

0620

POOR QUALITY  
ORIGINAL

after examining all of the  
witnesses I am convinced  
that a conviction for no  
higher degree of crime  
than manslaughter could  
be obtained. There was no  
intent to kill on the part  
of the defendant and I  
do not think that an attempt  
to hold him for murder  
on the theory that the  
homicide was premeditated  
during the commission of  
a felony could succeed.  
I recommend that a  
Plea of Manslaughter in  
the second degree be entered  
but I think that the interests  
of justice demand a course  
of punishment.

W. H. Nichols  
Dist. Atty.  
May 5/92

I concur in all of the  
foregoing recommendations  
Deane M. McCall  
District Attorney

282  
N. B. Nichols  
15 May 1892  
Counsel,  
Filed 45 day of March 1892  
Pleads, Myself

THE PEOPLE  
vs.  
Henry C. Turner  
MURDER, 1st degree  
[Section 133, Penal Code]

DE LANCEY NICOLL  
District Attorney

A TRUE BILL  
W. H. Nichols  
Dist. Atty.  
Part 2 - May 5, 1892  
Foreman.  
Plead Guilty & manslaughter  
Second degree  
S. P. 11 M & C  
April 12

7621

POOR QUALITY ORIGINAL

after examining all of the witnesses I am convinced that a conviction for no higher degree of crime than Manslaughter could be obtained. There was no intent to kill on the part of the defendant and I do not think that an attempt to hold him for murder on the theory that the homicide was perpetrated during the commission of a felony could succeed. I recommend that a Plea of Manslaughter in the second degree be entered but I think that the interests of justice demand a severe punishment.

W. H. Lyman  
Asst. Dist. Atty.  
May 5/92

I concur in all of the foregoing recommendation  
Richard M. McCall  
District Attorney

W. H. Lyman  
Counsel,  
Filed 25 day of March 1892  
Pleads, Manslaughter

THE PEOPLE  
vs.  
Henry C. Turner  
[Section 123, Penal Code]  
Murder, 1st degree

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.  
W. H. Lyman

Forfeited.  
Sept 2 - May 5, 1892  
Grand Jury & Grand Jurors  
S. J. 11 p. 2 and.  
April 12

7622

POOR QUALITY  
ORIGINAL

*Turner*

COURT OF GENERAL SESSIONS.

----- X  
THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

HARRY C. TURNER.  
----- X

To Hon. Rufus B. Cowing:

I, *Albert Bogert*, DO HEREBY CERTIFY,

that I have been ~~engaged in the business of~~ *employed by the government*  
*of United States* for the past *ten* years, at *the appraisers*  
*store 402 Washington Street*

I have known Henry C. Turner, the father of the de-  
fendant, for *35* years, and hold him in great esteem.

I have found him to be a steady, sober, hard-working, and law-  
abiding citizen, and a skillful workman at his trade of *Wagon*  
*and Carriage painter* I have ~~employed~~ *known* Mr. Turner as a  
*intimately* for 35 — years, and speak of my  
personal knowledge of his character.

New York, May *9th*, 1892.

*Albert Bogert*  
*170 East 47th Street*

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POOR QUALITY  
ORIGINAL

Court of General Sessions

The People of the State  
of New York  
against

Henry C. Turner.

Affidavits, Statements  
on behalf of defendant

Horace Blane Kelly

Att. for defendant  
15 West Street N.Y.C.

vs. Hon. Rufus B. Conning

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POOR QUALITY  
ORIGINAL

1786

At a Court of General Sessions of the Peace,

holden in and for the City and County of New York,  
at the City Hall of the said City, on Thurs day, the  
Seventeen<sup>th</sup> day of June, in the year of  
our Lord one thousand eight hundred and ninety=

PRESENT,

The Honorable RANDOLPH B. MARTINE,

Judge of the said Court of General Sessions.

THE PEOPLE OF THE STATE OF  
NEW YORK

against

Harry C. Turner

On conviction by confession of Petit  
Larceny goods &c of Bridget  
Gaffney

Whereupon it is ORDERED and ADJUDGED by the Court that the  
said

Harry C. Turner

for the said ~~misdemeanor~~ aforesaid, whereof he is convicted, be imprisoned  
in the PENITENTIARY of the City of New York for the term of  
Nine Months

A true Extract from the Minutes.

John F. Carroll Clerk of Court.

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POOR QUALITY  
ORIGINAL

N. Y. General Sessions of the Peace.

THE PEOPLE

OF THE STATE OF NEW YORK

against

*Harry B. Turner*

*June 17<sup>th</sup> 1890*

COPY OF SENTENCE TO

PENITENTIARY

for the term of *Five months*

0626

POOR QUALITY  
ORIGINAL

EDWARD P. SCHELL,  
COUNSELOR AT LAW,  
31 NASSAU ST.,  
[ELEVATOR AT 75 CEDAR ST.]  
ABM. I. ELKUS.

NEW YORK, *March 31* 189 *2*

My dear Mr. Cynn:

The bearer of this  
Mr. Horace C. Skelly  
is a friend of mine  
whom I have known  
for many years.

Any kindness you  
can ~~appreciate~~ show  
him will be appreciated.  
Yours very truly

*Abm. I. Elkus*

0627

POOR QUALITY  
ORIGINAL

EDWARD P. SCHELL,  
COUNSELOR AT LAW,  
31 NASSAU ST.,  
[ELEVATOR AT 75 CEDAR ST.]  
ABM. I. ELKUS.

NEW YORK, *March 31* 189 *2*

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him will be appreciated  
Yours very truly

*Abm. I. Elkus*

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POOR QUALITY  
ORIGINAL

HORACE C. SKELLY  
COUNSELOR AT LAW,  
15 WALL ST. NEW YORK

May 11. 1892

Hon. Rufus B. Conning

Dear Judge:

I take the liberty  
of enclosing a manum-  
ission in the case  
of Henry C. Turner.

Hoping that  
under the circumstances,  
you will pardon its  
hasty composition,  
as also my intrusion  
on your privacy,  
I remain,

Yours very respectfully  
Horace Skelly

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POOR QUALITY  
ORIGINAL

15 Wall Street,  
New York, April 8th, 1892.

Wauhope Lynn, Esq.,

Dear Sir:

Referring to our conversations of March 30th, and April 2nd inst. with regard to the case of The People vs. Henry C. Turner, I have the following proposition to submit for the District Attorney's consideration, viz: that the defendant will plead guilty of manslaughter in the second degree, provided that the District Attorney will unite in a recommendation that the defendant be committed to Elmira Reformatory.

I will briefly review a few of the reasons for this action.

In the first place, the parents of the boy, though very respectable, have the misfortune to be poor, and cannot, therefore, afford the expense that a long murder trial would entail. Secondly, we are advised that in the present mental and physical condition of the boy's father, the strain and worry of the trial would either kill him or drive him violently insane. Thirdly, while there are circumstances that at first sight tell heavily against the defendant, yet there are other facts, such as his not-

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POOR QUALITY  
ORIGINAL

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ification to Campbell and Platt; his many chances to escape if he were really guilty; the contradictions in the witnesses stories; the superior size and weight of the dead man; the fact that he was a tramp of the lowest order, and had nothing in his pockets, and was the last person in the world that Turner would tackle; the boy's youth, good family, &c. &c., and other circumstances, many of which will readily suggest themselves to you, that cannot fail to <sup>heavily in the boy's favor</sup> bear on the trial. And although I believe that Turner did not attempt to rob the man, and had no intention of <sup>killing</sup> ~~robbing~~ him, still, under all the circumstances, I am of the opinion that a plea of guilty as above suggested, would be the best solution of this very serious question, for both sides. To sentence this boy to a term in Sing Sing would be to damn his future, while a sentence to Elmira Reformatory would give him a chance to profit by the bitter lesson of the past, and to commence life anew; and I ask that the District Attorney join in, (or at least, not oppose), a recommendation to this effect, if he should conclude to accept the plea of manslaughter in the second degree. I should be pleased to talk this matter over with Mr. Nicoll or yourself, and trust that you will afford me the opportunity of a personal interview before you finally decide the matter. Awaiting your reply, I remain,

Yours very respectfully,

*Grace C. Kelly*

Hon. Rufus B. Cowing,  
Dear Judge

Herewith I submit  
affidavits in the case of  
Henry C. Turner, who is  
to appear before your  
Honor for sentence  
on Thursday of this  
week. I shall hand  
up additional affidav-  
its as to defendant's  
character tomorrow.  
Submitting these papers  
for your consideration,  
I remain  
Yours very respectfully, *Amos A. Peely*

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POOR QUALITY  
ORIGINAL

C O U R T   O F   G E N E R A L   S E S S I O N S .

----- X  
THE PEOPLE OF THE STATE OF NEW YORK :  
AGAINST :  
HENRY C. TURNER. :  
----- X

CITY AND COUNTY OF NEW YORK, SS.:

E L I Z A B E T H   T U R N E R ,   being duly  
sworn, says:

I am the mother of Harry C. Turner, the defendant herein. My husband, Henry C. Turner, the father of defendant, is a carriage painter by trade, and my son was learning the same trade, having worked with his father in the shops of Messrs. Ross and Hamilton, respectively, of West Farms.

We were in poor circumstances, and as my husband was unable to work steadily, in consequence of sickness, he having been subject to epileptic fits for a number of years, we were obliged to take Harry away from school in 1884 — , and put him to work at the trade of painting, in order to help support our family. Harry fell from a tree when he was nine years old, striking upon his head, and after this fall he was unconscious for over an hour. I called Dr. Quier , who is now dead, to attend him. This fall seemed to affect Harry's head. He used to behave so very queerly, as to excite remark. He would frequently be found when alone, laughing and grinning and talking to himself in a silly manner,

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and when spoken to about it, would say: "Why, nothing's the matter with me," or "I wasn't laughing, was I?" He was and is, generous to a degree. On several occasions, he came home sometimes coatless or hatless, having given ~~his~~ his coat or hat to some poor person, whom he said was in greater need of it than he was. He would also frequently jump up from bed in the night, talking and shouting incoherently, and in numerous other ways, acted so strangely, that we considered him to be simple, or "soft in the head," as we termed it. Harry was passionately fond of children, and they of him, and was the special friend of all the children in the neighborhood in which we lived. In short, Harry was a "soft," harmless, inoffensive boy, and I cannot conceive of him, who would not injure the smallest thing that breathed, deliberately taking the life of a ~~man~~ human being. Had he not been drunk at the time, this lamentable occurrence would never have happened, and to this unfortunate intoxication, do I attribute the whole affair and its sad consequences.

Harry left our residence, No. 555 East 136th Street, at ~~eight~~ eight o'clock, on the evening of December 31st, 1891, in company with Frank Seaman, who was stepping with us, and with whom Harry was then working as a painter and paper hanger. Unfortunately Frank Seaman is now in *Mr. Vernon* and his statement cannot be obtained in time ~~for~~ to hand up to Judge Gowing. Seaman and Harry started out with the intention of visiting a friend's house. Frank Seaman returned at ~~the next morning~~ *the next morning* ~~at~~ *at* ~~one~~ o'clock, and said that he had left Harry at ~~about~~ *about* ~~one~~ o'clock, in company with Charles Van

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POOR QUALITY  
ORIGINAL

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Austin, a friend of his, and supposed that he had already arrived home, but that as he hadn't been home, he <sup>had</sup> ~~would~~ probably stay <sup>later that</sup> at Van Austin's house all night. ~~The next~~ morning we heard of his arrest.

At the time of the arrest of Harry and the other three boys for stealing lead pipe, Harry seemed to be so clearly innocent of the charge, that my husband did not retain a lawyer. Two of the boys, Rogerson and Newcombe, had a lawyer, and we supposed that as the charge was the same against all of the boys, he would see to it that all of them would be liberated without much trouble.

When my husband and I saw Harry at the Station House, he told us the same story as to his connection with the charge and arrest, as he has set forth in his statement to the Court, and I will not therefore encumber the records by repeating it here.

My husband, Henry C. Turner, has been affected with epileptic fits for many years past. For the past years, he has had epileptic fits on an average of once a week, and since Harry's arrest, on the charge of homicide, often twice a week, and sometimes more frequently. Worrying over the case invariably brings on a severe seizure. Very frequently he will have a fit after a consultation with his lawyer about the case. These fits or seizures are accompanied by severe inward convulsions, frothing at the mouth, clenching of the hands and convulsive twitchings of the face and body, and often result in cuts and bruises on the face and body, or lacerations of the tongue. After one of these fits, my husband is com-

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POOR QUALITY  
ORIGINAL

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pletely prostrated, and is unable to do any work for at least a day. He has been attended by Dr. John Husson for the past ~~year~~ <sup>year or more</sup> for this disease, and I am advised by Dr. Husson that my husband is incurable.

A week ago my younger son, Willie, aged ~~nine~~ <sup>nine</sup> years, was afflicted with St. Vitus' Dance. He had the incipient stages of the disease (such as nervousness, twitching, &c) for several years past, but since receiving a fall a week ago, he has had St. Vitus' Dance, in an aggravated form.

Watching the increasing weakness of my husband, and the increasing recurrence of his seizures, I firmly believe that he will not live long, and that a continued strain and worry over Harry's <sup>case</sup> will hasten his death.

WHEREFORE, I pray that the Court, in the exercise of the discretion conferred upon it, and in view of all the circumstances of the case, will be merciful in imposing sentence upon my unfortunate son.

Sworn to before me, this:

9<sup>th</sup> day of May, 1892. :

Geo. C. Goeller (109)

Notary Public

Thy C

Elizabeth Turner

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POOR QUALITY ORIGINAL

day of May 1938 :  
shown to before me : this:

sentence upon my unfortunate son.  
circumstances of the case, with the necessity in imposing  
the discretion conferred upon it, and in view of all the

WHEREFORE, I pray that the Court, in the exercise of  
its wisdom and mercy, shall grant my petition.  
I feel that he will not live long, and that a continued  
the increasing weakness of his condition, I firmly re-

marking the increasing weakness of my pleading, and  
elevated him.

Just a week ago, he was not at all, since, in an ex-  
treme, he) for several weeks past, but since receiving a  
few doses of the disease (which is now almost fatal)  
was suffered after Dr. Adams, since. He was the most

a week ago my youngest son, Willie, aged 12 years,  
advised by Dr. Hanson that my pleading is insupportable.

for the past 100 days, and I am  
less a day. He has been attended by Dr. John Hanson  
freely prescribed, and he wishes to go and work for

Mr. Turner

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-----X  
People of the State of New York :  
:   
: against :  
: :  
: Henry C. Turner. :  
-----X

In this case I desire to make the following statement of fact. I reside at No. 135 East 123rd Street in the City of New York and have been a practising physician for *over 7* ~~years~~ *Season* years in this city. At the request of defendant's counsel, and with the written permission of District Attorney Nicoll, I made a physical examination of the defendant in the Tombs on January *Twelfth*, 1892. At said examination I found *him* <sup>*weighed about 145 lbs.*</sup> to be 5 ft. 3 in in height. Chest - deep expiration 30 inches, Full inspiration 34 inches. Contusion under the right eye, prints of fingers on right side of neck, (as from choking) discoloration on left side of chest, and a "green stick" fracture of the fourth (4) rib, on the left side.

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POOR QUALITY  
ORIGINAL

For the past *twelve* months I have been the attending physician of Henry C. Turner, the father of the defendant. Said Henry C. Turner is an epileptic, and I have attended him for said disease, and have called on him professionally at least once a week during said period, and sometimes more frequently. I find his disease to be of long standing. He has epileptic seizures or fits on an average of once a week, and since the arrest of his son, the defendant herein, sometimes twice a week. The said seizures are convulsive, and are accompanied by the phenomena of frothing at the mouth, twitching of the muscles of the face, clenching of the hands, *and inward convulsions,* and invariably result in cuts or bruises on the face or body of the patient. In the present mental and physical condition of Mr. Turner, protracted worry, or brooding over his son's case, will in my opinion result seriously, if not fatally to him. It is a well settled medical fact, that epilepsy is strongly akin to insanity, and is an hereditary disease. During a seizure, an epileptic is as entirely irresponsible as a raving maniac, though when consciousness returns, he may be as rational as any sane person. (See *Wharton & B. Med. Jur. "Epilepsy"*; *Mandeville on Ins. & Madness in Disease of the Brain*.)

From the symptoms recited in the affidavit of Mrs. Turner, and in the light of my diagnosis of the case of Henry C. Turner, I am of the opinion that Harry Turner, the defendant is tainted with the hereditary disease of epilepsy, and

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ORIGINAL

while not wholly irresponsible for his acts, in my opinion he should not be held to the same degree of responsibility as a person of unimpaired intellectual powers.

On January *Fifth*, 1892, I examined the body of the unknown dead man, at the morgue, and as a result of such examination, found that the dead man was about 170 pounds in weight, *5 ft 8 or 10 inches* in height, and was in good muscular and physical condition generally. The only marks perceptible were several bruises on the <sup>*right side of*</sup> forehead, which, in my opinion, as I stated at the Coroner's inquest, were caused by contact with the <sup>*stone abutments*</sup> piles in the water.

*In presence of*  
*Henry May 9 1892*

*George C. King, J. H. Henson M.D.*

Court of General Sessions.

The People of the State  
of New York

against  
Harry C. Turner

City and County of New York ss.

Marcell E. Wilson being

duly sworn, says that he resides at No. 125<sup>th</sup> Street in the City of New York. On January 1<sup>st</sup> 1892, at about

one o'clock in the morning, he met the defendant Harry C. Turner, at 125<sup>th</sup> Street and 2<sup>nd</sup> Avenue apparently on his way home. He was staggering along, and was evidently very much intoxicated. As he knew

his parents well, he spoke to him and told him that he ought to be ashamed of himself to be away from the house at that hour, and said that if he stopped at any place on his way home, he would kick him all the way home.

I have known the father of defendant for five years - as a

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POOR QUALITY  
ORIGINAL

sober, hard-working, law-abiding citizen. The defendant Harry Turner was always an inoffensive, good-natured boy, though he was not very strong-willed, and could easily be influenced by others.

Shom to before me this

9<sup>th</sup> day of May 1892

} Maurice Edward Wilson

Gracefully

Mary R. R. R.

Wyer

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POOR QUALITY  
ORIGINAL

COURT OF GENERAL SESSIONS.

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

against

Henry C. Turner  
-----X

Statement of Henry C. Turner.

I, Henry C. Turner, the defendant herein, in the most solemn manner, do make the following statement of fact. As regards my first arrest.

On the afternoon of June 9, 1890, George Rogerson, Thomas J. Newcombe, and Thomas Cleary and myself, were bathing in the Harlem River at 124th Street. After coming out of the water, Rogerson proposed that we have a game of cards in the back-yard of No. 420 East 124th Street. Rogerson's family had lived in the adjoining house, and we had often played around in the back-yards of the houses, of which Mrs. Gaffney was the janitress. When we arrived in the yard, I went into the water closet. When I came out, I saw that the others had dissapeared, and that the back window was open. I followed through the window, and into the hallway. When in the hallway I heard the voices of the other boys in the cellar, and descending the cellar steps from the hallway, I looked around for them but they were not to be seen. I looked in a wood-house for them and was about to open the

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POOR QUALITY  
ORIGINAL

door of another wood-house, when I heard footsteps in the hallway above. Two policemen then came into the cellar and arrested all of us. I told the policeman who arrested me that I had just came down into the cellar, but he said that I would have to along with the others. I had no hand in stealing any lead pipe on the premises, and if any was stolen it was without my knowledge, aid or assistance. I would not do anything in the world to injure Mrs. Gaffney in the remotest degree. The affidavit of Mrs. Gaffney correctly describes the proceedings in the Police Court and the Court of General Sessions. When our case was called in the Court of General Sessions on July 17th, 1890, the attorney for Newcombe and Rogerson must have pleaded guilty for Cleary and myself, for we certainly did not. I, for one, was anxious to make a statement of my case, but was led away with Cleary, directly after being sentenced. The records will show that in the cases of Rogerson and Newcombe sentence was suspended on Sept. 23rd, 1890.

On New Year's Eve, Dec. 31st, 1891, at 8 P. M., I left my residence at No. 555 East 136 Street with Frank Seaman. Frank and William Seaman, Charles Van Austin, and myself called at William Bowers, on 2nd Ave. near 128th Street, where I remained until 12 or 12:45 o'clock. Van Austin and myself then went to Van Austin's house in 121st Street near 2nd Ave., where I remained <sup>about</sup> ~~over~~ an hour. I had been drinking all the evening, and was intoxicated when I

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POOR QUALITY  
ORIGINAL

started to go home. I walked up Second Avenue on the West side towards the Second Avenue Bridge. At 125<sup>th</sup> Street, <sup>George</sup> ~~Moses~~ Nelson, who knew my family, saw me, and said something about my being out so late, and that he would kick me all the way home, if I stopped at any other place; or words to that effect.

At the southwest corner of 129th Street and 2nd Avenue, I met a drunken man, who was coming from towards the bridge. We ran against each other, and he turned with an oath and kicked me in the shins.

I struck back at him, and after a few more words, I crossed to the east side of the Avenue, intending to cross the bridge and go home. I had just started to go up the westerly stairs leading to the bridge, when I was grasped from behind. Turning half around, I saw the same man, with uplifted arm, ready to strike me. He was about 5 feet, 8 or 9 inches tall, and was apparently about 35 or 40 years old, and weighed, I should judge, about 160 or 170 pounds. I was not strong enough to cope with him in a fight, so I clasped his arms, in order to prevent his striking me. We then struggled across the sidewalk, but as both of us were intoxicated, his foot slipped on the wet ground, and he fell against the fence, and I on top of him, still grasping him around the body. As soon as I could get loose, I lifted myself up from his body, and went under the <sup>westerly</sup> stairs to urinate. While there, I heard some one going up the stairs, and looking out from under the stairs, and up, I saw John A. Campbell, with a female companion, <sup>going up the stairs.</sup>

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POOR QUALITY  
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I then went over to the man, who was lying against the fence and trying to pull himself up, to see if he was hurt, and if necessary, to give him a hand. As I was stooping over him, he caught hold of my right arm and pulled himself half-way up. I gave him a lift, thinking that all hard feelings were ended on his part, as they were on mine. But when he got on his feet he still kept hold of my arm, with one hand, and grasped me by the throat with his other hand, and tried to throw me down. I was half choking, but did my best to save myself from falling under him. I noticed that in the struggle we were nearing the ~~xxxxxx~~ edge of the dock, the river being about twelve or fifteen feet away from where we had fallen the first time. I gasped for him to stop, but he was apparently too drunk or too enraged to heed. We had now reached the end of the pier, when his foot suddenly slipped in a pool of urine or water over against the fence, and he fell forward on his side, (the position in which we had been struggling.) I fell with him, but managed to clasp my arms around the string-piece or pile, and thus saved myself. He still had hold of my right arm above the elbow, and as his hold broke as he fell, a piece was torn out of my coat sleeve. When we had first fought, I heard the whistle of the steamboat "Morrisania," which <sup>was</sup> moored on the south bank of the Harlem River, between 2nd and 3rd Avenues, blow twice as a signal for the draw of the 2nd Avenue Bridge to open. As the man fell in, the "Morrisania" was passing through the open draw of the bridge. I knew then that the young man who had

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passed up the bridge stairs would be blocked on the bridge by the open draw, and I ran up the stairs and onto the bridge, to summon his assistance. When I drew near him, I said, "A man has fallen overboard. For God's sake come and help me get him out." The young woman with him objected to his going, and after some hesitation he said, "You go down and I'll follow." I ran down to the water's edge. I saw a dark object in the water and called Campbell's attention to it, but he said, "You'd better go for a policeman." I went down Second Avenue, to the corner of 128th Street, where a policeman is usually to be found. There was no officer there, but looking through the window of the saloon on the corner, I saw a policeman (Peattie) inside. I rushed in and told him that a man had fallen overboard. He seemed angry at being found in the saloon, and saying gruffly, "Go and get him out yourself," walked out. I then ordered a glass of sarsaparilla, (as I now suppose, to sober me up), and had drunk and paid for it, when the officer came back, and told me to go with him. I went with him down to the river, where Campbell and several other people were. Policeman Peattie asked Campbell if I was the person who had told him of the man being overboard. I answered "Certainly, I am." Peattie then took me to the Station House. I have no recollection of blaming the man's death on Reilly and Dooley, as testified to by officer Peattie at the Inquest. I had passed them on the Street earlier that night, and probably so stated in

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POOR QUALITY  
ORIGINAL

answer to the questions of the police officers at the Station House. The fact was, that the police immediately suspected Reilly and Dooley <sup>(who were notorious characters)</sup> of causing the man's death, and they insisted that I must have seen them in the neighborhood at the time. This I denied, but they <sup>still thinking that Reilly and Dooley were implicated</sup> did not believe me. Reilly and Dooley were arrested shortly after my arrest, but were liberated in the morning. The police woke me up out of sleep twice <sup>in the night</sup> and brought me upstairs and questioned me about the occurrence, but I have no recollection of making any statement whatever, except that I met the man, and we quarreled and that he had fallen overboard accidentally, in the last scuffle. On the afternoon of New Year's Day, I was brought up stairs, in the Captain's room. John Campbell, who was present, related that he saw me robbing the man. I contradicted this statement, but, Detective Mott shook me by the collar and said "Shut your mouth. This man's word will be believed 100 per cent more than yours." It is untrue that I then broke down and confessed. There was some talk about Reilly and Dooley's connection <sup>and Campbell was asked whether I had any accomplices</sup> with the affair, and what I <sup>then</sup> said was, that I was the only one concerned, and was alone responsible. I never signed any statement or confession, and none was ever read to me.

It is wholly untrue that I confessed that I followed the man "intending to rob and assault him." The man was coming from the bridge, and I was going to-  
wards it, when we met. I continued in my course to-

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POOR QUALITY  
ORIGINAL

wards the bridge, and he followed me.

I hadn't the least intention to, and did not rob or attempt to rob the man. The man was a tramp of the lowest order, and the last person in the world that anyone would tackle for the purpose of robbery.

This whole case has been grossly exaggerated by the police officials and the press. I have at all times declared to the police, that the man's unfortunate death was purely accidental, and that beyond the fact that I was drawn into the fight with him, I was not in anywise responsible for it.

For over a week after the occurrence, my throat was scratched and swollen, where the man had grasped me, there was a lump under my eye where he had struck me, <sup>and</sup> my shin was scraped and sore, — where I had been kicked by him, and in addition ~~one~~ of my ribs was fractured, in the place where I had fallen against and grasped the pile or string-piece, as the man fell overboard. Dr. Hesson, who examined me at the docks, can testify to the marks and bruises (see his statement annexed hereto) dated, New York, May 16th, 1892.

In presence of

Francis Kelly

Harry C. Turner

0649

POOR QUALITY  
ORIGINAL

COURT OF GENERAL SESSIONS,

City and County of New York.

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

against

Harry C. Turner.

-----X  
*City and County of New York ss:*

Believing that a great injustice was done in the sentence of Harry Turner for Grand Larceny in July 1890, I, Bridget Gaffney, the complainant in that case, desire to make the following sworn statement of the facts in the case.

At the times hereinafter stated, I was and still am the janitress of Nos. *420 & 422* — East 124th Street. On July 9th, 1890 at about 3 P.M., I was informed by a small child that several persons were in the cellar of No. 420 East 124th Street. Not knowing who might be in the cellar, I locked the cellar door and sent for a policeman. When the policeman came we entered the cellar together, and found the four boys, Thos. J. Newcombe, Thomas Clarey, George Rogerson and Harry C. Turner, who were taken by the officers to the station house. No tools or implements were found on the boys, or in the cellar. The next morning, the four boys were arraigned before Justice Welde, at the Harlem Police Court. The Police Justice, on learning the nature of the charge, was greatly incensed, and said that several buildings that had been just erected by him had

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POOR QUALITY  
ORIGINAL

been entered by thieves and completely stripped of lead-pipe, and he added: "perhaps these four boys are the very ones who "stole my lead pipe. I'll make an example of you fellows" (this being the Judge's language as near as I can remember). As a result, the four boys were held in \$1,000.00 bail to answer in the Court of General Sessions.

I never was called as a witness against Harry Turner in the Court of General Sessions, although I was subpoenaed a number of times in August and September(if I remember rightly), in the case of Rogerson and Newcombe. I afterwards learned that Turner and Cleary had received a sentence of nine months, while the other two boys were set free. I then as now, considered this disposition of the case to be very unjust, inasmuch as I had good reason to believe that Rogerson, one of the boys who escaped free, was the guilty party, and that Harry Turner and the Cleary boy had been innocently led into trouble.

Rogerson's family had been dispossessed<sup>ed</sup> from house No. 422 East 124th Street, of which I was janitress, two weeks before the occurrence. Shortly before they left, the chimney of the house was found to be stuffed up with rags, in consequence of which the whole house was filled with smoke whenever fires were lit by the tenants. One of the tenants informed me that Mrs. Rogerson had asked her assistance in stopping up the flues. Mrs. Rogerson had also threatened to several of the tenants, to be revenged upon me, for having her evicted; and in view of these facts, when young Rogerson, who was a wild boy, was charged with stealing the

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**POOR QUALITY  
ORIGINAL**

lead pipe, I was not at all surprised. The arrest of Harry Turner, however, greatly shocked me. He was very fond of my children, and used to play with them by the hour. On fine days in the Summer, he used to carry my baby up and down the street, or take my children down to the river to show them the boats. I always considered him an inoffensive, harmless boy, and one who could be easily led by older companions. He stated when arrested, that he had gone into the cellar at the invitation of the other boys, to play cards, and solemnly declared that he would never do anything to injure me; and this statement I implicitly believed then, as I do now. I was ready and willing then to state these facts in open Court; but my husband was working in Staten Island that summer, and my time was completely occupied in looking after my children and taking charge of the houses, and in addition, I was ignorant as to the proper procedure <sup>in</sup> upon the premises. It is my firm belief, that had I been called to testify in the case, Harry Turner certainly would have been acquitted. In this connection, I might also state, that while Rogerson and Newcombe had retained a lawyer, Turner and Cleary were not represented by counsel. Two hours after Turner was released from the Penetentiary, he called to see me, and at that interview, again protested his innocence of the charge.

I have been informed of numerous acts of wrongdoing on the part of Rogerson, since he was released on the above charge, and from what I know and have heard of his character,

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POOR QUALITY  
ORIGINAL

I firmly believe that he enticed the younger boys into the cellar in order to shield himself from punishment.

In making this affidavit, I have no purpose other than that of setting these facts fairly and fully before the Court, in the furtherance of justice, and in concluding I repeat that it is my steadfast conviction that Harry Turner was innocent of any wrongful intention, and that the wrong, if any, was planned and executed by others.

Sworn and subscribed before me,

this 7th day of May, A.D., 1892.

*John J. Mehan*  
*Cornel J. Davis*  
*My City, Co*  
*Wm. Gaffney*

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POOR QUALITY  
ORIGINAL

## CORONER'S Office.

## TESTIMONY.

Copy of Statement.  
Original in Possession of Capt. Westcott 29 Dec.  
New York Jan 1<sup>st</sup> 1892.

Harry L. Turner age 19 years of 535 E 136<sup>th</sup> St. while under arrest charged with Homicide made the following statement voluntarily after being informed that same would and would be used against him on trial for said crime.

At about 2 am. Jan 1<sup>st</sup> 1892. while passing up 2<sup>nd</sup> Ave. on the west side and when at 129 St. I met an unknown man and I accidentally stepped on his foot when he turned around and kicked me. We then had a few words and I struck him in the face with my fist knocking him down. He then got up and walked towards the bridge and I followed him with the intention to assault him and rob him. After crossing 2<sup>nd</sup> Ave towards the bridge I engaged in a quarrel with him and struck him again in the face with my fist knocking him down. He when falling struck on the back of his head rendering him unconscious. I then commenced to search his pockets while doing so I saw some men and women coming towards the bridge and I ran under the steps of the bridge to hide until they had passed. After I thought they had passed on to the bridge I went to the man again to rob him when he came to and we fought again all

Taken before me

this

day of

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CORONER.

0654

POOR QUALITY  
ORIGINAL

Coroner's Office.

TESTIMONY.

2

the time going towards the river. When we got near the edge of the dock he broke his hold on me and fell into the river. I then went up on the bridge with the intention of going home but the draw was open and I could not get across. I then saw a man who had just passed up the bridge steps and I went to him and told him that a man had fallen into the river and asked him to help get him out. He told me if that was so I had better get a policeman. I went down 2<sup>nd</sup> Ave to 128 St where I met officer Platt and told him that a man had fallen overboard at 129 St. I then went into the saloon at the Cor 128 St. + 2<sup>nd</sup> Ave. where officers came soon after and arrested me. I was then taken to 129 St by Officer Platt where I saw the body of a man taken from the river and I identified him as the man whom I had assaulted a short time before.

I did not find anything in the pockets of the man whom I assaulted.

Witness to the above statement

Captain Josiah Westervelt

Sergeant Henry Sturbutt

Detective Fred J. Mott

Taken before me

0655

**POOR QUALITY  
ORIGINAL**

*Harry C. Turner*

0656

POOR QUALITY  
ORIGINAL

Sheriff's Office,

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Harry C. Turner* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question—What is your name?

Answer—

*Harry C. Turner*

Question—How old are you?

Answer—

*19*

Question—Where were you born?

Answer—

*N. Y. City*

Question—Where do you live?

Answer—

*555 E 136*

Question—What is your occupation?

Answer—

*Paper-hanger*

Question—Have you anything to say, and if so, what, relative to the charge here preferred against you?

*I have nothing to say except  
that I did not know  
one named*

*Harry C. Turner*

Taken before me, this

*6*

day of

*January 1892**Levin W. Schuch,*

CORONER.

0657

POOR QUALITY  
ORIGINAL

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	When
About 35 Years	Months	Days	3	Morgue 429 Post	Jan'y 1 1892

798-1892  
HOMICIDE

AN INQUISITION. 262

On the VIEW of the BODY of

Henry McShane

whereby it is found that he came to  
his Death by the hands of

Henry McShane

Report taken on the 6<sup>th</sup> day

January 1892

John McShane  
Coroner.

Committed  
Graded  
Discharged  
State of death



0658

POOR QUALITY  
ORIGINAL

COURT OF GENERAL SESSIONS.

----- x  
THE PEOPLE OF THE STATE OF NEW YORK  
AGAINST  
HARRY C. TURNER.  
----- x

To Hon. Rufus B. Cowing:

I, *Moses Hamilton*, do hereby certify,  
that I have been engaged in the business of *carriage*  
*manufacturing*, for the past *12* years, at *West Farms*,  
in *Hawthorne, N.Y.* of 1891, and defendant worked  
in my shop as a painter, and I always found him to be a sober,  
honest, and industrious boy. He left my employment in  
of his own accord. I have known Harry C. Turner, the father  
of the defendant, for *15* years, and hold him in great  
esteem. I have found Mr. Turner to be a steady, sober, hard  
working and law-abiding citizen, and a skillful workman at  
his trade of carriage painting. I have employed Mr. Turner as  
a carriage painter for *2* years, and speak of my personal  
knowledge of his character.

New York, May 10<sup>th</sup>, 1922. *Moses Hamilton*

0659

POOR QUALITY ORIGINAL

COURT OF GENERAL SESSIONS.

----- x  
THE PEOPLE OF THE STATE OF NEW YORK :  
AGAINST :  
HARRY C. TURNER. :  
----- x

To Hon. Rufus B. Cowing:

I, *Michael Ross*, DO HEREBY CERTIFY,  
that I have been engaged in the business of *carriage man-*  
*ufactures*, for the past *25* years, at *West Farms*.  
In *May* ~~*January*~~ *1891*, the defendant worked  
in my shop as a painter, and I always found him to be a sober,  
honest, and industrious boy. He left my employment in  
of his own accord. I have known Henry C. Turner, the father  
of the defendant, for *3* years, and hold him in great  
esteem. I have found Mr. Turner to be a steady, sober, hard  
working and law-abiding citizen, and a skillful workman at  
his trade of carriage painting. I have employed Mr. Turner as  
a carriage painter for *3* years, and speak of my personal  
knowledge of his character.

New York, May 10<sup>th</sup>, 1892. *Michael Ross*

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POOR QUALITY  
ORIGINAL

FRANK J. RAUM,  
"Osceola Market"  
CHOICE MEATS & POULTRY.  
149 LINCOLN AVENUE,  
Bet. 134th & 135th Sts., NEW YORK.

To Hon. Rufus B. Howing

I hereby do certify  
that I have known Harry  
C. Turner for some years  
past or since childhood  
and have known him to be  
an inappetitive young man  
a steady worker and attentive  
to duties, honest in every  
respect and from good and  
respectable Parents who I  
have also known since  
my childhood, and find them  
to be industrious and hard  
working people and I there-  
fore take the pleasure of  
writing these lines as to  
his honesty and good behavior.

Frank J. Raum

0661

POOR QUALITY  
ORIGINAL

COURT OF GENERAL SESSIONS.

----- X  
THE PEOPLE OF THE STATE OF NEW YORK :  
AGAINST :  
HARRY C. TURNER. :  
----- X

To Hon. Rufus B. Cowing:

I, *John Shea*, DO HEREBY CERTIFY,  
that I have been engaged in the business of *carriage man-*  
*ufacturer*, for the past \_\_\_\_\_ years, at *4th Avenue*  
*and 128th Street in the City of New York*.

I have known Henry C. Turner, the father of the de-  
fendant, for *twenty* years, and hold him in great esteem.  
I have found him to be a steady, sober, hard-working, and law-  
abiding citizen, and a skillful workman at his trade of  
*carriage painting*. I have employed Mr. Turner as a  
*carriage painter*, for *15* years, and speak of my  
personal knowledge of his character.

New York, May *9th*, 1892.

*John Shea*

**POOR QUALITY  
ORIGINAL**

1

0663

POOR QUALITY  
ORIGINAL

Telephone Call, 442 Harlem.

New York

1892

No

CARRIAGES &amp; WAGONS

Of every description Made to Order.

PAINTING &amp; TRIMMING.

JOBING

PROMPTLY ATTENDED TO.

To Charles C. Schildwachter, Dr.

&lt;CARRIAGE AND WAGON MAKER,&gt;

Nos. 1885 to 1889 Park Avenue,

Bet. 128th &amp; 129th Streets.

May 10/92  
To The Hon. Rufus B. Cowing

I Charles C. Schildwachter do hereby certify that I have been engaged in the Business of Carriage Manufacturer for the past Twenty five years at 125<sup>th</sup> St. & Park Ave and at the above address. I have known Henry C. Turner the Father of the Defendant for fifteen years and hold him in great esteem. I have found him to be a steady, sober hard working, and law abiding citizen and a skillfull workman at his trade of Carriage Painter. I have known him all this time and speak of him of my personal knowledge of his character

Charles C. Schildwachter

0664

POOR QUALITY  
ORIGINAL

Sir ; You will please take notice that the within is a copy of a _____ _____ duly entered herein, and filed in the office of the Clerk of the _____ at the Court House, in the City of New York, on the _____ day of _____ 189 Dated, New York, _____ 189 Yours, etc., Attorneys for _____ 15 WALL STREET, NEW YORK CITY. To _____ Esq., Attorney for _____	<i>Court of General Sessions</i>  <i>The People of the</i> <i>State of New York</i> <i>against</i>  <i>Henry C. Turner</i>  <i>Certificate of</i> <i>Charles</i> <i>Horace C. Snelly</i> <i>Attorney for Defendant</i>  15 WALL STREET, NEW YORK CITY. <i>Attorney for</i> <i>Attorney for</i>  Due and timely service of a copy of the within _____ is hereby admitted. Dated, New York _____ day of _____ 189 <i>Attorney for</i>
---	--

0665

POOR QUALITY  
ORIGINAL

Sir : You will please take notice that the within is a copy of a ..... ..... duly entered herein, and filed in the office of the Clerk of the at the Court House, in the City of New York, on the ..... day of ..... 189 Dated, New York, ..... 189 Yours, etc., Attorneys for ..... 15 WALL STREET, NEW YORK CITY. To ..... Esq., Attorney for .....	<i>Court of General Sessions</i>  <i>The People of the</i> <i>State of New York</i> <i>against</i>  <i>Henry C. Turner</i>  <i>Certificate of</i> <i>Character</i> <i>Horace C. Skelly</i> <i>Attorney for Defendant</i> 15 WALL STREET, NEW YORK CITY. <i>Attorney for</i> <i>Attorney for</i> Due and timely service of a copy of the within ..... is hereby admitted. Dated, New York ..... day of ..... 189 <i>Attorney for</i>
---	--

Court of General Sessions.

The People of the State of New York  
against  
Henry C. Turner

Memorandum on behalf of defendant.

I

If this case had gone to trial, and a technical defence had been made, it is extremely doubtful whether the People could have proved "the death of" "the person alleged to have" "been killed, and the fact" "of killing by the defendant," "as alleged, ~~as independent facts~~," "linked as independent facts;" "the former by direct proof," "and the latter, beyond a reasonable doubt."

Penal Code § 181.

There is also a very grave doubt, to say the least, whether the alleged robbery could have been established "beyond a reasonable doubt", as would have been necessary in order to hold the defendant for murder.

in the first degree. An examination of defendant's statement dated May 10, 1892, and the testimony of the Campbells at the Groves Inquest, will show that not only is it extremely improbable, but hardly possible, that the prosecution could convict the defendant of the crime for which he was indicted. The prosecution first produced <sup>at the Inquest</sup> an alleged written confession, the body of which was in the same handwriting as the names of the witnesses, showing that <sup>and the same</sup> one person had written the "confession" and signed the names of the two or three witnesses thereto. The ink was hardly dry on the document, which was dated a week prior to the date of the inquest. This confession was withdrawn when these facts appeared, and the witnesses testified to what they had heard Turner "confess." George Campbell swore

that Turner confessed that he had knocked down the drunken man, (who <sup>then</sup> weighed twice his 160 or 170 pounds), on one side of the Avenue, and carried him across the 60 foot wide Avenue, to the foot of the stairs! It will be noticed that <sup>in</sup> George Campbell's story of the confession at the station-house, he says that when Turner was caught lying about Reilly and Dooley's participation in the crime, he broke down and said: "I'll give it to you straight. I did the whole thing myself, and no one else is responsible." That is exactly what Turner says in his statement. He declared that he alone was to blame, if blame there was in the matter; but he didn't say that he robbed the man. No such construction can be tortured out of the language. He only reiterated what he had declared all along, that Reilly & Dooley were not con-

cerned in the affair. The defendant's conduct after the man had fallen overboard is entirely inconsistent with guilt. He was the first to call for assistance. He went after the policeman. He had ample opportunity to escape, had were he really guilty. The time is too short for me to dwell longer on this phase of the case. A perusal of the witnesses' statements ~~will~~ cannot fail to raise a grave doubt as to defendant's guilt, and the defendant should be given the benefit of that doubt.

## II

The question of felony or attempted felony being eliminated from the case, we have nothing but a <sup>drunken</sup> quarrel and a death resulting therefrom, in hot blood, and without intent or deliberation. Under the Penal Code, such killing is manslaughter.

in the second degree.

The defendant was intoxicated at the time. His father is an epileptic, and he is tainted with the disease. (See Dr. Hudson's statement.)

Let us hear what Dr. Wharton in his work on Criminal Law, vol I §44, note, says:

"But while irresistible impulse is no defense to crime,  
"yet violent passion is to  
"be taken into account as  
"a mitigating element, and  
"the peculiar temperament  
"of the offender is to be  
"gauged, for the purpose  
"of estimating whether the  
"provocation was such as  
"to create hot blood, and  
"whether there was adequate  
"cooling time. A sane per-  
"son may, from epilepsy,  
"or from prior insanity,  
"or from nervous or physical  
"derangements or from heredi-  
"tary taint, be peculiarly  
"susceptible of excitement,  
"and as the law treats as-

"causes committed in hot  
"blood as of lower grade  
"than those committed de-  
"liberately, this excitab-  
"ility may properly be  
"considered in determining  
"whether at the time the  
"blood was hot. That psych-  
"logically this varies with  
"temperament, is well known.  
"x x Hence epileptic, nervous  
"and cerebral diseases <sup>hereditary tendency</sup> may  
"be put in evidence to lower  
"the grade of the offense,  
"though that do not amount  
"to insanity."

And the same author says  
at § 47:

"In this country, we have  
"repeated rulings to the  
"effect that where the  
"encounter was sudden,  
"and the defendant prior  
"to such encounter, had  
"no intention to kill, intox-  
"ication at the time of the  
"encounter, can be taken  
"into consideration, to

"ascertain whether the defend-  
"ant, when under legal prov-  
"ocation, acted from malice,  
"or from a sudden passion,  
"and whether there was de-  
"liberation, or a specific  
"intention to take life".

### III.

The sentence of nine months  
for Retty, larceny in 1890,  
should not cause the Court  
to inflict the severest pen-  
alty of the law upon the  
defendant. The affidavit  
of the complainant, Mr. Raff-  
ley, and the statement of  
the defendant, establish  
the defendant's innocence,  
of as a principal or access-  
ory, in the crime.

The Court can reverse  
that sentence, - there hav-  
ing been no trial and  
conviction by a jury, - and  
if in the opinion of the  
Court, the defendant  
could not have been found  
guilty of the offense  
on a trial therefor, the

sentence can now be entirely disregarded, as far as this case is concerned.

IV.

This is a case that appeals strongly to the leniency of the Court, if ever there was one. On one hand, we have the death of an unfortunate tramp; a man filthy in person, degraded, unknown and uncared for. On the other, stands a boy nineteen years old, of respectable parents, charged with taking this man's life, in a drunken fight. Who can judge of the truth of this case? According to the boy's story, (the police version also) the man commenced the quarrel by kicking the boy in the shin. The man weighed about 170 pounds, was 5 ft. 10 inches in height, and was in good muscular condition. The boy weighed 125 pounds

was was 5 ft. 4 inches in height. Does the Court believe that he was able to knock this man down, drag him across the street, ransack his pockets, and then throw him overboard? His story is probable; let him have the benefit of the doubt, at any rate.

V

It is submitted that a long term of imprisonment should not be imposed upon this unfortunate boy. Five years of his life are worth the whole life-time of the dead outcast. His family should be considered. For the sake of his devoted mother, and his afflicted father, do appeal for the mercy of the Court. This boy is not bad at heart. He has been a hard-working, generous, unoffensive lad. Whatever trouble he has been led into, is attrib-

table to the influence of wild companions. This sad affair has already had a wonderful effect upon him, and a confinement of a few years would teach him to profit by the bitter lesson of the past, and to commence life anew. Surely, the Court will not sadden the lives of this boy's parents, and hasten the end of his afflicted father by imposing a severe sentence upon this unfortunate boy. Justice does not demand such a sacrifice.

Very truly,  
May 11, 1892

Respectfully submitted,

Horace Kelly

Attorney for defendant

0676

POOR QUALITY  
ORIGINAL

<i>Court of General Sessions</i>	
<i>The People vs</i>	
<i>Henry C. Turner</i>	<i>against</i>
<i>McLennan Turner</i>	<i>for Defendant.</i>
HORACE C. SKELLY COUNSELOR AT LAW. <i>Attorney for deft.</i>	
15 WALL STREET. NEW YORK CITY.	
To <i>Horace C. Skelly Esq.</i>	<i>Attorney for</i>
Due and timely service of a copy of the within ..... is hereby admitted.	
Dated, New York ..... day of ..... 189	
<i>Attorney for</i>	

SIR:  
You will please take notice that the  
within is a copy of a .....  
..... duly entered herein,  
and filed in the office of the Clerk of the  
at the Court House, in the City of New  
York, on the .....  
day of ..... 189  
Dated, New York, ..... 189  
Yours, etc.,  
*Attorneys for*  
15 WALL STREET,  
NEW YORK CITY.  
To ..... Esq.,  
*Attorney for*

0677

POOR QUALITY ORIGINAL

<i>County of General Sessions</i>	
<i>The People vs</i>	
<i>against</i>	
<i>Henry C. Turner</i>	
<i>Attorneys for</i>	
<i>Defendant.</i>	
<i>HERBERT C. SHELL</i>	
<i>Attorneys for</i>	
<i>15 WALL STREET,</i>	
<i>NEW YORK CITY.</i>	
<i>To</i>	
<i>Wm. P. P. 13 Bonding Esq.</i>	
<i>Attorney for</i>	
Due and timely service of a copy of the	
within is hereby admitted.	
Dated, New York day of 189	
<i>Attorney for</i>	

SIR :

You will please take notice that the

within is a copy of a

duly entered herein,

and filed in the office of the Clerk of the

at the Court House, in the City of New

York, on the

day of 189

Dated, New York, 189

Yours, etc.,

*Attorneys for*

15 WALL STREET,

NEW YORK CITY.

To

*Attorney for*

Esq.,

0678

POOR QUALITY  
ORIGINAL

## STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

## AN INQUISITION,

Taken at the ~~house of~~ *Coroners Office*  
 No. 124 Second Avenue Street, in the 17<sup>th</sup> Ward of the City of  
 New York, in the County of New York, this 6<sup>th</sup> day of January  
 in the year of our Lord one thousand eight hundred and 92. before  
*Louis W. Schultz* Coroner,  
 of the City and County aforesaid, on view of the Body of *Henry M. Shane*  
 lying dead at

*Eleven* good and lawful men of the State of New York, duly chosen and  
 sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said  
*Henry M. Shane* came to his death, do  
 upon their Oaths and Affirmations, say: That the said *Henry M. Shane*  
 came to his death by

From Asphyxia from drowning, on the morning  
 of January 1<sup>st</sup> 1892, in the Harlem River, at Second  
 Avenue and 129<sup>th</sup> Street, and we hold the prisoner  
*Henry C. Turner* to await the action of the  
 Grand Jury for being instrumental in caus-  
 ing the death of deceased.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition,  
 set our hands and seals, on the day and place aforesaid.

## JURORS.

<i>Louis Sidman</i> 1673. 2 <sup>nd</sup> St	<i>Joseph Levy</i> 1667 2 <sup>nd</sup> Ave
<i>Francis J. Hunt</i> 1688. 2 <sup>nd</sup> Ave	<i>Geo. W. Linder</i> 950 Bleecker
<i>And. Bergen</i> 174 E. 85 <sup>th</sup> St	<i>John Foster</i> 1679 2 <sup>nd</sup> St
<i>Guino F. Nygel</i> 1663 2 <sup>nd</sup> Ave	<i>Samuel Shuman</i> 1675 2 <sup>nd</sup> St
<i>W. B. McCarroll</i> 1665 - 2 <sup>nd</sup> Ave	
<i>Ch. F. Tietjen</i> 1661 2 <sup>nd</sup> Ave	<i>Edw. Musier</i> 165 E. 86 <sup>th</sup> St

*Louis W. Schultz,*

CORONER, E. S.

New York,

1892

No

Established 1808.

Fine Business Wagons  
to Order a Specialty.

TRADE MARK.

To R. G. GREEN, Jr.

(Successor to NEWKIRK & GREEN),

Carriage & Wagon Manufacturer,

148 & 150 E. 129th St. bet. 3d & Lex. Aves.

Court of Special Sessions

{ The People of the State of New York  
against  
Henry C. Turner }

To Hon. Rufus B. Bowring  
I Richard G. Green Do hereby certify  
that I have been engaged in the business of  
carriage and wagon making for the past  
twenty one years at 148 & 150 East 129th St City  
of New York

I have known Henry C. Turner the  
father of the defendant for ~~ten~~ <sup>over</sup> twenty years.  
He has been foreman of my Paint Shop  
since I have had the same under my charge.  
I found him steady, sober, industrious and  
law abiding, and a skillful workman.  
This I give freely, and of my own personal  
knowledge of his character.

Hoping for his sake you will be as  
lenient as possible with the boy.

New York, May 9<sup>th</sup> 1892 Richard G. Green  
148 & 150 East 129th  
City.

0680

POOR QUALITY  
ORIGINAL

STATE OF NEW YORK,

927

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION

Taken at the

No.

Street, in the

Ward of the City of

New York, in the County of New York, this

day of

in the year of our Lord one thousand eight hundred and ninety-

before

LOUIS W. SCHULTZE, Coroner,

of the City and County aforesaid, on view of the body of

now lying dead at

Upon the Oaths and Affirmations of

good and lawful men of the State of New York, duly chosen and sworn, or affirmed, and charged to inquire, on behalf of said people, how and in what manner the said

came to h death, do upon

their Oaths and Affirmations, say: That the said

came to h death by

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition set our hands and seals, on the day and place aforesaid.

JURORS.

*Louis W. Schultze*, Coroner. T. S.

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POOR QUALITY  
ORIGINAL

## TESTIMONY.

Autopsy revealed numerous superficial abrasions over  
nose & forehead - extravasation of blood into tissues cover-  
ing occipital bone & into left temporal muscle - congestion  
of the lungs with considerably watery fluid in air cells -  
& congestion of other internal organs. No fracture  
of skull or cerebral hemorrhage.

Sworn to before me,  
this

day of

Lucas W. Schuler

189

CORONER.

0682

POOR QUALITY  
ORIGINAL

TESTIMONY.

*Geo. P. Biggs* M. D., being duly sworn, says:  
I have made an autopsy of the body of  
an unknown man now lying dead at  
*Morgue* and from such autopsy  
and history of the case, as per testimony, I am of opinion the cause of  
death is

*Asphyxia by drowning*

*Geo. P. Biggs* M. D.

Sworn to before me,  
this *5th* day of *January* 189 *2*  
*Wm. H. Schuch* CORONER.

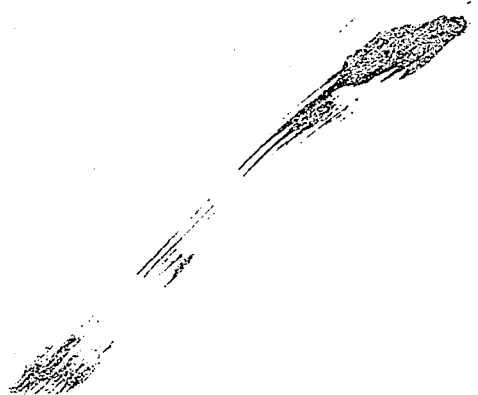
POOR QUALITY ORIGINAL

0683  
HARRY M. SHAW MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
about 30 Years	Months	Days	(S)	Morgan	Jan'y 1972

from 29<sup>th</sup> Pch.

Don't report 29<sup>th</sup> Pch. either



L. W. S.

Mr. \_\_\_\_\_

Jan. 189

AN INQUISITION

On the VIEW of the BODY of ~~the~~

~~Matthew W. Shaw~~  
Harry M. Shaw

whereby it is found that he came to death by

On the 6<sup>th</sup> day of Jan 189 before  
LOUIS W. SCHULTZ, Coroner.

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POOR QUALITY  
ORIGINAL

Department of Public Charities and Correction  
Bellevue Hospital,  
WARDENS' OFFICE.

Wm. B. O'Rourke  
Warden.

New York, Jan 6 1891

10<sup>30</sup> Jan 6 1891

The body of the man who was found at  
129 St<sup>h</sup> Harlem River

was recg as that of Henry McShane  
age 33. Albany. ~~2~~ 7 months N.Y. city  
moulder by trade single and lived at  
236 E 97 St

recg by cousin Thomas McShane  
1885 2<sup>d</sup> ave

Father } Henry born in Ireland  
Mother } Margaret

0685

POOR QUALITY  
ORIGINAL

District Attorneys Office.  
City & County of  
New York.

People

v

Henry R. Turner

Witnesses:

John A. Campbell, 112 Ave. Street, Manhattan

George Campbell, " " "

Officer James B. Hall, 29<sup>th</sup> Precinct.

Frederick J. Hall

George B. Briggs, M.D., Coroner's office.

True

B.178, 2 C.

Coroners Office, New York County.

In the Matter of the Inquest  
into the death

- of -

HENRY McSHANE.

Before

HON. LOUIS W. SCHULTZE,  
and a Jury.

New York, January 6th, 1892.

JOHN A. CAMPBELL, duly sworn:-

I live in Holme Street, Morrisania. I was returning from a reception with a party about two o'clock. We went up Second Avenue towards the Bridge at 126th Street; I stopped to say good night to a friend for perhaps five minutes and the rest of the party advanced about 150 yards ahead of me; I started up the Avenue then and when about 75 or 100 feet from the bridge I noticed two persons lying on the ground against the fence at the foot of the steps; when I came closer the young lady that I was with wanted to know what it was; I couldn't make it out at first and I seen after that one man lying on top of another when within twenty-five feet of him the man on top turned his face towards me and rummaged in the man's clothing and went under the steps; the young lady asked me what it was and I said I thought it was a robbery and then the young lady got frightened and run up the steps; I then looked at the outside of the steps, I didn't see him in the street; He went to the sidewalk side of the stairs and turned his face towards me; I looked at him, took a good look at him for ten seconds, the other man, his face was covered with blood and his clothes open.

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POOR QUALITY  
ORIGINAL

when I went to him I heard a murmur or groan; I went up the steps; the party ahead of me were blocked by the bridge being opened and when I came to it we began talking about it and while we were talking we heard an indistinct cry like police and we continued talking about it and in a short time the man that I seen lying on top of the other man came running towards us; when he got close to us he said, "For Christ's sake come back and help to get a man out of the water"; the ladies did not let us go; the man went down the steps ahead of me to the string piece and he pointed to where the man went in, it was right adjoining the mason work of the bridge; he told me look where his head was but I didn't see it; I saw a small object there but it did not appear to me to be a body. There was a lot of saw dust and stuff there. I said he had better get a policeman. I said he had better get a policeman or he would get in trouble; then he went and rejoined my party at the south end of the draw; I met a man on the bridge; I told him about it; he made some remark about taking out five men already out of the water; I then turned around to my brother and Mr. Fisher and I began to talk to them about it; and a man came with a lantern; the man held the lantern over the water and we saw nothing and just then the policeman came up and asked whether there was any proof about the man being in the water; I told him yes; I asked him who it was that told him; I gave a description of the man, and he said yes, I told the officer he had ~~been~~ better arrest the man as quick as possible, he could probably tell him something about it. He then turned and went after him and he presently came back

leading this man and another officer in the back of him; and we looked over the string-piece and we saw a coat lying on top of the water. The officer that made the arrest he took a piece of gas pipe and tried to reach the body and he was too short; he then went for a boat. I then told the officer what I seen and gave him my card and the next day two detectives called on me.

BY MR. LYNN:-

Q Did you recognize the person you saw that night on top of the deceased? A. Yes.

Q Is he in Court here? A. Yes.

Q Is this the man here? A. Yes.

Q That you are sure of? A. Yes, sir; I had a good look at him.

Q Is that the man you saw on top of the other man fumbling with his clothes? A. Yes.

Q He was up on the bridge when your party was there?  
A. Yes, sir.

Q The same man that said "For Christ's sake come back," there is a man in the water? A. Yes.

Q Did you see him when the officer brought him back?

A. Yes, sir; then the officer said if this was the man; he said yes, I am the man, I told you that the man had fallen overboard; then we went right towards the string-piece; he didn't say how he fell over or anything to my knowledge.

Q He didn't say anything about his attempt to rob him at that time? A. No, sir; the prisoner did not.

Q Did he say anything at that time that the man had fallen overboard; had assaulted him? A. No, sir.

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**POOR QUALITY  
ORIGINAL**

Q Did he say he assaulted the deceased, the drowned man?

A. No, sir.

Q Who was the blood on when you saw him, the missing man?

A. The missing man.

Q The other man you saw covered with blood? A. Yes, so much so that I thought he had a beard.

Q Where were the two men when you first saw them? A. Lying against the fence at the foot of the steps.

Q They go up in platforms, those steps? A. Yes.

Q They lead across from this side of the Harlem River to the foot bridge of the Harlem River? A. Yes, sir.

Q No trucks go there? A. No, sir. Only the elevated road and foot passengers.

Q The bridge was open when you got up to join your friends? A. Yes, sir.

Q When the bridge was closed the defendant came up? A. Yes, sir.

Q Do you know whether he came up hurriedly or not? A. Yes.

Q He was compelled to stay with you because the bridge was closed? A. Yes.

Q You looked at him, didn't you? A. Yes.

Q How many seconds or minutes elapsed before he made this exclamation, was it some little while? A. While he was advancing, he advanced half way to the end of the bridge and the draw before he spoke, he addressed this remark to the crowd.

Q At the time you saw him could he see your face?

A. That I don't know, my face may have been in the shadow, but I saw his face very well.

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**POOR QUALITY  
ORIGINAL**

Q Was he dressed like he is now or dressed differently?

A. He appeared to be dressed as well as now, I think he had a short sack coat on.

Q What was his appearance when you saw him? A. He appeared to me as going to straightening his clothes.

Q Was the man making any efforts of resistance? A. No, sir; he seemed to be unconscious, in a sort of stupor; the man's shirt was open and his vest appeared to be open and I am quite sure I could see his skin right through.

Q You mean while he was prostrated? A. Most of his body was lying on the other man's body.

Q That was close to the fence? A. The man that was lying on the ground had his back to the fence.

Q How far from the river? A. About 25 feet.

Q To the string-piece? A. Yes, sir.

Q You saw this defendant jump under the stairs when you approached first? A. Yes, sir.

Q Leaving the man still there? A. Yes, sir.

Q Did you notice whether the prostrate man moved after this defendant left him? A. I didn't notice.

Q But the defendant came under the stairs? A. Yes, sir; the same stairs I was standing on.

Q You looked over the side? A. Over the street side to see where he had gone; I didn't see him then, then I went to the sidewalk side and I saw him come out and looked up at me, he turned his face right up and looked at me; I said nothing and he said nothing.

Q Then you went up stairs; how long a time elapsed from the time you started up stairs until this defendant came up and told

you there was a man in the river? A. Probably four or five minutes.

Q It was a loss of time for the defendant to have gone back to the prostrate man was it not? A. Yes, sir; I saw him go back as I stood on the stairs looking at him, he went to the man again, and I heard those murmurs or groans; and then I went up stairs.

BY COUNSEL:FOR PRISONER:-

Q How far ahead had your party gone? A. About one hundred or one hundred and fifty yards.

Q Ahead of you? A. Yes, sir.

Q How far away were you from these two men when you first saw them? A. Probably 75 feet or 100.

Q You say this boy was lying on top of the man? A. Yes, sir.

Q Did you see them struggling? A. Yes, sir.

Q ~~xxxx~~ At the distance of 75 feet you could see him going through his clothes? A. He was lying on the other man and I got closer, I saw him going through his clothing.

Q On the man's breast?

Q How near had you got when the boy got up from there?  
A. I should say under twenty feet.

Q He ran under the steps? A. Yes, sir.

Q When you saw him going through his pockets as you say you were about 75 feet away? A. No, sir; that is when I saw him lying on the other man, and when I saw him fumbling around his clothes about twenty feet away, I saw his hands on his person; he left the man when I was about twenty feet from him.

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**POOR QUALITY  
ORIGINAL**

Q Did you make any effort to stop him? A. No, sir.

Q You passed right up stairs? A. I passed up stairs when the man left.

Q Did you go straight up on the bridge? A. No, sir; I went up the stairs about 10 or 12 steps; I didn't see him when I looked on that side and I looked over the sidewalk side of the railing, and he looked up at me.

Q Did you hear any exclamation from the man while the boy was lying on top of him? A. No, sir.

Q You heard no murmur at all? A. No, sir.

Q How long were you on the bridge before you saw the boy come out again? A. I was standing on the bridge talking about it three or four minutes.

Q Where were you standing? A. Near the gate.

Q How far out on the bridge is that? A. Probably 100 or -- probably 100 feet from the stairs.

Q The distance of about 100 feet you saw the boy come out from under the stairs and come back to the man? A. No, sir; I saw him go out and return to the man while I was standing on the steps, from the 12 steps - probably twelve steps high.

Q Was not the man trying to rise then? A. No, sir; he was apparently unconscious.

Q You said he groaned? A. I heard a sound that I supposed to be a groan, from the man on the walk, the boy tried to close it, it appeared to me - he was stooping over the man; I was about twelve steps up.

Q You could see the boy whose back was to you stooping over the man who was trying to close up his coat at that distance?

A. Yes, sir.

Q Could you see the boy's face? A. When he came out from under the steps I did; when he came out he looked at me and then return<sup>ed</sup> to the man; his back was towards me when he was on the man.

Q He was between you and the man? A. Yes, sir.

Q You could see through his back?

Objected to.

Q Was the rest of your party on the bridge? A. The whole party, my brother, Mr. Fisher, and another young lady came up about two or three hundred yards in the back of me; they had not reached the scene until I came back the second time.

Q What time elapsed when you first saw the man and boy together when the boy came running up to you on the bridge? A. When I first saw the two together I was 75 feet away from them; from that time when I first saw them it was probably six or seven minutes.

Q Were there some other gentlemen with you on the bridge?

A. One other gentleman.

Q You made no effort to go down and stop this boy?

A. No, sir.

Q What did the boy say when he came towards you? A. "For Christ's sake come and help take the man out of the water;" his first expression was "For Christ's sake", I know that.

Q Did you go back to him? A. The ladies didn't want me to go back; there were only two gentlemen and five ladies.

Q Did you go back finally? A. Yes, sir.

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**POOR QUALITY  
ORIGINAL**

Q What did you do? A. When I left the party I walked down rapidly and when I got down I found him on the string -piece, he made no effort to run away.

Q What did he say when you got down to the water? A. He showed me where the man was overboard and tried to call my attention to a man's hat.

Q Did you not notice a pool of water at the end of the pier? A. No, sir.

Q Did you tell the boy to go for a policeman? A. I said, he had better go for an officer.

Q And he went? A. Not until I told him the second time; I turned and told him to go for an officer the second time.

Q You did not follow him? A. No, sir.

Q Then where did you go? A. Over the steps to the bridge, we went towards the middle of the bridge at the south end of the draw, I met this man in uniform and I told him about it.

Q When did you see the policeman? A. When I told the bridge man, we all went down, the bridge man swung his lantern over and he was about to leave when the officer came up.

Q What officer was it? A. Officer Platt.

Q The boy didn't come back with the policeman? A. I told the officer to go for the boy; he said this man was down at the corner.

Q What corner? A. I don't know what corner he meant.

Q You did not accompany the officer? A. No, sir.

Q How long was it before the officer came back? A. Probably two minutes, after I told him to arrest the boy he went back.

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**POOR QUALITY  
ORIGINAL**

Q Did the officer bring the boy back? A. He brought the boy back, an officer came up directly after him then we could see this ~~xxx~~ object floating in the water; I left before the body was taken out of the water; the officer picked up a piece of gas pipe and tried to reach the body; a steamer went through the bridge and that probably started the body floating down the stream.

Q Did you notice these bruises on the boy's face? A. I didn't notice it, it was dark.

Q What time in the morning did you go to the station house?

A. I came to the station house the next evening, half past five.

Q Whom did you see? A. I saw Detectives Price and Mott.

Q Was your statement taken down there? A. Not to my knowledge.

Q Did you hear the boy's statement? A. I didn't hear it, there was a written statement read off to me, implicating two other men after that I made my statement to the captain and to the detective.

Q Was it taken down in writing? A. I believe so.

Q You did not hear the second statement? A. I heard this man make a statement that he alone did it, I heard that.

Q Who took down that statement? A. I didn't see it taken down.

Q You don't know the exact words of it? A. I can come pretty near them, after he was questioned he contradicted himself several times; he said, "I will give it to you straight, I did the job alone, and I am the only one to blame;" the captain said you had

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better make a clean breast of it.

Q Didn't the captain tell <sup>him</sup> ~~you~~ that you and Mr. Fisher had already made a statement and had seen the occurrence and he had better confess? A. Not to my knowledge he didn't say that he had any statement from me; he made the remark he hadn't witnesses there whose statement would be taken 100 per cent. more than his statement.

Q Didn't the boy state that the man slipped and let go his hold? A. He said let go of his hold and fell, that is what this man said.

-----oOo-----

GEORGE CAMPBELL, duly sworn:-

On the morning of January 1st, I was one of the same party. I followed my brother about two blocks; we went up Second Avenue to 129th Street; we walked up the stairway and on top off the stairs I met my brother and the lady returning with the bridge tender, we ran down and looked into the water and were about to return when the officer came up, and said, if it was true that a man had fallen overboard. My brother asked him who told him, a little man down the corner there. My brother said he had better take the little fellow; Officer Platt wanted to take my brother's address; he went back and brought the little man two minutes afterwards; he said, is this the man you saw; he said yes, the little man said, "Certainly I am".

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POOR QUALITY  
ORIGINAL

We all looked over the string piece and saw what was apparently a body, some said it was not. The officer took up a piece of pipe about twenty-five feet long and tried to reach the body and couldn't reach it. He said he would get a boat and bring the body in; Officer Platt asked my brother for his card; he gave it to him and we returned home; that is all I know about it.

BY MR. LYNN:-

Q Were you present in the station house any time subsequent when the defendant made any statement? A. Yes.

Q What did he say? A. I heard him say he told a story implicating two other men.

Q Tell that story, tell us what he told about those two other men? A. He said he was standing on the stairway and saw two men assault this man on the opposite side of the street, 2nd Avenue and 129th Street; they knocked him down and followed him to the east side and assaulted him again and he heard one say to go through his clothes which he did and there was a struggle then and one of them either let the man fall in the water or pushed him in; he said he was standing on the stairs; my brother said he was ~~not~~ not; my brother contradicted him. The defendant found he was caught; he acknowledged he was the only one and he told another story and said those two men were not there, that he did it himself.

Q What did he say he did himself? A. He said he was standing on the west side of 2nd Avenue and 129th Street when this drunken man came along and he put out his foot to try and trip him; he said he did that to make the man do that, he assaulted him and dragged him over on the east side near the elevated stairs and he went through his clothes; he said he didn't get anything

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and after that the man rose to his feet and they had a scrap and they struggled over to the string piece and the man fell in; he said he tried to save the man, he couldn't; as the man was <sup>catch</sup> going there he attempted to ~~xxxx~~ his clothes but he couldn't.

BY COUNSEL:-

Q You didn't see a ny of this occurrence yourself?

A. No, sir.

Q What time was it in the morning, the next morning, in the station house, when you came back? A. I didn't go back, it was in the afternoon.

Q What time in the afternoon? A. About half past five o'clock.

Q Can you give the exact language that this boy used in making the statement, as near as you can recollect? A. I have just told you.

Q He met the man on the west side of the street and assaulted him? A. Yes, sir.

Q He dragged him right across the street? A. Yes, sir.

Q Second Avenue is how wide there? A. About 50 or 60 feet.

Q Did you see the body of this man after it was taken out of the water? A. I did.

Q How tall was the man? A. I should say about five feet eight or nine.

Q What was his weight? A. About 160.

Q And his age? A. About 35 or 40.

Q Didn't the boy say then that in the quarrel the mans foot

slipped in the water at the end of the dock and he fell over?

A. No, sir; he didn't say anything about that.

Q He said the man slipped and fell over? A. He tried to hold him.

Q Are you quite sure the boy used the expression he followed the man with the intention of robbing him? A. I am quite sure of that.

Q He dragged him across the street? A. As near as I can remember; he said they had a scarp on one side and then went on the other side and had another one.

Q Did it strike you as a physical possibility that he could drag the man across the street? A. I think he could.

-----oOo-----

OFFICER CASPER PLATT, duly sworn:-

I am attached to the 29th Precinct. About 20 or 25 minutes past two on the morning of January 1st I was coming up from the ice dock and tried my doors, when I got to the corner liquor store I tried the door handle, I heard somebody running, who was it but the prisoner going up there and told me that there had been a man had fallen overboard. I ran down the dock and I inquired whether there was any truth in it; I a kind of doubted him; so Mr. Campbell whom I found out later on was his name, he had seen the young man leaning over a man near the pier. He gave me the description, smooth face, low sized young man;

he said, you had better arrest him if you can get him; I returned and found him in the corner liquor store; I told him to come out and assist me in taking the body out of the water; he told me he was a witness, that "Rick" Dooly and "Pop" Reilly had robbed this man; they went through his clothes; I went to the dock and before I arrested him - I had before that rapped for my side partner, and we couldn't reach the body with a gas pipe I had there; we went to Armour's beef place and with the assistance of the man that sleeps over there we secured the body and after it was secured I returned to the station house; I asked him where he got that scratch, he had blood on his hands and also on his shirt front; he says he got into a scrap on First Avenue.

Q Had he marks on his neck that night? A. I didn't see any marks on his neck; right here on his throat he had a scratch.

Q Any bruises on his face? A. I didn't notice any other.

Q He said he got it in a scrap on 1st Avenue? A. Yes, sir.

Q Did he subsequently make any statement to you or did you hear any in the station house? A. No, sir.

Q You were not present when he went in? A. No, sir.

Q Were you standing in the shadow of the liquor store?

A. Inside the storm door, trying the door.

Q And while you were in there this defendant ran in there?

A. He ran right in there.

Q Could he have known of your presence in that storm door? his running down Second Avenue? A. He could not.

Q He was simply running for the liquor store and not after an officer? A. I don't think so, he ran into me and I had the liquor store door partly open.

Q He almost touched your body running in? A. Yes.

Q Coming quickly? A. Yes.

Q You recognized who he was? A. Yes.

Q What was his first statement? A. He said, "Platt, there is a man went overboard."

Q He didn't come back with you? A. No, sir.

Q Didn't come back with you? A. No, sir.

Q Simply said there was a man overboard? A. Yes.

Q You doubting it somewhat you did go up though? A. Yes.

Q You went up the street? A. Yes.

Q That is how far - a block and a half? A. A little over a block, about a block and a half, that is to the river.

Q And during all the time that you left that corner to go up and find out and to see Mr. Campbell and look in the water the defendant was still in that saloon? A. Yes, sir; he was there when I came back.

Q Dooly and Reilly told you were the ones that he saw robbed him? A. Yes, sir.

Q He didn't say he had any part in it? A. No, sir; that Dooly and Reilly had robbed him.

Q Did he tell you where Dooly and Reilly had gone to?

A. Yes, sir; he told me I might find them at Third Avenue and 29th Street.

Q Did you go up there? A. No, sir; I took him to the station house.

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POOR QUALITY  
ORIGINAL

Q Did he make any other statement that night? A. no, not to me.

Q Did you get the body out of the water? A. Yes, sir, there were bruises on it.

Q State how it looked? A. They had bruises in the face, it looked as if it was pounded.

Q You secured that body within how many minutes after he told you the man had fallen overboard? A. After the man had fallen overboard I should judge about 10 minutes; because it floated around the pier and under the bridge.

Q You got it within 10 minutes anyhow? A. Yes, sir; I was not present when it was lifted out of the water.

Q Were you in the station-house, when he made any statements?

A Nothing more than what I have told you about it.

Q Did he repeat the Dooly and Reilly incident in the station house?

A Yes, sir, at the desk.

Q He told the sergeant? A. Yes.

Q Substantially the same? A. Yes, sir; about Reilly & Dooley.

Q He was locked down? A. Taken in the back room.

Q You were not there when he made contradictory statements?

A No, sir.

By Counsel:

Q Where is that storm-door? A. About 20 feet from the corner, the family entrance.

Q You were inside of that? A. Yes, sir.

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POOR QUALITY  
ORIGINAL

Q You were inside of that? A. Yes sir,

Q He came into the saloon there that family entrance?

A Ye, sir,

Q What did he say? A. He said, "Platt" a man fell overboard,

Q What did you do? A. I went right down to the dock -- I went right down to the dock.

Q You did not think the circumstances were suspicious enough to take him along? A. I doubted his words; I thought maybe he wanted to get away; I thought it would be wise to go and try to save the body; he didn't tell me at that time that he had committed anything.

Q Didn't you say to him go and get him out yourself?"

A No, sir; I did nothing of the kind.

Q You did not? A. No, sir; I went down there to prove whether there was a man that went overboard and Mr. Campbell told me there was a young man stooping over the body and he described him and I went and arrested him.

Q The Street ends in the water there? A. Yes.

Q There is no railing there? A. No, sir.

Q Ends abruptly in the water? A. There is a string-piece there.

Q Is it not a fact there is a pool of water at that end of the dock there where men urinate? A. Yes, sir; there is a place there where they urinate.

Q What was the appearance of this man as to size? A. About 5 feet 7 or 8 inches.

Q Nine inches? A. No, sir; I don't think he was as tall as that.

0704

POOR QUALITY  
ORIGINAL

Q And weighed ? A. 160 or 70.

Q The bruises on his face that you describe as if his face was pounded could'nt that have been caused by striking against the spiles? A. I could'nt say.

Q Where were these bruises? A. I could'nt exactly say, one was under the jaw, one eye was pretty well closed up.

Q On the forehead? A. On the forehead I could'nt say.

Q You went back and got the prisoner -out of the saloon?

A Yes.

Q He made no resistance? A. No, sir.

Q Did'nt you ask him are not "Pop" Reilly concerned in this thing? A. No, sir; he told me that voluntarily; he said I am a witness.

Q Was there anything found on the man? A. I found a comb and a brush.

Q Anything found on Turner? A. No, sir; except a harmonica.

Q Who picked the man up out of the river? A. Officer Bowton and Coleman, in the Beef-house.

Q Was there not another body found in the same place the next day? A. No, sir; but I heard somebody had fallen overboard.

Q You consider that a dangerous place, do you not? A. No, I don't, it is of course a dark night, a man not being sober might fall over.

Q Have there not been cases of men where men fell overboard?

A Several cases.

Q Lately? A. No, sir; not lately.

-----0000-----

0705

POOR QUALITY  
ORIGINAL

OFFICER FREDERICK J. MOTT, duly sworn:-

I am attached to the 29th Precinct. On New Years evening about 10 o'clock the captain brought Turner out and after telling him his rights that anything he might say would be used against him and after that if he wanted to make any statement he could. He stated on the morning in question he was on his way up 2nd Avenue when this unknown man or McShane, fell over him and he struck him.

Q Who struck him? A. The defendant struck McShane; he fell down, he afterwards got up and staggered near the steps where he struck him again and went down and he then started to go through him for the purpose of robbing him when Campbell came along and he ran under the steps, he came out and was in the act of succeeding when he got to the edge of the string-piece and he broke his hold and he went into the water. He started over the bridge to make his escape and he met a party Mr. Campbell and his brother, and then told him "For Christ's sake to come and get a man out of the river;" they came back and he told Mr. Platt he was a witness in the case and he said he was there after that party when he fell overboard, and there was blood on his shirt; there was a mark here, the defendant had a scratch on his throat and a mark here.

Q Did you hear that story that was told by the officer there?

A Yes.

Q About Dooley & Reilly? A. Yes, sir; I was in the station house until half past 2; he said he was on his way home, as he got up 2nd Avenue the deceased was on the southwest corner and Reilly and Dooley, and another person came cat-cornered across

the street, and he fell down, and Riley hit him after he was down. They dragged him over the string piece and Dooley said to Riley "Go through him", and they went to go through him, and afterwards dragged him to the striggpiece and sat him on the side, and he then heard a splash, and when I seen Dooley and Riley running away he said that is all he knew.

Q. Did you ask him why he told the second story- when he told that story about Dooley and Riley? A. He said he wanted to square himself. He stated first he got blood on his shirt on Third Avenue and the officer on the post there denied it, and said he didn't see him at all. He said the officer on post there had "fanned him away", as he called it, but the officer denied it, he didn't see him at all.

BY COUNSEL.

Q. These marks were blood marks? A. Yes.

Q. Is it not a fact that Dooley and Riley are hard characters? A. Yes, sir.

Q. Didn't you suspect them from the start? A. On the statement of the defendant here, he stated he was on First Avenue and got his ~~marks~~ marks there, and the officer could verify that; my partner and myself went out looking for Riley

Q. Before he made any statement didn't you tell him Dooley and Riley - A. No, sir.

Q. Didn't you ask him to make a clean breast of it? and tell that they had committed the crime? A. I asked him how this trouble happened; he said he was on his way home-

Q. Did you take down the exact words of the defendant as he made the second statement? A. Yes, the Captain did.

Q Did the defendant sign it? A. No, sir.

Q And the paper that Mr. Lynn has in his hand, is that the statement? A. Yes.

Q Is it in the Captain's hand writing? A. Yes.

Q The witnesses are supposed to be yourself - and who else? A. Seargent Hobron.

Q The defendant had not signed the statement at all?

A. No, sir.

Q When was this statement written? A. About nine o'clock New Year's evening.

Q And the prisoner made a statement about half past three or four? A. He made a statement and swore to it.

Q I mean the second statement? A. The second statement is the statement here; these other people had nothing to do with it whatever.

Q Didn't the defendant claim that a man had fallen from the end of the pier? A. When he struck him he had him by the left arm and broke his hold.

The Coroner reads the medical testimony.

-----oOo-----

DOCTOR JOHN HUSSON, sworn:

I examined the defendant yesterday; I made a superficial physical examination. I stripped him down to the waist; before I stripped him I found what you might call the prints of finger nails on the right side of his throat, and found a lump about the size of a good-sized bean under his

right eye; if it was caused by a blow or anything like that, I suppose it would have gone away; on the fourth rib on the left side I found one spot pretty sore; I diagnosed it as a  
and fracture of the fourth rib; I may possibly be mistaken, but he was very sore on that spot. I examined him in the tombs. He complained about nothing until I struck this spot.

By Counsel:-

Q You examined him at my request? A. Yes.

Q Under a permit from the District Attorney? A. Yes.

Q What did the defendant state, if anything, about this fracture of the fourth rib?

Objected to.

A. He had an injury on the chin, where the man kicked him, but it was mostly all gone away. I made a superficial examination of the man at the morgue yesterday afternoon after the post-mortem had been held, and all I could see he had a number of superficial contusions on the side, five or six of them; it looks like as if the fellow had hit his head on some rocks or on a pile; that man was about five eight or five ten, and weighed about 165 or 170. The contusions I saw on the face could not have been produced by the kicks in the face; I never saw a toe of a sharp shoe make a mark of that kind.

-----oOo-----

0709

**POOR QUALITY  
ORIGINAL**

Verdict: We find that the unknown man, subsequently identified as Henry McShane, came to his death from asphixia by drowning, on the morning of January 1st, 1892, in the Harlem River, at Second Avenue and 129th Street, and we hold the prisoner, Henry C. Turner, to await the action of the Grand Jury for being instrumental in causing the death of the deceased.

-----oOo-----

(455)

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Henry R. Sumner*

The Grand Jury of the City and County of New York, by this indictment accuse *Henry R. Sumner*

of the crime of *Murder in the 2nd degree,*

committed as follows:

The said *Henry R. Sumner,*

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

*21st* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two*, — at the City and County aforesaid,

*in and upon a certain man whose name is to the Grand Jury aforesaid as yet unknown, feloniously did make an assault, and diverse goods, chattels and personal property of a kind and description to the Grand Jury aforesaid unknown, of the value of ten dollars, of the goods, chattels and personal property of the said man, from the person of the said man, against the will and by violence to the person of the said man, then and*

there violently and feloniously did attempt  
to rob, steal, take and carry away and  
thereby the said Henry P. Turner did  
then and there attempt feloniously to  
commit the felony of robbery in  
the second degree.

And the said Henry P. Turner,  
then and there, and whilst engaged in  
the said attempt to commit the said  
felony and robbery, willfully and  
feloniously did push, cast and throw  
the said man ~~from a certain bridge~~  
~~there, causing the waters of~~  
~~the said river, into the waters of~~  
the said Hudson River, by reason of  
which said casting and throwing of the  
said man into the waters of aforesaid, the  
said man, in the said Hudson River,  
by the waters of aforesaid, was then and  
there crushed, suffocated and drowned,  
of which said crushing, suffocating and  
drowning the said man then and there  
died. - And as the Grand Jury of aforesaid do say:  
That the said Henry P. Turner, the said man,  
in the manner and form and by the means  
of aforesaid, willfully, feloniously and whilst  
engaged in the said attempt to commit the  
said felony and robbery, did kill and  
murder, against the form of the Statute.

in such case made and provided, and  
(518)  
against the peace of the People of the  
State of Georgia, and their dignity.

Second COUNT.

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

— Henry R. Turner —

of the <sup>name</sup> CRIME OF Murder in the first degree, —

committed as follows:

The said Henry R. Turner,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year  
aforesaid, at the City and County aforesaid, in and upon a certain  
man whose name is to the Grand Jury  
aforesaid as yet unknown, <sup>to wit</sup> did make an assault, with intent to  
commit a felony, to wit: with intent  
divers goods, chattels and personal property.  
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aforesaid unknown, of the value of ten dollars,  
of the goods, chattels and personal property  
of the said man, from the person of the said  
man, against the will and by violence to the  
person of the said man, then and there violently  
and feloniously to rob, steal, take and carry  
away; and thereby the said Henry R. Turner  
did then and there feloniously commit the  
felony of assault in the second degree.

And the said Henry R. Turner, then  
and there, and whilst engaged in the  
commission of the said felony and assault  
in the second degree, willfully and feloniously  
did push, cast and throw the said man  
~~from a certain bridge over, passing the~~  
~~water across the said river, into~~  
the waters of the said Hudson River, by  
reason of which said casting and throwing  
of the said man into the waters aforesaid,  
the said man, in the said Hudson River,  
by the waters aforesaid, was then and  
there struck, suffocated and drowned,  
of which said striking, suffocating and  
drowning, the said man then and there  
died. — And as the Grand Jury aforesaid  
do say, that the said Henry R. Turner,  
the said man, in the manner and form,  
and by the means aforesaid, willfully,  
feloniously and whilst engaged in the  
said felony and assault in the second  
degree, did kill and murder, against the  
form of the Statute in such case  
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aforesaid as yet unknown, willfully,  
feloniously and of his malice  
aforethought did make an assault,  
and then and there willfully, feloniously  
and of his malice aforethought, did  
push, cast and throw the said man  
~~from a bridge over the~~  
~~waters of the said Hardem River,~~  
the waters of the said Hardem River,  
by reason of which said casting and  
throwing of the said man into the waters  
aforesaid, the said man, in the said Hardem  
River, by the waters aforesaid, was then  
and there strangled, suffocated and drowned.

0715

POOR QUALITY  
ORIGINAL

of which said poisoning, suffocation and  
drowning the said man then and there  
died. — And as the Respondents have agreed  
to say, that the said Henry R. Turner,  
the said man, in the manner and form,  
and by the means aforesaid, willfully,  
deliberately and of his malice aforethought,  
did kill and murder, against the form  
of the Statute in such case made and  
provided, and against the peace of the  
People of the State of Kentucky, and their  
legitimacy

D. S. Dancy, Nicoll,

District Attorney.

0716

**BOX:**

473

**FOLDER:**

4337

**DESCRIPTION:**

Turner, George W.

**DATE:**

03/18/92



4337

Thos. T. Gray  
Edward Brady

Barbed Marisch 1897

54 Charles Murphy  
196 Duway

On no of drak  
Vaccen type  
to Vaccin  
and April 15/92  
88

Accepted for trial 1/20/28 103

**Counsel,**

Filed

el, 18 day of March 1892

Pleads, defence stands mute  
 please Mr. Justice return by order  
 of Court with date till April 1915

THE PEOPLE in defence of

**vs.**

George W. Turner

DE LANCEY NICOLL,

*District Attorney.*

~~A THREE BILL~~

*Foreman.*

April 25. 1897  
Indictment dismissed  
(see within)

In reply to the  
State agent of the  
Refugees and  
his Spec. Comm.  
a copy of which is annexed  
the inclosure and after  
considering the letter  
from the Hon. Sec. St.  
to. which is also annexed  
I recommended that the  
incident be reviewed  
Deaneys will  
accept a copy

A. No Forgiving  
No more danger of  
disturbances the  
peace needs no more

**POOR QUALITY  
ORIGINAL**

0718

POOR QUALITY  
ORIGINALBroughton Evidence in Case No. 103  
97 SecIs What You Get,  
Not What You Pay.Order Want Adlets  
Reach a Better Class,  
Advertisers Themselves Say So.

Half-Rate Coupon on Page 5.

L. ILL. NO. 389.

ORDER PRIZE PORTRAITS.  
No. 14.

RECORDER will publish every day in this until the end of the series of 254 reached a full-hill "portrait" made of the features of two own national characters. Each subject's face is divided, vertically, and the two portions at different times. THE RECORDER will

**GOLD DOUBLE EAGLE**  
Each person who correctly pieces and names the number of the twenty-two portraits, and

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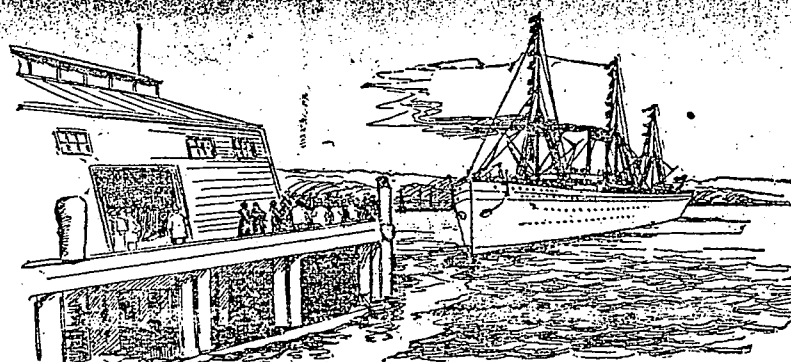
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## The New Era

THE HOME NEWSPAPER

WEDNESDAY, MO.

SAILING OF THE MISSOURI  
(Third Page, Sixth Column.)

FRUITS OF LABOR

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0719

POOR QUALITY  
ORIGINAL

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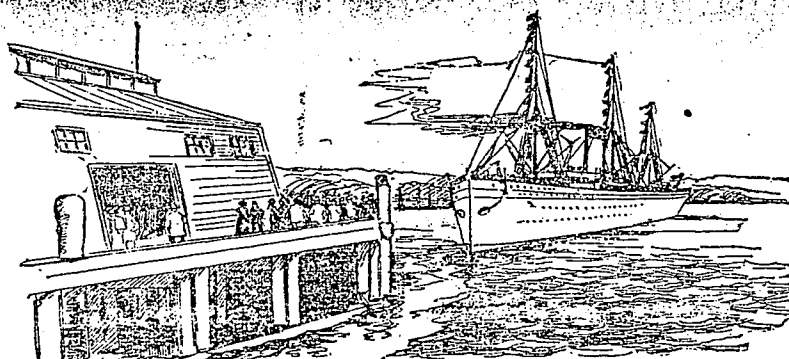
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THE PEOPLE                    )  
                              )  
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                              )  
GEORGE W. TURNER,         )  
                              )

BRIEF on MOTION to dismiss  
INDICTMENT.

The code already cited on argument speaks of complainant on libel, and by mentioning a complainant means the one who is embraced by description in the Code as one who complains before a Magistrate preliminarily. There cannot be a "complainant" quoad complainant before a Grand Jury. This body is complainant solely.

See S. 171 of Wharton's Cr. Pl., viz: "The attaching of one of the original printed papers to the indictment in place of inserting a copy is not sufficient indication that the paper is set out in very words.

To same effect, Wharton on Crimes, Sec. 736, where some counterfeit bills taken from the plate seized were sewn on the indictment

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**POOR QUALITY  
ORIGINAL**

Here paste which decays takes the place of sewing.

The reason of the rule is obvious. An indictment is a written or printed entirety. It must be presented as an intact arraignment. The indictment already shows a peeling of the pasted portion. A defendant as well as the People are not to be exposed to the danger of spoliation ab initio. Not being a valid indictment no plea can be given.

A. Oakey Hall,

xxxxxxxxx,

Of Counsel.

xxxxxx

THE PEOPLE

vs.

GEORGE W. TURNER .

COURT OF GENERAL SESSIONS, PART I.

BEFORE JUDGE COWING.

Monday, April 11th, 1892.

JUDGE COWING:

There is a motion pending before me to dismiss the indictment etc. in the case of The People of the State of New York against George W. Turner. The District Attorney has handed in a brief as has the Counsel for the motion.

If I understand the motion it is, first, to compel the District Attorney to disclose the witnesses who were before the Grand Jury. I am told that that has been done; that the names of the witnesses are, in point of fact, written on the back of the indictment. If however it should be ascertained in the future that such is not the case, I will see that all the witnesses are furnished to the Defendant.

Then with reference to the time to plead, I have already granted a week, and it being a misdemeanor, the Counsel for the defendant may now without the presence of his client put in a plea of not guilty, and I will give him permission for a week to withdraw his plea and substitute a demurrer or any other plea, if he is so advised so that in no way will Defendant be prejudiced by putting in a plea at this time.

With reference to the minutes, the District Attorney has handed in an affidavit to the effect, that the only evidence before the Grand Jury was the alleged libelous article and proof of the publication thereof by the defendant. If that is so, it would be hardly necessary to inspect them.

As a rule it has been my practice where a motion is

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**POOR QUALITY  
ORIGINAL**

made to inspect the minutes of the Grand Jury to grant it unless there is some reason assigned showing it would be prejudicial to the people, as where witnesses could be spirited away or where undue influence could be brought to bear upon them.

Then there are two other grounds upon which the motion of Counsel for the defence is predicated; first, that the indictment is not valid because it should have been initiated before a magistrate. I do not commend the practice of initiating complaints before a Grand Jury, and I have always held that the fairer way is to go before a magistrate and thereby give both parties a chance to be heard. This rule should always be observed except in a very few instances as where the alleged crime may be outlawed by delay, or where it is necessary in order to get requisition papers and the Defendant is not within the jurisdiction of the Court; but there is no legal reason why a Grand Jury may not investigate a case in the first instance and find an indictment.

With reference to the point that it would have been better instead of pasting a printed slip in the indictment to have written it out. I am inclined to think that under the liberal practice by which we now conduct legal proceedings that it is not such an irregularity as would warrant me in dismissing the indictment.

I have examined this case carefully, and I have come to the conclusion that the two grounds mentioned in the brief of the Defendant's Counsel would not justify me in dismissing the indictment.

As to the question of removing the indictment to the Oyer and Terminer or elsewhere for trial, I think that is a matter that will properly come up at some future day after issue joined.

RBC  
J

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POOR QUALITY  
ORIGINAL

The People  
vs.  
George H. Turner  
Decision of Judge Conway

Filed April 11/90

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POOR QUALITY  
ORIGINAL

Count of several persons

People

apt  
George W. Sumner

Brief on motion to  
dismiss indictment.

A. Oakley Hall,  
of Counsel

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ORIGINAL

Court of General Sessions,  
City and County of New York.

----- -x  
The People, &c.,  
                    against,  
George W. Turner.  
----- x -

Sir:

Please to take notice, that we are retained as  
Attorneys for George W. Turner herein, and demand that a  
copy of all papers in this action be served on us at our  
office, number 45 Cedar Street, New York City.

Yours, &c.,  
New York, April 7, 1892.  
Rochfort & Stayton,  
Attorneys for George W. Turner

To  
DeLancey Nicoll, Esq.,  
District Attorney.

POOR QUALITY  
ORIGINAL

Court of Sessions  
County of New York

Shelton

against

George W. Turner

Notice of Appearance

ROCHFORD & STAYTON,

ATTORNEYS FOR

STOKES BUILDING, 45 CEDAR STREET,

NEW YORK CITY.

Delancey Wood &  
D. & Atty.

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POOR QUALITY ORIGINAL

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

-----	X	
	X	
The People on the complaint	X	
of	X	
	X	CRIMINAL ACTION
-against-	X	
	X	in Libel
George Walter Turner.	X	
-----	X	

City and County of New York--ss.

The above-named defendant, George  
Walter Turner, who resides in the City of Brooklyn, at the  
Hotel St. George, Being duly sworn deposes and says:-

That he has been made a defendant in a criminal  
action in this Court by the presentation of an indictment  
charging him with having published a criminal libel; that  
he is now in open Court in obedience to a notice from the  
People to appear in Court this day and plead to or take  
action upon said charge of misdemeanor, and that he so  
appears by counsel under Section 297 of the Code of  
Criminal Procedure.

What he now deposes and saith is in support of a motion;

Firstly, to "set aside" said indictment under the  
terms of Section 312 of said Code.

SECONDLY: To obtain a judicial order that he may inspect the evidence taken or presumed to have been taken by the Grand Jury on minutes taken under Section 250 of said Code; which provides for preservation of the evidence there given, and of the name of complainant if any, and whereof deponent is ignorant there not having been any preliminary complaint or investigation before a Police Magistrate, as is usual in cases of misdemeanor.

THIRDLY: To permit defendant to defer his plea until he has inspected the minutes of proceedings before the Grand Jury, as well as the indictment herein, and to enable defendant to remove said indictment before plea or demurrer into the Court of Oyer and Terminer, and from thence if deemed necessary by reason of any undue pressure on the part of the prosecution to another venue for trial, in which no political combination can be brought against him to prevent a fair trial.

Deponent is informed and verily believes, and is so advised by counsel, that said indictment is defective in not being legally engrossed for perpetual record in his behalf; and for not specifying that apart from unnecessary innuendoes of application to himself--what constitutes the alleged libelous matter.

And also that said indictment is bad for duplicity of allegation in not separating persons alluded to in said indictment and its contents from this deponent.

Deponent is informed and believes that said indictment was intentionally caused to be found ex mero motu by the Grand Jury, so as to prevent the said charges contained in said indictment from being preliminarily heard before a Police Magistrate, where deponent could have cross-examined witnesses against him, and there proffered a defense which he is advised by counsel and verily believes to be a perfect defense under Section 246 of the Penal Code.

Deponent is further advised and believes that knowledge on his part of an existing and specified complainant to inspection of the Grand Jury minutes is, so far as regards actions for libel, particularly made necessary by the mention of complainant under Section 138 of aforesaid Code.

Deponent is informed and verily believes that for the first time in the history of this Court an action for criminal libel has been originated by Grand Jury without a preliminary hearing of the charge, and against a traditional policy of District Attorneys and Courts not to allow with their sanction Grand Jurors to snap presentments and indictments sometimes libelous in their contents.

Deponent avers that he is advised and believes that a knowledge of the evidence on which said indictment was rendered by the Grand Jury is essential to enable him to frame his plea, and to prepare his defense.

*Sworn to before me  
this 14 day of April 1892*

*Louis Ratzel  
Notary Public N.Y.C.*

*George W. Turner*

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POOR QUALITY  
ORIGINAL

Rockford v. Stanton  
H. for 1000. 1000  
213 1000  
1000  
d. 1000, 1000

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**POOR QUALITY  
ORIGINAL**

—OFFICE OF THE—  
**Third Avenue Railroad Company,**

THIRD AVENUE, 65TH & 66TH STREETS.

ALBERT J. ELIAS, PRESIDENT.  
HENRY HART, VICE-PRESIDENT.  
ALFRED LAZARUS, SECRETARY.  
JOHN BEAVER, TREASURER.

NEW YORK, March 19, 1892.

Hon. Thomas F. Gilroy,  
Commissioner of Public Works.

My Dear Sir:-

You are correct in your surmise that I read the charges made against you as head of the Department of Public Works, which were published in the Recorder of March 13, and 16. When I read them it was with emotions of anger and indignation. I know how infamously the press often abuses its privileges, but I think there is no instance on record of the publication of a more unfounded, malicious, untruthful and outrageous libel than the publications of the Recorder referred to.

As a member of the Board of Directors of the Third Avenue Railroad Company and as a member of its Cable Committee having charge of the construction of the cable work, and since the death of Mr. Lyon, <sup>as</sup> the President of this Company I am thoroughly familiar with all that has transpired in respect of the relations between this Company, the contractors William Wharton Jr. & Co. Incorporated, your department and yourself individually. I have never known contractors more liberally and generously treated than these contractors were by your department and yourself.

Every facility was extended to them and to us consonant with

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public interests. It is my impression that they never meant to complete the work when they undertook it. They were slothful, incompetent and unfair and the effort to place the reason for their incompetence at the door of your department can never be excused.

The allegation that you or any one in your behalf ever demanded of this Company Fifty thousand Dollars or any other sum for any privilege or for any purpose whatsoever is absolutely without the slightest foundation. Nothing of the kind was ever dreamt of by us and the assertion in this respect is simply an infamous lie, as is the allegation that you insisted that this Company should employ or that you induced this Company or the contractors to employ any man or men named or suggested by you.

I am unable to realize how any one however depraved, could have had the hardihood to cause such statements to be published. You are at liberty to command me at any time or at any place, before any tribunal, to express my views in this matter and I shall always esteem it a pleasure and never a burden to do whatever I can to resent these outrageous accusations and to punish those who have been guilty of them, whoever they may be.

Mr. Henry Hart, the Vice President of this Company, who has been associated with it since its inception, joins with me in

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**POOR QUALITY  
ORIGINAL**

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every statement I have made herein, as does Mr. Edward Lauterbach, one of our directors and our counsel, both of whom are as familiar with every circumstance concerning the construction of the cable road and the relations of your department to this Company and to the construction as I am.

Yours very truly,

Albert J. Elias  
President.

COURT OF GENERAL SESSIONS OF THE PEACE

-----X

The People of the State of New York

Against

George W. Turner

-----X

City and County of New York, SS:

DeLancey Nicoll being duly sworn, deposes and says; I am the District Attorney of the County of New York. I make this affidavit in opposition to the motion of the defendant for leave to inspect the minutes of the Grand Jury.

The indictment itself affords the defendant all of the information obtainable from such minutes. The name of the complaining witness is endorsed on the back of the indictment. The other witness Brady, was called to prove publication, while the body of the indictment contains the alleged libellous matter in full. The truth or falsity of the charges complained of is necessarily within the knowledge of the defendant.

Sworn to before me this

11<sup>th</sup> day of April 1892.

*DeLancey Nicoll*

*Henry W. Turner*  
*Notary Public*  
*NYC*

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POOR QUALITY  
ORIGINAL

No. 449  
*L. A. General Sessions*

THE PEOPLE OF THE STATE OF  
NEW YORK

against

*George W. Turner*

*Defendant opposing  
motion for inspection  
of Grand Jury Minutes*

DE LANCEY NICOLL,  
DISTRICT ATTORNEY,

No. 32 CHAMBERS STREET,  
NEW YORK CITY.

The article set forth in the indictment was set up in type and sent to Mr. Turner, the defendant, for approval before publication. He directed that it should not be published until further orders were given by him, and thereupon submitted it to Rochefort and Stayton, the attorneys for the "Recorder", for their advice. They advised that it should not be published without further investigation as to its truth.

One of the sub-editors, however, through a misunderstanding, caused the article to be inserted on the day on which it was published, without the knowledge or consent of Mr. Turner, or the attorneys of the paper.

A day or two after the publication, the "Recorder", in editorial column, stated that the article was published through a misunderstanding, and offered its columns to Commissioner Gilroy for the purpose of denial. It also published prominently a letter of denial from Mr. Gilroy.

Since the publication Mr. Turner has caused a thorough and careful investigation to be made of the rumors and statements published in the article to the effect that Commissioner Gilroy either demanded or received a sum of money from the Third Avenue Railroad, or from its directors, officers or agents for the privilege of laying a cable on Third Avenue, and has found no foundation whatsoever for the truth of such rumors and statements.

Mr. Turner is convinced that there is no ground to

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**POOR QUALITY  
ORIGINAL**

(B)  
believe that such rumors and statements have any  
foundation in fact.

Mr. Turner regrets that the article complained of  
was published, and has been gratified to find that the  
results of his investigation are as above stated, and  
he cheerfully makes this statement in court, in fairness  
to Mr. Gilroy.

Mr. Turner would have been willing to make the above  
statement had an opportunity been afforded him before  
his indictment.

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People

or

Gro W. Turner

...

...

...

...

District Attorney's Office  
City & County of  
New York

April 14<sup>th</sup> 1892

Messrs Wellman & Simms -  
Gentlemen,

District Attorney De Lancey  
Nicoll, orders that this case - The  
people vs Geo. W. Taylor, charged  
with Libel - be transferred from  
the General Sessions to theayer  
and Terminus.

I presume, that in sending  
you the papers in the case, I  
am acting in accordance with  
Mr Nicoll's instructions.

If I am wrong, please  
return the papers to me forthwith -  
if right, kindly sign the enclosed  
receipt, so that I may know where  
the papers can be found if called  
for by the Chief.

Respectfully Yours

Edward F. Ryan  
Chf. Clerk

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*District Attorney's Office  
City & County of  
New York*

*Thos W. Hallman & Sumner  
District Attorneys  
Court of Oyer and Terminer*

**POOR QUALITY  
ORIGINAL**

The People etc.  
George W. Turner

Before

Hon. Geo. H. Ingraham  
and a Jury

New York, April 25<sup>th</sup> 1892

## INDEX.

[illegible]

ROBERT BONYNGE,  
LAW STENOGRAPHER,  
MORSE BUILDING,  
No. 140 NASSAU STREET, NEW YORK.

COURT OF OYER AND TERMINER.

-----xx  
: The People, et c., :  
: vs. : Before  
: George W. Turner. : Hon. George L. Ingrahan, J.  
: -----xx -

New York, April 23th, 1892.

A P P E A R A N C E S:

Hon. DeLancey Nicoll, District Attorney,  
For the people;

Rochfort & Stayton,  
For the defendant.

Mr. Nicoll (To the Clerk): Call the case of the  
People vs. George W. Turner.

The Clerk: George W. Turner on bail.

Mr. Rochfort: I represent Mr. Turner. May it  
please the Court, to-day is the day upon which this case  
was set down for trial. The last day we were in court  
upon a statement of what were to be the defences, I stated  
that one of the defences was to be that the articles which  
appeared in the paper appeared therein without any malice  
whatever on the part of the editor of the paper, and by a  
misunderstanding and inadvertence, but that after publi-  
cation of the article there appeared in that paper an edi-

torial, in which it was stated that the article had appeared by a misunderstanding in the paper and that the editor of the paper was unwilling to believe that there was any foundation whatever for the statement which appeared in the article, and agreed to open its columns to Mr. Gilroy for denial,,and expressed his willingness to join with Mr. Gilroy in tracing these rumors to their foundation. Immediately after that Mr. Gilroy published a letter, prominent in the paper, in which he denied the charges. The editor of the paper supposed that would end the matter, but immediately thereafter an indictment was found. This original article appeared in the paper not only by misunderstanding, but against the positive orders of the editor. The article had been printed, set up in type and submitted to Mr. Turner, who submitted it to the attorneys for the paper (Rochfort & Stayton) and they at once advised Mr. Turner the same should not be published until further investigation, and until direct orders were given, and Mr. Turner thereupon directed that the article should not be published until further orders were given, but by mistake in that office it was published, as I have said, by inadvertence. After the article had appeared, and after Mr. Turner had been indicted,-somewhat hastily, I think,- he proceeded to make a most thorough investigation as to those

rumors, and we have made a thorough investigation, and have been unable to find any foundation whatever for the rumors; not only that, but Mr. Turner is quite convinced that there is no foundation for the rumors, and that the statements which appeared to the effect that Mr. Gilroy had demanded or received any bribe or any sum directly or indirectly from the Third Avenue Railroad or any of its directors or its officers, that story had no foundation whatever in fact, no foundation for that in any way, shape or form, and Mr. Turner is very glad to find that that is the case, and very glad to be able to state that that has been the result of his investigations, and to state it here, and he does that in fairness to Mr. Gilroy. I may say, in addition, that he has always been willing to state this, and that the position he took when he wrote the editorial is the same he takes to-day, that it was an article published on rumors, and that it was published by mistake, with no desire to do injustice to him, but on the contrary, a desire to do the greatest justice to him, and he has shown that desire by his willingness to open his columns to him. The only matter of regret is that there should be such haste in finding an indictment of Mr. Turner. The matter could have been adjusted just as readily before the indictment as since. We think that the

haste has resulted in a good deal of misunderstanding and publicity, which otherwise would not have happened, and had Mr. Turner an opportunity to appear before the Grand Jury as did Mr. Godkin of the Evening Post recently, when an indictment was sought against him, that this very statement on the part of Mr. Turner would have prevented the indictment being found, and prevented the misunderstanding which has existed between the District Attorney, Mr. Gilroy and the paper. However, that is all past and it is just a question now of fairness to Mr. Gilroy and frankness and straightforwardness on the part of Mr. Turner and the "Recorder", and in making these statements, we do it in the same spirit in which that editorial was written a day or two after the article had appeared, with all willingness to do the fair thing by all parties.

Mr. Nicoll: If your Honor please, the indictment in this case charges the defendant with having published a libel, wherein he charged the Commissioner of Public Works, Mr. Gilroy, with having demanded or received a bribe from the Third Avenue Railroad Company, or some of its agents or representatives, in consideration of a privilege of laying the cable upon the Third Avenue Railroad. When the article appeared, Mr. Gilroy came to my office, and called my attention to it, and stated that he was grossly

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indignant and insulted by the article, and requested me to submit the matter to the Grand Jury then in session. I told him that I thought he ought to go to a police magistrate, as was customary in such cases, but upon his showing to me that much time would elapse before that proceeding could be taken, I submitted the matter to the Grand Jury, calling their attention at the same time to the editorial columns spoken of by Mr. Rochfort, in which Mr. Turner had substantially stated that he was in doubt as to whether or not the article was true. The Grand Jury found an indictment against Mr. Turner, and I moved it for trial a week ago, and your Honor set it down for trial to-day. In the meantime Mr. Rochfort, the counsel for the "Recorder", and Mr. Turner called upon me, and stated that after a thorough investigation as to the truth of the charges published concerning Mr. Gilroy, Mr. Turner had become satisfied that there was no foundation whatever in fact for those charges, and I thereupon asked Mr. Rochfort whether or not, as the representative of Mr. Turner, he would frankly make that statement to the Court, and in public, and he stated to me <sup>he</sup> would, and would be glad to do so. I thereupon sent for Mr. Gilroy and asked him whether or not, if the counsel for the "Recorder" stated in open court that the charges in the article complained of were

not true and had no foundation in fact, he would be satisfied with that disposition of the case, instead of proceeding to a trial, and he stated to me that all he desired in the matter was a vindication, and that if in open court in public, the statement was made, it would be satisfactory to him. Mr. Rochfort according<sup>ly</sup>, representing Mr. Turner, has very frankly and satisfactorily made that statement to the Court, and under such circumstances, it seems to me that the best disposition of the case will be to annex a copy of Mr. Rochfort's statement to the indictment and to dismiss it. Accordingly, under those circumstances, I move the Court that upon annexing to the indictment a copy of Mr. Turner's letter and also a copy of the letter from the Third Avenue Railroad Company, from all its directors to Mr. Gilroy, in which they state there was absolutely no truth whatever in the charge, that the indictment be dismissed.

Mr. Rochfort: Of course, I agree to the motion which has been made by the District Attorney, and in addition to the remarks which I have already made, I wish, in fairness to Mr. Gilroy, to state that the editor of the "Recorder" regrets that the article was published, in so far as it appeared in any way to reflect upon Mr. Gilroy. It is a matter which he has regretted, and for that reason he regrets that it was published.

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The Court: (To Mr. Gilroy): Do you concur in this application of the District Attorney?

Mr. Gilroy: Yes, sir.

The Court: While I believe that the acts of public officers should be subject to the fullest criticism and at all times the press should be entitled to criticize and call to account public officers for acts done in the discharge of their duties, still the tendency at present to accuse political opponents of crime, of bribery and corruption, without the slightest evidence to sustain it, going as it does to the whole community and placing the public officer in a position <sup>in</sup> which <sup>it</sup> is almost impossible except in a proceeding of this kind to answer, it should certainly be checked, and I feel considerable hesitation in allowing this indictment to be dismissed. I think the public authorities are in duty bound, in a case of this kind when it comes before them through the prosecuting officer of the county, to administer the law against such libels, as well as any other crime that is committed. The law makes it a crime, and I think it is the duty of the public officers to punish that crime as well as any other crime. However, as the officer who has been injured by the libel acquiesces in the motion of the District Attorney, I shall not oppose it.

Mr. Rochfort: I will add, in so far as your Honor's remarks seem to indicate there is any desire to injure a public officer on the part of the "Recorder", they are not justified.

The Court: I am not speaking of this case. I am only speaking of the general result of a charge against the public officer who happens to be a political opponent, that he is a criminal, and these charges are constantly made, and when they are made without the slightest foundation, without the slightest proof of the fact, I think it is the duty of the prosecuting officer to punish them. I only make these remarks generally, not applicable to this case, as I have no doubt, from what you said, and the reason I acquiesce in the granting of this application is, that I am satisfied that Mr. Turner, the defendant, from your statement and his statement, had nothing to do with the publication or in making such charge. If I thought there was, and I thought there was a crime actually committed in this case, I certainly should not grant the application to dismiss the indictment. It is because I am thoroughly satisfied from the statement of yourself and Mr. Turner, that he was not guilty of the publication in the way that makes him intentionally responsible for it.

Mr. Rochfort: That is the reason why we frankly

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took the course that we have. The paper agrees, and ourselves as lawyers all agree with your Honor to the right which public officers have to be free from malicious criticism, and the "Recorder" certainly has always taken that position, and for that reason has come forward so frankly and stated what it has in this matter.

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POOR QUALITY  
ORIGINAL

*Cyber & Transients* COURT.

*The People etc*  
vs.  
*George W. Turner*

TRANSCRIPT OF  
Stenographer's Notes

NEW YORK, *April* 1892

ROBERT BONYNGE,  
LAW STENOGRAPHER,  
MORSE BUILDING,  
No. 140 NASSAU STREET, NEW YORK.

(155)

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 W. Turner*

The Grand Jury of the City and County of New York, by this  
indictment accuse *George W. Turner*

of the crime of *publishing a libel*,

committed as follows:

The said *George W. Turner*,

late of the City of New York, in the County of New York aforesaid, on the  
*sixteenth* day of *March*, in the year of our Lord one thousand  
eight hundred and ninety *two*, at the City and County aforesaid,  
unlawfully and maliciously did print and publish  
and cause to be printed and published, in a certain  
newspaper and publication, published in the said  
City and County and called the *New York Recorder*,  
a certain *false, scandalous, malicious and*  
*defamatory libel* of and concerning one *Thomas*  
*F. Gilroy* then being the Commissioner of Public  
Works of the said City of New York, which said  
*false, malicious, scandalous and defamatory*  
*libel* is as follows *that is to say*:

## DID GILROY DEMAND A BRIBE?

**A Charge that the Commissioner Asked Money for Favoring the Third Avenue Railroad.**

**The Directors Objected to Paying \$50,000 and Finally Compromised for a Smaller Sum, It Is Said.**

**HOW WHARTON WAS FROZEN OUT.**

**It Was Impossible for Him to Do His Work While Tammany Held Control of the Streets—Facts Which Disprove the Allegation that He Was Incompetent—Accusations Which Gilroy and the Other Tammany Bosses Cannot Afford to Ignore—The Men Who Make Them Are Taxpayers.**

Now that Crimmins has just secured the job of completing the Third avenue cable road there is joy among the political bockers once more. There is only a four-mile strip of cable road to finish, but there is money in it for the "boys," and no "outsider" will get it.

It was a gloomy day for the Criminal Combine of Tammany when the disclosures of political blackmail and other forms of municipal corruption appeared in The Recorder. It was shown how Contractor Wharton of Philadelphia was robbed, bulldozed and forced out of his contract to lay the cable road on Third avenue. His only crime was that he was honest, and refused to accept Tammany's political tramps as competent laborers. These labor dummies were forced on him from day to day, until he had discharged more than ten thousand of them. Mr. Wharton said that they gloried in their laziness and demoralized the men who were inclined to work.

It was also shown in The Recorder that ex-Judge McQuade, the political boss in the Twenty-second Assembly District, on the line of the Third Avenue road, wanted Mr. Wharton's contract for doing the paving between the tracks. He had control of the city permits allowing the street to be opened. Contractor Wharton was helpless without these permits, and to get them he had to relinquish the paving section of his contract.

But this was not all. He was finally asked to relinquish his contract altogether. He did it, and was evidently glad to get out of town alive. He is now at home in Philadelphia. The leading journals of that city, both Republican and Democratic, unite in saying that he is an honest and competent man, having done work for great corporations, among them the Pennsylvania Railroad Company. Mr. Wharton has also established his reputation as an extensive contractor, fully able to do any work if let alone, by building the famous eighteen-mile cable road in Baltimore.

### GILROY ACCUSED.

According to the charges openly made by reputable men who own property and pay taxes, it is clear why Mr. Gilroy and his Tammany subordinates were able to exert their all-powerful "pull" and force the honest Philadelphia contractor off the road.

They charge that Commissioner Gilroy demanded \$50,000 of the directors of the Third avenue road as a fee for allowing the avenue to be opened at any time and in any way that the company desired, without hindrance from the Department of Public Works.

In other words the Criminal Combine of Tammany Hall wanted money. They said that the close-fisted Third Avenue Railroad Corporation had made more money with less outlay than any other street car line in the city. They had run poorer and dirtier cars than any other line, and had only put stoves in the cars when met with the powerful competition of the L road above them.

It is not to be supposed that Mr. Gilroy went to the offices of the company alone, or walked into the room of the Board of Directors unattended, and boldly demanded \$50,000. He was there, it is asserted, with one of the chief men of the board to arrange matters according to a proposition that had been made and quietly talked over. But when that astounding demand was put before a majority of the board there was a subdued circus. In fact, it is said that certain members of the board favored giving the matter to the newspapers for publication, and it was only by a small vote that this proposition failed to be adopted. It created much bitterness, and the opposing members of the board denounced Gilroy and Tammany in the most emphatic terms.

0755

POOR QUALITY  
ORIGINAL

PART OF THE BRIBE PAID.

Thus it was that the \$50,000 scheme failed to work, but it is said that a compromise was effected later on whereby a portion of that \$50,000 was paid. Since then peace and harmony have prevailed between Tammany and the great corporation that is said to have once made 30 per cent. per annum with little or no recompense to the city and still less to the public in the shape of accommodations.

It is needless to say that the leading directors now declare that Mr. Wharton was asked to give up his contract because he was incompetent to handle men and build the road. One of them told a Recorder reporter that Gilroy was quite right in threatening Wharton for opening such long sections of the street at one time. The director admitted, however, that their engineer did not come to them with the drawings, as charged by Mr. Wharton. In conclusion it might be said that the charge that Gilroy demanded \$50,000 is one that cannot be brushed aside by a mere denial, for men of influence and experience in public life certify that the accusation is true and can be

sustained. Meanwhile, Mr. Wharton will continue to furnish the iron and other material for the cable enterprise, which he has been forced to relinquish.

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.

De Samy Mioll

District Attorney

0756

POOR QUALITY  
ORIGINAL

**PART OF THE BRIBE PAID**  
Thus it was that the \$50,000 scheme failed to work, but it is said that a compromise was effected later on whereby a portion of that \$50,000 was paid. Since then peace and harmony have prevailed between Tammany and the great corporation that is said to have once made 30 per cent per annum with little or no recompense to the city and still less to the public in the shape of accommodations. It is further stated that the leading directors now declare that Mr. Wharton was asked to give up his contract because he was incompetent to handle the matter and that one of the other directors had taken the place of Mr. Wharton. It is further stated that Mr. Wharton will continue to furnish the iron and other materials for the cable enterprise, which he has been forced to relinquish.

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.

*De Samy Miold*

*District Attorney*

0757

**BOX:**

473

**FOLDER:**

4337

**DESCRIPTION:**

Turner, William Clifton

**DATE:**

03/29/92



4337

**POOR QUALITY  
ORIGINAL**

The defendant in this case separated from his wife in the year 1878, having lived with her three years after marriage. He continued to live and do business in the City of New York, and, although his place of business must have been known to her for many years, he had no communication from her, and knew nothing of her whereabouts. In 1884, he heard that she was dead and advanced money for her burial. In January 1892, he married in the full belief that his first wife was dead. The second marriage was openly solemnized and published in the papers. I have become satisfied that the defendant believed his wife to be dead when he contracted the marriage for which he was indicted, that his case falls clearly within Section 299 of the Penal Code, and that the indictment ought to be dismissed, and I so recommend.

Dated New York January 31<sup>st</sup> 1893 DeLancey Nicoll  
District Attorney

W. Van der Horst  
110 W. 4<sup>th</sup> St.  
1/41 1892  
38 Park Ave.  
Counsel  
38 Park Ave.  
Filed  
Pleads  
Not Guilty (March 1893)

THE PEOPLE  
vs.  
B  
BIGAMY  
(Section 299, Penal Code)  
William Clifton Turner

DE LANCEY NICOLL  
District Attorney  
P. 2 Feb. 1, 1893  
In rem. of Dist. Ct.  
indict. dis. - P. 2 M. 1  
A TRUE BILL  
Feb. 1, 1893  
affirmative  
Foreman

Ball from at  
\$1000 RBE  
Witnesses:  
James L. Turner  
J. E. Weehan  
J. Wade Co.

Quid Oper. 9-7 by  
Caroline J. Weehan  
H. 33 W. 21 St.

**POOR QUALITY  
ORIGINAL**

The defendant in this case separated from his wife in the year 1878, having lived with her three years after marriage. He continued to live and do business in the City of New York, and, although his place of business must have been known to her for many years, he had no communication from her, and knew nothing of her whereabouts. In 1884, he heard that she was dead and advanced money for her burial. In January 1893, he married in the full belief that his first wife was dead. The second marriage was openly solemnized and published in the papers. I have become satisfied that the defendant believed his wife to be dead when he contracted the marriage for which he was indicted, that his case falls clearly within Section 299 of the Penal Code, and that the indictment ought to be dismissed, and I so recommend.

Dated New York January 25<sup>th</sup> 1893

DeLancey Nicoll  
District Attorney

W. Norton Lorchman  
190 Bowling  
1622 1/2 St  
38 East 10th  
Counsel  
38 East 10th  
Filed  
day of  
Pleads  
for Guilty (Arrest)

Section 298, Penal Code)

THE PEOPLE

vs.

William Clifton Turner

DE LANCEY NICOLL

District Attorney

Feb 1, 1893

in recm. of Dist. Atty.  
indict. dis - R.M.

A TRUE BILL.

Feb. 1, 1893.

affirmation

Foreman

Bail from at  
\$1000 RBE  
Witnesses:  
James L. Turner  
J. W. Meehan  
Off Wade CO.

David Appleby  
Charles J. Meehan  
#53 W. 21 St.

760

POOR QUALITY  
ORIGINAL

Court of General Sessions  
of the Peace

The People vs  
vs  
W. Clifton Turner }

The time for the People vs to  
serve Cross Interrogatories to be annexed  
to the Commission in the above entitled  
criminal action is hereby extended by  
consent, to and including August  
8<sup>th</sup> 1892

Dated July 26<sup>th</sup> 1892

H. Bowditch Cochrane  
Atty for Defs Turner

7761

POOR QUALITY  
ORIGINAL

hour of said Sessions

The People vs

agst

W. Clifton Turner

Extension of time to serve

Cross-Interrogatories

DeLancey Nicoll

Dist Ctty

32 Chambers St

N.Y. City

1762

**POOR QUALITY  
ORIGINAL**

Form No. 1

**THE WESTERN UNION TELEGRAPH COMPANY.**

**21,000 OFFICES IN AMERICA, CABLE SERVICE TO ALL THE WORLD.**

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
117	W	g	10 paid

**RECEIVED** at the WESTERN UNION BUILDING, 195 Broadway, N. Y. June 13 1892

Dated at 369 Fulton St. N.Y.  
To District Attorney H. J. Ramsey  
Court House N.Y.

Too ill to appear. Please have  
put off until able.

Frances L. Turner

763

POOR QUALITY  
ORIGINAL

Form No. 1.

**THE WESTERN UNION TELEGRAPH COMPANY.****21,000 OFFICES IN AMERICA, CABLE SERVICE TO ALL THE WORLD.**

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

NUMBER	SENT BY	REC'D BY	CHECK
117	D	G	10 Paid

**RECEIVED** at the WESTERN UNION BUILDING, 195 Broadway, N. Y. June 15 1892

Dated June 13 1892  
 To District Attorney H. R. Hawley Nicols  
Court House N.Y.

To see to appear. Please have  
put off until able.  
Frances L. Turner

0764

POOR QUALITY  
ORIGINAL

LEBRIDGE W. FOX.  
NOTARY PUBLIC &  
OFFICE OF THE PEACE.  
State of New Hampshire.  
ELTON MILLS, N. H.

*The People vs. M. W. Thompson.*

*Witness in and under the deposition of  
Frederick S. Roberts a witness in  
above action,  
Sealed up and marked on the  
17th day of September 1892, by me,  
Alfred W. Fox Justice of the Peace.*

*John F. Carroll Esq.*  
*Chief of the Court of General Sessions,*  
*32 Chambers Street,*  
*New York,*  
*N.Y.*

0765

District

## THE COMPLAINT OF

285-4704

2  
Maurice J. Miller

*Ch. 1*

1882  
 J. C. C.

Magistrate

..... Officer

Precinct.....

W. S. Davis

1161 Broadway Street

4-8-20

Elizabeth Powell

1

11

ANTHONY

Wm. H. H. 1/2 - 2 P. 2

mand. Fuller  
guilty thereof, I order that <sup>sub</sup>they be held to answer the same and <sup>ad</sup>they 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 they give such bail.

Dated Jan 24 18 92 Thos. B. G. Police Justice.

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

*Dated*.....*18*.....*Police Justice.*

There being no sufficient cause to believe the within named Sarah Archer <sup>and</sup>  
Elizabeth Powell guilty of the offence within mentioned. I order ~~that~~ to be discharged.

Dated Feb 2<sup>d</sup> 1892 John Brady Police Justice.

0766

POOR QUALITY  
ORIGINAL

W. BOURKE COCKRAN,  
120 BROADWAY,  
EQUITABLE BUILDING.

New York, September 20th, 1892

Dear Sir,-

In the case of The People vs Turner, will you kindly leave the deposition of the witness in Vermont, which we looked over a week ago, and which was left on your desk, in the Clerk's office, so that I can have copy of it made whenever I send up, and oblige,

Yours very truly,

*W. F. Seaveance*

To

Robert Townsend, Esq.,

*Received My Sept 20 1892  
the original deposition and  
Commission in case of  
Peo v Turner for purposes  
of copying same to be  
returned in five days*

## The People.

-v8-

W. Clifton Turner.

Interrogatory I.           What is your name, age, residence  
and occupation ?

Int. 2. Do you know the defendant, W. Clifton Turner, and, if so, state how long you have known him?

Int. 3. If, in answer to the last interrogatory, you say you do know and have known the defendant, state when and where you knew him and the general nature of your relationship with him and how intimately you have come in contact with him?

Int. 4. State whether you ever resided and were in business in the City of New York, and, if so, during what years, the nature of the business and when, if ever, you gave it up ?

Int. 5. Do you remember where your place of business was in the Summer of 1884, and, if so, state ?

Int. 6. Do you know of the marriage of the defendant in 1875 or 1876, and, if so, state what you know about it ?

Int. 7. Did you see the defendant's wife at that time, and, if so, where ?

Int. 8. Did you afterwards learn of a separation between the defendant and his said wife, and if so about when and about how long after such marriage ?

Int. 9. Do you know where, immediately after you learned of the said separation, defendant resided, and, if so, state ?

Int. 10. Did you from the time of the said separation up to 1884 see or hear anything of the defendant's said wife ?

Int. 11. Do you remember a conversation with the defendant in the Summer of 1884 or any time in 1884 or thereabouts in regard to the alleged death of the defendant's said wife, and, if so, state what the conversation was, fully, what occurred, and what was done by defendant and yourself ?

Int. 12. Did you have any acquaintance at that time with the said Odell, to whom you have referred ?

Int. 13. If you have not already done so, state fully what took place at the interview spoken of between Odell, the defendant, and yourself ?

Int. 14. When, if ever, did you next see Odell, where, and who was present ?

Int. 15. What did Odell say on that occasion and what was said by all parties and what was done ?

Int. 16. Were you acquainted with the general reputation of the defendant in the City of New York during the years of your acquaintance with him ?

Int. 17. If you answer the last interrogatory in the affirmative, state what his reputation in such community was ?

0770

**POOR QUALITY  
ORIGINAL**

4

Last Interrogatory. Do you know of anything, concerning the matters in question, that may tend to the benefit and advantage of the defendant? If yes, declare the same fully and at large, as if you had been particularly interrogated concerning the same.

W. Bourke Cockran,

Defendant's Attorney,

Office & Post Office Address, 120 Broadway, N. Y. City.

0771

POOR QUALITY  
ORIGINAL

General Sessions Court.

The People

against

W. Clifton Turner

Defendant

Interrogatories

W. BOURKE COCKRAN,

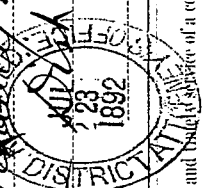
Att'y for def't

120 BROADWAY,

EQUITABLE BUILDING,

NEW YORK CITY.

To Deliver  
Att'y for  
District Attorney



Due and valid service of a copy of the within

is hereby admitted.

Dated New York,

1892.

Att'y for

Sir:

Take notice that the within is a  
copy of  
aduly  
entered in this action in the office of the  
Clerk of this Court, on the day of

1892.

1892.

Dated,

Yours

W. BOURKE COCKRAN,

Attorney for

120 BROADWAY,

EQUITABLE BUILDING,

N. Y. CITY.

Att'y

0772

POOR QUALITY  
ORIGINAL

General Sessions Court.

The People

against

W. Clifton Turner

Direct

Interrogatories

W. BOURKE COCKRAN,

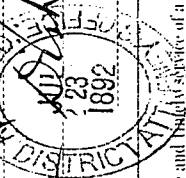
Att'y for def't

120 BROADWAY,

EQUITABLE BUILDING,

NEW YORK CITY.

To Deliver to  
Att'y for att'y



One and the same service of a copy of the within

is hereby admitted.

Dated New York,

1892.

Att'y for

Sir:

Take notice that the within is a

copy of

entered in this action in the office of the

Clerk of this Court, on the day of

1892.

1892.

Dated,

Yours

W. BOURKE COCKRAN,

Attorney for

120 BROADWAY,

EQUITABLE BUILDING,

N. Y. CITY.

Att'y

0773

POOR QUALITY  
ORIGINAL

At a Court of General Sessions of the Peace, holden in and for the City and County of New York, at the City Hall of the said City, on *Wednesday* day, the *20<sup>th</sup>* day of July, in the year of our Lord One Thousand Eight hundred and Ninety-two.

P r e s e n t

The Honorable

*F. May*  
*Recorder* Of the City of New York,  
Justice of the  
Sessions.

The People,

-vs-

W. Clifton Turner.

Charge, Bigamy.

On reading and filing the affidavit of the defendant, verified July / 6<sup>th</sup> 1892, the consent of the District Attorney, and on motion of W. Bourke Cockran, of counsel for the defendant, it is

O R D E R E D that a Commission issue out of this Court, directed to Elbridge W. Fox, Esq., Justice of the Peace of Milton Mills, Crawford County, New Hampshire, as Commissioner, authorizing him to examine on oath, Frederick S. Roberts, a witness on the part of the defendant, residing at said Milton Mills, upon interrogatories to be annexed to the Commission, in which the People shall be permitted to join, direct interrogatories to be served

within ten days, cross interrogatories within ten days thereafter and re-direct interrogatories, if any, within five days thereafter, and the form of the interrogatories if not agreed on, to be settled thereafter on two days notice before any judge of this Court, all objections to the interrogatories, except as to form, to be reserved and made upon the trial, and such deposition to be returned by the Commissioner when taken, by mail, directed to the Clerk of this Court at the City of New York, in the County and State of New York, to be opened by him without notice.

It is further ordered that all proceedings on the indictment be stayed for sixty days from date.

*Renew 4/5/74*

1775

POOR QUALITY  
ORIGINAL

Court of General Sessions of the Peace  
In and for the City & County of New York.

-----  
The People,

-vs-

W. Clifton Turner.  
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Charge, Bigamy.

It is hereby stipulated that the deposition of Frederick S. Roberts, a witness on the part of the defendant residing at Milton Mills, Crawford County, New Hampshire, may be taken on commission pursuant to Sections 636/657 of the Code of Criminal Procedure; that a Commission issue out of this Court, directed to Elbridge W. Fox, Esq., Justice of the Peace of said Milton Mills as Commissioner, authorizing him to examine said witness on oath on interrogatories to be annexed to the commission, in which the People shall be permitted to join; the direct interrogatories on the part of the defendant shall be served within ten days, the cross interrogatories within ten days thereafter, and re-direct interrogatories, if any, within five days after service of the cross interrogatories, and the form of the interrogatories, if not agreed on, to be settled thereafter, on two days' notice, before any judge of this Court; all objections, except as to the form of the interrogatories to be re-

served and made upon the trial. The deposition, when completed, to be returned by the Commissioner by mail to the Clerk of this Court at the City of New York, in the County and State of New York, and to be opened by the Clerk without notice. All proceedings on the indictment to be stayed for sixty days from date.

It is further stipulated that an order may be entered hereon, ex parte, signed by any judge of this  
Dated, July 19<sup>th</sup> 1892.

*Delamater Meall*  
*Deputy Attorney*  
*Wm Bourke Coe*  
*Att'y*

Court of General Sessions of the Peace,  
In and for the City & County of New York.

-----	0	
	:	
The People,	)	
	:	Charge, Bigamy.
-vs-	:	
	)	
W. Clifton Turner.	:	
	:	
-----	0	

City & County of New York, ss:

W. CLIFTON TURNER, being duly sworn, says that he is the defendant above named. That he was indicted in this Court on or about the day of *March* 1892, for the crime of bigamy alleged to have been committed by him on January 20th, 1892 in the City, County and State of New York. That he has pleaded not guilty to the indictment and that no trial has been had thereon, but that he is informed and believes, that a trial may be had in September or October next. That Frederick S. Roberts, residing at Milton Mills, Crawford County, New Hampshire, is a material and necessary witness for the defense of the indictment herein on deponent's behalf. That said witness resides at Milton Mills, Crawford County, New Hampshire at the present time, and it is doubtful if his attendance can be obtained on the trial of the indictment. No previous application has been made for an order authorizing

the issuance of a commission to take the deposition of  
said witness.

Sworn to before me this:

*Wm C. Turner.*

16<sup>th</sup> day of July, 1892:

*Thomas H. Coleman*

*Commiss of Deeds  
N.Y.C.*

0779

POOR QUALITY  
ORIGINAL

General Sessions Court.

The People

against

H. Clayton Turner

affidavit, stipulation  
and Order for a  
Commission

W. BOURKE COCKRAN,

Att'y for - *def*

120 BROADWAY,  
EQUITABLE BUILDING,  
NEW YORK CITY.

To

Att'y for

Due and timely service of a copy of the within  
is hereby admitted.

*Filed July 25/92*

1892.

Dated New York.

Att'y for

Sir:

Take notice that the within is a  
copy of  
entered in this action in the office of the  
Clerk of this Court, on the  
day of

1892.

1892.

Dated,

Yours

W. BOURKE COCKRAN,

Attorney for

120 BROADWAY,

EQUITABLE BUILDING,  
N. Y. CITY.

Att'y

**POOR QUALITY  
ORIGINAL**

Kings County.

**vs**

T U R N E R .

Coxe & Stratton  
Peff atty.  
W. Bourke Cockran  
Deft atty

0781

POOR QUALITY ORIGINAL

Sir:

Take notice that the within is a  
copy of  
entered in this action in the office of the  
Clerk of this Court, on the day of  
1891.

Dated,

1891.

Yours

W. BOURKE COCKRAN,  
Attorney for

120 BROADWAY,  
EQUITABLE BUILDING,  
N. Y. CITY.

Att'y

Supreme Court.

Turner

against

Turner

Consent

W. BOURKE COCKRAN.  
Att'y for Deft  
120 BROADWAY,  
EQUITABLE BUILDING,  
NEW YORK CITY.

To

Att'y for

Due and timely service of a copy of the within  
is hereby admitted.

Dated New York,

1891.

Att'y for

1782

POOR QUALITY  
ORIGINAL

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

July 29<sup>th</sup> 1892

Dear Col.

The Interrogatories in the case of the People v Turner herewith enclosed after going the rounds of the office came to me and not knowing anything about the case I procured an extension of time to serve & settle cross-interrogatories.

This extension will not expire until the 8<sup>th</sup> of August and hearing that you have charge of the case I hand you herewith the extension & Interrogatories. If it is not in your charge I would suggest that you have Mr. Osborne prepare & serve cross-interrogatories (if he deems it necessary) as he will be on duty until the 15<sup>th</sup> of Aug & will not

1783

POOR QUALITY  
ORIGINAL

be in any of the Parts  
Hoping that you have had  
an enjoyable vacation

I am

Yours truly  
Chas E. Smith

0784

POOR QUALITY  
ORIGINAL

At a Court of General Sessions of the Peace, holden in and for the City and County of New York, at the City Hall of the said City, on day, the            day of July, in the year of our Lord One Thousand Eight hundred and Ninety-two.

P r e s e n t

The Honorable *T. Smythe*

Recorder of the City of New York,  
Justice of the Sessions.

The People,

-vs-

W. Clifton Turner.

Charge, Bigamy.

On reading and filing the affidavit of the defendant, verified July *16<sup>th</sup>* 1892, the consent of the District Attorney, and on motion of W. Bouma Cockran, of counsel for the defendant, it is

O R D E R E D that a Commission issue out of this Court, directed to Elbridge W. Fox, Esq., Justice of the Peace of Milton Mills, Crawford County, New Hampshire, as Commissioner, authorizing him to examine on oath, Frederick S. Roberts, a witness on the part of the defendant, residing at said Milton Mills, upon interrogatories to be annexed to the Commission, in which the People shall be permitted to join, direct interrogatories to be served

0785

POOR QUALITY  
ORIGINAL

within ten days, cross interrogatories within ten days thereafter and re-direct interrogatories, if any, within five days thereafter, and the form of the interrogatories if not agreed on, to be settled thereafter on two days notice before any judge of this Court, all objections to the interrogatories, except as to form, to be reserved and made upon the trial, and such deposition to be returned by the Commissioner when taken, by mail, directed to the Clerk of this Court at the City of New York, in the County and State of New York, to be opened by him without notice.

It is further ordered that all proceedings on the indictment be stayed for sixty days from date.

(A true Extract from the minutes)

John F. Carroll  
Clerk of Court

(L.D.)

0786

POOR QUALITY  
ORIGINAL

General Sessions Court.

The People  
against

H. Clifton Turner

Order for a  
Commission

W. BOURKE COCKRAN,  
Att'y for  
120 BROADWAY,  
EQUITABLE BUILDING.  
NEW YORK CITY.

To Deane Nicoll Esq.  
Att'y for Dist. Attorney

RECEIVED  
JUL 21 1892  
DISTRICT ATTORNEY  
Dated New York.  
1892.

Att'y for

Sir:

Take notice that the within is a  
copy of an order duly  
entered in the action in the name of the  
People of the County of the 21<sup>st</sup> day of

July 1892.  
Dated, July 21 1892.  
Yours

W. BOURKE COCKRAN,  
Attorney for

120 BROADWAY,  
EQUITABLE BUILDING.  
N. Y. CITY.

To Deane Nicoll  
Esq. for Dist. atty.

0787

POOR QUALITY  
ORIGINAL

General Sessions Court.
The People against
H. Clifton Turner
Copied Order for a Commission
W. BOURKE COCKRAN, Att'y for def't.
120 BROADWAY, EQUITABLE BUILDING, NEW YORK CITY.
To Dr. Henry Nicoll Esq. Att'y for Dist. Attorney
RECEIVED JUL 21 1892 DISTRICT ATTORNEY Due and timely service of a copy of the within is hereby admitted.
Dated New York, 1892.
Att'y for

Sir:  
Take notice that the within is a  
copy of an order duly  
entered in this action in the office of the  
Clerk of this Court, on the 21<sup>st</sup> day of  
July 1892.  
Dated, July 21 1892.  
Yours  
W. BOURKE COCKRAN,  
Attorney for def't  
120 BROADWAY,  
EQUITABLE BUILDING,  
N. Y. CITY.  
To Dr. Henry Nicoll  
Att'y for Dist. atty.

788

POOR QUALITY  
ORIGINAL

Court of General Sessions of the Peace.

in and for the City and County of New York.

The People

vs

W. Clifton Turner.

Deposition of Frederick S. Roberts,

a witness for defendant, residing at Milton Mills,  
in the County of Strafford and State of New Hampshire,  
taken before me, Charles W. Fox, a Justice of the Peace in  
and for said County and State, at my office in said Milton  
Mills on the first day of September A.D. 1892,  
pursuant to an order of the above named Court made and  
entered in the office of the Clerk thereof on or about July 20.  
A.D. 1892.

The said Frederick S. Roberts, having been first  
publicly sworn by me that his answers to the interrogatories  
shall be the truth, the whole truth and nothing but the truth,  
certified as follows:

First Interrogatory.

What is your name; Age; Residence and Occupation?

To the said first interrogatory deponent saith,

My name is Frederick S. Roberts;

My Age is thirty eight (38) years;

My Residence is Milton Mills, New Hampshire;

Charles W. Fox, Justice of the Peace.

My Occupation is nothing at present, as I am residing here simply for the benefit of my health.

Second Interrogatory.

Do you know the defendant, W. Leighton Turner, and, if so, state how long you have known him?

To the said second interrogatory defendant saith,

I do, have known him some eighteen or nineteen years.

Third Interrogatory.

If in answer to the last interrogatory, you say you do know and have known the defendant, state when and where you know him, and the general nature of your relationship with him and how intimately you have come in contact with him?

To the said third interrogatory defendant saith,

I first met him at West Point, I think in the summer of 1874, and have frequently met him in the City of New York since that time, and, since 1879 have more frequently met with him and been more or less in his company, and quite intimately acquainted with him.

Fourth Interrogatory.

State whether you ever resided and were in business in the City of New York, and, if so, during what years, the nature of the business and when, if ever, you gave it up?

Colledge W. W. Turner, Justice of the Peace.

To the said fourth interrogatory deponent saith,

I have resided in the City of New York all my life up to the year 1891. For ten (10) years prior to 1891 I was employed by Mrs. Anna M. Murray, Office 396 East 51<sup>st</sup> Street, as Agent and Collector of her estate, and prior thereto in Washington Market and in real estate business with Charles Schaffner. Gave up business in the fall of 1891 on account of ill-health.

Fifth Interrogatory.

Do you remember where your place of business was in the summer of 1884, and, if so, state?

To the said fifth interrogatory deponent saith,

I do. It was at 396 East 51<sup>st</sup> Street in the City of New York.

Sixth Interrogatory.

Do you know of the marriage of the defendant in 1875 or 1876, and, if so, state what you know about it?

To the said sixth interrogatory deponent saith,

I know nothing of his marriage at that time except from hearsay.

Seventh Interrogatory.

Did you see the defendant's wife at that time, and, if so, where?

To the said seventh interrogatory deponent saith,

I did not see her.

Colin M. W. Jones, Justice of the Peace.

Eighth Interrogatory.

Did you afterwards learn of a separation between the defendant and his said wife, and, if so, about when and about how long after such marriage?

To the said eighth interrogatory defendant saith,

Yes. I heard of it in a general way about the year 1882 or 1883.

Ninth Interrogatory.

Do you know where, immediately after you learned of the said separation, defendant resided, and, if so, state?

To the said ninth interrogatory defendant saith,

I cannot positively say, but think in West 11<sup>th</sup> Street in the City of New York.

Tenth Interrogatory.

Did you from the time of the said separation up to 1884, see or hear anything of the defendant's said wife?

To the said tenth interrogatory defendant saith,

I did not.

Eleventh Interrogatory.

Do you remember a conversation with the defendant in the Summer of 1884 or any time in 1884 or thereabouts in regard to the alleged death of the defendant's said wife, and, if so, state what the conversation was fully, what occurred, and what was done

Charles W. Fox, Justice of the Peace.

by defendant and yourself?

To the said eleventh interrogatory deponent saith,

In the summer of 1884 about the middle of July, I should say, I called at the office of the London, Liverpool and Globe Insurance Company, about nine (9) O'clock in the forenoon to see Mr. Turner in regard to insurance on my mother's house, when he told me that his wife had died at New Haven, and a messenger had been to the office that morning to get money to bury her. He requested of me a loan, when I suggested it would be better to be certain of his wife's death before giving money to any stranger, which I believe he saw, and proposed to send some one to New Haven and get full particulars before parting with his money. At my suggestion he took the Elevated at foot of Rector Street and went to a Saloon on Sixth Avenue kept by one Lasser, where he met a friend of ours, Edward Odell, who being out of business at the time consented to go to New Haven for us and bring back the desired information. He, Odell, was to meet us at the Morton House Cafe that same evening at nine (9) or ten (10) O'clock. We then left him, I going to my business.

I met Mr. Turner that evening at the Morton House Cafe, when Mr. Odell came in soon after, having been to New Haven and completed his business, and was very positive in his information, stating that he had visited the Bureau of Statistics at New Haven and found that a Mrs. William C. Turner had died there a few days before and that there had been a permit given for her removal to New York.

Callender's Mother, sister of the deceased.

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Did you have an acquaintance at that time with the said Odell,  
to whom you have referred?

To the said twelfth interrogation dependent saith,  
I did.

If you have not already done so, state what took place at the interview spoken of between Odell, the defendant and yourself?

To the said thirteenth interrogatory defendant saith,  
I have given substantially all that took place, in my answer to  
interrogatory eleven (11)

When, if ever, did you next see Odell, where, and who was present?

To the said fourteenth interrogatory deponent saith,  
I am unable to give exact date, but met him frequently both before and after the conversation referred to, in my answers to interrogatory eleven (11), in Cafes in the City of New York in company with Harry Loxrey, George Frazier, Thomas Farmington and others.

Colinvaux & Co, Paris & St. Louis.

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POOR QUALITY  
ORIGINAL

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Fifteenth Interrogatory.

What did Odell say on that occasion, and what was said by all parties, and what was done?

To the said fifteenth interrogatory deponent saith,

I do not remember the conversation on that occasion, neither do I recall anything of import in this case that transpired.

Sixteenth Interrogatory.

Were you acquainted with the general reputation of the defendant in the City of New York during the years of your acquaintance with him?

To the said sixteenth interrogatory deponent saith,

I was.

Seventeenth Interrogatory.

If you answer the last interrogatory in the affirmative, state what his reputation in such community was?

To the said seventeenth interrogatory deponent saith,

His reputation was that of a straightforward, honest young man. Never have known him to commit a dishonest or disreputable act in all the years of my acquaintance with him.

Last Interrogatory.

Do you know of anything, concerning the matter in question, that may tend to the benefit and advantage of the defendant?

Charles H. W. Justice of the Peace.

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ORIGINAL

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If you, declare the same fully and at large, as if you  
had been particularly interrogated concerning the same.

To the said last interrogatory deponent saith,

I remember particularly about the attempts the defend-  
ant made at reconciliation after the separation from his wife,  
that in, in two (2) or three (3) days after leaving home on account of domest-  
ic troubles, having seen the letter composed by him to her, offering  
her a home &c., and doing all in his power to effect the same, which  
I believe was utterly ignored at the time, she refusing at the  
time to leave her Mother and Sister who lived in the family. In  
fact doing all that a true husband and man could do.  
I know of a great many unpleasantnesses in his home life  
through his sister in-law and mother in-law, which I thought at  
one time might affect his mind.

Frederick S. Roberts

Subscribed and sworn to by the above named,  
Frederick S. Roberts before me on this first day of  
September A.D. 1892.

ELBRIDGE W. FOX.  
NOTARY PUBLIC &  
JUSTICE OF THE PEACE.  
For the State of New Hampshire.  
MILTON MILLS, N. H.

Elbridge W. Fox Justice of the Peace,  
in and for the County of Strafford and State of New Hampshire.

State of New Hampshire } ss.  
County of Strafford.

I, Elbridge W. Fox, a Justice of the Peace, duly commissioned and qualified for and residing in the County of Strafford and State of New Hampshire, do hereby certify that I have, pursuant to an order of the Court of General Sessions of the Peace in and for the City and County of New York, duly made and entered in the office of the Clerk thereof, on or about the twentieth day of July A.D. 1892, taken the deposition of Frederick S. Roberts, a witness on behalf of the defendant aforesaid, on the first day of September A.D. 1892:

That I, before taking his deposition, publicly administered an oath to him that his answers to the several interrogatories should be the truth, the whole truth and nothing but the truth:

That I reduced his examination to writing and read to him each answer as it was taken down:

That the same was made conformable to what he declared to be the truth:

That I subscribed my name and official title to each sheet of the deposition and that the said deposition subscribed by the said witness and duly sworn to before me, is annexed to the commission and order thereof:

Witness my official signature at the County and State aforesaid this first day of September A.D. 1892.

Elbridge W. Fox, Justice of the Peace,  
in and for the County and State aforesaid.

ELBRIDGE W. FOX,  
NOTARY PUBLIC &  
JUSTICE OF THE PEACE.  
For the State of New Hampshire.  
MILTON MILLS, N. H.

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ORIGINAL

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State of New Hampshire } ss.  
County of Strafford

I certify that whenever the appellation,  
"Lawford", as applied to County, appears in the  
annexed Commission and order therefor, it  
should be made to read and understood to be, "Strafford".

ELBRIDGE W. FOX.  
NOTARY PUBLIC & *Fee \$10.00*  
JUSTICE OF THE PEACE.  
For the State of New Hampshire.  
MILTON MILLS, N. H.

*Elbridge W. Fox, Justice of the Peace,*  
*in and for the County of Strafford and State of New Hampshire.*

THE PEOPLE OF THE STATE OF NEW YORK,

To Elbridge W. Fox, Esq., Justice of the Peace  
of Milton Mills, Crawford County, New Hampshire, GREETING:

Know Ye, that we, with full faith in your  
prudence and competency have appointed  
you Commissioner, and by these presents do  
authorize you to examine Frederick S. Roberts, residing  
at Milton Mills, Crawford County, New Hampshire, as  
witness in an action now pending in our Court of General  
Sessions of the Peace for the City and County of New York,  
wherein the People of the State of New York are plaintiff  
and W. Clifton Turner is defendant on the part of said  
defendant on oath upon the interrogatories annexed to  
this Commission and to take and certify the deposition  
of the witness and return the same and the Commission ac-  
cording to the directions given in or with the Commission  
and hereunto annexed.

The Commission when executed is to be returned  
by mail to *John F. Carroll* Clerk of the Court  
of General Sessions in and for the City and County of New  
York, No. 32 Chambers Street, New York City.

Witness Hon. *Frederick Smyth*, Recorder of one of the  
Judges of said Court the *29th* day of *August*  
in the year one thousand eight hundred and ninety-two.

( L. S. )

*John F. Carroll*  
Clerk of Court.

*McCombe*  
*F. Smyth*  
*Rec'd*

DIRECTIONS FOR EXECUTING THE COMMISSION:

Extract from the Code of Criminal Procedure of the State of New York, relating to depositions taken without the State for use within the State.

Section 650. Commission, how executed.-----The commissioners, or any one of them, unless otherwise specially directed, may execute the commission as follows:

1. They must publicly administer an oath to the witness, that his answers given to the interrogatories shall be the truth, the whole truth and nothing but the truth;
2. They must cause the examination of the witness to be reduced to writing;
3. They must write the answers of the witness, as nearly as possible in the language in which he gives them, and read to him each answer as it is taken down, and correct or add to it, until it is made conformable to what he declares the truth;
4. If the witness decline answering a question, that fact, with the reason for which he declines answering it, as he gives it, must be stated;
5. If papers or documents are produced before them, and proved by the witness, they must be annexed to his deposition, and be subscribed by the witness, and certified by the commissioners;
6. The commissioners must subscribe their names to each sheet of the deposition, and annex the deposition,

**POOR QUALITY  
ORIGINAL**

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with the papers or documents proved by the witness, to the commission, and must close it up, under seal and address it, as directed thereon;

7. If there be a direction on the commission, to return it by mail, the commissioners must immediately deposit it in the nearest post-office. If any other direction be made, by the written consent of the parties, or by the officer, on the commission, as to its return, they must comply with the direction.

At a Court of General Sessions of the Peace, holden in and for the City and County of New York, at the City Hall of the said City, on *Wednesday* day, the *20<sup>th</sup>* day of July, in the year of our Lord One Thousand Eight hundred and Ninety-two.

P r e s e n t

The Honorable *F. Lincolnton*

*Recorder* Of the City of New York,  
Justice of the  
Sessions.

-----  
The People,

-vs-

W. Clifton Turner.  
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Charge, Bigamy.

On reading and filing the affidavit of the defendant, verified July *16<sup>th</sup>* 1892, the consent of the District Attorney, and on motion of W. Bourke Cockran, of counsel for the defendant, it is

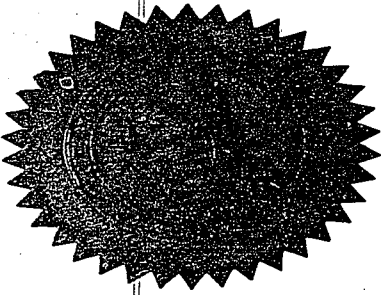
O R D E R E D that a Commission issue out of this Court, directed to Elbridge W. Fox, Esq., Justice of the Peace of Milton Mills, Crawford County, New Hampshire, as Commissioner, authorizing him to examine on oath, Frederick S. Roberts, a witness on the part of the defendant, residing at said Milton Mills, upon interrogatories to be annexed to the Commission, in which the People shall be permitted to join, direct interrogatories to be served

within ten days, cross interrogatories within ten days thereafter and re-direct interrogatories, if any, within five days thereafter, and the form of the interrogatories if not agreed on, to be settled thereafter on two days notice before any judge of this Court, all objections to the interrogatories, except as to form, to be reserved and made upon the trial, and such deposition to be returned by the Commissioner when taken, by mail, directed to the Clerk of this Court at the City of New York, in the County and State of New York, to be opened by him without notice.

It is further ordered that all proceedings on the indictment be stayed for sixty days from date.

*(A true extract from the Minutes)*

*John F. Carroll*  
*Clerk of Court*



POOR QUALITY  
ORIGINAL

Sir :

Take notice that the within is a

copy of an order duly

entered in this action in the office of the

Clerk of this Court, on the 21 day of

July 1892.

Dated, July 21 1892.

Yours

W. BOURKE COCKRAN,

Attorney for *deft*

120 BROADWAY,

EQUITABLE BUILDING,  
N. Y. CITY.

*To De Lancey Hall  
Dist. atty*

General Sessions Court.

The People

against

*W. Clifton Turner*

*cert copy*

Order for a  
Commission

W. BOURKE COCKRAN,

Att'y for *deft*

120 BROADWAY,  
EQUITABLE BUILDING,  
NEW YORK CITY.

To

Att'y for

~~service~~ service of a copy of the within  
is hereby admitted.

*order cc*  
Dated New York July 21 1892.

*De Lancey Nicolls*

Att'y for *Dist. Attorney*

*per Edward J. [unclear]*

*city clerk*

Sir:

Take notice that the within is a  
copy of an order duly  
entered in this action in the office of the  
Clerk of this Court, on the 21 day of

July 1892.

Dated, July 21 1892.

Yours

W. BOURKE COCKRAN,

Attorney for

def't

120 BROADWAY.

EQUITABLE BUILDING.

N. Y. CITY.

To De Lancey Hall  
Dist. atty

General Services Court.

The People

against

W. Clifton Turner

Cert. Copy

Order for a  
Commission

W. BOURKE COCKRAN,

Att'y for

def't

120 BROADWAY,

EQUITABLE BUILDING,

NEW YORK CITY.

To

Att'y for

service of a copy of the within  
is hereby admitted.

order cc

1892.

Dated New York, July 21

De Lancey Hall

Att'y for Dist. Attorney

per Edward J. Hynes

Chief Clerk

0805

POOR QUALITY  
ORIGINAL

Court of General Sessions of the Peace.

----- 0  
The People, )  
-vs- ( )  
W. Clifton Turner. )  
----- 0

Interrogatories to be propounded to Frederick S. Roberts, a witness upon behalf of the defendant, residing at Milton Mills, Crawford County, New Hampshire, pursuant to an order of this Court, made and dated the day of July, 1892.

Interrogatory I. What is your name, age, residence and occupation ?

Int. 2. Do you know the defendant, W. Clifton Turner, and, if so, state how long you have known him ?

Int. 3. If, in answer to the last interrogatory, you say you do know and have known the defendant, state when and where you knew him and the general nature of your relationship with him and how intimately you have come in contact with him ?

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POOR QUALITY  
ORIGINAL

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Int. 4. State whether you ever resided and were in business in the City of New York, and, if so, during what years, the nature of the business and when, if ever, you gave it up ?

Int. 5. Do you remember where your place of business was in the Summer of 1884, and, if so, state ?

Int. 6. Do you know of the marriage of the defendant in 1875 or 1876, and, if so, state what you know about it ?

Int. 7. Did you see the defendant's wife at that time, and, if so, where ?

Int. 8. Did you afterwards learn of a separation between the defendant and his said wife, and if so about when and about how long after such marriage ?

Int. 9. Do you know where, immediately after you learned of the said separation, defendant resided, and, if so, state ?

Int. 10. Did you from the time of the said separation up to 1884 see or hear anything of the defendant's said wife ?

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**POOR QUALITY  
ORIGINAL**

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Int. 11. Do you remember a conversation with the defendant in the Summer of 1884 or any time in 1884 or thereabouts in regard to the alleged death of the defendant's said wife, and, if so, state what the conversation was, fully, what occurred, and what was done by defendant and yourself ?

Int. 12. Did you have any acquaintance at that time with the said Odell, to whom you have referred ?

Int. 13. If you have not already done so, state fully what took place at the interview spoken of between Odell, the defendant, and yourself ?

Int. 14. When, if ever, did you next see Odell, where, and who was present ?

Int. 15. What did Odell say on that occasion and what was said by all parties and what was done ?

Int. 16. Were you acquainted with the general reputation of the defendant in the City of New York during the years of your acquaintance with him ?

Int. 17. If you answer the last interrogatory in the affirmative, state what his reputation in such community was ?

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**POOR QUALITY  
ORIGINAL**

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Last Interrogatory. Do you know of anything, concerning the matters in question, that may tend to the benefit and advantage of the defendant? If yea, declare the same fully and at large, as if you had been particularly interrogated concerning the same.

W. Bourke Cockran,

Defendant's Attorney,

Office & Post Office Address, 120 Broadway, N. Y. City.

POOR QUALITY  
ORIGINAL

Sir :

Take notice that the within is a  
copy of  
entire in this action in the office of the  
Clerk of this Court, on the day of  
1892.

Dated,

1892.

Yours

W. BOURKE COCKRAN,

Attorney for

120 BROADWAY,

EQUITABLE BUILDING,

N. Y. CITY.

Atty

General Sessions Court.

The People

against

H. Clifton Turner

Direct

Interrogatories

W. BOURKE COCKRAN,

Atty for

120 BROADWAY,

EQUITABLE BUILDING,

NEW YORK CITY.

To

Atty for

service of a copy of the within

is hereby admitted.

Interrogatories

Dated New York, July 23<sup>rd</sup> 1892.

W. Bourke Cockran  
per Edward J. Ryan - ch. Clerk  
Atty for

POOR QUALITY  
ORIGINAL

Sir : Take notice that the within is a  
copy of duly  
entered in this action in the office of the  
Clerk of this Court, on the day of  
1892.  
Dated, 1892.

Yours  
W. BOURKE COCKRAN,  
Attorney for  
120 BROADWAY,  
EQUITABLE BUILDING,  
N. Y. CITY.

Atty

General Sessions Court.

The People

against

H. Clifton Turner

Direct  
Interrogatories

W. BOURKE COCKRAN,  
Atty for *def*  
120 BROADWAY,  
EQUITABLE BUILDING,  
NEW YORK CITY.

To

Atty for

Interrogatories  
is hereby admitted.

Dated New York, July 23<sup>rd</sup> 1892.  
DE Laurence H. Vogel  
Clerk of the Court  
per Earl H. Vogel - ch. Clerk  
Atty for

Court of General Sessions of the Peace.

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The People,	)
	:
--vs--	(
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W. Clifton Turner.	)
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The annexed direct interrogatories are agreed on  
saving all just exceptions to the admissibility thereof  
and of the answers thereto as evidence in this cause.

Dated, New York, August 24<sup>th</sup> 1892.

*Robert J. Johnson*  
District Attorney,

*W. Bowke Cochrane*  
Attorney for defendant.

✓ The within interrogatories are allowed.

Dated, New York, August 29 1892.

*F. H. [unclear]*

Court of General Sessions of the Peace,  
In and for the City and County of New York.

\_\_\_\_\_  
The People,

-vs-

W. Clifton Turner.  
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City & County of New York, ss:

EDWARD GROTZ, being duly sworn, says  
that he is a clerk in the office of W. Bourke Cockran,  
the attorney for the defendant herein and is familiar  
with the proceedings. That on or about the 20th day  
of July, 1892 an order was duly made and entered, providing  
for the issuance of a commission, directed to Elbridge W.  
Fox, Esq., Justice of the Peace of Milton Mills, Crawford  
County, New Hampshire as commissioner, authorizing him to  
examine on oath Frederick S. Roberts a witness on the  
part of the defendant and providing for the service of  
direct and cross interrogatories. That the direct  
interrogatories under said order were served by the de-  
fendant on July 23rd, 1892. That the time for the ser-  
vice of cross interrogatories has been extended from time  
to time and until August 20th, 1892 when the time expired,  
and that no further or other extension of time to serve

said cross interrogatories has been granted by consent  
or order of the court, and no cross interrogatories on  
the part of the prosecution have been served.

Sworn to before me:

August 29th, 1892:

*W H Brady*  
*Notary Public*  
*N Y Co*

*Edw A Scott*

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POOR QUALITY ORIGINAL

Sir: Take notice that the within is a copy of duly entered in this action in the office of the Clerk of this Court, on the day of 1892.

Dated, 1892.

Yours  
W. BOURKE COCKRAN,  
Attorney for  
120 BROADWAY,  
EQUITABLE BUILDING,  
N. Y. CITY.

Atty

General Sessions Court.
The People
against H. Clayton Turner
Commission upon Interrogatories
W. BOURKE COCKRAN, Atty for Defendant 120 BROADWAY, EQUITABLE BUILDING, NEW YORK CITY.
To
Atty for
Due and timely service of a copy of the within is hereby admitted. Dated New York, 1892.
Atty for

0015

POOR QUALITY  
ORIGINAL

Sir :  
Take notice that the within is a  
copy of  
any  
entered in this action in the office of the  
Clerk of this Court, on the day of  
1892.  
Dated, 1892.

Yours  
W. BOURKE COCKRAN,  
Attorney for  
120 BROADWAY,  
EQUITABLE BUILDING,  
N. Y. CITY.

Atty

General Sessions Court.

The People

against

W. Clayton Turner

Commissioner

upon Interrogatories

W. BOURKE COCKRAN,  
Atty for - Defendant  
120 BROADWAY,  
EQUITABLE BUILDING,  
NEW YORK CITY.

To

Atty for

Due and timely service of a copy of the within  
is hereby admitted.

Dated New York,

1892

Atty for

1816

POOR QUALITY  
ORIGINAL

COURT OF GENERAL SESSIONS OF THE PEACE,

In and for the City & County of New York.

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The People of the State of New  
York,

--against--

William Clifton Turner.  
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City & County of New York, ss:

WILLIAM CLIFTON TURNER, being  
duly sworn, says that he is the defendant above named, and  
that he is thirty-six years of age. That he was indicted  
for bigamy in the Spring of this year in this Court and  
held to bail in the sum of One Thousand Dollars. That  
he is informed and believes that the complainant before  
the Grand Jury on such indictment was one Frances Louise  
Turner, who was married to deponent in February, 1875,  
and she claimed in her testimony before the Grand Jury,  
as deponent is informed and believes that deponent married  
one Mary Frances Meehan in January, 1892. That at the  
time of the deponent's marriage with the said complainant,  
her maiden name was Peake., as she stated, although her  
mother went by the name of Bowles sometimes. At the time  
of such marriage, the complainant was living with her moth-  
er and sister in West 38th Street in the City of New York,  
on the west side of the city, and that she and deponent  
went to live in such house where her mother and sister also

resided after the marriage, and that thereafter the whole family, said mother and sister included, removed to 22nd Street in said City and thereafter to various places in the City of New York, for a period covering about three years, finally being, at the time hereinafter referred to, at Eighth Avenue between 22nd and 23rd Streets, in the City of New York. That during this period of time, deponent had become convinced that the said mother and sister were not of good moral character, and he desired to get rid of them and to take his wife away from their company and influence, and he thereupon insisted on his said wife's leaving them and coming to live with him separately and to hold no further communication with them. That deponent's said wife refused so to do, and would not leave the house where they were, although desired by deponent so to do. That thereupon deponent left the said residence his wife remaining with her said mother and sister, and that deponent within the next few days, communicated with her in writing, asking her to come with him, and receiving no answers to his communications, deponent went to said house to get her and take her away, but that the whole family had disappeared, and that deponent made efforts to trace them at the time, but was unable to do so.

That from that time, up to the time of the finding of the indictment herein, deponent never heard from her, directly or indirectly, except that in July, 1884, a party came to deponent, and stated that she had died at New Haven, Connecticut, and asked deponent for money to assist in burying her, as is detailed in the deposition of Frederick S. Roberts, taken herein, and on file in this Court. That deponent actually believed that the complainant died at the time stated, and never had any reason to believe the contrary thereafter, until she appeared as a complaining witness herein. That deponent, during all of the years since his said marriage with her, has been an actual resident of the State of New York, and of the City of New York. That deponent was, for about fourteen years after his said marriage, a clerk in the office of the Liverpool, London & Globe Fire Insurance Company, of the City of New York, continuously, leaving such employment in March, 1890, and that deponent thereupon immediately went into the employment of the Home Fire Insurance Company, of the City of New York, and remained in such employment until the time of his indictment herein. That deponent has been informed that the said complainant has stated that deponent saw her on a station of the elevated railroad at 59th Street in the City of New York, within the last year or two. Deponent denies emphatically that he saw her

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ORIGINAL

at such time, or at any other time thereabouts, on an elevated station or elsewhere, and that her statement in that regard is wholly and unqualifiedly false.

Subscribed and sworn to before me:

this 27th day of December, 1892 :

*Wm C. Turner*  
*George A. Chase*  
*Nobury Pubblit*  
*Kings Co*  
*(Cert. files in ref. Co.)*

00820

POOR QUALITY  
ORIGINAL

General Sessions Court.	
The People	against
H. Clifton Turner	
Affidavit	
W. BOURKE COCKRAN.	Att'y for defendant
120 BROADWAY, EQUITABLE BUILDING, NEW YORK CITY.	
To	Att'y for
Due and timely service of a copy of the within is hereby admitted.	
Dated New York,	1891.
Att'y for	

Sir:

Take notice that the within is a  
copy of  
copy of  
entered in this action in the office of the  
Clerk of this Court, on the day of  
1891.

Dated,  
1891.

Yours

W. BOURKE COCKRAN,  
Attorney for

120 BROADWAY,  
EQUITABLE BUILDING,  
N. Y. CITY.

Att'y

0021

POOR QUALITY  
ORIGINAL

General Sessions Court.
The People
against
H. Clifton Turner
Applicant
W. BOURKE COCKRAN.
Att'y for Defendant
120 BROADWAY, EQUITABLE BUILDING, NEW YORK CITY.
To
Att'y for
One and timely service of a copy of the within is hereby admitted.
Dated New York, 1891.
Att'y for

Sir: Take notice that the within is a  
copy of duly  
entered in this action in the office of the  
Clerk of this Court, on the day of  
1891.

Dated, 1891.

Yours

W. BOURKE COCKRAN,  
Attorney for

120 BROADWAY,  
EQUITABLE BUILDING,  
N. Y. CITY.

Att'y

0822

POOR QUALITY  
ORIGINAL

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

City and County } ss.  
of New York,

of No. 180 Halsey Street Brooklyn, Street, aged 35 years,  
occupation Married being duly sworn, deposes and says,  
that on the 20<sup>th</sup> day of January 1882 at the City of New  
York, in the County of New York,

William C. Turner did feloniously  
marry one Mary Frances McKeen the  
at the time having a wife to wit:  
deponent, living, in violation of  
Section 298 of the Penal Code of  
the State of New York for the reasons  
following to wit: On the 6<sup>th</sup> day of  
February 1875 deponent married  
the defendant as per annexed  
certificate marked Ex "A" and  
she is informed that on the  
20<sup>th</sup> day of January 1882 the de-  
fendant married one Mary Frances  
McKeen in the church of St.  
Francis Xavier as per annexed  
certificate, marked Ex "B". Deponent  
says she is not divorced from  
the defendant and that he is  
her lawful husband. Wherefore  
she prays that the said defendant  
be apprehended and bound to answer  
the said complaint.

Spoken before me }  
this 22<sup>nd</sup> day of March 1882 } Francis L. Turner  
Thos. F. Brady  
Police Justice

0823

POOR QUALITY  
ORIGINAL

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

THE PEOPLE, &c.,

vs. THE COMPLAINT OF

Francis L. Turner

ss.

Wm. L. Turner

2  
3  
4

Offence, *Bigamy*

Date

188

Magistrate.

Officer.

Clerk.

*Grady*  
*Wade*  
*L.O.*

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer

Sessions

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

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

Dated 188

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

Dated 188

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

Dated 188

Police Justice.

0824

POOR QUALITY  
ORIGINAL

*Copy*

# CERTIFICATE OF MARRIAGE.

CHURCH OF ST. FRANCIS XAVIER,  
NEW YORK.

**This is to Certify**

That *William Clifton Turner*  
and *Mary Frances Meehan*  
were MARRIED on the *20<sup>th</sup>* day of *January* 1892

According to the Rite of the Catholic Church,  
by the undersigned  
Witnesses: *Daniel Meehan, Robert G. Clarkson,*  
*Francis A. Brennan.*

as appears from the Marriage Register of the Church.

*New York, March 21<sup>st</sup> 1892 M. R. Brennan S. I.*

0825

**POOR QUALITY  
ORIGINAL**

TURNER-MEEHAN.—On Wed.  
1892, at St. Francis Xavier's C.  
the Rev. N. N. McKinnon, S.  
to W. CLIFTON TURNER. No. 6

0826

POOR QUALITY  
ORIGINAL

TURNER-MEEHAN.—On Wed-  
1892, at St. Francis Xavier's C.  
the Rev. N. N. McKinnon, S.  
to W. CLAYTON TURNER. No. 1

827

POOR QUALITY  
ORIGINAL

Ex-105

## THIS IS TO CERTIFY

That on the Sixth day of February

IN THE YEAR OF OUR LORD,

One Thousand Eight Hundred and Seventy Five  
at the Church of the Transfiguration in the City of New York  
in the Diocese of New York

I joined together in Holy Matrimony

William Blifton Turner

and

Frances Louise Peakeaccording to the Rites of the Protestant Episcopal Church, in  
the United States of America, and in conformity with the Laws  
of the State of New YorkIn Witness Whereof I have hereunto put my name this Sixth  
day of February (A.D. One Thousand Eight Hundred and Seventy Five)  
Ludley W. Loring George H. Houghton  
Charles Loring Witnesses Rector of the Church of the Transfiguration

0020

POOR QUALITY  
ORIGINAL

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

THE PEOPLE OF THE STATE OF NEW YORK

against

*William Clifton Turner*

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

*William Clifton Turner*

of the CRIME OF BIGAMY, committed as follows:

The said *William Clifton Turner*

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

day of *February* in the year of our Lord one thousand eight hundred and

*seventy-five*, at the *City of New York* in the

*County of New York*, aforesaid, —

did marry one *Frances Louise Peake* and *her* the said

*Frances Louise Peake* did then and there have for

*his wife*; and the said *William Clifton Turner*

afterwards, to wit: on the *twentieth* day of *January* in the year of

our Lord one thousand eight hundred and ninety-*two*, at the City and County

of New York aforesaid, did feloniously marry and take as *his wife* one,

*Mary Frances Meehan* and to the said

*Mary Frances Meehan* was then and there married, the said

*Frances Louise Peake* being then living and in full life,

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.

DE LANCEY NICOLL,  
District Attorney.

0830

**BOX:**

473

**FOLDER:**

4338

**DESCRIPTION:**

Villar, Albert

**DATE:**

03/23/92



4338