

0009

BOX:

251

FOLDER:

2429

DESCRIPTION:

Smith, Annie J.

DATE:

02/15/87



2429

00 10

BOX:

251

FOLDER:

2429

DESCRIPTION:

Smith, Lillian

DATE:

02/15/87



2429

Witnesses:

Wm. J. Smith
Amie Smith

Amie Smith

P. A. Weir

*This indictment was
found February 1887
Lillian Smith was
sent to the Sisters of St.
Dominick The whereabouts*

*of the complainant
cannot be ascertained.*

I therefore ask that

the defendant, ~~be~~

Amie J. Smith, be

discharged ~~as~~ ~~from~~

my recognizing her.

March 8th 93

G. L. A.

Counsel,

Filed

188

Pleas

THE PEOPLE

vs.

Amie J. Smith

and socs

Lillian Smith
(280000)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

William J. Smith

Chas. J. Smith

Foreman.

Casey Smith

Case to the effect of the same

Feb 23/87

Grand Larceny in the (MONEY)
(Sec. 528 and 537, Penal Code.)

THE PEOPLE

vs.

Amie J. Smith

and socs

Lillian Smith
(280000)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

William J. Smith

Chas. J. Smith

Foreman.

Casey Smith

Case to the effect of the same

Feb 23/87

Grand Larceny in the (MONEY)
(Sec. 528 and 537, Penal Code.)

0012

STENOGRAPHER'S MINUTES.

3 District Police Court.

Third Day

THE PEOPLE, &c., IN COMPLAINT OF

Ralph A. Ware

Annie J. Smith

BEFORE HON.

J Henry Ford

POLICE JUSTICE,

January 5 1887

APPEARANCES:

For the People,

Art Dist Hly Pandy

For the Defence,

W Hathaway

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

David Brubaker

84

Eva Brubaker

85

Mrs Mary Treat

89

Phil Mc Coffey

91

Francis Mangin Jr

96

96

Ralph A Ware

103

J B Wheeler

129 to 134

W. L. Crosby

Official Stenographer.

0013

DISTRICT POLICE COURT.

THE PEOPLE,

IN COMPLAINT OF

Ralph A. Weir
Amos J. Knott

Examination had

Jan 5

188

Before

J. Henry Ford

Police Justice.

I, *Valerius L. Ormsby* Stenographer of the *34* District Police

Court, do hereby certify that the within testimony in the above case is a true and correct copy of

the original Stenographer's notes of the testimony of

Brutchermer, Eva Brutchermer, Mr. Harry Great, Ralph A. Weir
Mr. Coffey, Francis Leungin Jr., Charles

as taken by me on the above examination before said Justice.

Dated

Jan 5

1887.

Valerius L. Ormsby
Stenographer.

J. Henry Ford

Police Justice.

0014

DISTRICT POLICE COURT.

THE PEOPLE,
IN COMPLAINT OF
Ralph A. Weir
against
Annie J. Knott

Examination had *Jan 5* 188
Before *J Henry Ford* Police Justice.

I, *Valerian L Ormsby* Stenographer of the *34* District Police Court, do hereby certify that the within testimony in the above case is a true and correct copy of the original Stenographer's notes of the testimony of *Ralph David Philp*
Butchermer, Eva Butchermer, Mr Henry Treat, Philip
Mc Caffrey, Francis Langin Jr, Ralph A. Weir
J. H. Wheeler
as taken by me on the above examination before said Justice.

Dated *Jan 5* 188 *7*.

J. Henry Ford
Police Justice.

Valerian L Ormsby
Stenographer.

0015

5

The People vs
Weil
v
Smith

Examination Continued
Jan 5 1886.

David Burkheimer, being duly sworn
and examined as a witness for the
defendant, deposes and says:-

Q Where is your place of business?

A 2104 Third Avenue.

Q Do you remember some time ago
any party leaving a ring in your
store for repairs?

A Yes, Sir.

Q Do you remember how old
she was?

A There were two little girls left
the ring.

Q Do you remember who they were?

A I remember one of them.

Q What was her name?

A Ragenoburg.

Q Was this little girl (Lillian
Smith) the other of the two girls?

A No, Sir.

Q When was the ring to be done?

A In a few days a couple
of days.

Q Was any price fixed for the

0016

39

repairs?

A Yes, Sir

Q How much?

A Fifteen cents

Now examined by Mr. Purdy

Q - You never saw this little girl
Lillian Smith before?

A No, Sir

Sworn to before me this
5th day of January
1887

J. H. H. H. H.
Notary Public

Eva Burkheimer, being duly sworn
and examined as a witness for
Defendant, deposes and says:-
I am a daughter of the last
witness: I have seen this little
girl, Lillian Smith before.

Q When?

A On October 9th - when she
called for the ring

Q Where?

A At my father's store

Q What did she say?

A She asked for a ring being
fixed and gave her name. It

did not tally with the name

on the ring. She said her name had left it to be freed; that she did not bring it herself. She told me the price of the repairs correctly and I thought that was sufficient and I gave it to her.

Q Did you see any of the parties to whom that ring belonged after that?

A Yes, Sir. A girl came to the store and claimed it the next Monday morning.

Q That was not this little girl Lillian Smith?

A No, Sir.

Q After that did you see her again?

A Yes, Sir.

Q Did you have a conversation with her?

A I asked her to acknowledge it.

Q What did she say?

A She said it was her ring - When I asked her to bring it back she said she would in the afternoon, but she never came back and I have never seen her since until to-day.

0018

61

- Q You delivered the ring, you say,
knowing that the name on it gave
was different from that of the
person who left the ring?
- A Yes.
- Q You met her in the street afterward?
- A Yes.
- Q How long after?
- A The next week following.
- Q Where was your father
when you delivered the ring?
- A In the store.
- Q How far away?
- A I could not tell you; I was
nearer the door than he.
- Q How valuable was this ring?
- A About a dollar.
- Q There was fifteen cents to
pay for it?
- A Yes.
- Q But she gave a name that
was not the name left with
the ring.
- A She said her name was
Smith. The name left with
the ring was Ragenberg.
- Q Did you not think it strange
that a ring left by Ragenberg
should be delivered to Smith?
- A She said she did not know
what name was left on it;
as she did not bring it to the
- 57

0019

62

- store. She told me the price.
- Q Did you call your father's attention and ask him whether you should give up the ring?
- A No Sir. I did not.
- Q This was the 9th of October?
- A Yes Sir that she called for the ring.
- Q Tell me how she was dressed.
- A She had a red coat - really I could not give a correct description of her, but
- Q What was the material of the coat?
- A Cloth.
- Q Not velvet?
- A No Sir.
- Q What kind of a hat?
- A I could not tell.
- Q How did you come to meet her next day?
- A I saw her passing.
- Q That is all you knew about her?
- A Yes Sir.
- Q Did you not ask her to come right with you into the store?
- A I asked her to come - she said she could not, at that time, but
- St

she would come the next
afternoon

Sworn to before
this 15th day of January

1881

J. Henry D. D.
Police Justice

Mr. Mary Treat being duly sworn
deposes and says: I live at
224 East 122nd street. I
know Mrs. Hunt?

A Yes.

Q Were you living with Mrs.
Hunt at any time during the
past year?

A I went to live with her on
April 23 - she was formerly
Mrs. Beckman

Q Do you know this little girl
Lillian Smith?

A Yes.

Q Where did you ever see her

A at Mrs. Beckman's house.

Q When?

A In April

Q Under what circumstances

A I was sleeping with Mr.
Beckman. In the morning we
woke up. There was a knock

on the door. Mr Beekman says to me "Don't get up - it is only a pedlar." We did not answer. We heard a window raised. Mrs Beekman jumped up. She said to Lillian who had come in, what are you doing? She had a silver dollar in her hand which she took from Mrs Beekman's pillow.

Q Did you see her take it?

A Yes Sir I did.

Q What else took place?

A Mr Beekman put her out - opened the door and put her out. She had her little brother Jimmy in the hall with her.

Q Were you present at any time of an incident about a silver spoon?

A Yes Sir: I was sitting at a table. This little Lillian pushed the spoon up her sleeve. Mrs. Beekman took the spoon away from her.

Cross examined by Mr. Purdy -

Q How long have you known Mrs. Beekman?

A About 4 years.

90 Q You lived with her?

A - Yes; when she was Mrs Beckman
- before she was Mrs. Hunt

2 Do you know Lilians mother?

A Mr. I do not know any of
her people - nothing about her

2. Mrs. Beckman knew her mother pretty well.

A Yes sir. I believe Mrs. Beckman
lived there

2 Did you know Mrs. Smith?

1 I never saw Mrs. Smith until
I saw her in the court room.

Answer to before me this

5th day of January 1877

Sworn to before me this
5th day of January 1877
J. M. H. [Signature]
Police Justice

Polonia Persica

Philip Mc Caffrey, being duly sworn as
a witness for the Defendant, deposes
and says I am but 29 years
old. I live at 149 Third Avenue.
I am in the fish business. I
know Lillian Smith this little
girl.

I ^{just} to you know what her name
is?

A I do not know what her first name is. I know the name she gave

9/2 What name?

A She gave the name of Smith
 Q Where did you see her?

A She came in my store last August. She got two pounds of fish. She came back and in about half an hour - and said her name wanted 25 cents until her father came home. I let her have it on account of another customer I had by the name of Smith. I did not see her any more for about a month after that. She came in again and wanted lobsters. I recognized her. I said "Who do you want it for?" She said "Mrs. Smith" I said where do you live? She said 106th street, I did live at 103rd. I said "I will go with you to see your mother" She had a baby carriage with a small child. I went with her. She got to 6th street. Then she said "I do not live in 5th street. I live in 7th street" When we got to 7th street she said she did not live in 7th street but that she lived in 8th street. I went up to 8th street, between Lexington and Fourth Avenue. She was looking at the numbers. I said

"What number do you live?" She said "I don't live here I live further down." I went down 10th street, down 7th Avenue. We went to a number I guess it was about 114. I walked in right off the sidewalk and found a woman sitting there who said she was the child's mother. I said "Why did you send this little girl to get fish and money?" she commenced to reprove the child and told her she was wrong. I said "You sent the child for the stuff and you received the stuff and if you ^{do} not make it good I will see some way to make you the mother. I promised to make it good on Wednesday. I was busy on Wednesday and did not think any more about it until I heard the story about the little girl that stole the \$4 at the elevated railroad station and I found out it was the same girl - but I did not go to the station house to see.

(no cross examination.)

Mr. Vanette Schneider, being duly sworn as a witness for the Defendant deposes and says:- I live at 1845 Third Avenue.

Q Do you know this child Lillian Smith?

A I have seen her before - I have seen her several times

Q Under what circumstances?

A In the neighborhood. I am quite positive I have seen her in the store. I have seen her there with children

Q When?

A In July last - about July

Q You had been taking medicine?

A Yes. I had been taking too much belladone and it affected my eye-sight and made me somewhat absent minded.

Q Where did you see this child?

A When we moved around to the corner store.

Q Are you positive this is the child?

A [Hesitating] Well my ^{mother} would know. The child came in the store and asked me for bread and things for Mr. Smith. Three or four times. I said the fourth time "You have gotten things for Mr. Smith here before." I said "For what Mr. Smith is this?" She said her mother. I said "Where do you live?" I do not know whether she said ~~that~~

on 103d street, second floor.

I asked her because I did not want to take the risk of giving the things.

Q Are you sure that is the child?

A Let her stand up

Justice Ford

Q Do you identify her

A (Hesitating) There are so many children coming into the store

By Mr. Halberstam

Q Make one final effort and see if you can't pull yourself together and see if you have any doubt about it?

A I was trying to make her speak
[Looking at witness who spoke a few words at the suggestion of Mr. Pucillo]

A (continued) It was a bakery. I asked her whether she why she did not come in after three weeks, she said they were away to Rockaway.

By Justice Ford

Q Can you identify this child.

A My mother may know better. I cannot positively swear, but that is the occurrence.

Sworn to before me this
5th day of January 1889
J. W. H. Ford

Police Court

Francis Mangin Jr. being duly sworn
deposes and says: being examined
by Mr. Hathaway

Q How old are you?

A 29. I am a detective sergeant
on the Police force. I live at
287 Elizabeth Street. I have been
a detective sergeant about 5
years. I have been on the
Police force eleven years.

Q (Papers shown to witness, consisting
of five pages of an affidavit in
this case ~~subscribed~~ and sworn
to before Justice Ford, and subscribed
by Lillian Smith)

Is that in your handwriting?

A Yes, Sir

Q From beginning to end,
except the signature of Lillian
Smith and Justice Ford?

A Yes, Sir

Q When and where was it
written?

A At Police Headquarters on the
day it was subscribed.

Q Are you a notary public?

A Yes Sir

0028

Justice Ford - This was taken by
Mr. Mangin and re-sworn to
before me.
By Mr. Hathaway

Q - Who was present at the time
that this statement was written
out by you?

A - Inspector Byrne, Lilian and
myself.

Q - Anyone else?

A - People going in and out

Q - You did not have it in private
but some people were coming
in and going out?

A - Yes Sir

Q - Did any one hear any portion
of the statement herein except
you and Inspector Byrne?

A - Inspector Byrne heard it
all at that time

Q - What day was it sworn to?

A - Dec 29 1916.

Q - You do not know the day of
the week?

A - No, Sir. I cannot tell without
reference to a calendar

Q - Was it in the forenoon or the
afternoon?

A - In the afternoon

Q - What time in the afternoon

A - About 5 o'clock

Q - From where did you bring

- the child to headquarters?
- A It was after she left the
Court room
- Q After she left the Court room
the first day that this was
drawn up?
- A Yes, Sir: on the 29th day
of December 1846
- Q This Court room?
- A Yes
- Q What was she in this Court
room for?
- A She was with Mr. Weil
Q who made the warrant or
affidavit on which the warrant
was granted
- Q What warrant?
- A The warrant for the arrest of
Mr. Smith
- Q Also for this child?
- A There was no warrant issued
for this child - No Sir
- Q There was no warrant issued
for her?
- A No, Sir
- Q Did you caution this little
child that the statement by
her to you was one which
might be taken against her,

and that nothing that she might say in evidence would be taken in her favor, but probably would be taken against her, and that she had a right to testify or not and that if she did not testify she would not be compelled to?

A No sir; I did not

Q Did you tell her that if she did tell the truth, about all of these thefts, that it would probably be better for her and that she would suffer less?

A No, sir, I told the little girl that I wanted a true statement of this thing; that I wanted her to tell the whole truth and nothing but the truth.

Q Are you in the habit of saying that to people who are charged with crime or who are arrested, while you are speaking with them?

A Always, I tell them when they make an affidavit to tell the truth. I want them to tell me nothing but the truth.

Q Did you ask the child if she understood the import of all of the words in the affidavit?

79 A I did sir. I read it to her

Three or four times
 Q What did she say to her? That she did understand it?

A Yes, Sir

Q And knew what they meant?

A Yes, Sir

Q If she has said right to the contrary to that here has she told an untruth in that respect?

A Yes, Sir

Q Are you sure that everything contained in this affidavit was said by the child to you?

A Yes, Sir - or words to that effect. It might not have been the same language, I might have changed the phraseology of it.

Q Do you recollect what she said about opening the satchel in Macys when she claimed to live with Mrs. Annie Smith up stairs - do you recollect what she said as to what happened when she came back and found Mrs. Annie Smith where she had left her and they had gone into the toilet room together?

A I recollect the substance of it

100 Q Do you recollect the word?

A Not exactly.

Q Did she tell you she went in there and saw Mrs. Annice take \$40 out of a pocket book?

A She did sir.

Q Did she tell you what Mrs. Annice Smith did with the pocket book?

A I asked her what she did.

Q And did she tell?

A She did.

Q What then did she tell?

A She told me she threw it in the water closet.

Q Why did you use the word "assume" putting it into her mouth. Why did you put it in her affidavit that she "assumed" that she threw the pocket book into the water closet if she told you she had in fact done it?

A I asked her if she had seen her throw the pocket book in. She said "Not exactly." I asked her if she assumed that she threw the pocketbook in and she replied ~~that she~~ "Yes." I asked her if she thought she threw the pocket book in - she said "Yes."

Q Why did you not put in the fact that she did?

- A I did not think it necessary
 Q Do you think it a proper thing for you to put words in the mouth of such a child as this?
 A She appeared to me to be bright enough.
 Q Do you know that when you took the affidavit and questioned this girl that you were assuming the functions of a magistrate and that you went further than he would have dared to do if he should commence an examination of any one charged with crime
 A I did not sir.

Examined by the Court

- Q After this child had been brought to court you took her up to Police Head quarters
 A Yes sir.
 Q And reported the case to the Inspector
 A Yes I did sir.
 Q And then you proceeded to take her statement - to take down the substance of her statement and have her sign it after it was read over to her?

A Yes sir
 Given to before me
 this 5th day of Jan'y 1887
 J. Henry
 Police Justice (Wells testimony follows)

Francis Mangin

Ralph Weil being re-called for cross examination deposes and says:-

Q What directed your attention to the girl Lillian Smith on the day that you apprehended her in Macy's store. first?

A On the Friday before there had been a number of pocket books lost.

Q What did you apprehend her for?

A My attention was called by a customer who complained that a child with a red hat had told her that her satchel was open.

Q Did you immediately send out for the girl then?

A Yes, Sir

Q What was the first word you said to her?

A Does your mother know that you were giving presents to our clerk - to one of our clerks?

Q What was her reply?

A No

Q How did you then know that she had a mother?

A I assumed that.

Q What did you say to her?

A I asked her to come back in the store and she came back.

Was she in the store?

0035

A No, sir, she was out of the store.

Q On the walk?

A Yes sir

Q What time in the day was this?

A - It must have been about half past two

Q Might it not have been half past three?

A No, sir.

Q That you will swear to?

A I did not look at the clock.

Q You are not positive?

A I will not swear positively that it was. It was about half past two.

Q Will you swear positively that it was not half past three?

A Yes - it was not half past three. I will swear positively it was not half past three - I did not look at the clock.

Q Have you any means of telling how you fix it except by guess?

A I have not. I said about half past two - I did not look at the clock.

Q The child accompanied you back in the store?

A She did

Q Where did you go to? Up through the elevator

104 A No sir, we have no elevator. We

Went up stairs to the suit room
I then ~~went~~^{sent} for this same
clerk to whom she had given
the pocket book - I remained
in that room with the child.

Q What did you say to her?

A I asked her then what money
she had about her; whether her
mauer knew she was giving
away presents. She opened
her pocket book and said
"That is all" I do not remember
the exact sum in the book
but, I know that at the bottom
of the satchel there was some
small silver.

Q Then what transpired?

A I said "Is that your room
money?" She said "No."

A - I said "Have you any
more money?" She said
"No." I then asked her whether
she did not tell the clerk that
she had money money.

Q What did she say?

A She finally said yes. There was
more.

Q Then what?

A I asked her whether it was.
She pulled off her red rubber
boot and pulled out a
roll of bills.

Q Did you not pull it out for her?

A No sir, I did not

Q That you swear to?

A That I swear to.

Q What did she take the roll of bills from?

A From a boot

Q How much was there in there, do you know?

A To the best of ~~my~~ knowledge about 47 dollars - it might have been 48.

Q Where were you at this time?

A In the suit room

Q Who was in the room?

A Nobody

Q You were there?

A Yes.

Q Did you tell her that if she did not take her boots off that you would search her?

A No such word ever passed.

Q Did you tell her she must show all the money she had about her?

A No, sir

Q Did you tell her you suspected her of stealing?

A Not a I did not sir.

Q Was there a floor walker sitting in there with you?

A There was not

Q A lady?

A There was not

Q Are you in the habit of examining ladies' stockings, females' children's

A No, Sir

Q Don't you hire women to make searches?

A We don't make searches - not to my knowledge. I have never known such a thing

Q You did not take off her stocking?

A No Sir.

Q You did not ask her to?

A No, Sir

Q You asked her whether that was all?

A Yes, Sir

Q What did she say?

A She said that was all.

Q Then what transpired?

A I said "Did you just tell the floorwalker that you had \$106."

Q What did she say?

A No. I then said "shall I call in the floor walker?" She said "no." I asked "What did you do with the balance?" "You must have had more money -

Q. What did you do with it?"
 A. You did not know she had more money?

A. I did not

Q. That was only trying to see what you could get out of her?

A. I wanted to know whether the ~~man~~ statement of the floor walker was true. She then peeled off the other boot and out of that stocking she ~~found~~ pulled out sixty dollars. This was in the stocking.

Q. Did she take the stocking off?

A. No - she just put her hand in the front and took it out - right in front.

Q. Did she remove her garter?

A. I do not remember her ~~removing~~ ^{removing} her garter.

Q. You looked to see?

A. I do not think she did.

Q. Her limbs were all within sight of you all the time.

A. They were not. Her little dress covered them. Her cloak was a dark red cloak which always went down and covered her knees.

Q. Then what transpired?

A. She gave me sixty dollars
 108 and told me it belonged

her father and that he had given it to her to give to her mother; that he was a waiter in a building in Broadway.

Q Did she say her father or her grandfather?

A Her father.

Q What then?

A I then said "I will go with you to her father"

Q You took the money?

A I had the money in my hand

Q From both stockings and boot?

A Yes.

Q Then what?

A I left the child with the lady detective

Q Oh? you have lady detectives in the house?

A Yes.

Q More than one?

A One.

Q How long has she been there?

A I do not know.

Q How long have you known her there?

A About a year and a half.

Q You say you gave the child to her?

A No. I told her to remain

(8)

- with the child until I could see a member of the firm.
- Q How did you find out where the lady detective was? Did you call to her, or did she come of her own volition?
- A If I remember rightly I called her.
- Q Was she on that floor?
- A She was.
- Q In close proximity to you - in waiting for you to call her if you had need of her services?
- A No; she was not; there was no arrangement of that kind. I went out to call some one and saw her. Mrs. Stanley.
- Q What is the name of the female detective?
- A Eunice Stanley.
- Q Did she come in and remain there?
- A She did.
- Q Did you leave then?
- A I did.
- Q And went to the office?
- A I did.
- Q Upon your return to the suit room who accompanied you?
- A Nobody; I found the firm engaged.
- Q You went back to the suit room?

- A Yes.
- Q Found Mr. Stanley sitting there?
- A Yes.
- Q What transpired?
- A I there met Mrs. Smith. Mrs. Annie Smith, the dependant.
- Q Well?
- A She then said "This is my child."
- Q Was that the first thing she said?
- A That is the first thing she said.
- Q Where was you standing?
- A Just coming into the small room.
- Q The suit room?
- A Yes, sir.
- Q Was she in the room?
- A She was in there with Mr. Stanley and the child.
- Q And the first thing she said was "This is my child"?
- A None very words.
- Q Looked you in the face?
- A Yes, sir; she said "I give this child \$200- to pay bills with this morning."
- Q Is that true Mr. Weil?
- A Yes; that is literally true - what conversation she had with Mrs. Stanley I do not know.
- Q Had the child said a word?
- A Not a word - not in my presence. She might have said something

while Mr. Stanley was there
 Q Were those the exact words - or
 did she use words to that effect?
 A I am giving you the exact words.

~~brother~~ Re-direct by Mr. Purdy

Q - after Mrs. Smith said "I gave this
 "This is my child: I gave her
 \$2.00 to pay bills with this
 morning," what did you say to
 that suggestion?

A- I then said "Well Mrs. Smith, this
 child has been giving presents
 to our clerk" holding out his
 pocket book (showing a pocketbook)

Q What did she say?

A She then said "Where is the floor-
 walker? My name is on your
 books; they know me here"

Q What was the next conversation?

A As I remember, the next thing
 she turned to the child and said
 "You compose yourself and remain
 here"

Q What did the child say?

A She did not reply.

Q - then what?

A I then took the child away and
 Mrs. Smith left.

Q Did Mrs. Smith say anything
 beyond that?

A Not that I can now recollect.

(11)

Q Nothing about your having no right to detain her or anything to that effect?

A Yes; I said, when she got excited, you stay here, and I will tell you about this. She turned around rather excited and said "No; you can't detain me."

Q What was said by you?

A She said "you can't detain me." I said "No madam - but the child will remain in my custody."

Q What else was said?

A The lady left. There was nothing else said.

Q Did you have any further conversation with Mrs. Smith?

A She came in the evening with her husband.

Q What took place then?

A The conversation was mostly with Mr. Wheeler and Mr. Webster.

Q In your presence?

A No sir.

Q With Mrs. Smith?

A I think it was with her husband.

By Mr. Hathaway
112

Q. Was anything said either by Mr. Wheeler or Mr. Smith in your presence, when Mr. Smith was not present?

A. Not to my knowledge.

Q. Was she present during the whole time?

A. She was present in the room.

Q. Within ear shot?

A. She was.

Q. When she said "you can't detain me" you did not offer to detain her?

A. I did not.

Q. It was not suggested in any way shape or manner that she was under restraint?

A. Not by any act or word.

Q. She came back with her husband in the evening?

A. Yes.

Q. Within an hour?

A. No: it was longer than that.

Q. Did she get there about half past five?

A. It might have been half past six: I do not know.

Q. Have you got any means of stating about how long it was?

A. Nothing I would positively swear to.

Q. Have you told me all that you

know about this case?

A All that I have been asked.
You cautioned me not to ~~reply~~
relate anything unless I was
asked.

Q Have you told all that you
know about this case?

A With reference to what?

Q - Anything about what the child
said ^{done} or about what Mr. Smith
said or done by anybody in
any way in the presence of Mrs.
Archie Smith?

A I have stated it all - if you will
refresh my recollection on
anything I can tell you if I
recollect it.

Q The child went home with
Mr Smith that night did she
not?

A Yes, Sir.

Q You know that?

A Yes, Sir.

Q Saw it go?

A Yes Sir.

Q That was on Monday the 27
of December?

A Yes, Sir.

Q When and where did you see
her again?

A Up in the residence of Mrs.
Smith

0047

14

Q What time?

A In the morning

Q Where is her residence?

A 1643 Lexington Avenue

Q What time did you get there?

A Some time between 10 and 11

0048

- Q Where is her residence?
A 1683 Lexington Avenue
Q What time did you go?
A Some time between 10 and 11
Q About 11?
A Possibly. I guess it was
Q Did you have any conversation with the child then, not in the presence of Mrs. Smith?
A I did not.
Q Did you have any in the presence of Mrs. Smith?
A Some of it in the presence of Mr. Smith and I do not remember whether Mrs. Smith was there
Q Did you have some with Mr. Smith?
A Yes, Sir
Q And the child?
A Yes
Q What did you say to her?
A I asked her in reference to the purchases she made down at the store. She told me she had bought a cloak.
Q What did you say to her? Give her conversation.
A I am giving it to the best of my recollection.
Q What did you go there for?
A I went up there because Mr. Smith had come down excited

Q For what purpose did you go up there?

A I went up with Mr. Smith. He came down to see Mr. Wheeler.

Q That morning?

A Yes Sir

Q Did you go with Mr. Smith?

A I did

Q What was said when you first entered the house?

A My conversation was with Mrs. Smith

Q After you had seen Lilian?

A No, Lilian was in bed then.

Q What did you say to Mr. Smith?

A Mr. Smith said they would give up all the things the Ched had bought.

Q She had made some presents that were all there, and she had bought things - whatever was in the house you could take it?

A Yes.

Q Were you present when Mr. Smith talked to Mr. Wheeler?

A Not at all times

Q Part of the time?

A Yes Sir

Q Do you recollect whether when

he first came in what he said at first?

A. No. I do not remember what he said at first.

Q. Did he substantially say that he had come down to say that they did not know anything about his child's stealing that she made presents to his wife and they were all there; that she had bought an expensive sapphire, costing \$50 or \$60 for her mother, an expensive cloth dress, portiere curtains and a great many things for herself; that he thought there was more than \$200 worth; that it could all be boxed up and returned?

A. I believe he did - I do not know that he mentioned all these articles that you state.

Q. Substantially?

A. Yes, substantially.

Q. And Mr. Wheeler said that he had heard of these losses that amounted to \$300 and that it would take \$200, about, to settle it up?

A. No sir.

Q. The suggestion was the returning of the goods which might be

taken at some valuation to make good the loss.

A I do not know that Mr. Smith suggested that. I do not know that Mr. Wheeler suggested it. I do not know that it was suggested, but by whom I do not know.

Q Between what streets is Mr. Smith's house?

A Between 106th and 107th streets in Lexington Avenue.

Q Did they show you all these things?

A Mr. Smith brought out this coat. Lillian identified them as having been brought down at Macy's.

Q Could you identify them as similar to goods in stock?

A I do not know anything about that. - a lot of parcels there.

Q Did Mr. Webster have some talk with Mr. and Mrs. Smith?

A Well Mr. Webster had some talk.

Q Was that also in the presence of you and Wheeler?

A Yes Sir.

Q Wheeler had some conversation?

A Yes Sir.

Q With both of them?

0052

A. Yes, sir.
Q. Both of them interviewed her when she came up with her husband that night, and again the next morning?

A. Yes, sir.
Q. Do you recollect what Wheeler said to ~~Miss~~^{Mr.} Smith about the child going home with him?

A. I do not.
Q. Did you take the child out of the house by yourself?

A. Yes, sir.
Q. Where to?

A. Back to the store.

Q. When?
A. That day.
Q. On the way did you have any conversation with her?

A. I did.
Q. What did you say to her and what did she reply?

A. I took her down. She identified a satchel and a little wallet that she had bought and paid eight dollars for.

Q. Did you get back to the home store within an hour?

A. I did.

Q. How long did it take to make the trip to the store?

A. I do not remember.

Q about 40 minutes?

A It might have been.

Q Did you say to her during this time what did you do with all the money you stole?

A No sir, I did not.

Q Did you ask how much she had stolen in your store?

A No sir, I did not.

Q That was a natural question?

A Yes; but I did not ask it.

Q Did you ask her whether she had stolen anything more from there at other times?

A No sir, I did not.

Q Did she tell you she had of her own volition?

A I think finally I did ask her whether she had taken pocket books in there.

Q When was the first time that she communicated to you that Mrs. Smith taught her to steal?

A The following day.

Q Not that day?

A Not that day.

Q This was on Tuesday that you had gone down on the Elevated, gone to the store - and walked across 14th street.

A Yes sir.

Q Nothing about Mrs. Smith

having taught her to steal?

A Not that day.

Q Or Mrs Smith having in any way shape or manner shared with her?

A Not that day.

Q When was it that she first did communicate it?

A The next day.

Q You came down on the Elevated?

A Yes.

Q Did you get up for her?

A I did.

Q What time?

A I think it was between eleven and twelve.

Q On Wednesday?

A The 29th.

Q For what purpose?

A I was ordered by Mr. Wheeler to bring the child down.

Q Did you ever talk with the child on the way down?

A Yes.

Q Where did you commence the conversation?

A In the train.

Q As soon as you had got in the train?

A Yes.

Q What did you say to her first?

- 1
- h
- A I asked her to tell me the truth what she has done with all the money she has got.
- Q What did she say?
- A She said she had given it most of it to her Aunt Annie.
- Q Then what did you ask her?
- A They told her to tell the truth. She said she would.
- Q Did you suspect she was lying then when she said she had given it to Mrs. Smith?
- A No. it was a matter of form.
- Q What did she say in response?
- A She said she would tell the truth.
- Q Then what?
- A She told me she had given most of it to her Aunt Annie.
- Q Repeat the words she used?
- A I have, yes in the same conversation.
- Q Then what transpired?
- A I took her to the Weil.
- Q All the way down was you not in conversation with her?
- A Yes. Sir.
- Q That she gave all the money to her Aunt Annie?
- A I did not say all the money.
- Q Most of it?

0056

A Most fit
Q Did you ask her whether she was not in the habit of giving her money to her Aunt's mother?

A I never asked her that question
Q Whether she was in the habit of taking anything home?

A I never asked that question.
Q You sent the Detective up at the house?

A Yes, Sir.

Q Did you ask her how long she had been engaged in picking pockets?

A I did not
Q You wanted to know how long she had been with the money?

A Exactly
Q Did you ask her whether when she commenced stealing?

A I did not
Q Did she tell you that her Aunt Annie had anything to do with teaching her to steal?

A No, Sir
Q At no time. During the whole of the conversation you had with her?

A She did not tell me that
125 Q Did she at any time up to the

time she was taken to head quarters
 A W. Sir: not to my knowledge
 Q Not before she had been apprehended in this court.

A over at head-quarters.
 Q Did you hear it at head quarters?

A W. Sir. I heard it when she was with Mr. Wheeler
 Q In the store?

A In the store
 Q Then you heard her telling Wheeler what about Annie Smith that she had given her money.
 A About teaching her to steal?

A I did not hear that

Q What did you hear?

A I heard her say she gave money to her aunt Annie.
 Q You never heard as to teaching?

A W. Sir,

Q You have never heard her say it

A She never said it to me. I do not know what she said to the inspector

Q Did she readily tell you what she had done with the money when you got upon the train or was there considerable coaxing and repeating questions

A W. There was no coaxing

Q She readily answered as soon as you asked?

A I do not know. I asked her over twice.

Q How many times much time intervened between the first and second questions?

A I do not remember that. When you turned her over to Wheeler, do you remember her conversation with Wheeler?

A I do not remember her conversation with Wheeler.

Q Who delivered her to Inspector Byrne?

A Mr. Wheeler went over and a gentleman she called Grandpa and myself.

Q Did you hear her call him that?

A No, sir.

Q Do you know that it was the same gentleman known here as Grandpa Black?

A No, sir.

Q A man about 50?

A Yes, sir.

Q A full beard?

A Yes.

Q Iron grey?

A Yes.

Q Apparently about 50?

A Apparently so.

Q Do you know as a matter of fact that on that Tuesday night her mother, Mrs. Smith, had brought up a lot of under-clothes ^{and} dresses belonging to Lillian, to Mrs. Annie Smith?

A I know nothing about it.

Q Did you hear it said that she claimed to have been robbed of a large amount of lace, and lambrequin and curtain lace and lace for a dress worth \$55 and a dress pattern made out of camel's hair cloth?

A I heard that she was robbed.

Q It happened that night?

A No; I think it was the night before.

Q It was not suggested to you that it would be a good idea to go with an officer to get a good look into this mother's house?

A No; it never occurred to me I had nothing to do with the woman.

Q And you are Mac's detective?

A Special Officer.

Q Who told you about that?

A Lillian - about the robbing.

Q You said something on your first examination about when you started to go out she said "Can't

it be settled with money, or would
to that effect

A I told you that I did not
remember the exact words

Q On reflection, is it not possible
that she might have said
"Can't it be made good with
money?"

A I did not so understand it.

Q Has Lillian said anything
to you since you came here
to day?

A Lillian who?

Q Lillian Smith

A No Sir

Examin'd before me
this 30th day of Dec 1886.

Ralph A. Wiley

J. H. D. Ford
Police Justice

A. J. B. Wheeler, being recalled and
cross-examined before and
says:-

Q Do you remember what Mrs. Annie
Smith said, or was you present
when she came into the suit room

A I was not. Mrs. Stanley was
there. I do not know. I did
not see the child until about
~~4 o'clock~~ about six o'clock
I saw ~~Mr. Stanley~~ ^{Mr. Wiley} have her, after
wards in our office

Q When she was going out well says
 she turned around and said "Can't
 money settle it" or words to that
 effect.

What I heard her say.

Q Did she not say - "Can't it be
 made good with money" the words?
 A I think her words were
 "Can't it not be settled?" the
 turned to go out.

Q Webster, yourself and Will (the)?

A I was at Webster's the next
 morning. I think some time after she
 was arrested this he returned.

Q Did you not suggest that a
 parole had been made in
 apprehending the child and that
 you it was no longer worth
 to go on the parole so much

A He said as that

Q Did she say she would go down
 and see her husband?

A I did not hear her - she had
 been down and got her husband.

Q When she came back with her
 husband you saw him and he
 did you not?

A Yes Sir.

Q So you recollect what he said in
 her presence?

A He began to question the child and
 the Detective stopped him at once.

0062

Q With you off now?

A With my spouse, yes sir.

Q What took place?

A Mr Smith was asked questions

Q after he said he was the husband of Mrs. Smith?

A I do not know

Q What questions were asked?

A He asked the lady whether she called this child her child when she came into the suit room. I think she rather hesitated Her husband said "Now then, I want you to take the oath and she said that she was excited and did not know what she said. Then the detective said "Did you not tell me that you gave your old car for \$200 when you went out this morning?" Her husband said "You told me you did not give her \$200. What was her story?"

A I do not recollect what she replied

Q Did she reply?

A She admitted it

Q What did she say

A She said yes. Her husband made her reply

Q Did she not say she was under great excitement?

A I was not present at that interview.

Her husband said she was under
great excitement.

Q Did she not appear to be under
great excitement?

A Not up in her office she did not.
I do not know what she was
below. He told her to take a
seat ~~with~~ ^{like} her husband did, she
stood by him and he talked

Q Was the best of her by not
taking a seat?

A I really do not know.

Q Did you tell him that you did
not wish to return the check and
he had to then take the check home?

A Yes, I did not.

Q What did you say to him to that?

A I said the case was one of great
public interest; that "I really ~~did~~ do
not know what to do but if you
will be responsible for this check ^{to the detective} ~~to the detective~~
to-morrow morning I will send it
to Mr. Smith to ask his
advice. Mr. Smith said he would
be responsible.

Q Did he not say he did not think
he could keep the check if the
parents came for it?

A Yes sir. He said if anybody came
he would not bind himself; that if
this was a message he would
later change it.

0064

Q So the child went home on the night of Monday the 27th?

A Yes Sir.

Q On the morning of the 28th did you see the child in the office again?

A I saw the child on the afternoon of Tuesday.

Q Did you speak to her?

A I presume I did. I cannot recall what I said.

Q For what purpose was the child brought down?

A I could not say.

Q So you know whether the child was taken home by Smith (on Monday)?

A The child was taken out - presumably to go to Smith - went home alone by herself?

A I do not know what

Q She came down on Wednesday?

A Yes.

Q Did you see her?

A Yes.

Q What conversation passed between you about that time?

A The only conversation that passed was that I said the Detective would be obliged to take her over to Mrs. [unclear]

0065

quarters, to see Inspector
Byrnes. She was later there
2 On Wednesday.

A Yes, Sir

2 She really passed through the
sheets and came to your
office to be arrested at your
place of business?

A She was taken to Byrnes
2 Without an arrest she was
brought from her home to
your office by Weil and
from there to Byrnes.

A Under the order of Mr. Byrnes

2 Are you in the habit of
allowing Weil to make arrests?

A No, Sir. I have no authority
to allow him.

Subscribed to Friday Jan 7 at
2 P. M.

J. B. Wheeler

Sworn to before me
This 19th day of January
1887

J. H. H. Ford
Police Justice

0056

STENOGRAPHER'S MINUTES.

3

District Police Court.

Fourth Day
Fifth day

THE PEOPLE, &c., IN COMPLAINT OF

Ralph A. Weil
Annie J. Smith

BEFORE HON.

J. Henry Ford

POLICE JUSTICE,

Jan 7

1887

APPEARANCES:

For the People,

Asst Dist Atty Parry

For the Defence,

Mr. Hathaway

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Lillian Smith
Alfred J. Smith

135

151

Fifth day

Mrs Mary M. Donald

W. L. Conroy

Official Stenographer.

0067

3

DISTRICT POLICE COURT.

THE PEOPLE,

IN COMPLAINT OF

Ralph A. Weil

Agst. Alfred J. Smith

Examination had

Jan 7

1887

Before

J. Henry Ford

Police Justice.

I,

Walter L. Ormsby

Stenographer of the

3d

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

Ralph A. Weil

and Alfred J. Smith

as taken by me on the above examination before said Justice.

Dated

Jan 7

1887.

Walter L. Ormsby

Stenographer

J. Henry Ford

Police Justice.

0068

Continued January 7

Lillian Smith; being recalled for further ~~ear~~ cross-examination by Mr. Halbamay, before

Q And says: What time did Mr. Weil come up to take you down to the store with him on Tuesday?

A In the morning. I do not know really what time.

Q How did you go down by the elevated railroad?

A Yes, sir.

Q Then walked over to the store?

A Yes, sir.

Q Through 14th street?

A Yes, sir.

Q What time did you start to go home?

A About 5 or a quarter to five.

Q So you recollect whether it was a quarter past or a quarter to five?

A To five I think. I got home about six.

Q Who went home with you?

A No one.

Q You went home alone?

A Yes, sir.

Q Where was you in the meantime

0069

- until 5 o'clock?
- A - In the store
- Q all the time?
- A Yes Sir.
- Q Who was you talking with?
- A Mr. Weil
- Q Anybody else?
- A Not that I remember
- Q all that day?
- A Yes Sir
- Q Did not talk with anybody else?
- A Yes. I talked with three ladies and one lady detective
- Q What was her name? Do you know?
- A No, Sir: she is outside
- Q The lady detective?
- A Yes
- Q You talked with some ladies?
- A Yes Sir. I said I talked with three other ladies
- Q What did you talk about?
- A I do not remember what it was
- Q Do you remember what you talked about with the lady detective?
- A - Why she was not talking about anything - only asked me if Mr. Smith was my mother. That is all she said to me.

0070

- Q Did Mr. Weil ask you on that day going down in the car how you came to do this thing?
- A Yes Sir He asked me how much money I gave to Mrs. Smith
- Q Was that on Tuesday?
- A Yes Sir
- Q What did you tell him?
- A I told him - I ~~don't~~ do not remember what I did tell him, but he said Mr. Smith told him that he knew that she was not getting money off the pupils. That is what Mr. Smith told Weil - he told him on the car.
- Q He asked you how much money you gave Mrs. Smith?
- A Yes Sir
- Q You do not recollect what you told him?
- A No, Sir
- Q You went home alone about five o'clock and got home about six?
- A Yes Sir
- Q Did you go over to your mother's house before you went to Mrs. Smith's?

0071

- A. Was my mother was at Mrs. Smiths when I got home
- Q. That was on Tuesday night
- A. Yes Sir
- Q. What was she there for?
- A. Waiting there to see me come home
- Q. Did she know you were coming?
- A. She knew that Mr. Weil brought me down town in the morning and she waited until the evening to see me.
- Q. How do you know?
- A. Because she was there in the morning when Mr. Weil was there and Mrs. Smith put her in a ladies next door so as not to let him know she was there
- Q. Who is the lady next door.
- A. Her name is Kauffman
- Q. How long was she in there.
- A. I do not know because I went out with Mr. Weil
- Q. Did you see your mother that morning?
- A. No Sir. I saw her come in but I did not see her to speak to her.
- Q. Where was you?
- A. I was in the front room
- Q. Was you in bed?

0072

A Not when mama came in.
Q Was you not in bed when Mr. Weil came?

A Yes Sir, but I got up and dressed myself that morning my mother was not there at that time, she came afterwards.

Q Weil was there?

A Yes Sir,

Q she came into the room when Weil was there?

A No Sir: she did not come into the room. Mr. Weil did not see her. She did not see Mr. Weil at all.

Q How did you see her?

A Because I saw her come in. She was in the front room. I saw my mother come in and go into the kitchen and then she went to Mrs. Kauffman where was Weil?

A He was inside in the front room?

Q Did he come for you the next day Wednesday?

A Yes Sir

Q What time?

A In the morning

Q About the same time he had the morning before?

A Yes Sir

0073

Q You went down with him and
in the cars and walked across.

A To Macy's yes, sir.

Q The same as before?

A Yes, sir.

Q What did he say to you
on the way down?

A He did not say anything
to me.

Q Where did you go when you
got in the store?

A We went in to see Mr. Weir.

Q What did they do with you?

A I went in too.

Q How long was you there before
you went to headquarters?

A One hour.

Q What time did you go to
headquarters?

A About half past 11 - no it
was a different time.

Q How long did you stay there?

A About 2 or half past two.

Q Then where did you go?

A We came to this court.

Q Did you go anywhere in the
meantime?

A No sir. went back and
stayed by the store up stairs.

Q I came to court in the morning.

Q Did you go to have your picture
taken?

A Oh yes Sir

Q When was that?

A On Wednesday.

Q From where did you go to have your picture taken - from the store or from Head quarters.

Q From the store

Q Do you know where you went?

A It was down two or three blocks from Head's.

Q Who went with you?

A Mr. Weil.

Q Mr. Weil then took you to have your picture taken before you went to Head quarters?

A Yes Sir.

Q When was that on Wednesday?

A Yes Sir, that was Wednesday -

Q No Sir - that was on Tuesday.

Q Do you know Mrs. Ellet?

A Yes Sir.

Q Where does she live? In 54th Street?

A Yes Sir.

Q How long have you known her?

A I do not know - Mama knows that. I do not know how long mama has known me.

Q How long have you known her?

A About as long as mama. I do not know remember about how long that is.

142
Q About how long?

A About two years I think

Q Have you been to the house

A Yes for three times

Q Lately?

A No for

Q Within the last three months

A No, sir.

Q How long ago was the last time you was there?

A I do not remember how long it was

Q Since last summer?

A Winter before last I was there.

Q Not since?

A No, sir.

Q Do you know a man by the name of Martin?

A No sir

Q Do you know Mr. Martin?

A No, sir

Q Do you know Officer Martin?

Q No, sir

A You never saw him?

Q Not to my knowledge - no sir

Q Do you recollect saying here

the other day in your testimony

that Mr. Smith brought that

jaacket and that hat that

she has on when she was

- with you?
- A. Yes Sir.
- Q. Where?
- A. At Stern Brothers.
- Q. Not at Hearn's?
- A. No Sir - she went to Hearn's before that but, she would get none.
- Q. She got it at Stern Brothers?
- A. Yes Sir.
- Q. That you are sure of?
- A. Yes Sir: I am sure of it.
- Q. What did the jacket cost?
- A. I do not remember how much the jacket cost, or her hat.
- Q. She bought a Jersey and other things there the same time.
- A. No, she did not buy a Jersey there - she bought it down near - a corner, on Broadway - up further.
- Q. When did you first tell any person that Miss Annie Smith caught you to steal?
- A. Never until I told Mr. Weil.
- Q. When was that?
- A. I do not remember that.
- Q. Did you tell him the first night you were apprehended?
- A. No, Sir.
- Q. Did you tell him the next day, Tuesday, when you went down

0077

- down in the cars - the day
you had your picture taken?
- A No Sir - I do not remember
whether I told him at all.
- Q But, he was the first person
you ever told about it - was he?
- A Yes Sir. I think so.
- Q Did you tell your Grandfather
that so?
- A No Sir.
- Q Did you tell your own mother
so?
- A No Sir.
- Q Where did you get the ~~last~~^{last}
money that was to be ~~used~~^{used} put
into for the last dress for you that
you took home to your mother?
- A That was a present to me.
- Q Who gave it to you?
- A A lady friend.
- Q What was her name?
- A Mc Shayne
- Q Where does she live?
- A She does not live in 57th
Street - I do not know
where she lives.
- Q When was it she gave you
the lace?
- A I do not recollect.
- Q Mrs. Mc Shayne gave it to you
but you can't recollect?
- A No, Sir.

0078

Q How many yards was there in it?

A Two or three yards

Q How long since you was at Mr. McShaynes?

A That was the last time - I do not remember.

Q Had she ever given anything to you before?

A Yes Sir

Q What

A An india rubber cloak.

Q How long ago was that?

A At the same time.

Q What else?

A That was all she gave me

Q Was that given in the presence of your mother?

A No, Sir.

Q Where was it?

A When I went down to see her

Q Where?

A In 57th street, but she has moved from there

Q Did Mrs. McShayne give you a cloak that you took home to your little sister Maud?

A No, Sir

Q Where did you get that?

A Mr. McShayne gave me that?
185- McLaughlin

- Q Where does she live?
 A In Brooklyn - I do not know the street
 Q Did this little Green girl live there with her?
 A No, Sir.
 Q Where does she live?
 A There is no little Green girl lives there
 Q Did you ever bring her home a new cloak besides the one Mr. McLaughlin gave her?
 A No, Sir
 Q When did you get the pattern for the dress - the camel hair cloth that you took home to your Mother?
 A Mr. Mack gave it to me to give to Mother
 Q That was Grandpa Mack?
 A Yes, Sir
 Q Where was you when he gave it to Mother
 A I went out one afternoon
 Q Did you go to the Matinee that day?
 A No, Sir
 Q Where did you go?
 A I went about the dress
 Q Where?
 A Grand street.

0000

Q In whose store?

A I do not know the name of the store - it is a big store

Q How much was it, a yard?

A A dollar I think

Q How many yards was there in it?

A Five yards I think - five or six

Q To make a dress for your mother?

A It was double width.

Q To make a dress for your mother?

A Yes, Sir

Q Did you Mr. Mack go up with you, or did you take it up home yourself?

A He came up home and we went to the theatre - I and my brother

Q With him?

A Yes Sir

Q Where did you get the lace curtains that you brought home to your mother?

A I did not bring the lace curtains home to my mother

Q Did you not bring home some curtains to your mother?

A No, Sir.

Q You did not bring home a clock for Maand?

A No, Sir

0081

Q Do you know that all these things that are said to have been stolen from your mama on the night you were arrested?

A Yes sir; a gentleman told me that.
Q Who was the gentleman that told you?

A Some gentleman from the court.

Q Was you present when that gentleman your mama came up to Mrs. Smiths and brought up a little dress belonging to you and some things that you left at your mother's home?

A No, sir; my mama never brought any dress.

Q And your mama did not tell you about these things having been stolen from your mother's house by some one else?

A No sir; I did not see my mother.

Q Did you not see your mother when you came back on Tuesday night?

A No, she did not bring any thing to me.

Q How long was she in conversation with you then? A. I was with Mr. Mark.

Q On Tuesday?

A Yes sir

Q. Mr Weil took you down in the morning with him and you got home about 6 o'clock?

A. Yes, Sir.

Q. Did you go to the theatre that night with Grandpa Mack?

A. Yes, Sir.

Q. Did he come to Mrs Annie Smiths?

A. Yes, Sir.

Q. Who else went with you?

A. That was all.

Q. You and Grandpa Mack?

A. Yes.

Q. He came to Annie Smiths after?

A. Yes, Sir.

Q. You did not see your mother that night?

A. Yes Sir; when I went back.

Q. How long did you talk with her?

A. About half an hour but always in Mrs. Smiths presence.

Q. Mrs. Annie Smith?

A. Yes. They went in a closet.

Mrs. ^{Smith} said to me "You stick to me and I will stick to you" she told me not to tell and I told her I would not.

Q. Wednesday you did not see your Mamma?

0083

A. I do not remember that at all
Q Mr Weil came the same time
after you on Wednesday morning
that he had on Tuesday?

A. Yes, Sir

Q Can you not remember whether
you saw your mother that
morning or not?

A No sir I did not see mamma-
nor, I did not

Q What time did you leave Mrs.
Smiths the Monday before; the
day that you went down to
Maeys. The day you were
apprehended. What time did you
leave Mrs Smiths house that day?

A 12 O' clock

Q Had you had your dinner?

A No, Sir

Q Where did you go?

A What do you mean - where
did I go - I went to Maeys
directly?

A Yes Sir

Q You left Mrs. Smiths about
12 O' clock

Q Was you in Maeys all the
time until the time you were
apprehended?

A Yes, Sir,

Q That was about 4 O' clock
in the afternoon?

0084

Q Do you understand what I mean by apprehended?

A Yes sir

Justice Ford - What does he mean?

A It means when Mr. Weil first seen me.

Examination Continued

Q - You went there at 12 o'clock on that Monday you say - and went directly - Did you not go to your Maers house before

A No, sir; I did not

Q - Did you see your Grandfather?

A No, sir

Q From the time you got into Maers until 4 o'clock what was you doing there?

A I do not remember what I was doing.

Sworn to before me this
day of January 1887
J. Henry Ford
Police Justice

Alfred J. Smith, being duly sworn
as a witness for the Defense, and
examined by Mr. Halshaw, deposes
and says: I am 29 years old.
I live at 1643 Lexington Avenue.

0085

I am a clerk. Mrs Annie Smith
the defendant is my wife. We
have been married 7 years. We
were married in Long Island
city

Q Where have you since resided?

A New York City except a short
time we went boarding with
my sister in Williamsburgh.

Q What was your business up
to the time of your wife's
arrest?

A Telegraph operator and
clerk

Q You are not now employed.

A I was suspended while this
proceeding is pending

By Justice Ford

Q - where were you employed?

A Adams Express Company

By Mr Hallaway

Q At what salary?

A \$75 a month

Q When and where did you
first hear of this child
Lillian Smith being charged
with stealing?

A Mr. Whelan Office - R. H.
Macy & Co

152 Q How did you come to go there?

- 1
- A. My wife came down after me.
 Q. What time of day?
 A. Monday afternoon - a little after five o'clock.
 Q. From what she said you went to Mr. Wheeler's office?
 A. Yes.
 Q. State what occurred - what took place; what was said, at the office in your wife's presence by each and every person.
 A. As I came in the office they asked me if I knew this girl. I said yes. I did. They said "Is this your child?" I said "No, Sir; it is not my child; it is a child that is stopping with us. I asked "What is the matter?" when Mr. Wheeler said they held her for having an amount of money in her possession - they found a quantity of money on her. I said "This is a blow to me." He said "Lillian show how you can open a satchel" and handed her a satchel. She stood up to open the satchel. I said "There must be a terrible mistake here; let me speak to this little girl." Mr.

Mr. Weil said "Oh no; no such bluff as that; you must understand I don't want any such stuff as that here; we do not do anything like that" I said "Will you let me speak to the child; she is afraid; she may tell me the truth in regard to this matter" He said "Well" I said "Lillian tell me the truth about this; what is the matter?" Mr. Weil stopped her. Mr. Weil said Lillian had picked pockets. Lillian was asked "What did you do with the pocket books?" she said "I threw them in the gutter;" she was asked "Was anybody else learned you to do it?" and she said "No" I said "Was there anybody else with you?" she said "This girl named Green" I said "Where does she live?" she said "in Hoyt street Brooklyn." I asked Weil "How about this Green girl" He said "We have telegraphed about it" I talked to Weil about it. I said "This is a terrible blow; this child has been stopping with us & she

0088

I never found her in anything wrong.. she has been in my house. There must be some mistake. she must be put up to it." He said "she must have been put up; it is evident. I said "I dont want anything to do with her." Weil asked me one side and said "I do not think we could get the truth out of her; she is full of lying and I would not believe her." Mr. Wheeler said the same thing; we cannot get the truth out of her. she tells so many different stories." I said "I wash my hands of it; it is not our child." My wife spoke up; she was nervous and tired. she had been sick a short time before. she had been sick a short time before. then she said "send for her mother." Weil spoke up "We dont want anything to do with her mother." I said "What are we going to do; how much has been her stealing?" He said "I dont know." I said "she has plenty of clothing at my house, including very

0089

expensive things. We will deliver these things and they may be sold for the benefit of people who have lost. Well, the detective, called me one side and said to me "Smith, I believe you are an honest man." Mr. Wheeler said the same thing. I said "Well you see how this affects my position and standing. How this child's conduct might implicate me. No such thing has ever happened to me, or to my people, who are all respectable people." Mr. Weil called me and said again. He said to me "Smith: restitution is the first step to repentance" and he said "Let us have these clothes." I said "Yes; if you will come for them because I would not have them in my house - stolen goods - all the things. There is a pink sash which cost her mother which cost about \$45 and \$15 more. He said "I will call." I said "I do not want anything to do with the child." Mr. Wheeler said "I do not like to send such a little child to the lock up because she is

to little a girl to be locked
 up. I do not think the child
 is the guilty party. We want
 the Green girl. "I said "I
 will do all in my power and
 let you know, and do the
 best we can. "Well; he
 said "you had better take
 the child home, and you come
 down to see me to morrow
 morning." I told him I would
 not be responsible for the child,
 but if anybody came for the
 child I would not use force
 to retain her in any way.
 He said "All right;" that
 he would go up for her. He
 said "All right Smith; try your
 best." When we went home
 I sent for the child's mother
 to come down and she came.
 I said "You must return the
 plumb sarge that the child
 has bought."

Q Was the child present?
 A Yes; the child was present in
 the next room in bed. She
 got up and came to the
 folding door. She was right at
 the dressing in her night clothes.
 So I told her mother she
 would have to return this

too little a girl to be locked up. I do not think the child is the guilty party. We want the Green girl." I said "I will do all in my power and let you know, and do the best we can." Well; he said "You had better take the child home, and you come down to see me to-morrow morning." I told him I would ^{not} be responsible for the child, but, if anybody came for the child I would not use force to retain her in any way." He said "All right;" that Neil would go up for her. He said "All right Smith; try your best." When we went home I sent for the child's mother to come down and she came. I said "You must return the pearl saque that the child has bought."

Q Was the child present?

A Yes; the child was present in the next room in bed. She got up and came to the feeding door. She was right at the dressing in her night clothes. So I told her mother she would have to return this

acquire, and also all the things
 up at the house, the portiere,
 curtains, the lace curtains
 and all the things she has
 bought. She said 'Certainly
 because I don't want any
 trouble.' I said 'You bring
 them here on Tuesday morning!
 I will go down town in regard
 to giving back to the de-
 tective all these things! I
 do not want them in my
 house. She said 'All right'.
 She said she would wait
 and see Lillian. The next
 morning I went down and
 saw Weil at 9 o'clock and
 we went up and saw Mr. Wheeler.
 Mr. Wheeler said:-

- Q - Who was present?
 A - Mr. Wheeler and the Detective
 Q - What was said?
 A - The substance of it was that
 I asked how much money
 was lost? He said 'I will
 tell you in a little while how
 much was lost.' The bookkeeper
 said \$300 - and Mr. Wheeler
 said \$200 - would settle it. I
 said 'Mr. Wheeler, there is some
 article that he has got that
 were bought here that might be

0093

returned." There was a dress that
 she had been trying on - a
 pink dress. I went up to
 my house with Mr. Weil, and
 we had a conversation going
 up. We got talking, and he
 said he had a search warrant
 in his pocket. I said "You
 don't require my search
 warrant." He came up to
 my house. I said to my wife
 "You bring out all the things
 Lillian has got, and all the
 things she has given us." I
 can't mention all the things
 that were brought out - a red
 cloak and clothes, a little
 Chatelaine Watch and a chain
 with two gold dollars on it -
 Mr. Weil asked her where she
 got it. She said Grandma
 bought it. There was a seal skin
 satchel and also a little ~~water~~
~~Ward~~ article that she said her
 grandpa bought her. Weil
 asked her "Where did you buy
 that satchel." She said "The
 Green girl stole that satchel and
 gave it to her with a pencil
 in it. Afterwards Lillian said
 that the girl's name was not
 Green but Grattato. Then we

asked her how she knew the Green girl lived in Brooklyn. She said she brought her over there and showed her the house and told her she lived there. That was Tuesday morning. On Tuesday night when I got home I asked what time Dad Lillian got home. She was not home. She came in later.

Q What time was it?

A About half past 4.

Q Did she get home at 6 o'clock?

A I did not see her. I did not get home until 7:30.

Q Her mother came there on Tuesday night?

A Yes Sir. I was coming in the door, and I met her mother and brother. As I met them at the door they were going out. I just said "Good evening" and walked on up stairs.

Q Was there some things brought there?

A Wednesday night.

Q Did you see Mrs. Smith when she brought her?

A No Sir. I saw her after.

Q Your wife had already been arrested?

0095

A. Yes, Sir.
Q. She came and brought these things?

A. Yes.
Q. Were these things left at your house after your wife's arrest?

A. No, Sir - I do not know about that.

Q. You did not see them after your wife's arrest?

A. No, Sir.

Now examined by Mr. Purdy

Q. When were you married?

A. I think it was the 4th of July.

Q. What year?

A. About 7 years ago.

Q. By whom?

A. I can't remember the priest's name.

Q. By a priest?

A. Yes.

Q. A Catholic priest of Long Island City?

A. Yes.

Q. You were employed up to this proceeding by the Adams Express Company?

A. Yes, Sir.

Q. How long had you been employed there?

A A little over a year
 Q What was you doing before that?

A Telegraphing for John Hayes -
 Private operator

Q You say you were suspended?

A Yes

Q on account of the charge?

A Yes, Sir.

Q Is it not true that you were dismissed?

A No, Sir.

Q Were you not absent from the Express Office before this occurrence on several occasions and questioned about it?

A No, Sir.

Q Absent from duty?

A Not to my knowledge

Q And questioned and asked to account for it?

A Not to my knowledge.

Q Don't you recollect Mr. Dunsmore asking you and your Superintendent asking you about your absence from the office you used to be where you had been or words to that effect and that you were dismissed?

A Not to my knowledge.

Q If Mr. Dunsmore said so it was not true?

0097

A I never had a word with
Mr Sumner on the subject
in my life

Q Do you know the parents of
this child?

A I only saw the mother.

Q How long was she at your
house?

A That I cannot exactly say.

Q Have you ever known the
father?

A Never until I saw him in
Court.

Q Have you ever been at their
house?

A No, Sir

Q You do not know whether they
have a house?

A No, Sir

Q Do you know where they
live?

A No, Sir

Q Do you know whether they
live in a flat or more than
one room?

A No, Sir

Q You say you only know the
mother by sight?

A Only to speak to her when
I saw her in my house.

Q Do you occupy a house or a
flat?

0098

A a feet.

Q How many rooms?

A Five rooms, and a bath room.

Q How much rent?

A \$18.

Q How much is your salary?

A \$75 a month

Q You have no children?

A No sir

Q How did you first learn of all these things that Mr. Smith had?

A I saw the plush sarge myself

Q How did you know this child gave it to her mother?

A From her mother's statement

Q Expensive suit of clothes were they?

A The plush sarge was \$85 - of shrub and \$15 for altering.

Q When did you first see it?

A A couple of weeks ago

Q Before this time

A A couple of weeks ago - I saw some of the sarge

Q This child had expensive clothes for a child in such circumstances?

A Yes

Q You have it yet have you not?

A Not to my knowledge I sent

away everything

Q Where did you send it?

A Mr. Weil took the greater part of it, and gave the rest to Detective Sheldon, and got a receipt.

(The list is as follows:— "Received

"the within articles from Mr and

"Mr A. J. Smith 1683 Lexington Avenue

"Samuel Sheldon Detective Sergeant P.D.,

"Arthur Detective Sergeant J. Heard

"2 glove boxes, 1 box writing paper,

"1 basket, smoking set and match

"stand, shaving case, 1 child's hat,

"1 blue shawl, 1 red dress, 1 brown

"cloak - child's, 1 remnant dress

"goods, 1 night dress, 5 skirts, 5

"pair stockings, 5 aprons, 3 flannel

"skirts, 1 flannel drawers, 4 pair

"muslin drawers.)

Q You know they were in the house before that?

A I do not know - I cannot say.

Q You delivered them to Sheldon?

A Yes sir

Q Where did you deliver this property to Sheldon?

A In my house

Q Before your wife's arrest?

A I might have delivered some of it the day before the arrest.

Q Can you identify the clothing?

- A. Only from what was on the list
 Q Two glove boxes?
 A Yes! That is not all though,
 Q I mean things pertaining to it
 A One was presented to my wife
 Q By whom?
 A Mr. Lillian
 Q When?
 A During the last week
 Q A box of writing paper - that
 was hers
 A My wife
 Q Where did that come from?
 A I believe she bought it, from
 Q Who your wife?
 A W. Lillian
 Q You know Lillian bought it and
 gave it to your wife?
 A Yes.
 Q The basket
 A That was a market basket
 that she got and presented to
 my wife
 Q You know that?
 A Yes
 Q The smoking set? and match
 stand
 A That was worth a quarter of a
 dollar
 Q The shaving case
 A The shaving case was presented
 to me. about the middle of March.

Q The child's hat - that was her?
 A Yes.
 Q The blue shawl?
 A She made a present of the shawl to my wife.
 Q Were the red dress?
 A That was the child's.
 Q The brown frock?
 A That was the child's.
 Q One remnant of dress goods?
 A That was what she presented to my wife.
 Q You know that?
 A Yes.
 Q Five skirts?
 A The child's.
 Q Five pairs of stockings?
 A The child's.
 Q Five aprons?
 A The child's.
 Q Three flannel skirts?
 A The child's.
 Q One flannel drawers?
 A The child's.
 Q Four pairs of muslin drawers?
 A The child's.
 Q Do you recollect delivering a white apron?
 A I do not remember.
 Q Two worsted skirts?
 A I do not remember.
 Q One pair of slippers

A I believe that were delivered -
I do not know when.

Q Embroidered white flanne
~~shirt~~ skirt?

A I do not know about that

Q Two white mullin skirts?

A No sir

Q Two suits of underwear?

A No sir

Q Two pair of black hose?

A I guess they were found
there

Q A hand satchel?

A Yes, Maess has got that

Q A rubber coat

A I do not know

Q A pair of rubber boots?

A Yes, sir

Q A large French doll?

A Yes; part of that is around the
house

Q Some handkerchiefs?

A No,

Q One silk muffin?

A I do not know

Q A Navy Blue hat?

A That Sheldon has

Q You knew she had bought
all these things?

A I suppose so

Q Where did you suppose she
got the money to pay for all

- these expensive things?
- A - Objected to
Objection sustained
- Q - You returned all the property that you have got belonging to this child?
- A - All that I can find - They can have them all with pleasure.
- Q - Those clothes came back from the wash woman.
- A - Yes.
- Q - Were you here the other day when the wheel was being fixed?
- A - Yes, but I did not hear him.
- Q - About how much does it cost you to live?
- A - I should say \$20 to \$25 a month - taking everything \$35 a month.
- Q - Do you keep a bank account?
- A - No, Sir.
- Q - When were you last paid by the Essex Company?
- A - On Friday, the last day of the month.
- Q - When before that?
- A - On the 15th.

By Mr. Hathaway

- Q - State to the court what was said to you the identical words - by Mr. Hovey when you left your business

0104

19
A Mr Hovey said to me. "I
feel very sorry for you in this case,
but as things are at present I
shall have to suspend you."
He said "I am very sorry for
you and your wife, and I
hope that you will come out
of it all right. Your position
is open to you. You are not
discharged. Your place is open
to you as soon as this is
cleared away."

Adjourned to Wednesday Jan 12
1887 at Jefferson Circuit Court.

Shown to before within 130a
Day of January 1887
J. H. Hovey

Police Justice

Jan 12. Adj'd to Jan 12

Continued Jan 19

Mrs Mary Mc Donald, being duly sworn
deposes and says: I live at 56
East Fourth street. I am a married
woman living with my husband.

Q How long have you known Mrs.
Annie Smith the defendant.

A Ten years.

Q Have you been intimately acquainted
with her and visited her since
she was married?

A Yes sir, and stopped with her.

Q What is her general reputation
in the neighborhood in which
she resides?

A A most reputable honest woman.
I never heard it challenged.

Sworn to before me this 17th
day of January 1887

J. H. M. J. D. D.
Police Justice

Mr Purdy - It is conceded that
if Officer Martin of the 59th
street station was present he would
testify that he took the witness
Lillian Smith from Bloomingdale
store; that she stated where she
lived; that he went from one
place to another and she kept

saying: I do not live here
 I live further on. Finally I took
 her to her mother's house and
 her mother then accused her
 charged her with having taken
 money from a tin box.

Mr Harbaway moved to discharge
 the defendant upon the
 testimony

Justice Ford - I hold the defendant
 to answer in \$1,500 bail.

0107

City and County
of New York S.S.

Lillian Smith being duly sworn says that she makes the following statement of her own free will and accord. I am 11 years of age and lived up to ^{within} one month ago with my mother Fizzie Smith at No 218 E 111th St this City when I went to live with Annie Smith of 1683 Lexington Ave who is a friend of my mother. I was at Mrs Annie Smiths house about one week when ~~my mother~~ ^{one day} she took me on an Elevated R.R. Train and rode ~~at~~ to 14th St and 3rd Avenue and ^{we then} walked west toward 6th Avenue when near Macys, Mrs Annie Smith said to me. Lillie we must not be seen together, you go into Macys store first and I will meet you inside. She met me inside and on looking around a moment we went up stairs. She said to me I would like to find a pocket book, I then came down stairs, and she remained up stairs. While down stairs I saw a lady with a catchel in her hand. I opened the catchel and

0108

✓

took therefrom a pocket book contain-
ing \$40.00 which I brought to her where
✓ I had left her standing. She took
it from me and went into the
Toilet Room where I saw her take
✓ the money from the pocket book and
she then bought me two night gasses.
I assumed she threw the pocket book in-
to the closet. On my way from Macys
Store to take the car home she
✓ said "you are a smart bright
girl. She also made the same re-
mark to me when we were in the
car going home. Two days after the
✓ last occurrence she (Mrs Smith)
again said to me "I would like
to have some more money. Can't
you go down town and get me
some" I said I think so, and I then
went to Macys Store alone and
while there stole three pocketbooks
✓ containing about (20) Twenty doll-
ars and after taking out their con-
tents threw the pocket books away.
I then went home and handed the
money to Mrs Smith. When I ar-
rived at the house Mrs Smith had
company and she did not say anything
to me. a few days after Mrs Smith

0109

3

✓ said to me "Lillian I need some more money, cant you get me come, down town". I said I guess so I will go down town and try. I left the house alone and before going Mrs Smith said Here Lillian, is twenty cents to pay your fare. I took the train and rode to 14th St and 3^d Ave and went to Stearns ✓ Dry good store and while there stole two pocket books containing about Fifteen dollars, from two catchels which two ladies held in their hand. I took the money from the books & threw the pocket books away for the reason ✓ that I did not want to be arrested with them on me. ^{and gave Mrs Smith the money} I left Stearns ✓ about a week after I had left Stearns and then went to the Toy Store on 14th St and while in there took from ^{three} catchels, three pocket books containing \$17⁰⁰. I ~~threw~~ threw the books away and gave the money to Mrs Smith.

About a week after Mrs Smith brought me down town and took me to Stearns, 23^d St and 5th Ave while in there I stole two pocket books

0110

4

from two catches - one contained
Eight dollars and one three dollars
The pocket book containing Eight
dollars I gave to her in the store
and kept the one with \$3.00 I kept
and bought a dress with it. When
we left Stearns Store she left me
at the door and said she was going
to visit a lady friend. I went
home alone. She arrived home about
six o'clock. On Dec 24/86, Mrs Smith
said to me "Lillian I am very
short of money and I want to get
\$50.00 can you go down town and
get it for me. I went to Macy's
and stole three pocket books from
three catches containing 20.00
which I kept and told her I could
not get any. I bought a hat and
cloak with the \$20.00 which I stole
from Macy. On Christmas night,
Mrs Smith, her husband, and his
brother and myself went to Josh
Harts Theatre. as the theatre was
crowded we could not get any
seats, so Mrs Smith paid ten
dollars for a Private box. That
night she said to me "Lillian

0 1 1 1

5

you will have to go downtown
 on Monday and get \$50.00 to
 pay for the boy. On Monday
 I went as directed by Mrs Smith
 to Macys store and abstracted
 3 pocket books from ladies
 satchel containing \$160.00, which
 I took from the pocket books and
 placed the money in my stock-
 ing. I was then discovered by Mr
 Whidden who took me up stairs
 and found the money in my
 stocking. While there a short
 time where I was detained
 Mrs Smith came and said that
 she was my mother and that she
 had given me that money
 that morning to buy some
 things.

Lillie Smith

Sworn to before me.

this 29th day of December 1886

~~Francis Morgan~~

Notary Public

N.Y.C.

~~W.C.~~

J. Morgan
 Notary Public
 N.Y.C.

0112

Sec. 192.

3

District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before J. Henry Ford a Police Justice
of the City of New York, charging Annie J. Smith Defendant with
the offence of Larceny

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, Annie J. Smith Defendant of No. 1685
Lexington Avenue Street; by occupation a Married woman
and Margaret Garvey of No. 434 East 85th Street

Street, by occupation a Annie J. Smith Surety, hereby jointly and severally undertake that
the above named Annie J. Smith Defendant

shall personally appear before the said Justice, at the 3d 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 Fifteen
Hundred Dollars.

Taken and acknowledged before me, this 30

day of December 1886.

J. Henry Ford P. I. CE JUSTICE.

Margaret Garvey
Annie Smith

0113

CITY AND COUNTY }
OF NEW YORK, } ss.

Sworn to before me, this
day of December 1886
John W. [Signature]
Police Justice.

Margaret Garvey
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 one Fifty 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 a house and lot in
the City of New York located at 434 East
Fifty-ninth Street, of the value of one
five thousand dollars above incumbrance

Margaret Garvey

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 188

Justice.

0114

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY {
OF NEW YORK, ss

Annie J. Smith

being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is h *2* right to make a statement in relation to the charge against h *1*; that the statement is designed to enable h *1* if he see fit to answer the charge and explain the facts alleged against h *2*, that he is at liberty to waive making a statement, and that h *2* waiver cannot be used against h *2* on the trial.

Question. What is your name?

Answer.

Annie J. Smith

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

U. S. N. Y. City

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

Answer.

1683 Lexington Av. One year.

Question. What is your business or profession?

Answer.

Married woman

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 entirely innocent, and when opportunity is afforded me will make my defense.

Annie Smith

Taken before me this

day of *January*

1887

Police Justice.

0115

Sec. 151.

3 District Police Court.

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 any Marshal or Policeman of the City of New York:

Whereas, Complaint on oath, has been made before the undersigned, one of the Police Justices in and for the said City, by Alpha A. Neill

of No. 53 East 3rd Street, that on the 20th day of December 1888 at the City of New York, in the County of New York, the following article to wit:

Good and Lawful Money to the
Amount of

of the value of forty Dollars,
the property of a woman whose name is at present unknown to Complainant
w as taken, stolen, and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Ramiah Smith

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 every of you, to apprehend the body of the said Defendant and forthwith bring her before me, at the 3 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 29 day of December 1888
J. Thompson POLICE JUSTICE.

POLICE COURT. DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Warrant-Larceny.

Dated 188

Magistrate

Officer

The Defendant

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex

Complexion,

Color

Profession,

Married

Single,

Read,

Write,

0116

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

POLICE COURT, 3

DISTRICT.

Ralph A. Neill

of No.

33 East 8th St

Street, being duly sworn, deposes and says,

that on the

2nd

day of

December

1886

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

in premises D^o

Lith Weene certain property consisting of lawful money in bills of various denominations to the amount of forty dollars was stolen from the possession and person of a woman whose name deponent does not at present know

That deponent is informed by one Lillie Smith now here a child about 11 years old, that she by the advice, counsel and encouragement of one Hannah Smith did take said property from a satchel which said woman carried in her hand while passing in the above named premises

That said Lillie further informs deponent that she afterwards gave the money to said Hannah Smith who took and received the same although Lillie at the time told said Hannah that she Lillie had stolen it

Deponent therefore charges the said Hannah with being an accessory both before and after the commission of said felony and in so taking and stealing said property

Ralph A. Neill

Sworn to before me this
29th day of Decr 1886
J. H. Smith
Notary Public

0117

Ex Jan 3. 2 PM
" " 5 2 PM
" " 7 12-noon
" " 12-11 AM
" " 1 PM

W 1191
POLICE COURT-
DISTRICT.

THE PEOPLE, & c.,
ON THE COMPLAINT OF
Ralph A. Wells
vs.
Hansel Smith

Dated Dec 29 1888
Fred
Magistrate.
Morgan
Officer.
Central Officer

Witness,
Disposition

AFFIDAVIT.

0118

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 _____

Amie J. Smith
guilty thereof, I order that she be held to answer the same and she 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 she give such bail.

Dated

Jan 17 1887

J. Hennepin Police Justice.

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

Dated

Jan 17 1887

J. Hennepin 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.

R.O.

0119

BAILED.

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

Ralph A. Weill
153 E. 3 St.
Minnie J. Smith

Offence Larceny
Indictment

Dated

1886

Magistrate.

Marguerite Shelden
Central Office Precinct.

Witnesses

No.

No.

No.

No.

to answer

Bailed

0120

STENOGRAPHER'S MINUTES.

3

District Police Court.

Second Day

THE PEOPLE &c., IN COMPLAINT OF
Ralph A. Weil
Annie J. Smith

BEFORE HON.

J Henry Ford

POLICE JUSTICE,

Jan 3

188

APPEARANCES:

{ For the People,

{ For the Defence,

188

INDEX.

WITNESSES.

Lillian Smith
Mrs Alice Hunt
(formerly Mrs Beckman)

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

75

80

N L Omer

Official Stenographer.

0121

3

DISTRICT POLICE COURT.

THE PEOPLE,
OF COMPLAINT OF

Joseph A. Weil
agst.
Annie J. Smith

Examination had

Jan 9

188

7

Before

Danilo O. Kelly

Police Justice.

I, *Walter L. Owsby* Stenographer of the *3d* 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 *Lillian Smith*
Mr. Charles Hunt *Mr. Beckman*
as taken by me on the above examination before said Justice.

Dated

January

3

188

7

Walter L. Owsby

Stenographer.

J. Murphy

Police Justice.

0122

Examination Continued
Before Justice Ford
Jan 3/887

For the People... Assistant District Attorney Purdy
For the Defendant - Mr. Hathaway

Lillian Smith, being cross examined by
Mr Hathaway, upon her affidavit,
deposes and says:-

Q Did the Judge read your statement
to you when you signed your
name to it?

A Yes Sir

Q Do you recollect the man that
took your statement down at
Police Headquarters?

A He was a little gentleman
(It is admitted that this
was Officer Mangin)

Q Who was present in the
room when you made that
statement

A Only another gentleman - the
Inspector

Q He asked you different questions?

A Yes

Q And you answered them?

A Yes

Q Did you understand them?

A Yes Sir

11 Q Did you understand all the

0123

2

Judge said when he read your statement to you on that day when you signed your name

A. No, Sir.

Q. You did not?

A. No, Sir.

Q. Do you know what it is to "assume" anything?

A. No, Sir.

Q. Do you know the meaning of the word assume?

A. No, Sir.

Q. Where did you live with your mother?

A. 21st East 117th Street

Q. How long had you lived there?

A. Until a month ago.

Q. When did you first go there to live?

A. Three or four months, I think

Q. Was it in the Spring - last May?

A. It was in the winter time.

Q. Who lived with you there besides your Mamam?

A. No one

Q. Did not your Papa?

A. Yes. Mamam and Papa

Q. Who else?

A. That was all

Q. Your little brothers and sisters?

0124

A Yes

Q One brother named Jimmy?

A Yes

Q How old is he?

A 9 or 10

Q Another named Frank?

A Yes

Q How old is he?

A 5 or 6

Q Another named Willie?

A Yes

Q How old is he?

A Three or four.

Q And a little sister named Maude?

A Yes

Q You all lived there together.

A Yes Sir.

Q Was there a man used to come there to visit you by the name of Mack?

A Yes

Q Mack what?

A That is the only name we knew him by.

Q How long have you known him?

A Three or four years - Papa knew him before I knew him.

Q Mack used to take you out to theatre matinees and ^{amusements} ~~Museums~~.

13 A Yes Sir

Q A good many times?

A Yes, Sir

Q He used to give you money?

A ~~Yes~~ Not money. He did not give any money - he has given it to papa when papa was not working.

Q How long have you known Mr Annie Smith?

A Mama used to go to school with her sisters - about a year.

Q Have you seen her your mother since you came here to-day?

A No, Sir.

Q How long have you known Mr Annie Smith - you say about a year?

A It is over that I think

Q When was the first time you went to her house to stay all night?

A I forget - it was about four weeks before I went there last time - four or five weeks. I think

Q You went there to stay one Saturday night did you not?

A Yes

Q Where did you go that Saturday evening before you went home with her? Do you

0126

5-

A recollect?

A No Sir.

Q Did you not go to the Theatre?

A Yes: she brought me to the Theatre

Q Theatre Comique?

A Yes Sir.

Q She had passes?

A Yes.

Q You went straight from your mother's house to the Theatre?

A Yes Sir.

Q Did her husband join you there?

A Yes Sir: he came to the Theatre.

Q You changed the passes for tickets at the box office and left one at the door for him to get in?

A Yes Sir.

Q And your mother went to her own house, and you staid Saturday and Sunday night and went home on Monday?

A I staid longer than that

Q Did you?

A Yes Sir.

Q How long did you stay?

A I think I staid there a week.

Q You then went home?

A- Yes, Sir.

Q Did you walk down to see your mother every day ~~at~~ while you were visiting there?

A- No, Sir. not every day.

Q Nearly every day?

A- Yes Sir. sometimes go there every day.

Q Did you ever steal anything from anybody until the time you had gone to Mr. Annie Smith's house?

A- No, Sir.

Q Never in your life?

A- No, Sir.

Q That is true. Aint it?

A- Yes, Sir.

Q You know God will punish you if you tell a lie?

A- Yes, Sir.

Q You know that?

A- Yes, Sir.

Q Who told you that?

A- Mama.

Q You never went to Sabbath School did you?

A- Yes Sir - Sunday School.

Q When?

A- When I was home with my Mama.

16 Q Do you recollect going up to the

0128

7

Elevated railroad station and
letting the man on duty that
you was the day man's child
and crawling underneath to the
safe and taking \$4 from the Hopkins?

A- Yes Sir.

Q How long ago was that?

A- When I was with Mrs. Smith.

Q Was Mrs. Smith? (Defendant)

A- Yes Sir.

Q The time that you took the
\$4 from Mr. Hopkins?

A- Yes! I was going up to
meet Mr. Smith

Q Are you sure of that?

A- Yes Sir.

Q When was that - when you
staid about a week?

A- This last time

Q Why did you say you did
not ever steal anything
before you went to Mrs.
Smith - this was before
you had gone to Mrs. Smith?

A- I was with Mrs. Smith at
the time I did it

Q What did you do with the
four dollars?

A- She had a lady ~~was~~ stopping
with her ^{who} was selling out some
sheets and things. I got a
pillow and sheets. The sheets cost

a dollar and the full one was two dollars, and I gave Mrs. Smith the other dollar and she gave it to me back.

2 That was the money you took from Mr. Hopkins - from the elevated railroad station.

A Yes Sir.

2 How did you get it - out of his pockets, or out of the safe?

A The safe.

2 You told him you was the day man's child didn't you?

A No Sir. I did not tell him that.

2 Was he in the box when you got the money?

A Yes Sir.

2 Was he standing up and selling tickets when you got it out of the safe?

A I do not remember that.

2 That you say was when you was living with Mrs. Smith?

A Yes Sir.

2 You mean Annie Smith?

A Yes Sir.

2 About how long ago was that?

A I do not remember that either.

0130

9

- Q Do you remember one time when you went up to Bloomingdale on Third Avenue? a dry goods store?
- A the time that you had fifty dollars?
- A No, Sir.
- Q Did you tell them up there one time when they asked you about when you got fifty dollars that you had, that your aunt gave it to you and that she lived down on Third street?
- A I do not think I was ever in Bloomingdale.
- Q Did one of them go down to your aunt in 3d street?
- A No Sir.
- Q Did not?
- A No, Sir.
- Q Did you know a woman by the name of Beckman?
- A Yes, Sir.
- Q Where did she live then?
- A Over the bridge.
- Q That was about four or five years ago - aint it?
- A I do not think it is as long as that.
- Q How long do you think it is?
- 19 A It is about four years I think.

Q How long since you saw Mr. Beckman?

A We did not see her since she has a papa would not keep her - he would not have her in the house.

Q She used to have a room in your house?

A Yes sir - a hall bed room

Q How old was you then?

A I think I was six - five or six.

Q Now you are eleven?

A Yes.

Q Not eleven?

A No, sir.

Q Do you recollect during this time you went occasionally to get the loan of ten cents or fifteen cents, or a quarter for your mamma?

A No, sir. But I went to her house, she sent me up to mamma - I never went from mamma there.

Q Did your mamma tell you to go to Mr. Beckman's house and look under the pillow and get a quarter?

A I was never in, but once.

Q Did your mother ever tell you to look under the pillow

0132

in Mr Beckman's room and
get a quarter?

A No Sir.

Q Did you go there and get it?

A No Sir.

Q Did she promise you money
for the quarter?

A No Sir.

Q That is ^{not} true is it?

A No, Sir.

Q Do you recollect going into her
house ~~any~~ ^{any} time when you
had taken this quarter and
she made you give it up.

Do you recollect your mother
saying "You are making a
God damned sight of a fuss
over a quarter?"

A Well I never did it.

Q Did you ever hear your mother
holler that out from her
own room?

A No, Sir.

Q You used to run in to
see Mrs Beckman?

A No, Sir. My mamma would
not allow me in there because
she had gentlemen in there.

Q Do you recollect going one
time to Mr Beckman's room
and knocking on the door and
getting no answer, climbing

into her room by the fire escape and stealing a dollar and giving it to your little brother Jimmy, and Mr. Beckman is making you give it up?

A She never had a fire escape in her house - the only one was in 115th street where she did have a fire escape

Q That is the house - do you recollect going into her room and getting a dollar, and giving it to Jimmy, and her making you give it up?

A No sir, I did not go to the fire escape. I went to the door and her sister let me in - Rosie.

Q Was that the time you had the trouble about the dollar?

A I never had a dollar belonging to her.

Q Who was in the room besides her sister Rosie?

A Mr. Smith, Mr. Beckman and two gentlemen in the room.

Q Do you know a man who keeps a fish stand up on Third Avenue - by the name of Mr. Caffrey?

A No, sir

Q Did you ever steal any money

- from his till?
- A. What do you mean by till?
- Q. From the money drawer?
- A. 103d street - No Sir
- Q. Never did?
- A. No Sir
- Q. Do you know him?
- A. No Sir
- Q. How did you know it was 103d street?
- A. Because I heard you say Third Street - a gentleman named Mr. Caffrey
- Q. Did I not say Third Avenue?
- A. No, Sir.
- Q. Did not the fish man apprehend you for stealing money out of the drawer?
- A. No Sir. I was never down there.
- Q. Did you ever give Mr. Annie Smith ten Japanese boxes?
- A. Yes, Sir
- Q. Where did you get them?
- A. I bought them
- Q. Where?
- A. In Fourteenth Street
- Q. In the toy store?
- A. In the Japanese toy store
- Q. Who was with you when you bought them?
- A. There was no one with me.
- Q. Did you buy anything else

- borders the Japanese boxes?
- A Yes. Oh. There was a little set that she asked me to buy for her.
- Q What was the set?
- A A Japanese set.
- Q Set of what?
- A Cups and saucers. I think there was a tea pot and sugar bowl. she said that she broke the Korean - she wanted to give one back.
- Q Did she tell you to buy a set to replace another - why did you buy the Japanese boxes?
- A Yes sir. She did not know I was going to buy the boxes.
- Q She knew you were going to buy the set?
- A Yes.
- Q Did you not think it rather strange that she should send a little girl like you out to buy a particular set?
- A She told me to go down and get it.
- Q Did she tell you where to go?
- A Yes. The Chinese store on 14th street.
- Q Was anyone with you in Heerun at the time you took the pocket books in Heerun?

A Yes Sir. Mrs. Smith was there
Q With you at the time you went
to Hearn's?

A Yes Sir

Q Are you sure of that?

A Yes Sir I am sure of it.

Q Was that the time you said
you took the two pocket books
in Hearn's that you told the
officer about?

A Yes Sir

Q How much money was
there in these two pocket
books that you took from Hearn's?

A I think there was eleven dollars.

Q How many pocket books did
you take there?

A I only had two.

Q Were you there more than once?

A Yes Sir I went there two
or three times Mrs. Smith was
there with me and I was
once alone.

Q Did you get no pocket books
the third time?

A No Sir - Yes Sir - I got one the
day Mrs. Smith was with me.

Q Who was with you the day you
went to the toy store?

A No one.

Q How do you know that the
store you went in was Hearn's?

- A Because Mrs Smith was ~~not~~
there with me.
- Q How do you know it was
Hearns store?
- A Because she said so.
- Q She told you it was Hearns?
- A She said she wanted to go
into Hearns to get some
drapings.
- Q What were the drapings to be
used for?
- A For windows — I mean for
doors in her parlor.
- Q Draping for doors?
- A Curtains.
- Q Curtains?
- A Yes sir. I call them curtains.
- Q Not curtains for windows,
but curtains for doors?
- A Yes, sir.
- Q Did she purchase some?
- A She went in that day — No sir
she did not get it — Yes sir
she did get them that day.
She got two pairs. They sent
them up to the house.
- Q You went with her?
- A Yes, sir.
- Q Do you know what she paid?
- A 2.95 or 3.95 a pair — I
do not know.
- Q She got two pairs?

- A Yes, Sir.
- Q Do you recollect the color?
- A Yes, they were blue color - peacock blue with old gold drops.
- Q After you had been up to Mr. Smith the first time, and went there after you had been to the Theatre Comique, and gone home - how long was it before you saw Mr. Smith again?
- A Well, she had been up once.
- Q How long before you saw her again?
- A I seen her only one time when she came to the house, but she never took me down until that Friday or Saturday night.
- Q About two weeks thereafter?
- A No, Sir; it was three weeks.
- Q How did you come to go to her house then?
- A She came, she said. I was sick. She asked mamma if mamma would let me go down to the house for a week or so. Mamma said "Well; not longer. I can let her go to night." She said to get Mack to get me home. I

0139

15

went down there and stand
until Mamma came after me

Q How long?

A My mamma came after
me in a week. She asked
mamma to let me stay a
little while longer. Mamma
came again. Then it was a
month and I stand until
it got to be a month - it
was over a month.

Q Did your mother come up
very often to see you?

A No, sir. Mrs. Smith used to
make me go up and see my
mother.

Q Mrs. Annie Smith used to make
you go up and see your mother?

A She told me that if I did
(not go up she would go up
with me.

Q What for?

A Well, I do not know. She
would tell me to stay outside
the door away down stairs - so
that ~~mother~~ would not hear me
home-coming.

Q When you were at home - where?

A When she was going to bring
me up to my mother, she
would tell me to stay around
the corner so that none of them

Would see me.

Q Do you recollect that on Christmas night you all went to the theatre?

A Yes, Sir

Q When you got to the theatre then there was a good audience - and you had to get passes?

A Mrs. Smith got the tickets. She had money in her stockings that I gave her before that, she took it out, she went outside just as you go into the large hall, she took it out, she gave her five and she had to give another one.

Q To whom?

A To her husband Mr. Smith. Did you not tell Mrs. Smith that your grandpa Mack had given you ten and wanted you all to go to the theatre, and did you not give her money to buy tickets and when that was found to be insufficient did you not give her five more?

A No Sir, I did not give her five more.

Q You did not give her a cent?

A No Sir, I did not lend her five dollars. Her brother or law was there too. Her husband

came. Isaac: "He will pay". She counted the whole - I do not know whether it was five or ten. I think it was ten, and she told me afterwards I would have to get her \$50. I think she paid \$2 for supper and \$10 for tickets.

Q And you would have to make up 50 to make it up?

A Yes Sir: she told me.

Q So you recollect your mother coming up there after you had been up about two weeks, and she told you mother she had got the Japanese set.

A No Sir. she never told that to mother. She was always telling mother I was a good girl. and wanted to keep me there.

Q Has your mamma always been very good to you?

A Yes Sir.

Q Never whipped you?

A No Sir.

Q Never punished you?

A No Sir.

Q Many other children?

A No Sir.

Q Does she ever drink?

A Well, she takes Lager beer.

0142

21

Q Then you had taken some money out of pants, or satchel, or ladies hands, in Heurns store at different times if it is in the paper of the Officer here?

A Well; I was in - yes some I am sure Mrs. Smith was with me three times. I think I was once with her before she bought the deapings - when she bought a cloak at Heurns?

Q Yes Sir - she went there more than once for something else - one of the deapings was over four dollars - I recollect one was over four dollars.

Q How long since you have been doing any work?

A It is a long while now.

Q How long?

A I do not really know how long it is.

Q A year?

A It is over a year - yes sir.

Q What relation is grandpa Mack to you?

A None at all

Q Why did you call him grandpa?

A Because he told me to

Q You have two grandpa's

- living, havent you?
- A. No, Sir.
- Q. Is not your mother's father living?
- A. I do not know. We have not seen him for a long time.
- Q. Is Grandfather Smith living?
- A. Yes Sir; but the doctor says he will die some moment. Mrs Smith did not tell me how to open satchels - she showed -
- Q. When and where was it that she showed you how to open satchels?
- A. At this time; when these things was done. I was there about seven or eight days. She had a satchel bought that had a lock, and another one.
- Q. Another kind?
- A. And she had a small satchel.
- Q. You was practicing with her how to open a satchel?
- A. She showed me; yes Sir.
- Q. When was it she first showed you how to open a satchel?
- A. When I was there the last time.

Q How long had you been there the last time before she showed you how to open a satchel?

A Seven or eight days I think I was there.

Q What did she say to you at that time about it?

A She first went and showed how with the finger I showed open a satchel. She told me to get the pocket book.

Q When you was down there the first time?

A Yes Sir.

Q That was the first time you ever went to her house?

A No Sir - the second time.

Q Was that the first time she taught you how to open a satchel?

A She went down town; she told me I could take the pocket book. She showed me a satchel with a lady's name on it - the Weir - and after she had gone -

Q After she had gone she told you how to open a satchel, and how to take the pocket book out?

A Yes Sir.

0145

24

- Q Up to that time you had never stolen anything?
- A No, sir.
- Q When when she showed you how to open satchels and get the pocket books out did she say she had tried it and succeeded?
- A No sir, she never told me that.
- Q Did you not have some fear at having to undertake it?
- A She said no one would touch me.
- Q Did you suggest to her you was afraid they would touch you?
- A I told her I did not like to do it.
- Q Why not?
- A Because I knew it was wrong.
- Q But you took something like 40 pocket books after that didn't you?
- A No, sir.
- Q About how many did you take in all?
- A I do not remember.
- Q Did you take any of the proceeds home to your own mother?
- A No, sir.
- Q Did you take any of the things purchased with the

money you had stolen home
to your mother?

A Yes sir, but I told her that
black gave it to her I called
him "Grandpa" once when
I went with Mrs. Smith &
bring mama money to pay
rent - that is the only money
I gave mama from Grandpa.

Q Did you give your mother money
to pay rent that you had
got in this way and let
her think it came from
Grandpa?

A No, sir

Q Who gave you that money?

A Grandpa was working on the
car. He told me to tell
Papa to tell me to meet
him so he came down and
told me and I went down
and got the money and
brought it home to mama

Q Where did you meet him.

A 92nd street and 3rd Avenue

Q What time?

A About 4:00 clock

Q Where did you meet him and

A He just stopped the car and
gave me the money

Q After Mrs. Annie Smith had
shown you how to open satchels

to get pocket books out, how long did you practice that?

A When I went down there one day.

Q How long in the house opening satchels?

A Three days or four.

Q Working three or four days before you were sufficiently adept to do it in a store?

A Yes sir; I think it was longer.

Q A week?

A Yes sir; it was not over a week.

Q Three or four or five days?

A Yes sir.

Q How long did you practice every day?

A If any company came in she told me to try to open it myself.

Q Without her aid?

A Yes, sir.

Q How long do you think you practiced on it daily?

A After she would get the house cleaned up she would show me.

Q How long were you engaged in any one time? An hour?

A Yes, sir.

Q Did you get so you could open them easy?

A No sir, I could not open them easy.

0148

27

2 On account of the catch.
2 When you came to get pocket
books at these different
places in any instance was
any satchel open?

A No, Sir

2 Did you have to open them
in every case?

A No Sir; it was open

2 Do you recollect a woman that
you asked if she had lost a
pocket book after you knew
you had taken it?

A No, Sir

2 Do you recollect a woman
in Hays that was in here
the other day who said you
called her attention to the
fact that her satchel was
open and asked her if she
had lost anything?

A No, Sir

2 Do you recollect a woman who
testified that you asked her
"Hav'nt you got a cent for
car fare?" Do you recollect
that lady?

A No, Sir

2 Was any such incident read
to you the day that you signed
your name to the paper?
I don't recollect it

25

2 - do you recollect the date?

1 - when Mrs. Smith told some one that my mamma told me to do it, and took me down to do it - that was a story

2 That was a story?

1 Yes

2 Who was it that said that?

1 A lady

2 who said that Mrs. Annie Smith said that?

1 It was in the paper.

2 Did you read it?

1 No Sir.

2 who read it?

1 A lady up there

2 A lady up where?

1 Mrs. Jenkins said she read it in the paper that that was what Mrs. Smith said.

2 - And it was a story?

1 - Yes Sir

2 - Was you talking with Mrs. Jenkins about your mother?

1 Yes Sir

2 about what you had told to Officer Langin?

1 Yes Sir: I told her everything. I told her too.

2 do you recollect when you were taken up into a room and a lady searched you, and took

- money out of your stockings?
- A A woman did not search me
- Q Who did?
- A Mr. Wheeler
- Q He took money out of your stockings?
- A He said "aint you got any more?" I pulled off my boot; I thought I had lost it.
- Q Was there not a lady there?
- A Yes sir.
- Q She did not search you?
- A No, Sir.
- Q Do you recollect when Mrs. Annie Smith came in?
- A Yes, Sir.
- Q What did you say to her as soon as she came in the door?
- A I told her "do you remember the money" - she told me to say that if I was caught - to say that she had given me money that you remember?
- Q Yes.
- Q What did you say?
- A Oh mamma - they are keeping me here because I have got that \$60 you didnt you give me money this morning?
- Q Is that what you said?
- A I did not call her mamma

Q Did you not call her mamma?

A- No Sir, I said Aunt. She said I gave you \$20. Mr. Wheeler said "can you recognize a piece?" she said yes. He said "Was it an English piece?" she said yes. She turned to me and said "How much was it?" Mr. Wheeler would not have that.

Q What do you mean by "Mr. Wheeler would not have that?"

A He would not

Q He would not permit a glance - he objected to any communication with one another?

A- Yes, Sir

Q You called her 'Aunt Annie'?

A- Yes, Sir

Q Were you in the habit of calling her 'Aunt Annie'?

A- Yes, Sir. She told me if I went into any store she told me to call her mother.

Q Did you call her mother?

A- Yes

Q Why did you not call her mother when you was in trouble and not 'Aunt'?

A- Because I did not want to

Q Were you in the habit of calling her husband 'Uncle'?

Alfred?

1- Yes, Sir.

2 How did that come - he was no relation to you?

1 No Sir. He was no relation at all but Aunt Annie told me to call him Uncle Alfred and to call her Aunt Annie.

2 I want you to think if you can how long ago it was that you took the four dollars from Hopkins at the Elwood RR station?

1- I do not remember

2- Did your grandfather Mack tell your mother anything about giving her some money?

1- He said he would

2- How much?

1- Ten dollars

2- Who told her

1- Mr. Mack

2 Have you seen Mr. Hopkins since?

1- No, Sir

2 How did Mr. Hopkins know you took the money?

1- I do not know

2 Who first charged you with it?

1- I do not remember

2 Don't you think that was about four months ago?

0153

32

A No, Sir

Q Before you went to Annie Smith at all?

A No Sir, when I went there she told me I should go there and wait for Uncle Alfred.

Q It was while you were at the station waiting for Uncle Alfred that you went to the safe and got the money?

A Yes.

Q Was the safe open?

A It was open

Q Did the man on duty instruct you how to open the safe?

A No, Sir

Q You found it out yourself?

A The safe was open.

Q Was it inside the box where the station agent sells tickets?

A It was outside

Q Where was the man who sells tickets at the time you put your hand in the safe?

A He was sitting down

Q Did you watch him to see if he saw you?

A No, Sir, I did not.

Q If he had caught you what was you going to say?

A I could not have said anything.

0154

33

- Q. What time of day was this?
- A. About 8 or half past eight.
- Q. At night?
- A. Yes.
- Q. Who went down for you?
- A. No one.
- Q. What station was it?
- A. It was the street and third Avenue.
- Q. Was that how you came to be at the elevated station that you had time to look for your uncle?
- A. Yes, Sir.
- Q. And you pay your fare and go outside on the platform?
- A. No Sir.
- Q. You waited in the waiting room until he came?
- A. Yes, Sir.
- Q. Where was he coming from?
- A. Town town.
- Q. Where did he go?
- A. Just on the station to hand me the money.
- Q. As soon as you got the money from the ^{man} you did not wait for your uncle did you?
- A. Yes Sir. I waited a little while.
- Q. Was you not afraid that they would miss the money and would lay hands on you and arrest you?

A Yes Sir

Q You had heard of other people being arrested?

A Yes Sir

Q You knew of arrested men being taken to prison?

A Yes Sir. Mrs Smith told me the Station Master house.

Q After you had got the four dollars did you not fear that they would arrest you and take you to the station house?

A Yes Sir

Q How long did you remain about the elevated railroad station after you got the money?

A About ten minutes

Q Was there no more money in the safe than those four dollars; you took?

A I do not know

Q Where did you get the ring you have on your finger?

A [Pointing to a ring] I bought this down in Houston street at a jewelry store?

A Yes Sir I did not buy that one [pointing to another ring]

Q Where did you get that ring?

A The black gave it to me.

Q You bought the other one?

- A Yes Sir
- Q What did you give for it?
- A One dollar.
- Q Did you make a present of a ring to Mr Annie Smith?
- A Yes Sir.
- Q Was it a plain gold ring?
- A Yes Sir.
- Q A wedding ring?
- A A wedding ring.
- Q Did you give her a band ring first and then take it back and give her a wedding ring?
- A No Sir. I found two rings and I gave Mama one. She said "you give me the band ring and I will give you this ring."
- Q Would your mama do that?
- A She said - Mama said "all right". So mama took that ring. She said one is as good as the other. Mama took the other ring and Mr. Smith had the thick ring.
- Q Did you buy a suit of clothes for your little brother?
- A Yes.
- Q Which one?
- A For Jimmy.

- Q Did you get one for Frankie?
 A No, Sir.
 Q One for Willie.
 A No, Sir. I did not.
 Q What did you buy for Willie?
 A A clock and a dress.
 Q Where did you get the clock
 A At Maers.
 Q What did you have to pay?
 A 5.48 I think.
 Q After the clock what else
 did you get for Willie?
 A That was all I got.
 Q After the clock for Willie?
 A A dress.
 Q How much did you give
 for that?
 A I think 97 cents.
 Q Was any one with you when
 you purchased these articles?
 A No, Sir; nothing more than Mrs.
 Smith told me to get them.
 Q Which Mrs. Smith?
 A This Mrs. Smith (Defendant).
 Q Did you know her name?
 Q How did you know what would
 fit them?
 A I told them I wanted a nine
 year old size.
 Q How old was Willie?
 A Nine years. Three or four I
 do not know which.

Q You bought a whole suit of clothes for Jimmy?

A Yes Sir.

Q Where did you buy them?

A On 14th street

Q A tailor?

A A clothing store

Q What was that - a coat, pants and vest?

A - No Sir, a coat and pants

Q How much did you give for them?

A They were \$3.98

Q For the whole suit?

A Yes Sir

Q What did you tell your mother about it?

A I told mamma Mr. Black had bought them for Jimmy

Q Did you buy something for mamma?

A Yes Sir, I bought mamma a cloak in Heavens

Q How much did that cost?

A It cost \$55 - and Mrs. Smith told mamma, and I did, that we found it in Mass.

Q This cloak you bought at Heavens for \$55?

A Yes Sir, it was \$40 first, and it was fixed for \$55 - \$15 more for the fixing.

Q For fixing it?

A - Yes Sir

Trimming with fur?

0159

It

A No sir: no fur on it.

Q What was the trimming?

A No trimming on it; it was just a plush cloak - it was not large enough.

Q And you paid \$15 to make it over?

A Yes sir.

Q When did you pay that?

A Mr. Smith was with me that day.

Q The day it was made over?

Q There was not any one with you the day you bought it?

A No, sir. There was no one with me the day I bought it.

Q What did you tell the clerk you wanted?

A I told him I wanted a 42 and a 44 - to send both of to the house - that one would fit mamma.

Q The 44 was the one you had made over?

A Yes, sir.

Q Did you get the pocket books at Sears the day that you paid the \$40.?

A No, sir.

Q Did you take any pocket books that day?

A No, sir.

4- Q Did you look around to see if

there was any in there?

A I just went in the store and
came right out again.

Q Was that during the time you
was living with Annie Smith?

A Yes Sir. I sent them home
to Mama. We went up that
night to see if she got the
cloak home. We told her we
found the money.

Q Not that you found the cloak,
but that you found the money.

A Yes Sir.

Q Found the money where?

A In Hearn's - Mrs. Smith said.

Q When you said you found the
cloak in Hearn's, you meant the
money that you paid for the
cloak?

A I did not say cloak.

Q Why did you tell her you found the
money?

A Because Mrs. Smith said it would
be best.

Q Why did you not tell her that
you made Hearn's pay the money?

A Because Mrs. Smith told me
that she told mama that

Q Mrs. Annie Smith?

A She told mama she found the
money in Hearn's.

49 Q Who found it?

0161

40

A she said to say she had went down town; that she found it -
picked it up in the store

Q Where did the \$15 come from
to pay for purchasing the clock?

A I gave her the money and
she gave it to Mame.

Q Out of the thefts that you had
made and that she was holding
did she give you \$15 for this
purpose?

A she said "You will have to go
down and try to get this \$15 -
to get some money for me too" she
said "you won't have time; so
I will give it you the \$15 and
you can bring it up to your
Mama so that when the clock
comes she can pay for it and
say that grandpa gave it to
her."

Q Save it to whom?

A To mother

Q Why was she to say grandpa
gave it to her when she had
said she picked up the money
in black?

A Because she said we found \$40

Q Then only the \$15 was to be
counted as given by grandpa black?

A Yes sir

50 Q Did she tell Mame to go down

and try to ~~pack~~ cloak on and give her this \$15?

A Mrs Smith said to me "You will have to go down and get ~~more~~ that \$15 and say that ~~Grandpa~~ Mack gave it to you to bring up to her."

Q Do you know that you have just stated that here before?

A Yes Sir. When we were coming home she said to me "You will have to see your Maama, and give this \$15 and say the Mack gave it." Maama always calls him the Mack.

Q Do you recollect the day you was over at Stearns?

A Yes Sir Mrs. Smith was with me that day.

Q Was you at Stearns but once?

A Three

Q Was Miss Smith with you more than once?

A Once.

Q Who was with you the second time?

A No one.

Q Did you find your own way there?

A She told me to go over to 23d street and take the blue car and go across. I

0163

42

took one of them and got
off at 6th Avenue

Q On that direction you found
your way to the store?

A Yes, Sir.

Q Why did you go there the
second time?

A The first time Mrs. Smith
went with me to buy her a
hat and a cloak and she
got me a little squire. She
has got the hat on now.

Q What did you do the first
time you went to the store?

A I did not do nothing.

Q Did not take anything?

A No, Sir.

Q Was she with you?

A Yes, Sir.

Q The second time you went
what did you do?

A She told me I should go
there and get three or four
pocket books - I do not
know how much was in them.

Q Why don't you know how
much was in them?

A Because I forgot it.

Q So you know how much was
in any one of them?

A No, Sir.

52 Q Did you not open them?

0164

43

A. No, Sir

Q. Did you not open them?

A. Yes Sir; but I do not remember.

Q. What did you do with the pocket book?

A. Mrs. Smith told me if I ever got a pocket book always to throw it away.

Q. When you went to Stearns the second time did you throw away any pocket books?

A. Yes Sir

Q. What did you do with the money?

A. I kept the money and brought it home to Mrs. Smith.

Q. Where did you put it?

A. I put it in a pocket book.

Q. The pocket book was where?

A. I had it in my hand.

Q. When was the first time that you put money in your stockings that you picked up a store?

A. In Maey's

Q. Never only that time you was caught?

A. Yes, Sir.

Q. When was the first time you put money in your stockings?

A I put pennies that Mrs. Smith gave me - I put them away in my stockings - If I got any pennies I would always put them in my stockings.

Q Why did you not put it in your pocket, book and carry it in your hand as you did before?

A Because I put it in my stockings.

Q How many times was you in the toy store

A I think 4 or 5 - I am not sure

Q Did you get a pocket book or something each time you went in?

A I got two pocket books - on two days

Q The other day did you get more?

A No sir - one.

Q One on each of these ^{other} days?

A Yes sir

Q 4 or 5 times you went in there?

A Four or five times

Q Whose toy store is that?

A I do not know.

Did you not look at the sign?

0166

45

A No, Sir.

Q How did you know how to get back there?

A Because I know the store.

Q Do you recollect where it is?

A It is in Fourteenth street a block above Meeys.

Q Did any one go to that store with you?

A Mrs. Smith was there once.

Q The other times you were there alone?

A Yes Sir.

Q Did you get tired of the work?

A No, Sir.

Q Did you say anything to Mr. Smith about not wishing to do it - not wanting to do it?

A No, Sir. Yes Sir I told her I did not like to do that

Q You went three times more to the toy store without her?

A Yes, Sir.

Q What did you do with the money?

A Some of it I gave to her.

Q What did you do with the money you did not give to her?

55 A

I bought a hat and cloak

0167

46

2 Where? At Macy's?

A Yes

2 How did you come to go down to Macy's that day you got the hat and cloak?

A That was the day she told me she wanted some money the day that she said she wanted the \$50-

2 The day you went down. Did you get the \$50?

A No, sir.

2 She knew you went down town the day you bought the hat and cloak?

A Yes sir: That was the day she got the toilet set with the money I gave her. It was ten - something - she got it for ten dollars.

2 Where is the toilet set?

A In her bed room.

2 It is there now?

A Yes sir: She said she had company over there - her husband's sisters and children. She wanted more money. She got \$15 I think.

2 This time you went to the theatre what did you tell her when you got home?

A I gave her \$5 and then

0168

47

- 10 ~~Wherever~~ for the theatre.
- Q Why did you tell Mr. Mangin when you was telling him that story that you could not get any?
- A I do not think that I did tell Mr. Mangin that.
- Q Were you asking if you did?
- A Yes sir because I gave her five.
- Q Did he read it over to you before you signed it?
- A Yes sir; I don't remember it.
- Q Did you understand what was read?
- A No sir.
- Q When you first came to Court here did one of the Court clerks ask you some questions?
- A No sir, not that I know of.
- Q How long was you with Mr. Mangin when you was making the statement that you signed here before the judge?
- A I do not know who Mr. Mangin is.
- Q The little man the detective at at Headquarters?
- A The gentleman at the Inspector's office.
- Q How long did it take?

0169

48

A It took an hour and a half
or two hours. It was done
about half past five

Q About as long as you have
been here to day?

A Yes sir, I guess it was
Q Who asked you the questions?

A The Inspector

Q Did the little man ask you
some questions? Did he write
it all down?

A Yes sir

Q Did you understand it then

A I could not understand all
of the words in it.

Q Do you know what the inspectors
name was?

A It looked like a gentlemen of
the society - Mr. Jenkins

Q Then you are acquainted with
Mr. Jenkins?

A Yes sir

Q How do you like him?

A Yes sir

Q Did Mr. Jenkins talk to
you about this matter?

A Yes sir. He told me to
tell the truth.

Q Do you recognize Officer Young
here?

A Yes sir

58 Q Did he take you up to the

0170

49

Society's room?

A. No sir; he sent me up.

Q. Have you had a talk with him?

A. He only told me to tell the truth.

Q. Have you had any conversation with him?

A. No sir.

Q. Did you all this time, you were at Annie Smith's, tell your mother what you were engaged in?

A. No sir. She told me never to tell my mother.

Q. You never did?

A. No sir.

Q. Did you tell your father?

A. No sir.

Q. Tell your brother Jimmy?

A. No, sir.

Q. Tell your Grandpa Muck?

A. No sir.

Q. Did you tell any human being?

A. No sir; I never told any one.

Q. What did your mother say to you that time when she found out you took the money at the elevated railway station?

A. She wanted to put me away.

Q. What did you understand she meant by putting you away?

A- Up on the Island she said.
 I Where?

A- I do not know

I How do you know she wanted to do that?

A- Because she said she never thought I would do such a thing she wanted to put me away.

I After that had come out, and your mother had talked to you in that way about it, and how could you listen to any one about going into stores to get money out of people's pockets.

A- Because Mrs. Smith told me she would never tell my mother and no one would tell her.

I Was you not afraid that somebody else would find it out?

A- I did not care, she said she would not let anyone put me away.

I You had a good deal of confidence in Mrs. Smith that she would not?

A- Yes Sir, I went up one night to the house, Mame gave me a talking to and Mrs. Smith came up and brought me

0172

57

- Q Now what did she talk to you for?
- A Told me to do this once that
- Q When was that?
- A When I was at Mrs. Smith's
- Q How did your mother come to give you a talking to?
- A The detective came up to the house and told her. She came down for me. She said she wanted to take me home that she might let me come back again.
- Q After you had been at Mac's and been up stairs and had the money taken out of your stocking?
- A No sir; that was the time of the elevated railroad trouble. Mama said "Who told you to do that?" I told her "No one."
- Q No one had told you?
- A No sir.
- Q What you did of your own accord?
- A Yes, sir.
- Q Did you ever know any little girl as small as you to go out and pick pockets?
- A No, sir.
- 61 Q Did you ever have a little

0173

521

Q. girl to help you?
A. No sir. Mrs. Smith told me to do so, and I told mamma of another girl named Grattan that had worked for Mother - but she did not teach me.
Q. Did you tell your mother that the Grattan girl did teach you?

A. Yes sir.
Q. You told your mother that the Grattan girl helped you?

A. Yes, sir.
Q. Don't you know that the Grattan girl was an honest little girl, and never did any thing of the kind?

A. I do not know - she did steal.
Q. Where - in Macys?

A. I do not know -
Q. How can you say she stole if you do not know?

A. Because I know a girl that accused her.

Q. What is her name?

A. I do not know her name. They used to go to the bath and the skating rink.

Q. Did you used to go to the bath?

A. No sir. I never went to the bath. I only went there with Mr. Mack one night.

0174

531

Q When did this girl live that you said this about the Quallen girls stealing?

A I do not know. Because the Quallen girl would not take her out skating she said the Quallen girl was a thief.

Q How long did you know the Quallen girl?

A I had not seen her since that night at the skating rink - since she was working for Mame.

Q How long ago?

A A year ago

Q Did you ever see her in 14th street?

A Yes Sir I did.

Q When was that? A year ago?

A No Sir not as long - three or four months

Q Did you meet her in Macys?

A No Sir

Q At Heurns?

A No Sir

Q At the Toy store?

A No Sir

Q Did you take home a little box of shaving material?

A Yes; and gave it to Mr. Smith to give to Mr. Smith

63 Q I gave it - to present?

- A Yes Sir.
- Q Where did you tell him that you got it?
- A I told him Grandpa gave it to me.
- Q Was that on Christmas eve?
- A No Sir - it was a long time ago.
- Q While you were living there this last time?
- A Yes Sir.
- Q And you told him Grandpa gave you the money to get the things with?
- A Yes Sir.
- Q And you bought them for his Christmas?
- A Yes Sir.
- Q What did he say when you gave him the things?
- A He said he was much obliged.
- Q Where did you get them?
- A In Liechtensteins.
- Q Where did you get the money to pay for it?
- A I picked a pocket in Liechtensteins.
- Q You picked a pocket book?
- A Yes Sir. Mrs. Smith was outside there's Mr. Liechtenstein could tell you that -
- Q At the time you picked the pocket

at Liebstens

A Yes Sir.

Q This is the first time you have told that is it not?

A Yes Sir - Mr. Liebstens can tell you that

Q Is he here?

A I do not know

Q Have you seen anybody from Liebstens' since you have been here?

A Yes Sir; that gentleman with a light moustache

Q When did you first know it was him?

A Over at the door there a little while ago.

Q Did you tell the Inspector about Liebstens?

A No Sir.

Q Nor about Mrs. Smith being outside the door?

A No Sir.

Q Ever been to Liebstens since?

A Yes Sir.

Q How does he know it?

A He has seen her; he said so; she was there with me.

Q Did he tell you?

A He told that to Mr. Frank somebody

65-2 - Who told you - Mr. Frank?

0177

56

- A No sir, because I knew
she was there with me.
Q Who told you - Mr. Liechtenstein?
A I seen Mr. Liechtenstein tell
Mr. Frank
Q What Mr. Frank?
A He asked him if the lady
outside the door with me that
day if he could recognize
her, and he thought so.
Q Where was this - up at head-
quarters?
A Yes Sir
Q Was she down at Liechtensteins
with you?
A Yes Sir.
Q Where is that place?
A In Grand Street
Q Near what?
A Up near Fourth Avenue.
Q It is in Grand Street?
A Yes Sir.
Q Did she go inside with you
that time?
A No Sir, she was outside the
door.
Q You took a pocket book at
Liechtensteins?
A I took three
Q at Liechtensteins?
A Yes Sir.
Q On the same day?

0178

57

A Yes Sir.

Q How long did it take you
to get there?

A I do not remember

63

0179

Q She was waiting outside the door?

A Yes Sir

Q Was it half an hour

A It was over that - she went some place - I do not know where she went.

Q Do you know it was an hour?

A No Sir it was not quite an hour.

Q Did you buy anything with the money you got out of the three pocket books?

A - No Sir

Q Did not buy a vase the next day?

A No Sir

Q How many times did you go to Lichsteinsteins?

A Twice

Q How many pocket books did you get the second time?

A Two.

Q Was you alone the other time?

A Yes Sir.

Q How did you know where to go to get the Lichsteinsteins?

67 A Because she took me there

0180

b

the first time. We got out at Grand street and walked right to where Lichstensteins was.

Q How much money was there in the two pocket books you got there?

A I think there was six dollars in both - six in one and seven in another - loose change in them. I bought velvet with it

Q Where did you take it to?

A I brought it home to Mrs Smith

Q Mrs. Annie Smith?

A Yes Sir

Q She went with you?

A No Sir

Q That did not come from Harris? or Lewis?

A No Sir

Q How much did you ^{give} for your velvet dress?

A I do not really know the price.

Q About how much?

A I could not say about how much it cost.

Q Did it take more money than that to get the velvet?

A No Sir

Q Then you bought this that

0181

Q - Day you got the pocket books?

A - Yes.

Q - How much did you get in the three pocket books you got the first time you went to Lichstein-

A - Thirteen dollars I think
Q - What did you do with that money?

A - I gave it to Mrs. Smith
Q - Every penny of it

A - Yes, Sir

Q - Where did you give it to her?

A - ~~Front of New York store~~

A - On the street

Q - Before you moved away from the store?

A - Yes, we went away,

Q - Right at the door?

A - Yes, Sir

Q - As soon as you got out

A - Yes, Sir

Q - She was waiting to receive it?

A - Yes, Sir

Q - She had been waiting an hour?

A - Not quite

Q - As long as it took you to get three pocket books?

20 A - Yes, Sir.

0182

d

Q When you went the second time you bought a dress?

A Yes.

Q When did you get your box of shaving materials?

A The second time

Q How much did you pay for it?

A \$2.45

Q Did you give anything out of the two pocket books to pay for these shaving materials?

A No, Sir

Q Anything else?

A A smoking set

Q You gave for a smoking set?

A 47 cents

Q Did you have something out of it for yourself?

A Yes. I bought a worsted skirt for myself?

A Yes.

Q Did you have these things sent home, or did you carry them home?

A I carried them home

Q The smoking set, shaving kit, set & worsted dress?

A Yes Sir

Q Did you have any money left?

A No Sir

71 Q You did not go back to

Lieks' cousins again?

A No, Sir

Q Why?

A Because I did not want to

Q You know no other place in New York by that name?

A No Sir

Q You have told them all now?

A Yes Sir

Q You do not recollect being at Bloomingdale's in Third Avenue?

A No Sir

Q You say you never was there?

A I don't remember it - no Sir

Q Don't you remember being there and having \$50 and saying your aunt gave it to you?

A No, Sir: I do not remember.

Q You say your mother never whipped you?

A No; she might have slapped me, but never whipped me.

Q Nor the other children?

A No; she would only give them a slap.

Q You never got whipped for taking the money out of Mr Hopkins' safe?

A No Sir; because Papa would not let her whip me.

Q Did you tell Mrs. Smith when

0184

you accounted for all these things that your Grandpa Mack gave when you money to buy them?

A No, Sir.

Q Did you tell her that Grandpa Mack was going to give you \$200 for your Christmas?

A No, Sir.

Q How many times have you been to evening school - meals with Grandpa Mack?

A I do not remember.

Q To the best of your recollection.

A I do not remember.

Q Are you tired now?

A No, Sir.

Q When you went to the safe of the elevated railroad was you alone by yourself?

A Yes Sir.

Q How did you get into the room?

A It was open.

Q ~~What~~ Behind the desk?

A It was

Q Who told you to do that?

A No one.

Q You saw the man selling tickets?

A Yes, Sir.

Q The station agent?

73 A Yes, Sir.

2

2 How did you get into the safe
was it open?

A Yes, Sir

2 You just walked right in?

A Yes, Sir

2 You went and got for a dollar?

A Yes, Sir

2 How did you come to get only
the \$4?

A It was not in a drawer -
it was sticking out.

2 You saw it sticking out before
you went after it?

A Yes, Sir

2 Someone told you to do that?
Is that?

2 How did you come to be
found out?

A I do not know

2 But you were found out?

A Yes, Sir.

2 Did the man from the elevated
railroad come after you?

A No Sir; they did not come to
Mr. Smith's house after me.

2 Where did they come after
you?

A They went up to my house.

2 Who?

A I do not know - some men.

2 Were you living at Mrs.
Smith's at the time?

0186

h

A Yes, Sir

Q That was after you had learned how to open pocket books?

A Yes, Sir

Q After Mrs. Smith had taught you how to open pocket books?

A Yes, Sir

Q Are you sure?

A Yes, Sir

(The right to cross examine this witness further is reserved by the counsel for defendant.)

Sworn to before me
this 3rd day of January

(H)
J. H. H. H.
Police Justice

Mr. Alice Hunt, being duly sworn and examined as a witness for defendant deposes and says:

(Counsel for defendant asks that it be noted on the minutes that the moment this witness enters the room the child ^{Lillie} ~~Harrie~~ Smith says to the prosecuting officer "I want to tell you something")

- Q You are a married woman?
- A Yes, sir.
- Q Your husband is living?
- A Yes, sir.
- Q You were formerly Mrs. Beckman?
- A Yes, sir.
- Q While you were Mrs. Beckman did you know Lillian Smith the child here?
- A I did.
- Q And her family?
- A I did.
- Q Of whom did it consist?
- A Willy, Frankie, Jemmy, and Lillian.
- Q When did you first become acquainted with them?
- A In 114th street - in the year 1882.
- Q How old was Lillian then?
- A Some where about six years old.
- Q How long have you been acquainted with the defendant Mrs. Smith?
- A Not until I went to her house yesterday.
- Q What induced you to go?
- A Because I saw the case in the paper.
- Q You went to tell her what you knew about this child?
- A Yes, sir.
- Q Did this child Lillian ever steal anything from you?

0188

A Yes, Ari. She took on one occasion a quarter

Q Where was that quarter?

A In my room

Q Was you living then with Mrs. Eliza Frank?

A I was

Q State what occurred?

A I heard her mother say "Go I know into Mrs. Westman's and see if you cannot get me some money, from under the pillow; you know where the pocket is." "Go in" she said, "and get some money for me from the pillow." I happened to be at it. I do not know the money was quite that - I heard it was 25. I knew she was in the street at that time. She finally came into my room. I wanted to see, and I saw her while she turned under my pillow and take a quarter out. She was going away and I called "Lillian come here." I want that money you have taken from under the pillow." She gave me the quarter and I said "What did you take that for?" She said "I want it to get something for your breakfast." I told her to wait while I told

0189

K

her to get breakfast
2 What did she do then?
+ She said she was washing herself
in D.
2 You mean God is damned?
A Yes - God has said I will wait
at my sister

2 Anything more

A I left her about a week. After
that week I got a letter from her
and she said she was at a
115th Street. I then went
to the house and found her in a
tiny little room. She was in the
middle. One morning she came
down to see me. She was dead in
the door. She said she was
asleep. She was dead and jumped
in through the fire escape. She
said she was dead. She came to the
bed and said she was dead. She
said she was dead. She was dead.
I followed her out and saw her
talking to her little brother. I
said "Hello: give me back
that money you stole." She said
"all right: here is the dollar."
I said "Be off and don't you
put your foot into my door
ever or your mother or brother,
as I have had enough of you."
Was your sister Rosie made with

0190

you?

A. No, my sister Rose did not see her at all - in that old house.

Q. Was she taking a spoon?

A. She came to my house one night. It was early in the evening. She knew I had gone out. She got 15 cents for her mother. She was sitting at a table and I saw her sliding a silver spoon up her sleeve. My friend said "that was you doing?" She said she was going to put it in her pocket to take home.

Q. During the time that you lived in the house what was Mrs. Arnolds habit as to sobriety?

A. He was a perfect wreck - it was about 40 years of her & day and night drinking - from morning until night.

Q. Have you known her to beat the children?

A. I have known her to pull Lillian by the hair of the head I have known her to take a stick and cut her.

Q. What was the occasion of the striking at the time she cut her?

79 A. She sent the child to get some

0191

some coal. She did not care
where she got it so long as she
got it, and the child stayed
out all day and did not get
any coal. So when she got home
she took a sheep and gave it
to her god.

2
Cross examined by Mr. Parry

2 What do you say your name is?

A Mr. Hunt

2 You were formerly Mrs. Beckman?

A Yes.

2 Mr. Beckman is dead?

A Yes, dead.

2 When was you married to Mr.
Beckman?

A In 1881 - July 1881

2 Where?

A Down in 27th Street Methodist
Church - at the minister's house.

2 And you continued to live with
Mr. Beckman up to his death?

A Yes.

2 When did he die

A In July 1882

2 You were single when you
lived with Mrs. Smith?

A Oh yes.

2 And your sister Rosie lived
with you?

80 A Some of the time.

0192

n

Q Where is she now?

A I could not tell

Q When did you last see her?

A I have not seen her a few months

Q When did you marry Mr. Hunt?

A On the 4th day of July last

Q Where is he now?

A On the elevated road.

Q You and Mrs. Smith do not speak as you pass by?

A Objected to

Q Do you speak as you pass by?

A Oh yes, we speak.

Q During the time that you lived at Mrs. Smiths did you bring your baby down there?

A I did

Q Was that your baby?

A It was my baby

Q Were you married at that time?

A No

Q Was not that the trouble there you bringing that child there?

A Not at all

Q Did Mrs. Smith complain that you had a baby when you was not married?

81 A No sir; I got out of my own free will.

0193

Q about the baby - that was your baby?

A It was my baby - certainly I took to it.

Q You were not married?

A It was not.

Q It was an illegitimate child?

A Yes, Sir.

Q There was no doubt as to it being your illegitimate child?

A No, Sir, there was no doubt about that.

Q How long after you brought the child before you left?

A About a week. I started - home for my wife. I could have stayed there longer only she moved herself to 11th Street.

Q The first time this child came into borrow the quarters what did she do?

A She called "Mr. Beckman" then when I did not answer she slid her hand under the pillow.

Q Then about her slipping the silver spoon up her sleeve?

A I did not see that.

Q When she got the dollar?

A She climbed through the fire escape.

Q You did not see her take the

0194

Shoon?

A I have a witness

Q - He is your witness is he?

A He is my witness

Q You seem to take a great interest in this case?

A I take an interest in this case because it is on account of little children

Q What little children?

A Other little children

Q What has become of your child?

A I have it.

Admored to Wednesday ~~Jan 4~~ Jan 5 '87
at 2 P.M.

Answer to before mother
3d day of ~~Jan~~ 1/87

0195

District Police Court.

People

VS.

Annie J. Smith
William Smith

STENOGRAPHER'S TRANSCRIPT.

188

BEFORE HON.

Police Justice.

Official Stenographer.

0196

STENOGRAPHER'S MINUTES.

3

District Police Court.

First Day

THE PEOPLE, &c. IN COMPLAINT OF

Ralph A Weil

Annie J Smith

BEFORE HON.

J Henry Ford

POLICE JUSTICE,

Dec 90

1886

APPEARANCES:

For the People,

Asst Dist Atty Perry

For the Defence,

P. J Mathewson

188

INDEX.

WITNESSES.

Direct Ex.

Cross Ex.

Re-Direct.

Re-Cross.

Barbara Eyre

1

Ann Carney

3

Ralph A Weil

6

Wm. Wheeler

vide 3^d day

Proceedings Page

130. Prisoner's

Credit to be settled

W. L. O'Malley

Official Stenographer.

0197

Q Before Christmas - on the 24th of December did you go into Macy's store at 200 North Avenue?

A Yes, Sir.

Q Did you see this little girl there?

A Yes, Sir.

Q Did you have any conversation with her?

A Yes.

Q What did you say to her and what did she say to you.

A She told me my pocket bag was open. I looked down and it was, and my pocket book was gone. A lady came along then and asked her if she had picked up any money, or had any around her. She said no. Afterwards she stepped up to me and said "Havint you even got your car fare?" I went and reported the case to the desk.

Q Have you seen the money since?

A No, Sir.

Sworn to before me this 30th day of December 1934

J. H. Murphy

4

Police Justice

0198

J. B. Wheeler, being duly sworn
and examined as a witness for
the people deposes and says,
on examination by the court.

Q. Where do you reside?

A. 47 East 57th street

Q. Are you connected with
Mae's store?

A. I am one of the firm of
Lawrence Mae & Co of
Fifth Avenue

Q. Do you remember seeing this
child ~~there~~ Defendant there?

A. Yes, sir.

Q. Where?

A. On Monday afternoon the
27th she came up to the
second floor where our offices
are. She was accompanied
by a gentleman.

Q. Did you have any conversation
with her?

A. They asked for this child.

Q. What did she say?

A. I do not know that I
can give it without giving
the conversation that passed
- The ~~detective~~ ^{detective} asked questions
and she replied to them

Q. Did you have any conversa-
tion with her yourself?

A. No; I can't say as I did.

0199

Q At that time was this child at your store?

A The child was in the private office in our store with this lady, the detective and myself.

Q Did you have any conversation with her yourself?

A I do not remember that, I had some principally with her husband - the gentleman that was with her.

Q Did she claim that the child was hers there?

A No, sir.

Q Do you know whether she made any statement about the child?

A She said the child was the child of a friend of hers. That was all; that the child had been stopping with her for about a month.

Q Is that all?

A Yes, sir.

Sworn to before me this

30th day of December,

1886.

J. Henry Ford
Police Justice

Ralph A. Weil, a witness for the

0200

people, being duly sworn and examined by the court, depose and say:-

Q. What is your occupation?

A. Detective

Q. Where do you live?

A. 53 East Third Street

Q. Are you a detective employed by R. H. Macy & Co?

A. Yes

Q. Did you ever see this defendant before?

A. I did.

Q. When?

A. On Monday Dec. 27/1896.

Q. About what time?

A. About 4 o'clock perhaps a little later

Q. In the afternoon?

A. Yes

Q. Where did you see her?

A. In a small room in the ~~store~~ ^{suit} department on the second floor of the store

Q. Did you have a conversation with her?

A. I did

Q. What was it

A. I had left the hall there to go down stairs to see Mr. Wheeler. While I was gone this lady entered ~~the~~

0201

as I came up she said.

Mr. Hathaway - I object to what was said when the defendant was not present.

The Witness - This was the defendant Mrs. Annie Smith. She said "Have you my child in custody?" "Have you my child?" This is my child. I gave her \$2.00 - this morning to buy pay bills. I said "you did? Well now here is a pocket book which this child has given to a floor walker in the employ of the house, as we do not allow anything of the kind - a child giving a present to any employee I want to see where she got this money from; she is so young" I do not remember what she said. I said "You had better remain." She said "No; you cannot detain me" and she left. In the evening she returned with Mr. Smith. This was in the Office of Wheeler - the Webster's Office. I asked the question whether she claimed this as her child.

f

0202

Mr. Hathaway - I object to any testimony of conversation unless the witnesses uses the exact words.

A. (Continued) I asked the question of defendant "You said this was your child and you gave her two hundred dollars. She said she was excited - That is all I can recollect now the balance of the conversation was with her husband.

Q Was that all that was said between you and the defendant?

A At that time that was all to my knowledge. I remember her saying to Mr. Wheeler "Is there any money that can settle this?" or words to that effect.

Mr. Hathaway - I object to the witness giving what he calls "words to that effect."

Q State what she said - if you remember; if you don't don't say anything.

A I do not remember the exact words.

Q She said it to Mr. Wheeler

Q

0203

going out

Justice Ford (to Mr Wheeler) Why did you not swear to that?
Mr Wheeler - she said "Can't money pay it" while going. she did not say that to me.

By Mr Hatheraway -

Q To whom did she say it?

A Mr Webster who was then coming out of the outer office.

By Justice Ford

Q When did you next see her?

A I next saw her up at the house. I had no conversation up there that I can recollect - it was with Mr. Smith.

Justice Ford - I will adjourn this until I can procure the attendance of the District Attorney to prosecute it

Adjourned to Monday Jan 3 (1877)

0204

District Police Court.

vs.
Annie Johnson

STENOGRAPHER'S TRANSCRIPT.

188

BEFORE HON.

Police Justice.

Official Stenographer.

0205

LAW OFFICE OF
JAMES W. COVERT,
5 DEY ST.,

New York, Feb. 23rd 1887.

People
v.
Annie Smith.

Dear Sir:

I am just in receipt
of notification that the above
is on to-morrow's Calendar.

It is absolutely impossible
for me to attend, as I am in
the midst of the Underdonk
Will case.

Under the circumstances
may the matter go off the
Calendar?

Very sincerely yours

James W. Covert.

To

Hon. R. D. Marlins,

Deputy.

0206



City of New York Recorder's Chambers

New York 188

"The Sisters of the Order
of St. Dominic"

William Smith
Gov't. to send
institute by
Recorder
July 23/87

0207

9

DISTRICT POLICE COURT.

THE PEOPLE,

ON COMPLAINT OF

Ralph A. Weil

agst.

Minnie J. Smith

Examination had

Dec 30

1887

Before

J. Henry Ford

Police Justice.

I,

Walter L. Ormsby

Stenographer of the

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

Barbara Egre

Ann Carney and Ralph A. Weil

as taken by me on the above examination before said Justice.

Dated

Jan 15 1887

Walter L. Ormsby

Stenographer.

J. Henry Ford

Police Justice.

0208

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

*Annie G. Smith and
Siddian Smith*

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

Annie G. Smith and Siddian Smith
of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Annie G. Smith and Siddian Smith*
Smith, both -

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
third day of *December*, in the year of our Lord one thousand
eight hundred and eighty-*six*, at the Ward, City and County aforesaid, with force and arms,
in the *day* time of the same day, *one* -

(*\$35.-*) promissory note for the payment of money, being then and there due and unsatisfied (and of the
kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value
of twenty dollars *three* 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 the
denomination of ten dollars, and of the value of ten dollars *each*; *seven* 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 the denomination of five dollars, and of the value of five dollars
each; *ten* 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 the denomina-
tion of two dollars, and of the value of two dollars *each*; *ten* 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 the denomination of one dollar, and of the value of one dollar *each*;
one promissory note for the payment of money (and of the kind known as bank notes),
being then and there due and unsatisfied, of the value of twenty dollars *three*
promissory notes for the payment of money (and of the kind known as bank notes), being then and
there due and unsatisfied, of the value of ten dollars *each*; *seven* promissory notes for
the payment of money (and of the kind known as bank notes), being then and there due and unsatis-
fied, of the value of five dollars *each*; and divers coins, of a number, kind and
denomination to the Grand Jury aforesaid unknown, of the value of *two dollars,*

*and one pocket-book of the value
of one dollar,*

of the proper moneys, goods, chattels, and personal property of one *James M. Evans,*
on the person of the said *James M. Evans,* then and there being
found, from the person of the said *James M. Evans,* 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.

RANDOLPH B. MARTINE,
District Attorney.

0209

Witnesses:

Lillian Smith

Anna Stanley

R. A. Mace

Counsel,

Filed 15 day of July 1887

Pleads

Indigently (18)

THE PEOPLE

vs.

Annie J. Smith

and S.P.S.

Lillian Smith

(2 cases)

Grand Larceny in the second degree.
(MONEY)
(Sec. 532 and 537, Penal Code.)

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

May 21 1887
J. Edgar Johnson

Foreman

0210

Police Court
Third District

The People &c
Ralph A. Weil

Annie J. Smith

Examination Before Justice Ford
Dec 30 1886

For the defendant, Mr Hathaway

Barbara Eyre, a witness for the people,
being duly sworn deposes and
says:-

Q Where do you reside?

A At 207 West Fourteenth St. N.Y.

Q Were you in Macy's store on
Monday the 27th of December?

A Yes, Sir

Q At what time?

A I think it was 2 o'clock in
the afternoon

Q What happened to you there?

A I went to the lace counter
and asked for some lace,
I did not discover the loss
of my pocket book until I
was outside

Q You went there alone?

A Yes

Q Did you miss anything?

0211

2

A No: not there

Q Did you lose anything?

A Yes: money.

Q Where did you miss it?

A When I was going into the car and went to pay car fare.

Q Where was the money?

A In my bag - satchel

Q In a satchel?

A Yes.

Q Have you seen that money since?

A Some of it.

Q Do you know the denominations of your money?

A Four ten dollar bills and the rest in fives

Q Did you see this little girl in the store?

A Yes.

Q Did you notice her?

A Yes.

Q Was she standing near you?

A Yes.

Q Did she do anything to attract your attention?

A There was a lady near me and I thought she child belonged to her when she went in past me. I did not

02 12

✓ Take any notice. I found my satchel open afterwards.

Q Before you went out did you miss your money there

A No sir.

Q You say this little girl went up near you?

A Yes.

Q Do you know any money that you lost that you can particularly identify?

A Yes.

Q What

A An English silver piece.

Q Is that the piece?

A Yes.

(Silver piece shown)

I would know that as a part of the money I lost.

Sworn to before me } Barbara Gipe
this 31st day of December
1866.

J. H. H. H. H.
Police Justice

Ann Barney being duly sworn
as a witness for the people
and examined by the court
deposes and says:-

Q Where do you reside?

A 20 West 9th street

0213

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.
When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

In the Name of the People of the State of New York, Ask to see Mr. Bedford 11 1/2 o'clock A.M.

To Ralph A. Weill
of No. 53 East 3rd Street.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 7th day of March 1893 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Annie J. Smith

Dated at the City of New York, the first Monday of
in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 7th day of March 1893 I called at 53 East 3rd Street the alleged residence of Ralph A. Weill the complainant herein, to serve him with the annexed subpoena, and was informed by

tenant of the house, that he has resided there two years & that no one by the name of Ralph A. Weill has resided there in that time. He referred me to an old neighbor living in 55 East 3rd, who told me he did not know any one of the name of Ralph A. Weill, & could give me no information in regards to him.

Sworn to before me, this

of

March 1893
John J. Buckley
Cm. of Deeds N.Y.C.

Jos. H. Shannon
Subpoena Server.

02 14

CORRECTION

0215

DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.

When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

Ask to see Mr. *DeLancey*

In the Name of the People of the State of New York *11 1/2* o'clock *A.M.*

To *Ralph A. Weill*

of No. *53 East 3rd* Street

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the *8th* day of *March* 189*3* at the hour of 10*1/2* in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Annie J. Smith

Dated at the City of New York, the first Monday of
in the year of our Lord 189*3*

DE LANCEY NICOLL, District Attorney.

GLUED PAGE

02 16

The Grand Jury calls witnesses in whatever order its Foreman pleases. The Foreman knows best for the public good. If you wait patiently on the day of attendance until your turn comes, it may save you waiting hereafter.

If it is very inconvenient for you to attend on the day designated, let the District Attorney's Officer or Clerk in the witness room know this at an early moment.

If you do not obey this Subpoena, or do not explain your absence, the Court will enforce your attendance by attachment, and fine you.

If you are ill when served, send timely notice of that fact to the District Attorney.

If other witnesses in this case are called, and another case taken up, you may know—unless otherwise advised—that the Grand Jury do not care to examine you; and you may then retire, mentioning your withdrawal to the officer or clerk.

If the Grand Jury adjourn, and you have not been called without explanation, inquire of the Chief Clerk in the District Attorney's office, if you are wanted again and when.

Was not in the witness room.
The present witness to have
been there for 2 years,
was referred to 5-5-
as an old neighbor.
He did not know him.
He could give me no
information in regard
to him.

0217

The Foreman good your If design the If absent ment If fact If case that may clerk If with Dist

The Court of General Sessions
3rd March 1893

Court of General Sessions.

THE PEOPLE

Amie J. Smith

City and County of New York, ss:

sworn, deposes and says: I reside at No.

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the

City and County of New York. On the

I called at

the alleged

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

tenant of the house, that he has resided there two years & that no one by the name of Ralph A. Will has resided there in that time. He referred me to an old neighbor living in 55 East 3rd, who told me he did not know any one of the name of Ralph A. Will, & could give me no information in regards to him

Sworn to before me, this

day

of

John J. Buckley

Crm. of Deeds N.Y.C.

Geo. H. Shannon
Subpoena Server.

02 18

Court of General Sessions.

THE PEOPLE, on the Complaint of

vs.

Amir J. Smith

Offense:

~~JOHN R. FELLOWS,~~

DeRaney Nicoll District Attorney.

Affidavit of

Geo. H. Shannon

Subpoena Server.

Failure to find Witness.

02 19

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

*Annie G. Smith and
Siddian Smith*

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

Annie G. Smith and Siddian Smith
of the crime of GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said *Annie G. Smith and Siddian Smith*

(#70.-)
late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
Twenty-seventh day of *December*, in the year of our Lord one thousand
eight hundred and eighty-*six* at the Ward, City and County aforesaid, with force and arms,
in the *day* — time of the same day, *Three* —
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 the denomination of twenty dollars, and of the value
of twenty dollars *each*; *Three* 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 the
denomination of ten dollars, and of the value of ten dollars *each*; *Five* 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 the denomination of five dollars, and of the value of five dollars
each; *Five* 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 the denomina-
tion of two dollars, and of the value of two dollars *each*; *Five* 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 the denomination of one dollar, and of the value of one dollar *each*;
Three promissory notes for the payment of money (and of the kind known as bank notes),
being then and there due and unsatisfied, of the value of twenty dollars *each*; *Three*
promissory notes for the payment of money (and of the kind known as bank notes), being then and
there due and unsatisfied, of the value of ten dollars *each*; *Five* promissory notes for
the payment of money (and of the kind known as bank notes), being then and there due and unsatis-
fied, of the value of five dollars *each*; — divers coins, of a number, kind and
denomination to the Grand Jury aforesaid unknown, of the value of *Five dollars*,
and one pocket-book of the
value of one dollar.

of the proper moneys, goods, chattels, and personal property of one *Barbara Eyer*,
on the person of the said *Barbara Eyer*, then and there being
found, from the person of the said *Barbara Eyer*, 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.

RANDOLPH B. MARTINE,
District Attorney.