sworn, deposes and says, that a certain male child called Annie Kallidy [now present], under the age of sixteen years, to wit, of the age of 13 years, is a necessary and material witness on behalf of the People of the State of New York in a certain criminal case now pending in the Court of Special Sessions of, in and for the City and County of New York, entitled, The People against William and Melburna Kallidy, wherein the said William and Melburna Kallidy is charged with the crime of Misdemeanor, under section 289 of the Penal Code of said State, in that he, the said defendant and did then and there unlawfully and unlawfully cause and permit the morals of a certain female child now known as Annie Kallidy, to be endangered to the said child being of the age of thirteen years said child having been found in a house of prostitution situated at 129-3 am

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

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

Sworn to before me this 2<sup>x</sup> day of Sept 18 93

Edward V Gornley  
Police Justice.

CITY AND COUNTY } ss:  
OF NEW YORK, }

POLICE COURT, 4 DISTRICT.

Edw. v. Gouley

of No. 297-4<sup>th</sup> Ave Street, aged 30 years,  
occupation Special Officer being duly sworn, deposes and says,  
that on the 24 day of September 1893

at the City of New York, in the County of New York, That Emma  
Newman and Mary Sieber now  
here are material witnesses in a  
certain complaint against William  
and Mikelumma Kallidy - and deponent  
has reason to believe that the  
said Emma Newman and Mary Sieber  
will not appear as witnesses, except  
duly held according to Law

Edw. v. Gouley

Sworn to before me, this  
of Sept 1893 day

Wm. J. [Signature]  
Police Justice.

0185

POLICE COURT 4 DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of Edward V Gornley

For endangering the

Wilhelmina Kalledey

morals of child

After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated Sept 24 1893

W. F. Brady Police Justice.

Wilhelmina Kalledey

0 186

Sec. 193-200.

4

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Wilhelmina Kalliedy*

Question. How old are you?

Answer. *43 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *129-37 Ave. 1 year*

Question. What is your business or profession?

Answer. *Dressmaker*

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

Answer.

*I am not guilty  
Wilhelmine Kalliedy*

Taken before me this  
day of *Apr*

*24*

189

*W. J. Brady*

Police Justice

0187

Sec. 193—200.

4

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Kallady

Question. How old are you?

Answer. 40 yrs

Question. Where were you born?

Answer. Hungary

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

Answer. 129 - 3<sup>rd</sup> av. Abou 1 yr

Question. What is your business or profession?

Answer. Writer

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

Answer. I am not guilty

William Kallady

Taken before me this 24  
day of April 1893  
W. J. Brady  
Police Justice

0 100

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

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

Dated, *Sept 29* 189 *3* \_\_\_\_\_ *M. J. Brady* Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_ Police Justice.

0 189

1042  
1893

Police Court--- 14 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward V Gormley  
297<sup>th</sup> St Ave

1 William Kallidey  
2 Wilhelmina Kallidey

Offense Endangering  
Moral of Child

3  
4

Dated, Sept 24 1893

Grady Magistrate.

Farrill Officer.

18 Precinct.

Witnesses Emma Neuman

House of Dentate Street.

Mary Riches

No. House of dentate Street.

No. Each

\$ 500 to answer



Each

\$ 500 4, Sept. 27, 2 P.M.

29, 2 P.M.

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 2 by Frederick K. Seelig

Residence 13 Allen Street.

No. 4, by

Residence Street.

0190

Fourth District Police Court.

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

Edward V. Gornley

of Number 297-4<sup>1</sup> and being duly sworn  
to has been informed and sworn before and has just cause to believe  
deposes and says, that on the 20<sup>th</sup> day of September 1893 at the  
City of New York, in the County of New York, at premises situated at  
129-3<sup>rd</sup> Avenue in said City of New York. William  
and Wilhelmina Kalledey (now Lew) did then  
and there unlawfully and wilfully cause  
and permit the morals of a certain female  
child (now Lew) called Annie Kalledey to  
be endangered. The said child being then  
and there under the age of sixteen years  
to wit of the age of Thirteen years.  
For the following reasons the said child  
having been found in a house of  
prostitution situated at above address  
kept and maintained by the said  
William and Wilhelmina Kalledey in violation  
of section 289 of the penal code of the  
State of New York

Wherefore the complainant prays that the said

William and Wilhelmina Kalledey

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 24  
day of September 1893

Edward V. Gornley

M. F. Brady

Police Justice.

0 19 1

1021

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Emma. Kuman*

aged *17* years, occupation *Housework* of No.

*129, 3' am*

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

*Edward. V. Conolly*

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

Sworn to before me, this *24* day  
of *September* 189*3*

*Emma Kuman*

*W. F. Brady*

Police Justice.

0 192

CITY AND COUNTY }  
OF NEW YORK, } ss.

1921

aged 20 years, occupation Housework of No. 129-3<sup>rd</sup> av

Mary Siebert Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Edward J. Conley and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 24 day of September 1892 } Marie Siebert

W. H. Brady Police Justice.

0 193

POLICE COURT 4 DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

William Kalledey

On Complaint of Edward. v. Cornley  
For endangering the morals  
of child

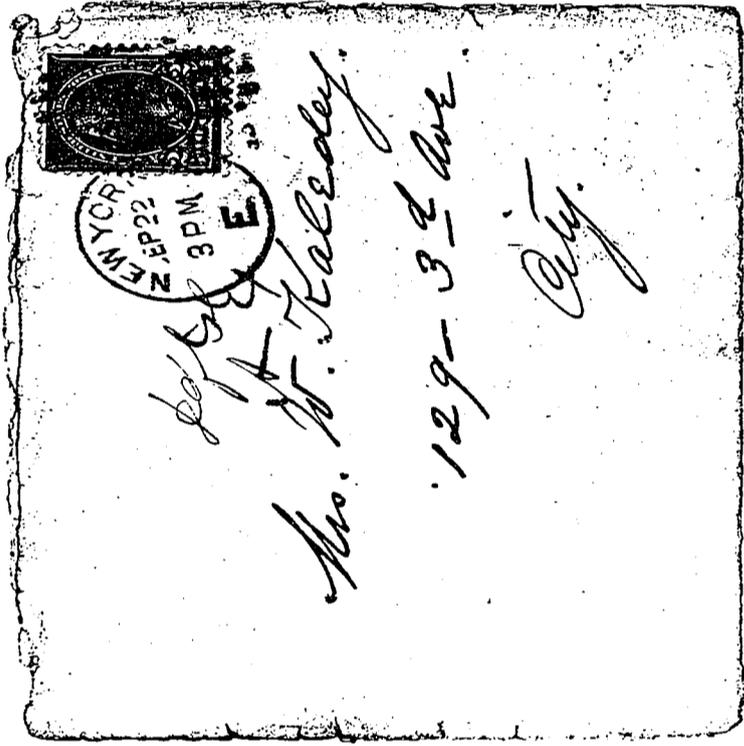
After being informed of my rights under the law, I hereby waive a trial by Jury on this complaint, and demand a trial at the COURT OF SPECIAL SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated Sept 24 189 3

W. S. Brady Police Justice.

William Kalledey

0194



0 195

York 1. 22. 9. 98.

Jonni Kollberg

Lin #250. Vi er i jeres fide  
Lond med bladet skide i  
fulde vi for med angifelse af  
M. de af længden mangler 3  
ind gaver den 20. ind for  
jagere fremkommer det vil  
Antallet af skudt sandsynligt  
vi forer i jeres bladet

med bladet Ophængt

Jonni Kollberg

Med venlig hilsen fra Jonni Kollberg

0 196

New York, Sept. 22/93.

Left Ex. St.

~~Adelphi~~

Worth Frau Kaldry!

Da ich einen Freund  
der mir eine Wohnung  
einrichten wird traf,  
werde ich nicht zu Ihnen  
zurückkehren, - weil dies  
für mich von Vortheil  
sein wird. Es ist mei-  
ne Absicht allen Sachen  
aus dem Wege zu gehen,  
& werde aus diesem Grunde  
einen meiner Bekannten  
schicken, meine Sachen  
zu befördern & dem Ihnen  
schuldenden Betrag zu  
entrichten. Ich bitte  
dies nur unter nach-  
stehender Adresse mit-

0197

zustehen, was ich  
Ihnen schulde, & werde  
Ihnen den Betrag als-  
dann entrichten.

Indem ein jeder auf  
seiner Fortheil bedacht  
ist, & ich hierin eines  
Erfolgs sehr, so  
bitte ich mir dies nicht  
zu verargen & hoffe  
dass wir auch ferner  
hin Freunde bleiben  
werden. Mit besten  
Gruessen, verbleibe ich  
Ihre

Anna Neumann  
General-Delivery  
Post-Office

0190

(455)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Kalladay  
and  
Wilhelmina Kalladay

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

indictment accuse William Kalladay and

Wilhelmina Kalladay

of the crime of endangering the morals of  
a child,

committed as follows:

The said William Kalladay and  
Wilhelmina Kalladay, both

late of the City of New York, in the County of New York aforesaid, on the  
twentieth day of September in the year of our Lord one thousand  
eight hundred and ninety-three, at the City and County aforesaid,

did unlawfully and illegally  
permit one Annie Kalladay who  
was then and there a child wholly  
and apparently under the age of  
fifteen years, to sit of the age of  
thirteen years, to be placed in  
such a situation that her morals  
were likely to be impaired, by then  
and there unlawfully and illegally  
permitting and permitting the said  
child to be, remain and reside in

a certain house of prostitution there  
situate; 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;

DeBancourt Hill,

District Attorney.

0200

**BOX:**

537

**FOLDER:**

4888

**DESCRIPTION:**

Kauffman, Joseph

**DATE:**

10/10/93



4888

0201

**POOR QUALITY ORIGINAL**

*Chief Clerk and Deputy*

Witnesses:

*John M. Wallace  
J. J. Kauffmann*

*The defendant being dead  
as appears by uncontroverted  
proofs, I am  
thus bound to  
charge ~~that~~  
July 24/97*

*Henry  
opposed*

*D. Conner,  
L. S. Van Allen  
East. District  
H*

*X9*

*Ruey*

Counsel,

Filed *10* day of *Oct* 189*3*

Pleas,

*Waguet 16*

THE PEOPLE

vs.

*Joseph Kauffmann*

*Part 3, Feb. 24/1897.*

*The deft. bail discharged*

DE LANCEY NICOLL,

District Attorney.

*Part I. Dec. 20<sup>th</sup> 1893*

*Overseer*

A TRUE BILL.

*Edward G. Taylor*

*April 12. 1894 W.D. Foreman.*

*In case of Joseph Petro*

Grand Larceny, Second Degree.  
[Sections 528, 571 - Penal Code.]

0202

Police Court - 1 District.

1912

Affidavit—Larceny.

City and County of New York, ss.

of No. 158 South Street, aged 43 years, occupation Ship Machinery

John H. Snelling

deposes and says, that on the 20 day of June 1898 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

A quantity of ship hardware of the value of about thirty five dollars

the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Joseph Kauffman and Joseph Petro (both now here who were acting in concert one with the other) for the reason that deponent missed the said property from the aforesaid premises and found a portion of the same in the possession of the defendant Petro. Deponent is informed by the defendant Kauffman that he sold the ~~to~~ took the said goods from deponents premises and sold them to the defendant Petro. Wherefore deponent charges the defendant Kauffman with grand larceny and the defendant Petro with receiving stolen goods.

John H. Snelling

Sworn to before me, this 1st day of June 1898, at New York, N.Y. Police Justice.

0203

(1235)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK.

District Police Court

*Joseph Kauffman* 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. *Joseph Kauffman*

Question. How old are you?

Answer. *24 years*

Question. Where were you born?

Answer. *N. J.*

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

Answer. *2388, 2nd Avenue, 1 year*

Question. What is your business or profession?

Answer. *Machinist*

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

Answer. *I am not guilty  
J Kauffman*

Taken before me this

day of

1933

Police Justice.

0204

(1385)

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK }

District Police Court.

Joseph Petro 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. Joseph Petro

Question. How old are you?

Answer. 55 years

Question. Where were you born?

Answer. Italy

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

Answer. 392 1/2 Water Street - 6 years

Question. What is your business or profession?

Answer. Junk Dealer

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

Answer. I Am not guilty  
his  
Joseph + Petro  
mark

Taken before me this 18  
day of August 1893

Police Justice.

0205

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

*defendant Joseph Kaufman*

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

Dated, August 19 1893

*Samuel Martin* Police Justice.

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

Dated, \_\_\_\_\_ 189

Police Justice.

There being no sufficient cause to believe the within named

*Joseph Peter*

guilty of the offense within mentioned, I order, he to be discharged.

Dated, Aug 19 1893

*Samuel Martin* Police Justice.

0206

54  
Police Court--- District. 887  
1334

I John H. Snelling of the  
Complainant hereby withdraw  
my complaint against Joseph  
Petro believing him to be innocent  
and having acted in good faith.

John H. Snelling

Drawn to before on the  
19th day of August 1893

BAILED,

Germond Martin  
Police Justice

Residence \_\_\_\_\_ Street.

No. 1, by Amelia Spreng

Residence Boston ave near  
Bristol Street

No. 3, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

1. John H. Snelling  
2. Joseph Kauffman  
3. Joseph Petro

4. Indicted separately

Grand Jurors  
Offenses  
of receiving stolen goods

Dated August 18 1893

Martin Magistrate.

Balladine M. Ory Officer.

4 Precinct.

Witnesses Joseph Kauffman

No. 2388. 2nd Avenue Street.

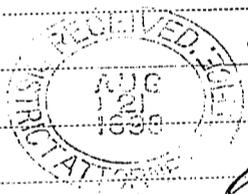
No. \_\_\_\_\_ Street.

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

\$ 1000 to answer G.S.

1000 each 4 Aug 19 1893

Committals



0207

19 H-1895.

NEW YORK, July 1896

A Transcript from the Records of the Deaths Reported to the Health Department of the City of New York.

COUNTY OF NEW YORK. STATE OF NEW YORK. CITY OF NEW YORK.  
**CERTIFICATE AND RECORD OF DEATH** No. of Certificate, 41560

that I last saw deceased from Germany 1895 to Dec 12 1895  
12 day of Dec 1895, that he died on the  
12 day of Dec 1895, about 2 o'clock A.M. or P.M., and that to best of my  
 knowledge and belief, the cause of his death was as hereunder written:

Chief Cause, Haemorrhagic cerebralis Duration of Disease.  
 Contributing Cause, Coma

Sanitary Observations,  
 Witness my hand this 12 day of Dec 1895  
 Place of Burial, Mackintosh St (SIGNATURE), Sustar C. Dillworth M. D.  
 Date of Burial, Dec 15  
 Undertaker, Edith Weil RESIDENCE, 1708 Lex Ave  
 Residence, 521 Edge

Burial permits issued at Criminal Court Building, Franklin Street entrance, Week days, 7 A. M.-6 P. M. Sundays and Holidays, 8 A. M.-5 P. M.

Date of Record	Indirect cause of Death.	Direct cause of Death.	Class of Dwelling (as shown by license being by more than two families)	Last place of Residence.	Place of Death.	Mother's Birthplace.	Mother's Name.	Father's Birthplace.	Father's Name.	How long resident in New York City.	How long in U. S. If foreign born.	Birthplace.	Occupation.	Single, Married or Widowed.	Color.	Age, in years, months, and days.	Full Name.	Date of Death.
<u>12/14/95</u>		<u>no cert</u>	<u>dw</u>		<u>44 E 103</u>	<u>Germany</u>	<u>Rebecca Kaufmann</u>	<u>Germany</u>	<u>Leopold Kaufmann</u>	<u>10</u>	<u>5</u>	<u>Polish</u>	<u>Artist</u>	<u>Married</u>	<u>wh</u>	<u>24</u>	<u>Joseph Kaufmann</u>	<u>Dec 11 95</u>

A True Copy.

C. E. Derman  
 Chief Clerk.

NOTICE.-In issuing this transcript of record, the Health Department of the City of New York does not certify to the record transcribed. The seal of the Board of Health attests only the correctness of the transcript, and no inquiry as to the facts reported is provided for by law.

0200

Death Certificate  
Jos. Thompson

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

Rebecca Kaufman being duly sworn deposes and says that she resides at number 4171 Second Avenue this City - that she is the mother of Joseph Kaufman (deceased) that said Joseph Kaufman died in the City of New York on the 12<sup>th</sup> day of December 1895

Subscribed before me }  
 this 24<sup>th</sup> day of February 1897 } Adolphe L. Lippman.

J. D. Brenthal

COMMISSIONER OF DEEDS,  
 County of New York

Court of General Sessions of the Peace  
State of New York City and County  
of New York - 55

Amelia Sporsig, being duly  
sworn deposes and says.  
I reside at 1094 E 170<sup>th</sup> Street  
this city that she is the widow  
of Joseph Kaufman charged  
with Larceny. that said  
Joseph Kaufman died in  
the City of New York on the  
12<sup>th</sup> day of December 1895  
wherefor deponent prays that she  
be released from said bond.

Sworn to before me }  
this 27<sup>th</sup> day of July 1897 } Amelia Sporsig

J. B. Prentiss  
COMMISSIONER OF DEEDS  
County of New York.

0217

Sir:

Please take notice that the within is a true copy of \_\_\_\_\_ this day duly entered and filed in the office of the Clerk of this Court on the \_\_\_\_\_ day of \_\_\_\_\_ 189 Dated the \_\_\_\_\_ day of \_\_\_\_\_ 189

Yours, &c.,

ROBERT H. RACEY.

Attorney for \_\_\_\_\_ OFFICE AND POST OFFICE ADDRESS, 25 CHAMBERS STREET, NEW YORK CITY, N. Y.

To \_\_\_\_\_ Attorney for \_\_\_\_\_

General Sessions Court.

The People  
vs. Plaintiff

against  
Joseph Kaufman Defendant

Affidavits of  
Death of Defendants

ROBERT H. RACEY,  
Attorney for Defendants  
Office and Post Office Address,  
25 CHAMBERS STREET,  
NEW YORK CITY, N. Y.

Due and timely service of a copy of the within

\_\_\_\_\_ is hereby admitted

New York City, this \_\_\_\_\_ day of \_\_\_\_\_ 189

Attorney for \_\_\_\_\_

0212

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

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Kauffman

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

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

The said

Joseph Kauffman

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

a quantity of ship-hardware of the  
~~value~~ (a more particular  
description whereof is to the  
Grand Jury aforesaid unknown)  
of the value of thirty-five dollars

of the goods, chattels and personal property of one

John A. Snelling

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

De Lacey Nicoll  
District Attorney

0213

**BOX:**

537

**FOLDER:**

4888

**DESCRIPTION:**

Kaufman, Samuel

**DATE:**

10/30/93



4888

02 14

**POOR QUALITY ORIGINAL**

Witnesses:

Julia Walsh  
Henry Green

360

Counsel,

Filed

day of

1893

Pleads,

26  
495 W 28.  
Rutten

THE PEOPLE

vs.

Samuel Kaufman

and  
Winnick

DE HANEY NICOLL,

District Attorney.

A TRUE BILL.

Edward G. Taylor

Foreman.

April 13, 1894

Tried and convicted  
with strong recommendation to mercy  
April 21, 1894  
Pen. One year  
W. B. H. d. c.

0215

Michael Rooney 324-10<sup>th</sup> ave.

Saw Dept driving up from 11<sup>th</sup> to 10<sup>th</sup> ave on 27<sup>th</sup> st. At about 1 P.M. I yelled to him to stop, he was driving up as fast as the horse could go.

If Dept was looking where he was going he had plenty of time to stop.

When he ran over the boy everyone yelled to him to stop, but he continued just as fast.

The boy was hit by horses front feet and then rolled under the front wheel of down town side. He then went as fast as not faster I know both since.

02 16

1424

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

The People of the State of New York, to the Sheriff, Deputy  
Sheriffs, and Policemen of the City and County of New York,

GREETING :

**WE COMMAND YOU**, and each of you,  
That you attach and take the body of

*John M. Stum*

who stands charged before our Justices of our Court of  
Oyer and Terminer, held in and for the said City  
and County, with a Contempt, in refusing or neglecting to obey a Subpœna, issued out  
of the Court and duly served on him, to attend as a witness, and him forthwith  
bring before our said Justices, to be dealt with according to law.

WITNESS, Hon. *Morgan J. O'Brien* one of the Justices  
of the Supreme Court, this *Thirteenth* day  
of *April* in the year of our Lord one thousand  
eight hundred and ninety-*four*

BY THE COURT,

*John F. Carrou*  
Clerk of Court.

0217

New York Oper and Terminer.

THE PEOPLE  
OF THE STATE OF NEW YORK  
*against*

*John M. Stum*

Dated *April 13<sup>th</sup>* 189 *4*

ATTACHMENT FOR A CONTEMPT

0218

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the *Coroner's Office*  
No. 27 *Walker Street*, in the *5* Ward of the City of  
New York, in the County of New York, this *5* day of *Aug*  
in the year of our Lord one thousand eight hundred and ninety-*three* before

LOUIS W. SCHULTZE, Coroner,

of the City and County aforesaid, on view of the body of *John Kelly*  
now lying dead at

*538 W 27*  
Upon the Oaths and Affirmations of  
*Wm* 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 *John Kelly* came to his death do upon  
their Oaths and Affirmations, say: That the said *John Kelly*  
came to his death by *Shock; Fracture of*  
*skull and ribs from injuries received by being*  
*accidentally run over by wagon driven by Samuel*  
*Kaufman at 27th Street between 10th and 11th Avenue*  
*July 20th 1893, and we exonerate the said driver*  
*from all blame.*

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

JURORS.

- John C. Plessey 284 8th Ave*
- C. Flewelle 367 8th Ave*
- S. Morris 407 357 8th Ave*
- Israel Cornbutter 242 8th Ave*
- Simon Horberg 45th Canal*
- D. Heilboand 246 8th Ave*
- Hy. P. Schaefer 448 8th Ave*
- Edw. J. Kelly 337 8th Ave*

Coroner. L. S.

02 19

TESTIMONY.

FRANK J. O'HARE, M. D., being duly sworn, says:

I have made an examination of the body of John Gately now lying dead at 538 West 27th. and from such examination and history of the case, as per testimony, I am of opinion the cause of death is Shock; Fracture of skull, and ribs, <sup>on left side</sup> injuries received by being struck & run over by wagon opposite 538 West 27th. July 20th 1893; Accidental.

Frank J. O'Hare M. D.

Sworn to before me,

this 20th day of July 1893.

Louis Kobak

CORONER.

MEMORANDA.

AGE		PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months			
4	8	U.S.	538 N. 27 <sup>th</sup> St. R.	July 20-1893.

Died July 20 1 P.M.

~~M.S.W.~~

~~As~~ in U.S. wife.

Occupation

Deceased is said to have been crossing the street opposite his residence when he was struck & run over by a butcher wagon owned at 10<sup>th</sup> Ave bet. 27<sup>th</sup> & 28<sup>th</sup> sts.

0224

L. W. S.

No. 276  
Quar.

1893

AN INQUISITION

On the VIEW of the BODY of

John Gately.

whereby it is found that he came to  
his death by Shock; Fracture  
of Scapula & ribs on left  
side injuries received  
by being struck & run over  
by wagon opposite 538  
West 27<sup>th</sup> St. July 20<sup>th</sup> 1893;  
Accidental.

20

Inquest taken on the 5<sup>th</sup> day  
of September 1893 before

LOUIS W. SCHULTZE, Coroner.

✓ 276

People vs. Kaufman

Mrs. McKimman

Boy run over in front of No. 534. At No. 540 I yelled at him to stop. About 60 feet. Horse was galloping. Has no idea how far to corner. About 5 seconds from when she yelled to him to when boy was run over.

Patrick McKimman

Did not see him till he was on top of boy. Ran from 532 to corner as fast as he could about 340 ft. Will see how fast he can run 100 yds.

Could drive a double team 5 miles an hour. He was going faster than that.

Mrs. Walsh

Horse on Gallop, faster than any man could run.

Saw him as he was on the boy. Less than a quarter of a minute to the corner.

M. Rooney

About 20 ft away. On boy like a flash. 100 yds. to corner 10 sec.

0223

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Samuel Kaufman* 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. *Samuel Kaufman*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *W.S.*

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

Answer. *W 254-10 - Ave C New York*

Question. What is your business or profession?

Answer. *Butcher*

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.

Taken before me this *20* day of *July* 18*93*  
*[Signature]*  
Police Justice.

0224

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

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

Dated, July 31 1893

[Signature] Police Justice.

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

Dated, July 31 1893

[Signature] Police Justice.

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

Dated, \_\_\_\_\_ 189 \_\_\_\_\_

Police Justice.

0225

Ex July 31<sup>st</sup> 1893  
9<sup>30</sup> A.M. *[Signature]*

225 823  
Police Court -- 2 -- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Julia Walsh*  
532 W 27  
*Samuel Kaufman*  
2  
3  
4  
Offense *[Signature]*

BAILED,  
No. 1, by *Jacob Mahler*  
Residence *W 78 W 131* Street.

No. 2, by *SW Co. 31<sup>st</sup> St 16<sup>th</sup> Ave*  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 4, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

Dated *July 28* 189 *3*  
*Agan* Magistrate.

*Mr Connor* Officer.  
70 Precinct.

Witnesses *Th. Gately*  
538 W 27 Street.

*Pat Mc.weeney*  
534 W 27 Street.

*M. Rooney* 532 W 27  
*St Green* 531 W 27 Street.

\$ *2500* to answer *[Signature]*

*Bauer*



0226

Police Court, 2 District.

1901

City and County of New York, ss.

of No. 532 West 27th Street, aged 42 years,  
occupation Carpenter being duly sworn, deposes and says,  
that on the 20 day of July 1893, at the City of New  
York, in the County of New York Samuel Kaufman (numbered)

did commit the crime of Homicide  
in causing the death of John Gately  
aged 5 years under the following circum-  
stances to wit: That at about the hour  
of 12, 45 P.M. deponent was standing  
on the sidewalk in front of the above  
premises, and saw the said Kaufman  
driving a horse attached a wagon  
at a very rapid rate of speed through  
said Street and the said John Gately  
was crossing said <sup>Street</sup> when the horse  
attached to said <sup>wagon</sup> struck him and knocked  
him <sup>down</sup> and the wagon went across the  
body of the said John Gately. The  
said defendant Kaufman continued  
to drive said horse through said  
Street and did not stop to see  
whether he had done any harm or  
not.

Sworn to before me this 28 day of July 1893 } Julia X Malela  
Mark.

E. J. Hogan  
Clerk of Court

0227

Sec. 192. 2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }  
OF NEW YORK, } ss.

An information having been laid before Edward Hogan Police Justice  
of the City of New York, charging Samuel Kaufman Defendant  
with the offence of Homicide

and he having been brought before said Justice for an examination of said charge, and it having been  
made to appear to the satisfaction of said Justice that said examination should be adjourned to some other  
day, and the hearing thereof having been adjourned,

Samuel Kaufman Defendant of No. 294  
10 Aram Street, by occupation a Butcher; and  
Jacob Mahler of No. 78 West 131 Street,  
by occupation a Dry Goods Surety, hereby jointly and severally undertake  
that the above-named Samuel Kaufman Defendant  
shall personally appear before the said Justice, at the 2 District Police Court in the City  
of New York, during the said examination, or that we will pay to the People of State of New York the  
sum of Fifty Hundred Dollars.

Taken and acknowledged before me this 20  
day of July 1893

Samuel Kaufman  
Jacob Mahler  
Edward Hogan Police Justice.

0220

City and County of New York, ss.

Police Justice.

Sworn to before me this 18th day of 1891

the within named Bail and Surety, being duly sworn, says, that he is a resident and  
holder within the said County and State, and is worth Five ~~Twenty~~ ~~thousand~~ ~~and~~ ~~four~~ ~~hundred~~ ~~and~~ ~~eighty~~ ~~two~~ ~~dollars~~,  
exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and  
that his property consists of House and lot of land  
situate 418 Lenox Avenue and  
is of the full value of Ten  
thousand dollars five and four

*Jacob Mahler*  
*Jacob Mahler*

District Police Court

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to Answer.

Taken the \_\_\_\_\_ day of \_\_\_\_\_ 1891

Justice.

*Court*

POLICE COURT  
SECOND DISTRICT  
THE PEOPLE & C

VS  
SAMUEL KAUFMAN

EXAMINATION BEFORE JUSTICE HOGAN  
JULY 20 1893

JULIA WALSH A witness for the people being duly sworn and  
examined by the court deposes and says;-

Q Where do you live?

A 532 West 27th street

Q Are you married?

A I am a widow. I keep house there.

Q Did you see this child injured to-day?

A Yes sir.

Q Where was it?

A Right in front of 532 west 27th street

Q Tell what you saw?

A I had my little grand son on the sidewalk and I just put  
him in the hall as he fell asleep. I saww a wagon coming al  
along - quick the little boy was coming across the street  
and the wagon ran over him.

Q Who was driving the wagon?

A Mr Kaufman was driving the wagon and another boy there  
was two in the wagon

Q Who was driving?

A I do not know who was driving

Q How rapidly was the wagon going?

A Well it was going at a good speed

Q Very fast or not?

A Rather fast I should think for a side street.

Q After the child was knocked down what was done?

A The wagon ran over it.

Q What did the man do with the wagon?

A The man went away with the wagon?

Q Did he not stop?

A No sir.

Q Do you know how far he went?

A No sir.

Q Did you see what caused the child to fall?

A The horses' feet

Q Front?

A Front feet

Q Do you know what injuries the child sustained?

A He lived about ten minutes.

Q The child died?

A Yes.

MICHAEL ROONEY a witness for the people being duly sworn and examined by the court deposes and says;-

Q Where do you live?

A 332 west 27th street

Q What is your business?

A Laborer.

Q How old are you?

A 37

Q Did you see the child spoken of by the last witness?

A I did sir.

Q Did you see it run over?

A I did sir.

Q Tell the court all you saw of it.

A I seen the child crossing the street before the wagon came The child tried to get out of the way of the horse

0234

The child fell down and the wagon went over it The horse hit the child when he fell

Q After the child fell down?

A The driver went off as fast as he could

Q Did anybody try to stop him?

A Yes; they could not catch him He got up to 10th Avenue and 28th street

Q Do you know what injuries the child got?

A Yes; He died a few minutes after.

HENRY GREEN, a witness for the people being duly sworn and examined by the court deposes and says;-

Q Where do you live?

A 531 West 27th street

Q What is your business?

A Blacksmiths helper

Q How old are you?

A 42

Q Did you see the child that was spoken of by the last witness?

A I did sir. I was sitting at my window eating I saw the child in the middle of the street I heard a lady holler for the man to stop The child was right in the middle of the street.

Q What is the childs name?

A John Gately.

Q Tell what you saw and what you did?

A I saw it. I jumped up and ran down stairs and ran to 10th avenuewhere this man went to his butcher shop

Q How far was he pursued?

A To 10th avenue.

Q What distance?

0232

A About a block from 11th to 10th avenue

Q Any outcries to him?

A Yes? I ran down stairs and ran after him The wagon drove right through He was caught at 10th avenue.

PATRICK MC. KIERNAN a witness for the people being duly sworn and examined by the court deposes and says:

Q Where do you live?

A 534 West 27th street

Q What is your business?

A Truck driver.

Q How old?

A 27

Q Did you see this child injured?

A No: I heard the people shouting I turned around and I looked and saw the boy getting up I chased after this man with the wagon. He got to 10th avenue

Q How far?

A From 527 West 27th street up to 10th avenue three quarters of the way down the block

Q How close did you get to him before he stopped?

A I had hold of the horses before he stopped.

Q, would not stop?

A He stopped when I caught hold of the horses

Q Not before?

A No sir.

Q Do you know the child?

A yes sir he was apparently 5 years old

Q How close were you to this man when you were calling out for him to stop?

A I might be about 40 yards. away when I told him to stop

5

Q You ran up close to the wagon?

A Yes sir

Q Did you keep calling out?

A Yes sir all the time somebody was calling.

Q Did he hear you?

A I could not say whether he heard me He did not seem to look around at all

Michael Connor being duly sworn as a witness for the people deposes and says: I am a policeman of the 20th precinct

I arrested this man at the corner of 30th street and 10th Avenue He was about to go up to the house I overtook him on the way to the station house and took him in custody

Q Are these all the witnesses you have been able to get?

A I was not able to get more there was such a crowd I have two witnesses here The others are volunteers

Thomas Gately being duly sworn and examined as a witness for the people deposes and says:

Q Where do you reside?

A 538 West 27th street

Q What is your business?

A Cellar digger.

Q How old are you?

A About 40 years

Q This child that was killed was yours?

AC Yes sir. His name was John Gately. He was five years old I did not see anything of the occurrence I was at work The child is dead.

0234

1900

CITY AND COUNTY } ss:  
OF NEW YORK,

POLICE COURT, 2 DISTRICT.

Frank J. Ware, M.D.

of No. 354 East 79<sup>th</sup> Street, aged 37 years,  
occupation Physician being duly sworn, deposes and says,  
that on the 20 day of July 1893  
at the City of New York, in the County of New York, Deposition says

That on said date he made an examination  
of the body of John Gately aged 45 years  
and found at 538 West 27<sup>th</sup> Street.  
Depositor found a fracture of the skull  
of the said Gately and also a fracture of  
the 4<sup>th</sup> 5<sup>th</sup> & 6<sup>th</sup> Ribs on the left side  
The fracture of the skull was probably caused  
by the blow of the lance striking him on the  
head and the fracturing the ribs by the major going  
backwards  
Frank J. Ware M.D.

Sworn to before me, this 31

of July 1893

day

*[Signature]*  
Police Justice.

0235

162-23

47-2086-22-B

SUBPOENA (Duces Tecum) FOR A WITNESS TO ATTEND THE GRAND JURY

In the name of the People of the State of New York.  
To *Asst. Dep. Clerk of the Sessions*  
of No. .... Street

YOU ARE COMMANDED to appear before the Grand Jury of the County of New York, at the Grand Jury Room, in the third story of the Criminal Courts Building, on Centre Street, between Franklin and White Streets, in the Borough of Manhattan of The City of New York, on the *28* day of *May*, 192*5*, at the hour of 10:30 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 *Lee* and that you bring with you and produce, at the time and place aforesaid, a certain

*indicted Files Oct 30, 1893*  
*against Sam Kaufman*

now in your custody, and all other deeds, evidences and writings which you have in your custody or power concerning the premises, and for a **Failure to Attend** you will be deemed guilty of a Criminal Contempt of Court, and liable to a **Fine of Two Hundred and Fifty Dollars and Imprisonment** for thirty days and to be prosecuted and punished for a misdemeanor.

Dated at the Borough aforesaid, in the County of New York, the first Monday of *May* 192*5*.

JOAB H. BANTON, District Attorney.

GRAND JURY

NOTICE—Witnesses subpoenaed to attend before the Grand Jury MUST TAKE ELEVATORS Nos. 5 and 6 on the White Street side of the Criminal Courts Building.

SEE DIRECTIONS ON OTHER SIDE.

*MM*

signed P. by me for Mch 27<sup>th</sup>

~~Witness to signature~~ ~~Samuel S. Kauffman~~

City and County of New York } 59

John D. Sturm

579 - 8<sup>th</sup> ave. with Miss

Meyer.

I was with Samuel Kauff-  
man when he ran ~~of~~ over  
John Gately in 27<sup>th</sup> St. Our  
horse butcher wagon. Both were  
sitting on the seat.

When we came round the  
corner of 11<sup>th</sup> av ~~at~~ 27<sup>th</sup> St. The  
boy who was killed and another  
little boy were on the sidewalk.

When we were about 20 yards  
away they started to cross the  
street. One of them got across  
the other was struck by the  
horses forefoot and again by  
the hind foot, the middle of  
the wagon passed over him.

The horse was on a gallop  
Kauffman did not try to stop  
the horse when he ran over  
the boy. (I am positive that K. did  
not whip the horse after he ran  
over the boy) He drove up to the  
store. I took out the meat;

When McKimman came up

I was sitting on the seat.

T. said "You have run over a boy." H. replied "Yes I have and that is none of your business." I did not hear any other conversation between the two. The horse was going at the rate of a mile in 5 or 6 minutes.

From the time I first saw the child (K saw him then) it was about half a minute till he (the child) was run over.

From then till we came to the corner it took about 20 seconds. The horse was going as fast if not faster than a man could run. After K. ran over the child I said to him there are people coming after you. He said let them come.

The horse was a large horse so tall that I could just look over his back.

Kaufmann and took a drink on 30th St & 11th Ave, and the horse walked away about half a block and when Kaufmann put in the paper, he grew angry &

0238

George Dehmann.  
315-11<sup>th</sup> ave.

I run saloon at above no. I have known Samuel Kaufman about 18 mo. He was very often, after he would get his meat loaded, stop at the saloon, and drink, he would treat a couple of times and I would treat back. I remember Shim being in there with K. Shim sometimes took beer other times soft-drinks. Kaufman would sometimes take whiskey and some times beer.

The first time Kaufman was in after the child was killed he ~~said~~ <sup>told</sup> me that I had bad luck after I was in here last time and run over a child on 27<sup>th</sup> St.

I think he said. The boy kid ran right into me and I could not help it.

I was busy and did not have much conversation with him.

On the day of the accident I first drank whiskey first. Then I treated soft drink.

0239

beer, Jeff treated again & Frank  
beer. (medium glasses) Jeff was  
in the Saloon about 10 minutes.  
Alvin was in the Saloon  
with Jeff. on this day.

George Dehmann

George Dehmann

0240

Mrs. Lena Adams

40-8-~~4~~<sup>5</sup>th 11th Ave. N.Y. City

On recreation day May  
30<sup>th</sup> 1893. My little girl was run  
over by Samuel Kaufman. It  
happened in front of 404  
W. 38<sup>th</sup> St. I was then living on  
top floor at that number.

Sept. was going from 10<sup>th</sup> Ave to 9<sup>th</sup> Ave.

Wheel passed off over left  
leg near the River. Child was  
pulled out from under the  
wagon (Mrs. Cook. off. 404 W. 38<sup>th</sup>  
Hay store).

Off. Michael Connor.  
20th Precinct.

I made the arrest  
of Dept. July 28<sup>th</sup> between 12 & 1  
noon. Boy 5 yrs. old.

Dept said that the boy was  
crossing from north to south  
side of 27<sup>th</sup> St. that he  
ran under the wheels and  
into him that he could not  
pull up. He said he  
hollered to the boy to get out  
of the way.

H Green.

531 West 27<sup>th</sup>

Lumber.

Dept was driving large  
butcher wagon from  
11<sup>th</sup> to 10<sup>th</sup> Ave through 27<sup>th</sup>  
St. He was driving as  
fast as the horse could  
go. I saw the boy in the  
middle of the street he was  
playing with another little  
boy about his own age.

The wagon was fully  
forty yards away and the  
little boys were playing and

a lady called to Kaufman  
to stop. Dept did not, when  
he saw over the boy he  
whipped up his horse and  
went faster than ever.

The lady McKernan 519  
W 26th St. The boy was  
run over ~~in~~ about the  
middle of the street between  
10th & 11th avo.

Mrs. Julia Walsh

532 W 27th

About 10 P.M. July 28th  
1893. I was standing in  
front of my door when  
I saw a little boy John  
Gately at the Foundry  
playing. He started across  
the street and was knocked  
down and run over by cart  
(Butcher) driven by this defen-  
dant. The boy was knocked  
down by the horse and  
the front wheels of the  
cart ran over his chest.

I heard from a lady  
Mrs McKernan call to Dept

0243

to stop. Dept. had plenty of time  
if he wished to at that time  
but instead he whipped up  
the horse. The horse was  
going as fast as he could  
up the trail. There was  
another young man on the  
seat with the Dept. The young  
man was an assistant  
in the butcher shop.

0244

W. Bennett

H. Green

Julia Welch

Patrick McKernan.

519 W. 26th St.

I caught the horse on  
the cor. of 27th at 10th ave.  
Delt. told me to let go. I refused  
saying you have just  
run over a child.

I was the shouting  
of the people who draw  
my attention to the man

Mrs. Mary A. McKernan

519 W. 26th St.

I called to Delt to stop  
when he was quite a  
distance away. He then  
had plenty of time to stop.  
He was driving very fast  
and paid not attention  
to me. I picked up the  
child. His ribs were  
crushed in. I carried the boy  
up a rail, 4 doors back, he was then  
~~to~~ to Rooney. The horse was going  
572 W 26th as fast as  
he could.

0246

Prof.

vs.

Kempman.

Patrick McKernan  
vs. Mrs. Mary McKernan

0243

(455)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Samuel Kaufman

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

indictment accuse Samuel Kaufman —

of the crime of Misdemeanor in the second degree,

committed as follows:

The said Samuel Kaufman —

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

twentieth day of July, in the year of our Lord one thousand eight hundred and ninety-three, — at the City and County aforesaid,

in and upon one John Fichtelberg, then and there being, willfully and feloniously did make an assault, and a certain wagon, drawn by a certain horse, then and there being, driven by him the said Samuel Kaufman, to, at, against and upon the said John Fichtelberg, then and there willfully and feloniously did force and drive, and him the said John Fichtelberg, with the said wagon, and the horse aforesaid,

he forced and driven as aforesaid, then  
 and there willfully and feloniously  
 did strike, knock down and run  
 over; thereby giving unto said  
 said John Lightly, then and there, by  
 the means aforesaid, in and upon  
 the head and body of said  
 John Lightly, divers mortal wounds,  
 bruises, lacerations and contusions, of  
 which said mortal wounds, bruises,  
 lacerations and contusions he the said  
 John Lightly then and there died.

And as the Grand jury aforesaid  
 do say, that the said Samuel Kaufman,  
 then the said John Lightly in manner  
 and form, and by the means aforesaid,  
 willfully and feloniously did kill  
 and slay, 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.

Pelancey Mill,

District Attorney