

0009

**BOX:**

379

**FOLDER:**

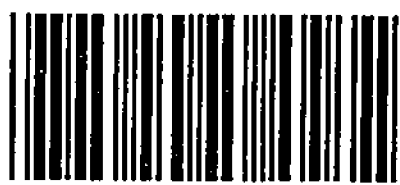
3539

**DESCRIPTION:**

Adams, Charles

**DATE:**

01/02/90



3539

POOR QUALITY  
ORIGINAL

0010

Witnesses;

June 16<sup>th</sup> 1892.

The Defendant should be  
discharged on his own  
recognizance. The was found  
by the Jury to be guilty  
of the crime of the investigation  
of the evidence points to  
his having been in the same  
condition when the crime was  
committed. He was sent to the  
Asylum at Poughkeepsie a  
later charged as being a  
is now in City Prison. There  
is but little room to speak  
that the City can ever be called  
to trial. but I should like to  
opening question before an  
- sending to county bench.

W. H. Deems  
Dist. Atty

1257 Courtland St  
Hempstead

Counsel, *D. J. McGuire*  
Filed *21* day of *June* 1892  
Pleads *McGuire*

THE PEOPLE  
vs.  
Charles Adams  
committed  
June 6/90

JOHN R. FELLOWS,

District Attorney.

Off. Filing Term at 10<sup>th</sup> required  
Pending proceedings in County

A True Bill.

Part III June 16/90  
Defendant discharged  
in his own recognizance  
G. J. Havin Foreman.

Cost<sup>rs</sup> find defendant  
at present living  
and Com<sup>rs</sup> of Poughkeepsie  
Asylum for means of  
Hudson R. Feb 14/90

POOR QUALITY  
ORIGINAL

0011

Headquarters  
Fire Department

Bureau of Fire Marshal,

157 & 159 East 67<sup>th</sup> Street,

New York, Jan'y 13<sup>th</sup> 1890

John D. Lindsay, Esq.  
Supt. Asst. Dist. Attorney,  
32 Chambers St.  
City -

Dear Sir:

The papers in the case of Charles  
Adams, charged with arson, and held in  
\$1,000. bail at the Essex Market Police Court yester-  
day, for the action of the Grand Jury, will probab-  
ly reach you to-day or to-morrow. As they do not  
state the circumstances fully, I think it  
well to send you the enclosed, which may  
be of some use to you when the case comes  
into your hands.

Very respectfully,  
Jas. Mitchell  
Fire Marshal



258 South Street - 4 Story Brick House -  
7th ward -

---

Fires on Friday night - a little before 12 o'clock  
and on Saturday morning, Jan'y 11<sup>th</sup> 1890,  
at 12<sup>15</sup> o'clock

No damage was done to the realty -  
Some clothes were partially burned, and  
wooden lockers built against the  
wall of the house were slightly  
burned and charred -

No person slept on the premises except  
the Watchman, Henry S. Piles, and  
no person slept in either of the  
adjoining buildings -

Kerosene oil was used in starting the  
fires -

The facts as stated by the witnesses are  
as follows:

Henry S. Piles, the watchman, was  
sleeping on the 3<sup>rd</sup> loft as usual; at  
a few minutes before 12 o'clock on Friday  
night Charles Adams, the accused, entered  
the premises in a somewhat intoxicated  
condition and ordered the watchman to  
get up and leave - Upon his refusal  
to do so, and while endeavoring to excite  
the said Adams, the latter used abusive  
language and told Piles that if he  
did not get up and leave, he, Adams,  
would burn him out; that he had a notion



anyway to burn the place. Upon Pailer's still refusing to get up, Adams knocked down a lamp that was burning at the time, broke the globe of same and then commenced to pour the oil over the lockers and a quantity of paper upon the floor. He then deliberately set fire to the oil and paper, seeing which Pailer at once jumped up and extinguished the flames before any damage was done. He then induced Adams, by offering to give him a drink in return, to accompany him down stairs. When they reached the sidewalk Pailer saw Officerweeney of the 7th Precinct and requested him to take Adams away. Adams left in the Officer's company, and Pailer remained standing at the street door of the building. In about 20 minutes, or 15 minutes past 12 o'clock Adams returned, and abusing Pailer for having played him such a trick, passed up stairs again to the 3rd loft. Pailer seeing Officers Clark and Ivory of the 7th Precinct, who happened to be passing at the time, told them of Adams' presence in the building and requested them to remove ~~them~~ him. Officer Clark went up stairs and

Found the door to the 3<sup>rd</sup> loft closed with a spring lock - He knocked and demanded that the door should be opened, which was not done - Pailles then came up and unlocked the door - When the officer got inside the fire was again burning brightly and the prisoner was walking towards the door from the direction of the fire - The officer and the watchman stamped out the fire and Adams was then arrested - No other person was in the building at the time -

It should be stated that Adams had been drinking and appeared to be under the influence of liquor when arrested, but not to such an extent as to render him unconscious or ignorant of what he was doing - He is one of the canters employed by the occupants of the building, and bears a fair reputation among those who know him -

Burned paper, saturated with kerosene, and a portion of lamp in possession of this office.

July 13<sup>th</sup> 1891

Jas. Mitchell  
Fire Marshal

POOR QUALITY  
ORIGINAL

00 15

W. G. Smith

Charles Adams

This copy of 10<sup>th</sup>  
morning of 18<sup>th</sup> of  
July 1890.



POOR QUALITY  
ORIGINAL

0015

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, { 5574

POLICE COURT

3  
DISTRICT.

of No

James Mitchell  
159 East 67th

Street, being duly sworn, deposes and

says that on the

11

day of

January 1890.

at the City of New York, in the County of New York.

John A. A. A.

Charles Adams now here  
did wilfully burn and set  
fire to a building at premises  
258 South Street in violation  
of Section 488 of the Penal  
Code of the State of New  
York for the reasons following  
to wit: on the said date this  
defendant came into a loft  
at said premises as deponent  
is informed by Henry P. Pailes  
(here present) that he Pailes  
saw this defendant saturate  
some clothes with oil, and  
set fire to the same. The  
defendant was put out of  
said premises and did return  
and set fire to a quantity of  
clothing and paper saturated  
with oil. Phil Hornumman  
Robert Clarke her present  
saw the said premises burning  
and found this defendant in  
said loft.

Sworn to before me  
this 12th day of January  
1890

James Mitchell

Charles N. Lainton  
Police Justice

POOR QUALITY  
ORIGINAL

0017

CITY AND COUNTY {  
OF NEW YORK, } ss.

aged 69 years, occupation Watchman of No.

237 Smith

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James Mitchell  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of January 1890

Henry J. Paules  
Justice of the Peace.

Charles N. Fainta  
Police Justice.

CITY AND COUNTY {  
OF NEW YORK, } ss.

aged 23 years, occupation Police Commissioner of No.

7th Avenue

Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of James Mitchell  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of January 1890

Robert J. Clarke  
Justice of the Peace.

Charles N. Fainta  
Police Justice.

POOR QUALITY  
ORIGINAL

0018

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

3 District Police Court.

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

Question. What is your name.

Answer.

*Charles Adams*

Question. How old are you?

Answer.

*48 years.*

Question. Where were you born?

Answer.

*Brooklyn, N.Y.*

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

Answer.

*68 Pike Street, since Dec 1/2/20.*

Question. What is your business or profession?

Answer.

*Painter.*

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

Answer.

*I was drunk and did not know what I was doing - I have no feeling against the owner of the loft as my own clothes and tools were liable to be burned*

*Charles Adams*

Taken before me this

day of *January* 188*9*

*Charles W. Smith* Police Justice.



POOR QUALITY  
ORIGINAL

0019

The appearing May-  
estate is sufficient  
to take out in  
within case  
Charles H. Smith  
Police Justice

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

256  
Police Court

86  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Offence

Dated

Magistrate

Officer

Witnesses

Witnesses

Witnesses

Witnesses

Witnesses

Witnesses

Witnesses

Witnesses

Witnesses

Full Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

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

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

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

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

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

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

POOR QUALITY  
ORIGINAL

0020

COUNTY OF NEW YORK, ss.

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

An indictment having been found on the 23<sup>rd</sup> day of January  
1890, in the Court of General Sessions of the Peace of the County of New York,  
charging Charles Adams

with the crime of Arson in first degree

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

New York City, the 5<sup>th</sup> day of June 1890

By order of the Court,

  
Clerk of Court.

POOR QUALITY  
ORIGINAL

0021

New York General Sessions of the Peace.

THE PEOPLE  
OF THE STATE OF NEW YORK,

against

*Charles Adams,*

BENCH WARRANT FOR FELONY.

Issued

*June 5<sup>th</sup>* 1890

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



POOR QUALITY  
ORIGINAL

0022

-----  
P E O P L E

against

C H A R L E S   A D A M S .  
-----

W E    the undersigned, William D. Smith of  
183 East 104th Street, Patrick Murray of 360 Front Street  
William H. Childs of 607 Kosciusko Street, Brooklyn N.Y.,  
and Michael Hurley of 21 Cherry Street all ship caul-  
ers, and have our headquarters at No. 258 South Street,  
and have had them there for twenty years continuously.  
We have known the defendant for more than ten years, has  
always been a good workman, and never knew anything dis-  
honorable of him. He was one of the best of fellows,  
but would sometimes get under the influence of liquor,  
possibly once a year, and then would scarcely be ac-  
countable for what he did, and did some of the most ec-  
centric and unexplainable things. At the time of the  
alleged setting on fire at No. 258 South Street, we  
were all the best of friends, he in common with us had  
all his tools in the same loft with us, where the alleged  
fire was set, and would have been as great a loser as we.  
We use kerosene oil in lamps, and to clean our hands  
after work, and it was easy for some of it to be most  
anywhere about the loft. The only result of the alleg-  
ed fire was a slight scorching of a box. We know that  
he bore no malice against any one, and is not that kind  
of a man.

**POOR QUALITY  
ORIGINAL**

0023

2

We know Henry S. Pailes who gave the information in this case, and know him to be a worthless disreputable fellow, and would not believe him under oath.

Wm. D. Smith  
Patrick Murray  
William H. Childs  
Michael Hurley.

Witness,

Henry Hartman,

June 13th, 1890.

0024

In and for the City and County of New York.

The People of the State of New York  
against  
Charles Adams.

TO THE COURT OF GENERAL SESSIONS OF THE PEACE  
IN AND FOR THE CITY AND COUNTY OF NEW YORK:

We, RICHARD G. WIENER, M. D., and JOHN H. ROGAN,  
a commission appointed by an order of this Court, bearing  
date the 27th day of January, 1890, to examine the above  
named defendant, and report to this Court as to his sanity  
at the time of such examination, DO RESPECTFULLY REPORT:

That the Commissioners first duly qualified by taking and subscribing the annexed oaths.

That the commission was attended by William Forster, Esq., Assistant District Attorney, counsel for the People, and by James R. Heinzelman, Esq., counsel for the said defendant, and examined the witnesses produced before it and reduced their testimony to writing, and also made a personal examination of the said defendant.

That the testimony taken before the commission is hereto annexed and forms a part of this report. After due deliberation the commission finds and reports the following facts:

That the said defendant, Charles Adams, now con-



POOR QUALITY  
ORIGINAL

0025

fined in the City Prison under an indictment for arson in the first degree pending in this Court and undetermined, is, at the date of this report, suffering from an affection of the mind called melancholia, with hallucinations of sight and hearing, and delusions of persecution.

As a result from the foregoing facts, the commission is of the opinion that the said defendant, Charles Adams, is now insane and wholly incompetent to make known his defense to the said indictment pending against him as aforesaid, and to advise with his counsel as to his defense thereto.

All of which is respectfully submitted.

Dated New York, February 11th, 1890.

*Richard H. Wiener MD*  
*John H. Bogan*  
*Commissioners*

POOR QUALITY  
ORIGINAL

0026

COURT OF GENERAL SESSIONS OF THE PEACE

In and for the City and County of New York.

-----X  
The People of the State of New York :

against

Charles Adams.  
-----X

City and County of New York, ss:

I, RICHARD G. WEINER, M. D., Commissioner duly appointed by an order of this Court bearing date January 27th, 1890, to examine the above named defendant and report to this Court as to his sanity at the time of such examination, DO SOLEMNLY SWEAR that I will faithfully and fairly hear and determine the question so referred to me and make a just and true report thereon according to the best of my understanding.

Sworn to before me this )

28th day of January, 1890.)

*Richard G. Weiner*  
*Notary Public* (46)  
*N.Y.C.*

COURT OF GENERAL SESSIONS OF THE PEACE  
In and for the City and County of New York.

-----X  
The People of the State of New York :  
  :  
  :  
  :  
  :  
  :  
  :  
  :  
-----X

against  
Charles Adams.

City and County of New York, ss:  
  
I, JOHN H. ROGAN, Commissioner duly appointed  
by an order of this Court bearing date January 27th, 1890,  
to examine the above named defendant and report to this  
Court as to his sanity at the time of such examination,  
DO SOLEMNLY SWEAR that I will faithfully and fairly hear  
and determine the question so referred to me and make a  
just and true report thereon according to the best of my  
understanding.

Sworn to before me this        )  
  )     John H. Rogan.  
28th day of January, 1890.    )  
  
Marie Antelissa  
Notary Public, N.Y.



COURT OF GENERAL SESSIONS.

-----x  
I n t h e M a t t e r  
of  
C H A R L E S A D A M S .  
-----x

PROCEEDINGS before John H. Rogan, Esq.,  
and Richard G. Weiner, M.D. Commissioners  
appointed by order of the Court to examine  
into the sanity of Charles Adams.

N e w Y o r k , February 6th 1890.

APPEARANCES: For the defendant Mr. J. R. Heinzelman.

For the People Asst. Dist. Atty. Wm.  
Forster.

FRANK H. INGRAM, a witness called on behalf of the defend-  
ant, being duly sworn, testified as follows:-

- Q Where do you live ? A. 264 West 42nd Street .  
Q You are a practicing physician by occupation? A. Yes sir.  
Q And how long have you been such practicing physician ?  
A I have practiced within about a month of seven years.  
Q Are you at the present time a member of any medical in-  
stitution in this city . A. Yes sir; several .  
Q Please mention them ? A. I am one of the lecturers of  
the New York Poly-clinic in mental and nervous diseases,  
visiting physician to the Hospital for Nervous Diseases on  
Blackwell's Island, and visitor for the State Board of Char-

ities.

Q During your professional life have you made a study of mental diseases ? A I was for five years in institutions for the insane, nearly five years.

Q Briefly tell us your experience in the treatment of the insane, just about what number you have treated, if any ? A Covering nearly a period of five years, all-told, I have seen in general practice in institutions between five and six thousand cases of actual insanity.

The District Attorney admits that the witness is an expert.

Q Do you know Charles Adams ? A Yes, sir; I examined him at the Tombs.

Q How often have you examined him? A I examined him twice.

Q When ? A The first time was on the 28th. of last month, and the second time was on the 4th. of this month, last Tuesday.

Q You appear here to-day in obedience to a subpoena issued by the counsel for the defendant ? A Yes, sir.

Q Will you tell us, in your own way, what you did at these examinations and the conclusions you arrived at ? A The first time I examined Adams was at the Tombs. I was with him for a long while, something over an hour, and I went over, quite as fully as I deemed it necessary, the

man's history, his life's history, and his knowledge of the accusations that had been brought against him for crime; also in regard to his general mental condition and to a certain degree his physical condition. I did not sound him fully all over, but I went into it in a degree on that day. The man talked pretty rationally for awhile, until he got to the point that dealt particularly with this crime of which he is accused; the man became very excited then, and in the next place he seemed rather confused in bringing the details of the day and the day before into his mind; he seemed to have forgotten a great many occurrences and as to time and place. During his excitement, which occurred only after I questioned him for a number of minutes in relation to this crime, he became quite extreme, and he then, in explanation of this whole affair, told me (and in such a way that I did not believe there was any simulation about it at all) that he was, for a little time before this day, and for some time after it, under the influence of some peculiar power which was persecuting him. He said that the thing did not appear reasonable, but nevertheless it existed; that when he first went to the Tombs or whatever prison he was incarcerated in first, there were a number of bloodhounds *barred* all night, and that subsequent to that he had distinctly heard the attendant and keepers in the tier below him at the Tombs plotting to burn him in a furnace.



Q Did he mention the Tombs? A Yes, sir. I asked him particularly in regard to that because that occurred after he was transferred from the other prison, and after the bloodhound incident that he spoke about. I went into the Tombs afterwards and saw his cell to see if there was any ground for that, and I found it to be on the first floor. Then I examined, in relation to his statement that he heard those voices. I found that he was restless, excited and at times bewildered. He had an inflammation of the tissues in one arm, and he said that the doctor told him that came from an abscess, but he was of the opinion, however, that that was poison put into his system by some unknown power, he could not explain it at all, he thought it was something more than that. He showed another mark on his fingers which appeared as though it might have been a burn from his cigar or something of that sort; it was then in process of healing, and he said that that had been brought about by the same influence, as well as one or two other marks ~~on his hand~~ or abrasions on his hand. I found on questioning him further and on cross-questioning him, that he had at one time or two times before this been depressed. These statements were not suggested by him at all, but were brought out in the course of conversation. Also that he had taken a great deal of liquor at various times, that he had been by occupation a ship-carrier; that about the time that this crime was sup-

posed to have been committed he had been drinking freely and had been, prior to that time, depressed, and believed that he was under the influence of this peculiar power, and, according to the manner in which he described the events of that day, there was a period when his mind was a complete blank, that lasted perhaps from in the afternoon up to several hours afterwards when this crime was committed. The manner of his description of what he did on that day so far as his memory served him on this first examination, was very irrational indeed. It was his intention to burn out those spirits, or this power that was hounding him and pursuing him all the time. After the first examination I made a report to Mr. Heinzelman that it was my opinion that Adams was an insane man; that he was suffering from hallucinations of hearing, and possibly from hallucinations of sight; that he had delusions of persecution.

On the second examination his mind seemed to have cleared a little; he was ~~was~~ not so fixed in regard to this power that was hounding him. When I came to call his attention to the abscess on his arm, this inflammation, his reasons did not seem to be as acute as the first time I examined him.

Q On the second occasion did he still have those delusions of persecution that he had at the time of the first examination? A Yes, sir, but they were not quite as

**POOR QUALITY  
ORIGINAL**

0033

clearly defined, they were not so firmly fixed in his mind . The first incident with regard to the bloodhounds and their barking at night, that was not so clear, that was an hallucination so unusual that it did not fix itself in his mind, but he thought that the keepers and those people were determined to do something to him, some physical violence.

By Dr. WEINER:

Q He did not have any delusion of being boiled or fried as he had the first time ? A. Yes, sir, the first time he had that very strong indeed, and I talked to him while a while about it. I think I got the details of the man's life pretty fully, and I formed the opinion that his disease comes under the head of melancholia; he would have a period of depression with hallucinations and delusions and be in a state of actual insanity for two or three weeks, and then he would possibly clear out of it after a lapse of time . The nature of his delusions are peculiar . The character of persecution in some forms of melancholia is simply a conspiracy on the part of others to defraud the person of money, or they get an idea of some plot to do them bodily harm in some outrageous way, by burning or something of that sort. This man Adams actually heard, according to his statement which I believe, these people getting the caldrons ready to boil



him.

- Q Did he go into the incident of his being brought from one prison to another? A He did not seem to remember distinctly; he said he was in one prison and then was brought to another.
- Q What was the condition of his memory in regard to his crime? A He was very much mixed in regard to the details of that. He seemed to have no recollection of what occurred between a certain portion of this day and some six or eight hours after the time when he was supposed to have committed this crime.
- Q What was his explanation in regard to the fact that he was in prison? A He said that he must have done something because the policeman took him to prison.
- Q Was he perfectly rational as far as the place he was in as far as your examination was concerned, did he know where he was? A Yes, sir; he knew he was in prison; I asked him particularly what object these men, the keepers and warden of the place, (he singled the warden out) would have in wishing to boil him. He said that they appeared to be very kind men but that he could hear their voices when they made a conspiracy against him to do him personal violence.
- Q Did he give his opinion about these delusions and hallucinations? A No, sir. He said that he had had them but he did not seem to recognize the fact that they

were delusions. He was evidently trying to dispel some of them because he said, as he believed, there had been bloodhounds *barking* about him at night who were put on his track, and that that was so outrageous to his mind that he did not like to accept it, but the other things he had heard so plainly a night or two before I saw him for the first time that he actually believed that those things occurred. He said that he did not think he had done anything to justify such treatment; the warden and other men appeared to be humane people and he did not see why they should do that unless they were under the influence of some peculiar power which they could not resist, and which he could not resist. He ascribed all his physical ailments to that. The expression of the man at the time of the first examination was a very wild and haggard expression.

Q On the second examination had he improved? A Yes, sir; slightly, and he had practically given up the idea of the bloodhounds, but the other was fixed in his mind.

Q Did he still have the same delusions? A Yes, sir. In regard to the influence that brought this condition of his arm about, this inflammation of the tissues of the arm.

Q In your opinion, might it sometimes reach a condition of frenzy and the man become dangerous? A He would be a very dangerous man unquestionably, a man whom I

should suspect would commit almost any crime. When

Q When aggravated by drink ? A Yes, sir; particularly then, either the crime of murder or suicide would be the first thing he would be liable to commit in order to keep this power from exerting its influence. He might, in order to get rid of that power, destroy his own life, or the life of some one whom he believed to be in league with this power. This form of disease is influenced by the use of alcohol and when that is carried on for years it takes that particular form. I think alcohol aggravates it very much.

Q From the second examination you made, are you still of opinion that the man is not a sane man ? A Yes, sir; my opinion is that he has not been sane for quite a while.

BY MR. HEINZELMAN:

Q Doctor, from the examination which you have made of the mental condition of Charles Adams, do you believe that he is in a position to intelligently advise his counsel as to any defense he may have to an indictment charging him with arson in the first degree. Do you believe he could intelligently advise his counsel as to his defense ? A I ~~xxx~~ don't think he could, because he has not a clear recollection of any occurrence during the period in which the crime is supposed to have been committed, and his mind is so much muddled in other

respects and is so under the influence of these delusions that I do not believe he could <sup>give</sup> any intelligent or rational instruction to his counsel.

Q Do you believe that that is his condition to-day ?

A Yes, sir; I believe it is. I think the man is getting clearer, it is my impression that he will be clearer still, and that that will be followed by just such a period as he has had. This condition, to my mind, coupled with alcohol, has gone on ~~with~~ for a number of years, and it is a condition which is absolutely incurable, but under proper circumstances he could be kept quiet, and I don't see why if he got an occupation he could not properly follow out his vocation whatever it might be; <sup>he</sup> ~~him~~ would be liable at any time to have a period of depression and frenzy and commit any crime which might be suggested to his mind by his peculiar delusions.

Q Do you pronounce it a case of mania ? A yes, sir, of recurrent <sup>melancholia</sup> ~~mania~~, with the frenzy accompanying it.

Q These delusions and hallucinations of persecution ?

A Yes, sir. I will say that, during the examination, the man made no attempt at concealment.

BY MR. FORSTER:

Q You do not think then he is now in a condition to rationally explain his defense to his counsel ? A I don't think he is.

Q You don't think he is in that condition now ? A I



do not think so. I don't think he has sufficient knowledge or memory of the transaction to do so.

Q Aside from his recollection of what occurred at that time is his mind at present in such a condition as that he could advise his counsel ? A I don't believe the man is, because he is liable to be influenced at any moment by those peculiar beliefs which he holds.

Q Has he lucid intervals ? A I think he has had perfectly lucid intervals.

Q Will they recur again ? A I think they will. His periods of clearness are not fixed at all, it might be an hour, and it might be a day, a week or a month.

Q On these occasions when you saw him, was he in his natural condition, so far as external influences are concerned -- I mean drink ? A Yes, sir, he was not under the influence of drink at all, because he had been under medical treatment and he did not get in the Tombs. I made inquiry in regard to his care, and also about the medical treatment.

BY MR. ROGAN:

Q Did he tell you of the occurrences which took place in the first prison in which he was placed ? A Yes, sir, it was at the first prison that he heard the bloodhounds, and that he heard this great noise.

Q Did he tell you that he tried to commit violence upon himself ? A He spoke of attempting to jump out of a window, or something of that sort, but I did not take that

as any evidence of his mental condition.

Q. Is that all he said? A. Yes, sir, about that subject. The first time I made an examination he was very much dazed in regard to that occurrence; it was after the first or second night at the Tombs.

Q. Did he recollect the time? A. No, sir, he did not recollect the time; I think it was between one and two weeks and possibly more than that; he did tell me about when he came there, he had an idea that it was within two or three days of the time but nothing more definite than that, it has slipped my memory as to the date he was there; he had an impression that it was between two and three days of a certain time, and that was as near as he could come to it.

Q. Did he refer to the occurrence of any other delusions besides the one mentioned? A. No, sir; he spoke of this barking, boiling and also about this peculiar power which he thought <sup>had</sup> would poison his blood and ~~was being~~ brought about ~~by~~ this abscess on his arm.

Q. He recollected this? A. He did at the time I saw him.

Q. Did he refer to them as having occurred previous to your examination? A. No, sir; the manner in which this boiling ~~was furnished~~ came out was this: I asked him in regard to his treatment in the Tombs, and he detailed to me the events which had transpired since he came there as nearly as he could in their natural order. In the course of that this history came out as something which had actually occurred; and then on further examination and cross-examination I found out that he actually believed that there was a conspiracy to burn him; that was the belief

which he held at the time I made the first examination, he held that belief that these persons were plotting against him and persecuting him.

Q. Did he give you any impression as to what time that conspiracy was formed? A. No, sir, he had no idea at all apparently as to any motive or anything else.

Q. It was simply the fact that such a thing existed and he believed it? A. Yes, sir; he did not know why it existed nor what he had done that any one should make it of sufficient grounds to feel this animosity towards him; he said that there was no object that he could see, he had been an honest working man, addicted to the use of liquor, but he had tried to follow the Golden Rule as much as possible, and he didn't see what object they would have; that he was a poor man and he did not think they were persecuting him with the idea of getting any reward for it or in the hope that by killing him some one else might be rewarded.

Q. Do you attribute his present condition to a disordered state of mind and recollection that followed a spree? A. I think it is a mixture. I think alcohol, as I said before, has influenced and aggravated his condition. In cases of true insanity, I don't refer to a case of ~~delirium~~ delirium tremens, but true alcoholic insanity you will find that the delusions have a certain amount of terror mixed up with them, a certain amount of horror. I believe, however, that this disease existed outside of the times when he was under the influence of alcohol, but that it was always aggravated by alcohol.

- Q. Does he know that his condition is aggravated by the use of alcohol? A. He did not express himself as believing that he is insane at all; he says that alcohol has been a curse to him, and that he would go on these sprees once or twice a year, but that is all he knows; that he was drunk recently, very drunk, but he did not seem to know, in answer to my inquiries as to the quantity he took and the kind he took. He admitted he had been drinking. He answered those questions and possibly I may have put some others but not so important as these.
- Q. Do you believe that his disordered condition of mind would exist anyway? A. Yes, sir. Permit me to qualify that. I believe that is one of those things you can't explain, the cause of mental derangement; it might have been a depression following his drinking, it might have been loss of work, it might have been this occupation of his. A person of that occupation I have found will have hallucinations of hearing and I cannot account for it in any other way; the same thing is found to exist among telegraph operators, it is not widespread at all, but you will find that they do have hallucinations which they can reason away.
- Q. These hallucinations which you have just explained are not attributable at all to the use of drink? A. I think they are aggravated by it, I don't think they begin with it.
- Q. They originated before he began to drink? A. Yes, sir, I think that that is a part and parcel of his disease, and at times when he drinks they are more prominent. I believe he has recurring periods of depression and those hallucinations and delusions.



POOR QUALITY  
ORIGINAL

0042

- Q. You say he was sober when you examined him? A. Yes, sir, at both times, and he had been under confinement sufficiently long to have the alcohol out of him.
- Q. Did you make inquiries as to that? A. Yes, sir, I made inquiries as to that in the Tombs.

Sworn to before <sup>us</sup> me, this )  
10<sup>th</sup> day of Feb., 1890. ) Frank H. Ingram.

John H. Rogan  
Richard H. Meier  
Commissioners

POOR QUALITY  
ORIGINAL

0043

M A R Y A D A M S, a witness called on behalf of the defendant,  
being duly sworn, testified as follows:

By Mr. Heinzelman.

- Q. Where do you live? A. No. 189 <sup>Nassau</sup> ~~CLASSON~~ Avenue, Greenpoint,  
at present.
- Q. Are you the wife of Charles Adams? A. Yes, sir.
- Q. How long have you been married? A. Fifteen years.
- Q. Have you any children? A. Yes, sir, I have one, -- two  
by a former husband and one little girl 14 years old.
- Q. What is your husband's occupation? A. Ship caulker.
- Q. How long has he been absent from home? A. He was there  
every Saturday night.
- Q. I am speaking of the present time, when was he at home with  
you the last time? A. Two or three weeks ago.
- Q. Now, will you please tell us in your own way what your hus-  
band's conduct has been at home within the last five years,  
was he quiet and peaceable? A. Yes, sir.
- Q. What was his general occupation at home? A. Well, when  
he came home from his work he would generally sit and read  
until bed time and he would very seldom go out.
- Q. What was his conduct towards you? A. Very kind.
- Q. Did you ever notice that ~~xx~~ he was under the influence of  
drink? A. Yes, sir, at times.
- Q. How frequently during the last five years? A. Once or  
twice a year, not oftener than that.
- Q. He would go off on a spree for a couple of weeks? A. Yes,  
sir, that was the way, and he was very melancholy for three  
or four weeks before he went on a spree.
- Q. What do you mean by melancholy? A. He would go to his

work and come home and he didn't want to talk to any one. Some times I would say "Charlie, what is the matter with you, has anything gone wrong?"; and all he would say was "Don't talk to me, my head, there seems to be a pressure on my head, don't talk to me." He always told me to let him alone until he would come out of these spells.

Q. Then after that you would notice that he would go on these sprees? A. Sometimes he would have them and he didn't go on a spree.

Q. Do you know Mrs. Bloomfield? A. Yes, sir.

Q. Is she a relative of your husband? A. My husband's aunt, his mother's sister.

Q. Was she ever stopping at your house? A. No, sir, at my sister-in-law's house.

Q. You know that Mrs. Bloomfield is an aunt of your husband? A. Yes, sir.

Q. Was it you that brought this certificate from Dr. Wall's? A. It was her brother, he is not here, he is sick.

Q. What is the trouble with your husband's brother at the present time? A. He is very nervous, he has always been nervous, he has got the St. Vitus's dance.

Q. How old a man is he? A. Thirty-~~one~~ nine.

By Dr. Wiener.

Q. Did you ever notice anything very wrong about your husband? A. Only in these melancholy spells, that is all.

Q. Have you any particular instance in your mind which you can give us? A. Not any more than I have told you, when he had these spells and would not allow any one to talk to him.

**POOR QUALITY  
ORIGINAL**

0045

By Mr. Forster.

Q. The Commissioners would like to know some facts if you can give them any so that they may draw their own inferences from them. Did you ever notice that he has done anything out of the way? A. No, sir, nothing out of the way.

Q. All that you can say is that he was melancholy? A. Yes, sir.

Q. How frequently did those spells occur? A. I suppose three or four times a year, probably not as often.

Q. During the past five years, about how many times have they occurred? A. I could not say how often, it seems to me they came very quick sometimes.

Q. What was his condition when he left home, was he depressed?

A. Yes, sir, for probably three weeks before he left home

Q. What did he say when he left home? A. Nothing at all except that he felt awfully depressed and he said "I am getting that feeling again."

Q. Do you know if he was taking any medicines of any kind?

A. No, sir.

Q. Had he ever been treated for these fits of melancholy by any physician? A. No, sir, I often wanted him to go to a doctor, but he would not.

Q. Did he sleep well? A. Sometimes. When he had those spells he did not sleep well, he could not sleep.

Q. They made him keep awake? A. He would get up and walk the floor.

By Dr. Wiener.

Q. Did he ever tell you that there were some people after him, pounding him, or trying to do anything of that sort? A. He



would say that he had that feeling, and he often told me that he thought he was going crazy. He would say: "If I don't get something for my head I will go crazy." I would say "Why don't you go to the doctor's"; and he would say "Oh, I will, I will".

Q. Did he ever do anything violent? A. No, sir.

Q. Did he ever harm anybody at home? A. No, sir.

Q. He never hurt anybody? A. No, sir.

Q. He never tried to hurt himself? A. Not that I know of.

Q. Can you state some particular fact that made you believe there was something wrong with him? A. Only those spells.

Q. You cannot tell anything? A. No, sir, only I used to think there was something wrong with him because he was very fond of our little girl, but when he had those spells he didn't want her to come near him; he would say "You keep Tootsie away from me, I don't want her to come around me".

Q. Was he rough with her? A. No, sir, not at any time, he was never harsh with her; he only wanted her to keep away from him, he didn't want her around him.

Q. He didn't say why? A. No, sir.

Q. Did you ever see him under the influence of drink? A. Yes, sir.

Q. Considerably so? A. Yes, sir.

Q. How would he behave then? A. He was quiet, he never made any trouble in the house, very quiet; he would come in and go out and he didn't want you to say anything to him. Sometimes I would not see him for a couple of days and he would come home again.

POOR QUALITY  
ORIGINAL

0047

Q. Still under the influence of drink? A. Yes, sir.

Q. He behaved himself quietly? A. Yes, sir.

By Mr. Forster.

Q. Do you recollect of any flagrant case, any particularly noticeable occasion when he did something that was extraordinary or irrational? A. No, sir, only that when he was under the influence of liquor I was a little bit afraid and I had to keep myself just so and watch him.

Q. Why ~~are~~ you afraid of him? A. Well, I didn't know, I am always afraid of a man who is in liquor.

Q. Did you see him since he has been in custody? A. No, sir, not until the day before yesterday.

Q. How did he behave himself? A. I did not have much talk with him.

Q. That was when one of the Commissioners was present? A. Yes, sir.

Q. You did not see him on any other occasion? A. No, sir, only that, that is the first time I saw him.

By Mr. Heinzelman.

Q. Did you ever hear your husband express anything in reference to fires? A. He has always been very careful and has always cautioned me about fires; he has always had a coil of rope at the head of the bed handy for use in case of fire. He always spoke to me to be careful about lighting the lamp, and if there was any paper in the coal scuttle he always took it out. I sometimes told him that he was very foolish and he would say "You cannot be too particular, you cannot be too careful". My sons had a hall room and <sup>my husband</sup> ~~he~~ would frequently go into it at night ~~to see~~ <sup>if the light was burning, & if he found it so, he would put it out.</sup>

- Q. At what time was this? A. All during my married life.
- Q. You don't know at what particular time this happened?
- A. No, sir.
- Q. When was the last time, was it within three or four years?
- A. Yes, sir.
- Q. Did he appear to be more troubled about fires than anything else? A. Yes, sir; that seemed to be his great trouble, he was always talking about that, he would not allow a lamp to burn at night. If I went to my sons' room to see if everything was right and left the lamp burning he would turn the lamp out. When I had the rheumatism and my feet were a little damp, I would put them in the oven to dry and he would always make me take them out. He would take the paper out of the coal scuttle and if I had a towel or anything hanging up near the stove he would take it down and he would never leave a fire burning going to bed at night; if there was any fire in the stove he would rake it down. He has always been very particular about that.
- Q. This coil of rope, where was that? A. Always at the head of the bed. I used to laugh at him.
- Q. Did he ever tell you what he wanted that there for?
- A. Yes, sir, in case of fire; he said that in case of a fire and escape was cut off from the door or the hall he could be lowered out of the window.

By Mr. Forster.

- Q. Was your husband ever a member of any fire association?
- A. Yes, sir, a number of years ago he was in the Volunteer Fire Department, but not since I have been married to him.

- Q. Did he seem to be particularly fond of going to fires or particularly interested in fires? A. Not so much since I have been married to him.
- Q. You don't remember it? A. No, sir; I suppose he would go to a fire if he happened to be out.
- Q. You have spoken about these periods of melancholy, what do you mean by that particularly? A. When he would get these spells he would not talk, he could not rest at night and he would get up and walk the floor; he would sit and think and brood for probably hours at a time. I have asked him questions I don't know how many times and he would pay no more attention to me as though I had not spoken to him. I would take him by the shoulders and say "Charlie, don't you hear what I say, did you hear what I said to you" and he would say no.
- Q. He would never tell you why he did that? A. No, sir, only he would say he had a terrible pressure on his brain.
- Q. Did he ever mutter or talk to himself at these times? A. Only in his sleep.
- Q. What did he talk about in his sleep? A. I didn't pay particular attention to that.

By Mr. Heinzelman.

- Q. When these spells came about was he agitated in any way? A. He seemed to be sometimes.
- Q. Would you notice a difference in his conduct? A. Yes, sir, in his talk and in his actions.
- Q. What kind of actions, would he sit and think or would he become excited? A. No, sir, he did not get very excited unless you talked to him too much; he did not want to be



POOR QUALITY  
ORIGINAL

0050

talked to, he wanted to be let alone.

Q. Do you remember his speaking about fires in the house, and do you know anything about his objection to any kind of matches? A. Yes, sir, he would not have parlor matches in the house.

Q. Did he say why he wouldn't have them in the house? A. He said he thought they were dangerous, that in case one was dropped on the floor and any one stepped on it it might set some one on fire.

Q. Would he remove the matches? A. Yes, sir.

Q. He would not allow parlor matches in the house? A. No, sir, he would not.

*My husband will be 49 years old on May 5<sup>th</sup> next.*  
Sworn to before me this )

12<sup>th</sup> day of Feb., 1890. )

*Mary Adams*

*John H. Ryan*

*Richard B. Wier* Commissioner

Examination adjourned until to-morrow, February 7th, 1890,  
at 3 P. M.

POOR QUALITY  
ORIGINAL

0051

New York, February 7th, 1890.

Examination continued.

Present:

John H. Rogan, Esq., and Richard G. Wiener, M. D.  
Commissioners.

John R. Heinzelman and William Forster, Esqs., Counsel

A L L E N F I T C H, a witness for the defendant, being duly  
sworn, testified as follows:

By Mr. Heinzelman.

- Q. Where do you reside? A. 59 West 35th Street.
- Q. What is your profession? A. Physician.
- Q. How long have you been a physician? A. About 10 years,  
or 11 years.
- Q. During that time have you had any experience in the care  
and treatment of the insane as a physician? A. Yes, sir,  
I have. I was three years physician to the Asylum for  
the Insane at Ward's Island, the New York City Insane  
Asylum. I was also physician at the State Hospital for  
the Insane at Elgin, Illinois. I have been first substi-  
tute, and afterwards appointed examiner in lunacy for the  
Department of Charities and Corrections in this city.
- Q. And that position you hold at the present time? A. Yes,  
sir.
- Q. During all those years, you have treated professionally a  
number of persons suffering from mental disorders? A. Yes,  
sir; since my appointment by the Board of Commissioners of  
Charities and Corrections, which is the last three or four  
years, I have seen about an average of 2500 cases a year  
and examined them; before that time I probably had five or

six thousand under my charge at one time and another, altogether about 10,000 people.

Q. You have frequently testified in this Court as an expert on ~~insanity~~ insanity, have you not? A. Yes, sir.

Q. Do you know Charles Adams? A. Yes, sir.

Q. The person who is the subject of this inquiry? A. Yes, sir, I have examined him.

Q. How often have you examined him? A. I have examined him five or six times; the first time I examined him was January 17th, I think, at the City Prison, and I have seen him several times since then and also on January 28th.

Q. Did you examine him as to his mental condition? A. Yes, sir, both mentally and physically.

Q. Tell us in your own way what you did in this examination, and what, in your opinion, is his mental condition at the present time. Start from the first examination and go through to the end? A. When I first saw him, he had physical evidence of having been on a recent debauch; he was very tremulous; he had acute hallucinations of sight and hearing; he had delusions very prominently connected with those hallucinations; he thought he saw things and heard voices which are the usual symptoms of acute alcoholic mania. Looking at the lines of the man <sup>four</sup> he had marked ~~periods~~ <sup>Evidently</sup> of depression, and he had somewhat recovered from the alcoholic condition. I questioned him in regard to them, and I found that he has been a man for a long time subject to marked periods of depression in which he frequently thought of suicide, and thought at times he could not live <sup>and that must</sup> ~~unless~~ he ~~did~~ commit suicide, and the fact that

**POOR QUALITY  
ORIGINAL**

0053

he did not commit the act was that he had not the means immediately at hand that he thought were the best to commit suicide. That is a very frequent thing among the insane. A man who wishes to commit suicide by hanging, if he has a pistol or a razor about him will likely not use the pistol or razor, but hang himself, if he can, or drown himself. He says that he has an idea that if he committed suicide he would shoot himself, and for that reason when he thought of doing it he would avoid having firearms about him. During those periods nothing seemed to relieve him but alcohol, and that is commonly the case. The liver becomes inactive and a man becomes depressed; the first few drinks of alcohol stimulates the liver and he feels better and he goes on from that until in a few days he is found in the gutter. From all this I made up my mind that the man had suffered from a condition of chronic melancholia, and, in addition to that, at the time I first saw him he was suffering from an acute alcoholic condition, acute alcoholism, and termed by many as acute alcoholic insanity. I think he was suffering from chronic melancholia, and besides that he had this alcoholic condition. Now, I have seen him several times since then and he has cleared up, as we say, in a way. A person usually clears up who is simply in an alcoholic condition. We have frequently had cases admitted to Bellevue in delirium, and in three days or just as soon as they could sleep and eat their delusions and hallucinations and the whole thing left them, in two weeks at most. With the delirium tremens you find that condition relieved, but in this case that is not true. He



still has these symptoms continued, and besides that he has those very prominent lines in his face which you scarcely never see to that extent except in melancholia.

Q. Now, doctor, from the examinations which you have made, have you formed any opinion as to the man's mental condition at the present time? A. I have.

Q. Do you think that he could at the present time advise his counsel, properly and rationally, as to any defense he may have to an indictment charging him with arson in the first degree? A. No, I don't think he could.

Q. And you do not believe it because you believe he is insane? A. Yes, sir.

Q. And the insanity you describe as being that of ~~mania~~ melancholia? A. Yes, sir, chronic melancholia.

By Mr. Forster.

Q. Upon what do you form your diagnosis of chronic melancholia? A. I formed the diagnosis from the history of the man's health; he has had periods of depression in which he thought very frequently of suicide, and upon the physical condition, as far as the lines of his face are concerned.

Q. Did you find him subject to any delusion as far as his persecution was concerned? A. Yes, sir, he is filled with delusions, his whole mind is filled with delusions, delusions of persecution in regard to the time that he attempted to jump from the window in the Essex Market Prison and was stopped by the officers. He thought they were talking at night, that they were his enemies, and that they were going to do him some bodily harm at that time. Since

that time he has had the most active delusions of persucution in regard to the inmates of the prison and the keepers; they confine themselves to one particular line. I found the same delusion and the same talk on the second examination, but it was rather shifting. With a chronic condition of melancholia, with nothing else in it besides that, you find the delusions in one line, so that perhaps within six months you find a man thinking that ~~something~~ some particular thing wishes to do him harm, and he will tell you the same thing, but as these were all acute (probably from the alcohol), it probably accounts for the shifting of the ideas.

By Dr. Wiener.

Q. When you say the first time, was he then suffering from acute alcoholism? A. Yes, sir.

Q. When you saw him the second and third time were not the effects of the acute alcoholic condition done away with? A. Not entirely.

Q. In what intervals did you see him? A. I saw him on the 17th and the last time on the 28th of January. I think I saw him between that five or six times.

Q. Was he getting any alcohol at that time? A. I don't think so.

Q. Will you say that when you saw him on the 28th -- you don't think he was entirely free from the acute alcoholic condition? A. I think the results of the alcoholic condition remained, not the condition.

Q. Was he rational? A. Well, he was rational so far that he could tell you what day it was, what time of day, &c.

- Q. Did you question him about what he had done, about his crime? A. Yes, sir.
- Q. Was he able to give you any information whatever? A. Yes, sir, he did, rather incoherently, irrationally and disconnectedly.
- Q. He knew what he had done? A. Yes, sir, I think he did, I think he knew what he was accused of.
- Q. He knew what he was accused of? A. Yes, sir.
- Q. Did he know that he had done it? A. No, sir, I don't think he had any memory whatever of the transaction.
- Q. You are sure of that? A. Yes, sir, that is my opinion.
- Q. When you saw him you say that he spoke of delusions at the time you saw him? A. Yes, sir.
- Q. And you say he did not mention the same delusions -- had he forgotten the character of the delusions that he had before? A. Probably.
- Q. He was not consistent or coherent in any of his statements? A. No, sir, he was quite incoherent and very irrational.
- Q. Did he express to you the fact that he knew that he had those sounds, and knew that they were not so but could not explain them? A. Yes, sir, he did in a way; he did tell me that at different times he had hallucinations and that they had disappeared. The last time I saw him he was most persistent in thinking that he had been poisoned and that he had secret enemies. By the way, the first time I saw him he had been so excitable that the authorities or officers of the prison had been obliged to put handcuffs on him, and those handcuffs had cut deeply into his wrist, he pulled and jerked and twisted so to get them off that

he hurt his hands, and got up cellulitis, the cellular tissues about the wrist were inflamed. The last time I saw him they were very much better. Dr. Field and myself ordered the handcuffs to be taken off him to see if he could not be managed without them. The last time I saw him he told me that he thought his enemies had caused those spots on his hands, not seeming to remember that he had the handcuffs on him. I reminded him of it and said "Don't you remember that you had the handcuffs on and we ordered them off" and a light seemed to break in upon him and then flew out again.

Q. He expressed the fact that he had been poisoned by his enemies? A. Yes, sir.

By Mr. Forster.

Q. This condition of chronic melancholia is not attributable at all to his indulgence in strong drinks? A. No, sir; I think he got some relief from his depression by indulgence in drink, temporarily.

Q. Has the effect of alcoholism worn off? A. Yes, sir, the very acute effects of it have, but I still think he is suffering from the effects. The immediate effects have worn off, he has not the tremor he had at first or the coated tongue.

Q. Is it your opinion that the effects still remaining of the alcoholism bring about this melancholia? A. No, sir; I think he is a man suffering from a condition of chronic melancholia, aggravated by acute alcoholism, which accounts for the character of his delusions at the present time. I would expect to find in such a case, where there was an



alcoholic condition, more consistency in the delusions, that he would adhere ~~to~~ more to one line or thought of delusion, but this man shifts considerably and I think that is due to the fact that he has taken alcohol to such an extent recently.

Q. You say his face gives an indication of a disordered mind?

A. I think so.

Q. Do his eyes also? A. I have examined his eyes, his heart and pulse, &c., and I do not see anything distinct in his eyes. I looked carefully for an inequality of the pupils but that is rather a negative than a positive symptom.

Q. That is not a ~~positive~~ positive symptom? A. No, it was not in this case.

By Dr. Wiener.

Q. Did you notice any change in his expression from the first time you examined him, his facial expression? A. No, sir.

Q. Did he seem to recognize you at the different times he saw you? A. There was no recognition. I don't know but he did. I did not ask him if he remembered me, there seemed to be no recognition. The last time I saw him Dr. Frank Ingram was examining him, and I went into the room while he was examining him and his attention was attracted to Dr. Ingram. The last time I saw him he said "Dr., you are the man who dressed my wrist this morning"; I said "No, I am not, it was Dr. Chetwood who saw you. I have not been in the prison for over a week". He stopped to think in the same way again and he seemed to be puzzled over it and then he insisted that I was the same man he saw in the morning; whether he recognized me at the other time

as the man who had seen him at first, I don't think I could state.

Q. You say you saw him five or six times between January 17th and 28th? A. Yes, sir.

Q. He did not seem to have any recollection of you from one time to another? A. I can't say he did.

Q. That was only an interval of two or three days at a time? A. Yes, sir; I don't know as I saw him as many times as that, five or six times altogether. I had to go there to see other cases and when I went I would ask to see this man, not specially, but as I chanced to be there.

Q. You did not make a careful examination of him every time? A. No, sir, nothing more than to talk to him.

By Mr. Forster.

Q. You say on one occasion he was very violent? A. Yes, sir; he never showed that before me.

Q. In your opinion what was the cause of that? A. I think the alcoholic condition caused that; I don't think he knew then what was going on about him.

Q. In your opinion might these conditions recur again? A. I don't think that same condition could recur unless with the same use of alcohol.

Q. In that condition he might be violent, and use violence to himself or others? A. Yes, sir, I think he is a dangerous man.

By Dr. Wiener.

Q. Without any alcohol in him? A. Yes, sir.

Q. Simply as the result of his mental condition? A. Yes, sir.

**POOR QUALITY  
ORIGINAL**

0050

By Mr. Rogan.

Q. How did you come to examine him first, doctor? A. The District Attorney sent a letter to the Board of Charities and Corrections asking to have Dr. Field and myself see certain cases at the Tombs and report. In the letter which was sent to us the request was made that the Warden would show us such other cases, as he thought should be examined. That is the custom of the Department. We saw a number of cases at that time and from time to time since then we have seen such cases as the Warden of the prison called to our attention; he would show us any prisoners to whom his attention was attracted by something in their condition which indicated mental disorder and asked us to examine them. It was in that way that we saw this man.

Q. Did the request to examine this man come from the Warden?

A. Yes, sir, at the request of the Warden.

By Mr. Forster.

Q. In the condition of mind that he is in now in your opinion, could he recognize his wife and the members of his family? A. I should think that he would, yes, sir; I don't know.

Q. Is that the case generally with such patients? A. Yes, sir. In cases of chronic melancholia they most frequently recognize their immediate friends; the condition in which they would not be likely to recognize their immediate friends would be one of dementia, following that which would be called secondary dementia, following melancholia. I don't think this man shows evidences of dementia enough not to recognize his family. I was taking his whole con-

dition, mentally and physically, and forming my opinion from that.

By Dr. Wiener.

Q. You don't mean to say that the man has not at times quite rational moments, even in spite of his mental condition of chronic melancholia he has times in which he may be mentally responsible to a certain extent, for weeks perhaps?

A. Well, I am rather of the opinion, doctor, that this man has not been responsible for some time, for some months and probably longer. I think he has had these periods of depression and that he could not get rid of them in any way and he thought of suicide as his only relief. He took alcoholic stimulants, and I think these were the conditions which at last resulted in chronic melancholia. I think at that time his depression became so intense that he could not resist the desire of suicide to get rid of his suffering, and that he was insane. I think he has been in that condition for months and perhaps years.

Q. The reason I put this question is that according to the testimony of his wife he has had these periods of depression at long intervals? A. Yes, that would be so <sup>before</sup> ~~after~~ a debauch, after long drinking when the liver would get acting pretty well.

Q. I understand that his depression was probably the cause of his taking the alcohol? A. Yes, sir, I think so.

Q. During those periods of depression he has had lucid intervals? A. Yes, sir, I think he was in very good condition between those periods. But, recognizing the fact that the man has periods of depression like recurrent mania in which



**POOR QUALITY  
ORIGINAL**

0062

he is irresponsible, it is a very difficult thing to draw the line and say in the intermission when he is responsible and when he is not, and it seems to me safer both in regard to recurrent mania and chronic melancholia, particularly where you have stated periods of depression, to say that a man is suffering from a disease, a chronic mania or a recurrent mania the whole time, and that he is irresponsible and ought to be taken care of. Many patients suffering from recurrent mania are sent to asylums while in the excitement and liberated afterwards. Sometimes the recurrence only comes once a year. If a man suffering from that kind of a disease should commit a crime it would be pretty hard to put your finger on a point ~~in~~ and say that he was responsible at that time. So, in regard to melancholia, where they have those stated depressions three or four months at a time it is pretty hard to say that they are responsible at a certain time, and yet they come pretty near it.

By Mr. Forster.

- Q. You found him improved on your last visit to him? A. It did not seem to me that I did. I found him improved in regard to the alcoholic condition; I found him in that respect very much improved, but I did not find his mental condition much improved, from the fact that I regard the alcoholic trouble as very much the minor of the two.
- Q. When was it you examined him last? A. I think it was the 28th of January. From what I have stated to you I doubt very much if he has changed any between that time and this,

POOR QUALITY  
ORIGINAL

0063

and I believe I would find him in the same state to-day.

Sworn to before <sup>u</sup>~~me~~, this )  
11<sup>th</sup> day of Feb., 1890. )

John H. Rogan Allen Fitch M.D.  
Richard H. Wren Commissioners

W I L L I A M   S Q U I R E, a witness on behalf of the defend-  
ant, being duly sworn, testified as follows:

By Mr. Heinzelman.

- Q. You are an inmate of the Tombs at the present time, self  
committed? A. Yes, sir.
- Q. Do you do any work at the Tombs? A. I only look after  
two cells, I look after the prisoners sent into two cells.
- Q. Under whose direction? A. The Warden's orders.
- Q. That is what you do for a living? A. Yes, sir.
- Q. You watch those two cells? A. Yes, sir.
- Q. What are those cells known as? A. As hospital cells.
- Q. How long have you been watching those cells? A. I have  
been there eight months, since the 18th of last June.
- Q. You watched the prisoners in them? A. Yes, sir, and I  
give them medicine and anything like that.
- Q. Do you know Charles Adams? A. Yes, sir.
- Q. Was he an inmate of the hospital cells? A. Yes, sir.
- Q. Is he an inmate of those cells at the present time? A. Yes  
sir.
- Q. How long has he been an inmate of that cell? A. Since  
the 14th of January.
- Q. You have been around there constantly ever since? A. Yes,  
sir.
- Q. In the day time? A. Yes, sir.
- Q. Now, tell us in your own way, what his conduct has been,  
what you have seen him do, heard him say, and how he has  
acted? A. Well, I used to go in at seven o'clock and  
would say "How do you feel, Adams, have you been asleep?"  
and he would say "I cannot sleep with people coming into

this room"; I would say to him "That is all imagination, there was no one in here, I will look after you, don't you know where you are?" He said "yes, I know I am in the Tombs".

Q. He would say that people came into the cell? A. Yes, sir.

Q. Are those cells locked? A. Yes, sir, every night.

Q. So that no one could come in? A. No, sir; there are two night watchmen.

By Dr. Wiener.

Q. Was he alone in the cell? A. No, sir, there were seven others there. When he first came I only had four.

Q. He never was in the cell alone? A. No, sir, he never was in the cell alone.

Q. He said that they came in at night to bother him? A. Yes, sir, he was filled with imagination, he would look under the bed, and I used to tell him that he knew he was in the Tombs and he would say "I know I am, Billy, but I can't help it".

Q. Do you remember the occasion when the handcuffs were put on him? A. Yes, sir; as soon as he came in he was raving about the place.

Q. Tell us what he did? A. He was raving and shouting and swearing a little; I can't remember his words now.

Q. They would not put the handcuffs on him for that, would they? A. They do sometimes when they get noisy. Sometimes we have men in there and they don't put them on for awhile until they get noisy ~~and then they put them on for punishment.~~ On some they put them on to keep them from committing suicide.



**POOR QUALITY  
ORIGINAL**

0055

- Q. Did he try to do that? A. No, sir, he never attempted such a thing.
- Q. What did he do when he had them on? A. He walked up and down and exercised. The prisoners exercise from 7 to 9 in the morning, from 9 until 2 in the afternoon they are locked up in their cells and then they are out again from 2 until 7 in the evening.
- Q. He has had plenty of company? A. Yes, sir, he walks up and down with seven or eight men, he has never been lonely.
- Q. What are the sores on his arms? A. That is some sort of a breaking out, I don't know what it is; he complains this morning about pains under his arms.
- Q. What is the sore on his left arm? A. I think the doctor called that an abscess.
- Q. What made it? A. I don't know about that.
- Q. Did you see him all the time he had the handcuffs on?  
A. Yes, sir.
- Q. Did he ever try to get them off? A. No, sir, he never tried to get them off.
- Q. Did he ever try to do any violence while he had them on?  
A. No, sir, unless we tried to catch hold of him, he was very noisy when any one tried to catch hold of him.
- Q. You have nothing to do with him at night? A. No, sir, I am not by him at night. I have a report from the nightmen and they tell me in the morning that he has been quiet and I report it to the day keepers.
- Q. What else attracted your attention to him? A. Nothing particular, only these imaginations that I have stated,

nothing more, very quiet.

By Mr. Forster.

Q. You told me that he started up from bed suddenly? A. He used to jump up suddenly when he'd have these little spells on him; he had an imagination that there was some one under the bed.

Q. What would he do? A. He would jump up all of a sudden out of his sleep and I would ask him what was the matter and he would say "I can't keep them off me".

Q. Tell us some more of these facts? A. I don't know any more about it. I would get him quiet sitting on the bed again and he would be all right.

Q. Didn't you ask him what you meant by that? A. I used to pacify him and say that there was nobody in the cell and he would then turn around and say "All right, Billy, that is enough." He is a pretty sociable man in that way.

Q. How late did that happen? A. Well, that was about last Monday, sir; he has been all right ever since except that he was complaining about pains in the head this morning.

Q. He complained about that this morning? A. Yes, sir.

By Mr. Heinzelman.

Q. Why is he kept in the hospital cell? A. That is the orders from the warden; when a man comes in a little bit bad or anything like that they put him in the hospital cell.

Q. They put him in there because he is sick? A. Yes, sir, the man is more out of his mind than anything else, and they put him in there so as to watch over him.

Sworn to before <sup>us</sup> me, this )  
10<sup>th</sup> day of Feb., 1890 )

*William Squire*  
*John B. Ryan*  
*Richard W. Vene* Commissioner

POOR QUALITY  
ORIGINAL

0068

Court of General Sessions

The People vs.

App.

Charles Adams

Commissioner's Report.

Oaths & Testimony etc.

Richard S. Thomas, M.D.

J. H. Hogan

Commissioner

Report, Affidavit

Let. to necessary

to see. be covered

by

Filey 13/90

W. J. S.



POOR QUALITY  
ORIGINAL

0069

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles Adams

The Grand Jury of the City and County of New York, by this indictment, accuse  
Charles Adams  
of the CRIME OF ARSON IN THE — first — DEGREE, committed as follows:

The said Charles Adams;

late of the — Seventh — Ward of the City of New York, in the County  
of New York aforesaid, on the — eleventh — day of January, —  
in the year of our Lord one thousand eight hundred and eighty — ninety, at the  
Ward, City and County aforesaid, with force and arms, in the night time of the said  
day, a certain dwelling house of one Henry S. Pailer —  
there situate, there being then and there within the said dwelling house  
some human being, to wit: the said Henry S. Pailer,

feloniously, wilfully and maliciously did set on fire and burn, against the form of the  
Statute in such case made and provided, and against the peace of the People of the State  
of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said  
Charles Adams  
of the CRIME OF ARSON IN THE — third — DEGREE, committed as follows:

The said Charles Adams;

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the  
year aforesaid, at the Ward, City and County aforesaid, with force and arms, in the night  
time of the said day, a certain — building — of one  
Charles Mann, — there situate, ~~there being then and there~~  
~~within the said~~ some human being, to wit:

feloniously, wilfully and maliciously did set on fire and burn, 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.

JOHN R. FELLOWS,

District Attorney.



0070

**BOX:**

379

**FOLDER:**

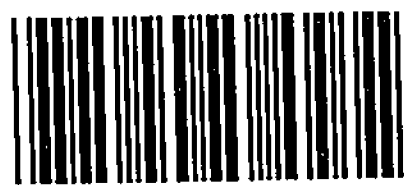
3539

**DESCRIPTION:**

Aldrich, Louis P.

**DATE:**

01/13/90



3539

POOR QUALITY  
ORIGINAL

0071

Witnesses;

There are three indictments  
against defendant filed respectively  
Jan. 1890, 13 Jan. 1890, & 2 Dec. 1890  
two for rape & one for abduction  
& rape.

There have been two trials, as  
the record shows. In one case  
there was a conviction & reversal,  
in the other there was an  
acquittal.

Considering all the circumstances  
of the cases, I think the deft.  
might properly be discharged  
on his own recognizance in  
the ~~two~~ indictment of rape  
Jan. 20, 1891.

Vernon M. Davis  
asst.

I concur in the above  
Jan 20, 1891. Morris T. Gould  
Pres. MSBPC

Counsel,

Filed

13 day of

1890

Pleads,

THE PEOPLE

vs.

P

Louis P. Aldrich

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

G. H. Fenn

Part 2 - Jan 20, 1891

Foreman.

On motion of said attorney  
defendant discharged  
on his own recognizance.

(Sections 278 and 218, Pennl Code.)

POOR QUALITY  
ORIGINAL

0072

Police Court, / District.

City and County } ss.  
of New York,

Edward Becker  
of No. 100 East 23<sup>rd</sup> Street, aged 25 years,  
occupation Officer S.P.C. being duly sworn, deposes and says,  
that on the 12<sup>th</sup> day of December 1889, at the City of New  
York, in the County of New York, he arrested Louis P.

Aldrich charged with rape com-  
mitted on Annie Purcell, a female  
child of the age of twelve years.  
Deponent has just cause to believe  
that similar offences have been  
committed upon other children  
who are witnesses in said case.  
From information received from  
said witnesses deponent believes  
that there are books, pamphlets  
or writings which are lewd, obscene,  
lascivious and indecent and  
that said books, pamphlets or  
writings were shown to said Annie  
Purcell and said other witnesses  
for an immoral use and purpose  
and with the object to induce  
the said Annie Purcell to  
permit sexual intercourse be-  
tween said Aldrich and said  
Annie.

Deponent prays that a search  
warrant may be issued by this Court  
directed to search the premises  
46 Beach Street in the City of New  
York on the first floor, the place  
where said offence was committed  
and where said lewd and obscene  
books, pictures and writings were  
shown with said intent. Deponent  
having just cause to believe that  
said books and pictures are now  
in said apartments. That said  
apartments during the commission



POOR QUALITY  
ORIGINAL

0073

of said felony were occupied by the  
defendant and are now his apartments  
and under his control.

Sworn to before me }  
this 17<sup>th</sup> December 1889 } Edward Carter

Salom. L. L. L.  
Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been  
committed, and that there is sufficient cause to believe the within named  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of  
Hundred Dollars, and be committed to the Warden and Keeper of the City  
Prison of the City of New York, until he give such bail.  
Dated 1888 Police Justice.

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

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

1

2

3

4

Offence,

Dated.

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions



POOR QUALITY  
ORIGINAL

0074

H. E. 28

Dec. 13. 89

Hon E. J. Gerry

Dear Sir.

I have examined  
Annie Purcell act. 12

There is present an  
inflammation of the  
vulva caused by friction  
by some blunt instru-  
ment

Yours respectfully  
W. H. Snow M.D.

POOR QUALITY  
ORIGINAL

0075

Police Court, District.

City and County } ss.  
of New York,

Edward Becker  
of No. 100 East 23<sup>rd</sup> Street, aged \_\_\_\_\_ years,  
occupation Officer S.P.C. being duly sworn, deposes and says,  
or about 31<sup>st</sup> day of October 1889,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ at the City of New  
York, in the County of New York, Louis P. Aldridge

(now here) did have sexual intercourse  
or attempt at sexual intercourse  
with a female not his wife,  
to wit: Annie Purcell a female  
child under the age of sixteen  
years, to wit: age twelve years  
and did so ravish and carnally  
know or attempted to so ravish  
and carnally know said Annie  
Purcell in violation of section  
278 of the Penal Code of the  
State of New York for the reasons:  
That deponent is informed by  
Annie Purcell (now here) that on  
or about said and divers other  
days she visited the apartments  
of the defendant at premises  
46 Beach Street and there saw  
the defendant. That on the day  
in question the defendant asked  
said Annie to lie upon a bed  
in said apartment which said  
Annie did and while so lying  
the defendant raised her clothes  
and exposed her naked private  
parts and then unbuttoned the front  
or flap of the pantaloons then worn  
on his person and took out his  
penis and got upon the bed and  
laid upon her body and placed  
his penis against the orifice of  
her vagina. That said Annie  
informs deponent in words used  
by her: that she felt his thing

POOR QUALITY  
ORIGINAL

0076

in her thing," meaning thereby that she, Anna felt the defendants penis in her private person

That the private parts of said Anna have been examined by Walter H. Snow a Physician the result of which is explained by his certificate hereto annexed Sworn to before me }  
this 14<sup>th</sup> December, 1889 } Edward Becker  
Solon B. Smith  
Police Justice

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

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

vs.

1.

2.

3.

4.

Offence,

Dated

188

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$

to answer

Sessions



POOR QUALITY  
ORIGINAL

0077

CITY AND COUNTY {  
OF NEW YORK, } ss.

*Annie Purcell*  
aged 12 years, occupation School girl of No.  
100 East 23rd Street, being duly sworn deposes and  
says, that <sup>s</sup>he has heard read the foregoing affidavit of Edward Becke  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this 14  
day of December 1889

*Annie Purcell*  
*Solomon B. Smith*  
Police Justice.

CITY AND COUNTY {  
OF NEW YORK, } ss.

*Hannah Kilday*  
aged 12 years, occupation Work at pushing of No.  
68 Leroy Street, being duly sworn deposes and  
says, that he has heard read the foregoing affidavit of Edward Becke  
Annie Purcell  
and that the facts stated therein on information of ~~deponent~~ are true of deponents' own  
knowledge.

Sworn to before me, this 14  
day of December 1889

*Hannah Kilday*  
*Solomon B. Smith*  
Police Justice.



POOR QUALITY  
ORIGINAL

0078

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Mary Ann Reilly*  
aged *12* years, occupation *go to school* of No.  
*56 Varick* Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *Edward Becker*  
*Annie Purcell*  
and that the facts stated therein on information of ~~deponent~~ are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

*14* } *Maryann Reilly*  
*December*

*Solon Blumick*

Police Justice.

POOR QUALITY  
ORIGINAL

0079

Sec. 193-200.

CITY AND COUNTY  
OF NEW YORK, ss

District Police Court.

*Louis P. Aldrich* 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. *Louis P. Aldrich*

Question. How old are you?

Answer. *71 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *46 Beach St. 6 months*

Question. What is your business or profession?

Answer. *Physician*

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*

Taken before me this

*14<sup>th</sup>*

*of the month of June 1908*

*James D. Smith*  
Police Justice.

POOR QUALITY  
ORIGINAL

00000

CITY AND COUNTY } ss.  
OF NEW YORK, }

POLICE COURT, 1<sup>st</sup> DISTRICT.

Edward Becker

of No. 100 East 73<sup>rd</sup> Street, aged \_\_\_\_\_ years,

occupation Officer S. P. C. C. being duly sworn deposes and says  
he has just cause to believe and does believe that  
that on the 21<sup>st</sup> day of November 1889

or thereabouts at the City of New York, in the County of New York, the premises number

46 Beach Street, one Lewis P. Aldrich, now  
here, did then and there employ, use  
take and harbor two minor children  
named Annie Purcell, aged 12 years, and  
Mary Ann Riley, aged twelve years, for  
the purpose of sexual intercourse  
and prostitution in violation of section  
283 Penal Code.

Wherefore deponent  
prays that said Defendant may be  
held for Examination, ~~make~~ in order to  
give said Edward Becker and opportunity to  
produce witnesses - Edward Becker.

Sworn to before me, this

of December 1889

day

John B. Smith  
Police Justice.

POOR QUALITY  
ORIGINAL

0081

Police Court, 1<sup>st</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward Becker

vs.

Lewis J. Aldrich

72- Wf- 46 Beach

Dated Dec 13 188 9

Smith Magistrate.

Becker Officer.

Witness,

Held for Ex. Dec. 14-10 A.M.

Disposition, OK

AFFIDAVIT.

Abduction



POOR QUALITY  
ORIGINAL

0000

2500 for 6  
Dec 17 2 PM

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

30 1862  
Police Court No. 187 District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward Becker

Louis J. O'Brien

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Offence Rape

Dated Dec 14 1889

Smith Magistrate

Street Officer

Witness Anna C. Russell

No. 100 E. 23rd Street

Mary Ann Bailey

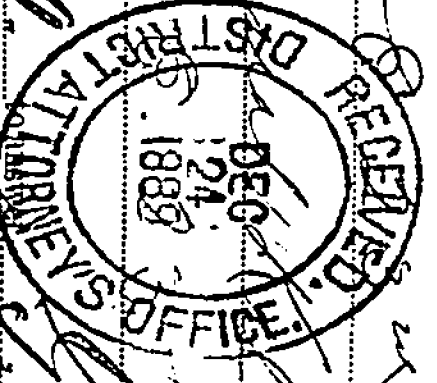
No. 100 E. 23rd Street

Handwritten signature

No. 100 E. 23rd Street

Handwritten signature

Handwritten signature



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named \_\_\_\_\_

defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10 Hundred Dollars, \_\_\_\_\_ and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Dec 17th 1889 J. J. Van Hook Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 1889 \_\_\_\_\_ Police Justice.

POOR QUALITY  
ORIGINAL

0003

31.  
District Attorney's Office,  
City and County of New York.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
Hannah Keady  
vs.  
Louis P. Aldrich

Dated 11 Jan 1890

Witnesses,  
No. Street,

No. Street,

No. Street,

No. Street,

No. Street,

No. Street,

POOR QUALITY  
ORIGINAL

0084

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Annie Purcell*  
aged *12* years, occupation *school girl* of No.  
*56 Varick*

Street, being duly sworn deposes and  
says, that she has heard read the foregoing affidavit of *Edward Becker*  
*Namiah Kilday*  
and that the facts stated therein on information of ~~deponent~~ are true of deponents' own  
knowledge.

Sworn to before me, this  
day of

188

} *Annie Purcell*

Police Justice.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Mary Ann Reilly*  
aged *12* years, occupation *school girl* of No.  
*56 Varick*

Street, being duly sworn deposes and  
says, that she has heard read the foregoing affidavit of *Edward Becker*  
*Namiah Kilday*  
and that the facts stated therein on information of ~~deponent~~ are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

} *Mary Ann Reilly*

Police Justice.

POOR QUALITY  
ORIGINAL

0085

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Nannah Kilday*  
aged *17* years, occupation *works at mashing* of No.

*68 Leray* Street, being duly sworn deposes and

says, that she has heard read the foregoing affidavit of *Edward Becker*  
and that the facts stated therein on information of deponent are true of deponents' own  
knowledge.

Sworn to before me, this

day of

188

*Nannah Kilday*

Police Justice.



POOR QUALITY  
ORIGINAL

0085

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

POLICE COURT—

DISTRICT.

Edward Becker

of No. 100 East 23<sup>d</sup> Street, being duly sworn, deposes and

or about Sixth day of October 1889

says that on the and other days  
at the City of New York, in the County of New York, Louis P. Aldrich (now here)

did have sexual intercourse or attempt at sexual intercourse with a female not his wife, to wit; Hannah Hilday, a female child under the age of sixteen years, to wit; age twelve years, and did so ravish and carnally know or attempt to so ravish and carnally know said Hannah Hilday in violation of section 278 of the Penal Code of the State of New York for the reasons; That deponent is informed by Hannah Hilday, (now here) that on or about said and divers other days she visited the apartments of the defendant at premises 46 Beach Street and there saw the defendant. That on the day in question the defendant asked said Hannah to lie upon a bed in said apartments. Said Hannah sat down on the side of the bed, and defendant laying his hands on the shoulders of said Hannah pushed her over upon the bed, then defendant raised said Hannah's clothes, and unbuttoned her drawers and pulling them down below the knees of said Hannah exposed her naked private parts and <sup>he</sup> then unbuttoned the front or flap of the pantaloons then worn on his person and took out his penis and got upon her body and placed his penis against the orifice of her vagina. That said Hannah informs deponent that she felt the defendants penis in her private parts.

Edward Becker

Sworn to before me  
this

POOR QUALITY  
ORIGINAL

0007

21  
Police Court, District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Edward Becker  
Louis C. H. Beck

AFRIDA VIT.

Dated 188

Magistrate.

Officer.

Witness,

Disposition,

Ben. M. H. H.

POOR QUALITY  
ORIGINAL

00000

Sec. 707.

1st District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

In the name of the People of the State of New York, To any Policeman of said City:

Proof by affidavit having been this day made before me Solon B. Smith Esquire,  
Police Justice of said City, by Edward Becker of No. 100 East 23rd St  
Street, in the said City, that the following property, to wit: books, pamphlets,  
writings and pictures which are lewd, lascivious  
filthy, indecent or disgusting and which  
were used as a means of com-  
mitting a felony by one Louis P.  
Aldrich, now charged with rape

~~Has been feloniously taken, stolen and carried away by~~

and that he has a probable cause to suspect, and does suspect that the said books and said  
other articles or contained or part thereof are now concealed in the dwelling house or premises of said Aldrich  
situate on a lot of ground fronting on No. 46 Beach Street, in the  
Fifth Ward of said City.

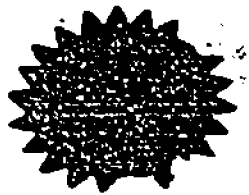
THESE ARE THEREFORE, in the name of the People of the State of New York, to command  
and authorize you, with proper assistance, in the day time, to enter into the house or premises of the  
said Louis P. Aldrich situate as aforesaid, and they make immediate  
search for the said books and articles and if the same, or any part thereof  
shall be found, then you are likewise commanded to bring the same so found, ~~together with the said~~

~~or person in whose custody the same shall be so found,~~ before me or some other Police Justice in  
and for the said City and County, to be dealt with as the law directs. This Warrant unless executed  
within five days after its date is void.

Given at the City of New York aforesaid, under my hand and seal,

this 17 day of December one thousand  
eight hundred and eighty nine

Solon B. Smith Police Justice.





POOR QUALITY  
ORIGINAL

0089

Inventory of property taken by Edward Becker the Policeman by whom this warrant was  
executed: one Illustrated Catalogue of Medical

Publications - one Illustrated Catalogue of  
Henry C. Lea's Medical and Scientific Publications -  
one Illustrated Catalogue of Truax & Co's Medical  
Instrument - One Illustrated Catalogue of  
Quarterly Journal of Pathological Anatomy  
of the Female Sexual Organs -

City and County of New York, ss:

I, Edward Becker the Officer by whom this warrant was executed,  
do swear that the above Inventory contains a true and detailed account of all the property taken by me  
in this warrant.

Sworn to before me, this 17  
day of December 188

Edward Becker  
J. Williams Police Justice.

Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

SEARCH WARRANT.

vs.

Dated

188

at

Justice.

Officer.



POOR QUALITY  
ORIGINAL

0040

At a General Term of the Supreme Court  
of the State of New York, held in and  
for the First Judicial Department, at  
the County Court House in the City of  
New York, on the ~~24th~~ day of October  
in the year of our Lord one thousand  
eight hundred and ninety.

PRESENT,

THE HONORABLE, CHAS. H. VAN BRUNT P. J.

THE HONORABLE, CHAS. DANIELS,

and THE HONORABLE JOHN R. BRADY J. J.

-----:  
THE PEOPLE OF THE STATE OF NEW YORK  
Respondents :

vs.

: Order of Reversal.

LOUIS P. ALDRICH.  
Appellant. :  
-----:

THE ABOVE-NAMED APPELLANT having been, at a Court of Gen-  
eral Sessions of the Peace, held in and for the City and Coun-  
ty of New York, at the City Hall in said City, on the 17th  
day of January in the year of our Lord one thousand eight  
hundred and ninety convicted by the verdict of a jury of a  
felony, to wit: The crime of Assault in the second degree  
whereupon it was considered by the said Court of General Ses-  
sions of the Peace, and ordered and adjudged, that the said  
Appellant for the felony aforesaid whereof he was so convic-  
ted as aforesaid be imprisoned in the State Prison at hard  
labor for the term of two years and three months.

AND THE APPELLANT AFORESAID, having thereafter duly ap-  
pealed from the said judgement to this Court, and the said  
appeal having come on to be heard in due form of law, and the  
return herein being now before this Court, and having been by  
this Court duly inspected, upon which inspection it has and

**POOR QUALITY  
ORIGINAL**

0091

doth now appear to this Court that certain errors of law were committed upon the trial of the above-named appellant in the said Court of General Sessions of the Peace, and this Court upon such examination and inspection of the said return and the facts herein, there represented, having exercised its discretion, and having refused a new trial upon the facts herein, and having also refused a new trial upon the ground that the verdict was against the weight of the evidence.

NOW, THEREFORE, after hearing AMBROSE H. PURDY Esq., of Counsel for the appellant, and MCKENZIE SEMPLE Esq. Asst. Dist. Atty. for the Respondents, due deliberation being had thereon, it is

ORDERED AND ADJUDGED, that for the errors of law aforesaid, so found in the said return, and not for the errors of fact, nor as a matter of discretion, the said judgement of the said Court of General Sessions of the Peace, so appealed from as aforesaid, be, and the same hereby is in all things reversed, and that the appellant have a new trial, which is hereby ordered, And it is further

ORDERED, that the proceedings herein be, and the same are hereby remitted to the said Court of General Sessions of the Peace.

*M. L. B.*

*A Copy  
Joseph Scully  
Clerk*

POOR QUALITY  
ORIGINAL

0092

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

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

Sworn to before me this  
day of \_\_\_\_\_ 189 \_\_\_\_\_ }

*J. J. Lawrence Count*  
*General Term*  
*The People,*  
*Respondents*  
*Plaintiff*

*against*  
*Louis P. Aldrich,*  
*Appellant*  
*Defendant*

*(copy)*  
*Carthage - Oran*

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

Due and timely service of cop of the  
within hereby admitted  
this day of 18 \_\_\_\_\_  
*Attorney.*

To \_\_\_\_\_  
\_\_\_\_\_ *filed Oct 30 1890*

POOR QUALITY  
ORIGINAL

0093

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 B. Aldrich*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Samuel B. Aldrich*

of the CRIME OF RAPE, committed as follows:

The said *Samuel B. Aldrich*,

late of the City of New York, in the County of New York aforesaid, on the  
31<sup>st</sup> day of *October*, in the year of our Lord one thousand  
eight hundred and eighty-*nine*, at the City and County aforesaid, with  
force and arms, in and upon a certain female not his wife, to wit: one *Annie*  
*Purcell* then and there being, wilfully and,  
feloniously did make an assault, and her the said *Annie Purcell*,  
then and there, by force and with violence to her the said *Annie*  
*Purcell*, against her will and without her consent, did wilfully  
and feloniously ravish and carnally know, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further

accuse the said *Samuel B. Aldrich*

of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *Samuel B. Aldrich*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Annie Purcell*, then  
and there being, wilfully and feloniously did make another assault, with intent her the  
said *Annie Purcell* against her will and without her consent, by  
force and violence, to then and there wilfully and feloniously ravish and carnally know,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.



POOR QUALITY  
ORIGINAL

0094

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Louis P. Aldrich*  
of the CRIME OF RAPE, committed as follows:

The said *Louis P. Aldrich*,  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Annie Purcell*, then  
and there being, wilfully and feloniously did make another assault, and an act of sexual  
intercourse with her the said *Annie Purcell*  
then and there wilfully and feloniously did commit and perpetrate, against the will of the  
said *Annie Purcell* and without her consent; against  
the form of the Statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Louis P. Aldrich*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *Louis P. Aldrich*,  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Annie Purcell*,  
then and there being, wilfully and feloniously did make another assault, with intent, an  
act of sexual intercourse with her the said *Annie Purcell*  
against her will and without her consent then and there wilfully and feloniously to commit  
and perpetrate, against the form of the Statute, in such case made and provided, and against  
the peace of the People of the State of New York and their dignity.

~~JOHN R. FELLOWS, District Attorney.~~

POOR QUALITY  
ORIGINAL

0045

fifth COUNT:--

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said Samuel P. Aldrich —

of the CRIME OF RAPE, committed as follows:

The said Samuel P. Aldrich,

late of the City and County aforesaid, afterwards to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her, the said Annie Russell —,  
then and there being, wilfully and feloniously did make another assault, she, the said  
Annie Russell being then and there a female under the  
age of sixteen years, to wit: of the age of twelve years; and the said  
Samuel P. Aldrich — then and there  
wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said  
Annie Russell —, 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.

JOHN R. FELLOWS, *District Attorney.*

0096

ॐ

**Filed**

day of.

1887

## Pleads,

# THE PEOPLE

(Sections 278 and 218, Penal Code.)

22 July 1951 vs.

40.  
Louis P. Aldrich

JOHN R. FELLOWS.

*District Attorney.*

# A TRUE BILL.

Jan 3 every 15 at 9<sup>h</sup> 15<sup>h</sup> very much  
1827.

**Foreman,**

Part II of delivery 17/90

[illegible]

**POOR QUALITY  
ORIGINAL**

0097

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

The people

v.

BRIEF FOR THE PEOPLE.

Louis P. Aldrich.

STATEMENT OF THE CASE.

The defendant, 71 years of age, residing at 46 Beach Street and a physician, is charged with the crime of rape upon a little girl named Annie Purcell, aged 12.

The charge against the defendant is one of peculiar enormity. Annie Purcell in company with quite a number of other young girls of the neighborhood, had been in the constant habit of visiting this Dr. Aldrich, who was in the habit of having sexual intercourse with them, taking all sorts of indecent liberties with their persons, exhibiting to them and explaining to them the physical effects of sexual intercourse, with illustrations from medical books, and in this way corrupting these unfortunate children. The details of the case appear in the evidence.

EVIDENCE FOR THE PEOPLE.

ANNIE PURCELL. - Resides at 58 Varick Street, and is 12 years of age. Became acquainted with Dr. Aldrich through Mary Ann Johnson. About 3 months ago witness together with two other girls, Mary Ann Reilly and Hannah Kilday, played about the house of Dr. Aldrich, when they opened the doctor's door. The latter was in and said, "Come in, girls." They went in and sat around, looked at some books and while so doing the doctor said, "Girls,



POOR QUALITY  
ORIGINAL

0098

2

will you give me a piece." They answered "No," and went out, he telling them to come again. On Sunday 3 or 4 weeks before Hallow-Eve, (Oct. 6 or Sept. 29) the same 3 girls met at about 12.30 o'clock, noon, and went to Jersey to visit Mrs. McGarry, an acquaintance of the Reilly girl. They remained there about 3 hours and then returned to New York, when one of them (which one is not known) proposed visiting "the old doctor." This was agreed to, and at about 5.40 P.M. they arrived there. Hannah Kilday opened the doctor's door and said "Come on girls." The doctor said good evening and told them to sit down. He gave them several medical catalogues to look at and explained the pictures to them. They remember the doctor showing and explaining to them the picture of a man undergoing an operation on his penis. Another of twin babies before birth and their position in the mother's womb. Several pictures of complicated positions of child in the womb. One where the forceps are being placed in a woman's womb to relieve her of the child - and several others. After explaining these pictures the doctor came behind the chair of Hannah Kilday, and said, "Now will you give me a fuck?" Hannah said "If Annie will, I will," and Annie said "Yes." Whereupon the doctor told them to go into the bedroom, which they did, and he followed them. Hannah Kilday sat on the bed, the doctor placed his hands on her shoulders and pushed her down, then raised her clothes, unbuttoned one side of her drawers, she unpinned the other. The doctor then opened his pantaloons, took out his penis and put it into her private parts and then rubbed his penis in and out. After continuing for some three minutes, he got off her, stepped off the bed and asked her whether it "felt nice." She answered "Yes, sir." During the time of their having sexual intercourse the other two girls were in the same bedroom. He then told Annie Purcell to

**POOR QUALITY  
ORIGINAL**

0099

3

lie down. She did so, and he raised her clothes - she had no drawers on - he laid on top of her and had sexual intercourse with her, or attempted to. At any rate, "she felt his thing in her thing," as she describes it. Both Hannah Kilday and Mary Ann Reilly were in the same room. He then got off Annie and told Mary Ann Reilly it was her "turn." She walked over to the bed, he lifted her up, laid her down, lifted her clothes, and had sexual intercourse with her. The other two girls were in the bedroom and saw this. After getting through he gave Annie Purcell a penny and Hannah Kilday a 5-cent piece which he told her to change and give one cent more to Annie, 2 cents to Mary Ann Reilly and keep 2 cents for herself. They left shortly after (at about 6.20) and spent the six cents for cakes. Hannah Kilday at this time lived at 541 Washington St. They did not visit the doctor again until on the Monday following Hallow-Eve (Nov. 4) they think. On this day the same three girls met at about 12.30 noon, then took a walk seeing the sights at Washington Market. They went to Beach Street to play and at about 2.30 P.M. they opened the doctor's door and one of the girls asked the doctor for a penny. He told them to come in and then said "I will give you a penny if you give me a piece." The girls said "All right," and all three walked into the bedroom and the doctor came over, half closed the bedroom door, and then went back to the hall door and locked it. The girls saw this through the crack of the door left ajar. It should here be stated that the girls picked up the medical catalogues as before and looked them over, the doctor explaining the pictures to them. Then he came into the bedroom where the girls were carrying on and said to them "Dont make any noise. I let out that little room to an old man and he will hear

POOR QUALITY  
ORIGINAL

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4

you and look in through the window." (This window does however not lead into the bedroom, but into the kitchen or sitting room.) He then told Hannah to lie down on the bed and lifting up her dress he opened her drawers, tearing one of the button holes, and he then had sexual intercourse with her. He then had sexual intercourse with Annie Purcell, who wore no drawers, and then with Mary Ann Reilly, to whom he said "Come on now, hurry up. People will be here soon, and a woman got a baby last night, so I've got to make a call." The children were all in the bedroom together and each saw the other have sexual intercourse with the doctor. He on this occasion again gave Annie 1 cent and Hannah 5, to divide up equally between them. They remained there about a half hour in all. He also said to the children, "When you get to be 14 years or 16 years old, blood will come from your things, and then when you fuck around with the boys you will get babies. When you get to be 40 or 45 years old then the blood will stop coming and you won't get any more babies."

HANNAH KILDAY. - Resides at 68 Leroy Street and is 12 years of age. Remembers visiting Dr. Aldrich with Annie Purcell and will corroborate her story.

EDWARD BECKER. - Is an officer of The New York Society for the Prevention of Cruelty to Children. Will produce books and evidence which he found in 46 Beach Street lying on the table described by the witnesses. Seized these books under a search warrant.

MARY PURCELL. - Resides at 56 Varick Street and is the mother of Annie Purcell. Knows the age of the child.



POOR QUALITY  
ORIGINAL

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N.Y. GENERAL SESSIONS

THE PEOPLE AGAINST	RAPE	PENAL CODE, §
	Louis P. Aldrich	

BRIEF FOR THE PEOPLE.



POOR QUALITY  
ORIGINAL

0102

*The New York Society for the  
Prevention of Cruelty to Children*

100 EAST 23<sup>d</sup> ST. (COR. FOURTH AVE.)

New York, Dec. 4<sup>th</sup> 1890

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

*The People  
against  
Louis P. Aldrich*

*Notice of Prosecution.*

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

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

*I have the honor to remain, with great respect,*

*Elbridge T. Gerry,  
President, &c.*

POOR QUALITY  
ORIGINAL

0103

**N. Y. GENERAL SESSIONS**

THE PEOPLE



CRUELTY TO CHILDREN

**NOTICE OF PROSECUTION**

**BY THE SOCIETY.**

**ELBRIDGE T. GERRY,**

*President, &c.*

POOR QUALITY  
ORIGINAL

0104

New York Court of General Sessions.

----- x  
The People etc. :  
against :  
Lewis J. Aldrich. :  
----- x

P O I N T I.

The defendant is charged in the indictment herein with the crimes of abduction in the first count, and in the second count with the crime of rape; to this indictment the defendant has demurred on the ground that the two separate crimes cannot be charged in the same indictment.

Section 278 of the Code of Criminal Procedure provides as follows: "The indictment must charge but one crime and in one form; except as in the next section provided."

Section 279 provides; "the crime may be charged in the separate counts, to have been committed in a different manner, or by different means; and where the acts complained of may constitute different crimes, such crimes may be charged in separate counts."

These sections refer to the charging in the indictment of different crimes arising out of the same transaction; and if the Court can see that the crimes charged in the indictment could not have possibly arisen out of the same transaction, then the indictment is vicious.

P O I N T II.

The first count is drawn under section 282 of the Penal Code, which provides that one who "takes, receives, uses" etc.

POOR QUALITY  
ORIGINAL

0 105

any female etc., for the purpose of prostitution or sexual intercourse etc., is guilty.

This crime consists in the taking of the female for the prohibited purpose; it is not material whether the sexual act is accomplished; the mere taking is sufficient: this crime is in the nature of an attempt, as it were, and is so denounced.

But the crime of rape under section 278 of the Code as applies to this case, is the act of sexual intercourse with a female under the age of sixteen.

The punishments provided by the Statute for these two crimes are entirely different; the crime of abduction being punishable by, not to exceed five years in the State Prison; but the crime of rape is punishable for not less than ten years, in all the tests found in the authorities as to whether crimes were of such a character that they could not be joined in the same indictment. *the punishment is the test*

The punishment fixed by the Statute has been held to; where the punishment was the same, Then, it has been held that the same crimes could be joined in the indictment, but where they are widely different, as in this case, it is manifest that they cannot be so joined.

#### P O I N T    I I I .

But do the acts complained of constitute different crimes; and can they be joined under section 279? We think not. The act of taking a female under the age of sixteen, for the purpose of ~~sexual~~ intercourse, and the act of having ~~sexual~~ intercourse, are , necessarily, distinct. If it were not so the Legislature would not have classed them under entirely different sections.



POOR QUALITY  
ORIGINAL

0 106

The female may be taken, for instance, to a house of prostitution; the moment that she is taken there for that purpose, the offender is guilty; he may keep her there for days and weeks before he has sexual intercourse with her; the moment he does so, the lesser crime of abduction is merged in the greater crime of rape and they can by no possibility be said to constitute the same act or acts.

I will suppose a case-Supposing one takes a female under the prohibited age to a house of assignation for the purpose of sexual intercourse, but he does not accomplish his purpose. They leave the house of assignation and then at another and different place, at another and different time, he has sexual intercourse with the female; can it be claimed that the two crimes of abduction and rape, are accomplished by the same act or acts within the meaning of the Statutes?

Hence, we say, that is a physical impossibility for a man to be guilty of these two crimes by the same act or acts; the act or acts that constitute the crime of abduction, must be necessarily distinct from the crime of rape.

Certain crimes may constitute the same act or acts; like burglary and larceny, assaults and homicides in their various degrees, the greater includes the less; because the same act constitutes both; but the crime of abduction and rape are as distinct in their character as burglary and murder, and it certainly will not be claimed that burglary and murder can be joined in the one indictment.

The more Your Honor reflects on this subject, I think you will be satisfied that the indictment is double, and the demurrer must be sustained.

Respectfully  
A. H. Emery

POOR QUALITY  
ORIGINAL

0107

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

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

Sworn to before me this

day of

189 }  
\_\_\_\_\_

*U.S. Court of New York*

*The People vs.*

Plaintiff

against

*Louis P. Aldrich*

Defendant

*Brief on Demands*

PURDY & McLAUGHLIN,

Attorneys for

No. 280 BROADWAY, New York City

Due and timely service of cop of the  
within hereby admitted

this day of 18

Attorney.

To \_\_\_\_\_  
\_\_\_\_\_

POOR QUALITY  
ORIGINAL

0108

COURT OF GENERAL SESSIONS.

-----:  
The People :  
vs. :  
Louis P. Aldrich. :  
-----:

The defendant Louis P. Aldrich demurs to the indictment presented by the Grand Jury on the 2nd day of December 1890, charging him with the crimes of Abduction and Rape on the following grounds.

That more than one crime is charged in the indictment, within the meaning of sections 278 or 279 of the Code of Criminal Procedure to wit: the crimes of Rape and Abduction.

Yours Respectfully

Purdy & McLaughlin

Attorney's for Defendant,

280 B'way. N. Y. C.

0109

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

day of \_\_\_\_\_, 189

***Plaintiff***

*Isidoro*

Louis P. Auch

*Defendant*

Dennur

PURDY &amp; McLAUGHLIN,

Attorneys for Defendants

No. 280 BROADWAY, New York City

Due and timely service of copy of the  
within is hereby admitted  
this day of Dec 1899

*Attorney.*

To Alex Duff 90



POOR QUALITY  
ORIGINAL

0 1 10

New York Court of General Sessions.

- - - - - x  
: The People etc. :  
: against :  
: Louis P. Aldrich. :  
- - - - - x

Hon. Delancy Nicoll,

District Attorney.

Please to take notice, that on all the proceedings in the above entitled case, on all the trials and the evidence taken therein which will be submitted to the Court and all of which you have in your possession, I shall move the Court of General Sessions at Part Two for the discharge of the defendant or for such other and further relief as justice demands.

Yours very respectfully,

Ambrose H. Purdy.

Counsel for defendant,

280 Broadway,

New York.

To Hon. Delancy Nicoll,

District Attorney,

City and County of New York.

0111

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

Sworn to before me this  
day of 189

*Plaintiff*

*tsing*

Lewis. P. Aldrich

*Defendant*

Office of Mentors

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

Due and timely service of copy <sup>4</sup> of the  
within *is* hereby admitted  
this *17* day of *Jan* 1891

Attorney.

RECEIVED  
 JAN 20 1891  
 DISTRICT ATTORNEY'S  
 OFFICE  
 ST. LOUIS, MO.  
 To Dr. J. C. McCallister  
 Attorney.  
 Jan 20 1891 Mm

POOR QUALITY  
ORIGINAL

0112

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

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Louis P. Aldrich*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this  
indictment, accuse *Louis P. Aldrich* —  
of the CRIME OF RAPE, committed as follows:

The said *Louis P. Aldrich*, —  
late of the City of New York, in the County of New York aforesaid, on the  
*sixth* day of *October*, in the year of our Lord one thousand  
eight hundred and eighty-*nine*, at the City and County aforesaid, with  
force and arms, in and upon a certain female not his wife, to wit: one *Hannah*  
*Kilday* — then and there being, wilfully and,  
feloniously did make an assault, and her the said *Hannah Kilday* —,  
then and there, by force and with violence to her the said *Hannah*  
*Kilday* —, against her will and without her consent, did wilfully  
and feloniously ravish and carnally know, against the form of the Statute in such case  
made and provided, and against the peace of the People of the State of New York and  
their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Louis P. Aldrich* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *Louis P. Aldrich*, —  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Hannah Kilday*, then  
and there being, wilfully and feloniously did make another assault, with intent her the  
said *Hannah Kilday*, against her will and without her consent, by  
force and violence, to then and there wilfully and feloniously ravish and carnally know,  
against the form of the Statute in such case made and provided, and against the peace of  
the People of the State of New York and their dignity.

POOR QUALITY  
ORIGINAL

0113

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Louis P. Aldrich* —  
of the CRIME OF RAPE, committed as follows:

The said *Louis P. Aldrich*, —  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Hannah Kilday*, then  
and there being, wilfully and feloniously did make another assault, and an act of sexual  
intercourse with her the said *Hannah Kilday*, —  
then and there wilfully and feloniously did commit and perpetrate, against the will of the  
said *Hannah Kilday*, — and without her consent; against  
the form of the Statute in such case made and provided, and against the peace of the  
People of the State of New York and their dignity.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further  
accuse the said *Louis P. Aldrich* —  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, com-  
mitted as follows:

The said *Louis P. Aldrich*, —  
late of the City and County aforesaid, afterwards, to wit: On the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain  
female not his wife, to wit: her the said *Hannah Kilday*, —  
then and there being, wilfully and feloniously did make another assault, with intent, an  
act of sexual intercourse with her the said *Hannah Kilday*, —  
against her will and without her consent then and there wilfully and feloniously to commit  
and perpetrate, against the form of the Statute, in such case made and provided, and against  
the peace of the People of the State of New York and their dignity.

~~JOHN R. FELLOWS, District Attorney~~



POOR QUALITY  
ORIGINAL

0114

Fifth COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment, further

accuse the said Louis P. Aldrich —

of the CRIME OF RAPE, committed as follows:

The said Louis P. Aldrich, —

late of the City and County aforesaid, afterwards to wit: on the day and in the year

aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain

female not his wife, to wit: her, the said Hannah Kilday —,

then and there being, wilfully and feloniously did make another assault, she, the said

Hannah Kilday, being then and there a female under the  
age of sixteen years, to wit: of the age of twelve years; and the said

Louis P. Aldrich — then and there  
wilfully and feloniously did perpetrate an act of sexual intercourse with her, the said

Hannah Kilday —, 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.

JOHN R. FELLOWS, *District Attorney.*

0115

**BOX:**

379

**FOLDER:**

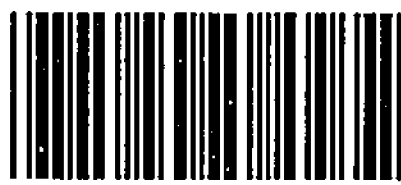
3539

**DESCRIPTION:**

Albro, George

**DATE:**

01/24/90



3539

0116

**BOX:**

379

**FOLDER:**

3539

**DESCRIPTION:**

Geraghty, Frank

**DATE:**

01/24/90



3539

POOR QUALITY  
ORIGINAL

0117

Witness:  
O. C. J. Johnson  
Officer Mullin  
4th Precinct

Counsel,  
Filed 24 day of Jan 1890  
Pleas, J. J. G. J.

THE PEOPLE  
vs. George Albro  
and Frank Seraghty  
Grand Larceny, 3rd Degree.  
(From the Person.)  
[Sections 528, 580 Penal Code].

JOHN R. FELLOWS,  
District Attorney.  
P. 2 Feb 10. 1890.  
No 1. tried & convicted  
92 day - words known to  
many  
A True Bill.

G. J. J. J.  
Aug 30/90 Foreman.

W. J. J. J.  
P. J. J. J.  
J. J. J. J.  
J. J. J. J.  
J. J. J. J.



POOR QUALITY  
ORIGINAL

0118

COURT OF GENERAL SESSIONS.

-----X	:
The People	:
v.	:
George Albro,	:
Indictment filed, Jan. 24/90;	: Tried Feb. 10/90, before
Indicted for grand larceny in	: Hon. James Fitzgerald, and
the first degree.	: a Jury.
-----X	:

Assistant District Attorney Jerome for the People.  
Messrs. Berlinger and Keane for the Defense.

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E G B E R T E. S T. J O H N testified that on the 16th of January, 1890, he had in his possession a gold watch. He missed the watch. It was attached to a button-hole of his vest by a chain, and was in his left vest pocket. He missed the watch about half past five in the afternoon. The watch was worth about a hundred dollars. When he missed the watch he was in South Street between Peck Slip and Dover Street. He was looking at some transparent cards. He stopped for a few moments to look at the cards. The defendant had

**POOR QUALITY  
ORIGINAL**

0119

2

the cards and was holding them up, and there was a crowd around ~~xxx~~ him. The defendant was holding the cards up to the light so that one could see through the cards. He, the complainant was standing about five or six feet from the defendant. After he had stood there for a few seconds he started to walk to the ferry and he looked down and saw his watch chain dangling, and realized that his watch was gone. He looked around and saw the defendant running up Dover Street. He, the complainant, ran after him and caught him and handed him over to a police officer. The defendant denied that he had stolen the watch, and said that he was a poor boy and that he was making an honest living, and wanted to know what his poor mother would say when she heard that he had been arrested. The police officer then took the defendant to the station house, and he was locked up. Three days later he, the complainant, saw his watch.

Under Cross Examination, the complainant testified that it was about half past five o'clock in the afternoon when he stopped to look at the pictures. When he overtook the defendant he asked him for his watch, and the defendant said he did not have the watch, and then he, the complainant, said, "I think you have played a

**POOR QUALITY  
ORIGINAL**

0 120

3

game on me, and I think I will take you in anyhow." Then the defendant commenced to cry and wanted to know what his poor mother would say. In the Police Court he spoke to the defendant and told him that he had got himself into a bad fix. Then the defendant said that if he got out of it he would go back to work again. He, the complainant, did not threaten to do the defendant some terrible harm if he did not recover his watch, but he did say to the defendant in the Tombs Police Court that he would either get the watch or find out the party that stole it.

O F F I C E R G R E N N A N testified that he arrested the defendant at the Roosevelt Street Ferry. The complainant had the defendant in custody at the time. The defendant was crying and said that his mother would be in a terrible state about his arrest. He, the officer, told the defendant what he was charged with in the station house. The complainant said that he had lost his watch and that the defendant had gathered a crowd on South Street by exhibiting transparent cards, and the defendant said that he did not steal the watch and knew nothing about it.



**POOR QUALITY  
ORIGINAL**

0121

4

O F F I C E R   Z A B R I S K I E   H.   M U L L E N testified that he had a conversation with the defendant after his arrest in the police station, he, the witness, being the ward detective attached to the Fourth Precinct. He asked the defendant if he had taken the watch and he said no, and that he did not know anything about the watch. Then the defendant said, "I will tell the truth about it. A boy by the name of Geraghty and Smith took the watch, and he, the witness, asked the defendant if he knew where the watch had been pawned, and the defendant said no. He, the witness, arrested Geraghty and Smith that night about eleven o'clock, and Geraghty told him, the witness, that the watch had been pawned in Division Street, and that he, Geraghty, chewed up the ticket and spat it out. He, the witness, found the watch where Geraghty said it was pawned, and the complainant identified it. The defendant said that Geraghty and Smith gave him ten cents to buy the cards and sell them.

Under Cross Examination the witness said that the defendant first denied that he knew anything whatever about the watch, and then he asked the defendant if he knew who the two young fellows that were with him were, and he said no. Then he, the witness, said, "Are you



**POOR QUALITY  
ORIGINAL**

0122

5

certain you don't, and he said, "No, I don't." Then the witness said "the best thing you can do is to tell the truth about it." Then the defendant considered a while and said it was a boy by the name of Geraghty and a boy by the name of Smith. Geraghty had pleaded guilty to stealing the watch and was in the Elmira Reformatory.

For the defense GEORGE ALBRO, the defendant testified that he was about sixteen years of age. He lived with his parents. He left school when he was about eleven years of age, and he went to work for Young & Company in Duane Street--frame makers. Then he was employed by Hanan & Son, shoe manufacturers, corner of Centre and White. He had been employed in several other places, including Max Stadler & Company, corner of Grand Street and Broadway. He made all these changes in order to get better wages. He left his last place about three months before his trial. He had been trying to find work since then but could not. The second of January he met Geraghty and Smith in Roosevelt Street when he was going to buy coffee for his mother in South Street between Dover and Roosevelt Streets. Early on the morning of the 16th of January he went out to look for work. He went through Massau Street and other

**POOR QUALITY  
ORIGINAL**

0 123

6

downtown streets and could not see any signs out of "boy wanted," and about half past four o'clock he met Geraghty and Smith in Front Street, near Dover, and one of them said, "I have ten cents I will lend you, and if you want to make a few cents you can have it." He took the ten cents and walked up William Street and got a package of cards and then went down to South Street and commenced to sell them. He left Geraghty and Smith at Front and Dover Street and was away about three quarters of an hour, and while he was selling the cards Geraghty and Smith came along and joined the crowd around him. There were fully thirty or forty people in the crowd. He was calling out that the cards were five cents a package, and the crowd began to disperse a little, and he heard some one call out that a man had lost his watch, and he was afraid of getting into trouble, and he ran up Dover Street and the complainant ran after him and caught him. He did not know that Geraghty or Smith had stolen the watch, and he had nothing whatever to do with the stealing.

Under Cross Examination he testified that he told Officer Mullen that he thought Smith or Geraghty had the watch, because he saw them in the crowd. He saw Ger-

**POOR QUALITY  
ORIGINAL**

0124

7

aghty run through Front Street at the time some one called out that a man had lost his watch. He, the defendant, had been arrested in Brooklyn, but he was discharged the following morning. He was passing through the street when somebody struck an Italian in the eye, and he, the defendant, was arrested. He had never been arrested upon any charge of theft.

A N T H O N Y E. C L I N E testified that he was a shipping clerk in the employ of Hanan & Son. He had known the defendant and the defendant had been in the employ of the firm in the department over which the witness had superintendence. As far as the witness knew the defendant's character was good.

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POOR QUALITY  
ORIGINAL

0125

Guo Albro  
- & Garnty

---

Garley  
67 Levee  
Gold  
Watch

Received by

John Murray  
Jan 17

#17622



POOR QUALITY  
ORIGINAL

0126

Police Court—<sup>1<sup>st</sup></sup> District.

Affidavit—Larceny.

City and County }  
of New York, } ss.

Egbert E. St. John  
of No. 96 Ross Street Brooklyn ED Street, aged 29 years,  
occupation Salesman being duly sworn

deposes and says, that on the 16 day of January 1890 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession

person of deponent, in the night time, the following property, viz:

One gold watch of the value of

One hundred dollars \$100.00

the property of Deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by George Albros and Frank

Guraghty (both now here) from the fact  
from the fact that deponent saw a crowd  
collected on South Street between Water  
& Park Slip when deponent had said  
watch in the left hand pocket of the  
coat then worn upon deponent's person.  
Deponent in said crowd saw said  
Albros exhibiting transparent cards (here shown)  
and said Albros placed one of said  
cards in front of deponent's face  
and at that time deponent was pushed  
that immediately thereafter deponent left  
said crowd and discovered that said  
watch was stolen. Deponent cannot

Sworn to before me, this 18 day

Police Justice.

POOR QUALITY  
ORIGINAL

0127

Caused the arrest of said defendant, who  
was running a ring. Defendant is informed  
by Gervase & Mullin of the 4th Precinct Police  
that said Albro informed him that said  
Gervase and one Smith gave him ten cents  
to buy said Cards and that he Exhibit them,  
and that Gervase had stolen said match.  
That said Gervase was subsequently  
arrested and he acknowledges and  
confesses in the presence of witnesses  
that he did steal said match.  
Defendant charges that said two  
defendants did act in concert,  
with each other in taking and stealing  
said property from defendant's person  
as aforesaid.

Sworn to before me this } E. E. E. John  
19 day of January 1890 }  
John J. Horner }  
Police Justice

POOR QUALITY  
ORIGINAL

0128

CITY AND COUNTY  
OF NEW YORK, } ss.

aged 54 years, occupation Police officer of No. the 4th Precinct Police Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Ephraim E. Johnson and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 19  
day of January 1890

Zabriske H. Mullin  
John H. [Signature]  
Police Justice.



POOR QUALITY  
ORIGINAL

0129

Sec. 198-200.

CITY AND COUNTY } ss.  
OF NEW YORK, }

District Police Court.

*George Albros* 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. *George Albros*

Question. How old are you?

Answer. *15 years*

Question. Where were you born?

Answer. *New York City*

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

Answer. *87 Division Street 6 months*

Question. What is your business or profession?

Answer. *Work in a shoe factory*

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

Answer. *I am not guilty*

*Geo. Albros*

Taken before me this

*19*

day of

*1900*

Police Justice.



POOR QUALITY  
ORIGINAL

0 130

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Frank Guaghty* 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.

*Frank Guaghty*

Question. How old are you?

Answer.

*16 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*80 James Street 1 year*

Question. What is your business or profession?

Answer.

*Reader*

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

Answer.

*I am guilty* *Frank Guaghty*

Taken before me this

*19*

day of

*1880*

Police Justice.

POOR QUALITY  
ORIGINAL

0131

BAILLED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court---

District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John E. H. H. H.  
96 Rado. St.

1. Mary H. H. H. H.  
Broadway

2. Mary H. H. H. H.  
Broadway

3. Mary H. H. H. H.  
Broadway

4. Mary H. H. H. H.  
Broadway

Offence

Dated

January 19

1890

Magistrate

John E. H. H. H.

Officer

John E. H. H. H.

Precinct

Witnesses

No. 1. John E. H. H. H.

Street

No. 2. John E. H. H. H.

Street

No. 3. John E. H. H. H.

Street

No. 4. John E. H. H. H.

Street

No. 5. John E. H. H. H.

Street

No. 6. John E. H. H. H.

Street

No. 7. John E. H. H. H.

Street

No. 8. John E. H. H. H.

Street

No. 9. John E. H. H. H.

Street

No. 10. John E. H. H. H.

Street

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendants

guilty thereof, I order that 1 he be held to answer the same and he be admitted to bail in the sum of 100 Hundred Dollars, Each and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated January 19 1890 John E. H. H. H. Police Justice.

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

Dated 18 John E. H. H. H. Police Justice.

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

Dated 18 John E. H. H. H. Police Justice.

POOR QUALITY  
ORIGINAL

0132

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*  
*George Albro and*  
*Frank Geraghty*

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

*George Albro and Frank Geraghty*  
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:

The said

*George Albro and Frank*  
*Geraghty, both*

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

*one watch of the*  
*value of one hundred dollars*

of the goods, chattels and personal property of one  
on the person of the said

then and there being found, from the person of the said

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.

*Egbert E. St. John*  
*Egbert E. St. John*  
*Egbert E. St. John*  
*John R. Fellows,*  
*District Attorney.*



0133

**BOX:**

379

**FOLDER:**

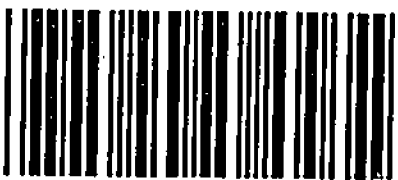
3539

**DESCRIPTION:**

Andrews, Joseph

**DATE:**

01/27/90



3539



POOR QUALITY  
ORIGINAL

0134

358

Counsel,  
Filed 27 day of Jan 1890  
Pleads,

THE PEOPLE  
vs.  
Joseph Andrews  
Grand Larceny, 5<sup>th</sup> Degree.  
[Sections 528, 531 — Penal Code].

JOHN R. FELLOWS,  
District Attorney.

A True Bill.

Jefferson Foreman  
Jan 27/90  
Pleads  
Pen. C. O. D. 1/90  
Jan 27/90

Witnesses:  
Orlen Ridley  
Agkand m  
i m m m m  
the m m m m  
officer 176

POOR QUALITY  
ORIGINAL

0135

Police Court—5 District.

Affidavit—Larceny.

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

of No. 28 West 30<sup>th</sup> Street, aged 34 years,  
occupation Seaman being duly sworn

deposes and says, that on the 19<sup>th</sup> day of January 1880 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 evening time, the following property, viz:

Gold and Lawfull money  
of the United States issue of the  
amount of Seventy six dollars  
\$26.00

the property of deponent.

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Joseph Andrews. (now here)

from the fact that said money  
was in deponent's dress pocket in  
a room in said premises and  
deponent missed said property and  
caused the arrest of said Andrews who  
was a servant in said premises and  
said Andrews upon being arrested  
admitted and confessed that he  
had taken stolen and carried  
away said property.

Ellen X Reilly  
her  
mark

Sworn to before me, this 20<sup>th</sup> day of January 1880  
of New York  
Police Justice.

POOR QUALITY  
ORIGINAL

0136

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK,

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

Question. What is your name?

Answer. Joseph Andrews

Question. How old are you?

Answer. 37 Years

Question. Where were you born?

Answer. W. S.

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

Answer. 28 West 20 Street

Question. What is your business or profession?

Answer. Servant

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

Answer. I am guilty  
James Andrew

Taken before me this  
day of July 1899

Police Justice.



POOR QUALITY ORIGINAL

0137

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

Police Court... 2 134  
District.

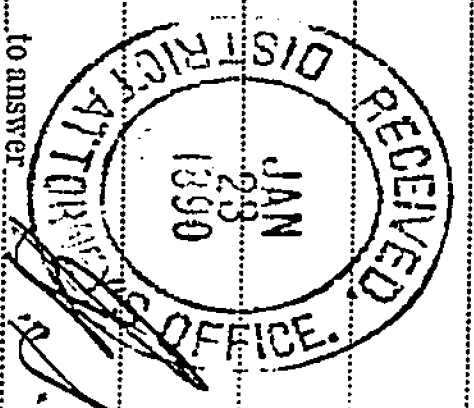
THE PEOPLE, &c.,  
ON THE COMPLAINT OF  
*John Kelly*  
*25 West 60th St*  
*Joseph Murphy*  
Offence *Larceny*

Dated *Jan 20* 1890

*Hogan* Magistrate.  
*McConnell* Officer.

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

No. \_\_\_\_\_  
Street \_\_\_\_\_  
No. \_\_\_\_\_  
Street \_\_\_\_\_  
No. \_\_\_\_\_  
Street \_\_\_\_\_  
\$ *500* to answer



*Don*  
*Chapman*

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *Defendant*

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

Dated *Jan 20* 1890 *Hogan* Police Justice.

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

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

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

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



POOR QUALITY  
ORIGINAL

0138

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 Andrews*

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by  
this indictment, accuse

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

The said

*Joseph Andrews*

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

*twenty - six*

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

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

*twenty - six*

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

*twenty - six*

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

*twenty - six dollars*

of the goods, chattels and personal property of one

*Ellen Reilly*  
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.

JOHN R. FELLOWS, *District Attorney.*

0139

**BOX:**

379

**FOLDER:**

3539

**DESCRIPTION:**

Arnold, Benjamin F.

**DATE:**

01/13/90



3539

0140

Substantive Foreman.  
July 21/90  
Penderguth  
June 1850, P.B.H.  
Paid

POOR QUALITY  
ORIGINAL

0141

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

of No 115 and 14<sup>th</sup> Street <sup>Matthew H. Mercer</sup> being duly sworn says that he is a citizen of the State of New York, and resides in the City of New York, that on the 7<sup>th</sup> day of December 1889 and at various times prior thereto especially between the 5<sup>th</sup> day of December 1889 and the first mentioned date at premises No 2 Counties Slip in the City of New York one Benjamin F. Arnold did unlawfully open and conduct a pharmacy or store for retailing, dispensing and compounding medicines or poisons in the City and County of New York not being a registered pharmacist in violation of the laws of the State of New York and especially of Chapter 817 of the laws of 1872, entitled, An Act to regulate the practice of pharmacy and the sale of poisons in the City and County of New York, passed May 22<sup>nd</sup>, 1872 and of Chapter 410 of the laws of 1882 known as the New York City Consolidation Act of 1882 passed July 1<sup>st</sup> 1882 and especially of sections 2015 and 2023 of said last mentioned Act and on the said seventh day of December 1889 the said Benjamin F. Arnold was not registered and did keep open shop for the retailing and dispensing of medicines and poisons at the place aforesaid in the said City of New York all of which was in violation of the laws aforesaid. Sworn to before me, this

10 day of December 1889 }

J. Henry Pratt

Police Justice.

M. H. Mercer



POOR QUALITY  
ORIGINAL

0142

Police Court 2 <sup>nd</sup> District.
The People vs on the complaint of Matthew H. Miller — against — Benjamin F. Arnold —
Apparatus Violation of Act to Regulate the practice of pharmacy
Magistrate Officer
Witnesses Edmund J. Keene No. 22 Broad Street
No.
\$ to answer

POOR QUALITY  
ORIGINAL

0143

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. *Benjamin F Arnold*

Question. How old are you?

Answer. *58 Years*

Question. Where were you born?

Answer. *Rhode Island*

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

Answer. *308 - 16<sup>th</sup> Street Brooklyn*

Question. What is your business or profession?

Answer. *Putting up Medicine*

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 and  
if held I demand a trial by  
Jury*

*B F Arnold*

Taken before me this *11*  
day of *December* 188*9*

Police Justice.

POOR QUALITY  
ORIGINAL

0144

Sec. 151.

Police Court 2<sup>nd</sup> District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Matthew H. Mercer of No. 115 East 14<sup>th</sup> Street, that on the 7<sup>th</sup> day of December 1889 at the City of New York, in the County of New York, and at various times prior thereto especially between the 5<sup>th</sup> day of December 1889 and the first mentioned date at the city of New York in the County of New York at premises No. 2 Coenties Slip in said city, one Benjamin F. Arnold did unlawfully open and conduct a pharmacy or store for retailing dispensing and compounding medicines or poisons in the City and County of New York, not being a registered Pharmacist.

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 2<sup>nd</sup> DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 10 day of December 1889

J. Henry Bond POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0145

1 45 PM 3-8. W. H. S. Drugs & 308. 16 St Brooklyn

The within named

having been brought before me under this Warrant, is committed for examination to the  
WARDEN and KEEPER of the City Prison of the City of New York.

Dated ..... 188

Police Justice.

2 copies 2/2/80

POLICE COURT 2<sup>nd</sup> DISTRICT.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Walter H. Hiller

vs.

Benjamin F. Arnold

Warrant-General

Dated December 10 1889

J. Henry Ford Magistrate.

Ornoch M. Campbell Officer.

The Defendant Benjamin F. Arnold  
taken, and brought before the Magistrate, to answer  
the within charge, pursuant to the command con-  
tained in this Warrant.

Ornoch M. Campbell Officer.

Dated December 11 1889

This Warrant may be executed on Sunday or at  
night.

Police Justice.



0146

Residence..... Street.....

The Wm. & T. Co. (previously  
in this case) will hear  
and determine the matter  
and by reason of my  
absence

Wm. & T. Co.  
New York

Defendants—

guilty thereof, I

to York, until he give such bail.

Defendant

Dated 14<sup>th</sup> Dec 18

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

POOR QUALITY  
ORIGINAL

0 147

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Benjamin F. Arnold

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

Indictment accuse Benjamin F. Arnold of a misdemeanor,

of the crime of

committed as follows:

The said Benjamin F. Arnold,

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

— seventh — day of December, in the year of our Lord one thousand  
eight hundred and eighty- — nine —, at the City and County aforesaid,

not being a registered pharmacist known as a graduate  
in pharmacy or as a licentiate in pharmacy within  
the meaning of Title Six of Chapter Twenty-five of  
the New York City Consolidation Act of 1882, did  
unlawfully open and conduct a certain pharmacy  
and store there, for retailing, dispensing and com-  
pounding medicines and poisons, he the said  
Benjamin F. Arnold not being then and there  
the widow or legal representative of any deceased  
person who was a registered pharmacist known  
as a graduate in pharmacy or as a licentiate in  
pharmacy within the meaning of the said Title,

POOR QUALITY  
ORIGINAL

0148

and not being then continuing the business of  
such deceased pharmacist; 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.

John R. Fellows,

District Attorney.

0149

**BOX:**

379

**FOLDER:**

3539

**DESCRIPTION:**

Astorino, Lorenzo

**DATE:**

01/14/90



3539



POOR QUALITY  
ORIGINAL

0150

Witnesses;

Francis Hanna  
Officer, Bowler's  
9th Precinct

Counsel,

Filed

14 day of Jan'y 1890

Pleads,

Chapman 16

THE PEOPLE

vs.

Lorenzo Astorino

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

JOHN R. FELLOWS,

14.2.23

District Attorney.

Jan'y 7. '90

A True Bill.

Gustaven

Foreman.

24 Feb'y 25. 1890.

Drick + Anriched Asaleby  
Ward Accon to Mary 287  
2400 88 999 800 874  
Keller 1891

POOR QUALITY  
ORIGINAL

0151

COURT OF GENERAL SESSIONS

-----X	
The People	:
vs	:
Lorenzo Astarino.	:
Indictment filed, Jan. 14/90;	:
Indicted for assault in the	:
first degree.	:
-----X	

Tried, Feb. 25/90 before  
Hon. James Fitzgerald and  
a Jury.

Assistant District Attorney Jerome for the People.  
Mr. Gallagher for the defense.

-----

F R A N C I S F A N N A N, the complainant, testified that he was a truck driver. At about 11.30, on the night of Jan. 1st. he was walking in Bleecker street, between Barrow and Grove streets. He, the complainant, had been out calling, with three friends, named Rogers, Speer and Mc Carthy. They were going to see Mc Carthy, who lived in Hudson street near Charles, home. He, the complainant, was walking about fifty feet ahead of his friend. The defendant and a woman were walking a few paces in front of him, the complainant. He, the complainant, had his ulster on his left arm, and, as he passed the defendant and the woman, he brushed

**POOR QUALITY  
ORIGINAL**

0 152

2

lightly against the woman. The defendant called him, the complainant, a " God damned son-of-a-bitch",. He, the complainant, asked the defendant what he had said. The defendant had his right hand in his ulster pocket. The defendant pulled his hand out of his pocket, and struck at him, the complainant. He, the complainant, thinking that the defendant, was striking at him with his fist, put up his hand to ward off the blow- his right hand, and was severely cut upon the right hand, with a razor, by the defendant. He, the complainant looked for an officer, to arrest the defendant, and Officer Burleigh came up, and arrested the defendant. He, the complainant, did not strike the defendant, nor did he have any weapon in his possession. After the defendant cut him, the complainant, the defendant and the woman walked right on , until they reached the corner of Bleecker and Grove streets, where Officer Burleigh arrested the defendant. He, the complainant, sprang out into the middle of the street, after he was cut, to avoid any further injury from the defendant. The defendant was searched, in the station-house, but the razor was not found upon him. The razor was afterwards found in the gutter, where the cutting was done, by Mr. Demarest, and delivered at the station-house. He, the complainant, had never seen the def-



**POOR QUALITY  
ORIGINAL**

0 153

3

endant before the cutting took place. He, the complainant, was perfectly sober.

Under Cross-examination, the complainant testified that he left his home, at No. 12 Barrow street, at five o'clock on the afternoon of Jan. 1st. He met his three friends at the corner of Bleecker and Cornelius streets, and they made a few calls together. He, the complainant, drank nothing stronger than sherry in the course of the calls. He drank probably four or five glasses of sherry in all, and was not affected by them. He, the complainant, did not push against the woman who was accompanying the defendant, roughly, and the defendant did not remonstrate with him, and he, the complainant, did not then say to the defendant, "God damn you, you Guinea, I will kill you". At the time that he was cut, he, the complainant, was not pointing a pistol at the head of the defendant, and threatening to kill him. He, the complainant, never carried a pistol in his life. He, the complainant, was a married man, and lived with his wife and children.

GEORGE ROGERS, truck driver, corroborated the complainant. The first that he saw of the cutting, the witness testified, was when the complainant jumped out into the middle of the street, and said that he was cut. The



**POOR QUALITY  
ORIGINAL**

0154

4

defendant appeared to be sober . The complainant was perfectly sober. He, the witness, did not see a pistol in the hands of, or in the possession of the complainant at any time that evening.

Under Cross-examination, the witness testified that he was a friend of the complainant, and accompanied him in making five or six calls that afternoon and evening. They drank nothing stronger than sherry. He, the witness, saw the blood upon the complainants hand.

G E O R G E M c C A R T H Y testified that he was a truck driver. He saw the complainant spring out into the middle of the street, after the cutting, saw blood on the complainants hand, and heard the complainant cry out, " Look out, George, I am cut. "

O R L A N D O D E M A R E S T testified that he was in his own house, on Bleecker street, when he heard some one crying out, " Stop thief- murder". He, the witness, went out upon the side-walk, and found the razor where the cutting was done. It was lying in some saw-dust in front of a butchers shop.

Under Cross-examination, the witness testified that he had known the complainant by sight all his, the witnesses, life, but never knew him by name before.

**POOR QUALITY  
ORIGINAL**

0155

5

O F F I C E R T H O M A S B U R L E I G H testified that, at about 11.30 on the night of Jan. 1st, he heard the complainant crying out, "Police, murder, watch," and he, the witness, ran to the complainant. He found the defendant surrounded by a crowd. The complainant said to him, the witness, "Arrest that man. He has cut me with something",. He, the witness, arrested the defendant. In reply to the complainant's charge, the defendant said that some drunken loafers had insulted him and his lady friend, as they were coming along Bleecker street. The complainant and his companions were sober.

For the defense, Lorenzo Astarino, the defendant, testified, through the official interpreter, that he was a barber and that he lived at No. 68 Carmine street. On the night of Jan. 1st, 1890, he went, with a lady friend, Kate Jubett, to call upon a sick friend, who lived at No. 73 Thompson street. He went there to shave his friend. He, the defendant, left the house of his friend, with Kate Jubett, at about 11.15. In Bleecker street, near Grove the complainant surrounded him, the defendant, and his lady friend. The complainant put his arm around the lady's waist, and pulled her to him three times. He, the defendant, struck two of the men, and then the complainant point-

**POOR QUALITY  
ORIGINAL**

0156

6

ed a pistol at him, the defendant, and said, " Shut up, you Guinea, or I will blow out your head." Then the complainant, still pointing the pistol, struck him several blows in the face, and two of the complainants companions, struck him, the defendant, from behind. Then he, the defendant, believing that his life was in danger used his razor. He, the defendant had been in the city of New York about four years and kept a barber shop. He had never before been arrested upon any charge.

Under Cross-examination the defendant testified that the complainant held the pistol in his right hand, when he, the defendant, cut the complainant upon the right hand. The woman who accompanied him, the defendant, did nothing but halloo. He, the defendant, did not intend to cut the complainant with the razor. He opened it and held it up in front of him , to frighten away the complainant. In striking at him, the defendant, the complainant cut his own hand upon the razor. After the complainant cut himself, the razor fell out of his, the defendants hand. The complainant did not have the pistol in his hand when the officer came up. In the police station, or to the officer, after his arrest, he said nothing about the complainant's threatening him with the pistol, or about his, the defendants



**POOR QUALITY  
ORIGINAL**

0157

7

being assaulted by the complainant and his friends.

K A T E J U B E T T testified, for the defense, that she lived at No. 250 West 10th street and that she was a cook. She met the defendant first , on Jan 1st, at about 4 o'clock in the afternoon, at her own door, and she went with the defendant to the house of a Mr. Burnett, in Thompson street near Spring. Mr. Burnett was sick , and the defendant went there to shave Mr. Burnett. They left Burnett's house at about 11 o'clock, she, the witness, intending to go home. As they were walking through Bleecker street near Grove, the complainant and his three friends, who appeared to be intoxicated came out of a doorway. The complainant gave her, the witness a push, and turned her around. He, the defendant, asked the complainant and his friends what they were about. Then the complainant pointed a pistol at the defendants head , and threatened to blow his brains out if he did not shut up, and the complainants friends assaulted the defendant from behind. The defendant tried to run away, but the complainant and his friends held the defendant, beating him with their fists. She , the witness did not see the defendant use the razor.

Under Cross-examination, the witness testified that the defendant finished shaving the sick man about half-past



**POOR QUALITY  
ORIGINAL**

0158

8

five. After that, the defendant and the witness sat and talked with Burnett and his family until about 11 o'clock. She, the witness, called herself Miss Jubett, although she was a married woman, because she did not live with her husband. She, the witness was employed as a cook in Seaman's restaurant, at No. 148 South Fifth avenue. She had known the defendant for about three years and a half. She, the witness, spoke a little Italian.

J O S E P H B E N N E T T I, testified that he was sick on Jan. 1st, and the defendant came on that afternoon, accompanied by Miss Jubett, to shave him, the witness. It was the defendant's habit to shave him, the witness, about three times a week.

Under cross-examination, the witness testified that he had known the defendant intimately for about four years.

In re-direct examination, the witness testified that the defendant bore a good reputation.

J A M E S A. A D A M S, builder, of No. 426 West 56 street, testified that he had known the defendant since birth, and his character was good.

J O H N E A G O N, saloon-keeper of No. 681/2 Car/mine street testified that the defendant's character was good.

**POOR QUALITY  
ORIGINAL**

0159

9

C A R L O D O N D E R O , grocer, and A N T O N I O  
M A R R I , shoe-maker, of No. 69 Carmine street also test-  
ified to the defendants good character.

In re-buttal, Officer Burleigh testified that neither  
the defendant nor Miss Jubett said anything to him or to  
the sergeant at the desk in the station-house about the  
complainants having a pistol, or about any assault having  
been made upon either of them by the complainant or his  
friends.

- - - - - 0 - - - - -

POOR QUALITY  
ORIGINAL

0 160

Sec. 192.

2 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK, }

An information having been laid before Edward Hogan a Police Justice  
of the City of New York, charging Lorena Astrens Defendant with  
the offence of felonious assault

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 hear-  
ing thereof having been adjourned,

We, Lorena Astrens Defendant of No. 65  
Carmine Street; by occupation a Barber  
and James A. Adams of No. 426 West 56 St  
Street, by occupation a Builder Surety, hereby jointly and severally undertake that  
the above named Lorena Astrens 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 the State of New York the sum of five  
Hundred Dollars,

Taken and acknowledged before me, this 2nd day of February 1889.

1889

POLICE JUSTICE.

POOR QUALITY  
ORIGINAL

0161

CITY AND COUNTY } ss.  
OF NEW YORK, }

Sworn to before me, this  
day of *February* 188*8*  
*John J. [Signature]*  
Police Justice

*James A. Adams*  
the within named Bail and Surety being duly sworn, says, that he is a resident and *free*  
holder within the said County and State, and is worth *over ten* Hundred 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 *Deposits, one third*  
*interest in the real estate No 426*  
*and 428 West 58th Street in*  
*the city of New York of the value*  
*of over seven thousand dollars.*

*James A. Adams*

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination

vs.

Taken the day of 188

Justice.



POOR QUALITY  
ORIGINAL

0162

Police Court—2 District.

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

Francis Fannan  
of No. 12 Barrow Street, aged 27 years,  
occupation Truck Driver being duly sworn

deposes and says, that on the 1 day of January 1890 at the City of New  
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Lorence Ostrens (Siciliano)  
who did wilfully and  
maliciously beat and stabbed  
deponent in the hand with  
a razor he then and there  
held in his hand.

Deponent says that  
said assault was committed

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

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

Sworn to before me, this 2 day  
of January 1890

Francis Fannan

A. J. Law  
Police Justice.

POOR QUALITY  
ORIGINAL

0 153

Sec. 193-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *Lorence Astrens*

Question. How old are you?

Answer. *28 Years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *68 Carmine St 3 years*

Question. What is your business or profession?

Answer. *Barber*

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

Answer.

*I am not guilty*  
*Lorence Astrens*

Taken before me this

2

day of January 1889

Police Justice.

POOR QUALITY  
ORIGINAL

0 164

James J. - 2<sup>nd</sup> Dist. Me.  
" 4<sup>th</sup> 10 St. N.  
\$500 bail

BAILED  
No. 1, by James J. Adams  
Residence 106 M St.  
Street  
No. 2, by  
Residence  
Street  
No. 3, by  
Residence  
Street  
No. 4, by  
Residence  
Street

Police Court--- 2<sup>nd</sup> District

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Francis (Stannan)  
12 Parsons St.  
Dorance Adams

2  
3  
4

Offence Assault  
felony

Dated January 2 1890  
Magistrate

James J. Adams  
Officer

Witnesses  
James J. Adams  
Precinct

No. 1-1  
Street

No. 12  
Street

No. 1234  
Street

James J. Adams  
Attorney  
James J. Adams  
Attorney

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant

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

Dated January 2 1890 Police Justice.

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

Dated Jan 2 1890 Police Justice.

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

Dated 18 Police Justice.



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Lorenzo Astorino*

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

The said *Lorenzo Astorino*  
late of the City of New York, in the County of New York aforesaid, on the  
*first* day of *January* in the year of our Lord  
one thousand eight hundred and *ninety*, with force and arms, at the City and  
County aforesaid, in and upon the body of one *Francis Fannan*  
in the Peace of the said People then and there being, feloniously did make an assault  
and *him* the said *Francis Fannan*  
with a certain *razor*

which the said *Lorenzo Astorino*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and  
wound,

with intent *him* the said *Francis Fannan*  
thereby then and there feloniously and wilfully to kill, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York  
and their dignity.

SECOND COUNT

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said  
*Lorenzo Astorino*  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Lorenzo Astorino*  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of  
the said *Francis Fannan* in the peace of  
the said People then and there being, feloniously did wilfully and wrongfully make  
another assault, and *him* the said  
with a certain *razor*

which the said *Lorenzo Astorino*  
in *his* right hand then and there had and held, the same being a weapon and  
an instrument likely to produce grievous bodily harm, then and there feloniously did  
wilfully and wrongfully strike, beat, cut, stab and wound, against the form of the statute in  
such case made and provided, and against the peace of the People of the State of New York,  
and their dignity.



POOR QUALITY  
ORIGINAL

0166

THIRD COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Lorenzo Astorino  
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Lorenzo Astorino  
late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, with force and arms, in and upon the said  
Francis Fannan in the peace of the said People then  
and there being, feloniously did wilfully and wrongfully make another assault, and  
him the said Francis Fannan  
with a certain razor

which

he the said Lorenzo Astorino  
in his right hand then and there had and held, in and upon the hand  
of him the said Francis Fannan  
then and there feloniously did wilfully and wrongfully strike, beat, stab, cut, bruise and  
wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrong-  
fully inflict grievous bodily harm upon the said Francis Fannan

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.

JOHN R. FELLOWS,

District Attorney.

0167

**BOX:**

379

**FOLDER:**

3539

**DESCRIPTION:**

Austin, George

**DATE:**

01/20/90



3539

POOR QUALITY  
ORIGINAL

0168

221 104  
221  
C.C.P. &

Counsel,  
Filed 20 day of May 1880  
Pleaded Not Guilty

THE PEOPLE

vs.  
George Thurston  
alias George Gamell  
alias "Sport"

JOHN R. FELLOWS,

1449 District Attorney.

Pleaded Not Guilty

A TRUE BILL.

S. L. Hays & Co.

W. H. Hays  
Foreman

Witnesses:

Julius C. Prior  
Off. O. C. Criminal Central

Grand Jurors and Foreman  
See 528, 531, 550 and 688

**POOR QUALITY  
ORIGINAL**

0 169

The People  
vs.  
George Austin.

Court of General Sessions, Part I.  
Before Judge Martine.

February 14, 1890.

Indictment for grand larceny in the second degree as  
a second offence.

Mr. Davis: It is admitted in this case that this defendant George Austin heretofore and prior to the commission of the offence charged in this indictment at the Court of General Sessions of the Peace in the City and County of New York, on the 29th of September, 1886 by the name and description of George Parnell was in due form of law convicted of a felony that is of grand larceny in the second degree upon the indictment then pending against him under the name of George Parnell in said Court and that upon that conviction he was sentenced to serve a term of imprisonment in the State Prison and that he did serve such term of imprisonment.

John Meyer sworn and examined.

I live at 40 Butler Street, Brooklyn, and am a store-keeper for the firm of Victor & Achelis, 416 to 424 Washington Street; they have a store also corner of Leonard and Church Street. I receive the goods which come into the store and examine every case, the numbers and marks and enter them in a book, I have the book with me, I have been store keeper a little over eight years, I have been employed in the firm twenty years. I deliver up goods upon orders from the store. I produce the book in which the cases are entered; I refer to an entry of the 7th of January 1890. in my handwriting, it is an entry of a case



**POOR QUALITY  
ORIGINAL**

0 170

of goods No. 1170, it was afterward entered in the stock book, the letters J.P.M. were on that case, they stand for Joseph P. Murphy the manufacturer at Philadelphia. I produce the stock book and on page 307 case 1170 is entered, I produce another book here in which the case is entered; I keep this book myself, I take it to the store corner of Leonard Street. I delivered the case 1170 to the car-man of our house, Mr. Acker, and got his receipt for it; previous to delivering it I received an order to deliver that case of goods, the order was in the handwriting of Mr. Clausen, I received it on the 7th of January and delivered the case on the 11th, I had nothing more to do with the case; I made an entry in my stock book to the effect that I had delivered the goods to the car-man.

Cross Examined. . The carman originally delivered this case with several others, I entered the number of the case in my book as soon as it came off the truck. There is a mark on the case Frederick B. Achelis, the name of the firm. I received cases like this from Murphy on the same day, I cannot tell you the number, I have seen the goods in some of those cases, I did not see the case 1170 opened in the warehouse; we receive cases every week, perhaps sometimes twenty cases each week, the cases are marked in a peculiar way in stencil mark, we never received any cases with that stencil mark on except from Murphy, I won't swear that case 1170 had that stencil mark on, the stencil mark is put on in Philadelphia, all goods of this character have a stencil mark like that upon them which come from Murphy, I have seen cases opened with that kind of stencil mark upon them and

**POOR QUALITY  
ORIGINAL**

0171

they contained shawls and dress goods. I have seen plenty of shawls like the one now shown me.

Wilhelmina Christianse sworn and examined through the Interpreter:

I live now in Port Jefferson, Long Island, but on the 13th of January last I lived at 130 Allen Street in this city; I have seen Raymond and George Wilson (the Defendant) there, I saw him sitting in a wagon, I saw Ellen Kain there, it was on a Monday a month ago, I lived two flights up, Marcus Raymond lived also two flights up on the same floor, Ellen Kain lived with him, I saw them in January near six o'clock, I was standing on the stoop at the door leading into 130 Allen Street, I saw they were carrying packages up from the wagon, the wagon was in front of the door, when I came down stairs the wagon was already there, the Defendant was sitting in the wagon holding the horse, Raymond carried most of the packages and the Defendant also brought packages up, he went up twice. When I went away the wagon was standing in front of the door yet, I could not say whether or not the Defendant went upstairs; the man with the gray hair Wilson, left and said good, night to the other one, I heard this when I opened my door. They were square packages of a dark color about a foot and a half big, I could not say that they looked like the shawl now shown me, it was dark, I could not see what it was. I saw Raymond put the packages in his own room, I did not see them any more after that, I did not see the Defendant in that house before that day. I had never seen George Wilson before that day, I saw the three men

**POOR QUALITY  
ORIGINAL**

0 172

after that day in the Court, I think about four weeks after, it was in February, I was asked to point out the men and I did so, I recognized the defendant but I did not point to him.

Cross Examined. I was afterwards taken to the Police Court by the officers, I think about five or six men stood in line, I immediately pointed out Raymond and Wilson; in reference to the Defendant I said I could not tell because he was sitting in a wagon how tall he was but he is the man; I did not say in the Police Court that I could not identify the Defendant. I said to the landlord Mr. Kiershall that I could not see the Defendant distinctly because he was sitting in a wagon, I was more positive of the other two men. I am a married woman and live with my husband at Port Jefferson; he is a baker.

Jacob D. Acker sworn and examined.

I live 416 West 17th Street and am a carman employed by Viotor & Achelis, I did carting for them last January, I took goods to their store in Leonard Street from the warehouse on Washington Street on the 11th of January, I got them from Mr. Meyer, the warehouse man and gave him a receipt, I gave him the receipt for eight cases which is now shown me, I am most certain that I received case No. 1170, I must have received it, I delivered those cases corner of Leonard and Church Streets, I saw the foreman on the wharf when I delivered those cases Mr. J.E. Davlin; I saw the porter there too, I got no receipt from him, the cases had the mark Frederick Viotor & Achelis on them, the letters form a circle.

**POOR QUALITY  
ORIGINAL**

0173

Cross Examined.

I am most certain

that I received the case 1170 because the porter spoke to me afterwards and said there was one of them gone, just as I was about to start for home, I received eight cases all of one size and they were put on the truck, the keeper of the warehouse did not call the numbers off to me, I brought him over the order to deliver me those cases and I gave him a receipt for them. There are other drivers beside me.

The numbers of the cases are put on the receipt and only the signature is in my handwriting. I should judge it was between two and three o'clock in the afternoon when I delivered those cases.

Henry E. Lerbs sworn and examined.

I live 56 Hudson Street, Hoboken and am a porter for Viotor & Achelis in Leonard Street between Church and Broadway, I was employed by them on the 13th of January, I know the last witness Acker, the carman; I cannot say that I saw him the day the goods were stolen; my duty is to take the numbers of the cases in a book and report them to the office, I have an entry in my book of the 11th of January of goods that were standing on the sidewalk, I took the numbers from the cases, the cases were about thirty feet from the corner in Leonard Street standing in front of our store, I find the number of one of the cases to be 1170 and it says 100 Franklin Longs; the number on the shawl now shown me shows that it was a long shawl; the number on the case means that it contains 100 Franklin Longs. It must have been about three o'clock when I made the entry but I am not certain about the time.



**POOR QUALITY  
ORIGINAL**

0174

Cross Examined. When I went into the office with my book I left the cases on the sidewalk, I returned to the sidewalk about a quarter of an hour after and I saw the cases there then, I had them put in the hall out of the way, the hall is part of the store, I mean in the hatchway off the street, I had them put in there because it looked like rain, I went upstairs again, I did not miss them that day, this was Saturday when they were put in the hatchway, they were there on Saturday night when I closed up and I saw them when I opened on Monday morning; they were tumbled out again on the sidewalk in the afternoon and it commenced to rain and I put them in the hatchway about three o'clock in the afternoon, I saw case 1170 at half past four in the hatchway, I went on the other side and came over again and saw the case then, I went upstairs and I had orders to close the hatch down at dark so I went down and the case was gone about a quarter to five. The entries in my book are copied into a little book for Mr. Clausen, that shows him that the case is in the store. I find the entry of the case 1170 in this little book.

Cross Examined. There are two cases numbered 1170 entered on my book under the date of the 11th received on the same day from the same person, that happens sometimes; only one of the cases was missing, both cases contained Franklin Longs.

Hans Clason sworn and examined.

I live in State Street, Brooklyn and employed by the firm of Vietor & Achelis in Leonard Street, I am an entry

**POOR QUALITY  
ORIGINAL**

0175

clerk and was so during the month of January last. The book now shown me, Peoples' Exhibit 8, I recognize and the date of January 11 the entry of 1170 Franklin Longs is in my handwriting, I made that entry from my order which I sent to the warehouse, the order that I refer to is Peoples Exhibit 5 and is in my handwriting; I get the information which enables me to make out that order from the stock book, I have not that stock book here but I have got the invoice here, those numbers I took from the stock book, I make the entries in the stock book from the invoice we received from the manufacturer, I have got it here; the initials J.P.M. in this order refer to Joe P. Murphy of Philadelphia, the manufacturer. No. 1170 is the case number which we receive, No. 100 is the amount of shawls in this case and the quality is Franklin Longs -- long shawls that are to be all gray, the shawl now shown me is one of them such as is described in that invoice. The invoice reads: "Philadelphia, December 31, 1889; Consigned to Messrs. Viotor & Achelis by Joseph Murphy, manufacturer of cotton, woolen and worsted goods. Mills, Fourth and Cumberland Streets." In this book which I hold in my hand I keep the numbers of all invoices I receive to find out if all cases come in or not. The 150 in the invoice refers to the price of the shawl, \$1.50.

Cross Examined.

This bill was written in Philadelphia, was it not? Yes sir. By the person from whom you buy these goods? Yes sir, we do not buy them, they are consigned to us. Consigned to you for sale? Yes sir. You are a commission house? Yes sir.

**POOR QUALITY  
ORIGINAL**

0176

Andrew W. Smith sworn and examined.

I live 2183 Seventh Avenue and am a salesman for Vietor & Achelis and was so in January last, I have been in their employ five years, I have seen shawls like the one now shown me in their store; this is a Franklin Long gray shawl, valued at \$1.50.

Cross Examined. I am a salesman, I can only guess at the number of shawls sold within the last year, I go down South traveling and they don't use such a heavy shawl as that, it is not a thing for my trade; perhaps the firm sells twenty thousand dollars worth of those shawls; the Longs come one hundred in a package and the Squares two hundred.

Marcus Raymond sworn and examined.

I am at present in the Tombs, I pleaded guilty to the charge of receiving stolen goods, the property of Vietor & Achelis consisting of a hundred shawls like the one now shown me. I have been convicted of crime several times and have served the sentence, I have been in Sing Sing Prison. I know the defendant Austin and also George Wilson known as Jack Shepherd, I have known him about twenty-eight years and I know Austin about twenty years.

I saw the defendant Austin on the 13th of January, 1890, the day I saw him I lived at 130 Allen Street, I had lived there about eight weeks as near as I can get at it. I saw the woman Christianse who was on the stand, I saw her standing at the door that evening. The first time I met the Defendant on that day was about twelve or one o'clock,

**POOR QUALITY  
ORIGINAL**

0177

I saw him uptown but I do not remember the name of the street, Wilson was with me, I was standing on the corner; we went in and had a drink in a saloon on the corner, I shook hands with him because I had not seen him for a number of years, I asked him how he was getting along and one thing or another like that and he told me that he was working for a man that kept a saloon, he was sweeping out, etc.

Jack says to me (Wilson), he would be a good fellow to drive the wagon." I says, "yes, I guess he would be first rate, we will take him with us." So we started to go down to Allen Street and going across on the Bowery I left both of them, we rode in the cars. I said to them, "go to 96 Allen Street and I will meet you over there -- that is a lager beer saloon. In the meantime I went to a pawn shop to get a coat out that I had in and afterwards I went to 96 Allen Street. I met them there and we had a few drinks; he wanted to go around and get the wagon, I said it was too early to get it that day, we had better wait until it gets a little later; the Defendant had a jumper on, he took off his coat and handed it to the bar-keeper to keep while he went out in the jumper. I then said, "you had better go around and get the wagon now, it will be about time"; then we went up the street the other side of Allen on the east side, there is a livery stable there between Grand and the other corner, they went in but I did not, I waited about three or four houses away down the street, I waited about fifteen or twenty minutes, the wagon was hitched up, I saw them going out on the wagon, the defendant was driving it, they started to go down towards Grand Street into Allen, they were going back to the saloon where he had left his coat, I told him to turn around



**POOR QUALITY  
ORIGINAL**

0178

and he went into Broome Street; they went down Broome St. away over on the other side of the Bowery, I told them to stop and we would have a drink. I said, "it is a little early yet," and we got driving around with the wagon; we went down through different streets and we went into another saloon down town and had another drink; we told him to drive the wagon on West Broadway near Claflin's store, we told him to wait there, we walked through different streets and we saw two cases standing in the hallway at Franklin and Leonard Street between Broadway and Church St.

I says to Jack, "there is two cases and I think we can lift one of them, we will go in and try them"; the defendant was not there, he was sitting in the wagon on West Broadway where we left him, Jack went away to get the man with the wagon and he and "Sport" came back in the wagon, I told them to go close up to the gutter and me and Jack got hold of one end of the case and "Sport" got hold of the other end and we chucked it into the wagon and he drove up towards Broadway. I did not look for the marks on the case, it was a long narrow case, I should judge about four feet long and about one and a half wide. We went up Leonard Street, Sport got in the wagon and drove it and me and Jack walked till we got to Canal and Center Streets.

There is a cigar store there and we stopped. Jack says, "I will go in and get something so I can burst this box open"; he went away and Sport stayed in the wagon, I watched on the corner until he came back, the Defendant was sitting in the wagon, Jack went away and came back in about fifteen minutes, he had a small iron that he bought, I jumped in the wagon, he sat in the back and we drove down

**POOR QUALITY  
ORIGINAL**

0179

Canal to Allen Street where I live. While we were riding in the wagon Jack burst the cover off the case and he handed me the goods out of the case in front of the house; they were shawls like the one now shown me, I chucked them behind the bed and left them there, they were of a kind of darkish color. I went up and down three or four times with the shawls, the woman who was a witness here was standing there and I told her to leave the door open. After the goods were all carried upstairs Jack took the wagon away. There was a hundred of the shawls. When Jack came back he wrapped up one of the shawls in a sheet of paper and left right away. Afterwards we were arrested by Officer Connors on the corner of Delancy and Allen Street. I know that there was a lot of burglars tools found in the place by the officer.

Cross Examined. I am forty-five years old, I was very young when I was first arrested charged with a criminal offence. I was first convicted in 1865 of grand larceny for going into a house in the day time and getting some jewelry, I was sent to Sing Sing for three years. I might have been out five or six months before I was convicted the second time, I plead guilty in 1868, I was discharged from prison in 1871 and between the years 1871 and 1890 I was convicted about six times. I have served about twenty years in prison all for larceny.

John Kisher sworn and examined.

I own the premises 130 Allen Street, Raymond the last witness on the stand was a tenant of mine in January and

**POOR QUALITY  
ORIGINAL**

0180

so was the woman witness, I have seen the Defendant on the premises on the 13th of January, I was going out of the house and I met him and Jack Shephard on the stoop coming in, this was about ten minutes to six, I had no talk with him at that time, at least not with the Defendant, I was talking with Jack Shephard and then he went out again.

Jack had a little parcel wrapped u p in brown paper.

Edgar S. Slauson sworn and examined.

I am a detective sergeant connected with Inspector Byrnes's staff, I arrested the Defendant on the evening of the 13th of January between half past nine and ten o'clock near 130 Allen Street; my associate arrested another one of the prisoners just below Delancy Street. I said to the Defendant, "you are in bad company", I took him to Police Headquarters and left him there. I subsequently went to the house 130 Allen Street between ten and eleven o'clock the same evening with Mr. O'Connor; Mr. Kisher took us upstairs to the room where Marcus Raymond lived; we went in the room and there found Ellen Cain and a lot of shawls piled u p on the floor between the head of the bed and the window; there was ninety-nine and they were similar to the one now shown me. We took them to Police Headquarters and subsequently they were delivered to the firm to whom they belonged. We were watching this house before we arrested the prisoners.

A juror was withdrawn and the Defendant pleaded guilty to receiving stolen goods.

Austin was sentenced to the State Prison for four years and six months.

POOR QUALITY  
ORIGINAL

0181

Testimony in the  
case of  
George Austin

filed

Jan 1890.

Held to  
Louis P. Aldrich



POOR QUALITY  
ORIGINAL

0182

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
against

George Austin

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

of the crime of Grand Larceny in the second degree,  
as a SECOND OFFENSE, committed as follows:

Heretofore, to wit: at a court of General Sessions of the Peace, holden in and  
for the City and County of New York, at the City Hall, in the said City of New York.

on the twenty ninth day of September, in  
the year of our Lord, one thousand eight hundred and eighty six,

before the Honorable Henry A. Gildersleeve, Judge of the  
said Court of General Sessions of the Peace, —  
and Justice of the said Court, the said George Austin

by the name and description of George Parnell, —  
was in due form of law convicted of a felony, —

to wit: grand larceny in the second degree, —  
upon a certain indictment then and there in the said Court depending against him

the said George Austin — by the  
name and description of George Parnell, —

as aforesaid,

and one William Howard, —

for that he the said George Austin in said indictment named  
and described as George Parnell and the said William Howard,  
then both late of the First Ward of the

POOR QUALITY  
ORIGINAL

0 183

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

twenty fifth day of September, in the  
year aforesaid, ~~at the~~ in the day time of the said day, at the Ward, City and

County aforesaid, with force and arms, one watch of the value of  
forty five dollars, and one chain of the value of  
five dollars, of the goods, chattels and personal  
property of one Thomas N. Burnell, on the person  
of the said Thomas N. Burnell, then and there  
being found, from the person of the said  
Thomas N. Burnell, then and there feloniously  
did steal, take and carry away.

POOR QUALITY  
ORIGINAL

0 184

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

And the said *George Austin*  
late of the  
City of New York, in the  
County of New York aforesaid, having been so as aforesaid convicted of the  
*said felony and grand larceny* in  
manner aforesaid, afterwards, to wit: on the *thirteenth* day of  
*January*, in the year of our Lord one thousand eight hundred  
and *ninety*, at the City and County aforesaid, with force  
and arms, *one hundred shawls of the value of*  
*one dollar and fifty cents each, and one wooden*  
*case of the value of five dollars, of the goods,*  
*chattels and personal property of one George F.*  
*Victor, 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.*

POOR QUALITY  
ORIGINAL

0 185

Second COUNT:—

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

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROP-  
ERTY <sup>as a second offense,</sup> committed as follows:

The said George Austin,

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

<sup>having been</sup>  
so convicted of the said felony and grand  
larceny as alleged in the first count of  
this indictment, <sup>one</sup> hundred shawls of  
the value of one dollar and fifty cents  
each, and one wooden case of the value of  
five dollars,

of the goods, chattels and personal property of one George F. Victor, by  
George Wilson, Marcus Raymond, Ellen Kain, and  
by ~~a certain person or~~ <sup>other</sup> persons to the Grand Jury aforesaid unknown, then lately before  
feloniously stolen, taken and carried away from the said George F. Victor,

unlawfully and unjustly, did feloniously receive and have; he the said

George Austin

then and there well knowing the said goods, chattels and personal property to have been  
feloniously stolen, taken and carried 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.

JOHN R. FELLOWS, District Attorney.