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I N D E X.

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I N D E X

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REMOVED

COURT OF GENERAL SESSIONS OF THE PEACE,
City and County of New York.

-----X
THE PEOPLE :
against :
RALPH GUARANO, indicted with JOSEPH :
SPOTA and GEORGE SPICA. :
-----X

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Indictment filed 1st day of June, 1915.

Indicted for Violation of Section 2460 of the Penal Law.

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

For the People,

ASSISTANT DISTRICT ATTORNEY ELLISON.

For the Defendant,

CAESAR B. F. BARRA, ESQ.

Tried before HON. JOSEPH F. MULQUEEN, Judge, and a
Jury, on the 21st day of October, 1915.

Thomas W. Osborne,
Official Stenographer.

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A N N A S M I T H, called as a witness in behalf of the People being duly sworn and examined, testified as follows:

(Residence 145 West 12th street).

DIRECT EXAMINATION BY MR. ELLISON:

Q Have you ever been employed by the United States Government?

Objected to as incompetent, irrelevant and immaterial.

THE COURT: He can ask her what her occupation is.

MR. BARRA: Not whether she was engaged --

THE COURT: And what it has been.

MR. BARRA: I take an exception.

BY THE COURT:

Q What is your occupation? A I was asked by the Police Department to help on these cases, that is all.

Q What is your occupation? A I have no occupation.

Q You can state your experience, what you have been doing, were you in the employ of the United States Government at any time? A No.

BY MR. ELLISON:

Q You made investigations for the Federal Government?

Objected to as incompetent, irrelevant and immaterial.

THE COURT: It is merely intended to let the jury see who the witness is.

MR. BARRA: I take an exception.

THE WITNESS: Yes.

BY MR. ELLISON:

Q Now on or about May 17th, 1915, did you have a conference

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with Deputy Commissioner Lord of the Police Department, yes or no?

Objected to as incompetent, irrelevant and immaterial.

Overruled. Exception.

BY THE COURT:

Q Yes or no? A Yes.

BY MR. ELLISON:

Q After you had that conference with the Deputy Police Commissioner, did you meet an officer by the name of William J. Enright, connected with the Police Department of the City of New York? A Yes, sir.

Q After meeting Enright, did you on or about May 20th, 1915, meet two men by the name of Joseph Spota and George Spica? A Yes.

Q When did you first meet those two men? A I met them at Mount Morris Park, 120th street and Madison Avenue.

Q On what date? A Thursday May 20th, at 12 o'clock.

Q Did you have a talk with these defendants, Spica and Spota?

MR. BARRA: They are not defendants. This defendant is on trial.

THE COURT: The others are joined in the indictment.

MR. BARRA: Why call them these defendants when they are not on trial.

THE COURT: They are defendants, but not on trial. Defendants may be separately tried and the case is severed so far as they are concerned.

MR. BARRA: You understand what I mean speaking of these

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defendants may convey the idea it is the one on trial.

MR. ELLISON: No, I said the defendants Spica and Spota.

THE COURT: Say the other defendants mentioned in the indictment, if you wish.

BY MR. ELLISON:

Q Did you have a talk with the other defendants, Joseph Spota and George Spica? A I did.

Q Tell the jury what you said to them and what they said to you?

MR. BARRA: I object as incompetent, irrelevant and immaterial and hearsay, and in the absence of the defendant, there being no proof of any conspiracy connecting this defendant with that conspiracy, and therefore hearsay.

THE COURT: I would sustain that objection were it not that the District Attorney has promised to supply proof that there was a criminal conspiracy, and that this defendant joined that conspiracy before it was consummated and aided Spica and Spota in accomplishing their corrupt purpose.

MR. BARRA: The indictment alleges the crime was committed the 22nd of May, and I object as incompetent and hearsay

THE COURT: The People may prove a conspiracy existed on the 20th of May to commit a crime on the 22nd of May.

MR. BARRA: I take an exception.

BY MR. ELLISON:

Q Tell us what was said?

THE COURT: Of course, if the defendant is not connected

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with Spica and Spota in the particular crime charged in the indictment, all this testimony will not be considered against him, and it is only received in evidence on the District Attorney's promise to show there was a conspiracy and that this defendant was either concerned in it at that time with them or subsequently, before the consummation of their corrupt purpose, joined with them in their effort to commit the crime charged in the indictment.

MR. ELLISON: Yes.

BY MR. ELLISON:

Q Proceed and talk as loud as you can, and tell us the first talk you had with them?

THE COURT: As to Mr. Barra's objection that there is no proof at this time of a conspiracy, that is merely a question of the order of proof, and the Court will allow the District Attorney to prove that in his own time. The question is will the proof be supplied, and if the District Attorney promises to supply it, I will allow this evidence, otherwise I will exclude it. I understand, Mr. Ellison, that you promise to do that.

MR. ELLISON: Yes, I expect most decidedly to supply it.

THE COURT: Under these circumstances I overrule the objection and give you an exception, Mr. Barra. I want the jury clearly to understand the testimony.

A I was introduced as a Mrs. Wallace, who kept a disorderly house and Spota told me he could secure all the girls I could use. I

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said "I don't know you fellows and I have to be very careful."

MR. BARRA: I notice the lady is reading from some memorandum, and unless we know about that memorandum, and she cannot testify from memory, I think the proper foundation should be laid by the District Attorney.

THE COURT (to the witness): You must put away your memorandum.

BY MR. ELLISON:

Q And tell us from memory what you remember of that talk?

THE COURT: Close the book.

A I met them in Mount Morris Park and asked them if they could supply me with girls for a disorderly house, and they said they could supply any number, and I promised to let my fellow know, who was supposed to be Enright, and would meet them later at a cafe called Louis' on 7th Avenue -- I have forgotten the number-- it is in the book -- and that is all that happened at that time.

BY MR. ELLISON:

Q Did you make an appointment to meet at a cafe? A Yes.

Q Wasn't that on Lexington Avenue? A It was, I think, on 7th avenue, was it not?

Q Have you any way of refreshing your recollection as to where that cafe was, whether it was Lexington or 7th avenue?

A I can only know by looking in my book.

Q Did you meet Spica and Spota later again that day, or either one of them, at any restaurant? A I did.

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Q Where? A At this Louis' cafe.

Q Kindly look in your book and see if you can refresh your recollection as to where that cafe was? A 124th street.

Q What avenue? A I haven't that down.

Q Who came into that restaurant while you were there -- who was there? A Louis -- I mean Spota and Spica came in.

Q The other defendants? A Yes.

Q Did they have any one with them? A Not on that day.

Q That is the first day -- did you make any memorandum at that time of what occurred -- did you make any memorandum of the day you met these men, of what took place? A I met Spota and Spica in the park and later on I told my fellow he was to come down to our apartment --

Q Answer my question and we will get on much better -- I ask you whether the first day when you went over to the cafe after meeting them in the park, whether Spica and Spota were alone or whether they had any girls with them? A They had six girls with them.

BY THE COURT:

Q When you met them in the cafe you mean? A Yes.

Q That was your second meeting with them? A Yes.

BY MR. ELLISON:

Q Tell the jury the conversation that took place between you and the other defendants Spica and Spota, and these girls, and talk out loud?

MR. BARRA: I object.

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THE COURT: Upon the same grounds?

MR. BARRA: Yes. Hearsay, in the absence of the defendant, and not binding upon him, and no proof of the conspiracy

THE COURT: Same ruling. Exception.

BY MR. ELLISON:

Q Go on? A I looked at these girls and asked them if they wanted to enter a disorderly house. They said they did. I agreed to take five of them and the sixth girl was in a condition that I could not take her, I said.

BY MR. ELLISON:

Q What did Spica and Spota say to that? A I agreed to see my fellow first and let them talk to him.

Q At this time had you and Officer Enright engaged an apartment? A I engaged it that day.

Q Where? A 2529 - 7th avenue.

Q That is in the county of New York? A Yes.

Q What floor was that apartment on that you two engaged or that you engaged? A I think it was one flight up.

Q How many rooms were there in it? A Four and a bath.

Q Now at that time did you make any arrangement with Spica or Spota, the other defendants in this case, to come up to the apartment that night? A I did, with Spota.

Q With whom? A Spota.

Q Did you go to the apartment on 7th avenue that night?

A I did.

Q Was Enright there at any time? A He was.

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Q Did Spota come there? A He did.

Q Tell the jury what talk you had or Enright or both of you had, with the other defendant Spota?

MR. BARRA: I object upon the same grounds, hearsay and in the absence of the defendant, and no proof of any conspiracy, and therefore not binding on the defendant.

Overruled. Exception.

BY MR. ELLISON:

Q Go on? A Spota came up and I introduced Enright.

Q As whom? A As my fellow and said we had a chain of disorderly houses and we wanted to furnish girls for those houses-- wanted him to furnish girls.

Q Go on? A He said he could furnish any number from one to twenty-five or fifty -- I forget which.

Q Any further talk that night? A I don't think so.

Q All this took place on Thursday, May 20th, is that right?

A Yes.

Q Now come to Friday, May 21st -- at any time that day did Spota come up to the apartment on 7th avenue that you had rented the day before? A Yes.

Q And do you remember whether it was in the evening or not?

A Yes.

Q Did he come alone or did he bring anybody with him? A Yes sir, he came with Spica.

Q Who else did they bring with them? A They brought Ralph with them.

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Q I talk about Friday -- will you see if you can refresh your recollection as to what happened on Friday evening, the next night? A (The witness examining book) No, Spota and Spica came together with the five girls.

Q Can you give me the names of these girls? A Yes, Millie and Jennie --

Q What -- what was their last names? A That I have forgotten.

Q Bell? A Millie Bell and Jennie Bell and Kittie Hannon, Laura Harris and Susie Heines.

Q Tell the jury what was said between you and Enright and the other defendants Spica and Spota and the five girls, up in this flat on 7th avenue?

MR. BARRA: Same objection. Ruling and exception.

A The girls asked me what price house they were going to -- they asked me where they were supposed to go, and I told one girl I wanted her to go to Paterson. I said two are to stay in New York and one was going to some other place in New Jersey.

Q Where did you tell Jennie Bell she was to go? A I asked her if she would go to Paterson.

Q Go where in Paterson, to what? A To go to a disorderly house in Paterson, and she said -- asked if any of the other girls were going, and I said "No, not these girls", and she said she did not care to go alone.

Q Do you recall anything else said on that occasion? A No, I don't think so.

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Q What, if anything, was said about doctor's certificates?

MR. BARRA: I object upon the same grounds stated before and upon this further ground, that we are trying the case of The People against Ralph Guarano on an indictment No. 106,153 and what was said by any of the other girls I submit is incompetent and inadmissible. The girl mentioned in this indictment is Jennie Bell and I object to it as not germane to this issue, proof of another crime for which this defendant is not on trial.

Objection overruled. Exception.

Q (The question is repeated)? A I told them they must have a doctor's certificate when they came to go to these houses the next day.

Q Do you recall anything else that was said that night?

A About what they must bring, you mean?

Q Yes, anything? A I asked them to bring kiminos --

Objected to as before. Overruled. Exception.

THE WITNESS (continuing) And douche bags and their certificates.

Q Their doctor's certificates? A Yes, sir.

Q That occurred on Friday night, May 21st? A Yes.

Q Now come to Saturday morning - on Saturday morning were you in the apartment on 7th avenue? A Yes.

Q Was Officer Enright there? A Yes.

BY THE COURT:

Q When you say they were to bring these things, was there

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any time fixed they were to bring them? A Yes.

Q When? A The next morning at 12 o'clock.

BY MR. ELLISON:

Q Saturday morning we are talking about now? A Yes.

BY THE COURT:

Q Where were they to bring them? A To this apartment.

Q On 7th avenue? A Yes.

BY MR. ELLISON:

Q Tell the jury everything that happened up in the apartment on Saturday morning? A We first took Ralph --

Q Wait, let us start at the beginning and not at the back-- who came in first that morning? A May I look at my notes?

Q If you have forgotten, refresh your recollection? A Jennie and Kittie and Millie came first.

Q Three girls? A Yes.

Q Jennie Bell? A Yes, sir.

Q Kittie Hannon and Millie Bell? A Yes, sir.

Q About what time did they come in? A At 1:30 -- no, at 12 o'clock.

Q Who came in next? A Laura Harris and Susie Heines.

Q Who came in after that? A The two fellows came with the three girls at first.

Q What two fellows? A Ralph and Spota.

BY THE COURT:

Q Who is Ralph? A Guarano.

BY MR. ELLISON:

Q You mean this defendant sitting here? A Yes.

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BY THE COURT:

Q Was that the first time you had seen him? A Yes.

THE COURT: That was at 12 o'clock.

BY MR. ELLISON:

Q Who did he come into the apartment with, on 7th avenue, this defendant Ralph Guarano? A He came in with Jennie and Kittie and Millie.

Q Jennie Bell and Kitty Hannon and Millie Bell? A Yes, sir.

Q When they came in was any one carrying anything? A Yes, sir, they carried -- one girl had a grip and the other girl had a package.

Q How long after this defendant came in with those girls did the other defendants Spica and Spota come in? A Spota came at the same time as Ralph.

Q He came in with Ralph? A Yes.

Q How soon after did Spica come in? A They came at 1:30.

Q Tell the jury when this defendant got in the flat what, if anything, was said by you or Enright to the defendant Guarano, or what he said, and what was said in his presence? A We told him that --

Q Who? A Enright and I told him we wanted --

Q You did not speak together -- who did the talking? A Enright did the talking.

Q Tell the jury what he said to them? A He said he wanted a girl to go to Paterson, and that Jennie objected to going to Paterson, and Ralph said "What price house was it."

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Q When you say Ralph, say the defendant Guarano? A Guarano asked what price house it was, and Enright told him from three to five dollars, and he asked how much the girl could make there and Enright said one half of -- that is, if he made two dollars -- if she took in two dollars he had half of it.

BY THE COURT:

Q Who had half of it? A The girl had half of it.

BY MR. ELLISON:

Q Go on? A He said she would go all right and Enright said she refused to go, and he called her into the room with us.

BY THE COURT:

Q Who called her in? A Enright.

THE COURT: Now use the names of these people.

BY MR. ELLISON:

Q Enright called her into the room? A Yes.

Q Called who into the room? A Jennie.

Q Jennie Bell? A Yes.

Q Go on -- who was in the room when Jennie Bell came in?

A Ralph Guarano, Enright and myself.

Q Tell the jury what took place then, what was said?

A Guarano spoke to Jennie Bell in Italian and he said to Enright- Guarano said to Enright "She will go" and Enright asked her in English if she was willing to go and Guarano spoke to her again in Italian, and she said yes.

Q Go on? A He said I am --

Q Who said? A Enright said "I am going -- I will pay you

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ten dollars for your girl and that is all I am going to give the other fellows for their girls", and he handed Guarano ten dollars

Q Who handed the defendant Guarano ten dollars? A Enright handed Guarano ten dollars.

Q What was said about a doctor's certificate for Jennie?

A That was afterwards in the room.

Q Tell the jury what was said about that? A He asked if -

Q Who? A Enright asked if the certificate was all right.

Q Who gave him the certificate? A Jennie handed one to Ralph, and Ralph gave it to Enright.

(A paper is marked for identification People's Ex. 1).

Q I show you People's Exhibit 1 for Identification, and I ask you if that is the paper Jennie Bell handed to the defendant Ralph Guarano, who in turn handed it to Officer Enright? A Yes .

Offered in evidence.

Objected to as incompetent, irrelevant and immaterial.

Overruled. Exception.

Received and marked People's Exhibit 1 in evidence.

Q At that time were there any other doctor's certificates given by the defendant, the other defendants, in the presence of this defendant?

MR. BARRA: I object, as proof of the commission of another crime which is not before the Court and jury.

Objection overruled. Exception.

A Yes.

(Two papers are now marked for identification People's

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Exhibits 2 and 3.)

BY MR. ELLISON:

Q I show you People's Exhibit 2 for Identification and I ask you by whom that certificate was given, in the presence of this defendant Guarano? A I did not understand the question.

Q By whom was that given?

MR. BARRA: I object unless it refers to Jennie Bell, and the girl we mentioned in the indictment we are now trying, on the ground that it is incompetent, irrelevant and immaterial and not germane to this issue, and the subject matter of another indictment which is not now on trial.

Objection overruled. Exception.

A This was given by Millie Bell.

Offered in evidence.

Received and marked People's Exhibit 2.

Q Millie Bell is one of the girls that came there that morning with the defendant Guarano? A Yes.

Q I show you People's Exhibit 3 for Identification, and I ask you by whom that paper was given?

Objected to upon the same grounds. Overruled. Exception

THE COURT: It is so connected with the other transaction and for that reason I admit it. Ordinarily your objection would be good, in the absence of testimony showing that it was all part of one transaction. It is to let the jury understand the purpose for which they were gathered in that room, if you find that they were there.

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THE WITNESS: This was given by Kitty Hannon.

BY MR. ELLISON:

Q She was one of the girls that came in the apartment that morning with the defendants? A Yes.

(Exhibit 3 for Identification is offered in evidence).

Same objection. Same ruling and exception.

THE COURT: It is so connected in time as to be part of the same transaction, and that is why it is admissible, not to convict him of any guilt in reference to these girls, but to prove his guilt of this transaction.

MR. BARRA: I understand the theory upon which you admit it, and I except because it is offered on that theory.

THE COURT: To show guilty knowledge and intent.

Exhibit 3 is received in evidence and so marked.

THE COURT: Is that the same doctor?

MR. ELLISON: No, it is another.

THE COURT: Let the jurors look at it.

A JUROR: It does not show it was a doctor's certificate.

THE COURT: The testimony is it was given to the witness and Officer Enright as a doctor's certificate. The Court does not presume to say anything about the facts.

BY MR. ELLISON:

Q Now Miss Smith, in what room of the apartment was it that you and Enright and Jennie Bell and Ralph Guarano had this talk?

A In a small bedroom off our living room.

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Q At that time where were the other girls and the other two defendants? A In the living room.

BY THE COURT:

Q Where? A In the living room.

BY MR. ELLISON:

Q And after you had this talk in a small bedroom that you have described, did you and Enright and Guarano and Jennie both go into the living room? A I stayed in the bedroom, the others went into the living room.

Q Now at any time while you were in the apartment did you see a valise you have spoken about, unpacked? A I did.

Q Where was that unpacked? A That was unpacked in the living room.

Q Who unpacked it, do you recall that? A I think Ralph Guarano unpacked it, because he asked Enright for some paper to wrap up a bundle.

MR. BARRA: She says she thinks -- may she not look at her notes and make sure?

THE COURT: If you have any note of it to refresh your recollection, you may do so.

THE WITNESS: Yes, I have.

(A valise is now marked for Identification People's Exhibit 4).

THE WITNESS: I have it here, Ralph Guarano unpacked the grip.

BY THE COURT:

Q Does that refresh your recollection after reading that,

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can you say now that Ralph Guarano unpacked it? A Yes, sir, I think so.

Q To the best of your recollection he did? A Yes, sir.

BY MR. ELLISON:

Q I show you people's Exhibit 4 for Identification, and I ask you whether that is the grip that you testify you recollect to have been unpacked by the defendant Guarano, and whether these are the contents that were in it that morning? A I was not near enough to see the contents as he unpacked them.

Q Can you identify that as the grip? A I think it is -- I cannot answer surely.

BY THE COURT:

Q Did you make any mark on it at that time? A No.

MR. ELLISON: We will prove it in another way.

BY THE COURT:

Q What was the color of the bag that you saw? A That is too long ago, I have forgotten it.

BY MR. ELLISON:

Q Did the girls bring any clothing there that morning?

MR. BARRA: I object to what the other girls did, except what Jennie Bell did, in the presence of this defendant on the ground it is incompetent, irrelevant and immaterial and not binding on this defendant and the subject matter of other indictments which are not now before the Court and jury.

Objection overruled. Exception.

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THE WITNESS: Jennie and Millie and Kitty brought
kiminos.

BY MR. ELLISON:

Q When you say Jennie you mean Jennie Bell? A Jennie Bell
and Millie Bell and Kitty Hannon.

Q Did they bring anything else you saw there?

Same objection upon the same grounds. Same ruling.

Exception.

A They brought douche bags and certificates, that is all.

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Q Now what was said then after all these alleged certificates, People's Exhibits 1, 2 and 3 in evidence, were produced and the bag was opened, and so forth, what was said by you or Enright, and after the money had been given as you have testified to the defendant Guarano and the other defendants, Spica and Spota? A To whom do you mean, what was said?

Q By you or Enright to anybody in the room? A Spota and Spica came to the room after us and we asked them about --

MR. BARRA: I object as incompetent, irrelevant and immaterial and hearsay, and in the absence of the defendant.

BY THE COURT:

Q They came into the same room with Ralph, you mean? A No, Ralph was in the living room at that time.

MR. BARRA: I object as not germane to the issue and not within the issues, and the subject of another indictment not before the court and jury.

Objection overruled. Exception.

BY MR. ELLISON:

Q Go on. A Mr. Enright told Spota and Spica that he had paid Guarano \$10.00 for his girl Jennie Bell, and that he would pay them \$10.00 apiece for the four girls, \$20.00 to Spota and \$20.00 to Spica. They agreed and promised to furnish other girls in the future.

Q Go on, what happened, tell us everything that happened after that? A I don't think there was anything of importance after that. They just simply said good-bye and left the apart-

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ment.

Q Was there anything said about going any place before they left? A As to the houses?

Q Yes. A Yes. Jennie agreed to go to Paterson, and Laura and Susie --

MR. BARRA: What the other girls agreed to do I object upon the same grounds as stated before.

Objection overruled. Exception.

THE WITNESS: Laura and Susie were to stay in New York at that apartment, and the other two girls were going to Newark, I think it was.

BY MR. ELLISON:

Q To where in Newark, and where in Paterson, what kind of a place? A To a disorderly house.

Q Did they leave the apartment with anybody? A Millie and Jennie and Kitty left the apartment to go to New Jersey.

Q With whom? A With Enright.

Q With Officer Enright? A Yes.

Q Went downstairs with them? A Yes.

Q Go on. A And I was left with Susie and Laura.

Q So/that the last you saw of the girls that morning? A Yes.

Q What became of the defendant Guarano and the other two defendants, Spota and Spica? A They had gone before the girls had.

Q You were not present in the station house when these defendants Spica and Spota and Guarano were searched? A No.

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CROSS EXAMINATION BY MR. BARRA:

Q You say you are married? A I have been married, yes.

Q Living with your husband now? A I am.

Q Where do you live? A I live in Boston.

Q How long have you lived in New York? A I was in New York about a year and a half -- a year and six months.

Q Is your husband living with you here in New York? A No.

Q Are you separated from your husband? A No.

Q Does your husband know you are conducting this line of work? A He does.

Q When did you last see your husband? A Last Thursday.

Q Do you live with your husband here in this city? A No, I live in West Newton, outside of Boston.

Q Have you any children? A I have.

Q And you have been engaged in this line of work for the Police Department of this city for how long a period? A I was engaged in this work since last April.

BY THE COURT:

Q For the Police Department? A Yes.

BY MR. BARRA:

Q Of this year? A Yes.

Q Tell us who introduced you to the police officials?

THE COURT: Commissioner Lord -- why not mention the name.

BY MR. BARRA:

Q Commissioner Lord? A I went to him and asked him for

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the work.

Q You asked for the work? A Yes.

Q You specialize in that kind of work? A No, I simply specialize in detective work.

Q Are you a licensed detective? A No.

Q Licensed in Boston? A No.

Q Licensed here in this state? A No.

Q Did you have any letters of recommendation when you went to see Commissioner Lord? A I referred him to detective agencies here in New York whom I had done work for.

Q When did you meet Enright for the first time? A I was introduced to him in Commissioner Lord's office, I don't remember just the date.

Q How long after your first interview with Commissioner Lord? A I think it was on the exact day.

Q The same day? A Yes.

Q So your services were accepted immediately after you had your conversation with Commissioner Lord? A After Commissioner Lord had telephoned the people I had spoken about.

Q After he had verified your recommendations? A Yes.

Q You were employed? A Yes.

Q Were you employed by the day or by the case? A By the day.

Q Whether you caused any arrest or not, you were paid just the same? A Yes.

Q And your work commenced on that very day? A No.

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Q When did you commence -- when did you begin to draw money for the work which you were doing, when did your pay start, what day? A When we heard of a case in which I could help Mr. Enright.

Q How long after your meeting Enright? A For that I will have to look in my book.

Q Look at your book? A Tuesday, May 18th.

Q It was some time in April that you met Commissioner Lord?

A Yes, sir, I think so.

Q What time in April, the latter part of the month? A I should say it was the latter part of the month, yes.

Q So for about two weeks you did not do any work for the Police Department in this city? A Yes, sir.

Q Is that right? A Yes.

Q You did not? A No.

Q And on May 18th was the first day that you began to do detective work for the Police Commissioner? A Yes.

Q And you started with this case? A No.

Q Well, how much are you paid by the day? A I was paid \$4.00 a day.

Q And expenses? A Yes.

Q What are your expenses? A My street car fare, that is all.

Q Is that all? A Yes.

Q You would speak to Enright before you would go out and do any work, you would work in harmony or conjunction with him,

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is that right, in all these cases? A Why, yes.

Q And you have been working steadily for the City of New York ever since May 18th? A I worked on other cases.

Q But you have been working every day since that? A No.

Q Haven't you been paid for every day? A No.

Q You are paid when you testify in court? A No.

Q Don't expect to be paid for the work which you do in court, testifying? A Yes, I expect to be paid for testifying in court.

Q You have been paid in other cases, haven't you? A I have only testified in one other case.

Q Have you been paid? A Yes.

Q Then you expect to be paid in this case? A Yes.

Q Would you mind showing me your notes in this case? A No, indeed.

Q And also the blue paper which you have there?

(Both book and paper are handed to counsel by the witness.)

Q When did you make these notes? A I made the notes usually if I could, the night after we had worked in the daytime, as soon as possible after I accomplished the work.

Q Did you in this case? A Yes.

Q The same night? A Yes.

Q And you of course depended upon your recollection of what took place during the day to make your notes? A Yes.

Q And was Enright present when you made your notes? A Sometimes he was and sometimes he was not.

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Q In this particular case, do you remember whether he was present? A No, I don't think he was.

Q He was not? A No.

Q Sure about that? A I don't think he was there.

Q Where did you make your notes? A In the apartment.

Q In the apartment that you have mentioned in this case?

A Yes.

Q When did you hire that apartment? A The day I first met them in Mt. Morris Park, was the Friday --

Q The same day? A Yes -- Thursday I met them in Mt. Morris Park and I hired the apartment that same day.

Q Who introduced you to Spica and Spota? A A man known to me as Louis.

Q Do you know what a stool pigeon is? A Yes.

Q Louis is a stool pigeon? A Yes, I believe so.

Q And he does not call himself a private detective? A No.

Q He works for you? A No.

Q You give him orders, do you, tell him what to do? A I have not done so, no.

Q You have given him orders in this particular case? A I gave him no orders.

Q When did you first meet Louis? A I met Louis on the Thursday morning.

Q Is that the first time you met Louis? A Yes.

Q Who introduced you to Louis? A Officer Enright.

Q You have used Louis in other cases of this kind, have

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you not? A Yes.

Q Do you know his last name? A His name to me was Goldstein.

Q Is he here in this building today? A No.

Q When did you last see him? A That I can't recall.

Q Did you see him last week? A No.

Q Did you see him two weeks ago? A No, I have not seen him in months.

Q In months? A Yes.

Q But Louis was very active in this particular case, is that so? A He introduced me --

Q To Spica and Spota? A Yes, sir.

Q And Louis was also present on other occasions when you met Spica and Spota? A Yes, sir.

Q Do you remember that the girls did not appear in the cafe and you sent out Louis for Spica and Spota to round up the girls? A No.

Q I will give you your notes, maybe you will find it in your notes? A I think Louis did not leave the cafe.

Q Look at your notes, did you write in your notes everything that took place? A I think so.

Q The conversations you had with each and every one? A Yes.

Q And in fact everything that occurred during your private detective work in this case? A Yes.

Q Look in your notes and see if you find any mention of the fact that the girls did not appear in the cafe at the

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appointed hour, and you sent Louis out to get Spota and Spica so the girls would come around? A No, I don't think Louis left the cafe.

Q Did you send him out to look for Spica and Spota because the girls did not appear at the appointed hour? A No.

Q You are sure about that? A Yes, I am sure.

Q Was Enright in the cafe with you all the time? A He was not.

Q You were there with Louis? A Yes.

Q Was this Louis's cafe? A This is another Louis.

Q Who suggested that particular cafe? A I cannot recall that. I think it was --

Q Was it Louis the Stool Pigeon? A No, I don't think it was him.

BY THE COURT:

Q Where was this cafe? A At 124th Street.

Q That is a very long street; is your memory so bad you cannot place it more definitely than that?

MR. BARRA: She may find it in her notes.

THE WITNESS: No, I have it in my notes as 124th Street.

BY THE COURT:

Q Can't you recollect anything more about it? A No.

Q Who took you to this cafe? A I went there with Louis.

Q Louis took you there? A (No answer.)

BY MR. BARRA:

Q Louis was the one suggested going to that place? A No.

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sir, it was suggested that we meet in there.

BY THE COURT:

Q You went with Louis? A Yes.

Q Did not take any special note of the address? A Yes.

BY MR. BARRA:

Q You did not mark down in your notes that night that you met Louis and the girls at that particular cafe? A I went with Louis to the cafe and we found Spota there.

Q You did not find the girls there? A No.

Q Who went out for the girls? A Spota.

Q Was Spica there? A He was not at that time when we arrived.

Q You gave Spota some money that day in the park? A I think I did, yes.

Q Will you look in your notes and see how much you gave him? A I have not that in my notes.

Q You did not mark that down? A No.

Q Do you know of anything else you did not mark in your notes? A No, I cannot recall anything else.

Q Everything else you have marked in your notes? A Yes.

Q How much did you give Spota? A That I can't recall. I gave him perhaps a couple of dollars or a dollar. That is all.

Q About how much? A I don't know, I can't remember.

Q Did not make a memorandum of that? A No, I did not.

Q It was not necessary? A No.

Q Did you put in a bill to the city for the money you gave him? A I told Officer Enright how much I had given him.

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Q Did you put in a bill to the city for the money? A No.

Q You did not? A No.

Q Was that out of your own pocket? A No.

Q Who gave you the money? A I told Officer Enright how much I had spent, and he told Commissioner Lord, and I was furnished with the money.

Q How much was it? A I don't remember.

Q Didn't you put in a bill for the amount of moneys you spent? A I did not.

Q They just took your word for it; you would say, I spent \$5.00 today and they would give you the money, is that right?

A If I said that I think they would do so.

Q They took your word for it? A Yes.

Q You did not swear to any voucher? A No.

Q And who pays you directly, who is the man hands you the money? A Commissioner Lord.

Q The Deputy Commissioner? A Yes.

Q He hands you the money? A Yes.

Q You do not sign any affidavit? A I do.

Q Did you sign an affidavit in this particular case? A I signed an affidavit simply because -- for so many days work.
BY THE COURT:

Q Did you sign an affidavit in this case? A I signed a paper saying I had received so much money from the Police Department.

Q That was a receipt, not an affidavit? A That was all

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I signed.

BY MR. BARRA:

Q Not an affidavit? A No.

THE COURT: You said an affidavit. You must understand the question before you answer it.

BY MR. BARRA:

Q This was on Thursday when you gave this man Spota some money? A Yes.

Q The first day you met him? A Yes.

Q Was it the same day that you met Spota in Louis's cafe?

A Yes, sir.

Q About what time? A About twelve o'clock.

Q How long before had you seen him in Mt. Morris Park? A At 10:30.

Q He was alone? A No, Spica was with him.

Q Did you give Spica any money? A No.

Q Spota was doing all the talking? A Yes.

Q And he was the one that got the money? A Yes.

Q When you got to the cafe, you found Spota in this cafe?

A Yes.

Q Did you give him any more money? A No.

Q Tell the jury why you gave him these couple of dollars?

A He said he needed a shave.

Q He took a couple of dollars for a shave? A He took some money from me; I have forgotten what I gave him.

Q You gave it to him? A Yes.

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Q Because he said he needed a shave you gave him a couple of dollars? A I gave him some money.

Q You said a couple of dollars? A I don't know, it might have been a couple of dollars, I said.

Q Might have been 25 cents? A It might have been.

Q Is that the best answer you can give us? A Yes, sir, because I have absolutely forgotten the amount.

Q Why did you say a moment ago you gave him a couple of dollars? A I said it might have been a couple of dollars.

Q Was it a bill that you gave him? A I don't remember.

Q That was unimportant? A Yes.

Q You made no memorandum of it? A No.

Q When you got into the cafe, did you give Spota any money?

A No.

Q Sure about that? A Yes.

Q Spota was alone in the cafe? A Yes.

Q Spica was not with him? A No.

Q You did not see this defendant that day, did you? A No.

Q Did not see him in the park? A No.

Q Did not see the defendant until Saturday morning about one o'clock? A Yes, sir.

Q You had already spoken to Jennie Bell? A Yes, sir.

Q And had spoken to her three or four times, is not that so? A No, I had spoken to her once before.

Q Let us come back to the cafe; you stayed in this cafe with Louis? A Yes.

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Q The stool pigeon, and Spota? A Yes, sir.

Q And stayed there how long? A Possibly an hour.

Q And you were talking about the girls, I suppose? A Yes.

Q You told us Spota said he could supply 25 or 50 girls, as many as you want? A As many as we wanted.

Q You said you were a Madam? A Yes.

Q Of a disorderly house? A Yes.

Q Was that the first time you said that you were a Madam of a disorderly house? A I said so when I met him in the park.

Q I mean was that the first time that you told anyone you were a Madam of a disorderly house? A No, I have worked on another case before that.

Q Not in this city? A Yes, sir.

Q How long before? A That was on May 18th.

Q Two days before? A Yes.

Q This was the 20th, the first day you met Spota? A Yes.

Q On that occasion you also said, on the 18th, that you were a Madam of a disorderly house? A Yes.

Q And Louis also acted as the stool pigeon in that case, on May 18th? A Yes.

Q You did not see any girls in the cafe on Thursday? A Yes.

Q You did -- the girls were not in the cafe when you entered with Louis? A No.

Q When did the girls come into the cafe? A About a half an hour or an hour later.

Q Spota was in the cafe with you and the girls walked in?

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A Yes.

Q Is that so? A Yes.

Q Did anyone accompany them? A Spica.

Q How many girls came into the cafe? A Six girls.

Q Amongst them was this girl Jennie? A Yes.

Q Jennie Bell? A Yes.

Q Did Jennie strike you as being a girl that might be used in a disorderly house? A Yes.

Q You told Spica and Spota that she would do? A Yes.

Q You spoke to these girls personally? A Yes, sir.

Q In the cafe? A Yes, sir.

Q In the presence and hearing of Spota and Spica? A Yes.

Q You asked each and every one whether she was willing to go into a disorderly house? A I did.

Q And she answered that she was? A Yes.

Q You are sure about that? A Yes.

Q You cannot be mistaken? A No.

Q Now, did you give the girls any money that day? A No.

Q Did you give Spica or Spota any money after the girls told you that they would go into any disorderly house? A No.

Q When did you give to the girls your address of the apartment, was it in the cafe? A No -- I had not secured the apartment when we were in the cafe.

Q You had not? A No.

Q So you got the apartment after you met the girls? A Yes.

Q You did not know of this particular apartment at that

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time? A No, I did not.

Q But you did make an appointment to meet the girls the next day? A Yes.

Q Where was the appointment with these girls? A I said I would let them know where they could meet me.

Q Did you take their addresses? A No. I said I would let the men know and they would bring the girls.

Q You want to change that, do you? A Yes.

Q Did you take the addresses of the girls? A Not at that time.

Q Louis was present all the time? A Yes.

Q And then you left and the girls went along with you out into the street? A Yes.

Q Louis was with you all the time? A Yes.

Q Then you separated? A Yes.

Q You went about your way with Louis? A Yes.

Q And the girls went their way with Spica and Spota? A Yes.

Q This defendant was not there at that time? A No.

Q You had not seen him? A No.

Q Where was Enright all this time? A Enright, I think, was busy on some other work that he had to do.

Q He was not with you? A No.

Q He was not waiting on the corner and watching your movements? A No.

Q Did he have anyone follow you to watch your movements?

A Not that I know of.

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Q Were you told whether anyone would be near you in case you might be in some trouble? A I was not.

Q You were not told? A No.

Q You were not afraid, were you? A No.

Q Then you went where after you left the cafe? A I went to hunt up an apartment.

Q Did you go alone? A No, Louis went with me.

Q Did Louis suggest this particular place? A No.

Q Did he make any suggestion to you at all about the apartment? A No.

Q Was it a furnished apartment? A Yes.

Q Did you pay the money for the apartment? A Yes, I paid it down in advance.

Q How much? A I paid in advance, I think it was \$8.00.

Q Was Louis present when you paid the money? A Yes.

Q Did you say that you were a married woman to the landlady of the building? A Yes.

Q Did you say that Louis was your husband? A No.

Q Did the lady ask you where your husband was? A No.

Q For how long a time have you employed or had you employed or engaged this particular flat? A By the week.

Q \$8.00 a week? A Yes.

Q That is, right after you left the cafe you went to this apartment? A Yes, sir.

Q You got the apartment? A Yes.

Q And you paid the money? A Yes.

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Q Did you put in a bill to the city for the \$8.00 you paid? A I think Enright put in the bill for that.

Q And who paid you the money? A Officer Enright.

Q You did not get the money from Commissioner Lord? A No, Mr. Lord has never paid me except by my day's work.

Q Your expenses, the money you expended in this line of work was paid to you by -- A By Officer Enright.

Q The policeman? A Yes, sir.

Q Now, after you engaged the apartment, where did you go, did you report at Police Headquarters? A No.

Q Did you report to Enright? A I think I went back to my own home and then back.

Q Look in your notes and show it to us in your notes, A It is not in my notes.

Q You did not put that down? A No.

Q Did you put down in your notes all your movements? A No, not entirely, except when it concerned the case.

Q Only those things you thought as important? A Yes.

BY THE COURT:

Q When did you make these notes?

MR. BARRA: She said usually the same night, and she relied upon her memory.

Q when you made the notes, the transactions were fresh and recent in your mind? A Yes, sir.

BY MR. BARRA:

Q And you marked down those matters which you thought

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were important? A Yes.

Q After leaving the apartment and after having engaged the apartment you and Louis went to what place? A Louis left me.

Q After you engaged the apartment? A Yes.

Q After you had paid the money? A Yes.

Q Then you separated? A Yes.

Q Where did you go? A To my own home, as I think.

Q Where was that? A At that time I was living on 52nd Street.

Q Near where? A Near Fifth Avenue.

Q What is the number? A That I have forgotten for the time.

Q You don't know the number? A No, I have forgotten it.

Q You were living there alone? A Yes.

Q Did you have an apartment? A Yes.

Q Hotel? A A furnished room.

Q Have you ever lived with your husband in this city since you began this work? A No.

Q What business is your husband engaged in? A In the chemical business.

Q Do you know where he is employed? A Yes.

Q Will you give it to us? A In Boston.

Objected to as immaterial.

MR. BARRA: I press the question.

THE COURT: I will allow it.

THE WITNESS: In Boston, Mass.

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Q The address, I said. A 88 Broad Street.

Q Will you tell us the name of the firm? A Arnold, Hoffman & Company.

Q Now you say you went to your apartment on 52nd Street; did you find anyone there in your apartment? A No.

Q How long did you stay in your apartment? A A half an hour or an hour, I don't recall.

Q From there where did you go? A I went back to the apartment which I had engaged as I was to meet Mr. Enright there at five o'clock.

Q You had not communicated with Enright in the meantime?
A I had.

Q Through whom? A I had telephoned to him.

Q Where did you telephone him, will you look in your notes and find it? A I haven't got it.

Q Do you recall where it was that you telephoned him? A No, I do not.

Q Do you know what number you rang up? A No, I don't recall.

Q How did you know where to ring up? A He had told me before that he had business, and I would find him at this number.

Q He gave you the number? A Yes.

Q You had it marked down? A I suppose so, yes.

Q You did not have it in your book? A No.

Q Where did you telephone from? A I telephoned shortly after I left the apartment at some way station.

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Q Before you got to your home? A Yes.

Q You gave Enright the number of the apartment? A yes.

Q And the floor? A Yes, sir.

Q Did you meet Enright at the apartment? A Yes.

Q At five o'clock? A Yes.

Q Was he there before you, or did you get there before him?

A I do not recall.

Q But you did meet him there, and you did go into the apartment with Enright? A Yes.

Q And you stayed there for how long with Enright? A I stayed there all night that night.

Q How long did Enright stay in the apartment? A He stayed until after we had spoken with Spota and Spica and the girls.

Q Why? A I don't know how long that is; I can hunt it up-- you mean on Thursday?

Q That is what we are talking about, the first day? A I should say Enright left shortly after twelve, though I haven't it marked.

Q What? A He left shortly after twelve. I haven't it marked.

Q Twelve midnight? A Yes.

Q He was there from five until twelve? A Except for going out to dinner.

Q Did you go out to dinner with him? A Yes.

Q Then you returned to the apartment? A Yes.

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Q When was it that you met Spota in your apartment, on Thursday, if you did meet him? A He came there at eleven o'clock.

Q What? A At eleven o'clock that night.

Q In the night time? A Yes.

Q And did he come with the girls? A No.

Q Alone? A Yes.

Q Or was Spica with him? A No.

Q He came alone? A Yes.

Q Then you introduced him to Enright? A Yes.

Q And you told Spota that Enright was your fellow? A Yes.

Q That he was the pimp, is that it? A Yes.

Q How long did Spota remain in the flat with you and Enright? A An half an hour or an hour, I can't recall.

Q Then Spota went away? A Yes.

Q And Enright went away? A Yes.

Q You stayed in that flat overnight? A yes.

Q You slept there? A Yes.

Q You did not go home to your furnished room? A No.

Q Did you have a bag with you with your clothes? A I did.

Q You brought that from your apartment, from your furnished room? A I did.

Q When did you next see Spota? A The following day, in the evening -- I have forgotten just what time -- shall I look?

Q Just look at your notes? A At 11:00 P. M.

Q Twenty-four hours --

MR. ALLISON: Friday night, -- Mr. Barra is talking

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about Friday night.

THE WITNESS: Yes, this is Friday night.

BY MR. BARRA:

Q That is the next night? A Yes.

Q He was there at your apartment with Enright at about eleven o'clock, and stayed there a half an hour and went away?

A That is Thursday night.

Q The next night you saw him again, Friday? A Yes.

Q Is that right? A Yes.

Q In your apartment? A Yes.

Q Was Enright there? A Yes, sir.

Q Were the girls there? A Yes.

Q At eleven o'clock that night? A Yes.

Q Did you speak to the girls? A I did.

Q Was Jennie Bell there? A Yes, sir.

Q You spoke to her a second time? A Yes.

Q Did Enright speak to her in your presence? A Yes.

Q And so did Spota speak to her? A Yes, sir.

Q How many girls were there? A Five.

Q It was agreed the girls should go to different parts of this state and elsewhere with you and Enright? A Yes -- in houses conducted by Enright and myself.

Q You were to accompany them to these places, is that right? A No, we were to see them there.

Q In point of fact you did not conduct any disorderly house? A No.

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Q You left the girls that night, they went away? A They left the apartment.

Q And Spota was with them? A Yes.

Q Spota was alone? A No, I think Spica -- yes, Spica was with him that night.

Q Friday night? A Yes.

Q You had not seen the girls on Friday before eleven P.M.?

A I had seen them the day previous.

BY THE COURT:

Q On Friday? A No.

BY MR. BARRA:

Q I mean on Friday? A No.

BY THE COURT:

Q The only time on Friday you saw Spota and Spica and the girls was eleven o'clock at night, is that so? A Yes, sir.

BY MR. BARRA:

Q That was the first time Enright had seen these girls, Friday night? A Yes.

Q Did he take the names of the girls? A That I cannot testify to. I think he did.

Q Did you take their names? A Yes.

Q Did you take their addresses? A No.

Q Did you write their addresses on any memorandum? A I simply wrote their names down.

Q Did you write their addresses, where they lived? A No.

Q Whenever you wanted the girls, you looked for Spota?

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A yes, sir.

Q And Spota would bring the girls to your apartment? A Yes.

Q Was Louis there that night? A I cannot recall. I think that he was.

Q In point of fact Louis was with you and Enright on each and every occasion you met the girls, and when you met Spica and Spota, is not that so? A yes, sir, I think so.

Q Is not that very important, in your way of thinking, to mark down and to remember who was present at each and every conversation or interview that you had with these people? A No.

Q It was not important? A No.

Q You did not intend to use this man Louis as a witness, did you? A No.

Q And you did not expect to be examined on that question, did you? A No.

Q You thought it was an unimportant thing? A Yes, sir.

Q You do not know whether Louis was with you that night or not, Friday night, when you met the girls, the second time?

A I think he was there but I am not sure.

Q You are sure you have not that fact noted in your memorandum book? A No, I haven't got it.

Q Have you only one page written in your book? A I am going on Friday night.

Q Friday night? A Yes.

Q It was all arranged, was it not, that you should meet the girls Saturday, next day, and that they should go to different

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places, or to whatever place you should suggest? A They were to come to the apartment the next day.

Q And on that next day, the different girls were to go to the different houses of prostitution that you and Enright were conducting? A Yes, sir.

Q Is that right? A Yes, sir.

Q It was all agreed? A Yes, sir.

Q It was all agreed on Thursday night, was it not? A It was agreed simply with Spota that he was to furnish the girls.

Q But you did speak to the girls Thursday night? A I had spoken to the girls Thursday afternoon.

Q And they said that they would go? A Yes, sir.

Q And Friday night they repeated the statement that they would go to the different houses of prostitution? A Yes, sir.

Q The next day was the day for the girls to go to the different houses of prostitution? A Yes, sir.

Q Saturday? A Yes.

Q You told these girls to be ready? A Yes.

Q To take their grips along and take their bags and to take all their necessary wearing apparel, is that right? A Yes.

Q The next day you did see these girls? A Yes.

Q In your apartment? A Yes.

Q What time did you see the girls? A

MR. ELLISON: So that the record will be clear, I ask that the record show that Mr. Barra is questioning the witness about Saturday morning, May 22nd, 1915.

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MR. BARRA: I do not know what day it is, but it is Saturday morning, the third day we are talking about now, whether it was the 22nd or the 21st I do not know. This is the third day.

BY THE COURT:

Q You understand that? A Yes, but I did not understand your question.

BY MR. BARRA:

Q This is Saturday morning? A Yes.

Q On Friday night at eleven o'clock you told us you saw these girls? A Yes.

THE COURT: She has fixed it as Saturday morning.

The jurors will take notice of the fact that Saturday was the day after Friday. You may ask her the date if you have any doubt about it.

BY MR. BARRA:

Q We are talking about the Saturday following the Friday night you saw the girls? A Yes.

Q What time did you have the appointment with these girls?

A At noon.

BY THE COURT:

Q They were to come to your house at noon on Saturday?

A Yes.

BY MR. BARRA:

Q To go away? A Yes, sir.

Q Into houses of prostitution? A Yes.

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BY THE COURT:

Q And they came? A Three of them came at noon, and two of them came at 1:30.

BY MR. BARRA:

Q You were with Enright in the apartment at the time? A Yes.

Q Was Louis there? A I think so.

Q Was there anyone else there?

THE COURT: You mean before the arrival of the girls?

MR. BARRA: Yes.

THE WITNESS: Yes. We had engaged a little maid, who is Louis' wife, I believe.

BY MR. BARRA:

Q What? A Louis' wife.

Q You used Louis' wife as a maid? A Yes.

Q Was that the first time you saw Louis wife? A No.

Q Did she ever act as maid before? A No.

Q Do you know where Louis lived? A I did, but I have forgotten it.

Q Have you his address in your memorandum book? A I have one address of his. I don't know if he lives there now or not.

Q When did you last see Louis? A Shortly after this case. I have forgotten.

Q About three or four months ago? A This case was in May, shortly after the case was the last.

Q In the month of May? A Yes.

Q Louis wife was present in the living room when you were

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talking with these girls? A yes.

THE COURT: Upon all three days?

BY MR. BARRA:

Q Saturday? A Saturday.

BY THE COURT:

Q Was she there Friday night and Thursday? A No.

Q She came Saturday morning? A yes.

BY MR. BARRA:

Q She was a white girl? A Yes.

Q Who entered your apartment first? A On Saturday morning?

Q Yes, we are talking about Saturday morning, so there will be no question about it,-- she --

THE COURT: There is no doubt about that. Go on.

MR. BARRA: She asked me the question was it Saturday morning.

A Jennie and Millie and Kitty.

Q Jennie Bell and Millie Bell and Kitty Hanan?

THE COURT: Do you mean who came there first -- did you stay there all night Friday night as well?

THE WITNESS: Yes, sir.

BY THE COURT:

Q You were alone in the apartment all Friday night? A Yes.

Q Who came first on Saturday, what person, the girls or Enright or Louss or the maid? A Officer Enright came.

Q He came first; did he come first in the morning? A No.

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I think Louis wife came first and then Officer Enright came next and then Louis came.

Q When you say you think, can't you remember? A I cannot remember the order of their coming.

Q Your memory is a very important element in this case.

A Yes.

Q And you say you cannot remember? A I cannot remember who came first.

Q You say a great many things you cannot remember, you must make an effort to state fully and completely the transactions, because it will be a question for the jury to say whether you have stated correctly the other transactions or your memory is so good on some points and so bad on others. I say that to you because you must make correct and truthful answers and if you do remember you must say so.

BY MR. BARRA:

Q Of the girls who came first? A Jennie Bell, Millie Bell and Kitty Hanan.

Q They came alone? A No.

Q Who was with them? A Spota and Spica and Ralph Guarano.

Q The three of them? A Yes.

Q Were with the girls? A Yes.

Q You are sure about that? A Yes.

Q Will you look in your notebook? A Yes -- no, Spota and Ralph, the defendant, came along.

Q Then you made a mistake? A Yes.

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BY THE COURT:

Q Are those notes in your handwriting? A yes.

Q You are not reading the typewritten paper? A No.

Q Did you typewrite that yourself? A No.

BY MR. BARRA:

Q Who prepared that typewritten statement for you? A I do not know who prepared it.

Q Who gave it to you, was it Enright? A No.

Q Who? A It was given to me at the Commissioner's office.

Q By whom? A I have forgotten.

BY THE COURT:

Q When was it given to you? A About four weeks ago.

BY MR. BARRA:

Q Four weeks ago? A Yes.

Q You have had that typewritten statement in your possession ever since? A Yes.

Q You have read it and re-read it time and time again?

A No, I have read it a couple of times possibly.

Q You read it before you came into the court room this morning? A I did not.

Q You say the defendant came with Spota? A Yes, sir.

Q And that was the first time you saw this defendant?

A Yes.

Q Is not that so? A Yes.

Q Is there any question about it in your mind? A No.

Q You are sure about it? A Yes.

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Q He sat down with Spota and the three girls? A Yes.

Q Enright was there? A Yes.

Q Louis was there and his wife was there? A Yes, sir.

Q All seated in the living room? A Yes, sir.

Q There was a table there? A yes.

Q Some whiskey was served? A Yes, sir.

Q Served in water glasses, do you recall that? A Yes, I think so.

Q And the defendant and the others took copious draughts of this whiskey, took many drinks? A No, I don't think so.

BY THE COURT:

Q Don't you know? A Yes.

THE COURT: Then say what you know -- I have told you before.

BY MR. BARRA:

Q You say he did not?

THE COURT: (To the witness) It is immaterial what you think. If you know, say so. If you don't know, say so.

BY MR. BARRA:

Q All of you partook?

THE COURT: Give your best recollection, of course.

Q You all began to drink whiskey? A We all had a drink of whiskey.

Q In water glasses?

BY THE COURT:

Q He asked you if you had many drinks, yes or no? A No.

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BY MR. BARRA:

Q A bottle was consumed, wasn't it? A No.

Q Nearly a quart bottle? A I cannot recall.

Q How long was this defendant in your apartment with Spota before the other girls came into the apartment? A About an hour and a half.

Q Had you and Enright spoken to this defendant in the bedroom before the other girls came into the apartment? A No.

Q You waited until the other girls arrived? A Yes.

Q Had you agreed to give Spota and Spica any sum of money for their accompanying or placing in your custody any girls? A No.

Q You had not fixed any price? A No.

Q Do you remember whether you gave Spica or Spota any money after meeting them in Mt. Morris Park? A No, I did not.

Q You are sure about that? A Yes.

Q Never gave them any money in the restaurant, in the cafe? A No.

Q Or at your house? A No.

Q Did Enright give them any money in your presence? A Except at the time of the sale of the girls, he did not.

Q Before that? A No, sir.

Q Are you sure about that? A Quite sure.

BY THE COURT:

Q Did Louis give them any money?

BY MR. BARRA:

Q Did Louis give them any money? A No.

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Q When the other girls came in, that was about two o'clock?

A Half past one.

Q Who accompanied them? A Spica.

Q You had another drink of whiskey? A That I don't remember.

Q Don't remember how many drinks you had? A Personally?

Q You, personally, yes. A I think I had one.

Q How many did the others have? A That I am not sure.

Q You are sure you had a drink with this defendant and the three girls when he entered the apartment; now will you say whether there wasn't another drink served when the other girls arrived? A That I cannot say.

BY THE COURT:

Q You said the girls had a drink also? A Yes, I think so, I think every one.

Q Why did you give the girls a drink? A There was no reason.

BY MR. BARRA:

Q You thought you would be friendly and show a spirit of good fellowship, is that it? A Yes, sir, exactly.

Q Then when the other girls came in, Enright called this defendant into the bedroom? A Yes, sir.

Q And Jennie Bell was there at that time? A She was called in shortly after.

Q She was called in? A Yes.

Q Had you paid the defendant the \$10.00 when Jennie came

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in, or did you give the money to this defendant while Jennie was there? A I gave the money to the defendant, or, Enright gave the money to the defendant afterwards.

Q After Jennie came into the room? A Yes.

Q And in her presence? A She had gone, I think, to unpack her grip when the money was passed.

BY THE COURT:

Q She had left the bedroom? A Yes.

BY MR. BARRA:

Q And when you and Enright and this defendant were in the bedroom alone, you say Enright gave this defendant \$10.00? A Yes.

Q Did you see what the defendant did with the \$10.00? A No -- I think he pocketed it, but I am not sure.

Q You saw the money in his hand? A Yes.

Q You are sure about that? A Yes.

Q You saw it was a \$10.00 bill? A Yes.

Q And who had taken the number of this bill? A That I do not know.

Q You did not see the \$10.00 bill before it was handed to this defendant? A No.

Q Did you give the money to Enright? A Yes.

Q Who gave you the bill? A Enright.

Q He gave it to you when? A That morning in the apartment.

Q At what time? A When he first came to the apartment.

Q How many bills did he give you? A He gave me five

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\$10.00 bills.

Q Did he tell you what to do with these bills? A He told me to give them to him when he asked for them.

Q Did he tell you how much to give him? A He told me to give them to him when he asked for them.

Q Did he say to give him the money all at once? A No.

Q You had in your pocket how much? A Five \$10.00 bills.

Q Was Louis there when you got the five \$10.00 bills?

A That I cannot be sure about.

Q Was Louis wife there? A Yes.

Q And the money was given to you in her presence? A Yes.

Q Now you say that Jennie went out to unpack, do you mean unpack or open that grip or some grip that resembles or looks like that one which was shown here? A She went out to unpack her belongings. I don't know what she unpacked. That is all she said.

Q You do not know what bag belonged to Jennie? A No, I could not identify it.

Q You say the girls walked in one with a grip and the other with a bag? A With a bundle.

Q The girls carried them? A Yes.

Q Jennie and Millie? A Jennie and Kitty.

Q Did you tell the girl to go out and unpack her belongings? A I did not.

Q Who suggested that she go out and unpack her belongings?

A She did herself.

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Q Did she tell you why she wanted to unpack her belongings?

A No.

Q Could you see from where you were in the bedroom what Kitty and Jennie were doing in the living room? A I could have seen if I had been looking that way.

Q If you wanted to, you could? A Yes.

Q You say that Jennie left, after she had spoken to this defendant in the bedroom, in the Italian language? A Yes.

Q You do not speak Italian, do you? A No.

Q And do you know whether Enright speaks in Italian? A I think not. I don't know.

THE COURT: If you cannot finish before recess, I suggest that we take an adjournment now.

MR. BARRA: That will be very nice.

THE COURT: Until say quarter after three. I have to charge a jury in another case and it will take some time, and a great many questions will be asked probably, so I expect we will take possibly an hour or an hour and a quarter in that matter.

MR. BARRA: Will you be good enough to instruct the witness not to converse with anyone with reference to her testimony while she is under cross examination or allow anyone to converse with her.

THE COURT: I will with one exception. She has a right to speak to the District Attorney.

MR. BARRA: I do not mean the District Attorney.

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THE COURT: Mr. Ellison may talk to her.

MR. BARRA: I do not mean the District Attorney.

THE COURT: I will instruct her not to talk to any police officer or police official or anyone else who is to be a witness in this case about her testimony until the close of her testimony, but with Mr. Ellison she may confer freely.

MR. BARRA: Will you continue the bail?

THE COURT: Yes.

The Court admonishes the jury in accordance with Section 415 of the Code of Criminal Procedure, and takes an adjournment until quarter after three P. M.

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1 (The People vs. Ralph Guarano.)

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New York, Thursday, October 21, 1915.

Trial resumed (3-40 P.M.)

A N N A S M I T H (recalled)

CROSS-EXAMINATION CONTINUED BY MR. BARR~~O~~:

MR. BARR~~O~~: Your Honor, I would like to ask one more question?

THE COURT: You said you were through with the witness. However, you may ask the question.

Q Mrs. Smith, under what name is your husband known in Broad Street? A His name is Joseph Allen Bryant.

Q You have not been divorced from your husband? A No.

Q So you have assumed the name of Smith? A Yes, sir.

Q That is not your name then? A No.

BY MR. ELLISON:

Q For the purposes of these cases you have taken the name of Smith? A Yes, sir.

THE COURT: Is that all?

MR. ELLISON: Just one more question, your Honor.

Q Now, are these woman standing at the bar the girls you have testified to as having come in with these three defendants, Spica, Spota and Guarano, and known on the record as Jennie Bell, Millie Bell, Kitty Hannon, Susie Lewis, and Eleanor Harris?

MR. BARR~~O~~: For the purpose of the record I object to that except the name of Jennie Bell, who is mentioned in the indictment, on the grounds that it is not germane

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to the issue, not within the issues, not related to the subject matter of the indictment now before the Court.

THE COURT: Objection overruled.

MR. BARRE: Exception.

A Yes, sir.

Q The answer is "Yes"? A Yes, sir.

THE COURT: Now, Mr. Barre, have you any further cross-examination?

MR. BARRE: No, further cross-examination, your Honor.

THE COURT: Well, the witness is excused.

A N N I E N A P O L I, called as a witness on behalf of the People, first being duly sworn and examined, testified as follows: (through Mr. Moustaki, Official Interpreter):
(I reside at 420 East 123rd Street, New York City).
DIRECT EXAMINATION BY MR. ELLISON:

MR. ELLISON: Your Honor, Mr. Barre has just told me that the presence of the last witness, Mrs. Smith, will not be required any longer during the trial. Is that right Mr. Barre?

MR. BARRE: Yes.

Q Now, Madam, you are the janitress of premises 420 East 123rd Street? A Yes, sir.

Q And have been for how long? A Five years.

Q Did this defendant live in that house? A Yes, sir.

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Q And what floor did he live on? A Top floor, No.13.

Q Did he live there alone or with a woman?

MR. BARRER: I object to that as incompetent, irrelevant and immaterial, and, if your Honor please, there has no evidence of good character been interposed at this time by the defense.

THE COURT: I will sustain that objection to the general question. It is not introduced for the purpose of affecting his character.

MR. BARRER: But it may have that tendency.

THE COURT: I will allow the question if it is connected properly with this case.

MR. BARRER: I object on the general incompetency ground and on the specific ground that it is an attempt to prove bad character.

THE COURT: It is not offered to prove character. I would not admit it on that ground. The character of the defendant is not an issue unless he makes it so, and I will not allow the People to prove his bad character, but the People may prove any fact which they deem essential to the establishment of their case.

MR. BARRER: Which is material to the issue.

THE COURT: And if the proof of that particular item damages the character of the defendant that is unfortunate for the defendant, that is all.

MR. BARRER: Very well, your Honor, we except.

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THE COURT: Now, you may produce any one of these women who, you say, are in this case.

MR. ELLISSON: That is what I am going to do. I am leading up to that.

Call in Jennie Bell.

(Jennie Bell was brought to the bar).

THE COURT: You know what you have in mind, Mr. Ellison.

Q Did he live in your house?

BY THE COURT:

Q Do you know that person standing at the bar? (indicating Jennie Bell) A Yes, sir.

Q Do you know where she lives? A Yes, sir.

Q Where?

MR. BARRE: Objected to as incompetent, irrelevant and immaterial.

THE COURT: Objection overruled.

MR. BARRE: Exception.

A In the house where I am janitress.

Q Well, on what floor? A Top floor.

Q Well who else, if any one else, lived on that same top floor that she did?

MR. BARRE: Objected to on the same grounds.

THE COURT: Objection overruled.

MR. BARRE: Exception.

A I do not know; I cannot remember; no, there are Americans living nearby.

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Q How many families live on that floor? A Four families.

Q Now, which rooms did Guarano occupy, front or rear?

A The front.

Q Which rooms did this girl live in?

MR. BARRR: Same objection on the same grounds.

THE COURT: Objection overruled.

MR. BARRR: Exception.

A I do not know that. They were in the front. I do not know which room.

THE COURT: In the front but she does not know which room.

BY MR. ELLISON:

Q Did she live in the same rooms that the defendant lived in?

MR. BARRR: I object to that on the ground that it is incompetent, irrelevant and immaterial.

THE COURT: I will allow it.

MR. BARRR: Exception.

A I don't know; I cannot tell. I cannot say whether they lived together or not.

BY THE COURT:

Q That is not the question. You have been janitress there for five years? A Yes, sir.

Q And you let the rooms? A Yes, sir.

Q And you let the rooms to the people on the top floor, didn't you? A Yes, sir, I rented the rooms, three rooms.

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Q To this girl, you say? A To this girl.

Q Now, did the defendant live in the three rooms that you rented to this girl, or in another apartment on the top floor?

MR. BARRER: Same objection.

THE COURT: Overruled.

MR. BARRER: Exception.

BY MR. ELLISON:

Q Did the defendant ever tell you --

THE COURT: That is all now. She may retire (addressing the woman who was at the bar, Jennie Bell).

Mr. Ellison, you may ask this witness any further questions you please. I merely don't want to have the girl, Jennie Bell, present.

Q Did the defendant ever tell you who this girl was?

MR. BARRER: Objected on the ground that it is incompetent, irrelevant and immaterial.

THE COURT: I will allow it.

MR. BARRER: Exception.

A He did not. I never had any talk with him about the girl; simply paid me the rent.

Q How long a time were they living in these three rooms at 420 East 123rd Street?

MR. BARRER: Same objection.

THE COURT: Overruled.

MR. BARRE: Exception.

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A One month the girl paid the rent and the other month the defendant paid the rent; two months all told.

Q And what months were those? A I cannot remember that.

MR. ELLISON: That is all.

MR. BARRER: No questions. I move now that your Honor strike from this record the entire testimony of this witness, and instruct the jury to disregard it, upon the grounds that it is incompetent, irrelevant and immaterial.

THE COURT: Mr. Ellison, I think you ought to call her back and be a little more definite as to the time.

MR. BARRER: I don't press my objection on the ground of indefiniteness -- any time.

THE COURT: The jury may want to know. The testimony is admissible.

MR. BARRER: You overrule my objection, your Honor?

THE COURT: Not for the purpose of proving bad character but for some other purpose which will develop.

BY THE COURT:

Q Was it a year ago they were there, or a month ago, or two months ago? A I think it is eight months ago.

Q Are the rooms occupied now? A No.

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Q The rooms are still vacant? A The goods and chattels are in yet.

Q The goods and chattels of Guarano are in yet? A Yes, sir

THE COURT: Is that all you need?

MR. ELLISON: I want to follow that up, your Honor.

BY MR. ELLISON:

Q Was she living in these rooms at the time this defendant was arrested?

THE COURT: She may not know.

MR. BARRER: I renew my motion to strike from the record the entire testimony of this witness as being incompetent, irrelevant and immaterial.

THE COURT: Motion denied.

MR. BARRER: Exception.

THE COURT: Now, I think, Mr. Ellison, we will take an adjournment until tomorrow morning. One of the jury has requested an adjournment.

Gentlemen of the Jury, you are excused until 10:30 tomorrow morning. Meanwhile be extremely careful not to discuss this case between yourselves, or with any one else, and you must not come to any conclusion as to the guilt or innocence of the defendant until you have heard everything that is to be said on both sides, and until you retire after the Court submits the case to you for your decision. You may now go until tomorrow morning at 10:30.

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Whereupon at 3:58 P. M. an adjournment was taken.

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New York, October 22nd, 1915,

Trial resumed.

W I L L I A M J. E N R I G H T, called as a witness in behalf of the People, being duly sworn and examined, testified as follows:

DIRECT EXAMINATION BY MR. ELLISON:

Q You are a member of the Police Department of the city of New York? A Yes, sir, I am.

Q How long have you been connected with the Department?
A Going on eleven years.

Q You are assigned to the office of the Second Deputy Police Commissioner, is that so? A Yes, sir.

Q Are you the Officer Enright who assisted Miss Smith, one of the previous witnesses in this case? A Yes, sir, I am.

Q Do you know the three defendants in this case, Joseph Spota, George Spica and Ralph Guarano? A I do, yes, sir.

Q When did you first meet the defendant Spota? A On the 20th day of May.

Q This year? A This year, yes, sir.

Q Where did you meet him? A In an apartment on 7th avenue to the best of my knowledge 2529 7th avenue.

Q That was the apartment that Miss Smith had engaged, is that so? A Yes.

Q Did you meet him there at night? A Yes.

Q Tell the jury what, if anything, was said between you and

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Miss Smith and the defendant Spota at that time?

Objected to as incompetent, irrelevant and immaterial and hearsay, and no proof of any conspiracy.

Same ruling and exception.

THE COURT: If the jury find there was no conspiracy, they will disregard this evidence.

BY MR. ELLISON:

Q Go on? A Spota came to the apartment and I was there with Miss Smith and another woman was there by the name of Annie. Spota was introduced to me by Miss Smith saying "This is Sport, one of the men I was speaking to to-day and who showed me the girls." I shook hands with Sport and I said "How do you do" and he said "How are you, Mr. Wallace." I said "My wife has been telling me about the girls you have been showing her to-day." He said "Yes". I said "What is the matter with the other fellow, hasn't he showed up?" He said "Well, I thought I would come over and look the apartment over first." I said "Well, how many girls can you get me." He said "We can get you all you need." I said "All right, when can I see the girls." He said "I will have them here to-morrow night." I said "Very well, then I will look the girls over and see what I think about them, and if they are all right we will take them." He said "Mrs. Wallace seen the girls this morning and she picked the five out that she wants and they seem to suit her." I said "I know, but I will have to see the girls also." He said "Very well, I will have them here to-morrow night." He said "George will be with me", meaning Spica.

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I said "Very well", and shook hands with me and bid me good night and left the apartment.

Q The next evening, Friday, the 21st, were you at the apartment on 7th avenue? A I was.

Q On that night did you see the defendants Spica and Spota?
A I did.

Q Did they come there alone or with anybody else? A They had the girls with them that night.

Q How many girls did they bring with them? A There were five girls all told.

Q Do you remember the names of the girls? A I will give the first names, there was Jennie Bell and Millie Bell, Kitty Hannon, Sadie Harris and Nora -- I forget the last name.

Q Tell the jury what, if anything, was said on that evening by you or Miss Smith or the defendants or the girls, in the presence of the defendants Spica and Spota?

Objected to as immaterial, and upon the same grounds as before stated.

THE COURT: I will allow any conversation in which Spica and Spota took part, any statement to which Spica or Spota replied, or any conversation in which they took part. That testimony is admissible, on the theory that these defendants and Guarano were concerned in the commission of a felony; that they were jointly concerned in the commission of a felony, and anything said or done by any one -- any of them -- in carrying out the corrupt agreement, in committing the

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crime, is binding upon all, even if they be absent at the time the statement is made or the act done.

MR. BARRA: I take an exception.

THE COURT: If there were no conspiracy, as I said before, I will dismiss this case. Mr. Ellison understands that, as all this testimony would be so prejudicial to the defendant it should not be introduced unless his connection with it can be proved.

BY MR. ELLISON:

Q Go on? A Spota introduced me to George Spica, and I shook hands with George and I said "Are you the other young man that my wife was talking to yesterday morning." He said "Yes." The girls sat down and were introduced to me as Kitty Hannon and Jennie Bell and Millie Bell, Sadie Harris and Nora. I don't know the last names, I have forgotten what it was. I said "Are these the girls you picked out" -- to Miss Smith -- and she said "Yes." I said "I will tell you, I want two girls to go to Hoboken. I want two girls to stop here, and I want one to go to Paterson." I said to Nora and Sadie "Will you go to Jersey" and they said "No, that they would not go because they had a father there or relative of some kind that had a tailor shop, and perhaps some of the customers might come in and see them in the place of business and let their people know about them." I said "Very well, then, do you want to stay here" and she said "What price apartment is this." I said "I am going to have a five dollar apartment." She said "Well" -- the two of them said "We will stay here." I

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said "Very well, that is settled." Now, I said, "I have to have two to go to Hoboken." So it was decided -- they asked first -- Kitty Hannon and Millie Bell asked what price house it was in Hoboken. I said it was a two dollar house and they said they were satisfied to go there. I said "Very well, then, that is settled. Now I have to have one to go to Paterson, will you go, Jennie" and she said "No, I won't go alone." Sport turns around and he said "Oh, she will go all right, Ralph will make her go." He said "He ought to be here now, he is liable to come here later" I said "What Ralph is that" and he said "That Ralph is Jennie's fellow and" he said, "he will speak to her and make her go. If he is not here to-night he will be here to-morrow sure." I said "I must have the girls ready by to-morrow." I said "Can all you girls be ready by 12 o'clock to-morrow" and they said "Yes, we can" so I said "Very well then, you know what you are to bring" and Mrs. Wallace said "Well, you have to bring douche bags and kiminos and certificates."

Q. What kind of certificates? A. Doctor's certificates. They said they could get them. I said "Very well, if you have them -- I cannot use girls that might be sick in the houses, that is why we insist on the doctor's certificates", so they said they would be there the next day and that they would have the certificates and everything that was needed in regard to douche bags and kiminos, and I asked Sport and George that night, I said "Well, are you sure Jennie will go to Paterson" and he said, the pair of them said together, one after the other at least, "We will speak

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to Ralph, she is Ralph's girl and Ralph will make her go all right." I said "Very well, will he be here to-morrow" and he said he would be there the next morning.

Q To whom have you reference to in your testimony as Sport?

A Well, I forget his last name.

Q Do you refer to Sport as one of the defendants Spota or Spica? A Spota.

Q The next morning on Saturday, May 22nd, 1915, were you at the apartment on 7th avenue? A I was.

Q And who came there that day? A There was Spota and Spica and Ralph, the defendant, Guarano, and Jennie Bell, Millie Bell and Kitty Hannon. They came in together. I asked where the other girls were and George said he thought they were there before them. I said "No, they have not come here yet, are they going to come" and they said "They surely will come."

Q Subsequently who came? A Nora and Sadie Harris.

Q Did any of the girls have anything with them when they came in that day? A They did -- Millie Bell, I think it was, carried the satchel.

Q I show you People's Exhibit 4 for Identification, and I ask you whether that is the satchel that she carried in that day?

A Yes, sir, it is, and Kitty Hannon had a package.

Q Tell the jury what took place between you and Miss Smith and this defendant Guarano and the other defendants when they came in that morning, tell us what was said and done? A We waited then until the other girls came, Nora and Susie, and when they

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came I said "Well, I am glad you are all here because I did not think you were going to show up" and they said "Oh yes, we showed up" and one brought a little box with a kimono in it. I said "Well, what about the doctor's certificates, have you girls got them" and they said they had, and they passed them over -- Jennie Bell passed one to the defendant Ralph Guarano; Millie passed one to Sport and Kitty passed one to Spica, and in return they handed them to me and I showed them to Miss Smith.

Q I show you People's Exhibits 1, 2 and 3, and I ask you if those are the alleged medical certificates that were handed to you as you have just testified to?

MR. BARRA: I object as incompetent, irrelevant and immaterial, the subject matter of another indictment, with the exception of the one relating to Jennie Bell, the name mentioned in this indictment.

THE COURT: Same ruling. Exception.

THE WITNESS: Yes, they are the same handed to me, one of them by the defendant.

Q Which one was handed to you by the defendant Ralph Guarano? A This one right here (indicating).

MR. ELLISON: People's Exhibit 1.

BY MR. ELLISON:

Q What else was said that morning? A I then asked them if they had brought their douche bags and kimonos with them and they said they had.

MR. BARRA: I desire to have an objection noted on the

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record as to what was said by the other girls, or with reference to the other girls, as not germane to this issue, not within the issue, and the subject matter of other indictments not now before the Court.

THE COURT: I overrule the objection and make the same ruling as before. Exception.

Q Go on? A I then called Ralph into the bedroom adjoining, with Miss Smith, and I said to Ralph "Well, now, they have been telling me Jennie is your girl, is that right" and the defendant said "Yes." I said "Well, I want one to go to Paterson and Jennie said she won't go." He said "Well, I will speak to her" and he called her in, and I said "Will you go", in front of the defendant and Miss Smith, "Will you go to Paterson" and she said "No" and the defendant turned around to me and he said "Can she make fifty dollars a week there." "Well", I said, "that all depends upon herself." He said "What price house is it?" I said "A three and five dollar house." He said "Well, can she make any other money besides." "Well", I said, "We sell a bottle of wine to the girls for a dollar and a quarter and they in turn sell it for \$5. and anything over a dollar and a quarter they get is their own." He said "Well, then I guess she can make more than fifty dollars a week." I said "I should think so", and he turned to Jennie Bell and spoke in Italian to her.

Q Did you understand what he said to her in Italian? A No, sir, I did not.

Q After he spoke to her in Italian, what happened? A I said

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"Well, will she go?" He said "She will go all right." I said "Will you", and she shook her head and said yes.

Q That was after he spoke to her in Italian? A Yes, sir. Then I said "All right, that is decided", and Jennie walked out of the room. I said then to Ralph "Now, as long as the girl will go, what do I owe you for this girl." "Well", he said, "I tell you, you treat me right, you want more girls, I will get you more girls." I said "I tell you the best I can do for the girl, I will give you ten dollars the same as I am going to give the others." He said "All right", and so I paid him the ten dollars, one ten dollar bill.

Q Had you taken any memorandum of the number of that bill, before you gave it to him? A The Commissioner took the numbers of them, Commissioner Lord and a stenographer in Commissioner Lord's office.

Q I show you people's Exhibit 5 for Identification and I ask you whether or not that is the bill you gave to the defendant that day?

(A bill is marked for Identification People's Exhibit 5)

THE WITNESS: Well, that bill was in my possession when I paid the money among the three of them. I did not take the exact numbers when I passed the money over, but later on when the arrest was made, Officer Kane informed me he had found this bill in his pocket.

THE COURT: Strike that out.

BY MR. ELLISON:

Q Never mind that, you handed him a bill of which you did

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not know the number? A No.

(Three other \$10. bills are now marked as one exhibit People's Exhibit 6 for Identification).

THE COURT: Anything that happened after the commission of the crime will not be receivable in evidence, Mr. Ellison unless the defendant is directly connected with it. You understand that .

BY MR. ELLISON:

Q After the money was paid to this defendant as you describe what did you and Miss Smith and the defendant Guarano do? A We went out of the room and then I called in George and Spica and I had a conversation with them and paid them \$10. each for each one-

MR. BARRA: I object to that.

THE COURT: I sustain the objection as to that. He can simply say that he called them in and had a conversation with them, but that is all, because the crime is completed now, and only the defendant's acts or declarations may be testified to after that.

BY MR. ELLISON:

Q What, if anything, did the defendant do in regard to unpacking a grip? A We went out in the dining room then and he sat down in the parlor and the defendant asked me if I had any paper and I said "I had", and I gave him some paper and he asked me if I had any twine. I said "No, but I would send out for some", which I did. I sent out and brought the twine in and gave him the twine and he stooped down and the valise was open when I

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turned around, and he took out some things.

Q I ask you to look at the contents of People's Exhibit 4 and state whether those are the things that he took out? A Took these things out and wrapped them up and tied them up (indicating).

MR. ELLISON: I offer these things in evidence.

Received and marked People's Exhibit 7 as one exhibit.

Q What else? A He then closed the valise and handed it to Millie Bell.

THE COURT: Is there any objection to the articles?

MR. BARRA: I object to receiving the things as incompetent, irrelevant and immaterial.

THE COURT: What are the articles?

MR. ELLISON: Douche bags and kimonos.

THE COURT: I will allow it. Exception.

BY MR. ELLISON:

Q Were these contents also in the bag, that are in there now? A Yes, sir.

Offered in evidence.

THE COURT: He opened the bag?

MR. ELLISON: Yes, and he said the contents are the same as they were then.

THE COURT: How is that bag connected with the defendant?

MR. ELLISON: It was brought in there that morning with the girls.

THE COURT: I understand that, but how is he connected

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with that bag. The bag was there, was brought in by one of them, by which one was it brought in.

THE WITNESS: Millie Bell, and he was with her -- she lives in the same apartment with him.

THE COURT: Strike that out. I speak about the evidence Do not answer any question which is not asked you. My remarks are addressed to the District Attorney. Strike out all he has said.

THE COURT: The question is as to the admissibility of that bag. You must connect the defendant with it.

MR. ELLISON: I have told you what the record shows up to date.

THE COURT: I know that. Yesterday that bag was here and it was testified it was brought in by some of the five girls, when it was brought in.

MR. ELLISON: Brought in by Millie.

THE COURT: How do you connect him with Millie.

MR. ELLISON: The three defendants came in with Millie.

THE COURT: He is only connected with Jennie.

MR. ELLISON: He opened the bag and took out the articles.

THE COURT: He opened that bag and the things he took out of that bag I will admit in evidence. If you can connect him with the bag in any way I will admit the bag, but that does not connect him with the bag.

MR. ELLISON: I can prove it in another way.

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THE COURT: Or, if you connect Jennie with the bag.

BY MR. ELLISON:

Q What happened then?

THE COURT: You must remember this is after the commission of the crime. The crime was ~~xx~~ completed, if any was committed, when he took the money for the delivery of that girl. It is a crime to agree to deliver a girl just the same as to actually deliver her. Anything that was said or done after that time by the others, is not binding upon this defendant. Anything that he said or did is binding against him. Any of his own acts or declarations. Prior to the passing over of the money I have allowed everything in evidence on the theory of a conspiracy, but now the object of the conspiracy has been accomplished, according to the testimony, and I will not admit that bag at this time.

BY MR. ELLISON:

Q What happened then, after these articles were taken out, as you say? A The defendant wrapped the package up and tied it up with the cord I had given him, and gave it to Jennie Bell, and then handed the bag to Millie Bell, and the defendant then spoke to her and bid her goodbye, as the other two did with the other girls, and they left the apartment.

Q Who left the apartment? A Three of them together, Spica Spota and the defendant Guarano.

Q Were you present when they were arrested? A No, sir, I was not.

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Q Were you present when they were searched? A No.

CROSS-EXAMINATION BY MR. BARRA:

Q Do you remember making a complaint in the 121st Street Court? A No.

Q Did you sign any affidavit when the defendants were arraigned? A Yes.

Q Was it a full affidavit? A I don't think it was. I think the indictment was rendered before the full affidavit.

Q What? A I think the indictment was rendered before the full affidavit was made in the Police Court.

Q Did you make an affidavit on information and belief in the Magistrate's Court? A Not on information and belief.

Q Where did you meet Miss Smith? A I was introduced to her in the Commissioner's office, Commissioner Lord's office.

Q When? A During the month of May.

Q How long prior to the Thursday before the arrest in this case? A It might be two days or so.

Q Did you look at Miss Smith's credentials, letters of recommendation? A I had no right to look at her credentials.

Q Did you? A No.

Q When did you work in conjunction with Miss Smith, for the first time? A About two or three days previous.

Q On the Thursday before the arrest, before the Saturday, the arrest in this case, did you know where Miss Smith was working, what streets? A Did I know where she was working?

Q That is the question? A Yes.

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Q You did not accompany her, did you? A Yes.

Q While she was in the street? A Sometimes.

Q When she was in Mount Morris Park were you close by? A No.

Q You were not? A No.

Q Did you have any one near her? A Yes.

Q Who was near her? A A man named Louis.

Q Louis what? A Well, Louis Cohen, I knew him by.

Q How long did you know Louis? A Possibly two weeks previous to that.

Q Louis is a stoolpigeon? A Yes.

Q And Louis does work for you? A That is the only work he has ever done for me.

Q Where did you meet Louis? A I met him on 125th street and 3rd avenue.

Q Who introduced you to Louis? A I introduced myself.

Q You told him you were a police officer? A No.

Q You asked Louis to do some work for you? A Not right away, no, sir.

Q Later on? A Yes.

Q Then it was that you told him you were a police officer?
A Yes.

Q You asked him whether he would not do some work for you?

A I asked him if he knew --

Q Did you ask him if he would do any work for you? A Not in that respect, I did not ask him to do any work.

Q Did you give him any money for the work that he did? A Yes.

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Q How much money did you give him? A Say about \$40. or so.

Q You were paid by the City of New York for that money?

A Yes.

Q You put in your bill? A Yes.

Q Do you remember when it was that you put in that bill?

A No, sir, I do not.

Q You have been paid? A Yes.

Q Did you swear to a voucher or to an affidavit? A Yes.

Q It was \$40.? A To the best of my recollection.

Q Have you any notes, did you make any memoranda? A Not here.

Q What? A I have not any notes of the bill here.

Q But you did make a memorandum of the moneys that you expended? A Yes, sir.

Q During your investigation? A Yes, sir.

Q Is that right? A Yes, sir.

Q Then you signed an affidavit setting forth in detail the amount of money that you expended? A Yes, sir.

Q Is that right? A Yes, that is right.

THE COURT: That applied to other cases -- I understood the officer to say -- \$40. covered everything or do you mean \$40. for this case?

THE WITNESS: I can only make a guess at it.

BY THE COURT:

Q Was it for one case or for all the work you had with Louis? A All the work I had with Louis.

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BY MR. BARRA:

Q You said he worked only in this case? A Yes.

Q So the \$40. was for the work in this particular case?

A Yes.

Q Now, did you give Miss Smith any money? A Not a cent.

Q Never? A Never in my life.

Q Did you give her any money that she could use? A I don't think I did.

Q Any expense ? A No, sir.

Q Don't you know if you did or not? A I can't remember ever giving her as much as a penny.

Q Never gave her a penny? A I don't think so.

Q Sure about that? A I could safely say so.

THE COURT: He says that is his best recollection.

MR. BARRA: He could safely say so that he never gave her a penny.

THE COURT: I do not see how it is material whether he ever gave her any money or not.

MR. BARRA: It may be very very material before we get through.

THE COURT: She says she was paid for her work.

MR. BARRA: I understand that.

THE COURT: What difference does it make who paid her. She was paid by the authorities, she said.

MR. BARRA: It may affect her credibility and it may affect this witness' credibility, as to whether they are

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telling the truth.

THE COURT: She said she was paid. If she said she was not paid, it might be material, but she said she was paid by the authorities and they have the right to expend money in their discretion in the detection of crime.

MR. BARRA: There is no question about that, but I have the right to examine him --

THE COURT: As to what individual paid her the money? He does not claim to have given her any of his own money.

MR. BARRA: No, any money on the part of the authorities.

A No.

BY MR. BARRA:

Q You never gave her any money? A No.

Q You never advanced any money for her that she could use?

A No, I did not.

Q Did she put any bill in to you for the moneys she expended? A Not to me.

Q Not to you? A No.

BY THE COURT:

Q Did she hand the bill to you? A No.

Q Did you put it in for her? A No.

Q You had no connection? A No connection with her whatever

Q She and the Commissioner did that? A Yes, sir.

BY MR. BARRA:

Q Whatever money she expended she got from the Commissioner? A I should judge do, I cannot answer it.

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Q You did not give it to her? A I don't know if he did or not.

Q She never handed in a bill to you? A No.

Q And you had the Commissioner o.k. it? A She never handed any to me.

Q Never? A No.

Q At any time? A At any time at all.

Q Do you know what was the amount of her bill for expenditures? A I never saw one of her bills.

Q This Louis that you speak of accompanied Mrs. Smith to Mount Morris Park? A He did.

Q This of course you were told later on? A This I knew because I was the one that sent Louis with Mrs. Smith.

BY THE COURT:

Q Did you see Louis go with her? A Yes.

Q You saw Louis go? A Start off with her.

BY MR. BARRA:

Q Where were you at that time? A 125th street and 3d avenue

Q Did you remain there until Mrs. Smith returned? A No, sir I did not.

Q You went about your work? A Yes.

Q Had you engaged a flat at that time? A I, no, not on that occasion.

Q Had Mrs. Smith engaged a flat, any apartment at that time? A Not that I know of up to that time.

Q When did you first learn that Mrs. Smith had engaged the

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apartment? A At about 5 o'clock in the evening.

Q That day? A Yes.

Q And who told you? A Mrs. Smith.

Q Where were you when she told you that? A In an apartment in 97th street.

Q In her apartment? A In an apartment, not her apartment.

Q Whose apartment? A I refuse to answer that.

Q You refuse to answer that? A Yes.

Q It was not your apartment? A No.

Q Was it another of the make believe apartments that you had? A It was.

Q Mrs. Smith called at that apartment? A Yes.

Q You saw her there in the apartment? A Yes.

Q In 97th street? A Yes.

Q And in that apartment she told you that she had rented another apartment on 7th avenue? A She did.

Q And that is the apartment in which this defendant was arrested? A No, sir.

Q Where the girls were brought? A Yes.

Q He was arrested when he left that apartment? A I believe so, yes, so far as I understand and learned afterwards.

Q You are sure about that?

BY THE COURT:

Q You did not take part in the arrest? A No.

BY MR. BARRA:

Q You saw them under arrest right after? A No, sir, I did

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not, I was up in the house when the arrest was made.

Q Later?

BY THE COURT:

Q How long after did you see him? A I did not see him possibly for maybe a week after.

BY MR. BARRA:

Q In the 97th street apartment Mrs. Smith told you that she had engaged the other apartment on 7th avenue? A Yes.

Q How long did Mrs. Smith remain with you in that 97th street apartment? A We went out and had some supper and came back, I judge to the best of my recollection around 7 o'clock.

Q You stayed in the 97th street apartment? A We made an arrest there that night. That is, we apprehended later on --

Q I did not ask you that -- did you stay in that apartment?
A A part of the time, yes.

Q Did you and Mrs. Smith separate? A No, sir.

Q The two of you then went to the 7th avenue apartment?
A Yes.

Q Were you introduced to the landlady? A No, sir.

Q Of the building? A No.

Q Did you have a key to the apartment? A Yes.

Q Then you and Mrs. Smith entered this apartment and stayed there until what time? A With another girl and with Louis' wife.

Q Louis's wife? A Yes, sir.

Q She appeared, where did you meet Louis's wife? A In the 97th street apartment. She was there also.

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Q She accompanied you and Mrs. Smith? A Yes.

Q To the 7th avenue apartment? A Yes.

Q We will call it the 7th avenue apartment? A Yes.

Q And the three of you remained in this apartment until what time? A It might have been 9 o'clock or so when Sport came, and maybe a little later, I judge it might have been -- I left that apartment, to the best of my recollection, about 11 o'clock.

Q That was on Thursday night? A Yes.

Q You say you saw Sport there? A Yes.

Q Spota? A Spota.

Q The man Spota? A Yes.

Q Was Louis there? A I think he was later on.

Q Was he there while Spota was in the apartment? A Yes, sir, I think he was.

Q Did you see the girls that night? A No, sir, I did not.

Q Do you know whether any of the girls came into the apartment that night? A I am positive that they did not come there that night, to the best of my recollection, up until 11 o'clock.

Q Then you left? A Yes.

Q Did Louis leave with you? A Louis left with Sport.

Q They left before you did? A Yes.

Q Did Louis' wife remain in the apartment? A When?

Q That night? A That I could not answer. I left at 11 o'clock.

Q She was there? A Mrs. Smith and Louis's wife were still there.

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Q You are sure about that? A I am positive.

Q Did you know where Mrs. Smith resided at that time? A No, I did not even inquire.

Q What? A I did not even inquire -- I don't think I did at that time.

BY THE COURT:

Q What do you mean by residing?

MR. BARRA: Where she lived.

THE COURT: Where she lived -- she was living in that apartment that night?

MR. BARRA: No.

THE COURT: What do you mean -- a man may have half a dozen residences.

BY MR. BARRA:

Q Do you know where she had her residence? A Not at that time.

Q Her domicile?

THE COURT: You mean where her husband and family were?

MR. BARRA: No, where she resided in this city.

THE COURT: Oh, in this city.

THE WITNESS: No, I did not know at that time.

BY MR. BARRA:

Q You knew she was a married woman? A I did not.

Q You did not inquire? A No.

Q Never asked her? A It was none of my business.

Q Did you ask her? A No, I did not.

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Q She never told you? A She did not.

Q Never told you of her antecedents? A No.

Q You did not know she lived in a furnished room? A I am telling you I did not know where she lived at that time.

Q Did you know that? A No.

Q You left about 11 o'clock? A About 11 o'clock.

Q When did you next see Mrs. Smith? A Might have been 9 o'clock that night I judge, the following night about.

Q Didn't see her during the day? A I don't think I ever did, not during the day.

Q You did not know the defendant Guarano? A No, sir, not at that time.

Q Thursday night? A No.

Q You did not know the defendant Friday night? A No, sir.

Q Friday night about 9 o'clock did you see Spota? A I did.

Q Did you see Spica? A I did, yes, sir.

Q Was Louis in the apartment? A He was, yes.

Q Did you see Spica and Spota in the apartment, the 7th avenue apartment? A I did.

Q That was the first time you met Spica? A Yes.

Q Was Louis' wife in the apartment that night? A She was.

Q When you went to the 7th avenue apartment on Friday night did you find Spica and Spota in the apartment? A Let me see -- I think Spota -- there were three of the girls and Spota, I think, in the apartment when I came there.

Q Later on Spica with two of the other girls came? A Yes.

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Q Was Jennie Bell in the apartment at the time you entered with Spota? A She was.

Q Sure about that? A Positive.

BY THE COURT:

Q She was one of the three? A She was one of the three.

BY MR. BARRA:

Q Louis and his wife were there at the time? A Yes.

Q That night you were introduced to Spica? A Yes, sir.

Q You say you had a conversation with the girls? A Yes.

Q And with Spica and Spota? A Yes.

Q Mrs. Smith was there during that conversation? A Yes.

Q It was in the living room? A In the parlor.

Q There was a table in the room? A There was.

Q You were all seated? A Yes.

Q On chairs at this table? A No, around the room.

Q What do you mean by "around the room"? A The table was in the center of the floor and the chairs --

BY THE COURT:

Q You mean you were not seated at the table, but --

A Around the room, yes.

BY MR. BARRA:

Q You spoke in an ordinary tone of voice? A Well, I had to speak loud enough for the girl who is the smallest to hear -- Nora I believe -- who was about four or five feet away from me.

Q Mrs. Smith was right close to you? A Sometimes she was.

Q Did she participate in the conversation? A I think she did

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Q She was there when you spoke about the girls going to Paterson and to Hoboken and those that were to remain in that particular apartment? A To the best of my recollection she was, yes.

Q Didn't she say "We need two of the girls to go to Hoboken"? A She might have said it with me -- after me --

Q Didn't she say "We need a girl to go to Paterson"? A I don't know, I couldn't tell what she said exactly, I was paying more attention to what the girls were saying and the fellows were saying.

Q She was present when Spica said "Jennie will go to Paterson"? A Not in those exact words.

Q What did he say? A He said "She will go, if she don't I will see Ralph. Ralph ought to be here now, he might come later"

Q Ralph did not appear that night? A No.

Q Mrs. Smith was there at that time? A I think she was, she was in the room somewheres about.

Q Seated? A No, sometimes she was standing.

Q On Friday night you heard the name of Ralph for the first time? A Yes.

Q That Ralph was this defendant, you ~~know him~~ as Ralph Guarano? A I asked the next day if that was the Ralph they were talking about, and they said he was.

Q You waited until what time? A When?

Q Friday night, before you left the apartment? A I should judge about 11 o'clock or so, might be a little later.

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Q Did you go out with the girls and Spica and Spota? A No, I think -- they went out before me.

Q They went out with the girls, Spica and Spota? A Yes.

Q You remained in the apartment? A Yes.

Q With Louis and Louis' wife? A No, I think only Louis' wife and Mrs. Smith.

Q Louis went out with the girls and Spica and Spota? A I believe so, the best I could recollect.

Q How long did you remain in the apartment before you left?

A About maybe ten minutes.

Q Then you had an appointment for the next day? A Yes, sir, 12 o'clock.

Q Saturday? A Yes.

Q When you spoke to the girls Friday night, ^{each} ~~which~~ one of the girls said she was willing to go in the different houses of prostitution? A Yes.

Q Is that right? A Yes.

Q Perfectly willing to go? A Yes, sir.

Q On Saturday you were in the apartment with Mrs. Smith?

A Yes.

Q Is that right? A That is right.

Q What time did you get there? A I should judge half past eleven or so -- 11 o'clock possibly.

Q Was Louis' wife there that morning? A Yes.

Q Was Louis there? A No, I don't think Louis was there that morning when I came.

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Q You found him in the apartment? A He was not there, I don't think he was there that morning when I came in.

Q Is it not a fact that Louis' wife appeared on Saturday morning for the first time in that apartment? A Why, she was there and --

Q No, I ask you? A No, sir.

Q You are sure she was there Thursday night and she was there Friday night? A Positively she was.

Q And you are certain, are you, she did not appear there Saturday morning for the first time to act as a maid? A Positively certain she did not.

Q Then you say at about 12 o'clock or a little later, three of the girls that you saw the night before came into the apartment accompanied by Spota and the defendant Guarano? A And Spica.

Q The three of them? A Yes.

Q Spica, Spota and Guarano and the three girls? A Yes.

Q Sure about that? A Positively sure.

Q You can't be mistaken? A I cannot be mistaken, no. I saw them come in.

Q You spoke to the three girls? A I did.

Q There was Jennie Bell? A And Millie Bell and Kitty Hannon

Q And three men? A Yes.

Q The girls carried their baggage, their valise? A Millie carried the valise.

Q How many valises did she carry? A One.

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Q Did any of the other girls, either of the other two, carry anything? A Kitty carried a package.

Q Who accompanied the other two girls? A They came alone.

Q You are sure about that? A Positively sure.

Q Then it was that you spoke with this defendant? A Yes, sir

Q You asked if this was the Ralph that they had mentioned the night before? A Yes.

Q Mrs. Smith was there at that time? A That was asked in the front room.

Q What? A That was asked in the front room.

BY THE COURT:

Q Do you know if she was there? A She was there, yes. I do not know if she heard it or not.

BY MR. BARRA:

Q She was in the room? A She was around the room.

Q She was there during all these conversations? A To the best of my recollection -- she was in the house.

Q In that room? A She might have been in the other rooms. At one time she was talking to the other two girls ~~xx~~ that came late.

Q Then you asked this defendant to step into another room?
A Yes.

Q The bedroom? A Yes.

Q Is that right? A That is right.

Q Was the door open to the bedroom? A There was no door.

Q No door at all? A No.

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Q How far away from the room where the other girls were?

A About three feet.

Q Did you speak in an ordinary tone of voice? A Well, yes.

Q Jennie was in the room with you and the defendant? A Yes.

Q All the time? A Yes.

Q And Mrs. Smith? A Except when the money was paid.

Q Except what? A When the money was paid, Jennie was not there. She had left the room after she said she would go, Jennie went out.

Q But before you paid the money to the defendant, as you say, Mrs. Smith was in the bedroom with you? A Yes.

Q You called the defendant and Jennie? A I called the defendant.

Q And Jennie came in too? A And the defendant called Jennie

Q When he came into the room? A Yes -- not exactly when he came in, after a short conversation.

Q You had a conversation with the defendant? A Yes.

Q In English? A Yes, sir, in English.

Q Then he called Jennie into the room? A Yes, he did.

Q He spoke to Jennie in the Italian language? A Well, after I had spoken to him then he spoke to Jennie, when she said she would not go.

Q She said she would not go? A To Paterson.

Q In English? A I said to him --

Q In English did she say that? A In English - yes.

Q When did she say she would not go? A In the bedroom.

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Q In the bedroom? A Yes.

Q You are sure about that? A Positively sure.

Q Jennie Bell said "I will not go to Paterson"? A She said "I no go to Paterson", that was just the exact words she used -- "alone."

Q Then the defendant spoke to her in Italian? A Yes.

Q Then did you ask Jennie whether she would go to Paterson?

A I said to the defendant "Will she go" and he said "Yes."

I said "Will you go" to Jennie and she shook her head and then said yes.

Q Mrs. Smith was in the room at the time? A She was.

Q In the bedroom? A In the bedroom.

Q Did you hand the money to the defendant? A The \$10. bill, yes.

Q Did you? A I did.

Q Where did you get the money from? A Took it out of my pocket.

Q You took it out of your pocket? A Yes.

Q How many bills did you have in your pocket? A I had five \$10. bills.

Q Five \$10. bills were intended for Spica and Spota, is not that so? A Yes, sir -- no, when he told me the night previous that he would have --

BY THE COURT:

Q Please answer the question? A No.

Q How many were intended for Spica and Spota? A There was

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four.

BY MR. BARRA:

Q Had you agreed with Spica and Spota as to what they should receive from you? A No, sir.

Q Still you had five \$10. bills in your pocket ready to turn over to these men? A Yes.

Q You intended to pay ten dollars for each one of the girls? A Exactly.

Q Who gave you the money? A Commissioner Lord.

Q From the time Commissioner Lord gave you that money it never left your possession? A It never left my possession.

Q You are sure about that? A Positively sure.

Q Did you hand the money to any one of the other officers?

A No, sir.

Q You say it never left? A It never left my possession.

Q How long did you have the money in your possession? A I believe the day previous, Friday.

Q You got the money on Friday? A Yes.

Q From Commissioner Lord? A From Commissioner Lord.

Q Got it Friday night? A Friday night, yes.

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Q And when you handed a \$10.00 bill to the defendant, you put your hand in your pocket and pulled out one, not knowing which one it was, and gave it to the defendant? A Yes, sir, I pulled out the roll, five \$10.00 bills, and gave him one of the \$10.00 bills.

Q What did the defendant do with the \$10.00 bill? A He shook hands with me and he said all right, I will see you again, and I said all right.

BY THE COURT:

Q What did he do with the bill? A He held it in his hand and he walked out of the room.

BY MR. BARRA:

Q With the \$10.00 bill in his hand? A Yes, sir, exactly, and Mrs. Smith and I stood talking and when I came out I saw the defendant take the bag from Millie Bell and stoop down and take out the clothes.

Q Had the other two, Spica and Spota, entered the bedroom?

A I called them in after he had left the bedroom.

Q And then you shook hands with the defendant? A Yes.

Q He went out with Spica and Spota? A He did.

Q The girls remained in the apartment? A They did.

Q You were then supposed to accompany the girls to the different places? A Yes.

Q Do you know that within five minutes the defendant was arrested downstairs? A I did not know.

Q You know that you had the officers waiting?

MR. ELLISON: If your Honor please, he has been over

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Q She said, "I no like to go alone"? A Yes, sir. So I said, well, I have to have someone to go, I am sorry you disappointed me this way. He said, what price house, and I said it is a \$3.00 and \$5.00 house.

Q The defendant said that? A Jennie turned to me -- I spoke to him -- he said something in Italian, and the defendant turned to me and said any other girls over there besides, and I said yes, four other girls, and then he spoke to her and he said, will she make more money besides, and I said, well, we sell a bottle of wine for \$1.25 to the girls, and the girls charge \$5.00, all over \$1.25 the girls make for themselves, and the defendant spoke to her in Italian and he said, she go, and I said will you, and she shook her head and then answered yes.

Q During this conversation Mrs. Smith was in the bedroom with you? A Yes.

Q Sure? A Positively sure.

Q Did not leave the bedroom during that conversation? A No.

THE COURT: I will allow the bag in evidence, but not the contents at this time, as the bag from which he took these articles -- but not the contents, unless you connect him with them, Mr. Ellison. The bag itself I will allow in evidence.

MR. BARRA: Under our objection and exception.

THE COURT: Yes, I merely allow it in evidence as the bag from which the defendant is alleged to have taken the other articles. The other contents of the bag must be

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connected with the defendant before I will admit them in evidence.

(Exhibit 4, being the bag in question, is now marked in evidence People's Exhibit 4.)

BY MR. ELLISON:

Q Look at these five women standing at the bar and state whether or not they are Jennie, Millie, Kitty, Susie and Laura, that you have described as the girls that came in the apartment Saturday morning, May 22nd, 1915, in the company of the defendants Spota, Spica and Guarano? A They are the same girls, yes.

BY MR. BARRA:

Q Which one is Jennie? A The first one with the light suit.

Q And which one is Millie? A The third woman, standing near the railing.

BY MR. ELLISON:

Q The girl with the glasses? A Yes, sir, the girl with the glasses.

BY MR. BARRA:

Q Did you supply Mrs. Smith with a typewritten statement of the conversations had at different times? A Did I supply her?

Q Yes -- you understand my question, don't you, Officer?

A I think I let her read my notes that I had typewritten out.

Q You had typewritten? A I dictated it to the stenographer.

THE COURT: There is no evidence that she had a type-

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written statement.

MR. BARRA: It was shown to the jury -- she handed it to me.

THE COURT: Not the typewritten statement.

MR. BARRA: Notes.

THE COURT: Notes, -- that was not typewritten. She said she had a typewritten document but there was no reference made to it at all.

MR. BARRA: She looked at it.

THE COURT: She did not. She distinctly said she was not reading from it.

MR. BARRA: She refreshed her recollection.

THE COURT: She had a book, which I ordered her to close, and you told her to open and read from it, and she read from the note book she showed to you.

BY MR. BARRA:

Q Did you give to Mrs. Smith a typewritten statement of any conversations?

THE COURT: There is no evidence what was in that typewritten statement.

MR. BARRA: I ask him if that is so -- did you hand Mrs. Smith a colored paper, a bluish paper, containing a typewritten statement of the facts in this case?

THE WITNESS: No, I don't think I ever did.

Q What was the color of the statement you had? A Let me see. I think it was a pink sheet.

EXHIBIT
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Q Not bluish? A No, just the ordinary foolscap pad they have there for that purpose.

Q When did you give that to Mrs. Smith? A I never gave it to her. I allowed her to read it over.

Q Well, allowed her to look at it. A That was possibly a month ago.

Q You did not hand her a statement for her to read every night, did you, while the investigation was going on? A No, sir, I did not.

Q It was after the arrest was had in the case? A It was about a month -- might have been three months after the arrest.

Q Have you that statement with you? A No.

Q You dictated that statement? A To the stenographer, yes.

Q And from what did you dictate? A From memory.

Q From what? A From memory.

Q You did not make any notes on Thursday night, Friday night and Saturday? A I made some notes, yes.

Q Where are those notes? A Home.

Q What? A They are at home.

Q You have them home? A I believe so.

Q Not with you? A No.

Q Was that in your regular police book? A No, just notes I keep to refresh my recollection, that is all.

Q Did you ever compare notes with Mrs. Smith? A I think we did, yes.

Q When? A I have not seen -- I was laid up sick a week

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and I had not seen Mrs. Smith only one day, I think in Mr. Ellison's office.

Q When was that? A That might have been last Monday.

Q Last week? A Last Monday.

Q It was there you compared your notes? A No, did not compare notes. We went over our statements.

Q You made your statement in the presence and hearing of Mrs. Smith, and she made her statement in your presence and hearing? A No, we talked it over together.

Q Together? A Yes.

BY MR. ELLISON:

Q I was preparing the case for trial? A Yes.

K I T T I E H A N N O N, called as a witness in behalf of the People, duly sworn and examined, testified as follows:
(Residence, 119 East 130th Street.)

DIRECT EXAMINATION BY MR. ELLISON:

Q Before the day of your arrest, where were you living?

A With my mother, 119 East 130th Street.

BY THE COURT:

Q How long had you been living there? A About eight months, as long as my mother lives there.

Q You always lived with your mother? A Yes, always.

BY MR. ELLISON:

Q Do you know any of the defendants Spota, Spica or Guarano? A I know Sport, that is all, a fellow named Sport.

Q Now, did you meet him on or about May 20th, 1915? A Yes,

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I did.

Q Where did you meet him? A In a restaurant.

Q Where was that restaurant located? A It was located on 125th and 124th on Lexington Avenue.

Q Which side of Lexington Avenue, east or west side? A On the west side.

Q When you were in the restaurant, who else was there?

A There was Jennie and Millie and George's wife, and Mrs. Wallace and that Louie and I -- that is all. When I came in I came in with a girl friend of mine, who came to my house after me.

Q Who was the girl friend you came with? A A girl I don't know her last name -- her name was May, all I knew her by.

Q Was that the first time you ever saw the woman known to you as Mrs. Wallace? A That was the first time.

Q That was the lady who testified on the stand here, the tall blond woman? A Yes.

Q Jennie was there? A Jennie was there.

Q And had you ever met her before that day? A Never in my life.

Q Millie was there? A Yes, sir.

Q Had you ever met her before? A I saw Millie once or twice by sight, but never met her to speak to.

Q What was said to you on that occasion by Mrs. Wallace and by Spota?

MR. BARRA: I object as incompetent, irrelevant and immaterial, not germane to this issue, and not within the

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issue, and the subject matter of another indictment. This girl is not mentioned in the indictment before the court and jury, and it is not binding on the defendant.

Objection overruled. Exception.

THE WITNESS: Why, Mrs. Wallace asked us to go to work for her.

Q Louder. A This Louie took us over, and Sport introduced us to this lady and asked us to go to work for her -- this Louie did.

Q Who introduced you to her? A This Louie did. I don't know who he was, and Sport.

Q Who do you mean by Sport? A That is all I ever knew him by, by that name -- I know him quite some time, and that is all the name I know him by.

Q Did you afterwards find out it was Spota, the defendant in this case?

MR. BARRA: Not this case -- the other defendant.

MR. ELLISON: He is on the indictment.

MR. BARRA: We will get these names so confused it might mean this defendant on trial.

THE COURT: No, that is Ralph. He is not Sport.

MR. BARRA: That case is disposed of.

THE COURT: No, it is not, Spota and Spica are co-defendants in this case.

MR. BARRA: That case is disposed of.

THE COURT: They are co-defendants in this case, and

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it is merely for the purposes of identification.

MR. BARRA: I object to the use of the word defendant in this case.

BY MR. ELLISON:

Q One of the defendants?

THE COURT: One of the other defendants.

MR. BARRA: That is all right.

BY MR. ELLISON:

Q Go on and tell us what was said in the restaurant? A That was all.

Objected to.

Overruled. Exception.

THE WITNESS: (Continuing) She just said she wanted us to go to work for her, and she had sporting houses.

Q What kind of work? A She said she kept sporting houses.

Q What did she want you to do there, did she say? A She did not say anything. She just said she had houses and wanted us to work.

BY THE COURT:

Q What do you mean by a sporting house? A Well, I don't know -- a disorderly house.

Q A house of prostitution? A Yes.

BY MR. ELLISON:

Q Now as the result of information received by you did you go any place Friday night?

Same objection, ruling and exception.

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A No, George sent up for me, I told you about that.

Q Did you go any place on Friday night? A Yes, I did.

Q Where? A To Seventh Avenue, 147th Street, to Mrs. Wallace's apartment.

Q Who was at the apartment that night?

Objected to on the same grounds as before.

Overruled. Exception.

THE COURT: This is all taken subject to your objection, Mr. Barra.

BY MR. ELLISON:

Q Who was up in the apartment that night? A There was Mrs. Wallace, and Mr. Wallace -- Mr. Enright and Miss Smith, known as Mr. and Mrs. Wallace, was there.

Q What girls? A They went up with me, Millie, Jennie and I, and Sport and George.

Q Any other girls come in? A Yes, sir, Susie and Laura was sitting there.

Q You five girls were up there? A Two was there and us made five, us three.

Q Tell us as near as you can recall what was said to you that night by the people you knew as Mr. and Mrs. Wallace and Sport and Spica up there?

Same objection, ruling and exception.

A I don't remember -- they were not -- I did not say anything. I just sat there.

Q What did they say? A Mr. Enright said he wanted us to

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go to work for him, that he would send me out to Jersey, and I objected to go alone, so he said he would send me and Millie together to work, and Jennie was supposed to go in some other house, where they were to take care of a lot of girls and Nora and Sadie were supposed to stay in that apartment.

Q Where did they say Jennie Bell was to go? A I don't know, because that was up to Jennie. She did not decide.

Q What, if anything, was said as to having Doctors' certificates?

Same objection, ruling and exception.

A Yes, sir. Mr. Enright said we have to have Doctors' certificates.

Q Were you supposed to bring anything else with you? A Yes.

Q What? A Kimonas.

BY THE COURT:

Q Kimonas and what else? A Douche bags.

BY MR. ELLISON:

Q Well, was any appointment made to come back there again and if so, when were you to go back? A The next afternoon, Saturday.

Q Now, the next morning, ^{who} did you meet first after leaving your home? A George.

Q Where did you and George go? A We went down to Jennie's house.

THE COURT: Who is George?

BY MR. ELLISON:

Q Who do you mean by George? A I don't know. They call

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him Spica, I think.

Q He is one of the defendants? A Yes, sir.

Q You and Spica went where? A Down to Jennie's house.

Q You mean Jennie Bell's house? A Yes.

Q Where was that? A 123rd Street -- I don't know -- 418 or 420, something like that.

Q When you got down to Jennie's house at 418 or 420 East 123rd Street, who did you meet there? A Sport was there.

Q Sport, the other defendant? A Yes.

Q Known as Spota -- did you meet anybody after waiting around there? A No -- then Louie came up there, this fellow that was with the lady detective, and afterwards we went -- Jennie and Millie have been out to the store and they came out and we went all down together and when we were walking up towards First Avenue we met Ralph.

BY THE COURT:

Q Ralph came with you? A Yes.

Q When you met him, Ralph went along with you? A Yes.

BY MR. ELLISON:

Q Where did you all go then? A Over to Mrs. Wallace's house.

Q Before going there, do you remember any place you went?
A No, we went to Lexington Avenue and walked up Third Avenue and Louie insisted I should have a Kimona, and I did not have any and so he came in the store with me and Millie to buy one, and then Millie went on with them, and me and him and George waited

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until I got the Kimona and came out, and on 116th Street and Lexington Avenue, Ralph and Jennie and Millie and Sport took a car together, and we waited for the next car, me and Louie and Spica.

BY MR. ELLISON:

Q When you say Ralph was there on the corner of 116th Street with Millie and Jennie and Sport and took the car, you mean this defendant, don't you? A Yes.

Q I show you People's Exhibit 4, and I ask you if you ever saw that bag before? A Yes, sir, that is Millie's.

Q Whose bag is that? A Millie's.

Objected to.

Overruled. Exception.

Q Did Millie carry the bag with her that day while she was walking with Ralph? A Sport carried it.

Q Now tell us, after you took the car, who got up to the apartment first on Seventh Avenue on Saturday morning? A Me and Jennie and Millie.

BY THE COURT:

Q Were you in the first batch or the second batch? A The first we were.

Q You went on the first car with Ralph? A No, we met them right at the door as they were going in. We all went in together.

Q Did you go on the first car? A No, the second.

Q When you got up there you found that those who had gone

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in the first car were waiting for you? A We just met them at the door going in and all went in together.

Q At what door? A The apartment.

Q On Seventh Avenue? A Yes.

BY MR. ELLISON:

Q They went into the apartment? A All of them, Millie and everyone.

Q Give us the names? A Ralph, Sport and Spica and Millie and Jennie and I.

Q How long about after you got there did the other two girls, Laura and Susie come? A About a half an hour.

Q Tell the jury what happened after you got in the apartment that morning, what was said to you and to the other girls, and to this defendant, by Mr. and Mrs. Wallace?

Objected to as incompetent, irrelevant and immaterial unless it relates to this girl Jennie.

Overruled. Exception.

MR. BARRA: I also object as not germane to the issues and not within the issues, and the subject of other indictments.

Overruled. Exception.

THE COURT: It is impossible to prove the crime without proving all the circumstances and surroundings.

BY MR. ELLISON:

Q What happened when you got in there?

THE COURT: It is admitted, not for the purpose of

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proving any other crime against this defendant, but proving the crime charged in the indictment.

THE WITNESS: Well, I don't know myself what they were talking about, talking about different things, and Mr. Enright was saying that he had a lot of places, saying that he had a lot of gambling houses and all like that. I don't know really.

Q What else was said? A We were to go to work in Jersey Millie and I, and Jennie was supposed to go somewhere else.

BY THE COURT:

Q Go to work in what kind of a house? A A house of prostitution.

Q As prostitutes? A Yes, sir. Jennie was not going with us. She was going alone.

Q She was going to be a prostitute too? A Well, I don't know, she did not tell us.

Q You were? A Me and the other girls.

Q You have no doubt about yourself? A Yes.

BY MR. ELLISON:

Q I show you People's Exhibit 3, and I ask you if you ever saw that before?

MR. BARRA: I object as not germane to the issue, and not within the issue.

THE COURT: Why do you not say on the same grounds as before.

MR. BARRA: Upon all the grounds stated.

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THE COURT: Yes, and I overrule the objection.
Exception.

BY MR. ELLISON:

Q Did you ever see that before? A Yes, sir.

Q Where did you get that from? A Sport gave it to Mr.
Enright.

Q You mean the defendant Spota? A No, Sport, the one
called Sport.

BY THE COURT:

Q Spota is Sport, isn't he? A Yes, that is all the
name -- I don't know them by their other names.

BY MR. ELLISON:

Q He gave you that? A No, he gave that to Mr. Enright.

Q Was that supposed to be your Doctor's certificate? A
Yes, sir, but I did not --

MR. BARRA: I object to what it was supposed to be.

THE COURT: I sustain the objection.

Q Were you examined by any Doctor?

MR. BARRA: I object as proving a separate and dis-
tinct offence.

Overruled. Exception.

A No.

THE COURT: It is not very material.

MR. ELLISON: If you think it is not material I will
withdraw the question.

THE COURT: It makes no difference if she was or not,

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or whether she was healthy or ill. The only question is, did this defendant engage in the conspiracy to sell Jennie Bell, and did he sell her, and get money for it or try to sell her, and the Doctor's certificate is admitted. The fact it was not a Doctor's certificate does not alter the fact.

CROSS EXAMINATION BY MR. BARRA:

Q You were convicted for prostitution? A I was not convicted. I have been arrested and got out.

Q You have been a prostitute for a long time? A yes, sir, for three years past.

Q You were willing to go to this place Enright wanted you to go? A Certainly, I knew what I was going there for, and everything.

Q You knew what you were going there for? A Surely.

Q No one induced you to go there? A No.

Q No one forced you to go there? A No, nobody forced me. I want there myself because she told me I could make a lot of money there, and I went there.

Q You don't know Ralph Guarano at all? A No.

Q You never saw him until that Saturday morning when you met him on the street; is not that so? A Yes, sir, I never saw him.

Q This man Louie, do you know him? A No, he was with Mrs. Wallace.

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Q Did you know his last name? A Only knew him by Louie.

Q Did you ever meet Louie's wife? A No, we met the maid up in the apartment.

Q Saturday morning? A She was there every time we went there.

Q Every time? A Yes.

Q Sure about that? A Yes, she opened the door and let us in.

Q She wasn't there only on Saturday morning? A No.

THE COURT: She says she was there every time.

BY MR. BARRA:

Q Do you know that she is Louie's wife? A No, I did not know that. She was supposed to be the servant girl.

Q You have heard since that she was Louie's wife? A Yes.

Q You heard Jennie say she was willing to go? A Yes, but Jennie was sick at the time.

Q She was sick? A Yes.

Q Jennie Bell, we are talking about? A Yes, I know.

Q You heard Jennie say Thursday night that she was willing to go? A Yes.

Q You heard her say she was willing to go on Friday? A Yes.

Q Is that right? A Yes.

Q You heard her say she was willing to go on Saturday?

A Yes, I did.

Q Is that right? A Yes.

Q You heard her say that? A Yes, certainly.

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RE-DIRECT EXAMINATION BY MR. ELLISON:

Q Did she say she had any objection to going over to Jersey?

Objected to as incompetent, irrelevant and immaterial.
Overruled.

Q Did she object to going over to Jersey alone? A That I do not know, because I did not talk to Jennie at all up there.
BY THE COURT:

Q How do you know Jennie was willing to go if you did not talk to her? A Well, he said did I know if she was willing to go, and I did not know if she was willing to go to Jersey.

Q How did you know if she was willing to go anywhere?
A She was willing.

Q How do you know, you told Mr. Barra she was willing to go, how do you know that? A She said yes, the same as we did.

Q She said, yes, did she say anything about going alone to Jersey, was there any talk about Jersey? A Yes.

Q Was there any talk about Jennie going to Jersey? A Yes, she was supposed to go.

Q What did she say about going to Jersey? A Jennie said she was sick, and Mr. Enright said he would let her take care of the girls in Jersey alone.

Q What did she say about going to Jersey? A She said she would go.

BY MR. BARRA:

Q Jennie was not to be a prostitute, but the Madam? A She

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was to take care of the girls, because she was sick.

Q While she was sick? A Yes.

Q And Jennie said she was willing to go there? A Yes, sir.

BY THE COURT:

Q What do you mean by saying she was sick, of smallpox or cholera? A I am ashamed to say it.

Q What do you mean? A She was mensurating.

Q She had her monthly illness, is that what you mean? A Yes.

Q That does not last long; please answer the question? A No, not sometimes.

Q She can resume business very soon, is that it? A I don't know.

THE COURT: We do not want any doubt about the testimony. I want the truth -- if she was incapacitated permanently from being a prostitute we would like to know it, but if it was only a temporary indisposition that ought to be before the jury also, as a fact.

M I L L I E B E L L, called as a witness in behalf of the People, being duly sworn and examined, testified as follows:
(Residence, 239 East 111th Street.)

DIRECT EXAMINATION BY MR. ELLISON:

Q Do you know Jennie Bell? A Yes.

Q How long have you known her? A I know Jennie Bell about nine or ten months altogether.

Q Do you know this defendant, Ralph Guarano? A Yes.

Q How long have you known him? A I don't know him very

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long.

Q How long? A Well, about the same, but never saw him.

Q You know him about the same time? A Yes, but never saw him very often.

THE COURT: That is not the question.

BY MR. ELLISON:

Q I did not ask you that.

BY THE COURT:

Q You first met him nine or ten months before you were arrested? A Yes.

Q You are not related to Jennie Bell? A No.

BY MR. ELLISON:

Q Where was Jennie Bell living? A 420 East 123rd.

Q Where was this defendant living?

Objected to as incompetent, irrelevant and immaterial.
Overruled. Exception.

Q Where was Guarano living? A 420 East 123rd Street.

Q Were they living in the same apartment? A Yes.

Same objection, ruling and exception.

BY THE COURT:

Q Who else was in the apartment? A I don't know. I know nothing, only Jennie and Ralph was living there.

Q Did you ever visit the apartment? A I was there once or twice upstairs.

Q As a guest? A I never saw anybody in there.

Q You visited them? A Yes.

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Q Jennie was keeping house there, is that what you mean?

A Yes.

Q And Ralph was living there with her? A Yes.

Q And when you were there you did not see anybody else?

A No.

BY MR. ELLISON:

Q Now when was the first time that you ever met the defendants Spica or Spota? A The first time was a week before-- a couple of days before we got arrested.

Q Were you in that restaurant at 124th Street and Lexington on Thursday, May 20th? A Yes.

Q And who else was in the restaurant that day? A Mrs. Wallace and Louie, Spica and Spota, and Spica's wife, Kittie Hannon and Jennie and I, and some other girl I did not know.

BY THE COURT:

Q You mean Kittie Hannon is Spica's wife? A No, another girl.

Q This is another girl? A Yes.

BY MR. ELLISON:

Q How long had you known Kittie Hannon before that day?

BY THE COURT:

Q How did you go to that restaurant? A I met Spota and Spica before that, about a day before, or two.

Q They told you to go there? A Yes.

Objected to, overruled. Exception.

BY THE COURT:

Q What did they say to you? A Asked me if I was willing

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to go to work in a house, there was good money in it, and I said yes, so they came up for me and took me down to the restaurant, and there is where I met Mrs. Wallace and the rest of the girls.

MR. BARRA: This is under the same objection.

THE COURT: Certainly.

Same ruling and exception.

THE COURT: It is allowed on the same theory, we have before often repeated.

BY THE COURT:

Q Tell us what happened in the restaurant when you met Mrs. Wallace?

BY MR. ELLISON:

Q Tell the jury what happened in there?

BY THE COURT:

Q What was said? A I spoke to Mrs. Wallace and she asked me if I was willing to go to work in the house, and I said yes, and then I told her I could not go at present, as I was sick. She said, well that is all right, it makes no difference. She told me to come up to the flat and did not give me the address, but told Spica or Sport would take me up there some night. That was on Friday night. And Sport came around and took us up to the -- Spica, he came up and took us to the flat.

BY MR. ELLISON:

Q When was the first time that you went up to the flat?

A Friday night.

Q That was the next night? A Only one night we went up there, and the next day was on Saturday.

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Q You went up there on Friday night? A Yes.

Q Who went up there that night? A Me, Spica, Jennie and Kittie Hannon, and we went up there and when we went up there we met Laura Harris or Laura Gilbert, I don't know what her name is, and Susie and Sport and Louie we met downstairs, and he took us upstairs.

MR. BARRA: This is all under my objection and exception.

THE COURT: Yes.

BY MR. ELLISON:

Q The other two defendants, Spica and Spota, through whom you first met Mrs. Wallace, were also up there on Friday night?

A Yes, sir.

Q Tell the jury what was said in the apartment on Friday night?

Same objection, ruling and exception.

A He said --

Q Who is he? A Sport, he said this is Mrs. Wallace and her husband, and we sat down and he asked us if we were willing to go to work.

Q What kind of work? A In a disorderly house, and we said yes, and they said there was about \$120 a week, and so me and Jennie was going to work together and Kittie Hannon was supposed to go to another place out of town, and Laura and Sadie was supposed to work in that house and that was all that was said and we went out.

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Q Where was Jennie Bell supposed to go? A She was supposed to go with me first and then she was supposed to go some place else.

Q Alone? A Yes.

Q What did she say about going some place else alone? A I don't know what was said. Then they went in the other room and I don't know.

Q We are talking about Friday night and not Saturday. A Friday night she didnot say nothing, that was all she said.

Q What was said about having Doctors' certificates? A She told us to get Doctors' certificates, and we could not get it because we were sick.

Q What else did she tell you to get? A Douche bags.

Q What else? A And a wrapper.

Q On Saturday morning where did you go after you left that house? A Saturday morning?

Q Yes. A I went over to take Jennie and we went together to buy a wrapper.

Q Where did you call for Jennie? A At her house that morning.

Q 420 East 123rd? A Yes.

BY THE COURT:

Q What time did you go there? A Must have been about nine or ten o'clock.

Q Did you go upstairs to her house? A Yes.

Q Who was there when you went up? A Only Jennie.

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Q You and Jennie went out? A Yes.

Q Did she lock the door? A No, she left the door open.

Q Nobody in there? A No.

Q You and Jennie went out to buy a wrapper? A Yes.

BY MR. ELLISON:

Q Where did you go, what street did you go to? A Between 118th and 119th.

Q Did you go over to Third Avenue? A Yes, sir, Third Avenue.

Q Did you meet anybody? A No.

Q When you came back did you see anybody? A Yes, sir, when we went up to the flat we met Sport and Spica up there, and Kittie Hannon and Louie.

Q In the flat at 420 East 123rd? A Yes.

Q What did you do, where did you go then? A Then we went out.

Q Who did you meet when you came down? A Down the street we met Ralph.

Q You mean this defendant, Guarano? A Yes.

Q Where did you all go? A We took a car and went up there --

BY THE COURT:

Q You walked to a car? A I think as far as Third Avenue.

Q This house of Ralph's is where? A 420 East 123rd Street.

Q That is near the river? A Yes.

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Q Three blocks away from Third Avenue? A Yes.

BY MR. ELLISON:

Q To what street did you go to after you got to 420 from Third Avenue, before you took a car? A I don't remember.

BY THE COURT:

Q Don't you remember what street you took the car at? A No. I know it was somewhere about Third Avenue.

BY MR. ELLISON:

Q Did you walk as far as 116th Street, do you remember that? A I think so -- I think we took a crosstown car.

BY THE COURT:

Q There is no crosstown car between 120th and 116th Street, is there? A No, but it was on Third Avenue, but I don't know what car.

Q You walked down Third Avenue and took a crosstown car? A I don't know how you get up there, I don't remember -- I know we took a car.

Q Answer my question, you have walked the streets up there?

A Yes.

Q How long have you been a prostitute? A I was never a prostitute.

Q Never? A No.

Q How long have you lived up in that location? A Living there for years, born there.

Q Don't you know there is no railroad on 119th Street and Third Avenue? A Yes.

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Q I mean crosstown? A Crosstown there is at 116th.

Q So it was at 116th Street you took a car? A Yes.

Q You did not take a taxicab? A No.

Q You walked to the car? A Yes, we walked to the car.

BY MR. ELLISON:

Q Who walked down there, give us the names of the people who walked to 116th Street? A Me and Sport and Louie -- no, me, Sport and Louie and Ralph and Jennie, and Kittie Hannon and Spica and Louie remained in the store that Kittie was buying a wrapper, she stopped at the store.

BY MR. ELLISON:

Q When you got on the car where did you go? A We went to the flat.

Q Up on Seventh Avenue? A Yes.

Q Who went in the flat? A Me and Spica -- me and Spica and Ralph and Jennie.

Q And Kittie Hannon? A Kittie Hannon came right after us. We left her in the store. She was buying a wrapper.

Q After you were all in the flat, did anyone come there some time later? A Laura and Sadie.

Q Two other girls came later -- what was said on Saturday morning up in the flat? A Nothing said.

MR. BARRA: I object, unless it relates to the girl Jennie.

Objection overruled. Exception.

Q What was said? A The same thing.

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Q What did he say? A That we were willing to go to the house, and we said yes, and we were all ready to go. Then Jennie Bell was supposed to go to work in a different house and only me and Kittie were supposed to work together.

Q At any time while you were in there did you see Enright and Mrs. Smith, known to you as Mr. and Mrs. Wallace, and Ralph go into the bedroom? A I saw them go into the other room.

Q While they were in the other room did you see Jennie go in there? A Yes, sir.

Q Did you hear what went on in that other room? A No, how could I hear?

Q I show you People's Exhibit 2 and I ask you if you ever saw that before?

Same objection, ruling and exception.

Q Just look at it? A I don't know.

Q What -- you don't remember ever seeing that before? A I seen it handed to Mrs. Wallace.

Q Who handed it to Mrs. Wallace?

Objected to as before.

Overruled.

THE WITNESS: Jennie handed it to Mrs. Wallace.

Q I show you People's Exhibit 4, and I ask you if you ever saw that before? A Yes.

Q Whose bag is that? A Mine.

Q Did you carry that up that day? A Sport.

Q I mean did you have it with you when you went to the

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flat? A Yes, sir, but Sport carried it.

BY THE COURT:

Q What did you have in the bag? A I got a wrapper, a night gown, and paint and powder.

BY MR. ELLISON:

Q Now pick out which were your articles in that bag?

MR. BARRA: I object as not germane to the issue, and as incompetent.

THE COURT: I will allow it.

MR. BARRA: The reason I want an objection noted is because I do not want to try five cases at one time.

THE COURT: You are not trying five cases at one time, but one case. If the evidence relating to five cases also relates to this case, we must receive it.

MR. BARRA: I take an exception.

THE COURT: That is the reason it is received. The proof is so connected that it cannot be separated.

Exception.

THE WITNESS: There is none of my clothes in there.

BY MR. ELLISON:

Q Do you know whose clothes are in that? A I don't know -- I know this one Kittie Hannon got that up in the store. I was there when she bought it.

(A wrapper is now marked for identification People's Exhibit 8.)

Q I show you People's Exhibit 8 for identification and

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I ask you if that is the dress Kitt~~e~~e Hannon bought on Saturday morning and took to the apartment with you? A Yes, sir.

Same objection, ruling and exception.

MR. ELLISON: I offer it in evidence.

BY THE COURT:

Q That is what you mean by a wrapper? A Yes.

(People's Exhibit 8 for identification is received in evidence.)

BY MR. ELLISON:

Q Did you see Jennie put any property in that grip -- pick it out? A That is all, what is in there.

Q All of this is Jennie's? A Yes.

Q Look at it? A Only that is mine (indicating).

Q And is the rest of this property Jennie's? A Yes.

Offered in evidence. (Jennie Bell's clothes.)

Objected to as incompetent, irrelevant and immaterial.

Overruled. Exception.

THE COURT: She said she saw Jennie put it in that bag.

MR. BARRA: She says it is Jennie's property.

THE COURT: We will strike that out as a conclusion, but these are articles she saw Jennie put in that bag when she was starting out on this expedition. I will let the jury determine what purpose she was starting out for and at whose instigation.

Exception.

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(The clothes are marked People's Exhibit 9.)

THE COURT: I said I would not allow it in evidence until it was connected with Jennie.

MR. BARRA: I say that is not the proper way to prove it.

THE COURT: She saw it in Jennie's possession. We do not care whose title it was. If those are accessories to the profession of prostitution and Jennie put them there, that is all. Whether Jennie owned them or not.

CROSS EXAMINATION BY MR. BARRA:

Q You were willing to go? A Yes, I was willing to go.

Q You were willing to go whether it was in Jersey or any place? A Any place.

Q And you were supposed to go with Jennie? A At first.

Q Jennie was willing to go also? A Yes.

Q She told you so and told Enright and told Mrs. Wallace?

A Yes, sir.

Q You were there when she told them that? A Yes.

Q On Friday night? A Yes.

Q In the apartment? A Yes.

Q You remember that? A Yes.

Q Spica was there and Spota was there? A Yes, sir.

Q Louie was there and Mrs. Wallace, the tall lady? A Yes.

Q The Madam? A Yes.

Q And Mr. Wallace, Mr. Enright, her friend? A Yes, sir.

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Q He was there? A Yes, sir.

Q And Jennie said she was willing to go to Jersey, go with you or go with any of the other girls? A No, she said she was willing to go if I would go with her.

Q You said you were willing to go? A Yes.

Q Was there anything said by any of the boys there, Spica or Spota, that night, about where you should go and where the other girls should go? A No, he only said he knew them for four years.

Q What? A He knew Mrs. Wallace for four years.

Q Spica told you that? A Yes, sir, Sport.

Q Said he knew Mrs. Wallace four years? A Yes, and he said it would be all right wherever they would go.

Q You now know he was not telling you the truth? A Now I know.

Q When he said he knew Mrs. Wallace four years, you and Jennie said we will go anywhere they want us to go? A Yes.

Q That was all that was said there that night? A Yes, sir, that was all that was said there that night.

Q Sure about that? A Yes.

Q You were there all the time while Spica and Spota were there? A Yes, sir.

Q Friday night? A Yes.

Q And the talk they had with Mrs. Wallace's friend, that is, Lieutenant Enright? A Yes.

Q The officer? A Yes, sir.

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Q You and Spica and Spota and the other girls went out together that night? A No, Laura and Sadie went out first about five minutes before we went out, and then the rest of us.

Q With the boys, you went out with Spica and Spota? A Yes.

Q You were always in the room together? A Yes, always in the front room.

Q That is all that was said about where you were going to go and where the other girls were going? A Yes.

Q And you all agreed? A All agreed.

Q There was no question as to whether you would go to one place or another? A No.

Q There was no trouble about that? A No.

Q All agreed to go wherever they would send you? A Yes.

Q Is not that right? A Yes, sir, only Kittie did not want to go alone.

Q Jennie was perfectly satisfied to go anywhere? A Yes, sir, because she was going with me.

BY MR. ELLISON:

Q Was she satisfied to go alone to Jersey? A Next day she was.

Q Was she satisfied to go alone to Jersey that night? A No, not that night.

Q Saturday morning, after Ralph got there, she was willing to go, wasn't she? A Yes.

BY MR. BARRA:

Q Friday night, was there any mention made as to whether

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she would? A She was supposed to go with me.

Q She said she was willing to go to Jersey? A She was willing to go.

Q She did say that? A Yes.

Q Saturday morning was the first time she said she did not want to go to Jersey? A Yes, that was the time it was changed then.

Q Then it was changed next day, Saturday? A Yes.

Q She said at that time for the first time? A Because if she was going with me she said she was willing to go.

Q That was the first time on Saturday morning that Jennie said she did not want to go to Jersey? A She said she was going to a different place.

Q And the reason she did not want to go to a different place was because you were not going with her, is not that so?

A Yes.

Q That was the only reason she did not want to go? A Yes.

Q Friday night she did not say she was unwilling to go?

A No, because she was going with me.

Q And because on Saturday, the next day, when you got in the apartment with Jennie, and she heard she was not going with you, then it was she said she did not care to go to Jersey? A Yes.

Q Is that right? A Yes.

Q That was the first time she said she did not care to go?

A Yes.

Q Friday night she said it was agreeable? A Yes.

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Q For her to go to Jersey or anywhere else? A Yes.

BY THE COURT:

Q How did you meet Jennie for the first time? A She had a little girl boarding with my mother.

Q What? A She had a little girl boarding by my mother.

Q How do you mean, a little girl, a daughter? A Yes.

Q Jennie has a daughter? A Yes.

Q That daughter was boarding with your mother? A Yes.

Q You lived with your mother? A Yes.

Q You said you were not a prostitute, did you mean that?
A Yes.

Q What do you mean by a prostitute? A Disorderly girl.
I was not a bad girl.

Q You have been a bad girl, you have been with men? A
Well, the first time.

Q What? A The first time, but I was no prostitute.

Q What do you mean by the first time? A When I was ruined.

Q You knew Jennie was a prostitute? A No, I did not know
she is a prostitute. I think Jennie is a good woman.

Q Wasn't she living with Ralph?

MR. BARRA: I object as incompetent and prejudicial
to the interests of this defendant, and I object to it upon
the ground it is incompetent, irrelevant and immaterial,
and upon the further ground it is offered as evidence of
bad character of the defendant before we have put it in
issue.

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THE COURT: It is not the character of the defendant.

MR. BARRA: You asked her if she was not living with this man Ralph.

THE COURT: That is to connect her with Ralph. That is in evidence already. I want to get some light on the character of the witness.

MR. BARRA: In the light of what you asked her, her associations with this woman, a prostitute, it is offered for the purpose of affecting either the credibility of Jennie or the credibility of this witness, and affecting his character, and we except.

BY THE COURT:

Q You said you visited his house? A Yes.

Q Jennie lived there? A Yes.

Q Were they married, do you know? A I do not know. I know they were living as husband and wife.

Q You thought Jennie was a good girl? A Yes.

Q How many times did you see Jennie? A I saw Jennie about twelve or thirteen times, used to go near her stand, she used to have a fruit stand.

Q Jennie did? A Yes, sir, and Ralph.

Q Where? A Harlem Market.

Q Jennie used to work at a fruit stand in Harlem Market, and that is where you saw her? A Yes.

Q You did not know her as a prostitute? A No.

MR. BARRA: That is assuming she is a prostitute.

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THE COURT: It is not assuming anything of the kind. It is to throw light on her character. If you prove a woman has evil associates, that will give some light on her own character.

BY THE COURT:

Q So you say you never acted as a prostitute? A No.

Q Who first spoke to you about meeting Mrs. Wallace?

MR. BARRA: I submit this is incompetent upon this particular charge. It is now proving a crime not mentioned in the indictment. It is her particular case, specific case, for which there is another indictment, and I object to it.

Objection overruled. Exception.

BY THE COURT:

Q Who first spoke to you about meeting Mrs. Wallace? A Sport.

Q Sport, is that so? A Yes.

Q You mean Spota when you say Sport? A I don't know. I know they called him Sport.

Q How did you meet Sport? A Met/^{him}in 123rd Street or 125th, on Third Avenue, just happened to meet him. He told me about this house. It was him and Louie.

Q Sport is not the man that ruined you? A No.

Q You have not been going with Sport? A No, I never did.

Q Sport knew you well enough to ask you if you would not go to work in a disorderly house? A Yes.

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Q How long had you known Sport? A About two years.

Q Had you ever talked about disorderly houses with him before? A No.

Q You never have been on the streets as a street walked and yet Sport asked you to go to work in a disorderly house? A He asked me if I was willing to go in a house. He told me he had such a good house.

Q And when he said that to you you knew what kind of a house he meant? A Yes, sir, I knew it by talking.

Q You were to be a prostitute in that house? A Yes.

Q You understood that? A Yes.

D A V I D J. F O L E Y, called as a witness in behalf of the People, being duly sworn and examined, testified as follows:

DIRECT EXAMINATION BY MR. ELLISON:

Q You are a member of the Police force of the City of New York? A Yes, sir.

Q And assigned to the Second Deputy Commissioner's office? A Yes.

Q On the night of May 21st, 1915, were you in the vicinity of the apartment occupied by Mr. and Mrs. Wallace up on Seventh Avenue? A I was.

Q And where were you located? A 145th Street -- between 145th and 146th.

Q Do you know the number of the apartment on Seventh

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Avenue? A 2529.

Q Between what streets is that? A 146th and 147th.

Q From where you were standing could you command a view of the entrance of those premises? A I could.

Q Did you see anyone go into that apartment house that night? A I did.

Q Whom did you see go in? A I saw one fellow go in with three girls and another fellow with two girls.

Q Did you find out afterwards whom the two men were? A I did.

Q Who are they?

Objected to as incompetent, irrelevant and immaterial.

Overruled. Exception.

A Spica and Spota.

Q You mean the two other defendants in this case? A Yes.

Q Have you since learned who the girls were that they went in with? A I have.

Q Who were they?

Same objection, ruling and exception.

A Millie Bell, Jennie Bell, and Kittie Hannon.

Q And Laura? A Laura Harris and Susie Heins.

Q On Saturday morning, May 22nd, 1915, were you in the vicinity of the same apartment house? A About noon of that day.

Q Did you see anyone go into that apartment house on that morning? A About 12:30 that day.

Q Who did you see go in? A I saw three girls and three

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fellows.

Q And did you afterwards find out who the three fellows were? A I did.

Q Who are they? A Spota, Spica and Guarano.

Q You mean the three defendants in this case? A Yes.

Q And who were the three girls that they went in with?

A Jennie and Millie Bell and Kittie Hanmon.

Q Subsequently did you see any other girls go in that apartment house? A Yes, sir.

Q How many? A Two.

Q Have you since found out who they are? A I have.

Q Who were they? A Susie Heins and Laura Harris.

Q Did you arrest the defendants or assist in their arrest?

A I did.

Q And where were the defendants Spota and Spica and Guarano arrested? A Between 145th and 146th Streets on Seventh Avenue.

Q Were they together when they were arrested? A Spota and Guarano were together, and Spica was arrested about one minute after.

Q What direction were they walking at the time? A South.

Q Did you yourself place or take custody of the defendant Guarano? A I did not.

Q What officer did? A Officer Kane.

Q Where were the defendants taken? A After they were arrested?

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Q yes. A They were taken to Police Headquarters.

BY THE COURT:

Q Where? A Centre Street.

Q You mean the main headquarters? A Main headquarters, yes.

BY MR. ELLISON:

Q Were the defendants all searched there in your presence?

A They were searched before they were taken to headquarters.

They were searched between 145th and 146th Streets.

BY THE COURT:

Q On the sidewalk? A No, we pushed them into a vacant store.

Q Took them into a store? A A vacant store.

BY MR. ELLISON:

Q And did you assist in the search? A I did.

Q What did you find in the way of money on the defendant Guarano? A Officer Kane searched Guarano.

Q Did you see him search him? A I did.

Q What did he find? A He found a \$10.00 bill.

Q Where was the \$10.00 bill? A In his right hand vest pocket.

Q Were the other two defendants, Spica and Spota, searched?

A Yes.

Q What were found on their persons? A A \$10.00 bill found on Spota and two \$10.00 bills found on Spica.

Q Did you have any talk with the defendant Guarano? A Officer Kane did.

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Q Did you hear it? A Yes.

Q What did Kane say to Guarano, and what did Guarano say to Kane? A Guarano says that is money, and Officer Kane says whose is it, and he says, it is mine, I worked for it.

Q Anything else? A That was all.

Q At that time did you have in your possession a memorandum of any bills? A I did.

Q Where had you taken the memorandum of any bills? A At the Second Deputy Commissioner's office.

Q Have you got that memorandum with you? A I have.

Q Will you kindly produce it?

BY THE COURT:

Q How do you mean you took a memorandum? A I took the numbers of the bills.

Q Where did you get the numbers? A The stenographer --

Q Where did you get the numbers? A From the bills.

Q You saw the bills and took their numbers? A Yes, sir, took their numbers.

BY MR. ELLISON:

Q Have you got that memorandum with you? A I have.

Q Can you by looking at that memorandum in your possession refresh your recollection as to what were the numbers on the bills that you took in the Second Deputy Commissioner's office?

A I can.

Objected to as incompetent, irrelevant and immaterial.

Overruled. Exception.

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Q Will you kindly read the numbers?

Same objection.

THE COURT: What is your objection. If you object that it is leading I will sustain it.

MR. BARRA: Not on the ground of leading, but as incompetent.

BY THE COURT:

Q Can you testify from memory? A I can testify from memory to only -- no, I cannot, not to the numbers.

Q If you have a memorandum that will refresh your recollection, you may look at it and see if your memory is refreshed -- have you a memorandum made by you which will refresh your recollection? A I have.

Q Look at it and see if your recollection is refreshed -- can you tell us now the number of the bills -- not by reading that?

THE WITNESS: There were five bills and I took the numbers off.

Q Can you tell us from your memory the numbers? A I can tell the number of the bill that ^{was} found on the defendant.

Q What number was that? A B731598A.

BY THE COURT:

Q Look at your memorandum again and see if you can tell us the others -- do not read it from there. The question is if you can recollect after you read that whether you remember now what they were -- do you understand -- I know you can read.

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A No, I cannot -- there are four other bills and I cannot recollect their numbers.

BY MR. ELLISON:

Q Did you make a memorandum of the numbers of the bills at the time you were in the Deputy Commissioner's office? A I did.

Q And when was that? A It was on the 22nd of May.

Q 1915? A Yes.

Q Did you copy the numbers of the bills correctly? A I did.

Q Did you make the memorandum in your own handwriting?

A I did.

MR. ELLISON: I offer the memorandum in evidence.

Objected to as incompetent.

Objection sustained.

THE COURT: A memorandum made by a third person is not binding upon a defendant. He may use it to refresh his recollection but that is all.

BY MR. ELLISON:

Q Use it to refresh your recollection? A Do you want me to read the numbers?

THE COURT: No, not to read them off -- don't you understand the difference between reading and remembering.

MR. BARRA: I am willing that he read them.

THE COURT: If you are willing, all right. You objected a moment ago.

MR. BARRA: I am willing that he should read them.

THE COURT: Then read them.

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THE WITNESS \$10.00 bill D13495494. That bill was found on Spica. B731598A was found on Guarano by Kane. D11269143 found on Spica by Officer Shay. A762264B found on Spota by Foley -- that is myself. Another bill B1445722 -- which we did not find.

BY MR. ELLISON:

Q Now, Officer, you compared the numbers of the bills found on the defendant with the numbers of the bills taken by you in the Commissioner's office and found them the same, is that so? A Yes.

Objected to as incompetent, irrelevant and immaterial.

THE COURT: He said those were the bills.

MR. BARRA: He is asking a question which is incompetent.

THE COURT: I sustain the objection. He has already testified that he found the bills he had marked, on the three defendants, and named which of the bills he found upon them.

MR. ELLISON: I now offer in evidence People's Exhibit 5 for identification.

Objected to as incompetent, irrelevant and immaterial.

Overruled. Exception.

(Received and marked People's Exhibit 5.)

MR. ELLISON: I offer in evidence People's Exhibit 6 for identification.

Same objection, ruling and exception.

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