

POOR QUALITY
ORIGINAL

0206

370.
Counsel, *28 Chr*
Filed *day of* 188
Pleads, *Not guilty*

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

THE PEOPLE

3d. mch. 88
George Meerron

Dec. 11/88
JOHN R. FELLOWS,

District Attorney.

Pr Dec 11/88
pleads Assu 2d.
A TRUE BILL

Wm D Macclay
S. P. Jones *Foreman.*

Witnesses:

Jan Law
off Smith

POOR QUALITY
ORIGINAL

0207

Police Court—5th District.

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

James Laws
of No. Hudson River & 180th Street, aged 26 years,
occupation Laborer Shop No 25 being duly sworn
deposes and says, that on the 21 day of March 1888 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by George Meerson
(man there who did irregularly cut
deponent upon the hand with
the blade of a knife, which knife
he the said George Meerson then
and there held in his hand
that deponent was so violently and
feloniously assaulted and beaten

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

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

Sworn to before me, this 22nd day
of March 1888.

[Signature]

Police Justice.

James Laws
mark

POOR QUALITY
ORIGINAL

0208

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

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

Question. What is your name?

Answer. *George Meerson*

Question. How old are you?

Answer. *39 years*

Question. Where were you born?

Answer. *Maryland*

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

Answer. *10 Ave + 180th St. 2 years*

Question. What is your business or profession?

Answer. *Laborer*

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 of the charge*
his
George Meerson
Meerson

When before me this

22

1888

Police Justice.

POOR QUALITY
ORIGINAL

0209

James Lane.

Off. Schmidt
32 West.

BAILED,
No. 1, by _____
Residence _____
No. 2, by _____
Residence _____
No. 3, by _____
Residence _____
No. 4, by _____
Residence _____
Street _____

Police Court

District.

1870.

1842

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James Lane
180 West
8th Street
New York

Offence Assault
Feb 22

Dated March 22 188 8

Magistrate.

Henry Schmidt
Officer.

32
Precinct.

Witnesses

Diogo Marshall

No. Charles River

No. 180 West

No. _____
Street _____

No. _____
Street _____

No. 180 West
to answer B.S.
Street _____

Am

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 200 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 Mar 22 188 8 Henry Schmidt 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.

Record of General Sessions

The People

v.
George Meeson

Assault, 1st degree

James Davis, Harlem River and 130th Street, Aqueduct laborer, at Draft 25. On the 21st of November or, 1888, at about four o'clock P.M. the defendant came to my house and commenced to abuse Fizzi Marshall who had been living with me for the last three weeks previous thereto. He wanted her to go with him; but she refused. I told him, he should not fuss with that woman. He then drew an open pocket knife from his pocket and rushed at me. I ran away from him, and when I had got out of the door he cut me in the right hand with said knife. He at the same time said, he would kill me or any other son of a bitch who would take him away from that woman. While trying to escape from him,

he cut me in the left hand with said knife. He pursued me for about two hundred yards and then hid himself away. Lizzi Marshall, Harlem River & 180th Street. unmarried, house keeper of the complainant herein. I have heard the complainant's statement and so far as it relates to occurrences inside of his home, I say it is true of my own knowledge. The defendant, while in our room, threatened to kill ^{complainant} ~~them~~, if he would not let me go with him. I did not want to go with the defendant.

Harry Schultz, patrolman 82 Precinct. On the 21st of November, 1888, at about 4.30 P. M., I arrested the defendant at Highbridge. He had been chased by a horse policeman. Colored people had informed us of the affray. The defendant said, he had not intended to strike the complainant.

POOR QUALITY
ORIGINAL

0212

The People
vs
Ed. Grossi

Crime.
Murdering the
Queen's English

see inside

COURT OF GENERAL SESSIONS.

THE PEOPLE, &c.
vs.

George Meeson

BRIEF OF FACTS.

For the District Attorney.

Dated November 27 1888.
Edward Grossi

Deputy Assistant.

POOR QUALITY
ORIGINAL

0213

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Manson

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

The said *George*.

late of the City of New York, in the County of New York aforesaid, on the
Twenty-first day of *November*, in the year of our Lord
one thousand eight hundred and eighty *eight*, with force and arms, at the City and
County aforesaid, in and upon the body of one *James Davis*,
in the peace of the said People then and there being, feloniously did make an assault,
and *with* the said *James*,
with a certain *knife* —

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

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

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said
George Manson
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *George*.

late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *James Davis*, —

in the peace of the said People then and there being, feloniously did wilfully and
wrongfully make another assault, and *with* the said *James*,
with a certain *knife* —

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

John R. Bellows
Attorney

02 14

BOX:

330

FOLDER:

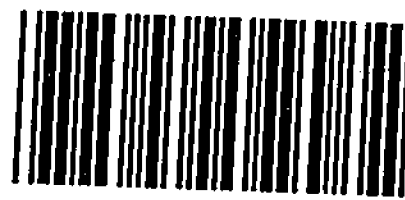
3125

DESCRIPTION:

Mertens, Charles

DATE:

11/28/88



3125

POOR QUALITY
ORIGINAL

0215

WITNESSES:

off. Loran

8th Feb

Counsel,

Filed

Day of

188

Pleads

Myself - Day

THE PEOPLE,

vs.

B
Charles Mertens

*Complaint sent to the Court
of Special Sessions,*

May 11, 1883

VIOLETION OF EXCISE LAW
(Selling on Sunday, Etc.)
[III Rev. Stat. (7th Edition), page 1083, Sec. 21 and
page 1089, Sec. 5.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Wm. Macclay

Foreman.

Dec. 19 1882

W-29

**POOR QUALITY
ORIGINAL**

02 16

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 Mertens

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

Charles Mertens
of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE ON SUNDAY, committed as follows:

The said

Charles Mertens

late of the City of New York, in the County of New York aforesaid, on the *eleventh* day of *November* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to one

Charles Looney
and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Charles Mertens
of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Charles Mertens

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open, and cause and procure, and suffer and permit, to be open, and to remain open, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

02 17

BOX:

330

FOLDER:

3125

DESCRIPTION:

Michel, George

DATE:

11/20/88



3125

02 18

BOX:

330

FOLDER:

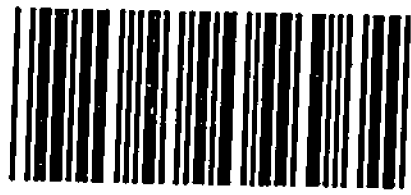
3125

DESCRIPTION:

Michel, George

DATE:

11/20/88



3125

Back fixed at \$2000.
Feb 7/89 R.B.H.

169

B.W. Am. 20th.

Witnesses;

May 7 1889
Upon the statements in
the letter of Mr. Gerry
Jailed herein, I recommend
that such be discharged.

~~W. B. Howell~~
Not atty
I have examined all
the witnesses in the within
case and am satisfied
that a conviction of the
crime charged can not
be secured. In view
of this fact and of the
letter of Mr. E. P. Gerry hereto
annexed & which read as
follows: - "Miss Toth Egg - see 21 -
In reference to above case the writer
is not satisfied upon careful
examination that the evidence
is such as to secure a conviction.
Therefore he has decided to withdraw
from it further prosecution.
Wm. B. Howell, "Very truly yours" Wm. B. Howell"
I do recommend
that the defendant be discharged
on his own recognizance
April 7-1889. William B. Howell
Dist. Secy.

Counsel,

Filed 20 day of Nov. 1889.
Pleads, Not guilty July 18/89

THE PEOPLE

vs.

George Michel.

(Sections 278 and 218, Penal Code.)

JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

West Macclay
P. 2 May 7. 1889, Foreman.
On Recon. of Dist. Atty.
indict. Ads. R.B.H.

0219

169
Paid fixed at \$200.
Feb 1889 R.B.M.

Witnesses:

May 7 1889
When this statement is

the letter of Mr. Gerry
filed herein, I recommend

that such be dispensed.
Not atty

I have examined all
the witnesses in the within
case and am satisfied
that a conviction of the
crime charged can just
be secured. In view
of this fact and of the
letter of Geo. E. J. Gerry, both
annexed & which read as
follows: — "Mr. Fort & Eg. — see 2
I refer to above case in which
I am not satisfied upon careful
examination that the evidence
is such as to secure a conviction.
It therefore has decided to withdraw
from it further prosecution.
Will you please inform Mr. Fort & Eg.
I do recommend that
that the defendant be discharged
in his own acquittal.
April 7 1889.

William B. Foster
S. Atty. Gen.

B.W. Apr. 20/89.
Senator Senator.

Counsel,
Filed 20 day of Nov. 1889.
Pleads, Not guilty (July 18/89)

THE PEOPLE
vs.
George Michel.
R A P H.

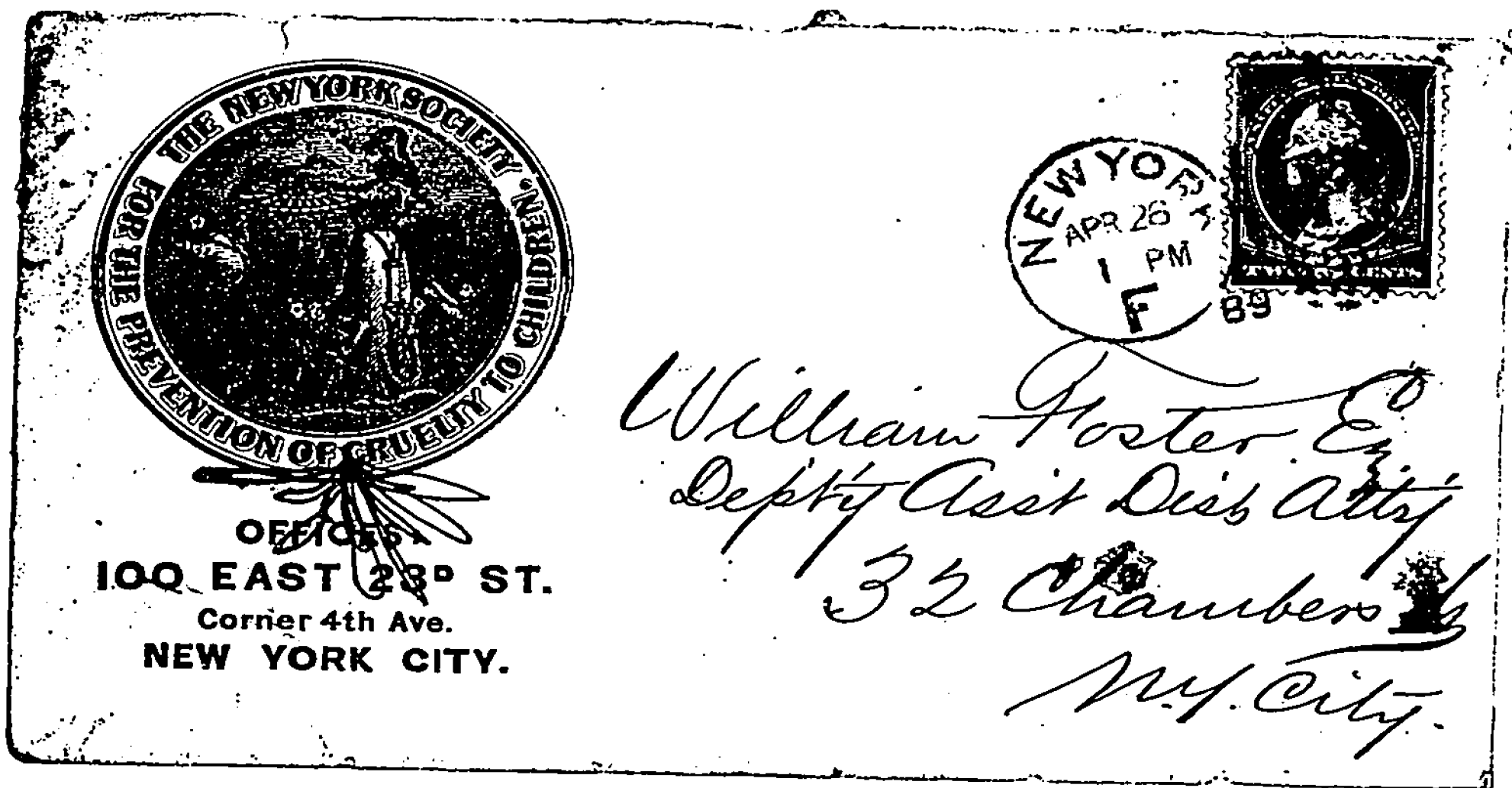
JOHN R. FELLOWS,
District Attorney.
Apr. 15/89 W.M.D.

A TRUE BILL.
Robert Macclay
P. 2 May 7. 1889, Foreman.
On Recom. of Dist. Atty.
indict. abs. R.B.M.

0220

**POOR QUALITY
ORIGINAL**

0221



POOR QUALITY
ORIGINAL

0222

COUNTY OF NEW YORK, SS.

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

An indictment having been found on the 20th day of November
188 8, in the Court of General Sessions of the Peace, of the County of
New York, charging George Michel
with the crime of Rape

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

New York City, the 20th day of November 188 8

By order of the Court,


Clerk of Court.

POOR QUALITY
ORIGINAL

0223

N. Y. General Sessions of the Peace

THE PEOPLE

OF THE STATE OF NEW YORK,

against

George Michel

Bench Warrant for Felony.

Issued November 20th 1888

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

Felony 18th 1889

The within named
defendant was.

Arrested Feb'y 17th 89
and brought to the
District Attorney's
Office and bailed
in \$2000. by.

Judge Martine
Part. III.

Det. Kiernan & Touber
Feb'y 18th 1889

**POOR QUALITY
ORIGINAL**

0224

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

100 EAST 23D ST. (COR. FOURTH AVE.)

New York, November 19, 1888

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

*The People
against*

George Michel

Notice of Prosecution.

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

*Sir: This Society is interested in the prosecution of
the above defendant, and is familiar with the facts of the
case. It respectfully requests that before sending the papers
to the Grand Jury, fixing the day of trial, consenting to
any postponement thereof, or to any reduction of bail, or
final disposition of the charge, you will duly notify me as
its President and Counsel, so that I may confer with you
in regard thereto. This request is made pursuant to the
statute (Laws of 1885, Chapter 130, Section 1), and in
furtherance of the ends of Justice.*

I have the honor to remain, with great respect,

Elbridge T. Gerry,

President, &c.

**POOR QUALITY
ORIGINAL**

0225

N. Y. GENERAL SESSIONS

THE PEOPLE



CRUELTY TO CHILDREN.

**NOTICE OF PROSECUTION
BY THE SOCIETY.**

ELBRIDGE T. GERRY,
President, &c.

POOR QUALITY
ORIGINAL

0226

Police Department of the City of New York,

Precinct No.

New York, July 20th 1888

This is to certify that Miss
Minnie Oppenheimer is not
at present in connection to
be examined.

George Stunt M.D.

POOR QUALITY
ORIGINAL

0227

District Attorney's Office.

PEOPLE

vs.

Geo Michel
to fix a day for
trial —

POOR QUALITY
ORIGINAL

0228

Sec. 192.

5 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Samuel Murray a Police Justice
of the City of New York, charging George Michel Defendant with
the offence of Rape

and he having been brought before said Justice for an examination of said charge, and it having been made to
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-
ing thereof having been adjourned,

We, George Michel Defendant of No. 218

East 106 Street; by occupation a Crewer

and Amelia Oppenheimer of No. 218 East 106

Street, by occupation a Housekeeper Surety, hereby jointly and severally undertake that

the above named George Michel Defendant

shall personally appear before the said Justice, at the 5 District Police Court in the City of New York,

during the said examination, or that we will pay to the People of the State of New York the sum of 25

Hundred Dollars.

Taken and acknowledged before me, this 24 day of July 1888.

Samuel Murray Police Justice. George Michel
Amelia Oppenheimer

POOR QUALITY
ORIGINAL

0229

CITY AND COUNTY }
NEW YORK, } ss.

the within named Bail and Surety being duly sworn, says, that he is a resident and
holder within the said County and State, and is worth Twenty Hundred Dollars,
exclusive of property exempt from execution, and over and above the amount of all his debts and
liabilities, and that his property consists of front and rear

House on premises 213 - Avenue
A and worth five thousand
dollars above all debts thereon

Amelia Oppenheimer
Amelia Oppenheimer

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Taken the day of 188

Justice.

Underlying to appear
during the Examination.

Sworn to before me, this
day of
188
by
District Police Court.

POOR QUALITY
ORIGINAL

0230

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

Police Court, 5th District.

Mamie Oppenheimer 15
Years old, of No. *106* *1st* Street, being duly sworn, deposes and
says, that on the *14th* day of *July* 18*88*
at the City of New York, in the County of New York, *George Michel*

*Now deposes, did feloniously make
an assault on deponent and her
the said Mamie did wilfully and
carnally know. That about the
hour of (midnight on said day the
defendant (who is deponent's step brother,
entered her bedroom, and being
undressed crept quietly into
the bed in which deponent slept,
and putting his hand over deponent's
mouth to prevent an outcry he then
and there lay on top of deponent's
body and by force and violence
against her will and without
her consent did ravish and
have carnal knowledge of this
deponent's body.*

Mamie Oppenheimer

*Shewn to before me this
21st day of July 1888
Wm. H. Murphy Police Justice*

POOR QUALITY
ORIGINAL

0231

Sec. 193-200

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

George Michel 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.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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 - She came to my room and told me that (a child) her brother was ~~was~~ dressed. And asked me to go and undress him. I went to her room for that purpose and left it after I had undressed the child. I did not assault her nor did I try to do so.

George Michel.

Taken before me this
day of July 1888

Police Justice.

POOR QUALITY
ORIGINAL

0232

BAILED,
No. 1, by *Charles Oppenheimer*
Residence *218 East 106th* Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

Police Court

100-1813

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles Oppenheimer

George Michael

Offence *Rape*

Dated *July 21st* 1888

Ward Magistrate.

Witnesses *Andie Oppenheimer*

No. *218 East 106th* Street.

No. *100 East 9th* Street.

No. _____ Street.

to answer

in consideration

discharged for the same

July 22 9 1/2 a.m.

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 _____

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

Dated *July 21* 1888 _____ Police Justice.

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

Dated _____ 1888 _____ Police Justice.

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

Dated *Apr 28* 1888 _____ Police Justice.

POOR QUALITY
ORIGINAL

0233

New York July 25th 1888

This is to certify that I have
made a physical examination
in the case of Marie Oppenheimer
and have found the only condition
consistent with non-virginity to be
the absence of the Hymen. I have
designated this as a condition since
such absence is often due to other
causes than sexual intercourse
and consequently offers no proof that
the girl has been criminally molested
Cornelius McSheary M.D.
179th Street & Grand Boulevard

POOR QUALITY
ORIGINAL

0234

DR. W. H. SNOW,
33 East 28th St.
NEW YORK.

9-10.30 A. M.
6-7.30 P. M.

New York, 23 July 1888

E. J. Gerry Esq
Presd. S. P. C. C.

Dear Sir,

Having examined
Mame Oppenheimer - I beg
to state that there present
all evidences of recent
sexual intercourse.
There has been penetration.

Yours respectfully
W. H. Snow M.D.

POOR QUALITY
ORIGINAL

0235



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

Nº 100 EAST 23rd STREET. (CORNER 4th AVE.)

New York

April 25,

1889

Matter of
George Michel.

William Foster Esq.,

District Attorney &c.,

Dear Sir:

In reference to the above case, the Society is not satisfied upon careful examination that the evidence is such as to secure a conviction. It therefore has decided to withdraw from its further prosecution.

Very truly yours,

President &c.

POOR QUALITY
ORIGINAL

0236

5th District Police Court
New York, July 24th 88.

The people on com-
plaint of
Mamie Oppenheimer
vs.
Geo. Michel

Before.

Hon. Henry Murray
Justice

Appearances.

For Plaintiff.

For Deft.

Jacob A. Cantor, Esq.

Mamie Oppenheimer, called in be-
half of the people, duly sworn
testifies as follows.

By Mr. Cantor.

Q This defendant is a step brother
of yours, is he not?

A Yes sir.

Q How long ago was your father
married to his mother?

A I could not say exactly, I can
say that, I think about four or
five months.

Q There has been considerable trouble
in the house ever since that

marriage, has there not?

A. I have not said anything against
the man.

Mr. Cantor.

Q. But answer my question please.

A. I could not say that.

Q. Was your brother turned out
of the house?

A. Yes sir.

Q. Was this defendant turned out
of the house?

A. After what he did to me.
Q. Was he not turned out two
weeks before that occurrence?

A. Yes sir.

Q. When was it that this occurred?

A. Saturday a week ago.

Q. What time in the night was it?

A. One o'clock in the morning,
I think it was between twelve
and one o'clock.

Q. Were you asleep on the top floor?

A. Yes sir.

Q. This house is a frame building
is it not, the house you live in?

A. Yes sir.

Q. Who sleeps in your room?

A. My brother.

Q. What is his name?

marriage, has there not?

A. I have not said anything against
the man.

Mr. Cantor.

Q. But answer my question please.

A. I could not say that
I was your brother turned out
of the house?

A. Yes sir.

Q. Was this defendant turned out
of the house?

A. After what he did to me.
I was he was turned out two
weeks before that occurrence.

A. Yes sir.

Q. When was it that this occurred?

A. Saturday a week ago.

Q. What time in the night was it?

A. One o'clock in the morning,
I think it was between twelve
and one o'clock.

Q. Were you asleep on the top floor?

A. Yes sir.

Q. This house is a frame building
is it not, the house you live in?

A. Yes sir.

Q. Who sleeps in your room?

A. My brother.

Q. What is his name?

- A. Henry
- Q. Where did your sister sleep?
- A. In the other room.
- Q. Where did this young man, the defendant here, sleep?
- A. His room is on the other side of her room.
- Q. It is nearer your sister's than yours, nearer your sister's room.
- A. Yes sir.
- Q. For how long had he been sleeping in his own room, for how many months or weeks?
- A. I could not say.
- Q. Was it ever since ^{his} your mother married your father?
- A. I think he was working over at the brewery, and he come over at our house.
- Q. How long did he sleep there?
- A. I could not say.
- Q. For a month?
- A. I could not say.
- Q. Of course you and your sister and George were on friendly terms.
- A. No sir.
- Q. What was the trouble up to the time of this affair, up to this night?

a. When I was asleep ———
Court—

2. He is asking about your relations before that, whether they had been friendly or otherwise.

a. I never knew him before.

2. The question is whether the relations were friendly or otherwise when he first came into the house.

a. None, not much.

Mr. Cantor =

2. You certainly talked with him?

a. Only what was necessary.

2. Well, you had meals together?

a. Only what was necessary.

2. He visited your room, and your sister's room in the evening, just like brothers and sisters would?

No answer.

Court,

2. Did he visit your room?

a. No sir.

Mr. Cantor,

2. Never been in your room?

a. No sir.

2. Nor your sister's?

a. No sir.

2. At any time?

(4)

Court,

Q. That is so far as you know.

A. Yes sir.

By Mr. Cantor -

Q. On this night it was about twelve o'clock you think?

A. Yes sir.

Q. Did your father go into your room that night?

A. Poppa come up stairs and -

Q. Did he or not?

A. Yes sir.

Q. After the occurrence or before.

A. Right after.

Q. It was after the affair that your father came up stairs?

A. Yes sir.

Q. Now, Marnie, what time did you go to bed that night?

A. About half past nine.

Q. When did you first discover that George was in your room?

A. I was asleep, and I heard something move on me, and then I said who is that, then I called for my sister?

Q. You hollowed for your sister?

A. Yes sir.

Q. What took place:

A. My sister come then and asked me what was the matter, and I said to him, you dirty loafer get out of my room.

Q. Where was George?

A. He was getting off the bed when my sister came to my room.

Q. He was on you when you hollowed out?

A. Yes sir, and he held my mouth.

Q. After you hollowed?

A. Yes sir. At the second time he held his hand over my mouth.

Q. When your sister came in he immediately got off?

A. Yes sir.

Q. Was he on you when your sister came in?

A. Yes sir, he was getting off the bed.

Q. How soon was it after you called, when you discovered he was on you, did your sister come in your room?

A. Right away, at once.

Q. Was he in you when you woke up?

A. Yes sir.

Q. You have never had intercourse with any man before that?

A. No sir.

Q. When you woke up was he in you?

A. Yes sir.

Q. Is that so.

A. — yes sir.

Q. Was he at work, was he acting?

A. Yes sir, it hurt me so I followed out.

Q. You are sure when your sister came into the room he had got off you?

A. Yes sir.

Q. Soon after that your father came up.

A. Yes sir.

Q. Was George dressed or undressed.

A. Undressed.

Q. You were undressed, were you?

A. Yes sir.

Q. Was your brother asleep all the time

A. Yes sir.

Q. Was he asleep after your sister came in.

A. Yes sir.

Q. Your little brother slept along side of you in the same bed?

A. Yes sir.

Q. Your father came up stairs.

A. Yes sir.

Q. You hollered out when George got on you?

A. Yes sir.

Q. When your father came up, did he ask what was the matter?

A. I said, papa, nothing is the matter.

Q. You told your father, nothing was the matter?

A. Yes sir.

Q. Was your sister there when your father came up?

A. Yes sir.

Q. Did she say anything?

A. Yes sir, she said the same, that nothing had happened.

Q. You think this was about 12 o'clock.

A. Between 12 and one.

Q. Did George sleep in his own room the night before?

A. I could not say.

Q. Did you see him in the house the night before?

A. I had my door closed.

Q. Was he at the supper table the night before?

A. I don't think he was.

Q. That night, the night of the occurrence?

A. No sir, I don't think he was.

Q. Was he at breakfast on Sunday morning?

A. Yes sir.

Q. Were you at the table?

A. No sir.

Q. Were you in the same room?

A. No sir.

Q. He had his breakfast the same as usual?

A. Yes sir.

Q. What was the next thing that took place, your mother spoke to you, did she not?

A. I told my step-mother.

Q. You told her.

A. My sister and I.

Q. Did you or your sister, were you there when your sister told your mother.

A. Yes sir.

Q. You are sure of that?

A. Yes sir, I am sure.

Q. What did your sister say?

- A. My sister said, George was on top of Mamie last night.
My step mother said, "nonsense, I don't believe it, I don't believe you, I don't see how you say that."
Then my sister said, it was true.
- Q. What did you say?
- A. I told the same.
- Q. But what did you say?
- A. I told her that George was on top of me. I said I was asleep and I woke up.
- Q. What took place after that?
- A. Then I did the best I could. She would not believe me, and I went to my aunt. She was sick in bed.
- Q. Did your father insist upon your undergoing an examination?
- Yes sir.
- Q. Your step mother also.
- Yes sir.
- Q. Both of them.
- A. Yes sir.
- Q. Now, they wanted a physician to examine?
- A. Yes sir.

Q. And you objected?

A. No sir, I said I didn't care whether it was a woman or a man.

Q. Didn't you refuse to be examined by a man?

A. No sir.

Q. Finally a midwife came?

A. Yes sir.

Q. This was on Monday?

A. I don't remember the day, Monday evening I think.

Q. Do you know the name of the midwife?

A. Mrs. Pepper.

Q. She came in and examined you?

A. Yes sir. But before I had a chance my mother spoke to her, and when she touched me I hollered.

Q. You hollered?

A. Yes sir.

Q. She hurt you

A. Yes sir.

Q. But she examined you?

A. Yes sir.

Q. Who was present at that examination?

A. His mother, my step mother.

Q And the midwife?

A Yes sir.

Q Did the midwife speak to you about your chemise, or night gown?

A She didn't say anything.

Q After it happened did he come into your room?

A Yes sir. He asked my sister if there was any blood on my chemise. And she said, "you dirty loafer, what do you mean by that"?

Q You told that to the midwife?

A The midwife didn't ask me any questions. She told me to lie down.

Q She examined you.

A Yes sir. She said nothing was the matter with me.

Q This was on Monday evening?

A Yes sir.

Q Did you go to see your aunt again after Monday evening?

A I went to my aunt and complained, and said the midwife hurted me.

Q This was on Tuesday?

A. No sir.

Q. I mean the second time.

A. I saw her Monday evening.

Q. After this examination?

A. Yes sir.

Q. Well, what took place between you and your aunt after that?

A. My aunt could not attend to me until she was over her sickness.

Q. In bed?

A. Yes sir.

Q. When was it she took you to be examined?

A. My aunt did not take me.

Q. Who took you?

A. His mother.

Q. How many times have you been examined?

A. Once.

Q. Then without making any further examination, did you go down to the Society?

A. I went to a place yesterday to a Doctor's.

Q. On Monday evening you were examined by Mrs Pepper.

A. Yes sir.

Q. On Tuesday what did you do?

A. It pained me. I told my step mother that my aunt had a doctor ==

Q. On Tuesday?

A. Yes sir. Dr. Mansel said he would not attend me because it was court work.

Q. On Tuesday.

A. On Saturday night

Q. On Monday evening after the affair, you were examined by Mrs. Pepper.

A. Yes sir.

Q. You called on your aunt on Wednesday?

A. Yes sir.

Q. Did you leave home in the mean while

A. Yes sir.

Q. When did you leave home.

A. Friday night.

Q. That was the same night you made the complaint?

A. Yes sir.

Q. Up to that time you had only been examined by Mrs. Pepper?

A. Yes sir; and by a doctor down town.

Q. What doctor down town.

A. I don't know his name.

Q. Were you examined down town since Saturday?

A. Yes sir.

By the Court

Q. Were you examined in the station house?

A. Yes sir.

Mr. Cantor:-

Q. You were examined in the station house?

A. Yes sir.

Q. By doctor Steinert?

A. I don't know his name.

Q. But by some physician?

A. Yes sir.

Q. And he said he could not examine you because you were unwell?

A. Yes sir.

Q. Who went down to the Society to make the complaint?

A. One of the officers took me from here.

Q. Who came to court with you?

A. My aunt and my sister.

Q. You are living with your aunt?

A. Up to Friday night.

Q. Your aunt had been house-keeper for your father from the time of your mother's death, down to his marriage with his present wife?

A. Yes sir.

Q. After your father's marriage with your step mother, your aunt left the house?

A. Yes sir.

By the Court

Q. You say your sister came in your room immediately after you hollowed?

A. Yes sir.

Q. But he had accomplished his purpose?

A. Yes sir.

Q. How long had he been on top of you.

A. Three or four minutes.

Q. Did it take your sister three or four minutes to get in your room?

(161)

Q. No sir, it didn't take a minute.
2. That is after your sister got in his bed room.

A. No sir, nor in his bedroom, in my room.

2. That was after it was all over.

A. Yes sir.

2. Did you say that immediately after the call your sister came in?

A. Yes sir.

2. He had accomplished his purpose

A. Yes sir.

2. Did you make any effort to get away from him

A. I struggled to get away, I could not, he held my mouth shut.

2. What was the nature of the struggle?

A. I tried with all my might, & after that I hollowed.

2. I would like to know how he accomplished a rape on you, and held your mouth shut at the same time. You say it was accomplished inside of a moment or two. It appears physically impossible.

Witness. Well, he has did it.

POOR QUALITY
ORIGINAL

0254

Court.

With all of that struggling it
could hardly be.

Witness.

Well, he did it, your honor.

Court.

Then if he did it you consented.

Witness -

No sir.

Court =

Did he ever take any liberties with
you before that?

A. No sir.

Q. Did he ever kiss you?

A. No sir.

Q. He walked in there, and while
you were a virtuous girl, he
lay on your bed and had
connection with you?

A. Yes sir.

Q. And the moment you call-
ed your sister came in?

A. Yes sir.

Bertha Oppenheimer, called for
the people, being sworn
testifies as follows.

By the Court.

Q. Where do you reside?

(18)

A. 218 East 106 St.

Q. Do you know anything about this alleged occurrence?

A. Yes sir.

Q. State what occurred.

A. My sister called, and I went at once. I heard her say George is on top of me. I said you dirty loafer you get out of here. He afterwards come to me and said, "Bertie is there any blood on Mammie's chemise?" and I said you loafer get out of here, what do you mean by that.

Q. Was it in your room or her room?

A. Her room. Then he come to my room and said, is there any blood on her chemise? I said you loafer get out of my room.

Q. Were you present when she charged him with having connection with her?

A. I was asleep.

Q. After you awoke, when she charged him with this, you were present and she was present.

POOR QUALITY
ORIGINAL

0256

Now immediately after this occurrence took place, he heard what she said about having connection with her, he heard what she charged him with. Was he present when she told you?

A. Yes sir.

Q. What did he say.

A. He said, are you going to tell father the next day.

Q. When she said that he had connection, did he admit it or deny it.

A. He denied it.

Q. Did you look at her chemise?

A. No sir.

Q. After he called your attention to it, did you look at it?

A. No sir.

Q. How long after that was it before she was taken sick?

A. The next day.

Q. Was there any blood on it?

A. I don't know.

The Court to Manic Oppenheimer

Q. Was there any blood on your chemise before you were taken sick?

(20)

A. I didn't notice.

Counsel for the defendants here makes a motion for dismissal. Motion denied. Bertha Oppenheimer, recalled

By Mr Cantor:

Q. Had George been turned out of the house before that night?

A. No sir.

Q. He was still living there:

A. Sunday he came home and mother said —

Q. I didn't ask for that.

A. On Sunday night —

Q. I mean before that Sunday night, before the trouble with your sister.

A. Yes sir, papa told him —

Q. Before the trouble.

A. No sir, he was in the house.

Court.

Q. Was he turned out of the house any time before this trouble.

A. Not that I know of.

Mr Cantor

Q. When George asked you to look at the chemise did you do it?

(21)

A. No sir.

Q. You were in the room at that time

A. Yes sir.

Q. What time in the night.

A. Between twelve and one.

Q. How do you know the time?

A. Because it struck one afterwards when everything was quiet.

Q. Did your father come up.

A. Yes sir.

Q. What did you tell your father.

A. That nothing had happened.

Q. When was it you told your mother?

A. Sunday morning.

Q. What time was it.

A. As soon as I got up.

Q. Was it 12 o'clock noon.

A. No sir.

By the Court

Q. When this trouble took place for a moment, you and your sister and George were in her room, and when you ran in, he denied having anything to do with her.

A. Yes sir.

Q. Afterwards you went to your room and then he went to your room, and asked you to look on her chemise and see if any blood was on it?

A. Yes sir.

Q. How long after that was it.

A. Right afterward.

Q. Did you look on the chemise.

A. No sir.

Q. That is after your father went upstairs?

A. After papa come up.

Q. He denied it, and left her room, after you and ^{she} were there, and went into his own room?

A. He first came into my room.

Q. You and ^{she} staid in her room. Together when he went out?

A. I went to my room, and she went to her bed, and he come into my room.

Q. As a matter of fact, when you went in her room, on her call, she and ^{he} were together, and you three were there then. Then after she charged him with having connection, in

his presence, he denied it.
Q. He went out then you and your
sister were left there together?

A. ~~No sir.~~ Yes sir.

Q. Who left your sister's room first?

A. He left my sister's room first,
and then he came into my
room -

Q. You were called into her room.

A. Yes sir.

Q. When you went in, you said
he was getting off her. Then
you three were in the room.

A. ~~No sir.~~ Yes sir.

By McCantor.

Q. You didn't see him get off her?

A. Yes sir.

By the Court.

Q. He was in the room?

A. Yes sir.

Q. Then of course you inquired what
the cause of the noise was?

A. Yes sir, I asked what ~~it~~ was
the matter.

Q. He was there?

A. Yes sir.

Q. And he denied having had
connection with her?

A. Yes sir.

Q. In her presence?

A. Yes sir.

Q. You say that immediately after that he went to your room?

A. Yes sir; and he asked me if there was anything on the chemise.

Q. How long did you and he stay in your sister's room?

A. When I met him he went out.

Q. After he denied it?

A. Yes sir.

Q. How long did you stay in your sister's room?

A. I went over to my room right away, when he came in and—

Q. You don't mean to say you walked out right away?

A. Yes sir. She went to bed and papa came up and asked what was the noise and we were ashamed to tell papa, and said nothing was the matter.

Rosa Meyer, called in behalf
of the people, sworn, testifies
as follows.

By the Court

Q. What is your name.

A. Rosa Meyer.

Q. Are you a married lady?

A. Yes sir.

Q. Where do you reside?

A. 15-2 East. 106 St.

Q. Do you know anything about
this occurrence?

A. All I know about it is, Mamie
came on Sunday morning to
me and complained, and said
about Rosa, what do you
think has happened. I said,
why child, what has happened,
what is the matter. She said,
O, George went and lay on
me, and I called for papa,
and papa didn't hear and
I afterwards called "Bertie, Bertie"
come George is on top of me,
for God's sake come". I said
to Mamie, why didn't you
go downstairs to your papa.
She said papa come up
stairs with matches.

She said they were ashamed to tell their papa. The next morning they went to the step mother and she said, Marnie was nothing but a little liar, she didn't believe a word of it.

By Mr. Cantor

Q. You ~~are~~ were housekeeper for your brother up to the time he was married, were you not?

A. Yes sir.

Q. There has been considerable trouble in his family ever since the marriage.

A. No sir, nothing like that.

Q. Has he not been denounced for marrying a Christian woman?

A. No sir.

Q. Have you not written letters to him in which you said he would be stretched in his coffin?

A. No sir, I told him to get married.

Q. Do you know you are under oath? Do you know the nature of an oath?

A. Yes sir.

(27)

- Q. What time Sunday did Marnie call at your house.
- A. I couldn't tell you the time.
- Q. Was it in the morning.
- A. Yes sir.
- Q. Before breakfast?
- A. After breakfast. She was there before I got up.
- Q. She came early in the morning.
- A. Yes sir.
- Q. Did she say she had told her step mother about this affair.
- A. Yes sir; and said her mother had called a midwife. And the midwife said there was nothing the matter with her.
- Q. That was on Saturday.
- A. I don't know.
- Q. Were you sick in bed.
- A. Yes sir.
- Q. How long?
- A. For 3 or 4 days.
- Q. After that.
- A. Yes sir.
- Q. When did you get out of bed.
- A. Thursday afternoon.
- Q. Had you talked with either Marnie or her sister, about the affairs in that house prior to
- (28)

this funday.

A. No sir.

Q. Never.

A. No sir.

Q. Never asked how the step mother was getting along?

A. No sir.

Q. You had been house-keeper for how long?

A. All my life time, while he was married.

Q. All the time?

A. Yes sir, Ever since I was 14 years old.

Q. Had you had full charge of the house and money and everything?

A. Yes sir, my weekly money.

Q. After he got married you left.

A. Yes sir.

Q. Did he turn you out?

A. He said he was going to get married and wanted me to stay and I objected, though he wanted me to stay.

Q. That is true?

A. Yes sir.

Q. You have some respect for the honor of this little girl, for the reputation of this child? You care something—
(29)

for the reputation of this little girl?

A. Yes sir, certainly.

Q. Do you know this little girl is not now in the family way?

A. I don't know.

Q. Don't you know that she is not. She has had her courses has she not.

A. Yes sir.

Q. You are her aunt

A. Yes sir.

Q. You were the one that started this prosecution are you not, Yes or no.

A. Yes sir.

George Michel, being called in his own behalf, duly sworn, testifies as follows.

By Mr. Cantor,

Q. Did you begin to live in this house in East 106 St. after your mother's marriage to Mr. Oppenheimer?

A. Not right away.

Q. How long afterwards was it?

A. About a month or so I guess.

Q. Were you living at the house at the time of this alleged occurrence?

A. No, sir.

Q. For how long a time before that had you stopped living there?

A. For about a week.

Q. There had been trouble in the house from the time of your mother's marriage to Mr. Oppenheimer, had there not?

A. Yes, sir.

Q. Your mother had received anonymous communications, letters?

A. Yes, sir.

Q. The week before you left the house, were you ordered out?

A. Yes, sir.

Q. Had young Oppenheimer been ordered out of the house before that?

A. Yes, sir.

Q. Up to the time that you left the house, what were your relations with these girls, friendly?

A. Yes, friendly.

Q. Had you visited their rooms often in the evenings?

A. Yes, sir.

Q. It was no uncommon occurrence.

A. No sir.

Q. You slept on the top floor?

A. Yes sir.

Q. Up to the end of this occurrence you had gone in their rooms.

A. Yes sir.

Q. This little boy, Henry, that has been spoken of, had you been in the habit of undressing him?

A. Yes sir, I had.

Q. On the night of this occurrence please state what took place.

A. About a week before I was put out of the house for fooling with the girls. This night I was standing on the corner, when Bertie came up to me and said, "come on home George". That week she got me in the house without my parents knowing it. When I came to the steps that night Mamie was standing talking to a young man. I went in and went in Bertie's room. I

would often stay there until 12 o'clock, the three of us. We were talking of different things as we often had done.

I then went to my room and Mammie went to hers. When I had got undressed Mammie said "George, Henry is not undressed." I put on my pants and went over and broke open the strings of his shoes, & took them off. Then I walked back into my room. Ten minutes afterwards her papa came up and said, "what is this noise" and the girls said "nothing is the matter".

Q. Now, that night did you assault this girl, Mammie?

A. No sir.

Q. Were you on top of her?

A. No sir.

Q. Were you in bed with her?

A. No sir.

Q. Have you stated everything that took place that night?

A. Yes sir.

Q. Did you say anything about

having blood on her chemise or night gown?

A. No sir.

Q. Not one word?

A. No sir.

Q. Have you had intercourse with her?

A. No sir.

Q. Did you sleep nearer the older girl than this one?

A. Yes sir.

Q. Did Mamie and her little brother sleep together on this night?

A. Yes sir.

Q. The oldest one, Bertie, was in another room, and you were in another room, nearer her?

A. Yes sir.

Q. Have you testified to the truth as to what took place.

A. Yes sir.

By the Court:

Q. Was the little boy Henry, asleep when you took his shoes off?

A. Yes sir.

Q. What is your business?

A. I ~~was~~ ^{was} working in Youngling's brewery, I was learning to make beer.

Q. How old are you?

A. I am 19.

Q. Did you ever have any difficulty with this girl before, any trouble?

A. No sir.

Q. Your relations were friendly. You were in the habit of acting like brothers and sisters. Do you know any reason, under those circumstances, this girl should come here and perjure herself to make such an odious charge against you?

A. I don't know, only through spite. My mother and myself are Christians. This lady, Rosa Meyer, has said my mother was a whore.

Q. When you were put out doors, this girl, the sister of the complainant, came and took you in, is that the truth?

A. Yes sir, she come and called me in.

Q. Do you think there is any spite in that?

A. I mean this way, we are Christians and they are Jews.

Wilhelmina Pepper, called as a witness,
duly sworn testifies as
follows.

By Mr. Cantor.

Q. You live in 106th St.?

A. Yes sir.

Q. What number?

A. 220 East 106

Q. You are a midwife?

A. Yes sir.

Q. How long have you been
practicing as a midwife?

A. I have practiced five years in
New York, and seven years in
Germany.

Q. You are a graduate of a mid-
wife college?

Q. Yes sir, from Aldenburg.
My papers is here.

Q. Do you know all the people con-
nected with this girl?

A. Yes sir.

Q. You know Mrs Meyer

A. I didn't know her.

Q. Do you know these girls?

A. Yes sir, I have a nodding
acquaintance.

Q. Do you know Mrs. Oppen-
heimer? (36)

A. Only the same way.
Q. Were you called into their house on Monday evening?

A. Yes sir, about 6 o'clock, July 16th, it was evening.

Q. What took place there?

A. That young lady called me, (meaning Bertie Oppenheimer) and told me Mammie wants me. So I was dressed and I went over there. And she was crying. Mrs Oppenheimer took me up the stairs and told me the story about the young lady, about George Trichel and Mammie. And she told me if I would examine her. I said certainly.

And she said what time would I come back and I said any time you want in the evening after 8 o'clock, and I went and she called me and took me up stairs ^{and} again. I called the young lady, Mammie. I asked her how old she is, her mamma told me. And I told her, "are you sure he was sleeping with you, that ^{you} were never sleeping with any man

before". She said no. I asked her what was the matter she did not call your father. I did call Bertie, she say. I say, well well, "are you sure he was sleeping with you." She say, I dont know if he touch me. I didnt feel anything. I said you have got to feel that. I got her on the lounge and examined her and I said she was pure, she was virtuous. ~~Never~~ had something to do with any man. There was no blood.

Q. Did she say she had her courses?

A. No sir, I asked her after them and she said I dont know what day that is to come.

(By the complainant)

My day is the 21st.

By Mrs. Pepper.

I asked her for the day and her mother said she aint in the family way. I said I know she aint. Then I asked her why she let the

child go in the room. She said, her mother, that Marnie always goes in his room and he in theirs, and they were playing together. I said do you know what it is to sleep with a man the first time. I said you have got to bleed and be sore.

I said then you had better stop this acting and don't make any trouble, and put the boy out. Mrs Oppenheimer said I did put him out.

Q. That girl was as pure as a baby?

A. Yes sir, like her mother gets her from God.

By the Court

Q. You said she was a virgin?

A. Yes sir.

Mrs. Amelia Oppenheimer, called as a witness testified as follows after being sworn.

By the Court.

Q. What is your name?

A. Amelia Oppenheimer.

Q. Where do you reside?

A. 218 East 106 St.

Q. You are mother of the defendant?

A. Yes sir.

Q. A step-mother of the complaining witness?

A. Yes sir.

Mr. Cantor

Q. From the time you became step-mother there was considerable trouble?

A. Yes sir, some.

Q. Was there trouble with Mrs. Meyer the aunt?

A. Yes sir, letters were sent to me.

Q. You had anonymous letters.

A. Yes sir.

Q. That was after the aunt was turned out of the house?

A. I could not say whether she was turned out of the house or not.

Q. Was George living at home that day?

A. No sir.

Q. Had he been turned out?

A. Two weeks before I had to turn him out because the girls run into the rooms playing together. They run all over the house.
(40.)

carrying out. It was so bad that I said to my husband I must stop them, I said I would go and stop them. So I said to my son, you had better go out of the house, I cannot allow this noise going on.

Q. This is a frame house and much noise can be heard.

A. Yes sir, it is two stories high.

Q. All the doors are usually kept open.

A. Yes sir

Q. You say your step son had been turned out?

A. My son. I told him to leave on account of them being too familiar together.

Q. I mean Mr. Oppenheimer's son. Was he turned out.

A. Yes; because he came in drunk and insulted me, and he misused me, so much so that my husband turned him out. Saturday night he would get paid and on Sunday he would come to me and borrow money.

(41)

Q. Did you know that George was in the house this Saturday night?

A. No sir, the girls took him in.

Q. What time was it when you were first attracted by some noise?

A. About 12 o'clock, perhaps 12.30. My husband said, "I believe they took George in" Then my husband took a match and got up.

Q. You did not go up with him?

A. No sir. He went up stairs and when he come down he said, "them two girls were in one bed". Generally they sleep alone. Mammie had one room and the other, another room.

This night when their papa went up they were both in one bed.

Papa looked in the hall and said they have taken George in this room. The next morning I scolded her and asked why she took George in. She said I took pity on him, and took him in. Mammie said the said the same as Bertie. After while Bertie said "Do you know that

Mamie slept with George last night. I said "what do you mean" She said Mamie said for me not to tell you. I asked where Mamie. I went to see Mamie. Bertie went and brought Mamie's chemise down and said there was no blood on it. I said I couldn't understand it and I hollered for Mamie to come down. Then I asked Mamie what she had been doing? She said nothing only George and I was fooling, but he never touched me. She said Bertie is jealous of us. Then I turned around and left. My husband was engaged in business, but at twelve o'clock, at ^{the} dinner table the four of us was alone.

By the Court.

Q. What four?

A. My husband, the two girls, and I. I said to my husband what the girls told me, and he asked Mamie if this is true, and Mamie said no. I said we will have her examined.

She said she wouldn't, that she was ashamed, that George did not touch her. Said I, "papa we will have her examined"

Papa said there is a midwife who lives next door.

We will call her in. I went over the next day, Monday, and called her in. The midwife examined her and took her on the lounge. When the midwife took her finger in I was laughing and Marnie said "O. you hurt me."

Q. The midwife examined her; what did the midwife say?

A. She said he didn't touch me, we were only fooling.

Q. What did the midwife say after the examination?

A. She had used a cloth and finger and she said the girl is pure and virtuous. She has never been touched.

This was Monday night.

Marnie walked in and around the house on Tuesday and Wednesday and on Thursday

morning she went off. When she come in to dinner at 12 o'clock she said I have been out and had ice cream. I said who paid for it, where did you get your money, and she said some one. About 4 o'clock in the afternoon she said my aunt took me to a fortune teller who said I was ruined. She said the fortune teller was also a midwife. She said I was ruined. She said her blood was going. I said now, Mammie papa must take you to a doctor, and she went to papa, and papa will tell you the rest.

David Oppenheimer, being duly sworn, testifies as follows:

Q Where do you live?

A. 21st East 106 St.

Q Are you the father of these two girls?

A Yes sir

By Mr. Cantor

Q - What is your business?

A. Butcher.

Q. How long have you been a butcher?

A. I have been in business for the last 25 years.

Q. For yourself?

A. Yes sir.

Q. You married three months ago about?

A. Yes sir.

Q. You married this lady here who was last on the witness stand?

A. Yes sir.

Q. The defendant is her son?

A. Yes sir.

Q. Now Mr. Oppenheimer, from the time you brought your present wife to your home, there has been considerable trouble in your family?

A. Yes sir.

Q. You have been in receipt of anonymous communications?

A. Yes sir.

Q. Did you turn Mrs Meyer out of the house, or did she leave?

A. I told her I was going to get
(76)

married and she went off.

Q. You had supported her, she had been your house keeper?

A. Yes sir, I supported her from the time she was 14 years old. I raised the whole family, dressed the sisters, and did all I could for them.

Q. Had George been turned out of the house prior to the time of this occurrence; before that?

A. I told him he must work. I said I want you to work, and if you don't you cannot come to the house.

Q. In the night of this occurrence, on this Saturday night, you heard a noise up stairs?

A. I heard some talking.

Q. Did you go up stairs?

A. I went and got a match. I went in the room and lighted a match and seen these two girls in one bed. The little boy was in the middle.

Q. ~~Did~~ I ~~ask~~ whose room.

A. I don't know, they have no particular room. They are one

time in one and then in another
Q Both were in one bed.

A. Yes sir.

Q Little Henry was with
them.

A. Yes sir.

Q Did you ask the girls what
was the matter?

A. Yes sir. They say "nothing
papa, nothing" Then I went
down stairs when my children
said nothing was the matter.

Q You went down stairs?

A. Yes sir.

Q The next morning were you
told that Bertha had made a com-
plaint about George?

A. My wife came to me and
said Bertha said so and so.
My wife said "why did you
not tell me last night?"

Mamie said he did not do
anything to her. But sir,

I cannot believe them two
girls. Therefore I went to
work, and told her I am
going to have a doctor and
have you examined. I said

I am going to have a midwife.
I sent over for this woman, and
she examined the girl and told
me the girl is virtuous. I said
I want you to tell me the truth if
my child is ruined. She said
the child is as clear as the sky
above. If my child had said
to me that night that George
was on her, the chances are
I would have killed him
when he was in bed.

Q. After that Mr. Oppenheimer.
She was home Tuesday and
Wednesday. They never would
mind you, would they, they
were not obedient children, were
they? Would not obey you?

A. No sir, because I told
them to work, and they would
not work. I had to keep a
servant girl.

By the Court.

Q. These are your daughters?

A. Yes sir.

Q. They are living under your roof.

A. Yes sir.

Q. Were they truthful girls?

A. I have been too good to them, & I believed them too much.

Q. As to their reputation for truthfulness, have you ever known this girl to tell a lie, Maame? Would you believe her under oath?

A. No sir.

Q. Would you believe the other one, Bertie?

A. No sir.

Q. On the night in question when you went up stairs, why did you go up?

A. Because I heard a noise, & heard them talking; I wanted to sleep. I hollered for them. They slept on the floor over me.

Q. Your doors are open?

A. Yes sir.

Q. You heard voices, and you went up to see about it.

A. Yes sir.

Q. How long after you heard the noise did you go up stairs?

A. About 5 minutes.

Q Was there a light lit.

A. No sir.

Q How do you know they were there when there was no light lit?

A. I took a match.

Q Up to the time you heard the noise, had you been asleep?

A No sir.

Q Were you in bed?

A Yes sir.

Q If this girl would have hollered for you or her sister, would you have heard her?

A Yes sir.

Q Did she holler?

A No sir.

Q And you would have heard her if she did.

A Yes sir.

By Mr Cantor

Q Does the servant girl sleep next door to Mamie?

A Yes sir.

By the Court.

Q Does a servant girl sleep on the same floor

A Yes sir.

(51)

Paul Jones.

Stenographer.

POOR QUALITY
ORIGINAL

0200

Oppenheimer
vs.
Michael

Testimony of doctors
O'Leary & Snow.

"

POOR QUALITY
ORIGINAL

0289

M Mamie Oppenheimer)

vs.)

George Michel)

DR. CORNELIUS O'LEARY, being called as a witness, sworn, testifies as follows .

By the Court.

Q. Where do you reside?

A. 129th. St.

Q. You are a practicing physician and have been for how many years?

A. Yes sir, for 24 years.

Q. In this city.

A. Yes sir.

Q. Will you be kind enough to look at that girl, did you make an examination?

A. Yes sir I did .

Q. When?

A. About three days ago, I think it was on Wednesday.

Q. What was the nature of that examination?

A. I just made a digital examination to ascertain the condition of the vagina, and the only condition that I found which was not consistent with virginity was the absence of the hymen, which absence however is due to a great variety of causes besides sexual intercourse. And in her case I have discovered another condition which might account for that same absence, without supposing it due to sexual causes. That was the collapsed condition of the womb and the enlargement of the cervix.

**POOR QUALITY
ORIGINAL**

0290

Those are the facts that I ascertained. The absence of the hymen is due to a great variety of causes.

Q. In the case of a girl of her age, Dr., who would have been ravaged, would there be any sign of inflammation or soreness?

A. Possibly there might be a little irritation, but it would be very difficult to determine to set that down as having been caused by sexual intercourse.

Q. What time would elapse before it would take place?

A. Possibly four or five hours.

By Mr. Cantor.

Q. That condition of things that you discovered upon your examination might be attributable to other causes?

A. Yes sir.

Q. Could you say from that examination that it was due to sexual intercourse?

A. I could not.

Q. There is no way of determining it?

A. No sir. Of course the presence of the hymen would be proof of the child's virginity.

By the court.

Q. The hymen might have been gone and still she be virtuous?

A. Yes sir.

Q. Have you in your own mind, after a careful examination of this girl, have you made up your mind as to whether she had intercourse with a man or not, to your best judgment.

A.

POOR QUALITY
ORIGINAL

0291

A. I could not say that. That would be impossible. The physical examination which I made revealed nothing that would indicate this intercourse as having taken place.

DR. WALTER H. SNOW, being sworn testifies as follows:

By the Court.

Q. You are a practicing physician.

Q. Yes sir.

Q. Would you be kind enough to look at that girl, the plaintiff did you make an examination of her.

A. I did.

Q. When was it.

A. July the 23rd.

Q. What did you examine her for?

A. An attempted case of rape.

Q. You were requested to make an examination?

A. Yes sir, by the Society.

Q. Describe what you did.

A. Well the girl was placed in the ordinary position for an examination, and I found that the external genitals, on the right side, that is on the right lip, was a slight ~~abnormality~~ ^{abnormality}.

The hymen was not present, and the opening of the passage much larger than it should be. This showed that it had been stretched by something. The opening was larger than it ~~now~~ should be if she had not been subjected to this wrong. That is about all that I have to say.

Q.

**POOR QUALITY
ORIGINAL**

0292

Q. Doctor, as an expert, I think you told me you had been lecturing on matters of that kind, will you swear that girl was, that some man effected an entrance ?

A. I cannot say that. I can say that something effected an entrance, but what instrument was used I cannot tell.

BY MR. CANTOR--

I ask that the prisoner be discharged.

BY THE COURT--

Motion denied.

Paul Jones, stenographer.

156 East 127th. St.

(4)

POOR QUALITY
ORIGINAL

0293

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

George Michel.

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

George Michel

of the CRIME OF RAPE, committed as follows:

The said *George Michel*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *July* in the year of our Lord one thousand eight hundred and eighty-*eight*, at the City and County aforesaid, with force and arms, in and upon one *Mamie Oppenheimer* then and there being, wilfully and feloniously did make an assault, and her the said *Mamie Oppenheimer*, then and there, by force and with violence to her the said *Mamie Oppenheimer*, against her will and without her consent, did wilfully and feloniously ravish and carnally know, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

George Michel

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

The said *George Michel*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon her the said *Mamie Oppenheimer* wilfully and feloniously did make another assault, with intent her the said *Mamie Oppenheimer* against her will and without her consent, by force and violence, to then and there wilfully and feloniously ravish and carnally know, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

POOR QUALITY
ORIGINAL

0294

THIRD COUNT—

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

George Michel
of the CRIME OF RAPE, committed as follows:

The said George Michel

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon her the said Mamie Oppenheimer wilfully and feloniously did make another assault, and an act of sexual intercourse with her the said Mamie Oppenheimer then and there wilfully and feloniously did commit and perpetrate, against the will of the said Mamie Oppenheimer, and without her consent; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT—

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

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

The said George Michel

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon her the said Mamie Oppenheimer wilfully and feloniously did make another assault, with intent an act of sexual intercourse with her the said Mamie Oppenheimer against her will and without her consent then and there wilfully and feloniously to commit and perpetrate, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~JOHN R. FELLOWS,~~

~~District Attorney.~~

POOR QUALITY
ORIGINAL

0295

Fifth COUNT.

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

George Michel

of the CRIME OF RAPE, committed as follows:

The said George Michel

late of the City and County aforesaid, afterwards to wit: On the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon her
the said Mamie Oppenheimer, then and there being,
wilfully and feloniously did make another assault, she, the said Mamie
Oppenheimer being then and there a female under the
age of sixteen years, to wit: of the age of fifteen years; and the said
George Michel then and there
wilfully and feloniously did perpetrate an act of sexual intercourse with her the said
Mamie Oppenheimer, against the form of the
Statute in such case made and provided, and against the peace of the people of the State
of New York and their dignity.

JOHN R. FELLOWS,

District Attorney.

0296

BOX:

330

FOLDER:

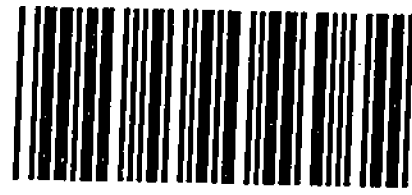
3125

DESCRIPTION:

Miles, Albert R.

DATE:

11/02/88



3125

POOR QUALITY
ORIGINAL

0297

Witnesses:

J. B. Decker
E. M. Thompson
J. H. Buchanan

Nov. 14, 1888.

I recommend the
dismissal of this Indict-
ment for the reasons
stated in the case of
People v. Duncan M.
Buchanan, filed here-
with.

J. H. Deane
District Attorney.

Counsel,

Filed,

Pleads,

2

day of

Nov

1888

THE PEOPLE

vs.

Albert R. Viles

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1908.]

JOHN R. FELLOWS,

District Attorney.

A True Bill.

William J. Smith Foreman.

22. Nov 16. 1888.

Indictment dismissed

POOR QUALITY
ORIGINAL

0298

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Albert A. Miller

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Albert A. Miller* —
of a FELONY, committed as follows:

Heretofore, to wit: on the *9th* day of
October, in the year of our Lord one thousand eight hundred and eighty-~~eight~~ the
same being a day duly appointed by law as a day for the general registration of the
qualified voters of the said City and County, the said *Albert A. Miller*
late of the City and County aforesaid, at the City and County aforesaid, did personally
appear before the Inspectors of Election of the *2nd* Election District
of the *2nd* Assembly District of the said City and County, at a meeting
of the said Inspectors of Election then being duly held for the purpose of the general
registration of the male residents of the said Election District as then were, or would be
on the day of election next following the said day of registration, (to wit: on the *12th*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in
the said month of November, and being the day duly appointed by law for the holding of
a general election throughout the said State, and in the City and County aforesaid), entitled
to vote therein, at the duly designated polling place of the said Election District, and did
then and there, at the said general registration of voters, feloniously and fraudulently
register in the said Election District, not having a lawful right to register therein, in this,
to wit: that the said *Albert A. Miller* was not then a male resident
of the said Election District as then was, or on the said day of election next following the
said day of registration would be entitled to vote therein, for the reason that he was not
then, nor would he on the said day of election have been, an inhabitant of the said State
one year next preceding such election, and the last four months a resident of the said
County of New York, and for the last thirty days a resident of the said Election District,
against the form of the statute in such case made and provided, and against the peace and
dignity of the said People.

JOHN R. FELLOWS. District Attorney.

0299

BOX:

330

FOLDER:

3125

DESCRIPTION:

Miller, Thomas C.

DATE:

11/02/88



3125

POOR QUALITY
ORIGINAL

0300

Witnesses:

J. B. Becker,
E. M. Kinsley,
J. H. Buchanan.

Nov. 14, 1888.

I recommend the
dismissal of this Indict-
ment for the reasons
stated in the case of
People v. Duncan Mc-
Bushman, filed here-
with.

J. R. Fellows
District Attorney.

Counsel,

Filed, 2

Pleads,

day of

188

THE PEOPLE

vs.

Thomas C. Miller

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. L. Smith Foreman.

P. 2 Nov 1888.

Indictment dismissed

FRAUDULENT REGISTRATION.
[Chap. 410, Laws of 1882, § 1903.]

POOR QUALITY
ORIGINAL

0301

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

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas E. Miller

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by
this indictment, accuse *Thomas E. Miller*
of a FELONY, committed as follows:

Heretofore, to wit: on the *9th* day of
October, in the year of our Lord one thousand eight hundred and eighty-~~eight~~ *nine* the
same being a day duly appointed by law as a day for the general registration of the
qualified voters of the said City and County, the said *Thomas E. Miller*
late of the City and County aforesaid, at the City and County aforesaid, did personally
appear before the Inspectors of Election of the *21st* Election District
of the *21st* Assembly District of the said City and County, at a meeting
of the said Inspectors of Election then being duly held for the purpose of the general
registration of the male residents of the said Election District as then were, or would be
on the day of election next following the said day of registration, (to wit: on the *11th*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in
the said month of November, and being the day duly appointed by law for the holding of
a general election throughout the said State, and in the City and County aforesaid), entitled
to vote therein, at the duly designated polling place of the said Election District, and did
then and there, at the said general registration of voters, feloniously and fraudulently
register in the said Election District, not having a lawful right to register therein, in this,
to wit: that the said *Thomas E. Miller* was not then a male resident
of the said Election District as then was, or on the said day of election next following the
said day of registration would be entitled to vote therein, for the reason that he was not
then, nor would he on the said day of election have been, an inhabitant of the said State
one year next preceding such election, and the last four months a resident of the said
County of New York, and for the last thirty days a resident of the said Election District,
against the form of the statute in such case made and provided, and against the peace and
dignity of the said People.

JOHN R. FELLOWS. District Attorney.

0302

BOX:

330

FOLDER:

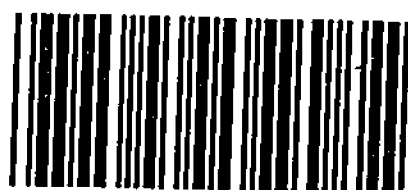
3125

DESCRIPTION:

Moran, Thomas

DATE:

11/14/88



3125

POOR QUALITY
ORIGINAL

0303

Witnesses:

A. B. B. B. B.

Counsel,

Filed

14 day of Nov 1888

Pleads,

Guilty - 10

THE PEOPLE

vs. Mulberry

23.5 - 12

Thomas Moran

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

JOHN R. FELLOWS,

District Attorney.

72 Nov 22/88

Guilty Asses 31.5

A True Bill.

W. D. Macclay

Foreman.

City Prison 30 days.

15.

POOR QUALITY
ORIGINAL

0304

Police Court— District.

CITY AND COUNTY
OF NEW YORK, } ss.

of No.

Street,

being duly sworn, deposes and says, that
on Friday the 2nd day of November

in the year 1888 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Thomas

Moran (now here,
who seized hold of
deponent around the
throat, attempted to bite
his nose, did throw him
down, and while he was
prostrate did bite deponent
on the leg.

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

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

Sworn to before me, this 3rd day

of

1888

August Breichoff
POLICE JUSTICE.

POOR QUALITY
ORIGINAL

0305

Sec. 108-200.

CITY AND COUNTY OF NEW YORK, ss

District Police Court.

Thomas Moran 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

Thomas Moran.

Question. How old are you?

Answer

44 years

Question. Where were you born?

Answer.

New York.

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

Answer.

235 Mulberry Street, 2 years.

Question. What is your business or profession?

Answer

Laborer.

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

Answer.

I was drunk I did not know what I was doing.
Thomas Moran
Moran

Taken before me this

3rd

day of *September* 188*8*

John J. Sullivan Police Justice.

POOR QUALITY
ORIGINAL

0306

BAILED,
No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

John J. ...

13th 73.1735
Police Court... District...

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James M. ...

2
3
4

Office

Dated *Nov 2* 188

Paterson Magistrate.

Frederick Officer.

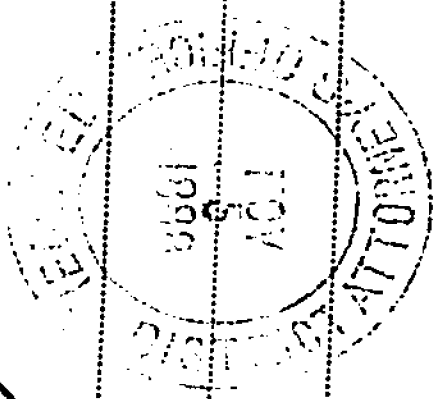
Witnesses *Officer Blank*.

No. *1st* Prisoner Street.

No. _____ Street.

No. *1500* Street.

G.S. to answer *Conrad*



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

Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of *Twenty* 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 *Nov 2* 188 *John J. ...* Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

POOR QUALITY
ORIGINAL

0307

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Thomas Moran

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

Thomas Moran

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

The said *Thomas Moran*.

late of the City of New York, in the County of New York aforesaid, on the *second*
day of *November*, in the year of our Lord one thousand eight hundred and
eighty *eight* at the City and County aforesaid, with force and arms, feloniously made
an assault in and upon one *August Brudick*

then and there being a *police man* of the Municipal Police of the City of
New York, and as such *police man* being then and there engaged in the lawful
apprehension of the said *Thomas*
Moran for certain disorderly
conduct *tending to a breach of*
the peace, —
and the said *Thomas Moran*.

him, the said *August Brudick*. —
then and there feloniously did beat, strike, wound and otherwise ill-treat, with intent
then and there and thereby to prevent and resist the lawful *apprehension*
of *himself* — as aforesaid,
against the form of the statute in such case made and provided, and against the peace of
the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.