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

2922

THE PEOPLE

-against-

WILLIAM KNIGHT

-and-

LISLE C. CARTER.

Before:

HON. JAMES T. MALONE, J.,

and a Jury.

New York, April 10th, 1918.

Indicted for keeping a disorderly house.

Indictment filed May 17th, 1916.

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

ASSISTANT DISTRICT ATTORNEY JAMES MAGEE, FOR THE
PEOPLE.

MESSRS. GOLDSTEIN & GOLDSTEIN, represented by
JONAH J. GOLDSTEIN, FOR THE DEFENSE.

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TRANSCRIPT OF STENOGRAPHER'S MINUTES.

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Frank S. Beard,

Official Stenographer.

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THE PEOPLE'S TESTIMONY:

EDWARD M. DROLESKEY, of the Fifth Inspection District, a Witness called on behalf of the People, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. MAGEE:

Q Are you a member of the Municipal Police Force of the City of New York? A Yes, sir.

Q Do you know the premises known as the Hotel Sfrand? A Yes, sir.

Q Where was that located? A 32 West 32nd Street.

Q Is that in the City and County of New York? A Yes, sir.

Q Near what avenue are those premises located? A Between Broadway and Madison Avenue.

Q On which side of 32nd Street? A The uptown side, nearer Broadway.

Q Nearer Broadway? A Yes.

Q Are they about the middle of the block? A No, I think it is nearer Broadway.

Q Well, are you sure about the street number? A I am not sure of the street number; no, sir.

Q You are not positive of the street number? A No, sir.

Q Now, did you have occasion to visit those premises? A Yes, sir.

Q On what date? A The first time I entered the premises was September 15th, 1915.

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Q Will you tell the jury under what circumstances you entered those premises at that time? A It was about 8:20 A. M. on the morning of December 15th, 1915, when officer Thomas Dowd and myself were standing at Broadway and 42nd Street, and we were approached by two women, who were walking south on Broadway.

One of them said to officer Dowd and myself, and she said, "Good morning, boys", and then the other one spoke up, and she said, "Good evening, boys", and then the other one spoke up, and said, she said, "Good morning would be more like it".

And so we said, "Good morning", and so one of the girls said, "How about going to a hotel for a good time?" And officer Dowd -- I said to officer Dowd, "How about it, Tom? They look like nice girls. Let's go with them."

THE COURT: Do you want all this, counsel, do you want it?

MR. GOLDSTEIN: I do not.

THE COURT: Then why don't you object to it?

MR. GOLDSTEIN: I object to this testimony, on the ground that it is not binding on these defendants, and ask that it be stricken out.

THE COURT: Motion denied. You must protect the interests of your clients.

BY MR. MAGEE:

Q Officer, what took place then? A As a result of the conversation with these two girls, we got into a taxicab and

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proceeded to the Strand Hotel, in West 32nd Street, and entered the hotel, and saw the defendants Knight and Carter behind the desk.

The two girls sat on a long settee, like, right opposite the desk, and I asked the clerk if we could have two adjoining rooms.

BY THE COURT:

Q Who is the clerk? A The defendant Knight.

Q One of these defendants? A Yes, sir:

Q Which one? A The one with his hand up to his chin (indicating); the white man. And he said, "We have no rooms adjoining," and I said--

Q What are you doing now? A I am reading from a memorandum, your Honor.

Q Just close that up. A Yes, sir. And he said he didn't think he had adjoining rooms, and so he said, "I have only one on the fourth and one on the fifth floor, and one on the eighth and ninth floor."

And then the defendant Carter spoke up, and he said, "Give them rooms 414 and 415. They are together, and they are ready."

The defendant Knight said, "Will that be all right?" And officer Dowd said -- the defendant said --

BY MR. MAGEE:

Q The defendant who? A Knight. And officer Dowd then spoke up and said, "Yes, they would be all right. Then we can change girls, as they are adjoining", and the defendant Knight said--

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Q Now, just a little louder. Now, did you make any memorandum at the time that this transaction took place when you went into that hotel? A Yes, sir.

Q And can you testify from your memory now without referring to that memorandum, accurately? A Not accurately, no, sir.

Q And have you that memorandum with you? A Yes, sir. That is, not in the original. I have the copy of the memorandum.

Q Have you the original of the memorandum with you? A No, sir.

Q Well, did you make a copy of it? A Yes, sir.

Q When? A Immediately after I left the hotel, when I went home.

Q You made a copy? A Yes, sir.

Q In what book did you make the original memoranda? A In this memorandum book I have here, one like that -- no, the original was on pieces of paper that I had in my pocket. I didn't carry the memorandum book with me all the time.

Q And you copied the memorandum off into a book, you say, when you got home? A Yes, sir.

Q And have you that book with you now? A Yes, sir.

Q Where is it? A This book here (indicating).

MR. MAGEE: Now, if your Honor please, I ask that the witness be extended the privilege of referring to the memorandum.

THE COURT: Well, he does not need, he does not seem to have any need for it. He seems to have a recollection of

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what took place.

BY MR. MAGEE:

Q Now, proceed. You stated that you asked for adjoining rooms? A Yes, sir. And then, after that, Knight said, "Only one room has a bath in it," and I spoke up and I said, "Well, we don't need a bath. We are only going to stay a short time anyway".

And then officer Dowd signed the register, "Edward Jones and wife, City", and I signed, "Edward Driscoll and wife, City".

Officer Dowd then said, "I'll pay for the rooms -- you pay for the rooms and I'll pay for the girls when we get upstairs".

And then I asked the defendant Knight how much the rooms would cost, and he said, four dollars each.

And I paid the defendant Knight eight dollars for the two rooms, and the elevator boy, Carter, conducted us to the fourth floor, and into room 415.

The two girls and Dowd and myself were conducted to the room by the defendant Carter.

Officer Dowd, when we got in the room, asked Carter if he could get some drinks, and he said yes.

And officer Dowd asked the girls what they would have, and we all ordered Benedictine, and officer Dowd told Carter to bring us the drinks, and he went away and returned shortly with four glasses of benedictine, and officer Dowd paid him, and the defendant Carter left the room.

After Carter had left the room, and we had drank our drinks,

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the girl who accompanied me and myself went to room 414, immediately adjoining.

After we went to this room, the girl demanded --

MR. GOLDSTEIN: Objected to. Just a moment. I object to that as not binding on the defendants.

MR. MAGEE: Oh, yes; if your Honor please. There are only the two elements to be proved, the one being that they were prostitutes and the other --

THE COURT: You will have this woman here, I take it? Will you not be able to produce the testimony upon that subject from the woman herself, counsel?

MR. MAGEE: No.

THE COURT: You will not?

MR. MAGEE: No.

THE COURT: Objection sustained.

BY MR. MAGEE:

Q What happened in that room?

MR. GOLDSTEIN: I object to that, as not within the presence of the defendants, and as immaterial, irrelevant and incompetent.

BY THE COURT:

Q You may describe generally. You had sexual intercourse with her, did you? A No, sir.

BY MR. MAGEE:

Q Did you give her any money? A She demanded ten dollars.

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for the purpose of sexual intercourse.

MR. GOLDSTEIN: I object to that and move to strike it out, "for the purpose of sexual intercourse".

BY THE COURT:

Q Did she say that? A Yes, sir.

Q Were the defendants or either one of them present? A No, sir.

Q And you did not have sexual intercourse? A No, sir.

THE COURT: Objection sustained. Strike it out.

BY MR. MAGEE:

Q What did she do then?

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

THE COURT: Overruled.

MR. GOLDSTEIN: Exception.

A After I gave her the ten dollars, she exposed her person for the purpose of sexual intercourse.

MR. GOLDSTEIN: I object to that, "for the purpose of sexual intercourse".

THE COURT: Objection sustained. Strike that out.

BY THE COURT:

Q You gave her ten dollars? A Yes, sir.

Q And she exposed herself? A Yes, sir. She lay on the bed and raised up her skirts.

BY MR. MAGEE:

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Q You saw her person? A Yes, sir.

Q What did you do then? A I then excused myself and went out of the room. This girl got off the bed and we went out of the room, and knocked on the door of 414, where Dowd and the other woman were, and then went to the elevator, and rang the bell, and the defendant Carter came up, and he took us down to the ground floor. And we walked past the desk, and said, "Good night", to the defendant Knight, and went out into the street and went home, leaving the women in the street.

Q When you went to the hotel with these women and officer Dowd, did you notice any lamps or lights? A Yes.

Q Well, how many were there, can you remember? A No, sir.

Q Was the place apparently well lighted? A Yes, sir.

Q Could you see the defendant Knight plainly? A Yes, sir.

Q And how long is the office of that hotel in which you saw him on that night? A Well, as you go in the entrance, there is a long corridor like, about twelve or fifteen feet wide.

After you get in the main entrance, about ten or twelve feet away, there is a desk, on your right hand side as you go in, and along the wall on the left hand side, leather settees or chairs are arranged so that you can face the desk. It is all open.

Q And how far was the leather settee on which the women sat from the defendant Knight? A About ten or twelve feet, I think, right opposite the desk.

Q Did he have any conversation with these women? A No, sir.

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Q Or did the defendant Carter have any conversation with these women? A No, sir.

Q He took you up in the elevator, did he? A Yes, sir.

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

Q Now, were you there on any other occasion? A Yes, sir.

Q Now under what circumstances? A May I refer to the book, to get the date and time?

Q Yes, go right on, to save time. A On December 18th, 1915, at about 2:45 A. M., officer Dowd and myself were standing at the corner of 38th Street and Broadway, and we were approached by two women, who were walking from Sixth Avenue towards Broadway.

As they were passing us, one of them said --

MR. GOLDSTEIN: Just a moment, I object to what the girls said.

THE COURT: No, you may answer it.

MR. GOLDSTEIN: Exception.

A One of the girls said, "Someone looks lonely", and I said, "Well, we won't be if you join us".

And one of them said, "Well, that's what we are out for, and maybe you want to go to a hotel with us for a good time.

And so we entered a taxicab and one of the girls said to the driver, "The Strand Hotel".

We then were taken to the Strand Hotel in 32nd Street, near Broadway.

We entered the hotel and the two girls sat on chairs opposite

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the desk.

Officer Dowd and myself walked over to the desk, and greeted the defendant Knight, "Good morning", and he said, "Good morning". We then asked the defendant if he had two rooms for us, and he said -- I think we asked him for adjoining rooms again, and --
BY MR. MAGEE:

Q Now, wait a minute. Just stop right there. Did you ask for adjoining rooms? A I think we did.

Q No, never mind then, if you are not certain. Don't think about it. Have you any memorandum that you can refer to?

THE COURT: No. Has he any memory on the subject?

BY MR. MAGEE:

Q Can you state yes or no, whether or not you asked for adjoining rooms? A Yes, I asked for adjoining rooms, and the defendant Knight said, "No, I have no adjoining rooms. The last time you were here you had a suite, didn't you?"

And I said, "No, we had 414 and 415, and, if they are empty, they'll be all right".

And the defendant Knight then said -- then Carter spoke up, and said, "No; those rooms are taken tonight." "But," he says, "810 and 811 are empty".

And I said, "Well, as long as they are adjoining, they'll be all right".

And so I then signed, "Edward Driscoll and wife", and officer Dowd signed, "Edward Jones and wife".

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I said to officer Dowd -- officer Dowd said to me, "You paid for the rooms last time, and I'll pay for them this time".

And he then gave the defendant Knight eight dollars for two rooms, and we were taken to room 810 on the eighth floor by the bell boy -- not this bell boy (indicating Carter) -- another bell boy.

Q You mean not the defendant Carter? A No, not the defendant Carter.

Q Someone else? A Yes, a strange bellboy.

After we got in the room -- we all went into room 810 -- after we got into the room, officer Dowd ordered drinks from the bell boy. We ordered benedictine, and the boy brought it, and officer Dowd paid for it, and the bell boy left, and we drank the benedictine.

And officer Dowd and the other woman left my room, and went to the other room.

And after we were in this room for a few minutes, this girl and myself, she demanded ten dollars for sexual intercourse, and I wouldn't give her ten dollars, but only five dollars, and I gave her the five dollars, and she refused to take off all her clothes, and we then had an argument, and the girl left the room.

And, after she had been gone for a few minutes, I took the receiver off the telephone hook and called up the office and asked the clerk if the girl had gone out yet.

Q Did you recognize the voice at the other end of the phone?

A I heard a voice on the telephone, but I couldn't be sure of the

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voice. I said that to the person at the other end of the telephone.

THE COURT: Now, counsel, do you want this?

MR. GOLDSTEIN: Oh, I understand that the officer is going to identify the voice subsequently, as I understand.

MR. MAGEE: And I was going to consent to strike it out if it was not identified.

BY MR. MAGEE:

Q Did you identify that voice? A Yes, subsequently I had a conversation with him and recognized the voice.

Q But at that time did you recognize his voice? A Only that he told me he was the clerk.

Q Do you know whether it was either one of these defendants you were talking to? A No, sir.

Q Now, since that conversation on the telephone had either of the defendants admitted to you that he had that conversation over the wire with you? A No, sir; they wouldn't admit it to me.

THE COURT: Then strike it out.

BY MR. MAGEE:

Q Well, what happened? A And, as a result of the conversation over the telephone, the defendant Carter came back to my door, and I opened the door after he had knocked.

Q Now, speak up a little louder and slowly and clearly, so that the jury can hear and understand. A After the defendant Carter -- I opened the door for him, and I said, "What do you think

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of that girl going out on me like that?" And he said, "That's hard lines".

And I said, "Can you fix me up with another girl?"

BY THE COURT:

Q Whom did you say this to? A To the defendant Carter. And he said, "I don't know; I'll see". And I then ordered another glass of benedictine off Carter, and I said, "On your way down, see if there are any girls in any of the rooms that want to go with me."

After Carter brought the Benedictine, I paid him for the benedictine, and then he said, "There is no girls in the house at the present time. It's very late and they've all gone; and how long can you wait?" And I said, "I'll wait until my friend in the next room is ready to go". And he said, "Well, perhaps you can use that girl, after he's through with her".

And I said, "No, I don't want her." And he said, "Well, if I can find a girl before you go, I'll send her up".

And he left the room, and, after a few moments, officer Dowd and the other woman were out in the hall and knocked at my door, and asked if I was ready to go, and I said yes.

I rang the bell of the elevator, and the defendant Carter came around the corridor just then, and said, "We'll go down in this elevator", meaning the freight elevator.

And so we went down in the elevator, and, on the way down, officer Dowd said; "That girl certainly had some nerve to leave

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you".

MR. GOLDSTEIN: I object to that as not binding on the defendants.

(Overruled. Exception.)

BY MR. MAGEE:

Q Go on. A Officer Dowd said, "Certainly she had some nerve to leave you the way she did". And I said, "Yes,"

"But", I said, "the boy here"-- indicating the defendant Carter -- "done all he could for me. He hustled around, and tried to find a girl for me, but he couldn't find one."

And Carter said, "Yes, I done all I could for you". And we reached the ground floor and this girl left us and went out of the hotel.

And officer Dowd and myself stopped at the desk, and said to the clerk, Knight --

Q The defendant Knight? A Yes. I said, "That girl certainly had some nerve to leave me that way", and he said, "That's rather hard lines. It's too bad you were disappointed". And I said, "The bellhop", indicating Carter, "done all he could for me."

And he said, "Yes, if it hadn't been so late, he could have got a girl for me, but they are all gone".

And I said, "Well, there's no use of crying over it now," and I said, "Good night", and we went out of the hotel, and went home.

Q Now, did you visit that hotel on any other occasion?

A Yes, sir.

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Q When was that? A Can I refresh myself as to the date and time?

Q Yes. A The next time was on December 23rd, 1915, about 1:10, we entered the hotel.

Q Under what circumstances did you enter the hotel on that occasion? A Officer Dowd and myself were standing at the corner of Broadway and 34th Street, on the northwest corner. There is a jewelry store there.

We were looking in the window, and two women stood alongside of us, and one of them said, "Are you going to buy some presents for your girls at Christmas?"

MR. GOLDSTEIN: I object to that as not binding on the defendants.

MR. MAGEE: But it is not very harmful.

THE COURT: Well, I think I will take it. You may have it. Go ahead.

MR. GOLDSTEIN: Exception.

A (Continued) And I said, "We would buy some presents, if we had any girls."

And one of the girls said, "You look as if you were out for company", and officer Dowd said, "We don't mind."

And one of the women said, "Do you want to go to a hotel for a good time?" and I said, "All right."

We then started to walk, and walked across 34th Street to the southeast corner of Broadway and 34th Street, and down Broadway

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to 32nd Street, and over to the Strand Hotel.

We entered the Strand Hotel, and the two girls seated themselves at these chairs opposite the desk, and officer Dowd and myself walked over to the defendant Knight and Carter, who were behind the desk.

I said, "Good morning", to the defendant Knight, and he said, "Good morning". And he said, "Well, are you going to try your luck again?" And I said yes.

BY THE COURT:

Q Who said this to you? A The defendant Knight.

Q When was this? A On the morning of December 23rd.
And I said, "Yes, I think I'll have better luck this time".

And we then signed -- I said, "What kind of rooms have you got for us tonight?" And he said, "I don't think there is any rooms ready just now".

And he said, "But I can fix you up all right". And so we signed the register. I signed, "Edward Driscoll and wife", and Officer Dowd signed, "Edward Jones and wife".

The defendant Carter took us to the elevator, and we went to a room -- I will have to refresh my memory on the room, your Honor.

THE COURT: Well, for what purpose do you need refreshment now?

THE WITNESS: Well, for the number of the room we went to.

BY THE COURT:

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Q. Well, go ahead without your memorandum. A. He took us to one of the floors of the hotel, but he put us in one room, and he said, "I'll have to leave you in this room until I can get rooms for you", Carter said.

And we were there for about ten or fifteen minutes when the defendant Carter came back, and he said, "All right, I have a room fixed up for you". And he took Dowd and the other woman out of the room, and they were gone some time after they had left the room.

Officer Dowd and this woman -- some conversation comes back to me now that we had before we came up to the room.

After the defendant Knight said, "I hope you'll have better luck this time", I said, "I think I will have, because I have an arrangement with the woman with me as to what I will have to pay her, and whether she will take off her clothes or not".

Q. What did you put in the register? A. "Edward Driscoll and wife, City", and Dowd put the name, "Edward Jones and wife, City".

Q. Why did you take the name of Edward Driscoll? A. Because that is the initials of my name.

And we were then conducted to the same room, and after a while Carter came and took officer Dowd and the other woman to some other room, and after they had left, this girl that was with me attended and received the sum of ten dollars, and she lay on the bed and exposed herself. I excused myself, after a few minutes, and went into the hall, where I finally met officer Dowd, and we went

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down to the desk and said, "Good night" to the clerk, and left the hotel.

Q On this occasion, when you went into the office of the hotel with the other officer and the two women, where did the women stand or sit? A On these seats, about twelve feet from the desk, right opposite it.

Q How long did you stay in the office altogether? A Well, not more than three or four minutes; just had that conversation and signed the register.

BY MR. MAGEE:

Q Now, on any of these occasions, were these women who were with you veiled? A No, sir.

Q On each of the three different occasions, you had with you different women? A Yes, sir.

Q And the same applies to officer Dowd? A Yes, sir.

Q And none of these women had any conversation with the defendants? A No, sir; with neither of the defendants.

Q And particularly not with the defendant Knight? A No, sir.

Q And there was nothing to obscure the defendants' vision as to those two women, while the women were in the office with you, was there? A No, sir.

Q And you always registered in the same name? A Yes.

Q And always took different girls in there? A Yes.

BY THE COURT:

Q Did you always take the name of Priscilla? A Yes, sir.

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BY MR. MAGEE:

Q Now, did you visit those premises again, officer? A Yes, sir.

Q And what was the occasion, and what were the circumstances of the visit? A That was the night I went to make the arrest, to execute the warrants.

Q Did you remove anything from the hotel there? A Yes, I took the register which contained my name.

Q Have you the register with you in Court? A Yes.

Q Will you let me see it? A (The officer hands it to the Assistant District Attorney.)

Q Now, can you find in that register any writing made by you? A Yes, sir.

Q Will you kindly do so? Will you kindly indicate the pages and the substance of the writing? A This is Tuesday, December 14th, 1915 (indicating).

Q Is the page numbered? A No, there is no number on the page. It is on the bottom of the page, the last name on the page, "Edward Driscoll and wife, City".

Q Is it the right hand page? A Yes, sir. Room 414.

Q Are the numbers 414 in your handwriting? A No, sir.

Q Did you write that in there? A No, sir.

Q Do you know who did? A No, sir; that wasn't put there while I was in front of the desk.

Q But you recognize and identify that at the bottom of the

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page as being writing that you made in that book? A Yes, sir.

Q Now, is there any other writing in that book which you made there? A Yes, sir.

Q Well, kindly indicate it, if you can find it. A On Wednesday, December 22nd, 1915, next to the bottom name on the page, "Edward Driscoll and wife, City".

Q In your handwriting? A Yes, sir.

Q And you wrote that in that book? A Yes, sir.

Q And you swear to that? A Yes, sir.

Q Now, was there any other writing in that book that you made? A Yes, sir.

Q Kindly indicate what it is, if you can find it. A On Friday, December 17th, 1915, "Edward Driscoll and wife, city". And, over here, "811 room".

Q Did you write the numerals 811? A No, sir.

Q Now, did either of the defendants see you sign your name in that book? A They both of them saw me sign my name.

Q Where was Knight? A Standing right in front of me, and Carter was right alongside of him.

Q Was there a desk or counter between you? A Yes, a desk about three feet wide.

Q And who gave you the book to sign? A Knight.

Q And what happened to the book after you signed your name?

A He took the book back, and put it on a shelf like, under the desk.

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Q And where did you find it, the last time you visited the hotel? A On a little shelf under the desk in the Hotel Strand.

Q In the Hotel Strand? A Yes, sir.

Q MR. MAGEE: Now, I offer this book in evidence, if your Honor please.

MR. GOLDSTEIN: No objection.

THE COURT: Received.

(It is marked People's Exhibit 1.)

MR. GOLDSTEIN: Do you offer the whole book in evidence?

MR. MAGEE: Yes.

THE COURT: The whole book is received in evidence.

MR. Mark it.

CROSS EXAMINATION BY MR. GOLDSTEIN:

Q Do you say that, upon each of the three occasions that you signed the register, which has been marked People's Exhibit 1, the defendant Knight was the clerk behind the desk? A Yes.

Q And on each of those three occasions, the defendant Carter was the bellboy? A He was behind the desk each time, Carter was.

Q Each time? A Yes, sir. But he didn't take us upstairs on the second occasion.

Q But he was behind the desk? A Yes, sir.

Q How long have you been on the police force? A Nine years, in June.

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Q You were not attached to the Detective Bureau? A No, sir; Inspection District.

Q And how long have you been doing work similar to the kind you have described? A Up to the time I made that arrest?

Q Yes? A About one year; just about one year.

Q And that relieves you from patrol duty, in uniform? A Yes.

Q And you are permitted to go around in citizen's clothes while assigned to that work? A Yes.

Q You were experienced in getting evidence in cases of this kind? A I have got evidence in other hotels, yes.

Q And you knew the elements that were necessary to establish the guilt or innocence of the defendants, charged with keeping and maintaining a disorderly house? A I knew the evidence necessary, yes.

Q And you knew that one of the elements would have to be that the women that accompanied you were not your wives, and it would be preferable if they were different women? A I knew that they didn't have to be our wives, yes.

Q And it was preferable, on each occasion, if you had some other women with you? A Not at that time, no, sir.

Q You didn't know that? A We used to take the same girl in the second time. That was the first time that we used different women in getting evidence against hotels.

Q Didn't you know that it would be an advantage if you took in different women, within short intervals, to show that the defendant

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couldn't possibly imagine that the woman was your wife, unless you were a bigamist; didn't you think that would be to your advantage? A Yes,

Q So that didn't you know it was to your advantage in making a case, in this case, to try and get different women, instead of the same woman on the different occasions? A I wasn't sure of it; no, sir.

Q Your intent was -- you knew that you would have to show that the defendant, the Clerk, knew that you and the woman that came there were not husband and wife? A Yes.

Q And that the premises were maintained for disorderly purposes? A Yes.

Q And from the conversations^{and}/the talk that took place between you and the defendants, those facts would be learned; is that correct? A Yes.

Q Didn't you know, under the circumstances, that where the defendant could see the woman, and where he became acquainted with you after several visits, it would help your case if you took different women each time? A Yes.

Q And you knew that at that time? A Yes.

Q And you did have different women? A Yes.

Q Didn't it ever also occur to you that, if each time you had registered under a different name, instead of under the same name each time, that would help show that the defendant knew that you could not possibly be husband and wife? A Yes.

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Q And during the three times you went there, knowing that, you never registered under any other name than the name of Driscoll? A No, sir.

Q Always the same name? A Yes, sir.

Q Although you knew it would help your case, if your registered under three different names?

✓ MR. MAGEE: Now, if your Honor please, I submit that that is purely argumentative, the whole thing.

THE COURT: Overruled.

A Yes.

BY MR. GOLDSTEIN:

Q And you made no attempt to do it? A No, sir.

Q Have you examined this register that has been offered in evidence? A As far as my name was concerned.

Q No. Did you look over the pages to see what kind of general registration there was? A No, sir; I didn't pay^{any} attention to that.

Q Did you notice how many men and wives, ostensibly, had been registered and how many single persons had been registered? A No, sir.

Q Now, did you notice that on December 14th, the day that you registred, that out of the total of twenty arrivals on that day --

MR. MAGEE: I object, if your Honor please.

MR. GOLDSTEIN: I haven't finished my question.

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Q Did you notice that on the page that you registered, that out of the total arrivals, twenty on that day, that, including the registration made by you and officer Dowd, there were only four couples out of twenty, the rest being all singles, and men? Did you notice that? A No, sir.

MR. MAGEE: If your Honor please, I must ask that counsel be somewhat restrained in his cross examination now.

THE COURT: No. You object to it, to the question?

MR. MAGEE: Yes.

THE COURT: Overruled.

BY MR. GOLDSTEIN:

Q (Question repeated)? A I didn't notice that, no, sir.

Q Did you arrest the two girls in any instance that you went there with? A No, sir.

Q You knew they were violating the law? A Yes.

Q And didn't you think it would make the case stronger if you put any of the girls under arrest on any given night? A No, sir. I wouldn't have any case then.

Q If you arrested the girls you wouldn't have a case? A No, sir; because if we had arrested them, the defendants would have been notified, and we would never have found them again.

Q And that's the reason you didn't put them under arrest? A We are not allowed to make an arrest in hotel cases.

Q Weren't they common Broadway prostitutes, walking the street? A Yes.

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Q And you have gone up and down Broadway ever since, haven't you? A Well, until March of the following year. I was transferred out of there then.

Q Now, after the arrests were made in December -- on December 28th -- did you try to get any of these girls? A Yes.

Q Did you succeed in getting any of them? A No, sir.

Q Now, you had three girls on these occasions? A Yes.

Q And Dowd had three? A Yes.

Q That was six? A Yes.

Q And there were two other officers in the case? Don't you know that? A I know it now, yes.
three

Q And they had/different girls on previous occasions? A I don't know how many times they were there; I think they were there twice, if I remember it right.

Q And they had different girls on those occasions? A Well, I don't know anything about the girls that they had.

Q Now, you haven't met a single girl out of the six girls which you and officer Dowd had on these occasions? A No, sir.

Q And haven't seen them on Broadway since then? A No, sir; I haven't been much on Broadway since then.

Q But did you look for them? A Yes; for a couple of months afterwards, until we were transferred from there.

Q Where did you look for them? A On Broadway and adjacent streets.

Q This was the only case which you handled on the dates you

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have mentioned, December 15th, 18th, and 23rd? A Well, I might have made different arrests in between those dates; I can't remember.

Q No. Between those dates did you visit any other hotels?

A No, sir.

Q They were the only times that you went with any women to any hotel, on those three occasions, during that time? A On those dates, you mean?

Q Yes, those three dates. A Yes.

Q Did you do any other police work those three days? A Why, surely. I worked all day. But I can't remember what kind of work I did. That's not the only work we do.

Q Did you spend any money on police work, outside of the moneys you have told us about in this case? A I couldn't say that. I don't remember.

Q Well, you submitted an expense account, didn't you? A Yes.

Q And you were paid out of the contingent fund of the Police Department, weren't you? A Yes, sir.

Q And now I ask you how much money you charged for.

MR. MAGEE: If your Honor please, I object to this line of examination. I think it is going into police matters not connected with this case.

THE COURT: No. We are all interested in knowing where the taxpayers' money goes, and we should inquire into this matter.

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MR. MAGEE: But I don't think it is proper to inquire into the secrete work of the Police Department.

THE COURT: But you are trying men for their liberty, and you can't be too delicate about it. It is not only a delicate situation for you, but it is a more delicate situation for people who are charged with committing crimes, and whose liberty is imperilled.

MR. MAGEE: Well, it occurs to me that, if any purpose is to be achieved, and he has evidence on the subject, it is all right to go into it.

THE COURT: But here is money taken from the taxation of the people, and given to prostitutes, and, upon vouchers is paid by the Comptroller of the City, I take it. Now, he has a right to make some investigation, some inquiry into such a subject. Go ahead, counsel. What check is there upon this?

BY MR. GOLDSTEIN:

Q Now, on December 15th, did you spend any of the money, or the City's money, or any money of your own that was repaid to you by the City, in the course of your police work, other than the moneys that you have related on the stand here? A Yes.

Q You did? A Yes.

Q You got more money from the city than what you have merely spent on December 15th in this case? A I don't understand what you mean.

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Q Now, you told us that on December 15th you spent four dollars for a room, and ten dollars for a girl, and you bought some benedictine? A Yes.

Q And that's all the money you spent? A Up in that hotel; yes, sir.

Q What other place did you spend any money, that day? A Why, restaurants; earlier in the evening.

Q How much money did you spend there? A I can't remember that.

Q How much money did you get of your expenses on December 15th? A I can't remember.

Q Did you dine alone on December 15th in those restaruants? A Officer Dowd and myself.

Q Any women? A No, sir.

Q Did you pay any restaurant bills that day other than for yourself and officer Dowd? A I can't remember that.

Q Did you receive any money from the City of New York for restaurant bills for Decembmer 15th, for food consumed by anyone else than officer Dowd and yourself? A I might have. Yes.

Q Well, who else was that? A Officer Dowd and myself.

Q I said, other than Dowd and yourself. Did you have any women withyou in the restaurant, for whose entertainment you made a claim, and were paid out of the contingent fund? A I can't remember.

Q Were any women with you in any public restaurant, that

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evening, before you went to the Hotel Strand? A Not that I can remember of; no, sir.

Q You remember picking up these two girls on 42nd Street, don't you? A I remember that by refreshing my memory as well as I could from the memorandum book; that's all.

Q Have you got anything else on the 15th of December in your memorandum book that would show you whether or not you met anyone else on that day? A I can't remember. And I don't carry the book all the time. A book gets full in a year or two.

Q On December 15th, 1915, did you have more than one book?

A Yes. This book is the one that I make my affidavits out from.

Q And did you make any memoranda as to the Hotel Strand in that book that you had then? A Yes.

Q Did you spend any money other than you have testified to on the 18th? A I can't remember that.

Q Or the 23rd? A I can't remember that.

Q Did you take any women to restaurants on those dates?

A I can't remember that.

Q Did you take the same women to any other hotel? A No, sir; never met them after that.

Q Did they, in each instance, suggest the same hotel? A On the third occasion, they did not.

Q On the first two occasions they did? A Yes, sir.

Q Do you know a man by the name of Bjornsen?

THE COURT: What count in this indictment do you ask

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to go to the jury on, Mr. District Attorney?

MR. MAGEE: Could you give me a little time, your Honor, to determine?

THE COURT: Well, you prepared this case. You have had three years to make up your mind about it.

MR. MAGEE: No, sir; I haven't had charge of the case during that length of time. I have been in the Office only a few months.

THE COURT: Well, what count do you ask to go to the jury on?

MR. MAGEE: If your Honor please, I wish you would extend my time until after lunch, to answer that, because I did not expect that you would ask me until I had finished my case; and, as the evidence develops.

THE COURT: Well, you charge in three counts here. I want to confine you to the issue. That is the purpose for which I am making the inquiry. This evidence should shape itself around some legal situation and proposition that may arise in the taking of the testimony. You cannot ramble around with three different counts.

MR. MAGEE: Well, I trust your Honor will indulge me until after recess.

THE COURT: Go ahead with your case. These things ought to be done before the case is presented to the Court, the case ought to be prepared for trial.

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BY MR. GOLDSTEIN:

Q Did you know a man by the name of Ivor Bjornsen, who conducted a cafe in the premises in the Strand Hotel? A No, sir; I don't know that name. I don't recognize it.

Q Well, do you know of a cafe being conducted in those premises? A Not when I made the arrest; no, sir.

Q How long before December, 1915, had you been in that Precinct? A From April, 1914.

Q Up until December, 1915, you were in the Inspection District that took in these premises known as the Hotel Strand?

A Yes, sir.

Q And that is the district to which you were assigned?

A Yes, sir.

Q In the course of your police duties as a plain clothes man, did you know that the cafe in that hotel had been closed during that time? A I had heard it, yes.

Q But did you know it? A Not of my own knowledge. I never was in there.

Q From your brother officers, didn't you know that it had been closed as a disorderly place? A I heard it, yes.

Q And didn't you know as a police officer, that the complainants in that case were Markell and Berger, the proprietors of the hotel, who made the complaint against the cafe? A I didn't know anything about that at all.

Q From April, 1914, until December, 1915, when it was shut

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down and closed, did you visit the cafe in the Strand? A I never was in the premises until December 15th. That was the first time I ever entered the premises.

Q Didn't you know that complaint had been made to that Inspection District office that the cafe was disorderly? A They could come there and I wouldn't know anything about it.

Q Did you hear any comment about it? A No, sir; I didn't

Q Didn't you hear anything about it? A No, sir.

Q Did your inspector or anybody in the Police Department tell you to go and try the Strand Hotel? A No, sir.

Q Nobody, no one of your superiors, told you to go and investigate this particular hotel? A No, sir.

Q Is that correct? A Yes, sir.

Q It was just by mere good fortune, and by mere accident, that you were taken to this particular hotel? A Yes.

Q How large a hotel is it? A Well, ten or eleven stories high, I think. I am not positive.

Q Don't you know that it is twelve stories? A I can't say positively how high it is.

Q You said it was between Broadway and Madison Avenue, did you? A It's right off Broadway.

Q Then it is between Broadway and Fifth? A Yes, I think so.

Q It is a twelve story hotel, is it not? A I don't know.

Q And, as you entered, there was the clerk's desk, in full view on the right hand side? A After you have gone in about

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ten or twelve feet, inside of the door.

Q Right on the other side of the threshold? A No, sir; back.

Q Is it in full view as you enter? A Not as you enter; no, sir. You have to walk towards the rear of the hotel before you can see the desk.

Q Now, will you try to think of the premises? A I am describing them in December, 1915, not now.

Q In December, 1915, as you walked into the Hotel Strand, the desk was there on the right hand side? A Yes.

Q And the elevator was right in the center of the entrance? A No, sir; I know it's away back in the rear.

Q Directly opposite the entrance? A I wouldn't say whether it was or not as to that. But you could see it when you stood in front of the desk, and it was to the rear of the hotel.

Q There was nothing to obstruct the clerk's view of the elevator? A I don't know about that, but I know he can see anybody that sits on the settees opposite the desk.

Q And you can't go to the elevator without passing the desk, can you? A No, sir.

Q You can't pass that desk without his seeing you; is that correct? A Yes.

Q The clerk is in a position to see everybody who goes past his desk, and enters that hotel? A He is in a position to do so, yes.

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Q Did you make any investigation to find out what permanent residents there were in the hotel, and what the general reputation or character of the hotel was? A No, sir.

Q None at all? A No, sir.

Q Did you make any inquiry to find out whether -- what permanent residents had lived for years in that hotel? A I did not.

Q You made no investigation? A No, sir.

Q Have you made any effort to find out from general reputation, what the reputation of the hotel is? A Well, the general reputation of the hotel is bad.

Q No. Did you find out from anybody? A I did; from complaints we received.

Q Have you any of those complaints? A I have one of the complainants in court today.

Q What is the name? A Harry Esser.

Q Do you know what his business is? A I think he is a railroad man.

Q Do you know whether he lived at the hotel? A No, he didn't live at the hotel; no, sir.

Q Do you know where he did live in December, 1915? A From conversation I had with him, I do, yes.

Q Where did he live? A In Yonkers.

Q Did you solicit any of the girls, or did they all solicit you? A They spoke to us first.

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Q On any occasion did you talk to them first? A No, sir.

Q And on each occasion they said, "Do you want to go to a hotel for a good time"? A Or words to that effect, yes. They didn't use the exact words always.

Q And on two occasions you paid them ten dollars apiece, and one occasion five dollars? A Yes, sir.

Q Is that right? A Yes, sir.

Q And on the occasion -- on each occasion they exposed themselves to you for the purpose of sexual intercourse? A Yes.

Q And on each occasion, for one excuse or another, you failed to have intercourse with the woman? A Yes, sir.

Q Is that right? A Yes, sir.

Q And at no time did you have any intercourse with them?
A No, sir.

Q Did you make an inspection of the premises, to find out if there was a single set of rooms adjoining in that whole twelve story building? A No, sir.

Q You didn't make any investigation? A No, sir.

Q From your experience as a police officer for seven years, as you say, attached to the Vice Squad -- A Not seven years attached to the Vice Squad. At that time I was only two years in that squad.

Q Well, from your experience in the Vice Squad, and as a man about town, didn't you know that hotels that were disorderly houses had connecting rooms, so that you couldn't go out into

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the hallway, or that you needn't go out into the hallway? A No, sir; I never had any experience of that kind.

Q And you thought it would be necessary to have a conversation with the defendant, so that you should inform him that you were going to switch girls, and not go out into the hallway?

A Yes.

Q And didn't you know that that was the case in all disorderly houses, or hotels that were disorderly houses, that there were connecting rooms, where you could switch girls, without going out into the hall? A No, sir.

Q Had you been on any hotel cases before this? A I think I was on one or two before that.

Q What were their names? A I think the Hotel Raymond, in 28th Street.

Q Did you ask for connecting rooms there? A No, sir.

Q Did you go all alone there? A Yes.

Q You and a woman? A Yes.

Q And what was the other hotel? A A hotel at 207 West 40th Street, I think the number of it is.

Q Were there any connecting rooms in those premises? A No,

Q Were those the only two hotels that you visited, to find out whether they were disorderly or not? A Those are the only two instances that I recall before this date.

Q Now, the clerk's offices in hotel that you had visited before this were so arranged that you couldn't possibly see

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the women when they were coming in? A Well, I can't just describe the clerk's desks in any of those hotels before that.

Q Now, at 207 West 40th Street -- you are talking about Haddon's place, are you not? A Yes, sir.

Q The City Hotel? A Well, it wasn't the City Hotel at that time.

Q Was it the Dember? A I can't recall the name.

Q You know Haddon, don't you? A I told you it was 207 West 40th Street, and Haddon owned the place.

Q You know him? A Not personally; no, sir.

Q Well, you have been in that hotel several times? A No, sir; not several times.

Q How many times were you there? A Only once.

Q Only once? A Yes, sir.

Q Don't you know that it is just a tenement house, converted into a hotel? A It is a hotel. That's all I know about it.

Q Has it not the appearance of a tenement house on the outside? A It is a brown stone building on the outside.

Q What does it look like from the outside? A I just said, a brown stone house.

Q Does it look like a hotel or a tenement house? Don't you know the difference? A Why, you could use it for anything, so far as the appearance of anything outside goes. It could be a loft building.

Q Was it not the same as a whole row of buildings that were

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four stories, parlor tenement houses, in that block? A No, sir; they are all loft buildings in that block as I recall.

Q Don't you know that as you walked into that hotel, the clerk's window merely had a little opening where you could barely see his face? A I can't remember the description of the desk in that place.

Q Don't you know that in these disorderly house hotels, the clerk's office is so arranged that the clerk cannot possibly see the women? A I don't know that, no.

Q Don't you know that as a police officer? A Not in every case; no, sir.

Q In most cases? A I can't describe places that I don't know anything about.

Q Well, at 207 West 40th Street? A I say I can't describe the desk, because I don't recall it.

Q Can you describe the desk of the Raymond? A No; I can't.

Q Comparing this desk, and the arrangement with every large hotel in the City of New York -- I am talking of the desk at the Strand -- is it constituted, or situated, rather, and built the same way as in the largerst hotels in this city?

MR. MAGEE: If your Honor please, personally I think we are wandering very far afield.

THE COURT: Well, it depends a great deal whether this is one of the stews of the city, or whether it is a well regulated, orderly hotel, for legitimate hotel purposes.

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There is a distinction, and I think the question is quite proper.

A As I remember the desk, it is on your right hand side, after you have gone in about ten or twelve feet towards the rear of the hotel.

Q What is it made of, do you remember? A It's made of wood, like that table, I think (indicating the prosecutor's table).

Q Isn't it made of marble, the same as the rest of the lobby? A According to my memory, I think it is wood. I can't remember exactly what material it was made of.

Q Well, at a glance, you could tell the difference between highly polished marble or wood? A But I glanced at it, three years ago.

Q Is it a cheaply built hotel or an expensively built hotel? A Yes, certainly; it looks like an expensive built hotel.

MR. GOLDSTEIN: That's all.

BY THE COURT:

Q Mr. Brolesky, how long have you been doing this kind of work? A At the time I --

Q No, now. A I am in plain clothes now almost five years.

Q Doing this kind of work? A No, sir; I haven't obtained any evidence against a hotel now in three years or more.

Q You are not doing any of this kind of work now? A No, sir; I haven't made any arrests in that time; I haven't obtained any evidence.

Q When was the last time that you did it, that kind of work?

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A We were transferred from the Third Inspection District --

Q I am asking for the time only. A Not since April, 1916, about two years now, I think.

Q Well, during that time you did a good deal of that work, did you? A Up to April, 1916?

Q Yes. You were employed entirely in doing that kind of work? A Oh, no, sir; not entirely.

Q That was the squad that you were connected with, the Vice Squad? A No, sir; I was not connected with the Vice Squad. I worked in the Fifth Inspection District.

Q Well, you were doing this running down of bad resorts, and evil persons on the street, prostitutes, were you, women who were guilty of soliciting? A We worked on gambling and cocaine, too.

Q Just answer me. Did you do a good deal of that? A Yes, sir.

Q Did you make a good many arrests? A No, not so very many.

Q Well, did you appear as a witness in such cases often?

A Yes. In hotel cases, do you mean?

Q Well, hotels or against prostitutes. A Well, hotels or against prostitutes. In these sexual cases, or disorderly resorts. A Well, I couldn't remember exactly.

Q Well, about how many? Were there so many that you could not tell? A No, sir; not so many.

Q You made the arrest of a good many women who were soliciting in the street? A No, sir; I don't think I made one

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than two or three a month, while I was in that district.

Q And did you prosecute them? A Yes, sir.

Q And were you furnished with a fund from the Department to help you in doing this kind of work? A In many cases where we had expense, we made out a bill to the Contingent Fund, specifying the amount we spent.

Q Did you receive the moneys first? A No, sir; we paid that out of our own pocket.

Q Now, when you were doing this kind of work, you had to have quite a little capital, did you not? A Yes.

Q And how much did you take out, at night, in the prosecution of your labors? A Oh, I couldn't say that.

Q About how much? A Oh, fifty or sixty dollars, sometimes a hundred.

Q Well, then you accounted for it, after you had spent it, did you? A We kept track of it, yes.

Q And accounted for it in a voucher to the Department?

A Yes, sir; we make out the bills, and it is signed by the commanding officer of our district, and then forwarded to Headquarters, and the Third Deputy Commissioner verifies it.

Q And you get your money, do you? A Yes, sir.

Q You don't wait until it goes through the auditor's Department of the Comptroller's office? A Well, I don't know where it goes. It sometimes takes a month or six weeks to get the money back.

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Q Now, on these occasions that you have testified to, that you went to this house or hotel, and took women there, and had some talk to them on the street, and learned their character from the language they used and the directions that they gave -- you learned that, did you not? A Yes, sir.

Q You knew that they were prostitutes? A Yes, sir.

Q Plying their avocation? A Yes.

Q And you were directed by them, you say, to this house?

A They directed the taxicab driver to take us there, the driver, yes.

Q And accompanied you to the room? A Yes, sir.

Q And they made certain propositions to you? A Yes, sir.

Q Well, why did you feel that it was necessary then, to pay out this public money; why did you give this public money to these prostitutes, having had this converse with them, and this evidence of their character, as you have testified; why did you do that, why the necessity of it, Mr. Drolesky? A Why, your Honor, if we refused to pay the girls, they would go down and tell the clerk, and we couldn't get back in the hotel again, if we had occasion to. It would spoil the case.

Q That is the way you felt about it, did you? A Yes, sir. We received instructions to that effect.

Q Who gave you those instructions? A Oh, we get general instructions from the Inspector.

Q No. Who was the one who gave those instructions to him,

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if you know? A I can't state the source of the instructions from downtown, your Honor.

Q When you went back to the Department, the next day, without the women, and handed in a voucher of sums of money paid to two unknown women, and, in the course of time, you were paid, or had the money repaid to you? A Yes, sir.

THE COURT: All right. Stand down.

REDIRECT EXAMINATION BY MR. MAGEE:

Q You stated on cross examination that you knew the reputation of these premises, did you not? A Yes, sir.

Q What is the reputation of the premises known as the Hotel Strand? A Very bad.

Q It is reputed to be a house which has been or was, at the time you state, a resort of prostitutes, do you? A Yes.

Q Who resorted there for the purpose of plying their trade as prostitutes? A Yes, sir.

Q And you stated that a man named Esser made a complaint in reference to those premises? A Yes, sir.

Q Now, will you kindly state what was the nature of the complaint he made?

MR. GOLDSTEIN: I object to that as immaterial, and not binding on these defendants.

THE COURT: Sustained.

MR. MAGEE: The defense opened the door, if your Honor

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please.

THE COURT: You think so, do you? I don't.

RECROSS EXAMINATION BY MR. GOLDSTEIN:

Q Now, just a moment. Who did you discuss the general reputation of this hotel with, other than Esser? A Why, with other members of the Inspection District to which I am attached.

Q Mention the name of any other person not connected with the Police Department, except Esser. A He's the only one.

Q He is the only layman? A Yes.

Q And you were interested in finding out what the reputation of this hotel was, weren't you? A Yes, sir.

Q Now, weren't you interested in ascertaining how many regular residents of the hotel there were?

THE COURT: Now, why go over that? Haven't you been over it, counsel, already?

MR. GOLDSTEIN: Very well, sir; that's all.

THE COURT: I would like to ask you another question, Droleskey, Come back here.

BY THE COURT:

Q Independent of this kind of cases with which you had to do, you have had a great many other cases, have you not? A You mean police cases in general?

Q Yes, arresting people. A Yes.

Q And appearing as a witness against them? A Yes, sir.

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Q In courts? A Yes, sir.

Q And can you tell us about how many you have had? A You mean all the cases since I am in the Police Department?

Q Well, since December, 1915? A Well, I can't give you any estimate of that, your Honor. Some months I wouldn't have an arrest. Where I am working now, I have gone six weeks without making an arrest.

Q Well, you have had hundreds of cases, have you not, these 28 or 29 months since? A I wouldn't put it in the hundreds, your Honor.

Q You would not? A No, sir.

Q Well, now, you have told us about the language that you used, and these persons went with you to the hotel, and the language that others used. Do you wish it to go to the jury as your saying that that was the language you employed that night, and that was the language they used to you? A Well, I don't say those are the exact words. I have all that in my memorandum book, and, while I was sitting back there (indicating), I read the memorandum over once, and I recollected it as well as I could.

Q You have a remarkable memory for facts and conversations?

A Well, I wouldn't say remarkable, no, sir.

Q Well, you do seem to have a remarkable memory for facts and conversations. You have told us about just what happened with great particularity, after the lapse of 28 or 29 months. A Yes, sir; that was from refreshing my memory.

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Q Well, you have been blessed with a great memory? A Well, I wouldn't call it a great memory, no, sir.

THE COURT: Well, stand down. You can sit in the back of the courtroom, too.

D O N A L D J. S L A T T E R Y, of the Fifth Inspection District, a witness called on behalf of the People, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. MAGEE:

Q Are you a member of the Municipal Police Force of the City of New York? A I am.

Q Where do you reside? A In Brooklyn.

Q Are you married? A Yes, sir.

Q Have you children? A I have.

Q Do you know the premises called the Hotel Strand? A I do.

Q Where is it situated? A No. 43 West 32nd Street.

Q Is that in the City and County of New York? A It is.

Q Now, did you have occasion to visit those premises? A I did.

Q Under what circumstances and when? A On December 23rd, 1915, I was walking north on the east side of Sixth Avenue --

THE COURT: No, that seems quite a sufficient answer for the purposes of the question.

BY MR. MAGEE:

Q Proceed. A (Answer continued) Accompanied by officer Cowden, who, at the southeast corner of 40th Street and Sixth

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Avenue we were accosted by two girls, the first names known to me as May and Rose.

We had a conversation --

Q Just a moment. How did you know their names were May and Rose? A They called one another May and Rose.

Q And was that the first time you had met these women?

A It was.

Q Had you ever seen them before? A No, sir. We had a conversation, and at the suggestion of the girl named May, we took a taxi and went to the Strand Hotel, where we entered.

I saw the defendant Knight behind the desk at the hotel, and I said to the defendant -- may I refresh my memory from my memorandum book?

THE COURT: Well, see what you remember about it.

BY MR. MAGEE:

Q What do you remember without referring to a memorandum book? A I asked the defendant Knight if we could have adjoining rooms. The defendant Knight said no.

I replied, "That's too bad. My friend and the two girls here want to have a little party, and we would like to be together".

The defendant Knight then said, "I can give you one room on the sixth floor and one on the seventh. Will that do?" I replied yes.

And he then placed the hotel register in front of me, which I signed, "Daniel J. Stock, and wife, only".

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BY THE COURT:

Q What name? A Stack.

Q Stack? A Yes, sir; "and wife, City". I then paid the defendant Knight eight dollars for the use of the two rooms, also paying at the same time for officer Cowden, and, while I was paying the defendant Knight, officer Cowden signed the register -- I believe it was, "Charles F. Ramsey and wife, city".

BY THE COURT:

Q What date was this? A December 23rd, 1915. We then went into the elevator and went to the seventh floor, where the bell boy took us to a room in the front of the building, and when he opened the door there was somebody in the room. The bell boy then took us back into the elevator, and we went to the sixth floor. He took us to room 602 on the sixth floor, and we entered that room and officer Cowden said to the bell boy, "We don't want to use this room; it isn't in a fit condition to be used".

The room at that time -- the bed was messed, there was a towel on the end of the bed, and it looked as if somebody had used the room. We then went back into the elevator and went to the ninth floor. The bell boy then took me to room -- I think the number was 901 -- and officer Cowden and the girl he was with into room 902.

While in this room the girl who was with me asked me for ten dollars, which I paid her, and she exposed her person to me for the purpose of prostitution.

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BY THE COURT:

Q Did she tell you that that was the purpose for which she exposed herself? Yes or no? A Yes.

BY MR. MAGEE:

Q What did you do? Go on. A I made a suitable excuse, and, after a short while --

BY THE COURT:

Q What was that excuse? A I asked this girl if she had a protector with her, and she said no, and I said I didn't care to take a chance, and then she dressed herself, and we left the room.

BY MR. MAGEE:

Q Did you notice the condition of the office when you came in, whether or not it was lighted? A It was lighted.

Q And where did these women sit or stand, or where were they in the office? A They stood in the office, just a little ahead of us.

Q How far from the defendant? A Maybe five or six feet.

Q Were both defendants there at that time? A They were.

Q And did these women that you were with have veils on?

A No, sir; I don't think they did.

BY THE COURT:

Q Don't you know anything about it, or is it indistinct in your mind? Did they have veils on their faces or not? A No, sir.

BY MR. MAGEE:

Q Now, did you have occasion to visit those premises again?

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A I did.

Q Under what circumstances and when? A On the 25th day of December, about 2 A. M., I was standing on the northwest corner of 34th Street and Broadway, in company with officer Cowden, and we were accosted by two girls, whose first names I know to be Lillie and Sadie.

Q How do you know that? A Through hearing them calling one another those names.

Q Did you ever see them before? A No, sir.

Q Proceed. A After a short conversation at the suggestion of Lillie, we went to the Strand Hotel, premises No. 43 West 32nd Street, where we entered.

BY THE COURT:

Q How did you happen to go to the Strand Hotel, who suggested it? A May -- Lillie. On this occasion she suggested that we go to a hotel in 32nd Street, and conducted us to the Strand.

As I entered, this day, I saw Knight and Carter behind the desk.

BY MR. MAGEE:

Q Both behind the desk? A Yes, sir.

Q Proceed. A The defendant Knight said, "I don't think I can give you adjoining rooms, this morning, either."

BY THE COURT:

Q Did he use that language? A He did.

Q "I don't think I can give you adjoining rooms, this morning."

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morning, either?? A Yes.

Q Are you sure about that? A Yes, sir.

Q You are? A Yes, sir. Officer Cowden then said, "That's too bad. The girls would like to be together".

He said, "I could give you"-- I don't remember the conversation, counsel.

Q Did you make any memorandum or record? A Yes, sir.

Q When? A About a day or two after that.

Q Where? A In my memorandum book.

Q Was it one day or two days after? A It might have been the next morning. I don't remember exactly just when.

Q Well, was it the next morning that you made your memorandum? A I made a memorandum just after leaving the hotel, and afterwards I copied it into my memorandum book.

Q Well, what did you make that memorandum on? A book?

A No, sir; a slip of paper, first.

Q And did you destroy that slip of paper? A Yes.

Q Did you copy the contents before you destroyed it? A Yes.

Q And how long was that after you visited this hotel, on the 25th of December, 1915? A It might have been the same day or the day after. I am not sure just when.

Q But you are sure it wasn't over two days later? A No, sir; it wasn't.

Q Have you that memorandum with you now? A I have.

Q And do you desire to refer to it in order to refresh your

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memory? A I do.

MR. MAGEE: I will ask the permission of the Court to allow him to do so.

THE COURT: I will exclude it. I think he is doing pretty well.

BY MR. MAGEE:

Q Well now, proceed, officer, and state what else transpired there on that occasion between you and the defendants. Did you get a room or obtain a room? Was anything more said by him or you?

A He then said, "I can give you rooms next to one another. Will that do?"

Q Anything else? A Officer Cowden -- I then signed the register as -- I believe it was "William Smith and wife, City".

Q That is to the best of your recollection? A Yes, sir.

Q You are testifying from memory now? A Yes, sir.

Q All right. Proceed. A And officer Cowden paid the defendant Knight eight dollars for two rooms.

We then went in the elevator and the bell boy conducted us to two different rooms, adjoining one another.

And, while in there, officer Cowden and the girl named Sadie, who he was with at that time, came into my room, and we ordered some drinks from the bell boy, and, after they were served officer Cowden and the girl he was with went back into the room to which they were assigned by the bell boy, and I remained in that room.

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Q Who was with you? A The girl whose first name I know as Lillie.

Q Yes. What happened? A This girl then removed her clothing, her outside clothing, and asked me for ten dollars.

I paid her the ten dollars, and she exposed her person. She laid on the bed and she said, "What's the matter? Don't you want to stay with me?"

And I said, "No, I don't care to take any chance. Haven't you got a protector?" And she said no.

And so, after that she dressed herself, and we left the room again.

And I met officer Cowden in the hall on the second occasion, and we both left the premises together.

Q How long were you in there altogether? A About three quarters of an hour. I am not sure.

Q Well, on the 23rd day of December, 1915, how long were you in there altogether? A Probably half an hour; I am not sure.

Q Did you see the defendants when you left the hotel on the 23rd day of December, 1915? A I did.

Q Did you see the defendants when you left the hotel on the 25th of December, 1915? A I did.

Q I show you a book, and ask you if you have ever seen it before? A I have.

Q What is it, do you know? A It is a hotel record.

Q What hotel, do you know? A The Strand Hotel.

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Q Where did you see it? A I saw it on the desk at this hotel.

Q When first? A On the 23rd day of December was the first time I saw it.

Q And did you make any writing in that book? A I did.

Q Now, will you kindly indicate where it is now? A 23rd --

Q Is that 23rd? A It says Wednesday, December 22nd.

Q And did you write, "Daniel J. Stack, City"? A Yes.

Q And when you wrote your name there, were those words, "Wednesday, December 22nd," there? A No, sir; I don't remember seeing them there.

Q It was a little after one o'clock on the 23rd when you arrived there, was it not? A Yes.

Q And do you know whether the clerk of the hotel, the defendant, or any other person had written Thursday, December 23rd, 1915, on the page opposite? A No, sir; I don't know whether they were written or not.

Q And do you remember whether this page on the right hand side, you having written on the left hand side, this other page on the right hand side was clear of all writing? A It was.

Q Now, can you find any other writing in that book that you made? A Yes, sir.

Q Now, that page is entitled what? A "Friday, December 24th 1915".

Q Now, do you remember whether the words, the title,

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"Friday, December 24th, 1915", was on that page at the time you signed it? A I didn't see them.

Q And do you know whether on the right hand side page the words, "Saturday, December 25th, 1915", were there when you signed your name on the opposite page, the left hand side? A I didn't see it.

Q And was anything written on the right hand side page?

A I didn't see anything.
did

Q Now, when you arrived in this hotel on December 25th 1915? A (No answer.)

Q Was it after midnight? A It was after 2 A. M.

Q It was after 2 A. M.? A Yes, sir.

Q And did you take any particular notice to the dates which were on top of either of the pages you now refer to? A No, sir; I did not.

Q And do you know whether the clerk, the defendant, or any other person, had written the words, "Saturday, December 25th, 1915", on the right hand side page, opposite the one on which you wrote? A No, sir; I don't.

Q Is there any other writing in this book that you made?

A None other

Q Now, who gave you this book when you wrote in it? A The defendant Knight.

Q The defendant Knight? A Yes, sir.

Q And what happened to it after you had written in it?

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A It remained on the desk.

Q It remained on the desk? A Yes, sir.

Q And were you in the hotel when it was seized, when this register was seized? A No, sir; I don't believe I was.

MR. MAGEE: I offer the signature of the witness, the writing of "Charles F. Ramsey and wife"-- no -- "William Smith and wife, City".

THE COURT: The book is in evidence, is it not?

MR. MAGEE: Yes, sir.

THE COURT: And then you may use any portion of it for any legitimate purpose, of course.

MR. MAGEE: Very well, sir. That is all, officer.

THE COURT: I think we will take your cross examination after recess, counsel.

(The Court admonished the jury in accordance with Section 415 of the Code of Criminal Procedure, and took a recess until ten minutes past two o'clock.)

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AFTER RECESS:

D O N A L D J. S L A T T E R Y, being cross examined,
- testified as follows:

CROSS EXAMINATION BY MR. GOLDSTEIN:

Q Officer, are you a member of what is commonly known as
the Vice Squad? A I am member of the Fifth Inspection District,
working in plain clothes.

Q Working on cases similar to this? A Yes, sir.

Q That is, arresting prostitutes on the street, and trying
to get evidence against hotels? A Yes.

Q And that was your work in December, 1915? A It was.

Q And you know officer Droleskey? A I do.

Q Did you ask or try to find out whether either of the two
girls that you had on the two occasions that you have mentioned,
December 23rd and 25th, were the same girls that officer Droleskey
had had at any other time? A I don't know.

Q Well, did you ask Droleskey about that? A No, I didn't.

Q Did you, ever since December, 1915, try to locate these
girls? A I have not.

Q Did you try? A I did not.

Q Didn't you know as an officer that it would help to
strengthen the case against these defendants if you could find
and produce any of the girls? A I didn't think so.

Q You didn't think so? A No.

Q Now, officer, as a police officer of the City of New York,

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you were not going to spend the City's money any differently than you would your own? A No, sir.

Q Is that right? A It is.

Q In 1915 you were a married man, in December, 1915?

A I was.

Q And when you were accosted and solicited by those girls, you never had any intention to consummate the act of sexual intercourse? A No, sir; I did not.

Q You only wanted to go to the hotel to procure evidence against the hotel? A Yes.

Q And you intended to spend no more money belonging to the city than you would of your own, is that right? A That's right.

Q And now you were accosted by this girl, and you went to the hotel with her; is that correct? A Yes.

Q And, after you registered, you went upstairs? A I did.

Q And you went into the room, not intending to have any intercourse with her; is that right? A That's right.

Q And when you got in there, as an excuse or pretext you said to the girl, "Have you got a cover or a protector?" Is that right? A I asked if she had a protector.

Q Meaning a cundrum? A I believe that's what you call it.

Q Well, you know what they are called, don't you? A Yes, sir.

Q That's what you meant when you asked if she had a protector? A Yes, sir.

Q But before you asked her that question, you had given her

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the ten dollars? A I don't remember.

Q Did you give it to her before or after? A Before or after when?

Q Before or after you asked her about this protector? A I don't remember whether it was before or after.

Q Well, now, officer, you asked if she had a protector?
A I did.

Q And she said she had no protector? A She did.

Q And you said you wouldn't take a chance in staying with her, without a protector? A I did.

Q Now, when did you give her the money under those circumstances? Before or after you asked her that? A I don't remember.

Q Well, when you said that to her, you had made up your mind that you would not have intercourse with her then; is that right? But you don't remember whether it was before or after she said she had no protector? A No, sir; it's three years ago, and I can't remember that.

Q Well, did you give her the ten dollars after you said you would not have intercourse with her? A I don't remember whether it was before or after.

Q Did you put a bill in for this ten dollars paid to this woman? A Yes, sir.

Q Did you pay any other women any money that night, December 33rd? A No, sir.

Q Did you have any other expenses, outside of the ten dollars

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and the rent of the hotel room? A I don't remember.

Q Well, did you go in any restaurants, or try to get into any other hotels? A I don't remember.

Q Have you any memorandum book here showing your activities on that day? A Only in reference to that particular case.

Q Now, didn't you keep a memorandum book, showing what expenses you had, so that you could collect from the city? A I did not.

Q You kept no memorandum of your expenditures? A I may have, but not in the book, though.

Q Not what you may have done. Did you? A Well, I don't remember whether I kept a memorandum or kept it in my head.

Q Did you put in any bills for December 23rd and 25th? A I did.

Q Did you put in any bills for more than you say you spent here, ten dollars for the woman and four dollars for the room?

A I don't remember, counsellor.

Q Did you go anywhere else, did you go into any restaurant with any woman, that night? A I can't say. I don't remember.

Q Did you take this woman who solicited you to any restaurant, before you took her to any hotel? A I don't remember.

Q Don't remember whether the woman that solicited you, and that you took to the Strand Hotel, whether or not you took her to a restaurant before that? A No, sir.

Q You don't remember that? A No, sir.

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Q Did you make any investigation to find out the character of the people who were living at the hotel? A I did not.

Q At no time? A At no time.

Q Did you know Ivor Bjornsen; do you know a man who ran the Strand cafe, before it was closed in 1915? A No, sir; I never was at the Strand before this time.

Q Well, but you went up and down that block, doing police duty in 1915? A I may have.

Q Weren't you attached to that District all of 915? A No, sir. Not all the year.

Q From when until when? A I think I went in the office in September or October of that year -- it may have been November. I was there only a few months.

Q Didn't you hear about Markell & Berger making complaint, or rather, Mr. Markell, the owner of the Strand making complaint to the police that the cafe was a disorderly house? A No, sir.

Q And you don't remember that cafe being closed up on his complaint? A No, sir. I never heard of it.

Q Now, when you came into these premises, do you remember what the desk was made of? A I don't remember.

Q And was it wood or marble? A I don't remember.

Q Was the office in full view of anybody coming in? A It was.

Q And anybody passing the desk, anybody going to the elevator of the hotel, necessarily had to pass the desk? A They did.

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Q There was nothing to obstruct the view of the clerk?

A Nothing at all.

Q Now, the first night, December 23rd, you asked for adjoining rooms? A Yes, sir.

Q And they told you that they had no adjoining rooms?

A Yes, sir.

Q Did you make an investigation to find out whether they had any or not in that hotel? A No, sir.

Q Do you know whether they had any or not? Do you know whether or not they had any? A I don't know that, no.

Q Now, when was the occasion that they had to change the linen of a room that was mussed up? A They didn't change any linen; we refused to go in.

Q When was that? A On December 23rd.

Q Weren't you assigned at that time to two rooms on the ninth floor? A We were not assigned to any rooms. We went to the rooms --

Q Do you mean to say that the clerk didn't tell the bell boy what rooms to take you to? A Not that I heard; no, sir.

Q Where did he take you to first? A The seventh floor, a room that was occupied.

Q Do you mean to say that you didn't hear the clerk instruct him where to take you to? A No, sir.

Q Where did he take you then? A The sixth floor, room 602.

Q And what did he do when he got there? You say that room

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looked as if it had been used? A Yes, sir.

Q And you would not use that? A No, sir.

Q Where did he take you then? A To the ninth floor.

Q And in the meantime had he been taking your brother officer with you? A Yes, sir.

Q And he finally landed you on the ninth floor? A Yes, sir.

Q Were the rooms that you got there right next to each other?

A They were.

Q Or were they opposite? A They were down at the end of the hall. 901 was here and 902 was there (illustrating), two separate rooms.

Q Did the girl suggest going to the Strand? A Yes, sir.

Q On both occasions? A Yes, sir.

Q Did you solicit either of the girls? A No, sir.

Q They solicited you? A They did.

Q On both occasions? A On both occasions.

Q And you have never been able to find the girls since?

A I haven't tried to find them.

Q You have made no effort to find them? A No, sir.
second.

Q And, the occasion that you were there, you were there on Christmas night? A I was.

Q December 25th? A Yes, sir.

Q On Christmas night you say you were solicited by some women?

A We were.

Q And you went in a taxi? A No.

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Q Walked? A Yes, sir.

Q To this hotel? A Yes.

Q And gave the women ten dollars? A Yes.

Q Did you give them ten dollars on December 23rd? A Yes.

Q And both times was the excuse given that you wanted a cover? A Both times.

Q Did you at either time ask for any part of your money back?

A I did not.

Q You didn't think of saying to the girl, "Well now, you haven't got a cover, and I don't want to take a chance; you ought to give me a part of that ten dollars back"? A No, sir.

Q That didn't occur to you? A I didn't ask her.

MR. GOLDSTEIN: That's all.

BY THE COURT:

Q Did you go out from the same house with Droleskey that he was assigned from? A Yes, sir; the Third Inspection office.

Q Had you taken this matter up with him, this house, the character of this house? A The hotel?

Q Yes. A I believe Inspector Morris --

Q Yes or no. Did you or not? A No, sir.

Q You had no talk with him about these premises? A Not that I remember.

Q Or as to his activity with reference to the premises?

A I was told by --

Q Yes or no? A I don't remember having any with him.

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Droleskey.

Q Didn't you know something about his experience on the 23rd? A I knew something about his experience.

Q On the 23rd of December, 1915? A I didn't know about that particular night, or any other particular night. I knew about his experience in the hotel.

Q Weren't you working in collaboration with him as to the premises? A Yes, I was.

Q And then you had taken up the matter with him, hadn't you? A No, sir.

Q You didn't know what he had done, and he, as far as you know, didn't know what you had done, as to the premises; is that it? A I didn't know any particular action he had taken. I was told.

Q Well, did he tell you? That is what I want to know? A No, I don't think so. I don't remember him telling me.

Q How were you dressed when you went there on the 23rd of December, 1915? In disguise or how? A No, sir; I was dressed in the regular way.

Q You didn't have any different clothes than you wore usually? A No, sir.

Q Plain clothes? A Yes, sir.

Q Were you dressed similarly, as you are now? A Well, I had a straight linen collar on, and I had on what I call my good clothes.

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Q These women that went with you, were they apparently well gowned, well dressed? A They were dressed; not too expensive, I don't think.

Q Well, they were ^{as} well dressed, as you were yourself? A Yes, they were.

Q Did you put your vouchers in to the Department? A Yes, sir.

Q Were inquiries made as to where the moneys went and the necessity of paying ten dollars? Yes or no. A I don't remember.

Q They simply accepted your word for it, did they, and approved of it, and you were subsequently repaid; is that it? A Yes, sir..

Q And, if it had been more, have you reason to think that it would also have been reimbursed to you? A I do.

Q No limit at all placed upon your financial disbursements in this kind of work? A There is.

Q What is the limit? A Why --

Q What is the limit? A Fifty dollars, I believe.

Q Fifty dollars? A Yes, sir.

THE COURT: Stand down.

H E N R Y E S S E R, of 2141 Honeywell Avenue, Bronx,
a witness called on behalf of the People, being duly sworn,
testified as follows:

DIRECT EXAMINATION BY MR. MAGEE:

Q What is your business? A Locomotive engineer, New Haven

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Railroad.

Q Who do you work for? A The New Haven Railroad.

Q And how long have you worked for them? A Eleven years.

Q And are you married? A Single.

Q Ever been married? A No.

Q With whom did you live or reside? A My folks.

Q Your parents? A Yes, sir.

Q Are they both living? A Yes, sir.

Q Do you know the defendant, William Knight, the gray haired man at the bar (indicating)? A Yes, sir.

Q Now, will you tell me on what occasion you met him and where? A Why, behind the desk.

Q And where? A At the Hotel Strand.

Q Is that in the City and County of New York? A Yes, sir.

Q And State of New York? A Yes, sir.

Q Do you know what street it is located on? A Yes.

Q What street? A On 32nd Street, right off Broadway.

Q Right off Broadway? A Yes.

Q On what day was it that you saw him there, Mr. Esser?

A The morning after Thanksgiving.

Q Well, do you know what time you arrived there? A About a quarter after three.

Q About a quarter after three? A Yes, sir.

Q Was that the 26th day of November, 1915? A Yes, sir.

Q At a quarter after three A. M.? A Yes, sir.

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Q In the morning was it? A Yes, sir.

Q After midnight? A Yes, sir.

Q Who was with you? A A woman.

Q Yes. Did you know her? A No.

Q Where did you meet her? A I picked her up on the street.

Q Now, speak up loud. A I picked her up on the street.

Q Where? A Coming out of Rector's Restaurant.

Q Was that on Broadway? A Yes, sir.

Q New York City? A Yes, sir.

Q Borough of Manhattan? A Yes, sir.

Q And County of New York? A Yes, sir.

Q Well, did she accost you or did you speak to her first?

A She spoke tome first.

Q She did? A Yes, sir.

Q What did she say? A I don't remember.

Q What did you do, if anything, and what did she do? A Why, I was with my brother at the time, and she had a friend, and we took them over to Little Hungary restaurant.

Q Yes. And what happened after that? A Well, we sat there and bought them something to east and some drinks.

Q Yes?

BY THE COURT:

Q You and your brother and two women? A Yes, sir.

BY MR. MAGEE:

Q Go on. A And my brother left me around one-thirty

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o'clock, I think it was, and he went home, and the woman I had went out on the street and got in a taxicab, and took me up to the Hotel Strand.

Q Who told the driver to go to the Hotel Strand? A She did.

Q She did? A Yes, sir.

Q Well, what did you do after you got there? A Well, I got out of the taxicab and went into the hotel and registered, and paid five dollars for a room.

Q What did you? You say you registered? A Yes, sir.

Q Did you write a name in the register? A Yes, sir.

Q What name did you write? A "E. M. Cowie and wife, St. Louis, Missouri".

Q And did you get a room? A Yes, sir; two rooms and a bath.

Q And was the defendant there? A Yes, sir.

Q What was the defendant doing there at that time? A He is the one that gave me the room.

Q Did he take your money? A Yes, five dollars.

Q Did you see this colored boy there, Carter (indicating the co-defendant)? A Well, I can't recognize him.

Q That's all right. Now, did you occupy a room in the hotel that night; did you go to a bedroom with this woman? A Yes, sir.

Q And what happened in the bedroom?

MR. GOLDSTEIN: I object to that as immaterial, as

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showing no knowledge on the part of the defendants,
at the time he entered the hotel.

BY THE COURT:

Q Did you have carnal relations with this woman? A Yes, sir.

BY MR. MAGEE:

Q Did you pay her any money? A Yes, sir.

Q What else happened there? Go on. A I woke up at ten minutes after seven and the woman was gone, and, right away, I looked to see if my money was there.

Q Yes? A And she had taken about \$165 from me, and left me \$15.

Q And what did you do then? Did you talk to the defendant?

A I telephoned downstairs and --

BY THE COURT:

Q Did you talk to the defendant?

BY MR. MAGEE:

Q Did you talk to this defendant Knight? A I don't know.

Q Did you see him the following morning? A No.

Q Did you see the defendant Carter the following morning? Were they in the hotel, or was he there? A I don't remember.

Q You don't remember him? A No, sir.

Q And you can't say that the defendant Knight was in the hotel the following morning? A When I registered he was.

Q Was he there when you got up and left the bedroom? A I didn't see him there then, no, sir.

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Q You didn't see him? A No, sir.

Q Now, I show you a book and ask you if you recognize this book (indicating People's Exhibit 1). A I couldn't recognize the book. I could recognize my handwriting.

Q Now, I will let you look at the book and see whether you can find anything that you wrote in that book. A Right here (indicating).

Q What is it? A "E. M. Cowie and wife, St. Louis, Mo".

Q Yes, and on the top of the page is written "Thursday, November 25th, 1915? A Yes, sir.

Q But you say you got there after midnight? A Yes, sir; a quarter after three.

Q And then it was early on the 26th? A Yes, sir.

Q Did you notice, when you signed this register, whether or not these names that precede yours were signed there? Were these names in the register when you signed? A No, I am not positive about that.

BY THE COURT:

Q Were you intoxicated this night? A No, sir.

BY MR. MAGEE:

Q And who gave you this register to sign? A The hotel clerk.

Q The defendant Knight? A Yes.

Q And what happened after you signed it? Did he take it back? A I left it on the desk, sir.

Q You left it on the desk there? A Yes, sir.

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MR. MAGEE: That's all.

THE COURT: Is there any question that you want to ask the witness?

MR. GOLDSTEIN: No, sir. I ask that the witness's testimony be stricken out.

THE COURT: Oh, it may stand.

MR. GOLDSTEIN: Then I will ask him a few questions.

CROSS EXAMINATION BY MR. GOLDSTEIN:

Q How much did you pay this woman? A Five dollars.

Q Did she ask you ten? A Yes.

Q And you got it for five dollars? A Yes.

Q Nothing else happened outside of the facts you have related? A Only, the next morning, I made a complaint to the manager of the hotel.

Q You made the complaint, however, to neither one of these defendants? A No, sir.

T H O M A S C. D O W D, of the 26th Precinct, a witness called on behalf of the People, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. MAGEE:

Q Are you a member of the Police Force of the City of New York? A I am.

Q How long have you been such? A Four years, February 18th.

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Q Are you married? A I am.

Q Any children? A Yes.

Q Where do you live? A 501 West 214th, Manhattan.

Q How long have you been married, officer? A Five years, this coming July.

Q And do you know the Hotel Strand? A I do.

Q Where is it located? A It is located at No. 43 West 32nd Street.

Q Is that in the City, County and State of New York? A Yes.

Q Did you have occasion to visit those premises? A yes, sir.

Q State when and under what circumstances. A On December 15th, 1915, while standing at the southeast corner of West 42nd Street and Broadway, with officer Droleskey, we were approached by two women.

After a short conversation, it was suggested on the part of one of these women that we proceed in a taxicab, and she gave the direction to go to the Hotel Strand.

We arrived at the Hotel Strand at about -- that was at 2:20 -- and we arrived there about 2:30 A. M.

The two women, officer Droleskey and myself went on the first floor of the premises in question, and at the hotel desk was the defendant Knight and the defendant Carter.

These two women took a seat directly opposite the desk. Officer Droleskey asked the defendant Knight had he two rooms together, and the defendant Knight said, "I don't think so".

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He then turned around to the key rack and said, "No, I have only one on the eighth and one on the ninth floor."

The defendant Carter then said, in the presence of the defendant Knight, "Give them rooms 414 and 415. They are together and ready".

I then said, "They'll do. We can change girls in them all right".

Officer Droleskey then said, "How much are the rooms"-- or, in fact, the defendant Knight said, "Only one of those rooms has a bath", and officer Droleskey said, "They'll do. We are only going to stay there a short time, and won't need a bath."

And officer Droleskey asked the price of the rooms, and the defendant Knight said, "Four dollars each".

And then officer Droleskey signed his name on the register, "Edward Driscoll and wife, city".

I then signed the name, "Edward Jones and wife, city", saying, at the same time, "Ed, you pay for the rooms and I'll pay the girls upstairs".

We were then conducted to the fourth floor by the defendant Carter on the elevator, and all four of us -- the five of us -- the two girls, officer Droleskey, the defendant Carter and myself, entered room 415.

After having a round of drinks in that room, served by the defendant Carter, and shortly after which I withdrew from that room with the woman that was with me, and entered the room 414.

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In this room the woman demanded and received the sum of ten dollars, and exposed her person for the purpose of having sexual intercourse, which I refused.

BY THE COURT:

Q Did she say that, that it was for the purpose of having sexual intercourse? A Well, she exposed her person, and said, "Come on".

Q You say for the purpose of having sexual intercourse. Who said that? A This woman invited me to have sexual intercourse with her, after I paid her. I then came out and knocked at the room 415, at the door of that room, and officer Droleskey and the woman with him came out, and all four of us went down in the elevator with the defendant Carter.

And, in passing the desk of the hotel, we said "Good night" to the defendant Knight, and left the hotel about 3:15 on that occasion, On December 18th, 1915, at about the hour of 2:45 A. M., in company with officer Droleskey, at the southeast corner of Broadway and West 38th Street, we were approached by two women, who were walking west.

After a short conversation we entered a taxicab, and was conducted to the premises 43 West 32nd Street, known as the Hotel Strand.

We entered on the first floor, where --

BY THE COURT:

Q How did you come to go there, to the Strand? A On the

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suggestion of the girls.

Q Go ahead. A And then we went to the first floor, where we met the defendant Knight and the defendant Carter, and another colored man, and the girls took seats directly opposite the hotel desk.

Officer Droleskey asked the defendant had he two adjoining rooms, and the defendant Knight said, "No, I don't think so,"

And he said to officer Droleskey, "Didn't you have a suite, last time?" And he said, "No, we had room 414 and room 415," and the defendant Knight said, "Well, they are occupied, tonight".

And officer Droleskey said, "Well, any two rooms together will do". And the defendant Knight said, "I have rooms in 1010 and 1011. I guess they will suit you".

I then paid the defendant Knight eight dollars for the rooms, and we were conducted to the eighth floor by another colored elevator operator, where we all entered room 811.

After having a round of drinks in the room, which was served by this elevator operator, why, a short while after, officer Droleskey withdrew with the girl that was with him, and entered room 810. While in room 811, the woman that was with me demanded and received the sum of eight dollars.

BY THE COURT:

Q What were the names of these women? A I don't know their names, your Honor.

Q Didn't you know their first name? A No, sir.

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Q You remember the numbers of rooms, and details of the occurrences on these occasions, but you don't know the names of these women, by which they were known? A No, sir.

BY MR. MAGEE:

Q Did you visit these premises on any other occasion? A On this occasion, while in room 811, officer Droleskey knocked at the door, and he was there all alone, and so he told me -- Mr. G

MR. GOLDSTEIN: Objected to.

BY MR. MAGEE:

Q Never mind that. A Well, going down in the elevator, operated by the defendant Carter, officer Droleskey said, "I have a fine time tonight". I said, "Yes, that girl certainly had some nerve," and officer Droleskey, speaking of the defendant Carter, said that he had tried to get him a girl, and couldn't get one.

And then we proceeded to the hotel desk, and met the defendant Knight, and in the presence of the defendant Carter, officer Droleskey said, "I might as well have stayed home for all the fun I had tonight."

And the defendant Knight said, "I'm sorry you were disappointed". And we then left, on this occasion, at about 3:15 A. M.

BY MR. MAGEE:

Q Yes. Did you visit those premises on any other occasion?

A On the 23rd of December, 1915, at about 1 A. M., at the northwest corner of 34th Street and Broadway, while looking in the jewelry store window there, in company with officer Droleskey, we were

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approached by two women; and, after a short conversation, we proceeded to the Hotel Strand, and entered the first floor, where we met the defendant Knight and the defendant Carter.

The defendant Knight said, "Good morning", and said, to officer Droleskey, "Are you going to try your luck again?" And the officer said, "Yes". And the defendant Knight said, "You sure had hard luck with the girl you had here last time".

And I said, "Well, when you are married you will have your troubles all right".

And officer Droleskey asked what rooms he had for us, and he said, -- Knight said, "We'll fix you up all right".

And officer Droleskey then paid the defendant Knight eight dollars for the use of the rooms. And we were then conducted to room 708 by the defendant Carter, and when the two girls and officer Droleskey and myself entered, the defendant Carter said, "I'll leave you here a little while, until I get another room fixed up for you".

And a short while after, the defendant Carter came up to room 708, and conducted one of the girls and myself down to room 409, down on the fourth floor, in which this girl demanded and received the sum of five dollars, and invited me to have sexual intercourse.

I refused, after which we proceeded to the seventh floor again, to room 708 and met officer Droleskey and the woman who was with him.

And we were taken down in the elevator by defendant Carter,

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and at the hotel desk the defendant Knight said, "I see you made out all right tonight."

Q Now, on these three occasions how long did you stay there altogether, each time? A From half an hour to three quarters of an hour.

Q Did you visit these premises on any other occasion? A No.

Q Now, I show you a book and ask you if you know what it is? A A hotel register.

Q Have you ever seen it before? A This book?

Q Yes? A Yes.

Q Where? A At the Hotel Strand.

Q Did you write anything in that book? A I did.

Q Will you kindly examine it and point out what you wrote in that book? A Yes. On the date of December 17th, marked here on the Hotel register with my signature.

Q What is that? A Speak louder. A My signature is marked here December 17th, 1915, Friday, "Mr. Edward Jones and wife, City", "room 810".

On Tuesday, December 14th, 1915, my signature is at the bottom of the page, "Mr. Edward Jones and wife, city, room 414".

On Wednesday, December 22nd, 1915, my signature is marked, "Edward Jones and wife, city, room 409".

Q Now, do you know whether the words Wednesday December 22nd, 1915, were written at the top of this page, on which you say you wrote, at the time you wrote the name? A That I don't

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remember.

Q And you don't know whether any of those dates appearing on the tops of these pages were in there when you signed your name? A No, sir; I am not sure what date was on them.

Q The three times that you visited the hotel was shortly after midnight? A Yes, sir.

Q And you don't know whether the clerk had made any new entries for that day? A No.

Q Now, who gave you this book to sign? A The defendant.

Q Carter? A No, Knight.

Q Knight? A Yes, sir.

Q And did you sign in his presence? A I did.

Q And to whom did you return the book, after you signed it? A Left it right there, right on the counter.

CROSS EXAMINATION BY MR. GOLDSTEIN:

Q Officer, you found the book on the desk, and you left it where you found it? A Yes, sir.

Q He didn't produce the book from any shelf, or take it out of any safe? A No, sir.

Q It was always open on the desk, was it? A Yes, sir; always there.

Q Now, officer, when/you last talked to anybody about this case, remembering this happened in December, 1915? A Well, I spoke about it today.

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Q With whom? A With officer Slattery and officer Cowden and officer Drolenskey.

Q Did you go over any of the facts with officer Drolenskey?

A No.

Q Sure? A Positive.

Q Did you have in your possession a copy of officer Drolenskey's affidavit, submitted and sworn to before Magistrate McAdoo?

A Not in the presence of officer Drolenskey, no.

Q No. In anybody's presence? Have you in your possession, or had you in your possession since December 1915, a copy of an affidavit made by officer Drolenskey, sworn to on December 28th, 1915, before Magistrate McAdoo? A I have got a copy now.

Q Of that affidavit? A Yes, sir.

Q And have you got it with you? A Yes, sir.

Q Let us see it; produce it. A (No answer.)

Q How long have you had that affidavit? A Since one o'clock today.

Q Never saw it before? A Not since the affidavit was drawn up.

Q Since December 28th, 1915? A Probably a day or so before.

Q And never saw it again until today? A No, sir.

Q Who gave you the affidavit? A I went up to my house and got it, today.

Q And during all the time it was at your home, you never looked at it? A No, sir.

Q Can I see the affidavit? A With the permission of the

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District Attorney and the Judge.

THE COURT: There is no reason why he should not see it.

MR. MAGEE: No, sir; I don't know of any.

(The witness hands the paper to counsel for the defendant.)

MR. GOLDSTEIN: I offer it in evidence.

MR. MAGEE: One moment. Let me see it. If your Honor please, I object to this going in evidence without some further history of what it is.

THE COURT: Well, your adversary did not seem to make any examination of it. He has offered it in evidence.

MR. MAGEE: Yes, sir; he offers the paper in evidence.

MR. GOLDSTEIN: It is a copy of officer Droleskey's affidavit, in detail, sworn to on December 28th, 1915, before Magistrate McAdoo, and I have a copy of it. And I state to the Court and jury that I am willing to have the testimony of officer Droleskey compared verbatim with his testimony here.

MR. MAGEE: I have no objection to the introduction of the document, but I have not had time to compare this paper with the original.

THE COURT: But this comes from your witness. He brings it here, and takes it out of his pocket, and says it was furnished to him at one o'clock.

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BY THE COURT:

Q Mr. Dowd, did you read it for the purposes of the cases?

A Yes, sir; for the purpose of refreshing my memory.

Q And it has been some help to you, has it? A It certainly has. I never went over a word of this case since the arrest was made.

THE COURT: I will take it in evidence.

(It is marked Defendant's Exhibit A.)

MR. MAGEE: May I take an exception, if your Honor please?

THE COURT: You take an exception? What right have you to take an exception?

MR. MAGEE: I beg your pardon; I am so accustomed to trying civil cases.

BY MR. GOLDSTEIN:

Q What person gave you a copy of Droleskey's affidavit in December, 1915? A I got it at the Third District Office, where it was drawn up.

Q Who gave it to you? A I don't remember just now.

Q Was it customary for corroborating officers to get copies of affidavits? A Why, I have the original affidavit in my book here.

Q No. I am asking about the affidavit. Who gave it to you?

A I don't know. I got it after it was drawn up.

Q Did you always get a copy of the affidavit in every case where you were a corroborating officer? A Why, probably not in

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every case. After we write down --

Q Will you please answer my question? A Well, if you will ask me a question that I can answer, I will answer you.

Q Now, who gave you a copy of Defendant's Exhibit A in Decembmer, 1915? A I am not in a position to say who gave it to me to-

Q And from December, 1915, until/day, you never looked that affidavit over? A No, sir.

Q Positive? A Positive.

Q Would you change that statement, if I were to tell you that the testimony given by you on this stand is verbatim, word for word, exactly as it is in this affidavit? A It is not.

Q It is not? A No, sir.

Q And you would not change your statement? A No, sir.

Q And you are perfectly willing to let that stand? A The evidence that I give here is not word for word with that affidavit.

Q The conversations are alike? A Yes, but not the same.

Q Aren't the quotations exactly alike? A They are not.

Q In what way do they differ? A Because it is a physical impossibility for me to repeat here to his Honor and the jury exactly every word that was in the affidavit, because I have not refreshed my memory only from what I read over in that affidavit today. The information that I have in this book would be word for word with this affidavit.

Q And you tell us that it would be an absolute impossibility

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for you to quote the conversations, word for word, unless you had studied it by heart, and that you didn't do? A Very true.

Q That is, you don't claim to be so expert in memorizing that you could have memorized this since one o'clock today? A No, sir.

Q You never knew that you possessed such a mentality?

A Only what I have read over today; and I have told all that I know.

Q Well now, when you say you went to the first floor of the hotel, do you mean one flight up, or the ground floor? A The ground floor.

Q Did you make any effort to get these girls, to apprehend them, since that night? A Well, if we would have seen them, we would have placed them under arrest.

Q No. Did you make any effort? Don't you understand the question? A The effort was, that, if we had seen them, we would have placed them under arrest.

Q (Question repeated)? A Yes, in our travels.

Q You did? A Yes.

Q Did you go to the Women's Night Court to find out whether any of the girls had been arrested that had accompanied you on December 15th, 18th and 23rd, or any one of the six girls that you and your brother officer had, had been sent to any Penal Institution? A How were we to know, unless we had their names, and the records of their previous convictions?

Q And, as a member of the Vice Squad, you knew that when a

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woman was sent away for prostitution, a full description of her was taken in the Night Court? A If she was convicted, she was finger printed, yes.

Q Did you go with your brother officer to the Night Court, to see whether any one of those six girls had been convicted of prostitution? A No.

Q That didn't occur to you at all? A We had no record to go there with, to get these people.

Q You knew what these women looked like? A Yes. But who was at the Night Court to verify the description that we would give?

Q Don't you know that records are kept, giving the full history of any person convicted and sentenced in the Women's Night Court? A Finger printed, yes.

Q Any marks on their faces, their ages, their full names? A No other than a finger print impression is taken of a prostitute, at the Women's Night Court.

Q Oh, officer, don't you know --

BY THE COURT:

Q Were you asked to apprehend and arrest these women?

A We were.

Q Well, why then, did you let them go? A If we had arrested them then, our evidence would have been -- it would have been impossible to obtain the amount of evidence necessary in these cases. But, if we had seen them after the case was completed, we would have placed them under arrest, which we have done in

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some cases.

BY MR. GOLDSTEIN:

Q And you and your brother officer, Drolenskey, never saw any of these six women since? A No, sir.

Q They were ordinary Broadway street walkers? A They --

Q They solicited you? A They did.

Q And they looked like ordinary prostitutes to you, didn't they? A Well, they may have been.

Q Haven't you seen them on Broadway before? A Not that I can remember.

Q Not one of the six? A Not that I could remember.

Q And every one of these six women you had met for the first time on Broadway? A Not that I can remember.

Q How long had you been in service as an officer in this particular work before December 15th? A About two years.

Q And, during the two years, did you spend your nights on Broadway? A Not all the time.

Q Part of the night? A Yes, part.

Q And didn't you see the kind of women that were soliciting men for prostitution? A Yes, sir.

Q And didn't you observe the kind of women that were used for prostitution? A Some of them; yes, sir.

Q And that was your work, was it not? A Part of it.

Q And you wanted to make good in your work? A I don't understand you, counsellor.

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Q You wanted to be a successful police officer, didn't you?

A I wanted to be a police officer, yes.

Q And you wanted to keep your eyes open and observe these women that were walking Broadway and soliciting men? A Yes.

Q Now, during the ^{two} years prior to December 15th, 1915, 18th and 23rd, when you were walking on Broadway, did you see any one of those six women, or after those dates? A Not that I can remember.

Q How much money did you give the women each time? A Ten on one occasion, eight on another occasion, five on another occasion:

Q On December 15th, 18th and 23rd, did you visit any other premises? A I might have.

Q Do you know? A I am not sure.

Q Did you spend any other money in an effort to get evidence on those dates? A Yes.

Q Where and how much? A At the Hotel Strand.

Q Other than the money for the woman, the drinks and the room, what money did you spend? A We may have spent --

Q No, not what you may have done. A Well, I'm not in a position to answer that.

Q Have you any book in the courtroom which will show what moneys you spent in other places, that night? A If I had that book, I would gladly produce it.

Q Have you that book with you? A Not with me; no, sir.

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Q Have you that book home? A I am not sure. There is a book that belongs to me that contains the expenditures in each and every case where expense is necessary, and whether or not I have got that book home or not I don't remember. I have got a number of books, and had a hard time finding this book today.

Q Have you seen that book in the last year? A No, sir; not for two years. I am out of plain clothes work for two years.

Q And you have not looked for that book since? A No, sir; I had no occasion to.

MR. GOLDSTEIN: May I ask your Honor the privilege of reading this affidavit to the jury (indicating Defendant's Exhibit A)?

THE COURT: Yes, you may read it at any time that you desire, preferably perhaps in the course of your own case, if the case should go that far.

MR. GOLDSTEIN: Very well, sir. I will wait until the end of the People's case then.

W I L L I A M J. C O W D E N, of the Fifth Inspection District, a witness called on behalf of the People, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. MAGEE:

Q Are you a member of the Municipal Police Force of the City of New York? A I am.

Q Where do you reside? A 912 Chestnut Street, Richmond

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Hill.

Q Are you married? A I am.

Q How long have you been married? A About four years.

Q Any children? A Two.

Q How long have you been on the police force in the City of New York? A Five years and a half.

Q Do you know where the Hotel Strand is? A I do.

Q Where is it? A 43 West 32nd Street.

Q Is that in the County of New York? A It is.

Q Did you ever have occasion to visit there? A I did.

Q Will you state when and under what circumstances you went there, and with whom? A About 11:15 A. M., on December 23rd, 1915, in company with patrolman Slattery, We were walking north on the east side of Sixth Avenue at 40th Street.

At the southeast corner of 40th Street we were approached by two girls. One of the girls said, "Hello, boys; bound for home?" And I said, "No. Why?" And she said, "Are you out for a good time?" And I said, "Yes. Where will we go?" And the girls said, "We'll take a taxi. It isn't far".

And we stepped into a taxi at 40th Street and Sixth Avenue, and went to the premises 43 West 32nd Street/. We entered the hotel about 1:30 A. M., and approached the desk where I observed the defendant Knight standing.

As we approached the desk patrolman Slattery said, "Can you give us adjoining rooms?" The defendant Knight said, "No".

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Patrolman Slattery said, "That's too bad. My friends here and the girls want to have a little party, and they want to be together".

The defendant Knight said, "I can give you a room on the seventh floor and one on the sixth". Patrolman Slattery said -- he then signed his name on the register, "Edward J. Stack", paying the defendant Knight eight dollars for the use of the two rooms. I then signed the register as, "William J. Clark".

We were then conducted to the seventh floor, when patrolman Slattery's girl, whom I knew as May, left us, and came back in a few minutes, and said that the room was occupied.

And we went then down to room 602 on the sixth floor. As the bell boy opened the door, I observed that the room had been used. I said to the elevator boy, "I don't want to use this room. It isn't in a fit condition to be used." There were two towels laying on the floor, and one pillow on the floor and one on the bed, and the sheets partly on the floor and partly on the bed.

And he said, "All right," and he brought me back to the elevator and took me to room 914 on the ninth floor.

We entered the room and the girl I had, by the name of Rose, demanded and received the sum of ten dollars, and thereby exposed herself for the purpose of sexual intercourse, which I refused.

And we left the premises at about 3:10 A. M.

BY THE COURT:

Q Was there anything said on that subject, as to the purpose

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being for sexual intercourse? A Why, she undressed herself and lay on the bed.

Q Was there anything said by her on that subject? A There was not.

Q Well, why do you then report to the jury that it was for that purpose, for the purpose of sexual intercourse? A Well, she took me over there for a good time, she said.

Q Was there anything said on the subject? A There was.

Q Well, what was it? A She asked me to have a good time.

Q Nothing said that it was for the purpose of sexual intercourse, was there? Yes or no. A Yes.

Q Did she say it or did you say it? A Why, she said it.

Q She said it? A Yes, sir.

Q You are positive about that, Mr. Cowden? A Why, she --

Q Are you or not? A Well, I don't really understand what you mean, your Honor.

Q Well, you understand English, don't you? A I do.

Q I can't make it plainer.

MR. MAGEE: Suppose we --

THE COURT: No, no.

BY THE COURT:

Q Now, go ahead. Are you positive about it, that she said it was the purpose of having sexual intercourse with her? A No, she didn't say those words, your Honor.

Q And you didn't say the words? A I did not.

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THE COURT: Go ahead.

BY MR. MAGEE:

Q Will you kindly state what words you said, and what words she used, in the room, that night, before you gave her the money which you say you gave her? A Why, when we went up in the room, as far as I can recollect, she asked me for ten dollars, which I gave her, and she then undressed herself and laid on the bed, and said, "Come on; are you ready?"

Q Yes. Now, tell us what took place after that? Pardon me. Did she take all her clothes off? Was she in her skin? A Except in her chemise and stockings.

Q And did she lie on her back? A She did.

Q Well, what did she do with her legs? A She had her legs on the bed.

Q Well, tell us the position she was in?

BY THE COURT:

Q What were you doing all this time? A I had my coat and hat off, standing there, watching her.

BY MR. MAGEE:

Q And what did you say to her when she said, "Come on; are you ready"? A I told her I didn't think she was clean, and refused.

Q You said, "You are not clean", and refused? A I did.

Q And what did you do then? A This girl then got dressed, and we then left the premises, going down in the elevator about

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2:10 A. M.

Q Did you go out of the hotel? A I did.

Q Did you meet the other officer? A I did.

Q Did you leave with him? A We didn't leave right there then, I don't believe.

Q Did you visit those premises on any other occasion?

A Yes, on the 25th of December, 1915.

Q Well, kindly state the circumstances under which you visited that place at that time. A At about 1:45 A. M., December 25th, 1915, while standing on the northwest corner of 34th Street and Broadway, two girls approached us, and said, "Hello boys. Out for a good time?"

And patrolman Slattery said "Yes". And he said, "Where will we go?" And the girl then said to a hotel in 32nd Street, and we proceeded south on the east side of Broadway, to the premises 43 West 32nd Street.

We entered the hotel, and, as we appeared before the desk, the defendant Knight said, "Good morning. I don't believe I can give you adjoining rooms this morning, either".

Patrolman Slattery -- and then he looked over the key rack and said, "The best I can do is to give you two rooms together."

I then said, "That will do all right, because the two girls want to be together".

I then wrote in the register, "Charles F. Ramsey and wife, city", and handed to the defendant eight dollars for the use of

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the two rooms, and patrolman Slattery then wrote in the register, "William Smith and wife, city".

We then were conducted to a room on the twelfth floor, 1214, where I entered the room with the said girl, Sadie.

In the room the girl undressed herself, all except her chemise and stockings, and demanded ten dollars, which she received, and laid on the bed and exposed herself, saying, "What's the matter; ain't you ready?"

I said, "No, I don't believe you are clean". The girl then got dressed, took the elevator downstairs -- we met Slattery in the hall and this other girl -- and then we took the elevator and went downstairs, leaving the premises at 2:35, saying "Good morning" to defendant Knight.

We left the girls on the northeast corner of 32nd Street and Broadway.

Q Did you visit those premises on any other occasion? A I did not.

Q Have you seen this book before (indicating Defendant's Exhibit A)? A I have.

Q Where? A In the Hotel Strand. D

Q Did you write in it? A I did.

Q Will you kindly indicate where you wrote? A Right here (indicating).

Q What is that? A "William J. Clark and wife, city".

Q And what is on the top of the page? A And the top of the

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page is, "Wednesday, December 22nd."

Q Do you know whether that was there when you wrote, "William J. Clark and wife, City"? A I do not.

Q Is there any other place in that book where you wrote?

A Yes, sir.

Q Will you kindly indicate it? A "Charles F. Ramsey and wife, city".

Q What is on the top of the page? A "Friday, December 24th, 1915".

Q Was that there when you wrote "Charles F. Ramsey and wife, city", that which appears on the top of the page? A No, sir.

Q Did you write any other place in that book? A Not outside of the 23rd.

Q How many times did you write in this book? A Twice.

CROSS EXAMINATION BY MR. GOLDSTEIN:

Q Now, officer, did you see officer Slattery's affidavit in this case since December 28th, 1915? A No.

Q Did you see it in December, 1915? A December, 1915?

Q Yes? A Why, yes.

Q You saw an affidavit made by officer Slattery, who was your side partner, and who went with you on these occasions? A Yes, sir.

Q In the Inspection District, did you get a copy of his affidavit? A No, sir.

Q You never saw a copy of it, did you? A No, sir.

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Q When, for the last time, did you look at any memorandum, since December, 1915? A This morning.

Q What memorandum? A My memorandum book.

Q Did you study the conversations, or alleged conversations, had by Slattery, by heart? A Myself? Yes.

Q Studied them by heart? A Yes.

Q And memorized them? A Yes.

Q So that you have here repeated memorized sentences?

A As to what I had in my memorandum book.

Q Is that right? A Yes.

Q And did you make the entries in your memorandum book from Slattery's affidavit? A From my own affidavit.

Q Your own affidavit, you say? A I believe it's mine, or Slattery's; its either one.

Q Well, which is it? A I don't know; I couldn't tell you.

Q Don't you know that your affidavit was merely a corroborating affidavit, in which you swore that you read Slattery's affidavit, and it was correct, and that the Slattery affidavit was the one in detail? A I believe it was.

Q Now, then, did you copy in your book from his affidavit?

A No, we made the affidavit from the book.

Q Did you two make up the affidavit together? A Yes.

Q Slattery's affidavit? A We did.

Q And then you made the memorandum in your book? A No, the memorandum in the book was made before, and we made the affidavit

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from his memorandum book.

Q Is the memorandum book kept in pencil? A No, sir; it is in ink. Do you wish to see it?

Q Well, never mind that. Yes, I would like to see it.

A Here it is (handing book to counsel for the defendant..)

Q You were there on December 23rd and 25th? A Yes, sir.

Q The only two nights? A The only two mornings.

Q The only two mornings? A That's all..

Q That is the night and the morning? A No, sir; in the morning.

Q How many times did you register in that hotel? A Twice.

Q Upon two different days? A Yes, sir.

Q December 23rd and 24th? A No, December 23rd and 25th.

Q On December 23rd? A Yes, sir.

Q How much did you spend? A What do you mean?

Q How much did you give the girl? A Ten dollars.

Q And how much for the room? A Patrolman Slattery paid eight dollars, and I split with him. I paid four dollars.

Q Did you lay out any/money that night? A Ten dollars for the girl, and four drinks in the premises. I don't remember any other.

Q How much? A I don't remember what the drinks cost.

Q Was it over a dollar? A I don't remember.

Q How many drinks did you have? A I don't remember.

Q Well, were you sober? A I certainly was.

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Q Well, don't you know how many drinks you had? A I do not.
It was back in 1915.

Q Did you make any memorandum in your book as to the kind
or quantity of drinks? A I did not.

Q Have you ever looked at this book since December 23rd,
1915? A Why, yes.

Q When? A Different times.

Q When did you look at this statement concerning the Strand?
A This morning.

Q Have you looked at it between December 23rd, 1915 and this
morning? A I have.

Q How many times between? A I couldn't tell you concerning
the Strand. I know I put it in the book on the morning of the
25th. I know I did that.

Q Did you do any other work between the 23rd and 25th? A I
don't remember.

Q Look at this book. Did you spend any other money from the
23rd to the 25th, other than in the Strand? A I don't remember.

Q You have got a record there of your expenses, haven't you?
A I don't know. Did you find it there?

Q Don't you know what records you have? A I don't know.
I haven't had this book since 1915.

Q So that you haven't seen it since 1915? A Not since I
wrote it, and I haven't looked at it since March or April, 1915.

Q You have not? A I don't know. I don't think so. I'll

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tell you the last date in this book in a minute. That would show. October 2nd, 1917.

Q Oh, October, 1917, you were still writing in the book; is that correct? A It is.

Q And up until October, 1917, did you go through that book, and read your affidavit in the Strand case? A I did not. I had no occasion for it.

Q How much money did you spend on December 23rd in your police duty? A I don't remember.

Q Well now, just how me that book. I show you a page in the memorandum book produced by you, marked "December 22nd. Strand Hotel. Girls and drinks, \$2.25", and "December 23rd. Evidence. \$14.00", making a total of \$16.25 in between December 22nd and 23rd. And you also show a similar expenditure, exactly \$2.25, for December 24th, and fourteen dollars for December 25th. Now, I ask you whether you spent any more money on that day for any other purpose, other than those referred to for the Strand, in that book? A I don't remember.

Q Now, you know that you got money from the Contingent Fund? Did you get more money than you spent there in the Strand, during that period? A What do you mean?

Q Don't you know what I mean? You have got entered in that book the moneys that you claim that you spent in the Strand.

A The money I claim that I spent in the Strand?

Q Yes, and a total, each night, \$32.96. Now, I ask you if

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you spent another nickel anywhere else at that time, on those days. A Why, outside in the Strand?

Q Yes? A Yes.

Q And have you got a record of the money that you spent from the 15th of December to the 22nd? A I don't know.

Q I am not talking about your own money; the city's money. A Well, this is partly --

Q Did you collect more than \$32 from the Police Department from the 15th to the 22nd, or on those two days, on the 15th and the 22nd? A Well, I don't know about from the 15th to the 22nd.

Q Well, each date. A It don't say here anything about the 15th. I beg your pardon. I mean December 22nd and 25th. Did you get any money from the City of New York for expenses incurred by you on those two dates, other than the items which you have in your book as to the Strand? A No.

Q Are you positive of that? A Yes, positive.

Q That you made no other items of expenditures on those two days anywhere else? A No.

Q What is your answer to that? A No. It's the only money I got.

Q It's the only money you spent on those ^{two} days? A That's right.

Q You spent \$2.65 for drinks? A I did.

Q Is that right? A I did.

Q On each occasion? A Yes, sir.

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Q And for the girl, on each occasion; is that right?

A I did.

Q Four dollars for each room on each occasion? A Yes, sir.

Q In other words, you split your expenses? A What do you mean, split?

Q That is, whatever expenses you and Slattery had, you saw that it balanced even? A No, no.

Q Well, that's what you spent? A Yes.

Q Who paid for the taxi? A I believe Slattery did.

Q Didn't you? A I don't believe I did, no.

Q When you were told the girl the first time -- Question withdrawn. The first night, on December 23rd, you didn't have the room next door to Slattery, did you? A I don't really know where Slattery went to at all.

Q Well, who went next door, and you got off the elevator together? A Well, he got off at the seventh floor, the first time, and we went down to the sixth floor --

Q On December 23rd? A Yes, sir.

Q And you don't know that you occupied rooms 1214 and 1215 on the 23rd? A No, not on the 23rd; on the 25th.

Q Now, on December 23rd, or the 22nd, did you occupy rooms on the same floor? A I don't know.

Q Did you occupy rooms next to each other? A I don't know.

Q Now, suppose I told you that Slattery testified on this stand that you had rooms right next to each other -- 901 -- a

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suite, he said -- 901 and 902, would that change your testimony?

A It would not.

Q Were you next to each other on that night? A I don't know.

Q You don't remember that? A I do not.

Q Does your memorandum book show what room you had? A It does.

Q Does it show what room your partner had? A It does not.

Q Now, when you told this girl, the first girl, on December 23rd, that she wasn't clean, you never had any intention of having any relations with her? A I should say not.

Q Had you given her the money before you looked to see whether she was clean or not? A I had.

Q Why didn't you look first and save the city ten dollars?
A (No answer.)

Q So long as you were not going to have intercourse with her, and ten dollars was for the purpose of intercourse, and you in your heart and soul knew that you were going to back out of having intercourse, why did you hand the ten dollars, and then say, "You are not clean, and I won't stay with you"? A (No answer).

Q Or was it because you didn't care about the city's money?
A (No answer).

Q What is your answer?

MR. MAGEE: Answer; answer.

BY MR. GOLDSTEIN:

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Q Answer the question. A I don't really know how to answer it.

Q You tried/appear ^{to} like a good detective, did you?

THE COURT: I don't think that is a very appropriate question to put to the witness.

MR. GOLDSTEIN: I will withdraw it.

Q Now, the facts is that you paid her the ten dollars, and said she wasn't clean? A It is.

Q What did she say to you? A She said she was all right, come on.

Q Did she say she was clean? A She did.

Q And you declared her unclean by a casual examination?

THE COURT: No, we will not waste any more time on that subject.

BY MR. GOLDSTEIN:

Q Did you make any investigation to learn what permanent residents there were at this hotel? A I did not.

Q You made no investigation as to the character of the house from any outside people at all? A No, sir.

Q Did you know a man by the name of Bjornsen? A I did not.

Q Did you know the cafe that was run in the Strand before it was closed up? A I did not.

Q Did you know that Markell had made a complaint against the cafe, and caused the police to close it? A No, sir.

MR. GOLDSTEIN: That's all.

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MR. MAGEE: The People rest.

THE COURT: You may read that Exhibit now, that affidavit, counsellor.

(Mr. Goldstein reads Defendant's Exhibit A to the jury.)

THE COURT: Let me see that Exhibit, counsellor.

MR. GOLDSTEIN: Here it is, sir. I respectfully move for a dismissal of the indictment in this case, on the ground that the People have failed to establish facts sufficient to prove the various counts in the indictment, beyond a reasonable doubt, and I ask for the discharge of the defendants.

THE COURT: What count do you allege to go to the jury on?

MR. MAGEE: We elect to proceed, and to submit to the jury, this case on the third count of the indictment.

THE COURT: I will hear you, counsellor.

MR. GOLDSTEIN: I take it, by the election of the District Attorney, that he elects to stand upon the third count.

Now, the copy that I have has not the dates filled in, but I take it that this count (reads the count) on the 25th of November; is that right, Mr. Magee?

MR. MAGEE: In the year and on the date aforesaid, etc. (reads). Yes.

MR. GOLDSTEIN: Yes. That these defendants did maintain and keep a certain common and ill-governed house, being the

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same premises mentioned, the indictment says.

Now, in the first place, there is no evidence to show that they did anything prior to the 25th of November, 1915, or December, 1915, as charged in that count of the indictment.

The only witness called for anything before that was the lay witness, Esser, and he didn't have any conversation with the defendants.

There is no evidence to show that these defendants kept and maintained, because, in the spirit of the indictment, that would apply to the owners, as to keeping and maintaining.

THE COURT: Go ahead.

MR. GOLDSTEIN: But would not apply as to these defendants. As I want to say, as I understand the rule to be, the People must establish their case beyond a reasonable doubt. There has been introduced in evidence the affidavit of patrolman Droleskey, and I am perfectly willing to make the statement in this application that there are not three words in the conversation reported in that affidavit different than the conversations as here related by Patrolman Dowd, and that can be very simply and easily established, by not taking my recollection on the subject, or the recollection of the jury, but I would ask that the stenographer be required to read that to the jury and your Honor, every word of the conversations testified to.

THE COURT: No, I will not require that that be done.

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MR. GOLDSTEIN: And, under the conditions alleged here, I think the People have failed to establish, beyond a reasonable doubt, the charge contained in the third count of this indictment, and I ask for a direction to acquit and discharge the two defendants.

THE COURT: I will hear you.

MR. MAGEE: If your Honor please, my understanding of the law is, but I may be greatly in error -- but my understanding is that the defendants come within the purview of the law, that they were present as the agents of the owners, and were there to hire these rooms and to accept money for them, knowing the purposes for which they were to be used. I may be wrong, but that is my impression, if your Honor please.

I think we have submitted abundant proof here. We have the direct testimony of these police officers, corroborated by the entry in the blotter -- in the register, all of which is in evidence.

And, not only that, but we have the testimony of a man who made a very good impression upon me, and he comes here voluntarily, practically, willing to serve the People in the prosecution of their case; and tells in a straightforward, honest way what happened to him there and under what circumstances it came about.

THE COURT: I have no doubt at all in my own mind that this case probably took its origin from the experience that

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Mr. Esser had on the 25th day of November, 1915; that, as the result of his loss and his complaint, some activity was taken by the police, with reference to the character of this hotel. I can see no other bearing that his testimony has upon the case. It had nothing or very little to do with either of these defendants.

Of course, no hotel is a guarantor of the morals of its guests, and, unfortunately, in some of the best hotels in our city, very serious crimes have been committed, even to the gravity of murder. But that does not stain the reputation of the house, of course, or the proprietorship of it.

I do not take it that hotel keepers or clerks are under any duty to investigate very much the guests that come there, if they appear to be well-garbed, respectable outwardly; and, perhaps, if they feel that it is their duty to do that, they also feel, probably, in the light of the apparent respectability of the party, that it would be a grave matter to suggest that they were there for some improper and wanton purpose.

I cannot, also, lose sight of the fact that some people travel quite light in the City of New York; that trains have to be considered, and that sometimes the situation is such that people are without very much luggage, and clerks are, perhaps, justified in not questioning very much their lack of luggage, if they appear to be sober and well-conditioned in

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life. It is a serious matter that is charged here. You are charging the two defendants with committing crime, Mr. District Attorney. You are urging your view under the third count of the indictment, that these two men, in law, maintained a public nuisance there on 32nd Street, right off Broadway.

As far as the evidence goes, this house had all of the necessary hotel equipment. The furnishings were those of a regular hotel, and there is some evidence here, but it is, however, of a somewhat negative character, that clerks are sometimes complaisant with their guests, and agree with them, and perhaps it is a prudent and nice course to pursue.

So that this testimony really impresses me that it would almost tax the credulity of man to follow it, and I feel that you have not, in my opinion, made out a case sufficiently strong in the quality of the evidence, and the character ~~and~~ quantity of it, that would justify me in asking the jury to canvass it.

Maintaining that opinion, the law compels me to give the benefit of it to the defense.

I will grant the motion, and advise the jury to acquit.

(The jury found the defendants not guilty.)

THE COURT: I think that the authorities should examine these accounts that take money out of the public treasury for police purposes.

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I suppose, of course, that at times, it is necessary to use public money for the purpose of setting legitimate traps to bring grave offenders to the bar of justice, but there ought to be some check by which these accounts can be addited.

I can see no check at all in this kind of work. It makes little difference whether the charge made was ten dollars or fifty dollars, and I think it ought to be looked into. I am certain that Commissioner Enright will look into it, and will not approve of any such policy.

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