0003

BOX:
139
FOLDER:
1441
DESCRIPTION:
Rosenberg, Joseph
DATE:
05/12/84

1441

On the investigation of Mr Gore and the withdrawal of the complainant witness I recommend the discharge of defendant in his own recognizance, a motion to that effect being made on his behalf

My. May 29 84

Geo Abbott Adams
Asst District Atty.

No 30

Counsel, J. C. Anderson

Filed 2 day of May 1884

Pleads Not guilty

THE PEOPLE

vs.

Joseph Rosenberg

Assault in the Second Degree.
(Section 218 Penal Code).

PETER B. OLNEY,
~~JOHN McKEON,~~
District Attorney.

A True Bill.

A M Kirby
Foreman.

P.2. May 29, 1884
discharged from custody
on his verbal recognizance.
May 29. 84

6989

0005

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph Rosenberg

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

Joseph Rose Berg

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

The said Joseph Rose Berg

late of the City and County of New York, on the Seventh day of May, in the year of our Lord one thousand eight hundred and eighty-Seven, with force and arms, at the City and County aforesaid, in and upon one

Rose Solomonsky

in the peace of the people of the said State then and there being, feloniously did willfully and wrongfully make an assault: and the said Joseph Rose Berg

with a certain pair of shears which he the said Joseph Rosenberg

in his right hand then and there had and held, the same being then and there a sharp instrument likely to produce grievous bodily harm, to wit, the said Rose Solomonsky then and there feloniously did willfully and wrongfully strike, beat, stab, cut, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

Peter B. Olney

District Attorney

0006

Police Court 24 / 3316 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
[illegible]
[illegible]
[illegible]

Offence Felonious Assault

BAILED,

No 1, by ..... Residence ..... Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

2 .....
3 .....
4 .....

RECEIVED MAY 8 1884 DISTRICT ATTORNEY'S OFFICE

Dated May 7th 188 4

Magistrate.

Officer.

Precinct.

Witnesses

No. ..... Street.

No. ..... Street.

No. ..... Street.

No. ..... Street.

$ 1000 to answer

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 Joseph Rosenberg

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

Dated May 7th 188 4 John Hummel *Police Justice.*

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

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

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

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

0807

Sec. 198—200.

3d District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question What is your name?

Answer. Joseph Rosenberg

Question. How old are you?

Answer. 17 years

Question. Where were you born?

Answer. Russia

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

Answer. 47 Ludlow Street 3 weeks

Question. What is your business or profession?

Answer. Tailor

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

Answer. I am not guilty

Joseph his ✗ mark Rosenberg

Taken before me this 7 *day of* July 188[illegible]

[illegible] *Police Justice.*

0808

Police Court— 3d — District.

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

Rose Solinsky

of No. 70 Baxter Street,
10th Ward being duly sworn, deposes and says, that
on Wednesday the 7th day of May
in the year 1884 at the City of New York, in the County of New York,
he was violently and feloniously ASSAULTED and BEATEN by Joseph Rosenberg
(now present) who wilfully
violently and feloniously
stabbed the deponent in
the left Arm with a
pair of Shears which the
defendant then and there
held in his hand.

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

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

Sworn to before me, this 7 *day*
of May 188 4 } her Rose x Solinsky mark

John Hermann POLICE JUSTICE.

0809

New York General Sessions.

PEOPLE ON MY COMPLAINT,

VERSUS

Joseph Rosenberg

As complainant in the above case, I beg to recommend the defendent to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself, and am urged to withdraw the charge by the fact that he is a poor boy and that we have always been friends previous to this occurance and have never had a quarrel before that time. I had ~~the~~ previously fired a piece of rag at him and he threw the shears which hit me in the arm, the wound is now healed and was not serious. We were employed in the same shop.

Dated N. Y. May 29. 1884

Witnesses:-

Edward J. Quirk
10 Precinct

Rudolph L. Schaf

Rose her x mark Solinsky

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

Joseph Rosenberg

OFFENCE Assault

PETER B. OLNEY,
District Attorney.

Withdrawal of the Charge

0011

BOX:
139
FOLDER:
1441
DESCRIPTION:
Rosenthal, Benjamin

DATE:
05/02/84

1441

Witnesses:

.....

.....

.....

.....

Counsel, Mazo, SBP

Filed 9 day of May 188 4

Pleads Not guilty

THE PEOPLE

vs.

Benjamin Rosenthal P

alias

Benjamin Jacobs

Grand Larceny 2d

Grand Larceny 3d

[Sections 498-500-528-529 Penal Code.]

PETER B. OLNEY,

District Attorney.

P 2 May 23 84

~~Trial~~ Pleads Guilty 3.

A True Bill. S.P. 5 years.

A M Murray

Foreman.

May 22 84 [illegible]

" 23 84 [illegible]

2188

0813

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Benjamin Rosenthal

The Grand Jury of the City and County of New York, by this indictment, accuse Benjamin Rosenthal of the CRIME OF Burglary in the third degree as a Second Offense, committed as follows:

The said Benjamin Rosenthal

late of the Thirteenth Ward of the City of New York, in the County of New York aforesaid, on the twenty-ninth day of April in the year of our Lord one thousand eight hundred and eighty-four at the Ward, City and County aforesaid, in the day time of the same day, the dwelling house of one Hyman Rinaldo, there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said Hyman Rinaldo, in the said dwelling house then and there being, then and there feloniously and burglariously to 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.

Second Count:-

And the Grand Jury aforesaid by this Indictment further accuse the said Benjamin Rosenthal of the Crime of Grand Larceny in the Second Degree, as a Second Offence committed as follows:

The said [illegible] late of the Ward, City and County aforesaid, afterwards, to wit:- on the said twenty ninth day of April in the year of our Lord one thousand eight hundred and eighty four, at the Ward, City and County aforesaid, with force and arms, one finger ring of the value of one hundred dollars, three other finger rings of the value of ten dollars each, one watch of the value of thirty dollars, one chain of the value of twenty dollars, two bracelets of the value of five dollars each, one breastpin of the value of ten dollars, two earrings of the value of five dollars each, and one stud of the value of thirty dollars, of the goods, [illegible]

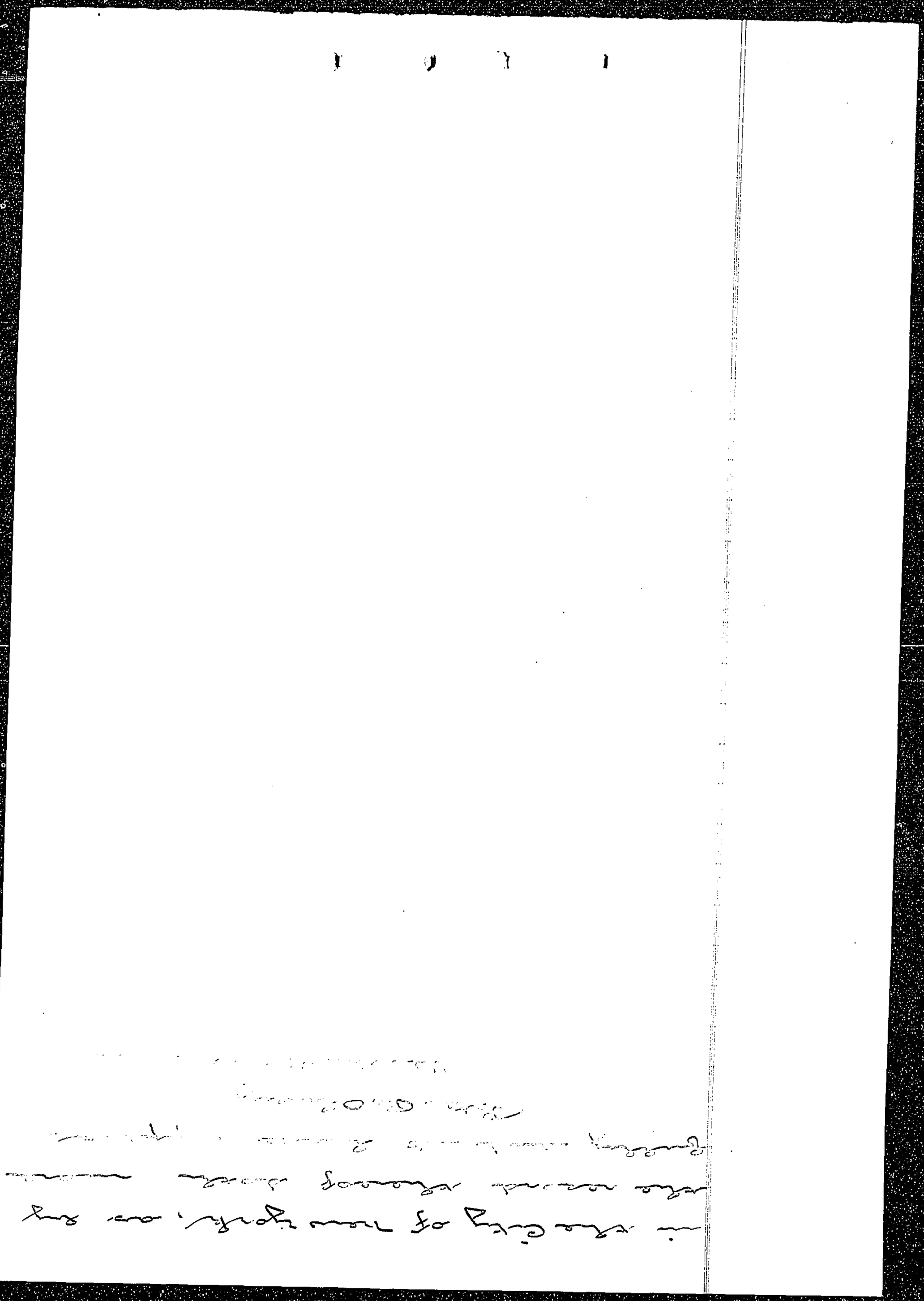
and personal property of one Ryman Rhodes, in the dwelling house of the said Ryman Rhodes there situate, then and there being found, in the dwelling house aforesaid, then and there feloniously did steal, take and carry away against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

And prior to the day of the commission of the offences and felonies hereinbefore set forth, to wit, at a Court of General Sessions of the peace in and for the City and County of New York, held at the City Hall in the said City of New York on the twenty seventh day of November, in the year of our Lord, one thousand eight hundred and eighty two, before the Honorable Frederick Smyth, Recorder of the said City of New York, and [illegible]

91 80

entry, by means of forcibly breaking open an outer door thereof, they the said Frederick L. Traynor and Benjamin Jacobs then and there intending to commit a felonious larceny, to wit: the goods, chattels and personal property of Charles Bragin in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away.

And thereupon, upon the said indictment aforesaid, it was considered by the said Court of General Sessions of the Peace in and for the City and County of New York, and adjudged, that the said Benjamin Rosenthal, by the name and description of Benjamin Jacobs aforesaid, for the felony aforesaid, whereof he was so indicted as aforesaid be removed to and confined in the House of Refuge established by the Society for the Reformation of Juvenile Delinquents



81 80

0819

BAILED,

No 1, by _____ Residence _____ Street.

No. 2, by _____ Residence _____ Street.

No. 3, by _____ Residence _____ Street.

No. 4, by _____ Residence _____ Street.

Case No

Police Court 5 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Lena Rinaldo
446 Grand St.
vs.
Benj. Rosenthal
2
3
4

Offence Burglary & Larceny

Dated May 1st 188 4

Magistrate John McCarthy Officer.

Precinct. Larceny N. Yorkers

Witnessed Thomas Connolly No. 60 Street.

Robert R. Sherwood No. Street.

Charles J. Schmorr No. Street.

No. Connolly Street.

$ 1000 to answer

Complaint

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

Dated May 1st 188 4 J. W. Patterson *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

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

Dated _____ 188 . _____ *Police Justice.*

0020

District Attorney's Office.

PEOPLE

vs.

In the Papers of

Rosenthal

0821

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Benjamin Rosenthal

Question. How old are you?

Answer. 15 years of age

Question. Where were you born?

Answer. Savannah, Ga.

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

Answer. 311 East Broadway, 8 or 9 months

Question. What is your business or profession?

Answer. Law Clerk and pedlar

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

Answer. I am not guilty

Benjamin Rosenthal

Taken before me this 8th *day of* May 188 9

Adolph Kraus *Police Justice.*

0022

Police Court— 3d District.

City and County of New York, } ss.:

Lena Rinaldo

of No. 446 Grand Street, aged 32 years,

occupation Housekeeper being duly sworn

deposes and says, that the premises No 446 Grand Street,

in the City and County aforesaid, the said being a Brick Building in the 13th Ward of said city

and which was not occupied by deponent as a dwelling house

and in which there was not at the time a human being, ~~by name~~

were BURGLARIOUSLY Broke and entered by means of forcibly opening the door of deponents bed-room on the second floor of said premises by means of false keys, at about the hour of 12½ o'clock P. M.

on the 29th day of April 188[illegible] in the Night time, and the following property feloniously taken, stolen, and carried away, viz.:

One diamond ring of the value of One hundred dollars, one gold watch and chain, one pair of bracelets, one gold breast-pin and ear rings, one pair of gold armlets, one gold ring, two gold child's rings and a diamond stud, said property being in all of the value of two hundred and fifty dollars

the property of deponent and her husband, Hyman Rinaldo

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen and carried away by Benjamin Rosenthal, new here,

for the reasons following, to wit: That about the hour of 11½ o'clock A. M. of said day deponent locked the door of said room and said property was then contained in a stone pot in a closet in said room. That deponent returned to said room about an hour

thereafter and Jane said down
opera and going into the room
deponent pane said deponent
within said room and in the
act of coming out of the closet
where said property was.
that deponent ran down stairs
calling for her husband, and
said deponent came down
after deponent and was caught
by deponents husband and
succeeded in getting away
from the grasp of deponents
husband and escaping.
Sworn to before me this
day of May 1884
H. M. Patterson
Police Justice

Lena Rinaldo

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ..... Bail.

Bailed by ..... Street.

No.

The People
vs.
Frederick L. Traynor

Court of General Sessions. Part 4
Before Judge Cowing. Dec. 15. 1882

Jointly indicted with Benjamin Jacobs for burglary in the third degree and attempt at grand larceny.

Wilhelmina Burger sworn and examined testified. I live at 383 Second Avenue and occupied the second floor two flights up, I lived there on the 30th of October. I had clothes in the bureau drawer in the front room, I had about ten dollars worth of wearing apparel and I had more than three hundred dollars worth of furniture. I left my rooms about ten minutes before twelve, I locked them up. I went back to my rooms about 10 minutes or a quarter an hour afterwards. I opened the back room with my Key and when I got in I found the things on my floor – the clothes out of the bureau. I saw a man in the front room, but I did not see his face. Did you see that man (the prisoner) that day? I cannot remember this man, it is so long – after fourteen days my eyes are so weak. The same man the policeman arested was in the house; the policeman brought him back. Then I recognized him, but now I cannot The policeman brought him back right

away. I saw him jump over the bannister. I did not see the police officer arest him. Charles T. Schroff sworn and examined. I arested this defendant in Twenty fourth St. and third ave on the 30th of October about three minutes after twelve. I brought him back to Twenty fourth St. and third ave and brought him in front of Mrs. Burger and she said that was the man he said, it was not or something similar to that; he had that "jimmy" up his sleeve I also found in his possession three skeleton Keys, a revolver not loaded, and a Knife. Cross Examined. I heard the complainant testify in the Police Court; the first day she identified him, and on another occasion she said she could not be positive; she said it was dark on the floor where she lived. I do not recollect her saying that she could not see any distance without her specacles. When I made the arest I was at Twenty third St. near Second ave. My attention was attracted by a boy running up and saying "Mister, stop thief." "Where, I says? "That man running." I started after him and ran him up Twenty third St. and third avenue to Twenty fourth St. and third ave.; he was running from

the direction of Second ave. I did not find any marks of a "jimmy" on these premises, but a skeleton Key would not leave any mark. Wilhelmina Burger recalled. I remember the policeman bringing a man back to my house. I did not see the face of the man in the room, only the back; in fourteen days after he had not such a pale face and he had on different clothes. Hugh Brutton sworn and examined. I went to these premises on Second Ave. that day. I found a young man under the bed, but it was not the prisoner. I saw this prisoner at the station house. I did not hear the prisoner make any statement in the station house, but I heard him admit before Judge Power in the Fifty seventh St Court that he found the door of this room open and he went in. He was asked how he came in possession of the "jimmy". He said he found that "jimmy" on the bureau and he thought he would take it with him. Cross Examined. When he made this statement he had been arrested four or five days; the case was adjourned four or five days; this statement was made when he was fully committed by Judge Power. I was sitting alongside of him.

Charles T. Schroff, sworn and examined recalled by the Court: I was present before Justice Power at the time alluded to by the last witness. I did not pay any attention to that statement. I do not recollect that I heard the prisoner make a statement to the Captain; the Captain called him in his room and had a little conversation. He asked him what he was doing there? He said he went up to see a party and he met a pedlar coming down stairs with apples. So he went up and found this room open and he went in and found a "jimmy." He asked him where he found it? He said he found it on the bureau and supposed a burglary had been committed. He asked him if the "jimmy" belonged to him? He said, No. He asked him if he did not know he was stealing? He kind of whimpered out something; he did say that he went into the room of the complainant and took the jimmy from there. Cross Examined. I think Officer Harris was with me in the Captain's room when the prisoner made this statement. I did not take him by the collar. There was no evidence offered for the defence. The jury rendered a verdict of guilty of burglary in the third degree.

Testimony in
the case of
Frederick L. Traynor
filed Nov.
1882.

0280

0029

BOX:
139
FOLDER:
1441
DESCRIPTION:
Ruppel, Charles

DATE:
05/27/84

1441

0830

BOX:
139
FOLDER:
1441
DESCRIPTION:
Stern, Louis

DATE:
05/27/84

1441

Cornelius Kiernan

426 W 13 St.

15

Day of Trial,

Counsel,

Filed 2 day of May 1884

Pleads

THE PEOPLE

vs.

Charles Ruppel P

and P

Louis Stern

BURGLARY—Third Degree,
NOTHING STOLEN.

~~PETER B. OLNEY,~~
~~JOHN McKEON,~~

District Attorney.

A True Bill.

Foreman.

(Pch)

Tried & Convicted

House of Refuge.

POOR QUALITY ORIGINAL

1880

0032

COURT OF GENERAL SESSIONS OF THE PEACE

OF THE CITY AND COUNTY OF NEW YORK,

THE PEOPLE OF THE STATE OF NEW YORK,
against

Charles Crippet
and Jo[illegible]

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

Charles Crippet and Jo[illegible]

of the crime of BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Charles Crippet and Jo[illegible]

late of the [illegible] Ward of the City of New York, in the County of New York aforesaid, on the [illegible] day of [illegible] in the year of our Lord one thousand eight hundred and eighty-[illegible], with force and arms, at the Ward, City and County aforesaid, the [illegible] of [illegible]

there situate, feloniously and burglariously did break into and enter, the said [illegible] being then and there a building in which divers goods, merchandise, and valuable things were then and there kept for use, sale and deposit; the same being the goods, chattels, and personal property of [illegible]

with intent the said goods, merchandise and valuable things in the said [illegible], then and there being then and there feloniously and burglariously to 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.

PETER B. OLNEY,
~~JOHN McKEON,~~ District Attorney.

Testimony in the case of Charles Rappel and Louis Stern.

filed May 1882.

The People
vs.
Charles Ruppel
and
Louis Stern

Court of General Sessions Part I
Before Judge Gildersleeve.
Monday, June 2, 1884.

Indictment for burglary in the third degree.

Cornelius Kiernan sworn and examined, testified:
I am a night watchman in the Ganzevoort Market, I saw these boys on the night of the 21st of May about eleven o'clock, there was four of them in a group, I was waiting to catch the four, these two boys were going along trying the doors with keys in their hands, I watched them and got behind a truck to see what they were doing; they used a chisel and some other kind of an iron bar, I don't know whether it was a jimmy or not to pry open Bob Black's office in the Ninth Avenue. I got from behind the truck and ran down Thirteenth Street and told my side partner to go up and see if that door was bursted in. I captured them; they had a lot of Morning Journals that they were pretending to sell for Daily News's at that hour. I chased them from Ninth Avenue and arrested them between Thirteenth and Fourteenth Streets on Tenth Avenue. I ran about a block and a half after them. I went back afterwards and examined the door and found it broken open and the lock smashed right off. There was only two potato sacks in the office; I tried this door at six o'clock and it was closed and secure then.

Cross Examined. There was an Electric light there and I could see the boys plainly, I was about eight or ten feet from them when they were trying the keys in the doors. I never had seen these boys before. I tried this door last about half past ten, and then an officer tries it after me.

Adner Ellis, sworn and examined, testified: I am a police officer of the n inth precinct, I arrested these boys on the night in question in Thirteenth Street between 9th and Ioth Avenues; this night watchman delivered them to me; I was taking them to the station ouse and they dropped a jimmy and a chisel; a jimmy is a piece of iron about half a foot lo ng with a sharp point, I suppose it is used for breaking in doors principally, it is a burglar's tool. I searched the prisoners at the station house, I found on them, a jimmy, a chisel, half a dozen of keys, a lock, a padlock, and a portion of a lock that belongs to a private door, a piece of candle and a box of matches. Cross Examined. I have not the jimmy with me, I turned it over to the station house. I took the matches and the chisel off the largest boy, he dropped the chisel on the street going to the station house, I do not remember that the little fellow ha d anything.

Cornelius Kiernam, recalled. The value of the bags is about twenty five cents a piece.

The Case for the Defence.

Charles Ruppel sworn and Examined, in his own behalf. We were over in Tenth Avenue in Harry Miener's Theatre; we left there about eleven o'clock and came walking down; there was some soldiers who had a reception and a ball and they were going down that way and there were some young fellows drunk. I don't know this place that was broken into; we had our own house keys, I was sent to the cellar and I did not go, I went off to the Theatre. I did not try any house doors with the keys. I know where the Market is, they fetched us back to it, I did not attempt to open this door with a chisel or anything of the kind.We

did not run away, we were walking as slow as we could before the officer arrested us; we were crying because we were getting arrested. I had a little stone chisel I chopped stones with in my own shop where I used to work; I live at home with my parents: I was emploeyed by Erichs in Eleventh Street, a cigar box factory, I have got a recommend from there. Cross Examined. I had no jimmy, the chisel was my own, the lock I had wa a cellar lock, the candle and matches were my own, I was sent down to the cellar to get up tubs on this night, I did not take them up but went to the theatre. I did not drop anything when the officer arrested me.

Louis Stern, sworn and Examined, testified. I live at 84 SHerrif Street, and have a mother and f ather living , I do not go to school but I work for Mr Miller at the colorong business but I have been out of employment for three weeks. I went over to Harry Meiner's Theatre with Charles, I had no keys that night , I did not try any doors, I had no jimmy with me, Hehad a piece of iron that he had in the shop and matches that he had for the cellar, I did not try to get into any place, I saw men attempt to break open a door but we were not with them, we did not stop to look at them but walked right on and the officers arrested us. Cross Examined. I was arrested once before in Sheriff Street for playing Rock on Dock half a year ago, I have a mother but she is not here.

The jury rendered a verdict of guilty with recommendation to mercy.

0037

188 7

Police Court 7 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Cornelius Kernan
426 W. 23d St.

1 Charles Rukhel
2 Louis Stern
3
4

Offence, Burglary

BAILED,

No. 1, by ..... Street,
Residence .....

No. 2, by ..... Street,
Residence .....

No. 3, by ..... Street,
Residence .....

No. 4, by ..... Street.
Residence .....

Dated May 22 188 7

Benedict Magistrate.
Calvin Ellis' Officer.
Clerk.

Witnesses,

No. ..... Street,

No. ..... Street,

No. ..... Street,

$ 500 to answer

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

Dated May 22 188 7 Solon B. Smith *Police Justice.*

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

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

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

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

0030

Sec. 198—200

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Louis Stern

Question. How old are you?

Answer. 13 Years

Question. Where were you born?

Answer. New York City

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

Answer. 84 Willett St 3 Years

Question. What is your business or profession?

Answer. I have no employment

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

Answer. I am not guilty

Louis Stern

Taken before me this 17th *day of* October 188[illegible]

[illegible]

Police Justice.

0039

Sec. 198—200

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Charles Ruppel

Question. How old are you?

Answer. 19 Years

Question. Where were you born?

Answer. New York City

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

Answer. 97 Willet Street 9 Years

Question. What is your business or profession?

Answer. I have No employment

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

Answer. I am not guilty

Chas. Ruppel

Taken before me this 8th *day of* May 1888

Police Justice.

0840

Police Court—2 District.

City and County of New York, } ss.:

of No. 426 West 13th Street, aged 30 years, Cornelius Kiernan

occupation Night Watchman being duly sworn

deposes and says, that the premises No 33 & 35 Ninth Avenue ~~Street,~~

in the City and County aforesaid, the said being a Brick Building one Story high in the 9th Ward

and which was occupied by ~~deponent~~ Robert Black as a Store room for Produce

and in which there was at the time a human being, by name

were BURGLARIOUSLY entered by means of forcibly Bursting open the Office door leading from the street by means of an Iron Wedge and breaking the lock of said front office door

on the 21st day of May 188X in the Night time, and the following property feloniously attempted to be taken, stolen, and carried away, viz:

Three potatoe bags of the value of Seventy five Cents

the property of Robert Black

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property attempted to be taken, stolen, and carried away by Charles Ruppel and Louis Stern

for the reasons following, to wit: deponent tried the aforesaid door of said premises at the hour of Six o'clock P.M. and found the said door securely locked and fastened and deponent saw the said defendants at the said

0041

Office door at the hour of eleven o'clock & thirty minutes P.M. forcing the door open with a chisel and when they saw deponent they ran away and deponent pursued them and caused their arrest and deponent charges the said defendants with Burglariously forcing open said door and entering said premises

Sworn to before me
this 22nd day May 1894
Solon B. Simmons

C. Kiernan
Police Justice

Police Court ..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ..... Bail.

Bailed by ..... Street.

No.

0042

BOX:
139
FOLDER:
1441
DESCRIPTION:
Russel, Frank

DATE:
05/19/84

1441

Madeline McDermott
312 E 39 St.
Jas. S. Chapman, officer
29 Prec.

Charged and circumstantially made with the Chemacus & antecedents of the Complt. since the trial & Sam Tampson that the Crime of Rape was not committed by the Defendant, but Bart. that he did commit an assault upon her. Thompson admits that a mental be here (See Baker's printing) FS
Mey 9 1884.

No. 103
Judge Morgan
Counsel
Filed 19 day of May 1884
Pleads Not guilty (20)

THE PEOPLE
vs.
Frank Russell
A. D. 31. 91-10 Hou

RAPE

PETER B. OLNEY,
~~JOHN McKEON,~~
District Attorney.

A True Bill.

16.

A. W. Kirby
Foreman.

Mey 9/84
pleads Assault 2d.
27 days SP
FS

POOR QUALITY ORIGINAL

E488

0844

COURT OF GENERAL SESSIONS OF THE PEACE

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Frank Russell

The Grand Jury of the City and County of New York, by this indictment, accuse Frank Russell of the CRIME OF RAPE, committed as follows:

The said Frank Russell

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the Seventeenth day of April in the year of our Lord one thousand eight hundred and eighty-Four, at the Ward, City and County aforesaid, with force and arms in and upon one Madeline McDermott wilfully and feloniously made an assault, and the said Frank Russell her the said Madeline McDermott, then and there by force and with violence to her, the said Madeline McDermott, and against her will, did wilfully and feloniously ravish and carnally know, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

And the Grand Jury aforesaid by this indictment further accuse the said Frank Russell of the CRIME OF ASSAULT in the Second Degree committed as follows:

The said Frank Russell

late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, and at the place aforesaid, with force and arms, in and upon her, the said Madeline McDermott, wilfully and feloniously made an assault, with intent her the said Madeline McDermott against her will, and by force and violence, to then and there wilfully and feloniously ravish and carnally know, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

PETER B. OLNEY,
~~JOHN McKEON,~~ District Attorney.

0045

Against Bail May 9. 2 00 PM
Examination closed
& held without bail
Recommit.

BAILED,

No. 1, by _____ Street.

Residence _____

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

No 1037 1335

Police Court — 2 — District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Hennessy

vs.

1 Frank Russell
2
3
4

Offence Larceny

Dated April 1st 188 4

Michael Lynch Magistrate.

Wm Kelly Officer.

26 Precinct.

Witnesses Daniel O'Brien
No. 2 Pearl St.

Complt. knows of defendant's guilt from his own statement

No. Defendant's residence 8 St Morgan City, Street,

No. Detention 2700 Street.

$ to answer Sessions.

Accepted

Held for Bail for Gen'l Sess. April 19, 2100

Bail fixed at $2500 Cash 2.00 PM May 9

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 Frank Russell

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

Dated April 1st 188 4 John J Gorman *Police Justice.*

I have admitted the above-named _____

to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ *Police Justice.*

There being no sufficient cause to believe the within named _____

_____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ *Police Justice.*

0846

Sec. 198—200

2d District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Frank Russell.

Question. How old are you?

Answer. 22 years

Question. Where were you born?

Answer. New York City

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

Answer. [illegible] 22 years

Question. What is your business or profession?

Answer. Business manager [illegible]

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

Answer. I am not guilty. I need an opportunity to examine this.

Frank Russell

Taken before me this 1 *day of* [illegible] 188[illegible]

[illegible] *Police Justice.*

0847

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

POLICE COURT— 2d DISTRICT.

Madeline [illegible] 41 years old, physician, residing of No. [illegible] East 57th New York City Street, being duly sworn, deposes and says that on the 17th day of [illegible] 188[illegible] at the City of New York, in the County of New York, [illegible]

[illegible] Russell, [illegible] did [illegible] and [illegible] [illegible] Russell, [illegible] Said Russell [illegible] and said [illegible] [illegible] and [illegible] [illegible] handkerchief [illegible] cried out and resisted [illegible] ability. Said Russell opened the door to [illegible] at a procession passing by and defendant escaped from said street, leaving therein her hat and sacque, and [illegible] Rundsman [illegible] Police, who [illegible] said [illegible] in company with officer Charles Smith, ~~handcuffs~~ handkerchief, [illegible] found therein defendant's hat and sacque and arrested said Russell, as defendant

is informed by said Roundsman. When defendant escaped from said store she carried with her the handkerchief of said Russell; outside she delivered it to said Roundsman

Sworn to before me this [illegible]

John J. Gorman Madeline McDermott

CITY AND COUNTY OF NEW YORK, } ss.

aged 37 years, occupation Roundsman, 27 [illegible] of No. [illegible] Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Madeline McDermott and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this [illegible] *day of* [illegible] 188 } George F. Chapman

John J. Gorman

Police Justice.

Police Court, _____ **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 188

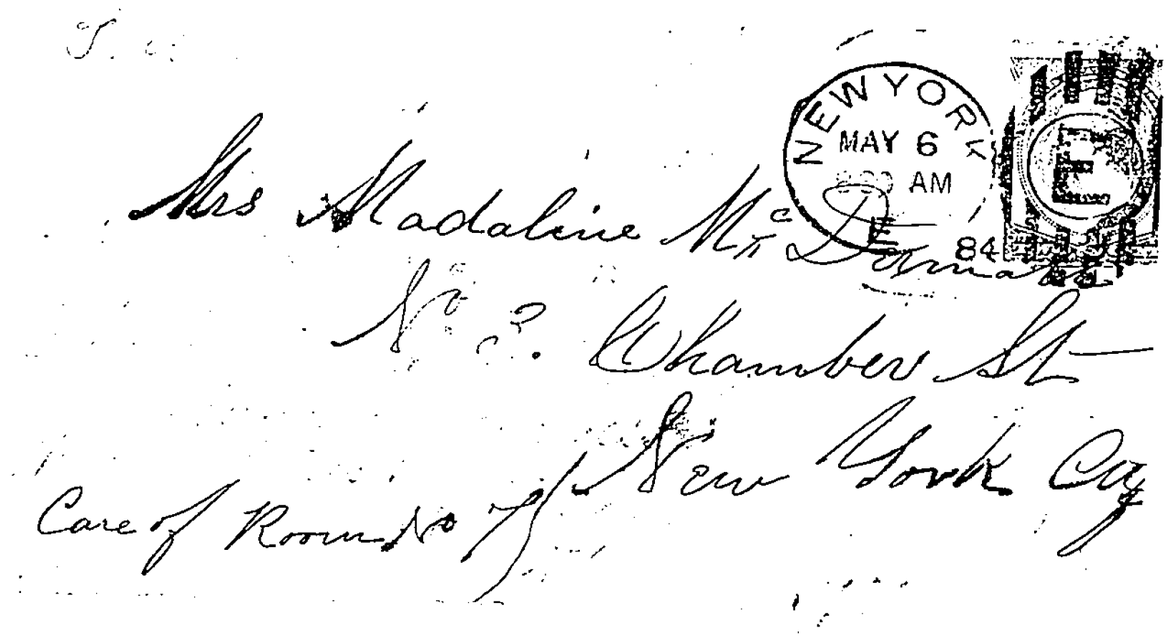
Magistrate.

Officer.

Witness, _____

Disposition, _____

0049



0850

0851

LAW OFFICES,
BANKSON T. MORGAN,
346 BROADWAY,
N. Y. LIFE INS. BUILDING.

New York, April 25th 1884.

Hon. John J. Freeman.
Police Justice, New York.

Dear Sir:

It will be impossible for me to be present at the Examination set down this afternoon at 2 P.M., before you, in the Case of The People as Frank Russell as I am actually Engaged in the Surrogate Court, on matter of the Appointment of the Estate of John Thum Deceased. You will remember, that at the time of fixing a day of Examination I expressed fears of my ability

0852

to be present this afternoon - Will you please inform me Clerk, the Owner of this note, at what date you will prove - June the Examination - I can with Confidence make May the 6th (Tuesday) at 2 o'clk p.m. certain to be present ~~at the~~ Examination - My client is still in prison and we are the Real sufferers in this matter - I will be in Court all day to-morrow ready to attend in the City Court -

Yours Respectfully
R. P. Surgeon -

0053

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

POLICE COURT, 3rd DISTRICT.

George S. Chapman

of the 29th Precinct Police ~~Street,~~ being duly sworn, deposes and

says that ~~on the~~ ~~day of~~ ~~188~~

at the City of New York, in the County of New York, Madeline McDermott (now here) is a material Witness for the people of the State of New York, against Frank Russell charged with the crime of Rape,

Deponent knows that said Madeline is an unwilling Witness, and deponent fears that she will not appear to testify when required, Deponent prays that she may be committed to the House of detention

George S. Chapman

Sworn to before me, this 6 day of May 1884

John E. Hoffman Jr.

Police Justice.

Court of
General Sessions
The People
vs.
Frank Russell
Alias Frank Rafferty

Court of General Sessions.

The People
vs.
Frank Russell
alias Frank Rafferty

City and County of New York ss.

Adolph H. Schmidt being duly sworn doth depose and say:

That he is an Officer attached to the 16th Precinct in the City of New York & resides at 215 West 20th Street in said City. — That he knows the defendant Frank Russel and have known him for over ten years last past, and that he has borne to my own knowledge a very bad character both morally and otherwise. — That I have known him to be frequently drunk and disorderly, and on various occasions to have been arrested, and brought under the law.

That some five or six years ago he snapped a pistol at Officer Michael Kelly of the 16th Precinct at the South West corner of 16th Street and 9th Avenue. The Officer arrested him, brought him

0856

to Court, and he was held under — $2.000. bail, — That said Officer Michael Kelly is since deceased. —

That from information obtained from neighbors in the vicinity of his residence I can say, that he has served a term of five years, out of a sentence of ten, somewhere in New Jersey. — That I learned from friends of said Russell that he was arrested some three or four years ago in Brooklyn for passing Counterfeit trade dollars. —

That I also learned from an Officer attached to the 16th Precinct by the name of Richard Wilson that he robbed a private house in 23rd Street in this City where his father procured him a Job.

Sworn to before me this 24th day of June 1884.

Henry Herzbach

Adolph H. Schmidt
Notary Public (167)
N. Y. County

0057

346-E. 12th St.

~~61 PARK PLACE,~~

New York, May 5th 1884

Hon Justice Gorman.

Dear Sir:

A friend of mine Mrs. Martina McGinnis of 312 E. 39th St. complained to Roosevelt Station & has written me three complaining bitterly that she is confined as a prisoner in the House of Detention ever since the 5th of May after having attended 3 or 4 times for yrs before your before the occurrence was committed. It is really a very hard case. I have known her for many years & believe her a thoroughly honest woman & more anxious for the conviction of her assailant than the officers of Justice can be. Her health is poor at best & failing. She has apartments which she

0050

furnishes & keeps house at 912-E-39th St. & will investigate-able attorney whenever notified that her attorney requires - I hope you will let her go home on her own recognizance - She has some means - as well as reputable friends of her first husband, who are ignorant of this occurrence, & she has delicacy about their knowing that she was made foolish enough to be entrapped into such an act - I have given above the place of my residence because I am detained at home most of this time by illness in my family - & that I go in many activities since there is any reply be made to this -

Very respectfully
A. K. Harding
Commander
U. S. Army

0059

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Police Department of the City of New York,

*Precinct No.*_____

*New York,*_____*188*

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Bound

6 months

Sur

have

POOR QUALITY
ORIGINAL

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0867

0866

4025

0869

0870

0871

Income
One floor [illegible] 100 floor [illegible]
1800 — Rent — 200 + 20,000
700 — Util. 750 — 100 — 8,900

A woman having an income of $2700, or less, would not be content to live in a building two tenement houses apart from a [illegible]

0872

Dist attorney's Olney
Personal

0873

New York May 6th 1884

Mrs M. McDermott

I am compelled to call your attention once more to this case of ours. They gave it a hearing yesterday and it was put back indefinitely. The Judge gave strick orders to the Roundsman to produce your self in Court or would do me a great kindness to meet me at some place that is not conspicous as I would like verey much to speak to you please do be sure and not frequent that house

Yours Respectfully
Bernard Haggerty

0874

No Papers
The People
vs
Rufus McGlynn

71 Bowery
~~61 PARK PLACE,~~
New York, May 13 1884

Dear Sir:

Mrs Mc Dermott complaint in this matter, is an old client of mine now confined in the House of Detention in anxious. Although it seems cruel to go to this house before being called as a witness, as she has there the coat or cloak she had on at the time of the ~~stab~~ assault & shewing the hole made by the knife within. Letter here also a coarse letter handkerchief used in stanching the blood — If you think it proper to let her out (in which there would be no possible danger as she is as anxious to appear as the prosecution are to have her) I hope you will send an officer with her to get the necessary articles. If this last request seems a moderate one

0875

She might deposit the money, as she is not without means, but cannot withdraw it without proving that she is chiefly anxious not to have her mother, an old lady of ninety, on her first husband's relations, some of whom reside in this city & highly respectable people — annoyed by seeing her name mixed up in such unpleasant affairs. She moreover unfortunate married man & so in an unfortunate position. She should be protected from impertinent inquiries of a psychoanalytic which, as I understand at the examination, could have had no purpose but to annoy her, or her first husband's relations.

Very Respectfully
W. H. Hadley
M. L. Brady

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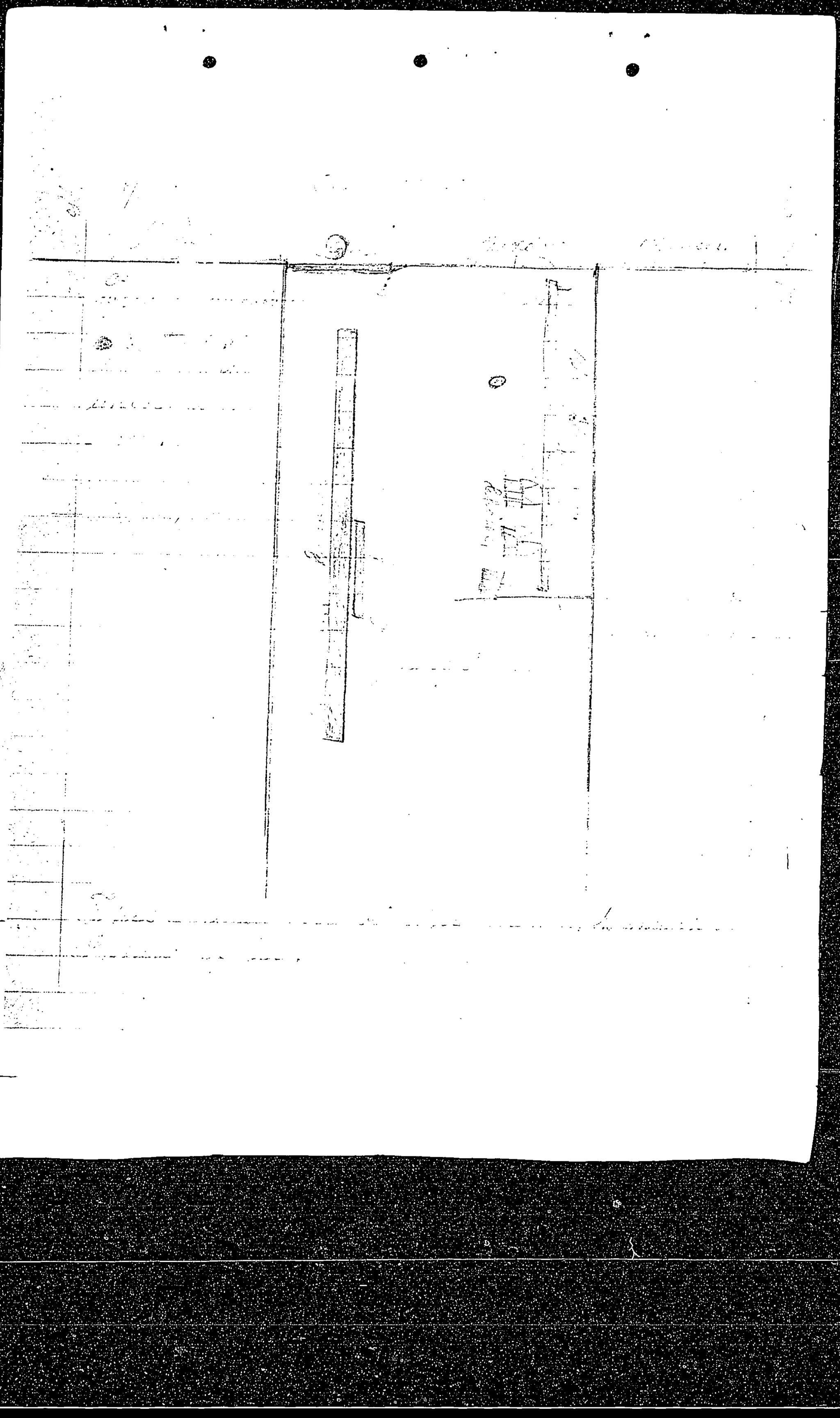

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

Frank Russell

OFFENCE

PETER B. OLNEY,
District Attorne

Affidavit of Madeline McDermott

0889

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

Frank Russell

OFFENCE

PETER B. OLNEY,
District Attorney.

City and County of New York, ss:-

Madeline McDermott being duly sworn says:- That she is the complainant against Frank Russell in the above entitled action. That at the June Term of the Court of General Sessions Part II she testified among other things that she owned 200 shares of Reading R.R. stock, 100 shares of Pennsylvania Central R.R. Stock and 100 shares of Western Union Telegraph Co. Stock, when in fact she then only owned two shares of Western Union Telegraph Stock. Deponent says that she did own said stock years ago, but that she had sold it at different times, the last that she sold was 3 shares of the Pennsylvania Central R.R. stock at Philadelphia in the year 1875 through the firm of Glendenning, Amroy & Davis Brokers at No. 17 Wall Street New York City. Deponents name then being Madeline E. Kendall and said stock was held in that name.

Deponent says the reason she so testified as aforesaid, is, that she thought it was note

their business (meaning the business of the defendant and his counsel) and had nothing to do with the case against Frank Russell.

Deponent further says that she has no employment at present and has no income except that she received from her mother Elizabeth Ash who resides at the Corner of 15th and Heald Streets Wilmington Del. with her daughter Annie Carter, the sum of one hundred dollars about the beginning of January 1884; from the Western Union Stock three dividends one on October 16th 1883 Jany 16th 1884 and the last in April 16th 1884 amounting to three 50/100 dollars each. and on April 28. 1884 the sum of sixty one dollars from Bernard Haggerty the brother-in-law of Frank Russell in settlement of damages against said Russell.

That the foregoing amounts are the only sums and only income she has had since October 1883 when she arrived in this City from Wilmington Del. and had at that time about $75 00

That she has ~~an~~ expended since that time on an average about sixteen dollars per month for living expenses, and has now in her possession about Eighty seven dollars, which amount deponent here shows and counts in the presence of Mr Wm N. Penney and Rudolph L. Scharf.

0891

Deponent says that on the 17th day of April 1884, the night of the assault, she had ~~with~~ the sum of over Forty dollars in bills and the certificate for the April dividends on the stock with her in the lining of the waist of her dress, and the sum of about four dollars in silver in her purse, which was in her pocket. Deponent resides at No. 312 East 39th Street in the City of New York.

Sworn to before me this 17th day of June 1884. } Madeline. McDermott.

Rudolph L. Scharf
Commissioner of Deeds
N. Y. City & Co.

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

Frank Russell

OFFENCE

PETER B. OLNEY,
District Attorney

Affidavit of Madeline McDermott

2688

0093

COURT OF GENERAL SESSIONS.

The People, &c.

vs.

Frank Russell

OFFENCE

PETER B. OLNEY,
District Attorney.

City and County of New York, ss:-
Madeline McDermott being duly sworn says:- That she is the complainant in the above entitled action against Frank Russell. That at the June Term of the Court of General Sessions Part II She testified among other things that she owned 100 shares of Pennsylvania Central R.R. Stock, 200 shares of Reading R.R. Stock, and 100 shares of Western Union Telegraph Stock, when in fact the only stock she then owned was two shares of Western Union Telegraph Co's. Stock. Deponent says that she did own said stock years ago, but that she had sold it at different times, the last that she sold was 3 shares of Pennsylvania Central R.R. Stock at Philadelphia in the year 1874 or 1875 through Glendening, Amroy & Davis Brokers at 17 Wall Street New York City. Deponents name then being Madeline E. Kendall and said stock was held in that name.

0894

Deponent says the reason she so testified as aforesaid, is, that she thought it was not their business (meaning the business of the defendant & his counsel) and had nothing to do with the case against Frank Russell. I reside at No 312 East 39th Street in the City of New York.

Sworn to before me this 17th day of June 1884 } Madeline McDermott.

Rudolph L. Scharf
Commissioner of Deeds
N. Y. City & Co.

0895

Court of General Sessions. Part II
June Term. 1884.

The People
vs.
Frank Russell

Testimony.

Court of General Sessions. Part II
June Term 1884.

The People
vs.
Frank Russell.

Before Hon. Frederick Smyth Recorder.

District Attorney Peter B. Olney for the Prosecution.

Testimony in Rebuttal.

Charles Mantz, being duly sworn testified,

Q. You reside in the City of New York?
A. Since thirty five years.
Q. Do you know Madeleine Mc Dermott?
A. Yes sir, I do.
Q. How long have you known her?
A. Fifteen years.
Q. What is her character and general reputation?
A. I only saw her in my office; as far as I know, I never saw anything wrong about her, but considered her a respectable lady.
Q. Did you ever hear charges against her character?
A. Not until lately when I read the account

of this assault in the papers

Cross-examination

Q What were your relations with her?

A She was introduced to me fifteen years ago by a friend of mine; She had some business to do and I advised her in that business; She invested money in several stocks; lately she made an invention and came to me on business; I had only business relations with her; I never saw her outside of my office

Q Do you know she has investments or property?

A Yes.

Q You know she has an income from her property?

A I know that for sure; I saw the money counted in my office

Q Do you know what stocks she had;

A Stocks of the Pennsylvania Central, of the Reading Railroad and stock of the Western Union Telegraph Company.

By the Court:-

Q You know she has some income?

A Yes.

Q. By Mr. Morgan:- How much?

A I dont know; that is more than I can say; She writes poems for newspapers; she showed me many of them and does copying.

Q How do you know?

A I know from her own statement.

Madeleine McDermott recalled by Prosecution

Q Have you some property of your own?

A Yes.

Q Which yields you an income?

A Yes.

Q About what amount is your income from the property?

A About $1500

By the Court:-

Q What does your property consist of?

A Stocks in the Pennsylvania Central and Reading Railroad and of the Western Union Railroad Company; also a little mortgage my mother holds on a little place at Yorchase.

Q Were you ever in business in New York City?

A Yes.

Q Now then, go on and tell the jury all about

4

it?

A In the middle of May 1873, I took the house No 1265 Broadway; I furnished it very handsomely at a cost of $4.500 and let out furnished rooms to gentlemen. The location being central - next to the Winchester Hotel - I did very well. In the year 1876 - Sometime during the fall of 1876 I established Vapor and electric baths at No 1265 Broadway. A young gentleman who was practising dentistry, a nephew of old Dr Skinner of Park Place waited on the gentlemen in the house and gave the baths; the lady patients I attended to myself. On the second day of May 1880 in St Anne's Protestant Episcopal Church I married Dominick Mc Dermott

Q Your second husband?

A Yes Sir. I lived with him for about three weeks; he was so and so during that time. He commenced to quarrel and ill treat me. He worked as a brass-finisher for Colonel Holmes 49 Chamber Street; the factory was in Twenty fourth Street between Tenth & Eleventh Avenues. - Holmes and Gruggs. He worked until Saturday night when he would get his money. Probably he would bring it

home and give it to me: half an hour afterwards he would demand it back again and go to a rum shop. Come home on Sunday morning and, not having a cent I had to support him all the week.

Q You separated from this man?

A Yes.

Q What other business did you go into?

A Life with him was very miserable; I could not put up with him; I had him arrested and Justice Patterson committed him to the Island. During that time I sold my house out for the cash sum of $2.000; I then moved to Nineteenth Street and lived with my mother until he got off the Island and came back again. He promised to behave himself if I took him back. He behaved himself for a few weeks. The few things I had I stored in Naples and broke up house. I went home with my mother in 1880 or the commencement of January 1881; I stayed there until April 1881; I returned and remained one week in New York. I went to Haverstraw and remained with a family named Hamilton; he was the Superintendent of one of the brick-yards there owned

by Mr Schultz of 18th Street and Eleventh Avenue.

\+ + + + + + + + +

Q What did you do since that?

A I was taken from there to Pennsylvania on the 1st of September 1881; I remained part of the time in Pennsylvania and part of the time in New Jersey and part of the time in Wilmington Delaware until a year ago last February when I returned to New York took my things and moved to 305 Twenty Fourth Street

Q Did you carry on any business since you came back last?

A No Sir.

Q Except to do copying?

A Yes.

\+ + + + + + + +

Q How much stock have you got in Pennsylvania Central and for the past year?

A I have one hundred shares.

Q What is the par value?

A Fifty dollars a share.

Q What is the interest?

A Eight per cent.

Q How long have you had that?

A A good many years

Q About how many years?

7

A Since 1873.

Q You spoke of the Reading Railroad Stock — how many shares have you in that?

A Two hundred Shares.

Q When did you buy it?

A It was bought for me years ago.

Q When did you get it?

A The Certificate was made a present to me on Christmas day 1865

Q And you have owned it since?

A Yes.

Q What is the par value?

A Each share is $100

Q What is the interest?. Give us about the average?

A For three years it did not pay anything and they issued stock again in place of interest; some years they paid six per cent; in 1873 they paid ten per cent and since, sometimes six per cent and sometimes nothing

Q When did you last receive from that Company any income?

A Last year.

Q You spoke of the Western Union Company — how many shares have you of that?

A One hundred shares.

Q How long have you owned that?

8

A Some of it I have owned since 1880 and some I bought a year ago this coming July.

Q How many shares have you?

A One hundred

Q About what income does that pay?

A They pay seven per cent.

Q How many years have you had that?

A Some of it I bought in 1880 and the balance last year with the exception of four or five shares which were taken up; they paid three per cent in cash.

Q There was some mortgage you spoke of- what was that?

A Yes, held for me on some property in Pennsylvania

Q What is the amount of the mortgage?

A $2000. at six per cent.

Q How long have you owned that?

A Two years after my husband died- since 1889.

0904

0905

A BEAUTIFUL SKIN

Permanently Secured.

For all disorders of the skin these baths are unequalled. The medicated vapors permeate the pores, cleansing, softening and restoring that clear healthy appearance to the skin, so much sought for and so seldom attained, pimples and other unsightly excresences vanish because the medicines have reached and destroyed the disease which was their cause and which kept them in existence. Medicines taken internally may assist nature to mitigate the disease; but the skin must be thoroughly cleansed, and the pores opened and kept in a healthy condition, or a smooth, soft, clear and healthy skin can not be secured. We assert that our NEW REMEDIAL VAPOR BATHS will accomplish this; and that by adapting our vaporized medicinal agents and treatment to each case, we treat it intelligently and therefore successfully. (OVER.)

0906

THE NEW

REMEDIAL VAPOR BATHS.

1250 BROADWAY.

Medicinal Vapors Scientifically Applied.

The undersigned begs leave to notify her former patrons and the public generally that she has opened new and elegant apartments at the above number for the treatment of all diseases of the skin, nerves, and blood and other disorders of the system. By the new principle adopted in medicating the vapors, and the great variety of medicines we vaporize and employ, not only are the proper remedial agents applied, and readily and perfectly absorbed into the system, but this method of application is entirely free from the many disagreeable and uncomfortable incidents heretofore attendant on all the varieties of vapor baths. We will cheerfully acquaint a patient with the remedial agent we are using in his or her particular case, as we make no secret either of our medicaments or our method of applying them.

TERMS, SINGLE BATHS $1, SIX FOR $5.

PATIENTS WILL BE TREATED AT THEIR OWN RESIDENCES ON FAVORABLE TERMS.

M. E. KENDALL, M. D.,
Proprietor.

N. B. LADIES IN ATTENDANCE.

(OVER.)

0907

Lib. 4 p. 120 - No. 4771

Health Department
OF THE CITY OF NEW YORK.
BUREAU OF VITAL STATISTICS,
No. 301 MOTT ST.

New York 188

Marriage

May 22 - 1880 - Dominick McDermott 235 W. 19th.
30 years old Mechanic - born in Ireland
(Father - Owen McDermott - Mother Julia
Knox).

To

Madeline Edwards Kendall - 235 W. 19th St. 34 years
old, born in Philadelphia. (Father - Joseph Arch,
mother Elizabeth Edwards).

Married by Rev. Edward H. Krauss

0908

Hon. Frederick Smyth,

Recorder and Judge of the Court of General Sessions.

Sir:

I would respectfully report as follows.

Dec 1. An Chinese Hanty Avery Public of 3 Chinamen that has been Indicted in the same 10 years since was to call at his office about [illegible] about 10 or 11 years ago he counted a large amount of money in his office, was well dressed, also says that he has some 40 stocks and he is quite-positive that she still has some Western Union Telegraph Stock.

Dec 2. Mrs McDonnell and other interested in Hanty Avery stocks stated that her Father had some stock up from the, who lives at present in Poughkeepsie N.Y.

Dec 3. I called at the Western Union Telegraph Office and ascertained from the Secretary that a Mr Hanty Chinaman had Two Shares of their Stock, and never had any more but Two Shares.

Dec 4. Have Mary Brown and Reader in Brick at the corr of 11th Ave & W. 30th Street and he never made Sergt. Manuel Hamilton in his

0409

city at Harrestown.

five 5.) The Elder S. Frazier, formerly of 1307 Bury ave occupied the store tenement of said house as a candy store and that for about two years he rented the whole house and let the upper floors to his kindred she was poor boy and had to dispose the for non payment of rent. She owes three five thousand dollars. Got the order stated that she right for house or little earned and overall not ile=
gible the lowest order.

six 6.) Dr Shinn was formerly major of this city 2nd Park place. Total amount of claims agt his nephew who was in business with him and who attended to the male patients his name was B. Van. Rishwood and his name does not appear in the directory.

seven 7.) Was Mr Emmett that the Irishmen Fenniick arrested Jan= 2. II 1881 and brought before Judge Fullerton in Jefferson Market Police Court and sentenced him to one month,

eight 8.) Was Kendall stored some furniture with in Hauger at 34th and 8th ave - May 3rd

1899 purchased as follows: one bedstead one washstand two feather mattresses two some pillows, one door mat. four mirrors and two pictures all of the value of about $80. She paid $1.50 per month for service, and removed said furniture June 1900.

June 9) When I interviewed Mrs McDermott she said that she bought the furniture from Demarest factory, a certain time and the other bought second hand. [illegible] this morning she told me that she bought it from a agent name Sandman who lives in Newark.

Jun 9) She said she sold the furniture for $20.00 but does not no the gentlemen name who bought the same nor does she know where he lives.

June 11) Mr Demarest formerly of Demarest & firm removed to 22 Hunter Street. Mr Demarest died about two months ago, the firm of Demarest & [illegible] the factory at Wallworth Corner. Mr Adams who is suitt for the above firm stated Demarest Mr [illegible] well and says that he is [illegible] unknown for [illegible]

Cross-examined on 25th October.

Twelve 12) Mrs McDermott resided at Fremont House 305 East 24th Street Surg. Had in February of last year, that the Saunders & Wife lived three rooms on first floor back and occupied them for two months & Mrs Saunders left the complainant's bed Musician was a Sea-faring man. Mrs McElroy did not know Mrs Saunders by the name of McDermott. The accused made complaint to the Saunders.

The reason she has remembering that Mrs Saunders is Mrs McDermott that the house had 200 in it & many Sorty who went by the name of Saunders at that house.

Thirteen 13) Mrs McDermott admitted to me that she frequently visited the Shower hotel Rivingtonstreet were Saunders was cook on the cause, She says that she had dinner & tea and Stopped over nights at that the house of ill.

Jerry Sullivan
Chief Clerk Detectives

Стосло

Франк. [illegible]

0913

Office of
Clerk of the U. S. District Court,
For the Eastern District of New York.

P. O. BOX 19.

Brooklyn, June 26th 1884

Peter B Olney Esq
Dear Sir

Yours of June 25th asking for certain information respecting one Frank Russell alias Frank Rafferty received. Have examined the records in the Clerks Office also made inquiries in District Attorney Office. And find that the only person by the name of Russell, arrested in this District for passing counterfeit trade dollars, was one Henry Russell who was tried and convicted on Feb. 2. /81 and sentenced on May 5. /81 (after motion for arrest of judgt. was denied) to three years imprisonment at hard labor in Auburn Prison

Yours respectfully
Lincoln Benedict
Clerk

for
H. J. Wade
Asst.

0914

Office of
New Jersey State Prison

R. H. Lawrey, Keeper.
C. R. Vroom, Superintend.
Robt. B. Bonney, Clerk.

Trenton June 26th 1854

Peter T. Olney Esq

Dear Sir

Yours of the 22nd July rec'd We cannot find anyone by the name of Frank O'Neil or O'Raffety. We had a James O'Neill sent from Hudson Co for Four (4) years. Crime. "Attempt to Break & Enter" sentenced Mch 31st 1876 discharged 3 June 1879 Born Conn. Height 5 ft 10½ Blue eyes, bro hair, med complexion. Stone cutter by trade J & 2 moles on right arm arm crooked from break 2 ink marks left arm. Weight 156

Respectfully
R. H. Lawrey Keeper

0915

DISTRICT ATTORNEY'S OFFICE,

New York, ... 188

[illegible] source of income is
[illegible] Eight dol.
Minimum Col. 6th 15 & Second Sts.
I left there in Oct. last & have
been in this city since.
The first time she sent me money
was Feb. in the spring of Jany. 1884 —
I have spent that amount & 8/16
on the 17th Sept. & Oct. last
other months & have left [illegible]
my possession about $[illegible]
I received dividends on the stock
in Oct. last [illegible] amounting to $350
each time, [illegible] of H. [illegible]
on Sept. 17.
I received on Apr. 25 [illegible] Russell [illegible]
[illegible] Bernard Higgins

Officer Chapman recalled:-

Q Did you accompany the defendant to the Police Court?

A I took them both.

Q Did you have any conversation with him?

A He said "That tramp was not in his place at all". He also said "When that military Company passed down the Avenue he opened the door — she wanted to come in, he pushed her and she fell down and she closed the door.

Q When she thrust her hand in your pocket you struck her on the side of the head?

A I struck her a pretty hard blow; I did not intend to injure her.

Q You did injure her?

A Yes.

Q You thought she wanted to rob you?

A Yes: she made me angry — not believing me and putting her hand in my pocket

Q Why didn't you thrust her out in the street when you found out what kind of a woman she was — why?

A We went there for the purpose of having a little time.

Q Notwithstanding that you beat her — you still continued to think you would have that little time?

A No sir.

Q Why didn't you put her out?

A I wanted to clean her face; she didn't want to go out.

0910

J. P. MANN, Printer, 84 Nassau St., N. Y.

STENOGRAPHER'S MINUTES.

Second District Police Court.
N.Y. SPECIAL SESSIONS.

THE PEOPLE
vs.
Frank Russell

BEFORE
Hon. J. J. Gorman
Police Justice.

May 9th 1884.

WITNESSES.	Direct.	Cross.	Re-called.
Madaline McDermott	1		
George S. Chapman	33		

DAVID S. VEITCH,
Official Stenographer,
101 CENTRE ST., N. Y.

A. D. Hedley
Dr. Harry
Mahoney.

No 103
2nd Dist. Police Court

N. Y. SPECIAL SESSIONS.

THE PEOPLE

vs.

Frank Russell

Stenographer's Transcript,

May 9th 188

DAVID S. VEITCH,

OFFICIAL STENOGRAPHER,

101 CENTRE STREET, N. Y.

SECOND DISTRICT POLICE COURT.

THE PEOPLE	:	B e f o r e
vs	:	HON. J. J. GORMAN,
FRANK RUSSELL.	:	POLICE JUSTICE.

May 9th. 1884.

Ex-Justice B. T. MORGAN for the defense.

City and County of New York ss.

M A D E L I N E M C D E R M O T T the complaining witness in this case was now called for cross-examination.

Q (MR. MORGAN.) Your name is Madeline McDermott?

A Yes, sir.

Q Are you hard of hearing?

A Slightly.

Q Do you hear me at my voice now?

A Yes, sir.

Q Where do you live?

A 312 East 39th. Street.

Q And that is where you were living at the time you made this complaint?

A Yes, sir.

Q You are living there now?

A Yes, sir.

Q How long have you lived there?

A Since last October.

Q Are you a married woman?

A I have been married but I am not now.

Q Are you a widow?

A I cannot say that I am a widow--- my first husband is dead--- my second husband is living, but I am divorced from him.

Q Divorced under the laws of this state?

A Yes, sir.

Q When was it?

A 1882.

Q Since then you have been living alone?

A Yes, sir; since that time, since I have been divorced from him--- that has nothing to do with this case.

Q. Have you been living in New York City ever since that time?

A. Not all the time; I have been away two or three months during the past summer.

Q. Where were you during the past summer?

A. Pennsylvania, Newtown, Bucks County.

Q. How have you been earning your living since your separation from your husband?

A. That question I refuse to answer.

Q. What has been your business during the past two years?

A. Copying.

Q. Copying what?

A. Lawyers' ~~BBBBB~~ writings.

Q. For whom?

A. I refuse to tell you?

Q. Why?

A. I have got reasons why. I tell you now I refuse to answer any question outside of this case. Two years back has not anything to do with this case.

Mr. JUSTICE GORMAN now instructed the witness to answer the questions of the Counsel, assuring her that if any improper questions were asked her, he would sustain her in her refusal to answer the same.

Q For whom have you done copying?

A Well, mostly for Amos H. Hadley, 71 Broadway.

Q When did you do any copying for him?

A On and off for the past two years.

Q When did you first do any copying for him?

A Two years ago. He had a case now and then for me to copy.

Q During the whole time that you copied for Mr. Hadley, how much time was consumed? How many days, weeks or months?

A It would not make more than nine months.

Q For who else have you copied outside of Mr. Hadley?

A Well, I copied some years ago, but that party is dead; that was some twelve years ago.

Q What was his name?

A Adolph ~~Lollinger~~ Lessinger.

Q Now, what was done during the remaining fifteen out of the two years.

A I did not do anything only what I did for myself.

Q Did you have any income of your own?

A I have an income of my own.

Q From whom do you derive that income?

A Well, you will have to go back a good many years.

Q From whom do you derive it?

A I refuse to give the gentleman's name.

Q From what source do you derive it.

A I positively refuse to bring his name into this case.

Q. Does it criminate you?

A. I derive it from my first husband.

Q What is it in?

A Stocks.

Q. What kind of stocks?

A The most of it is in the Western Union Telegraph Company.

Q Where are those stocks now? Are they in your possession?

A Yes, sir; at least, I can get them in a very short time.

Q What is the value of the stocks?

A Well, you will have to go to the Board to find out; I do not examine the papers every day.

Q How much stocks have you of the Western Union? To what amount? How much money?

A I do not know how much unless I count it up.

Q What is your interest money per annum?

A I receive about seventy-five dollars every three months.

Q Is that all the source of revenue you have?

A It is not.

Q Well, what other source have you?

A I get some from my mother.

Q In what way? Does she send you money?

A She sends it to me.

Q ow much?

A Whatever I write for.

Q Well, how much has she sent during the past two years?

A Something over a hundred dollars.

Q Is there any other source of revenue?

A No, sir.

Q What is the name of your mother?

A Elizabeth Ash.

Q Where does she live?

A Newtown, Bucks County, Pennsylvania.

Q Then when you were away during the past summer two or three months, it was with your mother you were living?

A Part of the time.

Q Did you ever live in Philadelphia?

A Yes, sir.

Q How long ago?

A I have not lived there since 1907.

Q Where did you live prior to living at 312 East 39th. Street?

A Twenty-eighth Street and Lexington Avenue.

Q On the corner of Twenty-eighth Street and Lexington Avenue?

A One door or two from the Avenue.

Q What number?

A 130 East 28th. Street.

Q With whom did you live there?

A I lived by myself.

Q You roomed?

A Yes.

Q A hired room? ~~Exhnx xxx~~

A I had rooms; part of a floor.

Q Did you keep house there?

A Yes, sir; I kept house there.

Q From whom did you hire in 28th. Street?

A I hired from the landlord.

Q What is his name?

A Cassidy.

Q Do you remember his first name?

A I do not; I do not think I ever asked him his first name.

Q How long did you live there?

A Pretty near three months.

Q Prior to that time in 28th. Street, where did you live?

A In 24th. Street.

Q What number in24th. Street?

A I think it is 305, if I remember rightly.

Q Had you rooms there?

A Yes, sir.

Q Keeping house?

A I kept house.

Q How long did you live there?

A Nearly all the winter before.

Q About how many months?

A. I cannot tell you exactly the number of months.

Q Well, about?

A Five or six.

Q And prior to that, where did you live?

A Nineteenth Street.

Q What number in 19th. Street?

A I do not remember.

Q Near what Avenue?

A Between Sixth and Seventh.

Q From whom did you hire in Nineteenth Street?

A From the landlord who owned the property.

Q What was his name?

A Lewis.

Q What was his first name?

A I do not know.

Q What was the name of the landlord in 24th. Street?

A McElroy.

Q Do you remember his first name?

A I do not.

Q Is he the owner of the premises?

A I think he is not.

Q How long did you live in 10th. Street?

A Seven or eight months. I do not see what that has to do with this case.

Q Do you know Frank Russell?

A I do not.

Q Did you ever see him?

A I never saw him until the night of the 17th. of April.

Q Is he here now?

A Yes, he is. (pointing to the prisoner)

Q Is this the first time you have seen him since the 17th. of April?

A I think it is. with Captain Parker he was in Jefferson Police Court, after he was arrested

Q What time of night was this?

A A few minutes past nine o' clock.

Q When was it?

A When I first saw him it was on 24th. Street.

Q Where abouts in 24thStreet?

A Between the Sixth and Seventh Avenues.

Q Which way was he going?

A I could not tell you where he was going, I did not ask him.

Q In what direction; east or west?

A I should say he was going east; I was going east, and he came behind me.

Q Which direction were you going?

A East.

Q And he came behind you?

A Yes, sir;

Q Between what avenues was this?

A Between Sixth and Seventh.

Q Who spoke first?

A He spoke first.

Q What did he say?

A He said "Good evening," or "Good night." I do not remember which.

Q What did you say?

A I said "Good night."

Q Then what?

A He took hold of my arm and said "Good night."

...

...

...

Q Had you ever seen him before?

A No sir, not to my knowledge.

Q Well, what then?

A He asked me where I was going and I said to 30th. Street; He said "Where do you live?" and I said I live in 30th. Street. He said I am fitting up a place around here, I wish you could come and look at it, and I said "No, I want to go home." He said "It is only a half a minutes walk in Seventh Avenue." He said "I am fitting up a saloon business." I told him I thought my going around there would not benefit him any. I consented to walk around. He lit a light and set it on the ~~xxxxx~~ counter. He asked me to drink something and I told him no, I never drank anything. He rattled amongst some bottles and he poured out two glasses one was full of something, I could not tell you what; the other was about three quarters full, and he drank it. He handed me the full glass, but I refused to drink it. I was sitting on a chair at the time and he took hold of me and threw me on the floor.

Q Where were you then?

A I was sitting on a chair about five feet from the door in the saloon or store. Then I struggled and got away from him and stood up. I went to the door and I said "Please unlock the door and let me out," and he took a knife out of his pocket. I felt something sharp stabbing me and I stepped back about four feet I suppose. I looked up at him and I said "Would you be mean enough to bring me in here, lock me up a prisoner and stab me?" He said "Yes, I would stab your damned heart out!" I said, "the best thing you can do is to shut that knife up and put it in your pocket, or you will see the day you will be sorry." I asked him to open the door and let me out, and he said for me not to make any noise, and he took up a chair to strike me; then he took up a plane and afterwards a hatchet to strike me. I saw if I would make a noise that he would strike me; I grabbed a club which was there and knocked the hatchet out of his hand. Then he came and took hold of me and choked me around the neck. Then after that he got me down on the

floor a second time, and I got up off the floor; then he grabbed me by the shoulder and gave me four or five successive blows, five or six successive blows. Then he struck me on the shoulder and then on the ear and base of the brain, and on the forehead, eyes, and nose; then the blood was running from my face; he got both hands over my mouth to keep me from crying. Then after that he was about half an hour wiping the blood off me. In order to get me down on the floor a third time he threw my feet from under me; while I was on the floor I could not get hold of anything to pull myself up -- I was down on the floor and could not get up, and he had his arm across my neck choking me. Then he stayed with me.

Q What do you mean by that?

A He had connection with him.

Q During this time did you make any outcry?

A Yes, sir; several times. ~~not during the time he had intercourse, he had his arm [illegible]~~

Q During this half hour that it took to take the blood off you, was it before or after he had connection with you?

A Before he had connection with me.

Q It took him about half an hour to take the blood off you?

A Yes, sir.

Q Did he wipe it off?

A Yes, sir; he went and got a bottle of some kind of stuff and wet a handkerchief to wipe it off; then I had a handkerchief and there was a cloth full of blood besides.

Q Have you stated all that occurred at that time, up to the time and including the time that he had connection with you?

A Yes, sir.

Q Did you take a drink with him?

A No, sir.

Q Did he offer you drink?

A He did.

Q And you did not drink with him?

A I did not.

Q You do not drink at all, do you?

A No, I do not.

Q Never have drank anything?

A I have in my life, but I would not drink under those circumstances, and if I did I would not drink more than one glass.

Q Had you been drinking that night?

A No, sir.

Q Where did you come from?

A Eighteenth Street between Seventh and Eighth Avenues.

Q What is the number?

A I think it 250.

Q What were you doing there?

A I went on some business.

Q To see them?

A To see a lady by the name of Mrs. Hill.

Q On what business?

A On a patent case I am getting through?

Q Does she live in 18th Street?

A Yes, sir.

Q What is her first name?

A I do not think I know it.

Q Was that the first time that you had seen Miss Hill?

A I had seen her several times before; I did not see her on that night; she had gone to bed; I wanted to ask her about some advice on the patent I was working through.

Q What is that patent?

A Well, it is a glass treadle on a sewing machine.

Q Now, what was your object in going to see Mrs. Hill on that night in 13th Street?

A To see if I could get any suggestions in making an improvement.

Q Have you got the patent?

A No, sir; not yet; I have not taken it out.

Q Who has charge of that patent?

A Mr. Hadley.

Q This same gentleman that you speak of at 71 Broadway?

A Yes, sir.

Q Well, where were you going?

A I was going home.

Q Now, you mean to tell the Court that Frank Russell in this place placed his penis in your private person and had sexual intercourse with you?

A Yes, sir.

Q Did he consummate the sexual intercourse?

A Yes, sir; he did himself.

Q Whereabouts was this, in what part of the premises?

A I do not think I know the number, but it is on Seventh Avenue between 20th. and 21st. Streets. I have not been there since to see what the number was.

Q What part of Seventh Avenue was it on?

A About the centre of the block, as near as I can tell.

Q Will you describe the place inside there as near as you can?

A It is a long room with a counter, and a lot of chairs and a big glass; such things as you would have in a saloon. Of course I did not look around at the things; I looked at the door to get out.

Q Did you get out of the door at all?

A Yes, sir; I got hold of the knob of the door several times and he laughed at me because he had the key in his pocket and I could not get out.

Q Did you see the procession?

A No, sir, it was just about passed.

Q When you went out of the store where did you go?

A I stood on the side-walk and I turned around and looked, to see if I would know the place.

Q Then where did you go?

A To the upper corner to see if I could find an officer.

Q Up Seventh Avenue?

A Yes, sir.

Q Then you must have been about 22nd. Street?

A It is between 20th. and 21st. Streets.

Q Did you meet an officer?

A I met one on the lower corner; I came back and say two standing on the lower corner.

Q Then what occurred?

A I told him how the man assaulted me in there.

Q You met two officers on the corner of 20th. Street and Seventh Avenue?

A Yes, sir, and I told them I had been locked up in a store or room a few doors above, and how the man assaulted me and kept me there for hours, and would not let me out; and the officer said "Come up and show me the door," and I went up and showed him the door.

Q How long had you been kept in the place in Seventh Avenue and 20th. Street?

A Well I went in there a little after nine and I did not get out of there until after one O'clock.

Q You were there between three and four hours?

A Yes, sir.

Q And it took him all that time to have sexual intercourse with you?

A Yes, sir.

Q Did he have it more than once?

A Only once; I was in there over two hours after I had sexual intercourse coaxing him to unlock the door to let me out.

Q After he had been in there did he strike you?

A No, sir; he did not strike me after that.

Q What did you do there, sitting down?

A No, sir; I would not sit down.

Q You stood up?

A Yes, sir.

Q Did you have a conversation with him?

A I told him to let me out.

Q And you repeated that?

A I repeated it one hundred times.

Q How did you get out finally?

A When he heard a drum beating he unlocked the door, and when he unlocked it I jumped through the door.

Q And that was about one o'clock when the procession passed?

A Yes, sir.

Q Did you have a sacque on when you went in there?

A Yes, sir.

Q And a hat?

A Yes, sir.

Q How did it get off your head?

A The hat fell off. I was bleeding from the face and I did not want to get the blood on my coat and I slipped it off on a chair; when I came out I did not have my coat or hat; I thought I could buy a new coat and hat, but not a new life.

Q Did you make any outcry at all?

A Yes, sir; several times.

Q After this time?

A During and after.

Q What were those outcries?

A I told him I would cry for the police.

Q Did you cry for the police?

A I did, several times.

Q How did you cry for the police?

A I cannot hardly tell you; I rattled the door.

Q Anything else?

A Yes, sir; I cried for the police.

Q Did you cry "police?"

A Yes, sir.

Q How loud did you cry?

A Louder than you are talking.

Q How loud?

A Well, if they were passing they certainly could hear me.

Q Well, how loud is that?

A As loud as an ordinary outcry.

Q Did you cry at the height of your voice?

A No, sir; not at the height of my voice.

Q Why not?

A I was saving my life; I did not want to make an outcry so

loud that in a fit of passion he would kill me; he threatened to kill me.

Q Then you were not afraid of his threat?

A I was not so easily frightened.

Q Do youknow the name of the officer that you spoke to corner of 20th. Street and Seventh Avenue?

A I know him since I spoke to him; I did not know him before.

Q Would you know him if you saw him now?

A Yes, sir.

Q Did you speak to him first?

A Yes, sir.

Q Then, when did you next see him after that? after you had taken him to the place in Seventh Avenue where you say you were locked up?

A I saw him when he brought Russell to the station-house, and I saw him the next morning at the Jefferson Market Court.

Q Do you recollect his name?

A Chapman, I believe.

Q The officer you saw here?

A Yes, sir.

Q Is he the only officer you saw?

A There was another officer.

Q What conversation you had was with this gentleman here,

Roundsman Chapman?

A. Yes, sir.

Q. Did you ever charge anyone else with this same charge?

A. No; never.

Q. You never did?

A. No, sir.

Q. Did you have an operation performed upon your nose a short time ago?

A. I did.

Q. Whereabouts?

A. In Manhattan College.

Q. Whereabouts on the nose was it?

A. I had it straightened.

Q. When was that?

A. A few days after this happened.

Q. How came your nose to be broken in that way?

A. He did it.

Q. What with?

A. With his fist.

Q. He struck you with his fist?

A Yes, sir; then I got a leach and I took a pint of blood from my eye.

Q Didn't you used to live in Philadelphia?

A Yes, sir.

Q How many years ago?

A I was living there in the year 1867.

Q How long did you live there?

A On and off for over four years.

Q Weren't you a copyist there?

A No, sir.

Q Were you then living with your first or second husband?

A First.

Q Is your ~~first~~ second husband living?

A ~~As far as I know,~~ I have not heard of his death.

Q What was his business?

A Brass finisher.

Q Did he work here in the city of New York?

A Yes, sir.

Q For whom?

A For Colonel Holmes in 24th Street.

Q Do you remember what part of 24th Street that was?

A Near the 10th Avenue.

Q What was his business?

A Brass manufacturer.

Q Is he there now, if you know?

A I do not know; I think not.

Q How many years ago was that?

A ~~xxxxx~~ Three years ago.

Q You say that you obtained your divorce from your second husband in this state?

A Yes, sir.

Q What part of this state?

A Haverstraw.

Q What was the Judge's name who granted that divorce?

A Myers.

Q What was that divorce granted for?

A On account of ill-treatment.

Q On the part of the husband towards yourself?

A Yes, sir; and for non-support.

Q For ill-treatment and non-support?

A Yes, sir.

Q Had you abandoned him or he abandoned you?

A In the first place I had him arrested and sent on the Island.

Q I asked you a question, did you abandon him or he you; did he leave you or you him?

A I think I left him.

Q And where were you living at the time?

A In New York City.

Q And how long had you left him before this action of divorce was brought by him?

A Three or four months.

Q Was it brought in Haverstraw?

A Yes, sir.

Q And how long before you commenced the proceeding for a divorce was the divorce granted?

A I do not remember exactly how long.

Q Did you have anyone as a lawyer appearing for you in the suit?

A Yes, sir.

Q Who was the lawyer?

A Myers.

Q Living in Haverstraw?

A Yes, sir.

Q And did your husband have an attorney to take care of his interests?

A No, sir.

Q How what Judge granted this divorce?

A Myers was the justice and lawyer both.

Q He decided upon the case and also acted as your attorney?

A Yes, sir.

Q In what Court was that brought?

A In his Court in Haverstraw.

Q What Court did he preside over?

A It was in Haverstraw, Rockland County.

Q Is he a Justice of the Peace?

A Yes, sir.

Q You do not know where your second husband is?

A No, sir.

Q How long since you saw your second husband?

A Pretty near a year.

Q And when you last saw him where did you see him?

A I met him on the street.

Q Has he lived with you since that?

A No, sir.

Q Has he supported you since then?

A No, sir; I would not ask him for support.

Q Was the meeting between your husband and yourself a year ago just by accident?

A Yes, sir.

Q It was only for a few moments?

A Only for a few moomnts.

Q You do not know whether he is now living or not?

A I do not know.

Q You feel as if you would have a right to marry again?

A I do not want to marry.

Q Well, do you feel as though you had a right, if you wanted to

A I suppose that I could if I wanted to.

Q What are you working at now for a living?

A For the past month I have not done anything.

Q Well, say a month before this alleged assault occurred?

A I did some copying.

Q For this man Hadley?

A Yes, sir.

Q A month previous to this alleged outrage committed upon you?

A Well, during the winter I have scarcely done anything; I have been sick in the house nearly all the time until a few weeks before this assault.

Q What was the matter with you?

A Well, I do not know that it is necessary to tell you.

Q Well, I do not want to ask any impertinent question.

A I had inflammation of the bladder, and I had to stay in the house.

Q Well, how did you maintain this during the time you were sick? How did you pay for your lodging, food, and doctor?

A Will you allow me to ask you that question?

Q Answer my question?

A I have an income and it is in my own name and right.

Q What income, and from what source did you have it?

A I lived the last winter as I did seventeen years ago.

Q From what was your source of income?

A Where is your income? I have plenty; if I have not got it I can get it in twenty-four hours; I had money from my private income.

Q From what source is your private in-come?

A I answered you already.

Q For the last winter did it come from your mother or from the Western Union stock?

A From Western Union stock and my mother, with the exception of three, or four, or five dollars when I earned it at writing.

Q When you did work what did you work at?

A Copyist.

Q How long since you worked at any copying?

A I have done some the last year, but very little.

Q When was the last you done any?

A I think it was in January or about Christmas.

Q And this Western Union stock was left to you by your first husband?

A Yes, sir.

Q In whose custody is that stock now?

A It is in my own hands.

Q Have you the stock?

A I have the certificates.

Q How many certificates have you got, and what is the value of them?

A I have nearly one hundred shares.

Q What is the value of that stock, if you know?

A I do not know.

Sworn to before me this
9th day of May 1884.

John Herman
POLICE JUSTICE.

Madeline McDermott.

City and County of New York ss.

G E O R G E S. C H A P M A N a witness called and sworn.

Q (MR. MORGAN.) I believe you made the arrest in this case?

A Yes, sir.

Q What time did you make it?

A About twenty minutes of one O'clock.

Q Is that the time you arrived at the station house?

A No, sir; I went down from 20th. Street.

Q What was the condition of this woman as to sobriety?

A She was perfectly sober, the same as at the present time.

Q What did she tell you?

A There was a military company passing at the time; as they passed I stood on the corner with the other officer. She came up to me with an old hat and a cloak, and she said she was beastly assaulted in the place in Seventh Avenue. I looked at her and I saw her eyes pretty nearly closed and blood on the face, and coil across the nose. I went to the place where she said

she was assaulted, and it was locked up. I asked for an admission but I could not get in. I called the officer on 20th. Street, and the officer on 21st. Street there, and I took her to the station-house to have her make her statement to the sergeant. I then went back to the place.

Q. Then you made the arrest of this party?

A. Yes, sir; after I broke in. I rapped three or four times and I could not get in; I broke the glass and went through the window.

Q. You found him there?

A. Yes, sir.

Q. What did he say at the time? Did you charge him with it at the time?

A. When I broke the glass out I tried to get him to answer and he would not answer.

Q. Did you charge him with it?

A. No, sir.

Q. Did you charge him at the time when you got him to the station-house?

A. At the station-house he asked me what I wanted him for, and I told him for assaulting the woman.

Q. What was the charge made on the blotter at the station-house?

A. Rape.

Q. Was he charged with that at the time?

A. Yes, sir.

Q. Did you or anyone in your presence tell him what he was charged with?

A. No, sir.

Q. When was the first he knew about it?

A. When I made the arrest I sent him with two officers to the station-house. I remained and secured the place; he said that he had a great deal of valuable stuff in the place. When I came to the station-house I think he was locked up. I would not be positive, however.

George S. Chapman

Sworn to before me this 9th. day of May 1884.

John Hornace

POLICE JUSTICE.

The Court held the prisoner to answer in the sum of $2,500.

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END OF BOX