

0243

BOX:

411

FOLDER:

3804

DESCRIPTION:

Vedder, Albert

DATE:

09/03/90



3804

0244

POOR QUALITY ORIGINAL

Witnesses:

W. R. King

~~W. R. King~~
J. M. Kane

Sept has seen
Crew for abortion
37th St. #5

22 *Prud'homme*

Counsel,
Filed *3* day of *Sept* 18*90*
Pleads, *Guilty*

THE PEOPLE

35
Sentinel *has* vs.
7456

Albert F. Vedder

ABDUCTION.
[Section 82, Sub. 1, Penal Code.]

JOHN R. FELLOWS,
District Attorney.

Part 2 Oct 10
A True Bill. *WJG*

Wm. S. Kaynes.
Part 2 - Oct. 10. 1890 *Fleming.*
Judge and Council
54th St.
Oct. 17

Police Court, Fourth District.

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

of No. 100 East 23^d Street, in said City, being duly sworn,
deposes and says, that a certain female male child called Mary McKane
[now present], under the age of sixteen years, to wit, of the age of fourteen years, is a
necessary and material witness on behalf of the People of the State of New York in a certain
criminal case now pending in the Court of General Sessions of, in and for the City and
County of New York, entitled, The People against Albert F. Vedder
Albert F., wherein the said Vedder
Vedder is charged with the crime of Abduction, under
Section 282 of the Penal Code of said State, in that he, the said Vedder

did unlawfully and wilfully
take, receive, harbor and use a
certain female, to wit the said Mary
McKane for the purpose of sexual
intercourse, not being the husband
of the said female

and that the said Mary McKane
will, as deponent verily believes, unless duly held to appear on trial thereof, avoid giving his
testimony at the instance of the people.

Wherefore, deponent prays that the said child Mary McKane
may be held as a witness to appear on the trial of the aforesaid criminal case, and be committed
temporarily to an institution authorized by law to receive children on final commitment, and to
have compensation therefor from the City or County authorities, as a witness, to appear on the
trial of the aforesaid criminal case, in pursuance of the statutes in such case made and provided,
and especially of Section 291 of the Penal Code of the State of New York.

Sworn to before me, this 21st
day of August 1890

William H. King
Charles J. Jantor
Police Justice.

0246

POLICE COURT 11th DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. King

Albert S. Becker



AFFIDAVIT.

WITNESS.

Abduction.

258-7th Ave N. Y. C.

Dated *August 21st* 1890.

Palmer Magistrate.

King Officer.

*Disposition committed to the
New York Society for the
Prevention of Cruelty to Children.*

0247

14th District Police Court.

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

William H. King

of Number 100 East 23rd Street being duly sworn,
that he has been informed, does believe and has just cause to believe
deposes and says, that on the 28th day of August 1890, at the
City of New York, in the County of New York, at No. 745-6th Avenue

in said city of New York one Albert S. Vedder
(now present) did unlawfully take, receive, employ
and harbor a certain female (now present) called
Mary M^c Kane said female then and there
being under the age of sixteen years, to wit of the
age of fifteen years for the purpose of sexual
intercourse, not being her husband, in violation
of the statute in such case made and provided
and especially in Section 282 of the Penal
Code of the State of New York

Wherefore the complainant prays that the said

Albert S. Vedder

may be apprehended, arrested and dealt with according to law.

Sworn to before me, this 18th
day of August 1890

William H. King

Charles W. Linton

Police Justice.

0248

POLICE COURT 4th DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William H. King

vs
Albert L. Vedder



CRUELTY TO CHILDREN.

Abduction.

DATED..... 18

..... Magistrate.

..... Clerk.

..... Officer.

Witnesses:

E. Fellows Jenkins, Supt.,
100 East 23d Street.

Disposition,

0249

Sec. 193-200.

17th District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Albert F. Vedder

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.

Albert F. Vedder

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

Schenectady N.Y.

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

Answer.

745-6th ave

Question. What is your business or profession?

Answer.

Dentist

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 have nothing to say at present.

Albert F. Vedder

Taken before me this

18th

day of August 1890.

Charles W. Stankiewicz

Police Justice.

0251

H DISTRICT POLICE COURT.

THE PEOPLE
ON COMPLAINT OF

Wm. H. King
agst.
Albert F. Hedder

Examination had August 21st 1890
Before Charles N. Tainter Police Justice.

I, George Zieger Stenographer of the H District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of W. H. King & Mary McLann as taken by me on the above examination before said Justice.

Dated Aug. 26th 1890.

George Zieger
Stenographer.

Police Justice.

FOURTH DISTRICT
POLICE COURT.

-----X
WILLIAM H. KING
 against
ALBERT F. VEDDER
-----X

: Before
: Hon. Charles N. Taintor
: Justice.

New York, August 21st., 1890.

APPEARANCES

William H. King, Esq., for the Society
for the Prevention of Cruelty to Children.

Marcus Otterbourg, Esq., for defendant.

WILLIAM H. KING, being duly sworn,
testified as follows:-

By the Court.

Q. Where do you reside, Mr. King ?

A. Officially 100 E. 23rd., Street.

Q. You are an Officer of the Society for the Prevention of
Cruelty to Children ?

A. Yes, sir.

Q. You caused the arrest of this defendant ?

A. Her mother caused the arrest and I made the complaint of
abduction against him.

Q. Why ?

A. Because I was informed by this girl (Mary Mc. Cann) on or
about the 28th, day of July she had sexual intercourse

with the defendant Mr. Vedder.

Q. Did she tell you how old she was ?

A. Yes, sir.

Q. Under the age of sixteen ?

A. Yes, sir.

Q. Did she say whether this man was her husband or not ?

A. She said he was not ; she was working for him.

Q. Is that all you know about the case ?

A. Yes, that is all.

Q. Did you take her before a physician for examination ?

A. She was sent to a physician for you.

C R O S S E X A M I N A T I O N .

By Mr. Otterbourg:

Q. Mr. King all you know about this matter you say is what you were told by this girl ?

A. I was informed by this girl that she had sexual intercourse with him, the defendant.

Q. Where did she inform you ?

A. Here in Court.

Q. Where did you arrest her, if you did?

A. I didn't arrest her; she was brought here by an Officer of the 22nd Precinct.

Q. Is that Officer here ?

A. No, sir.

Q. All you know, as you have just stated, is from the statement this girl made to you ?

A. That is all.

Q. You dont know anything of the arrest - - you dont know anything of the circumstance, when and where the arrest was made, of your own knowledge ,

A. I know where the arrest was made from information.

M A R Y M C. C A N N, being duly sworn, testified
as follows :-

By the Court:

Q. Where do you live ?

A. 258 - 7th, Avenue.

Q. How old are you ?

A. Fifteen.

Q. Are you married ?

A. No, sir.

Q. Have you ever been married ?

A. No, sir.

Q. Do you know this defendant ?

A. Yes, sir.

Q. How long have you known him ?

A. Since the 20th, of last January.

Q. Have you ever had sexual intercourse with him ?

A. Yes, sir.

Q. When ?

- A. About three and a half weeks ago.
- Q. Where ?
- A. At his office .
- Q. Where was his office ?
- A. 735 - 6th, Avenue.
- Q. New York ?
- A. Yes, sir.
- Q. Under what circumstances ? tell me just what occurred ?
- A. I went in his room in the morning; he was lying down; he said he didn't feel well; then some body came in and I went in and told him and he said he didn't think he would work that day; I laid down beside him; he took hold of me and said something; then I didn't answer; he said he didn't mean to; I told him he could if he wanted to; he said he didn't want to and I said he could.
- Q. Did you go in bed with him ?
- A. I didn't take off my clothes.
- Q. Were you on the bed with him ?
- A. Yes, sir.
- Q. And did he have sexual intercourse with you then ?
- A. Yes, sir.
- Q. What time was that since you can recollect, what day was it ?
- A. I think it was on Tuesday or Wednesday.
- Q. About three weeks ago ?
- A. Yes, sir, three and a half weeks ago.

- Q. Can you tell exactly what day it was ?
- A. No, sir.
- Q. Have you ever had intercourse with any other man ?
- A. About three months ago I was assaulted in Washington Park by a man.
- Q. Have you ever had connection with this man before ?
- A. No, sir.
- Q. Since ?
- A. No, sir.
- Q. Is the only time you had sexual intercourse with him ?
- A. Yes, sir.
- Q. What did he say to you at the time ?
- A. I dont remember the words he said to me.
- Q. Cant you recall what he said?
- A. No, sir.
- Q. Cant you tell anything about what he said ?
- A. No, sir, I dont remember what he said.
- Q. What were you doing at his office ?
- A. I worked there as an office girl.
- Q. What is his business ?
- A. Dentist.
- Q. Any other girls in his office ?
- A. No, sir.
- Q. You were the only one ?
- A. Yes, sir.
- Q. How long have you worked for him ?

- A. Since last January.
- Q. Did he ever before this make any indecent proposals to you ?
- A. No, sir.
- Q. You said you went into his bedroom, is that back of his office ?
- A. First there is the operating room and there is a bed back of it.
- Q. Tell me just when you went in what you did and what he said.
- A. He was lying on the bed; he was dressed and I told him there was somebody out in the room; he said he didn't think he would do any work that day; I laid down beside him and said I was sorry he was sick; he said something
- Q. What did he say ?
- A. I dont recollect; I dont know what he said.
- Q. What was the purport as near as you can recollect ? Did he ask you to lie down beside him ?
- A. I laid down myself.
- Q. Did he ask you ?
- A. No, sir.
- Q. You laid down yourself ?
- A. Yes, sir.
- Q. What did he say to you when you laid down ?
- A. He told me to get up he had a headache.
- Q. And what else ?
- A. And I didn't do it.

Q. Then what did he do ?

A. Then he said something; I dont know what it was and I didn't answer him; then he said 'No, I didn't mean it'; then I said 'Yes, you can if you want to ' and he said 'No, ' ; then I said 'You can'.

Q. Then did you go back to bed with him ?

A. Yes, sir:

By Mr. King:

Q. Didn't he ask you to take off your drawers ?

A. No, I took them off; he didn't ask me to.

By the Court:

Q. You say he did have sexual intercourse with you ?

A. Yes, sir.

Q. How many times ?

A. Once.

Q. Did you tell your Mother of it ?

A. No, sir.

Q. What did you do after you had connection with him ?

A. I got up and I went out to my work that day.

Q. Did he say anything to you about why he didn't wish to have connection with you ?

A. No, sir; I told him about what happened in the park, and I told him my mother would put me out if I told her and asked

him if he would take care of me; he said he wouldnt unless I told my mother and if I needed any help he would help me.

Q. Help for what ?

A. I expected that I would be in the family way.

Q. and he told you if you needed any help that he would help you ?

A. yes, sir.

Q. what else did you say to him ?

A. I said my mother would put me out; he said he wouldnt help me unless I told my mother, and if she wouldnt take care of me, he would take care of me.

Q. Did he promise to marry you ?

A. No, sir.

Q. Did he tell you he was married ?

A. Yes, sir, he told me long before this happened.

Q. Did you ever see his wife ?

A. No, sir.

Q. You knew ~~that~~ ^{he} then was a married man ?

A. Yes, sir.

Q. What else did he say to you at that time ?

A. Nothing else.

By Mr. King:

Q. When he got through didnt he tell you to use a syringe ?

A. Yes, sir.

Q. What did he want you to use the syringe for ?

A. To wash myself.

By the Court:

Q. Did he state any reason for using a syringe ?

A. No, sir.

By Mr King:

Q. Did'nt he say it would not be good to allow that stuff to remain in there ?

A. No, sir.

Court:

Q. Did you tell your mother about this ?

A. No, sir.

Q. What reason did your mother give for wanting to come to Court?

A. I dont know; she put me out Saturday night and took my hat and cloak and my \$3. and threw it in the hall ; she took me by the arm and pushed me down the two first flights; she said if I ever came into the house again she would kill me.

Q. Why did she say she wanted you to go out - - did'nt she say something to you before this?

A. Saturday night there was a patient in the chair; he didnt like to be alone when he was giving gas and I did'nt get home till half past seven. My Mother wanted to know what kept me. She said "Take your three dollars and get out."

Q. Is that all she said to you ?

A. Yes, sir.

Q. Are you positive she did'nt say more ?

A. Yes, sir.

Q. Did she ever tell you why she wanted you to come to Court?

A. She came to his office that night and knocked on the door and said he was in there.

Q. Who was in there ?

A. This man.

Q. What man ?

The Doctor.

Q. Doctor Vetter ?

A. Yes, sir; he was in the bed room and my Mother knocked on the door and he didn't know who it was. We had not been in five minutes; my Mother went round to the other door and said why didn't he open the door. She said "I know you are in" he opened the door and went out into the hall way and asked who it was and my Mother told him. He said I would like to know who is at my office this time at night and then he asked her and she told him and he asked her to go out and she talked loud, and then she said if he didn't make it right the next day at noon that she would have us arrested; then he told her he was a married man. He told her to sit down in the room. My mother said he had ruined me; he said he had not.

Q. And that is what your mother referred to when she said he must make it right,

A. For him to marry me.

Q. What did he say ?

A. He told her he was a married man.

CROSS - EXAMINATION.

By Mr. Otterbourg:

Q. Can you explain what sexual intercourse means? What do you understand by sexual intercourse?

A. He was the one that was ruining me.

Q. Do you want the Judge to understand that the man had his member in your body?

A. Yes, sir.

Q. And that is what you understand sexual intercourse means?

A. Yes, sir.

Q. Do you want the Judge to understand that this man ever had his member in your body?

A. Yes, sir, once.

Q. And that was on that day when you said you wanted it?

A. Yes, sir.

Q. Your mother came there on what night?

A. Sunday night.

Q. On the night before you were brought to this Court here?

A. Yes, sir.

Q. And on that day she went to the Doctor and you heard a conversation that he should make it right with you?

A. Yes, sir, that he should marry me.

Q. Had you ever had any conversation with your Mother about this before?

A. No, sir; my Mother put me out; I didn't have any other place to go to.

CROSS - EXAMINATION.

By Mr. Otterbourg:

- Q. Can you explain what sexual intercourse means? What do you understand by sexual intercourse?
- A. He was the one that was ruining me.
- Q. Do you want the Judge to understand that the man had his member in your body?
- A. Yes, sir.
- Q. And that is what you understand sexual intercourse means?
- A. Yes, sir.
- Q. Do you want the Judge to understand that this man ever had his member in your body?
- A. Yes, sir, once.
- Q. And that was on that day when you said you wanted it?
- A. Yes, sir.
- Q. Your mother came there on what night?
- A. Sunday night.
- Q. On the night before you were brought to this Court here?
- A. Yes, sir.
- Q. And on that day she went to the Doctor and you heard a conversation that he should make it right with you?
- A. Yes, sir, that he should marry me.
- Q. Had you ever had any conversation with your Mother about this before?
- A. No, sir; my Mother put me out; I didn't have any other place to go to.

Q. And when you thought you were in the family way you thought you were in the family way from the occurrence in the Park

A. Yes, sir.

Q. And when you said the Doctor wanted you to tell your Mother, ~~xxx~~ you were afraid that if you did so she might put you out ?

A. Yes, sir.

Q. And when he said he would help you under the condition that you would tell your Mother, that referred to the occurrence in the Park when you thought you were in the family way ?

A. Yes, sir.

Q. Mr. King says that you told him, and that you swore to it, that while in the employment of this defendant he took you there for the purpose of having sexual intercourse with you ?

A. No, Mr. King, I never said such a thing.

W I L L I A M H. K I N G, recalled.

By the Court:

Q. Did you have any conversation with this defendant on this subject ?

A. I did.

Q. When ?

A. On the afternoon of the day he was first brought here.

Q. What did he say to you ?

A. He admitted to me that once he had sexual intercourse with this girl - - about three and a half weeks ago.

By Mr. Otterbourg:

Q. Was the man a prisoner here then ?

A. Yes, sir.

Q. And he told you so here in Court ?

A. Yes, sir.

Q. Did you say anything to him ?

A. I told him he was very foolish.

Q. Before he made that statement to you or after ?

A. Before; I was talking to him before.

Q. What was your conversation with him ?

A. I was talking to him; I asked him how many times he had sexual intercourse with this girl and he said once.

Q. And you think it came within your province to ask him that question while he was under the protection of the law ?

A. I did.

Q. And you, as an officer of this Court, you asked him that question and you now bring against him the admission ?

A. I wanted to bear out the Mother's admission.

Defendant's counsel waives further examination.

0266

CITY AND COUNTY }
OF NEW YORK, } ss.

Mary M^c Kane

aged *15* years, occupation *office girl* of No.

258-7th Avenue Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of *William H. King*

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *18th*

day of *August* 18*90*

Mary M^c Kane

Charles W. Laintor
Police Justice.

0267

Saint Patrick's Cathedral.

New York, Aug. 18 1888

I hereby certify that the following is a correct transcript from the Baptismal Register of this Church:

(Baptised, June 4 1875)

" Mary McKane Born Mar. 19 1875

Parents Kate McKane and Unknown

Sponsors, Rebecca McKane and

Signed,

C. J. Donovan

Sworn to before me this

day of 1888

M. J. Laville

Rector.

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 4 DISTRICT.

Kate McKane

of No. 258 Seventh Avenue Street, aged 43 years,

occupation Streetcar being duly sworn deposes and says

that on the _____ day of _____ 1889

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

Mary McKane, deponent's
daughter was born March
19th 1875 and will not be sixteen
years of age until March
19th 1891 as set forth
in the Baptismal Certificate
hereto attached
Kate McKane
sworn

Sworn to before me this

of _____

1889

day

Charles W. Tinker

Police Justice.

Police Department of the City of New York.

Precinct No. _____

New York, Aug- 18th 1880

Hon. Charles N. Tantor.

Sir.

The examination of Mary Mc Kane shows that she has at some time had intercourse a number of times, but how recently, it is impossible to tell. The only ground she had for believing herself pregnant was that she had not been unwell for three months but the examination shows her to be unwell at the present time. There are no symptoms of pregnancy and in my opinion, she is not in that condition.

Respectfully,
Geo. T. Nesbitt M.D.
Surgeon of Police

Police Department of the City of New York.

Precinct No. _____

New York, August 18th 1880

This is to certify that I have carefully examined Mary McKane and while the examination shows that she is not a virgin it fails to reveal any evidence of violent assault.

Respectfully
J. O. Keenan
Surgeon of Police.

027

October 12. 90

Hon. Recorder Smyth

I would like to bring to your notice a couple of points in Charles Bedde's case, as they may not have suggested themselves to you. He persuaded Mary McKean to live with him as his wife, as what man would not do and does not do, but, unlike many men, he treated her well and fairly, furnished her with support and when she had left her mother's house allowed her to come in at her own request. If he had shut the door upon her and refused to shelter her he would have deserved the contempt and obloquy of every man in the City of New York. Yet if he had done this thing, he would not now be adjudged guilty of abduction.

Is it not better that one man & one woman should live together, each true to each,

than depend on promiscuous prostitution for what each one must have.

Girls are everywhere seduced by unscrupulous rascals of neither means nor character, who either leave or force them

afterwards to general fornication; the helplessness and irresponsibility of these men are their very safeguards against punishment

but let a man of fair intentions & some standing in the community obtain that

which to every man is indispensable for health, comfort & well-being, and he is persecuted, ruined in business and imprisoned.

To the house in which I live the father of a fifteen year old girl brought a homeless shiftless man,

who knowing well her age seduced her, and then not only making no effort to provide for her, insulted and aggrieved her,

and cares not for the liking she has for him; this rascal is safe from punishment. Yet better it is thought good

to rush better from his business to prison because he was giving shelter to the girl who had agreed to live with him.

He asked the girl her age, to keep within a righteous law which laws shall under

sisteen a girl is not fit for matrimony; if she deceived him how could he be expected to foresee and discover her deceit.

If better had known that McKame upon the world he would be free today, and she doubtless an inmate of a house

of prostitution; to the mind of all honorable men, the man who having had

intercourse with a girl chooses to suspect her that man should be punished.

This is rather an anomaly that to provide for a girl and make her in everything but law your wife, lays oneself open to apprehension and imprisonment.

Respectfully

W. Raymond

0273

CLERK'S OFFICE,
CLINTON PRISON.

Bannemora, N. Y. Sept. 22 1880

E. Sellows Jenkins Esq.
Superintendent,
No 100 East 23rd St. New York

Dear Sir:-

In reply to yours of 20th inst I would say that Albert F. Tedder was sentenced to this Prison from Albany Co. for 3 years imprisonment April 17, 1884 for the crime of Abortion, while confined here he was a good prisoner, concerning his previous life I would refer you to his wife Mrs A. N. Tedder, Broadalbin, Fulton Co, N. Y. or to his Brother-in-Law Seymour Tomlinson, same address.

Yours very truly

Charles Fuller
agt Warden



COURT OF GENERAL SESSIONS.

-----:

:

The People :

:

vs. :

:

Alfred Vedder :

:

-----:

City and County of New York ss:

Ambrose H. Purdy being duly sworn, says: that
 he has been retained and received a fee as Counsel for the
 above named defendant whose case is upon the day calendar for
 trial in Part two of this Court.

That deponent is now actually engaged in the
 trial of Philip Herman for Rape in Part one of this Court and
 will therefore be unable to attend this Court to defend this
 case. *this day*

Sworn to before me this :
 :
 9th day of October 1890 :

Ambrose H Purdy

Abraham D. Levy
Comms of Deeds
N.Y. Co.

0275

Court of General Sessions

The People vs

vs

Alfred F. Vedder

Affiant of A. H. Birdy

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Albert F. Vedder

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

— Albert F. Vedder —

of the CRIME OF ABDUCTION, committed as follows:

The said Albert F. Vedder, —

late of the City of New York, in the County of New York aforesaid, on the ~~fourteenth~~ day of ~~July~~, — in the year of our Lord one thousand eight hundred and ~~eighty~~ ~~ninety~~ at the City and County aforesaid, did feloniously take, receive, harbor, employ and use one ~~Mary Mc Lane~~ — who was then and there a female under the age of sixteen years, to wit: of the age of ~~fifteen~~ — years, for the purpose of sexual intercourse, he, the said Albert F. Vedder — not being then and there the husband of the said ~~Mary Mc Lane~~, — 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.

0277

BOX:

411

FOLDER:

3804

DESCRIPTION:

Villegas, Jose

DATE:

09/25/90



3804

0278

Witnesses;

Off. Cottrell Cen. Office

#221 *M. Mayer*

Counsel,

Filed *25* day of *Sept* 18*90*

Pleads, *Guilty del*

THE PEOPLE

vs.

Jose Villegas

Grand Larceny, First Degree.
[Sections 523, 530, — Penal Code].

*#1
2/27/90*

JOHN R. FELLOWS,

District Attorney.

*Spec. Committed of
S.P. 7 up*

A True Bill.

M. S. Hayes

Foreman.

[Scribbled signature]

0279

Police Court 2 District.

Affidavit—Larceny.

City and County }
of New York, } ss.

Pablo Echevari

of No. 220 W 17 Street, aged 31 years,

occupation Manager being duly sworn

deposes and says, that on the 15 day of September 1896 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United States consisting of divers bills of divers denominations of the amount and value of Eight hundred dollars

the property of Deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by Jose Villegas (marque)

from the fact that said defendant acknowledged and confessed to deponent in the presence and hearing of John Cottrell and Joaquin B. France that he took and carried away said property

Pablo Echevari

Sworn to before me, this 21 day of Sept 1896
Police Justice

0280

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 33 years, occupation John Cottrell officer of No. Central office Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Pablo Echepari and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 24 day of Sept 1888 at John. Cottrell

D. J. C. [Signature]
Police Justice.

0281

CITY AND COUNTY }
OF NEW YORK, } ss.

Joaquin B Freire

aged 33 years, occupation Balunde of No.

24 E 12th Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Pablo Echegarai

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 21 day of Sept 1890 } Joaquin B. Freire

[Signature]
Police Justice.

0282

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK.

Jose Villegas 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.

Jose Villegas

Question. How old are you?

Answer.

46 years

Question. Where were you born?

Answer.

Havana

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

Answer.

228 W-17 St 3 mos

Question. What is your business or profession?

Answer.

Interpreter

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 of the charge
and jewelry
I gave the money to the
officer who took me
in custody*

Jose Villegas

*People Ex
v G
At the
13/90*

Taken before me this
day of *Sept* 189*0*

J. P. McCall
Police Justice

0283

813

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court... 2 District. 1439

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Pelle Schabov
228 ex 104-17

Paul Veligao

Offence Larceny

Dated

Sept 21 1890

Residence

A. O. Kelly Magistrate

Residence

John Carroll Officer

Witnesses

C. O. Fennel Principal
Theodore J. Fennel

No. 24 E 14

Street

No. 226 W 114

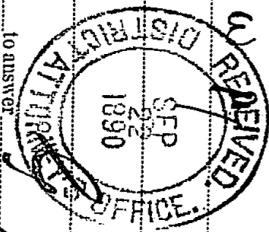
Street

No. 1500

Street

No. 1500

to answer



COMMITTEE

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 Syrdant

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

Dated Sept 21 1890 A. O. Kelly Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

42

The People
 Jose v. Villegas

Court of General Sessions, Part I
 Before Judge Cowing, October 13, 1890
 Indictment for grand larceny in the first degree
 Pablo Echipari, sworn and examined.

I live at 228 West Seventeenth St. and lived there on the 15th of Sept. last. I am manager of the Spanish Students. Did you on the 15th of September at 228 West Seventeenth St. in this city lose some eight hundred dollars? It was in the night; in the morning when I got up I saw the eight hundred dollars was gone; it was in the coat pocket, he hung the coat up on the nail. I did not see the defendant in my room in the night. I saw him in the morning at twelve o'clock. I don't know who took the money. I never gave anybody permission to take the money. Mr. Terraca let Villegas into the room, he opened the door in the morning.

Cross Examined. One hour after I got up I examined my coat at twelve o'clock. The defendant did not sleep in the house that night. I have no paper that the defendant signed that day; he did not sign any paper. I have no memorandum in my possession showing that this man had this money.

By the Court to the Interpreter. Ask him if he ever was in his employ? I never employed him.

Eugene A. Baraca sworn. I am a musician and am a member of the troupe of Spanish students. I lived at 228 West Seventeenth St. in this city and was there on the 15th of September last with Mr. Echipari. On the morning of the 15th of Sept., I saw the prisoner in those rooms. I opened the door to let him in. I went to bed again. There was nobody else but he and I in those rooms that morning. I was not in the room of Mr. Echipari; he was in the room.

Cross Examined. I had a room there and Mr. Echipari had one and nobody else. The defendant was not living there then. I don't know how long he remained in that room. I went to bed. The defendant remained in the room till breakfast and then went away; we had breakfast about twelve o'clock. The defendant had been coming to the rooms about three months; he used to come there all the time that we lived there. He was never employed by the Spanish Students. Carmencita lived in that house.

John Cottrell sworn. I am connected with the Central office and arrested the defendant on the 25th of September in 17th st. I then went to 147 Sixth Avenue where he showed me the money there hid under the carpet behind a trunk in Fanny's room. I found two hundred dollars in money in Fanny's room at No 147 Sixth Avenue where he had instructed me to go and get it after I accused him of stealing it. When I went to him first I told him he was accused of stealing eight hundred dollars. He said, "I did take this money." I said, "What did you take it for?" He said, "I like Fanny, a nice girl in Sixth Avenue. I got acquainted with her I took this money to make her some presents. I bought myself a gold watch for \$85 and a diamond ring for \$125, and \$200 I hid under the carpet in Fanny's room where I found it. He said he had spent some money on her for suppers and he had gave her something - that he slept there several nights with her. I asked him how he took the money? He said he went into the room when they were asleep after being let in by Pichipari's partner; he went to the coat; he said he was tempted.

to take it, to take good care of this girl.
The watch and chain now shown me I
got from the defendant; he bought the chain
previously. The diamond ring now shown
I got from him. He told me bought it at
Mr. Sterns in Twenty Third St. I went
there and found out that he did. This
locket he also got from him; he gave it
a present to Fanny; she said that he
told her he bought it there. I got a masonic
pin and two hundred dollars in money.
Jose Villegas, sworn and examined
in his own behalf testified that money
was given me one night \$575, and I
gave a receipt for that money to give it
back. I gave the receipt to Mr. Echipari
That night Mr. Echipari drinks a little
much and comes in the house and gets
into a fight with Carmenceti. He calls me
"Villegas, come here." I went in the room
and he said, "take this." I brought a
paper, I counted that money. I saw there
was \$575. I keep that money. I went away
because I do not sleep in the house. Then
I used that money for particular things
for Carmenceti. I gave Mr. Yborcica ten
dollars; he asked me if I could lend it.
Two hundred dollars was behind the

trunk in my room. I worked for them over half the month of May to Sept.; they owed me \$318. I used that money to buy those things (pointing to the jewelry). I claim \$318 was due me for salary, and from that money I bought the watch for myself. They never said anything to me about taking that money because they were friends, and everything that I buy I showed them right away when I go in the house. I keep the accounts of the house every month; there are books in the house to prove it. I worked for them in that way. I was going to the market in the morning to order everything for the meals and send it home. I was employed for them and for Carmercati especially - I worked for all of them. What became of that receipt you gave for the money do you know? I do not know, I gave it to him, he must have it in his pocket. That night, as I said before, he drank a little in a Spanish coffee house and got in a fight. I do not know if he has got that receipt or not, but I gave it to him. Did you intend to steal this money when you took it? No sir. Did you intend to steal it any time after it was in your possession? No sir.

I used the money to buy those things for the house and for all the things that they wanted and fifty dollars for Carmecenti. Did you intend to steal the money at any time? No sir. How did you come to put it behind the trunk? Because at night when I sleep out, I went out after, I was afraid I would lose the money and I left it there. Why did you put it there? That it would not be lost. I did not want to have it in the pocket during the night. At the time when you received this money how much money did this man owe you if any? (Echipari) Three hundred and eighteen dollars.

Pablo Echipari recalled by Mr. Macdonna. Did you ever employ Villegas, yes or no? No sir. Did you owe him on the 21st of Sept. or at any time prior to that date or subsequent to that date the sum of \$318? No sir. I did not at no time. Did he show you this watch and this diamond ring and these trinkets here, and did you ask him how much he had paid for them, did he ever show them to you? He showed it to me, but he said that it was a present from his sweetheart.

What was your relationship with this man,

did you allow him to go in there and eat with you? Then I was in Jeruth st. in the Spanish hotel he was also there, and when we took a flat afterward. He was only received when we moved away; we made his acquaintance there, and I knew he did not have much money; and so I received him just as a friend, he had permission to come as a friend.

By the Court Ask him if he is positive there was as much as eight hundred dollars in his coat pocket? Yes sir. The prisoner says that the complainant gave to him \$5.75 and he took a receipt from him, ask him if there is any truth in that? No sir. Ask him if he ever gave him in charge any money at all? No sir, I never gave him for safe keeping money. I gave him sometimes money to go out and buy something. How much at a time? At most the biggest amount I ever gave him was ten dollars, to bring the change, to go out and buy and bring the account.

By Counsel Ask him after leaving Koster and Bial's that night after the performance if he and this defendant went anywhere, the night that has been spoken of, the 15th of Sept? No; when we came out he went home.

where he lived and I went home to my place I sometimes go to the Spanish hotel on 14th st., but I do not recollect if I went there that night. I think I did not go there that Sunday, for I never go to the Spanish hotel on Sundays.

Joaquin B. Prope, sworn and examined I know the prisoner. I had a conversation with him in the presence of the officer. He said that he took the money, and that he stole the money - he used both expressions. Then he begged me to talk to Mr. Echipari so that he should not appear against him. Jose Villefas recalled by the Court.

The signature now shown me is mine and this statement I made in the Police Court. I do not understand English perfectly. I asked for an Interpreter and did not get any.

Mr. Macdonna: I will read the question that was put to the defendant and the answer which he made in the Police Court.

Q 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.

A I am guilty of the charge. I gave the money and jewelry to the officer who took me in custody. The jury rendered a verdict of guilty of grand larceny in the first degree.

0292

Testimony in the
case of
Jose Vellegas
filed
Sept. 1890.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jose Villegas

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

Jose Villegas

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

The said

Jose Villegas

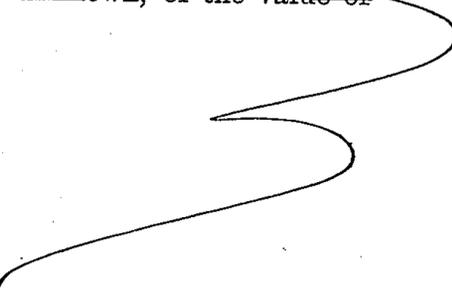
late of the City of New York, in the County of New York aforesaid, on the *15th* day of *September* in the year of our Lord one thousand eight hundred and *ninety*, at the City and County aforesaid, with force and arms, in the *day* time of the same day, divers promissory notes for the payment of money, 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 *four hundred*

\$ 800.

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

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

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



of the goods, chattels and personal property of one *Pablo Echebarr* 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.