

START

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Vol. II

CASE

CASE # 3317

1973

"White Slave re"
and gas + 10. Grand Jury
Vol. II

CASE # 3317

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SUMMARY OF WORK

CASE	DEFENDANT	CRIME CHARGED	DATE
1	A. Street	Larceny	Jan. 3
2	J. Miller & F. Yauman	Burglary	
3	A. Green	Assault	
4	C. Billups	Assault	
5	F. Lovelle	Burglary	
6	Jas. Mc Caffery	Burglary	Jan. 4
7	J. Mc Gough	Viol. Liq. Tax	
8	W. A. Penney	Viol. Liq. Tax	
9	T. Kelly	Viol. Liq. Tax	
10	Minnie Kornfeld	Viol. Liq. Tax	
11	J. Harvey	Larceny	
12	M. Leit	Larceny	
13	T. Pizzo	Rape	
14	F. Martin	Rape	
15	F. Calabrese	Rape	
16	J. Calabrese	Rape	
17	J. Calahan	Rape	
18	Paolo Scalpi	Abduction	
19	A. Miller	Abduction	
20	F. Alberti	Burglary	
21	R. Sandy	Carr. Conc. Weapon	
22	L. Laux	Carr. Conc. Weapon	
23	Julia Daly	Larceny	
24	J. Robinson	Rape	
25	O. Robinson	Rape	
26	S. Simons	Assault	Jan. 5
27	S. Hollain	Larceny	
28	E. Oberst & A. Hayes	Assault	
29	D. Cronin	Burglary	
30	K. J. E. Karlson	Assault	Jan. 6
31	A di Roma	Assault	
32	T. M. Mc Fariane	Larceny	
33	F. Onoder	Assault	
34	L. Scherborg	Gr. Larceny	
35	A. Wilson	Larceny	
36	A. Winkler	Larceny	
37	C. Cain	Assault	
38	F. Dandone	Carr. Conc. Weapon	
39	S. Jackson	Assault	
40	S. Jackson	Larceny	
41	S. Jackson	Att. Gr. Lar.	
42	A S. Williams	Assault	

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43	P. Treanor	Assault	Jan. 7
44	G. Frost	Assault	
45	T. Smith	Larceny	
46	M. McDonald	Att. Rape	
47	J. Fleming	Assault	
48	W. Taylor	Assault	
49	S. Dorie	Assault	
50	S. Wolfish	Gr. Larceny	
51	J. Moloney	Burglary	
52	Jno. Clarkin	Rape	
53	J. Davis	Gr. Larceny	
54	M. Cohen & C. Hoffman	Larceny	
55	W. Hunt	Fel. Assault	
56	P. di Nardo	Assault	
57	S. Saveansky	Larceny	
58	General Investigation as to the Existence in the County of New York of an organized traffic in women for immoral purposes		Jan. 10
59	G. Picone, alias J. Coom	Rape, Assault & Abduct	Jan. 11
60	Lou Meyers	Rape, Assault & Abduct.	
61	Paul Drenka & P. Mangold	Compulsory Prostitut-	Jan. 13
62	G. Meyers & J. Barnett	Att.Comp. Prostit.	
63	J. Bissoni	Abduction	Jan. 14
64	J. Marfio & E. Diccio	Abduction	
65	E. Diccio	Rape & Abduction	
66	Wm. Mc Bride	Robbery	
67	E. E. A Sibberus	Viol. Liq. Tax	Jan. 17
68	J. Hargrave	Murder	
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70	M. Rosen	Assault	Jan. 18
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78	L. Regenbogen	Abandonment	Jan? 19
79	H. Gerber & F. Gerber	Larceny	
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<u>87</u>	B. de Rosa	Assault	
<u>88</u>	L. Circus, F. Circus & H. Schmuckler	Keeping House Ill Fame	Jan. 21
<u>89</u>	H. Schmuckler	Viol. 2460 P. C.	Jan. 27
<u>90</u>	H. Schmuckler	Viol. 2460 P. C.	
<u>91</u>	P. Drenka & P. Mangold	Viol. Sec. 1146 P.C.	
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<u>93</u>	C. F. De Wolfe	Assault	Feb. 14
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<u>95</u>	T. Mc Guinness	Rape, Assault & Abduct.	
<u>96</u>	C. Piannimi	Rape, Assault & Abduct.	
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<u>116</u>	J. Walsh	Keeping Disor. House	June 3.

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CRIMES CONSIDERED BY GRAND JURY

	No. of cases
Murder	2
Assault	24
Robbery	3
Burglary	9
Larceny	18
Forgery	2
Extortion	1
Gambling	3
Viol. Liquor Tax Law	5
Carry. Conc. Weapons	3
Abandonment	1
Rape	22
Abduction	6
Keeping Disorderly House	9
Compulsory Prostitution	4
Viol. 2460 P. C.	2
Viol. 1146 P. C.	1
General Investigation	<u>1</u>
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95	T. Mc Guinness	)	(Margaret O'Leary	300-311
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TRANSCRIPT OF TESTIMONY

~Heard before the

ADDITIONAL GRAND JURY, JANUARY TERM, 1910. (White Slave)

in cases of crimes of

RAPE

ABDUCTION

COMPULSORY PROSTITUTION

KEEPING DISORDERLY HOUSE

VIOLATION 2460 P. C.

VIOLATION 1146 P. U.

George Kemp

Official Stenographer

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0650

New York, January 4th, 1910.

(People vs. T. Pizzo,	)	
" " Frank Martin,	)	
" " Frank Calabrese,	)	
" " Joseph Calabrese,	)	Cases 13, 14, 15, 16, 17,
" " James Calabrese	)	18 and 19.
" " Paolo Scalpi, and	)	
" " Annie Miller .	)	

Francis J. Hughes, being duly sworn against all seven of the defendants above named, testified as follows:

BY THE FOREMAN:

Q What is your address? A 297 Fourth Avenue.

Q In this first case against Thomas Pizzo, what can you tell us? What is your business? A I am a special officer of the New York Society for the Prevention of Cruelty to Children.

Q Tell us the facts? A The facts were that this Thomas Pizzo met this girl, fourteen-year-old girl in 125th Street and asked her to go with him to visit a lady by the name of Mrs. Miller at 2318 Third Avenue. The girl went with him into the furnished room; when they came to this furnished room this defendant Frank Martini was in the room at the time.

Q That is the second one? A Yes sir. They told her that this Miller woman would be in shortly and told her to wait a while.

Q And Mrs. Miller is the seventh one who is charged with abduction? A Yes sir, and she sat down and waited and while Frank Martini the second defendant went out to get some sand-

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wiches or something for them to eat, leaving Pizzo and the girl Florence Humphreys in the room alone. This Pizzo asked her to go to bed with him and finally induced her to go to bed with him and they had sexual intercourse.

Q Did you get this story from her? A Yes sir, and the admissions of the defendant.

Q We only want to know the things that you know of your own knowledge? A All I know is that in the Fifth District Court on the date of December 24th, the defendants were arraigned there ~~and~~ on an affidavit and adjourned over.

Q All of those defendants? A Five of them; no, six of them; all except Annie Miller, and the case was adjourned over until December 27th. I had an interview with Paolo Scalpi the sixth defendant.

Q He is the one charged with abduction? A Yes sir, and in the presence of officer Hawkins and officer Dorsy who made the arrest and this interview is translated by the interpreter of the court. The defendant stated that he had been living in this furnished room for three or four months and that he hired the room from Mrs. Miller. That he had asked Frank

Martini or he had allowed Frank Martini, the second defendant to sleep there with him because Frank Martini was out of work and had no home and no friends and he had allowed him to stay there with him. On the evening of December 22nd, when he came home from his work he found Pizzo, the first one and Martini

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and James Calabrese in the room with the girl. That he asked them why the girl was there and they told him it was all right and that he didn't like the idea of her being there and he was afraid to make any objections. That about 11 o'clock or about eight or nine o'clock, these two brothers Frank Calabrese and Joseph Calabrese came to the house to the room and that about ten o'clock or half past ten Thomas Pizzo and James Calabrese left to go home. About 11 o'clock they--

Q This is what Scalpi told you? A Yes sir. About 11 o'clock they all prepared to retire and they--

Q That is, the three Calabrese brothers were there? A No, this Frank Martini and Joseph Calabrese and Frank Calabrese they remained there and they took one mattress from the bed and placed it on the floor; that Frank Martini and the girl first got in bed and in a short while Joseph Calabrese gets up off the floor and goes into the bed where the girl was with Martini and that he stayed there for sometime and then he came back, and Frank Calabrese gets up off the floor and goes to the bed and later he came back. Then he says he got tired laying on the floor and he thought that he ought to sleep in the bed and he makes some objection and he chases Frank Martini and the girl out of the bed and let them sleep on the floor and he and the two Calabrese brothers, Frank and Joseph Calabrese went to the bed, leaving Frank Martini and the girl on the floor. Then

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when he got up about six o'clock in the morning and went to work leaving Frank Martini on the floor with the girl and Joseph and Frank Calabrese , left them there in bed.

Q Did Scalpi spend the night there? A Yes, it was his room.

Q What is the charge against him? A Abduction for harboring them for the purpose of seduction.

Q It wasn't Annie Miller's room? A She has charge of this floor; it was one of those old-time disorderly houses in Harlem and the rooms are just set apart in that way. She has charge of the rooms ~~now~~ on this second floor; the first floor is occupied by a janitress; she has charge of the four rooms on that floor.

Q Does she bring girls there or allow men to bring girls there? A She rents a room to this Scalpi; she was in and out through the rooms all the time that the girl was in there in the evening.

BY A JUROR:

Q How do you know that? A The girl says that.

BY ANOTHER JUROR:

Q Does Scalpi say that? A Yes sir.

Q How old is that Scalpi, the one that told you this? A About eighteen or nineteen years.

Q Is he accused of having intercourse with the girl? A No.

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Q And the girl does not say so either? A No, the girl says he has not.

Q Paolo Scalpi rented the room and that was sufficient cause for finding him guilty of abduction according to the law? A Allowing them to stay there for that purpose.

Q And Annie Miller rented the room to him and she is equally guilty on the same ground? A Yes sir, she knew the girl was there and the clothing of the girl was found in her room, her outer clothing was found in her room at the time the arrest was made.

BY THE FOREMAN:

Q Thomas Pizzo so far as your story goes has not committed rape? A According to the story of the girl, not to my knowledge.

Q You have told us the story of Scalpi who says that Joseph Calabrese and Frank Calabrese and Frank Martini committed rape? A Yes sir.

Q James Calabrese and Thomas Pizzo had been there during the day, but they left, and Scalpi was there? A Yes sir.

Q Is that all you know? A This Frank Martini, he is without a home and is known around Harlem among the police up there as a pimp, as an Italian pimp, and he did not work and he has done no work and he has been living with this Scalpi just occupying his room there. Then this Pizzo he was not working this day and he meets the girl and brings her there to this

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room; it seems to be a headquarters for all this Italian
element up there in Harlem.

Q Did you know anything about the girl before; is she a
common prostitute? A The girl has been wayward before.

Q Do you know whether this is the first circumstance of the
kind that she has been in? A No; in September she was in another
mix-up of this same sort.

Q Previous to this? A Yes sir.

Q You know that? A Yes, I had the case myself.

Q She is a girl of loose reputation? A She appears to
be a weak girl.

Q You say Martini is known as pimp? A Yes sir.

Q And Pizzo was out of work at the time and hangs around? A
Yes, hangs around this room. These Calabrese brothers, they
work in some laundry; one is a barber and he is married. That
is James; he is the only one of the defendants that is married.

Q Is there testimony there that he had intercourse with her?
A Yes sir, the girl claims that he had intercourse with her
and Pizzo was living-- he and his wife at 53 East 133rd
Street. This woman whom we placed under arrest charged
with abduction I also made a charge against her of impairing
the morals of her own son John, thirteen years old; she
was living with a man as his wife, another Italian in the
adjoining room and his name was Pasquale Facinelli; they were

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living as man and wife under the name of Mr. and Mrs.

Murphy in this adjoining room and they had her boy, thirteen years of age, living and sleeping in the same bed with them and she was tried for impairing his morals this morning in Special Sessions and she and Pasquale Facinelli were both found guilty of impairing the morals of this boy. The attitude of the whole case is, most every one of the defendants in the Magistrate's court were all trying to tell their story and trying to implicate the others.

BY A JUROR:

Q Scalpi has been working? A Yes sir.

Q Is his reputation the same as these others? A We could not find anything about his reputation.

BY THE FOREMAN:

Q And you didn't ascertain from him why he allowed these fellows to have this girl there? A He found them there when he got home and he said he felt a little afraid of making them take her out and he knew they wouldn't do it if he told them and he had no objection to her staying there.

Q If he had anything to do with getting her there you cannot find that out? A No.

Q Did he tell you this was the first time he found this girl there? A He did not tell me that.

Q You don't know of any previous occurrence? A Only from ~~sings~~ the admissions the defendants made to the police.

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Q Florence Humphreys is the girl ? A Yes sir.

Q And Julia Humphreys is the mother? A Yes sir.

FLORENCE HUMPHREYS, being duly sworn against all seven defendants, testified as follows:

Q How did you happen to go with this man? Who was it that took you to these apartments? A Thomas Pizzo.

Q Had you known him before? A My sister lived up in 126th Street and if she would send me to the store I would see this Tom Pizzo in 125th Street.

Q You had seen him before? A Yes sir.

Q Many times? A Lots of times; pretty nearly every day.

Q So you knew him? A Yes sir.

Q And he asked you to go where with him? A To see this Mrs. Miller.

Q Did you know her? A Yes sir; I knew her about two years.

Q Had you been to see her before? A No sir.

Q You never been to her house before? A No sir.

Q Did your mother know her; was she a friend of the family? A My sister knew her, but not my mother.

Q So you went with Thomas Pizzo up to Mrs. Miller's apartment? A Yes sir.

Q And then when you got there was there anyone there? A No sir.

Q Whose room did you go into? A This Paul Scalpi's room.

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Q Paolo Scalpi's room? A Yes sir, he hired the room.

Q Did you know him? A No sir.

Q Did you know that he had a room there? A Nosir; I didn't know any of them but this Thomas Pizzo.

Q And Mrs. Miller? A Yes sir.

Q And this Thomas Pizzo took you into a room which proved to be Scalpi's room? A yes sir.

Q And then was anyone else there? A There was Frank Martini.

Q They came in at the same time or later? A He was in there.

Q What time of day was this? A Between three and half past.

Q Then when did the others come in? A They came in in the evening.

Q What happened when you got to the room? A When I got to the room this Frank Martini went out and Thomas Pizzo had connection with me.

Q With your consent? A No sir.

Q Did you know that that is what he wanted you to go there for? A No sir; I went up to see Mrs. Miller.

Q Were you frightened when you found she wasn't there?

A Yes sir, I told him I wanted to go home and he said "stay a while" and he put the latch on the door.

Q Martini was there at the time? A Yes sir; but he

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went out.

Q He went out and left you alone with Pizzo? A Yes sir.

Q This was in the afternoon? A Yes sir.

Q Then Pizzo committed rape , did he? A Yes sir.

Q He had sexual intercourse with you? A Yes sir.

Q And not with your consent? A No sir.

Q He forced you? A Yes sir.

Q You tried to prevent it? A Yes sir.

Q No one was in the room at this time? A No sir.

Q Then what? A Then this Frank Martini came back.

Q You were in bed with Pizzo? A No sir; I was up.

Q This was later in the afternoon? A yes sir.

Q And then what happened? A And then a fellow by the name of James Calabrese came.

Q He came in with Martini? A No sur, after him.

Q Did you know him? A No sir.

Q Did you know Martini? A Only from just seeing him that day.

Q Then there were three men there with you? A Yes, and then martini and Pizzo went out.

Q Martini and Pizzo went out? A Yes sir.

Q And left James Calabrese with you? A Yes sir.

Q Did you try to go out then? A yes sir, I did, but he shut the door.

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Q And Pizzo wouldn't take you out? A No sir.

Q And then what happened? A And then this James Calabrese forced me.

Q That was against your will; you tried to prevent it?
A Yes sir.

Q He was alone with you at the time? A Yes sir.

Q No one else in the room? A No sir.

Q And then what happened? A And then he had connection with me, and then the other two came back.

Q That is Frank Martini and Thomas Pizzo? A Yes sir.

Q And then what? A And then this Mrs. Miller, Annie Miller, she came in to get a cigarette lighted and she started to fool with the fellows and she went out and later in the evening she came back again.

Q Did you try to get her to take you out? A I asked her but she said I should stick to these fellows and then she came back again to change a package of cigarettes and I went over in her house then.

Q Her room was on the same floor? A Yes sir, right next door.

Q Did these men go with you? A Yes sir, Tom Pizzo, he wouldn't let me out.

Q Tom Pizzo wouldn't, he went with you? A Yes sir.

Q And who else? A That was all; Martini and Calabrese stayed in the room, and in Mrs. Miller's room there was a

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fellow named Patsy; he called himself as Patsy.

Q Do you know what his last name was? A Patycols)?)
or something like that.

Q It wasn't Scalpi? A No sir.

Q Had you found him in Mrs. Miller's room? A Yes, with
two other man.

Q Who were the other men? A I don't know..

Q Then what happened there? A She wanted me to stay
in the room with them men and I didn't do it. So Tom Pizzo
took me back to the other room.

Q When you got back was any one there? A No sir, those
two men were there.

Q What two men? A Martini and James Calabrese.

Q They were still in the room when you got there? A They
were still there and in the evening Paul Scalpi came home
and he washed himself and he went out and got something to
eat and then the other fellows came in, Joseph Calabrese and
Frank Calabrese , and then by that time it was pretty late
and then this Tom Pizzo he went out and so did Jim Calabrese.

Q And left you with these three men, Joseph Calabrese and
Frank Calabrese and Frank Martini and Paul Scalpi? A Yes sir,
four of them and this Paul, he put a mattress on the floor and
he laid on it with the two Calabrese brothers and I was in
the bed with Frank Martini.

Q Did you have intercourse with him? A No, not then. Then this Joe Calabrese he got off the floor and he came into the bed and pulled me over and had intercourse with me.

Q He forced you, did he? A Yes sir.

Q You tried to prevent it? A yes sir.

Q That is Joe Calabrese? A Yes sir, and then he went back to the floor again and Frank Calabrese came up and he forced me.

Q And you tried to prevent him again? A Yes sir, and then he went back to the floor and these three fellows wanted to go in the bed ; so I and Martini went on the floor and then came in the bed.

Q The three Calabreses? A Two Calabreses and Paul, and then I went on the floor with this Frank Martini and he turned me over and had intercourse with me.

Q And you tried to prevent that? A yes sir, and then in the morning Paul and this Joe Calabrese got up and went to work.

Q Paul Scalpi went out in the morning? A Yes sir.

Q Had you ever known any of those men but Pizzo before?

A No sir.

Q Did your mother know where you had gone? A She was up to my sister's.

Q She didn't know where you had gone? A No sir.

Q Didn't she go home that night? A My mother went home

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that night.

Q She found you weren't at home? A Yes sir.

Q Didn't she go to look for you? A I don't about that.

Q You didn't tell anyone where you were going? A I didn't have any one to tell there. He took me right up from the street.

Q You needn't have gone with him if you hadn't wanted to?

A I knew this Mrs. Miller and I thought I would go up to see her.

BY A JUROR:

Q You say you were in Mrs. Miller's room at one time? A Yes sir.

Q Why didn't you leave the house then; did they detain you by force? A yes sir, Tom Pizzo pulled me over.

Q Did you ask Mrs. Miller to help you? A No sir; I didn't ask her; I was outside by that time and I was just going down the stairs and he pulled me over.

Q Did you make any outcry? A No sir; she said if the landlord came she would tell him I was her niece.

BY THE FOREMAN:

Q You couldn't have gotten away at any time? A No sir.

Q And in each instance of the five instances of sexual intercourse you tried to prevent it? A Yes sir.

Q What do you do; do you work? A I have worked, before Thanksgiving for about three weeks

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Q What did you do? A A packer in Ehrich's and my sister wouldn't allow me to work there any longer for the small wages.

Q How old are you? A Fifteen this March.

Q Had any one ever violated you before? A The first time a girl was at my house and she was looking out the window and I was in my night-gown and I was in the kitchen and she called two fellows up and they forced me.

Q This was sometime before? A Yes sir.

Q Know those two men? A No sir.

Q Was any complaint made against them? A The janitor next door, ~~xxx~~ she heard them and she told my mother that fellows had been up and I said they were not; I was afraid to tell her.

Q It was dark in this room at this time? A Yes sir.

Q How could you be sure as to who those men were? A I seen them.

Q Did they have a light there? A Yes sir.

Q So you could see their faces? A Yes sir.

Q And you could remember and get the names after? A Yes sir.

Q You knew that all these five men violated you that night?

A Yes sir.

BY A JUROR:

Q Had you ever seen those men before that day? A No sir;

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never saw the other men before that day but Pizzo.

BY THE FOREMAN:

Q How did you find out their names? A He told me their names.

Q When you got to the room? A Yes sir, he told me.

Q You hadn't known Paolo Scalpi? A I only knew their first names until this Martini told the officers their last names.

Q Does your sister know Mrs. Miller? A Mrs. Miller used to live down 84th Street between East End Avenue and the river and my sister worked down there and through people in that block she knew Mrs. Miller.

Q What is Mrs. Miller's business? A She has been janitress.

Q She didn't help you to get away, she told you to stay?
A No sir; she told me to stick to these fellows and to stick to her and I would be all right and I said I was going home.

Q Had she been all right when you had known her before?
A Yes sir.

Q You didn't know she had kept this room for this purpose?
A No sir.

Q When you went there you didn't know at all what Mrs. Miller kept those rooms for? A No sir.

Q You didn't know what was going to happen? A No sir.
BY A JUROR:

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Q After you got home the next morning did you tell your mother of your experiences ? A I didn't get home at all; it was Thursday afternoon and I was just going to start to get home. I went there in the afternoon of Wednesday and spent Wednesday night and Thursday morning; I went in Mrs. Miller's house; this Tom Pizzo came and took my coat over there and I went in Mrs. Miller's house.

Q The other men had all gone? A Yes sir, and I combed my hair and her boy came in and he wanted to borrow some money from her to get some whiskey; it seems he got it and brought it up and she asked him for a drink and he gave her half a glass full, and by that time I had my hair combed and my coat on and I went for a walk.

Q Did Paul Pizzo go with you? A This Frank Martini.

Q Why didn't you go home then? A This Frank Martini was there and Tom Pizzo told him to keep me and told Mrs. Miller to keep me.

Q Pizzo told Mrs. Miller to keep you? A Yes, and Frank Martini to keep me.

Q And you went ~~xxx~~ for a walk with Frank Martini? A Yes sir, and then he brought me back again and that was about the afternoon, about 2 o'clock and I was going downstairs and I met these two officers.

Q You mean coming downstairs after you left him upstairs?

A Yes sir.

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Q How did you get away? A I told you I was just going downstairs; there was a ladies toilet down there and I told him I was going down there.

Q You had gone down to that toilet before; couldn't you have gone away before? A I hadn't gone down before.

Q You could have if you wanted to? A I suppose if I had asked them to I could.

Q Annie Miller kept you there; she did not help you to go away when you asked her? A No sir.

BY A JUROR:

Q Did they offer you any money, any of these men? A No sir.

BY ANOTHER JUROR:

Q When did you tell your mother of this? A The officers asked me my name.

Q You were going home on Thursday afternoon and you met these officers on the stairs? A Yes sir, and they asked me my name and I told them where I lived and that these fellows kept me there.

Q Where are you now, in the House of Detention? A In the Society.

Q How did these officers know that you were there; did your mother make a complaint? A No sir; they said a friend of their's saw me go up with them.

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JULIA HUMPHREYS, being duly sworn against all seven defendants, testified as follows:

BY THE FOREMAN:

Q Where do you live? A 1663 First Avenue.

Q Is Florence Humphreys your daughter? A Yes sir.

Q How old is she? A Fourteen.

Q When was her birth day? A 20th of last March she was 14th.

Q 20th of last March she was fourteen? A Yes sir.

Q You didn't know that she had gone to this house of Mrs. Miller, knew nothing about it.

Q When did you first miss her on Thursday-- it was Wednesday? A She went to my daughter's on Tuesday and she said "I will stay over night". That was all right; I thought she would be home Wednesday evening to go with me to Church and I went up myself to my daughter's; I didn't say anything to my other girl and I found she was ^{not} there, and I didn't know what to think. I went up Thursday night but heard nothing about her; my other daughter went with me.

Q You went Thursday again? A Yes sir, I didn't know what become of her. So anyhow we just got down to our door about half past ten when a policeman came and he was looking at the bells and I said to him "Who are you looking for?" and he said, "I am looking for Humphreys or some such name as that", and he said, "Are you Mrs. Humphreys?" and I said, "Yes"

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and he had a paper that my daughter had been arrested.

Q What do you know about Annie Miller? A I don't know the woman at all.

Q Did you know that your daughter had known her for several years? A No sir.

Q Do you know any of those six men? A No sir.

Q Never seen them? A Never saw them; wouldn't know them if I saw them.

Q Has your daughter been a good girl? A Always-was; I can't understand it; a good girl she is;

Q Had she done this before? A Only once.

Q You knew about that? A Yes sir.

Q What happened; the men came to the house? A No; she stayed this night.

Q You mean only once before? A Only this once.

BY A JUROR:

Q She stayed away that once before? A Yes sir.

BY THE FOREMAN:

Q Once before this night, you knew of her being away? A Yes sir.

Q And had rape been committed before, had you learned?
A Yes sir; Mr. Hughes told me.

Q You didn't know it at the time? A No sir; didn't know nothing at all at the time. I never gave such a thought. I

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am a widow and I have to work for my living and I brought her up nicely.

OFFICER FRANCIS E. HAWKINS, of the 6th Branch Detective Bureau, being duly sworn against all seven defendants, testified as follows:

BY THE FOREMAN:

Q When were you called into this case? A Some information we received on the 22nd day of December.

Q From whom? A From a business man in that building 2318 Third Avenue.

Q Is that where Annie Miller lived? A Yes sir.

Q What did he tell you? A He told me he had seen a young girl going upstairs there and meeting two or three fellows and he didn't think it was right.

Q He lived in the building? A He done business in the building.

Q What was his name? A I don't just recall his name; he is a dentist.

Q The dentist in the building on the floor below? A Yes sir.

Q You went right up there? A Yes sir. I found that the girl Florence Humphreys was just coming out of a room, a large rear room on that floor.

Q Did you find out whose room that was? A She told me

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that was the room that she had been in the previous night.

Q She didn't say who rented it; did she tell you whose room it was? A Yes, sir; Tom's Pizzo's she said at first.

On going into the room I found a man named Tom Pizzo, James Calabrese and Frank Martini and each one of them was conducted around singly to the station house in East 126th Street by detective Dorsey who was with me and I remained in the room with the girl until about five o'clock when Paul Scalpi, he came in and when he came we obtained from him the working addresses of the two other Calabreses, one which was in 301 West 112th Street and the other 163 West 48th Street.

Q And you went and arrested them? A yes sir, on the charge of the girl.

Q Had she given you the names of those men? A yes sir;

Q And told you they had committed rape? A yes sir.

Q And what about Scalpi? A He was a co-partner in the room or a co-tenant in the room.

Q How did you find that out? A He himself told me.

Q That he rented the room? A yes sir.

Q Who did he rent it off? A From Mrs. Miller.

Q Scalpi told you that? A Yes sir.

Q And you found that she rented rooms in that same floor?

A She herself said she was in charge of the rooms on that floor.

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Q Did you know what the character of the house was? A I knew nothing about the house in particular up to that time.

Q Did you question her about the girl being there? A Yes sir.

Q What did she say? A She at first denied that she had seen the girl at all excepting once and that she hadn't spoken to her.

Q Was the girl with you at the time? A yes sir, and the girl told her, "You saw me here last night, Mrs. Miller and you were in the room and you brought in a can of beer", and the woman said "Oh, no, you must be mistaken", and she said "I was in your room this morning" and in looking around Mrs. Miller's room I found part of the outside clothing worn by the girl in her room; she is wearing part of it now, the cloak she has on.

Q Have you found out anything about Mr s. Miller since? A No sir.

Q Have you found out anything about any of these men? A One of them I believe has been the father of a bastard child; other than that I don't know anything about him.

Q Don't know anything about them? A No sir.

Q Does the other officer know anything else than you do? A No sir.

Q He acted with you? A yes sir.

BY A JUROR:

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Q How did she give you their names? A She told me the names; she described them as Frank, John, James and Joe. Scalpi knew the rest of their names and when he came to the room he furnished me with their full names and the addresses where they could be found.

Q Did you have this girl where she could identify them?

A Yes sir.

Q And were those the names that you found belonged to them? A Yes sir.

Q And she told you they had all been ~~in~~ with her in the room? A Yes sir. I had a conversation with these men in the patrol wagon on the way from the Precinct station house; there was five of them or six of them, and Pizzo and Frank Martini done most of the talking; it was in the hearing and presence of the rest of them, and they said that had they known the girl was as young as that, that they wouldn't have had intercourse with her, and in the station house they said that they all had intercourse with her, and I said, "According to your own story, she must have had sexual intercourse five or six times during that night and he said "about a dozen times", and I spoke to him to draw him on, whether he liked the girl and liked his pleasures in that way, and he said "She wasn't so good and I have had better". Martini and Pizzo was the ones that done the talking, but

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the other three Calabrese brothers were present at the time..

BY A JUROR:

Q They all spoke English? A yes sir.

Q Are they locked up or on bail? A All locked up.

Q Mrs. Miller locked up too? A yes sir; she was convicted this morning in Special Sessions for impairing the morals of her child thirteen years old.

BY THE FOREMAN:

Q On what ground officer, did you bring the charge against Mrs. Miller and Pao lo Scalpi, for abduction? A On the statement made by Paolo Scalpi and Florence Humphreys that he was present in the room from 9 o'clock December 22nd until about 8 A. M. December 23rd, and that he told me that he had seen Frank Martini, Joe and Frank Calabrese, each in there go to the bed, and where the girl was sleeping and have intercourse with her; that he, being a tenant in the room at the time, took no steps to prevent the crime being committed.

Q What was the ground against Mrs. Miller? A That she knew this girl was in there and had seen her in there in company with these men and that she remained there all night and came to her room the following morning and that Annie Miller advised her sticking to Frank Martini; that he was a good fellow and would treat her all right.

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New York, January 5th, 1910.

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(People vs. Joseph Robinson,
Oscar Robinson

(Base 24 and 25)

FRANCIS E. HUGHES, being duly sworn against both defendants testified as follows:
BY THE FOREMAN:

Q Full name and address? A Francis J. Hughes, 297 Fourth Avenue, New York Society for the Prevention of Cruelty to Children.

Q Give us the facts in the case against Joseph Robinson?

A This girl Adelead Thompson, a girl of fourteen years of age, small colored girl, she was arrested on the complaint of Mrs. Otis for stealing twenty follars; she claimed that she had sent this money, some of the money to Oscar Robinson, the brother of the defendant Joseph Robinson and when questioned why she sent the money she said that this Oscar Robinson had scared her into sending the money and had told her that if any money she found around the home where she was working to pick it up and send it to him and she also stated that he had intercourse with her and that this Joseph Robinson had intercourse with her. Upon that statement, the both Robinson brothers were arrested. When arraigned in the Fifth District Court in company with officer Hawkins I informed Joseph Robinson, informed him of his rights and asked him what he had to say about that. He said he had met the girl about two months prior on the street

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and she had solicited him and he had taken her into a hallway and had had sexual intercourse with her and that he gave her twenty-five cents, and he said that that was the only time he had sexual intercourse with her and that was all he knew about the girl.

Q What do you know about the girl? A The girl has been a wild girl; her mother had her committed to the Brooklyn Howard Colored Orphan Asylum on April 4th, 1908 on her mother's complaint of being incorrigible.

Q Is she a prostitute? A Could not say anything about that, although she does say that neither one of these brothers had seduced her. She don't claim that either one of them was the first one.

Q She is below the age? A Yes sir, only fourteen years of age.

Q That is all about Jseph Robinson? A Yes sir.

Q Now, about Oscar Robinson? A Oscar Robinson.

Q He was the man to whom she sent the money? A Yes sir and when he was placed under arrest some of this money was found upon his person, although there was a small note in it which I don't recollect just what it is; I believe officer Hawkins has the note. There wasn't sufficient ground to make a complaint of receiving stolen goods.

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Q How do you know it was the same money? A We don't know it, only from his admission; the money was found on him in an envelope, that this note came from the girl.

Q What do you mean about stolen goods? A This money that was stolen from this Mrs. Otis and she sent fifteen dollars of that twenty to this Oscar Robinson and there was about eleven of it found on his person.

Q There is no proof that is the same money? A No.

BY A JUROR:

Q Twenty dollars do you say was stolen? A Yes, sir, twenty dollars was stolen and she sent fifteen to Oscar Robinson with a note.

BY THE FOREMAN:

Q What about these two men, do you know them at all? A We have not investigated this Oscar Robinson; he lives with his mother.

Q American born, both of them, Oscar 24, and the other one, 28? A Yes sir, Oscar 24; tenants of the house up there said that they knew that he didn't work, hadn't been doing any work since living there and he was always well dressed and wondered how they managed to get along. The mother stated that he hadn't done any work for this past year and she didn't know how he managed to get along; that he bought his own clothes and did not help her out in any way. His mother is an elderly woman.

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In 1901, June 30th, this Oscar Robinson was arrested on the complaint of one Salvatore Gueire, trying to commit an act of sodomy upon his son.

BY A JUROR:

Q This is Oscar that you are talking about? A Yes, and he was discharged in the Children's Court; he was only fifteen years of age at that time. The officers have a police record against him of where he has been arrested and at three different times.

BY THE FOREMAN:

Q Know anything about Joseph? A Nothing about him but he works.

BY A JUROR:

Q You say he does work? A Joseph does work, yes sir.

Q He didn't write any letter asking for money or anything else? A No, he didn't receive any money.

Q Who is Sarah Thompson? A She is the mother; she just testifies to the girl's age.

Q As far as Joseph is concerned he is a working boy, so to speak? A yes sir, although his mother claimed that he was a working boy, although he admitted himself that he hadn't been working for three weeks or a month past.

A D E L E T H O M P S O N, being duly sworn against both defendants, testified as follows:

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BY THE FOREMAN:

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Q Your full name and address? A Adele Thompson.

Q What is your address? A 36 West 136th Street.

Q Tell us what you know first about Joseph Robinson; is he a friend of yours? A Yes sir; I first met him when I went down to live with my aunt; I was walking up through 100th street and came over from a girl's house, when on the stoop I saw this Joseph Robinson.

Q Was that the first time you ever seen him? A Yes sir, and when I got a couple of doors from him he called and whistled and I went back and he asked me where I lived and I told him 111 East 100th Street with my aunt. So he asked me how long I was going to stay down there and I told him I didn't know, as long as my aunt wanted me to stay down there. So he told me to meet him the next night.

Q Then he left you that day? A Yes sir.

Q That was the first day you had ever seen him? A Yes sir. So he told me to meet him the next night, but I didn't because my aunt wouldn't let me.

Q Where did he ask you to meet him? A To come to his house about half past eight, but I couldn't. So I met him a couple of other nights.

Q Where did you meet him? A By my door.

Q Out on the street? A Yes sir.

Q A couple of nights later? A Yes sir.

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Q Well, then what? A And he told me to come in his house and play the organ for him.

Q And you went home with him to his house? A yes sir.

Q And then what happened, when you stayed there that night with him? A I just sat there about five or ten minutes. He asked me to play the organ for him and I played three pieces.

Q Anybody else in the room? A Only himself.

Q What happened then; he had to force you there? A Yes sir.

Q You went to bed with him? A Yes sir.

Q You had sexual intercourse with him? A yes sir.

Q Did you consent or did you try to prevent him? A I said no, and he took and twist my arm.

Q And then you got up and came right home? A Yes sir.

Q Have you seen him since? A Yes sir, I seen him about two or three weeks afterwards; he was working then.

Q Have you had any relations with him since? A Yes, only twice.

Q Since the first time? A Yes sir.

Q Did you consent the second time? A No, I never did consent at all.

Q Where was it you saw him the second time when you had intercourse, at his house again? A Yes sir.

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Q You went again to his house? A Yes sir.

Q Did he meet you at your house and take you there? A No, I was passing by; it was a little after one o'clock in the morning.

Q One o'clock in the day time you mean? A Yes; he wasn't working then and he lost his job and I was passing by; he knocked at the window and I went up on the stoop and leaned over and he told me to come in and he had something to tell me and the other girl went home and left me.

Q What about Oscar Robinson? A Oscar Robinson; one day I met him on Third Avenue and he told me that Joseph wanted to see me, and I had twenty-cents and he asked me for ten cents and I gave him it.

Q Had you ever seen him before? A No; he introduced himself to me; he called me and said his brother wanted to see me and so he gave me the ten cents I gave him and he sent me ~~for~~ to get a package of cigarettes for him. I went to the candy store and got them for him and I came back and gave them to him and I left him, and then he tried to take the other ten cents away from me and I wouldn't let him.

Q When did you see him again? A I saw him at a ball Tuesday night about two or three weeks ago.

Q After you gave him the money when did you see him next?
A One day I went to a ball.

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Q. Went to a ball? A Yes sir.

Q. And he was there? A Yes sir.

Q. And then what? A He stayed there until I came home and he followed me home too.

Q. He came into your house or took you to his house? A He took me to his house.

Q. Was he alone there? A Yes sir.

Q. With you? A Yes sir.

Q. And forced you to have intercourse with him? A Yes sir.
did

Q. Did you get anything from these boys; they pay you anything? A No sir.

Q. Was Joseph Robinson the first man that you had ever had sexual intercourse with? A No sir.

Q. You had it before with other men? A Yes sir.

Q. More than once? A Just about five or six.

Q. Is it your business? A No sir.

Q. How old are you? A Fourteen.

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SARAH THOMPSON, being duly sworn, against both defendants, testified as follows:

BY THE FOREMAN:

Q. Your full name and address? A Sarah Thompson.

Q. Your address? A 36 West 136th Street.

Q. Are you the mother of Adele Thompson? A Yes sir.

Q. Does she live with you? A Yes sir.

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Q How old is she? A Fifteen years next August.

Q This year, August? A yes sir.

Q She has just passed fourteen? A Yes sir.

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New York, January 7, 1910

(People vs. Michael McDonald.) (base 46)

OFFICER JACOB KAMINSKY, being duly sworn, testified as follows:

BY THE FOREMAN:

Q Your full name and address? A Jacob Kaminsky.

Q What Precinct? A 25th Precinct.

Q What do you know about this charge of rape against Michael McDonald? A I was on patrol on that night, this was 2:15 A.M. on December 15th, 1909, I was on patrol on 23rd Street, and Lexington Avenue, and one of these girls that's out there, one came down to me without a hat or coat on.

Q Which one? A Lulu Kenny.

Q Came to you without her hat and coat on? A Yes.

Q 2:15 in the morning? A Yes, and she told me that a friend of hers is kept upstairs by two men and they wouldn't allow her to go home.

Q What is that friend's name? A Elizabeth Grogan.

Q She is here also? A Yes, and she said she had been up there too, and on an excuse to go to the bathroom they allowed her to go out for a few moments and she ran downstairs. I went up with this Kenny girl to this apartment at 132 East 23rd St.

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Q That's where she had come from? A Yes.

Q And that's where she left Elizabeth Grogan? A Yes, and I went up there with her and we entered the place and I found this Elizabeth Grogan in bed with this Michael McDonald. They were entirely nude, both of them, and in another bed about two feet away was another man by the name of Edgar Klower. When this girl Elizabeth Grogan seen me, I was in uniform at the time.

Q She was in bed with McDonald? A Yes, she told me that this man wouldn't allow her to go home.

Q That McDonald wouldn't? A Yes, so I asked this McDonald what was the matter and he said that they had been up there since nine o'clock that evening, and they had been drinking and after they had all they wanted to drink they wouldn't stay there.

Q The girls wouldn't stay there? A Yes, so I got the girl to dress and went downstairs.

Q Which girl was that? A This Elizabeth Grogan. Then they made a complaint against these two men and I placed them under arrest.

Q Got a case against the other man? This is against McDonald. A The case against Klower was dismissed in the 4th District Court.

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Q This is attempted rape? A Yes.

Q They hadn't had intercourse? A No, sir, so the girl says.

Q What do you know about Elizabeth Grogan? A I spoke to her father, her father was down in court, and he tells me that since her mother died about a year ago that the girl has not had proper care.

Q How old is the girl, have you any idea? A 17.

Q What do you know about McDonald? A He works in Wana-maker's store.

Q Was this girl that makes the complaint nude ? A Yes.

Q She had no clothes on? A She had just a chemise on.

Q Why was that case dismissed in the 4th District Court against Klower? A It was dismissed against the other man, Klower. This Elizabeth Grogan claimed that this Klower did not attempt in any way to assault her.

Q Was any attempt made upon Lulu Kenny? A Lulu Kenny, she was assaulted by this McDonald striking her in the mouth.

Q He didn't try to commit rape? A Not on this Lulu Kenny.

Q What kind of a place is this apartment? A It is a furnished apartment, this fellow Klower has that apartment.

Q Who? A Klower.

Q That is the other one that was dismissed? A Yes.

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Q He rents the apartment? A Yes.

Q What are the other tenants in the house? A Mostly occupied by studios and business offices.

Q You can't find anything wrong about it? A I spoke to this janitor of that house and he tells me that this fellow Klower was in the habit of bringing up girls to that apartment on different occasions and there was so much of it going on there that they decided to dispossess him just before I made the arrest.

Q And other than that you don't know anything about the apartment - about the house? A No, sir.

BY A JUROR:

Q Did he attempt rape against the girl that was in the bed?

A (No Answer).

Q What character did this Kenny girl have? A They were girls, they tell me, that they were going around playing in amateur theatricals.

Q How old is she? A 17

Q Both 17? A Both 17, yes.

BY THE FOREMAN:

Q How do you know that? A They told me that.

Q They haven't brought anyone to establish their ages?

A No, but this Mr. Grogan, the father of this Grogan girl, told me that she was 17.

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Q Does he work? A Yes, he is an industrious man. He lives over in Brooklyn, 693 Union Street, Brooklyn. His name is Michael Grogan.

Q Are both these girls here? A Yes.

BY A JUROR:

Q He didn't claim that there was attempted blackmail there?
A No, sir.

Q He makes no such accusation? A No, sir.

Q Did McDonald make any explanation? A He said they were drinking there and that the girls wouldn't stay, but they wanted to go home. I found the clothing of this Grogan girl around the room.

Q Was her clothing torn? A It wasn't torn, no.

Q You think, then, that she wasn't forced to undress?

A By the looks of the way that the clothing was thrown around, it looked like it.

Q Was she under the influence of liquor, or partly under it?

A Yes, she looked as if she had been drinking.

Q And you found no record against this man McDonald? A No, sir, this man Klower, I found out that he has not been convicted. He was arrested for a crime similar to that, but out of this state, in Philadelphia.

Q Are you sure of that? A That's only what I heard, that's

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only hearsay. I heard that from a brother of this McDonald.

ELIZABETH GROGAN, being duly sworn, testified as follows:

BY THE FOREMAN:

Q What's your full name? A Elizabeth Grogan.

Q Where do you live? A 693 Union Street, Brooklyn.

Q Tell us how you happened to be in this room with McDonald.

A I was going to work that night in the Metropolis Theatre.

Q What do you do in the theatre? A I was going to sing there Amateur Night, and my friend said it was too early to go.

Q Your friend Lulu Kenny? A Yes, and she said "Let's go up to Mr. Klower's and pass the time away."

Q Was Mr. Klower, the friend of McDonald - he was also in the room? A Yes, Mr. McDonald wasn't there when we first went up there.

Q So your friend said, "Let's go up to Mr. Klower's"?

A Yes, Mr. Klower was alone and then about half an hour after Mr. McDonald and his lady friend came in.

Q Another woman? A Yes.

Q What was her name? A Miss O'Brien, and Mr. McDonald had a bottle of whiskey with him, and they drank the whiskey and they gave my friend and I some whiskey.

Q You never met either of these men before? A I met Mr.

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Klower Thanksgiving Eve, but I never met McDonald before.

Q Go on, please, with the story. A And this Mr. McDonald's friend wanted to go home, Miss O'Brien, she wanted to go home, and he left her home.

Q Did he go with her? A Yes, and left me and my friend with the other man and my friend and I were putting on our hats to go home. We said we wouldn't work that night.

Q Was it late then? A About ten o'clock and Mr. McDonald came in and had another bottle of whiskey with him.

Q You stayed some time after Mr. McDonald went out?
A Stayed there about a half hour after he went out and came back with some more whiskey and he said "Where are you girls going?" and we said, "Going home", and he said, "Sit down, you have lots of time." We said, "No, we have got to be in early", so he pushed my friend in the house, back again in the room, and she said "I want to go out to the bathroom", so she could get out, and he wouldn't let her and I said, "Let her go out, she'll come back again", and I knew if she got out I'd get out, and she ran down the stairs and she ran out and down the stairs; and I was there all alone and I tried to get out and he wouldn't let me out, and I commenced screaming.

Q Did he lock the door? A Yes.

Q This man McDonald did? A Yes.

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Q The other man didn't do anything? A No, sir, and he commenced tearing off my coat and hat and dress.

Q He took your clothes off himself? A Yes. My friend had went down the early part of the evening. There was two other gentlemen went up there.

Q After you had come? A Yes, friends of Mr. Klower, and they had gone home. They just stayed about ten minutes and went down and my friend was downstairs after she had run away out of the room and she met these two gentlemen.

Q She met them downstairs? A Yes, and they asked her what was the matter and this McDonald had struck her because she tried to get out.

Q Why did he strike her? A Because she refused to take the whiskey.

Q You drank the first time? A Yes, when he had brought the second bottle we wouldn't drink any.

Q That was before she went downstairs? A Yes.

Q And she met these two men who had been up there earlier, downstairs? A Yes, and they asked her what was the matter with her mouth, and she said "Nothing", and they said, "Where is your friend?", and she said, "Upstairs, they won't let her out;" and they came up and tried to break the door and this McDonald went over to the door and asked them what they wanted and they said, "Let the other girl out", and he said, "No", and McDonald said, "Where is that other one?", and they said,

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"You won't get the other one in", and he said he wouldn't let this girl out, and they went out and got an officer.

Q These two men and your friend? A Yes.

Q Had she come back up the stairs with them? A Yes.

Q And they all went out together and brought an officer?

A Yes.

Q Then what happened? Did McDonald open the door or did the officer break in? A No, McDonald opened the door.

Q Then the officer arrested McDonald? A No, the officer went downstairs and he asked us if we wanted to charge against McDonald and we said Yes and they came up and took Mr. McDonald and Klower out.

Q After your friend went downstairs McDonald forced you to take your clothes off? A Yes, he pulled them off.

Q And then he put you in the bed? A Yes, he threw me in the bed and just as I was in bed he was throwing me down when he put his hand over my mouth, and I was trying to holler.

Q Was he in bed with you? A Yes.

Q Were your clothes off? A Yes.

Q Had he attempted to commit rape? A Yes.

Q Tried to force you before the officer came? A He was trying it when the officer had come in.

Q He did not succeed? A No, sir.

Q You had no intercourse? A No, sir.

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Q Did you scream out when he tried to force you? A Yes sir.

Q And then the officer was at the door? A Yes sir.

Q The door was locked? A No, the door was locked when he first came up; then when the officer came up the second time McDonald had the door open.

Q So the officer came in without knocking? A Yes sir.

Q And he came in and found McDonald in bed with you? A Yes sir.

Q How old are you? A Seventeen years.

Q Had you ever had intercourse with any man? A No sir.

Q Have you been in the theatre business sometime? A Yes sir.

Q Did you know what kind of men these were when you went up there? A No sir.

Q You live with your father? A Yes sir.

Q Where is this theatre? A Metropolis, 142nd Street and Third Avenue.

Q Lulu Kenny, had you known her sometime? A Yes sir.

Q Good friend of yours? A Yes sir.

Q Had you met her in the theatre? A No sir. I met her sister; I used to know her sister.

Q Was her sister in the theatres too? A No sir.

BY A JUROR:

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Q How many rooms did these men have? A One room.

Q Just this one room? A One room.

Q Was that a bed room? A It was; one large room
he used to--- he had a piano there.

Q The bed was in the same room? A Yes sir.

Q Had you ever been in that room before? A yes , I was
up there Thanksgiving Eve.

Q You quite well knew you were going to this man's bed-room?

A Yes sir.

Q You knew it was this man's bedroom that you were going
to? A Yes sir.

Q When was your birthday? A Fourth of October.

Q And you were how old then? A Seventeen years old.

Q Are you in the habit of going to gentleman's rooms
that you don't know, gentlemen that you don't know; didn't
you have any hesitation in going to this room? A No sir, Mr.

Q Klawer---

Q How long have you known Klawer? A Since Thanksgiving
Eve.

Q And you had been introduced by your friend? A Yes sir.

Q And you didn't know anything against him? A No sir.

Q Has your father usually let you visit ~~in~~ men in their
rooms that way ? A My father didn't know of it.

Q Had you visited men's rooms before this? A No sir; that
was the first time, Thanksgiving Eve.

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Q And that night McDonald was not there? A No sir.

Q And you found this was the man's bedroom; you saw the bed that night? A yes sir.

Q Nothing was done that was improper that night? A No sir; he acted very nice, Mr. Klawer did.

Q What did Mr. Klawer do all this time when McDonald was trying to assault you? A He was afraid of Mr. McDonald and he couldn't say nothing and he said "No, you are a fool and I am not a fool."

Q Did Klawer try to help you? A Yes sir, he told McDonald to get out of there and McDonald said it was none of his business.

Q Was Klawer in bed? A Yes sir.

Q Were there two beds in the room? A Yes sir.

Q He had gone to bed in the other bed? A Yes sir.

Q He gave up trying to put McDonald out or trying to stop McDonald troubling you? A No sir.

Q Did McDonald live in that room with Klawer? A No sir, he did not.

Q But there were two beds there? A Yes sir.

Q Were either of those men drunk? A They had drunk some whiskey in the early part of the evening.

Q Both of them under the influence of liquor? A I couldn't notice it on them.

Q Were you under the influence of liquor? A No sir.

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Q How many drinks had you had? A Just one small drink.

Q You are in the habit of drinking whiskey? A No sir, never drank it before.

Q You in the habit of going out at night alone? A My father used to let me out.

Q Have you been recently in the habit of going out alone at night? A No sir.

Q Your father knew you were working in the theatre? A He didn't know where I was going.

Q He didn't know you were going to sing in the theatre?
A Not very often, once or twice.

Q You had sung in the theatre before? A Yes.

Q This is the first time that anything of this sort has been tried with you, rape? A Yes sir.

Q Was this his regular room or just a room of the saloon?
A No, it was his own room.

Q Were there two beds there when you went there on Thanksgiving Eve? A No sir, only one bed.

L U L U K E N N Y, being duly sworn, testified as follows:
BY THE FOREMAN:

Q Your full name? A Lulu Kenny.

Q Where do you live? A 53 Underhill Avenue, Brooklyn.

Q How long have you known Elizabeth Grogan? A I know her for about three years.

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- Q What do you do? A I work at amateuring.
- Q You work at amateuring? A Yes sir.
- Q In the theatres? A Yes sir.
- Q Been doing that for sometime? A For about a year.
- Q How old are you? A Eighteen the first of January.
- Q Know her about three years? A Yes sir.
- Q Did you meet her that night in theatre or on the street? A No sir, I know her.
- Q Where did you meet her that night? A At my own house.
- Q She came to your house? A yes sir.
- Q And you started to go to the theatre together? A Yes sir.
- Q And you didn't go? A It was too early.
- Q What did you do? A Went up to Mr. Klawer's house.
- Q Is he a friend of yours? A yes sir.
- Q How long had you known him? A About two months.
- Q Where did you meet him? A On Broadway.
- Q Does your family know him? A No sir
- Q Did someone introduce you or did he speak to you? A A girl introduced him to me.
- Q Did you know anything about him? A No sir.
- Q Had you seen him much since the two months ago that you met him? A Yes, sir, several times.
- Q Where? A A couple of times up in his own house and met him on Broadway .

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Q How did you happen to go the first time to his house?

A A girl friend introduced me and he asked her to bring me up there.

Q You went up there in the night? A Yes sir.

Q Has he two or three rooms? A Just one.

Q A bedroom? A Like a studio room, but he has a bed there too.

Q You saw the bed when you first went there? A Yes sir.

Q And you were there several times? A Yes sir.

Q Alone? A No; this girl with me.

Q He treated you all right? A Yes sir.

Q This night you went there, you suggested to Elizabeth Grogan that you and she go up there? A Yes, sir.

Q And he was in? A Yes sir.

Q Did he expect you that night? A No sir.

Q What happened when you got there? A We went in and sat down for a little while and took off our coats and kept our hats on and this Mr. McDonald and his lady friend came in.

Q Had you ever seen him before? A Yes, once, I didn't speak to him.

Q Met him in the same room? A Yes sir.

Q Know this lady friend of his? A No sir.

Q He came in and stayed a while? A Yes sir.

Q What did you do while he was there? A Mr. Klawer was singing and playing the piano and they brought in some

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whiskey.

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Q Who brought in the whiskey? A Mr. McDonald.

Q He went out and got it? A No; he brought it in.
He made us take a little drink. I could not drink mine, it made me sick to my stomach.

Q Had you ever drank it before? A No sir; then they made some candy and it got kind of late, about half past ten and Mr. McDonald took his lady friend home.

BY A JUROR:

Q They made candy, you say? A yes sir.

BY THE FOREMAN:

Q Well, what happened? A We didn't expect him back; we didn't know he was coming back, when he came knocking at the door just as we were getting on our coats to go home.

Q What were you doing while he was out? A Playing piano and singing.

Q Then he came back? A Yes sir.

Q Alone? A Yes sir. He had a bottle of whiskey in his hand and he asked me to take some and because I wouldn't take it he hit me on the face with his hand.

Q Did he knock you down? A yes sir.

Q What did Klawer say when he did this? A Klawer, he didn't do anything, he was intoxicated.

Q He didn't try to help you? A No sir.

Q McDonald wasn't intoxicated? A He was half intoxicated.

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Q After he knocked you down did you get up? A Yes, and I asked to go to the bath room and he said no, it was a scheme to get out.

Q Was the door locked? A Yes sir.

Q Who locked it? A Mr. McDonald locked it when he came in. It was a latch lock, and when you slammed it it locks.

Q It locks from the outside, but you can open it from the inside? A yes sir.

Q And there was nothing to prevent your going out except that he struck you? A Yes sir, he said "You want to get out to go home", and I had to leave my hat there, and Elizabeth Grogan begged him to let me go out and then he wanted to see if I went in the bathroom and it was at the end of the hall and I went in and just made believe and reached the door and I saw him close the door, and I ran past and as I ran past Elizabeth hollered and it stopped quick as if he put his hand over her mouth. I went downstairs and stood there because my mouth was bleeding and I was crying and I didn't know what to do, and two fellows that were up there earlier in the evening were going past.

Q Friends of yours? A No, sir, friends of Mr. Klawer.

Q Never seen them before? A Saw one of them before, but not the other one.

Q And they went up with you? A Yes sir.

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Q The door was locked? A Yes sir. McDonald opened the door and slammed it in their faces.

Q They didn't try to force their way in? A They couldn't get in.

Q You could not see into the room? A No sir.

Q You went downstairs again and got the officer? A I was going down and these other fellows said "There is an officer, will I call him?" and I said yes.

Q So the officer came up? A Yes. They came up, but the officer wouldn't let them go in and when we come out they were gone.

Q Did you go into the room with the officer? A Yes sir.

Q Where do you live? A In Brooklyn.

Q With who? A With my sister and father.

Q Who pays for your clothes? A I pay for them myself.

Q That money you make yourself? A Yes sir.

Q How much do you make? A Every night, if you don't the prize you get a dollar and a half off the manager.

Q How much did you make if you got a prize? A The first prize is five dollars and three and two.

Q Take that money home to your father? A I always took it home.

Q Tell him where you got it from? A No, he expected I was working.

Q At nights? A I never was out after 11 or 12 o'clock.

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Q He thought you were working? A He didn't know; he never asked me.

Q In the day time you were home? A I was never home in the day; I was out getting songs to sing at night at the publishers.

Q Never asked you where you got the money from? A He asked me where I was working and I told him I was working.

Q When you went in the room and you saw this man, with the girl in bed? A Yes sir.

Q Without any clothes on? A Yes sir, and there was a man sleeping alone.

Q Had this man secreted your friend's clothes about the room? A Yes sir, she could not even find them when the officer told her to get dressed. Her dress was all torn.

TESTIMONY CLOSED/

CASE # 3317

New York, January 7, 1910.

(People vs. John Clarkin). (base 52)

MRS. WILLIAM E. FULFORD, being duly sworn, testified as follows:

BY THE FOREMAN:

Q Where do you live? A 325 East 77th Street.

Q Is Emma Fulford your daughter? A Step daughter.

Q What is her age? A She is 16; she was 16 last April.

Q How long has she been in your house? A Five years next August.

Q What has she been doing? A She hasn't been doing anything particular. Only once in a while she went to work in a paper box factory, and I think about two months.

Q Is she a wayward girl? A No, sir, she's not very wayward.

Q Sometimes a little wild? A Not wild, but she would be easy lead off.

Q Have you had any trouble at all with her? A A little bit.

Q Has she been in trouble of this sort before? A No, sir.

Q What kind of trouble did you have with her before?

A We only had the first trouble there with this young man.

Q This Clarkin? A Yes. That was the first trouble I had.

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I was sick abed then, in March, and her father was in the room with me, and he went out to see where she was and caught the two of them, if you please, in the act in the kitchen downstairs.

Q He did? A Yes, that was the first.

EMMA FULFORD, being duly sworn, testified as follows:

BY THE FOREMAN:

Q How long have you known John Clarkin? A I know him a year in November.

Q Where was it that this alleged rape occurred? A In my house.

Q In your house? A Yes.

Q He came to visit you there? A Yes.

Q And had he been there before to see you? A He never was before to see me until on Election night.

Q Never been to your house before? A No, sir.

Q And you invited him? A Yes.

Q Was your mother there? A Yes, in the house.

Q Where did this happen, in your room? A Downstairs in the kitchen.

Q You were alone there? A Yes.

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Q Did he force you? A Yes, he did.

Q Did you consent to it or not? A I was standing there and he asked me right out, and I said, "No, John, if anything should happen to me who would stand for that? I know that you won't take and marry me", and he grabbed me by the shoulders and put me down and had sexual intercourse with me.

BY THE FOREMAN:

Q How old are you? A Sixteen.

BY A JUROR:

Q Did you scream? A No, sir, I didn't.

BY THE FOREMAN:

Q When did this happen? A In January.

Q Of last year? A Yes.

Q Did you have him arrested at once? A No, sir, I didn't. When I found out that I was this way, in a family way, I went and told him and asked him if he would please marry me so I wouldn't have the disgrace on my mother and father in the house.

Q This happened last January? A Yes.

Q Have you had sexual intercourse with him since? A In March. I was working in the Longfellow Laundry and I found out there was something the matter with me and one morning I said, "John, there's something the matter with me", and I was working in the laundry and I came home one morning very sick.

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Q How many months are you now? A 6 months.

Q But then it couldn't have been in January? A Since June I told him, I went to the doctors.

Q You had intercourse with him in June? A Yes.

Q You have been having it right along? A Yes, and I told him there was something the matter with me and I came home very sick from the laundry and I went to the doctor's and he told me there was something the matter with me and I kept telling him and asking him if he would marry me.

Q Did your step-mother know all the time that you were having intercourse with him? A No, sir.

Q She knew this first time in the kitchen? A Yes.

Q But she didn't know about this other time? A No, sir.

Q In your house? A Yes, and sometimes in the vestibule, and down at the East Side Settlement House in 5 West 56th Street.

Q Did you ever have intercourse with anyone before? A No, never before.

Q Have you with anyone else beside this man? A No, sir. There was only one Jewish fellow who tried it, and I asked him what he meant at the time, and just as soon as he asked me that I gave him up; I wouldn't go with him any more.

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BY A JUROR:

Q How old is this man? A 19.

BY THE FOREMAN:

Q Won't he marry you? A He said he won't marry me unless they say down here that he has to marry me.

Q You tried to get him to marry you and he won't? A Yes.

BY A JUROR:

Q What part of the Settlement House was it you had intercourse in? A On the little steps right next to the Settlement House.

Q On the outside of the house? A Yes, at night.

BY THE FOREMAN:

Q Have you had relations with him since June? A No, sir.

Q Have you had intercourse with him since that? A No, sir.

Q When did you first ask him to marry you? A I kept asking him right straight along.

Q In June were you in a family way? A I didn't know until I came home from the doctor's and he told me.

Q What time of day was it when this happened on the East Side House? A About half past nine or ten o'clock in the evening.

Q Summer evening? A Yes.

Q It wasn't in the house? A No, it was on the steps.

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Q Will he marry you? A Yes; he will marry me if they say down here that he has got to marry me, and I said, "Why don't you go and marry me before they say it", and he said, "No, you started it, now you got to end it," and he said if they say down here that he's got to marry me, he'll go right away and marry me.

Q He likes you, does he? A Yes.

Q And you like him? A Yes.

Q Would you be glad to marry him? A Yes.

Q Do you know that he would be glad to marry you? A I think he would, he told my sister and my sister's husband he would.

BY THE FOREMAN:

Q Has he always been kind to you? A Yes.

Q Has he not some other girl? A No.

Q Why does he decline to marry you, then? A He got kind of angry because I had him arrested.

Q Did you ask him to marry you before you had him arrested?
A Yes, and I said "John, tell me what you're going to do, and if you don't I'm going to have you arrested." I said, "I'm going to have you arrested." I said, "Look the way I am, do you think I can wait until your emotions?" He said "I'll marry you."

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Q How long ago was this he said that? Last August or September? A Quite a while ago.

Q It was since June? A Since November. The day he met me and I kept going with him. But he never said anything about marrying me until I was going with him a couple of months and then he told me.

Q When did you have him arrested? A I don't know exactly when it was.

Q Is he out on bail? A Yes.

Q Was it before Thanksgiving? A Yes.

Q Two or three months ago? A Yes.

Q Have you ever seen him since? A Yes, the 25th day of November.

Q Did you say anything to him about marrying you? A Yes, he says he won't unless he has to.

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January 11, 1910.

(PEOPLE vs. GUISEPPI PICONE, alias JOE COON.

Case 59.) (Also PEOPLE vs. LOU

MEYERS. Case No. 60.)

W A N D A B O S H K A being duly sworn by the foreman,
testified as follows :

BY THE FOREMAN:

Q We are all your friends here. We are going to
try to help you, so you need not feel at all fraid or embar-
rassed. We must ask these questions so as to get the facts
and help you . That is what we are here for. A Yes.

BY MR. APPLETON:

Q Wanda, how old are you? A Fifteen.

Q When will you be sixteen? A July 20th.

Q Of this year? A Of this year.

Q no you know Guiseppi Picone? A Yes, sir.

Q Otherwise known as Joseph Coon? A Joe Coon.

Q Are you his wife? A No, sir.

Q Never married to him? A No, sir.

Q Now where did you live in July of 1909? A In 544

East 12th street.

Q And did you see Joseph Picone during that month?

A Yes, sir.

Q Where did you see him? A I see him around my
neighborhood.

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Q Did you live with your father and mother at that time? 63

A Yes, sir.

Q Did he speak to you on the street? A Yes, sir.

Q What did he say to you? A Well, he often wanted to ask me whether I would like to go with him, keep steady company with him and I refused, I said no.

Q Now did you see him frequently from July to November?

A Yes, sir.

Q And did he repeat that request to you on another or a number of occasions? A Every time he met me he always told me that.

Q Now around about a week before July 1st, about a week before election day did you see Picone? A Yes, sir.

Q Was there anybody with him? A No, there was nobody with him.

Q Where did you see him? A He used to meet me in the morning, I used -- my mother often told me I should go out and look for a position, so I did, and I met my friend Rose Lowenstein; she was with me the day -- one morning, I think it was Monday morning, he stopped me off and he said to me wherewas I going? I told him I was looking for a position. He said would I like to leave home.

Q He said what? A He said would I like to leave home with him.

Q Yes. A He said if I would I would wear diamonds

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and furs and everything like that.

Q Just tell us all he said; he said you would wear diamonds? A He said I would wear diamonds and a long fur coat and take a trip to Paris, and he told me that I would have a good time if I went away from home with him.

Q Did he say anything about your hat? A He said I would wear beautiful feathers on my hats and I did not give him the answer until the day when I left home.

THE FOREMAN: Talk a little bit louder. It is so hard to hear in this room.

Q Did you go anywhere with him on that day? A On the same day when he spoke to me?

Q Yes? A No, I did not go any place with him, but I think it was Wednesday or Thursday he took me to see some parties.

Q Was Lou Meyers with you then? A No, we had another fellow.

Q When did you first see Lou Meyers? A The day before I left home, on Monday.

Q On Monday, all right. Now we come to that Monday. That was the first day of November, the day before Election day? A Yes, sir.

Q Now tell us where did you start out -- did you start from your home alone on that day? A On the first day?

Q On the 1st of November, Monday? A No, sir, I went away with Rose Lowenstein.

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Q Did she meet you at your house? A Yes, she met me at my house and I did not speak to him that day, so he came over to my house, over where I live at the door, and I was talking to my friend Rose, He said "Are we all friends now?" I said yes.

Q Was Rose there? A Yes, sir.

Q He asked you if you were all friends now? A Yes.

Q And what did you say? A I said yes.

Q What did he say? A I went away that day and Rose and I went to take a walk somewhere and I met him later on. He said we should meet him later on in the street.

Q Did you meet Picone? A Yes, I met him about five o'clock.

Q And where was he when you met him? A I met him on 20th -- where the Flatiron Building is.

Q 23rd street and Broadway? A Yes.

Q Who was with you? A Rose.

Q And who was with Picone? A Nobody only himself.

Q Go ahead? A And then he said we should meet him later on. He would have a friend for Rose and I did so and met him about eight o'clock and he had a friend.

Q In the evening? A In the evening.

Q Where did you meet him? A On 15th street and Second avenue on the corner.

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Q Who was with you? A Rose was with me.

Q Rose Lowenstein? A Yes, sir.

Q Who was with the Picone girl? A Lou Meyers was with Picone.

Q What did you talk about on the corner? A He wanted me to leave home that very night.

Q What do you mean by him, Picone? A Joe Picone. He said I should leave home that night. I said no I did not have my suit ready, a grey suit in my father's tailor shop. He said I should leave that very day and I said no, I refused. He begged me and I would not go. I said, "To-morrow morning I will go." He said "All right, I will meet you to-morrow morning on the corner of 12th street and Avenue A, and I met him.

Q Was anything said to Rose on that occasion, Rose Lowenstein? A She was talking to Lou Meyers. She had just been introduced and I was introduced to Lou Meyers.

Q Did you hear what Lou Meyers said to Rose? A No, I did not hear the conversation.

Q Was anything said about Rose going away from home that you heard? A He said that I and Rose should leave home together.

Q Who said that? A Joe Picone.

Q Picone said you and Rose should leave home together?

A Yes, sir.

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Q You declined to leave. Did you see what became of Rose that night? A Well, Rose went away with Lou and Joe up to 100th street.

Q Never mind. You saw them going away together?

A I saw them going away together.

Q Meyers and Picone and Rose Lowenstein left 15th street together, is that right? A Together.

Q That is in the county of New York where you were, New York City? A Yes, sir, New York City.

Q Did you ever go home that night? A I went straight home that night.

Q What time did you go out the next morning, the second of November? A It was about half past eight, about nine o'clock.

Q The 2nd of November, 1909? A Yes, sir.

Q Where did you go? A I met Joe Coon on the corner of 12th street and Avenue A.

Q When you say Joe Coon you mean the defendant Joe Picone? A Joe Picone, and he took me up to this 100th street flat.

Q Wait a minute. You met him where? A 12th street and Broadway.

Q What did he say to you? A I asked him where he was going to take me. He said, "I will take you where Rose

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is", and I said all right, and he took me to 38 West 100th street, up to a party by the name of Mrs. Prescott and there I met Rose and Lou Meyers.

Q Now, do you remember the number on 100th street?

A Yes, 38 West.

Q 38 West 100th street in the city and county of New York? A Yes, sir.

Q What floor did you go on? A The top floor in the rear.

Q In a flat known as Prescott's flat? A Yes.

Q They met you? A Rose and Lou Meyers.

Q After you stayed there a little while where did you go next? A I went down to a friend of mine by the name of Lizzie Hessler.

Q Alone? A No, with Rose.

Q Did you go back to this flat? A We come back at five o'clock.

Q Then where did you go? A We stayed up in Mrs. Prescott's apartment until seven; then Lou Meyers and Joe Picone came up and told us they rented apartments on the ground floor in the same house, and said, told us that -- they said we should take our things and go downstairs.

Q Did you do that? A Yes, sir.

Q And what flat did you have downstairs? A Apartment three.

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Q Apartment No. 3, that is on the ground floor? A On the ground floor.

Q Now that night where did you sleep ? A I and Joe occupied one bedroom and Rose and Lou occupied another.

Q Now, did Joseph Picone do anything to you that night?

A Yes, sir.

Q What did he do; say it? A He had sexual intercourse with me.

Q Now had you ever had sexual intercourse with anybody before that? A No, sir.

Q And when you say sexual intercourse do you mean he put his private parts in your private parts? A Yes, sir.

Q Did it hurt? A He hurted me and I screamed then and he said then -- he didn't say anything to me, but he said Oh, come on, it will be all right .

Q Did you observe the bedclothing after that?

A Yes, sir.

Q Immediately after that? A No, in the morning.

Q In the morning? A Yes.

Q What did you see, if anything, on the bed clothing?

A I saw blood stains.

Q Whereabouts were they? A Where I slept.

Q On the sheet? A On the sheet.

Q Now was that because -- how long before had you had your regular monthly periods of menstruation? A I had it a

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week before I left home.

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Q A week before you left home, so that the blood stains were not caused from that? A Yes, sir.

Q Now how long did you stay there in the flat and where did Lou Meyers and the Lowenstein girl sleep? A They occupied another bedroom right near the outside wall.

Q How long did Rose Lowenstein remain in that place? A She lived with us about a week and a half .

Q Did she sleep every night with Lou Meyers? A Well, he used to come home very late in the morning. I don't know; I used to be asleep at that time.

Q Did you find them in bed together in the morning? A Yes, sir.

Q Now how long did you remain there? A I remained with Joe two weeks.

Q While you were there did Picone talk with you in any way about what your future life should be ? A Yes, he told me about the next week he told me -- he pawned my jewelry the very same day and he said to me that he had two girls that used to give him thirty dollars a week, each of them used to give him thirty dollars a week, so I didn't know what he meant until he told me.

Q What did he tell you? A He said to me "Wanda, go out on the street and make a couple of dollars because I am broke."

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Q "Wanda go out on the street and make a couple of dollars" what? A "because I am broke. He said that he was broke. I said "Well, you pawned my jewelry; you ought to have some money." He said "Well, make a couple of dollars" and I refused and he said "Now hurry up and make it". And then I had to go on his -- he said if I would not he would kill me.

Q Now, did he take you anywhere? A He took me -- he showed me where I should go.

Q Where did he take you when he showed you? A We got off at 42nd street station, subway station, and he pointed out the places where I should go.

Q Where did you go from 42nd street subway station; you mean 42nd street and Broadway? A Times square, Times square.

Q Where did you go from there? A He took me along Broadway and up 40th street and showed me a hotel by the name of Criterion, Criterion Hotel and the Denver Hotel and then back down to Broadway, up along -- between along to Sixth avenue where the Parker house is, on 28th street.

Q Keep your voice up. What did he tell you about the Denver hotel and Criterion Hotel on 40th street? A He said if I should get a man I should bring him up there.

Q Did he take you in and introduce you to anybody?

A No.

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Q Just told you to go in there? A He said if a man pays \$2 for a room when I come down that there is a dollar coming to me a rebate he said.

Q From whom? A From the hotel clerk.

Q Now, did he take you to the German village then?

A Yes, he took me to the German Village.

Q What did he tell you about the German Village?

A He said "There you can get swell men."

Q Where is the German Village? A It is on 40th street between Seventh and Broadway.

Q And on that same block is the Denver Hotel? A Is the Criterion.

Q Where is the Denver? A The Denver is up the next block right near the corner of Seventh avenue.

Q On 41st street? A On 40th street.

Q On 40th street? A Yes.

Q Across Seventh avenue? A Yes.

Q Well now, did you then start down and walk the street?

A He said "Well now," he told me what I should do, how I should solicit the men.

Q What did he tell you about how you should solicit a man? A He said I should go up and say if he out for a good time and I refused, and I didn't want to say it. I said, "Leave it for the next night", because if he would let me go that time, I would run away from him. He said "No, start in now." I

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started to work with him and I had to go out and solicit men.

Q You had to solicit men that night? A Yes, sir.

Q Where was Picone when you were soliciting men?

A He was following me.

Q About how far away? A On the other side of the street.

Q When you got a man where did you go? A To the nearest place. If I would be down along Sixth avenue I would take him to the Parker House and if I was up along Broadway I would take him to the Denver or Criterion.

Q What became of Picone when you went into the hotel?

A He would be waiting outside for me.

Q When you came downstairs from the hotel what happened?

A He would ask me how much did I get from him. Well if I would say four or three he would say, "You are a damned liar, you got more than that" and begin to argue with me.

Q Speak a little louder please. It is so hard to hear over here. Then what did he say to you while you were arguing?

A Then he would be satisfied with what I said to him. He said go on, you must make eleven more dollars." I had to make fifteen dollars every night.

Q What? A He said I would have to make fifteen dollars every night.

Q Then you would go on and continue your work? A Yes.

Q Then where did you live during this time?

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A I lived in 38th street up in 100th street -- 38 West 100th street.

Q Where else did you live? A I lived up in 66th street.

Q You moved from 100th street, did you? A Yes, sir.

Q Now where were you when you were found? A I was in the Dewey Theatre.

Q Who spoke to you there? A One of the employees.

Q And what did he do with you? A Before I went to the Dewey Theatre I telephoned to my father to find out whether they were home because I was going to go home. I telephoned at 13th street and Third avenue and the clerk in the drug store said my father was out, so I said "well, I will go to the Dewey theatre and stay there for a while until about six o'clock and then I will go out and go home."

Q What is your father's business? A Tailor.

Q Where is his tailor shop? A In 62 East 12th street.

Q A juryman would like to know what nationality your father is? A He is a Russian Polish.

BY THE FOREMAN:

Q Was this man living with you while you were soliciting? Did you go home every night to where he lived? A Joe Picone?

Q Yes. A He would meet me at a certain time, at one o'clock.

Q Did he sleep in the same place you slept? A Yes, sir.

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Q And was the first apartment you went to on the ground floor? A On the ground floor.

Q Every night you got there you would go back there and meet him? A No, I would meet him at 42nd street.

Q And go home together? A Yes, sir.

Q And you slept together there? A Yes, sir.

Q Every night you would go home? A Yes, sir.

Q Before you said you moved to some other place?

A To 153 West 66th street.

Q Why did you do that? A Well, he wanted another place.

BY A JUROR:

Q Please ask her whether her parents made any efforts to trace her or find out what became of her?

THE FOREMAN: Did your parents try to find where you were?

MR. APPLETON: The father will be called.

A JUROR: Will you ask her whether there was anything to prevent her going back to her parents?

BY MR. APPLETON:

Q Could you have gone back to your parents if you had wanted to? A Yes, sir, I could.

Q Was Picone keeping you there? A Yes, I often wanted to run away from him and he would be always there with a revolver.

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Q He had a revolver, did he? A Yes, sir.

Q You just said you could have gone back if you had wanted to? A Well I could if my people wanted me, I could.

Q You mean they would have let you come back, your people but Picone would not? A He would not let me; he would be always after whenever I would go.

Q Was there any time when you might have gone away from him? A No, sir.

Q He was always near by watching you? A Yes, sir.

Q When you went into a hotel with a man what did you do? Did he take a room? A Why, he would register.

Q The man would register? A Yes, sir.

Q How would he register? A I don't know.

Q You didn't see what he registered? A No.

Q And then he took you to a room and paid for the room, A Yes, sir.

Q When you would come downstairs would you stop at the desk? A Sometimes I used to and sometimes I didnot.

Q Did you get money from the clerk? A Yes, sir, sometimes.

Q Now always? A Not always.

Q Did you always ask for it? A No, I did not always ask for it. If I knew how much the man paid I would ask, but if I did not I would not.

Q The man paid you personally? A Yes, sir.

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Q And sometimes you did not get money back? A Sometimes I did not get money back.

Q Why didn't you always get a rebate? A Well, sometimes a man would pay a dollar for a room. If he paid \$2 I would get a dollar back.

Q It depended on the kind of room he took and what he paid for it? A Yes.

BY MR. APPLETON:

Q What day was it you came home Wanda? A It was on Christmas Day.

Q It was on the 2nd of November you went away? A Yes, sir, the 2nd of November I went away from home.

BY THE FOREMAN:

Q When you went away with Picone first you thought he was going to marry you? A No, I did not have it planned out that way. I had it planned this way; me and my friend we thought if we would get the diamonds and furs and clothes and feathers on our hats we would run away from him and work, but it was wrong and it was different.

Q What did you think he was going to do with you?

A Well, I didn't know what he was going to do with us.

Q You didn't know why he was going to give you these things? A Just for friendship. I thought if I went with him he would give me these things.

Q You hadn't any idea why he wanted you? A No.

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Q. You thought he liked you and would give you presents?

A. Yes, sir.

Q. And you would take the presents and run away?

A. Yes, sir.

Q. And you expected to come back very soon? A. Yes, sir, very soon, but I did not expect to stay out as long as I did.

Q. You expected you would be gone some days before you got these things? A. What do you mean, gone home?

Q. Did you expect you would be gone some days?

A. I don't know what you mean.

Q. Did you expect to be away from your father's home a day or two or three days? A. I thought about two days.

Q. And you didn't know where you were going to stay nights? A. No, sir.

Q. You hadn't thought about that? A. I never thought about that.

Q. Your people didn't know you were going away?

A. They didn't know I was going away, no.

Q. And they didn't know anything about where you had been until you came back? A. I don't know whether they knew it.

ROSE LOWENSTEIN, being duly sworn by the foreman,
testified as follows:

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BY THE FOREMAN:

Q You need not be afraid. We are not going to harm you. We are all your friends here and want to help you. We must ask you a good many questions and you just tell the truth. Speak as long as you can so the gentlemen can hear you. Your full address please? A 145 Second avenue.

BY MR. APPLETON:

Q Louder? A 145 Second avenue.

Q In New York county? A yes.

Q How old are you? A I am sixteen.

Q When were you sixteen? A April 3rd.

Q Of 1909? A Yes.

Q Do you know Wanda Boshka? A yes, sir.

Q How long have you known her? A About two years.

Q Do you know Giuseppe Picone? A Yes, sir.

Q How long have you known him? A I know him about six months.

Q Do you know Lou Meyers? A I know him well.

Q When did you first meet Lou Meyers? A Before I left home.

Q How long before you left home? A Just the same night I left home.

Q The same night you left home? A Yes.

Q Who was with him? A Joe.

Q Joe who? A Cooney.

Q And who was with you? A Wanda Boshka.

Q Do you know the day of the week or the month? A No, I do not.

Q Do you remember what way it was with respect to Election day? Was it before Election Day or after Election Day?

A Before Election Day.

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Q How many days before? A What do you mean?

Q I am trying to locate it, the day that you met Lou Meyers? A That was the same day I went away, before Election Day.

Q How many days before Election Day? A One day.

Q The day before Election Day, wasn't it? A Yes, sir.

Q That you are sure of? A Yes.

Q Now where did you meet him? A 15th Street and Second Avenue.

Q In the County of New York? A Yes.

Q Did he speak to you? A Yes, he spoke to me.

Q And what did he say? Tell us all the conversation you had with Lou Meyers on that day? A He did not say anything, but he took me up to 100th Street.

Q He said something to you before he took you there?

A He hadn't said anything.

Q Who did you talk with about going away? A Joe.

Q Joe Picone? A Yes.

Q How long before that had you talked with Joe Picone?

A About a week.

Q And what did Joe say to you? A He asked us to leave home, that we will have swell clothes and jewelry and everything.

Q Who was with you when he said that? A He was alone.

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Wanda Boshka was with me.

Q Wanda Boshka was with you? A Yes, sir.

Q He asked you to leave home and he would give you what?

A He would give us jewelry and fine clothes.

Q What did you say to him? A That we were willing to do it.

Q And you met on the first day of November and what did Lou Meyers say to you? Didn't he say anything at all before you went away with Lou Meyers? A No, he didn't say anything, he was just glad to meet me.

Q And where did you go then? A Went down to a poolroom to get the keys.

Q What? A Went down to a poolroom to get the keys.

Q What poolroom? A 34th Street.

Q Do you remember the number? A 217 East 34th Street.

Q Who was with you? A Joe Picone and me and Lou Meyers.

Q Then after you got the keys where did you go to?

A Up to 100th Street flat.

Q Do you remember the number 100th Street? A It is 100 I think.

Q I know, but the number of the street, the number of the house on the street? A 38.

Q 38, east or west? A West.

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Q West 100th Street in the County of New York? A Yes.

Q Who went to the house with you? A Joe Picone and Lou Meyers.

Q Where did you go when you reached this house on 100th Street? A We went up to Harry Prescott's house.

Q Harry Prescott's flat on what floor? A Top floor.

Q What time of the day or night was it when you reached Prescott's flat? A About one o'clock, after 12.

Q In the morning or in the evening? A In the evening.

Q In the night time, I mean, one o'clock in the night time? A Yes, sir.

Q Did you sleep there that night? A Yes, sir.

Q In Prescott's flat? A Yes, sir.

Q With whom did you sleep, if anybody? A With Lou Meyers.

Q With Lou Meyers? A Yes.

Q Now did he do anything to you that night? A Well, he hadn't done anything to me that night.

Q Tell what he tried to do? A He tried to get it into me, but he couldn't.

Q What? A He tried to get it into me but he couldn't.

Q When you say he tried to get it into you, do you mean he tried to put his private parts in your private parts?

A Yes.

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Q And he couldn't do it? A No.

Q The next day did you move from the Prescott flat?

A Yes, we went down in the basement.

Q In the basement or the ground floor? A The ground floor.

Q What number flat did you go to on the ground floor?

A I think it is number 3.

Q Was that a furnished flat? A Yes.

Q How many rooms did you have? A Four.

Q Who went down besides you and Lou Meyers? A Joe Picone and Wanda Boshka.

Q Where had you see Wanda Boshka and Joe Picone that day for the first time? For the first time on that day where did you see them? A The first day we left--

Q No, the morning of the day after you left; where did you see Wanda Boshka and Joe Picone? A At Prescott's house.

Q What time did they come there? A About 10 o'clock in the morning.

Q Did they come together, Joe Picone and Wanda Boshka?

A Yes, sir.

Q Now who went down to the flat on the ground floor with you and Lou Meyers? A The four of us went down.

Q Name the four? A Joe Picone, Lou Meyers and Wanda Boshka and me.

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Q That was a four room flat furnished; now did you occupy a room in that flat; where did you sleep? A In a bedroom near the door.

Q What? A Near the door.

Q In a bedroom near the door? A Yes.

Q Who slept with you? A Lou Meyers.

Q Did Wanda Boshka sleep in that flat? A Yes, but they slept in the other room.

Q They slept in the other room. Who did Wanda Boshka sleep with? A Joe Picone.

Q On the first night that you slept in flat No. 3, that being the second of November, did Lou Meyers do anything to you that night? A No, he had not done it.

Q Did he try again? A He did.

Q Did he do anything the next night? A No.

Q Did he the next night? A He did.

Q When you say he did something to you the next night, that is the fourth of November? A Yes.

Q What did he do? A He took my maiden.

Q By that do you mean he inserted his private parts into your private parts? A Yes, sir.

Q He accomplished the act of inserting ^{it} way into you that day, that is the fourth day of November, 1909, at 38 West 100th Street in the County of New York, is that right? A Yes,

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sir.

Q After that how long did you live in that flat? A I lived about a week and a half.

Q Where did you go from there? A I went out to Paterson.

Q From Paterson where did you go? A I came home.

Q To your mother and father? A Yes.

Q Where does your mother and father live? A 145 Second Avenue.

Q In the County of New York? A Yes.

Q Did you tell your mother what had happened to you?
A I did.

Q And now why did you leave the flat on 100th Street?
A Because Joe Picone brought fellows up to the house that they should get next to me.

Q Joe Picone brought men into that flat? A Yes.

Q And what did he say to you? A He asked me to sleep with them.

Q And what did you say? A I refused.

Q Now, give all the conversation had on that subject between you and Picone. Did Meyers ask you to do that too?
A No, Meyers hasn't asked me to do anything like that.

Q Picone was the one that asked you? A Yes.

Q Tell what he asked you to do? A He asked me to sleep with the fellows.

Q Is that all he asked you? A That is all.

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Q When you said you would not do it what did he⁸⁶ say?
 A He didn't say anything, but one of the men gave me a smack in the face.

Q One of the men gave you a smack in the face? A Yes, sir.

Q Did Picone say anything to you? A No, sir.

Q When you left was anything said? A No.

BY THE FOREMAN:

Q Did Meyers bring men there? A No, sir.

Q Did they sleep with you? A No, they haven't slept with me; there was one man--

Q One did sleep with you? A That was Lou Meyers.

Q But none besides that? A No.

Q You said Picone brought another man there, the man that slapped you? A He brought many fellows there, but I did not sleep with them.

Q He brought many fellows there but you would not let any of them sleep with you? A Yes, sir.

Q Did they try to persuade you to? A Yes, sir.

Q And you refused? A Yes, sir.

Q Did he ever try to force you? A Yes.

Q Did he ever threaten you? A He pointed a revolver at me.

Q He pointed a revolver at you? A Yes.

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Q And then you refused? A I refused.

Q Weren't you afraid he would shoot you? A No.

Q So he tried to force you to do it, but you wouldn't do it? A I wouldn't do it.

Q Could you have gone home any time that you had wanted to? A Yes.

Q You could have gone home, I mean your father would have let you go home, would they? A Yes, sir.

Q Would Picone have let you go? A No, I was afraid to go home.

Q You were afraid to go home? A Yes.

Q Had he said what he would do to you if you did try to go home? A No.

Q But you were afraid of him, were you? A I was afraid of him because he pointed the revolver at me.

Q And you didn't dare to go home? A No.

Q Did you want to go home? A Yes.

Q When you went away with Lou Meyers at night that first time what did you think you were going for; did you know what he was going to do? A To live with him.

Q To live with him; did you think he was going to marry you? A Yes.

Q Had he told you so? A Yes, he had.

Q He said he would marry you, did he? A Yes.

Q He told you that before he asked you to go away with

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him, that he would marry you if you went away? A Yes.

Q And you supposed he would marry you? A Yes.

Q Did you ever say anything to him afterwards about marrying you? Did you ask him to? A No.

Q Why didn't you ask him? You didn't ask him if he was going to marry you? A No.

BY MR. APPLETON:

Q Why did you go to Paterson? A Because I was afraid to go home and I didn't have no place to go.

Q Did you know anybody in Paterson? A Yes, the woman I lived with.

Q The woman you lived with out there; how long did you stay there in Paterson? A About two weeks.

Q And then came home to your mother? A Yes, sir.

BY THE FOREMAN:

Q How did you get away when you went to Paterson; you said you were afraid to leave the partment? A Well he sent me out to make money and I went out so that time I got away.

Q He sent you out to make money, did he? A To go out and hustle.

Q He did? A Yes.

Q Who sent you out? A Joe did.

Q Joe did? A He sent both of us out.

Q What did he say you must do? A To pick up men on

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the street.

Q He did, and did he tell you where to go? A Yes, around Broadway.

Q Did you go? A No, I left town.

Q That is the time you went away? A Yes, sir.

Q Did he take you down to Broadway where he wanted you to work? A He did show me the places.

Q Then how did you get away without his seeing you?

A I got away from Wanda.

Q From Wanda? A Yes.

Q But wasn't he watching you all the time? A No. He was watching me all the time, but not that time.

Q But not that time, so you never did solicit on the street for him? A No.

Q The night he took you down to do that you ran away?
A Yes.

BY MR. APPLETON:

Q What was the name of the woman in Paterson again?

A Miss Schnable.

Q How do you spell it? A S-c-h-n-a-b-l-e.

Q And where does she live in Paterson? A I think it is 87 Spreckles.

Q Paterson, N.J? A I can't tell you for sure; it is 78 or 87.

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Q Did you know her before you went to Paterson? A No, I knew Miss Hetzel.

Q You knew Miss Hetzel? A Yes, her daughter living--

Q That is her daughter? A That is Miss Hetzel's daughter, that is her friend in Paterson.

Q I didn't get that, Miss Hetzel you knew? A I knew her daughter Lizzie.

Q You knew Miss Hetzel's daughter Lizzie? A Yes.

Q Where did Lizzie live; was that her name? A Yes, she lived by the doctor's.

Q What doctors? A 86th Street.

Q Is that the girl you knew at the doctor's house?
A Yes, that is the girl.

Q And did you think you would find Lizzie Hetzel over in Paterson? A No, I found her at the doctor's house, up in the doctor's house.

Q When you ran away from Wanda did you go right to that doctor's house? A Yes.

Q And was Lizzie Hetzel there? A Yes.

Q And Lizzie Hetzel sent you to Mrs. Schnable? A She went out with me, her mother sent us out there.

Q What? A Her mother sent us out there; she gave us the money.

Q Lizzie Hetzel's mother sent you to Paterson? A Yes.

Q Lizzie Hetzel is in Europe now? A In Germany.

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Q Her mother sent her away? A Yes.

BY THE FOREMAN:

Q Had you ever had sexual intercourse with any other man?

A No, sir.

Q Never before with Joe? A No.

A JUROR:

Q She didn't have intercourse with anyother man than Joe?

Q Have you ever since the night you slept with me have intercourse with anybody else? A No, sir.

Q Only that one with him? A He was the only fellow.

A JUROR: Ask her if the men offered her any money the other man brought up.

Q These men Joe brought up to see you and wanted you to sleep with, did they offer you any money? A No.

Q You refused to sleep with them? A Yes, sir.

J O S E P H B O S H K A , being duly sworn by the foreman, testified as follows:

BY THE FOREMAN:

Q Give your full name and address? A Yes.

Q What is your full name? A Joseph K. Boshka.

Q Where do you live? A 544 East 12th Street.

BY MR. APPLETON:

Q And you are the father of Wanda Boschka who was in here a few minutes ago? A Yes, sir.

Q How old is Wanda? A 15 years old last July.

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Q Last July she was 15, so she will be 16? A Next July.

Q What day? A 20 of July.

Q Where was she born? A New York. The number of the house is 155 Chrystie Street.

Q 155 Chrystie Street New York? A Yes.

Q Did you know your daughter was going away from home?
A Yes, I knew it the 2nd of November.

Q Did you know before the 2nd of November that she intended to go away? A Not go away. Before she is working; before she is working. I just know on the 2nd of November she is out the house, second of November she is out.

Q She did not come home you mean? A She never came home.

Q What did you do? A Well, I have to work and I cannot bother so much before I finish my season. After I give it to the Police Court and they find out.

Q Now when did you first report it to the police? A At headquarters.

Q When? A I can't tell you. I can't tell.

Q About how many days? A About two weeks after.

Q About two weeks after Wanda went away you reported it to the police? A Yes.

Q And you didn't report it before that? A No.

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Q And the reason you didn't report it before that was because you were too busy at work; is that right? A Yes, that is right.

BY THE FOREMAN:

Q Had she ever gone away from home before? A No, before, about a year ago, two years ago before, she go from my cousin in New Jersey and she stay about two days.

Q You knew that she was gone? A Yes, after she finished school, that is about a year and a half ago.

Q She is a good girl? A She is a good girl before all the time. I sent down for my check; she brought me my check for \$500. and never have anything to say. She worked after school, the October before.

Q Did you know she was going with Giuseppe Picone? Did you know she knew him? A No, I didn't know him at all, but before I just find I losted my girl and somebody say that Italian, I don't know who is the boy, tell him that Italian boy take her away. Missing is my girl and that boy missing the same day.

Q You didn't know him? A I didn't know him at all.

Q You didn't know he knew her? A No.

Q You didn't know she was a friend of his? A No, I didn't know anything about it. I am too busy.

Q And you were too busy for two weeks? A Yes, I was too busy, I cannot stop my work to find the girl that time

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that is missing.

Q Are you pretty fond of her? A What?

Q Do you love her, your daughter? A Yes.

BY A JUROR:

Q How many children have you? A I have children five.

Q A girl? A Two more boys and girls.

Q Are they older or younger? A That is the oldest.

Q She is the oldest? A Yes, sir.

Q Who takes care of the children; have you a wife?

A My wife, that is all.

Q You have a wife? A My wife.

Q She takes care of the children? A Yes, she takes care of the children.

Q Is your wife out there? A No, I haven't go my wife here.

Q Wasn't she worried about Wanda? A Yes, she was worried.

Q She didn't go to the police court about Wanda?

A In the police court?

Q Your wife? Didn't she have time to go to the police court? A No, ain't got time; didn't want to bother; didn't want to say anything about it. I have children and I want to send to school--

Q How old is your youngest child? A Two years.

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Q She couldn't leave the baby? A No.

J O S E P H I N E H E R M A N S, being duly sworn by the foreman, testified as follows:

BY THE FOREMAN:

Q You need not be at all frightened. We are all your friends here and just going to ask you these question so we can help you. Don't be afraid. Give your full name place?

A Josephine Hermans, 38 West 100th Street.

BY MR. APPLETON:

Q Where do you live? A 38 West 100th Street.

Q In the County of New York? A Yes, sir.

Q Who do you live with? A With my married brother, John Hermans.

Q With a married brother John Hermans? A Yes.

Q What do you do there? A I do the cleaning the flat, furnished flats, I clean them for him.

Q Who is janitor there? A My brother's wife.

Q And you help clean the flat? A Yes, she has a little baby.

Q Now, do you know Joseph Picone? A Yes, sir.

Q Know him as Joseph Coon, I think you know him? A Yes, that is the name they went under, Joseph Coon.

Q Joseph Coon, and did he come to your house there?

A Yes, sir.

Q Do you remember when he came there? A He came

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in the evening around 5 o'clock.

Q Do you remember what day? A Well, it was Election Day.

Q It was Election Day that he came? A Yes, sir.

Q Did he speak to you? A Yes, he was with another fellow.

Q Lou Meyers? A Yes, sir.

Q Who spoke to you? A Joseph Picone spoke to me.

Q What did he say to you? A He asked me if I got a flat. I said well, "I got two flats" and I showed him the one upstairs for \$8. and he said he didn't want it and I showed him the other flat, it was not ready; it was not painted or anything. He said, "I will take it the way it is." I said, "There is no linen." He said "It is all right my wife will put it on when she comes" so I did the best I could--

Q What flat was that? A Ground floor in the rear.

Q What number? A Apartment ~~3~~

Q Did you see Picone come there with his wife after that?

A No, he come alone with the other fellow Meyers.

Q Did you see any women in the flat after that? A About three days after I seen the women.

Q What women did you see? A I see the girl, one Rose, Rose and the other girl.

Q Wanda Boshka, who was just in here? A Yes, sir.

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Q You know their names, don't you? A Yes, sir.

Q And you saw noth of them in that flat? A No, sir, I did not see both of them, I just seen one, but the other one I seen a couple of days after.

Q What one did you see in the flat? A Wanda.

Q Wanda, and about how long, how many days after Election Day did you see in Wanda in the flat? A About three days after.

Q How many days after that did you see Rose Lowenstein? A About a day after I seen them go out together in the evening, the two of them.

Q Now did you wash the bed linen there? A Yes, sir.

Q Did you observe anything of the sheets? A Well, it was stained.

Q What kind of stain? What color was the stain? A Red.

Q On one of the sheets? A On--well, they were all the sheets except two were clean; they were altogether the sheets on one house in the bedroom.

Q Two were dirty? A Two were clean and the rest were all stained.

Q There were only two others? A No, they were all soiled except two were not soiled.

Q How many sheets were there? A They had eight sheets, two changes.

Q Two were soiled? A No they were all soiled except

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two was not soiled.

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Q All had stains on them? A Yes, sir, except two.

Q What color was the stains? A Red.

Q Do you know the Prescotts that lived there? A Yes, sir.

Q Do they live there now? A Yes, sir.

Q And how much do they pay a week there? A \$7.50; he wanted it for \$7. I told him he could not have it, so he said, "I will take it for \$7.50."

(Testimony closed)

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January 13th, 1910.

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(PEO. vs. PAUL DRENKA, and PHILIP MANGOLD) (Case No. 61)

L I Z Z I E H A R Z S O, being duly sworn by the foreman,
testified as follows through Interpreter Lustig.

BY MR. APPLETON:

Q How old are you, Lizzie? A Eighteen.

Q When did you come to this country? A I don't know
the date I know it was in October two years ago.

Q Did your father and mother come with you? A No, sir.

Q Have you a father and mother? A Yes, sir.

Q Where do they live now, as far as you know? A In a
town name Chiocasa, in Hungary.

Q What nationality are you? A Hungarian.

Q When you first came to this country what did you
do for a living? A I worked as a maid.

Q For whom? A I worked by a man by the name of
Bushik on East 6th Street.

Q After that did you work at 178 Second Avenue? A This
was my last place.

Q Where, 178 Second Avenue? A Yes, sir.

Q Now when did you first meet the defendant, Paul
Drenka? A A friend of his by the name of Bchkey introduced
me to him about four or five months ago.

Q In the month of October did you go anywhere with Paul
Drenka? A Yes, sir.

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Q Where did you go with him? A We went to a moving picture place and then we went to a hotel.

Q Where was the hotel you went to? A Grand Street, corner of Bowery.

Q Do you recollect what corner it was on? A She cannot exactly explain what corner it was, but it was on the corner right under the elevated station.

Q Was it on the right hand side of the street going uptown or left hand side of the street going uptown? A If she would go uptown it would be on the left hand.

Q Was it on the uptown corner or downtown corner?
A On the uptown corner.

Q That would be the northwest corner of Bowery and Grand? A I believe it was the National Hotel.

Q Now, did you go to a room with Drenka there? A Yes.

Q And did he perform an act of sexual intercourse with you at that hotel? A Yes, sir.

Q After that how long did you stay at the hotel? A About two hours.

Q Had you ever performed an act of sexual intercourse before that time with anybody? A Never.

Q Did you consent to that act of sexual intercourse with Drenka? A On several occasions before that day he asked me to go to a hotel and I refused and even on that day it took sometime before he persuaded me to go to a hotel with

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him.

Q Did he promise you anything if you would go to the hotel with him? A He promised he will marry me before Easter.

Q Now after that did you see the defendant Mangold anywhere? A I used to meet Mangold nearly every day.

Q Where did you meet Mangold the first time? A It was in an Intelligence Office in East 4th Street, the name is Oross.

Q Was that before you met Drenka or after you met Drenka? A It was after that I knew Drenka.

Q Now after that did you have talks with Mangold? Did you have talks with Mangold? A Yes, I spoke to him after that and he--

Q Go on? A And he told me that it is no use to work so hard; I can make that much money in a day.

Q You can make as much money in a day at something he would give you to do as you could make in a month where you were working; is that right? A Yes, he told me.

Q How much were you making a month where you were working? A The first month I got \$15. and the month after I got \$16. a month.

Q Now did you at any time go anywhere with Mangold? A No, I did not go anywhere with Mangold.

Q Did he ask you to go somewhere with him? A One day he called on me and told me I should go with him and he wanted

CASE #3317

to put me in a house of prostitution, but I refused to go.

Q Did he tell you how much you could earn in a house of prostitution? A He did not tell me. Then he told me I was going to be in a house, not in a house like that, but then Paul Drenka wrote me a letter that it is a house of prostitution.

Q Have you got the letter Paul Drenka wrote you? A Yes, sir.

Q Where is it? A At home.

Q Did you finally go anywhere with Mangold? A I did not go anywhere with Mangold until the 23rd of December,

Q 1909? A 1909, when I went with him to West 21st Street.

Q Do you recollect the number of West 21st Street?
A 165.

Q Did you see Drenka at that address? A Drenka was there waiting for us.

Q Now, did you talk together? A Yes, sir.

Q What was said and who said it? A Mangold told me that "I will bring you a man who will pay you \$10" and I told it to Paul Drenka and Drenka told me "It is all right."

Q Then what? A Then Drenka went away and Mangold went away and he brought the man.

Q Who brought the man? A Mangold brought the man.

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Q And did you have an act of sexual intercourse with the man? A Yes, sir.

Q Did he pay you anything? A He paid me \$10.

Q What did you do with the \$10? A I paid \$6 for the room and the rest I spent it for laundry and something to eat.

Q Now, did any other man come to the room after that?

A Nobody came, next day, nor that day; next day was Christmas Day, but the day after three men came. One paid me \$5 and two \$3 each.

Q Now, did Drenka or Mangold come with those men?

A Mangold came with them.

Q Now, did you give Mangold any money? A Any time he asked me for a dollar or so I always gave it to him.

Q How long did you live in that house on 21st street?

A I believe it was six days.

Q Did Mangold and Drenka come to the room every day?

A Mangold came every day and Drenka came every second day.

Q Now you say you lived there about six days, from there where did you go? A Then we moved to 510 East 79th street.

Q In New York County? A Yes, sir.

Q These men that you say came to the room and gave you money, did you have sexual intercourse with each of those men? A Well, those that paid I had sexual intercourse with and others came and I refused to have anything to do with them.

Q Why did you refuse to have anything to do with them?

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A Because I did not want to be a professional prostitute.

Q Now who took you to 510 East 79th street? A Mangold.

Q Did Drenka go with you there? A No, he did not go with me. He came there the same evening at 7 o'clock.

Q That was a flat, wasn't it, at 79th street? A Yes, sir.

Q Do you know who hired that flat? A I don't know which of the two.

Q Did Drenka tell you or talk to you at all about that?
A No, he never told me anything about the hiring of the room.

Q Now, you say you got there about six days after the 23rd of December, did you? A Yes, sir.

Q How long did you live at 79th street? A About two weeks, about two weeks.

Q During two weeks did men -- I withdraw that -- did Mangold and Drenka bring any men to that house during the two weeks you stayed there? A Drenka never brought me anybody. Mangold brought me men every day.

Q Did you ever have sexual intercourse with those men?
A Yes, sir, every one of them with the exception of the three that I sent away from 21st street.

Q Did each and every one of them pay you money? A Yes, sir.

Q What did you do with the money that you took in from these men? A I gave Mangold about \$13 or \$14, I don't know

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exactly, I gave Drenka \$16 for furniture that he bought on instalments, and I gave him \$2 again, he bought me some soap and toilet articles for it, and then I gave him \$19 and he bought me this coat that I got on and then I gave him \$20 to bank it for me.

Q What^{day}/did you give Drenka \$20? A Last Monday.

Q Last Monday; that is the 7th day of January, is it?

A Yes, no, the 10th.

Q The 10th day; that was the 10th day of December?

A JUROR: January.

Q You gave Drenka \$20, January? A Yes, sir, it was late in the afternoon.

Q Now I show you this. Did you ever receive any letters from Drenka? A Yes, sir.

Q Have you seen him write and do you know his handwriting? A Yes, sir.

Q I show you this letter and ask you if you know in whose handwriting that is? A Yes, sir, I know very well this is his handwriting.

Q Whose handwriting is it? A Paul Drenka's.

(Translation of letter marked Exhibit 1 and original letter marked Exhibit 2 for identification).

BY MR. APPLETON:

Q Did you get a bank book from Drenka? A He did not get the chance to put it in the bank. It was late in the after-

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noon and in the evening he was arrested.

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BY THE FOREMAN:

Q He kept the money, did he? A Yes, sir.

BY MR. APPLETON:

Q Was there any other girl there with you? A No, sir.

Q Do you know Annie Smith? A No, I got acquainted with her yesterday morning.

Q Was that the first time you ever saw Annie Smith, yesterday morning? A Yes, sir.

Q In Mr. Ellison's office? A Yes, sir; I met Annie Smith the first time at Fifth street and First avenue, at the station house.

Q When was that, what day? A Tuesday morning.

Q Who asked you to go to 79th street? A Both of them, Drenka and Mangold.

Q What did Drenka say to you about going there?

A "You go to 79th street and if you ain't going to make enough money I am going to kill you."

Q "You go to 79th street and if you ain't going to make enough money I am going to kill you?" A Yes.

Q Drenka said that? A Yes.

Q Which one of these two men was your lover? A Drenka.

Q Was it on account of what Drenka said to you that you went to this place? A I would never have become a prostitute if it wasn't for Drenka. I loved him and did not care

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for the other fellow but both of them spoke to me about it.

BY THE FOREMAN:

Q Had either of these men spoken to her about being a prostitute before she went with them? A Both were satisfied that I should be a prostitute. They both told me so.

BY MR. APPLETON:

Q When did they tell you to be a prostitute? A On the evening of the 23rd of December, when they brought up this first man who paid me \$10.

Q But when she first went with them to the first address and spent the night with Drenka he had not told her up to that time that he intended to have her a prostitute? At the hotel the first time, Drenka had sexual intercourse with her?

A He did not tell me at that time that I should be a prostitute. He simply told me I should not be afraid of anything, he is going to marry me.

BY THE FOREMAN:

Q Then after she had gone to the hotel, when they told her she was to be a prostitute, did she try to go away?

A Oh, I met Mangold every day and he told me every day --

Q Did she try to get away from them after they told her to become a prostitute? A I told them on several occasions that they should leave me alone, but they both told me that there are several girls who are making money that way.

Q Now, in the 79th street house were you ever sick there?

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A Yes, sir.

Q Did Drenka say anything to you while you were sick?

A He told me -- he told me that I am only sick when he ain't there; when he is there I am never sick.

Q He said, "She is only sick when Drenka is there"?

A When Drenka is out, he told me that I am only sick when Drenka ain't there and when Drenka is there I am never sick.

Q Did he say why? What brought that about? Did he ask you to have sexual intercourse with anybody? A He was not satisfied with the money I made on the day I was sick.

Q What did he say to you about that? Let us have all? What did he say? A He did not seem to be satisfied with the little money that I made at that day on account of my sickness and he told me, "You are only sick when I am here. You are never sick when I am out." Then he slapped me on the mouth, but I did not think at that time that he meant it in earnest, but then I cried very bitterly.

BY A JUROR:

Q Who are you talking about? A Drenka.

BY MR. APPLETON:

Q Get that perfectly straight as to what he said. Was she sick when Drenka was there or when Drenka was away? A When Drenka was away.

Q Ask her? A When Drenka was away.

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BY A JUROR:

Q Drenka was talking to her and Drenka slapped her in the face? A Yes, sir.

M R S. A N T O I N E T T E S C H R O E D E R, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q Your full name and address, please. A Antoinette Schroeder, 502 East 79th street.

BY MR. APPLETON:

Q What is your address? A 502 East 79th street.

Q You have charge of the premises 510 East 79th street?

A No, I am a clerical worker there.

Q What are those premises? A The City and Suburban Homes Company.

Q Did a man by the name of Paul Drenka come to you to rent a flat? A Yes.

Q What flat did he rent? A 510 79th street, apartment 18.

Q On what floor is that? A Ground floor.

Q Which side? A Right, going in.

Q Right going in? A First flat, second flat.

Q Second flat on the right hand side going in on the ground floor? A Yes.

Q Was there anybody with Drenka? A Not the first time.

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He went out again. He wanted a smaller apartment. He went out. I told him we had one on the ground floor, and he came back with another taller man than him.

Q Do you know the name of the other man? A No.

Q Did you hear it at all? A No.

Q And the name Drenka gave you, what was his first name?

A Paul.

Q And do you recollect the day of the month that that flat was rented? A The 29th of December.

Q 1909? A Yes.

Q Did you see this girl Lizzie Harzso there? A No.

BY THE FOREMAN:

Q Is it customary to rent apartments to people without knowing something about them or having some certificate regarding them? A Neglect of duty.

Q It is not customary? A No.

Q You usually make inquiries? A Yes, we were very busy and he seemed to be in a hurry to get the apartment, and we let it go.

Q You haven't any idea for what purpose he intended to use it? A No, he said he was married. We asked questions.

Q He said he was married? A Yes, sir.

Q This was just a slip. Ordinarily you get full information? A Yes, sir.

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BY MR. APPLETON:

Q How many rooms in the apartment? A Four and bath.

Q Was it furnished? A Oh, no.

Q Did they move any furniture in it? A I don't know.

BY THE FOREMAN:

Q When did you have suspicions that this man was not legally married to the girl? A Didn't have any.

BY A JUROR:

Q Is she still living there? A The rent is paid; there are 841 families on the premises and I cannot --

Q They looked respectable to you; is that the reason you let them in? A Yes, sir.

Q You judged on appearances it was all right to let them go to the apartment? A Yes, sir.

Q And made decision instead of looking up the references? A Yes, sir.

Q Whoever was in charge of the particular flat did they notice men going there? A They did not remark it. We are on one side of the street and they have only been living there a few weeks and there was no complaint of any kind, none at all.

BY MR. APPLETON:

Q Was there a janitor there at 510? A The woman who scubs the house, she is there in the morning; the house is supposed to be cleared at 12 o'clock and she leaves.

Q How do people from the outside get in, not tenants, but

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others? A Ring the bell.

Q Ring the bell? That connects with the other?

A There are two bells, one on the door and one outside. If the outside door is open you can walk in.

Q The door is open? A Oh, yes.

BY THE FOREMAN:

Q Then you can walk in and go to any apartment you like? A Yes.

Q And no one knows where you are going. Any one is at liberty -- A In that particular house, in 510, there are forty families.

Q And no one keeps track of who goes in or out? A No.

Q It is a public hallway? A Yes.

BY A JUROR:

Q Is there a public hallway between the flats open all day? A No, supposed to be closed at 10 o'clock.

Q What is therent of the apartment? A \$4.

A A week? A Yes.

Q So far as you know they are still paying therent there? A The rent was paid until to-night. Friday the rent begins.

Q How many rooms in the apartment? A Four and bath.

Q Four and bath? A They wanted a smaller apartment and that is why they hesitated.

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L I Z Z I E H A R Z S O (recalled through Lustig)

BY MR. APPLETON:

Q Do you recollect what apartment it was you occupied in the 79th street place, 510 East 79th street? A It was on the ground floor, room 18.

O F F I C E R E D W A R D F. M c C A R T O N, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q Your full name and precinct? A Edward F. McCarton, First District, assigned to the 15th precinct.

BY MR. APPLETON:

Q Were you the officer who arrested the defendant Paul Drenka in this case? A Yes, sir.

Q Did you see a person by the name of Philip Mangold in connection with this case? A Yes, sir.

Q Where did you see him first? A In the station house, Fifth street and First avenue.

Q Did you have a talk with him? A Yes, sir.

Q State to the Grand Jury what Philip Mangold said to you? A Philip Mangold said -- he come to the station house, he had trouble on his mind and he wanted to ease his mind. He said he found out how bad he was. I took him to one side and questioned him. He said he was out of work and he met a man in a cafe, the Commercial is the name; the man was Paul

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Drenka. He wrote his name on a piece of paper for me and he, Drenka, said to Mangold, "What is the use of working? We can make money easy." He sent him with a letter to 178 Second avenue to a girl named Lizzie Harzso. She was there as a nurse maid.

Q Don't use the word "he". You know the names of all these people. Please speak a person's name. Anybody you refer to, speak the names? A He took -- Mangold took the letter up to Lizzie Harzso and came back. Paul Drenka said to Mangold, "We will go and hire rooms." They hunted around for rooms and rented some in 165 West 21st street. Then Paul Drenka sent Mangold down to get Lizzie Harzso and bring her up there. He brought her up and Drenka sent Mangold --

Q You used the word "he" again. Who brought the girl up? A Mangold.

Q Well, say the word. A Drenka sent Mangold out to give out cards in different places to men. Mangold gave out one card to a man named Gottlieb in the Cafe Europe, 139 Second avenue. This Gottlieb came up to the house to have sexual intercourse with Lizzie Harzso and paid \$10, and then Lizzie Harzso gave the \$10 to Paul Drenka. Mangold goes out again the next day and sends in three men with cards to Lizzie Harzso and they each pay \$5 for sexual intercourse with Lizzie Harzso. The next day he went out and sent in one man, which he paid \$3 for sexual intercourse. Then Mangold said that

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Lizzie Harzso went out, went to a hotel with another stranger and got her supper and \$2 and then they moved up to 510 East 79th street.

Q Who moved up? A The three of them, Philip Mangold, Paul Drenka and Lizzie Harzso and Mangold stated that she had connection with different men up there, probably amounting to \$100.

BY MR. APPLETON:

Q Where? A 510 East 79th street, ground floor, room 18, probably amounted to \$100; the money was all turned over to Paul Drenka. Paul Drenka paid him about 30 or 40 cents a day to go around distributing these cards and once in a while he gave him a dollar and Sunday, January 9th, Drenka come to the house and told Mangold he would have to get out, because they only made \$9 that day. Mangold got out and came down to the Cafe Europe and met a friend of his and explained the case to him, and the friend told him to go around to the Fifth street police station house and tell what he knew. Mangold told us if we come around to the Cafe Europe and sent Mangold into a drug store -- telephoned to the Cafe Europe -- he telephoned and we waited in the door as the cashier of the Cafe Europe picked up the telephone and he called Paul Drenka to the telephone, somebody wanted him.

BY THE FOREMAN:

Q You heard this? A Yes, I walked in and told him I

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wanted to speak to him.

Q Who? A Paul Drenka.

Q Paul Drenka? A Yes. I asked Paul Drenka what was his name and he told me it was Paul Drenka. I asked where he lived. He said 215 East 13th street. I took him to the station house. He would not make any statement. We searched him and found nothing on him, but when he got down in the cell he wanted to send a letter to Lizzie Harzso and he thrust a letter through the bars. The doorman picks it up and brings it to me.

Q I show you People's Exhibit 1 for identification and ask you if that is the letter you refer to? A Yes, sir.

LOUIS LUSTIG, being duly sworn by the Foreman,
testified as follows:

BY MR. APPLETON:

Q What is your business? A I am a process server in the District Attorney's office.

Q I show you people's Exhibit 2. Do you know in what language, that letter, that paper, is written? A In the Hungarian language.

Q Can you speak and write and translate the Hungarian language? A Yes, sir.

Q Have you translated People's Exhibit 1? A Yes, sir.

Q Correctly? A Yes, sir.

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Q Will you read to the Grand Jury People's Exhibit 1?

A Yes, sir, "Be so kind and if the girl will call, tell her that I am here and that I will be taken to the 57th street court to-morrow morning, and also tell Mangold that he should not say anything at all, and that they should send me something to eat and coffee and they should all be to my aid and if you --

BY THE FOREMAN:

Q All be what? A "To my aid and if you speak to the girl tell her to say that she does not lead a bad life, and that I suppose her."

Q Who is this written to? A Paul Drenka. No address.

Q Who is it written to?

MR. APPLETON: The officer explained how Drenka threw it out.

A This letter was given to the doorman.

MR. APPLETON: You were not there. You cannot testify.

BY THE FOREMAN:

Q It is not addressed to any one? A No.

Q There is no address here? A No, sir.

BY MR. APPLETON:

Q Is this piece of paper attached to People's Exhibit 1 a correct translation of People's Exhibit 2? A Yes, sir.

(People's Exhibit 2 for identification marked in evidence)

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OFFICER EDWARD F. McCARTON (recalled)

BY MR. APPLETON:

Q Officer, will you explain to the jury exactly how that letter came in your possession. Where was Drenka at the time? A Drenka was locked in the cell in the station house, Fifth street and First avenue.

Q Was there anybody else there connected with this case at that time? A No, sir. Do you mean up with him?

Q When you saw Drenka throw that people's Exhibit 1 out of the cell? A Yes, sir.

Q Is that right? A Yes, sir.

Q Was there anybody there at that time occupied with this case? A No, sir.

Q Did you know to whom that letter was to be delivered? A The doorman said he hollered, "Lizzie Horzso".

Q Was Lizzie Horzso there at that time? A No, not until afterwards, three hours afterwards.

BY THE FOREMAN:

Q The doorman said he hollered, "Lizzie Horzso" as he threw the letter out of the door? A Yes, sir.

BY A JUROR:

Q Did he ask him to deliver it to Lizzie Horzso and give any address or anything else, or what?

THE FOREMAN: Did he ask him to deliver it to Lizzie Horzso or just call out the name, "Lizzie Horzso"?

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A Just called the name, "Lizzie Horzso", unless the address is on the back of it here.

Q Did he say he was going to send such a letter? A No, sir.

BY THE FOREMAN:

Q The doorman picked the letter up in the hall, did he?

A Yes, sir.

Q In front of the cell? A In front of the cell and brought it up to me, up in the office.

A JUROR: May I ask if Mangold told the officer what was on the cards?

BY MR. APPLETON:

Q Did Mangold tell you what was on the cards or give you a card he had been distributing? A No, sir, he did not.

Q Has Drenka any record as far as you know? A We cannot find out.

Q How about Mangold? A I cannot find out of either one of them.

BY A JUROR:

Q How old are they, about? A Paul Drenka is 26 and Mangold is 30.

Q Do they work? A They are waiters, yes, sir, when they work.

Q What? A They work once in a while, waiters.

Q Are they Hungarians? A Yes, sir.

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Q Speak English? A Yes, sir.

BY THE FOREMAN:

Q Mangold simply came and told this story to you to ease his mind? A Yes, sir, it troubled his conscience and he didn't know what business he was in, he said, until afterwards and he wanted to get out of it. This is Drenka's picture, if you want it.

BY A JUROR:

Q He was not vindictive when he spoke to you, simply he wanted to ease his conscience? A Yes, sir.

Q Was he sore on the other man, apparently? A He did not seem to be.

Q Did he want you to arrest the other man? Did he ask you to arrest him? A Yes, sir, went right along with us.

Q He asked you to arrest him then, that is clear?
A yes, sir.

Q He wanted to have Drenka arrested? A Yes, sir.

Q He wanted to clear his own skirts? A Yes, sir.

(Testimony closed)

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January 13th, 1910.

(PEOPLE vs. GEORGE MEYERS and JACK BARNETT)(Case No. 62)

L I L L I A M D W Y E R, being duly sworn by the Foreman,
testified as follows:

BY MR. APPLETON:

Q What is your name? A Lillian Dwyer.

Q Where do you live? A My home address is 308 East
125th street.

Q What? A 308 East 125th street.

Q And where did you live on the 24th of December of last
year? A At 213 East 118th street.

Q What is your occupation or business? A Saleslady.

Q Where do you work? A Simpson, Crawford, Koch's, and
Bloomingdale's.

Q Do you know the defendants Jack Barnett and George
Meyers? A Yes, sir.

Q Well now, will you state in your own language just what
occurred between you and those two defendants on the 24th
day of December, 1909? A My girl friend -- I was to meet
my girl friend at half past seven at my door --

Q Talk a little slower, please. What is her name?

A Mabel Herman. I was to meet her at half past seven at my
door. She was a little late, and did not get there until quar-
ter to eight. I met her and walked to 125th street. In the

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meantime we met a friend of ours, a sailor, and we stood talking to him.

Q Met who? A A sailor.

Q A sailor? A A sailor. We stood talking to this young man for about twenty-five minutes. Then we went back in Sultzer's, on 127th street and 2nd avenue. We were to go in there to a ball that was in there, but there was no ball there and we came back and went up to 125th street again and went up to the dance hall, they call it a dancing academy; it is on 125th street off Lexington avenue. We went upstairs. My girl friend and I paid our way in and danced a couple of times. In the meantime these boys came over and asked us to have a dance with them. We parted and danced with them.

Q Were these men Meyers and Barnett? A Both of them together parted my girl friend and I.

Q Meyers and Barnett? A Yes, sir.

BY THE FOREMAN:

Q Had you ever seen them before? A No, sir. I have seen them, yes, but never spoke to them.

Q You had seen them before that night? A Yes, sir.

Q Never spoke to either of them? A No, sir.

Q Did your friend know either of them? A No, just that night we met them, that was all, so we danced, and after the dance both of them said, "Come on over and sit down". So we went over and sat down, and they started talking about Coney

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Island, and they were show people, and wanted to know if we would go on the stage if they would learn us how to go on the stage, and all this. After that they asked us if we would not let them take us home, so finally we gave consent they would take us home. On the way home that evening they asked us to go to supper and it was snowing something terrible when we got out of the dance hall, it closed at 12 o'clock, so we said yes, we would go and have some supper, so they walked us from 125th and Lexington avenue to 115th street and 3rd avenue in Joe's restaurant. We went in there and had some supper. After we had supper they asked us to go and have a drink. We said yes, we didn't mind, so they walked us down from 115th street to 118th street, up back again, and walked us down 118th street a couple of doors off 3rd avenue. They said "Come on up here. We can have a nice drink up here." So we went up and we got up to the top floor and we seen it is three rooms, dining room, kitchen and bedroom.

BY THE FOREMAN:

Q What kind of house was this? A A room house.

Q A room house? A Yes, sir. We went up there and sat down and this Jack Barnett went out for the drinks.

Q This Jack Barnett? A This Jack Barnett went out for the drinks and came back and he had a bottle with him, it looked like it had whiskey in it, all we seen. They went in the kitchen and poured it in the glass and gave me half a glass.

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ful and gave the other girl half a glassful.

BY MR. APPLETON:

Q That was Mabel Herman? A Yes.

Q Where was this? A 213 East 118th .

Q An apartment? A A rooming house, three rooms there; a rooming house there, laid off in apartments.

Q An old private house? A No, it is not an old house; it is a high stoop house, the first one of the houses on the uptown side of 118th street.

Q Oldfashioned high stooped house? A Yes, sir.

Q Transferred into a rooming house? A Yes, sir.

Q On what floor were they? A Top floor in the back.

So when finally we drank this drink, after we drank the drink, we sat down and all of a sudden I could not see nothing, only everything black in front of me; everything turned in front of me and I fell; that was all I know. My girl friend, she said "Lillie, I feel sick to my stomach". I said "Mabel, I am the same," so I don't know what happened to her, but I know I dropped on the floor, and that is all I knew until the next morning I woke up, and I was kind of dizzy and didn't pay no attention, and I dropped off to sleep again until that evening.

Q Did you have your clothes on? A Yes, that evening I woke up.

Q You said you slept all day? A Yes, I slept all that day, and that evening I woke up and I kind of came to my senses

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I got sick to my stomach and all that came up was nothing but green slime. After I got sick to my stomach I felt a little better and then I said to the boys --

Q Said to whom? A To the boys, both of the boys, Jack Barnett and Meyers. I said, "I want to go home."

Q You were in the same room? A Altogether, yes.

Q Had you been in bed? A Yes, I was in bed. I laid on the bed. I don't know how I got into bed. I know after I took this drink I dropped, but when I woke up I was in bed, with all my clothes on, but my hat.

Q Under the clothes or on top? A On top of the clothes.

Q Were you alone in bed? A My girl friend was next to me, but she did not get through until after I came through.

Q In the same bed? A Yes, sir.

Q Were your clothes all on? A Yes, sir.

Q Where were the boys? A Sitting at the dining room table when I came to. I washed my face after I got sick to my stomach, and came in. They were playing pinochle on the table in the room, so I came to and said to one of the boys both of them, I said, "I am going home; I am awful sick." They said, "No, you are not." That was about 6 o'clock that evening.

Q Did you know what time it was? A No, I didn't know until we got out, so we got out and seen a clock at 115th street; I think there is a clock there, a jeweler's store.

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We looked in and seen it was just about five minutes to six or five minutes to seven.

Q Didn't you just recently say they wouldn't let you go? A No. They took us out, took us to supper. We went in to Joe's and had our supper.

Q They simply said you could not go home? A They said they would not let us home, and if we made a break to leave them when they took us out, they would knock us flat in the street so we would not be able to say another word. We went to Joe's and had supper. After we had supper they took us to a moving picture show. That was Christmas night, the night after we met them. They took us to the show. That was in the Family Theatre.

Q Did they take you back to this place, the rooming house? A Yes, sir, they took us back there and they started in playing casino, and we played casino, and they went home that night, and we thought, being they would go home, it was our chance while they were gone to get out. Instead of that when both of them got out, after both had left to go out, they had every door, and every window, and every place they thought anybody could get out, locked on us.

Q Had you gone to bed before they went? A No, sir, we were sitting there talking. They locked the hall door, and they bought a Yale lock and put it on the dining room door and had the kitchen locked so there was no way whatsoever of us

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hollering for help or no way to get out in the hall to holler; no way to get out of the window to holler for any help.

Q Couldn't you open the window? A There was only one window and there was nothing there but a plain back of a building.

Q Couldn't you open the window? A No, it was fastened down with nails; we could not get it open at all. I said "Mabel, what are we going to do? We have to stay here. That is all." So that evening they came up.

Q Later the same evening? A No, the next morning they came up.

Q You slept there that night? A Yes, my girl friend and I slept together. The next morning they came up, that was on Sunday, and they took us to the show again.

Q They came up? A They came up the next morning.

Q What happened all that day? A They had us locked in all that day. We could not get out at all.

Q Did you have anything to do? A No, sir, we had nothing.

Q Did you have anything to eat? A No, sir, we had nothing to eat from the time we had our supper the evening before in Joe's until the next evening they came up.

Q Did you pound on the door or try to make any noise?
A There was no way of pounding. There was nobody living in the house, only two families living in the house and we were

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on the top floor and she was in the basement.

Q Did you pound on the door? A There was no way of pounding.

Q You had your fists? A Yes, we pounded, but nobody answered.

Q The question is simple. Answer it. Did you pound on the door? A I pounded on the door and pounded on the windows, but nobody would answer.

Q On the windows? A On the window.

Q I thought you said there was only one? A Window, and that was fastened down in the center, and there was no windows only way across the street that nobody could see. There was a wall that faced the window where we were staying. That evening they came up and took us to shows. They gave us a cup of coffee and a piece of pie for our supper, and so we had our supper and they took us up to the Family Theatre again, so this night, they took us to the Family Theatre, he said "I don't want to stay in here; I am afraid I will meet somebody I know. We will beat it out of here, get out of here."

Q Who said this? A Both of them, George Meyers and Jack Barnett. He said "I don't want the girls up around Harlem, for they live up there, and their people might see them, and get word of them and get us in trouble."

Q This was the day after Christmas? A Yes, sir, on Sunday, the day after Christmas Day.

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Q The 26th. Go ahead. A So we went out of the show and came back to the house again and the boys brought up some oranges with them and gave us some oranges, so we ate oranges and played cards awhile. Then it was about half past ten they left and done the same thing. I said, "Now, listen, George, we are going out to eat." He said, "I will go out and buy some stuff and I will come back and let you go home."

Q What time was this? A Half past ten.

Q And you had a piece of pie and cup of coffee?

A Yes, sir.

Q When he said you are going to get some candy, did you say anything about that? A He said, "We will be right back." Instead of going down and getting the candy, they turned around and locked the door on us again, and locked us in.

Q Did they go out? A The boys went out, yes, sir.

Q Went out of the room and locked the door? A Yes, sir, the two boys went out and left us two in there.

So the next morning came, Monday morning came, and they came up early. They came up about half past seven and we were fast asleep and they woke us up. They said, "Lillie, we have made up our minds we are going on the west side, we have a little business to attend to, and we are going over to do it." I said "What is it?" He said, "We met a friend and he had a proposition. We got to get together and go to attend to it." He wouldn't tell us what it was, so Monday

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morning they went down themselves and brought us up coffee cake and coffee from the restaurant and two ham sandwiches. We ate that and they said, "We will be back this afternoon, and you can go this afternoon."

BY THE FOREMAN:

Q Said they would be back where? A In the afternoon they said, "You can go home in the afternoon. We will let you go. We wanted to see what kind of girls you were. That is all. we took you up here for. That afternoon they came back with a gold watch, knife and ring, and \$44. in money, \$17. in money between them and a pawnticket for a ring and a little stud of a shirt, and we said, "Why, George, where did you get all this." He said, "Keep still, don't say nothing at all, and we are going to get rid of all this stuff. We will go over again, the same as we made a raid this time, over in the dressing room. We have got \$17. between us. Now if you girls behave yourselves and keep your mouths quiet, keep still and say nothing, we will see you will get through -- you won't want to go home; you will never want for anything," so we did not say nothing. Jack Barnett goes out with the jewelry and comes in with about five or six pawntickets. They got \$23. between them anyhow when they got through pawning the goods.

Q When they came in you mean they had \$23. ? A When they came in in the evening they had \$23. That night they started

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in to argue with us.

Q This is the 27th, Monday night? A Yes, sir.

Q What did they say? A They come in and they said they got all this stuff and we asked them where they got it. They said in Hurtig & Seamon's, so I didn't say nothing, nor Mabel didn't say nothing. They said they were going to take us out this night, so they got up from the table. They had all the money. They divided up the money.

Q Between all four of you? A No, just the two boys.

Q You said between us? A Between the two boys. They said, "We have got you here and are going to hold you here. If either one of you girls make an effort to get out of here, I am going to lay both of you flat on the floor," picking up a revolver. He said "Listen to what I have got to say to you, and that is all I want you to do."

Q Who was speaking? A Jack Barnett. He said, "I have you two girls here. I will either hold you or kill you, whatever you want to do." I said, "Jack, what do you want?" He said, "I want you both, you and Mabel. I am going to let you rest up to-night, but after to-night I want you and Mabel to go out on the street and pick up men," he said, "And bring them up in this room so I get the money for them. I want you both to go out and hustle". I said, "Jack, I don't know what that is. I never done that in my life. I never could do that." He said, "It is nothing. It is easy. You go out

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and you can do it." I said, "Do what?" He said, "Hustle." I said, "I will not." With that he hauled off and gave me a smash in the jaw and threw me back in the room. He said, "How about you?" going over to Mabel. She said, "I will not". Choking her, he grabbed her like when she was at the edge of the bed and the table was over there, grabbing her and pushing her backwards, he grabbed her and choked her black. I went between them and said, "Jack, you let her alone. Don't you touch her, for if you do I will only make it dear for you."

Q What was George Meyers doing all this time? A Stood by watching him. When I went to interfere with Jack Barnett, Meyers pulled me away. I had the broom smashing Barnett over the head to make him let go. I told him to leave me go or I would do the same to him. Finally I made them let go of Mabel. All that night they quarreled and quarreled, so the next morning --

Q Who were they? A Jack Barnett and George Meyers fought with us all next day, called us all kinds of names and asked if we thought they were suckers and all such slang like that.

Q Is this Tuesday? A Yes, sir.

Q Did they stay there that night? A No, sir; the boys went home that night.

Q Locked you in again? A Locked us again.

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BY THE FOREMAN:

Q I thought you said all night they quarrelled?

A All that day up to night they quarreled, up to half past ten. That night they were with us, they never left the house until halfpast ten, not at night, from six until ten at night they were fighting, and we would run, and as soon as we would run, they would grab us, and every time they would grab us they would hurt us so that we would have to yell before they would let us go -

BY THE FOREMAN:

Q They went away and left you there that night?

A Yes, sir.

Q Locked the door again? A Locked the door again, yes. We did not see nothing of them then until Tuesday evening they came up Tuesday evening and would not let us out at all.

Q That was on the 28th? A The 28th they would not let us out at all.

Q Get anything to eat that day? A Only what they brought up. They brought up coffee cake every day; that is all they would give us, but the first two days we met them they gave us our meals.

Q Now, you have got to Tuesday night, the 28th? A Tuesday night they would not let us out at all. Wednesday night they would not let us out.

Q What did they say to you Tuesday night? A Nothing, only

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Tuesday they would let us sit there and think of what we were going to do.

Q Did they say what they wanted you to do? A Yes, they wanted us to go out on the street and pick up men.

Q Who said it? A Jack Barnett and George Meyers both of them said it.

Q What did they say? A They said, "You have got to do it. It is not what you want to do, it is what we want you to do. You have got to go on the street and hustle and bring in the money. We want all the money we can get. If you don't do it, we will kill you."

Q Did they strike you? A Yes, sir, they struck me, but I said I would not go out on the street.

Q Which one struck you? A Jack Barnett.

Q Did he strike the other girl? A Choked Mabel that very night; he choked her black, so Tuesday night they wouldn't let us out. They kept on telling us, saying it was easy and trying to talk it into us what we should do, saying, "It is nothing, you can go out and say to a man, 'How do you do' and ask him to come up in the room. Then when you get them up in the room I will bring you up a club and a black jack and revolver, if you know how to use it." I said "Yes, I know how to use a revolver." They didn't bring up the revolver or black jack or no club. They said they were going to bring it up the next night. That was Wednesday night.

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Wednesday night they did not come up at all; left us there all Wednesday night.

BY THE FOREMAN:

Q Had they been there during Wednesday in the daytime?

A No, sir, only run in for a cornet that they were playing at the Family Theatre and would be back in time to bring us supper.

Q Did they bring you food Wednesday? A No, sir; the only time we got food was the first two days, when they took us -- only when they went out with us and bought supper, and a little pitcher of coffee and cake in the bakery shop, that is all. Wednesday night they did not come, so Thursday morning they come in. They went down to Keith & Proctor's, I think, on 42d street.

Q How do you know they went down? A They said they were going. They said they were going.

Q When they came in the morning they said they were?
A Yes, sir, they called me by my name and said, "Lillie, listen; if anybody comes here to-day and asks for me, do not answer at all, for you cannot get out to answer anybody." So he said, "We do not need to worry." Jack said, "Don't tell her not to answer anybody. She can't get out. You are talking crazy." He said "We are going to Keith & Proctor's," I think it is 42nd street, I think he said, "and we are going to clear that house."

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Q Clear the house? A They generally get in there before the first show, around one o'clock, when all the actors and actresses are downstairs on the stage waiting for their turn; they go in and speak to the fellow that has charge of the back of the stage; they look on the billboard and ask for somebody's name; they go up and ask for this man and instead of that, this man is downstairs and they work their way up to the back of the stage and dressing --

Q This is what they told you? A This is what they told us.

Q We do not need to bother about that. Thursday night?
A Thursday they went down to Keith & Proctor's and came back with the jewelry, a whole lot more jewelry and gold watch with a monogram on it.

Q Never mind that. What did they say? A Thursday night they wanted to know whether we had decided what we were to do and I said "No, I did not decide, and I did not intend to decide to go out to hustle." I said, "I never was a common girl on the street." I said "I have always lived respectable every way. I could not go on the street for no man. I don't care," I said, "You can kill me right now before I will go on the street", and when I said that Jack up with his fist and caught me a smash in the face. He said, "You would rather me kill you, you son of a bitch, I will kill you now." He goes in the kitchen, George after him, whatever he went for, I don't know, and George after him, the two of them, and

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Jack grinding his teeth said, "I will kill both of them. They will never leave the house alive. I will kill the two of them." So we were there all day Thursday and all day Friday. Friday was New Year's eve, wasn't it? All day Thursday and all day Friday without a thing to eat, so Friday they come up and started in beating us again. We had nothing to eat.

Q Friday night? A Friday night we had nothing to eat and they said if we did not go out they would kill us. All right; they would give us until eight o'clock that night and if we did not go out, they would kill us. We would not consent to that, to go out. Then they beat us again. Then when they couldn't do --

Q When you say they beat you, what did they do?

A They smashed us and pulled us.

Q When you say smashed, what do you mean? A They cracked us across the face.

Q With what? A With their hands, and grabbed hold of us and put their hands to our throats and said, "Are you going to go or aren't you?" and put their hands in our mouths so we couldn't talk, and finally they would let us go and we would have to get our breath back. We said nothing. That night they sat down and played cards all night long.

Q That is all night Friday night they played cards?

A All night Friday until New Year's morning, I guess it was

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four o'clock. I said to George Meyers "Listen, George, will you do me one favor, only one favor I am asking you; will you do it for me?" He said "What do you want?" I said, "Will you go out to the restaurant and take the pitcher and get some coffee, carry up the coffee, get some pitcher and get me something to eat. I am actually faint for something to eat." He said, "Well, Jack, will I do it?" Jack said, "Yes, if she wants to go out for something to eat, take her out, but do not let her go a foot ahead of you," so they opened all the locks --

BY THE FOREMAN:

Q Up to this time you had not been out of the room at all

A Not for four days. We were a whole week with them.

Q They let you go out to the toilet? A Yes, they would leave us go to the toilet, but we had a long private hall. Our dining room was there and our kitchen was there, and bathroom there and a long private hall.

Q Was the bathroom a part of the suite? A Yes, sir.

Q So you could go there without going out in the hall?

A Yes, sir, it was altogether, so he consented to come down with me and go down as far as 118th street and 3rd avenue, and the restaurant was closed, and I walked down as far as 116th street and met this officer.

Q Which officer? A The light officer, the stout fellow.

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Q Stilger?

A Stilger. I met Stilger.

Q Who was with you? A Little George Meyers.

Q And your friend was not with you?

A No, she was up with the other fellow.

Q You came out with George Meyers?

A Yes, and I met Mr. Stilger and I said, "Mr. Stilger, for God's sake will you please go up and get my girl friend away from that fellow." He said "What fellow is it?" I said "Jack Barnett." He said "Where?" I said "213 East 118th street." He is killing her and won't let her go out because she won't hustle."

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Q What was George Meyers saying? A He was there and heard it all. The officer said "Who is this fellow?" I said "I want him arrested. Will you go up and let this girl out." This officer said, "You go up and get this girl friend of this girl's out. Bring her right down here to me", and he goes up and I guess they were about fifteen or twenty minutes; finally they brung Mabel down.

Q George Meyers went up alone? A Yes, sir.

Q And left you with the officer? A Left me with the officer.

Q Where were you and the officer? A 116th street and First avenue.

Q Did not go up to the house? A I did not go near the house at all.

Q Didn't the officer follow Meyers up to the house?

A It was not on his beat.

Q Let George Meyers go alone to the house? A He sent George Meyers up to the house to get this Mabel down.

Q What happened? A So George said to the officer, he said "Officer, don't arrest me, I will go up and get her. No harm is done; I will bring her down to you," so George went up and brought Mabel down and in the meantime this Jack Barnett had taken Mabel's pocketbook and all the money she had saved in it that we had before we went away from home; he took the pocketbook and all the money.

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Q You don't know that. Well, that is what they told you. George Meyers came back with your friend? A Yes.

Q Did he bring Jack Barnett with him? A No, Jack Barnett came behind him. When Jack Barnett seen I had the officer after him he took and he run away and wherever he ran to I don't know, but he took George Meyers to the station house.

Q Did the officer then arrest George Meyers?

A Yes, sir, and I went down and made a complaint and pressed the charge.

Q George Meyers came right back to you? A Yes, George Meyers came back. He did not think he was going to be arrested. He spoke to him and said, "If you go up and get this other girl I won't pull you in. If you don't I will go down and get the patrol wagon and pull the whole house in." George did not want to be arrested. He thought if he went up and got Mabel I will let him go. When I got him down with Mabel I told the officer I wanted him arrested and so we went down to the 104th street station house.

Q George Meyers and your friend? A George Meyers and my friend and the officer. In the meantime we got Hayes, the other officer and he went after Meyers, after the other fellow Barnett; we went down to press our charge, five of us, the two officers and Mabel and I.

Q I thought you said the other officer had gone after Barnett? A Hayes, the other big officers.

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Q Were there two officers? A Two officers came down.

BY MR. APPLETON:

Q Where did you meet Hayes? A Hayes was on 115th street in the middle of the block, he was going up to Stillger. He was going up the street to Stillger, whatever his name was; Stillget said, "Officer Hayes, I need you in this case." Officer Hayes said "All right, and we went to the station house together and I pressed the charge. The Judge said "Do you know where you can get Barnett?" I said I think I do." He said "Where do you think?" I said "I think, I am almost positively sure if I go to 115th street in the restaurant I will get Barnett."

Q How did you know you could get him there? A He was always in there. He said to us every time anybody wanted him he was always in Joe's restaurant, always stayed there and always eat there. I went up with Mabel and the two officers around by the corner. I went in and ordered up a cup of coffee and a sandwich and I was just drinking my coffee when Jack Barnett walks in. He walked in to me and said, "You are a nice one; you done a nice thing, my friend" he said, "you wait, I will get you on the street and I will cripple you, you son of a bitch" and picked up a chair. I said listen, Jack don't raise your hand to me whatsoever, because if you do you will only suffer for it yourself.

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I went out from the table and called in Officer Hayes and Officer Hayes come in and grabbed Barnett and took him down to the station house too. Thatnight they were both locked up.

We were let go back and I guess it was only seven o'clock in the morning before we got through with court, going back and forward, back and forward, so they told us, go home and lay down and come down at nine o'clock. All right.

Q The officer told you? A The sergeant at the desk told us to go home and lay down and to be back sure at nine o'clock to court and we went down at nine o'clock to court.

Q Where did you go home? A We went to this house where our things were.

Q Where you had been staying? A Yes, we went down there.

BY A JUROR:

Q To get your things? A Yes.

Q What things? A My underclothes were down there.

Q What? A My coat and gloves were down there and my handkerchief was down there and my pocketbook.

Q Hadn't you taken those things? A No, I did not take them at all; all I took was the money in my pocket.

Q You had your coat on? A Yes, but all I took when I went out to the restaurant was my pocketbook with the change I had. I had no small change; all I took was that coat, my coat; I did not have any hat on at all.

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Q So you went back? A After my clothes, my handkerchief and gloves.

Q Why didn't you take the hat with you? A When I went to the restaurant with the boy first I expected to come back with something to eat. I came back and went up there and we laid down for about an hour and we came down and appeared in court on Sunday morning.

BY MR. APPLETON:

Q Now, did you ever sign this affidavit in the Magistrate's Court? A Yes, sir.

Q Did you read it before you signed it? A The Magistrate read it to me.

Q Out loud? A Yes.

Q In here you said the defendant had sexual intercourse with you? A Yes, twice.

Q Who has sexual intercourse? A The first two nights we were with them George Meyers.

Q Had you ever had sexual intercourse with anybody before that? A Well, not for quite a few years, quite a good many years.

Q You had? A Yes, I was home.

Q Have you got a father and mother? A I have got a father and mother, yes, sir.

Q Have they looked you up at all? A Yes, they were in court.

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Q Are they here to-day? A They are not here to-day; they did not know the trial is coming up to-day.

Q Have you been living at home? A Always lived at home.

Q I mean now, since? A Now we had been in the House of the Good Shepherd .

Q Since New year's Day? A yes.

Q How old are you? A Eighteen past.

Q Did you consent to go to the House of the Good Shepherd?

A I did not consent to go, but they sent me. I had to go. There was no consent at all.

Q Who sent you A Judge Mott.

Q Not Mott, Butts? A Moss, I think it was. He said -- he told the officer to take the two girls to the House of Good Epehherd until they would be heard; it was the best place for them.

Q Well, you consented to go? A I did not want to go. I said I did not want to go. They said "Would you rather go to the --

Q House of Detention? A House of Detention and House of Good Shepherd. They said, "You get treated nice at the House of the Good Shepherd."

Q Did you say you would go to the House of Good Shepherd?
A I said "I suppose I will have to go."

BY A JUROR:

Q Will you kindly ask her whether her parents made any

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inquiries while she was away from home? A My father was in the court, yes; I don't know whether they looked us up or not; I suppose my mother looked after me. She always did. I am the only girl. I don't know that. I don't say that. I don't get time to speak to the people at all.

Q Was it George Meyers that had intercourse with you?

A Yes, sir.

A JUROR: How does she know if she didn't wake up all night long?

BY THE FOREMAN:

Q What night was it he first had intercourse with you?

A We went in there on Christmas, but it was on Friday -- no, Sunday was the first time.

Q Well, had he slept with you before that? A No, sir.

Q Sunday night was the first time? A Yes, sir, he did not sleep with me at all. He just went with me and I was dressed and I got right up.

Q Did he compel you to do it? A Yes, he compelled me. He said I would have to go with him.

Q You were dressed at the time? A Yes, sir.

Q You had not gone to bed? A I had not gone to bed, no.

Q When was the second time? A The second time was on Monday night, Monday morning, on Monday night when they come up they were up for only a few minutes, Monday, they said they

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had some business on the West Side to do and they went to Hurdig & Seamans and Monday night he came back and went with me Monday night.

Q You said some years before you had intercourse with another man? A Yes, sir, I was ruined by a young man I went with and we had the case in court and it was discharged.

Q How old were you? A Fourteen.

Q Was that the only other time? A Yes, sir.

BY MR. APPLETON:

Q When did you work last? A Two weeks before Christmas I worked in Simpson & Crawford.

Q Where were you before that? A I was home a whole year before that.

Q Were you working in two years before Christmas?

A Yes, sir.

Q You were working during that time? A I was working the two weeks, right up to two weeks before Christmas.

Q You were working up to two weeks before Christmas?

A Yes, sir, and those two weeks I was home with my mother.

Q Why didn't you work for two weeks before Christmas?

A Because I had neuralgia in my teeth and couldn't.

Q But you went around to dance halls? A I am not strong enough to stand on my feet.

Q Yet you went around to dance halls every night?

A No, very seldom; that was the first time in a whole year I

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was to a dance.

Q Had you been in the habit of going into places with people to drink? A No, sir.

Q Before you went into the house did you ever go into some place to have a drink? A No, sir.

Q Did you ever go into a saloon to have a drink? A We went in there and had supper. They don't serve liquor in the restaurant.

Q He said to come over there and get something to drink?
A Yes, sir.

A JUROR: When those two defendants tried to send this witness out to solicit in the street, why didn't she go and go home?

BY THE FOREMAN:

Q Did you hear the question? When George Meyers and Jack Barnett told you to go out on the street and solicit men, why didn't you go and then go home? A When George Meyers and Jack Barnett wanted us to go out on the street and solicit men, they followed us if we went out; they said they would follow us; every place we would go, and would stay and watch us and watch where we would go, and what time we got out of the place, so there would be no chance whatsoever of getting away from them, and there was no good making any trick to get away, because they would be right after us.

Q Couldn't you call an officer? A I didn't get out to

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call an officer.

Q After you had gone out? A If I had gone out, yes, if I had gone out.

BY A JUROR:

Q The time you accosted this officer with Mr. Meyers, you went up and said, "Officer Stillger" -- you knew the officer's name? A No, I did not know him at all.

Q You called him Officer Stillger? A When I first came in I heard his name.

A JUROR: If she had any ingenuity at all, why couldn't she get out?

MR. APPLETON: The men are not charged with the consummation of the act, they are charged with an attempt to do it. This is only evidence of attempted compulsory prostitution.

OFFICER ADAM F. STILLGER, being duly sworn by the Foreman, testified as follows:

BY MR. APPLETON:

Q Your full name and precinct? A Adam J. Stillger, attached 39th Precinct.

Q On the 1st day of January of this year, 1910, were you on post? A Yes, your Honor, on the 2nd day, that was.

Q I am not your Honor; on Second Avenue? A Yes, sir; no,

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sir, on Third Avenue.

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Q What time? A Four twenty.

Q In the morning or afternoon? A 4:20 a. m., in the morning.

Q Did you see a girl named Lillian Dwyer? A Yes, sir.

Q Where were you when you saw Lillian Dwyer for the first time? A At the corner of 116th Street and Third Avenue.

Q Had you ever seen Lillian Dwyer before that to your knowledge? A No, sir.

Q Did Lillian Dwyer say anything to you? A Yes, sir.

Q Was there anybody with Lillian Dwyer? A Yes, sir.

Q Who was with Lillian Dwyer? A George Meyers.

Q Who spoke to you first? A Lillian Dwyer.

Q What did she say to you? A She told me that she would like to have George Meyers arrested and a friend of his was left in a furnished room at 118th Street, near Third Avenue and had another girl there with him and as she told me that I got Officer Hays, who was on 115th Street,--

Q Wait a minute before we get to Hays; is that all the conversation you had before you spoke to Hays? A Well, she told me that there was a girl in the room and that there was another man by the name of Jack Barnett who wanted them to go out on the street and she said "hustle", she called it, and threatened to kill them if they did not make fifteen dollars for him this night or this morning.

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Q What else was said? This is before we get to Hays; we want everything that was said then? A She told me that she-- I asked her where she had met these here gentlemen, and she said she met them in a room in a dance hall at 125th Street -- on 125th Street; they had a few dances there and when they had a few dances they went and had supper in a restaurant and they went to a cafe and had a few drinks and they were lured to this here furnished room at 118th Street and kept there; she said they were there for four days and these here men kept them there and they did not get anything to eat and wanted to get out, and one of the men would stay there and the two girls would be kept in the room.

Q This was all on the street before you went -- before you got Hays? A Yes, sir.

BY A JUROR:

Q In the presence of Meyers? A Yes, sir, in the presence of Meyers.

BY MR. APPLETON:

Q Did Meyers say anything when the girl was telling you all this? A Well, Meyers denied it.

Q I asked you if he said anything; if he did, give us the words that he spoke, as near as you can recollect them?

A Well, he told us about meeting these --

Q Tell us what Mayers said; not his exact words, of course, but the words as near as you can recollect them; what

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Meyers said? A He said he met these two girls in the street and they were cold and he took them in to a dance hall up there and gave them a few dances and took them around and treated them and took them to this furnished room.

Q Did he say anything else? A That is as much as I can remember.

Q Now, what was the next move made? A The next move made I got Officer Hays, who was on 115th Street and Third Avenue.

Q Did you say anything to Hays? A Hays and myself got interested in the case, and we wanted to get this here other girl out of the room.

Q What did you say; what was said; not what you wanted to do, or any operation of your mind, but what transpired there in the presence of Meyers? A We -- there wasn't much said there.

Q Well, what was said; what did you do? It is very important to know what was said there, and what happened there. What did you say to Hays? A I got talking to Hays about it, and Hays said to Meyers to go up and get the other girl out of the room, which Meyers did.

Q Did you go along up to the room? A No, sir.

Q Where did you go? A Stood right on the corner of 116th Street and Third Avenue.

Q When a charge had been made to you that a girl was

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held prisoner? A That wasn't in my own precinct.

Q I say, when a charge was made to you, an officer of the city, that a girl was held prisoner you stood two blocks away from the place; is that right? A Yes, sir; with this here Lillian.

Q Did Meyers leave you then? A No, Lillian Dwyer stayed with us.

Q Did Meyers leave you then? A No, Lillian Dwyer stayed with us.

Q Did Meyers leave you? A Yes, sir.

Q Now, before he left you, what did he say? A He said "All right, I will go up and get this other girl out of the room."

Q Go ahead? A And he brought the other girl down.

Q Yes? A So we took the three --

Q Did he bring Barnett? A No, sir.

Q Did you ask him where Barnett was? A Yes, sir.

Q What did he say? A He said Barnett was in the room.

Q Did you then go to the room? A No. We took the three to the station house.

Q Didn't you go to the room to get Barnett? A No.

Q Why didn't you do that? A That was in another precinct.

Q Did you communicate with another officer? A No, sir.

Q When a crime is being committed and you have infor-

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mation of it, although it is committed on another post, do you remain away from there? Are those your instructions from your superior officer? A That was in another precinct.

Q Are those your instructions from your superior officers? A Well, I couldn't just say.

Q You can't say? Supposing a murder was being committed in the next precinct, would you still stay on your post? A No, sir; not if I was called.

Q And when you have information that a girl is being held a prisoner do you remain on your post? A Well, I didn't know the nature of the crime, whether it was as important as that.

Q Don't you know if anybody is held prisoner that a crime has been committed? A Yes, sir.

Q And still you didn't make any effort to get Barnett? A Yes, sir.

Q I mean then? A Not at that time, no.

BY THE FOREMAN:

Q I should like to ask, why did you get Hays to go and help you? A Well, Hays was on the adjoining post.

Q Did you go to him? A I rapped and he came over to me.

Q What did you ask him to do? A I got talking to Hays about the case.

Q What did you ask him to do? A Well, I asked Hays

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about it, and he talked to me. He said the best thing -- he talked to Meyers in a good way, and I was talking to the girl, and he told Meyers to go up and get this other girl out of the room.

Q Why did it need two officers to stand by one girl while you let this man, against whom a crime had been charged, go up and find the other criminal? Why did it take two officers? Couldn't one of you keep her? A I kept her, yes.

Q You got another officer? A If I went in another precinct and my superior officer come along he --

Q Where did you get the other officer? A He is in another precinct; that is the dividing line.

Q Couldn't you rap for another officer from the other precinct? A I rapped but I couldn't get anybody at the time.

Q Did you rap? A Yes, sir; I rapped. I got Hays by a rap.

Q After you got Hays, did you rap again? A No, sir.
BY A JUROR:

Q Did this girl make a charge against this man Meyers when she came up to you? A Yes, sir.

Q Then you let the man go that the charge was made against, and kept the girl; is that the idea? A Yes, sir; she said she would like to have her other friend got out of the room.

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Q I know, but she made a charge against the man that was with her? A Yes, sir.

Q And you let that man go off and kept the girl; is that the idea? A Yes.

Q You say that if you were going away from your beat your superior officer might make a charge against you?

A Yes, sir.

Q That was no reason to let the man go? A Well, the man came right back.

Q Suppose he didn't come back? You didn't know he would come?

BY THE FOREMAN:

Q Did you finally arrest Meyers? A Yes, sir.

(End of Session.)

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New York, January 14th, 1910.

MABEL HERMAN, being duly sworn by the Foreman,
testified as follows:

BY THE FOREMAN:

Q Your full name and address, please? A Mabel Herman,
510 West 113th Street.

BY MR. APPLETON:

Q Do you know Jack Barnett and George Meyers? A Yes,
sir.

Q Do you know Lillian Dwyer? A Yes, sir.

Q Where were you when you first met George Meyers and
Jack Barnett? A In the dance hall, 125th Street, between
Lexington and Third Avenue.

Q Have you a father and mother? A Father.

Q No mother? A I have a stepmother.

Q Do you live at home, or had you lived at home?

A I was living with my married brother.

Q Did you work anywhere? A Yes, sir.

Q Where did you work? A I was working up in Keith's,
up in Koch's, 125th Street, but the summer I was not working,
because I had typhoid fever.

Q What? A I was not working much this summer because
I had typhoid fever, I was sick in the Harlem Hospital, 136th
Street and Lenox Avenue. I went to my sister's for awhile

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and then came back to the city and lived with my brother.

Q Did you work at all this fall? A No, I have not.

Q Have not worked at all? A No.

Q Do you recollect what day it was you met these two men? A We met them Christmas Eve.

Q Christmas Eve? A Yes.

Q At this dance hall? A Yes, sir.

Q What occurred there at that dance hall, just tell us all about it in your own words? A My girl friend and I were dancing, and two men came and parted us, and asked us to have a dance. We said yes. After they asked us to sit down, and we sat down, talking with them. We had supper after the dance, and then they asked us if we would have something to eat. We walked from 125th Street to 115th Street and Third Avenue. We had something to eat at Joe's. After they asked us to have a drink, so we walked out of there, up to 118th Street, and they said up there we could get a nice drink upstairs, so we walked up with them. We did not know where we were going. When we got upstairs we sat in the room and Mr. Barnett went out. He came in shortly, after, with a small bottle, and asked us would we have a drink, and we both said yes. He poured it out in a glass, and my girl friend drank first and I drank after, and she was taken sick.

Q What did it taste like? A It was whiskey, but it

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tasted kind of funny.

Q After you drank, what happened? A She drank first. After she drank I had a drink, and she was taken sick, and she called for me, and when I went to help her I could not help her up, because I fell myself. Afterwards, when I came to, I came to that day, and I was lying on the bed, when I came to.

BY THE FOREMAN:

Q You mean that day, the same night? A No, the following day, Saturday.

Q You found yourself in bed? A Yes, I was lying on the bed.

Q With your clothes on? A Yes, all my clothes on, all but my hat, I know that was off.

Q This was the next morning, Christmas? A Yes, sir.

BY MR. APPLETON:

Q Were the men there then? A No, just my girl friend. She was sitting up there reading a paper, and I called for her to bring in something. I felt sick to my stomach, and she did, and I vomited, and everything tasted terrible that I vomited out.

BY THE FOREMAN:

Q This was Christmas morning? A Yes, sir.

Q And your friend was sitting out there reading a paper? A No, it was not Christmas morning when I woke up;

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it was late in the afternoon, when I woke up. I slept from Christmas Eve --

Q Slept Christmas Day? A All night.

Q And Christmas Day? A I woke up that afternoon.

Q In the morning? A No,, in the afternoon I woke up.

BY MR. APPLETON:

Q What time? A It was around four to five, and she was sitting in the dining room, or supposed to be in the dining room, reading.

Q Yes, what did she do when you got through being sick, and so forth? A Why, I laid down for a few minutes, and afterwards I got up and kind of combed up my hair and washed myself. Then we tried to get out, and the doors were locked and we could not get out, and we sat there for quite some time, and then the men came in. We asked where they were, and they said they were home.

Q What time did the men come in? A They came in about around seven o'clock.

Q By "the men", you refer to the two defendants, Barnett and Meyers? A Yes, sir.

Q Well, go on. Say all that Meyers and Barnett said to you girls, and all you said to them on that night? A They came in and then they asked us if we wanted anything to eat, and they took us out Christmas night and we had supper, and then we came back in again and sat there talking for awhile,

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and then Mr. Barnett and Mr. Meyers were playing cards, so we wanted -- I said to Lillie, I said, "Let us go out". And he said, "No; you are not going out to-night", he said, "you are not going out." I said to him I wanted to go up home. He said, "No, wait awhile and then we will go afterwards." So we waited and waited awhile, and I sat in the chair and I kind of dozed off in the chair. And then my girl friend, one of them went out, and my girl friend was sitting there, one went out, and afterwards the other one went out.

Q Which went out first? A Mr. Barnett went out first, and Mr. Meyers followed after that. We did not think anything of it; we did not get up to see, and we went to try the door, and the door was locked, and we could not get out.

BY THE FOREMAN:

Q If you were anxious to go home, why didn't you get up and go out when they went out? A We did not know they were going out. One got up and went out ahead, and then the other got up, and it was quite some minutes before the other one went out.

Q When he went out, did you try to go out? A Yes, after the others went out of the door, we went up and went to the door and the door was locked, and we went to the door; we turned it different ways, the knob, and the door was locked.

Q Did you hear them lock the door when they went out?

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A No, that was one of the small padlocks on the outside of the door, and they did not come back until late. That was Christmas. Then Sunday they came again, Sunday morning.

BY THE FOREMAN:

Q Well, did they come back Christmas night? A No.

Q You said they did not come back until late? A They did not come back until late that morning; they came back that morning, Sunday morning.

Q They did not stay there Christmas night? A No, sir.

Q Came back when? A Sunday morning, around ten o'clock. And then they sent -- Mr. Barnett sent Mr. Meyers out for some coffee and coffee cake, so we had -- we ate the coffee and coffee cake, and then we were talking there for awhile, and we played casino with them.

Q You came into this place on Christmas Even, did you?

A Yes, sir.

Q That is when you first came? A Yes, sir.

Q When did you first go out, after you first came in?

A The first night we went out was Sunday night.

Q Then you did not go out Christmas night, did you?

A No, Christmas night was Saturday.

Q Did you get anything to eat Christmas? A Yes, they brought us in things.

Q They brought something in? A Yes.

Q You did not go out to dinner Christmas night? A No,

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we didn't go out to dinner at all.

Q You did go Sunday night? A Sunday night?

Q Went out to dinner? A Yes, sir; went down to Joe's.

Q When you went out with them, did you try to get away?

A They kept right hold of us; we could not leave; they kept hold of our arms.

Q Didn't you get near an officer that you might have spoken to? A We walked from 118th to 115th Street to Joe's restaurant, and did not pass any around there.

Q Were you looking for an officer? A Yes, if we had seen one we would have spoken to them.

Q Did you want to get away, or didn't you much care?

A Yes, I wanted to go home.

Q But you thought it was rather a lark? A Yes, sir.

Q You thought it was rather fun? A No, not exactly fun; I did not have any intention of staying.

Q But you were not frightened by what they had done, by locking you in there? A Yes, I was frightened in a way, because I did not know what they were going to do, or anything. I thought it was very funny that the door should be locked after them going out.

Q Now, this gets to Sunday night. You went out for dinner Sunday night? A Yes.

BY MR. APPLETON:

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Q I want to ask whether on Saturday night, Christmas night, when these men came and unlocked the door and came into the room, did you say anything to them about being locked in all day? A We asked them why we were locked in, and they said they intended to come back in a few minutes; they did not mean to lock us in for long.

Q Did you say anything about being drugged, or anything like that? A I asked him, "Did you put anything in our drinks?" He said, "No, we just gave you the plain drink alone." I told him how I was sick to my stomach. He said, "that was funny I was sick, there wasn't anything in it."

Q You say they came Sunday morning? A Yes, sir.

Q Did you say anything about being locked in all night? A I said, "How is it you locked us in when you go out." They said, "We don't want you to go out alone."

Q Sunday night you went to dinner? A Yes, sir; and afterwards went to the Family Theater, 125th Street, between Lexington and Park.

Q Had anything been said to you up to this time as to what they wanted you to do? A No, sir; they did not say anything at all before.

Q Go ahead? A Then we came home; we came back here again and sat for awhile, and then they said they were going out and they would be in again, so I laid down on the bed. Before that -- before my friend and I was in a doze, before

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they went out, so she said, she came and woke me up, and she told me they said they would be back in a little while. They did not come back, did not come back in that night. They came in the morning. They were in great haste. He said he had --

Q Who said? A Barnett, both of them, Mr. Meyers and Mr. Barnett said they had a little business on the West side, had to go out, and be right back. Mr. Meyers went out, and got coffee and coffee cake again that morning. They locked the door and went out. When they came back they showed us all this money they had. One of them said, I think now it was Mr. Barnett, said that his brother gave it to him, no, his father gave it to him, so then after awhile they begin to talk and tell different things, so this morning, Monday morning, before Mr. Barnett went away, I had a little ring given to me, a small diamond ring given to me for my Christmas, and Mr. Barnett took this ring off my finger, so when he came back I asked where the ring was, after he came back that afternoon; they came back around three o'clock, and I asked him where my ring was, and he said that he had pawned it, and then he showed us all this money, and he said to me, "I have got \$23", and I said to him, "Where did you get it?" And then he told us where he went up to Hurtig & Seaman's, and he told us he got something and pawned it also, and with my ring made the \$23. I asked him for my

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ticket then and he wouldn't give it to me. He said, "You wait a day or so, and then I will get it out", so he did not get it out or anything, so that Monday night, that is Sunday-- Monday night we went out again, went to the show, and went for supper, and then we did not get out any more until my girl friend got out that morning, and how she happened to get out that morning, they were quarreling -

Q Never mind that. We will get to that later. What morning was it she got out? A On Christmas morning -- New Year's morning.

Q On Saturday morning? A Yes.

Q Now, were you harmed in any way while you were in the apartment? A Yes, sir, they were with us; both of the gentlemen were, the men were.

Q You mean had sexual intercourse with you? A Yes, sir.

Q Had you ever had sexual intercourse with anybody before that time? A Yes, sir.

Q Who had sexual intercourse with you there? A Mr. Barnett.

Q When did he have sexual intercourse with you first? A He had it Sunday night.

Q And how many times did he have sexual intercourse with you there? A Why, he had twice.

Q Now, outside of that were you harmed in any way

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there? A No, not in any way, only that I was sick to my stomach.

Q Did they lay violent hands upon you in any way?

A Yes, when he said to me --

Q Who? A Mr. Barnett told me I had to go out on the street.

Q Now, when he first tell you you had to go out on the street? A Monday.

Q Monday morning? A No, Monday night, he told me after he came in that Many --

Q Now, we want to get exactly what he said, as near as you can recollect it? A He told me Monday night, he said to me, "Mabel", I said, "What do you want?" He said, "You do not suppose we are going to lay around here all the time and not do anything?" I said, "I am doing my share; don't I keep the room clean", like that. He said, "I don't mean that; you have to go out on the street to make money. My other girl I used to have used to make fifteen a night, and I want you to go out and do the same thing." So Mr. Meyers told Miss Dwyer the same thing; I said, "Mr. Barnett", I said, "Jack, I never went for no man on the street, and I wouldn't go for myself and I won't go for you." He said to me, "If you don't, you will never live to tell it; you will never get out of this room alive." I began to cry, and went and laid in on the bed. When I went and laid on the

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bed, he took me up and brought me in the dining room, and caught me by the throat in his hand and kept squeezing me awfully tight on the throat. I could hardly breathe at all, and as he did, my girl friend hit him with the broom standing near the closet. He told her if she did not let him alone she would get the same. And then he let me go, and I felt awfully bad after he caught me by the throat.

Q Did he ever touch you again? Ever lay violent hands upon you again after that Monday night? A No, he did not hit me again, although he threatened me several times.

Q Did he ask you to go out on the street again? A Yes, he told me he wanted me to go out on the street.

Q Did he say anything more about what would happen if you didn't go out on the street? A Well, he said if I didn't get out on the street he would bring the men up to me, and told me how I should try to get around the men and try to get their money away from them, and he said he would bring them up, and if they would not pay what they ought to, they would never go down the stairs alive, and he told us how to examine the men, and everything like that.

Q On New Year's morning, Lillian Dwyer went out? A Yes, sir.

Q Now, tell us how she happened to get out? A Why, that was after we had been quarreling, and so after then --
BY THE FOREMAN:

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Q Who had been quarreling? A All of us, the four of us together were quarreling, because we did not go out.

Q Were you in trouble with your girl friend? A No,, what I mean, we were quarreling with the men, were quarreling with Mr. Barnett and Mr. Meyers.

BY MR. APPLETON:

Q When you say you were quarreling, tell the words you used? A He said I would have to go out on the street for him, and we were disputing and saying I would not go, and he told us how he made the other girl go out, and how she did it, and he did not see why we could not do the same, and he did not -- afterwards Lillian spoke up, and she said, "Mr. Meyers," she said, "George, come on out; will you go out with me and get something to eat. I am hungry." And he said, "No, you stay in here with Mabel and Jack, and I will go out." And then after Jack said, "No, I will stay in here with Mabel and you and Lillie go out." So Mr. Meyers and Lillie went out. As they did this, shortly after then I was sent for.

BY MR. APPLETON:

Q Now, what time was it when Meyers and Lillie went out? A Why, I couldn't say the exact time because there was no watch or clock up there.

Q Was it in the night time or in the day time? A No, it was in the morning.

Q Was it daylight yet? A No, it was not.

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Q Then who came back to the apartment, if anybody did?

A Mr. Meyers was the one that came back.

Q What did he say to you? A He said, "Mabel, hurry up and get ready; get your hat and coat on; an officer wants to see you," and I said, "What does the officer want to see me for?" And he called Lillie a name, and he said, "She went down and squealed on us", like that, and then I had some money that my father had sent to me in my pocketbook--

Q Sent where to you, where were you? A At my address where I lived, 510 West 113th.

Q Not this place at 118th Street? A No, I had this money before I left my home; I had this money with me, and I used to carry it inside of my waist, in my little pocketbook, so Mr. Barnett was disputing why I should not give him that money. I said to him, "My father works hard for that and gave it to me, and I am not going to give it to no man to spend." So he was telling me if I got the name I might as well be the game. I said, "I don't see why you should give me the name, Jack, I don't lie on my back to make this money, and I don't see why you should have the privilege of spending it. My father sent it to me to buy clothing and things." He kept arguing, and then Mr. Meyers came up and told me I had to go down about the officer. Mr. Meyers and I went down, and I laid my pocketbook on the dresser and Jack Barnett picked it up and put it in his pocket,

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and I asked him for it, and he said he would be right down in back of us. Mr. Meyers and I walked down, and we met the office, Mr. Stillger, and he told Mr. Barnett to step aside, Mr. Meyers, to step aside, so then he told me to tell him --

Q Did Meyers hear what the officer said to you?

A No, he told Meyer to step aside.

Q What did the officer say in the presence of Meyers?

A He did not say anything in the presence of Meyers, he just told Meyers to step aside, and then my girls friend and I would speak to him and tell him.

Q Never mind what you said to the officer, unless Meyers was there. What happened to you next? A Why, he said, he asked where the other man, where Jack Barnett was, and I told him Jack was coming down, but Jack did not come down afterwards, and then right after that we just took a couple of steps and we met Officer Hays, and then Mr. Meyers said he would look for Barnett, and Mr. Hays said, "No, come along with me", so then we all went down to 104th Street station house.

BY THE FOREMAN:

Q You said that you had had sexual intercourse with someone before this? A Yes.

Q How long before? A About two years before.

Q How many different people? A Only the one person

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before.

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Q Once with him, or more frequently? A No, I was with one young fellow, but this defendant, and that was the first I was until I was with Mr. Barnett together.

Q Were you away from home at that time? A Was I away from home? I was up there for the summer.

Q Visiting? A Yes.

BY A JUROR:

Q This past summer? A No, two years ago.

BY THE FOREMAN:

Q When you first came to this house, these men said to you that you would come in and get a drink there, did you think it looked at all strange to go into a house and get a drink? A Yes, I thought it very strange, because you do not go into houses --

Q You had been accustomed to getting drinks? A No, never.

Q Were you at all afraid when they took you upstairs? A Yes, I was kind of afraid, and kind of kept on in the back; I did not like the idea of going up.

Q Did you suggest you did not want to go upstairs, or didn't you? A I told him I did not care about going up. He said, "Come on up, we will have a drink and ^Ccome down again."

Q How long had you known these two police officers?

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A We just met them that night.

Q You had known them before? A No, sir; had never seen them before.

Q Why did you ask, when Meyers come upstairs and said the police officer wanted you, what did you mean when you asked him what the officer wanted of you? A Well, I did not know what had happened. I thought perhaps somebody had caught him and found out he had stole those things, or something.

Q Was an officer a man you were anxious to see? You had been locked up here for a week? A Of course, certainly I wanted to see an officer, because I did not want to be locked up all the time.

Q But you were careful to ask what the officer wanted before you went down? A I asked him what he wanted, because I did not know what he wanted, and I said to him I thought it was funny that he should come up in such a funny way and tell me that an officer wanted me; I did not know what for.

BY MR. APPLETON:

Q When was the last time you went out to get anything to eat? A Monday night.

Q Now, had they told you that they wanted you to go on the street and solicit before you went out for anything to eat Monday night? A No, sir; after we came back in, they told us that.

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Q After they had told you they wanted you to go on the street and solicit men, did you again go out anywhere?

A No, sir; they did not let us out any more.

BY THE FOREMAN:

Q Did you think these men were going to keep you there right along? A No, sir; I did not have any intention of staying. I would have gone away if they did not keep the door locked.

Q You did not know what their purpose was? A No, sir; I did not exactly know what their purpose was.

Q Why didn't you pretend, when they wanted you to go on the street, why didn't you say you would go on the street, and when you got on the street go home? A Because they would follow us with threats. They told us, "If you get on the avenue we will be near you, so if anything happens we can come along and help you."

Q If you had wanted to get out, you would have taken a chance of finding an officer? A The door was locked.

Q No, but you could have said -- A Then I would have stopped him and told him --

Q But you were not anxious to get out to try that? A Well, I was anxious enough, but I told him I did not want to go on the avenue, and before he would not let me out, when I told him that.

BY A JUROR:

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Q How often did you go to the theater? A Two nights.

Q Where was that? A 125th Street.

Q What day? A We went up on Sunday night, and up on Monday night.

Q Did you or did you not see a police officer any of those nights? A On Sunday night we rode upon the trolley, and on Monday night we walked up on Sixth Avenue.

Q Did you meet an officer that night? A No, sir.

Q Did you make any attempt to get out by hollering, hammering on the door or raising the window? A There was no way. The windows were nailed down, and there was nobody living on the floor underneath us; nobody lived in the house that I know of, only the lady herself that was away in the basement.

Q You didn't pound on the door or the window? A No, sir.

Q Could you have broken the window? A I suppose we could have broken the window, the nails, but we did not do that.

BY MR. APPLETON:

Q What did the window look out on? A A big fence in back of the house.

BY THE FOREMAN:

Q This was in the rear of the apartment? A Yes, in the rear apartment.

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BY MR. APPLETON:

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Q Could you see any houses or attract the attention of anybody from that window? A There was big buildings there, but we never seen anybody in the windows. There was some flats opposite ours, but they were empty.

BY A JUROR:

Q Did you have a good time playing cards there? A No, sir, not a very good time.

Q You were playing cards? A Well, I was trying to. I don't know very much about it.

Q Did they bring any more whiskey? A No, sir; they only gave it to us that one night.

Q They did not drink any of the whiskey themselves? A I did not see them.

Q Didn't you think it was strange they gave you whiskey and did not take any? A I thought it was funny.

BY THE FOREMAN:

Q You know the taste of whiskey? You drink it? A No, I do not drink it straight along; it is something I seldom do.

Q Why did you think it tasted strange? A It burned my mouth and tasted kind of bitter.

OFFICER JOSEPH F. HAYS, being duly sworn by the Foreman,

testified as follows:

BY THE FOREMAN:

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Q Your full name and precinct? A Joseph F. Hays,
39th Precinct.

BY MR. APPLETON:

Q Were you on post on the morning of January first,
1910? A Yes, sir.

Q Where was your post? A 115th Street between Park
Avenue and Pleasant.

Q With respect to this case, did anything happen on
that corner to attract your attention? A Well, I was stand-
ing at 115th Street and Third Avenue, and I see a young girl,
which is Lillian Dwyer, come from 116th Street, opposite
side, and another fellow following her with a pitcher.--
When they got in front of Officer --

Q What officer? A Officer Stillger.

BY THE FOREMAN:

Q What time was this in the morning? A This was
about, I should think, in the neighborhood of half-past three.

Q In the morning? A Yes, sir, in the morning after
New Year, and I see him wave his hand.

BY MR. APPLETON:

Q You say the morning after New Year. Do you mean
the morning of January 1st, 1910, or January second? A Jan-
uary second. New Year's night.

Q That is January first, Saturday morning? A Yes,
sir, Saturday morning. And I see this young fellow wave

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his hand, and I look up at Officer Stillger, and he rapped his club to come up; when I come up he told me what the case was. This Lillian Dwyer repeated the case.

Q If you will talk slower, and not clip your words so, and don't state any conclusions, but tell what was said in the presence of Meyers, we will get along faster? A She told Officer Stillger that she was kept in the room for one week by George Meyers and Jack Barnett, and she had a girl friend, Mabel Herman, that was still up there, and she wanted to know if we wouldn't go up there and try to get her out.

Q When you say "she", you refer to Lillian Dwyer?

A Yes, sir.

Q Said that to you and Officer Stillger on Third Avenue and 115th Street, in the County of New York, at half-past three in the morning of January first? A Yes, sir.

Q And there was a young man Meyers there at the time it was explained to you? A Yes, sir.

Q What was the next thing that happened? A I asked Meyers about it and he said there was a girl up there.

Q What did you say? A Well, I listened; that is all I said, that part of it.

Q You say you asked Meyers something. What did you say? A I asked him if the girl was up there, this Mabel Herman, and he said yes. I said, "What are you keeping her up there for?" He said, "She wants to stay there for the night." I said, "Who is up there with her?" He said, "A fellow by

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the name of Jack Barnett." I said, "Isn't it better for you to get the two of them out of the room before you get in trouble?" He said, "I think it is best," and he went up and brought Mabel Herman down.

Q Wait a minute. At that time that you spoke to Meyers and had the conversation just detailed here, Lillian Dwyer said in your presence that she had been kept a prisoner in a room for a week? A For a week, yes, sir.

Q Is that correct? A Yes, sir.

Q Then you turned to Meyers and said what? A I asked him if it was so, and he said, "Yes, she was up there for a week. I said, "Who is up there with the other girl, Mabel Herman?" He said, "A fellow by the name of Jack Barnett."

Q When you use the word "she", I think you mean to use the masculine. You asked Meyers, "Who is up there with Mabel Herman"? A Yes, sir.

Q And who replied to you? A Meyers.

Q Meyers? A He told me a fellow named Jack Barnett was there.

Q Then what did you do? A I asked this Meyers why he kept her up there. He said, "They went to stay there for the night; they have already been there for a week." I said, "Don't you think it is a better idea to have the other girl and Barnett come down here and explain it?" He

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said, "I will do it".

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Q Explain to Barnett what? A I asked Meyers if he would not go up there and get this Jack Barnett, already named, who was there with Mabel Herman, and come down, and he did so, and he brought Mabel Herman and Meyers remained up there.

Q Just wait a minute? You say he brought Mabel Herman, and Meyers remained there? A Barnett remained up there.

Q Then you mean Meyers went and got Mabel Herman? A Yes, sir.

Q He didn't bring Barnett back with him? Is that what you mean to convey? A Yes, sir.

Q How many blocks away from this number on 118th Street was it you remained after you sent Meyers? A Two blocks.

Q You didn't go with Meyers? A No, sir.

Q You had a complaint from the girl that she had been kept a prisoner, and her friend was a prisoner; is that right? A Yes, sir.

Q How was Lillian Dwyer dressed when you first saw her? A She was dressed in black, with a fur hat on.

Q Did she have a hat on? A Yes, sir.

Q Sure of it? A Yes, sir.

Q Have a coat on? A Yes, sir.

Q Did she go back to the room to get any of her clothing? A No, sir, she stayed with Officer Stillger.

Q Did she, after the Herman girl came, go back to

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get any of her clothing? A The Herman girl? No, sir.

Q Did Lillian Dwyer go back to get any of her clothing?

A No, sir.

Q After Meyers came, what is the next thing that happened? Meyers came with the Herman girl? A He said, "Now, you can go to hell."

Q What? A He said to the two girls, "Now you can go to hell".

Q Meyers said? A Yes, sir; and we placed him under arrest, and brought Mabel Herman and Lillian Dwyer to the station house, and after that this Jack Barnett; then when Meyers went up to ask him to come down to 116th Street with the two girls he took eight dollars off this Mabel Herman.

Q Were you there? A Where?

Q Did you see him take eight dollars? A No, but he said he did. He told it in the station house.

Q Who said that? A This Jack Barnett, and returned it to her in the station house.

Q Wait a minute. You haven't got to that yet, officer; you say Meyers was placed under arrest, then what did you do?

A Brought him to the station house and locked him up.

Q Then what did you do? A We went out, and got Jack Barnett in a restaurant.

Q Who went with you? A Officer Stillger.

Q Where did you go? A 115th Street and Third Avenue.

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Q Did you go in there? A Yes, sir.

Q Found -- A The girls went in first; he had an appointment with one of the girls.

Q Please don't use the word "he"; if you refer to Barnett will you refer to Barnett, and when you refer to Meyers use the word "Meyers". Call Stillger and call everybody by their names and you won't get confused. The girls Lillian Dwyer and Herman went into the restaurant? A Went first.

Q Then what happened? A The waiter in the restaurant said Jack Barnett was there twenty minutes previous and left word for the two girls to remain there, and he would be back. They waited about fifteen or twenty minutes and he returned.

Q Who returned? A Jack Barnett returned.

Q Please call him by name.

A JUROR: Did you say he had an appointment?

A Barnett went to this restaurant and told the waiter he would be back if the girls waited, and the girls went there and he wasn't there at that time, but he returned in fifteen or twenty minutes.

Q You took the girls there with you, didn't you?

A Yes, sir.

BY A JUROR:

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Q This was after the arrest? A After the arrest of George Meyers.

Q You didn't lock them up in the station house? A No, sir, we locked George Meyers up.

Q You had the girls in the station house? A Yes, sir.

Q And for the purpose of getting the other man you took the girls along? A Yes, sir. And when they went to the restaurant this Jack Barnett wasn't there, and he returned in twenty minutes, and one of the girls, Miss Lillian Dwyer, she came out and told us, we were standing at 115th Street and Third Avenue, that Jack Barnett had returned, and we went inside and placed him under arrest, and brought him to the station house, and then he admitted that he took --

BY MR. APPLETON:

Q No, not he admitted; what did he say? A Jack Barnett? We searched him and found some stuff on him, that was some stolen property.

Q What did you find? A We found a trinket -- something a lady wears around on a chain, a little locket like.

Q Yes? A And a knife and a penknife, and a watch with a man's name, Stanley Brown, from Tarrytown, New York. That was proven was stolen afterwards.

Q Never mind that? A And eight dollars that Mabel Herman said that he took away from her in a pocketbook, but we did not get the pocketbook; he destroyed it.

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Q Now, did you say anything to Jack Barnett? A Did we say anything to him? No, sir; only placed him under arrest.

Q You placed him under arrest. Now, from the time that you took Barnett in your custody, and you walked down to the station house and you searched Jack Barnett in the station house, he was finally delivered to the doorman, wasn't he? A Yes, sir.

Q To be taken back into a cell? A Yes, sir.

Q Now, in all that time, from the first time you put your eyes on him until he was delivered to the doorman, did you say anything to Barnett and did Barnett say anything to you? A Yes, he said to me --

Q Wait a minute. Where were you when you first spoke to Barnett? A At 114th Street and Third Avenue, before he talked.

Q What did you say to Barnett then? A I didn't say nothing to him, but I was talking with the two girls, and Officer Stillger and Barnett was in front, and he turned around to Mabel Herman and said, "You are not going back on me", Barnett said, and that is all the conversation that was passed between them until we got to the station house.

Q Now, what was said by Barnett, and what was said by anybody else in the police station? A Why, he just -- Barnett told me he did keep the girls there.

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Q Please answer the question. What was said; we want the words that were used, as near as you can recollect? A Who said - any one of us?

Q Any one of you said to Barnett and Barnett replied to any one of you? A Well, Barnett said that he was on parole from the House of Good Shepherd, and it only expired the day previous, and he admitted --

Q Now, you know enough, officer, not to use the word "admitted"? A Jack Barnett --

Q Said? A Said that he was on parole at the present time.

Q Yes? A And that Jack Barnett, he had those two girls, Jack Barnett, in the house.

Q Jack Barnett said that? A Yes, sir, and he refused to talk any more.

Q Now, will you give us as near as you can just what Barnett said about having the girls in the house a week?

A Well, Jack Barnett said he met the girls at 125th Street, off of Lenox Avenue, Lexington Avenue, at a dance hall. He danced with the two girls, Jack Barnett, until about half-past twelve, and then Barnett asked the two girls to have something to eat, and the two girls come over to 125th Street thinking they were going to be put on a car and rode to 115th Street and Third Avenue; instead of that Barnett made them walk down there. When they got down to 115th Street they were

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soaking wet. After that they had something to eat and one of the girls, Lillian Dwyer, he said she vomited outside of Joe's restaurant.

Q Is this the conversation? Barnett said this to you, did he? A Yes, sir; he did.

Q Tell us all he said? A And he admitted taking --

Q Now, now? A Jack Barnett admitted --

Q Don't use the word "admitted". As an officer by this time you ought to know that isn't what we want. How long have you been a police officer? A About nine months.

Q Please don't use the word "admitted" again. Please use the words that the person uses as near as you can recollect those words. What did he say? A Jack Barnett said those two girls and himself and Meyers lived in a furnished room at 115th Street the past week since the night they took them from the dance hall.

Q Did you tell Barnett that the girls accused him of holding them prisoners there? A Yes, sir.

Q What did Barnett reply? A He admitted it; he said he did.

Q What? A He said he did have them there.

Q He said he did have them there? A Yes.

Q When you say Barnett -- this is very important; these gentlemen would like to know exactly what was said because it is very important -- when you say Barnett stated that he

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did have those girls in that house will you please tell us the question that you put to him, or the words that were used by anybody else just prior to Barnett making this statement that he had the girls there? A Well, he, Barnett said --

Q No, what words were used there by you or by anybody else that brought forth the answer from Barnett that he did have the girls in that room? A Officer Stillger said to him, "Why you have the girls for a week there?" He said, "One of the girls was afraid to go home."

Q Barnett said one of the girls was afraid to go home? A Yes, and Barnett kept her there for four days, and then she wanted to go home, Lillian Dwyer wanted to go home, she lived at 115th Street, and he said he wouldn't let her go.

Q He said he wouldn't let her go? A Yes, because she promised to return some money he already spent on her. That was the words that passed between Barnett and Officer Stillger.

BY A JUROR:

Q You mean spent it on her during the week? A Yes, sir; those four days.

BY THE FOREMAN:

Q Officer, why didn't you, either you or Officer Stillger, go with Meyers to the room where you had been told by Lillian Dwyer she and her friend had been kept for a week?

A I didn't think it was police duty.

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Q What? A I didn't think it was right.

BY MR. APPLETON:

Q Police duty you used before? A I didn't think it was right to go from one precinct to another.

Q Have you such orders? A Not exactly.

Q If it isn't committed in your precinct -- A Not exactly, but if the lieutenant or sergeant came along he would --

Q Do you usually find it is successful to send an accused man to find his accomplice and bring him to you?

A No, but I thought when you have the information there, I thought it was much better.

Q Didn't you recognize that when you let one man, against whom a criminal charge was made, go, you stood a chance of losing him and the other man? A I didn't think so at that time.

Q As you look at it now? A No.

Q Your experience of nine months on the force is, you can send one criminal to get another, and he will usually bring him with him? A We weren't sure he was a criminal.

Q You had a charge of the girl? A Yes, but it wasn't verified, though.

Q But you thought he would go and verify it for you?

A I thought so.

Q You thought it was safer than for either of you of-

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ficers to go? A Yes, sir.

BY A JUROR::

Q How long had you known these two men? A Well, Meyers I never -- met him once or twice.

Q Where did you see him? A On Lexington Avenue, passing by.

Q Was he a friend of yours? A No, I never spoke to him, but I knew Barnett to be around Joe's restaurant in company with different girls.

Q He is an old friend of yours? A No, sir; I don't know him to speak to.

Q What do you know about him? A Well, I seen Barnett talking in company with women that leads fast lives; that is all I know -- hangs around restaurants and saloons frequented by people of that kind.

Q Do you know these two girls? A No, sir; never saw them before.

A JUROR: Did this officer understand when this Dwyer girl met him in the street, when he saw her in the street, did he understand that this girl charged those two men with the commission of a crime?

BY THE FOREMAN:

Q Did you get that question? A Yes, sir.

Q Can you answer it? A Yes, sir.

BY A JUROR:

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Q You did understand that girl was charging these men with the commission of a crime? A Well, they didn't --

Q Did you or did you not? A No, sir; not at that time, no, sir.

BY MR. APPLETON:

Q Didn't you testify here a moment ago that Lillian Dwyer stated in your presence that she had been held a prisoner for a week by the man Meyers who was beside her in a flat at 118th Street? A Yes, sir.

Q Wait a minute; and that her friend Mabel Herman was in the flat at that time? A She didn't admit this until Meyers come back the second time with Mabel Herman.

Q Just wait a minute, officer; I asked you this. Haven't you already testified? A Yes, sir.

Q Please don't interrupt me. Haven't you already testified here that before you sent Meyers to the 118th Street flat to get the Herman girl and Barnett, that Lillian Dwyer had already stated to you and Stilliger that she had been held a week a prisoner in a flat by Meyers and Barnett? A Yes, sir.

Q And that her friend was there at that time a prisoner? A Yes, sir.

Q Isn't that a crime? A Yes, sir, it is.

Q Didn't you know it was a crime at that time? A Yes, sir.

Q Then Mr. Armstrong asked you if at the time you

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sent Meyers back there you didn't know that a crime was charged against the man Barnett and Meyers? A I did, yes, sir.

Q So you didn't intend to tell Mr. Armstrong that you didn't know? A I did know it, yes, sir.

(TESTIMONY CLOSED.)

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January 14, 1910.

(PEO. vs. JAMES BISSONI) - (Case No. 63.)

ROSINA ISOLDE CANINO, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q Your full name and your address. What is your full name? A Isolde Canino.

Q Where do you live? A 67 -- I live at 65 Tenth Street.

Q 65? A 165, West Tenth Street.

Q That is the Waverley House, care of Mrs. Miner?

A Yes, sir.

Q Where does your mother and father live? A 113 Mulberry Street.

Q 113? A Mulberry Street.

Q How old are you? A Well, I am seventeen.

Q What? A I am sixteen, be seventeen next October.

Q So you are not quite seventeen yet? A No, sir.

Q You won't be seventeen until next October? A No, sir.

Q Do you know the defendant, Bissoni? A Yes, sir.

Q How long have you known Bissoni? A Nine months.

Q When did you first meet him? A May.

Q Of this last year? A Yes, sir.

Q Do you recollect what date and time it was? A No, sir, I don't remember.

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Q Now, did you go anywhere with him in May? A Well, the day before I went away from home, I went to 115 Forsyth with him.

Q What happened at 115 Forsyth Street? A Well, we had intercourse.

Q Then next day did you go anywhere? A No, sir.

Q Did you after that in May? A Yes, sir, when I went away from home, but I did not go with him.

Q Did not go with Bissoni? A No, sir.

Q Well, didn't you go out of the State with Bissoni? A Yes, sir.

Q Went -- A He sent a fellow down for me with a signet ring that I should go there.

Q Where did you meet Bissoni? A Long Branch.

Q Didn't you go with Bissoni to Long Branch that day? A Yes, sir.

Q Where did you meet Bissoni? Where did you meet Bissoni before you started to Long Branch? A New York.

Q And you and Bissoni went down to Long Branch together? A No, he went first to find an apartment, so that I can live in it, and then he sent another fellow down here with the signet ring.

Q Then after that what happened? A Then he told this fellow, he told me if I would not see the signet ring I dassn't go, and if I seen the signet ring I should go,

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and I seen the ring, and I went and met him in Long Branch.

Q This was in May? A Yes, sir.

Q Now, did you come back to New York again after that? A No, sir, only when I got locked up.

Q As a witness against Bissoni? A Yes, sir.

Q Now, then, what happened after you were locked up?

A Well, I was in the care of Canino, my husband.

Q When did you marry Canino? A June 15.

Q Where? A Red Bank.

Q Who introduced you to Canino? A Jim Bissoni.

Q And who asked you to marry Canino? A Well, Jim was locked up on account of me, so I thought best I had to marry with Jim or go to jail.

Q So you married Canino? A Yes, sir.

Q And he was locked up at Red Bank, was he? A I come down here and got glad with my mother, and then I was called to court.

Q And after you married Canino, where did you go?

A Went back to Red Bank.

Q And what did you do down in Red Bank? A Hustled.

Q For whom? A For both.

Q Both who? A James and Faust.

Q James Bissoni and Faust Canino? A Yes, sir.

Q And where did you live? A Red Bank, in the swamp.

Q In the swamp. After that, did you come back to New

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York? A No, sir; I went after -- I lived with my husband about a month; he started beating me, so I left him; he kicked me out of the house and I went away and went to Long Branch and met James, and I went to work in the old man's restaurant.

Q What is his name? A Frank Lapardo. I went to work there, and was only working a week when I was locked up and sentenced to three months in jail.

Q When you got out of jail, what happend? A I came to New York, and my people abused me, so I had to go away in three days.

Q That gets us near to the 10th of November, doesn't it? A Yes, sir.

Q Did you meet Bissoni on the 10th of November?
A Yes, sir.

Q Did you go anywhere with Bissoni? A No, sir.

Q What? A No, sir; not until the night I went away with him.

Q You went away with him the night of the 10th of November? A I did not go away the 10th. I met him that night, and I had an appointment, but would not go to it, because it was snowing.

Q Then what time did you go away; what day of the month was it? A The 13th.

Q The 13th of November? A Yes, sir.

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Q What day of the week? A Saturday.

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Q Saturday, the 13th of November, 1909? A Yes, sir.

Q And where did you meet Bissoni in New York? A Down in Mulberry --

Q What number, do you recollect? A No, sir; I don't know the number.

Q In Mulberry Street? A Yes, sir.

Q What did Bissoni say to you and what did you say to Bissoni? A He asked me I should go back.

Q Go back where? A To Long Branch.

Q And what did you say? A And I told him I would if my people abused me.

Q So on the 13th, when you met Bissoni in Mulberry Street, what did he say to you then? A That is what he told me.

Q Did you start off with them then? A No, sir; stood down in New York that night, Friday night, Saturday morning went to Long Branch.

Q Who went with you to Long Branch? A I and him.

Q You and Bissoni? A Yes, sir.

Q Went to Long Branch? A Yes, sir.

Q Where did you go when you got to Long Branch? A This old man, Frank Lapardo's apartment.

Q What did you do there? A Asked for a room, so the man did not have one, so he gave me this room for the night,

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and Monday he gave me a separate room, No. 2 in the apartment.

Q What did you do down there then? A Hustled.

Q When you say hustled, did you go out on the street and bring men in the room? A No, sir; I used to -- I used to -- I stopped, and used to hustle right in there, solicit men right in there.

Q Solicit men in the restaurant and take them upstairs?

A Yes, sir.

Q Before that you hustled on the street? A I was not hustling on the street, was soliciting in the place.

BY MR. APPLETON:

Q Were you afraid of Bissoni? A Yes, sir.

BY A JUROR:

Q Why were you afraid of him? A Well, because all the men would kill the girls if they wouldn't do what they said.

FRANK LAPARDO, being duly sworn by the Foreman, testified as follows, through Interpreter Angelo Acritelli.

BY MR. APPLETON:

Q What is your full name? A Frank Lapardo.

Q Where do you live? A Long Branch.

Q Long Branch, what number and what street? A 25 and 27 South Broadway.

Q Long Branch, New Jersey? A Yes, sir.

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Q Now, on or about Saturday, the 13th of November, 1909, did you see the witness Rosina Isolde Canino? A No, sir.

Q You saw the girl who just went out of this room, did you not? A Yes, sir.

Q Do you know her? A Yes, sir.

Q Under what name do you know her? A Why, she told me that she was married and had a husband, but the husband never told me the name.

Q What name did you know her by? A I called her Rosina; he did not give me the second name.

Q Now, did you see her on this Saturday, November 13, 1909? A Yes, sir.

Q And whereabouts was she when you saw her on that day? A She was near the Hotel Marcario; she was sitting in front of the shoemaker's shop, which was kept by a man by the name of Marcario.

Q What is your business in Long Branch? A I have got a restaurant, a boarding house.

Q How many rooms have you got in your boarding house? A Twelve rooms.

Q And where is the restaurant? A On the ground floor, store.

Q What did Rosina say to you when you saw her on that day? A She said to me, "Hello, Uncle Frank", and I said,

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"Hello". She asked me if I had a room for her. I told her that I could not give her a room that day, because there was fourteen roomers in the house.

Q Go on? A The rooms were occupied. Then the following Monday I gave her a room, Room No. 2 in the back.

Q Now, did you see Bissoni there in Long Branch?

A Yes, sir; Jim Bissoni.

Q What day did you see him there? A The same day, on the 18th.

Q Saturday, was it, or Monday? A Saturday, the 18th.

Q Now, what day -- what did Bissoni say to you? A Bissoni said to me, "If you have a room, give it to her, and I will pay for the rent."

Q And what else did Bissoni say to you? A Why, then he went away.

Q I want to know what else he said then? A He came back on a Monday and paid me \$2 on account, and he said he would give me the balance during the week.

Q Did Bissoni say anything to you on Saturday as to whether or not he brought the girl Rosina over from New York?

A He told me that he had brought her from New York, that he had gotten her out of prison.

Q Did he tell you that on that Saturday when you first saw Bissoni? A Yes, sir.

Q Well, now, what conversation did you have with Bis-

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soni about this girl committing prostitution in your premises? A Bissoni told me that he would not be a prostitute in the room, but she would go on the street.

Q Told you she would not be a prostitute in the room, but would go out on the street to commit her acts; is that right? A Yes, sir.

Q And what room did you give Rosina? A No. 2 in the back, in the rear.

Q But on Saturday didn't she sleep in your room?
A Saturday she slept in my room, on Saturday, and Monday morning I gave her a room.

Q That is just what we want to get. A Saturday I had no room to give her, and she slept in my room.

Q That is what we want. That is the 13th of November. On the 18th of November, the 18th was a Wednesday; the 13th was Saturday? A He said it was on the 18th, it was on a Saturday.

Q All right. Now, what else did Bissoni and you talk about regarding this girl, as to what she had done when -- I withdraw that. She had been in your place before that, hadn't she; lived there before? A She lived in a street by the name of Imbricci, as she calls it, behind this Hotel Marcario.

Q Didn't Rosina live in your hotel during that summer, early in the summer? A I kept her for one week, and this

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Jim Bissoni told me to give her board and room for one week, just to give her meals for one week, that he would make good.

Q Now, on this occasion when she came to you on a Saturday, how long did she stay there after that Saturday?

A She remained there about ten days, and then I sent her away.

Q Now, during that ten days, Rosina was in your boarding house, did Bissoni come there? A Yes, he came there every day.

Q Now, did Bissoni go up to the room of Rosina?

A Well, he called -- this Bissoni used to call on Rosie in the morning, and then they would take and go in the room together.

Q Now, did Bissoni take any men up to Rosina in the room? A I never saw him, because I was always in the rear of the place, but a family told me, complained about this woman, that they did not want her in the house, and I fired her.

Q Now, when did Rosina leave your premises? A Why, I hired the room on a Monday, and the following Monday I threw her out.

Q After you put Rosina out of your house, did Bissoni come back there and speak to you? A He told me to keep Rosina there a day or two, that he was going to Asbury Park

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and find a house there.

Q Now, did Bissoni say anything to you about asking you to let Rosina stay in your house a little while longer to commit acts of prostitution? A No, he did not tell me that, because if he told me that I would not stand for it.

Q Haven't you already made an affidavit in which you said that "after Rosina left my premises Bissoni came to me again and showed me a letter from Rosina in which she said she was willing to go back to Long Branch, and he asked me to take her back to my house for the purpose of allowing her to commit prostitution, and I said, 'No, I don't want any more of these doings.'" Haven't you already sworn to that? A He never told me about her, about her doings in my rooms as a prostitute.

Q Didn't Rosina use to stay in your restaurant? A Yes, sir.

Q And didn't men come and speak to Rosina while she sat there in the restaurant? A Yes, sir.

Q And then after they had spoken to Rosina, didn't Rosina and the man she was talking to get up and go upstairs, and then the man come back again in about five or fifteen minutes? A The man would go out first and go in the hallway, because I had a toilet in the hallway, and then a minute or so Rosina would leave the room and go in the same direction, and I do not now whether she would take them upstairs

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or not.

ANGELA ISOLDI, being duly sworn by the Foreman,
testified as follows, through Interpreter Angelo Acri-
telli:

BY MR. APPLETON:

Q Angela Isoldi, is that right? A Yes, sir.

Q Where do you live? A 113 Mulberry Street.

Q Are you the mother of Rosina Isolde Canino? A Yes,
sir.

Q How old is Rosina now? A Seventeen years old.

Q When will she be seventeen? A She will be seventeen
in the month of August.

Q This coming August? A Yes, sir.

(TESTIMONY CLOSED.)

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January 14, 1913.

(PEO. vs. JOSEPH MARFIO and EMILIO DICICCIO) (Case No. 64).

(PEO. vs. EMILIO DICICCIO) (Case No. 65).

AUGUSTA FROHME, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q Your full name? A Augusta Frohme.

Q Where do you live? A 58 West 119th Street.

BY MR. APPLETON:

Q Speak up as loud as you can, and tell us how old you are? A I am eighteen years old.

Q When were you eighteen? A November 26th.

Q Of last year? A Of last year.

Q 1909? A Yes.

Q When did you first meet Diciccio? A I met him in the latter part of August, I think it was.

Q Now, where was Diciccio when you met him in August?

A He came over to my sister's house.

Q Where was your sister's house? A 118th Street.

Q And your sister is named what? A Her name is -- she gave herself as Bertha Marshall.

Q I know she went under the name then of Bertha Marshall. What is her real name? A Lizzie Frohme.

Q Now, was Marfio there? A Marfio, yes, he was there.

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Q Was your sister there? A Yes, sir.

Q Anybody else there? A And Sarah Greenstein was there.

Q Now, from that place did you go down to 33 Stuyvesant Place? A No, we moved to a little wooden house.

Q Then did you finally go down to 33 Stuyvesant Street? A From there we moved to 12th Street first.

Q And then from 12th Street to Stuyvesant? A To Stuyvesant, yes, sir.

Q Then you did go to No. 33 Stuyvesant Street in the County of New York? A Yes, sir.

Q Now, when did you go into 33 Stuyvesant Street? A That was in August, too, I think.

Q Wasn't it September? A September or August.

Q How long were you there in Stuyvesant Street? A About two weeks.

Q And after you left Stuyvesant Street, where did you go? A We went to Hartford; to Bridgeport first.

Q Where? A To Bridgeport we went first.

Q Which day of the month, and what month did you go to Bridgeport and then Hartford? A That was in September, I think, we went to Bridgeport.

Q 20th of September? A I think so.

Q Did you go from the Stuyvesant Street house? A To Bridgeport, yes.

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Q And you lived in the Stuyvesant Street house about two weeks, did you say? A About two weeks.

Q Do you recollect whether it was the 9th of September you went to the Stuyvesant Street house? A I don't know what date it was.

Q Now, when you got to the Stuyvesant Street house, who all was in your party; that is, who were to take up their abode there, their home at 33 Stuyvesant Street?

A My sister had her room downstairs.

Q She was living with whom? A Marfio, and Sarah Greenstein was living with Emilio.

Q What is the name? A Emilio Diccio.

Q You and Sarah Greenstein -- is the name Greenstein?

A Green -- I think it is Greenstein.

Q Greenstein, that is right; now, you and Sarah Greenstein -- they called her Sarah Green, did they? A Yes, sir.

Q You and Sarah Green and Diccio had a room upstairs?

A Yes, sir.

Q What kind of house was that; describe the appearance of it? A It was a brown house.

Q Was it a private house with a high stoop? A No, it was not a private house. It had a stoop like tenement houses.

Q Was it a flat house, tenement house? A No.

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Q How many stories high was it? A I think about five stories.

Q And how were the rooms on each floor divided off?

A Well, there is two on each floor.

Q Two rooms on each floor? A Yes, sir.

Q And what floor did your sister Lizzie have her room on? A She had it on the first floor, I think.

Q And what room did you and Sarah and Diciccio have your room on? A The third.

Q How many beds were there in your room? A One.

Q Who slept in the bed? A Emilio and Sarah and I.

Q Emilio Diciccio, do you mean? A Yes, sir.

Q And Sarah and you? A Yes, sir.

Q Now, the first night that you were in the premises, 33 Stuyvesant Street, did you have sexual intercourse with Emilio? A Yes, sir.

Q The first night? A No, not the first night.

Q Well, did you the second night? A Yes, sir.

Q Who was in bed with you at the time you had sexual intercourse with Diciccio? A Sarah, Sarah Green.

Q Was that the first time that Diciccio ever had sexual intercourse with you? A No, sir.

Q When was the first time? A In 112th Street.

Q In 112th or 118th? A 112th.

Q 112th; now, did you have sexual intercourse -- did

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you see Diccio have sexual intercourse with Sarah on any other night? A Some nights he did.

Q While you were in bed there? A Yes, sir.

Q Have you any disease now? A Yes, sir.

Q What disease? Tell us? A This (pointing to face).

Q What do you mean, gonorrhoea or syphilis? A I don't know which it is.

Q Who gave you that? A Emilio.

Q Diccio? A Emilio Diccio.

Q Before that, and on about the 20th of September, 1909, did you go anywhere with anybody? A No, sir.

Q Where did you go on the 20th of September? A Oh, to Bridgeport, I think.

Q And who all went? A Marfio and Emilio and Sarah and my sister Lizzie and I.

Q Before you went, did Marfio and Diccio talk to you at all about going up to Hartford? A Yes, sir.

Q Who spoke, and what did each of them say? A Emilio told ^{Murphy} Marfio that --

Q By Murphy you mean -- A Marfio.

Q He is called Murphy, is he? A Yes, sir; and told him that he would get the fare for us to go out there, and Murphy told my sister and I, Sarah and I, he was going to take us out there and we were supposed to meet Emilio --

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Q Never mind. We will get the conversation. Did they tell you where they were going to take you to? A They said they were going to take us to Connecticut; that is all.

Q Did they tell you what for? A They said they were going to put us into a house.

Q What kind of house? A They did not tell us what kind of house.

Q Did you understand that it meant a house of prostitution? A They told us we would have to do that.

Q What? A They told us we would have to do that.

Q They told you you would have to do that sort of business in Connecticut at the place they would take you?

A Yes, sir.

Q Did they tell you how much you could earn up there?

A No, sir.

Q On the 20th of September, where did you meet Diciccio and Marfio? A At 116th Street, I think it was.

Q And who all met there at 116th Street? A Sarah and Murphy and Birdie and I.

Q By "Birdie", you mean Lizzie? A Lizzie and I.

Q Was Diciccio there too? A Diciccio was there too.

Q Then where did you go? A Then we took her around down to Grand Central.

Q All five of you? A Yes, sir; and we took the train.

Q Who bought the tickets? A Murphy and Emilio.

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Q Marfio and Diciccio? A Marfio and Diciccio.

Q Did you get on the train? A Yes, sir.

Q Did anybody get off the train anywhere? A We all got off at Bridgeport.

Q Now, did anybody stay at Bridgeport? A Sarah Green.

Q Nobody else, outside of Sarah? A No.

Q Do you know where Sarah went? A No, sir.

Q In Bridgeport? A No, sir; we did not know.

Q How long did you stay in Bridgeport? A We just stayed there for about an hour, and went to Hartford Saturday night.

Q Who went to Hartford from Bridgeport? A Murphy and Birdie -- Lizzie, and Emilio and I.

Q Won't you call Emilio by his right name, Diciccio?
A Diciccio and I.

Q And where did you go at Hartford when you reached Hartford? A We went over to this house.

Q What house? A They met a man who owned it.

Q What was his name? A Ernest, they call him.

Q And where was the house? A It was in ~~the~~ North Front Street, I think it was.

Q Do you remember the number? A No, sir.

Q Did Lizzie and you go into the house? A No, sir.
I went with Diciccio and the man.

Q You went with Diciccio and Ernest? A Yes, sir.

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Q Where did you go with them? A We went to this house.

Q Where did Lizzie go? A They went up to a hotel, I think.

Q Now, did Lizzie afterwards come back to this house afterwards? A After I went away?

Q After you left the house? A Yes, sir.

Q How long did you stay in the house? A Just a week.

Q What did you do in the house? Just tell right out?

A I don't know how to say it.

Q Did you have sexual intercourse with the men?

A Yes, sir.

Q And how much did you get each time you had sexual intercourse? A Fifty cents.

Q During the week you were in the house, how much money did you make? A \$24.

Q Who did you give the money to? A I had to give it to the lady; the lady's name was -- I had to give it to her, and she gave it to Ernest and Ernest gave it to Diccio.

Q Now, did Diccio receive any money from Ernest?

A Yes, sir.

Q Did you see him? A No, that I didn't see.

Q Now, when did you come back to New York? A I think it was on a Monday.

Q Do you remember the date? A I think it was Wednesday

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or Tuesday, one of those two days.

Q Do you remember what month it was? A I don't know the month.

Q Were you married to Diciccio? A No, sir.

Q Or Marfio? A No, sir.

S A R A G R E E N S T E I N , being duly sworn by the Foreman, testified as follows:

BY MR. APPLETON:

Q Greenstein, is that your name? A Yes, sir.

Q Now, Sara, where do you live? A 246 -- I'm at the House of Mercy now.

Q You are in the House of Mercy now; where did you live before you were taken to the House of Mercy? A 246 East 115th Street.

Q Did you know Diciccio? A Yes, sir.

Q How long have you known him? A I have known him about six months.

Q Where did you meet Diciccio? A On 113th Street.

Q Did you meet Diciccio before you met Marfio? A Yes, sir.

Q Did you live with Diciccio at all? A I have not been with Diciccio before I went with the two girls.

Q You did not go with Diciccio before you were with the two girls? A No, sir.

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Q When did you meet Lizzie Frohme? A The latter part of August.

Q Last August? A Yes.

Q Where was she living then? A 118th Street.

Q Do you recollect the number? A 445.

Q What name was she living under? A Bertha Marshall.

Q Who was living with her? A Murphy.

Q Marfio? A Yes, sir.

Q And did Diciccio come to that room where she lived?

A Yes, sir.

Q Now, did you finally go down to 33 Stuyvesant Street to live? A No, sir.

Q Before you went to Hartford didn't you go to 33 Stuyvesant Street? A It was around September we went to Stuyvesant, and after that we went to Hartford.

Q That is it. Then you did go to Stuyvesant Street?

A Yes, sir.

Q Do you recollect the number on Stuyvesant Street you went to? A 33.

Q Do you remember what day of the month it was you went there? A 15th.

Q How long were you in Stuyvesant Street? A A week.

Q Was it the week before you went to Hartford and Bridgeport? A Yes, sir.

Q Did you go directly from Stuyvesant Street to Bridge-

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port? A Yes, sir.

Q Do you remember the day you went to Bridgeport, the day of the month it was? A It was about the 20th.

Q 20th of September? A Yes, sir.

Q And you had been in 33 Stuyvesant Street about a week or two before that, hadn't you? A Had been there only about a week.

Q Now, where did you room, and with whom did you room, in Stuyvesant Street? A Gussie and Lizzie.

Q Gussie? Who do you mean by Gussie? A The two sisters.

Q What room did you have? A We had two rooms.

Q Who were your room mates? A Gussie and Emilio.

Q By Emilio you mean Diccio? A Yes, sir.

Q Did you and Diccio and Gussie Frohne sleep in the same bed at 33 Stuyvesant Street in the County of New York? A Yes, sir.

Q Now, the first night that you went there, do you remember whether Diccio had sexual intercourse with Augusta that night? A Not the first night.

Q The second night? A Yes, sir.

Q Were you in the bed when they did it? A Yes, sir.

Q And see them do it? A Yes, sir.

Q Now, on the 20th of September, the day you went to Bridgeport, did you hear Marfio and Diccio say anything

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about your going up to Bridgeport and what you were to do up there? A Yes, sir.

Q What did they say? A Going to put them in the house.

Q What? A They are going to go and put them in the house, but they left me there; I did not know anything about it. They took me to Bridgeport and they went away to Hartford.

Q Now, what did Marfio or Diciccio say? Did they speak about it, Marfio and Diciccio? A I did not hear them speak.

Q You did not hear Marfio and Diciccio say anything?
A No, sir.

Q Are you sure of that? A Yes, sir.

Q Did Diciccio say anything to you when you were up in the bed, as to where he was going to take you that day?

A He said, "We are going to go to Bridgeport."

Q Did Diciccio say what you were going there for?

A Yes, sir.

Q What did he tell you? A He said he was going to take us in a house.

Q Said he was going to take you in a house? Tell you what kind of house, or did he tell you how much a week you could earn in the house, or anything like that? A No, sir.

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Q Did he say whether he is going to get the money for taking you up there? A He did not say he was going to give us money; he said the money we make is for ourselves.

Q He told you? A But he took it all.

Q What? A He took it all.

Q He said the money you would make was for yourself, but he took it all? A Yes, sir.

Q Who bought the tickets to go to Bridgeport? A Emilio.

Q Diccio? A Yes, sir.

Q Where was he when he bought the tickets? A Grand Central Station.

Q Were you there? A Yes, sir.

Q Who else was there? A Gussie, the two sisters and Marfio.

Q The two Frohne sisters? A And Marfio and Emilio and I.

Q Did you all get on the train together? A Yes, sir.

Q Where did you get off? A Bridgeport, Connecticut.

Q When you got off at Bridgeport, where did you go?

A I went up to a house in Water Street.

Q Who took you ther? Anybody? A Some fellow by the name of Shoemaker.

Q Who gave you into the custody of Shoemaker? A Emilio.

Q Did you hear what Diccio said to Shoemaker?

A He called him aside and spoke to him.

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Q You did not hear? A No.

Q When you got to this house, Shoemaker took you to, did you have a room there? A Yes, sir.

Q How long did you stay there? A Three days.

Q And what did you do while you were there? A Didn't do anything.

Q What? A Didn't do anything.

Q Didn't you have sexual intercourse with anybody?

A No, sir.

Q Why not? A Because I didn't want to. I didn't know where I was going there.

Q Now, have you any disease? A Yes, sir.

Q What disease have you? A The same as the rest.

Q What is that? Have you a sore on you? A Yes, sir.

Q Who gave ^{you} ~~th~~ that disease? A Emilio.

Q Now, when did you come back to New York? A The 23rd of September.

Q The 29th of September? A 23rd.

Q The 23rd of September; where did you go when you came back home? A I come to 12th Street, East New York.

Q 12th Street, East New York? A Yes, sir.

Q Did you go home to your parents? A No, sir.

Q Have you got a father and mother? A Yes, sir.

Q Are they alive? A Yes, sir.

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Q Here in New York? A Yes, sir.

Q Why don't you live with them? A They don't want me.

Q They don't want you? A No, sir.

Q How old are you Sarah? A Seventeen, going on Eighteen.

Q Seventeen going on Eighteen? A Yes.

Q Why don't your parents want you? A While I was good they didn't want me. I have a stepmother. She didn't want me.

Q Where is your own mother? A She is dead.

Q You have a step mother? A Yes, sir.

Q When did you first begin to be bad? A Last February.

Q Had you lived at home up to then? A Yes, sir, I lived home until June.

Q You lived home until June? A Yes, sir, this June past.

Q You didn't go there and try to see how well they would treat you if you had been good? A I have been good and I was in care of Miss Minor and my mother come to me and said she is going to take me home. When she took me out she put me out of the house. She didn't want me. When I was living with the two sisters I went around every day and asked her to let me come home and she didn't want me and now she put me in the House of Mercy.

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BY MR. APPLETON:

Q Where is your father now? A He is home.

Q Where does he live? A 246 East 115th street.

Q What is his first name? A Samuel.

Q What number did you say again? A 246.

Q 246 East what? A East 115th street.

MRS. ELIZABETH FROHME, being duly sworn by the
foreman, testified as follows:

BY THE FOREMAN:

Q You swear to tell the truth? A I tell the truth.

BY MR. APPLETON:

Q Now Mrs. Frohme, you are the mother of Augusta Frohme,
are you not? A Yes.

Q How old is Augusta? A She was 18 years old the
29th of November.

Q 1909? A Yes.

(END OF SESSION.)

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January 17, 1910.

SARAH GREENSTEIN (recalled)

BY MR. APPLETON:

Q Sarah, you testified on Friday, I believe as to your age? A Yes, sir.

Q And what age did you give? A I am eighteen going on Nineteen.

Q You told us on Friday that you were seventeen, didn't you? A No, sir.

Q You did not testify to that here? A No, sir.

Q How old are you? A Going to be nineteen in May.

SAM GREENSTEIN, being duly sworn by the foreman through interpreter Louis Lustig, testified as follows:

BY MR. APPLETON:

Q Where do you live? A 246 East 115th street.

Q What is your business? A I work with the Horton Ice Cream Company in the stable.

Q Are you the father of Sarah Greenstein? A Yes, sir.

Q How old is Sarah Greenstein? A I could not swear to it, but I think she is about eighteen.

Q When was she eighteen? A I believe she was eighteen last May.

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Q Where was Sarah born? A In Hungary.

Q How long has Sarah been in this country?

A About five years.

Q Did you turn Sarah out of your house? A No, sir,
I did not throw her out.

Q She testified here that her mother was dead; that you
were married again and she now has a stepmother; is that so?

A Yes, sir.

Q Do you know whether or not your wife, the stepmother
of Sarah, turned out out of the house? A She was not
thrown out of the house.

Q Did you make any effort to find Sarah while she was
away from your house? A Yes, sir.

Q What did you do? A She was at Mrs. Miner's home.
and I brought her home from that place one time and her
mother told her that if she will behave she can stay home,
but she did not behave and I put her in board for a certain
place where I paid one week's board for her.

Q Where did you put Sarah in board? A I put her in
board to a lady right across the way from the place where I
lived.

Q How much board did you agree to pay? A A dollar
and a half.

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L I Z Z I E F R O H M E, being duly sworn by the foreman,
testified as follows:

BY THE FOREMAN:

Q What is your address? A My address is 58 West 119th
street.

BY MR. APPLETON:

Q How old are you? A How old I am?

Q Yes. A I was nineteen years old in June, June 6th.

Q Are you the sister of Augusta Frohme? A Yes, sir.

Q When did you first leave your home? A The first time
I seen him?

Q No. When did you first go away from home to live away
home home? A Well, I wasnot living home at the time I
met Joseph Marfio.

Q Well, when was that? A That was about a month
before I met him.

Q Yes, when did you meet Marfio? A I met Marfio
on the first of August.

Q Last year? A Yes, sir.

Q Where did you meet him? A I met him at 116th
street between Fifth and Lenox avenue in the Imperial Theatre.

Q Was he introduced to you? A Yes, he was by two
follows:

Q Had you been living away from home all during the

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month prior to that? A In July yes, sir, I was living with Mrs. Bay. No. 316 East 118th street.

Q Were you living a life on the street at that time?

A No, sir, I have not.

Q After you met warfio state if you went anywhere with Warfio? A State what, you say?

Q Did you go anywhere with warfio? A When? The day I met him?

Q yes? A No, sir, I did not go with him that day, but he induced me to go with him.

Q When? A The day he met me, he asked me to go with him and I refused and so he said he would strike me if I would not go with him.

Q Yes. What did you do then? A Then I had to go with him. I was afraid of him and I went with him.

Q On that day? A Yes, sir.

Q The first day? A No, sir, the next day.

Q Well, did he ask you to go with him on the first day?

A The first day I refused and then he met me the next day and he made me go with him then.

Q Where did you go? A That was in the evening.

Q Where did you go to live? A Well, where did we go to live? Well, I went on a Saturday, I went to see my sister in 118th street, 445.

Q What sister is that? A Sir?

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Q What sister is that? A Augusta.

Q Was she living away from home then? A Yes sir, she was she was working and she was living with this fellow just a week.

Q Which fellow? A Mahoney.

Q Mahoney? A Yes, but he went away from him; she went to see him and I went with her and he went out to get Marfio and since that day Marfio stayed with me.

Q Did you live there in a room there, with your sister?

A Yes, sir, I did.

Q Now, do you know Diccio? A Yes, sir, I do.

Q When did you first meet Diccio? A Well, I met him the first time in 118th street.

Q In that room where your sister lived? A No, sir, in another room.

Q In another room? A Yes, sir.

Q Do you recollect what date it was? A Well, I think it was around September 16th. I could not tell you exactly, no; it has not been -- it must have been before --- it was in the latter part of August, around the 25th or 26th.

BY MR. APPLETON:

Q He was already in the room then with your sister on 118th street when Diccio and you met for the first time?

A Yes sir.

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Q What number on 118th street? A I could not remember what number it was.

Q What happened between Diciochio and your sister there, if anything? A Well, they did not have any words to say; they did not say anything. She was just introduced to him and Marfio told her that she should go with us to Hartford and then he said he would make Emilio Diciochio pay the fare out there and then we would leave here.

Q Yes, but I want to go along in order. I want to know if anything happened between Diciochio and Augusta in the house on 118th street? A No, sir, not at that time; that was the first day; no, sir.

Q Now did Diciochio come back to that house on 118th street? A We moved from there.

Q Where did you move to? A We moved to 117th street. I do not know the number of that house either.

Q Did Diciochio go with you to that house? A Yes, sir, he did.

Q Did anything happen between your sister and Diciochio in that house? A Well, we all lived together, my sister and Diciochio and Sarah and Marfio, we had three rooms there.

Q Who slept with Augusta? A Well, sometimes Diciochio slept with Augusta and sometimes with Sarah, but they both slept together in the bed.

Q Who? A Emilio and my sister and Sarah.

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Q All three slept in one bed every night? A Yes, sir.

Q Now from 117th street, where did you go? A From 115th ?

Q Where did you go to then? A From where?

Q Did you finally go down to 33 Stuyvesant street?

A No, sir, we moved from 117th street down to 12th street, 505 East 12th street.

Q From 12th street where did you go? A 33 Stuyvesant street.

Q What number? A 33.

Q What day did you go to Stuyvesant street, if you recollect? A I could not exactly tell you what day. I think it was on the 9th of September.

Q Now who were living there at Stuyvesant street?

A Marfio and I, we had a room on the first -- on the second floor, and my sister, Emilio and Sarah had a room on I think the top floor but I ain't sure.

Q By your sister you mean Gussie? A Yes, sir.

Q Did you go into Augusta's room in the morning while you were there? A Yes, sir, I did.

Q Who slept in the bed up there in Augusta's room?

A Well, Augusta and Emilio and Sarah.

Q When you say Emilio you mean Dicioccio? A Yes, sir.

Q How long did you remain at that house? A Well, we remained I think to the 16th of September, just a week.

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Q Where did you go from that house? A Where -- well from there we want to Hartford.

Q What day did you go to Hartford? A I don't know. I think it was the next day, but we --

Q Don't you recollect the day you went to Hartford?
A September 20th.

Q Yes. A We went to Hartford.

Q Didn't you live at Stuyvesant street up to that day?
A Yes sir, we did.

Q Well, all right. Now who asked you to go to Hartford?
A Marfio.

Q And where were you when he first spoke to you about going to Hartford? A Well, he spoke to me up here in 118th street, 445, he told me he was going to marry me and he told me to lead this life until we would get a little money together and then we would get married.

Q Did you bring men into the house at Stuyvesant street? A No, we did not.

Q Did you go out on the street to solicit? A Yes, sir.

Q Where did you take in the men? A To hotels.

Q Did your sister Augusta go out on the street?
A No, she didnot.

Q Did Sarah? A Yes, sir.

Q Sarah and you? A Sarah and I.

Q Now what did Marfio say about going to Hartford?

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A Well, he told me that if we would go to Hartford until we would get a little money and then he would marry me.

Q What did he say he wanted you to do up to Hartford?

A He wanted me to lead a bad life.

Q Did he say where you were to lead it? A No, a house.

Q He told you to lead the bad life in a house? A Yes, sir, he was going to get us in a house, but we went --

Q Wait a minute. Did he refer to Augusta; take her there to? A Yes, sir, he did.

Q What did Diccicchio say about that? A Well, he said, "all right", and we took her along.

Q Who bought the tickets? A Emilia.

Q Who all got on the train? A Sarah and I, my sister, and Emilio and Marfio.

Q Where did you go? A We went to Bridgeport, the first stop.

Q Did you get off there? A Yes, sir, we got two friends of Murphy's.

Q Murphy? You mean Marfio, don't you? A Yes, sir, I do.

Q He is an Italian? A Sir?

Q What nationality is he? A Italian:

Q Go on? A Well, we got there and met two friends of his, Jock Shoemaker and another fellow by the name of Earnest. I do not know his last name.

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Q At Bridgeport? A Yes, sir. And Jock Shoemaker took Sarah away and we had to go with Ernest to Hartford. My sister and I, Emilio and Murphy -- warfio, we all went to Hartford and when we got there, it was about two o'clock in the morning.

Q Did Ernest go to Hartford with you? A Yes, sir, he took us to Hartford, so he took my sister and Emilio to his house and Warfio and I stayed at a hotel, the Hotel Arlington that is on Main street, so the next morning he met us at nine o'clock, Ernest met us at nine o'clock and took us over to the house and my sister was leading the life -- well, so he took me from there and took me to 83 Pleasant street and I stayed there until I had my period and that was until Friday and from there he took me to another place in 29 North street where my sister got sick.

Q Was your sister in 29 North street when you got there?

A Yes, sir. That was the place Ernest took her to.

Q Was she leading a life of prostitution there?

A Yes, sir.

Q Did you lead the same kind of life there? A Yes, sir, I did.

Q What happened up there? What did you do with the money you got? A Well, we did not get any money at all. Warfio got the money and Emilio.

Q I know, but when men had sexual intercourse with you, didn't they pay you? A Yes, sir.

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Q How much did they pay you each time? A Fifty cents.

Q What did you do with the fifty cents? A We had to give it to the madam, the lady of the house.

Q Go on now. Did you see Marfio get any money? A Yes, I did in 83 Pleasant street, I seen him get money there.

Q Who gave it to him? A The proprietor of the house.

Q Do you know how much she gave him? A Well, I think it was about twenty or twenty-five dollars; I could not exactly tell you.

Q How much did you make while you were in that Pleasant street house? A Well, I made there from the day I was there until Friday I made about fifty dollars, fifty-three dollars I made up to that day.

Q What? A I made \$53.

Q How many days were you there? A Well, from the 20th until -- I don't know what date it was; I could not tell you when I left.

Q Haven't you any idea how many days you were in that house? A I had been in there about, I think about a week.

Q Well, did you see Marfio get anything from the house at 29 North street? A No, sir, I did not. I did not see him get any money.

Q Now did you come back to New York? A No, sir, from there we went to 35 North street and from there to --

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Q When you say "we" you mean your sister Augusta and you?

A No, I do not. I mean myself and Warflo.

Q Where did Augusta stay? A We had a furnished room over in 43 Bishop street.

Q Did you take Gussie over to that room? A Yes, my sister was sick.

Q What was the matter with her? A Well, I could not tell you exactly what was the matter.

Q What was the matter with your sister, if you know? A She was sick.

Q What kind of sickness? A I don't know if it is contagious; I could not tell you.

Q Had she got a bad disease? A Yes sir, she has.

Q That is what she was sick with? A Yes, sir.

Q And you put her in a furnished room? A Yes, sir.

Q And then you went to another place? A From there we went to 352 North Front street; we had to move from there because the police were after the house.

Q Yes, go ahead. How long did you stay at that place in North Front street? A In North street, the last place was North Front street.

Q How long did you stay there? A We stayed there about a week and from there we went to New York.

Q How much did you make in that North Front street house? A I could not tell you, because we lived there about three weeks.

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I could not tell you how much I made.

Q Did you see Marfio get any money there? A No, I did not.

Q Then you came back to New York? A Yes, sir.

Q Do you remember what day of the month you got back to New York, I think it was October 20th. We were just out there a month.

Q What happened then when you got home? Did you stay with Marfio? A Yes, sir. Well the night we came home Marfio and I, he took me to the Harlem House, that is 115th street and Third avenue, a hotel, and I stayed with him until 12 o'clock that day and from there he took me in a restaurant to eat dinner and well -- then he went to the -- I don't know whether he went home or not; I could not tell you, and he told me I could go out now if I wanted for a little while, so I went to the Imperial Theatre to see a show until six o'clock. Then I returned. We got a furnished room. We tried to get a furnished room in 115th street and it was too expensive, so we went to 116th street, 168 East 116th street and we were living there a week, three weeks, and the first night we came from Hartford he sent me out on the avenue. He put me up in a drinking resort in 124th street and Park avenue.

Q Go on. Tell all about it. A And I led that kind of life until here the first day of New Year's, so I told him that if he would not marry me by December, Christmas Day, or in between New Year's I was going home to my people, and he said

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he would not marry a girl after he put her on the avenue.

Q yes. A yes sir, and I went home, and the day I went home he wanted to look in my pocketbook and see if I had any money and steal it away from me so I took a knife and threatened to hit him with it if he would not let me alone.

Q Then you went home you say? A Yes, sir, I did, so he wrote a letter to my house and so mother pressed the charge against him.

Q I show you this piece of paper and ask you if you received that through the mail? A Which? This here?

Q Yes. A Yes, sir, this is the letter.

Q Did you see Marfio write? Do you know his handwriting? A No, sir, he cannot write at all.

Q Then it is not in Marfio's handwriting? A No, it is not his handwriting.

Q He cannot write at all? A He can write his name a little, but he could not write it exactly.

Q Do you know who wrote this piece of paper? A I could not tell you. My father got it. I did not get it at all. My father got it and showed it to me, and opened it and read it.

Q Then your mother reported -- A My father told my mother to go to court with the letter and show it to the Judge, so my mother took me down to 104th street station house and we pressed the charge against Marfio.

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Q Had your mother known the kind of life you had been living up to the time you received this letter? A No, until Christmas week she has not. I told her -- I told her I was leading a bad life.

Q Did you go home to see your mother when you were out with Marfio? A Yes, I did once in a while, I went home to eat.

Q Did your mother ask you what you were doing? A Well, my mother always thought that I was working.

Q Where did she think you were sleeping nights? A Well, I was supposed to be living out, doing housework.

BY THE FOREMAN:

Q What did you do with the money you earned in Hartford? You said you were three weeks in a house there? What did you do with the money? A I did not get any money at all.

Q Who did the men pay? A Marfio got all the money.

Q Didn't the men pay you? A No, sir, the men paid me, but I was supposed to give to the proprietor.

Q What did you do with the money when the men gave it to you? A I gave it to the proprietor right away.

Q To the madam? A Yes, sir, we were supposed to do that.

BY A JUROR:

Q How old are you, please? A I am nineteen years' old. I will be twenty in June.

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Q Were you known as Birdie Marshall? A What?

Q Were you known as Bertha Marshall? A Yes, sir, I was.

Q You were? When did you adopt that name? A Well, when I was arrested.

Q When you were arrested? A Yes, sir.

Q Weren't you known while you were living in 118th street, weren't you known as Bertha Marshall? A Yes, sir, I was.

Q You adopted that name before you were arrested?
A Yes, sir.

Q Did you adopt that before you want to live with the Italian? A When we went to Connecticut.

Q No, when you went to live with the Italian? When were you first known as Bertha Marshall? A Well, I could not remember whether it was -- when it was I was known as Bertha Marshall.

Q Was it before September? A I used to give my name as Bertha Marshall.

BY THE FOREMAN:

Q Not before you left home you did not, did you?

A No, sir, when I was living home I was always giving my right name.

Q How long after you left home until you came ---

A When I went with Harrie?

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Q Before you went to Stuyvesant square? A When I lived with him in 18th street.

Q When you lived with him in 18th street? A Yes, I lived under Bartha Marshall.

Q That was a week or two after you left home?

A Yes, sir.

OFFICER J O S E P H L. N O R T O N, being duly sworn
by the foreman, testified as follows:

BY MR. APPLETON:

Q Did you arrest the defendants warfio and Diccio?

A Yes, sir.

Q Did you have a conversation with those men after you arrested them? A Yes, sir.

Q Where did you arrest them? A I arrested warfio on First avenue between 115th street and 116th street on January 6th about four in the afternoon.

Q Where did you arrest Diccio? A Diccio was arrested in 112th street, between First and Second avenues.

Q On the same day? A No, on January 9th, I was looking for him for three days.

Q When you arrested Marfio did you have any conversation with him? A I did, at the station house.

Q What did he say to you and what did you say to him?

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A He asked what he was charged with and I told him and he denied it.

Q What did you say to him? A He asked what he was charged with.

Q What did you tell him? A I told him what he was charged with.

Q What? A Compulsory prostitution.

Q Then what? A And he denied it.

Q Well, he said what? A He would not talk any more to me.

Q When you arrested Diccio did you have any conversation with him? A Yes, on Sunday evening.

Q Whereabouts did you have the conversation? A In the station house.

Q What did you say to Diccio and what did Diccio say to you? A Diccio asked me what he was charged with and I told him with abducting Gussie Frohme, and he said "I would like to make a statement to you." I said "All right, I will take it." He made a statement to me in which he said he went to live with the two Frohme girls and Sarah Greenstein and Marfio in 118th street, and then they moved to 112th street and he went down to 12th street; rather he went down and hired a room and he said it was his money was paying for the rooms and paying for the girls' dinners and suppers and he was getting very tired of it and Marfio said "Well, we will move to Stuy-

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vesant street", so they moved to Stuyvesant street and Marfio suggested they take the three girls out of the city and make them hustle for them and then they would earn enough money and would give back what he paid for the room and for the meals, so they went to Hartford about September 20th, and on the way they stopped off at Bridgeport and they met a man named Ernest and he said it would not do to bring too many girls in Hartford that way, so they dropped one of them in Bridgeport, so they dropped Sarah Greenstein off at Bridgeport. They turned her over to an Italian who put her in a house at Bridgeport. They proceeded to Hartford, where Marfio took his girl to a hotel the first night and the following day put her in a house in North street; the same night Diccio went to 34 North street, a disorderly house and put Gussie in there. He stayed there nine or ten days and had a fight with Marfio over the girls, and he demanded his money off this man Ernest, what the girl had earned for the nine or ten days, so Ernest gave him fifteen dollars.

Q Gave Diccio fifteen dollars? A Gave Diccio fifteen dollars, part of the earnings of Gussie.

BY THE FOREMAN:

Q How had Ernest been getting this money? A Ernest was the keeper of a disorderly house in Hartford.

BY A JUROR:

Q Is that what Diccio told you? A Yes, that is his

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story. After the girls would have intercourse with each man, they would turn the fifty cents they received from the man over to Ernest, the proprietor of the place and the money was to be divided with Diccio, what the girl had earned, and he came back here to New York about two weeks later.

BY MR. APPLETON:

Q You say that Ernest gave Diccio fifteen dollars?

A Yes, sir.

Q What else did he say about that? A He said that Marfio stayed there about two weeks longer, but while he was there he saw Ernest giving Murphy money, ten or fifteen dollars on two or three occasions.

Q By Murphy you mean Marfio? A Marfio, as part of the earnings of the other girls, Lizzie.

Q Go ahead. What else did he say about the fight he had? A Well, they had a fight over the girls and after Marfio came back to New York he went looking for Diccio and he told him, "You owe me four." He said "What for?" He said, "For the little girl," he said "You owe me four dollars on the little girl, " meaning Gussie.

Q Did Diccio say how much money he had seen Ernest give Marfio? A Yes, he said ten or fifteen dollars on two or three occasions.

Q Did Diccio say whether or not Marfio remained in port after he, Diccio had left for New York? A He remained

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there two weeks with the two girls, two sisters.

Q Did you ask Dicicco if he had sexual intercourse with either of the girls himself? A I did.

Q What did he say? A He said he did; he had sexual intercourse with Sarah Greenstein and with Gussie in New York City and in Hartford.

(Testimony closed.)

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January 19th, 1910.

(PEOPLE vs. MORRIS EISENBERG) (Case No. 80.).

S A D I E F I S H B E I N, being duly sworn by the foreman,
testified as follows:

BY THE FOREMAN:

Q What is your full name? A Sadie Fishbein.

Q Where do you live? A We live at 273 - 75 Stanton,
but we moved now to 19 Pitt.

Q Speak a little louder, please. We cannot hear you
over here. When did you first know Morris Eisenberg? A He
was living by us four years as a boarder.

Q Living in the same apartment? A Yes, four years.

Q Four years. Well, did you live in an apartment house?
A No, I lived with my parents.

Q They had a flat, had they? A Yes. He was a boarder
there.

Q He was a boarder in your apartment? A Yes.

Q And he had been there four years? A Four years.

Q I see. Well, you had known him right along, had you?
A Yes, sir.

Q When did he first do you any harm? A Well, the first
time I think it was in March.

Q Well, what did he say to you? A He did not say any-
thing but he just did that to me.

Q Did he ask you to marry him, or anything of that sort?

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A No, he never asked me.

Q Where was it? A At my home, where we lived.

Q Was any one else in the house? A Nobody was in the house, but a small child half a year old.

Q ,When was this? What time? A March.

Q Last March? A Yes.

Q And he forced you to have sexual intercourse with him?

A Yes, he tore everything off me.

Q He did? A He tore all my clothes off me, everything, and he did that to me.

Q And he had sexual intercourse with you? A Yes.

Q What time of day was it? A It was in the evening.

Q And your mother and father had gone out, had they?

A Yes, sir.

Q There was no one there? A No, just a small child half a year old.

Q How old are you? A I was 16 in July.

Q Sixteen last July? A Yes.

Q Has he had intercourse with you since? A Yes, sir, about a week around.

Q About a week ago? A Not a week ago; a week after that.

Q A week after that? A Yes, sir.

Q And you say that was when? A In March.

Q And did he force you the second time? A Yes, the

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second time.

Q It was not with your consent? A No.

Q Have you had any course with him since? A Then once more he did it.

Q Once more? A Yes, sir.

Q Each time in your mother's house? A Yes.

Q Did she know about it? A I was afraid to tell her because he threatened to kill me if I should tell anybody anything.

Q And she did not know anything about it?, A No.

Q That makes three times? A Yes, sir.

Q Have you had intercourse since? A No, sir.

Q When was the last time? A Well, I think a month around.

Q So it was last April? A Yes, sir.

Q Have you seen him since? A Yes, he was staying all the time at our house.

Q Is he still? A He is in prison now.

Q How old is he? A He is about 21 or 22.

Q When did your mother know that he had forced you?

A The day that I went to the hospital and I told her.

Q How long ago is that? A December 25th.

Q And your child was born? A Yes.

BY A JUROR:

Q Is the child living?
A Yes.

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BY THE FOREMAN:

Q Have you asked him to marry you? A Once.

Q Have you asked him to marry you? A I didn't see him.

Q You haven't seen him? A No.

Q He never said anything about marrying you? A When he did that to me he said, "Now you have to marry me. When I could not get you in a good way, you have to marry me in a bad way."

Q He has never said anything since about marrying him?

A No.

Q When did you see him last? A Last a week before I went to the hospital.

Q I see. Well, between that time and last April you saw him right along? A Yes, right along every day.

Q And did you ever say anything to him about marrying you then? A No.

Q You did not? A No, because I did not care to marry him.

BY A JUROR:

Q On this first occasion did she make any outcry?

THE FOREMAN: She testified there was nobody in the apartment.

BY THE FOREMAN:

Q Did you make any noise the first time, scream? A Yes,

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I was screaming and he choked my mouth, so I could not scream, and there was nobody in the house except a child six months old.

Q There was nobody in the apartment? A No, sir.

Q Was there on the floor below? A Yes, sir.

Q They did not hear you? A No.

Q Why were you alone with him that time? A My parents had business and they went away.

Q Were you afraid to stay alone? A Yes, I was afraid but he threatened to kill me if I told anything and I was afraid.

BY A JUROR:

Q Is the child living? A Yes, the child is living.

Q In your home now? A I gave it in care of a woman.
BY THE FOREMAN:

Q What? A little louder? A I gave it in care of a woman, the child.

Q Who is Joseph Brattenberg? A That is my cousin.

Q And Fannie Fishbein? A That is my sister.

Q And Frank Fishbein? A My father.

BY A JUROR:

Q Have you ever been in trouble before? A No.

Q With any other man? A No.

Q Have you ever had intercourse with any other man?

A No.

Q Have you ever had intercourse with any other man?

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A No.

Q Never except with this man? A No.

Q And you didn't tell your mother anything about it until just before you went to the hospital? A The day I went to the hospital.

Q Didn't she notice from your figure something was wrong? A No.

Q She had not noticed? A No.

FRANK FISHBEIN, being duly sworn by the foreman, testified as follows:

BY THE FOREMAN:

Q What is your full name? A Frank Fishbein.

Q Speak as loud as you can so we can all hear you over here. Where do you live? A I live 237 Rivington - Stanton, in 275.

Q 275, that is where you are living now? A No, I don't live over there.

Q Where do you live now? A 19 Pitt street.

Q I cannot hear you? A 19 Pitt street.

Q 19 Pitt street. Is Sadie Fishbein your daughter?

A Yes.

Q How old is she? A She will be in July 17 years.

Q She will be 17 years the coming July? A Yes.

Q Has she always lived at home? A Yes.

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Q Always lived at home? A Yes.

Q And your wife is alive? A Yes.

Q Has she been a good girl? A Yes.

Q Have you ever had any trouble with her? A She go
in school and in the middle of the winter she stopped school.

Q What? A She finished te school and after "I sent
her in school you know for learning typewriting and bookkeep-
ing --

Q When did she finish school? A Last summer, in
August.

Q And Morris Eisenberg, has he lived with you as a board-
er for some time? A He used to live by me four years.

Q Well, what kind of man is he? A He is a carpenter.

Q Is he a good man? Have you had any trouble with him?
A I don't know about it before. Now I find out what kind of
man he is.

Q You never knew before what kind of man he is? A No.

Q You never knew if he was going with other women out-
side? A No.

Q When did you first know he had committed rape on your
daughter? A Just Christmas holiday, holiday was Christ-
mas, and I ask my daughter what --

Q That is all right? A What kind of Christmas pres-
ent I got to buy her for Christmas, and she told me, "Papa,
I got a good Christmas present now."

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Q We are all your friends here and want to help you in this, so you need not feel badly. A When I learned of the case and everything, first she told me this on Christmas, and then she goes to the hospital.

THE FOREMAN: We all sympathize very much with you and we are trying to help you.

(Testimony closed).

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January 21st, 1910.

(PEOPLE vs. LOUIS CIRCUS, FANNY CIRCUS and HARRY SCHMUCKLER)

(Case No. 88).

MAX BRENNER, being duly sworn by the Foreman, testified, as follows:

BY MR. APPLETON:

Q Brenner, how old are you? A 19 years April 5th.

Q Where do you live? A In Borough Park, Brooklyn.

Q On the 15th of January did you go to a candy store in the 29th street between First and Second avenues? A Yes, sir.

Q Who did you see there? A I saw Mr. Louis Circus there.

Q Did he say anything to you? A Yes, sir, I came in the store and asked for candy and I asked him for a card, which I received from him.

Q What did it say on the card? A 554 Second avenue, two flights up, room 7.

Q Did you take the card? A Yes, sir.

Q Where did you go with the card? A To 554 Second avenue.

Q When you got there what happened? Tell us? A I got in there and rang the bell and was admitted at once.

Q Go ahead. Tell all that happened? A And I noticed a young lady on a chair there and the madam told me to take

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the young lady into the room.

Q What is this young lady's name? A Stella Freeland.

Q Stella Freeland? A Yes, I knew her then as Lillie only.

Q You have seen her this morning? A Yes, sir.

Q And you saw her last Wednesday night? A Yes, sir.

Q Saw her yesterday? A Yes, sir.

Q And that is the same girl that is now known as Freeland?

A Yes.

Q Now the madam, who was the madam? A Fanny Goldman.

Q And what is her name, her right name? A I don't know.

Q Do you know her under any other name? A No, sir.

Q Have you been told that her name is Circus, the wife of the man who ran the candy store? A I was not told anything. I only found that out after Mr. Circus was arrested.

Q Well, you have since learned she is the wife of Circus?

A Yes, sir.

Q That is what I want to get at and that is the woman you refer to as the madam? A Yes, sir.

Q She said what to you? A She said I should get busy.

Q Get busy. When she said that what did you do? A I went into the room with the young lady.

Q Call her by name. Freeland, is that her name?

A Yes, Stella Freeland.

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Q Let us have the name. When you got in the room what occurred? A What occurred? Why, just as soon as I got in the room I noticed the young lady did not act as if she was a prostitute.

Q Did you give her any money? A Yes.

Q How much? A One dollar.

Q Did you come out of that room? A Yes, sir.

Q Where did you go the next day? A The next day I came down straight to the District Attorney's office.

Q Who did you see here? A I was sent in to Mr. O'Malley's office and Mr. O'Malley sent me down to Mr. Ellison.

Q Did you tell Mr. Ellison? A Yes, sir, everything.

Q Did you go to that candy store again? A Yes, sir, on Monday night.

Q Who went with you on that occasion? A Mr. Leigh.

Q Anybody else? A No, sir, Mr. Leigh only.

Q And what did occurred in the candy store Monday night?

A I came into the store and asked Mr. Circus for another card. He refused to give it to me at first; I told him I was up there Sunday and lost the card I have got from him Sunday night. At first he refused to give me, but then he changed his mind and gave it to me. I was instructed --

Q Never mind what the instructions were. You say Circus gave you another card? A Yes, sir.

Q What did it say on that card? A The same thing, "554

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Second avenue, two flights up, room 7."

Q Did you put the card in your pocket? A No, sir.

Q What did you do with the card? A I held the card outside.

Q In your hand? A Yes, sir.

Q Did you go out from the store?, A Yes, sir.

Q To whom did you give the card? A I gave the card to Mr. Leigh.

Q Did you go to that candy store again? A Yes, sir.

Q When? A Wednesday night.

Q Who was with you on Wednesday night? A Mr. Kling.

Q Did you go into the store? A Yes, sir.

Q After you got in there who did you see? A I saw the defendant, Mr. Schmuckler and Mr. Circus in the store.

Q You saw Circus and Schmuckler? A Yes, sir.

Q Did you speak to either one? A I spoke to Schmuckler.

Q What did Schmuckler say? A I asked if that girl was still up there and he said that she and another girl were still up.

Q Tell all the conversation? A That was all the conversation I had with him. And I asked him for a card, which I got from Mr. Circus.

Q Circus gave you a card? A Yes, sir.

Q What did the card have on it that Circus gave you?

A The same thing.

Q Tell it? A 554 Second avenue, two flights up, room 7.

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Q Was there anybody present when Circus gave you the card?

A Yes, sir, Mr. Kling was in the store with me.

Q Did Kling get a card too? A No, sir.

Q Just you? A Yes, sir.

Q Was Circus there then? A Yes, sir.

Q What did Circus say to you or what did you say to Circus? A I did not say anything to Circus. I only spoke to Mr. Schmuckler then.

Q Did you and Kling go out from the candy store? A Yes, sir.

Q Where did you go then? A I went out with Mr. Kling and I gave the card to Mr. Kling.

Q Yes? A And he went up towards Second avenue.

Q Who was with you when you started up toward Second avenue? A Mr. Rooney, I believe.

Q Who else? A And Mr. Kling.

Q Did you meet anybody else? A Yes, sir, we met Mr. Leigh..

Q Detective Leigh? A Yes, sir.

Q From Headquarters? A Yes, sir.

Q Now, where did you go then? A Then we went up to 554 Second avenue, the three of us.

Q What occurred up there? Did you ring the bell again?

A Yes, sir.

Q What apartment did you go to? A Room 7.

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Q And how many rooms were there in that? A Three rooms.

Q Three rooms? A Three or four; I am not sure.

Q How many stories high was the building? A About six, I believe.

Q Go ahead. Who went into the apartment? A Mr. Kling and Mr. Rooney and myself.

Q What occurred in there? A Well, when we got in there there were a couple of men up there.

Q Strangers to you? A Strangers, yes, sir. Mrs. Goldman, Fanny Goldman and this here --

Q Mrs. Circus? A Circus was not there.

Q Fanny Goldman you mean, Mrs. Circus? A Mrs. Circus, yes, sir, and Stella Freeland and the other girl whom I do not know.

Q Now what occurred. Just tell us? A Why, when we went in there Stella Freeland was eating supper. They were sitting around there and Fanny or Mrs. Circus, she told us to get busy.

Q Yes? A And Mr. Kling went in.

Q What did Kling say? What else was said? She told you to get busy and did she ask you something else? A Not just then.

Q Did she ask you which one was going with the girl?

A Yes, sir.

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Q Well, did she ask you that just as soon as she said, "Get busy?" A Yes, she asked who is going in, and Mr. Kling said, "I will go."

Q Mr. Kling said he would go? A Yes, sir.

Q Did he go into the room? A Yes, sir.

Q With whom? A With Stella Freeland.

Q And then what occurred? A Why, we were sitting around there.

Q No, no. Then you say there was another girl there?

A Yes, sir.

Q Well, was anything done with respect to her or did she do anything? A The madam told her to get busy also.

Q Yes? A And Mr. Rooney and I, we refused to go in with her, and there was a fellow up there who said he would go in with her, but he did not go in with her then.

Q He did not go in the room with the girl? A No, sir.

Q I thought ~~he~~ you said he went into another room with the girl, with this other girl. Did you see anybody go into the room with the other girl? A No, sir.

Q Go ahead. What occurred next? Did Kling come out from the room with the Stella Freeland girl? A No, sir, I did not notice that. I was sitting there with Mr. Rooney and Mr. Rooney said I should go down and get some beer in order to waste a little time, and I went to the kitchen and Mrs. Cir-

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cus she asked me whether I was sure these two men were my 256
friends, and I told her I was positive; they lived with me in
Brooklyn. She wanted to give me money and she wanted to send
one of the strangers down for this beer. I went over to Mr.
Rooney and got the money from Mr. Rooney and went down for that
myself and wasted about five minutes and came up with the beer.
As soon as I got to the door Mrs. Circus opened the door and
told me to go away, that we were in trouble, and she tried to
get Mr. Rooney and Mr. Kling out.

Q What did she say? A She only said to me, "Go away.
We are in trouble."

Q Had Leigh come upstairs by that time? A Yes, sir,
right in the back of me with Mr. Schmuckler and Mr. Circus.

Q Right behind you coming upstairs? A Right behind
me.

Q With Schmuckler and Circus? A Yes, sir.

Q Had Leigh gotten in the apartment at that time, Officer
Leigh? A Yes, sir, as soon as he got over there Mr. Rooney
had his foot on the door; he wouldn't let the woman close the
door and they all shoved in, all got inside.

Q Who do you mean, they all got inside? A Mr. Rooney,
Mr. Kling, Leigh, the two defendants and another detective whom
I do not know.

A JUROR: I would like to ask the witness the conver-
sation he had with the girl the first time.

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MR. APPLETON: Let me tell you you can have that to satisfy you in any way, but you must not consider it in coming to any conclusion in this evidence, because it would be hearsay against the three persons charged.

THE JUROR: If it is not material I do not care for it.

A JUROR: I would like to ask this, how he came --

A JUROR: I would like to know what the conversation^{was} between you and the girl the first time.

Q What action of the girl led you to suppose she was a new one? A When I got into the room I noticed right away that that girl did not act as if she was a prostitute; that girl just sat down on the bed and she did not go about it the way a prostitute does. I asked her how long she was in the city, because I knew she did not talk the way we did. She said that she come from the South; she was born in Kentucky; she was in New York three weeks now, and that was all the conversation I had with her. I gave her my address and asked her to let me know just how she was getting along.

BY THE FOREMAN:

Q Then you came out? A Yes, sir.

BY A JUROR:

Q Did you have any relations with her? A No, sir.

Q Did she express any unwillingness to stay with you?

A No, sir, she did not express anything.

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BY THE FOREMAN:

Q Why did you give her money? A Why, because I saw that that girl -- I thought at first that that was a bluff, and asked her whether she wanted the money first, and she told me it was immaterial whether she got it now or later. I gave her the dollar then.

A JUROR: I would like to know how he knew the candy store was giving out tickets.

BY THE FOREMAN:

Q How did you know you could get tickets at the candy store? A Well, a friend of mine knows this Mrs. Circus. Now she has kept disorderly houses for quite a number of years and he happened to be up there in one of her houses and she got his address there. Every time she has a house or moves she drops him a line stating where he can come up and meet her. This friend of mine Sunday, he was up there a week before that, on Tuesday, and he told me how to go about it. He said if I went down in the candy store I would get a card.

BY THE FOREMAN:

Q Who runs the candy store? A Louie Circus.

BY A JUROR:

Q Is the candy store under the apartment? A The candy store is on 29th street between Second and Third avenues.

Q Where is the apartment? A Between Second and First.

A JUROR: Did he go there for the purpose of having

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connection?

MR. APPLETON: The first time you mean?

BY THE FOREMAN:

Q Did you go the first time expecting to meet one of the girls there? A Yes, sir.

EMIL KLING, being duly sworn by the Foreman, testified as follows:

BY MR. APPLETON:

Q Kling, your business is what? A Process server, District Attorney's office.

Q Did you receive instructions to go with a young man named Max Brenner last Wednesday night? A Tuesday night.

Q Tuesday night? A Yes, sir.

Q Did you receive instructions? A Yes, sir.

Q Did you go with him? A Yes, sir.

Q Where did you go with him to? A We went to 329 East 29th street and there we entered a candy store and met Schmuckler and Circus.

Q Circus, C-i-r-c-u-s, you mean, don't you? A Circus, and Mr. Brenner said to Schmuckler, "This is a friend of mine that I brought over from Brooklyn to-night, and I would like to bring him up to the house." And Schmuckler said, "Well," -- put his hand behind the counter and handed Brenner a card, which Brenner handed to me.

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Q Have you got the card? A No, sir, Officer Leigh has got it.

Q You later on put your initials on it? A Yes, sir, I put my initials.

Q What did it say on the card? A 554 Second avenue, two flights up, room 7.

Q Did you have any other conversation there except as you have now outlined, in the candy store? A I did not. Mr. Brenner did.

Q What did he say that you heard? A He asked -- I understood him to ask Schmuckler if there was another girl there to-night, and he said "Yes."

Q Yes, now from the candy store where did you go?
A 554 Second avenue.

Q Who was there with you? A Daniel Rooney.

Q He is the process server in the District Attorney's office? A Yes, sir. Daniel Rooney and Brenner.

Q

Q When you reached the premises 554 Second avenue, did you go upstairs? A We went up two flights. Then we rang the bell in apartment 7, and was admitted.

Q Who opened the door for you to come in? A Fanny Goldman, the madam of the house.

Q Fanny Goldman; you know her? A Yes.

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Q You have since been told her name was Circus, the wife of the man who ran the candy store? A Yes, sir.

Q Did you know her before that? A Never met the woman before in my life.

Q Now, say all that occurred inside of the room, what was said and everything? A We entered the apartment, and she said, "Be seated." Roomey and myself were seated and there were two other men in the apartment at the time we entered and she then said to us, "Who is going to get busy?" And I said, "I will;" I ~~pk~~ took the Freeland girl and went into a room.

Q Now when you got into the room what happened in the room? A The girl disrobed and I handed her a dollar.

Q Did she take off her clothes? A Yes, sir.

Q Exposed herself; exposed her person to you for prostitution? A Yes, sir, all but her chemise and waist she had on.

Q And you gave her a dollar? A I did.

Q Then when you did that what occurred? A I stayed there for about two minutes and then left the room.

Q And when you got out into the apartment, into the other room that you first entered, who was there then? A Rooney and another girl and the madam.

Q Now, what occurred after that? A I sat down there and Rooney then entered the same room that I had departed from with the girl Fanny.

Q This Freeland girl? A This Freeland girl, and I sat

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there and Rooney had been in the room probably about three minutes when the police came.

Q By the police you mean who? A Officer Leigh and Officer Curry.

Q Did anybody else come in about that time? A They did.

Q Who? A There were four or five men had come in while the officers were inside and rang the bell and opened the door. I had the keys in my possession; I opened the door and they said, "Is Mrs. Smith living here?" And they said "Yes." I let them in and as soon as they came in I locked the door and kept them inside.

Q Did Schmuckler and Circus come there? A Schmuckler and Circus came in the company of Officers Leigh and Curry.

Q When they came up; when they entered the apartment, they brought them up? A They brought them up.

BY A JUROR:

Q They had arrested them before? A They arrested them around in 29th street; they were following us.

DANIEL ROONEY, being duly sworn by the foreman, testified as follows:

BY MR. APPLETON:

Q What is your employment, Rooney? A Process server.

Q Whereabouts? A Attached to the District Attorney's

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office.

Q On Tuesday, on the 18th day of January, 1910, did you go anywhere with a man named Brenner and a man named Kling? A I did.

Q Where did you go first with them? A We met by appointment at 34th street and Third avenue. We received instructions and went through 34th street to First avenue, down First avenue and up through 29th street. At 29th street and just before they got to No. 329 East 29th street, I went on the other side of the street and saw them enter the candy store.

Q Kling and Brenner? A Kling and Brenner enter the candy store, and I saw the proprietor of the candy store hand Brenner something.

Q You don't know it was the proprietor? A Hand Brenner something, and Kling and Brenner immediately left the premises. I met them on Second avenue and 29th street. Kling showed me a card he received from Schmuckler on which was written "554 Second avenue, second floor, room 7."

Q Then where did you go? A We then proceeded up Second avenue, to 554 Second avenue, and went to room 7 on the second floor, and the door, after knocking at the door, it was opened by Fanny Goldman, and she admitted us to the room.

Q Tell us what occurred in there? A In that room was two girls, and Fanny Goldman and two men.

Q When you say Fanny Goldman, you mean the Circus woman,

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the wife of Circus, the proprietor of the candy store? A Yes, sir.

Q Well, what happened in there? A We were in there about five minutes when this woman Goldman said to us, "Well, who is going to get busy?" And this Stella Freeland was eating her supper there and had just finished, and she went in the room with Kling, and they shut the door and were in there about five minutes. Fanny Goldman asked me if I did not want to get busy with the other one, and I said "No." After Kling had got through, I went in the room with this Stella Freeland, and she exposed her person to me. I took off my coat and vest and overcoat and in the meantime Officers Leigh and Curry had gotten into the place.

Q Did you give the Freeland girl any money? A I did not, sir.

Q Did you give any money to anybody? A No, sir.

STELLA FREELAND, being duly sworn by the foreman, testified as follows:

BY MR. APPLETON:

Q Where is your home, Miss Freeland? A In Brazil, Indiana.

Q Do you know the defendant Schmuckler? A I do.

Q By what name did you first meet him? A Harry Smith.

BY THE FOREMAN:

Q A little louder, please? A Harry Smith.

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BY MR. APPLETON:

Q Where were you when you first met Schmuckler, alias Smith?, A I was at my brother-in-law's, at the house of my sister, 334 West Van Burden street, Chicago.

Q Has your brother since come on to New York here since this occurred? A Yes, sir.

Q He came this morning? A Yes, sir.

Q Did you see him a few moments ago? A Yes, sir.

Q How long did you stay in Chicago? A From the 31st of January until the 3rd of July.

Q Last year? A Last year, yes, sir.

Q Now, did you see Schmuckler again at any time? A Before I came to New York.

Q Yes? A No.

Q You did not see him anywhere before you came to New York again after that? A I saw him in Brazil, Indiana.

Q Yes, that is what I want to get at. When did you see him in Brazil, Indiana for the last time? A On the 21st of December.

Q This last year? A This last year, yes, sir.

Q Now, did you have any conversation with Schmuckler then? A Yes, sir.

Q Was that conversation or part of it in the presence of your father and mother? A Yes, sir.

Q Now tell the Grand Jury what Schmuckler said to you and

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to your father and mother? A He said that we were going to New York; he asked them for permission to go; he told them we expected to be married here on arriving in New York; it was impossible to be married in Indiana and that we had made all arrangements to be married here.

Q Did he say why it was impossible to be married in Indiana? A In the first place I understand it was impossible for --

Q Never mind what you understand; what Schmuckler said? A That is what he said, yes.

Q What did he say? A That we could not be married here on account of the laws, saying that you had to be a resident of the State for six months in order to secure a license.

Q What did your father and mother say to that? A They gave their consent.

Q Did Schmuckler have any money with him? A Yes, he did.

Q How much? A About \$200.

Q Then did you come on to New York with Schmuckler?

A Yes, sir.

Q When you got to New York what day of the month was it?

A 22nd day of December.

Q 1909? A 1910.

Q 1909. This is 1910? A Yes.

Q Where did you go to when you first came to New York?

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the first place after you got in on the train? A 183 Forsythe street.

Q How did you come to go there? A He was with me.

Q Did you have any conversation with Schmuckler before you went there? A Yes mean concerning the place where I was to go?

Q Yes, and the relations, and so forth? A No.

Q You didn't have any? A He didn't tell me where he was taking me. We had made no arrangements except that we were to stop at a hotel in separate rooms, in separate apartments, until the arrangements were to be made until we were married.

Q Now, when you for to the Forsythe street house, did he talk to you there? A Yes.

Q What did he say? A He told me that he did not have any money, and I asked him what he did with it. He said he put it in the bank here and his father was holding the bank book. I told him that was very peculiar and he said it would be impossible to engage separate apartments for the night. I told him that I would not hear to be in the same apartment with him. He finally begged me and coaxed me and persuaded me, on account we would be married, I consented, with the full understanding we were to be married on the morrow.

Q Go ahead? A Well --

Q How long did you live in this place with Schmuckler?

A Till January 18th, January 8th.

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Q January 8th. Now while in that apartment did he continue to promise to marry you? A Yes.

Q Why? What reason did he give for not marrying you? A That he could not make the arrangements.

Q Why, what did he say? A He said he did not have any money.

Q Now during that time you were there did he have sexual intercourse with you? A Yes.

Q When did he have sexual intercourse the first time? A When we arrived in New York.

Q The first night? A Yes, sir.

Q Had he ever had sexual intercourse with you before that? A No.

Q Had anybody ever had sexual intercourse? A No.

Q On the 8th day of January, 1910, did you go anywhere with Schmuckler? A I went to 109 -- 149 109th street.

Q 138 West 109th street, wasn't it? A Well, I think the numbers were 149 109th street, East -- West 109th street.

Q Can you tell us -- in West 109th street any way? A Yes, sir.

Q Before going to that place, will you please tell the gentlemen here the conversation you had with Schmuckler that led up to your going there and the reason why you went. Tell them very frankly everything about it? A Well, during the first week I was here he asked me if I would be able to help

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him out. Finally I told him that I was willing to help him out in any way I could, not knowing of course what he had in mind. I understood, or believed that he wanted me --

Q Never mind. Just what he said, what he said and what you said? A He asked me to help him out and I told him that I would.

Q A little louder, please? A He asked me to help him out financially and I told him I would if I could. I asked him in what way he expected me to help him out. I told him I was willing to secure employment of any sort, so that the employment was honest and legitimate, and I also suggested that he secure employment, but he said he could not do it on account of him not having any particular trade and that he would be unable to get work. Then he said Saturday would be too long, that he needed money and needed it at once, and that I could not make enough money in a department store or in a factory to get the things he needed. Then I asked him what he expected me to do. He then suggested that I go into a house of prostitution. I was perfectly horrified and I told him I absolutely refuse to do it. Threatened to leave him there and then. He begged me, he coaxed me. He threatened suicide. He threatened the destruction and he threatened to expose the whole thing to my parents, who believed that we were married, and who believed that he was perfectly honest in his intentions.

Q That he was what? A That he was perfectly honorable

in his intentions towards me.

Q Go ahead? A After threatening this and after refusing him several times and after him begging me, I finally at last consented, with the understanding I would remain for exactly one week, and the money that I made was to be used exclusively for my own especial benefit and not on himself. Every day I would ask him when we were to be married, and why we had not been married.

Q This was after you went to the house? A After I went.

Q Did he come to the house every day? A He came to the house every day to see me and always demanded the money that I made.

Q How many days were you in the 109th street house?
A Two days.

Q From 109th street house where did you go? A 554 Second avenue.

Q In the county of New York? A Yes, sir.

Q Who was in charge of the 109th street house? A Fanny Goldman.

Q Otherwise known as Circus? A Yes.

Q Do you know her husband, Circus? A Yes, sir.

Q Do you know what his business was besides the flat business? A He was engaged in a cigar store, but I think he did not have it fitted up at that time.

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Q That is when you were in 109th street. He did not have it fitted up? A No.

Q You went to 554 Second avenue in the county of New York?
A Yes, sir.

Q Who went down with you? A Harry Schmuckler.

Q Who else? A Fanny Goldman.

Q Who else? A That was all.

Q There was another girl in the apartment at the night the arrests were made, was there not? A Yes, sir.

Q What was her name? A Rosie Fireman.

Q Where was Rosie Fireman the first time you met her?
A I don't remember.

Q Where was she? Did you see her before you went there?
A Yes, I had seen her.

Q Where had you seen her? A I think I had seen her at 155 Chrystie street.

Q Did you see her in the 109th street house? A No, I did not see her.

Q Now, while you were in the 109th street house did you have sexual intercourse with various men? A With who?

Q With men? A Yes.

Q About how many times during those two days? About how many men did you stay with during those two days? A I should say about 25.

Q And how much money did you receive from each man?

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A One dollar.

Q What did you do with the money that you received from the men? A I gave it to Fanny Goldman to be divided between us, and I also paid her a dollar a day board.

Q So you got one half of the money you received in this matter, minus one dollar that you paid her a day board, is that correct? A Yes, that is correct.

Q When you went down to 554 Second avenue, did a similar arrangement obtain? A Exactly.

Q And about how much money did you make in all? A About \$45.

Q How much did you average to make a day? A About eight dollars.

Q That was your share, minus the payment to Mrs. Goldman? A That included the payment; that included the dollar a day board.

Q That included the dollar a day, so you got net about seven dollars? A Yes, sir.

Q What did you do with that money? A I gave it to Harry Schmuckler, after much --

Q Now, do you know the young man Brenner that was here? A Well, I have seen him before.

Q Well, do you recollect when it was you first saw him? A The exact date?

Q The day of the week? A No, I do not.

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Q About how many days before Tuesday was it? A Well, I should say at least two or three days.

Q Where was he when you saw him? A 554 Second avenue.

Q Now after you went down there to 554 Second avenue, did you have any conversations with the defendant Goldman or Mrs. Circus? A Yes, sir.

Q What did she say to you and what did you say to her?,
A Regarding what?

Q Well, in regard to the general plan of campaign that she expected to carry on in that flat? A Well, in the first place she told me that she wanted me -- instructed me how to carry on the business, because she knew I never undertaken a thing of that sort, and knew I was absolutely ignorant concerning those things, and she asked me if I would write those letters; she told me about her plan of running a cigar store.

Q Well, tell us, we want to get that? A Well, she told me she was going to fit up a cigar store, and was going to write letters out to her friends, at least she called them friends, she gave the names and addresses, with Mr. Circus and Mr. Schmuckler was also present, and for me to write these letters.

Q That is Mr. Circus, Schmuckler and Mrs. Circus and you were together when this was discussed? A Yes, sir.

Q And she said she was going to send out letters to men that she knew? A Yes, sir.

Now, did you write those letters? A Yes, sir.

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Q Do you recollect the contents of the letters? A Yes, sir.

Q What was it? A "Dear Sir: Kindly call at 312 East 29th street, cigar store." Signed "F."

Q Was that the cigar store that Circus ran? A Yes, sir.

Q Now how many of those letters did you write? A About 200.

Q Now besides the letters did you write anything else?
A I wrote about a hundred cards with the addresses of 554 Second avenue, two flights up, room No. 7.

Q And to whom were those cards to go? A They were to go to Mr. Circus and I think they were also to go to Harry Schmuckler.

Q Now we will come down to the night of the 18th day of January, Tuesday night, that you were taken out of that place. Did any men come in there that night? A Yes, sir.

Q Did a man named Kling that you have since learned is Kling? A Yes, sir.

Q Did a man named Rooney? A Yes, sir.

Q Did Brenner also come in? A Yes, sir.

Q What were you doing when they came in? A I was sitting in the dining room eating supper.

Q Was anything said by anybody? Mrs. Goldman say anything? A No, not just then.

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Q Did she afterwards? A Yes.

Q What did she say first? A She told me to dress quickly and get out of the room.

Q Yes? A And that was all. She went to the door then and then Mr. Leigh came in.

Q No, no. You are going too fast. When these men first came into the room you were eating your supper? A Yes, sir.

Q After you ate your supper what was the first thing that happened? A She told me to go on in the room and stay with Mr. Kling.

Q Did you go into the room? A Yes, sir.

Q What did you do when you got into the room? A I had sexual intercourse with him.

Q Did you undress? A Partly, yes.

Q And then what happened? A Mr. Kling came out of the room and Mr. Rooney was next in the room.

Q Then what happened next? A What happened next?

Q Yes? A Well, we were partly undressed -- I was partly undressed.

Q A little louder, please? A I was partly undressed and Mrs. Goldman called me to come out of the room.

Q Yes. What did she say? A She told me to come out of the room and be dressed quickly and that is all she said.

Q And what happened then, or what was happening then?

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A Mr. Leigh came in; there was nobody in the room except Mr. Kling and Mr. Rooney. I think Max Brenner had just gone out of the room.

Q Now how many rooms were there in that flat? A Four.

Q Name them? A There was two bed rooms, a dining room and a kitchen.

Q The dining room, was that the general assembly room?

A Yes, sir.

Q In that dining room when you came out of the room, who was there? A There was Mr. Kling and Mr. Rooney and Mr. Leigh and two other men that I do not know what their names are.

Q Yes, then what happened? A I was sent into another room and Mr. Leigh spoke to me personally.

Q That is the officer? A Yes, sir.

Q He spoke to you? A Yes, sir.

Q All right, after that what happened? A Well, they were arrested, so far as I know, and they were brought down to the station house.

A JUROR: Ask her whether she ever made any effort to get out of there and go back to her parents.

BY THE FOREMAN:

Q Did you ever try to get away? A Yes, I did.

Q When and how? A I tried to make arrangements to the effect I should leave there on last Monday.

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Q Where were you at the time you first tried to make arrangements to get away? A 554 Second avenue.

Q Had you made any effort before that to get away? A Yes, I had.

Q When before? A I made effort at 109th street, but we was not permitted to be out of her sight; I was not allowed down in the street alone; I was not allowed to speak to any one personally without their being in my hearing.

Q That was when you first tried to get away, when you were in 109th street? A Yes, sir.

Q And they never left you alone? A No, sir.

Q When you were on Second avenue you made another effort? A Yes, sir.

Q Tell us about that please? A I made the arrangement to the effect -- I wrote a letter to a young man who said he would procure a room for me, that I was to pay all expenses myself, you understand that it would be perfectly honorable in every respect, that he was just merely to see that I had a respectable apartment for the time being until I could secure work.

Q That is a young man that you had met? A Yes, sir. I wrote him a letter and gave it to Mr. Circus to mail. I did not give it to him at first. I started downstairs myself with the letter. He asked me where I was going and I told him I was going downstairs to mail a letter. He said it was not at

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all necessary; he was going out and would mail it for me. I asked permission to mail it myself and he said no, I could not do it; he was going right down and it was not at all necessary. I gave him the letter and of course I thought he would mail it.

BY A JUROR:

Q Who was that?

THE FOREMAN: Mr. Circus, the husband of the woman.

A I gave him the letter about two o'clock and the man to whom I addressed the letter called about eleven and he told me he had not received any letter from me at all; he called again about eleven o'clock in the morning and he as yet has not received any letter, and I asked permission of Mrs. Goldman, told her I was going.

Q Do you know who I refer to when I say Kling? A Yes, sir.

(Mr. Kling appears in the doorway of Grand Jury room, and then retires).

Q When I asked you and you said you had sexual intercourse with Kling, do you mean to say you had sexual intercourse with that man? A Yes, I mean to say I did.

OFFICER EDMUND LEIGH, being duly sworn by the foreman, testifies as follows:

BY MR. APPLETON:

Q Did you arrest Schmuckler? A Yes.

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Q What is your full name? A Edmund Leigh.

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Q What is your business? A First Grade Detective,
Police Department.

Q Where do you live? A 18 West 100th street.

Q On the 18th day of January, 1909, did you arrest the
defendants Circus, Schmuckler and Mrs. Circus, alias Goldman?

A Yes, sir.

Q Where did you arrest the men Circus and Schmuckler?

A At 329 East 29th street.

Q A cigar store or candy store? A Candy store.

Q Did they sell cigars too? A Well, there is altogether
no more than two dollars worth of stock in the place.

Q Who was in there? A The defendant Circus and Schmuck-
ler, whatever he calls himself.

Q Had you seen Kling and Brenner go in there before you?

A Yes, sir. We followed them.

Q You followed them? A Yes, sir.

Q Had you seen Brenner go in there the night before that?

A Yes, sir.

Q And did he give you a card he got from there? A I
saw him get a card from the defendant Circus on Monday night.

Q Did he give it to you? A He gave it to me and I marked
it in his presence.

Q Have you got it now? A Yes, sir.

Q Will you produce it? A (Showing) That is the card
with my initial on the back of it.

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(Card marked Exhibit 1 in evidence):

Q On Tuesday night, the 18th of January, did you follow Kling and Rooney and Brenner from the cigar store that you refer to on 29th street? A Well, I directed them from 34th street and Third avenue and we followed them and then went to the cigar store where Kling and Brenner went into the cigar store and the two defendants were in there that night and there Schmuckler gave Brenner a card and Brenner turned it over to Kling. Then they came from the store and Kling still had the card in his hand and I marked that once for evidence, as also Kling did.

Q Read that Exhibit 1? A Exhibit 1 is: "554 Second front avenue, two flights up, room 7."

Q Now does that card read the same way? A Pardon me, "Two flights up, room 7."

Q No, "front" on it? A No, sir.

Q Do the other cards read the same? A Yes, sir, all the same.

Q When did you arrest Circus and Schmuckler?

A Right then and there.

Q From there where did you go? A Well, I searched them and on Schmuckler -- at least on Circus, I found four cards which I marked in the presence of the two defendants, and Detective Curry and myself, I have marked them.

Q Do they read the same as the card in evidence? A The

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same thing, sir.

Q You searched Schmuckler? A Yes, then I searched Schmuckler and asked him if he had any of them, because two minutes before I had seen him give -- a few minutes before I had seen him give Brenner the card. He said he had no cards on him and I searched him and I found no cards in his clothes, but in his hand he had this card which I marked in his presence.

Q It was crumpled up? A Yes, sir.

Q Does that read the same as the other card? A The same as the others.

Q Now when you arrested them what did you do next?
A Then I searched the store and I found this bundle of cards where I had seen Circus go that time the night before, on the shelf at the rear of this, at the end of the four or five foot counter.

Q And do those cards have the same words and figures on them? A All the same, in the same handwriting.

Q Then what did you do? A We went around to the premises, 554 Second avenue, where we found Rooney, Kling and Brenner in the hall, and I asked them why they were out there and they said the woman had put them out, so I told Circus to say that it was him when I rang the bell, which he did, and the woman opened the door and we got in.

Q Who was in this side? A The defendant, Fanny Goldman,

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Rosie Fireman, an inmate, and then upon searching there we found the little girl Stella Freeland in the water-closet, so I took her into the bed-room and talked with her and asked her who these two men were, because I did not know myself, and at first she said she did not know either of them, and then she finally admitted that she knew Circus, but she would not identify Schmuckler. We asked Schmuckler where he lived. He gave an address around in 32nd street, whereupon Curry and Kling, Detective Curry and subpoena server Kling, went around there and we found a picture postal card in his trunk and a number of letters addressed to Smith and to Stella Freeland, and so forth, and one of the pictures was taken of Stella Freeland and Schmuckler, so when I confronted her with that, she said yes, it was so, and so forth. This is the picture (showing), that was taken in the --

BY MR. APPLETON:

Q Is this a good picture of the defendant Schmuckler?

A Yes, a very good picture.

Q Then you arrested them all? A Yes, all but the girl.

BY A JUROR:

Q What was done with the girl? Put in the House of Detention?

MR. APPLETON: She was placed with the Probation Officer.

A (Continued) It was very late and I called up Mrs. Miner

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and asked her to take her, because I promised the girl I would act in good faith and not lock her up. She was afraid if she was arrested her parents would know it.

Q You said her parents would know about her life?

A She would not give me her name or tell me where she had come from herself. I told her I had seven children, a girl as big as she myself, and then got her confidence. She said she did not want her mother and father to know, because they had been very careful and she had not been away from home or apart from the family until this time, and she would rather die than have them know it.

A JUROR: Ask the officer does she know anything about that Schmuckler, whether he knows him before or what his record is.

MR. APLETON: I can give you the record on these people, but you must not consider it in coming to any conclusion on the indictment. It is not competent evidence.

Q What is Circus's business? A Why, he has been convicted and did two months in the Penitentiary. I have not got a certified copy of the conviction. I can get that from Special Sessions. Fanny Goldman also has been convicted twice in company with and as a co-defendant with Circus.

Q What about Schmuckler? A Well, Schmuckler was not known to the Detective Bureau. We have no picture of him. We do not think he has been in New York City for some time. I

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could not find anything about him. Anyway he had a number of cards here that referred to cider stubes and places where lovers hang out.

MR. APPLETON: The Court warns me that the criminal record against circus and his wife cannot be considered by you in coming to any conclusion, because it is not proper and competent evidence.

(TESTIMONY CLOSED).

CASE # 3317

January 27th, 1910

(PEOPLE vs. HARRY SCHMUCKLER) (Case No. 89 and 90).

FANNY GOLDMAN, being duly sworn by the Foreman,
testified as follows:

BY THE FOREMAN:

Q You swear to tell the truth in this matter? A Yes.

BY MR. APPLETON:

Q Are you a married woman? A No, I am not married.

Q You are not married? A No.

Q Do you live with a man? A I do not live with a man,
not now.Q Well, you are in the City Prison now in the Tombs?
A Yes.Q You were arrested a week ago last Tuesday, were you
not? A Yes, sir.Q At that time were you living with a man? A No, not
living with a man.Q He lived in your flat, didn't he? A He only came up
in it; he did not live in there.Q Now haven't you pretended all along that you were
married to Circus -- A I am married -- I am only living
with him, not married. I will get married with him.Q Yes, well I want to get -- you are living with Circus,
aren't you? A Yes.Q Why don't you say so. When you were arrested, you were
in the premises 554 Second avenue, New York County. Is that

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correct? A Yes, sir.

Q And how long had you lived

A About a week.

Q About a week, and before that where did you live?

A 109th street.

Q 109th street, No. 138 West 109th street in the County of New York, is that right? A Yes, sir.

Q Do you know a girl by the name of Stella Freeland?

A Yes, sir.

Q Do you know a man by the name of Harry Schmuckler?

A Yes.

Q When did you first see Harry Schmuckler? A Well, the first time I seen him when I lived in 109th street, 138.

Q About how many days before you moved to 554 Second Avenue, was it, that you first saw Harry Schmuckler in 109th street? A 109th street?

Q About how many days before you moved to 2nd avenue was it? A Two days.

Q Two days. Was anybody with Schmuckler when he came to your apartment at 109th street? A No, only Schmuckler and the girl.

Q Then she was with him? A She was with him, yes.

Q Did Schmuckler say anything to you? A Well, Schmuckler said to me, "I brought the girl in here and you keep her to work; she was from other city and did not make any money.

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I was in Chicago with her; I was in Seattle, Washington, I was in Coney Island, and she could not make any money anywhere, so I found you out, and keep her in your house to make money."

Q Now at that time were you running a disorderly house at 109th street? A Yes, sir.

Q And did you have a girl there before the Freeland girl was brought in? A Well, I had a girl there.

Q And was she there working with you when the Freeland girl was brought into your house? A No, sir.

Q Where was she at that time? A She was home.

Q She had gone home? A Yes, sir.

Q She went home to sleep nights, did she? A Yes, sir.

Q But she was still working with you? A No, when Schmuckler brought in the girl I brought her to the house. I was by myself.

Q You were by yourself at the very moment he brought in Stella Freeland, but was the girl still with you? Was she not, although she happened to be out of the flat at that time?

A Yes, she was with me.

Q And she was performing acts of sexual intercourse with men that visited your 109th street apartment? A Yes, sir.

Q And at the time Schmuckler brought the girl to the 109th street apartment, you were running a disorderly house, a house of prostitution? A Yes.

(Witness retired and recalled).

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Q While the Freeland girl was in your apartment, did men come there and visit her and go into the room with her?

A Yes, came in.

Q Now, did you have an agreement with Schmuckler as to the amount of money that you were to keep from the amount of money the girl made, the amount that she was to keep, the proportion, A No, sir. He only told me what the girl makes I shall give her half.

Q Well, so that you did that, did you? A Yes, gave her half.

Q And did you receive money from the Freeland girl?

A Yes, she gave me the money.

Q And about how much a day did she give you as your share? A Well, she gave me \$4. and one day she give me \$5., \$6., that is what she gave me.

Q Now, did Schmuckler come to your apartment while the Freeland girl was there? A Yes, he did.

Q How often? A He came twice a day, about 12 o'clock in the daytime, and at night, to take her home.

Q Now, did you say Stella --

A JUROR: Take her home?

A Yes, take her home.

Q What time did he take the Freeland girl out?

A About 12 o'clock at night.

Q And bring her back the next morning? A Yes, sir.

Q Schmuckler always took her out and brought her back,

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is that correct? A He took her out and brought her back.

Q Now, while Schmuckler had the girl there, did you see the girl give Schmuckler any money? A Yes, every night she got her money, she handed it to Schmuckler.

Q Every night she got her money she handed it to Schmuckler? A Yes.

Q That was before she went home? A Yes, sir.

Q And the only way she earned money there, was by acts of sexual intercourse with men; is that correct? A Yes, she came in my house and she had nothing to put on. I gave her a skirt and waist. She was broke. She had been down and out, and I gave her everything she needed.

BY A JUROR:

Q Did you know this man before? A No, sir.

Q Is that the first time he came to you? A That is the first time he brought her in, and the first Sunday she came in she said she was hungry, she had nothing to eat. I went out and gave her a cup of coffee.

Q Never saw Schmuckler before that time? A No, sir, that is the first time I saw him, when he brought her to the house, and I asked her some questions where she was, all over, and she said she was in Seattle, Washington, and what I told you, and in Chicago.

Q How did he know he could bring the girl to you?

A Well, I don't know. The bell rings and then he says to my maid. I said, "What do you want?" He said, "Well, some-

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body told me that you keep a disorderly house, that you want to take her in, and leave her work," so I took that girl in and asked her some questions, where she was working before, so she told me all about it, so she was saying, "Mrs. I am awfully hungry. Give me something to eat."

BY A JUROR:

Q Did you prevent that girl from trying to get away from the house, or writing letters to her folks, or anything like that? A No, she wrote some letters, but I did not interfere to whom she wrote.

Q Well, was she able to leave the house if she wanted to? A Yes, if she wanted to go home I said "All right."

Q You did not restrain her? A No, sir. Any time she wanted to go out, she could go out of the house.

(TESTIMONY CLOSED)

January 27, 1910.

(PEOPLE vs. PAUL DRENKA AND PHILIP MANGOLD) (Case No. 91)

Above defendants indicted for violation of Section 1146 of the Penal Code, on the testimony of witnesses in Case 61, heard January 13, 1910.

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CASE #3317

January 27th, 1910.

(PEOPLE vs. BERNARD SAGGESE) (Case No. 92)

R O S I N A I S O L D E C A N I N O, being duly sworn by
the Foreman, testified as follows:

BY MR. APPLETON:

Q Rosina, how old are you? A Sixteen. I will be
seventeen next October.

Q On the 25th day of May, 1909, did you know James
Dissoni, A Yes, sir.

Q Had you had a conversation with James Dissoni about
going away with him? A Yes, sir.

Q Did he tell you somebody would come and speak to you?
A Yes, sir.

Q What did he say about the person that would come to
speak to you? A He said, "I will send a fellow with an en-
gagement ring, and if you see the ring you should come, but
if you do not see the ring, you dasn't come."

Q On the 25th day of May, 1909, did a man come to you
with a ring? A Yes, sir.

Q What was his name? A Bernard .

Q Bernardo . Saggese? A I don't know his last name,
but I know his first.

Q Is he the same man you saw in Jefferson Market Court
and against whom you testified there on this complaint? A Yes,
sir.

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Q Against whom you made your complaint, A Yes, sir.

Q Now state what Bernardo said to you when he came to you? A Well, he said to me, "Jimmy sent me down with the ring." I said, "Where is the ring?" so he showed me the ring and gave it to me. He said, "Ain't you ready?" I said, "No, I ain't going to come to-night. I will wait another couple of weeks." He said, "No, you must come right away, or else I will kill you." Then I took the ring and went home and got dressed and went with him.

Q Where were you when Bernardo was speaking to you?

A Corner of Mulberry and Grand.

Q In the County of New York? A Yes, sir.

Q Where did you go with Bernardo? A To Long Branch.

Q On that same day, the 25th of May, 1909? A Yes, sir.

Q Where did you go with him at Long Branch? A Barber shop, Dissoni's barber shop.

Q Who runs it? A Jimmy Dissoni's brother.

Q James Dissoni's brother? A Yes, sir.

Q Were you taken to a hotel there? A No, sir.

Q Where did you live? A In the barber shop.

Q What is the name of the man who runs the hotel there?

A Frank Lapardo.

Q Did you live in Frank Lapardo's hotel that night?

A No, sir.

Q That was afterwards you lived there? A Yes, sir.

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Q Did Bernardo deliver you to anybody? A No, sir, he stayed with me three days.

Q Then did he leave you in anybody's custody down there?

A No, sir.

Q Were you married to Bernardo? A No, sir.

Q You were not his wife? A No, sir.

Q He is not your husband? A No, sir.

ANTONIO ISOLDE, being duly sworn by the Foreman,
testified as follows, through Interpreter Angelo Acritelli
BY MR. APPLETON:

Q Are you the father of Rosina Iselde? A Yes, sir.

Q How old is Rosina? A She was born on October 5th,
1893.

Q That makes her sixteen years old last October, does it?

A Yes, sir.

MISS MAUD MINER, being duly sworn by the Foreman
testified as follows:

BY MR. APPLETON:

Q Where do you live, Miss Miner? A 128 West 11th
street.

Q And have you an occupation? A Secretary of the New
York Probation Association.

Q Pursuant to your duties as probation officer, did you

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meet the girl Rosina Isolde Canino last summer? A Not last summer; this winter.

Q This winter? A January.

Q Later on was the defendant Bernardo Saggese arrested?

A Yes.

Q Does he speak English? A Yes.

Q And after his arrest, did you have a conversation with him? A On the 14th of January, prior to his arraignment in Court, I talked with him.

Q And who was present besides yourself? A Officer Dragano.

Q Now state to the Court and Jury -- state to the Grand Jury what the defendant Bernardo Saggese said to you?

A He said, "Dissoni gave me a ring. I happened to be coming to New York, and he said, 'take this ring to Rosina.' I went to Rosina and she was willing, and she came with me to Long Branch." That was all.

Q And did he tell you the date it was of the month?

A No, I think not. He said it was in May.

Q He said it was in May? A He said it was in May.

Q Of last year? A Yes.

BY THE FOREMAN:

Q Did Isolde, the father, give him the ring? A No, Dissoni gave him the ring at Long Branch.

Q I thought you said Isolde? A No, Dissoni gave him the

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ring to bring Rosina, and Rosina went back with him to Long Branch.

Q Did Bernard tell Rosina why she was to go with him when he brought the ring? That you don't know? A I don't know - They did not -- that was not told to me.

BY MR. APPLETON:

Q Did he say what he said to Rosina? Did Bernardo say to you in your conversation what he had told Rosina? A Dissoni had sent the ring, only.

Q Bernardo told you that he told Rosina that Dissoni had sent him with the ring to her? A "Here is the ring," Dissoni said; I think were the words.

Q And that he said he then took her away? A She went with him.

R O S I N A I S O L D E C A N I N O (is recalled):

BY MR. APPLETON:

Q Did Bernardo ever have sexual intercourse with you?

A Yes, sir.

Q When did he have sexual intercourse with you? A The second night I was with him.

Q The second night you were down at Long Branch?

A Yes, sir.

(TESTIMONY CLOSED).

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CASE # 3317

February 14, 1910

(PEOPLE vs. CHARLES MOHL) (Case No. 94)

(PEOPLE vs. T. McGUINNESS) (Case No. 95)

(PEOPLE vs. C. PANNINI) (Case No. 96) (PEOPLE vs. C. FLETCHER)
(Case No. 97) (C. BERARDI) (Case No. 98)

NELLIE O'LEARY, being duly sworn by the Foreman,
testified as follows:

BY THE FOREMAN:

Q Your full name and address? A Nellie O'Leary, 309
East 121st street.

BY MR. APPLETON:

Q What number did you say? A 309 East 121st street.

Q How old are you? A I will be sixteen the end of this
month.

Q Do you know a person by the name of Charles Mohl?

A Yes, sir.

Q Is he your husband? A No, sir.

Q Were you married to him? A No, sir.

Q On the 25th day of January of this year, were you em-
ployed anywhere? A Yes, sir.

Q Where did you work? A The Empire Steam Laundry.

Q What time did you go home at night from your work?

A Half past six.

Q Did you have your supper? A Yes, sir.

Q After supper did you go out anywhere? A Yes, sir, went
over to the moving picture show.

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Q Did your mother say anything to you before you started out. A I went out with my sister-in-law.

Q Did your mother say anything to you? A Yes, she told me to be back before ten o'clock, and I said all right.

Q When you went over to the moving picture show, what picture show do you mean? A Vanity Fair.

Q Where is that? A 125th street near Lenox Avenue.

Q Did you meet anybody there? A Yes, sir.

Q Who did you meet? A Minnie Dessauer.

Q Meet anybody else? A Met Charles Mohl and Thomas McGuinness and Tom Pannini; that is all I met over there.

Q Did you meet the other girl, Blanche McGarry that night, the 25th? A No, sir.

Q After the moving picture show was out, did you go anywhere? A Yes, sir.

Q Where did you go? A Went around to the house in 124th street, 61 West.

Q 61 West 124th street in the County of New York; is that right? A Yes, sir.

Q Who was with you when you went into the house?

A Minnie Dessauer.

Q And who else? A Charlie Mohl and Charlie Pannini.

Q Where did you go? A Inside of the house.

A Pannini; that is the one you mean, Pannini? A Yes, sir.

Q Go ahead? A We went up on the first floor, and then

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went in the big room in back, and then we went to bed.

Q What time of night was it? A It was about half past eleven.

Q How many beds were there in the room? A Only one full sized bed.

Q Did you undress? A Yes, sir.

Q How many got into bed? A The four of us.

Q Did anybody have sexual intercourse with you? A Yes, sir.

Q Who had sexual intercourse with you? A Charles Mohl.

Q Who else was in the room, in the bed with you?

A Charlie Pannini and Minnie Dessauer.

Q Did he have sexual intercourse with Minnie? A Yes, sir.

Q Now the next morning when you got up where did you go?

A We got up about half past twelve and then I went down, went back to the moving picture show again, and then that afternoon I met Blanche McGarry in the moving picture show and I intended coming home that night, and then when Blanche said she would stay out and Minnie said she would stay out, I said I would stay out too, and I did not go home that night at all.

Q Where did you go that evening? A That afternoon we stayed in the moving picture show all afternoon.

Q Where did you get your supper? A We did not have supper; all we got was a sandwich.

Q Who bought it? A Minnie sent a little boy out for three sandwiches.

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Q How late did you stay at the moving picture show in the evening? A About 9 o'clock, I think.

BY THE FOREMAN:

Q Were these men with you all that day? A Yes, sir.

Q They stayed with you all that day? A Yes, sir.

BY MR. APPLETON:

Q At night where did you go? A The night we went around to the same house.

Q Who was with you when you went around there this night the 26th of January? A We went around with Thomas McGuinness and Charlie Pannini and Charlie Mohl.

Q How many girls? A Us three girls, Blanche and Minnie and I.

Q What room did you go to when you went in? A We went in the big room, and we found there was not enough room in the big room, so Charlie Mohl and I went in the hall room and the other four stayed in the big room.

Q You and Charlie Mohl went in the hall room? A Yes.

Q Go to bed together? A Yes.

Q Did he have sexual intercourse with you that night?

A Yes, sir.

Q Did you hear any of the trouble that occurred in the other room that night? A No, sir, I did not hear a bit of it.

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MARGARET O'LEARY, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q What is your full name, and where do you live?

A Margaret O'Leary.

Q Where do you live? A 309 East 121st street.

Q Speak as loud as you can, so they will all hear you.

A All right.

BY MR. APPLETON:

Q Are you the mother of Nellie O'Leary? A Yes.

Q How old is Nellie O'Leary? A She will be sixteen years old the 28th of this month.

Q What? A She will be sixteen years the 28th of this month.

Q She will be sixteen on the 28th of this month? A Yes, the last day, yes.

BLANCHE MCGARRY, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q What is your full name? A Blanche McGarry.

Q Where do you live? A 156 East 124th street.

Q Blanche, how old are you? A Fourteen years old.

BY MR. APPLETON:

Q When will you be fifteen? A I will be fifteen the 21st

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of October."

Q On the 26th day of February -- of January of this year, did you go to the Vanity Fair moving picture show? A Yes.

Q Who did you meet there? A I met there Minnie O'Leary, Minnie Dessauer, Charlie Pannini and Charlie Mohl.

Q Did you stay there all the afternoon? A Yes, sir.

Q And did you have something to eat for supper? A Yes.

Q What did you have to eat? A Sandwiches.

Q And where did you get them? A Charlie Mohl's little brother went out for it.

Q Who paid for them? A Minnie.

Q Minnie Dessauer? A Yes, sir.

Q Then did you stay at the moving picture show during the evening? A Yes, sir.

Q And what time did you leave the moving picture place at night? A 9 o'clock.

Q Where did you go when you left? A We went to 61 East 124th street.

Q East or West 124th? A West 124th.

Q What kind of house is that, private house, or an apartment house? A A furnished room house.

Q Furnished room house? A Yes, sir.

Q With a high stoop front? A It is not so high.

Q It is not so high, but there are some steps to go up?

A Yes, sir.

Q About how many stories high is it? A The room, do

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you mean?

Q No. Perhaps you did not notice. It is an old private house? A Yes, sir, a wooden house.

Q Now, did you go inside of the house? A Yes, sir.

Q And did you go to one of the rooms there? A Yes, sir.

Q Which room did you go to? A Second back .

Q Who was with you when you went into the room? A Minnie Dessauer and Charlie Pannini and Nellie O'Leary and Charlie Mohl.

Q Now did anybody come in, after you got into that room?
A Yes, sir.

Q Who came in? A Tom McGuinness and two other fellows;
I don't know their names.

Q Did anything occur when they came in? A No, sir.

Q Well, I mean was anything said? A Yes, sir.

Q What was said? A He asked us if we wanted to stay there all night.

Q Yes, what did you say? A We said we would stay, but we did not want all them fellows up there, and he said he was going to send them fellows down and Tom McGuinness said he would stay there with us.

Q And what did you say to that? A We said no, we did not want them, but he stayed anyway, because it was his room.

Q Was Nellie O'Leary and Charles Mohl in the room at that time? A Charles Mohl was not, but Nellie O'Leary was.

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Q Did Nellie O'Leary go anywhere with Charles Mohl?

A Nellie O'Leary and Charles Mohl went in the hall room.

Q Did you see them in the room afterwards? A Yes, sir.

Q In the morning? A 2 o'clock.

Q 2 o'clock in the morning? A It was about 2 o'clock in the morning.

Q Did you go into that room? A Yes, sir.

Q Were they in bed? A Yes, sir.

Q Charles Mohl and Nellie O'Leary? A Yes, sir.

Q They were in bed together at 2 o'clock in the morning?

A Yes, sir.

Q Now let us go back to the room where you were first. You say that McGuinness said he wanted to stay there with you; he would send the other boys away. Did he send them away?

A Yes, he sent the other two fellows down.

Q Now, what occurred after that? That left you and Pannini and Minnie Dessauer and Charles McGuinness -- Thomas McGuinness in the room; is that correct? A Yes, sir.

Q Now tell us what happened then? A Then Tom McGuinness got around me and started to get funny and I told him not to be doing that, I did not want to have anything to do with him, so Minnie told him the same thing, and he said we would have to get out of the room, so we went into Charlie Mohl's room and we stayed there until Tom McGuinness went home, because he only kept this room for immoral purposes, to bring girls

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down there, and after Tom McGuinness went home we went back in the room, Charlie Pannini and Minnie Dessauer and me, and we stayed there all night.

Q What bed did you sleep in, was there more than one bed? A No, only one big bed.

Q How many slept in the bed? A Minnie Dessauer and Charlie Pannini and me.

Q Did Charlie Pannini have sexual intercourse with you that night? A Yes, sir.

Q In that bed? A Yes, sir.

Q Was Minnie Dessauer in the bed when he had it? A Yes, sir.

Q Had anybody else ever had sexual intercourse with you before that? A Charles Mohl and Tom McGuinness.

Q Had you been to that house before? A No, sir.

Q But they had done it elsewhere? A Yes, sir.

Q Some other place; is that right? A Yes, sir.

Q Are you married to Charles Pannini? A Yes, sir.

Q Is he your husband? A No.

M R S. M A R Y M C G A R R Y, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q What is your full name? A Mary Elizabeth McGarry.

Q And where do you live? A 156 East 124th street.

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BY MR. APPLETON:

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Q Are you the mother of Blanche McGarry? A Yes, sir.

Q And how old is Blanche McGarry? A Blanche was fourteen the 21st day of last October.

MINNIE DESSAUER, being duly sworn by the Foreman, testified as follows:

BY THE FOREMAN:

Q Now Minnie, how old are you? A I will be eighteen in August.

Q Have you got any mother? A No, sir.

Q With whom do you live? A Father, sister and brother .

Q How old is your sister? A She is fifteen.

Q How old is your brother? A Sixteen.

Q And who takes care of the house and looks after it?

A I do.

Q You do all the cooking? A Yes, sir.

Q Now, on the 26th day of January, 1910, did you go to the Vanity Fair moving picture show? A Yes, sir.

Q Who did you see there? A Charles Mohl and Charles Pannini.

Q Did you see any other girl ? A Blanche McGarry.

Q Did you go after that to the premises 61 West 124th street? A Yes, sir.

Q Now you stayed there all night, did you? A Yes, sir.

Q In what room did you sleep? A I slept in the big room in back.

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Q Who was in the same room with you? A Blanche McGarry, Charlie McGuinness and Tom Pannini.

Q Did anybody have sexual intercourse? A No, sir, not that night.

Q I am talking about the first night you went there?

A The first night Charles Pannini.

Q Now while you were all four in the bed, you and Charles Pannini had sexual intercourse, is that right? A Yes, and Charles Mohl and Nellie O'Leary.

Q Were also in bed and they had sexual intercourse?

A Yes, sir.

Q Didn't they? A Yes, sir.

Q Now then the next day you went to the moving picture show again I suppose? A Not in Vanity Fair.

Q Went to another one? A Yes, sir.

Q What time did you get back to this house at 61 West 124th street? A About half past eight.

Q And who was with you? A Nellie O'Leary and Blanche McGarry.

Q Somebody else too? A Charles Pannini and Charlie Mohl and McGuinness.

Q And where did you go? A Into the room.

Q What happened after you all got in the room? A Well, Blanche and Charlie Pannini and I and McGuinness were in that room and Nellie O'Leary and Charles Mohl was in the single room.

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Q Did you go in the single room and see Charles Mohl and the O'Leary girl in there? A The next morning, yes, sir.

Q Did you see them in bed together? A They were not in bed when I went in. They were up.

Q Didn't you go in about 2 o'clock? A Yes, 2 o'clock when we were put out of the room.

Q Weren't they in bed then? A Yes, sir.

Q After you were put out of the room by McGuinness, did you get back in the room again? A Yes, sir.

Q Tell the jury how you got back in the room? A We went through the hall into the bathroom and out on the shed and through the window.

Q Climbed through the window? A Yes, sir.

Q Into the room? A Into the room.

Q And who was with you when you climbed through the window into the room? A Charles Pannini and Blanche McGarry and I.

Q Now after you got in the room, did you all go to bed? A Yes, sir.

Q This Charles Piano, you mean Pannini, the Italian boy? A Well, he gives his name as Piano.

Q They sometimes call him Panninitoo? A I do not know; that is the name I heard.

Q Well, you and Pannini or Piano and Blanche McGarry went to bed together, did you? A Yes, sir.

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Q Did Pannini have sexual intercourse with you that night? A No, sir.

Q Did he with the McGarry girl? A I guess so.

Q Well, do you know he did? A Well, I heard the bed.

Q You heard the bed? A Yes, sir.

Q And about how long was the sound you call "hearing the bed" -- how long did it last? A About fifteen minutes.

Q So you knew pretty well he had sexual intercourse when that motion was going on, didn't you? A No, sir. He did not go near me that night.

Q But you knew he, Pannini, was having sexual intercourse with the McGarry girl? A Yes.

B L A N C H E M C G A R R Y, being duly sworn by the Foreman, testified as follows:

BY MR. APPLETON:

Q Now, how old are you? A Fourteen years old.

Q On the night of the 26th day of January of this year, did you go to the premises 61 West 124th street, in the County of New York? A Yes, sir.

Q Did you sleep in the bed with anybody that night?

A Yes, sir.

Q Who was in the bed with you? A Minnie Dessauer and Charlie Pannini.

Q That same person that is sometimes known under the name of Piano? A Yes, sir.

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Q Did anybody have sexual intercourse with you?

A Charlie Pannini.

Q Is he your husband? A No, sir.

NELLIE O'LEARY, being duly sworn by the Foreman,
testified as follows:

BY MR. APPLETON:

Q Nellie, on the 15th day of November, 1909, did you see
Thomas McGuinness anywhere? A Yes, sir.

Q Where did you see him? A In the moving picture show.

Q What moving picture show? A Vanity Fair.

Q Did you go anywhere with him from there? A Yes, sir.

Q Where did you go? A Around to 124 West 124th street.

Q Who was there? A Ray Schroeder and Warren Dobbs
and Mary Reilly and Tom and I.

Q Now did you stay there all night? A No, sir.

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Q How long did you stay there? A Until about ten minutes to twelve.

Q And did anything happen to you? A Yes, sir.

Q What happened? A I had sexual intercourse with Tom.

Q Tom McGuinness, is that right? A Yes, sir.

Q Is he your husband? A No, sir.

Q He is not your husband? A No, sir.

Q How long did you stay there in the room? A We went in there, it was about half past ten, and we came out ten minutes to twelve.

Q Was anybody else in the room with you when you had sexual intercourse with Tom McGuinness? A Yes.

Q Who else? A Mary Reilly, Schroeder and Dobbs.

Q Was it light or dark? A Dark.

Q Could they see you? A Yes, sir.

Q Were you all in the same bed together? A Yes, sir.

Q Was somebody doing something to the Reilly girl at the same time? A No, sir, it was after Tom McGuinness and I had sexual intercourse, then Rob and Mary had sexual intercourse.

Q And you say that Tom McGuinness is not your husband?
A No, sir.

Q You are fifteen years old? A Yes, sir.

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MARGARET O'LEARY being duly sworn by the Foreman, testified as follows:

BY MR. APPLETON:

Q You are the mother of Nellie O'Leary? A Yes, sir.

Q How old is Nellie O'Leary? A Sixteen years the last day of this month.

MARY REILLY, being duly sworn by the Foreman, testified as follows:

BY MR. APPLETON:

Q Is it Reilly or O'Reilly? A No "O", only Reilly.

Q Mary Reilly, A Yes.

Q How how old are you Mary? A Going nineteen.

Q Do you know Nellie O'Leary? A Yes.

Q On the 15th of November, 1909, did you go to the moving picture show with her? A Yes, I went to the moving picture show with her for about a couple of hours.

Q Did you go out of the moving picture show with Nellie, yourself and Rob and Schroeder? A Yes, sir.

Q And Tom McGuinness? A Yes, sir.

Q Where did you go? A This fellow went up for a key; he wanted to take us up to his room, to his home, this fellow.

Q 124 West 124th street? A Yes, sir.

Q Whose room was it? A I don't know which room it was, Rob's or the other fellows.

Q Whose house was it, Schroeder's or McGuinness's?

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A This house this fellow has, it is a furnished room.

Q Which fellow? A Rob Schroeder.

Q Schroeder's. You went up to Schroeder's room? A Yes.

Q Now when you were up there in the room, you waited a little while? A Yes.

Q And all four of you got on the bed together, didn't you? A I did not stay on the bed, Nellie and this other fellow sat on the bed.

Q Was it light or dark there? A The room was dark.

Q You saw Nellie O'Leary and Thomas McGuinness on the bed together? A I saw them sitting on the bed together.

Q You saw them lying on the bed together? A I did not see them lying on the bed, no.

Q What? A They did not lie on the bed.

Q I thought you said it was dark? A The room was dark. There were panes of glass in the door.

Q And you could see? A Yes, we could see.

Q Are you sure they did not lie on the bed? A I am certain sure of that.

Q What were you and Schroeder doing? A We were talking. There was another young fellow in the room too; there was five of us in the room.

Q How long were you in there? A I could not tell the right time we were in there.

Q An hour? A I am not sure.

Q Pretty nearly an hour? A I could not say for sure.

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Q More than half an hour? A Yes, more than half an hour in the room.

Q It was dark so you could not see the watch, so you don't know just how long, is that right? A Yes.

Q But as near as you can judge, it was between half an hour and an hour? A Yes.

Q Now, were you watching McGuinness? A Well, I was not watching McGuinness all the time.

Q Were you watching Nellie all the time? A I did not watch Nellie.

Q So you don't know but what they may have laid on the bed? A They might have, but I did not see them.

Q A minute ago you said you were sure they had not?
A They were setting on the bed, but I didn't see them lying on the bed.

Q You didn't see them lying on the bed? A I saw them sitting on the bed, but I did not see them lie on the bed.

Q Where are you living now? A I am living 77 East 17th street.

Q With whom? A Mrs. McGuinness.

Q The mother of Tom McGuinness? A Yes, sir.

Q You told Mr. Bartley that you knew some -- you know Mr. Bartley of the Gerry Society? A Yes.

Q When you talked with him you told him that you did not have sexual intercourse with anybody there, didn't you?

A With McGuinness only.

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Q Now you told Mr. Bartley when he asked you if Schroeder or Rob or anybody had sexual intercourse with you, you said no. A Yes, I said no.

Q But you also told Mr. Bartley that you could not say that McGuinness did not have sexual intercourse with Nellie, didn't you? A Yes, certainly did.

Q And you also told him he might have had sexual intercourse with Nellie, because all four of you were on the bed at one time, didn't you? A There was five of us in the room, and I sat on the chair.

Q Told Mr. Bartley all four of you were at one time on the bed together? A I did not tell Mr. Bartley that.

Q Are you sure? A No, sir.

Q Do you know any reason why he would report you did if you did not say it? A No, sir, I sat on the chair.

Q Do you know any reason why Mr. Bartley would say in his report that you stated that McGuinness might have had sexual intercourse with Nellie O'Leary, as they were all on the bed together? Didn't you tell that to Mr. Bartley? A I told Mr. Bartley they were all in the room. I did not sit on the bed. I sat on a chair.

Q Didn't you tell Mr. Bartley you were on the bed?

A No, sir, I did not tell Mr. Bartley I was in bed.

Q When did you go in the room? A I think it was ten o'clock, after ten.

Q What time did you go out? A I cannot tell what time

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I went out. I could not tell the right time.

Q What time was it you came out? A About 12 o'clock.

Q You were there more than an hour? A I could not tell the hour, the time I got home; I could not tell the time I got in.

(TESTIMONY CLOSED-)

CASE # 3317

February 14th, 1910.

(PEOPLE vs. CHESTER FLETCHER) (Case No. 97)

ROBERT M. COSGROVE, being duly sworn by the
foreman, testified as follows:

BY THE FOREMAN:

Q Your full name and address? A Robert M. Cosgrove.

BY MR. APPLETON:

Q What is your work? A I am an officer of the Society
for the Prevention of Cruelty to Children.

Q Was the matter of Letitia Richards' absence from home
reported to the Gerry Society? A No, not that I know of; it
was not reported to the Gerry Society, but I understood it
was reported to Police Headquarters.

Q Where did Letitia Richards live? A She was at the time
of her arrest--

Q I did not ask where she was at the time of her arrest.
I asked where she lived? A With her mother.

Q Whereabouts? A 400 Throop Avenue, Brooklyn.

Q Were you present at the time the defendant was arrested?
A No, I was not.

Q Did you find the girl? A No, I did not find the girl.

Q Weren't you with the officer when she was found? A No,
I was not.

Q I thought you told me outside you were? A No, the
officer found the girl and brought her to the Society's rooms.

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Q What is the officer's name? A Officer Mahoney,
32nd Precinct.

Q Did you talk with the defendant after he was arrested?

A Yes, sir.

Q Now that is Fletcher? A Chester Fletcher, yes, sir.

Q What did you say to Fletcher and what did Fletcher
say to you.

A I asked him what he was doing with the girl up in his
room and he said he **had** not done anything to her. I
said, "you had her up in your room, didn't you?" He said
"yes." He said "I let her sleep there because she said she
had no home." He said, "I let her sleep there two or three
nights."

Q Is that all he said? A He said he did not have any
intercourse with her.

L E T I T I A R I C H A R D S , being duly sworn by the
foreman, testified as follows:

BY THE FOREMAN:

Q What is your full name? A Letitia Emanuel Richards.

Q Where do you live? A 32 West 136th.

BY MR. APPLETON:

Q How old are you? A 15.

Q What? A 15.

Q When were you 15? A January 24th.

Q Louder? A January 24th.

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Q Of this year? A Yes, sir.

Q Now where do you live; have you got parents? A Yes, sir.

Q And where do they live? A 32 West 136th.

Q Do you know the defendant, Chester Fletcher? A Yes, sir.

Q When did you first meet him? A At the club.

Q What club? A 100th Street.

Q What? A 100th.

Q West 100th Street? A Yes.

Q In New York, Manhattan? A Yes, sir.

Q What kind of a club? A I don't know myself.

Q What? A I say I don't know myself.

Q Social club? A Well, it is a place where you dance.

Q A place where you dance? A Yes, sir.

Q At a dance floor there? A Yes, sir.

Q When was it you met Chester Fletcher there? A January 4th.

Q Did you go anywhere with him? A No, sir.

Q Did you go home that night? A Yes, sir.

Q Now when did you meet him again? A At the restaurant.

Q What restaurant? A The Princess, 71 West 99th Street.

Q How long after that was it--how long after the first time you met him was it you met him on this case? A Well, I was working at the restaurant then.

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Q You were working at it? A Yes.

Q Did you ever go anywhere with Chester Fletcher? A Yes, sir.

Q Where did you go with him? A 72 West 99th Street.

Q In the County of New York? A Yes, sir.

Q Is that his home? A Yes, sir.

Q And when did you go there? A I went there--I don't know the date, but it was on a Monday; it was--I don't know what day I went over there.

Q It was about the first of February, wasn't it? A Yes, sir.

Q Who else was in his home besides Chester Fletcher when you went there? A Mr. and Mrs. Hill.

Q A little louder please. We can't hear you.

Q Did you go to Chester Fletcher's room? A Yes, sir.

Q And did you go to bed with him there? A Yes, sir.

Q What time of the day or night was it? A Half past ten.

Q In the evening? A Yes, sir.

Q And did he have sexual intercourse with you there?

A Yes, sir.

Q That night? A Yes, sir.

Q Did you remain there? A Yes, sir.

Q How many days? A From the first of February I guess until the 4th.

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Q From the first of February until the fourth? A Yes, sir.

Q Did you go to work in the restaurant each day? A No, sir, I stopped work.

Q Stopped work in the restaurant and stayed right there in the flat? A Yes, sir.

Q Did anybody else have intercourse with you besides Chester Fletcher? A No, sir.

Q How many times did he do it to you? A I guess the third night I was there three times.

Q Three times? A Yes, sir.

Q Did it the first night, the second night and the third night? A Yes, sir.

Q Who found you there? A Who found me there?

Q Yes? A No one found me there. I was caught around at the restaurant, not at the restaurant, the saloon.

Q Who was with you in the saloon? A Suzie and Hattie.

Q Hattie what? A Hattie Williams.

Q Suzie Williams and Hattie Williams? A No, I don't know the girl's last name, her first name is Suzie.

Q Do you know Lena C. Jeffreys, of 32 West 136th? A That is my mother.

Q She is here? A Yes, sir.

Q Are you married to Chester Fletcher? A No, sir.

Q Is he your husband? A No, sir.

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MRS. LENA C. JEFFREYS, being duly sworn by
the foreman, testified as follows:

BY THE FOREMAN:

Q What is your full name? A Lena C. Jeffreys.

BY MR. APPLETON:

Q Jeffreys; is that right? A J-e-f-f-r-e-y-s.

Q Where do you live please? A 32 West 136th Street.

Q Are you the mother of Letitia Richards? A Yes, sir.

Q How old is Letitia Richards? A 15 years the 24th
of January gone.

(Testimony closed).

CASE # 3317

(PEOPLE vs. PASQUALE BERARDI) (Case No. 98)

M A R I A M A R I N O, being duly sworn by the foreman,
testified as follows; through Interpreter Victor A. Fontana.

BY MR. APPLETON:

Q What is your name and where do you live? A Maria
Marino.

Q How long have you been in this country? A I don't
know where I live, ask my brother. One year.

Q Do you know Pasquale Berardi? A Yes, sir.

Q How long have you been in this country? A One year.

Q Where did you come from? A Coriano, Province of
Calagula.

Q On or about the 14th of December did you see
Pasquale Berardi anywhere? A Yes.

Q Whereabouts? A In New York.

Q Now do you remember what street you were on? A No.

Q What did he say to you when you saw him on that night?
A Do you mean when the thing happened.

Q Yes, the night it happened? A That was on a Sunday
night.

Q All right now. What did he say to you. I do not ask
you any more? A He took me in the bum's house; he never
said anything to me, he took me in the bum's house.

Q He met you first on the street, didn't he? A No, he
met me in his family's house.

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Q But on this night he saw you on the street, didn't he?

A No, he met me in Berardi's house.

Q Didn't you meet him first on the street that night, the night it happened? A No.

Q You say he took you in the bum's house; where did you meet him that he should come to take you into the bum's house?

A Well he met me in his family's house. He came at the house. Then he called me and told me to go out with him.

Q Now, do you remember the name of the street he took you to? A 56 James Street.

Q Do you know what place it was he took you into; was it a barber shop? A Not in the barber shop. He has a house, in the house de bum.

Q What is "bum"? A He kept a woman in that house and he called it a bum house.

Q Was there anybody in the place when you got there with this man? A No, there was no one there.

Q Now what did he do to you in the house? A Well, he placed me on the bed and he placed himself on top of me.

Q Did he have sexual intercourse with you? A Yes.

Q After he had sexual intercourse with you what did he say to you? A He told me not to say anything about what happened, that if I did so, if I did say something, he would kill me and he said "if somebody finds out that you had something to do with a man tell them it was your own brother that

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did it".

Q Now how old are you? A I am going on my sixteenth year.

Q So that you are 15 years old now, is that right?

A Yes.

Q Are you sure of the name of the street, of the number of the street that you were taken to by this man? A Well, that I don't remember very well.

Q But it is very important that you should remember it?

A I don't know the number.

Q Did you go with the officer there? A I cannot read or write.

Q Did you take the officers to that place later on?

A No.

Q I thought you said a few minutes ago it was on James Street; wasn't it on Monroe Street? A Yes. I know it is James Street. Pasquale Berardi lived with his family at 56 James Street.

Q Where is the place where he keeps the American woman?

A Well I don't know. I can't read. Do you think I can read? I don't even know the number of the street where they have got him now.

Q Did you go anywhere with the officers to show them where you had been taken? A No.

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V I N C E N T T . P I S A R R A, being duly sworn, testified
as follows:

BY MR. APPETON:

Q How do you spell Pisarra? A P-i-s-a-r-r-a.

Q Where do you live? A I live in Long Island.

Q Give it. You are not ashamed of it, are you? A It
is Bound Street, Holland Station, Long Island.

Q You are employed where? A 297 Fourth Avenue, New
York, Society for the Prevention of Cruelty to Children.

Q Have you made investigation of the facts in this case
against Berardi? A I have.

Q How did the matter first come to the attention of the
Gerry Society? A After the defendant's arrest the girl was
brought to the custody of the Society.

Q Then did you investigate? A I did.

Q Did you go to the premises 93 Monroe Street? A Yes,
sir.

Q What did you find there? A I found that at 93 Monroe
Street is a barber shop, a store and back of the shop is a
room or two. I do not know how many they are, because I could
not get in there. It was locked. I have learned that the
defendant rented one of these rooms back of the shop and lives
there with some young American girl, whom I have been unable
to find.

Q Now what corroboration is there of the girl's story

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she went there with this man? A Well, I have failed to find any.

Q Then there isn't any? A No, sir.

Q Is there anybody that saw her there? A Well, I don't know if there is or not. I have not been able to find out. The barbers there are all friends of the defendant and won't tell anything, won't talk.

Q Have you been to try to find out? A Yes, sir.

Q You are an Italian yourself? A Yes, sir.

Q And the barbers are Italians? A Yes, sir.

Q So you could talk with them in their native tongue?

A Yes, this brother works in the shop.

Q And in your investigation have you been able to find anybody that would corroborate the sotry of the girl? A No, sir.

BY THE JUROR:

Q To whom did the girl tell the story in the first place? A The way I understand it she told the officer Logomarsino.

MR. APPLETON: We will call him in.

OFFICER LOGOMARSINO, being duly sworn, by the foreman, testified as follows:

BY MR. APPLETON:

Q Officer, you are an officer of the Police Department?

A Yes, sir.

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Q And live where? A I live at 38 Mabdougal Street, attached to the Detective Bureau.

Q What precinct? A Detective Bureau.

Q Now did you arrest the defendant Berardi? A Yes, sir.

Q Where was he when you arrested him? A Pike and Monroe Streets.

Q Pike and Monroe Street? A Yes, sir.

Q Had you seen the girl before you arrested Berardi?
A Yes, sir.

Q Did she talk to you? A Yes, sir.

Q In the Italian language? A Yes, sir.

Q And you speak the Italian language? A Yes, sir.

Q What did she say to you? A Well, she come in the office about 1 P.M. and in company with her brother and she stated that she had been raped by one Pasquale Berardi, so I asked him when was it. He said about the 19th of December. Well, I went out with him and arrested--

Q I did not ask you if you went out. I want the whole of the conversation you had there first. You must have said something to the girl before you started out? A I asked her where he took her. She said in some house where bums go; that is all she can tell me and I tried to locate the house and was not able to locate.

BY THE FOREMAN:

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Q She could not take you to the house? A No, the girl is out of her mind. She is only in the country a year and I find this Berardi is living in 93 Monroe Street with some other girl that is not his wife. I went down there--

BY MR. APPLETON:

Q When did she say Berardi did this to her? A She knows him personally, because she was in Berardi's house for four days, in 56 James Street, in Berardi's mother's house.

Q That is Berardi's mother's house? A Yes.

Q She was living there with Berardi's mother for four days? A Yes, sir.

Q But that was in the month of February, or the latter part of January of this year? A In December.

Q And how did she come to live there? A She and her father were living there before, before they moved to Brooklyn.

Q They were living with the Berardis? A In the same building.

Q Then they wanted to move to Brooklyn? A They moved to Brooklyn and she staid there.

Q Helping Mrs. Berardi to do the work? A I don't know about that. I suppose so.

Q When did the girl first tell anybody this had happened to her? A Well, I guess it was about the 27th, the first of it.

Q The 27th of December, or January? A 27th of January.

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Q She found she was in the family way? A I don't know about that.

Q She believes she is? A I don't know anything about the family way.

V I N C E N T T. P I S A R R A (Recalled)

BY MR. APPLETON:

Q Mr. Pisarra have you made efforts--you have been already sworn? A Yes, sir.

Q Have you made an effort to find corroboration of the girl's story, more evidence in the case against Berardi? A I have.

Q Have you been able to find any more evidence? A No, sir.

/ (Testimony closed.)

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February 14th, 1910.

(PEOPLE vs. WILLIAM CORBIN) (Case No. 100)

O L G A L O R R A I N e, being duly sworn by the foreman,
testified as follows:

BY THE FOREMAN:

Q What is your full name? A Olga Lorraine.

Q Where do you live? A 61 West 27th Street.

BY MR. EMBREE:

Q How old are you, Miss Lorraine? A 23 years.

Q How long have you been in this country? A One and a
half years.

Q In what country were you born? A Germany.

Q With whom did you come to this country? A My mother.

Q Where is she now? A She is in Germany now.

Q Where did you and your mother go to live when you came
to New York? A Brooklyn.

Q What address in Brooklyn? A North 4th Street, 115.

Q What is your business? A Manicuring.

Q Where did you learn your trade? A In Germany.

Q Where were you in business in December? A I was in
27th Street.

Q 27th Street, where you are now? A 27th Street, yes.

BY THE FOREMAN:

Q A little louder please, we cannot hear you. As a
manicurist were you there? A Yes.

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Q Have you a sign there in 27th Street? A Yes.

Q Now on the 21st day of December, last December did you meet this negro, the defendant William Corbin? A Yes, he comes to my house.

Q Had you ever seen him before? A No.

Q Tell the Grand Jury how you come to meet him on that day? A When he comes over and rings my bell and he said, "Are you a manicurist?".

Q A little louder please? A He said "Are you a manicurist?" I say yes and he said, "You want to come to the Plaza Hotel, to my boss?"

Q All right. Go right along? A He said "You want to come to the Plaza Hotel manicuring?".

Q It is all right. You need not be embarrassed at all. We are all your friends here, but we must hear or we cannot help you. Now go right on with your story? A And I say, "Why he don't come over here?" he said, "Because he comes from England and I am working for him ten years and he wants me to come over there for three or four weeks" and I say, "All right, I am going over" and he said, "You had better go with me." I said "I don't go with a colored man. I find it alone." He said "No, he is in the hotel and you had better go with me." And he goes in my telephone and gets a taxicab; then he go down in front of the taxicab; he didn't he goes inside and brings me to the house.

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Q Who went downstairs first when you went to get the taxicab? A The colored man.

Q Did you afterwards come down? A Yes, sir, I come down.

Q You afterwards came down? A Yes.

Q In what part of the cab did you ride? A In the same cab where he was.

Q You got in through the door, did you? A Yes, sir.

Q Where did he ride? A He was in the same cab.

Q Did you object to that? A Oh, I told him not to get in there, but he did.

Q You told him not to ride with you? A Yes.

Q Where did you tell him to ride? A In front.

Q Why did you tell him that? A Because I did not want to ride with a colored man.

Q You did not want to ride with him? A No.

Q But he got in with you didn't he? A Yes.

Q Well, tell us what happened? A And he brings me into 54th Street. He said to wait. He called me after awhile and I stepped down in the carriage and a woman comes and open the door and he says to go upstairs two flights and I go in there and when I sit down by the window ten minutes, after awhile I say, "I guess I got no time; this party don't come." He says you don't get out any more here." And he run at the door and took the key out.

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Q What did he do with the key? A He put it in his pocket and he took my hat off and choked me and put me on the bed and he did wrong to me. After awhile he said, "Give me your money" and I gave him \$20.

Q Did he have any kind of weapon with him? A A knife, yes.

Q How big a knife? A This big (showing).

Q Did he draw that knife the first thing? A No, not the first thing. After awhile.

Q Not until after he pushed you on the bed? A He got it next on the chair.

Q What next on the chair? A He put the knife on the chair.

Q When he pushed you on the bed why didn't you call for help? A Because he said if I called for help he got to kill me.

Q Where was the knife then, on the chair? A Yes, he put it on the chair and after awhile he said, "Give me your money", and I gave him \$20.

Q When you say he did wrong to you, do you mean he had sexual intercourse with you? A I cannot understand what you mean.

Q What do you mean when you said he did wrong to you, when he pushed you on the bed; we have to know what you mean by that?

THE FOREMAN: It is all right. Speak perfectly

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frank. Tell us what he did.

A He got connection with me.

Q He had sexual intercourse with you? A Yes.

Q More than once? A Three times.

Q What did you say? How many times? A Three times.

Q How long were you in the room together? A I guess three hours.

Q Three hours. Why didn't you go before that? A Because I couldn't get out there.

Q Did you try to get out? A Yes, and he said to keep quiet and I give him all my money, \$20. and he took \$5. in the pocket himself and then he run out.

Q Why didn't you follow him right out? A Because my shoes were not there.

Q Where were your shoes? A In a little room.

Q How did they get in that little room? A I found them myself after awhile.

Q Who put them in the room? A The nigger.

Q How long was it after he was gone you went out?

A Ten minutes.

Q Did you see anyone as you went out? A When I went down there was some women.

Q Was she white or a negro? A She was all colored people and I want to go out of the door, I could not find the door and she said, "Go down in the cellar" I guess the base-

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ment or something, and I go down. She said I am afraid the police see you, but I say nothing. When I was on the street I say, "Do you know that man?" She said no. I said "Because he robs me and I report to the police" I say, and somebody called me "Come in here," I said "No, I am afraid to go in the house." Then I go away then go home and I feel very nervous and I call the doctor.

Q You told the woman that the man had robbed you?

A Yes.

Q Did you tell her anything else? A No, sir, I only tell her he robbed me.

Q You only told her about the money? A I told her I reported it to the police.

Q Did you see more than one woman? A Yes, there was lots of women in there.

Q White or black? A All black.

Q Then you afterwards went out? A Yes,

Q Did you see any sign on the hotel? A Yes, "Wilson House"

Q Did you see that sign? A Yes, sir.

Q Did you see that sign before you went in the house?
A Yes, I think it was a home.

Q Then you went home? A Yes.

Q What did you do? A I feel terrible and I call the

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doctor and he said--I call him, I said I want ^{him} to come over and he come over.

Q That is Dr. Minden, that sits outside? A Yes, and he gives me some medicine.

Q Did you tell the doctor just what had happened to you in the hotel? A Yes, and I got all scratches on me and he give me something to put it on.

Q You told him about everything? A Yes, sir.

Q You told him about the money and about the man doing wrong to you? A I told him only that I got robbed from the man and I went to see him.

Q You did not tell him about the negro having connection with you? A Yes, told him--I told him he want to kill me. I told him that.

Q The next day did you call up the taxicab people and get word of the driver? A Yes.

Q And have a talk with him? A Yes, I told him did he know such a negro, he said no. I said "Do you know what is it for a house there?" He said "Wilson House" and then that is all what I asked him.

Q Why did you give him this money? Why didn't you keep this money when you left? A He wanted it.

Q What? A He wanted the money.

Q But you wanted it too? Why didn't you keep it? A Because he got the knife and wanted to kill me if I did not give

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it up.

Q Did he have the knife in his hand? A Yes, because I did not want to give it to him.

Q You are not married to this man? A Oh, no.

Q Are you willing when Dr. Minden comes in it, that he shall tell us what you told him that night? A Yes.

Q As your physician? A Yes.

BY A JUROR:

Q Where in 27th Street do you live? A 61.

Q 64? A 61.

Q West 27th? A Yes.

D R. S. B. M I N D E N, being duly sworn by the foreman, testified as follows:

BY MR. EMBREE:

Q Your full name? A S. B. Minden.

Q Where do you live? A 230 East 69th Street.

Q Your business? A Physician.

Q How long have you known Olga Lorraine, who sits outside? A About one year.

Q Do you know whether or not she has any relatives here in the city? A She has a brother and a mother, that now I think has left the country.

Q To your own knowledge she did have a mother here some time ago? A Yes, sir.

Q On or about the 22nd day of last December did you re-

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ceive a call from her? A Yes, sir.

Q And did you respond to that? A Yes, sir.

Q Did you afterwards visit her premises where she lives?

A Yes, sir.

Q What did she tell you? I might say doctor that on the outside, in your presence, she agreed to have you tell what she said? A Yes, she waived that right. She told me that a colored man had halled at her place of business and ask her to accompany her to a hotel, that his employer--that he was a valet--his employer wanted manicuring done and she accompanied him and he took her to a room, to a house and she was detained there about three hours or thereabouts; that he forcedly tore her clothing from her, pulled her hat off and had seduced her or had intercourse with her; that he repeated it a few times I believe and he also took from her some money.

Q What did you find to be her mental and physical condition at that time? A Well, I found on her right breast some scratches, nail scratches and on her abdomen in the region of the navel it was scratched, and her face also and she was very hysterical, crying, crying and in fact she has been in that condition since more or less.

Q At what hour did you see her? A I saw her in the evening, I think it was after eight o'clock.

Q On the same day? A Yes, sir. I gave her some medicine,

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prescribed some bromide for her and gave her a carbolated solution to was the scratches, which healed up.

BY THE FOREMAN:

Q But there was no evidence from your examination that there had been sexual intercourse? A I did not examine the vagina at all.

F R A N K C. H O L M E S, being duly sworn by the foreman, testified as follows:

BY MR. EMBREE:

Q What is your full name? A Frank C. Holmes.

Q Are you the proprietor of the Wilson House? A I am, sir.

Q On 24th Street? A Yes, sir.

Q What number is that? A 261 and 263.

Q How long have you been proprietor there? A I only moved there since last September. I have been keeping a hotel in New York for 22 years.

Q Have you the register of the Wilson House, showing the guests registered there on the 21st day of December?

A Yes, sir.

Q Turn to your page showing the 21st? A Yes, sir, on a Tuesday, December 21st.

Q Yes? A It is December 21st, there it is.

Q Do you know who Mr. and Mrs. Jones are? A I don't know,

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because I did not know at that time.

Q You don't know who Mr. and Mrs. Jones are? A No, sir.

Q That registered there? A No, sir.

Q Do you know this defendant William Corbin? A Well, I did not see him that day. I say, if it is the man I think he is, I would know him, because he was to my house last September and tried to get a room. I did not like him.

Q Did you see any of the witnesses before they were sitting outside? A Yes, sir, I saw the woman, she came back there with the policeman, I guess it has been two weeks ago.

Q Had you ever seen her on the premises before? A No, sir, never before.

Q How many servants have you in that house? A I have a cook and a waiter and downstairs chambermaid and day housekeeper and myself and lady at night.

Q Now, were any of the servants who are employed at your house now, were any of those servants employed on the 21st day of last December? A You know, keeping servants is very hard in New York.

Q Just answer? A No one there now that was in December, because I discharged the girl because she did not see the lady when she came in.

Q Which girl? A The girl that waited on these people, this lady; she had on a brown heavy veil and this man signed

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the book and if she had been a white woman she would not have got upstairs at all.

Q What makes you think this couple we have in mind are the people that came in under the name of Mr. and Mrs. Jones?

A I know the man, because he was there last September.

Q You have in mind a certain man that came there last September? A I know he is so distinguished I could pick him out among a million people. I was not there the day he came to this place.

Q What was the name of the maid that let the people in?

A Alice Borden or Alice Bardon.

Q She has gone? A I discharged her. I did not have any idea--

Q Do you know what her present address is? A I have tried to get her.

Q Why did you send to the District Attorney a woman by the name of Marbridge; you knew she had not been employed in your place? A When I sent this girl there the policeman told me I would have to send the night woman that was there, and she was only there looking for a job, a night job; she was the night girl. I told him the only woman I could get in the house was the night girl. When I came to find out she just came there that week to work, but she did not know anything about the case at all and I told the officer that she--I said, "Well I will go up," but I said "I cannot find

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that girl that has been at 615 and 613 Eighth Avenue.

Q Had you ever any white help employed there? A No, sir.

Q Or any white guests? A I have white guests, yes, sir. I feed the people, white folks. I take it to the house and cook chickens and things, and feed the people in my house.

Q Do you have rooms? A Yes, 36.

Q Do white people sometimes have rooms? A Yes, some as good as there are in New York, but only white folks with white folks.

Q It is said a woman with blonde hair opened the door when these people came there that day? A Yes.

Q Do you know who that woman could be? A Her name is Mrs. Ott.

Q Where is she? A She is in St. Louis; she lives in 44th Street, near Broadway.

Q What was she doing in the apartment? A She eats there; pays a dollar a meal for her board, four of them.

Q Why did she open the door? A This woman commenced to holler and she claimed she was robbed.

Q It is said a woman with light hair-- A No, it couldn't; no woman with light hair; she had no right to let them in. The lady said the woman spoke to her, but she said she was robbed.

Q Did Mrs. Ott tell you about a girl coming out and making a complaint as she went out? A Mrs. Ott was gone,

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but my s̄ervant told me about it and I raised the devil and discharged her because she left a woman upstairs with a colored man.

Q Did you see Mrs. Ott since? A Yes, two weeks after.

Q Did you have any talk with her about this? A She did not have anything to do with it.

Q Did she remember the incident? A Yes. She said to the woman, "Why don't you have the man arrested?"

Q What is her St. Louis address, do you know? A I don't know.

Q What is her New York address? A I told you that she stopped at the hotel then at 41st Street, 44th Street.

Q What is the name of it, do you know? A I couldn't tell you. I can find out.

Q Hotel in 44th Street? A Yes, furnished room house. I serve meals, serve people there and feed them for fifty cents and a dollar a meal.

(Testimony closed.)

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February 28, 1910.

(PEOPLE vs. JACOB FISHBEIN) (Case No. 102.)

ANNIE GOLDBERG, being duly sworn as a witness
by the Foreman, testified as follows:

BY MR. REYNOLDS:

Q Where do you live? A 529 East 12th street.

Q How old are you? A Sixteen.

Q What is your occupation? A I work by dress cleaners.

Q You are a dress cleaner? A Yes, sir.

Q You are a finisher also? A I am a finisher also
too.

Q Cleaner and finisher; is that your occupation?

A Yes, sir.

Q Where were you living last October? A In 10th street.

Q Where? A Tenth street.

Q Tenth street, and what place in Tenth street? Do
you remember what number? How long have you been living in
your present address? How long have you been living where
you are now?

THE FOREMAN: How long have you been living where
you live now?

A Oh, where I live now? How long I am living there?

Q Yes. A Eleven months.

Q Eleven months? A Yes.

Q You were living there in October last year? A Yes.

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Q Same place? A Yes, sir.

Q Same place in Tenth street? A No, not Tenth street, 12th street.

Q 12th street? A Yes.

BY MR. RENOLDS:

Q Do you recall the second Saturday in last October?

A Yes.

Q You were in that house at that time, were you?

A Yes.

Q Were you alone in the house? A I was alone in the house.

Q Will you tell the Grand Jury what happened on the evening of that date while you were alone at six o'clock? A Six o'clock that Jacob Fishbein come up.

BY THE FOREMAN:

Q Speak a little louder? A Jacob Fishbein came up, six o'clock.

Q Jacob Fishbein came up? A Yes, and he begin to talk the same old story, that he loves me and soon will come the time he will marry me and he kept on talking that way about two hours. About eight o'clock he said "Well now we are going two years and we will soon be married. It is time that we should be together" and I was sitting in the bedroom; we live only in one room, so he took my hands under my back and he said "Well, now is the only time I could get

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you," so I begun to scream and said "What do you mean, you could get me; in which way you could get me"? He said "Well, that makes no difference, I want to get what I want", so I begin to cry and scream and I asked him what he means by it and he said "It will be nothing. We will be married." He said "I cannot wait until we get married. I love you. I go with you two years and I want to love you." After, so he put me on the bed and put my hands back of my back and closed my mouth with his hands.

Q Then he had intercourse with you? A Yes, sir.

BY MR. REYNOLDS:

Q Did he injure you with his hands placed over your mouth? A Yes, sir.

Q Were there any marks on your mouth? A I had marks in the morning too, the next morning, on Sunday.

Q Were there any marks on your wrist where he hurt you there? A Yes, sir.

Q After he had intercourse with you did he stay any length of time? A He stayed about an hour or so and then he went away.

Q And did anyone come into the apartment before he left?

A No, sir.

Q Then you were alone? A I was alone.

Q Was anyone else in the apartment? A Yes.

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Q Had you been working that day? A I had been working very hard that day.

Q How many hours had you worked that day? A From eight until five.

Q Right until five and what happened after he left you?

A After he left I was very tired from working and I fell asleep with my tears in my eyes; I fell asleep and I did not hear when my mama came home.

Q When did you next see him? A Next see him; I seen him on Sunday, Sunday afternoon.

Q The next day? A Yes sir.

Q What conversation if any did you have with him that day?

A Oh, my mama spoke to him and --

Q What did he say to you? A That I should not make any trouble and should not make any trouble and that will be all right and in about a month or so we will get married. "What is the use of disgusting the family and tell them; anyway we will be married."

Q When did you next see him? A About a week afterwards.

Q Did he have sexual intercourse with you again?

A Yes, sir.

Q How many times? A After this, after October, three times.

Q Three times, was anybody in the apartment any time?

A No, sir.

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Q Did you make any resistance the other times? I did.

Q Did he use force? A He used force.

Q How much force did he use any time? A Just the same as he used before.

Q Did he put his hand over your mouth at times?

A We did.

Q And he held your hands behind you? A He held my hands behind me. I was screaming, and he said "What are you again screaming for?"

Q Are you pregnant now, in the family way? A Yes.

BY THE FOREMAN:

Q You are in the family way now, are you? A Yes, sir.

A JUROR: Have you been a mother before.

A Have you ever had a child, a baby? A No.

Q Have you ever had intercourse with any other man?

A No, sir, nobody.

Q Never? A No, sir.

Q Have you asked him to marry you? A Yes, he told me all the time, all this four months that he will marry me, only last Sunday -- not yesterday, last Sunday he said my mama spoke to him and I spoke to him, and he said "No, I cannot marry her. I do not care what any Judge said; he should put me in twenty years in prison, I would not marry her."

BY MR. REYNOLDS:

Q He had before promised to marry you? A He had before

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promised to marry me all these four months, he promised.

MRS. PAULINE GOLDBERG, being duly sworn
by the Foreman testified as follows, through interpreter
Lustig.

BY THE FOREMAN:

Q Where does she live? A 529 East 12th street.

Q Annie Goldberg is your daughter? A Yes, sir.

Q How old is she? A Sixteen.

Q Do you recall when she was born? A Yes, sir.

Q Give the date of her birth? A It was Friday. June
30th, 1893.

Q Were you living at 529 East 12th street on October 10th
the second Saturday in October? A Yes, sir.

Q On that Sunday morning, did you notice anything about
your daughter? A Yes.

Q What did you notice before she spoke to you? A Why,
she was asleep yet in the bed. I noticed that her face was all
pale; she had scratches on her face and finger marks
around her mouth.

Q When your daughter woke up did she have a conversation
with you? A Yes, sir.

Q What did the daughter tell you? A Why, she asked, she
started to cry and I asked her what she was crying for and she

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told me Jacob Fishbein called last night and he threw her on the bed and forced her hands behind her back and stuffed her mouth with his hands and forced her to have sexual intercourse with him.

BY MR. REYNOLDS:

Q Did she show distress of mind? A Yes, sir.

Q Did you examine her underclothing A I examined the underclothing and I found it full of blood.

Q Did Jacob Fishbein call that day? A He called on Sunday.

Q And what did he say? A I told him what he has done last night and I told him that, "I always considered you to be a respectableman and you ruined my daughter", and he said "Mrs. Goldberg, please do not make any trouble for me; you know I am going to marry your daughter."

Q Did he admit he had sexual intercourse with the daughter?

A Yes, sir.

Q Did her daughter complain any other time that Jacob Fishbein had had intercourse with her forcibly? A Three times, she was alone when he came and he always forced her .

Q Why did she not make any complaint? A He always begs her not to and told her he is going to marry her.

Q Why did she not make a complaint. A He always begged me not to make any complaint and I did not want to expose the shame which he brought upon us.

Q You had believed that he would marry your daughter?

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A Yes, sir.

Q When did you last see Jacob Fishbein? A He was at my house yesterday.

Q Yesterday, what did he say yesterday? A He said yesterday "I know hat you have made some trouble for me, but if they call me before a Judge, I am going to tell the Judge I done it because I loved her," but last Sunday he said --

Q A week ago Sunday? A A week ago yesterday he said that "I don't care what you are going to do; I am not going to marry your daughter; I do not care if I get six years State Prison.

(Testimony closed.)

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February 28, 1910.

(PEOPLE vs. VINCENZO DI PIETRO) (Case No. 104.)

I G N A Z I A C A S S I A, being duly sworn by the
Foreman through interpreter Victor A. Pontana, testified
as follows:

BY MR. EMBRET:

Q Where do you live? A 27 Stanton street.

Q Is your husband dead? A Yes.

Q How long ago did he die and where? A It will
soon be eleven years.

Q Where? A Politza, in Sicily.

Q How long have you been in this country ? A It
will soon be ten years.

Q Soon be ten years? A Yes, sir.

Q Have you two children? A Yes, sir.

Q What is the name of the oldest child? A Gondolsa
is the oldest.

Q How old is he? A He will soon be nineteen.

Q And how old is the other? What is the name of the other?

A Fanny Cassia.

Q How old is Fanny? A She will be sixteen in August.

Q How olong have you known Vincenzo Di Pietro? A It is
over six years.

Q Over six years? A Yes.

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Q She said she had known him about six years? A Over six years.

Q About six years ago did he come to live in your house with your children? A Sure.

Q And where did you live then? A 189 Christie street, in this city.

Q Did he live with you as your husband? A Yes, sir.

Q You were not married to him, were you? A He said he was going to marry me, but he never did.

Q Now, do you know whether or not while he was living with you there in your house he seduced your daughter Fannie? A Yes, sir, he did, and then I seen - I find out.

Q Now how old was Fannie then? A Fourteen.

Q She was fourteen then? A Well, she was thirteen, going on her fourteenth year.

Q Did Fannie afterwards become with child? A Yes, sir.

Q Did you speak to Di Pietro about this then? A Yes.

Q And what did he say? A I will marry your daughter, but do not say anything to anybody about it or I will kill you.

BY THE FOREMAN:

Q Kill her? A The both of us.

BY MR. EMBREE

Q Now was a child afterwards born to Fannie? A Yes.

Q Who called the midwife? A Vincenzo Di Pietro called the midwife.

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Q Was he present when the child was born? A Yes, sir.

Q Did he say it was his child? A Sure.

Q Now what was done with the child? A In the Foundling Asylum.

Q How many days after the child was born did you take it to the Foundling Asylum? A Three or four days.

Q Who went with you? A Fannie took it there.

Q She carried the baby herself? A Yes.

Q Did you go with her? A Yes, sir.

Q How old was Fannie when the baby was born? A Thirteen, going on fourteen.

Q When the baby was born? A Yes.

Q So she must have been younger than that when she was seduced, wasn't she? A I didn't quite understand that.

Q Now at what time did Di Pietro get out of your household? A Last May.

Q A year ago; was that after the baby was born? A Yes.

Q Why did he leave? A Because he wanted to take my daughter away with him.

Q Now, has he been trying to get hold of Fannie since then? A Yes.

Q How recently has he talked to Fannie and tried to get her to go with him? A About the same time when they arrested Cataldo, just the day before that.

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Q The day before that he came around to see Fannie?

A Yes, he was hiding in the hall.

Q Hiding in the hall where this lady lives? A Yes.

Q Did you and Fannie tell Cammataro about that?

A Yes, we did.

Q How long have you known Cammataro? A Well, I know him a little over six months, but he knows my daughter longer than that.

Q Now, is he the betrothed of the daughter, or has he ever been? A Yes, sir.

Q Did they intend to get married now. A Yes.

Q Why didn't you complain to the police or to the District Attorney, or somebody, about this before? A Because he used to threaten us all the time. You could hear all the time from his mouth "I will kill you."

Q Does your son ~~Bo~~ Gondolfa know that Fannie has had a child? A No, he does not. He never mixed himself with these things; he used to go to work about his business.

Q Did you keep it secret from him, the time the child was born? A Yes.

FANNY CASSIA, being duly sworn by the Foreman,
testified as follows, through interpreter Victor A. Fontana.

BY THE FOREMAN:

Q Tell us her name, please? A Fanny Cassia.

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Q Fanny Cassia? A Yes, sir.

Q Where do you live? A Stanton street.

Q What number? A 27.

BY MR. EMBREE:

Q Have you your birth record there from Italy?

A (Handing paper.)

Q How old are you? A Fifteen years old.

Q How long have you been in this country? A Seven years.

Q How long have you known Cataldo Cammiataro? A Nine months.

Q Nine months. Are you engaged to marry him?

A Yes, sir.

Q You are going to marry him, are you? A Yes.

Q How long have you known Vincenzo Di Pietro? A Seven years.

Q Seven years. Did he used to live in your home?

A Lived with my mother.

Q He used to live with your mother? A Yes.

Q You lived there then and your brother Gondolfa?

A Yes.

Q Now while he lived there in the house did he seduce you? A Who?

Q While he lived there in the house did he have sexual intercourse with you, did Di Pietro? A Yes, yes, while my

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mother was absent.

Q How old were you then? A A little over thirteen.

Q A little over thirteen. How many times did he have intercourse with you? A Six times.

Q Did you afterwards become pregnant? A Well, yes, he told me that I was that way.

Q He told you that you were that way? A Yes.

Q Had you had intercourse with anybody else except Di Pietro? A No, no.

Q Why did you let him have intercourse with you the first time? A Well, I did not know anything about these things. He once attacked me with a revolver.

Q Did you tell your mother about it afterwards, immediately afterwards? A He told me that if I would tell my mother he would go in jail, but he would kill me.

BY A JUROR:

Q Did he attack her with a revolver the first time he had intercourse with her? A Yes, sir.

Q The first time? A Yes. Well, he all the time used to attack me in that manner.

Q The first time he had intercourse with you did he have a revolver and say he would shoot you? A Yes.

Q The first time? A Yes, sir.

BY MR. EMBREE:

Q But you did not tell your mother? A Well, my mother

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caught on later on.

Q After you became pregnant? A Yes, sir.

Q Now did you afterwards have a baby? A Yes.

Q Do you know who called the midwife when you had the baby? A Di Pietro.

Q And what did you do with the baby? A Took it to 60th street.

Q How long -- A It was him that gave me the address .

Q How long was that after the baby was born? A Two days after.

Q Who took the baby up there? A He gave me the address and I and my mother went there together.

Q Who carried the baby? A The mother.

Q You went with her, didn't you? A Yes.

(TESTIMONY CLOSED.)

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March 31st, 1910.

(Pec. v. Angelo Gianfredi, Luigi Baruto and Laura Baruto.) (Case No. 105)

PAULINA LOSCHIAVO, being duly sworn, testified (through Interpreter Fontana) as follows:

BY THE FOREMAN:

Q Your name? A Paulina Loschiavo, 226 West 27th Street.

BY MR. REYNOLDS:

Q Ask her if she is the mother of Maria Francesca Loschiavo? A Yes.

Q And how old is Maria Francesca Loschiavo? A She was eighteen on the third of this month.

Q Eighteen on the third of this month? A Yes.

Q Ask her if she recalls the eighth of October, 1908? A Yes.

Q Ask her if she recalls her daughter disappeared on that date? A Yes, on the eighth of October.

Q When did she next see her daughter? A Five months after that.

Q Ask her if she didn't see her at the Yorkville Court? A Yes, I saw her there, but I didn't speak to her.

Q Did she see Angelo Gianfredi at that time? A Yes, they told me it was him, but I didn't know him.

Q When did she next see her daughter? A I saw her when they called me to court.

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Q Yes. When after that? A Five months after that when she came to my house.

Q What was her condition when she came home? A Badly dressed, and she was pregnant.

Q At what time did she come home, what time of the day or night? A One in the morning.

Q Was the child subsequently born? A Yes, the child was born, and the child is now five months old.

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MICHAEL J. REGAN, being duly sworn, testified as follows:

BY THE FOREMAN:

Q What is your name? A Michael J. Regan.

Q And your Precinct? A Twenty-second Precinct.

BY MR. REYNOLDS:

Q Officer, do you recall making an arrest on November, 8th, 1908? A Yes sir.

Q About what time was it? A About ten after two in the morning.

Q You recall the name of the man arrested? A Yes sir.

Q Angelo Gianfredi, wasn't it? A Yes sir.

Q And was present - who made the complaint, a man whom you subsequently found was Antonio Loschiavo? A The girl's father; I forgot what the name was.

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Q His name is Antonio Loschiavo? A Yes sir.

Q And did he mention the name of his daughter? A He mentioned the name, but I couldn't think what it was now.

Q What did the father say to you? A He spoke in broken English, and I got a little boy, an Italian to do interpreting, and he said he wanted to make a complaint about this man who had taken his daughter, and so I asked him if he was satisfied to make a complaint against this man, and he said yes; so I brought him to the station house, and he made a complaint and was around in court the next morning.

Q When you arrested Angelo Gianfredi did you have a conversation with him? A Yes sir.

Q What did he say? A He said to me that he would go in with me, that he was not trying to get away from arrest at all, that there was three or four in this case besides him; he said, "The old man has got nothing on me, and I will go right in with him."

Q What did he say were his relations with the girl? A He said he had connections with the girl, but there was three or four more in the case.

BY THE FOREMAN:

Q Who was the girl, the daughter of Antonio Loschiavo?

A Yes sir.

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MARIA LOSCHIAVO, being duly sworn, testified as follows:

BY THE FOREMAN:

Q Your full name? A Maria Loschiavo.

Q Where do you live? A 226 West 27th Street.

BY MR. REYNOLDS:

Q Do you know a man by the name of Angelo Gianfredi?

A Yes.

Q When did you first meet him? A I met him on the eighth of October.

Q Was that the first time you met him? A Yes.

Q Where were you living at that time? A 226 West 27th Street.

Q What was your business there? A I was a working girl.

Q That was in 1908, was it not? A Yes.

Q Did you not meet him once before you took that position? A No. When he made me go, this Angelo Gianfredi, he told me the first time he seen me--

Q That was the first time? A Yes.

Q What conversation, if any, did you have with him then?

A After I found a position in twenty-seventh street.

Q You were looking for a position in twenty-seventh Street? A Yes.

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Q What did he say to you then? A He told me after I had the position not to go to work, and he came around twenty-seventh Street.

Q Then you got a position in twenty-seventh Street, and he came around to you again? A Yes, twenty-seventh Street he came.

Q Was that on or about the eighth of October? A Yes.

Q What conversation did you have then with him? A He told me not to go to work, and he came in and said, "Come on."

Q Called on you to go away from your position? A Yes, and I left the job.

Q And what did you do? A He took me to a furnished room in Forty-sixth Street.

Q Forty-sixth Street? A Yes.

Q You recall the number in Forty-sixth Street? A It was 224 West Forty-sixth Street.

Q Wasn't it 204? A Yes, Forty-sixth Street.

BY THE FOREMAN:

Q 204 West Forty sixth Street; you are sure of that?

A Yes, I am very sure.

BY MR. REYNOLDS:

Q Did he make any promises to you at that time? A He told me, "You must not work because I can support you; I got a business" he told me.

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Q What did he say that you would do? A Well, he said to me not to go to work, that is what he said. He had a lot of money, that I could stay with him.

Q Then when you got to that - were you an innocent girl at the time he took you there? A Yes, I was like an angel when he took me there.

Q And did you have sexual intercourse with him at that place? A No.

BY THE FOREMAN:

Q Did you go to bed with him? A Yes.

Q At that address in Forty-sixth Street? A Yes, that was the furnished room; he took me there.

Q And you went to bed with him. Did you have intercourse with him? A Yes.

BY MR. REYNOLDS:

Q Lived with him as his wife? A Yes.

Q How long did you stay there? A Two weeks.

Q During any of the two weeks, what, if anything, did he say to you? A One day he told me, Monday afternoon he said, "Mary, you want to come along, I got a job for you," and I told him all right.

Q And then what did he do? A He said, "I got a place in Fortieth Street."

Q What did you do? A And I went with him to 319.

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Q 319? A West Fortieth.

Q 319 West Fortieth Street? A Yes.

Q And who did you see there? A Well, he took me there, and he knocked at the door. Then they opened the door and I went in; then they opened the door and I saw a lady.

Q Who did you find out afterwards she was? A She was Baruto's wife.

Q Mrs. Baruto? A Yes.

Q What conversation did you have with her? A Well, when I went in they locked the door, and I sat down.

Q And what did she say to you? A She said to me, "Well, Mary, you must do this what I tell you."

Q Did she tell you what it was? A Yes.

Q What did she say? A She said, "You must do this. The men come here a little while." Then I told her, I said, "No," and she said, "Oh, yes."

Q Did she tell you more particularly what you got to do? A She told me, "You must go with the man when the man call you."

Q Did she indicate any room? A Yes.

Q Did she say anything to you while Angelo was still there about the money that you would get? A No, she didn't tell me anything.

Q Did you hear her say anything about the money that Angelo would get? A No.

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Q Well, you say that you told her you did not want to go with these men? A No I told her; I started to fight, and told her I wouldn't go.

Q Did you ask to be allowed to go home? A No, I didn't ask her.

Q Well, what happened after that? A And I started to fight, and she said to me, "Mary, you must go because the men are waiting for you," and so I went.

Q How long after you came into the house did you have the first man? A Well, was on Tuesday.

Q What date did you come in; do you remember the date you came into the house? A No; Angelo took me there Monday afternoon.

Q And on Tuesday you had to do with the first man? A Yes sir.

Q And after that you had men sent into the room pretty frequently? A Yes.

Q Have you any idea about how many a day came in there? A Well, about six, seven or eight.

Q Were there more men on Sundays? A Yes.

Q How many would there be on Sunday? A More, about ten.

Q Ten? A Yes.

Q Sometimes more? A Yes, about eleven.

Q You remember the greatest number you had received in

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any one day? A Well, I don't remember; about three, four or five.

Q Did the men give you any money? A Yes.

Q How much did they give you? A Three dollars and four dollars.

Q And what did you do with the money? A I give it to her.

BY THE FOREMAN:

Q To whom? A Mrs. Baruto.

BY MR. REYNOLDS:

Q To Mrs. Baruto? A Yes.

Q And on any occasion did they give you an extra? A They give me tips, and a man told me to keep it for yourself, and she used to come and look inside my stocking, and said, "You are not supposed to keep this for yourself," and took the fifty cents away.

Q During the time that you were there, did you have any conversation with Mr. Baruto? A No, no.

Q Was he present when these instructions were given to you? A He wasn't there when Angelo took me there.

Q You saw him later? A Yes, in the night he came.

Q Did he bring any of the men, to you? A No.

Q Do you know if anything was done to get the men to come to the house? A She was the one. She was writing letters outside to the fellers to come in the house, and she

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was saying that she had a young girl in the house if anybody wants to come.

Q Did you see any of the letters that were written? A Yes, I saw her that she was writing letters to the fellows outside.

Q How long were you in the house in Fortieth Street, do you remember? A About forty-five days.

Q About forty-five days? A Yes.

Q Did you go outside any time? A No, no, I didn't go out outside.

Q Didn't go out any time during the forty-five days? A No, no.

Q Did you ever try to go out? A No, I never did because the door was locked.

Q The door was always kept locked? A Yes.

Q When did you first see your father after you got into that house? A I saw my father when - my father he was nearly crazy - when he was looking for me.

Q In forty-five days was it that you saw your father? A I saw my father when my father put it in the Journal, in the paper.

Q But about what time after you got that did you first see your father? A No, I didn't see my father in forty-five days.

Q At the end of forty-five days did you see your father?

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A No, I didn't see my father then; I saw my father when he put it in the paper. You know he couldn't find me, and then he came in Fortieth Street.

Q How long after you had been put in Fortieth Street did your father come to the place? A My father came when my father put it in the paper.

Q Just how long after was that, how many days do you think, or weeks? A That was about six days after my father came in Fortieth Street.

BY THE FOREMAN:

Q You had only been there six days when he came in? A No, I was there forty-five days.

Q You were there forty-five days? A Yes.

Q And then your father came there? A My father, we had it in the Journal.

Q After he put the advertisement in the Journal then he came to the house? A Yes.

Q That was at the end of forty-five days? A Yes.

BY MR. REYNOLDS:

Q Now when your father came will you tell the gentlemen what happened; just what you saw and heard? A You know they knocked at the door; my father was nearly crazy. My father knocked at the door, and they opened the door; that was Mr. Baruto, he opened the door, and my father went in and said - he sat down - no, my father, he sat by the door and my

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father said, "Well, you got any girls in here?" So Mr. Baruto said, Mr. Baruto told my father "No, my wife she aint here," and over there was a French lady, so Mr. Baruto told my father, "You want to go with this lady?" My father said, "No." So Baruto told my father, "You wait, when my wife comes in." So Mrs. Baruto after a little while comes in, and Mrs. Baruto came in, and my father said, "Well, where is the young girl?" And Mrs. Baruto said, "Come on, I take you to the front room." My father said, "No, no, I don't want to go to the front room." And I went to the toilet - you know when I saw my father, I saw my father when he came to the door - this was the toilet and that was the door. When my father came in and I saw my father I went to hide myself in the toilet.

Q You went into the toilet when your father came in?

A Yes.

Q While you were in the toilet you could hear what was said? A Yes, I saw my father.

Q After you had been there - did you see your father when he came in first? A Yes, I saw my father when he opened the door.

Q Where were you when your father opened the door? A I went to the toilet, because I saw my father.

Q You were in the room when your father knocked? A Yes sir.

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Q And as soon as he came in you went to the toilet?

A Yes, because I saw my father.

Q So before you went to the toilet you seen it was your father? A Yes.

Q And from the toilet after that you recognized your father's voice; you heard what he said? A Yes,--

Q Just wait a minute. Now then, after the conversation which you have just stated what next happened after this conversation; did you then go out? A No, after, a young fellow was sitting by the table, and he said, "Come on Mary."

Q What was his name? A Joe Pietro.

Q He said "Come out"? A He said, "Come on, Mary." Then my father sat down by the window, and when I come out, you know, I didn't have any dress on, I had a short little petticoat, and when my father saw me he fainted.

Q What clothes did you have on? A A petticoat.

Q What did you have on over that? A A kimono.

Q Was the front of your body exposed? A No.

Q How far down from the neck? A It was all over here (indicating chest).

BY THE FOREMAN:

Q You said you had a shirt on? A No, I had a kimono on.

Q A skirt and a kimono? A Yes.

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BY MR. REYNOLDS:

Q How long did your father remain in a faint? A
When my father faint they give him a glass of water or
something to drink when my father faint.

Q When he came to they gave him a glass? A Yes.

BY THE FOREMAN:

Q Were you in the room all the time while he was
fainting? A Well, I saw my father.

Q You saw him faint, you saw him drop back? A Yes.

Q Did you stay there until he came to again? A Yes.

Q How long was it? A Well, I can't remember.

Q Long time? A Two or three minutes.

Q Did the people there know he was your father? A
Yes, every one was crying when my father faint.

Q Did they know he was your father? A Sure, my
father said, "She is my daughter." After, when my father
saw me he faint.

BY MR. REYNOLDS:

Q Now then, after he came to and they gave him a glass
of water, what happened next? After, Mrs. Baruto, Joe
Pietro and Mr. Baruto, they took my father by the arm and
took him to the kitchen outside; they took my father out.

Q And you didn't see him again at that time? A No.

Q And after your father had gone what did you do? A
Well, Angelo Gianfredi came, he was in the front room.

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Q Yes, and then what did you do? A They took my father out.

Q After they had taken your father out? A I was in the front room; so me and Mrs. Baruto and Angelo Gianfredi left.

Q How long did you stay in the front room? A Angelo Gianfredi went out and I stayed, me and Mrs. Baruto.

Q And how long did you stay with Mrs. Baruto there? A About half an hour, and then we went out too.

Q Where did you go? A With Mrs. Baruto; we went to 179th Street.

Q To 179th Street? A Yes.

Q And when did you next see your father? A I saw my father when we went to court.

Q That was called the Yorkville Court? A Yes, that was the 54th Street Court.

Q And it was the day when Angelo Gianfredi was tried; he was the defendant, was he not? A Yes.

Q Were you called upon to testify in that case? A Yes.

Q And what statement did you make in that Court regarding your age? A Louis Baruto, he told me, "Come on Mary, we take a walk to New York;" then he said to me, "You must say that you are twenty-one."

Q And you testified that you were twenty-one? A

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Yes.

Q You were not twenty-one at that time? A No, I wasn't, I was only sixteen.

Q What did he say to you? A He said to me, "You must say you are twenty-one." Every one will be saved, or we would go to jail, "because your father will put you away for two years too."

Q Your father will put you away for two years, he said? A Yes, for two years.

Q Did you see your father at Court? A Yes, I saw my father.

Q What conversation did you have with your father in the presence of either Angelo or Baruto? A Well, you know my father went to the Court all the time; Baruto told me to ^{not} say I was sixteen, to say I was twenty-one; so, when I went to the court and I saw my father and he asked me how old you are I say twenty-one. He said, "Twenty-one? Aren't you sixteen?" I said, "No sir, I am twenty-one."

Q Did you have any other conversation at that time; that was all? A Yes, that was all.

Q Then how did you get out of court; explain that?
A Because, you know, my father didn't have any paper that time; he didn't have any paper to show, didn't have any lawyer, didn't have nobody; there wasn't no case for us, didn't make any case for my father.

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Q Then the case against Angelo was dismissed? A

Yes.

Q And where did you go after the case was dismissed?

A Louis Baruto and Joe Pietro, they was waiting for me. You know there was no more case, and so the policeman took my father and said, put my father and mother out, and said, "Go on home, you leave your daughter alone because she is twenty-one."

Q Then you went out of the court, did you? A Yes.

Q And who were you with when you went out of the court?

A With Louis Baruto.

Q With Louis Baruto? A And Joe Pietro.

Q And where did they take you to, where did you go then? A To Fortieth Street.

Q How long did you stay there? A Well, we didn't stay long, and after we went to 179th Street.

Q And how long did you stay in 179th Street? A well, altogether I was five months.

Q Five months? A Yes.

Q And at the end of five months where did you go?

A They sent me home.

Q Sent you home? A Yes, they sent me the first of January, they sent me home when I was going to get a child. They saw I couldn't work any more.

Q That was in the first of January? A Yes, that

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was the first time I went in the house.

Q That was the first time you went out of the house?

A Yes, that was the first time they sent me home.

Q And they kept you locked up in 179th Street? A
Yes.

Q You hadn't been out on the street at all? A No,
No.

Q At what time of the day or night did they send you
home? A About half past twelve.

Q Half-past twelve at night? A Yes.

Q Do you remember anything about the condition of
the weather at that time? A It was very, very cold, the
snow was high like that.

Q And what time did you go home? A About half-
past one when I was home.

Q Did you have men come to see you in 179th Street?
A No, not very much; two or three, that is all, in a
week.

Q Who had charge of the 179th Street place? A Louis
Baruto.

Q And Mrs. Baruto? A Yes.

Q The same people? A The same people.

Q Did you get money at 179th Street? A No money.

Q Didn't they pay you any money? A They didn't
give me nothing when they sent me home.

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Q When the men came to see you at 179th Street, one two or three men, they paid you, did they? A Yes, and I give the money just the same to Mrs. Baruto.

Q Like you had in Fortieth Street? A Yes.

BY THE FOREMAN:

Q Did you give all the money to her? A Yes.

Q Didn't keep anything? A They didn't give me anything.

Q But you didn't keep anything? A No, no.

Q You gave her all the money, every time? A Yes.

BY MR. REYNOLDS:

Q And when you left 179th Street you didn't have any money of all that had been paid to you? A No, no.

Q Not a penny? A Not a penny.

Q Did you have any to pay your carfare? A Only I had five cents. to get the train to go home.

Q Didn't you have more than five cents? A That is all I got; my father give it to me.

Q Your father? A Oh, I mean Mrs. Baruto gave me five cents.

BY THE FOREMAN:

Q Were there other women in this house at 179th Street? A No, no.

Q Who lived there? A Mrs. Baruto, Mr. Baruto, Joe Pietro.

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Q And Angelo Gianfredi lived there? A No, no.

Q He wasn't there? A No, no.

Q And didn't come up there? A No more.

Q And you all lived in the same apartments? A Yes.

Q And other women didn't come there at all? A Yes.

Q Did you ever try to go home? A No, I couldn't go home.

Q Why couldn't you? A Because they told me, you must not go home.

Q What did they say they would do if you tried to go home? A They said, "If you go home your father might kill you."

Q Did you believe that? A Sure I did.

BY MR. REYNOLDS:

Q Was any other woman in the house with you at Fortieth Street? A There was a French woman.

Q There were no other women in 179th Street? A No, only myself.

A JUROR: Will you kindly ask her the exact date.

Q Do you remember about the date when you were born?

A I was born in 1892.

Q 1892. When was your birthday? A Well, I don't remember.

BY THE FOREMAN:

Q When Angelo Gianfredi first took you to that house

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in Forty-sixth Street, did you know why you were going there? Did he tell you why you were going there? A No, he didn't tell me.

Q Just said, "Come out and take a walk"? A He said, "Come on with me, I will take you to a furnished room with me."

Q You said he said he will find you a job? A No, he first took me to a furnished room.

Q Then after that didn't he say he could find you a job? A He took me to Fortieth Street.

Q He didn't say what the job was? A No.

Q You didn't know? A No.

Q When you got to Fortieth Street did you know what you got to do? A No.

Q You didn't know until Mrs. Baruto told you? A Yes.

Q Then when you knew did you try to get away? A I couldn't because the door was locked.

Q The time your father was there did you try to get away with him? A No.

Q Were you afraid to go away? A Yes.

Q You were afraid they would hurt you? A Yes. You know, Mrs. Baruto she told me, "You stay there, you musn't go any place." I couldn't look out the window and no place, and I stayed at Fortieth Street like in a bag.

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BY A JUROR:

Q Did your father try to take you home? A In Forty-five days I didn't see my father.

Q When he came there and fainted, did he want to take you away from that place? A No.

BY THE FOREMAN:

Q After your father fainted, when he was all well again, didn't he try to get you to go home again? A No.

Q They took him out of the room? A Yes, Joe Pietro and Baruto.

Q And you didn't see him any more? A No.

BY MR. REYNOLDS:

Q In Fortieth Street, did Angelo come to see you?

A No.

Q Didn't come to see you at all? A Oh yes, Angelo, he comes in and ask Mrs. Baruto for the money I make, and says, "How much money she make, I want some money?" And Mrs. Baruto tells him she wont give him any money.

BY THE FOREMAN:

Q How do you know that, did you hear her say that?

A She did say that.

Q You heard her say that? A Yes.

BY MR. REYNOLDS:

Q Did Angelo live with you in Fortieth Street? A

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Q You didn't have anything to do with him? A No,
No.

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ANTONIO LOSCHIAVO, being duly sworn, testified
as follows(through Interpreter Fontana):

BY THE FOREMAN:

Q Your name? A Antonio Loschiavo, 226 West
27th Street.

BY MR. REYNOLDS:

Q Ask him if he is the father of Maria Francesca
Loschiavo? A Yes sir.

Q Ask him how old his daughter is? A Eighteen
over.

Q Does he know her birthday? A No, I don't re-
member.

Q Can you recall the month of her birthday? A On
the third of March.

Q Ask him when his daughter disappeared from home? A
On the eighth of October; don't know the year.

Q What year? A Don't know the year; don't remember.
Two years ago.

Q Two years ago. When she disappeared, ask him if
he knows where she went? A No.

Q What did he do to find her? A I went to all the
different places of New York, and I also went to Passaic

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because I used to live there.

Q Went anywhere else? A In Brooklyn.

Q Did he visit the Italian communities? A Yes, Italian quarters and also American quarters.

Q Where did you then go? A I went to a station house on Twentieth Street, and gave them a description of my daughter, as to how she was dressed.

Q What did he then do? A I all the time went around looking for her.

Q Then what did he next do to find out? A Then thirty days after that, a little more than thirty days, I went to the Italian newspaper and placed an ad into the Italian newspaper, and gave the full details of my daughter.

Q Gave a description of her? A Yes, as to her face and hair and the clothes.

Q And what happened as a result? A Two or three days after that as I was coming from the factory I met a young man near my house, and he asked me if I was going around trying to find a girl who was lost or otherwise taken away, and then he said to me, "I know where your daughter is. Through a friend of mine I have learned that this girl that answers the same description is now located in a house at Fortieth Street, West, 319."

Q Then did he see this friend in this house? A Then I went to 309 and saw this friend, and then as I spoke to

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him he said, "It is exactly here."

Q Did he tell this man that he saw the description in the paper? A These young men had seen this ad in the papers they told me, and that is how they came and told me about it.

Q And did they tell him a girl answering the description of his daughter was at 319 West Fortieth Street?

A At 319 West Fortieth Street in a house of prostitution.

Q And what did they say to him about getting in the place; ask him what they said about getting in the place?

A They told me if I want to report the matter to the police, and I told them I wouldn't do it until I was sure that house was one of these houses of prostitution, and then I went there myself.

Q Yes. What did they say to him as to what he should do to get in the place? A They told me to go up three steps, and on the right hand side of these three steps was a button. They told me that I must be careful, because they will make my daughter disappear, that they will catch on I am looking for her.

Q Did they tell him anything about that front room?

A You want to be very careful because there is three rooms there; they will make her disappear through the toilet.

Q Did they tell him anything else as to what he should say to them when he went in? A They spoke to me about

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certain things but I didn't understand what these things meant.

Q After that he went there then, did he? A Yes.

Q How soon after he talked to them did he go? A Well, two or three hours. I alone went there.

Q And when he got there he knocked at the door, and who came, who opened the door? A I Pressed the button.

Q Who let him in? A The button was disconnected and didn't ring.

Q Who let him in? A There was two doors, one on this side--

Q Just have him answer that question; who saw him when he came into the door? A There was a boy passed there and I asked him who was the boss of this house, and the boy said, "My father."

Q When he knocked and went in who did he meet? A Baruto.

Q Baruto himself? A Baruto, the man, and Pietro.

Q A man named Pietro? A Pietro.

Q Now what conversation did he have with Baruto and what did Baruto say to him? A There was another woman, a big stout woman--

Q What did he say when he first went in? A Well, they made me sit down, and asked me what I wanted. Of course I told them I want to do business the same as young

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men do.

Q And what did they say, and who said it? A They pointed this large woman to me, and I told them I didn't want her because she was too fat.

Q Who said that to him? A Baruto, the boss, the proprietor.

Q And what did he then say; what did Baruto say?
A Just sit down, and the proprietress will come and you speak with her.

Q Then did M^{rs}. Baruto come into the room? A In about fifteen minutes after.

Q And what did he say to Mrs. Baruto and what did she say to him? A She said to her, "Go with this man" (meaning me) and she took me into a room near the street.

Q Who took you into a room? A The wife of Baruto.

Q And did he go inside of the room? A In the front room.

Q And did he shut the door of the front room? A No, she wanted me to go into a corner of the room.

Q Then what happened next? A Well, I placed myself on the threshold of the door so I could look straight through the rooms.

Q Yes, and what was the next said? A The proprietress says, "Come here, come here." I said, "Why should I come over there for; if you have women here to do business

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with all right; if not, I will go away."

Q Then did the proprietress bring any other woman?

A No.

Q Who did he see next? A I went away mad then, the way I first came in. Well, I stood up and I made an attempt as if I had a revolver, to draw a revolver, but I didn't have anything, and then when they saw I meant business they went to the door, and my daughter then came out.

Q That was the first time he saw his daughter in the place? A The first time I saw my daughter.

Q And what did he do or say then? A When I saw my daughter in short skirts and all in decollette I fainted.

Q Did he know how long he was in a faint, how long before he came to? A I can't say.

Q When he came to what happened? A They gave me something to drink.

Q Yes, and then what happened next? A Well, all the people that was present I noticed that they were all crying, had tears in their eyes.

Q Who were present in the room at that time? A Luigi Baruto, the wife, the big large French woman, my daughter and Pietro.

Q Was Angelo there too? A Well, he was in the large room, because when he saw me put my hand back he went in the room and he remained there.

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Q Angelo? A Angelo.

Q Then what did he do next? A Of course, I didn't know that was his name then.

Q He afterwards found out? A Yes.

Q What did he do next? A Well, Baruto gave me three or four postal cards that Angelo used to mail to her.

Q What did he do with the cards? A Three or four postal cards illustrated.

Q Yes, what next? A Pietro and Luigi grabbed my arm, each on one side, and took me outside.

Q Ask him if he made any attempt to get his daughter?
A They told me that in a short while they would bring my daughter.

Q Then he went out. Then what did he do as soon as he got outside? A Baruto disappeared first, and the policeman came along.

Q Who called the police? A I.

Q Did he make a complaint to the police? A Yes.

Q And then the policeman arrested Angelo Gianfredi?

A Just wait a minute. I told the police to enter into the house, and the police says, "What the hell do you want, I no understand." I walked with the policeman as far as Fortieth Street to a fruit stand, and Angelo came out and presented himself, and Angelo came towards me and says, "What are you going to do about this matter." The police

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was present at the time.

Q Then at his request the policeman arrested Angelo?

A Well, for a time he didn't arrest him; he was undecided what to do.

Q Finally he got a boy to translate for him and then arrested Angelo? A Yes.

Q And Angelo was taken to the station house? A Yes.

Q And did he ask the policeman to go back to the house at Fortieth Street? A No. I told him to go and arrest the others, but the officer answered to me that he couldn't go and arrest the others, that he could only arrest one.

Q Now when did he next see his daughter? A Before the magistrate.

Q And did he ask to have his daughter allowed to go home with him? A I asked my daughter to come home, and she say, "I will see."

Q When did he see his daughter after she left the court? A After this time?

Q After the case was disposed of, and his daughter went away when did he next see her? A About five months after that.

Q Does he recall the time when his daughter came home? A On the 21st of January I had her placed in the House of Good Sheppard.

Q Does he recall the time of day or night when his daughter came home? A About one or half-past one in the night.

(END OF TESTIMONY)

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April 29th, 1910.

(Peo. v. H. Levinson) (Case #107)
(Peo. v. Belle Moore & Aleck Anderson) (Case No. 108.)

FRANKIE FULLER, being duly sworn, testified as follows:

BY THE FOREMAN:

Q Your own name is known to Mr. Reynolds, and it is also known to me? A Yes.

Q You have been working under what name? A The name of Frankie Fuller.

Q Frankie Fuller? A Yes.

Q What is your address, please? A Well, I haven't any address just at present except the Hotel Lafayette.

Q Hotel Lafayette? A Yes.

BY MR. REYNOLDS:

Q Miss Fuller, you are supposed to come from Seattle? A Seattle.

Q And in the course of your work did you meet a man who gave his name as Harry Levinson? A I did.

Q Did he give any other name or did any other names appear in the conversation with him? A Only one.

Q What are the names? A He used the name Schapiro.

Q You have been working in this special White Slave investigation, have you not, during the past two months? A I have.

Q And in connection with that work, you, with two others, did a certain amount of investigation in the so-called Tenderloin of this city, did you not? A I did.

Q And it was in connection with that work that you

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met Harry Levinson? A Yes sir.

Q Do you recall the date when you first met him; it was in the month of March, I think, was it not? A It was Monday night, and I think the 28th; I am sure it was Monday night, but I am not sure about the 28th.

Q March 28th, yes, you met him? A Yes sir.

Q What was the place? A At the cafe called the Barrel.

Q How did you happen to meet him? A He was brought up and introduced to me.

Q By whom? A By Dick Morris.

Q By a man who was known as Dick Morris? A A man known as Dick Morris.

Q Did you have any conversation with him at that time when you first met him? A Very little.

Q Did you make any appointment to see him later, at a later date? A No. I told this Dick Morris to make an engagement for me the following afternoon, because there were some persons at the table before whom I did not like to talk.

Q Then and after Harry left you, after a brief conversation, did he say anything to you about seeing you the next day? A Yes, he did; he said he would see me the next day.

Q And the next day, which would be the 29th, where did you meet him? A The next day we met him at a coffee house on Second Avenue; I am not sure of the number, but it is two hundred about.

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Q Was it two hundred Second Avenue? A It may have been.

Q Where did you find him when you got to the place?
A Standing on the sidewalk.

Q Was he waiting for you? A Yes.

Q And after he joined you what did you do? A We went inside of the coffee house and sat down at a table.

Q And what did he say in your talk; what did he first say? A As we passed into the coffee house he said to me, "The three girls who are sitting at the table near the door, I want you to look at."

Q Yes. After you had sat down what happened next?
A He said that he would send me the girls one by one, and let me talk with them, and look them over to suit myself.

Q And he sent one of them did he? A He sent one of them.

Q And after he had sent one of them did you ask him to send another, a second one? A Yes, but we were interrupted.

Q Oh yes. A In the meantime.

Q Yes; what was the occasion of the interruption?
A A stranger came into the front part of the restaurant, stood at the cigar counter, and Harry did not like his looks evidently, and shook his head at me, and refused to do any more business until the man had left the restaurant.

Q Did he point out the man? A Yes, the man's back was partly turned towards me.

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Q After the stranger left what happened then? A He sent me a second girl.

Q He sent the second girl? A Yes.

Q And what further conversation after the second girl did you have with him at that time? A I made an engagement with this second girl to come to the hotel to see me, and I told Harry that the place was too dark; I could not see the girls, and I did not approve of his choice of girls, and they were not just what I wanted.

Q In your conversation with him on that occasion was there anything that brought out unmistakably the purpose for which the girls were wanted? A Yes, absolutely.

Q Do you recall what was said that clearly brought it out? A I asked the girls in the presence of this Dick Morris, and I suppose Harry heard some of the questions, the sort of questions a madam talking to girls would ask.

Q Do not state that was not said in his presence; state what was said in his presence or to him that you recall? A At this time, nothing.

Q But the purpose had been clearly indicated? A Yes, clearly.

Q Then did he say anything at that time to you about a seventeen year old girl? A He did.

Q What did he say about her? A Because I was dissatisfied with the girls he had shown me, he said he had a seventeen year old girl who was there who could not speak

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any English, and who had no clothes, and for that reason he could not bring her into this cafe to show her to me, and wanted to know if I would like to see her.

Q Did he say anything as to what she could do; as to what she would do? A He said she had been abused; she hadn't any friends, and I could do anything I liked with her.

Q Then do you recall meeting Harry again on the first of April? A What was the last date, Mr. Reynolds?

Q The last date was the twenty-ninth? A The twenty-ninth that was; that would be Thursday; yes, I met Harry Thursday.

Q Did he come by appointment to the hotel to see you? A Thursday, yes, he came by appointment.

Q And was any one with him; did any one come with him? A Yes.

Q Who was the girl? A He brought Ida with him.

Q The girl known as Ida came with him? A Yes.

Q Did he bring any other girl with him at the time?

A This time or later? Did you say April first, Mr. Reynolds. He brought Ida on Friday. You see, I do not remember the date, but it was Friday he brought Ida to the hotel, if that is April first.

Q Yes, that is April first; while Ida was there, did any other girl come in? A Yes, Gussie came in by private appointment with me.

Q Gussie was the second girl? A Gussie was the

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girl with whom I had made an appointment in the restaurant on Tuesday.

Q And the second girl he had brought to the restaurant, and to whom you talked at the restaurant? A Yes, the girl to whom I talked.

Q Then did you make any arrangement with the girls to leave at that time? A Yes, I made final arrangements for them both to meet me Saturday noon to leave New York City.

Q Then what conversation, if any, did you have with Harry regarding the compensation he was to receive for the girls? A After I talked with the girls I made arrangements with them, and Harry asked me if I needed them any more, and I said no, and I dismissed the girls, and then I came down to business, that is, money business with Harry; he had previously talked to Dick Morris, and had mentioned the sum of one hundred and twenty five dollars that he wanted for the two girls. After the girls left I said to him: "Now you have put in several days working for me, of course, I don't--- I suppose if you want something for it how much will you be satisfied with? A He said, "One hundred and twenty five dollars."

Q Did you pay him any money that afternoon? A Paid him forty dollars.

Q Was Dick present? A Dick Morris paid it out of the purse he was carrying, but in my presence; of course, it was my money.

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Q Had it been made clear to him that you had a house in Seattle? A Very clear.

Q And these girls were to go to the house? A Yes, very clear.

Q Now, did you see the same girls, Ida and Gussie on the second of April? A Saturday.

Q That would be Saturday, yes? A Yes.

Q And did Harry come with them? A Gussie came up alone and Harry came with Ida within fifteen minutes of each other.

Q Then did you have any further conversation regarding the payment on that occasion? A Yes.

Q Dick was present at the time? A He was.

Q Did you make further payment? A Yes, he made another payment of forty dollars; not in the presence of the girls.

Q Yes, but in the presence of Dick? A Just Dick and myself.

Q Now do you recall how the balance of that money was paid? A Yes.

Q When was it? A The following Saturday.

Q The following Saturday? A Yes.

Q In the meantime where had you been? A I had been to Atlantic City.

Q And then you returned to New York? A Yes.

Q And were you again at the Albany Hotel? A Again at the Albany Hotel.

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Q Had you met Harry there, did he come to see you? A He come by appointment.

Q Did he receive the balance of the money in the presence of Dick? A Yes.

BY THE FOREMAN:

Q I would like to ask you what relationship this man Levinson had to these girls; were they girls that were working for him? A They were girls that were evidently working for him, and he could tell them where to go and where not to go.

Q Do you know whether they were girls whom he owned, so to speak? A They were girls with whom he had been intimate.

Q But whether they were working for him as if he were their pimp, do you know? A Not at the particular time I received them; I am not sure of that.

Q They were working for some other man at that time? A Not that I know.

Q You know they had been prostitutes, do you? A I certainly do.

Q When you paid this one hundred and twenty five dollars; made these various payments, what was the money paid to him for? A For procuring me the girls.

Q Well, was it for his -- And for the work which he had done; the work, or was it for the purchase of the girls? A I made it clear to him it was for the purchase of the girls.

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Q You spoke of having said to him, you testified that you said to him, "You spent several days working for me, and I presume you want some compensation?" A Yes.

Q Did that give him the idea that you were paying him the money for his work rather than for the girls? A I don't think so.

Q You think it was entirely clear in his mind that this money was paid for the girls? A I do.

Q And that he had planned to sell these girls to you? A I think so, yes, sir.

A JUROR: I don't understand how he showed he could deliver them, how he could deliver the property he was selling.

ANOTHER JUROR: He did deliver them.

Q He delivered them before the first payment was made? A Yes sir.

Q Delivered them to you? A Yes sir.

A JUROR: What is meant by delivery?

Q The girls had been brought to your hotel? A The girls had been brought to my hotel, by Harry.

Q Did they then stay with the witness? A Yes, the two girls were in the room, an adjacent room, when I paid Harry the first money, and they were in my custody and did not go out of my custody again.

Q They stayed with you? A They stayed right there with me.

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Q Have been ever since with you? A Yes, have been there since.

Q The girls went to Atlantic City with you? A Yes sir.

Q And remained there until yesterday? A Yes sir.

Q And you brought them back with you from Atlantic City? A Yes sir.

A JUROR: They are here now.

MR. REYNOLDS: They are here in the building now.

BY A JUROR:

Q They were quite willing to go with you? A Very willing.

Q It was understood they had been delivered to you by this man for the purpose of going? A Yes.

BY THE FOREMAN:

Q These girls knew, did they, that you were buying them? A Yes.

Q And they were entirely willing? A Entirely.

Q Well, do you know whether they went with you of their own accord, or she forced them to? A No, I don't know that.

Q From their conversation since you have not been able to determine? A No, I don't think I could say whether I did determine he had forced them to go or not.

Q And you don't know whether he had any power over them which would enable him to do that? A I feel he had ✓

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the power over them, but I have not any positive proof except the conversation.

Q Do you think the girls regarded this as a situation, and that he was simply acting for them? A No, I do not.

A JUROR: I cannot follow that line of thought, when this man was like an employment agency, giving the girls an opportunity to earn money, which they took.

THE FOREMAN: The witness testified she thinks; it is her opinion that this man Harry knew that he was selling the girls, and hence that the girls knew that they were being sold.

BY A JUROR:

Q Well, you had the girls in your custody, how long, madam? A I have had them two or three weeks, Saturday.

Q Well, in that time you must have had more or less conversation? A I have had a great deal of conversation with them.

Q And you are satisfied that they are bad women; have led a bad life? A They are prostitutes.

Q Yes they are prostitutes? A They are prostitutes.

Q And are you satisfied that they very willingly entered into this arrangement to go to Seattle; did they understand that? A Yes sir.

Q With the idea in going there you would take them into a house where they would make money? A Where they

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would make more money than they could earn in New York.

Q Was that inducement put to them by you? A No, I did not have to put any inducement; when they came to me they were perfectly willing to go West with me after they saw me and talked to me.

BY THE FOREMAN:

Q In other words, it was not against the girls' consent, but money was paid for securing the girls?

MR. REYNOLDS: Under the law, the question of consent is not involved; either with or without the consent.

BY A JUROR:

Q Were these girls at the time living with the man, or where did they live before you got them? A I did not quite understand the question.

Q Did they live with that man previously? A They have lived with him; they both have lived with him according to their testimony.

Q You do not mean they resided in his house; you mean they co-habited with him? A They have resided in the same room with him.

Q In the same room with him? A Yes.

Q I was going to ask if there is any understanding that the proceeds of the increased earnings of these girls in Seattle were to go back to this man later on?

THE FOREMAN: Will you answer that question?

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A Will you please repeat it?

Q Were the proceeds of their earnings, if they increased in Seattle, would they come back to this man later on? A I am not sure whether these girls' earnings were to come back to him or not; it is customary though for their earnings to come back in some way, from their conversation. I am not sure whether they were to come back to this Harry.

Q Were these girls born in New York, or foreigners?

A One, I am sure, is a foreigner; the other I am not so sure about.

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G. A. MILLER, being duly sworn, testified as follows:

BY MR. REYNOLDS:

Q In the course of your work, did you meet a woman by the name of Bell Moore? A Yes sir.

Q Do you recall when you first met her, and where?

A I met her at three hundred and forty eight West Forty-fifth Street.

Q Did she occupy the entire house? A She has a flat two flights up, west side, front.

Q Do you recall what time of the month, what day of the month was it or week? A Sixth of April, sixth, I think; I am stuck on that date again without referring--

Q Have you any memorandum of yours with you? A I have a copy.

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THE FOREMAN: Wednesday was the sixth of April.

Q Wasn't it Wednesday, the thirteenth of April, the date is not essential? A Yes sir.

Q Do you remember about the time of day it was? A Between eleven and twelve at night, I think

Q How did you happen to meet her? A I was taken there by a man by the name of Aleck Anderson, a colored man.

Q And he went into the place with you? A Yes sir.

Q He introduced you to her? A Yes sir.

Q Do you recall the conversation that you had with her in his presence? A Yes.

Q What was the conversation? A He introduced me as Dick Morris from the West, from Seattle, a saloon man, and a madam running a sporting house and wanted some girls.

Q You said you wanted some girls? A He said it and I said it.

Q He said it, and you said it, and how did he happen to take you there? A Well, I was introduced to him by another colored man in Baron Wilkins' place on Thirty Fourth Street I think it is, and in making his acquaintance why he told me that he was an all around sport, and he knew lots of people about the town, and said that he worked of course, he said, like the rest of us have to do, and in conversation he asked me what I was here for, and I told him right out I wanted to get some girls.

Q What did he say? A He said, "I know where I can get them."

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Q As a result of that conversation he took you to see Belle Moore? A Yes sir.

Q And what did she say when you said you wanted some girls; you or he said you wanted some girls? A She asked me what kind I wanted, and I told her I wanted young ones, small ones, and she said, "I can get you the babies."

BY A JUROR:

Q What was that? A "I can get you the babies."

Q That was the language she used? A Yes.

BY MR. REYNOLDS:

Q Did you have any further conversation with her that night in relation to the purchase of girls? A Well, that was just about all; I told her I would bring the madam up, and she could meet her, and they could talk it over.

Q When did you next come there? A The next night.

Q The next night? A Yes.

Q And were you alone then? A No, this Frankie was with me, and Aleck Anderson too.

Q Aleck brought you and Frankie to the place, did he? A Yes sir.

Q What conversation took place then; did Frankie say something to Belle Moore? A Why, she told her Dick had said, that was myself, she should come and get her some girls, and she wanted at least two.

Q Well, is this the second time you saw this woman?

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A Yes.

Q And upon the first occasion you had asked her if she could supply you with some girls, and she said yes? A Yes.

Q This second time was the next day? A Yes, the next night.

Q And you had met by appointment? A Yes.

Q This was in her place? A At her place.

Q And what occurred that night? A Why then, Aleck and Frankie, when Aleck Anderson and Frankie and I were alone for a few minutes, and talking about the girls, and the price of the house, what price house, wanted to know all about our business, and the ways of everything in Juneau, Alaska, where we were supposed to have two houses, and a new place we were starting up in Seattle, the conversation carried on that way, and Frankie asked for the girls and wanted to know when she could get them, what kind of girls she could get, and she returned -- she turned the conversation again to Frankie, asked what she wanted, and she said she wanted young girls under eighteen years old, small, pretty, weight about one hundred pounds, and she said that she could get them, and would get them for her.

Q That was the substance of the conversation? A Yes sir.

Q And then you left her that night? A No, she said "If you will wait a minute, we will have a little entertainment, and she went out and she got two or three girls, and one girl that was in the house, and two colored men, and

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they were standing, and danced pretty near naked, and all these --

Q They were all naked? A Not entirely, they might just as well have been.

Q That was the entertainment? A Yes sir.

Q And that was the substance of the conversation with reference to the girls that night? A Yes sir.

Q When did you see her next? A I seen her off and on every day then, asking her how she got along.

Q Then did you see her again on Friday, the fifteenth? A Yes.

Q Did Belle come to the Albany on that occasion?

A Yes, she was up to the Albany Hotel.

Q Did she bring any one with her? A She brought a Jewish girl called Sal; I don't know her other name; never did hear it, a little Jewish girl, and Frankie refused her.

Q Was she brought to sell? A Well, I presume so; she said she would bring her up; but she knew when she was bringing her Frankie would not take her because she was not good enough looking.

Q The when did anything more definite occur in connection with these transactions after that? A Not until four days ago.

Q When was that? A On Monday.

Q April 25th? A Monday.

Q And what occurred on that date? A She tele-

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phoned me at the -- Belle Moore telephoned me at the Heffman House, and told me to come up as quick as I could, that she had the goods for me.

Q Then you went to her? A Yes, I went, and got a young woman named Miss Amie, and known as Miss Amie, Miss Frankie's hair dresser, and took her up with me, and I did not get there until about two fifteen or two thirty in the afternoon.

Q Well, was that on Monday? A That was on Tuesday when I got the girls. Monday I went up alone.

Q Monday you went up alone, and what did you see there then? A I seen this Alice Milton.

Q Was Alice Milton a white girl? A Yes sir.

Q And did you have any conversation regarding her?

A Yes sir.

Q What was the conversation? A I asked her how old she was -- wait. I asked her if she had any clothes, and if she wanted to go. She said, "Why yes; Belle told you about me, didn't she?" and she wanted me, asked me if I could not use another girl. She said she had another chum over in Miss Palmer's house, and wanted her to go if she could get her out.

Q Did you say you would take the chum also? A I said I would have to see her first.

Q And when did you as a matter of fact see her? A Seen her that night at six fifteen.

Q Where did you see her? A In Miss Palmer's house, one hundred and thirtyseven, West Forty first Street.

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Q The conversation there is not important; Belle Moore was not present at that time? A No sir.

Q Then when did you see Belle Moore next? A I seen her the next day.

Q Wednesday? A Wednesday.

Q That was two days after? A This ~~make~~^{is} the third day.

Q On Wednesday you saw her at what time about? A Two fifteen or thirty; that was when I took this Miss Amie out.

Q About two thirty in the afternoon, Amie was with you at that time? A Yes sir.

Q You went to Belle's house? A Yes sir.

Q Whom did you find there? A Found both girls there.

Q And Belle? A And Belle and her maid.

Q Then do you recall the conversation that occurred at that time? A Well, as we come in the door the two girls were in the bed to my left, and just enough room to walk through, and Belle was back of me. I was ahead of her and she pointed to the girls; they were there asleep, and she said, "Aren't they two little beauties?" I turned to Amie, and pointed out the girls to her, and Amie went on through and etered the other bedroom where the maid was, this woman which she calls her maid was, this Anna, and then on into the parlor, but Amie remained there in this room. Well then, I called her out to the front room in the parlor,

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and she then told me, Belle then told me what trouble the girls had to get out, and what trouble she had to keep this woman from getting them back; how they ran away, they left the place; how Miss Palmer had taken all the clothes away; about Alice leaving a little doll, and Edith not being able to take away her Teddie Bear.

BY THE FOREMAN:

Q Get out from where? A A sporting house on Forty second street.

Q A house of prostitution? A Yes sir.

Q Were they working there? A Yes sir.

Q And not allowed to go out? A Yes, but they were fined when they did go out.

Q Had Belle invited them to come to her? A Belle told them about us, and got them to decide to come.

Q How old are they? A One said she was seventeen, and the other eighteen; they look younger.

Q What did Belle subsequently say about the age? A At the time of the settlement, at the time I paid the money, she said, "I will tell you the truth; these girls are not as old as they say or as I told you."

Q What conversation occurred as to the money that was to be paid? A Well, after Miss Amie had dressed one of the girl's hair, and fixed the other girl's hair -- Belle woke them up, and then Amie dressed their hair, and while they were putting on their clothes preparing to leave, I called Amie into the front room, and then I asked this

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colored maid to go out, and close the door behind her, and Amie turned to Belle and asked "How much do you want for the two girls; what do I owe you now?" And she hesitated a little bit and said she had worked hard to get them; it was hard to get them out of the place, and she had gotten just exactly what I wanted; they did not need any paint or powder; they will get twelve dollars from any man; stop with any man for twenty dollars, and will make you money in your house in Seattle.

Q Then did you pay her? A Yes sir.

Q The sum agreed? A Yes sir.

Q What did she ask? A (No answer).

BY THE FOREMAN:

Q How much did she ask? A One hundred and fifty dollars; seventy five dollars a piece.

Q That was the first time she mentioned the amount?

A The first time she mentioned the amount; well, she said one time previously, the first night, she said it is worth fifty dollars to run around;" that is the only thing she said previously.

BY MR. REYNOLDS:

Q Then did you pay one hundred and fifty dollars? A No sir, I paid her one hundred and twenty dollars.

Q What was said about the other thirty dollars? A Send it to her through the General Delivery money order.

Q Was the money paid in Amie's presence? A Yes sir, counted it three times.

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BY THE FOREMAN:

Q The situation, so far as getting the girls from this woman was about the same as from the man; she simply agreed she would supply you with girls, procure girls? A Yes sir.

Q There was not any particular conversation as to whether this payment was for the girls or for the trouble?

A Well, it is --

Q Nothing particularly said about that? A Nothing particularly; there was more understood than said in that line; they never spoke that way.

Q You mean they never say? A If she had meant to work; if she had said work, she would have said, "for this work."

Q But the question of buying and selling, you never used the language? A No sir, another word -- it is like the word "white slave"; it is like poison to those people; you mention that and you are not one of them.

BY A JUROR:

Q Where did you get this colored man that took you to the house? A In Baron Wilkins's place in Thirty fifth Street.

BY THE FOREMAN:

Q Does Belle Moore have a house; does she keep girls in her apartment? A She has a call house, and has one girl there all the time.

Q White girl or colored girl? A Colored girl;

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she calls white girls.

Q Calls white and colored girls? A Yes sir.

Q For white and colored men? A Yes sir.

Q And they meet in her house? A Yes sir.

BY A JUROR:

Q Has she a telephone in her house? A No sir.

Q How does she call them? A Next flat.

Q What place is that; what sort of place is that?

A That whole building is just on the same class; it is all
whores and pimps; the whole building.

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AMIE SMITH, being duly sworn, testified as fol-

lows:

BY MR. REYNOLDS:

Q Your name you have given as Amie Smith? A Amie
Smith.

Q Amie Smith is not your real name, is it? A No
sir.

Q Your real name -- I know your real name? A
Yes sir.

Q And it is also known to the foreman of the Grand
Jury, but you desire that it should not be given at the
present time? A Yes.

Q You have been recently doing some work in connection
with the District Attorney's office? A Yes sir.

Q In connection with that work -- what has been your
previous occupation? A Hair dresser.

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Q Hair dresser? A Yes sir.

BY THE FOREMAN:

Q You have been in that business for some time, have you? A Yes sir.

Q Where have you done business; where is your place?

A One hundred and forty West Forty fourth Street.

THE FOREMAN: I will strike out that last question with reference to the address.

BY MR. REYNOLDS:

Q In the course of your work did you meet a woman by the name of Belle Moore? A Yes sir.

Q Do you recall when you first met her? A On Wednesday afternoon.

Q Wednesday afternoon of this week? A Yes sir.

Q Do you recall her address, where you met her? A 348 West Forty first Street.

THE FOREMAN: Speak as loud as you can; there is so much noise from the street it is difficult to hear.

THE WITNESS: 348 West Forty first street.

Q Who was with you when you met her? A Mr. Miller.

Q Mr. Miller; did he introduce you to Belle Moore?

A Yes sir.

Q What did Belle Moore say when you first met her? A Mr. Miller introduced me to Belle Moore as Miss Frankie's maid Amie.

Q And then were any others present in the room, or nearby? A There were two girls sleeping in the room.

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Q Asleep you say? A Yes sir.

Q Did Belle say anything about that? A She drew my attention, and asked me if they were not beauties. "Don't you think they are beauties?"

Q Then what did you do? A I looked at them and said they were.

Q Then subsequently did you go into the room where the girls were? A Yes sir, that was in the room.

Q Then subsequently you came out again? A No sir, I stayed there for a few minutes.

Q They you came out into the parlor? A Yes sir.

Q And who were in the parlor? A Belle Moore and Mr. Dick and myself.

Q What was said when you came out the second time in the parlor? A They were talking about the purchasing price.

Q And what did Dick say? A Mr. Dick asked Belle Moore what train she was going to take to Philadelphia?

Q What was said about the girls or purchase of the girls, or paying money for the girls? A Oh she said that she had a very hard time in getting the girls, because Miss Frankie wanted young girls, real young girls, not made up young girls.

Q And what was said as to the exact amount to be paid? A Mr. Dick asked Belle Moore how much he owed her for the two girls.

Q How much? A How much he owed her for the two

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girls.

Q What did she reply? A She said she had worked very hard to get them, and didn't think that seventy five dollars each --- Mr. Dick said that was rather a steep price for them.

Q Yes; did he finally agree to pay that amount? A Yes, he asked me how much money I had.

Q And did you give him any money? A Yes sir, gave him thirty dollars.

Q Then did he give her some money? A Yes sir.

Q Do you remember how much he gave her? A He gave her one hundred and twenty dollars for the two girls.

Q Did he count out the money in your presence? A Yes, two or three times.

Q You saw him pass the money to Belle? A Yes sir.

Q And it was clearly understood that money was for these two girls? A Was for the purchase of the two girls for his house in Seattle.

(END OF SESSION)

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May 23, 1910.

(PEOPLE vs. J. F. DONLON)	(Case No. 109.)
(PEOPLE vs. W. J. WHITE)	(Case No. 110.)
(PEOPLE vs. J. CONNAUGHTON)	(Case No. 111.)
(PEOPLE vs. J. KIRKWOOD)	(Case No. 112.)
(PEOPLE vs. H. DOUGLAS)	(Case No. 113.)
(PEOPLE vs. R. KLAUBER)	(Case No. 114.)
(PEOPLE vs. L. O'KEEFE)	(Case No. 115.)

OFFICER HENRY C. JESSUP, being duly sworn by
the Foreman, testified as follows.)

BY MR. WHITESIDE:

Q What is your full name? A Henry C. Jessup.

Q And you are a police officer of the city of New York,
are you, assigned to the Detective Bureau? A Yes, sir.

Q On the 30th day of April of this year in the city and
county of New York, did you go to the Hotel Criterion? A I did.

Q Will you state to the Grand Jury the circumstances of
your visit to that hotel at that time, giving the details
of all transactions you had there with the defendant John F.
Donlon? A I was stopped --

Q Speak up? A I was stopped by a woman on 41st street
on the south side of 41st street near Broadway. This woman
asked me if I was out for a little pleasure? I said I was. I
asked her where she went. She said around to the Criterion Ho-
tel. I asked her what the price was, and she said it would be \$5
for her, and she thought I would have to pay \$2 for a room, but
possibly I would get one for a dollar, so we went around to the
Criterion Hotel, which was 143 West 40th St. We entered the hotel.
The woman led the way, went up one flight of stairs to the office,
where the clerk asked me what price room I wanted.

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Q Will you state at this time whether the clerk was the defendant John F. Donlon? A Yes, the defendant.

Q Refer to him in your testimony under that name.

A He asked me what price room I wanted, two or two and a half or three. I told him I thought the rooms were a dollar. He said, "Well, they are not a dollar; they are two dollars, the smallest I've got." So I signed the register then as "Henry C. Jessup and wife, N. Y. C.", and was assigned to room 41.

Q At that time, officer, where did the woman stand that was with you? A The woman stood about three feet, in full view of the clerk, just to my left.

Q To your left? A Just about three feet to my left.

Q Yes. A We were then shown by a colored porter -- I paid the clerk the sum of \$2 for a room and he gave the key to a porter and we were shown up another flight of stairs to room 41.

Q Yes. Then what took place? A The woman then asked for some drinks, which she ordered, a bottle of beer, and then the woman asked for a pack of cigarettes, which the same porter brought to us and charged the sum of 25 cents a bottle for beer and 30 cents for the cigarettes. This woman then asked me \$2 more, said, "Give me \$2 more and I will" --

Q Just state what she said. It may be indelicate, but state the facts? A She said she would give, if I would give

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her \$2 more, she would give me what is called a Spanish screw. I told her I did not want anything of that sort. After a lot of arguing she took off her hat, removed her hat, skirt and gloves, coat and laid on the bed and invited me to have sexual intercourse with her.

Q Disclose her private parts to you at that time and place? A Yes, sir.

Q What happened after that? A After that we left the room, the woman taking charge of the key.

Q About what time? A That was 12:15, or about that time.

Q Where did you go? A The woman took charge of the key and we came downstairs to the clerk and she took the key over to the clerk and bid me good night.

Q When you say the clerk, do you mean the defendant Donlon? A The defendant Donlon.

Q She handed the key to him and walked out? A Yes, and she stayed on the premises and bid me good night at the head of the stairs and I went downstairs into the street.

Q Did you see her after that? A Yes, the woman remained in the premises fifteen minutes. She came out and walked east on 40th street towards Seventh avenue; then walked north on Seventh avenue to 41st street, where she met some man and stood in conversation with her there for a minute or two; then continued on her way up toward 42nd street, on Seventh avenue,

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where she stopped officer Hughes, between 42nd and 41st street. They stood there talked for a minute or so and then continued down the avenue toward 40th street.

Q Officer Hughes was your side partner? A Yes, sir.

Q In gathering evidence against this place? A Yes, they turned east on 40th street and entered the Criterion Hotel. I did not see officer Hughes until about twenty-five minutes after that.

Q That was about what time? A When he came out of the hotel?

Q What time did he enter? A Well, that was about ten minutes after I came out, may be possibly fifteen.

Q Have you heard the character and reputation of this place discussed? A I heard the character of the Criterion, although I have never been in there before until this time. It is known as a bed house up there, and it is known that if anybody goes into this place, they will tell you not to go near it; the general reputation is bad, but personally I do not know anything against it.

Q Did you see officer Hughes come out again? A Yes, sir.

Q How long after? A About 25 minutes after.

Q Was he accompanied by any person? A Well, there was a number came out with him. I don't know whether the woman came out with him at that time or not. During the time

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though that I was standing I see women going in and coming out of the place unaccompanied and women going in there with men.

Q Did you see any women in the place unaccompanied?

A Yes, I did while I was going downstairs; I see a number of men walking downstairs.

Q What part of the premises? A On the lower floor, just before you go up to the office.

Q In a sort of parlor? A I believe it was. Officer Hughes told me --

Q Never mind what officer Hughes told you; what you saw? A Well, I saw them in the hallway; they were unaccompanied, walking around.

Q At that time of night? A Yes, sir.

Q After midnight? A Yes, sir.

BY THE FOREMAN:

Q Was that hallway in sight of the clerk? A Yes, the clerk is up at the head of the stairs. He can see down there.

Q He saw these women walking down there? A Yes, sir.

Q When you came in with the woman was anything said as to who she was? A No, sir, nothing was said.

Q You signed your name as man and wife? A Yes, sir.

Q Nothing was said by you or by the clerk as to who she was? A No, sir.

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Q Did the clerk see her as the woman that came in with you? A Yes, sir.

Q No question about that? A No question about that.

Q You made the arrest in this case? A On the Criterion, no, sir. Officer Hughes did.

OFFICER EDWARD J. HUGHES, a witness being duly sworn by the Foreman, testified as follows:

BY MR. WHITESIDE:

Q What is your full name? A Edward J. Hughes.

Q You are a police officer attached to the Detective Bureau, Police Department of this city? A Yes, sir.

Q On the 30th day of April, were you in the company of the previous witness, officer Jessup? A Yes.

Q On that evening did you see Officer Jessup go into the Criterion Hotel, City and County of New York? A Yes, sir.

Q At about what time? A At about 11:50.

Q Keep your voice up. Was there any person with him at that time? A With a woman, an unknown woman.

Q Did you see him before he met this woman? A Yes, sir.

Q Did you see him in conversation with the woman?

A Yes, sir.

Q Then saw him take her to the Criterion Hotel?

A Yes, sir.

Q What did you do after he went in? A Went to the

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Corner of Seventh avenue, and 40th street, and waited until they came out of the hotel.

Q Did you see officer Jessup come out? A Yes, sir.

Q See the woman come out? A Yes, sir, they came out together.

Q Did you have any conversation with the woman after that? A After she left officer Jessup she went up Seventh avenue and she met another man and stood at the corner of 41st street talking to him. I walked up past her and walked as far as 42nd street and come back again. When I got back to 41st street this woman came over and got hold of me by the arm and asked me if I did not want to have a good time. I asked her what would it cost, and she told me it would cost \$5 for her and I could get a room from a dollar up.

Q Did she state where you could get a room? A I asked her, "Where do you go?" She said, "Right around the corner to a hotel." I said, "Don't you think the price is kind of steep?" And she told me, "No." She said, "All the girls charge the same thing around here." "Well," I said, "all right," and she took my arm and led me around to the Criterion Hotel.

Q What took place then? A We went upstairs in the Criterion Hotel into the office. The clerk pushed the register over to me and handed me a pen.

Q When you speak of a clerk do you mean the defendant,

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John F. Donlon? A John F. Donlon. And he handed me a pen and I signed the register, "E. J. Hughes and wife."

Q Where was the woman standing at that time, officer?

A The woman was standing right alongside of me.

Q In full view of the clerk? A In full view. I then asked him how much -- no, he asked me what price room I wanted, two, two and a half, three or five dollars. I told him a two dollar room would do. I gave him the \$2 and he handed the colored porter a key and told us to go with the colored porter.

Q Did he ~~ask~~ direct you to any particular room? A He did not direct me to any room. He gave the key to the porter and told me to go with the porter and we went up another flight of stairs and went to room 37, I think. I am not positive of the number of the room now, we have made so many of them.

Q Can you refresh your recollection from looking at the affidavit you signed on the 18th day of May as to the number of the room? A Yes, sir.

Q I show you your affidavit, E. J. Hughes, is that your signature? A Yes, sir.

Q And indicate to you on page 2 in the middle of the page? A Room 37.

Q What took place in the room? A We got the room 37. The porter asked me if we wanted to have anything to drink. I asked the woman if she would have a drink. She said yes. I said, "I will have a glass of beer." The porter said, "You

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can only get bottled beer." I said, "I will have a bottle of beer," and the woman said she would have a bottle of beer. She asked me if I would also buy her a pack of cigarettes. I told her yes. The porter then went out and he brought back the drinks, two bottles of beer and a package of cigarettes; told me they cost 75 cents; 25 cents a bottle for the beer and 25 cents for the cigarettes. He then went out and the woman closed the door and locked it, and she turned around to me and said, "Now, why don't you give me a couple of dollars more and I will give you a good Spanish screw." I said, "No, I don't want to spend any more money. I have to work too hard for my money." "Well," she said, "that will never break you." I said, "It may break me." She tried her best to get more out of me. I would not give it to her. At last she said, "All right, give me the money." I gave her \$5 and I then asked her, "What is a Spanish screw?" She said, "Why you get on a chair and I get over you." She then took some of her clothes off and lifted the rest of her clothes up, lay on the bed and exposed her private parts and invited me to have sexual intercourse with her. We then got ready to go out of the room. We went through the hall downstairs, she taking the key of the room with her and we walked downstairs. She went over to the clerk and handed him the key.

Q That is the defendant Donlon? A To the defendant Donlon; handed him the key and I waited for her and she come

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over to me and said, "You can go right out this way. I am not going out yet." She said, "Don't forget to come around and see me again." She then went into a room right -- the office is like here and over here is a room with a portiere on it and I noticed there were a number of other girls in the room as I came downstairs.

Q That was about what time in ~~gick~~ the night? A That time I was going out?

Q Yes. A That was close on to one o'clock.

Q These women that you saw in this room, were they unaccompanied by any men, would you know? A There were no men in the room. Some were smoking cigarettes and lounging around the room. I see two or three come in together and go into these rooms and other girls left there and go out. She told me, "I am not going to leave the place; I am going to stay here a while." She went in the room and I went out and went to the corner of Seventh avenue and met officer Jessup.

Q You have heard the reputation and character of this hotel before, have you? A Yes, sir.

Q What is its reputation and character? A As a disorderly house and always has been, to my knowledge.

BY THE FOREMAN:

Q For how long a time, officer? How long have you known this has had this reputation? A Five years to my knowledge.

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Q Did you make the arrest in this case? A Yes, sir.

Q Did you have any conversation with the defendant Donlon when you made the arrest? A Yes, sir.

Q Concerning the matters that are now before the jury?
A Yes, sir.

Q State it? A I also had a conversation with the man who I think is the proprietor.

Q Was that in the presence of the defendant? A In the presence of the defendant.

Q One minute before you go on with that. This person that you say you think is the proprietor, do you know his name? A I believe his name is Muller. He is a large man that wears glasses and black mustache.

Q Have you any knowledge as to whether he is the proprietor? A No, not to my knowledge.

Q And the conversation that you had with this person that you understand is the proprietor was in the presence of the defendant? A Yes, sir.

Q State to the Grand Jury the conversation you had with the defendant and also with the man you have mentioned, in the presence of the defendant? A I looked around for the register that I had signed on the night before that I had been in there. The register I got there was dated May 18th. It was only for the day before, and I asked him where was the register that was used for the last three weeks. He said,

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"They got it in Headquarters." He said, "Two of the Commissioner's men collared us here two or three nights ago and took the register with them." He said "they had me wrong. They took me in. They ain't got me right." I said to the defendant, "Well, you don't need to worry about me having you wrong. I have got you right." He said, "I know you have."

BY THE FOREMAN:

Q This man you were talking to was the defendant?

A Yes, sir, both of them. I was talking to him and the boss. It was the boss that said the other policeman had him wrong, and I turned around to the defendant and said, "You do not need to worry about me having you wrong. I have you right."

BY MR. WHITESIDE:

Q When you say the other policeman, you don't mean officer Jessup? A No, sir.

Q It was in another case, that is not before the Grand Jury? A There was two other policemen made an arrest there for a disorderly house the early part of the last week, two or three nights before we did.

BY THE FOREMAN:

Q Where did this conversation take place? A The night I made the arrest.

Q When was that? A 12:30, the 20th day of May.

Q Not at the time you visited the house with this woman?

A No, sir, not at that time.

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BY A JUROR:

Q Has this place been raided by you?

MR. WHITESIDE: An arrest was made shortly before, but after the time the evidence was gathered by these officers.

A JUROR: There is a slight discrepancy between the testimony of the two witnesses. It may not be important. The officer here testified that he saw the preceding officer come out with this woman on the night when the two were together. The other officer testified that the woman stayed in the room and did not go out.

BY MR. WHITESIDE:

Q Do you recall the circumstances of Officer Jessup's leaving the premises? A Yes.

Q Whether it was in company with this woman or whether he came out by himself? A In company with the woman.

Q Positive about that? A positive, walked to the corner of Seventh avenue and 40th street with her and parted. She going up Seventh avenue and he crossing to the corner where I was.

OFFICER LAWRENCE J. BEINE, being duly sworn by the Foreman, testified as follows:

BY MR. WHITESIDE:

Q What is your full name, officer? A Lawrence J. Beine.

Q You are a police officer attached to the Detective Bureau

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of the Police Force of this city? A Yes, sir.

Q On the 3rd day of May did you visit the premises known as the Criterion Hotel in this city and county? A I did.

Q Will you state the circumstances of that visit. Before doing so I will ask you if at that time you saw the defendant John F. Donlon in the hotel? A I did.

Q State the circumstances of your visit to the hotel and the transactions with this defendant? A Well, it was about 10:30 p.m., and when I was stopped by an unknown woman on the corner of 41st street and Seventh avenue. She asked me if I would like to have a good time. I said, "It all depends on how much it costs." "Well," she said, "it will cost \$5 for me." So I said, "All right, where will you go?" She said, "To the Criterion Hotel." She brought me to the Criterion Hotel and went one up flight of stairs to the register and the clerk asked me what kind of room would I have, two, two and a half -- I said, "A two dollar room will be enough." I am paying her five."

Q You mean the defendant, the clerk? A No, paying the woman.

Q When you refer to the clerk you mean the defendant Donlon? A To the clerk, yes. The clerk is Donlon.

BY A JUROR:

Q Did he say before the clerk he was paying the woman five?

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MR. WHITESIDE: Repeat that.

A The clerk asked me if I wanted a two or two dollar and a half room. I said, "Two dollars is enough, as I am paying her five," meaning the woman.

BY THE FOREMAN:

Q Was she standing right there by you? A She was standing by me.

Q You said this to the clerk and she heard you?

A Yes, sir.

BY MR. WHITESIDE:

Q In full view of the clerk at the time? A Yes, sir. He looked out at us through the window and I gave him a \$10 bill and he gave me \$8 change and I was assigned to room 81 on the seventh floor. We went up on the elevator in the room. I ordered a couple of bottles of beer. The colored boy brought them. He went out and shut the door in the room. She demanded \$5. I paid her \$5 and she took off her hat and coat and skirt and she said, "Why don't you give me \$10 and I will take off all my things; I will strip for you." "Well," I said, "I don't care whether you do or not. That is all I am going to give you, is \$5," so she then laid on the bed and lifted up her petticoat and exposed her private parts and invited me to have sexual intercourse with her, and I declined, and when we came down in the elevator, she said,

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"You can go right out," and she stayed in there.

Q She stayed in? A Yes. I went over to where officer Fink was standing and saw my partner. He was standing on the southwest corner of Broadway and 40th street and I went over to him and she come out a couple of minutes after I did and she went down Seventh avenue and she walked south, went down as far as 39th street, and when she come back again she stopped officer Fink on the corner of 40th street and Seventh avenue.

Q Did you see what happened? A They then went to the Criterion Hotel.

Q The same hotel? A The same hotel.

BY THE FOREMAN:

Q You said you left the woman in the hotel; whereabouts in the hotel? A Why, right at the head of the stairs where the register, the clerk's room, is.

Q You left her inside of the clerk's room? A No, sir, outside of the clerk's room.

Q In a hallway? A Yes, sir.

Q Were there other people there? A Well, there was a man standing there.

BY MR. WHITESIDE:

Q Did you see any other women in the hotel in any of the rooms near the clerk's office? A Yes, sir.

Q Unaccompanied? A Unaccompanied, when I went in.

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Q You saw other women there? A Yes, sir.

Q Did you see any go in or go out while you were coming in or going out? A When I went in there were a couple of other women came in there.

Q Men with them, or together? A Two came in together and then two came in with two men.

Q Did you see where the two that came in unaccompanied went? A I think they went to a room on the left of the clerk's room.

Q Did you see anything take place there on the part of these women in that room? A No.

Q Have you known these premises for some time? A Yes, sir.

Q As to their character? A Yes, sir.

Q Have you heard their character discussed by persons?

A I have.

Q What is the character? A Bad.

Q Known as a disorderly house? A Always known as a house for that.

BY THE FOREMAN:

Q How long have you known it had that reputation? A Well, two years.

Q How did you register? A I registered James Brown and wife, Newark.

Q Was anything said to the clerk about what the woman was

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there for? A No, sir.

BY A JUROR:

Q Have you ever been in that house before, officer?

A No, sir.

A JUROR: Is he in that precinct?

MR. WHITESIDE: No.

O F F I C E R H E N R Y C. F I N K, being duly sworn by
the foreman, testified as follows:

BY MR. WHITESIDE:

Q You are a police officer attached to the Detective
Bureau? A Yes, sir.

Q On the 3rd day of May did you visit, in city and county
of New York, a hotel known as the Criterion? A Yes, sir, I
did.

Q Did you see there the clerk, known as John F. Donlon,
this defendant? A I did.

Q Will you state to the Grand Jury the circumstances of
your visit and all the facts concerning it? A Well, about
10:40 p.m., the night of the said day, I was standing at the
south-west corner of Broadway and 40th street, and I see an un-
known woman stop Officer Biene. Thereafter they entered the said
Criterion Hotel and came out about eleven-ten p.m. Now the
unknown woman, she came out about five minutes afterwards and
she walked west on 40th street and Seventh avenue, and down

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Seventh avenue and keeping her in sight all the time, I saw she walked down as far as 39th; she remained there a few minutes and then she came back again and she stopped me at the south east corner of 40th street and Seventh avenue and she said to me, "You look lonesome; wouldn't you like to go to the hotel with me?" "Well," I said, "how much do you get?" She said, "I just had a man about half an hour ago and he gave me five dollars, and I don't think it would be right if I took anything lower." I said, "That is all right; how about a room?" She said, "You can get a room there for about two dollars." I said, "Where do you mean 'there'?" She said, "The Criterion." I said "All right." We then went into the Criterion Hotel, 143 West 40th street, walked up one flight of stairs to where the register was, and I was requested by the clerk to sign, which I did, by putting, "J. D. Evans and wife." I asked him the price of the room. He said "Two dollars." We were shown to room 60 on the fifth floor. Going there by way of the elevator.

Q Where was the woman standing at the time you registered?

A At my right a few feet.

Q In full view of the clerk? A Yes, sir.

Q Did he look in her direction? A Yes, he looked at me, and then at her. We were shown to room 60 by a colored boy. After going into the room she asked if I would mind paying her first. I said "All right," and after paying her the five dollars she lay on the bed and exposed her private

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parts to me and invited me to have sexual intercourse.

Q Did you have sexual intercourse? A No, sir, I did not, and also while in the room ordered drinks, which consisted of two bottles of beer, for which I paid the sum of fifty cents.

Q Then what happened? A Then we came downstairs by way of the same elevator and got out at the floor where the office issituated and she went up to the desk and she wsaaid, "Here, Charlie, here are the keys of room 60."

Q To the clerk, this defendant Donald? A Yes. I went out of the room and she remained in the hotel. I went out of the hotel and she remained there.

Q Did you see other women in the hotel? A I saw several of them.

Q Where were they? A In a sort of alcove arrangement to the left of the desk.

Q Have you discussednwith various persons the reputation of this house? A I have, yes.

Q And do you know what the reputation is? A Bad.

Q It is known as a house of ill repute? A It is.

Q Did orderly house? A Yes, sir.

THE FOREMAN: Your testimony is very clear and good.

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OFFICER HENRY C. JESSUP, being duly sworn
by the Foreman (against W. J. White), testified as follows:

BY MR. WHITESIDE:

Q Your full name, Officer? A Henry C. Jessup.

Q Attached to the Detective Bureau of the Police Force of New York City? A Yes, sir.

Q On the 29th day of April of this year did you visit the Hotel Parker, on the corner of 28th street and Sixth avenue? A I did.

Q Did you there see the defendant, William J. White? A I did.

Q Was he the clerk of that hotel? A He was.

Q State to the jury the circumstances surrounding your visit and the transactions you had with White? A It was about 2 a.m., in front of Moquin's restaurant on Sixth avenue, between 27th and 28th streets, and I was stopped by a woman there who asked me if I wanted to have a good time. I told her I did, and she said, -- I asked her what her price was. She said it would be three dollars for her and a dollar for the room. I asked her, I said, "Your price is kind of high," isn't it?" She said, "I am taking an awful chance with the cops around here," so I went to the Parker Hotel with her, went upstairs and the clerk told me he had no dollar room; two was the lowest he had. I signed the register as John Ryan and

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wife, New York City.

Q Where did the woman stand at that time? A The woman stood right beside me, to the right of me a little.

Q In full view of the clerk? A In full view of the clerk. The clerk had just finished talking over the telephone as I went upstairs. After I registered he turned to a man that was standing by this woman, that came in with me and said, "Those two Jews got the Workhouse. I just got it over the telephone," and the girl with me said, "Gee, I was lucky," so I called the porter and gave him our key and told him to take us to room 25, and on the way there I asked the girl, "What do you mean by you were lucky?" She said, "Well, them two girls that he told me about over the telephone there, they were hustling with me to-night on the avenue here," she said, and were arrested that night and were fined." We then got in room 25 and she ordered a drink from this porter. There were two bottles of beer and she ordered a pack of cigarettes. The beer cost twenty-five cents a bottle and the cigarettes twenty-five cents. She then asked me for two dollars more and said that she would take everything off and do a wiggle. I told her I would not give her any more and she kept arguing there, she wanted two dollars, and finally wanted a dollar. I had seventy-five cents in change and she had seen that. She said, "Give me seventy-five cents and I will take a little off." So I gave her seventy-five cents and she removed all her clothing

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but her shoes, stockings and shirt; the shirt she rolled up and started to do some sort of a wiggle there; they call it the couchee-couchee dance;" then laid on the bed and exposed her naked private parts and invited me to have sexual intercourse.

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Q Did you have sexual intercourse with her? A I did not.

Q What happened thereafter? A We left the room and came downstairs, she taking the key, and she gave the key to a porter who stood right at the desk and on the head of the stairs there she said, "Goodnight, babe, come around and see me when you are around this way again and ask for Little Mack." I left the premises and went out and went on the El. station there and met Officer Hughes and I told Hughes what had occurred. In about five minutes this woman came out, walked towards Sixth avenue and down Sixth avenue towards Mouquin's restaurant. Officer Hughes then left the El. station and walked down after her, where I see this woman stop him. They came back to 28th street and entered the hotel. They stayed in there about twenty or twenty-five minutes.

BY THE FOREMAN:

Q Did this woman stand near you at the desk when you registered? A Yes, at my left, a little to the rear.

Q In full view of the clerk? A Yes, he addressed his remarks to her.

BY MR. WHITESIDE:

Q You know the reputation of this house? A Yes, it is known as a bed house, has been for some time.

BY A JUROR:

Q Officer, you said you took her to the Parker House?

A To the Parker House.

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Q no you mean you invited her to go to the Parker House, or did she suggest the Parker House? A She said that. I asked her where to go. She said the Parker House on the corner.

Q I would like to ask the officer are these houses frequented by prostitutes only or also by respectable people?

A I have never seen anybody respectable go in there. Only just prostitutes, and they just walk up and down the avenue and when a policeman comes along they run in there.

Q There are no lodgers there? A I don't know.

BY MR. WHITESIDE:

Q The Parker is situated on Sixth avenue? A Yes, sir, 460.

Q I did not bring in at this time, but if you wish to bring it out by this witness, I can show the grossest acts of disorder occurring at those places. A Just one moment please. On that last case I made a mistake, on the criterion Hotel although I had it in my memorandum book as leaving the woman on the premises that ain't so; I went out with that woman. I made this mistake through the Parker house. It was in the Parker House I left the girl on the head of the stairs. Officer Hughes told me that. I did not notice it myself until I got outside.

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OFFICER EDWARD J. HUGHES, being duly sworn by the Foreman (against William J. White) testified as follows.

BY MR. WHITESIDE:

Q Officer Hughes, you are a police officer. Give your full name? A Edward J. Hughes.

Q You are a police officer attached to the Detective Bureau. Did you visit on the 29th day of April the Parker Hotel at the corner of sixth avenue and 28th street and there see the defendant, William J. White? A Yes, sir.

Q State to the jury the circumstances of your visit there? A At 2 A. M. on the morning in question officer Jessup and I walked up Sixth avenue, Jessup about fifty feet ahead of me. When he got in front of Mouquin's restaurant, a small woman came up and stopped him and they spoke for a moment or so. Then I waited. The two of them I watched leave there and go around the corner and go in the entrance on the 28th street side of the Parker house.

Q Did you see that same woman later? A Yes, sir.

Q Did you go with her to the Parker Hotel? A Yes, sir.

Q Did you take her before the clerk, the defendant here?

A Yes, sir.

Q Did you register in his presence? A Yes, sir.

Q What did you register as? A E. J. Hughes and wife.

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Q Did you have any conversation with the clerk at that time?

A I did.

Q What was it? A After I had paid him for the room I started to leave the desk to go upstairs with this girl and I come back to him again and said, "Here, change this for me, so I can pay this one." He said "What do you want change of, five?" I said "Yes." He gave me five one dollar bills, for my five dollar bill.

Q Who took you to the room? A A colored boy.

Q What did the woman do? A We had to go up a flight of stairs to go to the room, room 32; at the head of the stairs, we walked upstairs, we had to wait in the hall; there was a colored woman making the bed in the room, the bed had not been made; it was not ready. While we were waiting for her to make the bed the girl said to me, "Stake her to a nickle for luck." I did not have a nickle, but I gave her ten cents. When she came out of the room she said "Thank you. I wish you luck."

Q This woman you took into the place, she exposed her private parts? A After we went in the room she asked me to give her some more money and she would take all her clothes off and do a Salome dance. She kept me at it so long she got seventy-five cents and she took off everything but her shoes, stockings and shirt. She did some wiggling and told

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me it was a Salome dance. She got in the bed and exposed herself and invited me to have sexual intercourse with her.

Q This was the same woman Officer Jessup took in?

A Yes, sir, and she did not leave the premises with me. She bid me goodnight at the head of the stairs.

Q Who returned the key to the clerk? A She did.

Q The same clerk, White, was there? A Yes, sir.

BY THE FOREMAN:

Q Did the clerk see you when you came in there?

A Yes, sir.

Q In full view of the clerk? A Yes, sir.

BY A JUROR:

Q Did you see any other women in the house? A Yes, sir, see women coming in and going out.

BY MR. WHITESIDE:

Q You know the reputation of this house? A Yes, sir.

Q Is it good or bad? A Very bad.

Q For how long have you known it? A Well, the same length, about five years to my knowledge.

Q It is notorious? A Notorious.

OFFICER LAWRENCE J. BEINE, being duly sworn
by the Foreman, (against William J. White) testified as
follows:

BY MR. WHITESIDE:

Q Give your full name? A Lawrence J. Beine.

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Q As a police officer attached to Headquarters, did you on the 30th day of April visit the Parker Hotel on the southeast corner of 28th street and Sixth avenue in this city and county? A Yes, sir, I did.

Q Did you there see the defendant, William J. White, the clerk of that hotel? A Yes, sir.

Q Will you state whether you entered those premises with a woman? A I did.

Q Were you first solicited by this woman on the street? A I was.

Q Did you bring the woman before this clerk White? A I did.

Q Was she in full view of him? A She was.

Q Did you have a conversation with White in her presence? A Yes, sir.

Q What was it? A I asked the clerk White for a dollar room. He said the rooms are a dollar and a half and two dollars. "Well" I said "all right, give me a dollar and a half room" but I said "When she asked me to come up here she said the room would only cost a dollar."

Q What did he say to that? A He didn't say nothing to that. I paid him for the room then.

Q Did you register there? A Yes, I did.

Q How? A John Brown & wife.

Q Take the woman up to the room? A I did.

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Q Did she expose her person there? A She did.

Q Her private parts? A Yes, sir.

Q Invited you to have sexual intercourse with her?

A She did.

Q You did not have sexual intercourse with her?

A I did not.

Q Did you leave the premises with this woman? A No.

Q Passed the clerk's desk? A Well, I did not.

Q Going out? A Well, the clerk had seen me going up and left the woman standing up a few feet from the Clerk's desk and she said, "You can go right down. When you are around this way again, look for me."

Q Who returned the key to the clerk? A Well, I don't know. The woman had the key when I left.

Q What time was this? A I left about 10:50.

Q Did you see that woman again after you left?

A I did.

Q Where? A I saw her coming out and I saw her go in with another man.

Q With another man? A Yes, sir.

Q Do you know who the man was? A I don't know who the man was.

Q That was shortly after you left? A Yes sir.

Q Did you see her after that? A I saw her after that .

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She solicited Finke at the corner of 27th street and Sixth avenue.

Q Did you see him enter the hotel with her? A Yes, sir.

Q So between the time you entered the hotel with this woman and Finke entered the hotel with the woman, she had gone into the hotel with another man? A Yes, sir.

OFFICER HENRY C. FINK, being duly sworn by the Foreman, testified as follows. (Against William J. WHITE.)
BY MR. WHITESIDE:

Q Your full name, officer A Henry C. Fink.

Q On the 30th day of April of this year did you visit the premises as a police officer, attached to the Detective Bureau, the premises known as the Parker Hotel on the southeast corner of 28th street and Sixth avenue?

A I did.

Q Did you there see the defendant William J. White, the clerk of the hotel? A Yes.

Q Before visiting those premises did you see Officer Beine enter the premises with the woman?

A Yes, sir.

Q When you visited the premises did you have in your company this same woman Officer Beine went in with?

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A Yes, sir.

Q Between the time Officer Beine went in and you went in the premises, did you see this woman solicit another man? A Yes.

Q Did you see her take the man into the hotel? A Yes, sir.

Q Was the woman and yourself in full view of the defendant White when you appeared at the clerk's desk? A We were.

Q Were you asked to register? A Yes, sir.

Q Did you register? A I did.

Q How did you register? A James E. Evans and wife.

Q Where was the woman standing at the time? A To my left, in back of me.

Q In full view of the clerk? A Yes, sir.

Q Was he looking in her direction? A He was.

Q Who showed you to the room, if anybody? A The clerk.

Q What did he say? A He said, "What price room do you want", and I said, "I would like to have a room for a dollar."

He said "We have no dollar rooms." I said "The woman I have here, she told me to get a room for a dollar", and he then made the remark in substance, "She had no right to say that; she knows better than that", and then finding I could not get a room for a dollar I paid him \$2 for the room.

Q When you left the premises, did you go upstairs? A yes.

Q Did the woman expose her person there? A Yes, sir.

Q And invite you to have sexual intercourse with her?

A Yes, sir.

Q Did you have sexual intercourse? A No, sir.

Q Who brought the key down? A The woman brought it down.

Q Do you know what she did with it? A I don't know.

Q Did she stay in the hotel? A She stayed in the hotel when I came out first.

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OFFICER LAWRENCE J. BEINE, being duly sworn by the Foreman, (against James Connaughton), testified as follows:

BY MR. WHITESIDE:

Q You are Lawrence J. Beine? A Yes, sir.

Q A police officer attached to the Detective Bureau?

A Yes, sir.

Q Did you visit the premises known as the Hotel Gainsborough, in the city and county of New York on the 29th day of April? A I did.

Q At that time were you accompanied by a woman? A I was.

Q Did you bring the woman before the clerk, James Connaughton? A I did.

Q Did you have a conversation with the clerk at that time and place? A Yes, sir.

Q What was it? A When I went in he asked me would I have a two dollar or a two dollar and a half room. I said, "I want a dollar room." He said, "I haven't any dollar room." I said, "This girl when she asked me in to have a good time, she said the room would only cost a dollar." He said, "The dollar rooms are all let." I said, "All right, let me have a two dollar room."

Q Where is the hotel? A The hotel is 159 West 34th

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street.

Q Did you accompany this woman to a room? A I did.

Q Did she expose her person for the purpose of prostitution? A Yes, sir.

Q When you left did she pass the clerk, the defendant Connaughton? A She stayed in there.

Q She stayed in the hotel? A Yes, sir.

Q Who brought the keys down from the room? A She did.

Q Do you know what she did with those? A I don't know what she did with them.

Q Did you see this woman accompany Officer Fink later?

A Why, she was in with Officer Fink before I was.

Q Before you were? A Yes, sir.

Q Did you see her go in with Officer Fink? A Yes, sir.

Q And after she left with Officer Fink you were solicited by her and went to the hotel? A Yes, sir.

BY THE FOREMAN:

Q Did you register, Officer? A Yes, sir.

Q How did you register? A Well, I will have to consult the memorandum to see how I registered, "Frank Smith and wife."

BY MR. WHITESIDE:

Q How did you register? A "Frank Smith and wife."

BY A JUROR:

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Q Did you solicit the woman or this woman solicit you?

A This woman solicited me.

BY THE FOREMAN:

Q How did you register? A "Frank Smith and wife."

Q Was the woman in full view of the clerk? A Yes, sir.

Q One of the Grand Jurors wishes this question put. When you declined to have--when the woman had invited you to have intercourse with her, you declined? A Yes, sir.

Q What did she say? A She said "Why?" I said, "I have been working to-night. I do not think I would be able to do anything."

Q Did that satisfy her? A Yes, sir.

Q Did she press the matter at all? A No, she did not press the matter.

Q You had already paid the money? A I had paid her, yes.

O F F I C E R H E N R Y C. F I N K, being duly sworn by the Foreman, (against James Connaughton), testified as follows:

BY MR. WHITESIDE:

Q Now, your name is Henry C. Fink? A Yes, sir.

Q On the 29th of April did you accompany a woman to the

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Hotel Gainsborough in West 34th street, city and county of New York? A I did. 450

Q Did you see that woman in company with Officer Beine, any time before you entered the hotel? A Not before I entered the hotel but after I came out.

Q After you came out? A Yes, sir.

Q Well, who entered the hotel first, you or Beine?

A I did.

Q With this woman? A I did.

Q You entered the hotel first? A Yes, sir.

Q Did you see the defendant Connaughton, the clerk at the desk? A Yes, sir.

Q Was the woman with you at the time you were before him?

A She was standing right on the threshold there.

Q Within full view of Connaughton? A Yes, sir.

Q What did you say to the clerk and what did he say to you? A Well, I was requested to sign, which I did by writing, "J. Evans and wife," and paid him the sum of two dollars for a room. Before leaving the desk I said, "I would like to leave my watch with you for safe keeping, because I do not know this woman." He said, "You are all right; she is safe." We were then assigned to room No. 5 on the second floor.

Q She exposed her person and invited you to have sexual intercourse? A She did.

Q Did you leave the room with her? A Yes, sir, came

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downstairs. She brought the keys down and I went out and she remained in the hotel.

Q Did you see her after that? A Yes, she came out I should judge ten minutes after.

Q Then she did what? A She walked to Seventh avenue around on the other side of Seventh avenue, sat in a restaurant for twenty minutes. She came out of there and went to-
and east
wards 35th street/to Broadway, and down Broadway to 34th street. I continued walking up and down on 34th street in front of Macy's, where I saw her stop Officer Beine and the two proceeded up into the hotel.

OFFICER HENRY C. JESSUP, being duly sworn by the Foreman, testified as follows, (against James Connaughton):

BY MR. WHITESIDE:

Q On the 29th of April, did you visit the Gainsborough Hotel, 107 West 34th street in this city and county? A On the 30th day of April.

Q On the 30th? A On the 30th, between 12 and 1 A.M.

Q What time? A At 12 or 1 A. M.

Q Did you see the defendant Connaughton? A Yes, I did.

Q It was just after midnight of the 29th? A Yes, sir.

Q You started out on the 29th? A 29th.

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Q Did you take the woman to the hotel? A I did. 452

Q Did you bring her before the clerk Connaughton?

A The woman directed me into this room off the left of the hotel. She said, "Go in there; that is the hotel office." She stood directly in the door. The clerk could see her.

Q How far from the clerk? A I should imagine about five feet probably.

Q Was the clerk looking in her direction? A Yes, he was talking to a man that claimed to be the bellboy that showed me up to the room.

Q She was within full view of him? A She was.

Q Did you register? A Yes.

Q How? A As John Ryan and wife.

Q What conversation did you have with the clerk at the time you registered? A The clerk asked me what room I would have, two, two and a half or three? A I said, "The woman said the rooms were a dollar." He said, "Two dollars is the lowest I have got."

Q Then you registered? A Yes, sir.

Q Did you accompany the woman to the room? A Yes, sir, room 4.

Q She exposed her private parts in that room? A Yes, sir.

Q Invited you to have sexual intercourse with her?
A Yes, sir.

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Q Did you leave the hotel after that? A Yes, the woman stayed on the premises. She said to me, "Good night, come and see me again some time."

Q Did you see the woman again after that? A She came out of the hotel about five minutes after and stopped Officer Hughes some time after.

Q Did you see her enter the hotel with Officer Hughes?

A With Officer Hughes, yes, sir, I did.

BY THE FOREMAN:

Q You paid her money in the room? A Yes, sir, I paid her the sum of three dollars.

OFFICER EDWARD J. HUGHES, being duly sworn by the Foreman (against James Connaughton), testified as follows:

BY MR. WHITESIDE:

Q On about shortly after midnight, the morning of the 30th day of April, did you see Officer Jessup go into the Hotel Gainsborough? A Yes, sir.

Q With a woman? A Yes, sir.

Q You accompanied the same woman subsequently into the hotel? A Yes, sir.

Q Did you appear before the clerk, the defendant Connaughton? A Yes, sir.

Q Did you register there? A Yes, sir.

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Q The woman at the time was in full view of the clerk?

A Yes, sir.

Q Didn't you have a conversation at the time you registered? A I had no conversation only on the price of the room.

Q State it? A I asked him what was the price of a room. No, he asked me what price room I wanted, two, three or five. I said, "I thought had one dollar." He said, "We have none empty."

Q Well, did you sign the register? A I signed the register, "E. J. Hughes and wife."

Q What then happened? A She gave the key to a porter, a white porter. He brought us through the hall onto the elevator and up one flight of stairs, to the rear of the other hall, and brought us into room 7, and asked us if we wanted anything to drink. I said, "Yes, I will have beer." And he said, "A bottle of beer?" She said, yes, she would have a bottle of beer, and she ~~was~~ also asked for a pack of cigarettes.

Q That place has no liquor tax certificate? A Not that I know of.

Q The beer was served to you there? A Yes, sir.

Q When you left the premises who took charge of the key? A The girl took the key downstairs and brought it to the clerk's office. She was standing in the office, and said,

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"Good bye, sweetheart, don't forget to see me, again." She stayed there and I went out.

BY THE FOREMAN:

Q You paid her money for her services or proffer of services? A Yes, sir.

Q How much money did you pay her? A Thr ee dollars.

Q Did she say anything when you declined?

A JUROR: Was she surprised.

A Yes, she was. I told her I thought I wanted nookey, but I could not do anything now.

BY A JUROR:

Q Did you pay for the beer? A Yes, 25 cents a bottle for the beer and 25 cents for the cigarettes.

O F F I C E R E D W A R D J. H U G H E S, being duly sworn by the Foreman (against John Kirkwood), testified as follows:

BY MR. WHITESIDE:

Q You are Edward J. Hughes? A Yes, sir.

Q As a police officer on the 8th day of May, did you visit the Morningside Hotel, at the corner of 115th street and Eighth avenue in this city and county? A Yes, sir.

Q At that time were you accompanied by a woman? A Yes, sir.

Q Did you see there the defendant Kirkwood, a clerk in

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that hotel? A Yes, sir.

Q Was the woman standing in full view of the defendant at the time you were before him? A Yes, sir.

Q Did you say anything to him or he to you? A He asked me what priced room I wanted. I told him a dollar room would do. He said, "We have no dollar rooms. Two dollars is the cheapest." I gave him two dollars and he gave me in return a key with a tag on it, a brass tag, stamp No. 3, and also marked the price of the room and the number of the room on this piece of yellow paper on the pad. We went upstairs. At the head of the stairs we were met by a maid, and I handed her the key and she asked me for the check, to give her the check and she brought us to room 3.

Q Did you sign the register before going up? A Yes, sir.

Q In what way? A "E. J. Hughes and wife."

Q Did the woman expose her private parts and invite you to have sexual intercourse in the room? A Yes, sir, after I had paid her. She demanded the money first.

Q How much did you pay her? A Three dollars.

Q Did you see that woman subsequently with Officer Jessup? A Yes, sir.

Q See Officer Jessup accompany her to the same hotel?
A Yes, sir.

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Q How long after you left the girl was it that happened?

A Five minutes.

BY THE FOREMAN:

Q Did you register? A Yes, sir.

Q How? A "E. J. Hughes and wife."

Q Was the woman in sight of the clerk? A She stood alongside of me when I registered.

BY MR. WHITESIDE:

Q Know the reputation of this place? A Yes, sir.

Q What is it? A The same as the others, disorderly houses, that have woman working for them.

Q You were in those premises subsequently to that in the early hours of the morning? A I was not, but Officer Jessup was.

OFFICER HENRY C. JESSUP, being duly sworn by the Foreman (against John Kirkwood), testified as follows:

BY MR. WHITESIDE:

Q Henry C. Jessup? A Yes, sir.

Q As a police officer on the 8th day of May, did you go to the premises known as the Morningside Hotel and there see the defendant John Kirkwood? A I did.

Q Before entering the hotel did you see Officer Hughes

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accompany a woman to the hotel? A Yes, sir, I did.

Q Did you accompany the same woman a short time after she left the premises, to the same hotel? A Yes, sir.

Q Did you see the defendant there when you registered? A Yes, sir.

Q How did you register? A I registered as "Edward Owens and wife."

Q Was the woman in full view of the defendant John Kirkwood at that time? A Yes, sir.

Q Did you have any conversation with the defendant Kirkwood at that time? A No, sir.

Q Was anything said about the price of the room? A Yes, sir. He told me, "What price room do you want?" He said, "Two, two and a half or three." So I got a three dollar room.

Q The woman accompanied you to a room in the hotel? A Yes, sir, No. 3.

Q She exposed her private parts for prostitution? A Yes, sir.

Q Did you pay her money? A Three dollars.

Q Did you leave the premises shortly after that? A I did, yes, sir.

Q Did she leave with you or stay? A She came out with me.

Q Did she say anything to the clerk? A She brought the key down and handed it to the clerk who looked out of the

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opening; there is a little opening, and it is next to the bar-room of this hotel.

BY THE FOREMAN:

Q The clerk could see the woman when she came in the room? A Yes, he looks at you before he lets you register.

OFFICER LAWRENCE J. BEINE, being duly sworn by the Foreman, (against John Kirkwood), testified as follows:

BY MR. WHITESIDE:

Q On the 15th day of May, Officer Beine, as a police officer, did you go to the Morningside Hotel and there see the defendant, John Kirkwood? A I did.

Q Did you accompany a woman to that hotel at that time? A I did.

Q Bring her before this clerk? A I did.

Q She was not your wife? A She was not.

Q A prostitute? A Prostitute.

Q Did you register before the clerk? A I did.

Q Did you have any conversation with the clerk at the time of registering? A Before the I registered the clerk asked me what kind of room did I want. I said "A dollar room is good enough. I am paying her three," so he handed me the register and I signed, "Lawrence J. Brown and wife."

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Q Did you accompany the woman to the room that was assigned to you by this clerk? A I did.

Q She there exposed her private parts and invited you to have sexual intercourse? A She did.

Q Did you leave the premises shortly after that? A I did.

Q Did you see the woman solicit Officer Fink? A Yes, sir.

Q How long after you left did she solicit him? A Five or ten minutes.

Q Did she leave before you? A We went out together.

Q Who took the key? A She did. She handed the key in to the clerk.

BY THE FOREMAN:

Q Did you pay the woman for her proffer of services?

A Yes, sir.

Q How much? A Three dollars.

Q The clerk was up at the desk when you registered?

A Yes, sir, saw her.

BY A JUROR:

Q Are these women in the employ of the hotel, to your knowledge? A I don't know.

Q There are some other women doing that besides them?

A Well, I don't know whether there is any other women go there.

Q Did you see other women in the place? A Yes, sir.

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Q Unaccompanied? A With men.

Q With men? A Yes, sir.

Q Did you see any other women soliciting in that neighborhood besides this woman? A Yes, sir.

BY MR. WHITESIDE:

Q Do you know the character of this place? A Yes, sir.

Q Heard it discussed? A Yes, sir.

Q What was its reputation? A Bad.

Q Had a reputation of being a house of ill-repute and assignation? A Yes, sir, I know that place for six years, five or six years.

Q Always the same reputation? A Yes, sir.

OFFICER HENRY C. FINK, being duly sworn

by the Foreman (against John Kirkwood), testified as follows:

BY MR. WHITESIDE:

Q Officer, on the 15th day of May, as a police officer, did you visit the Morningside Hotel at 115th street and Eighth avenue, in this county? A Yes, sir.

Q See the defendant there, John Kirkwood? A I did.

Q Before entering did you see Officer Beine accompanied by some woman, enter the premises? A Yes, sir.

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Q Did you accompany the same woman subsequently to the premises? A The same woman.

Q It was not your wife? A No, sir.

Q Did you register before the defendant? A Yes, sir.

Q How? A "James E. Evans and wife."

Q Did he have a conversation with you concerning a room there? A He asked me what price room I wanted. I said, "I would like to have a dollar room." He said, "The lowest we have is a dollar and a half." I said, "This woman said I can get a room for a dollar." He said, "We have no dollar room." I had to pay a dollar and a half. I gave him a five dollar bill. He gave me a two dollar bill, a one dollar bill and fifty cents in change.

Q You accompanied the woman to the room for the purpose of prostitution? A Yes, sir.

Q She exposed herself? A Yes, sir.

Q You paid her? A Yes, sir, three dollars.

Q Who brought the key down when you left? A The woman.

OFFICER EDWARD J. HUGHES, being duly sworn by the Foreman (against Harry Douglas), testified as follows:

BY MR. WHITESIDE:

Q As a police officer on May 12th did you visit the

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Royal Hotel at the corner of 115th street and Eighth avenue in this city and county? A Yes, sir.

Q At that time you were accompanied by a woman, not your wife? A Yes, sir.

Q You registered before the defendant Douglas in that Hotel? A Yes, sir.

Q How did you register? A "E. J. Highes. and wife."

Q What did he say to you at the time? A He did not say anything to me

Q Did you ask him anything about the room? A No, sir, I did not ask him anything. I handed him a dollar bill when I registered.

Q Where was the woman standing at the time you registered? A At my side.

Q In full view of the defendant? A Yes, sir.

Q You were assigned to a room? A Yes, sir, and he sent a maid with us.

Q Where? A To room 24.

Q In that room did the woman that accompanied you expose her private parts and invite you to have sexual intercourse? A Yes.

Q Did you shortly after leave the hotel? A Yes, sir.

Q Who disposed of the key? A There was no key. We did not get any key in the hotel.

Q When you left did you pass the defendant Douglass?

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A Yes, and he watched us all the way downstairs.

Q When you got downstairs did you see Officer Jessup?

A I did.

Q Did you see Officer Jessup solicited by the same woman you accompanied? A Yes, sir.

Q Did you see Officer Jessup enter the hotel accompanied by the woman shortly after? A Yes, sir.

OFFICER C. JESSUP, being duly sworn by the Foreman (against Harry Douglass), testified as follows:

BY MR. WHITESIDE:

Q Officer Jessup, as a police officer on the 12th day of May, did you visit the Royal, 115th street and Eighth avenue? A I did.

Q Were you accompanied by a woman, a prostitute, whom you had seen shortly before that accompany Officer Hughes to the same premises? A Yes, sir.

Q Did you appear before the clerk, the defendant, Douglass, and there register? A I did.

Q How did you register? A I registered, "Henry C. Jessup and wife, N. Y. C."

Q Did you have any conversation with the clerk at the time you did so? A No conversation with the clerk.

Q Where was the woman standing at the time you registered?

A The woman stood right beside me.

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Q In full view of the clerk? A In full view of the clerk, yes, sir.

Q Was there anything about the conduct of the clerk that attracted your attention? A Yes, sir, the clerk appeared to be very nervous. I gave him a ten dollar bill and he appeared very nervous in giving the change.

Q Did you accompany the woman to the room and did she expose her person for sexual intercourse? A Yes, sir, was shown to room 26, and no key was given.

Q When you left the premises did you pass the clerk?
A Yes, sir.

Q Did he see you at that time? A Yes, sir.

BY THE FOREMAN:

Q This is the same woman you saw go in with Officer Highes? A Yes, sir.

Q You paid the woman money? A Yes, sir, paid the woman three dollars.

OFFICER HENRY C. FINK, being duly sworn by the Foreman (against Harry Douglas), testified as follows:
BY MR. WHITESIDE:

Q As a police officer on May 13th did you visit the Royal Hotel at 116th street and Eighth avenue and there see the defendant Douglass? A Yes, sir.

Q At that time were you accompanied by a woman, not you wife, a prostitute? A Yes, sir.

Q Did you appear before the clerk and thre register?
A I did.

Q How did you register? A "Henry E. Evans and wife."

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Q Was this woman in full view of the clerk when you registered? A She was.

Q Did you have any conversation with the clerk? A Yes, after I signed the name he asked what room I wanted and I said, "A dollar." I was in the act of giving him a one dollar bill. I said, "No, you had better change this five dollar bill for me, because I got to give the woman three dollars." He changed the five dollar bill and gave me four single bills in return.

Q Did he give you any key? A No, sir, no key.

Q Did he direct you to any room? A Yes, sir, he did. I can refresh my memory?

Q Well, did you go to a room? A Did go to a room in the place.

Q Did the woman expose her private parts and invite you to have sexual intercourse? A Yes, sir.

Q Did you shortly thereafter leave the hotel? A Yes, sir.

Q Did you see this woman solicit Officer Beine? A Yes, sir.

Q Did you see him enter the hotel with the woman?
A Yes, sir.

BY THE FOREMAN:

Q Did you pay this woman? A Yes, sir.

Q How much? A Three dollars.

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OFFICER LAWRENCE J. BEINE, being duly sworn by the foreman, testified as follows (against Harry Douglass)

BY MR. WHITESIDE:

Q Officer Beine, as a police officer, on the 13th day of May, did you go to the Hotel Royal and there seen the defendant Douglass? A I did.

Q At that time were you accompanied by the woman that shortly before that time you had seen accompanying Officer Fink to those premises? A I was.

Q A prostitute? A Yes, sir.

Q This woman was not your wife and appeared with you before the defendant Douglass? A Yes, sir.

Q Did you register there? A I did.

Q How did you register? A and wife.

Q Did you have a conversation with the clerk in doing so? A The clerk asked me what kind of room I wanted. I said "a dollar room."

Q The woman was in full view of the clerk at the time?
A She was.

Q Were you assigned to a room? A Yes, sir.

Q Did the woman there expose her private parts and invite you to have sexual intercourse with her? A She did.

Q Did you pay her? A Yes, three dollars.

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Q Did you leave the premises with her? A Yes, sir.

Q Did you pass the defendant Douglass in leaving?

A Yes, sir.

OFFICER LAWRENCE J. BEINE? being duly sworn by the foreman (against Richard Klauber) testified as follows:

BY MR. WHITESIDE:

Q As a police officer, did you on the 8th day of May, did you visit the Princess Hotel at the corner of 28th Street and 6th Avenue in this City and County? A Yes, sir.

Q Did you there see the defendant Richard Klauber? A Yes, sir, I did.

Q Were you at that time accompanied by a woman not your wife, a prostitute? A Yes, sir, I was.

Q Did you appear before the defendant Klauber as clerk of that hotel? A I did.

Q Did you sign your name to the register, or a name? A Signed a name.

Q What name? A "Peter Smith.Q

Q And wife? A She said to me, "add'a wife!".

Q What conversation did you have with him? A And he asked me if I wanted a dollar room. I said yes and I handed him a five dollar bill and said, "Give me some single bills, so I can pay her:"

Q Did he direct you to any room? A Yes, I was assigned

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to room 34.

Q Get any key? A Yes, we were given a key.

Q The woman was in full view of the clerk at the time?

A She was.

Q Did the woman in that room expose her private parts and invite you to have sexual intercourse with her? A She did.

Q Did you shortly thereafter leave the hotel? A Yes, sir.

Q Who disposed of the key? A I left the key in the door.

Q Did you pass this defendant Klauber in leaving? A In leaving, no, sir.

Q When you went out, did the woman accompany you?

A The woman went out before me, right before me.

Q Did you see her subsequently with Officer Fink?

A Yes, sir.

Q Did you see them enter the hotel together? A Yes, sir.

Q Do you know the reputation of the Princess Hotel?

A Yes, sir.

Q What is it? A Supposed to be a house of ill-repute.

BY THE FOREMAN:

Q Did you pay the woman? A I paid the woman three dollars.

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OFFICER HENRY C. FINK, being duly sworn by
the foreman (against Richard Klauber) testified as follows:

BY MR. WHITESIDE:

Q As a police officer, on the 8th day of May did you
see a woman accompany Officer Beine to the Princess Hotel?

A Yes, sir.

Q Did you accompany that same woman shortly thereafter
to the same hotel? A Yes, sir.

Q Did you appear before the defendant Klauber, the clerk
of that hotel, and register? A I did.

Q How did you register? A "John Barker and wife."

Q Was this woman a prostitute, not your wife? A Not my
wife, no, sir.

Q Was she in full view of this defendant at the time you
registered? A She was.

Q Did you have any conversation regarding the room?

A He asked what price room I wanted and I said a dollar. He
said, "All the rooms we have is a dollar and fifty cents,
two dollars and two and a half" I said, "This woman said I could
get one for a dollar." He said "Wait a minute, I will see if
I have one for a dollar." He then looked over the keyboard
and said, "Yes, I have one for a dollar," and I gave him a
dollar bill.

Q Did you get a key? A The key was given to the hallboy.

Q Did you go to the room with the girl? A Room 35.

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Q The woman there exposed her private parts and invited you to have sexual intercourse? A Yes.

Q Did you shortly thereafter leave the hotel? A Yes, sir, she said "You will be able to find your way out alone."

Q Did you pay the woman anything? A Three dollars.

Q Before you left? A Yes, sir.

Q And you left alone? A I left alone.

Q Did you see the defendant Klauber when you left?

A He was there at the desk when I went out.

OFFICER HENRY C. JESSUP, being duly sworn by the foreman (against Lawrence O'Keefe) testified as follows:

BY MR. WHITESIDE:

Q Officer Jessup, on May 2nd, as a police officer, did you visit the Princess Hotel on the northwest corner of 28th Street and Sixth Avenue in this City and County? A Yes, sir.

Q At that time were you accompanied by a woman, a prostitute? A Yes, sir.

Q Not your wife? A Yes, sir.

Q Did you appear before the clerk, O'Keefe, and register? A Yes, sir.

Q And how did you register? A I registered, "Henry D. Jessup and wife, N.Y.C."

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Q At that time did you have a conversation with the clerk concerning the room? A Yes, I told him I thought the rooms were one dollar and he said I thought wrong, they were two dollars.

Q Was the woman in full view of the clerk at the time? A She was.

Q Were you assigned by him to any room? A I was assigned the room 35.

Q Did you go there with the woman? A Yes, sir.

Q Did she expose her person and invite you to have sexual intercourse? A Yes, sir.

Q And did you pay her? A Yes, sir.

Q How much? A Three dollars.

Q Did she demand that money? A Yes, sir.

Q Did you leave the premises with her? A No, she went out about a minute ahead of me.

Q Did anyone take the key? A She brought the key back to the clerk.

Q And you left the premises alone? A Yes, sir.

Q Did you see subsequently that same woman solicit Officer Hughes? A I did.

Q Did you see Officer Hughes accompany her to the hotel?

A I did, but previous to her soliciting Officer Hughes, she solicited another man and went in the hotel. She was in there about fifteen minutes with the other man, then came out and solicited Officer Hughes.

Q Do you know the reputation of this house? A Yes, it is known as a bed house and a very bad house. Nothing but prostitutes go there.

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OFFICER EDWARD J. HUGHES, being duly sworn by the foreman (against Lawrence O'Keefe) testified as follows:

BY MR. WHITESIDE:

Q Officer Hughes, as a police officer, on the 2nd day of May did you visit the premises known as the Princess Hotel at the northwest corner of 28th Street and 6th Avenue in this City and County? A Yes, sir.

Q At that time did you see the defendant O'Keefe? A Yes, sir.

Q Before entering those premises did you see Officer Jessup enter the premises with a woman? A Yes, sir.

Q Did you enter the premises with the same woman? A Yes, sir. Between the time there was another man entered with the same woman, between the time Officer Jessup and I entered.

Q Were you solicited by the woman? A Yes, sir.

Q For the purpose of sexual intercourse? A Yes, sir.

Q Did you appear before O'Keefe, the clerk? A Yes, sir.

Q The woman was in full view of him at that time? A Yes, she called him out of the room. When we went there he was in a room opposite the office. She went in there and said, "Come out here and get busy."

Q Did he come? A He came out of the room and went in the office, pushed the register over to me to sign. I signed "E. J. Hughes and wife." I asked him how much.

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He said, \$2. is the cheapest you can get." I gave him \$2.

He handed the porter a key and the porter brought us to room 28.

Q Did the woman in that room expose her private parts and invite you to have sexual intercourse with her? A She did.

Q Did you pay her? A \$3.

Q She demanded the money before you paid her? A Yes, sir.

Q Did you leave the premises shortly after? A We also bought a drink in there, bought two bottles of beer and a pack of cigarettes.

Q The place has no saloon license? A No, sir.

Q Did she take the key, or you take the key? A She took the key and brought it to the desk and laid it on the register.

Q Where this defendant was? A Where the clerk was.

Q And you left the hotel? A I left the hotel.

Q Do you know the character and reputat on of this house?

A A disorderly house.

Q Know it to be such and you have discussed it with other persons and heard that opinion expressed? A Yes, sir.

(Testimony closed.)

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(PEOPLE vs. JAMES WALSH) (Case No. 116)

OFFICER TIMOTHY J. CLOONAN, being duly sworn by the foreman, testified as follows:

BY MR. WHITESIDE:

Q Give your full name, officer? A Timothy J. Cloonan.

Q To what department are you attached? A At the present time I am in the 16th Precinct, but at that time I was attached to the Second Inspection District.

Q That is on the 24th of April of this year you were attached to the Second Inspection District, coming under the direction of which inspector? A Inspector John Daly.

Q On that day, at about 12:10 A.M. did you go to the New England Hotel at No. 28 Bowery in this City and County? A Yes, sir, I did.

Q Prior to going to that hotel did you see a certain woman, a prostitute, on the Bowery and have a conversation with her? A Yes, sir.

Q What did you have to say to her and she to you? A She accosted me and asked me, said to me, "Do you want to go upstairs" and I said "where?". She said, "At the corner." and I said, "How much?" and she said, "\$1." She then lead me to this here premises, No. 28 Bowery and she opened the door of the place, the side door on Bayard Street and we ascended a flight of stairs and she led me to a room which was on the side of the hall, and which was marked "Office".

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She said, "Right here." She was ahead of me all the time. I went up to the office. I went in about half a foot in the doorway and she also went in with me, so the man said to me.

Q What man? A This here James Walsh, he was the clerk in this office, so I handed him a \$2. and he gave me a dollar and a half change, and charged me 50 cents for a room. There was a register on this desk in this room and I pointed to this going out. I said, "Don't you want me to register?" He said "No, that is all right." He said, "You should go with the girl." The girl turned around then and led me through the hall to room No. 9 and in this room was a bed covered with a rubber sheet with the clothes outside. There was also in this room a small wash stand, a wash bowl, a pitcher and an old slop pail, so she laid on the bed and she exposed herself for sexual intercourse. Before that she had asked me for \$1. and I gave it to her. After coming from that room she went out first, and going through the hall I stoppped at the office on the way out and I asked him how the rush was tonight.

Q Asked who? A I asked this James Walsh, the clerk, how the rush was, and he said, "Sort of quiet" and said, "Well, things are slow now; we have to be a little careful", so I left them and went out to the door and she crossed catercorner across the street, Bayard Street, and I walked over to another office who was waiting on the northwest corner.

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Q What is his name? A Charles Roos,--George Roos, he is not--

Q Did you see Frederick C. Fell there? A Yes, sir.

Q Did you see him in conversation with the same woman?

A No, I seen him coming down the Bowery with the same woman. I did not see them in conversation.

Q Did you see where he went with her? A Yes.

Q Where did he go? A He went in the same entrance to this hotel as I did.

Q This New England Hotel, do you know its reputation?

A Only I had been told it was a house of assignation, and I seen dozens of people at different times going in and out of that place, girls and men.

Q The girls you are familiar with, some of the prostitutes that frequent that section? A No, I am not familiar with them, only seeing them on the Bowery there.

Q See persons on the Bowery go in and out of this place, men and women? A Yes, sir.

Q Did you see other men and women in the place at the time? A I see a girl when I was going through the hallway, I was in the room at that time, she opened the door and said "This room is occupied" and she run back when she seen me in there. I seen a waiter pass through the hall which asked me if I wanted to have any drinks served to me in this room, and I said no.

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Q A juror asked if the girl that came into your room and said, "This is occupied" was she alone? A No, it appeared somebody else was in the hall. I could not see, but it seemed like it was a man.

Q The girl conducted you to the room? A Yes.

Q And the defendant said the girl would take you to the room? A Yes, sir, he said for me to go right with the girl.

OFFICER FREDERICK C. FELL, being duly sworn by the foreman, testified as follows:

BY MR. WHITESIDE:

Q Your name is Frederick C. Fell? A Yes, sir.

Q You are a police officer? A Yes, sir.

Q On the 24th of April of this year where were you attached? A Second Inspection District.

Q Acting under what inspector? A Inspector Daly.

Q On that day did you visit the premises known as the New England Hotel at 28 Bowery? A Yes, sir.

Q Did you see Officer Cloonan enter that hotel before you entered there? A Yes, sir.

Q Was there anyone with him? A There was a girl.

Q When you went into the hotel was there anyone with you? A Yes, sir.

Q Who? A The same girl that was with Officer Cloonan.

Q Will you state to this Grand Jury exactly what took

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place when you went to the hotel with that girl? A After I saw the girl come out I walked up the Bowery and I turned around ~~in front~~ and I met the same girl in front of the Atlantic Gardens and she asked me where I was going and asked me if I wanted to have a good time. I said yes. I said, "How much will it cost?" She said "\$1. for me and 50 cents for the room." She said "Come on." I went down with her and went into this New England hotel and I went up to the office and I gave the man, the clerk a dollar bill and he gave me 50 cents, so he said to me, "All right, go with the girl", so I followed the girl and she took me into a room. There was a small panel on it, marked No. 9.

Q Well, what did you do there? A She exposed her person to me and she asked me for a \$1. and then exposed her person.

Q Her private parts? A Yes, sir.

Q And invited you to have sexual intercourse with her?

A Yes.

Q Did you? A No, sir.

Q Then after that you left the hotel? A She left and I went down and I met Officer Cloonan and another officer that was standing on the corner.

Q This clerk, was this the defendant, James Walsh?

A Yes, sir.

Q Was he in when you went out? A Yes, sir, I passed him going down the stairs.

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Q Have you ever seen in that place other men and women?

A Not on that day.

Q Did you see anybody enter the place before you went in there? A No, sir.

BY THE FOREMAN:

Q Did this woman go with you to the clerk's desk?

A She went to the door of the office there.

Q How far was that from the clerk's desk? A The desk is over--if this was the door, it was over by the window (indicating).

Q Did the clerk see her? A Yes, sir, plainly.

Q He saw her? A Yes, sir.

Q And did you ask if you had to register? A No, sir, did not say nothing at all.

Q He did not ask you to register? A No, sir.

Q Did he say anything about the woman, or going with her? A No, nothing at all.

Q Did you have any reason to believe that he knew the woman was with you? A Well, he knew the woman was with me.

Q Why do you think so? A He told her to take me to the room.

Q He told her to take you to the room? A Yes, sir.

BY MR. WHITESIDE:

Q You appeared before the Magistrate? A Yes, sir.

Q And identified James Walsh as the clerk? A Yes, sir.

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Q That you saw that night? A Yes, sir.

Q He was held by the Magistrate for trial? A Yes,
sir.

(Testimony closed)

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PROCEEDINGS IN PART 5 CONTINUED, JUNE 9, 1910.

THE FOREMAN: Your Honor, the Grand Jury has completed the investigation which it was charged to make. It now asks that it be discharged, and in so doing desires to hand up to the Court a presentment covering the results of its investigation. The Grand Jury has instructed the Foreman to ask your Honor's permission that this now be presented before handing it up.

THE COURT: The Court has to say this: That your investigation has now covered a period of almost six months --

THE FOREMAN: Over five months.

THE COURT: Over five months, and that your work has been of a very exceptional character, very unusual, and the time which you have devoted to the questions submitted to you of course has been unusually long on account of the character of the work. For that reason the Court will not accept the request to discharge the Grand Jury this morning, and will continue it in existence for two weeks longer. In the meantime the Court deems that the work which the Grand Jury has been doing is of such a nature that the Court must understand, before it received anything in the nature of a presentment, something of the character of that document.

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So far, it has not been apprised of its nature. The Court knows nothing at all about it, and that your work may not be emasculated, that it may be of some service, the Court will permit it to be presented only in a legal and proper way, concerning legal and proper things. For that reason the Court, all the time acknowledging the great services which you gentlemen have rendered to this county, desires that you serve it still further for two weeks, during which time the Court will learn something of the nature of the document which you present so that the presentment may be properly made and properly accepted.

Therefore, there will be nothing further done this morning, and you are directed to continue your investigation for the purposes already indicated by the Court for two weeks longer.

Gentlemen, you may continue your investigation.

THE FOREMAN: May I ask your Honor whether we are to meet here two weeks from to-day?

THE COURT: I will meet you privately or I will meet any gentlemen connected with the jury. I understand that your legal advisors are the court or Judge Whitman, the District Attorney, as you gentlemen choose. Your work demands, it strikes me, at the close of this long period, some consideration from either one of the advisors to the Grand Jury before it will be received and terminated by

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the Court, so that I will see you, or I will see Mr. Whitman, or I will see the committee which has been delegated by the jury. The Court must insist upon knowing something of the character of the document which you desire to submit, because it is not every presentment which is acceptable and after all the work which you have done, it would be an unfortunate thing indeed if you were to submit something to the Court which would be out of line with a properly acceptable document. For that reason, the Court itself desires to know more about it and during the two weeks in which your existence is continued the Court will devote some of its attention to learning the character of the document which you are desirous of presenting, before accepting it.

MR. WHITMAN: If your Honor please, of course without questioning your Honor's decision in this matter, I want to say that I myself have not seen this presentment. As I understand it, and I think the Court will agree with me, I have no right to see it before it is filed unless the Grand Jury instruct me or ask me to see it. It can be amended or expunged from the record only after it has been filed in the method prescribed by law. My suggestion would be that it be filed to-day.

THE COURT: No, the Court will not accept a present-

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ment of this character after six months work. The Court has discussed the matter with Mr. Rockefeller and with Mr. Whitman, and the fact is all the work submitted in the way of indictment to the Court has not yet been accomplished. It strikes me that within two weeks most of the indictments which you gentlemen have found will be passed upon. Mr. Rockefeller and myself sometime ago discussed the propriety of letting the work of this jury go over until next Fall. One of the reasons being that it would be a gratifying thing to have the work in the way of indictments submitted to this Court disposed of before there was a final adjournment of the Grand Jury. Of course, that is not usual. Grand Juries submit their indictments and finish their work and retire, but this has been a most exceptional case. It has been a most unusual thing, and while there was one line of investigation submitted to you, the Court understands that you have gone off into different lines investigating matters of a kindred subject, but whether they are of such a kindred nature to make them relevant to the questions submitted to you, of course the Court does not know and the Court does not want to have expunged from the record, or rejected, or returned to you, any result of your long work, and therefore it is desirous that there should be some consultation between the District Attorney, or the Court and Mr. Rockefeller concerning the

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nature of this presentment before it will be received. I do not believe that the short time which will be left today to discuss the character of the document, which you now wish to present to the Court, will permit us to do that to such an extent as to be satisfactory to everybody concerned, and for that reason the Court still adheres to its original decision that your existence as a jury will be continued for two weeks further.

MR. WHITMAN: On the question of grand juries desiring to present a presentment to this Court, I want to make my own position clear and keep my own records straight. With all respect to your Honor, of course, on the question of the right of the Court to refuse to accept a presentment of a grand jury or an indictment --

THE COURT: Yes.

MR. WHITMAN: The only way that your Honor can properly examine this presentment, which represents the deliberations of this grand jury, and not the minutes, is to allow the presentment to be filed by the Grand Jury.

THE COURT: Yes, but not until the Court accepts it.

MR. WHITMAN: I do not understand you have a right to see it until they have filed the presentment. The minutes are ready and I have seen the minutes and am glad to go over them with the Court, but I am unwilling to examine the presentment until it is filed as a record of this

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Court. The deliberations of the Grand Jury are sacred. When the presentment is filed, so the Court and the District Attorney and the public have a right to know its contents, I am willing to take it up.

THE COURT: The Court does not want a document filed which will be of the importance of this unless it knows the lines along which an alleged presentment goes. It does not ask for the particulars or details, but it does ask to be informed what your report by way of presentment is to be, that the Court may act upon it with discretion, deliberation and with some knowledge of the facts upon which the alleged presentment is founded. It therefore, takes to itself the privilege of inquiring. The Court does not care to inquire in public. The Court thinks that having submitted one subject to this Grand Jury for its deliberations and investigation, it is not ready to take a presentment upon any other subject unless it be one which is directly connected by legal evidence with the subject submitted to them. For that reason the Court adheres to its first ruling.

THE FOREMAN: Your Honor, will you allow the Foreman to state to your Honor that there has been no --

THE COURT: I will allow the Foreman to state nothing in connection with the document, once he has been notified that his duties as Foreman have not yet expired and will

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not expire for two weeks from to-day, at which time the Court will receive it, after having discussed with him the matters which are now discussed here. Two weeks more, gentlemen.

THE FOREMAN: Does the Foreman understand the Grand Jury is to meet here two weeks from to-day?

THE COURT: The Grand Jury will meet here two weeks from to-day and in the meantime I desire to meet you and such other members of the Grand Jury as formulated the document.

THE FOREMAN: The Grand Jury has instructed this foreman to present this document to you. The Grand Jury has not authorized the Foreman to take the matter up--

THE COURT: I authorize the Foreman to do so.

MR. WHITMAN: If your Honor please --

THE COURT: I simply authorize the Foreman to confer with one of the legal advisors to the Grand Jury concerning the matter which comes before it. Before that presentment is submitted you may either confer with Judge Whitman or myself. So far I understand you have not done so. Gentlemen, you are excused and may continue your investigation for two weeks from to-day. I desire to meet you also after, if you have time Mr. Foreman.

MR. WHITMAN: If your Honor please, before you close, simply that I may be sure I have protected the People's

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rights, I must respectfully protest against the refusal of the Court to accept the presentment found by the Grand Jury and to allow it to be filed with the Court.

THE COURT: The Court has not declined to accept the presentment. It simply defers the acceptance. Instead of refusing it, the Court is heartily desirous of seeing it and knowing what it contains, and that it is founded upon evidence taken before the Grand Jury.

MR. WHITMAN: For that purpose it should be filed with the Court.

THE COURT: It will be filed with the Court at the due and proper time.

THE FOREMAN: Will your Honor allow the Foreman to state that the District Attorney answered the questions put by the Foreman of the Grand Jury to the effect that when the presentment is completed, it is to be presented to the Judge of the Court, and he is not authorized to take the matter up privately. That is the advice of the District Attorney.

MR. WHITMAN: I have no right to see that presentment until it is filed.

THE FOREMAN: You misunderstand me. The District Attorney has advised the Foreman he has no right to take this matter up except in open Court with the Judge.

MR. WHITMAN: I am willing to take up any matter.

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THE FOREMAN: But the Foreman has no right to take the matter up except in court with the judge.

MR. WHITMAN: No, the Foreman has a right to confer with the Court at any time. In regard to the presentment, it represents the deliberations of the Grand Jury, and, under the law, those deliberations are secret and sacred, and it is my opinion and my advice that I have no right to see it, and until it is filed, it is not a public document.

THE COURT: The trouble is, gentlemen, laymen are apt to err with regard to the character of a presentment. Now then, of course, presentments may be submitted when they are somewhat in the nature of an indictment. Presentments may be submitted if they point out some great evil to be corrected in the community. But that is a most unusual thing, unless there be something in the nature of the charge upon which indictments may follow, pointing out the particular thing, pointing out the particular offense and so forth.

Thus far and during a period amounting now almost to six months, the Jury have been engaged in first discussing the questions submitted to it, and afterwards it applied itself to other questions of somewhat kindred character, and later it went into other abuses which were not at all the subject of the charge submitted to it.

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Now the Court does not want to have an original presentment by the Grand Jury made absolutely useless, and so objectionable in the extreme as to cause it to be expunged from the record.

The Court does not care for that, but the Court wishes to know and it will know before any presentment is made to it, something of the character of the document, to know whether it be a presentment or not, and if it be not a presentment, it will not be accepted.

If it be a presentment along the proper lines it will be accepted. Gentlemen, that is the attitude of the Court. The Court thanks you, gentlemen, for the time which you have devoted to your work. It has been of the most self-sacrificing character. It has been of an intelligent nature, and I know that there is no man of the Grand Jury who wishes to submit anything but what is absolutely sustained by the facts, no member of the Grand Jury wishes to submit anything either which cannot be accepted by the Court. The Court knows nothing of what you wish to present to it this morning, whether it be a document which will result in an indictment or whether it be a mere recitation of the labors which you have devoted to this question. For that purpose the Court will give you two weeks further for a consideration of your work, and in the meantime the Court will discuss this matter with

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Mr. Whitman and with Mr. Rockefeller to the end that the work of the Grand Jury may be effective.

THE FOREMAN: Will your Honor allow the Foreman to say there has been no line of investigation followed up during the investigation, nor is there any reference made in the presentment, which has not been first agreed upon in substance with your Honor. There has been no reference made in the presentment to any line of the investigation to which your Honor has not agreed before we undertook it.

THE COURT: You will also recollect, Mr. Rockefeller, the Court was to know something of the character of the document which laymen of this Grand Jury call a presentment. You understand that nothing was to be done on that line before the Court which appointed you has been consulted. The Court has not been consulted and has not known of your intention to present any document to this Court in the nature of an indictment or presentment. Unless you have an indictment to present this morning the Court will receive nothing from you. If you have a presentment to suggest, the Court is quite willing that it should be accepted, but accepted only if found upon evidence before you two weeks from to-day.

THE FOREMAN: Meet here in this room?

THE COURT: Meet here in this room, and I should like to meet you and whatever gentlemen represent the committee now.

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