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COURT OF GENERAL SESSIONS OF THE PEACE,
COUNTY OF NEW YORK, PART 1.

THE PEOPLE VS.
BELLE MOORE.

Before

HON. THOMAS C. CRAIN, J. and a Jury.

New York, City, May 18, 1910.

Indicted for ***

Indictment filed May 2, 1910

APPEARANCES:

For the People, HON. CHARLES S. WHITMAN, District
Attorney.***

T. CHANON PRESS, Deputy Ass't District Attorney.

For the Defendant, MESSRS. KARLIN & BUSCH, ALEXANDER KARLIN OF
Counsel.

MR. KARLIN: If the Court please, the defense asks that each talesman be sworn and examined individually.

MR. WHITMAN: No objection.

(Each Juror was separately sworn and examined as to his qualifications and the twelve men were selected.)

(Before the first Juror was sworn, Mr. Karlin made the following statement:)

MR. KARLIN: If the Court please, before this Juror is sworn, may I, for the purpose of asking a ruling, ask the District Attorney on which indictment he elects to proceed.

MR. PRESS: Number 77, 281.

MR. KARLIN: At his stage, the defense asks for a ruling on this point. Under the indictment which the District Attorney proposes to try the maximum punishment is five years, and a fine of five thousand dollars.

THE COURT: No, one thousand dollars.

MR. KARLIN: Then I will not make any motion.

(The Jurors were thereupon each separately examined and sworn).

MR. KARLIN: The defense moves to dismiss the indictment, and asks your Honor to direct a verdict of acquittal, on the grounds that the facts stated in the indictment are not sufficient to constitute a crime.

THE COURT: Is that purely a formal motion, or do you desire to direct my attention to something specific?

MR. KARLIN: Your Honor, it is merely a formal motion.

THE COURT: Overruled.

We except to the election of the District Attorney to proceed in this case under subdivision 4 of Section 2, 460 of the penal law, instead of subdivision 2, charging a misdemeanor, on the ground that the sections are practically identical in every respect. We request that your Honor request the District Attorney to proceed under Section 2, instead of Section 4.

THE COURT: Denied.

MR. KARLIN: We except.

Mr. Press thereupon opened the case on behalf of the people as follows:

May it please your Honor, Mr. Karlin, and each of you gentlemen:

The grand Jury of the County of New York, by this indictment, accuse Belle Moore of the crime of receiving money for and on account of procuring and placing women in the custody of another person for immoral purposes, committed as follows: the said Belle Moore, late of the Borough of Manhattam, City of New York, County of New York aforesaid on the 27th day of April, in the year of Our Lord 1910, in the Borough and County aforesaid, feloniously did procure and place in the charge of one George

A. Miller two certain women, to-wit, one Alice Milton and one Belle Woods, with the consent of the said two women, and each of them, for immoral purposes, to-wit, for the purpose

that the said George A. Miller should shortly thereafter cause and procure each of them, they said Alice Milton and Belle Woods to enter and become and inmate of a certain house of prostitution, in the City of Seattle, in the State of Washington, and to live a life of prostitution in such house and afterwards, to-wit, on the day and in the year aforesaid, at the Borough and County aforesaid, the said Belle Moore did knowingly receive a sum of money, to-wit, the sum of One hundred and twenty dollars, in money, lawful money⁷ of the United States of America and of the value of one hundred and twenty dollars of and from the said George A. Miller for an on account of so procuring and placing the said women in the said charge and custody for such immoral purposes against the form of the statute in such case made and provided, and against the peace of the people of the State of New York.

The facts which the people will prove are these: that on the thirteenth day of April, 1910, George A. Miller was specially engaged in this investigation by the District Attorney's office, of this County, and before that he was a member of the secret service body of the United States, and he entered into negotiations with this defendant, whereby she agreed to procure for him two females, good looking --

MR. KARLIN: We object to any statement if the Court Please.

MR. PRESS: I am stating the facts that the people expect to prove. I am giving the terms of the agreement entered into.

THE COURT: Proceed.

MR. KARLIN: We except.

MR. PRESS: (Continuing). Good looking, if possible, under the age of eighteen years, not weighing more than one hundred pounds, and at that time he agreed to pay her well for her services, and in consideration thereof to procure for him the girls in question and and stated, to use her own language, that she would procure for him "Babies."

From the 13th day of April 1910 until the 27th day of April, 1910, there were various meetings had between the parties at Belle Moore's apartment, 348 West Forty-first Street in the City and County of New York.

On the 26th day of April, 1910, the defendant, Belle Moore, telephoned to Miller and told him that she had one of the girls at her house and to come up there at once and see her. He went up there and saw the girl. The next day he received a telephone from Belle Moore, the defendant, requesting him to call, and see both the girls there, and and that they were Peaches and Cream".

He thereupon called at her house, 348 West Forty-first Street, and saw the two girls in bed. He then went into the parlor with her, at her suggestion, she suggesting that

it was better for them to proceed to business before they went further, and in the apartment, and in the presence of a reputable witness, she informed him that her price for the two girls, was seventy-five dollars each. He did not have one hundred and fifty dollars in his clothes, so he borrowed thirty dollars from his companion; put ninety dollars with it; counted the money over; handed it to her with the distinct understanding that he should forward to her within a reasonable time the balance of thirty dollars by post office order.

The girls were then dressed, and by directions he left the house first, she looking out of the window to see that the coast was clear; and by her directions, the girls followed, and joined him at Forty-second Street and Ninth Avenue, where there was a taxicab awaiting them.

GEORGE A. MILLER, sworn as a witness on behalf of the people, testified as follows:

MR. KARLIN: We move that during the progress of the examination that all witnesses be excluded from the courtroom.

THE COURT: So ordered.

DIRECTED EXAMINATION BY MR. PRESS:

Q Mr. Miller, I want you to speak up so loud that all the jurors can hear you distinctly. What is your business, Mr. Miller?

A Making special investigations.

Q By whom are you employed?

A District Attorney's office, New York County.

Q How long have you been so employed?

A Since about the 23rd day of February, 1910.

Q Prior to that time, how was you employed?

A In the Indian Service, Department of Interior.

Q For whom?

A William E. Johnson.

Q Is he connected with the United States Government?

A Yes, sir.

Q Prior to that, how were you employed?

A National Immigration Commission.

Q Also the United States Government?

A Yes, sir.

Q And prior to that?

A Indian Service, Department of Interior.

Q How long altogether have you been employed at the instance of the United States Government?

A About three years.

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Q Do you know the defendant, Belle Moore?

A I do, yes, sir.

Q When did you meet her first?

A 13th day of April, 1910.

Q Where did you meet her?

A At 348 West Forty-first Street.

BY THE COURT:

Q New York County?

A New York County.

BY MR. PRESS:

Q Were you alone when you met her there?

A No, sir.

Q Who was with you?

A A colored man named Alex Anderson.

Q Where had you met him?

A At Baron Wilkin's cafe, Thirty-fifth Street.

Q When you went to 348 West Forty-first Street, who touched the button?

A Alex Anderson.

Q Where was that?

A To the right, second button from the front as you stepped up from the front four or five steps.

Q Just as you entered the vestibule?

A Yes, sir.

Q Was there any name above the bell?

A The name Belle Moore was on a card.

Q How many flights did you go up?

A Two flights, up on the third floor.

Q On which side of the house was the apartment of Belle Moore?

A West side, front.

Q Who opened the door at the apartment?

A Belle Moore

the defendant.

Q What was said by either you, Alex Anderson, or the defendant?

A Alex Anderson said to Belle Moore, "This is my friend, Dick Morris; this is my friend Dick Morris from Seattle, formerly of Juneau. Alaska; his madam runs two houses up there, sporting houses, and they are both going to start a new place in Seattle, a sporting house and saloon, both connected.

Q What did Belle Moore say?

A "I am glad to meet you, come in and sit down".

Q Did you go inside?

A Yes, sir.

Q What conversation, if any, took place between the three of you?

A I sat on the couch in the parlor; Alex Anderson to the right of me on a chair, and Belle Moore stood in the centre of the room with her back to a table, and then she asked me what I would have to drink. I said whiskey and Alex Anderson said Whiskey; but before she left the room, I said to Belle Moore, "Alex tells me you can get me some girls". Belle Moore said, "I think I can". She then went out and got the drinks and brought them back and served them. I said, "Well, I will tell you about those girls; I don't want colored girls; I want white girls; girls weighing less than one hundred pounds, not more than one hundred and ten at the most; must be naturally good looking, well built and be able to get twenty or twenty-five dollars in any whorehouse.

Q What did Belle Moore say in reply?

A "Yes, I can

get you Babies". Alex Anderson then said, "Leave it to Belle".

Q What did you say, if anything, us to the consideration?

A I said to Belle Moore, "I will pay you well for them". She said, "Oh, that is all right, when you are introduced by Alex Anderson, you are good for the money".

Q Then what took place?

A She then served the drinks, and asked us if we had a little time and could wait a while and she would go out and call in some girls, I said "All right". She was gone about fifteen minutes, and came back with a colored girl and a white girl. Alex Anderson took the colored girl and went into the second room from the parlor. Belle Moore and I and the white girl went into the first bedroom. There she ordered the girl to disrobe and exposed her to me and asked me if I would stay for the night. I excused myself and said, "No".

Q Did you have any conversation with her regarding a madam or anybody?

A Just before leaving---it was about forty-five minutes after-she said I would like for you to bring your madam Frankie.

Q Go ahead?

A Just before leaving, she said to me, "I would like to have you bring your madam, Frankie, down to see me, and I will talk to her about the girls, and get her some girls; be sure and come early."

Q Had you before that mentioned the fact that you had a madam in the city of New York with you?

A As I was introduced Mr. Anderson said it.

Q What did he say?

A That myself and my madam were from Juneau, Alaska, and that she had run the two houses there In Juneau, and that we were going to start a new place in the City of Seattle, Washington, a sporting house and a whorehouse and a saloon connected.

Q Did you leave then?

A Yes, sir.

Q Did Alex Anderson accompany you?

A Yes, sir.

Q When did you next see her?

A I seen her the next night, April 14th.

Q About what hour?

A Between eleven and twelve o'clock.

Q And had you any company with you?

A Yes, sir.

Q Who was with you?

A Alex Anderson and a lady known as Madam Frankie Fuller.

Q Where did you meet Frankie Fuller before going there?

A she came with me from the Hotel Albany.

Q Where did you go?

A To Baron Wilkin's Cafe on Thirty-fifth Street.

Q And whom did you see there?

A Alex Anderson.

Q And the three of you then went to---

A 348 West Forty-first Street, Belle Moore's Apartment.

Q Who opened the door on that occasion?

A Belle Moore.

Q State if you will, to his Honor and jury, just what conversation was had at that interview?

A As the door was opened, Alex Anderson said to Belle Moore, "This is Frankie, Madam Frankie Fuller, from Alaska," and I said "Good evening,"

and Belle Moore said, "Come in and sit down, I am glad to meet you". We went in and sat down in the parlor. Alex Anderson sat on the chair as he sat the night before.

BY MR. KARLIN:

Q The same chair?

A The same position.

BY MR. PRESS:

Q Go ahead?

A Frankied Fuller was on the couch, Belle Moore next to her, and I next to Belle Moore, and then Frankie Fuller said to Belle Moore, "Miss Moore, Alex and Dick told me you can get me some girls". I was known as "Dick".

"You were known as Dick?"

A Dick Morris, yes, sir.

Q Proceed.

A Alex Anderson then spoke up and said, "Yes, she can get you Babies". Frankie Fuller then said, "I want young girls under eighteen years; I want girls without pimps." girls that don't weigh over one hundred pounds, and naturally good looking, and that can go and get twenty dollars or twenty-five dollars out of a man in any house." Alex Anderson then said, "Leave it to Belle Moore". He said, "She has been in the business nine years, and I broke her in myself" She then laughed and said, "He did". And she said, "If I had had some sense, I would have some money now, I would be rich; as it is, I got furniture for one flat stored besides the furniture I have here". Belle Moore then asked what we would have to drink; I took whiskey, Alex Anderson took whiskey and Frankie Fuller too whiskey---Frankie Fuller did not take whiskey at that time, she said, "No, I will take water" and Belle Moore then went for

the drinks. Frankie Fuller went with her into the other room. Alex Anderson remained with me where I was. After a few minutes, Belle Moore returned with the drinks, and as she served them, she said, "I will be gone for a few minutes, but I will be back soon". She then left, and as she left two colored men came in, one with a mandolin and the other with a guitar. They began playing and after a few minutes Belle Moore returned with two colored girls, who proceeded to entertain us the rest of the night until about three thirty.

Q Did you leave at that time?

A Yes, sir.

Q Now, when did you next see Belle Moore. State if you will how they entertained you?

A By dancing, singing---

MR. KARLIN: We object to it.

THE COURT: Sustained.

Q Was Belle Moore in the room while you were being entertained?

A Yes, sir, and she helped entertain.

MR. KARLIN: We object to the statement, "she helped entertain" as stating a conclusion.

THE COURT: Yes, sustained.

Q What did she do?

A She danced.

MR. KARLIN: We object as irrelevant, incompetent and immaterial.

THE COURT: I will allow it.

MR. KARLIN: We except.

MR. KARLIN: If the Court, we object on the further

ground that it is not sought to give any conversation here that is in any way relevant to the charge.

THE COURT: Do you press the question?

MR. PRESS: I want to know how she entertained, because it is in line with testimony that is being given.

THE COURT: I will allow it.

MR. KARLIN: We except.

Q How did Belle Moore entertain you?

A By music and Belle Moore herself by dancing with her skirts up over her knees, and higher.

MR. KARLIN: We move to strike out the answer as not being competent or relevant to the issues in this indictment.

THE COURT: Denied.

MR. KARLIN: Exception.

It is calculated to prejudice the jury, if the Court please.

THE COURT: The motion has been decided.

Q Where did you next see the defendant, Belle Moore?

A The night of the 16th of April, 1910.

Q Where?

A At her apartment.

BY THE COURT:

Q In other words, that is the third occasion?

A Yes, sir.

BY MR. PRESS:

Q The 13th, 14th and 16th?

A Yes, sir.

Q Were you accompanied by anyone?

A Yes, sir.

Q By whom? Frankie Fuller.

A At what hour of the evening did you call at 348 West Forty-first Street?

A Between nine and ten.

Q Did you see the defendant there?

A Yes, sir.

Q State to his Honor and the jury just what conversation you had with her on that occasion?

A As we came to the door, Frankie Fuller went ahead and up the stairs and Belle Moore opened the door into the parlor. Belle Moore said, "Come in, the weather is awful". We went and sat down.

Q Did you hear any of the conversation between Frankie Fuller and the defendant Belle Moore?

A Not very much that time, very little; we stated a short a time.

Q You stated a short time?

A Yes, sir.

Q And left?

A Yes, sir.

Q When did you next see the defendant?

A The night of the 17th of April, 1910.

Q Where? At Percy Brown's Cafe, across the street on Forty-first Street.

Q Who was with you on that occasion?

A Frankie Fuller.

Q Now state what conversation took place?

A When Frankie Fuller and I went into the place, Belle Moore was not there. She come in a few minutes; and then she said, Belle Moore said that "I must go over to the flat and change my cloths," She left going over to 348 West Forty-first Street. Then after a short time Frankie Fuller said to me, "Dick, you had better go over

and bring Belle back. I then went to 348 West Forty-first Street to Belle Moore's apartment and found her there almost ready. I remained a few minutes, and then returned to Brown's Cafe with Belle.

Q What conversation did you or Frankie have with the defendant?

A Frankie Fuller said to Belle Moore, "How did you get along"? Belle Moore said, "Nothing doing,"*** I had one little one, but she backed out".

MR. KARLIN: If the Court please, we object to that and move to strike it out on the ground that it has no bearing on the charge alleged in the indictment.

THE COURT: Denied.

MR. KARLIN: Exception.

And further on the ground that it tends to charge the defendant with the commission of a crime other than that charged in the indictment.

THE COURT: Denied.

MR. KARLIN: Exception.

And further on the ground that it tends to charge the defendant with the commission of a crime other than that charged in the indictment.

THE COURT: Denied.

MR. KARLIN: Exception.

Q Proceed.

A I then went over and spoke to the drummer and come back, and we then all left.

Q Did Belle Moore at that time say anything to Frankie Fuller?

A Just as we were leaving, Belle Moore said, "I will do my best for you; I will work hard and see if I can get them for you".

Q Now, when did you next see the defendant, Belle Moore?

A The night of the 18th of April, 1910.

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Q Where?

A At her apartments 348 West Forty-first Street.

Q By whom were you accompanied that evening?

A Frankie Fuller.

Q At What hour did you get to her apartment?

A Between ten and eleven.

Q Did you or Frankie Fuller have any conversation with her?

A I just said, "Good evening" and "Hello". Frankie Fuller and Belle Moore remained in the parlor, and I went through the bedrooms into the kitchen and got a drink of water, and returned, and Frankie Fuller then said, "Nothing doing Dick", and Belle Moore said, "The weather is awful, it has been raining all day and I couldn't get out, "and then we left.

Q When did you next see the defendant?

A April 21st.

Q Where?

A At her apartments.

Q Were you accompanied by anyone?

A No, sir, I was alone.

Q Did you have any conversation with Belle More on that occasion?

A Yes, sir.

Q State it?

A As I come to the door, I rapped; that is up stairs. Belle Moore opened the door and she was undressed, she jumped back into bed and said, "I have got the letter".

Q "I have got the letter"?

A Yes, sir.

Q Did she show you the letter?

A Yes, sir.

Q Is that the letter that she showed you? (handing paper)

A (After examining) Yes, sir.

Q Did you hand her the letter back again?

A I gave her

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the letter and kept the envelope and delivered it to Mr. Reynolds.

MR. KARLIN: I object to the statement that he gave it to Mr. Reynolds, as not binding on this defendant.

THE COURT: Have it marked for identification.

MR. PRESS: I ask that the letter and envelope be marked for identification.

MR. KARLIN: Will your Honor strike out the statement that he gave the envelope to Mr. Reynolds?

THE COURT: no.

MR. KARLIN: We except.

The letter was there upon marked People's Exhibit 1 for identification.

The envelope was thereupon marked People's Exhibit 2 for identification.

Q Had you any further conversation with her on that occasion?

A Yes, sir.

Q What was it, if you please?

A She said she would write to Atlantic City and she could get the girls she wanted now.

Q Did she say anything to you about telephoning you you?

A She told me that as soon as she got them she would telephone me, and asked for my room, and also why I removed from the Albany Hotel.

Q Did you state where you had moved to?

A Yes, sir.

Q And you gave her your telephone number?

A Yes, sir.

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Q Was that all that occurred on that day?

A Yes, sir.

Q When did you next see her, the defendant?

A The 23rd.

BY THE COURT:

Q April 23rd?

A Yes, sir. April 23rd, 1910.

BY MR. PRESS:

Q Where?

A At her apartments.

Q At what hour?

A Between nine and ten at night.

Q When you arrived there, what did she say to you?

A "Dick, I got the telegram" were the first words she said.

BY MR. PRSS:

Q Is that that the telegram she showed you? (handing a telegram)

A Yes, sir.

MR. PRESS: I ask that this be marked for identification.

THE COURT: Yes.

The telegram was thereupon marked People's Exhibit 3 for identification.

Q Now, did you have any conversation with her on that occasion?

A Yes, sir.

Q State it to his Honor and the jury?

A Belle Moore said, "I am glad that Frankie will stick there over Sunday; I know it will give me the time to land things up and get those girls for her; I know I can get those what she wants; you leave your telephone number and the minute I get them, I will call

you up and let you come right up and see them".

Q Did you leave after that?

A Yes, sir.

Q Now, when did you next hear from the defendant, Belle Moore?

A April 26th, at eleven o'clock.

Q How did you hear from here.

BY MR. KARLIN: (Interrupting) Morning or night?

A A. M.

BY MR. PRESS:

Q How did you hear from her?

A She telephoned to the Hoffman House.

MR. KARLIN: We object. He did not state he recognized the voice.

Q Were you able to recognize the defendant's voice, as that of Belle Moore, over the telephone?

A Yes, sir.

MR. KARLIN: Objected to as a conclusion and the witness is not qualified to answer.

BY THE COURT:

Q Did you recognize the voice of the person who spoke over the telephone?

A Yes, sir.

Q Whose voice was it?

A Belle Moore's.

MR. KARLIN: We object on the ground that it is no proof that this witness was able to recognize the voice of Belle Moore. He is hardly qualified to state that to the extent which is required by the law.

THE COURT: Overruled.

MR. KARLIN: We except.

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BY MR. PRESS:

Q State just exactly what the defendant said to you over the telephone?

A "Is this you Dick? Dick Morris?" I said, "Yes, this you Belle"? "Yes, this is Belle Moore; come right up and hurry; I have got the two kids; they are peaches and cream.

BY MR. KARLIN:

Q Was this on the 26?

A Yes.

BY MR. PRESS:

Q Go ahead?

A I then went up to Belle Moore's apartment at two o'clock and there found Belle Moore and a girl known as Alice Milton.

BY THE COURT:

Q Alice who?

A Milton.

BY MR. PRESS:

Q What conversation was had on that occasion?

A Belle Moore said, "What do you think of her, isn't she a little body?" I said, "I guess she will do; she looks all right". I then asked the girl how much she weighed, and she said "One hundred pounds". Belle Moore then said to Alice Milton, "Raise your skirts", which Alice Milton did, showing me her legs. Belle Moore then said, "Do you think that she will do?" I said, "I believe so". Belle Moore said, "I know she will get twenty dollars or twenty-five dollars in any whorehouse."

Q Was there anything further said?

A Belle Moore and Alice Milton then went into the other room, and come back into

the parlor. There Belle Moore said to me, "Alice Milton has a friends about the same size, and I think if you could see her, why she would suit you". Belle Moore and Alice Milton then made arrangements.

MR. KARLIN: I object to the statement.

THE COURT: Sustained.

Q Just state what was said?

A Belle Moore then said to Alice Milton, "You have Belle Woods where Dick can see her this evening," and then Belle Moore told me to go to a certain number 137 West Forty-five street to see Belle Woods.

Q Did you go there?

A Yes, sir.

Q Did you see her?

A I seen both Belle Woods and Alice Milton.

Q When did you next see the defendant Belle Moore?

A April 11 27th.

Q Where?

A In her apartments.

Q 348 West Forty-five Street?

A Yes, sir.

Q At what hour?

A Between two and half past two, when I got there.

BY THE COURT:

Q In the afternoon?

A Yes, sir.

BY MR. PRESS:

Q Why did you go there?

A She telephoned at eleven o'clock.

Q What did she say?

A "Come on, Dick, both girls are up". here, and they are in bed asleep, hurry".

MR. KARLIN: We move to strike out, the witness has not shown that he recognized the voice of the defendant over the telephone. I move to strike out that conversation which he now purports to give as having been said over the telephone.

THE COURT: Denied.

MR. KARLIN: We except.

We ask your Honor to instruct the jury to disregard it.

THE COURT: Denied.

MR. KARLIN: Exception.

BY MR. PRESS:

Q What did you do?

A I then took a taxicab.

Q After she telephoned you?

A Yes, sir.

Q Where did you get the taxicab?

A At the Hoffman House.

Q And where did you drive?

A I drove over to 244 West Twenth*** Street and from there to 224 West Sixteenth Street and I seen a man named Leonard Levy.

Q Now, did you, when you made either one of those calls, pick up any other person?

A Yes, sir.

Q Whom did you get?

A Amie Jackson, the lady known as Frankie Fuller's maid.

Q Did you take her in the taxicab?

A Yes, sir.

Q And you drive where?

A To Ninth Avenue and Forty-second Street.

Q And did you leave the taxi there?

A Yes, sir.

Q And where did you and Amie Jackson go?

A 348 West Forty-first street, Belle Moore's apartments.

Q Now, state just exactly what you saw and what conversations you had with the defendant.

A Amie Jackson and I went up the two flights to Belle Moore's apartments, entered through the kitchen door. We were met at the door by Belle Moore. She then led us into the first bedroom, and, pointing to two girls who were in bed, said "There they are, aren't they little peaches? With that, I introduced Amie Jackson, saying to Belle Moore, "This is Amie Jackson, Frankie's maid", "Amie, this is Belle Moore, the lady I spoke of".

Q Proceed.

A I then started on through, passing Belle Moore. She stopped and reached over and shook the girls, shook them and called them to get up and get dressed. Belle Moore, Amie Jackson and I went into the next bedroom. Amie Jackson remained in the second room. Belle Moore and I went into the parlor of her flat. Belle Moore then told me what trouble she had---

Q What did she say, please?

A Belle Moore said, "I had some trouble getting these girls into the house. I had to give the janitress five dollars to square things". Belle Moore then said, "don't you think Frankie will be satisfied; they are just exactly what she wants". Belle Moore then said, "You had better have Amie dress them here and help them dress," I said, "Yes, she can do that". We then went back to the other

room, and told Amie to dress their hair and get them ready. Belle Moore and I went down to the front room again and was waiting there a few minutes, and we spoke about the girls and their size and that they would be able to give satisfaction, and Belle Moore spoke up and said, "Now, Dick, those girls are just what you want and I know they will please Frankie; I know they will get the money in any whorehouse". She then asked what I would have to drink. I said, "I will buy the drinks". She said she would take whiskey. I said I would take whiskey, and then a colored girl came in by the name of Annie Young. Belle Moore said to her, "You get the drinks" Annie said, "I will take gin". Amie came in and said she would drink water. The girls got nothing. As Annie Young brought the drinks back, Belle Moore took them and served them. I said to Annie, "Please close the door behind you. We want to have a talk. Belle said, "Yes, before things go on further" she said, "We want to talk business". Belle Moore, Amie Jackson and I were then alone in the parlor. I then said: "Belle Moore, well what do I owe you for the girls?" Belle Moore said, "Well, Dick, you know I have worked hard for them; how about seventy five dollars apiece?" I said, "You are pretty strong, aren't you?" She said, "No; I have worked hard and I got you just exactly what you want, and I know they can get money in your sporting house, and to tell you the truth, they are not as old as I said they were"? I then said, "Well, seventy-five dollars.

is strong," But she said, "That is the best I can do". I turned to Amie Jackson and asked if she had any money. Amie said, "Yes, sir, thirty dollars". She said she had twenty-five dollars or thirty dollars which Madam Frankie gave her for shopping. I said to Amie Jackson, "Give me the money", which Amie did. I then took ninety dollars out of my own pocket and with the thirty dollars Amie Jackson gave me, I counted out one hundred and twenty dollars; counted it three times in the presence of Belle Moore and Amie, and as I counted it the last time, I said to Amie Jackson, "Now Amie, you see I have counted out one hundred and twenty dollars and I want you to know that I have given Belle Moore one hundred and twenty dollars for those two girls in there in bed, and I want you to know and remember that I gave her the one hundred and twenty dollars, so you can tell Madam Frankie when you see here where the money has gone." I handed the money to Belle Moore, and she doubled it up and put it in her stocking.

Q Go ahead?

A Then Belle Moore got up and said, "Dick, you better get the girls out."

Q Was there anything said about the balance of the money?

A Yes, sir.

MR. KARLIN: We object, as incompetent, irrelevant and immaterial, the defendant is charged here with having accepted one hundred and twenty dollars and no more, and I submit that this evidence is incompetent.

MR. PRESS: It is part of the conversation that took place.

THE COURT: I will allow it as part of the conversation.

MR. KARLIN: Exception.

A (Continuing) Belle Moore said to send the balance, thirty dollars, by post office money order, General Delivery. She then went to the window and opened the window, and said, "I will look out and see if the coast is clear". And then she said to me, "Dick, you take a dolly, the little grip, and go out first." But she said, "Where is your taxi?" I said my taxi was at the corner of Forty-second Street and Ninth Avenue. Belle Moore then said, "I will send the girls separately and you go first". I told the dolly and the little grip, going through both bedrooms, and there said goodbye to Belle Moore and Annie Young, leaving alone, and going down to the taxicab at Forty-second Street and Ninth Avenue. There I was joined a few minutes later by Alice Milton and Amie Jackson, and then Belle Woods. Alice Milton got in the taxicab first, then Amie Jackson, and then Belle Woods. I jumped in the slammed the door and left again in a round about way.

MR. KARLIN: We object as immaterial, incompetent and irrelevant and not binding on this defendant.

THE COURT: I will allow it.

MR. KARLIN: We except.

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BY MR. PRESS:

Q Where did you go?

A I went to 224 West Sixteenth Street to the apartments of Leonard Levy.

CROSS EXAMINATION

BY MR. KARLIN:

Q Mr. Miller, what is your profession? protector, investigator, self-styled secret service man, or what, what is your profession?

A Special investigator.

Q Employed by anybody that is willing to pay you the money, is that right?

A Yes, sir.

Q Speak up loud, Mr. Miller?

A Yes, sir.

Q Employed by anyone who is willing to stand for an unlimited expense account.

MR. PRESS: Objected to.

THE COURT: Sustained.

Q What other employment have you followed during your lifetime besides being a special investigator?

A A Good many, sir.

Q Sir?

A A Good many.

Q Kindly tell us something about the good many employments you follow outside of being a special investigator.

A I was born and raise on the farm.

Q How long did you follow the honest occupation on the farm?

MR. PRESS: I object, if your Honor please, he has intimated that this witness has had a dishonest occupation.

THE COURT: Ask him how long he was on the farm.

Q How long did you work as an agriculturalist, Mr. Miller?

A Till I was about sixteen years of age.

Q And then, having tired of the farm, what did you next do?

A I went on the cattle ranges.

Q Where?

A Eastern Washington?

Q And how long did you follow that employment?

A About a year and a half.

Q Well, go ahead.

BY THE COURT:

Q Just give us your occupation. That is what we want.

A Well, I worked on the ranches, I worked in mines, and I worked at a good many occupations, first at one place and then at another, trying to find something to suit me.

Q You finally found in special investigating something that suited you?

A Yes, sir.

Q You have followed that for the last three years?

A Yes, sir.

Q Before that, you never did stick to any one position, any particular work?

A Yes, sir.

Q Didn't you tell us you went from one kind of work to another until you stopped as special investigator?

A I had done much investigating work previous to three years, if you please.

Q Now, Mr. Miller, how old are you?

A Thirty-three

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years old, on the 9th of August, 1877 I was born.

Q Can you give us the name of any employers for whom you have worked since you left the farm, in Washington, at the age of sixteen years?

A Yes, sir.

Q Do so, if you kindly will?

A Boyd Doty.

Q Where was that?

A Seattle Washington.

Q What did you do there?

A Investigating violations of the excise laws.

Q Oh, at that time you were investigating too?

A Certainly.

Q And who is this Doty that you speak of?

A Superintendent of the anti-saloon league in the State of Washington.

Q How long did you work for the anti-saloon league in the State of Washington?

A About a year and a half.

Q You are a man that drinks whiskey a good deal?

A Never a drop unless it is necessary.

Q You found it in your business as special investigator, necessary quite often.

A Sometimes, yes, sir.

Q And while you were encouraging drinking, you were connected for about a year and a half with the anti-saloon league, weren't you?

A Yes, sir.

Q And you had an unlimited expense account when connected with that league?

A No, sir.

Q You had an expense account, didn't you?

A Certainly, Yes, sir.

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Q You were connected there a year, did you testify in court very often?

A Yes, sir.

Q Miller, you have testified hundreds of times in court, haven't you?

A A good many times.

Q About how often, let me estimate?

A It is hard to tell. I could not tell.

Q As many as a thousand times?

A Possibly.

Q You are pretty well acquainted with the rules of evidence, as a result of testifying?

A Yes, sir.

Q And you know what kind of evidence is necessary to connect this defendant with crime, you bore that in mind when you took the witness stand?

A Yes, sir.

Q Well, after being connected with the anti-saloon league for a year and a half, what happened, were you discharged or did you leave of your own accord?

A No, sir, I got a better position.

Q Along the line of special investigating again?

A Yes, sir.

Q Who did you specially investigate that time?

A The United States Government, Indian Service, Department of Interior.

Q How long ago was that?

A About three years ago?

Q Doing the same st*** of work that you did in this case?

A Investigating the liquor laws among the Indians.

Q You investigated t he liquor laws for the United States Government?

A Yes, sir.

Q And you testified in Court in connection with those cases?

A Yes, sir.

Q So that you are pretty well adapted for the special work necessary in this case.

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q Well, outside of this special investigating work, you have not told us much about anything else. What other employment did you have that did not require you to specially investigate something or somebody?

A As I told you before, I worked on the cattle range for a couple of years.

Q That was independent employment; you had no employer there?

A I was employed.

Q Were you discharged by that employer?

A No, sir.

Q Your residence is actually in Seattle, Washington?

A Yes, sir.

Q And to equip yourself for this work, am I correct, Mr. Miller, that you visited houses of prostitution frequently in Alaska, and at Seattle, Washington.

A My business, while working for the National Immigration Commission caused me, to, and I*** had reason to go into all these places.

Q Yes. And you frequently had sexual intercourse with the inmates of those places, didn't you?

A No, sir.

Q Never?

A Never.

Q Are you married?

A Yes, sir.

Q Got any children?

A Yes, sir.

Q And, while you were married, you visited those houses of prostitution, in the course of what you call special investigation?

A Yes, sir.

Q And you spent considerable money in those houses of prostitution?

A Yes, sir.

Q You want us to believe that never on those investigations did you have sexual intercourse with a prostitute?

A Never.

Q About how many houses of prostitution have you visited in the course of your work as special investigator?

A That is hard to tell, many and many a one.

Q Thousands of them?

A I would not say thousands.

Q Hundreds of them?

A Yes, sir.

Q Five hundred?

A No, sir.

Q Did you ever stay all night in the course of your work in these houses of prostitution?

A No, sir.

Q What is the greatest length of time you ever spent in one of them?

MR. RPESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: We except.

Q You first became connected with this work in the month of February of this year?

A Yes, sir.

Q Was that after an appropriation of twenty-five thousand

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dollars had been made:

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

Q Was that after an appropriation of twenty-five thousand dollars had been made to prosecute this work, or before?

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

THE COURT: Sustained.

MR. KARLIN: We except.

Q You know that an appropriation has been made of twenty-five thousand dollars, in connection with this work, don't you?

MR. PRESS: Objected to.

THE COURT: Objection sustained.

Q You have spent considerable money, haven't you, since February 23rd in prosecuting this work, haven't you?

MR. PRESS: Objected to.

THE COURT: I will allow it. Yes, or no.

A Yes.

Q Can you give this jury a rough estimate of how much money you spent from the 23rd day of February this year in the prosecution of this work?

A I am not quite sure; I have not seen the accounts yet.

Q About, that is what we want?

A Several thousand dollars.

Q About how much is several thousand dollars?

A I presume over three thousand dollars.

Q You are still employed by the District Attorney to

specially investigate?

A Yes, sir.

Q You arrested a man by the name of Meyer Levenson in connection with your investigation?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q Please tell the number of persons, the sum total of your work since February 23rd, which has caused you to spend over three thousand dollars?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q Are you paid by the week?

MR. WHITMAN: I don't know as this is material. We object.

THE COURT: Sustained.

MR. KARLIN: We except.

Q Well, you have been paid for your work, haven't you?

A Yes, sir.

Q You expect to receive further pay, don't you?

A Yes, sir.

Q And you will consider that your record as a special investigator will have received greater impetus if as a result of your testimony this defendant goes to the state prison, won't you?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q Will you kindly tell us, Mr. Miller, just how you came to be associated in this particular connection, in connection with the office of District Attorney of this county?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: We except.

Q Did you volunteer your services to Mr. Reynolds?

MR. PRESS: Objected to.

MR. KARLIN: I want to show the bias of this witness.

THE COURT: Objection sustained.

Q Were you sent for by Mr. Reynolds?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q In the course of the work, you took up a suite of apartments at the Hotel Albany in this City?

A Yes, sir.

Q When for the first time, did you take up the suite of rooms at the Hotel Albany?

A I think about the 25th of March.

Q And do you know a doorman that kept the door at the Forty-third Street side of the Albany Hotel? Whose name is Steve?

A Yes, sir.

Q A colored man?

A Yes, sir.

Q Didn't you tell Steve sometime in the month of April that you were here from Seattle to have a good time, that you would like to see the various colored resorts in New York and asked him to show you around?

A Yes, sir.

Q And the way you first came to meet Alex Anderson was after you told that the Steve, is not that true?

A Yes, sir.

Q And you have been passing as a sport at this Hotel Albany on the money of this country? Hadn't you?

A I certainly did.

Q And hadn't Steve refused several times to take this sport from the Hotel Albany around to the different colored resorts?

A No, sir.

Q And say he didn't care to do it the first time?

A He could not get away; he was working and couldn't get away until two o'clock in the morning.

Q How many times did you talk to Steve before he finally took you to any colored resorts?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q You were lavishing presents on this Steve on the State's money, hadn't you?

A No, sir.

Q Anyhow, there finally came a time when Steve took you to Barow Wilkins on Thirty-fifth Street?

A Yes, sir.

Q A colored cafe?

A Yes, sir.

Q And there introduced you to Alex Anderson?

A Yes, sir-- no, sir.

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Q What then, was not*** it Steve that introduced you to Alex Anderson?

A No, sir.

Q Did you introduce yourself to Alex Anderson?

A No, sir.

Q Who first arranged an introduction between you?

A Baron Wilkins introduced me.

Q And Steve first arranged the introduction between you and Baron Wilkins?

A Yes, sir.

Q And at that time you said you were a sport out of the west, from Seattle that was here to spend a lot of money? ***I said I was a saloon-keeper or saloon man from Alaska, formerly of Juneau, and was going to start a new place there.

Q And when you first met Alex Anderson, was that when you said that you were a saloon man?

A No, sir.

Q The first thing you told Alex Anderson, you want us to believe, was that you kept a house of prostitution in Seattle?

A Yes, sir.

Q Now, as a matter of fact, you did not keep any house of prostitution?

A No, sir.

Q When you said it, you lied?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q When you told Alex Anderson that you kept a sporting house in Alaska, you mis-stated the facts, didn't you?

A Yes, sir.

Q And you did it in pursuance of your purpose of entrapping

some one in order to bring you around so you could pursue your work as a special investigator for the District Attorney?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: If the Court please, the defense asks these questions because a great many courts in this country have held----

THE COURT: Argument is not necessary.

Q Well, you say this was on the 13th that you met Alex Anderson?

A Yes, sir.

Q About what time in the evening?

A Between ten and eleven, about ten o'clock.

Q And you stopped at Baron Wilkins' that evening about how long?

A About an hour, half an hour, I am not sure.

Q Drinking with this colored man?

A Yes, sir.

Q You bought champagne, didn't you?

A Not that night.

Q Did you some other night?

A You bought champagne pretty liberally?

A Yes, sir.

Q Well, you drank a great deal. About how many drinks did you have with this colored man, Alex Anderson on the night of the 13th?

A I had two drinks of whiskey at Baron Wilkins', small drinks, and had one at Belle Moore's apartments.

Q Never mind that. We are now in Baron Wilkins. Did you have any drinks when you went there?

MR. PRESS: Objected to. He has already answered it.

Q All this time, you merely said you were a saloon keeper from Alaska or Seattle. Where did you say you were from?

A Now from Seattle; formerly from Juneau, Alaska.

Q And that you were a saloon keeper?

A And my madam was running two whorehouses in Juneau.

Q The first you told Alex Anderson was that you were a saloonkeeper, and "my madam runs two whorehouses"?

A Yes, sir.

Q Who first greeted him, you?

A No, sir. It was after sitting at the tables.

Q Who else sat at the table besides you and Alex Anderson?

A No, one.

Q During the time you sat at the table, you and Alex Anderson, did anybody point you out?

A No sir.

Q Well then, you went with him to Belle Moore's apartment?

A Yes, sir.

Q Didn't you, before you got to Belle Moore's go into a colored cafe with Anderson?

A No, sir.

Q Didn't you stop at a place called Bank's Cafe, at Thirty-seventh Street?

A No, sir.

Q You walked from Baron Wilins around to the apartment on Thirty-ninth Street?

A Yes, sir.

THE COURT: Forty-first Street,

Q 348 West Forty-first Street?

A Yes, sir.

Q There can be no doubt, that this is the 13th of April?

A No, sir.

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Q What day of the week, Mr. Miller?

A I don't remember that. I know the date.

Q You said to Alex Anderson that your name was Dick Morris?

A Yes, sir.

Q I suppose you considered that a brilliant stroke of sleuthwork to say that your name was Dick Morris?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

THE COURT: Counselor, try and frame your questions properly.

Q How long had you been in the ***City of New York up to that time?

A Before, about the 23rd of February, 1910.

Q Was that the first time you ever came to New York?

A No, sir.

Q Well, you do not know of any good reason why it was necessary to give the name of Dick Morris instead of giving your right name of George Miller?

MR. PRESS: Objected to.

Q Do you know of any reason why you could not give the name of George A. Miller: You were not well known here?

A Yes, sir.

Q Go ahead and give us a reason?

MR. PRESS: I object to it as immaterial.

THE COURT: I will allow it.

A Because I had appeared in several Federal cases last fall, which was brought here. I came from Seattle and I testified in them, and there was a good many people from the Tenderloin who were there and had seen me and they had heard my name.

Q You remember just which bell in the hallway the name Belle Moore was written above, don't you?

A Pretty certain, yes, sir.

Q You can remember it was the second bell?

A Second right hand, upper bell.

Q That made a deep impression on you so that you can remember it to testify about it?

A Well, the card was above the bell, with her name on it.

Q You finally went upstairs, and as you were at the door, and the defendant opened it and said come in, and the first thing Alex entered and said, "This is a man from Seattle whose madam has a house in Juneau and wants to get girls" that was the first thing was said, is that right?

A No, sir.

Q What was the first thing was said?

A As the door was opened, Alex Anderson said, "This is my friend, Dick Morris, from Juneau, Alaska , and his madam has tow houses in Junea, Alaska, now."

Q That was said while you were in the hallway leading into the apartment of Belle Moore, is that right***

A As we were moving in, we were standing right in the light, there was

no light in the hallway.

Q Right near the door as you entered, that was the conversation?

A Yes, sir.

Q Before you had said----what you say had been uttered by Alex Anderson, is not that right?

A Yes, sir.

Q After that had been said, this defendant told you, "I am glad to see you, come in and sit down".

A Yes, sir.

Q Alex Anderson did not wait until you were sitting before he said that, did he?

A No, sir.

Q No, w at the time you got to Belle Moore's apartments that night, what time was it?

A Between eleven and twelve.

Q How is that?

A Nearly midnight.

Q I suppose you used to get your sleep in the day time?

MR. PRESS: Objected to.

THE COURT: Objection sustained.

Q Now, Miller, is not this a fact; that on the first night you came to that apartment, Belle Moore was not at home?

A No, sir.

Q And that the door was opened by the girl you call Annie young?

A No, sir.

Q And that Annie Young went across the Street to Percy Brown's and brought with her Belle Moore?

A No, sir.

Q Have you ever been in a chop suey restaurant with this Annie Young?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q Have you ever been in a chop suey restaurant with this defendant on English Avenue?

A No, sir.

Q Were you ever in a chop suey restaurant on Eighth Avenue between Fortieth and Forty-first Street?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q Well, is not this a fact? That on the first night that you met this defendant, Alex Anderson and you and this defendant first went to Percy Brown's?

A No, sir.

Q That having gone to Percy Brown's, you went to some restaurant on Eighth Avenue between Fortieth and Forty-first Street?

A No, sir.

Q Didn't you go back to Baron Wilins that night?

A No, sir, not that night, sir.

Q What time did you leave the defendant that night?

A Alex Anderson?

Q No, this defendant?

A About three o'clock.

Q You got to her house at twelve?

A Yes, sir.

Q You stayed there in her apartment until three o'clock?

A Very near, yes, sir.

Q And who was there all evening, all morning, from twelve o'clock until three?

A Belle Moore, Alex Anderson, a little colored girl and a little white girl.

Q A white girl?

A Yes, sir, a while girl.

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Q What is her name?

A Helen Hastings.

Q That is on the first night?

A Yes, sir.

Q And Helen Hastings is the eleven year old girl that has been spoken of in this case?

A Yes, sir.

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. PRESS: If the Court please, there has been no eleven year old girl spoken of. He said it was an eleven year old girl.

THE COURT: I have ruled. Proceed, Mr. Karlin.

Q There can be no doubt, no mistake, George A. Miller, that on the first occasion there was a girl known as Helen Hastings?

A No mistake, sir.

Q And that girl was there from twelve o'clock until three o'clock?

A No, sir.

Q When did she come there?

A An hour after we got there.

Q And she stayed until three o'clock?

A No, sir.

Q Stayed until what hour?

A She was leaving just before we left. She went into the other room.

Q Who went with her?

A Belle Moore.

Q Belle Moore left the apartment?

A Yes, sir.

Q Didn't you say before that from twelve o'clock until three o'clock, Belle Moore was in the apartment with you?

A Yes, sir.

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Q How long was Belle Moore gone to get this Helen Hastings

A About fifteen minutes.

Q Where did she get her from?

A I don't know, sir.

Q Didn't she tell you where she was going to get her?

A No, sir.

Q Helen Hastings looked to be eleven years old to you.

MR. PRESS: Objected to.

THE COURT: Sustained.

Q How old did Helen Hastings look to be.

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q Haven't you publicly stated that on the first occasion that you went to the apartment of Belle Moore, there was there present an eleven year old girl whom you believed to be murdered or kidnapped?

MR. PRESS: Objected to.

THE COURT: Objection sustained.

Q Were you present in court when this defendant was arraigned?

A No, sir.

Q Do you know that Mr. Press has here stated, in this very court, that as a result of information communicated to him by his witnesses, an eleven year old girl had been murdered or lost in New York city, whom he believed to murdered or kidnapped?

MR. PRESS: Objected to. He is stated what is not the truth.

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MR. KARLIN: Your Honor don't allow the question?

THE COURT: If it is objected to, I will not allow it.

MR. PRESS: We object to the question.

THE COURT: Sustained.

MR. KARLIN: We except.

Q Have you seen it stated in the public press that this defendant was charged with harboring an eleven year old girl in her apartment that the police had been searching for, had been searching for this eleven year old girl all over the country?

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

THE COURT: I sustain the objection. Mr. Karlin, don't ask another question along that line.

Q Is this white girl here whom you saw that night?

MR. PRESS: Objected to.

THE COURT: Allowed. Yes or no.

A No.

Q Have you tried to find her?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: We except.

Q Who told you her name?

A Belle Moore.

Q How tall is this white girl?

MR. PRESS: Objected to.

THE COURT: Sustained. I told you, counselor not

to proceed along that line, and I am not going to tell you again.

Q Who is this colored girl who was there?

A I don't know.

Q Well, didn't Belle Moore introduce her as she introduced Helen Hastings?

A Not quite the same, no, sir.

Q Did she introduce her by some name?

A She did to Alex, Yes, sir.

Q She introduced whom to Alex?

A A little colored girl

Q You heard what was said in that introduction?

A I didn't pay much attention.

Q You were there?

A Not there, near.

Q In the same room?

A On the other side of the room.

Q They are not very large rooms, are they?

A No, sir.

Q Was this colored girl quite dark or light colored?

MR. PRESS: I object.

THE COURT: Sustained.

Q Well, how many women were there that night besides Belle Moore?

A The two girls.

Q Which two girls?

A Belle Moore and two girls.

MR. PRESS: I object, he stated two girls.

THE COURT: Yes. Sustained.

Q Do you know a girl by the name of Annie Young?

A Yes, sir.

Q Was she there that night?

A No, sir.

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Q She lives in the apartment with the defendant?

A I presume so.

Q There were women there?

MR. PRESS: The witness says he presumes so.

q Does this Annie live in that apartment?

A (No answer)

BY MR. PRESS:

Q Do you know?

A I don't know; I was told she did.

At time, she was there, and at times she was not.

BY MR. KARLIN:

Q Upon your oath, Mr. Miller, will you kindly answer this question. Didn't you on the morning of the first day that you were in the apartment of this defendant, ***same bed first with *** Anderson, second with Belle Moore, the defendant and third with another colored girl. Upon your oath, tell me if that is not so, Mr. Miller?

A No, sir.

Q And on that night, didn't Annie Young sleep in the next room,?

A No, sir.

Q Where did you go after you left the defendant at three o'clock?

A Kid McCoy's.

Q And stayed there how long?

A About an hour, I presume.

Q And what did you do then?

A I think then I went to the hotel.

Q You are not sure you did, are you?

A I might have

stopped on the way.

Q Your memory is pretty good. Didn't you stop somewhere on the way from Kid McCoy's?

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

Q Can you give us any idea when you arrived in your room in the Hotel the first night?

A I think about six o'clock in the morning.

Q You left the defendant's house at three o'clock?

A Yes sir.

Q Isn't it a fact that from the hour of three to six, you were in bed with this defendant, and the two other persons I mentioned here?

A No, sir.

Q Will you give us an explanation of where you were from the hours of three until six on the first morning?

A Yes, sir, I have.

Q You said you were an hour in Kid McCoy's; that brings us to four. Where were you from four to six?

A Twenty minutes to get around there, and I was in there an hour.

Q It took you twenty minutes to go from Forty-first between Eighth and Ninth Avenue to Forty-first and Broadway?

A Yes, sir.

Q How many blocks is that?

A Four or five blocks, cross blocks.

Q Isn't it only two blocks, now?

A No, sir, it is not.

Q It took you twenty minutes to go these three blocks from Eighth Avenue to Broadway, did it?

A (No answer).

Q Anyhow, you got to Kid McCoy's at twenty minutes after three and stayed there an hour?

A Yes, sir.

Q Tell us where you are after four?

A I think I stopped at a cigar stand near the theatre; then I went on up to the hotel.

Q Where was this cigar stand, before we go further?

A Somewhere³ near the theatre on the corner there, just one block from Kid McCoy's.

Q Near what theatre?

A All the theatres there, I don't know the particular one.

Q You have been around the Tenderloin for three months. Now, what theatre was it?

A I went to the Tenderloin; I didn't go to the theatre.

Q Where was this cigar stand, what part of New York?

A Broadway, about a block from Kid McCoy's.

Q North or South?

A North.

Q At Forty-second?

A No, sir. Kid McCoy's is on Thirty-eighth Street around Thirty-seventh Street?

Q How long did you stay at the cigar stand?

A I just went in and got a cigar.

Q Where did you go****?

A I went to the hotel.

Q It took you from twenty minutes after for until six to go around there?

A I loafed along. I was in no hurry.

Q Where did you loaf?

A On the street, walked.

Q Walking for an hour and forty minutes?

A Yes, sir.

Q At twenty minutes after four in the morning?

A Yes, sir.

Q Are you trying to conceal anything as to the time--- for those three hours, because you don't want to admit it, because you were in bed with this defendant and those girls.

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KAR**IN: Exception.

Q You say that in this conversation on the first night you had with Belle Moore, you gave certain specifications as to what kind of girls you wanted?

A Yes, sir.

Q They were to be less than on hundred pounds?

A One hundred pounds less than that, not more than one hundred pounds.

Q And they were to be under eighteen?

A Yes, sir.

Q And they were to be capable of getting twenty dollars or twenty-five dollars in a sporting resort in Seattle.

A Twenty or twenty-five dollars, yes, sir, from any man in any whorehouse.

Q In Seattle?

A Yes, sir.

Q Well, you didn't finally get girls, coming up to those specifications, did you?

A We got girls, if they paid for them.

MR. KARLIN: I move to strike it out.

THE COURT: Yes, strike it out.

Q You did not finally get girls, coming up to the specifications

as you represented the 4m and laid them down, did you?

A Yes, sir, Belle Moore said they were, and I thought so.

Q I am asking you not what Belle Moore said, but whether having seen these two girls, you got girls that came up to specifications as put down by you?

MR. PRESS: He said he thought so. I object to the question.

THE COURT: I will sustain the objection.

MR. KARLIN: We except.

Q Does Belle Woods weigh between one hundred pounds and one hundred and ten pounds as far as you know?

A Yes, sir.

As far as I know, sir.

Q And you think she is capable of getting twenty dollars or twenty-five dollars out of any man.

MR. PRESS: Objected to.

THE COURT: Objection sustained.

MR. KARLIN: Exception.

Q Did Alice Milton come up to the specification of being eighteen?

A Yes, sir.

Q She is under eighteen?

A As far as I know, sir.

Q And did she also fill the bill as being between one hundred and one hundred and ten pounds?

A She weighs one hundred; so she says.

Q Don't you know as a matter of fact of your own knowledge and you are trying to conceal it from this jury, that Alice

Milton is much over the age of eighteen years?

A No, sir, I do not.

Q Don't you know Alice Milton is about twenty-one or twenty-two?

A She might be, but I don't know.

Q And don't you know that Alice Milton has been an inmate of a house of prostitution for four years before you met her?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q Well, after you had laid down your requirements as to what the trade demanded in Seattle, the next night you got Frankie, this Frankie Fuller?

A Yes, sir.

Q And she also stated the fact that she would require girls between one hundred and one hundred and ten pounds and would require girls under eighteen, and would require girls that could get twenty or twenty-five dollars?

A Yes, sir.

Q Did you tell her to say that?

A Not at that time.

Q What time did you tell her to say that?

A She was instructed at the beginning of the investigation to look for those kind of girls.

Q And you told her that on the previous night you had said that to the defendant?

A Yes, sir.

Q You told her that she should say also the same thing to the defendant?

A Naturally, she would.

Q And did you also tell her to tell that to this defendant?

A I think so. We talked to each other usually.

Q You usually told her what to say, and you told her because you wanted her to be able to get evidence like you in this case.

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q By the way, who told you when you were going around on your campaign to ask for girls that came up to the specifications here described by you; who told you that?

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q Did you suggest that yourself, or was it suggested to you.

MR. PRESS: Objected to.

THE COURT: Sustained.

Q The first thing that Frankie did when she got there on the second night was to go there and listen to what had been said about the one hundred pounds and the eighteen year old girls?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q You say that on the first night when you were at the apartment of this defendant, she ordered somebody to disrobe?

A Yes, sir.

Q In your presence?

A Yes, sir.

Q And disrobe for you?

A Yes, sir.

Q And she told that to whom?

A Helen Hastings.

Q Helen Hastings?

A Yes, sir.

Q Did you refuse to have any sexual intercourse with this girl?

A Yes, sir.

Q I took it that you were quite shocked at the indecent proposal made to you?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q Well, as a matter of fact, you declined to do any such thing, is that so?

THE COURT: He answered he did not.

Q Well, you declined to do, because of your conscientious scruples as a married man.

MR. PRESS: Objected to.

THE COURT: Objection sustained.

Q Kindly tell us about how many times you have been out with this defendant, for instance, in Baron Wilkins cafe on Thirty-fifth Street?

A With Belle Moore?

Q Yes?

A I don't think I have been there.

Q Sir?

A Never been in Baron Wilkins with her.

Q Do I understand you never in your lifetime were with this defendant in Baron Wilkins Cafe?

A No, sir.

Q Have you ever been with this defendant, to Percy Brown's cafe?

A Yes.

Q How often was that?

A I was there on night?

Q Only one time?

A Yes, sir.

Q Ever been with her in a cafe known as William Bank's cafe on Thirty-seventh Street?

A Never.

Q Never?

A No, sir.

Q Did you ever buy champagne for this defendant?

A Yes, sir.

Q How often was that?

A I bought champagne in Percy Williams' cafe on Fort y-first Street.

Q And you bought champagne for her how often?

A Frankie Fuller bought champagne at her apartment.

Q How often as far as you saw did Frankie Fuller buy champagne for this defendant?

A She bought it that night we were at Percy Browns'.

Q No other time?

A No, sir.

Q Well, then, have I got it correct that the only cafe in which you are willing to admit that you have ever been with this defendant is at Percy Brown's cafe at once time?

MR. PRESS: I object to the form of the question.

(Question withdrawn).

Q Did you say that the only time that you have ever been with this defendant at any cafe was on the occasion that you speak of at Percy Brown's?

A Yes, sir.

Q Have you ever ridden in any taxicab or other kind of cab with this defendant?

A No, sir.

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Q You would not ride in a cab with a colored woman?

MR. PRESS: Objected to.

THE COURT: Objection sustained.

Q Were you at a little luncheon that Frankie Fuller gave this defendant in the Hotel Albany?

A No, sir.

Q Did you know that Frankie Fuller did that?

A She told me she did.

Q Now, in the two weeks that you conducted your negotiations with this defendant, how much money did you spend?

MR. PRESS: I object to that, if your Honor please.

MR. KARLIN: I want to show that he spent money with her at numerous times during the two weeks, had taxicab rides----

THE COURT: He has stated already that he has received about three thousand dollars.

MR. KARLIN: I wanted to show that during the two weeks that he has been with her a good many times in cafes.

THE COURT: I will sustain the objection.

Q From your experiences in thousands of cases, as witness in various courts, you realize, don't you, that it would not be good policy for you to testify that you have been with this defendant on a good many occasions in various cafes?

MR. PRESS: Objection.

THE COURT: Sustained.

Q Well, on the morning of the occasion when you left this defendant, didn't you tell her that your wife was in Atlantic

City?

A No, sir.

Q And didn't you then make an appointment to be at her house that same night?

A She did. Belle Moore said so.

Q Did you tell her that you were going to have someone named Frankie there?

A Yes, my madam.

Q You told her she was your madam?

A Yes, sir.

Q You were lying when you said that, weren't you?

MR. PRESS: Obejected to.

THE COURT: Sustained.

Q You were mis-stating the facts just a little bit, when you said Frankie was your madam?

A She was known as my madam for the purpose of investigation, sir.

MR. KARLIN: I move to strike it out.

THE COURT: I will allow it to stand.

MR. KARLIN: Exception.

Q Frankie was not your madam, was she?

A No, sir.

Q So, when you said she was, you could not have stated the truth, could you?

A No, sir.

Q Was Frankie in Atlantic City?

A Yes, sir.

Q At that time?

A At that time, yes, sir.

Q Tell me this, Miller, after the first occasion when you went in the department of the defendant and you there found the person whom you described as Ellen Hastings didn't you ask for that person again after that?

Objected to. Objection sustained.

Q Helen Hastings looked to you to be a girl who came up to the specification of her being under 18?

THE COURT: Do not go over it again.

MR. KARLIN: I am inquiring in order to test the credibility of the witness.

THE COURT: No. I sustain the objection.

Q Did you ever make any arrangement for the purchase of that white girl that you met the first night when you visited the apartments of this defendant?

Objected to.

THE COURT: I will allow him to answer.

A No, sir.

Q When you left the defendant which you say was at three o'clock on the early morning of the 14th of April you told her you would be at her house that evening?

MR. PRESS: The 13th of April.

THE COURT: I will allow it.

Q You told her you would be at her house that evening?

A Yes, sir.

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Q You told her that this person whom you said was Frankie, the madam, was in Atlantic City?

A Yes, sir.

Q You asked her to get some musical entertainment for that evening that you were interested in seeing the sights in the wicked City of New York?

Objected to.

Q Did you say that?

A No, sir.

Q Well, when you came that night there were two colored persons there with some kind of musical instruments?

A They came in after a while; after we had been there for some time.

Q How son after you had been there did they come?

A About an hour or an hour and a quarter.

Q In the meantime Belle Moore had not gone out, had she?

A No, sir.

Q Nobody had gone out?

A Not that I seen.

Q After you got there, nobody went out and two musicians came there?

A Belle Moore went out after the musicians came into the front room.

Q But she didn't leave her apartment?

A Yes, sir.

Q The first night?

A The second night.

Q Rather the second night?

A She left --

Q Before the musicians came there?

A No, sir.

Q That is what I am trying to get at. Weren't those

musicians there in accordance with an understanding that you had that morning that she should provide musical entertainment

A No, sir.

Q It was a more coincidence, so far as you know, that they did come there?

A Yes, sir.

Q Do you remember an occasion in the course of this second evening, Mr. Miller, that after you had all been seated comfortably in the parlor this Frankie went into an adjoining room with Belle Moore>

A Yes, sir.

Q Do you remember that?

A Yes, sir.

Q That was the time that Frankie gave Belle Moore money with which to purchase champagne?

MR. PRESS: Do you know?

A I think so, I don't know.

Q Didn't she tell you she did?

A She did.

Q She did tell you she did it, didn't she?

A Yes, sir.

Q Isn't it a fact that on that occasion Frankie asked whether there was anything to drink in the house and this defendant said "yes, beer", and Frankie said "Why, no, I never drink beer, send for champagne"?

A No, sir.

Q The champagne was sent for, anyhow, wasn't it? on Frankie's money?

A Yes, sir.

Q Money which Frankie got from this State?

Objected to. Objection sustained.

Q Do you know that Frankie has been provided with money By this County with which to buy champagne?
Objected to. Objection sustained. Exception.

Q You came in together that night with Frankie, the second night?

A Yes, sir; with Frankie and Aleck Anderson.

Q Aleck Anderson?

A Yes, sir.

Q Where did you meet him that night?

A In Baron Wilkin's Cafe.

Q Where did you arrange with Aleck Anderson to meet in Wilken's Cafe?

A He told me night before he always went in there after he got through working at the Union Cafe.

Q Didn't you make an appointment?

A "Any time you want to see me I will be found there after nine o'clock".

Q What time did you get there that night?

A About 9.30 or 10.

Q Did you go there that second night with Frankie?

A Go where?

Q To Baron Wilken's?

A Yes, sir.

Q How long did you stay there at Baron Wilken's that night?

A About 20 minutes.

Q Then you went to this apartment?

A Yes, sir.

Q Of Belle Moore's?

A Yes, sir.

Q What room were you admitted to when you came there first?

A In the parlor, the front room.

Q The front room as you come in is not a parlor?

A No, sir.

Q There is a hall?

A Yes, sir.

Q What follows then?

A We entered in the parlor, Aleck Anderson, Frankie Fuller and I.

Q Weren't there some people sitting in the kitchen when you got there that night?

A I couldn't see into the kitchen from the parlor.

Q The first room you went to was the parlor?

A Yes, sir.

Q Who were present in the parlor besides you and Frankie?

A Belle Moore and Aleck Anderson.

Q Nobody else?

A No, sir.

Q Anna Young there that night?

A There later on.

Q When?

A About an hour and a half afterwards, I think.

Q Do you know any colored man that lives at the apartment of Belle Moore?

A No, sir.

Q Never heard of it?

A No, sir.

Q Did you ever hear of that?

A No, sir.

Q Did you ever meet a colored man by the name of Luke Ritt in the apartment?

A No, sir.

Q Did you ever meet a person there who said he is a lodger and works on the steamship Princess Ann of the Old Dominion Line and when in the city sleeps in the front room of

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Belle Moore's apartment?

A No, sir.

Q Well, do you remember an occasion when a certain colored man was lying on a couch in the parlor and Belle Moore told him "Go into the kitchen", she had company?

A No, sir.

Q Well, you don't remember that?

A No, sir.

Q Your memory is pretty clear as to what happened those two weeks?

A Yes, sir.

Q The first thing that this lady did, you introduced her as Madam Frankie, on the second night, was to go through the formula about girls weighing between 10 and 110?

MR. PRESS: Objected to. It has been gone over.

THE COURT: Objection sustained.

Q What is the first thing that Frankie did on the night she came there, the second night?

MR. PRESS: He has got beyond the introduction.

He has given all the conversation.

THE COURT: I will allow the witness to answer this question.

Q What is the first thing?

A She was introduced and said "Glad to meet you" and sat down on the couch.

Q Well, go ahead, What did she say?

The court: You have asked for the first thing.

Q What else did she say to Frankie?

A Well, she said

to Belle Moore "Dick and Aleck tell me you can get me some girls". After she sat down and Belle Moore said "You bet*** I can, get you babies".

Q This defendant had told you on several occasions, as you have detailed here that she could not get you the girls, didn't she?

A Not at that time.

Q Well, on several occasions haven't you testified that this defendant told you "I can't get you any girls"?

A After that day, yes, sir.

Q Did you here testify that this defendant told you on several occasions that she could get you no girls?

A No, sir; I have not testified to that.

Q Didn't you testify that she has told you on several occasions "There was nothing doing"?

A Frankie Fuller said there was nothing doing.

Q In the presence of this defendant?

A Yes, sir.

Q It is a fact, isn't it, Miller, that several times after you had questioned this defendant as to her success in getting girls she said "I couldn't get any"?

A No, sir.

Q Never told you she couldn't get any?

A Not at that time.

Q I know, but at other times, sometimes she did tell you "I can't get any", didn't she?

A No, sir; she never said "I can't get any".

Q What did she say on that subject?

A She said "I will try and get you some, I know I can get you some".

Q Will you swear, Mr. Miller, that you did not on your direct examination use this language, among others, that this defendant said, "I couldn't get the little girl"?

A She said that to Frankie Miller.

Q In your presence?

A She said "I couldn't get the little one. She backed out".

Q In your presence she said it?

A Yes, sir; "she backed out".

Q She said several times "I couldn't get the girls," didn't she?

A No, sir.

MR. PRESS: He didn't say anything of the kind, your Honor.

Q Well, at any rate, didn't you find fault with her during these entire weeks because no girl was being brought out for your inspection?

A No, sir.

Q You didn't complain because two weeks had gone by and you were getting no girls?

A I was leaving the manipulation to Frankie Fuller.

Q In the presence of Frankie Fuller to whom you were leaving your manipulations didn't you hear this defendant say, "I can't get any girls"?

A No, sir.

Q Did you hear her say "I can't get the little girl"?

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A No, sir.

Q Didn't you tell us a minute ago that you heard her say to Frankie Fuller, "I can't get the little girl"?

A No, sir.

Q You didn't say that a minute ago?

A No, sir.

MR. KARLIN: Will you kindly read that.

THE COURT: The jury recollects what the evidence was.

MR. KRLIN: We ask, if the Court please, that you have the stenographer read it.

THE COURT: No.

MR. KARLIN: The answer to the question in which this witness said "I could not get the little girl".

THE COURT: Ask your next question.

Q Will you say that you didn't say that in your direct examination when Mr. Press was questioning you?

A Yes, sir.

Q You did say it?

A No, sir.

MR. PRESS: He has stated three or four times, that he did not say it.

THE COURT: Put another question.

Q You are trying to keep back the truth here?

MR. PRESS: I object to that, if your Honor please. This is outrageous.

THE COURT: Objection sustained.

Q Well, there came a time when as the result of your manipulations Frankie Fuller went to Atlantic City?

MR. PRESS: I object to the form of that question.

MR. KARLIN: Why that is what this gentleman himself said.

THE COURT: Objection sustained. Now, counselor, you must direct your questions in proper form.

Q Did you testify here that you were manipulating?

A I said Frankie Fuller was manipulating.

Q With your evil assistance?

Objected to. Objection sustained.

Q There came a time when Frankie Fuller, this bogus madam, went to Atlantic City?

MR. PRESS: I object to this.

Objection sustained. Exception.

MR. KARLIN: There is evidence that she was a bogus madam, if the Court please.

MR. PRESS: There isn't anything bogus in it.

Q There came a time when Frankie Fuller whom you said was madam went to Atlantic City, isn't that right?

A She went to Atlantic City, yes, sir.

Q Under your instructions?

A No, sir.

Q Under whose instructions?

A Under the directions

of Mr. James B Reynolds she went to Atlantic City, didn't she Mr. Miller so that she might write a letter and get a reply that would incriminate the defendant, didn't she?

Objected to; objection sustained.

Q How many days after the first time that you met Belle Moore was it that Frankie went to Atlantic City?

A Five or six days.

Q During those five or six days no girl had been produced by this defendant?

A No, sir.

Q Is that right?

A No, sir.

Q And because during those five or six days you had had no success in inducing this defendant to get you a girl there was conceived the proposition Frankie Fuller should go to Atlantic City and trap this defendant into writing a letter, is that the reason?

MR. PRESS: I object to that and I ask that counsel be admonished not to deliver speeches but to ask questions.

THE COURT: Objection sustained.

MR. KARLIN: Don't you deliver speeches

MR. PRESS: I have not been delivering speeches.

BY MR. KARLIN:

Q You know this, Mr. Miller, that Frankie Fuller before she said she was going to Atlantic City told this defendant that she had five other girls in Atlantic City

and she could there write her in connection with the subject of what success you had in getting girls?

MR. PRESS: Do you know of your own knowledge?

THE WITNESS: No, sir.

Q Has Frankie told you that?

A No, sir.

Q This isn't the first time you heard of that is it-- today?

A Yes, sir.

Q Did you know what the purpose of Frankie Fuller was in going to entertain this defendant at luncheon at the Albany Hotel?

MR. PRESS: I object to that.

THE COURT: I will allow him to answer yes or no.

A No, sir.

Q Do I understand you to say Mr. Miller, -- that after, as you say, you gave this defendant \$120, she told you you could send the other \$30 by general delivery?

A No, sir.

Q Don't you know she never in her life got a letter at general delivery?

A No, sir, I do not know it.

Q Don't you know she had a house at 348 West 43rd street where she could get any letter that you sent her?

A Yes, sir; I know she had the house.

Q Yet you are willing to swear, you will swear that she told you to send the money in care of general delivery?

A Yes, sir.

Q Frankie had not written her care of General Delivery, had she?

A No, sir.

Q She sent a telegram to her address, the house address, City of New York, didn't she?

A Yes, sir.

Q Do you remember an occasion when, as you say say, this defendant showed you a telegram and a letter that you remarked, "Well, that is funny, my wife never wrote me while I was in Atlantic City and here she is writing you two letters?"

A No, sir.

THE COURT: Do you think you will be able to go o this evening, Mr. Karlin?

MR. KARLIN: I certainly will not. This is quite exhausting, and I am doing the very best I can.

THE COURT: I consider it is very desirable to have an evening session but I don't want to burden you unduly if you feel it is beyond your ability to do it.

MR. PRESS: Perhaps we could finish with this witness tonight?

MR. KARLIN: If I can I will do it.

THE COURT: I am going to sit until 6 o'clock, but if we could have an evening session I would

order dinner for the jurors now as it takes some time to prepare it.

MR. KARLIN: I certainly would not put anything in the way of anybody if I could.

THE COURT: If you feel that you cannot do it all right.

Q I asked you a few minutes ago if the defendant had said on an accession when Frankie was in her apartments, "Nothing doing", and you said that wasn't so, is that right?

A What date was that? Yes, sir.

Q Any time after your first negotiation, did the defendant say in response to an inquiry whether she did not succeed in getting girls "Nothing doing"?

A "Nothing doing"-- no, sir.

Q To Frankie in your presence?

A Yes, sir, "nothing doing", Frankie Fuller said it to me, but not Belle Moore to her.

Q Not Belle Moore?

A No, sir.

Q Well, didn't you testify on your direct examination substantially as follows "April 19th, at 348 West 41st street at a time when you were with Frankie Fuller between the hours of 10 and 11 in the evening when Frankie was in the parlor Belle Moore said "nothing doing". The weather is awful".

MR. PRESS: I object to that.

There was no meeting of Belle Moore and Frankie Fuller on the 19th at Belle Moore's apartment. There is no such testimony. The 18th was the last date.

Objection sustained; exception.

Q Was there such a conversation had on the 18th?

A No, sir.

MR. KARLIN: Can I have the stenographer read the direct examination to show that this witness did say that?

THE COURT: The jury will recollect it.

Q Was it after that night that the plan was conceived that rankle Fuller should establish an outpost at Atlantic City?

MR. PRESS: I object to that if your Honor please.

THE COURT: Objection sustained.

Q Was it after that night when the defendant said there was "nothing doing" that the witness Frankie Fuller went to Atlantic City?

A MR. PRESS: I object to that.

THE COURT: Objection sustained, because it assumes something not in evidence.

Q Was it after a conversation was had on April 18th

when Belle Moore said something to ***Frankie Fuller in your presence, was it after that that Frankie Fuller went to Atlantic City?

A Frankie Fuller went to Atlantic City on the 19th.

Q The day after the 18th?

A Yes, sir.

Q And on the 18th Frankie Fuller and yourself and this defendant had been at the defendant's apartment?

A Yes, sir.

Q Did I get you correctly as testifying as follows: That on the occasion that you say when you turned over to the defendant the sum of \$120 you delivered yourself substantially of these words to Amy Jackson, that you said, "Here, I said I want you to know that I gave her \$120, so you can tell Madam Frankie". Did you say that to Amy Jackson?

A I said more than that

MR. PRESS: State what you did say.

Tell us all that you said to Amy Jackson.

A I said to Amy Jackson "Amy, I want you to see that I am counting out \$120, see it is \$120 which I give to Belle Moore for these two girls in there in the other room, and I want you to know and to see that I have given this to Belle so you can tell Frankie where the money has gone to, that she will know.

Q You said that, I take it, for the purpose of having

her testify here?

Objected to; objection sustained; exception.

Q Did you do that for the purpose of drilling her sufficiently to give testimony here?

Objected to; objection sustained; exception.

Q What was our purpose in telling that to Amy Jackson?

A My purpose was to bring out distinctly why I was paying the money to Belle Moore.

Q So that it could be used in court?

Objected to; objection sustained;

Q The reason you wanted it brought out, based upon the experience you had in thousands of trials as a witness--

Objected to; objection sustained.

Q You had more than \$90 in your pocket; didn't you?

Objected to; objection overruled.

Q Did you have more than \$90?

A Yes, sir.

Q How much did you have with you?

A About \$102.80***.

Q On Tuesday the 26th you met for the first time which one of the two girls Alice Milton or Belle Woods?

A Alice Milton.

Q What time of day did you meet her?

A In the afternoon between two and three o'clock.

Q About what time?

A Between two and three o'clock.

Q You are ready to swear, are you, that this defendant

'phoned you?

A Yes, sir.

Q To come up to her house?

A Yes, sir.

Q You had not spoken to her over the telephone, before that day, had you?

A No, sir.

Q The first time you ever spoke a word over the telephone to this defendant was on the 26th day of April, wasn't it?

A Yes, sir.

Q Yet you were willing to swear, without hesitation, that it was her voice that you heard over the telephone, that day?

A Yes, sir.

Q You never have any difficulty in recognizing voices over the telephone?

A Yes, sir.

Q You do have difficulty?

A At times, yes, sir.

Q But when it becomes necessary to swear in a court the difficult subsequently disappears, don't it?

Objected to; objection sustained.

Q You had difficult in recognizing voices of persons who had spoken to you on a good many occasions, didn't you?

A Some are hard to recognize especially if they don't say their names.

Q But Belle Moore's voice is a delightfully easy one to recognize over the telephone?

A Yes, sir.

Q Then of course having received the telephone message you got to the apartment of Belle Moore?

A Yes, sir.

Alice

Q Now Milton Is introduced to you?

A Yes, sir.

Q That is all that happened, she is introduced to you?

A No, sir; not all that happened.

Q Well what else do you say happened?

A Well, Belle Moore asked me how I liked her.

Q The first thing she said, "How do you like her"?

A Yes, sir; sure.

Q The first thing?

A Yes, sir; she introduced me "How do you like her, do you think she will do". I asked the girl how much she weighed and she said 100 pounds. Belle Moore then said to Alice Milton to pull up her skirts and she showed me her legs.

Q Did that shock you?

Objected to; objection sustained.

Q For the purpose of your work as a special investigator will you kindly tell us what difference it was whether the girls weighed 100 or 300 pounds?

Objected to.

A Yes, sir.

Q Proceed.

A We were supposed to pay \$125 the entire fare from here to Seattle for the girl, and it surely would not pay us to pay that amount for a 300 pounder, as you say, when we wanted 100 pounds and good lookers.

Q You never were supposed to pay anything for anybody

body to go Seattle?

A No, sir; but that was our story.

Q Your story, it was never intended in truth and fact, that anybody should go to Seattle, was it?

A No, sir.

Q You never intended that any girl should lead a life of prostitution in Seattle, Washington, did you?

A No, sir.

BY THE COURT:

Q When you say it was never intended, you mean you never intended, and that the woman who was with you, Frankie never intended that as far as you know?

A Yes, sir; that is what I mean.

BY MR. KARLIN:

Q So that if you got Alive Milton and Belle Woods there it was not your intention that they should go to Seattle, Washington?

A No, sir.

Q It was never your intention that they should lead lives of prostitution there?

A No, sir.

Q Or anywhere's else as far as you were concerned?

A No, sir.

Q That was part of your campaign to entrap this defendant, to say it was your purpose, wasn't it?

Objected to; objection sustained; exception.

Q When you told this defendant that you did intend that

these two girls should go to houses of prostitution in Seattle, you told her that this was not the truth, didn't you?

MR. PRESS: Objected to.

THE COURT: I will allow him to answer yes or no

A Yes, sir.

Q I take it that in the course of your work as a special investigator you have learned to have a high regard for the truth?

Objected to; objection sustained.

Q You have had occasion, any how, haven't you, Miller, in the course of your work to lie pretty pretty thoroughly?

Objected to; objection sustained; exception.

Q You have had occasion to deceive people in order to get what you call evidence pretty often, haven't you?

MR. PRESS: I object to that.

THE COURT: I will allow him to answer yes or no.

A Yes, sir.

Q You did it that you might make a living of a certain sort, didn't you?

MR. PRESS: I object to that, if your Honor Please, as to what he did it for.

THE COURT: Objection sustained.

Q You felt that you are more fitted for that kind of work of deception than you were for honest work, on a farm or a cattle ranch?

Objected to; objection sustained.

Q Now we are at the Belle Moore apartment, on the 26th of April, and you there met Alice Milton. How long did you stay at Belle Moore's apartment on that day, Mr. Miller?

A About an hour.

Q During part of that time you conversed with Alice*** Milton alone, didn't you?

A No, sir.

Q You don't say that during every minute of this hour Belle Moore was present as you were speaking to Alice Milton, do you?

A Yes, sir.

Q Who else was in the apartment at that time?

A Annie Young.

Q In the same room with you?

A No, sir, in the kitchen, in the back room with some colored men.

Q The door open?

A The curtains were drawn.

Q The room that you were in -- wasn't it the room next to where she was?

A No, sir.

Q You couldn't tell what room she was in if the curtains were there, could you?

A The curtains between the parlor and the first bedroom -- but the next room.

Q You made an appointment on that Tuesday to meet Alice Milton at Mrs. palmer's house of Prostitution at 137 West 41st street, didn't you?

A No, sir.

Q When you left Alice Milton there -- who left first you or Alice Milton?

A I did.

Q Answer the question yes or -- hadn't it been understood before you left the apartment of Belle Moore on that Tuesday that you should meet Alice Milton at Mrs. Palmer's house of prostitution on that evening, yes or no?

MR. PRESS: I object, if your Honor please to the form of the question. If he will state with whom he had the understanding I won't object, but this is a general question "Was there an understanding"?

BY THE COURT:

Q Was there anything said about that between you and anybody there?

A Yes, sir, there was.

BY MR. KARLIN:

Q Well, as a result of anything that was said, you, in pursuance to an appointment, met Alice Milton at Mrs. Palmer's house at 1367 West 41st street?

A Belle Moore and Alice Milton made arrangements with me to go there and see the other girl.

Q The reason you you answered that way is to connect

Belle Moore just a little more with the appointment, don't you?

Objected to; objection sustained; e***crption.

Q At any rate no matter what was said you left that house with an appointment to meet Alice Milton at Mrs. Palmer's house at 137 West 41st street?

A Yes, sir.

Q That evening you did meet her there, didn't you?

A Yes, sir.

Q Didn't Alice Milton give you a card that day?

A No, sir.

Q Did you ever see one of the cards of Mrs. Palmer's house of 137 West 41st street?

A Yes, sir.

Q You got one from somebody, didn't you?

A Yes, sir.

Q From Alice Milton?

A No, sir.

Q From whom?

A From Billy Downey.

Q When did you get such a card from Billy Downey?

A Some weeks previous.;

Q Some weeks previous to what?

A To this occasion.

Q To April 26th?

A Yes, sir.

Q Won't you tell me who Billy Downey is, if your please?

MR. PRESS: I object to that if your Honor please.

MR. KARLIN: This is getting at a point of some importance.

THE COURT: Objection sustained; exception.

Q Where did you meet this Billy Downey?

MR. PRESS: I object to that as immaterial and irrelevant
Objection sustained.

THE COURT: Do you go into that at all.

Q After you got the card from Billy Downey you went to this house at 137 41st street, didn't you?

A After that, Yes, sir.

Q When after that?

A Well, the 26th day of April.

Q Before that, didn't you?

A No, sir.

Q You say that the first time you ever were in 137 West 41st street was on the 26th day of April?

A Yes, sir.

Q Where did you meet this Billy Downey?

MR. PRESS: I object to that.

THE COURT: Objection sustained. I told you, counsel, we were not going into that.

Q You got the card for a purpose, didn't you?

MR. PRESS: I object to that, if your Honor please.

THE COURT: Objection sustained.

Q Didn't you think you could get some evidence as the result of Billy Downey giving you that card?

Objected to; objection sustained.

MR. PRESS: We are having speeches again.

THE COURT: Something else now counsellor.

Q Now how long did you stay in Mrs. Palmer's house on the evening of April 26th?

A About 20 minutes.

Q Did you stay longer than 20 minutes -- didn't you?

A No, sir.

Q What time did you get there?

A 6.15 in the evening.

Q Timed yourself?

A I had an appointment at that time, told me to be there at 6.15 sharp.

Q Who told you that?

A Belle Moore and Alice Milton.

Q Did you tell us anything in your direct examination about 6.15?

A No, sir.

Q You were told on your direct -- you were asked on your direct examination to give all the conversation, weren't you, yes or no?

A You are speaking about --

Q Yes or no. You were asked on your direct examination to give all the conversation that occurred in the apartment of the defendant on the 26th day of April, yes or no. You were asked to do that by Mr. press?

A Yes, sir.

Q Any how you got there at 6.15, keeping your

appointment scrupulously, when did you leave?

A Five minutes after 6.30, 35 minutes after six.

Q Just stayed exactly 20 minutes?

A Yes, sir.

Q When you got there who admitted you?

A A colored maid.

Q Upstairs or downstairs?

A On the first floor.

Q Up the stoop?

A Yes, sir.

THE COURT: What has this got to do with the case?

MR. KARLIN: If the Court please this is of the utmost importance because I am trying to show by this witness that he and not this defendant did the procuring on that night.

Q Well you were admitted into the parlor, were you?

A Yes, sir.

Q Mrs. Palmer's is the house of prostitution, isn't it?

A I presume so, yes, sir.

Q Do you only say that you presume, that it is a house of prostitution, you want to be fair to this defendant?

THE COURT: Ask a question now.

Q Do you want to be fair to this defendant?

Objected to; objection sustained.

Q Do you say that you only presume that Mrs. Palmer has a house of prostitution at 137 West 41st street?

A Why its reputation is as such -- I have never seen any prostitution going on there, and I could not swear to it.

Q In the 20 minutes you were in the house that had the reputation of being a house of prostitution you, with your experience only say you presume it was a house of prostitution, is that it?

Objected to; objection sustained.

THE COURT: Just ask a question.

Q Will you swear upon your oath Mr. Miller that you don't of your own knowledge --

MR. PRESS: I object to that, the gentleman knows he is under oath.

MR. KARLIN: He seems not to.

MR. PRESS: I ask that that be stricken out.

Q A House of prostitution at 137 West 41st street?

THE COURT: The question is objected to as to form, and the objection is sustained.

Q Do you say that you did not know that Mrs. Palmer has a house of prostitution at 137 West 41st street in this Borough and City?

THE COURT: I will allow that question.

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A No, sir.

Q You don't know?

A No, sir.

THE COURT: He has answered.

Q You lived across the street at the Hotel Albany since February 23rd, you don't know?

THE COURT: He has answered your question.

Q Did you live across the street for about two months at 41st street and Broadway directly opposite Mrs. Palmers*** place at 137 West 41st street?

A At the Albany Hotel, yes, sir.

Q That is directly opposite Mrs. Palmer's house?

A No, sir.

Q Don't you know that it is what is known as a cab house in sporting circles?

MR. PRESS: Do you know?

A No, sir.

Q Have you ever had a cab when you had gone around town looking for sport bring you to Mrs. Palmer's place?

Objected to; objection sustained; exception.

Q Do you now state sitting in the witness chair that in the investigations that you have been concerned in that Mrs. Palmer had a house of prostitution there?

A Yes, sir.

Q You do know it now?

A Yes, sir.

Q You don't presume now that that is a house of prostitution,

do you?

A No, sir.

Q You presumed it at that time?

A Yes, sir.

Q Is that right?

A Yes, sir.

Q About the time you came into, or a minute or two afterwards, to Mrs. Palmer's house you met Alice Milton?

A Yes, sir.

Q You had some sort of a conversation with her?

A Yes, sir.

Q She introduced you to Belle Woods, did she not?

A Yes, sir.

Q So that the first time in your life that you ever met Belle Woods was through the agency of Alice Milton, isn't that true?

A No, sir.

Q Wasn't the first time that you were introduced to Belle Woods when you were introduced on the evening of April 26 by Alice Milton at the house of Mrs. Palmer?

A Yes, sir.

Q Didn't I ask you that a minute ago?

A No, sir.

THE COURT: Another question now.

Q Did you remain in the parlor with those two girls?

A For a few minutes, yes, sir.

Q About how many minutes?

A About 20 minutes.

Q 20 minutes?

A Yes, sir.

Q Was anybody in the parlor besides the two girls and

yourself?

A No, sir; the maid*** came in and lit the light, that is all.

Q How long did the maid stay to put on the light?

A Just long enough to light it.

Q How long did that take, you were there and I was not?

A Well, I didn't time her.

Q Did you meet a girl by the name of Hannah in Mrs. Palmer's house on the night of April 26th?

A No, sir.

Q Did you meet any other girl besides Alice Milton and Belle Woods on the night of April 26th at Mrs. Palmer's house?

A No, sir.

Q On the night of April 26th did you ask a girl whose name is Hannah to go with you to a house of prostitution in Seattle.*** I am laying the foundation, if the Court please?

MR. PRESS: I object to it on the ground it is immaterial and irrelevant.

MR. KARLIN: I am laying a foundation.

Objection sustained; exception.

Q You say that you spoke to no one of the girls in Mrs. Palmer's house except Alice Milton and Belle Woods?

A That is all, you, sir, and the maid at the door.

Q You spoke about Seattle, didn't you?

A Very little.

Q You didn't speak about the weather, did you?

A I was only there ea short time; they done most of the talking.

Q Did you tell these girls if they went to Seattle that you would see that they would get new suits of clothing?

A No, sir.

Q Did you ever go to a tailor with them?

A No, sir.

Q Did you ever get out suits of clothing that they were having made at the tailors?

A No, sir.

Q Did you ever go with them to any department store, with these two girls, and buy them any suits of clothing?

A No, sir.

Q Did Frankie do it to your knowledge?

A No, sir.

Q Aas a result of the talk that you had with Alice Milton ad Belle Woods on the night of April 26th they did arrange with you to go to Seattle, didn't they?

A No, sir.

Q There wasn't a thigg said about this Seattle proposition upon this night?

A Yes, sir.

Q You left that house that night satisfied that you were getting two girls to go to Seattle?

MR. PRESS: I object to that if your Honor please.

Objection sustained, exception.

Q Did you arrange with those two girls to meet you at the apartment of Belle Moore the next day?

A No, sir.

Q Made no appointment like that with them?

A No, sir.

Q Didn't you go there for the purpose that you might find them and meet them the next day at the house of Belle Moore?

A No, sir.

Q What did you go there for, will you tell me?

A To see that other girls.

Q And make suitable arrangements with them about going to Seattle?

A No, sir.

Q Well this other girl had been told in your presence by Alice Milton that the purpose for which you came there was to make an inspection so that she might go to Seattle -- didn't Alice Milton tell Belle Woods that in your presence?

A No, sir.

Q Now let us get this correct. When you left for the 41st street apartment of the defendant on the afternoon of April 26th you had had some talk whereby Alice Milton was to produce for your critical inspection a girl who like her might go to Seattle?

A THE COURT: Leave out critical. Answer yes or no.

A Yes, sir.

Q Then Belle Woods knew that you came there that night for that purpose, didn't she?

Objected to; objection sustained.

Q Didn't Alice Milton tell Belle Woods that you were there for that purpose?

MR. PRESS: Objected to.

BY THE COURT:

Q Did she say it in your presence?

A No, sir.

BY MR. KARLIN:

Q Didn't you talk with them those 20 minutes about that you could do better for them than they were doing in Mrs. palmer's house?

A No, sir.

Q How long had those girls or either of them been in Mrs. Palmer's house?

MR. PRESS: If you know?

A Yes, sir.

Q How long?

THE COURT: How is that material?

MR. KARLIN: I want to show that this witness was not making an honest investigation.

Objected to.

Objection sustained.

Q Don't you know that these girls had been giving the

earnings of their ***hame to Mrs. Palmer for months long before April 26th?

Objected to; objection sustained.

Q Has Mrs. Palmer ever been arrested since your investigation for conducting a house of prostitution?

Objected to; objection sustained; exception.

Q Mr. Miller, at the time you say that the \$120 was paid - have we got it correct, that there was there present only Amy Jackson, this defendant and yourself?

A Yes, sir.

Q I suppose Mr. Miller you can even remember the denomination of the money?

A No, sir.

Q That you paid to Mrs. Belle Moore, can't you?

A Mostly, but not quite all.

Q How is that?

A I think one 20 and the rest*** in tens.

Q You can remember the denominations pretty well. You have had occasion before in your experience as a special investigator to give money to a defendant for the purpose of entrapping him or her?

MR. PRESS: I object, to that if your Honor please, as immaterial and irrelevant, as to what his custom has been in previous investigations.

Objection overruled; exception.

Q Was this money marked?

A No, sir.

Q Was this marked money?

A No, sir.

Q When was she arrested, the 27th day of April?

MR. PRESS: Do you know.

Q Of your own knowledge, do you know when she was arrested?

A Yes, sir.

Q When was she arrested?

A On Friday, the 3rd of April, I think -- of May.

Q Don't you know from your past experience as a special investigator, in doing special work for the United States Government, that it would have been a fine pi9ece of detective work if this defendant had been entrapped by you with marked money?

Objected to; objection sustained.

Q Didn't the idea of giving this defendant marked money ever appeal to your detective mind?

Objected to; objection sustained.

MR. PRESS: I object to what would appeal to his mind.

Q Do you know where a cafe is that is conducted by a man by the name of William Banks. Do you know where it is?

A Yes, sir.

Q Where is it?

A I am not certain about that, it is on 37th street.

Q What number?

A I don't know, sir.

Q Were you ever there in your life?

A Once.

Q When?

A I don't remember that.

Q Refresh your recollection and tell us whether you can or not -- you remember everything pretty well-- refresh your recollection and tell us when was the first time in your life you had been in the cafe of William Banks on West 37th street?

A I think it was the first night I was out with Alec Anderson.

Q The first night you met Aleck Anderson?

A Not Aleck Anderson but big Steve.

Q The first night you met Big Steve he took you around to meet Aleck Anderson, Aleck Anderson, didn't he?

A Yes, sir.

Q And the first night you met Aleck Anderson was on the 13th?

A Yes, sir.

Q So that upon the 13th day of April, you did go to the cafe of William Banks, did you not?

A Previous to going to Baron Wilkens, yes, sir.

Q You said before the only cafe you had been in that night was Baron Wilkens?

A No, sir.

Q You were misstating that, weren't you?

A No, sir.

Q Now let us see when you first met Steve, he took you to Baron Wilkins, didn't he?

A Yes, sir.

Q And it was at Baron Wilkens what was the first place that Steve took you to -- there you met Aleck Anderson?

A No, sir. I don't think so.

Q You don't like to answer that question, do you?

MR. PRESS: He has answered it.

Q I don't want to mislead you Mr. Miller, but haven't you testified, under your oath, before these 12 men, that the first time you went out with Steve was on the 13th and on that night through the agency of Steve you Aleck Anderson?

Objected to.

THE COURT: The record speaks for itself.

I sustain the objection.

Q Tell me now whether the first place that Steve did not take you to you met Aleck Anderson?

MR. PRESS: I object to that. He says "The first place he didn't take him to". Objection sustained.

Q Do you remember what you have testified to two hours ago?

A Yes, sir.

Q We can get along without that cheerful Western snicker*** of yours Mr. Miller?

MR. PRESS: I object to the comments of counsel.

THE COURT: If you make a remark of that kind again I will punish you for contempt of court.

MR. KARLIN: If the Court please we ask your Honor to admonish this witness not to snicker when counsel for the defendant is examining him.

MR. PRESS: I think that if any admonition be done it is defendant's counsel that ought to be admonished.

THE COURT: The conduct of the witness has been observed by the Court, and has been strictly proper. The remark of counsel was highly improper.

MR. KARLIN: We object to the refusal of your Honor to admonish this witness not to snicker when he is being examined by counsel for the defense.

THE COURT: The Court states for the purpose of the record, that the witness has not done that, and there is not occasion for the admonition.

MR. KARLIN: We except to your refusal to make the admonition as requested, and to your Honor's statement in that connection.

THE COURT: Proceed counsellor.

BY MR. KARLIN:

Q You first went out with Steve on the evening of April 13th, didn't you?

A Yes, sir.

Q About what time?

A I think it was between nine and

ten, possibly later.

Q You went out for purpose that you might meet a certain Aleck Anderson who would show you around the colored sporting institutions?

A No, sir.

Q You did not know who you were going to meet, did you?

A No, sir.

Q You were piloted to Baron Wilken's cafe weren't you?

A Yes, sir.

Q And Baron Wilkes's cafe was the first place you went to that night with Steve?

A No, sir.

Q Didn't you say a minute ago you were piloted to Baron Wilken's cafe?

A Yes, sir.

Q Where did you go first?

A We dropped into several places.

Q Where?

A Three or four saloons, three or four hotels.

Q Tell me where they are?

A Well mostly on 9th avenue and 8th avenue.

Q The names of them?

A I don't know the names of them.

Q How long did all that take place?

A I am not sure.

Q How long?

A I am not sure, I don't know the particular time.

Q You have been telling a times, -- how long did

it take you to go to these three or four places before you met Anderson?

A I presume an hour and a half.

Q What time did you testify in your direct examination you got to Baron Wilken's that night?

A About 11 o'clock.

Q The purpose of your going with Steve was to be piloted to that man who above all men, Aleck Anderson, could lead you around the colored sporting houses?

A Objected to; objection sustained.

Q On your direct examination, did you say that you first went with Steve to several places before you met Anderson at Baron welkin's place, did you?

A No, sir.

Q Did you?

A No, sir.

Q You were asked to state by the District Attorney everything that you did, weren't you?

A No, sir.

MR. WHITMAN: The record speaks for itself your Honor, I object to this.

MR. PRESS: I didn't ask him anything of the kind.

THE COURT: Proceed with another question.

MR. KARLIN: I ask for a ruling on that question.

THE COURT: The witness has answered it in the negative. Ask another question now.

Q Did you meet Aleck Anderson at Banks on the night of the 13th?

A No, sir.

Q How long did you stay at Banks'?

A Just went in, looked around and went out.

Q Have a drink there?

A No, sir.

Q You say, do you, Mr. Miller, that that was the only time in your life that you had ever been in William Banks'?

A Yes, sir.

Q What side of the street in William Banks' on on 37th street?

MR. PRESS: Do you know?

A I am not sure.

MR. KARLIN: I object to Mr. Press all the time interjecting "do you know".

THE COURT: Ask another question now, counsellor.

MR. KARLIN: If the Courts please we object to Mr. Press making that remark all the time.

THE COURT: Just ask another question.

MR. KARLIN: The witness takes care of himself pretty well.

THE COURT: Just ask another question.

Q Do you say that that is the only time in your life

you have ever been in William Banks's?

MR. PRESS: I object to that. He has answered it three or four times.

Q When was the first time in your life you ever heard of Banks' cafe?

MR. RPRESS: I object to that.

Objection sustained; exception.

Q When?

A The 13th of April, 19***.

Q You never heard of it before that time?

A No, sir.

Q When was the first time you went around the colored sporting resorts in New York?

Objected to as immaterial; objection sustained.

Q In your campaign to lead other people into this net --

MR. PRESS: I object to that, on the ground that it is not a question at all, your Honor, but one of the usual speeches.

THE COURT: Ask a proper question, counsellor.

BY MR. KARLIN:

Q In your campaign to get evidence, in the White Slave inquiry, in the course of your employment as a special investigator by the District Attorney?

THE COURT: You may show cause before me tomorrow morning why you should not be punished for contempt.

MR. KARLIN: If the Court please we respectfully except the the remark of your Honor directing counsel for the defense to show cause why he should not be punished for contempt as being of a highly prejudicial nature, and we ask your Honor in view of that statement to permit the withdrawal of a juror.

THE COURT: Motion denied. You have been admonished now several times.

Exception.

MR. KARLIN: We ask your Honor in view of the statement just made by your Honor to declare this a mistrial.

Motion denied; exception.

Q You were engaged to get evidence, weren't you?

A To investigate conditions, yes, sir.

Q And if possible to obtain evidence to show that the white slave traffic was being conducted?

MR. PRESS: I object to that.

Q Isn't that right?

A Yes, sir.

THE COURT: "I will allow him to answer.

Q That was your employment by the District Attorney of the county, isn't that right?

A Yes, sir.

Q Isn't it correct -- and I ask this question with all due respect-- isn't it a fact that that which you were doing was in the course of what you considered a proper campaign in the line of your work?

MR. PRESS: I object to that "campaign" in the question.

Objection sustained.

Q Isn't it a fact that you went around to these different fellows' places for the purpose of doing that work for which you were employed?

A I don't understand that question.

BY THE COURT:

Q In other words your went to these places in connection with your employment?

A Yes, sir.

Q That is it?

A Yes, sir.

MR. KARLIN: May I ask the Court to adjourn now, if your Honor please.

MR. PRESS: I ask that this witness's cross examination be concluded tonight.

MR. KARLIN: I cannot conclude it to night.

MR. PRESS: This cross examination has extended over two hours.

MR. KARLIN: You want to send this defendant away for five years.

MR. PRESS: Now, if your Honor please I do object to any such statement by counsel.

THE COURT: It is a very improper remark.

MR. KARLIN: I object to the District Attorney making the statement that I am using up to much time in cross examination. I am trying to keep within the issues.

THE COURT: I think we will go on for about a half an hour more, counsel, and see if you cannot finish with this witness.

MR. KARIN: If the Court please here is the situation. One of the reasons that I cannot go on, in the first place, is for the reason that I have stated that I am not in very good condition physically and this examination this after noon has not toned me up particularly and further for the whole week or so that I have been confined to my home I have not done any work on the case, and I will require a little time for consolation to night on certain information that has for the first time come to me today. I haven't done any work on the case since I have been confined

to my bed and for that reason I cannot go ahead much further with this witness now.

MR. PRESS: A week ago counsel stated he was absolutely ready to go ahead with the trial and said that the District Attorney should be compelled to proceed.

MR. KARLIN: Counsel was in better condition then.

The COURT: I am loath to force counsel on upon his statement that he is not feeling sufficiently well to proceed. I regret that he is not able to, and I am willing to take his statement.

Gentlemen of the jury you are admonished no to converse among yourselves on any subject connected with this case, and not to form or express any opinion thereon until the same is submitted to you. Now this is not a formal admonition. I mean precisely what I have said. The Court will stand adjourned until tomorrow morning at 10 o'clock. Adjourned to Thursday morning, May 19, at 10 a.m.

PEOPLE AGAINST BELLS MOORE.

New York City, May 19, 1910.

(The Court meets pursuant to adjournment)

THE COURT: Mr. Press, how long will this case take?

MR. PRESS: I should imagine if the cross examination of witnesses is as lengthy as it was yesterday, I cannot stat. The People ought to put their case in in about two hours.

THE COURT: Mr. Karlin, have you any idea how long the defense will take.

MR. KARLIN: The defense will take about two days.

THE COURT: We will sit in this case to-day until half past one. Then take a recess from half past one until two; then sit from 2o'clock until half past six, and from quarter of eight on.

MR. KARLIN: At this time, may I make a motion on the record?

THE COURT: The Jury will first be called.

(The jury was thereupon called)

THE COURT: Now, the first thing will be for you to

show cause why you should not be punished for contempt.

MR. KARLIN: If your Honor please, pursuant to your direction to show cause why I should not be punished for contempt, I desire first to say that the more requirements at this time in the progress of this trial, a very important trial, that I should show cause why I should not be punished for contempt, in the judgment of counsel, operates to the prejudice of the defendant and the rights of the defendant, and, before I proceed to make any explanation, I renew the motion made yesterday, and at this time ask that this case be declared a mis-trial.

THE COURT: Before I hear you upon any proposition at all, you show cause why you should not be punished.

MR. KARLIN: We respectfully except to that remark of your Honor.

MR. KARLIN: Now, if your Honor please, I feel that, having appeared before your Honor on many occasions, that your Honor will bear with me when I say that I would be the last person in the world to be guilty of any intentional or willful contempt of court, or do anything that might by any stretch amount to it. If the court please the counsel for the defense felt when he asked the question last night, which your

Honor regarded as being a sufficient reason for counsel to show cause why he should not be punished for contempt, that he was within his legal rights in asking that question, and that he asked it in the performance of his solemn duty to this defendant, who is now on trial for her liberty; and counsel feels, with all due respect to your Honor that he did not then know of any, or intend in any way any contempt of court. Counsel thought that he was within his legal rights and I thought I would be negligent in my duty to this defendant if he had not questioned as he did.

If the Court please, your Honor knows that the defendant's counsel in a case of this kind, is under a great strain. The work is arduous and exacting, and, perhaps, in the heat and combat, counsel sometimes does make a remark that perhaps does not accord entirely with the Court's conception of the duty that counsel owes his client. I believed that from your Honor's knowledge of myself, appearing as I have before you, that your Honor can believe that I at no time did intend to commit any contempt. However, if your Honor thinks that I have, I can only say that I am here in answer and ready to receive such punishment as your Honor directs, if your Honor feels that the circumstances warrant it.

THE COURT: Alexander Karlin, you are an Attorney and Counsellor at Law, and, as such, you are an officer of the Court. You have been for some years in the active practice of your profession and are therefore, and attorney of some experience. On the Cross examination of the witness Miller, you had the right to put to him any question, proper in form, relating to matters testified to by him on his direct examination, and any question proper in form to test his accuracy or credibility, and also to ask any questions within such limits as the court in the exercise of its discretion might permit so as to bring out any facts pointing to the disgrace or discredit of the witness.

You have the right to ask leading questions, but under the guise of questions, you could not make statements or comments or characterizations forming no part of the query put. This you did more than once, and after you had been warned and your attention called to the matter and you were asked by the court to desist.

That remark which led the court to direct that you should show cause this morning why you should not be punished as for a contempt of court was not a question put by you to the witness Miller, It was a statement

made by you in court.

It is not possible for counsel to be too earnest in the discharge of his duty or too zealous in doing everything which the law permits him to safeguard the interests of his clients. But the purpose of a trial is to arrive at the truth, to ascertain what the facts are and it is the duty of counsel to aid by the putting of questions, to witnesses, in the ascertainment of what the facts are. I am disposed to make some allowance for you and for what you did arising from the circumstance that it is conceivable that you were laboring under some excitement, and also that it is conceivable, that, as you stated yourself, you were not feeling perfectly well or strong.

I think I can be fairly characterized as a reasonably patient Judge. I think it can be fairly said that I am disposed to make as much allowance as possible during a trial to counsel as any Judge that sits in this court or any other court of record. It is not so very long ago that I myself was a practitioner at the bar. But there is not a judge sitting that is more firmly determined to maintain the dignity of the Court than I am; and there is no judge sitting that would punish more swiftly more certainly, and more drastic

a contempt of myself then myself. If I considered upon reflection that there had been a wilful contempt of court, the punishment would be certain, and it would be sufficient to vindicate the dignity of the Court and calculated to prevent a recurrence of the incident.

I have made up my mind not to act hastily in your case. I propose to think the matter over carefully, and I shall dispose of the question as to whether you are to be punished or not at the conclusion of the trial.

Now, Gentlemen of the Jury, I have a word to say to you, and I say it to you without any hesitation, and I say it in entire confidence that you will entertain precisely what is meant. The incident between counsel and the court occurring in your presence and during the progress of this trial is to be absolutely banished from the minds of each one of you twelve men, if this case goes to you for deliberation by you in the jury room. It is not to be the subject of thought for any one of you, and still less the subject of comment, and it is not to have the slightest weight with you in determining what verdict you shall render in this case, in the event that the case is sent to you to determine what the verdict shall be.

THE COURT: Now, the trial will proceed.

MR. KARLIN: May I renew the motion made yesterday that in view of the statements then made requiring counsel to show cause why he should not be punished for contempt, and the statements made by your Honor this morning, we respectfully ask that this trial be now declared a mis-trial.

THE COURT: Motion denied.

MR. KARLIN: Exception.

MR. KARLIN: We ask that at this time a juror be withdrawn from the further consideration of the case.

THE COURT: Denied.

MR. KARLIN: Exception.

MR. KARLIN: May I for the purpose of the record make this motion. While the matter of court's sittings is entirely within the discretion of your Honor, may I record upon this record, the exception of the defense to having the trial continued to-day at the hours you designated, upon these grounds: First, that counsel for the defendant feels in no physical condition and does not feel that he can do his duty either to the defendant or to himself if he is required to proceed with the trial to-day at the hours designated by the Court. Yesterday for the first time in nine days, counsel for the defendant came from his sick bed against

his doctor's positive orders: Further, that if the trial progresses during the hours designated by your Honor, the counsel for the defense cannot adequately discharge his duty in defending the issues involved here, because your Honor knows that in addition to the hours required in court, counsel requires time outside to interview witnesses; to go over the testimony as it develops during the day, to map out certain lines of inquiry, and if the trial takes place at those hours, counsel feels that he cannot do justice either to the defendant or himself. Counsel further feels that if the jury is required to sit so long hours that your Honor designated, they cannot give that attention to the evidence as it throws all day long during those hours that they could if they were permitted to go home in the evening to their families and come back refreshed the next day. For those reasons, the defense respectfully excepts to the hours designated by your Honor as being the sitting to-day.

I may say further, as to tomorrow, this: I had arranged under my doctor's orders to go to Atlantic City over Saturday and Sunday, and if your Honor has the sittings indicated, I ask now that tomorrow there be an adjournment at some reasonable hour in order that I may permit myself to get the recuperation which my

physical condition imperatively demands.

THE COURT: In this case, you are in association with another attorney. This defendant is not represented by one attorney alone. This defendant has retained a firm of attorneys, both of whom have been actually present during portions of the trial one of whom, other than yourself, has been present in court in connection with certain preliminary applications. I trust that the trial may be concluded to-day. We will proceed.

MR. KARLIN: May I make this further motion? If your Honor please, in view of the statement made on the 2nd day of May, upon the arraignment of this defendant, by Mr. Press, the Assistant District Attorney, of this County, that this defendant would be charged, among other things, ---that statement being made in the presence of some of the gentlemen in the jury box--- among other things that this defendant would be charged with harboring an eleven year old girl for the purpose of prostitution, and he stated among other things that there might be an additional charge of kidnapping or murder against this defendant; and in view of the facts that public press of this city has said that through the statements of this witness George A. Miller, it appears that this defendant did harbor an eleven

year old girl and that this defendant was concerned in her disappearance, that your Honor permit me, as counsel for the defendant in the discharge of my duties in her behalf, that, should George Miler take the stand again, that I be permitted to interrogate him fully and exhaustively as to whether or not on any occasion when he visited the defendant, at the home of the defendant, he found the eleven year old girl by the name of Helen Hastings.

THE COURT: The examination will be conducted in the ordinary and usual way. When you put the questions the court will rule whether the question is or is not proper.

MR. KARLIN: Thank you.

GEORGE A. MILLER resumes the stand.

CORSS EXAMINATION CONTINUED BY MR. KARLIN:

Q Mr. Miller, do you know the meaning of the word graft as used in the colloquial sense?

Objected to. Sustained. Exception.

THE COURT: Confine yourself to the issues.

Q Were you charged in the City of Seattle, when you were connected in your employment as an investigator in the anti-saloon league with grafting?

Objected to. Sustained. Exception.

Q When you left the anti saloon league in Seattle, you had not entirely completed your work?

A Yes, sir.

Q Who went out of business, the saloon keepers or the anti-saloon league?

Objected to. Sustained. Exception.

Q Had your work in the Indian Department, Department of the Interior been completed at the time you left?

Objected to. Sustained. Exception.

Q Were you discharged on the Indian service of the department of Interior?

A No sir.

Q You left of your own accord?

A With a furlough.

Q Are you still on that furlough?

A Yes, sir.

Q Now long was your furlough to last.

Object to. Sustained.

Q Have you ever been in Reno Nevada?

A No sir.

Q Ever been in jail as a prisoner?

MR. PRESS: I object if your Honor please.

THE COURT: As him if he was ever been convicted of crime. You may do that.

Q Have you ever been convicted of any crime Mr. Miller?

A No sir.

Q Now coming again to 348 West 41st Street, with the date, I believe, April 19th. On your direct examination

yesterday, you said, did you not, that this defendant showed you a letter which she received from Frankie?

A No sir.

Q What then?

A She showed me a letter on the 21st.

Q The 21st, that is it?

A Yes.

Q Wasn't it some day before the 21st or some other day when she showed you a letter she received from Frankie?

A On the 21st of April.

Q On that day this defendant did show you a letter which she said come from Frankied?

A Yes, sir.

Q You read the letter?

A Yes, sir.

Q And you stole the envelope?

A No sir.

Objected to. Sustained.

Q You took away the envelope?

A I did, yes sir.

Q To Mr. Reynolds?

A Yes, sir.

Q And took it away that it might be used as evidence before a jury of twelve men ***ome day?

Objected to. Sustained. Exception.

Q Well you read over the letter as she showed it to you?

A Yes, sir.

Q And didn't you then tell this defendant immediately " I tell you what you do, you write her a letter, and jolly her along, and tell her you have been trying to get girls"?

A No sir.

Q There was no such conversation at all?

A No sir.

Q Well, it is the fact though that after she showed you the letter upon the occasion of your call on the 21st that this defendant did write to Frankie; that is the fact, isn't it?

A I presume so.

Q Do you know from your own knowledge, or did you hear it from any living human being that after this defendant did show you the letter on the 21st that she did answer it, and write to Frankie, in Atlantic City?

A She said she would write.

Q And she said it after she showed you the letter of the 21st?

A Yes, sir.

Q And you urged her to write, didn't you?

A No sir.

Q Wasn't it desirable in the course of your work that she write that letter so that there might be some incriminating statement against her?

Objected to: Sustained. Exception.

Q Did I understand you to say yesterday that on the 17th you were in Percy Brown's saloon with this defendant?

A Yes, sir.

Q Is not that the occasion you speak of that this defendant did excuse herself and not coming back quickly to the saloon, you went across the street to get her?

A Yes, Frankie Fuller asked me to go and bring her back.

Q And you were both anxious because she had not returned?

Objected to. Sustained. Exception.

Q She hadn't returned for some little while, had she?

A Yes sir, I got her.

Q And not having returned you, as Frankie's request, went over to her house, across the street, and brought her back to the saloon?

A Yes sir.

Q And on that occasion, on the 17th in Percy Brown's saloon, didn't Frankie say "well, did you get any girls"? And didn't this defendant say "Nothing doing".

A No sir.

Q Do you remember what you testified to yesterday?

A Yes sir.

Q Your recollection is clear and good?

A Yes sir.

Q And do you swear before these twelve men that you did not tell them yesterday that in Percy Brown's saloon, after the incident detailed here, Frankie Fuller asked her if she got those girls and this defendant replied no.

A Frankie Fully aid that do me?

Q To you?

A Yes sir.

Q In her presence?

A Yes.

Q And Belle Moore's answer was "N", wasn't it?

Mr. PRESS: Objected to.

THE COURT: You have been over that before.

Q What was Belle Moore's answer in Percy Brown's saloon?

A "I had a little one, but she backed out."

Q Sir?

A "I had a little one but she backed out."

Q Well, isn't this true, Mr. Miller, that at that time you saw this defendant, on various occasions that you mentioned here, you always as kedher as to her success in getting girls?

MR. PRESS: I object to it.

THE COURT: I will allow it.

A I asked her, yes.

Q Every time?

A Very near.

Q You were the one that started that conversation as to getting the girls every time?

A No sir.

Q You did ask her?

A At times, yes sir.

Q And she always said she didn't get any?

A Not always.

Q She didn't get any, did she, until the 26th for the first time as you say, isn't that true?

A Yes sir.

Q Miller, coming now to April 27th, when s you testified yesterday you left the house of this defendant with the two girls named here, didn't you then say that this defendant told you you better be very careful in getting out with the girls?

A Belle Moore said that.

Q Yes or no, did you tell her that: be careful now?

A Yes sir.

Q And she told you that she had to give the janitress \$5. so that the white girls might come in there?

A No.

Q That there might be no complaint of white girls coming in?

A Not in those words.

Q What did she say?

A She said she had to give the janitress five dollars to square things.

Q By that she meant getting the white girls in?

Objected to. Sustained.

Q To square what?

MR. PRESS: I object on the ground it is in-proper and has not been testified to by this witness.

BY THE COURT:

Q Do you know what?

A No sir.

BY MR. KARLIN:

Q Well, you had some idea?

Objected to: sustained.

Q What did she tell you she gave the janitress \$5. for?

MR. PRESS: Your Honor, he has stated that before.

MR. KARLIN: Question withdrawn.

Q Didn't you in your examination yesterday, Miller, endeavor to convey the impression by your words to these twelve gentlemen that this defendant said she gave the janitress \$5. in order to overcome the difficulty of getting

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white girls there on that, the 27th of April.

MR. PRESS; Objected to, and particularly to the speeches of counsel.

MR. KARLIN: I object to the statement made by the District Attorney.

THE COURT: Proceed.

Q Well this defendant told you it was necessary to be cautious on the 27th in respect to the white girls, didn't she?

A Yes sir.

Q Miller, when as you say after on o'clock on the early morning hours of April 14th, this defendant had a white girl in her apartment till three o'clock she didn't speak of the necessity of caution because a white girl was coming into that house at that unseemly hour?

Objected to, Sustained. Exception.

MR. KARLIN: Now, if the Court please, I am going---

THE COURT: Ask a question, and I will rule.

Q Miller, did you ever make the declaration that on April 13, on the early morning hours of April 14th, at the house of this defendant you found an eleven year old girl whose name was Helen Hastings?

Objected to. Sustained. Exception.

Q Do you know that the public Press in this City has declared, as coming from you, that on April 13th, on the

early morning hours of April 14th, there was harbored in the house of this defendant a girl by the name of Helen Hastings whose age you declare was eleven years, and who was there for purposes assailed by you?

Objected to: Sustained: exception.

Q What age would you say, in your judgment, the girl was whom you saw at the promises of this defendant on April 13th?

Objected to. Sustained. Exception.

Q Before April 27th, Miller, had you discussed the terms for the white slaves that were to be sold to you by this defendant?

Objected to. Sustained. Exception.

Q Before the 27th day of April, had you discussed with this defendant the terms with relation to her selling to you girls for the purpose that they might by you be put in a house of prostitution?

A Yes sir.

Q What were the terms discussed before April 27th?

A I said on the night of the 13th of April that I would pay her well for them.

Q I mean what figure, any amount?

A No sir.

Q During the progress of these negotiations no amount had been discussed till you had discussed it on the 27th, is that right?

A Yes sir.

Q Well, wasn't it desirable, in your quest for evidence that you should discuss with this defendant a certain amount.
Objected to. Sustained. Exception.

Q When you first came to the office of the District Attorney, in connection with the White Slave investigation, did you pretend that you were a skilled investigator, based on your alleged work with the national emigration commission.
Objected to. Sustained. Exception.

THE COURT: That question was manifestly n improper one, counsel.

Q Well, were you sent for to do this work, or did you apply voluntarily/
Objected to.

THE COURT: I will allow him to answer yes or no.

A I was sent for, yes sir.

Q Is your investigation complete?
Objected to. Sustained.

Q Do you know a person by the name of Harry Levinson, who has been arrested in connection with this work?
A Yes sir.

MR. PRESS: Objected to.

THE COURT: Sustained.

MR. KARLIN: We except.

Q Well, as the sum total of your work have more than this colored defendant, a colored man by the name of Alex Anderson, and a white man named Harry Levinson been arrested -- As a result of your three month's effort, has anything more been done?

Objected to. Sustained. Exception.

Q As you say, on April 27th, you took away two girls, Alice Milton and Belle Woods, and you took them to some house on 16th Street?

A Yes sir.

Q And after that they were also under your surveillance or under the surveillance of the Police authorities of this City?

A I don't know.

Q Did you see them again on the 27th, that night?

A No sir.

Q Well, you communicated the fact to certain authorities in this city that they were there.

Objected to; sustain; exception.

Q Do you know this. Whether after these girls found their way through your influences to the 16th Street house, they went away from there until they were brought under arrest to this building?

Objected to. Sustained. Exception.

Q Isn't the first thing you did after you took them to 16th Street, was to report to the District Attorney you had

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them there.

Objected to. Sustained. Exception.

Q When were the gi8rls first taken to this building.

Objected to. Sustained. Exception.

Q Did you make a written statement concerning your transactions with Belle Moore***

Objected to. Sustained. Exception.

Q Have you refreshed your recollection in testifying here yesterday from any statement you may have a made.

A Yes sir.

Q Before going upon this stand you read over something, refreshed your recollection, didn't you?

A Yes sir.

Q And you read any statement that you made through entirely, didn't you?

A Yes sir.

Q When did you make that statement?

A Which statement, sir?

A ***

Q From which you testified-- from which you yesterday refreshed your recollection before you testified before these twelve gentlemen?

A The statement of the case the District Attorney has.

Q And you read it over before you testified?

A I talked it over, yes sir.

Q Talked it over?

A Yes sir.

Q With whom?

A With Mr. Press.

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Q Mr. Reynolds?

A Mr. Press.

Q And talked over the testimony you were going to give here, didn't you?

A I talked over what I had to give, Yes sir.

Q A long statement this was, wasn't it?

A Rather long, Yes sir.

Q You didn't want to miss any of the details when you testified?

Objected to. Sustained. Exception.

Q Were you afraid to trust to your recollection?

Objected to. Sustained. Exception.

Q Miller, are you at all interested whether Belle Moore goes to Auburn State's Prison or not?

Objected to. Sustained. Exception.

Q Are you at all interested in the outcome of this trial.

Objected to. Sustained.

Q In view of the fact, Mr. Miller, that you have spent at least \$3000. of t his County's money and this case is a result of your detective work, aren't you interested that there be a conviction and this defendant go to Auburn State's Prison?

MR. PRESS: Objected to. And I ask that counsel

be admonished not to make those statements.

Q Didn't you say you spent \$3000. yesterday.

Objected to. Sustained.

MR. PRESS: Your Honor, a false statement has been made.

MR. KARLIN: If the Court please, no false statement has been made.

MR. PRESS: Your Honor he has made a statement that \$25,000. of the County's money---

MR. KARLIN: I said \$3000.

THE COURT: The Jury will recollect the evidence and will disregard the comments of counsel.

Q Didn't I ask you whether it was \$3000. you spent? Let me ask the question this way: Isn't it a fact that you having spent \$300. of somebody's money---

A I am not sure of the amount.

Q Isn't it the fact?

Objected to.

Q Isn't it the fact that having spent, as you swore here yesterday, about \$3000. of somebody's money and this case being a result of the skilled detective work of yours, that you are interested in this defendant going to Auburn*** State's Prison?

Objected to. Sustained. Exception.

Q Didn't you say that Alice Milton and Belle Woods when they came to the house of the defendant had a satchel with them, each of them?

Objected to.

Q Didn't you say that yesterday?

A No sir, I said I tool a dollie and a satchel sway when I left. I presumed they brought it.

Q When either one of those girls or both got to the apartment of Belle Moore, on the 27th, one of them had a satchel, is that right?

A I don't know if they had when they come, they did when they left.

Q When you found yourself on the 27th, in the house of this defendant you there found one of the girls had a satchel?

A It was not a satchel, a little grip.

Q A little grip if you please, Mr. Miller, that is right?

A Yes sir.

Q And the reason she had a little grip was because on the night before, at Mrs. Palmer's house you told her she would have to go with you to Seattle?

Objected to. Sustained. Exception.

Q Didn't you tell either Alice Milton or Belle Woods to have her belongings when she should meet you the next morning at the defendant's house?

A No sir.

Q Well, if you have those Teddy bears, for stage

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effect.

Objected to. Sustained. Exception.

Q Did you ask them to bring a Teddy bear to the house of this defendant the next day?

A No sir.

THE COURT: Is there any further cross examination.

MR. KARLIN: Yes sir.

Q Going back a day, April 26th, and att***acting to your attention what you say was a telephone conversation between you and the defendant, she said on that occasion, didn't she, that you should come right up "I have go the girls here".

A Belle Moore said ever the telephone "I have got the kids, and they are peaches and cream."

Q Peaches and cream?

A Yes sir.

Q She used the words "kids"?

A Yes sir.

Q As a matter of fact, you found only one kid?

A Yes sir.

Q You still say she told you she had the kinds?

A So I stated.

Q She said it, didn't she?

A Yes sir.

Q She also said "peaches and cream"?

A Yes sir.

Q And babies?

A No sir.

Q On some other occasion she said "babies"?

A Yes sir.

Q Well, did I get your correctly, Miller, if I did not please correct me, that on April 27th, when you were in the house of this defendant, she told these two girls, Alice

Milton and Belle Woods, to pick up their skirts or something of that sort, and she remarked at the time "Aint they beaunts".

MR. PRESS: Objects to. There is no such testimony.

MR. KARLIN: I am asking if he so testified.

Q In substance, is not that what happened?

A No sir.

Q What did happen in that regard?

A Nothing of that kind, sir.

Q When you came there on April 27th, she brought the two girls out?

A No sir, they were in bed.

Q And you saw them ?

A Yes sir.

Q And she said something at the time?

A Yes sir.

Q What?

A There they are, aren't they little beauties."

Q Is that right?

A Yes sir.

Q You had seen these little beauties the day before?

A Yes sir.

Q What was the necessity of this defendant telling you they were little babies.

Objected to. Sustained.

Q You had a chance the day before, according to your ascetic ideas, to see whether they were little beauties, or not.

Objected to: Sustained. Exception.

Q Miller, can you tell where you were on Sunday April

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24th.

MR. PRESS: One moment. I object, if your Honor please?

THE COURT: Sustained.

MR. KARLIN: Your Honor sustains taht objection.

THE COURT: Yes.

MR. KARLIN: Exception.

Q Were you at the home of this defendant on April 24th?

A No sir.

Q You have got a purpose in saying no sir, haven't you?

Objected to. Sustained. Exception.

Q Isn't it a fact that you so answered that because that night you slept with this defendant?

A No sir.

Objected to.

THE COURT: I will allow it to stand.

THE COURT: Any further cross examination.

MR. KARLIN: Yes sir.

Q Were you ever in Smith's restaurant, 321 West 41st Street with this defendant?

A I do not know the restaurant.

Q Were you in any restaurant on West 41st Street with this defendant?

A No sir.

Q Well, did you ever sleep with Annie Young, and give her \$5.

A No sir.

Q Do you know Ford's saloon on 6th Avenue?

A No sir.

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Q Never been there?

A I don't know.

Q Ever been in a saloon on 8th Avenue with Alex Anderson?

A I don't remember.

Q And you are now coming to the stage where you don't remember?

Objected to. Sustained. Exception.

Q Isn't this true, that early on April 14, on leaving the house of this defendant at 7 o'clock in the morning, after being in bed with her several hours, you went with Alex Anderson to a place called Ford***saloon on 8th Avenue.

MR. PRESS: I object there is no such testimony.

The presumption is that he has so testified.

THE COURT: Sustained.

Q Do you deny that this is the fact?

A Yes sir.

Q Do you also deny, Mr. Miller, that from there you went to some colored house with him?

A Yes sir.

Q You deny that too?

A Yes sir.

Q I suppose you will also deny that you had a conversation with Steve, the doorman at the Hotel Albany, in which, reciting the events of the evening of April 13th and the early morning hours of April 14th, you said you did not get home until 9 o'clock in the morning and that you had a big head, and had been drinking all night, do you deny that?

A Yes sir.

Q And at no time did you have a conversation of that kind, or in substance, with Steve, at the Hotel Albany?

A No sir.

Q Never?

A No.

Q If he comes here and says you did, he is a liar?

Objected to. Sustained. Exception.

Q Am I right that you did not enter this work because of your interest in reform?

Objected to. sustained. Exception.

Q Don't you know, Mr. Miller, that you got some white girl to bring Alice Milton or Belle Woods, whenever it was, to the home of this defendant, on April 26th?

A No sir.

Q Answer this question, yes or no. Do you know this, that a white girl did bring either Alice Milton or Belle Woods to the home of this defendant on April 26th?

A No.

Q You don't know that?

A No sir, I don't.

THE COURT: Is there anything further.

MR. KARLIN: Yes.

Q Now, see if I have these dates correct, and if I have not, please correct me. Is it correct that on April 13th you were at the home of this defendant?

A Yes sir.

Q And at that time, this professional procurer of 9 years experience didn't get you any girls?

Objected to. Sustained. Exception.

THE COURT: I will not allow you to go over it again counsellor.

Q Isn't it a fact that on the 14th day of April, this professional procurer of 9 years experience couldn't get you any girls.

MR. PRESS: I object.

THE COURT: Sustained. When I have ruled upon an objection to a question, don't ask a precisely similar question; because, if my ruling is incorrect, you have the benefit of your exception.

MR. KARLIN: We respectfully except.

Q Don't it the fact that it was not until April 26th, although you made your negotiations with this defendant, and despite the fact that you bought champagne for this defendant, and despite the fact that you were in her company many times, until the 26th isn't it a fact that *** until that time, you saw no girl whom you say was for sale.

Objected to. Denied. Exception.

THE COURT: Is that all.

MR. KARLIN: Yes sir.

BY MR. PRES:

Q Miller, did you ever see Belle Woods write?

A No sir.

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Q Belle Moore the defendant, I mean?

A Yes sir.

Q Did you ever see her write?

A Yes sir.

Q Will you indicate on that card what she wrote (Handing a card)?

A The top line, sir.

Q The top line, or the two lines?

A (Call to-day, April 17, 1910".

THE COURT: Better have it marked for identification.

MR. PRESS: One moment, please.

Q Where was it written?

A In Percy Brown's Cafe.

Q Who procured the ink and the pen?

A I did.

Q Was it written with your pen?

A Yes sir.

Q And in your presence?

A Yes sir.

MR. PRESS: I offer this card in evidence, if your Honor please in so far as it shown the writing of the defendant: "Call to-day April 17, 1910".

(The card is thereupon handed to Mr. Karlin.)

BY MR. KARLIN:

Q Did you say that is the defendant's writing?

A Yes sir.

Q Did you swear it is in the handwriting of this defendant?

A Yes sir.

MR. PRESS: I offer it in evidence, as a standard of comparison.

THE COURT: Received.

The card was thereupon marked People's Exhibit 4 in evidence.

The said Exhibit reads as follows:

(Call to-day April 17, 1910".

BY MR. KARLIN:

Q Did you say that you saw the defendant write that on that card?

A Yes sir.

Q And you procured the pen and ink?

A Yes sir.

Q And that was part of your purpose of entrapping this defendant?

Objected to. Sustained. Exception.

MR. PRESS: Bring in Alice Milton and Belle Woods.

(The females are thereupon brought into the court room)

BY MR. PRESS:

Q Are these the two girls that were turned over to you by this defendant on the 27th of April 1910?

MR. KARLIN: We object to the statement of the District Attorney.

Q Are those the two girls that ou saw in bed on that occasion April 27, 1910 at the residence of this defendant?

MR. KARLIN: Objected to.

A Yes sir.

Q And the girls with regard to whom you have testified?

A Yes sir.

THE COURT: The names better appear on the record

MR. PRESS: They are Alice Milton and Belle Woods.

Q You have been asked in relation to the conversation that took place on the 27th, in the apartments, between you and Belle Woods in relation to the payment of money?

A Belle Moore.

Q Pardon me. Yes. At the time that conversation took place where were the two girls, Alice Milton and Belle Woods?

A They were in the second bed room back from the parlor.

Q In other words there is a bed room off the parlor?

A Yes sir.

Q And then back of that there is another bed room?

A Yes sir.

Q Now, are there any doors?

A Yes sir.

Q Separating those rooms?

A Yes sir.

Q Was the door leading into the room where the girls were close on that occasion?

A Yes sir.

Objected to: overruled. Exception.

Q Were those girls present at any time during the conversation had between you and Belle Moore on the 27th and

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during which the question of the price was discussed?

A No sir.

BY THE COURT:

Q I did not get answer?

A No sir.

Q They were not present?

A No sir.

MR. PRESS: That is all.

THE COURT: The next witness.

FRANCES M. FOSTER, called as a witness on behalf of the people, testified as follows:

THE COURT: Now Madam, speak up loud so all the jurors can hear you.

DIRECT EXAMINATION BY MR. PRESS:

Q Were you employed on the 13th day of April 1910?

A I was.

Q By whom?

A The District Attorney's office.

Q As what?

A Special investigator.

Q Was the last witness, Mr. Miller, co-operating or working with you?

A He was.

Q During this investigation, by what name have you been known?

A Frankie Fuller.

Q And what was your supposed relationship with him during the investigation?

A I was supposed to be his Madam.

Q Did you ever see the defendant in this case before

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to-day?

A I have.

Q Where did you see her first?

A In an apartment on West 41st Street.

Q When?

A On the night of the 14th of April.

Q At about what hour?

A As near as I can remember about 11 o'clock.

Q By whom were you accompanied on that occasion?

A By Mr. Miller, and a colored man named Alex Anderson.

Q State, if you will, what conversation took place at the apartment of the defendant on the night of the 14th of April 1910.

A I was introduced to Miss Moore as Madam Frankie by Anderson, and she *** hands with me and she said that we were late, very late, that the boys had told her we would be in about 9 o'clock. I apologized because I did not know we were to be there as early as that. She said she had two girls there waiting to see me and not know that I was surely coming, she had let them go. She said that of course I knew how girls were, they wanted to get out and earn money. She also told me that she was not sure I was coming, otherwise she would have kept the girls there for me. At that time, we were asked what we wanted to drink and, because I refused to drink whiskey, which most of the party were going to drink, I took the opportunity to follow Miss Moore into her bed room to give her some money

so she could buy some wine, the only thing I was supposed to be drinking.

MR. KARLIN: We object to that.

THE COURT: Yes, strike that out.

Q Go ahead?

A While talking to Miss Moore in an outside room, which I think he told me was her bed room, I asked her what these two girls were like that she had in *** ** mind, that she had at the house that evening for me. he told me one was about nineteen.

BY MR. KARLIN:

Q Was this conversation with the defendant? In her own room, as you say?

A It was.

BY MR. PRESS:

Q Proceed?

A She told me that one girl was about 19 and very good looking, and one was older, I think she said 22. I told her that where I came from in the West they were in the habit of having older girls, but wanted young girls, and I told her that I was opening a new house in Seattle a so called \$25. house, and that this house, the backer, my backer had---

BY THE COURT:

Q Speak up so every one hears you distinctly.

A My backers had asked me to bring them young girls, simply because the fast women in the West are older women. I even

told Miss Moore that if she could procure me a girl that had never been touched, I would like to have her. I was told that there are girls of that sort to be gotten in New York City.

Q Did you say anything about colored girls?

A I did.

Q What did you say?

A I said I did not want a girl that showed any stain of colored blood, because I was afraid to put her in my house with white girls. I said that colored girls would not do because I was afraid to put them in there because it would make trouble for her.

Q Is that all the conversation that you can recollect took place on the 14th?

A That was all that took place right then.

Q What answer, if any, did Belle Moore give to you on that occasion?

A That she was going out to try and locate the same two girls that she had earlier in the evening.

Q What did she say?

A She said she was going out to locate the kids.

Q How long was she gone?

A I cannot remember exactly, perhaps half an hour.

Q When she returned did you have any conversation with her?

A I did.

Q What did she say to you and what did you say to her?

A When she came back, two girls came in with her and were

introduced to us. I do not remember their names, and I followed Belle into another room to ask her if these two girls were for me. She said no, they were there simply to entertain me. She said that she was not able to locate the two girls who had been there earlier in the evening, but she said she told four or five people who knew them, and if anybody saw them that they would let me know, and for me to be patient and wait a while, which we did.

Q Now, is that all the conversation that took place on the 14th?

A About all, yes.

Q Now, when you were leaving, did she say anything to you about calling up the next day?

A Yes.

Q What did she say?

A When I left Miss Moore that morning, she said that she would call me at 3 o'clock at the Hotel, Whether she had seen the girls in the meantime or not. I would hear from her at 3 o'clock the next afternoon.

Q When did you next see the defendant and where?

A On Saturday, April 16, at her apartments.

Q Who accompanied you on that occasion?

A Mr. Miller.

Q At what hour of the evening did you get there?

A I think it was about half past 9.

Q Now, will you kindly state what conversation took place on that occasion?

A I asked Miss Moore why she hadn't

telephoned me the day before as she promised, and she told me that she hadn't seen the girls so there was no need of telephoning. I asked her if she thought she would see them and she said yes, she felt sure she could within the next day, which would be Saturday. I said at the time that I hadn't said anything about the money for the girls, but of course she understood she would be paid.

MR. KARLIN: Objected to. This witness has now testified that she defendant understood so and so.

MR. PRESS; I will concede that it be stricken out.

Q What did the defendant say to you?

A (No answer.)

BY MR. KARLIN:

Q The defendant you say said that she understood she would be well paid?

A No I said to the defendant that she understood I would pay her well?

BY MR. PRESS:

Q What did she say in reply?

A She said she wasn't worrying about money, and that she knew I would treat her white.

Q Did she at this time say when she would have the girls there?

A Yes.

Q What did she say?

A She said she would try to have them the next afternoon.

Q Did you and she, however, make an appointment?

A

She was to call me up at the Hotel.

Q Did you leave then?

A I did.

Q When did you next see the defendant?

A The next night, Sunday night.

BY THE COURT:

Q That is April 17th?

A April 17th.

BY MR. PRESS:

Q Where?

A As near as I can recollect, Percy Brown Cafe.

Q Did you have a conversation with her at that time?

A Yes a short one.

Q What did she say to you and what did you say to her?

A I asked her why she hadn't called me up and let me know what she was going to do about these girls and she told me that she couldn't get hold of them.

Q She said she seen them in the afternoon. She said if she got them, she would call me. She said it was hard work for her to get them, and I was not very much pleased because I didn't think she had worked hard.

Q What did she say to you?

A She said she tried hard to get the girls, and she would let me know as soon as she got them.

Q Now, when did you next see her?

A The next evening, Monday night.

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Q What day?

A Monday night.

Q The 18th of April 1910?

A 18th of April.

Q Then where did you see her on that occasion?

A I think it was at her apartments.

Q Who accompanied you?

A Mr. Miller.

Q What conversation did you have then?

A I didn't have very much conversation with her that night about the girls. She told me that she thought the old one was trying to back out and that she was influencing the young one, the one she thought would please me; that Seattle was a long way from New York, and perhaps the girls thought that they would get stranded out there, and that it was hard work to get a girl to go as far as Seattle.

Q Did you say anything to her about leaving the City?

A I did.

Q What did you say?

A I told her I had to go away the next day.

Q Did you say where?

A Yes.

Q Just state it?

A I told her I had to go to Atlantic City where I had some girls.

Q And what did she say to you***

A She asked me if I could not wait a day or so, and she would show me around and give me a good time while I stayed in the City. I said no that it was impossible, I had to go to Atlantic City to see

Mr. Dick.

Q When did you next see the defendant?

A Tuesday, April 19th, at 12 o'clock. At noon.

Q Where?

A In my apartment at the Albany Hotel.

Q Had you invited her to come there?

A I had previously, but she came unexpectedly at this time.

Q Was she there by arrangement on your part?

A No.

Q At what hour of the day did she get there?

A About 12 o'clock noon.

Q Was she accompanied by any one?

A Yes sir.

Q Do you know the name of the party who accompanied her?

A Yes, a girl named Sal.

Q (By the court) What is the name?

A Sal.

BY MR. PRESS:

Q What was said and done on that occasion?

A I was a little surprised to see them. I had my hair dressed and the hair dresser had just left, and I was just ready for my bath. I went on the took it. I then ordered my breakfast and asked the two girls what they would have to eat with me. I don't think Miss Moore took anything. I think a cup of coffee, but I aint sure what she had. Sal did have some chops, or something like that, and I had my usual breakfast of grapefruit.

BY THE COURT:

Q Do I understand you that there were two girls?

A No, I speak of Miss Moore as a girl.

BY MR. PRESS:

Q Had you any conversation on that occasion with the defendant?

A A little, yes.

Q What did she say to you and what did you say to her?

A Miss Moore said she had been up all night, was very tired and had tried to get girls and could not get them. She seemed very disappointed.

MR. KARLIN: We object to that.

THE COURT: Strike it out.

Q Just what she said, if you please?

A I can't remember her exact words what she said. She seemed*** disappointed.

MR. KARLIN: Objected to.

THE COURT: Strike it out.

Q Did she say she could not get the girls?

MR. KARLIN: Objected to.

THE COURT: Sustained.

Q Can you recollect approximately what the conversation was we don't want the exact words?

A Yes.

Q Give us it?

A Belle said that she was sorry that she could not get these two girls for me, because she knew I wanted them. She said she had tried very hard; and I was a little more gracious to her than the night before,

because I thought perhaps she had tried. At the same time, I wanted her to go on trying.

Q Now long did she remain at your Hotel?

A She and her friend Sal.

MR. KARLIN: I object to the statement "She and her f***iend Sal".

Q Well, the girl who accompanied her. How long did Sal and the woman, the defendant, remain at the hotel with you?

A Miss Moor stayed perhaps an hour, may be not as long as that , and then she said she was tired, and she would go home.

Q Did Sal remain the entire time?

A Yes, and longer***

Q Did Sal leave the Hotel alone or with this defendant?

A Alone.

Q Before or after the defendant?

A After the defendant, yes sir.

Q Did you say to her anything, to the defendant, about going to Atlantic City on that occasion?

A I did.

Q Just state it?

A I told her I was going to Atlantic City that Afternoon and that I would write her from there, for her to keep a look out for me, and if she say any girls that she thought I would like, to let me know.

Q Did she leave then?

A She left.

Q Now, while you were in Atlantic City did you write a

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letter to this defendant?

A Yes, I wrote a letter to her, the next day, on Wednesday.

Q I show you People's Exhibit---

THE COURT: That is April 20th.

MR. PRESS: Yes.

Q I show you People's Exhibits land 2 for identification, and ask you if that is the letter and envelope containing the letter you sent to this defendant?

A Yes, that is the letter I sent her.

Q When did you mail that?

A On Wednesday afternoon, April 20th.

Q Where?

A In Atlantic City, in the Post Office; I put a special delivery stamp on it.

MR. PRESS: I offer this letter and envelope known as People's Exhibits 1 and 2 for identification, in evidence.

(The said papers were there upon shown to the counsel for the defendant)

THE COURT: Received.

The letter was thereupon marked People's Exhibit 1 in evidence.

The envelope was thereupon marked People's Exhibit 2 in evidence.

(Mr. Press thereupon read People's Exhibit 1 to)

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the Jury, as follows:

Atlantic City, April 20, 1910.

Dear Belle:

Since coming down here and looking over the situation, I find that I want one more.

Will see if you can get that particular one you like so well and you say I'd like her.

If you will get her to promise, I will go up for the night and bring her back with me.

I cannot spend much more time, and as time is money to me, I will make it well worth your while, if you will get in and dig for me.

The girls are getting tired hanging round and want to be on their way. You can't blame them.

Write me right off and see what you can do.

If your letter reaches me before Friday afternoon send it to

Mrs. G. A. Morris,

General Delivery,

Atlantic City, N.J.

If you think it won't get here in time, send it to Mrs. G. A. Morris,

General Delivery,

Philadelphia, Pa.

Be a good old sport now Belle and see what you can do for me.")

Mr. Press thereupon read People's Exhibit 2 to the Jury: follows:

Miss Belle Moore,

West 41st Street,

New York City."

BY MR. PRESS:

Q To whom did you refer when you said the girls were getting tired hanging round and want to be on their way?

A I referred to two girls that I had helped buy from Harry Levinson.

MR. KARLIN: I object to that statement.

THE COURT: Objection sustained.

Q You referred to two girls then, did you, who were then in Atlantic City?

A Yes, in my custody.

Q And was it because of these girls that you went to Atlantic City?

A It was.

THE COURT: I think, Mr. Press, that I am disposed to strike out this testimony, and we won't go into the girls she had in Atlantic City. If I allow it on the direct, it opens the door. I strike it out and gentlemen of the Jury you are instructed to disregard it.

Q Did you receive a letter through the mail purporting to come from the defendant?

A I did.

MR. KARLIN: I object to the statement of the District Attorney "Purporting to come from the defendant".

THE COURT: Sustained. Strike it out.

Q Did you receive that letter through the mail (Handing witness a letter and envelope)?

A I did.

BY THE COURT:

Q Was the letter enclosed in that envelope?

A Yes.

MR. KARLIN: The defense will concede that the letter is in the handwriting of this defendant, without looking at it.

MR. PRESS: Very well. I offer them in evidence.

The said envelope was thereupon marked People Exhibit it 5in evidence.

The said letter was thereupon marked People's Exhibit 6 in evidence.

The envelope was thereupon read to the Jury by Mr. Press. It is as follows:

"Mrs. G. A. Morris,

General Delivery, P.O.

Atlantic City, N. J."

MR. PRESS: On the back is "If not delivered

return to 348 West 41st Street."

People's Exhibit 6 was thereupon read to the Jury by Mr. Press. It reads as follows:

"New York City, Ap. 21, 1901.

Dear Frank:

Your letter was received this morning and am going out to-night and try and locate you some one as this other party don't want to go. I have one little girl that is just 19 and very good looking and can give you a decided answer just what to do not later than Saturday morning and don't leave there until you hear from me which will send you a definite answer at once so stick one day longer I think you will get just what you want. You can depend on me.

From

Belle."

BY MR. PRESS:

Q Now, did you reply to that letter?

A I did.

Q How did you reply to it?

A I sent her a telegram.

Q Is that the telegram or a copy of the telegram (Handing witness a telegram?)

A Yes.

THE COURT: That is People's Exhibit 3 for identification.

MR. PRESS: If there is no objection, Mr. Karlin, I pffer this in evidence.

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MR. KARLIN: No objection.

The said telegram was thereupon marked People's Exhibit 3 in evidence.

Mr. Press thereupon read People's Exhibit 3 to the Jury. It is as follows:

"Atlantic City, N.J. Apr. 22, 1910.

Miss Belle Moore,

Will stick here over Sunday. Glad to hear your news. Address Gen. Delivery. Frank."

BY MR. PRESS:

Q Did you at any time after the 19th have any conversation or interview with the defendant?

A No.

BY THE COURT:

Q You mean to say that on April 19th, in the Hotel, was the last time you had any talk with the defendant?

A Yes, your Honor.

CROSS EXAMINATION BY MR. KARLIN:

Q Miss or Mrs.

A Mrs. Foster.

Q You have been married how long, Mrs. Foster?

A I have been married since 1900.

Q And are you living with your husband now?

A I am not.

Q Is he alive?

A I don't know.

Q Divorced from him?

A I am not.

Q When did you leave him?

A About a year ago.

Q By any decree or separation of any court?

A By any court?

Q Yes? Was there a judgment of separation by any court?

A There was not.

Q Did he leave you or did you leave him?

A I left him.

THE COURT: Something else now, counsellor.

MR. KARLIN: We object if the court please, to limiting the counsel for the defendant on the inquiry whether this witness is living with her husband or the cause of the separation.

THE COURT: Proceed.

Q Will you kindly tell us where it was you lived with your husband? What City?

MR. PRESS: I object. How is this material, your Honor.

THE COURT: Objection sustained.

MR. KARLIN: We except.

Q Where were you born?

A

MR. PRESS: I object if your Honor please, as immaterial.

THE COURT: Sustained.

MR. KARLIN: Haven't this jury the right to know where this witness was born?

THE COURT: I have ruled.

MR. KARLIN: We object to the ruling of your Honor refusing to allow the witness to answer the last question.

THE COURT: Proceed.

Q Has your husband been paying you any alimony?

MR. PRESS: Objected to.

THE COURT: Sustained.

Q What means of support have you?

Objected to. Sustained. Exception.

Q How have you been earning your living during the time you were away from your husband?

MR. PRESS: Objected to.

THE COURT: I will allow it.

A Since March 2nd I have been employed by the District Attorney's office. Before that, I was not employed.

Q Where did you get the money from your support from them time you left your husband until March 2nd?

A I didn't need any money.

Q Oh, was that your answer: "You did not need any money"?

A That was the answer.

Q Did you have any funds left to you?

A I did not.

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Q So you have solved the problem of getting along without money?

Objected to. Sustained. Exception.

Q Well, your need for money became apparent on "March 2nd, did it?

Objected to. Sustained. Exception.

Q Who first engaged you in the prosecution of this White Slave work?

A Mr. Reynolds.

Q Mr. Miller?

A Mr. Reynolds.

Q Had you met Mr. Miller before that time?

A I did not.

Q Did you volunteer your services?

A I did not.

Q Were you sent for?

A I was.

Q Had you ever done any work of this kind before?

A ***Wgite Slave work?

Q Yes?

A No.

Q You weren't working while you were married, were you?

Objected to. Sustained.

Q Have you done any work along the line of investigating?

A I have.

Q What?

A I did Child investigating for a Society in Boston, before my marriage, on a salary.

Q On a salary?

A Yes.

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Q Just what do you mean by child investigating?

A I was in what they call the Placing Out Department at one of the Boston Charity Organizations.

Q How long were you connected with such work?

A About three years.

Q Then you got married?

A Yes; not immediately after that.

Q Soon after that?

A Yes.

Q You say you have no knowledge at all where your husband is at this hour?

A No.

MR. PRESS: Objected to.

Q Have you any children, Mrs. Foster?

A No children.

Q Are you a graduate of any college?

A ***

Objected to.

THE COURT: I will allow it, yes or no.

A Yes.

Q What college?

A Radcliffe.

Q Did you go there before you entered on your Child Investigating work?

Objected to.

THE COURT: I will allow it, yes or no?

A Yes.

Q Do you think it is just the kind of work for a college graduate to be engaged in, to go around negro resorts to get evidence.

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MR. PRESS: Objected to.

THE COURT: Sustained. Is there any further cross examination.

MR. KARLIN: There certainly is.

Q From March 2nd---by the way, are you still in the employ of the District Attorney in the function of Special Investigator?

A I think I am.

Q Well, are you seeing any of the com*** of the realm?

A I haven't lately.

Q Tell *** if you will, just what compensation you received for your employment since March 2nd.

Objected to. Sustained. Exception.

Q Will you kindly tell us what amount of money you spent in the prosecution of your work as a special investigator.***

Objected to. Sustained. Exception.

Q Will you kindly tell us what amount of money you spent from the 13th of April, in connection with the Belle Moore case until the 22nd or 23rd of April?

Objected to. Sustained. Exception.

Q Give us a list of the sporting resorts you went to with Belle Moore form the time you first met her.

Objected to. Sustained. Exception.

Q Did you go to any sporting resorts with this defendant.

MR. PRESS: Objected to.

THE COURT: I will allow her to answer yes or no.

THE WITNESS: Pardon me. What does he mean by a sporting resort. I do not understand the question.

THE COURT: That is an answer.

Q Mrs. Foster, are you quite so unsophisticated that you don't know what a spetting*** resort is?

Objected to. Sustained.

Q As a married woman, as a woman that has prosecuted the work for the District Attorney in connection with this White*** Slave Inquiry since March 2nd, as a woman who has had experience in child investigating, do you mean to tell these 12 men that you require a definition of the te*** "Sporting resort".

Objected to. Sustained. Exception.

Q Have you been in any Cafes with this defendant. Do you know what a Cafe is?

A Yes.

Q Yes. Have you been in any cafe where liquor was sold with this defendant?

A Yes.

Q When and where?

A With Belle Moore, I have been in Perey Brown's.

Q How often, please?

A Twice, to the best of my recollection. I have been in Barron Wilkins.

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Q How often?

A Two or three times.

BY MR. PRESS:

Q With this defendant?

A She was there at the time.

BY MR. KARLIN:

Q Where else?

A We went to a place called Bank's, "I think, I am not quite sure.

Q How often?

A Once.

Q On those occasions was George A. Miller with you?

A Always.

Q When George A. Miller testified before this Jury that he was not there, George A. Miller was not telling the truth.

Objected to. Sustained.

Q Do you know that George A. Miller testified that he went with this defendant to Percy Brown's and Barron Wilkins?

Objected to.

THE COURT: Sustained. Do not comment on the evidence of another witness.

Q Well, you went most every night with this defendant to these Cafes that you referred to?

A No.

Q These cafes as I understand, they are frequented by colored folks, and they have tables where drinks are served and Orchestras*** play certain kinds of music.

A Colored folks only, do you mean?

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Q No, among others, colored folks go there?

A Yes.

Q And the proprietors of these institutions are colored folks?

A Yes.

Q And drinks are served at the tables?

A Yes.

Q And you, a college graduate, of Radcliffe College were hanging out with the colored folks of those places?

A We did.

Objected to.

THE COURT: Sustained.

Q You drank in those places?

A I did

Q Champagne?

A I drank only champagne.

Q Your taste would not permit you to drink anything else?

Objected to. Sustained.

Q You weren't paying for this champagne out of your own purse?

A I was not.

Objected to. Sustained.

Q Was this champagne that was being bought paid for out of an expense allowance made you by the District Attorney of this County?

Objected to. Sustained.

Q Did you ride in taxicabs with this defendant?

MR. PRESS: Objected to.

THE COURT: Allowed.

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BY MR. PRESS:

Q Did you ride in taxicabs?

A I did. I think I was in a taxicab once with the defendant.

BY MR. KARLIN:

Q When?

A I cannot tell.

Q Miller did too, didn't he?

A He was always with us.

Q You don't know that he said he was not in any taxicab?

Objected to. Sustained.

Q There is no mistake anyhow that you and Miller rode in a taxicab with this defendant?

A I don't think there is.

Q This is not your debut in a Court of Law?

A It is .

Q You are doing well. Mrs. Foster, as a result of your investigations since March 2nd, you don't actually believe that there is any such thing as a White Slave Traffic in this city, do you?

Objected to. Sustained. Exception.

Q Well, tell me this, Mrs. Foster. You at no time intended, did you, that any girls furnished by this defendant should, by you or Miller, be taken to any sporting house*** Seattle or any place on the earth, did you?

MR. PRESS: We concede that.

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A I did not.

Q You never intended that?

A I never had an idea of putting these girls in a fast house.

Q You never intended to take them to Seattle?

A Of course not.

Q Certainly not. That was only a pretense on your part was it, to entrap this defendant?

Objected to. Sustained.

MR. KARLIN: If the court please, the defendant asks your Honor to permit questions along this line, upon the ground that it will go to the criminal intent of this defendant. We propose to ask your Honor later on to charge that if this defendant was enticed or induced or entrapped into the commission of these things, that the Jury have a right to consider it on the question of the criminal intent of the acts here charged.

Denied. Exception.

Q Well, you were out to take make a case for the District Attorney.

Objected to. Sustained. Exception.

Q You are anxious now to make a case, aren't you?

Objected to. Sustained. Exception.

Q Are you at all interested in what happens to Belle Moore?

Objected to. Sustained. Exception.

Q Do you feel*** that because you spent a large amount of money in the prosecution of your work any interest in having this defendant confined behind the bars at the Auburn Prison.

MR. PRESS: Objected to.

THE COURT: I will allow it.

A I don't understand the question.

Q Well you have said here that you have spent some money since you were employed on March 2nd----

MR. PRESS: She has not said that.

Q You have spent some money, as much as perhaps five cents, in the prosecution of your work?

Objected to. Sustained. Exception.

Q Well, you received some money from somebody since March 2nd on account of your investigation.

Objected to. Sustained.

Q Well, you would like to see the result of your investigation successful, by having this woman put in Auburn prison?

Objected to. Sustained. Exception.

Q Have you give us all of the conversation, Mrs. Foster, that occurred on the night of April 14th?

A All that I can remember.

Q Now, you were present I understand on April 14th

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when Miller was there?

A Yes sir.

Q In the parlor of this defendant's house?

A Yes.

Q And on that occasion, Miller made certain declarations didn't he? He made certain statements?

A Yes.

Q And you did, in the presence of Miller?

A Yes.

Q In the parlor?

A Yes.

Q Now I would like you to be very frank about it and try and remember, was anything else said by you on that occasion, on the night of April 14th, in the parlor of this defendant, other than that that you have recited?

A A great deal more, yes.

Q What was it?

A Well, the conversation was for five or six hours. I haven't a memory capable of telling that.

Q Do you remember anything else that happened on the night of April 14th?

A Yes.

Q Tell us it, other than that which you related here.

A We were in Belle Moore's apartments for several hours, while we were entertained.

Q Other than that which you already recited to this jury, can you now remember anything else that was said by you or by Mr. Miller, or by this defendant?

A Yes.

Q Well what is it?

A I remember Mr. Miller asking one musician to play an old fashioned southern song for him, something lively.

Q That was done to josh the musician, wasn't it?

A No.

Q Do you remember anything else that was done?

A A Great many irrelevant things, yes.

Q But anything that bears on this subject, you don't remember.

A (No answer)

BY THE COURT:

Q You have given the substance of your recollection of the events that took place on April 14th when you and Miller and the defendant Moore were present relating to any matter bearing on the charge against the defendant?

A As to conversations, I have, yes, your Honor.

BY MR. KARLIN:

Q Do I understand you correctly, Mrs. Foster, to say that at a certain time in the course of the evening of April 14th you went with this defendant to some room other than the parlor?

A You did.

Q And you there had some kind of conversation with her?

A Quite a long conversation.

Q Among other things you said the girl had to make money, and she said "Well, you know girls won't wait around, they got to earn money," and you girls, about 19 and 22 that never had been touched. She said those things.

A No, she did not use those words.

Q Didn't you tell her that?

A I was making the conversation.

Q For the purpose of evidence---

Objected to. Sustained. Exception.

Q You were making that conversation which I have here tried to give the substance of---

A Yes.

Q Didn't you think it important that Miller should hear it so Miller could testify about it?

Objected to. Sustained.

Q Didn't you think it was important to have some kind of corroboration of such vital testimony?

Objected to. Sustained. Exception.

Q What was your purpose in having this conversation in the other room?

A To do business with Mrs. Moore.

Q And Miller went there for that purpose?

A To break the ice for me, yes.

Q And that, having broken the ice successfully the night before, he came there also to assist in the transaction of this business?

A He did.

Q And you didn't think a vital conversation of that kind was of enough importance to have George A. Miller listen to it.

Objected to. Sustained. Exception.

Q Well, Miller didn't listen to this conversation?

A Not to my knowledge.

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Q You were in the other room away from him?

A The door was open.

Q Two rooms away?

A Yes, but they are small rooms

Q We understand it is not a palatial apartment. Well, you went there to the apartment of this defendant, knowing that you were going to meet a professional procuress of nine years experience.

Objected to. Sustained. Exception.

Q You knew by reason of that which Miller had told you before you went there on the 14th that this defendant had made the declaration, this procuress of nine years experience---

Objected to. Sustained.

Q Do you know that this defendant had told George A. Miller on the night of the 13th that she had been in the business for nine years?

A Yes sir.

Q So that you went up on the 14th, Madam, to meet this procuress of nine years experience, who, for nine years experience had pursued this nefarious business, is that right.

Objected to.

THE COURT: I will allow it.

A Yes.

Q And it took this woman who for nine years had pursued this nefarious business two weeks before a girl was even

seen, is that right.

A Repeat that.

Q (The question was thereupon repeated by the stenographer)

MR. PRESS: I object.

THE COURT: Sustained.

Q Well it took---

(Question withdrawn)

Q It took two weeks, or until April 16th, before this woman, following this nefarious business for nine years, had a woman in her apartment that George A. Miller saw.

Objected to. Sustained.

Q Do you know that to be the fact,

A No, I don't.

Q You know that for the first time that Miller saw a white woman that was for sale was on the 26th?

A I know nothing about that.

Q These things you don't remember?

A I read it in the newspaper, yes.

Q You want to be frank with this Jury?

A I certainly do.

Q And wanting to be frank, Mrs. Foster, don't you know as well as you know that you are sitting on a chair, that witness chair, that the very first time George A. Miller ever saw a white slave for sale, as he claims was not until April 26th?

A How do I know what Mr. Miller saw. I am here to give my testimony.

Q Don't you know that it was not *** at the apartment of this defendant, that saw a woman who was supposed to be for ***

Objected to. Sustained. Exception.

Q When do you understand George A. Miller saw the woman there at the apartment of this defendant, for the purpose of purchase.

Objected to. Sustained. Exception.

Q Well, on April 15, you did not meet this defendant?

A Was that Friday?

Q You know the dates better than I do?

A That was Friday.

BY THE COURT:

Q You met her on the 14th first?

A Yes.

Q The next day did you see her?

A No.

BY MR. KARLIN:

Q And you met her on the 16th again?

A I did.

Q At her apartment?

A I did.

Q And you there gently reproved her for not telephoning you the day before, didn't you?

A I think so.

Q And you told us that she understood that she was going to be well paid?

A I did.

Q And this professional procuress of nine years experience, engaged in that traffic, to use that language,

stated to you at the time "I am not worrying about money".

MR. PRESS: I object to the form of the question.

THE COURT: Sustained.

MR. KARLIN: We except.

Q Did this defendant say at that time, or in response to your statement, "Why, I am not worrying about money"?

A She did.

Q Although these interviews were for the purpose of doing business with her?

A Yes.

Q Was Miller there that night?

A He was.

Q And you got there what time that night?

A As near as I can remember, about half past nine.

Q And when did the party break up?

A There was not party.

Q Well, when did you and this defendant and Miller and anybody else there finally go home?

A We stayed about twenty minutes.

Q That is not one of the nights that you took in what you now know to be a sporting resort?

A It was not.

Q That night was strictly twenty minutes of business?

A It was.

Q Tell me if I am right, that the conversation that night was either by you or by Miller, in your presence in which he enquired as to whether she could get the girls?

A It was.

Q And her answer was that she hadn't succeeded, is that right?

A It was.

Q Now am I correct in this, Mrs. Foster, that every time you met this defendant either alone or with Miller the conversation started by you asking sooner or later "Have you been able to get any girls".

A That is right.

Q Her answer was "No"?

A Not always.

Q As a matter of fact, you never produced any girls, did she?

A Not for me.

Q Well, there came a time when, as a result of the indolence of the defendant, you were called upon to make the expression, I believe, that you said "I was not pleased because I did not think she was working very hard". On April 17th, in Percy Brown's cafe, didn't you, in referring to that, say "Why, I was not pleased; I did not think you worked hard" referring to Belle Moore?

A I did.

Q And you urged her on to more aggressive action, didn't you?

A I urged her to give me an answer one way or the other, yes.

Q You were not pleased, and you said so?

A Yes.

Q And you weren't pleased because she hadn't been getting any girls?

A Certainly.

Q You were feeling that the game you started on April

23red was not being successful?

Objected to. Sustained. Exception.

Q When you got to Percy Brown's cafe on the night of April 17th was this defendant there?

A I do not remember whether she was there when I went there, or if she came in later.

Q Well, that is the occasion, if I am not mistaken, when you sent William---or rather George Miller for this defendant?

A It was either that night or the next night, I cannot remember.

Q There was an occasion when from Percy Brown's cafe you sent Miller to the House of this defendant to get her there to join a party?

A Yes sir.

Q The party fif*** not seem to go on with the usual liveliness without the presence of this defendant?

Objected to. Sustained.

Q Tell me this, Mrs. Foster, as a college graduate, you, of course, consider this defendant greatly inferior to you in a social stnatum?

Objected to.

THE COURT: Counsellor that is a manifestly improper question.

Q Did you think it quite the proper thing for a college graduate to associate with colored people, as you did?

Objected to. Sustained.

Q Well, she came there that night with Miller, didn't she?

THE COURT: What night.

MR. KARLIN: April 17th.

A If that was the night I sent him after her, yes, she came there, but I would not be positive of the date.

Q How long did you folks stay that night at Percy Brown's cafe?

A We stayed two or three hours, seeing if Miss Moore had found the girls.

Q And she did not find you any girls?

A No.

Q Did she?

A She went looking for them.

Q She went out?

A Yes.

Q And she did not come back with any girls?

A She came back and asked me to be patient.

Q She did not come back with any girls?

A No.

Q And that night you took champagne, as usually***

A No.

Q No champagne that night?

A Not very much.

Q There was always enough champagne to keep everybody happy?

Objected to. Sustained. Exception.

THE COURT: No digressions of that kind.

Q Well, on that night, did you find it necessary to gently reprove this defendant because she was not succeeding

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in getting any girls?

A I do not know that I gently reproved her, but I do know that I asked her why she did not get them as promised.

Q But you did criticize her?

A Certainly.

MR. KARLIN: May I have People's Exhibit 1?

(People's Exhibit 1 handed to Mr. Karlin)

Q From the time that you first met this defendant, under what name had you been in the habit of addressing her?

A Addressing her as Miss Belle Moore.

Q Oh, you got so intimate with this colored procuress that you called her Belle?

A ***

Objected to. Sustained.

Q Well, anyhow, you first met her on the 14th?

A Yes.

Q And on the 20th you write a letter in which you address her as Dear Belle?

A Certainly.

Q You say in your letter that since you came to Atlantic City and since you looked over the situation---what situation was it?

A My home life in Atlantic City.

Q Did you tell this defendant that you lived in Atlantic City?

A At that time, yes, I was living at Atlantic City.

Q Did you tell her when going to Atlantic City that you did so because you had other girls there?

A We were living there.

Q When did you first tell her that you lived in Atlantic

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City?

A I don't remember.

Q Arnn't you a product of the wild Seattle country too?

Objected to.

Q Well, did you claim that you lived in Atlantic City?

A For the time being.

Q From the first hour you met her did you claim you lived there?

A No, I did not. I gave her some reason for going there.

Q It was because you lived there?

A For the time being, yes, I did say that.

Q Certainly, but at the same time you were living at the Albany Hotel?

A When in New York, yes.

Q When did you take up your abode at the Albany?

A I think March 10th I am not sure of the date.

Q Did you have a suite of rooms there?

A We did.

THE COURT: How is that material.

Q Well, was a portion of the sum of money \$25,000. that has been devoted to the white slave investigation paid----

THE COURT: No; I will not allow that again counsellor, during the progress of this trial.

MR. KARLIN: We except to that statement of your Honor.

Q Tell me this, Mrs. Foster, in the Hotel Albany, did Miller have a separate suite of apartments from you?

A ***

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He did not.

Q He did not?

A Have a separate suite?

A Yes?

A No.

Q He had a separate room?

A A separate room, yes.

Q On the same floor?

A Yes.

Q They were connected, the rooms?

A Four rooms, yes.

Q And they connected?

A They connected.

Q And in that apartment, George A. Miller lived at the time?

A With George A. Miller lived myself and another young woman, yes.

Q Who is this other woman?

A I know her by the name of Lena.

Q Lena?

A Yes.

Q Did the authorities of this county know that you and George A. Miller were living in the same suite of apartments in the Hotel Albany?

A

Objected to. Sustained.

Q Did I get you correctly as saying Mrs. Foster, that on the 18th of April this defendant, referring to the subject of getting girls, said it was hard work?

A She did.

Q And that she couldn't get any?

A I do not think she said she couldn't get any, but she said it was hard work.

Q And that she hadn't got any yet?

A She hadn't got any yet.

Q Well this letter, to be frank, Mrs. Foster was written---

MR. PRESS: I object to this speech, to be frank.

THE COURT: Nothing of that kind counsellor. Frame a proper question, now.

Q This letter, Mrs. Foster, was written primarily with the design so that incriminating evidence might be made against the defendant, is that it.

Objected to. Sustained, Exception.

Q Well, you say in your letter "I find that I want one more," I take it you meant one more girl?

A That is what I meant.

Q You really wanted two girls?

A Not necessarily.

Q T he negotiations had been for two girls?

A They had been.

Q And having been for two, not one was furnished?

A not up to that day.

Q So that the negotiations were really for two girls?

A That is what I talked to her about.

Q Why did you say in the letter "I want one more".

A Because I told Belle Moore I was getting the girls from

other sources, and I wrote her that I wanted one more girl.

Q Before you went to Atlantic City, you did not tell her to change her plans as to getting two, did you?

A No.

Q You say in your letter this: "Will you see if you can get that particular one you like so well" (Meaning her) and you said "I'd like her". So that from this, I infer, Mrs. Foster, there had been a conversation with this defendant in which she said that there was a particular one you liked?

A Yes.

Objected to.

THE COURT: I will allow it to stand.

Q Did this defendant at any time before the writing of this letter say to you that she had a particular girl that you would like?

A Yes.

Q You did not go and see that particular girl Mrs. Foster, did you?

A Did I go and see her?

Q Yes?

A I went to her apartment several times for the purpose of seeing these girls.

Q You didn't see any?

A No.

Q Although she told you she had them?

A Yes.

Q And she was interested in getting some girls, but she did not worry about the money in her business of selling girls?

Objected to. Sustained. Exception.

Q Well, you have I think *** the expression that you got her to promise you she would get a particular girl, didn't you?

A I think so.

Q You underscored the word "promise"?

A Yes.

Q Then you say "I will come up for a night and bring her back with me, "you intended to do that?"

A Yes, I did.

Q Then you say in your letter "I cannot spend much more time, and as time is money to me, "---Did you say that?"

A Yes.

Q There was plenty of money at your disposal, wasn't there?

Objected to. Sustained.

Q How much did you spend of your own money?

Objected to. Sustained.

Q The real purpose of saying this: "I cannot spend much more time, and as time is money to me"---the real purpose of that was to hasten the defendant on to action, wasn't it.

Objected to. Sustained.

MR. KARLIN: We except.

Q Well, then, you dangled this bait before her?

MR. PRESS: I object to the word "dangled".

Q "I will make it worth your while", that is what you

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said.

A Yes, it is there in the letter.

Q You said it, didn't you?

A I said it.

Q You got it in this letter?

A Yes.

Q And that was to spur her on in this laudible work?

Objected to. Objected to on the further ground that the letter speaks for itself.

Q What did you mean by the expression "If you will get in and dig for me"?

A Work.

Q Work?

A Yes.

Q So that she could find her way here as a prisoner at this bar.

Objected to. Sustained.

Q Did you actually have any girls with you in Atlantic City?

A I had girls with me there, yes.

Q They were supposed to be for the purpose of prostitution?

Objected to. Sustained.

Q Isn't this a fact that before you went to Atlantic City you had a talk with Miller, didn't you?

Objected to as immaterial.

Sustained. Exception.

Q On several occasions before you went to Atlantic City, Mrs. Foster, this defendant said she wasn't succeeding in getting girls, wasn't that right?

A Yes.

Q And isn't this the fact, Mrs. Foster, that there was conceived between you and George A. Miller the plan that you should go to Atlantic City in order to get incriminating documentary evidence against this defendant.

Objected to.

THE COURT: Allowed.

THE WITNESS: Please repeat the question.

Q (The question was thereupon repeated by the Stenographer)

A No.

Q This letter was not written with any such purpose?

A No, I did not go to Atlantic City for that.

Q Was this letter, which is People's Exhibit 1 written or not with any purpose in mind that this defendant might be incriminated?

A I wrote the letter to have her go on with the business, yes.

Q It did incriminate her?

A I was not incriminating her.

Q To go on with the business that is the subject matter of this indictment?

A Yes.

Q Did you see Miller last night?

A I did not.

Q To-day?

A No---I saw him to-day yes.

Q Did you have any conversation with him?

Objected to. Sustained.

Q Did you have a conversation with Mr. Miller to-day?

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Object to. Sustained.

Q With regard to the testimony that Mr. Miller gave, did you have such a conversation?

Objected to.

THE COURT: I will allow it.

BY THE COURT:

Q Did you have any talk within Miller at any time regarding the evidence given by Miller yesterday.

A No.

BY MR. KARLIN:

Q Or this morning?

A No.

Q Then, in your letter, your use this expression, do you not---"The girls are getting tired hanging round and want to be on their way. You can't blame them." They were not getting tired of the pleasures of Atlantic City, were they?

A They were.

Q How long had they been there?

A Perhaps two weeks or longer.

Q You left here on the 19th?

A I did.

Q And this letter was written on the 20th?

A Yes.

Q And the girls were tired?

A Yes.

Q And the beauties of Atlantic City were appalling on them?

Objected to. Sustained.

Q Pardon me, by what name had you been known during

the progress of these negotiations?

A As Frankin Fuller.

Q At any time, had you been introduced as the wife of George A. Miller, or as Dick's wife?

A I think Dick Morris said quite often "This is my wife".

Q In your presence?

A Yes.

Q Though you say you still are not his wife?

A Yes.

Q That is true?

A Yes.

Q Those people never knew you were not his wife?

Objected to. Sustained.

Q But he did go under the name of Dick Morris?

A Yes.

Q And this letter is signed by you Mrs. G. A. Morris?

A It is not signed by me.

Q Is that your handwriting?

A Yes.

Q Is that your handwriting Mrs. Foster (Handing letter)

A It is my hand writing yes.

Q And did you sign that letter?

A I said to send it to that address, yes, but didn't sign it.

Q I your handwriting there appears the words indicating that a letter should be sent to Mrs. G. A. Morris General Delivery, Atlantic City, N. J.

A Yes.

Q And you were the writer of that letter?

A Yes, but I did not sign it.

Q You intended that this defendant should know the

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letter came from you, didn't you?

A Yes.

Q But you did not sign in Mrs. G. A. Morris, is that your statement?

A Yes.

Q And then again you say, don't you, send it to Mrs. G. A. Morris, General Delivery, Philadelphia, Pa" in the second portion of that letter?

A Yes.

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Q You did not go to Philadelphia, did you?

A I did not.

THE COURT: Is there any further cross-examination?

MR. KARLIN: Yes sir.

Q Oh, tell me this, you send the letter by special delivery, People's Exhibit 1?

A Yes.

Q And you do know, don't you, even College graduates know it now---

MR. PRICE: Objected to.

MR. KARLIN: Question withdrawn.

Q You do know, Mrs. Foster, that in delivering a special delivery letter, it is a rule of the Post Office that the addressee shall sign her or his name?

A Yes sir.

Q And that is why you sent it special delivery; was that why so that you could have this signature?

A No.

Q It was a coincidence?

A It was not a coincidence. I wanted to hurry the letter.

Q Well, why didn't you send it the regular way?

A I wrote it on Wednesday and it was late in afternoon When I mailed it.

Q What time did you mail it?

A It was about 4 o'clock in the afternoon.

Q Did you expect it to get here that night?

A I did not know, but I wanted it delivered speedily and specially.

Q Wasn't it sufficient for your purposes if it got there in the ordinary mail.

Objected to. Sustained. Exception.

Q Was this letter written the day you got to Atlantic City or the day after?

A The day after.

Q If you were in such a hurry for this defendant to hear from you from Atlantic City why was it that you did not write that very night?

A I was too tired.

Q This three-hour journey worried you and tired you?

A I did not get there until 10 o'clock at night.

Q You were too tired?

A I was.

Q You are a lady that had been spending long hours after midnight in cafes?

Objected to. Sustained.

Q Did you get tired visiting the cafes that you mention here?

Objected to. Sustained.

Q This is the best explanation then you can give for your failure to write the night you got there, to Atlantic City is that you were too tired?

A Yes.

Q Did you consider this a proper calling for a college bred woman---

Objected to. Sustained.

Q Well you did use the expression: "Be a good old sport now Belle and see what you can do for me".

MR. PRICE: I object. The letter speaks for itself.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q In using that language, did you do it for the purpose of hoodwinking the defendant?

Objected to. Sustained. Exception.

Q Do you know where Mrs. Palmer's house is, 137 West 41st street?

A I do.

Q Do you presume that is a house of prostitution?

Objected to. Sustained.

Q What kind of house do you understand that to be?

Objected to. Sustained. Exception.

Q Mrs. Palmers is right across the street from the Hotel Albany.

Objected to. Sustained.

Q Have you been through Mrs. Palmer's house?

Objected to. Sustained. Exception.

MR. KARLIN: If the court please, the reason I ask it is this: I am trying to show that on the night of a certain visit, before the alleged procurement, this witness was at the house of Mrs. Palmer, and there said that she herself procured the girls. That is the purpose of this inquiry, and nothing else.

BY THE COURT:

Q Did you go to Mrs. Palmer's house?

A No.

BY MR. KARLIN:

Q On Monday, April 25th, in the evening, at 6:30 o'clock, did you ring the bell at Mrs. Palmer's, 137 West 41st street?

A April 25th?

Q Yes.

A No.

Q Or at any time on that day?

A No.

Q Did you ever try to gain admittance to that house?

A I never did, no.

Q Did you ever in trying to get into that house use some name like Miller?

Objected to. Sustained. Exception.

Q Did you, Mrs. Foster, that this luncheon, which was given by you in the apartment occupied by you and Miller and another girl, that this defendant was not there in pursuance of an appointment made the night before at a sporting cafe in this city?

A I do.

Q She came there quite by accident?

A Quite by accident.

Q Had you any time before met her in one of the sporting cafes?

A Yes.

Q But on this particular occasion, you say that she came to your apartment?

A I did .

Q Well you had what you call a luncheon and what probably was your breakfast, with this defendant?

A No, she did not eat anything.

Q Well, she had something to eat?

A She drank a cup of coffee to the best of my recollection.

Q Now isn't this true, Mrs. Foster, that on all the occasions when you visited the various sporting cafes, you persistently asked various people, other than this defendant, to please get you girls for your house in Seattle?
Objected to. Sustained.

Q Did you ever ask anybody, besides this defendant, to get you girls for this salacious resort of your in Seattle?
Objected to. Sustained.

Q When for the last time did you meet Alex Anderson?
Objected to.

MR. KARLIN: We may call him in rebuttal.

THE COURT: He is the co-defendant?

MR. PRESS: He is the co-defendant in another case.

THE COURT: I will not allow it.

MR. KARLIN: We except.

Q Do you know Alex Anderson?

A I have seen him.

Q Kindly tell us what nights, in addition to the 14th of April was it that you met Alex Anderson?

A I was introduced to him on the 12th of April. I met him on the 14th of April and again on the 15th.

Q Well, wasn't the appointment on the ***16th by Miller for the purpose of braking the ice for you?

Objected to. Sustained. Exception.

Q Well, the reason you didn't go with Miller on the 13th the apartment of the defendant was because as you here said you wanted him to break the ice for you?

A No.

Q What did you say on that subject?

THE COURT: We won't go over that again.

Q I desire to ask the question. Will you kindly us why you did not go with Dick Morris or George A. Miller to the apartment of this defendant on April 13th?

A Yes.

BY THE COURT:

Q Why, briefly?

A Because I was in Atlantic City.

BY MR. KARLIN:

Q And he communicated with you?

A He did not.

Q You come back before the 14th?

MR. PRESS: Objected to.

Q You came back on the 14th?

A I did.

Q Where did you meet him?

A At the Albany Hotel.

Q The time?

A I think the train got in at 5:15. I think I got there at 6, I cannot state positively.

Q Then later in the evening you went with him to the places you have here stated?

A I did.

Q At various times in these colored cporting*** cafes, Mrs. Foster, did you drink with other colored folks beside Anderson

and the others?

Objected to. Sustained. Exception.

Q Tell us what you said in connection with your being gracious to this defendant on the 19t h. I did not get that exactly. I remember that you made some statement that you were gracious with this defendant?

A I think I said I was more gracious than I had been the previous night.

Q By that you mean you were more indulgent to her because she was succeeding in getting the girls?

Objected to.

THE COURT: I will allow it.

A That is what I meant.

Q You meant what I said, that you were more indulgent because of her activity in getting the girls?

A I was more indulgent because I was leaving town.

Q You were here to stick it out until you got the girls?

Objected to. Sustained.

Q You were leaving town for where?

A Atlantic City.

Q And you were going to come back until you got girls, weren't you.

A No.

Q Have you made a written statement in this case?

Objected to. Sustained. Excepting.

Q Before you get on this stand and took your oath, did you look over any of this statement.

THE COURT: Yes or no.

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A No.

Q As to the testimony you were to give?

A No.

Q Yesterday did you look over any statement, yesterday?

A No.

Q To-day did you?

A No.

Q At no time did you?

A No.

Q At no time?

A I said that.

Q It wouldn't hurt you to state it again.

Objected to. Sustained.

THE COURT: Any further cross-examination, counsellor?

MR. KARLIN: I desire to look over my notes, if the court please.

BY MR. KARLIN:

Q Mrs. Foster, am I correct that you frequently talked with George A. Miller about his experiences or about your joint experiences in connection with this investigation.

Objected to. Sustained. Exception.

Q Did Geogre A. Miller ever tell you, Mrs. Foster, on the first night he got to the *** of this defendant, in West 41st*** street, he had there *** a girl by the name of Halen Hastubgsm*** wgi was *** years of age, and who had been offered to him for ***sale. Did he ever tell you that?

Objected to. Sustained. Exception.

Q Have you read in the public press of this city, Mrs. Foster, that it was said by the witness, George A. Miller,

that he had found in the house of this defendant a girl by the name of Helen Hastings, eleven years of age who was harbored there for the purpose of prostitution and who had been either murdered or kidnapped?

A Never.

Q Did you read in the public press that the police of the entire city and other parts of the country were making searches for Helen Hastings, an eleven year old girl, who had been seen in the house of this defendant?

MR. PRESS: Objected to.

THE COURT: Sustained. Nothing more along the line of that eleven year old girl.

Q Oh, was April 19th*** the day that this defendant had luncheon with you at the Hotel Albany with another white girl?

A She was in the Hotel Albany April 19th.

Q On April 18th you had also met this defendant?

A Yes.

Q And on that occasion you were in Baron Wilkins with her until four o'clock in the morning?

A I cannot tell you what time we were there that morning.

Q You were there for several hours?

A No.

Q Until the early hours of the morning?

A A Very short time in the early hours of the morning.

Q Just about what time was it?

A I haven't the slightest notion.

Q About 3 or 4 o'clock in the morning, wasn't it?

A Probably.

Q And wasn't it on that occasion, in Baron Wilken's cafe that you made the appointment with defendant to have lunch with you at the Hotel Albany later in the day?

Objected to. Sustained.

MR. KARLIN: For the purpose of having a ruling, if the court please, I desire to ask this question, only for that purpose.

Q Did you, on April 25th, in visiting at 137 West 41st street or in the afternoon of that day, say to any colored girl that you were seeking lodging in that particular house?

MR. PRESS: This witness has testified that she was out of the city on the 25th.

THE COURT: Sustained.

Q Or at any time, did you say that you wanted lodging?

A I never had ***ought lodging.

Q Did you move to the Hoffman House from the Hotel Albany?

A No.

Q Miller did.

A I do not know.

Q You did not miss him from the Hotel Albany?

Objected to. Sustained.

Q Do you know whether he is living at the Hoffman House?

A I do not.

Q Don't you know he pretended to move to the Hoffman House?

Objected to. Sustained.

Q Oh, in your telegram you say here "Will stick here over Sunday, glad to hear your news; address General Delivery". This telegram was written with the idea of getting something incriminating?

Objected to. Sustained.

Q And it also had the purpose of spurring on the work which was lagging.

Ojected to. Sustained. Exception.

MR. KARLIN: Will your Honor kindly ask the witness to come back after recess?

THE COURT: I want you to conclude your examination.

MR. KARLIN: If the court please, there is nothing at this time that I can think of. It is half past one, and I have been engaged all morning here, and I feel that I have some right to think the matter over.

THE COURT: Very well, the witness may come back at two. The court will take a recess until two o'clock.

The court thereupon admonished the jury in accordance with Section 514 of the Code of Criminal Procedure and took a recess until two o'clock P. M.

AFTER RECESS.

Frances M. Foster resumes the stand.

CROSS-EXAMINATION CONTINUED BY MR. KARLIN:

Q Mrs. Foster, on the occasion of April 14th, that is at the time you visited the house of Belle Moore, did anything happen there that night besides these things: Conversation, taking a champagne*** and playing of music by two musicians. That is all that happened there that night?

A No.

Q What else happened?

A There was dancing.

Q Who was dancing?

A I think everybody danced, except the two musicians.

Q Did you dance?

A I tried to.

Q Did Miller dance?

A He tried to.

Q Do you remember an occasion, Mr. Foster, when you, Miller, Anderson and this defendant went to a chop suey restaurant on 8th avenue between 40th and 41st street?

A No, I don't remember that.

Q Did you ever go into any restaurant with the defendant, Smith's on 41st street?

A No.

Q I meant to ask you before, Mrs. Foster, is Foster your maiden name or your married name?

MR. PRESS: Objected to.

MR. KARLIN: Why should it be kept out?

MR. PRESS: She has given her name as Mrs. Foster.

MR. KARLIN: Why should it be kept out? The jury want to know something about this witness.

THE COURT: This lady has given her name, and presumably her married name. I will sustain the objection.

Q Will you kindly tell me the name under which you were born?

MR. PRESS: Objected to as immaterial and irrelevant.

THE COURT: Sustained.

MR. KARLIN: Exception.

Q Will you kindly tell me your husband's name?

Objected to. Sustained. Exception.

Q Were you married more than once?

Objected to. Sustained.

Q Will you kindly tell us the business your husband was in?

A Yes, he was a lawyer.

Q A lawyer?

A A lawyer.

Q What city did you live in?

MR. PRESS: Is that material, your Honor? I object.

THE COURT: I will sustain the objection.

Q Do you object to telling us what city you last lived in before coming to New York?

A I do, you.

Q Why?

A Because I don't think it has anything to do

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with the case.

Q Do you put it on the ground that it would tend to degrade or incriminate you?

A It would not.

Q Do you think it right, if you want to be frank, to object to telling the twelve men the last city you lived in, before coming to the city of New York?

A If I thought it would be of any benefit to the case I would ***ell gladly.

Q But do you think that is the part of a fair and frank witness?

A Yes, I do.

Objected to. Sustained.

Q You are not telling it because you want to conceal something, isn't that it?

A No.

MR. KARLIN: That is all, madam.

RE-DIRECT EXAMINATION BY MR. PRESS:

Q You were asked if you were a graduate of Radeliffe*** University or Radcliffe College; that is an annex of Harvard University, is it?

A It is.

Q You were also asked if you drank champagne. Will you state the reason why you drank champagne in this transaction?

A Yes, I have several reasons.

Q What was the main reason?

THE COURT: Do you want that?

MR. KARLIN: I do, yes, the several reasons.

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MR. PRESS: I will withdraw the question.

BY MR. KARLIN:

Q Will you kindly tell me the several reasons you had I drinking champagne. Will you kindly tell me the several reasons you had for drinking champagne?

Objected to. Sustained. Exception.

MR. KARLIN: Just one question.

BY MR. KARLIN:

Q Mrs. Foster, you testified before the Grand Jury?

A I did, the case of this defendant?

A No.

MR. KARLIN: That is all.

AMY JACKSON, sworn as a witness on behalf of the people, testified as follows.

DIRECT EXAMINATION BY MR. PRESS:

Q Do you remember the 27th day of April, 1910****?

A Yes, sir.

THE COURT: Try and talk loud so the last juror can hear. Keep up your voice good and loud and remember that the room is a large room.

Q Did you on that day see the defendant?

A Yes, sir.

Q Where?

A At 348 West 41st Street.

THE COURT: What is the day?

MR. PRESS: The 27th day of April, 1910.

Q Where did you say you saw her?

A 348 West 41st

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Street.

Q Who accompanied you there?

A Mr. Miller.

Q Where did you meet Mr. Miller?

A In 20th Street.

Q Did you walk or drive to the apartments of the defendant?

A We drove, sir.

Q You drove?

A Yes, sir.

Q In what kind of a vehicle?

A In a taxi-cab.

Q Now, when you got to the defendant's apartments, what conversation took place there?

A We met the maid Annie.

Q Did she open the door?

A Yes, sir.

Q And then --?

A And then Mr. Miller and I went in to a bedroom. There were two girls sleeping in the bed, and then Mr. Miller went into another room.

Q Did you see the defendant at that time?

A Mr. Miller went in to another room.

BY THE COURT:

Q Did you see the defendant at that time, yes or no, the defendant here?

A Yes, sir.

Q Where did you see her?

A In the same bedroom, sir.

Q Was there any conversation had at that time?

A The defendant got into the bed with the girls.

THE COURT: Madam, try and keep your voice***.

Q Was there any conversation at that time?

A The defendant got into the bed with the girl. The defendant sat on the edge of the bed, got into the bed.

Q Did she say anything to either you or Miller?

A She was saying that she had a hard time in getting the girl; she had to give \$5 to the janitor or janitress; I am not quite certain whether she said janitor or janitress "To keep things quiet".

Q Then what happened after that?

A And ten Mr. Miller and myself were going into the parlor, about going into the parlor and while going into the parlor Belle Moore pointed to the two girls in the bed and asked if they were not beauties.

Q What then occurred ?

A We all went into the parlor.

Q Who do you mean by all?

A Belle Moore, Mr. Miller and myself.

Q Now, was there any further conversation in the parlor?

A In the parlor a conversation about getting a tickets to go to Philadelphia to see the prize fight.

Q Who talked about going to Philadelphia to see the prize fight?

A Belle Moore.

Q And after that conversation?

A A few drinks were served.

Q And after that was there anything further?

A Mr. Miller asked Ana if she would go and close the door, that he wanted

to talk business.

Q And what did Belle Moore say?

A Mr. Miller asked Belle Moore how much he owed for the two girls.

Q And what did Belle Moore say?

A Belle Moore said \$75 apiece.

Q Did she say anything further then, Miss Jackson?

A She said she had a hard time in getting the girls, they were pretty girls, girls that any man would take to, and were worth \$20 a night.

Q Now what took place after that?

A Mr. Miller then asked me if I had any money.

MR. KARLIN: I object to that.

Q What did you say?

A I said "Yes". I had about \$25 or \$30.

Q Did you give him that money?

A Yes, sir.

Q Did you see him give any money to the defendant?

A Yes, sir.

Q What did you see him do?

A I saw him take \$90 out of his own wallet and the \$30 I gave to him, counts \$120 three times.

Q To whom did he give that money?

A Belle Moore.

Q Did he say anything when he gave her the money?

A Yes, sir.

Q What did he say?

A He said "Now, Amy, you look" --

Q That was referring to you?

A Yes, sir. "Now, Amy, you look and remember that I am giving this \$120 to Belle for the two kiddies in the bedroom with the understanding that they were bought to go to the house in Seattle."

Q What did she say, the defendant?

A She said --

Q Belle Moore?

A Belle Moore said that she had a very hard time in getting the girls.

Q Now, what occurred after that to the best of your recollection?

A Belle Moore then said that I could go into the bedroom and dress the girl's hair.

Q Did you?

A Yes, sir.

Q Now, was there anything said by this defendant or by Miller or by yourself prior to your leaving the house?

A Yes, sir.

Q Just state what it was?

A Belle Moore said that she would go and look through the window to see if the coat*** was clear, and that we were to leave one at a time, she suggested that Mr. Miller would go first.

Q Did Mr. Miller leave?

A Yes, sir.

Q Who followed him?

A Alice Milton, and myself, and Belle Wood a little ways behind.

Q Where did you go?

A We went to a taxicab waiting at 42nd Street and Ninth Avenue.

Q Did you all get into the taxicab?

A Alice Milton and myself got in first, Belle Wood came in afterwards and Mr. Miller.

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Q Was that the only time you had seen this defendant?

A Yes, sir.

CROSS EXAMINATION BY MR. KARLIN:

Q Miss Jackson or Mrs. Jackson?

A Miss.

Q Would you mind telling us your age?

MR. PRESS: I object to that.

A 30.

MR. PRESS: What has the age of this witness got to do with the case.

MR. KARLIN: Don't you want the jury to know anything about this witness. Do you object to telling us your age?

THE WITNESS: No, sir.

Q Now, will you kindly tell us your age?

A 30.

Q You have been in this country how long?

A Nine years.

Q I suppose from England?

A Yes, sir.

Q What employment have you followed in the nine years in this country?

A Hair dresser.

Q Employed by whom?

A J. Andre of 13 West 29th Street.

Q He is a Franchman?

A Yes, sir.

Q When did you work for him?

A Working for him for a number of years.

Q Tell us the number of years you were there?

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A Five years.

Q From when until when?

A I can't just remember because I was in his employ twice.

Q Well, after leaving J. Andre where did you go after that?

A I have worked for the District Attorney.

Q You have not worked for the District Attorney for four years, have you?

A Four years?

Q You have been here nine years?

A Yes, sir, but I worked in other places before that.

Q Tell us about the other places?

A (No answer).

Q Miss Amy Jackson, will you kindly tell us where you have worked in this country outside of the five years that you have worked for J. Andre?

A Worked as a seamstress and also as a salesgirl.

Q For whom did you work as a seamstress?

A Different families.

Q Tell us a few of them?

A Well, I don't wish to tell any names.

Q Do you consider being a seamstress honest work?

A Yes, sir.

Q Yet you refuse to tell these 12 men the names of those places where you did the honest work of being a seamstress?

A Well, I worked for Best & Company in 23rd Street.

Q Where?

A Best & Company, 23rd Street, as a dressmaker

or seamstress, whatever you may call it.

Q How long did you work for Best & Company?

A I can't just remember.

Q About how long and when?

A Well, about four months.

Q When?

A Before I was at J. Andre.

Q When was that?

A (No answer).

BY THE COURT:

Q Suppose you just try and think -- it will save time--start with the time that you arrived in this country and tell us what your first place was? Now, what was it?

A Well, I was a seamstress.

Q Where -- the very first place start right in now, what was the name of the place?

A I was with my cousin.

Q Whereabouts, in this city?

A My cousin is not in this country any more.

BY MR. KARLIN:

Q Where was your cousin when you got your first job of being a seamstress?

A In Connecticut.

Q What city?

A Norwalk.

Q Norwalk?

A Yes, sir.

Q The name of your cousin?

A Salina Jackson.

Q What street?

A I can't remember the street.

Q You don't remember?

A No, sir.

Q You don't remember the street number?

A No, sir, I

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don't

Q How long did you stay at Salina' place?

A About eight months I think, I can't remember, I can't remember.

Q You can't remember?

A No, sir.

Q You do remember though everything about April 27th to the extent of pretty nearly every word that was said, don't you?

A Yes, sir.

Q What wages did you get at Balina's as a seamstress?

A I didn't get any wages at all.

Objected to. Objection sustained.

MR. KARLIN: Credibility, if the Court please.

THE COURT: I will not allow it.

Q Did you get any wages?

A I worked privately.

MR. PRESS: That is objected to.

Q For Salina you worked privately as a seamstress?

Objected to. Objection sustained.

Q Did you work for anybody in Norwalk besides Salina?

A I worked for private families.

Q In Norwalk. Tell me the names of some of those parties?

A I can't remember.

THE COURT: Something else, counsellor.

MR. KARLIN: If the Court please, I am cross examining and I have a right to some latitude in cross examination.

THE COURT: I am allow you great latitude.

MR. KARLIN: The witness is evidently concealing something.

MR. PRESS: I object to that.

THE COURT: Proceed now with another question.

Q How many places have you worked in as seamstress?

A I have worked for private families as a seamstress or dressmaker -- for Best & Company in 23rd Street.

Q Will you kindly tell us without at this time giving us the names about how many families have you done work for as a seamstress?

A No, sir, I cannot.

Q Was it 10 families?

A It maybe more, it may be less, I can't remember.

Q Was it 20 families?

A It maybe more.

Q You decline at this time to tell these 12 men where you worked as a seamstress, is that right?

A I worked as a seamstress or dressmaker, you make call it, in 23rd Street, Best & Company.

Q What private families among the 10 or more that you jave worked for, what private families?

A I don't wish to say anything about the names.

Q You have a reason for not wishing to say, haven't you?

A Yes, sir.

Q What is that reason?

A Simply because I don't wish to make the names public.

THE COURT: Another question now, counsellor.

MR. KARLIN: If the Court please, I must do a little thinking.

Q 148 West 21st Street you lived?

A No, sir; 156 West 21st Street.

Q I beg pardon. Is that a furnished room house?

A Yes, sir.

Q A ladies' boarding house, is that, Miss Jackson?

A They didn't board there, just roomed.

Q Ladies do?

A Yes, sir.

Q No gentlemen?

A No, sir; ladies and gentlemen.

Q How long have you lived there?

A Well, I have lived there about two or three days a week.

Q Two or three days a week -- for how long have you lived there two or three days a week?

A Simply because I wished to move.

Q How long have you lived at 156 West 21st Street for two or three days a week -- for how long?

A Two days.

Q You only lived at 156 West 21st Street two days, yesterday and to-day?

A Yes, sir.

Q Where did you live before that?

A I lived in 20th Street.

Q What number?

A 244 West 20th Street.

Q Did you last there more than two days?

A Yes, sir.

MR PRESS: I object to the form of the question.

Q Did you live there more than two days?

A Yes, sir.

MR. PRESS: That is better. Be a gentleman.

Q How long did you live there?

A I have lived there five years.

Q At 244 West 20th Street?

A Not at 244 West 20th Street but with the same family.

Q At 244 West 20th Street?

A Yes, sir.

Q Is that a furnished room house?

A No, sir; lived with a private family.

Q Is that an apartment house?

A No, sir.

Q A small dwelling house?

A Yes, sir.

Q A private house?

A Yes, sir.

Q Take lodgers there, don't they?

A No, sir.

Q You are the only lodger there?

A I am the only lodger in the house.

Q When for the first time did you -- what is the name of those people in 244 West 20th Street?

MR. PRESS: I object to that as immaterial.

MR. KARLIN: She claims she lives there.

THE COURT: If you insist upon it, counsel, I will allow her to answer. Madam, answer?

MR. KARLIN: I feel that I have a right to

insist about being criticized.

THE COURT: If you insist I will allow her to answer. Give the name, madam?

A Mrs. Duffy.

BY MR. KARLIN:

Q Is her husband living?

A Yes, sir.

Q With her?

A Yes, sir.

Q When did you first become connected, as you say, with the District Attorney's office?

A Since the 3rd of April.

Q The 3rd of April?

A Yes, sir.

Q For whom did you work immediately before the 3rd of April?

A I worked for my employer, J. Andre.

Q J. Andre?

A Yes, sir.

Q I thought you worked there in the early part of your first coming to this country. When did you start with J. Andre, five or six years ago?

A Five or six years ago, I forget now which.

Q You left his employ?

A I have not left his employ yet.

Q You are still in his employ?

A Ye, sir; when I wish to go back again.

Q This work is more fascinating for you?

Objected to. Objection sustained. Exception.

Q Will you kindly tell us jut what services you have rendered since the 3rd of April?

Objected to. Objection sustained. Exception.

Q Will you kindly tell us what money you have received since the 3rd of April?

Objected to. Objection sustained. Exception.

Q Haven't you been paid money for this work of investigation?

Objected to. Objection sustained. Exception.

MR. KARLIN: I have a right to show the interest of the witness, if I can, whether she received any money.

THE COURT: I have ruled.

MR. KARLAN: Exception.

THE COURT: You have your exception. Go ahead with another question.

Q How did you come to get connected with this investigation?

MR. PRESS: Object to that. She has answered it.

Objection sustained. Exception.

Q Did you meet Miller first?

Objected to. Objection sustained. Exception.

Q Did you get connected with this investigation through the offices of Mrs. Foster?

Objected to. Objection sustained. Exception.

Q Kindly tell us how you became connected with this

matter?

Objected to. Objection sustained. Exception.

Q You had a pretty good job with Andre, didn't you?

Objected to. Objection sustained. Exception.

Q Since April 3rd, since you have been connected with this work you haave visited various houses of prostitution in the City of New York?

Objected to. Question allowed.

A No, sir.

Q You did not visit a single house of prostitution since April 3rd?

A No, sir.

Q You considered that unbecoming a seamstress?

Objected to. Objection sustined. Exception.

Q Just tell us the nature of the work that you have done since April 3rd?

MR. WHITMAN: That has been ruled upon three times.

MR. KARLIN: She says she did not visit these places and I have a right to inquire what work she did.

MR. PRESS: She says she was employed by the District Attorney' office, and that is sufficient. Exception.

Q Have you come here every day in this building?

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A I have been here, I don't say every day, no, sir.

Q Since April 3rd?

A No, sir.

Q Except Sundays?

THE COURT: She said no. I will allow her to answer.

Q Yes or no?

A No, sir; I have not.

Q Have you been giving reports of your work as an investigator *** to Mr. Reynolds or any other Assistant District Attorney?

A No, sir.

Objected to. Objection sustained. Exception.

Q You went with George Miller to the apartment on West 41st Street on April 27th so that you might give evidence in this court?

Objected to. Objection sustained. Exception.

Q Wasn't your purpose in going with George Miller to 348 West 41st Street so that you might qualify yourself as a witness?

Objected to. Objection sustained. Exception.

Q What was your object in going with Miller to 348 West 41st Street?

Objected to. Question allowed.

BY THE COURT:

Q Why did you go -- you asked you to go to that place?

A Mr. Miller.

BY MR. KARLIN:

Q Why?

THE COURT: Is that objected to?

MR. PRESS: Yes.

Objection sustained. Exception.

Q Did you know Miller before April 3rd?

MR. PRESS: I object to that as immaterial whether she knew Miller or did not.

Objection sustained. Exception.

Q When you went in the apartment of Belle Moore on April 27th you first saw her in the bedroom?

A Yes, sir.

Q In the bedroom there with two girls?

A Yes, sir.

Q At that time she said "It has been awful hard work getting girls"?

A Yes, sir.

Q In the bedroom?

A In the parlor.

Q What was the conversation in the bedroom?

A The conversation was that she had a hard time.

Q She said in the bedroom, Belle Moore, that she hard work getting the girls?

A In both places, the bedroom and the parlor.

Q She said it two or three times "I had hard work getting girls"?

A Yes, sir.

Q How long were you in the bedroom at Belle Moore's?

A Not many minutes.

Q April 27th?

A Not many minutes.

Q What do you mean by -- how many minutes?

A Well, about three or four, maybe five.

Q Her conversation at that time consisted of telling you it was hard work to get girls?

A Not altogether that conversation.

Q What else?

A Well, other conversations.

Q Tell us about it?

A Well, about she paying the janitor or janitress, I am not quite sure.

Q That is also part of the conversation in the bedroom?

A Yes, sir.

Q In the bedroom she spoke about paying \$5 to the janitor, is that right?

A Yes, sir.

Q I want all the conversation as well as you can remember it which occurred in the bedroom when you were present, Miller and yourself, the defendant and the two girls in conversation?

THE COURT: Take your time, madam, and just answer.

Q Confine yourself to the bedroom?

A Yes, sir.

Q What was said?

A When Belle Moore came into the bedroom she spoke to Mr. Miller and she said she had a hard time in getting the girls, she would have to watch, and look out, she had given \$5 to the janitor or janitress in getting the girls.

Q Well, all this conversation occurred before the money

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was delivered, that is so?

A Before it was delivered and after the price was made.

Q Now pardon me, madam. All this conversation in the bedroom that you now relate was before, as you say, the money was paid in the parlor, is that right?

A The money was paid in the parlor and the conversation was repeated in the parlor also.

Q The same conversation?

A Yes, sir.

Q Word for word?

A No, sir, I won't say word for word.

Q But what you recall the same conversation?

A Yes, sir.

Q You recall the denomination of the money that you say was paid to this defendant?

A Yes, sir.

Q Tell us about it?

A Well, \$120 was paid to Belle Moore for the purchase of the two girls.

MR. KARLIN: I move to strike out the latter part of the answer as being a conclusion of the witness.

THE COURT: Stricken out.

MR. KARLIN: Exception. I get a ruling against me so often --

THE COURT: That is a decidedly improper remark.

Q Now, tell me the denomination -- what denomination

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was this \$120 in?

A For the two girls --

MR. KARLIN: I move to strike the answer out. What I want to know is what amounts -- were they fives, ones or twenties or what?

THE WITNESS: I can't remember all, I didn't take very much notice, I noticed there tens, fives, ones and twos.

Q Ten, fives, ones and twos?

A Yes, sir.

Q Is that true?

A Yes, sir.

Q There is no mistake that this money was tens, fives, ones and twos?

A There may have been a twenty, I can't say for certain.

Q No mistake there was tens, fives, ones and twos?

A Yes, sir; as far as I***ogn remember.

Q You have not had the benefit of a college education?

Objected to. Objection sustained. Exception.

Q Now, what conversation took place in the front room?

A About eight or 10 minutes.

Q Have you given us all the conversation?

A Yes, sir; all that I can remember except that --

Q Alice and Belle Wood at this time when this money was being handed over were there, were they not?

A In the bedroom.

Q Two rooms away?

A I can't remember if one or two rooms,

it may have been two.

Q Where was Anna Young this money was being paid?

A Sir?

Q Where was Anna Young, the girl who opened the door, as you say, when this money was being passed?

A Mr. Miller asked Anna to go out and close the door so that Belle Moore and he could talk business.

Q Is there a door there?

A (No answer).

Q In there a door between the parlor and the next room?

A Well, there may have been portieres*** too.

Q Isn't it a fact that there are only portieres*** there?

A That I cannot remember.

Q Isn't it a fact that no door was closed by Anna Young?

A I did not look to see if the door was closed by Anna Young.

Q Well, it was important in view of the fact that that instruction had been given to have the door closed?

Objected to. Objection sustained. Exception.

Q There is no door there now, is there?

A I can't remember if there was a door or portieres; there might have been both.

Q But there were portieres anyhow?

A There is something any way.

Q Since the 3rd of April have you met George Miller pretty often?

Objected to. Objection sustained. Exception.

Q Did you talk to George Miller last night?

A No, sir.

Q What is that?

A No, sir.

Q Did you talk to George Miller this morning?

A No, sir.

Q Have you spoken to any representative of the District Attorney about this case last night?

A No, sir.

Q Not a word?

A No, sir.

Q What time did you get here to-day?

A I got here about a quarter past 11.

Q Where did you go first?

A I went into Mr. Press' office.

Q Mr. Press' office?

A Yes, sir.

Q He has been busy with us here so you didn't see him.

Did you make any statement in connection with this case?

MR. PRESS: I object to that if your Honor Please.

Objection sustained. Exception.

Q Did you look over any written memorandum before you went on the stand in this case, yes or no?

A Yes, sir.

Q Yes.

A Yes, sir.

Q When, since a quarter past 11, isn't that so?

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A No, sir.

Q When?

A A day or two ago.

Q Yesterday?

A A day or two ago.

Q Yesterday, wasn't it?

A No, sir.

Q The day before, your best recollection is that a day or two ago you looked over a written statement of your testimony?

A Yes, sir.

BY MR. WHITMAN:

Q You made that written statement, didn't you?

A Yes, sir.

JOHN MULLEN, a witness called on behalf of the People, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. PRESS:

Q Where do you reside?

A 434 West 29th.

Q What is your business?

A Taxicab driver.

Q On the 27th day of April, 1910 were you driving a taxicab?

A Yes, sir, I was.

Q Where were you at about 12o'clock on that day?

A Well, I thing I was standing in front of the Hoffman House about 12 o'clock.

Q Did you meet a man names Miller about 1.25 on that day?

A Yes, sir, Mr. Miller engaged my cab at that time.

Q Where?

A In front of the Hoffman House.

Q Where did you drive him to?

A The first stop was 244 West 20th Street.

Q From there where did you drive him to?

A 224 West 16th Street.

Q At either of those places did he pick up any one?

A He picked up a lady at 20th Street.

Q Did you see the last witness?

A Yes, sir, I seen her.

Q Was that the lady he had with him?

A I am not sure; I didn't take any notice of her.

Q Where did you drive to from 20th Street?

A To West 16th Street.

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Q West 16th Street?

A 224 West 16th.

Q From there where did you drive?

A To 41st Street and Ninth Avenue, between 41st and 42nd street on Ninth Avenue.

Q Did Mr. Miller and the lady get out there?

A Yes, sir, they both out there.

Q How long were they gone?

A About an hour.

Q Who came back first?

A Mr. Miller.

Q Was he joined by any others?

A Yes, sir, about five minutes three women came down.

Q What did they do?

A All got in the taxicab.

Q Did Mr. Miller get in also?

A He got in too, yes, sir.

Q You drove where?

A To 224 West 16th Street.

Q About what hour did you arrive at 224 West 16th Street?

A About three o'clock.

Q You say you picked Miller up about 1.25?

A Yes, sir.

Q At what hour did he leave you at Ninth Avenue and 42nd Street?

A About half an hour after that.

No cross examination.

ALBERT THOMAS, a witness called on behalf of the People, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. PRESS:

Q What precinct?

A Detective Bureau.

Q You are a member of the police force of the City of New York?

A I am.

Q How long have you been so employed?

A 14 years.

Q Did you ever see the defendant Belle Moore before?

A I did.

Q When did you first see her?

A I first saw her about three years ago.

Q When did you arrest her?

A April 29th.

Q About what time?

A About five p. m.

Q Where?

A At her apartment, 348 West 4s1t Street.

No cross examination.

MR. PRESS: The People rest.

MR. KARLIN: Will you call Alice Milton and Belle Wood?

MR. PRESS: The People rest.

THE COURT: Defense.

MR. KARLIN: May it please your Honor, we move to dismiss the indictment and for the direction of averdict of acquittal on the ground, first, that the facts alleged in the indictment are not sufficient, do not constite sufficient to be a crime. Second, that the proof fails to sustain

the allegations set forth in the indictment. Third, that the evidence furnished up to this time fails to prove the guilt of the defendant beyond a reasonable doubt. Fourth, on the ground that it affirmatively appears that the allegations in the indictment that these women Alice Milton and Belle Wood were turned over to George A. Miller for the purpose of prostitution in the State of Washington in the city of Seattle is not so. On the ground that the proof affirmatively is that it was never intended that the two females named in the indictment should enter a life of prostitution in the city of Seattle in the State of Washington. We move to dismiss the indictment on the further ground that the proof, if at all, comes within sub-division 2 of Section 2460 instead of section four --- Section 2460 of the Penal Law --- on the ground that the proof does not show that this defendant had that control of the females Alice Milton and Belle Wood and that she never did suggest procuring them and placing them in the custody of the person named George Miller. On the further ground that if they were procured they were not used for the immoral purposes alleged in the indictment. On the ground that we are not bound here by

the declarations of George Miller and the witness Miss Foster that they were not acting with a criminal intent but the proof shows that they were accomplices. On the ground that under the statute before a conviction will properly lie it is necessary to have the testimony of the females in this case Alice Milton and Belle Wood, and only when their testimony is corroborated can there be a conviction under the statute. On the ground that the statute was designed to protect pure women, moral women and that the proof shows here that they had anterior to the time when this defendant met Alice Milton and Belle Wood --- they both had been living lives of prostitution. On the ground that it appears by the testimony that this was any placing in custody at all it was by this Miller himself when on the evening of the 26th visited the house of Mrs. Palmer on West 41st Street. For the reasons assigned, if the Court please, we respectfully now move for a direction of averdict of acquittal and the dismissal of this indictment. Motion denied. Exception.

MR. KARLIN. Will your Honor give me about 20 minutes so that I may confer with the defendant as to the further line of procedure?

THE COURT: No, I think we will proceed right along now without delay.

MR. KARLIN: If the Court please, we respectfully except to your Honor's refusal to give us 15 minutes to confer with the defendant on the ground that we have had no opportunity to confer with her to-day, no opportunity to confer with her during the luncheon time, being limited to 15 minutes, and on the ground on account of the long session yesterday I could not see her; on the further ground that there were no facilities for consulting with the defendant in the pen and that I could not consult with her before the opening of the court to-day.

THE COURT: Proceed.

MR. KARLIN: Exception.

Mr. Alexander Karlin opens the case on behalf of the defendant as follows:

May it please your Honor, Mr. Foreman and each of you gentlemen of the jury:

The key-note of our defense is going to be absolute frankness, the utmost sincerity, no covering of any details however vile or vicious.

This defendant will not tell you that she is an

honest seamstrees.***

MR. PRESS: I object to that.

THE COURT: Confine yourself to an opening.

MR. PRESS: Is this the summing up?

THE COURT: Just tell the jury briefly what you expect to show.

MR. KARLIN: I expect to show that this defendant is not an honest seamstress, if the Court please. We are not going to claim that this defendant is a woman of highly moral type. She is not. She is going to bare her past to you upon the witness stand. She is going to tell you that for years past she has followed an immoral life, and she is going to ask you not to convict her on that because she is not charged here with that. She is going to ask that you judge her upon the credible evidence and upon the evidence alone, and she is going to show you that never April 26th had she ever had a white girl in her house for the purpose of sale or anything else. She is going to show you that when you the first time -- when Dick Morris or George Miller and the other witness here Frances Foster came to her life, that never until then had she ever procured for any living human being or sold to any human being a female of any age for immoral purposes. She is going to show you that that which she did,

if she did anything at all in this case, she did without criminal intent, and that she was induced to do it, she was incited to do it, as she is going to tell you by her own testimony, because night after night this woman leading an humble existence suddenly found in her path George Miller and Frances Foster lavish with money; that they took her night after night to various sporting places, that they had dined and wined her, that they took her around riding in taxicabs, and because of this influence, and not because of any criminal intent, she is going to tell you that did some act that the State here is trying to make out to be a crime. She is going to tell you that never in her life did she get \$120 which she is charged with having received. She is going to show you that that is a story built out of the whole cloth, and she is going to prove, to your satisfaction, by evidence beyond a reasonable doubt that George Miller had slept with another female, and had slept with a colored man by the name of Also Anderson on April 13th. She is going to show you that she never knew Alice Milton or Belle Wood until April 26th or April 27th. She is going to show you that they were brought there by a white girl. That she never heard of the house of Mrs. Palmer. She is going to show you that

these two girls were put in that house as part of a wicked plan and we are going to contend here, and rightfully so we believe, that this woman's mind on April 13th was not bent on anything criminal. If you can torture this evidence into anything --- if you can torture this evidence into anything criminal it was brought about through the agency of the State, and at the proper time we are going to ask, in that connection, that the learned Court charge you that the courts in different parts of this country have held that under those circumstances there can be no crime committed. We are going to show you that you are not dealing here with a professional procurer; you are not dealing her with a trafficker in white slaves. We are going to show you that despite her moral shortcomings, her moral obliquity, and they have been many, that she was never in her lifetime, on April 27th or any other time, guilty of the vile crime that is laid at her door. I am going to ask you, prostitute that she is, that you pay the same attention to her testimony, and that you weigh it. If you are convinced that her life has not been that *** and honest one that you would want to have her lead -- we are going to ask you to weigh that but we are going to ask you to sift from all the credible testimony as it will fall from her lips the

truth. And when we have done that, when we have shown you that George Miller had these girls brought there as a part of a wicked plan, and that this woman had nothing to do with procuring them, that she never got the \$120, we are going to ask that you find a verdict of acquittal, not because the State has not made out its case beyond a reasonable doubt but because we will have proved the innocence of this defendant beyond a reasonable doubt. I call Alice Milton. I have not subpoenaed Alice Milton because she is not within my control or custody. I desire to use her as a witness for the defense. Now, Mr. Press, will you kindly bring forward Alice Milton.

ALICE MILTON, a witness for the defendant, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. KARLIN:

Q Where do you reside?

A 137 West 41st Street.

Q Miss Milton, will you kindly keep your voice up so that the gentlemen can hear you.

A I will try to.

Q May I ask your age?

A I am 23 years old, 24 my next birthday.

Q Will you kindly tell us where you resided for some months prior or rather before April 26th?

A At Mrs. Palmer's house, 137 West 41st Street.

Q Pardon the question. I don't mean any offense. Will

you kindly tell us the reputation of that house, Miss Milton?

A I don't know what you mean.

Q Well, that is a sporting house, isn't it, you will pardon the question?

A Yes, sir.

Q Now when for the first time in your life, Miss Milton, did you met this defendant?

A Meet who?

Q Belle Moore, this defendant?

A The first time I met Belle Moore?

Q Was when?

A The 26th day of April.

Q You never knew her before that day, Miss Milton?

A I never did.

Q You never knew that she lived at 348 West 41st Street?

A No, sir, I never did.

Q You were brought to her house by a white girl, weren't you, on the 26th?

MR. PRESS: I object to that as leading.

THE COURT: Don't lead.

Q Kindly tell us. If you will keep your voice up, whether a man or a woman --- and the color of the man or woman who brought you to the house of this defendant on April 26th?

A A white girl.

MR. PRESS: That is the same question, if your Honor please.

Q A white girl brought you there?

A Yes, sir.

Q On that day you met a man named George A. Miller, didn't you?

A I did not, I met a man named Dick Morris.

Q Who is known here -- has he said his name was Dick Morris?

A Yes; that is the name I know him by.

Q In consequence of any talk that you had with him at the apartment of Mrs. Belle Moore on that day did you again meet this Dick Morris?

MR. PRESS: I object to that, if your Honor please.

Objection sustained. Exception.

Q When next did you meet Dick Morris?

A I met Dick Morris on the 26th day of April and again on the 27th of April.

Q Did you meet him again later in the evening of the 26th?

A Yes, sir, I did.

Q Where?

A At my house.

Q At your house?

A Yes, sir.

Q Now did he have a conversation with you there?

A He did.

Q How long did he stay on that occasion, Miss Milton?

A I haven't got the least idea.

Q About, we don't want the exact time?

A About half an hour.

Q Did he there meet any other girl?

A Yes, sir, he did.

Q Who is the other girl he met there?

A Belle Wood.

Q Up to that time, as far as you know, Miss Milton, had Belle Wood ever been in the house of this defendant?

MR. PRESS: I object to that if your Honor please.

Objection sustained. Exception.

Q Did he speak to either or both of you girls, this Dick Morris, on the evening of the 26th?

A Yes, sir.

Q May I ask you, Miss Milton, whether at that time you arranged to go with him to Seattle?

MR. PRESS: I object to that, if your Honor please.

Objection sustained. Exception.

Q Was there any thing discussed that night about Seattle?

MR. PRESS: I object to that, if your Honor please.

Objection sustained. Exception.

THE COURT: You may ask her what was said.

MR. KARLIN: If the Court please, I am in a nature examining a more or less hostile witness.

MR. WHITMAN: We object to that, our Honor. You called this witness yourself.

MR. KARLIN: You would not and I had to.

MR. WHITMAN: I object to that also.

THE COURT: Yes.

MR. WHITMAN: This witness is the defendant's witness, called by him, and he is bound by everything she says. He ought to know that.

MR. KARLIN: Does our Honor refuse to recognize this witness as a hostile witness?

THE COURT: I haven't the slightest reason to suppose that this witness is in any sense hostile to your client.

Q Will you kindly tell us the conversation that occurred on the evening of April 26th, Miss Milton, at the house of Mrs. Palmer, 137 West 41st Street, between you, Belle Woods and Dick Morris?

A All I remember is he asked us to go to Seattle, made arrangements for us to go to Seattle, and I said "Yes, I would go".

Q What did he say to Belle Wood on the evening of the 26th of April?

A He asked her if she wanted to go.

Q Where?

A To Seattle.

Q What did she say?

A She said yes, she would go.

Q Do you remember any further of the conversation on that evening?

A I do not.

Q Now just think a minute because I don't want to put leading questions to you --- if you can remember any other conversation that evening kindly tell us?

A Well, he told me he would meet me the next morning at Belle Moore's.

Q Did he tell that to Belle Wood too?

A Yes, sir; we were both there together.

Q He said he would meet you at Belle Moore's the next morning?

A Yes, sir.

Q What else did he say if you please, I don't like to lead you, Miss Milton?

A He asked us if we wanted any money.

Q What did you say?

A We said yes.

Q What did Belle Wood say?

A Belle Wood said the same as I did, she said yes.

Q What did he say when you said that?

A He said "Very well".

Q Very well?

A Yes, sir.

Q Did he say he would give you money?

A Why, yes.

Q Do you remember any of the other conversation without my leading you, Miss Milton?

A No, sir, I do not.

Q Was anything said then --- having exhausted the witness's recollection, if the Court please --- was there anything further said with regard to any clothing that you had at the tailor's?

A Yes, sir.

Q Kindly tell us what was said on that subject?

A He said --- I told him that my suit was across the street in the tailor's, and he said he would get it for me, or send for it, or something like that.

Q In that connection did he go to the tailor's as far as you know?

A No, sir.

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Q Did you get your suit?

A No, sir.

Q Did he say anything about buying new clothing?

A Yes, sir, I think he did.

Q Please tell us if you will just what was said then?

A He told me I need not bother with my clothes, that Miss Frankie would buy all the clothes I wanted; I said I wanted my own.

Q Had you before that over met Miss Frankie?

A No, sir, never met Miss Frankie.

Q He used the expression "Miss Frankie would buy your clothes"?

A Yes, sir.

Q Now will you kindly tell us, if you will, Miss Milton, when it was that some police officer took you?

A Three weeks ago to-morrow about 6.30.

Q Where have you been all these three weeks, Miss Milton?

A The Magdalen Home.

Q At the Magdalen Home?

A Yes, sir.

Q Did you ever appear before a Magistrate?

Objected to. Objection sustained. Exception.

Q Have you been in any court since you have been arrested?

A No, sir.

Q You have not?

A No, sir; this is the only court I have been into.

Q This?

A Yes, sir.

Q They have had you for three weeks?

Objected to.

A This is the only court I have been into.

Q Did you consent to go to the Magdalen Home?

Objected to. Objection sustained. Exception.

Q Miss Milton, before you saw me in this court room today did you ever see me before in your life?

A No, sir, I never did.

Q Did you ever speak to me in your life?

A No, sir.

Q Did you ever speak to Mr. Busch?

A I think I have.

Q This gentleman?

A I don't remember, but I think I have.

Q When did you speak to Mr. Busch, when did you speak to him? (No answer)

BY MR. WHITMAN:

Q You have not talked about this case to either one of them?

A I don't remember them at all.

MR. KARLIN: The Direct Attorney concedes, if the Court please, that this witness never spoke either with Mr. Busch or myself before this occasion.

Q You have been all those three weeks at the Magdalen Home, haven't you?

A Yes, sir.

Q When you got to the house of Mrs. Moore on the 27th did you tell her that you had a fight with Mrs. Palmer during

the night on account of Dick Morris and you were coming there to get a sleep, would like to go to bed?

A Yes, sir, I did.

Q You did?

A Yes, sir.

Q She permitted you to go to bed, didn't she?

A Yes, sir.

Q She got you some luncheon?

A She did.

Q What did Belle Woods say in that respect to this defendant on the 27th?

A I don't remember.

Q Belle Wood had also had a fight with Mrs. Palmer, hadn't she, on account of Dick Morris?

A I think she did.

Q Now won't you kindly tell us whether on the evening of April 26th when Dick Morris, the witness George A. Miller, was at your house, whether he did not speak to a third girl by the name of Anna?

A Not at my house.

Q Isn't this the fact, Miss Milton, that as a result of that talk which you had with Dick Morris, George A. Miller, on the 26th of April you had agreed to go to Seattle?

A I did.

Q You did?

A Yes, sir.

THE COURT: Is there any cross examination?

MR. PRESS: Yes, sir.

CROSS EXAMINATION BY MR. RPRESS:

Q You made a statement, did you not?

A I did.

Q For Mr. Reynolds?

A Yes, sir, I did.

Q Did you swear to that statement?

A I did, I think I did, yes, sir.

Q Do you recollect what you told Mr. Reynolds on that occasion, which was the 4th day of May, 1910?

A Yes, I remember most everything.

Q Do you recollect what you said as to how you came to go to Belle Moore's house?

A Yes, sir.

Q Will you state it?

A I did. I will.

Q Go ahead.

A I went to Belle Moore's house between 10 and 11.

Q When?

A In the morning.

Q On April 27th?

A On April 26th.

Q Why did you go to Belle Moore's house?

A Why?

Q Yes.

A To meet Dick Morris.

Q Who asked you to go there?

A Asked me to go where?

Q To Belle Moore's house?

A It was agreed that ---

Q Who asked you to go there?

A Well, Dick Morris and Belle Moore.

Q Who asked you to go to Belle Moore's house the first time you visited it?

A The first time I went in there was a girl named Sal.

Q What is her name?

A Sadie Isaacs.

Q What did she say to you?

A She asked me to ---

MR. KARLIN: I object to that as being incompetent,

irrelevant and immaterial.

MR. PRESS: This is the frank and of it. I want to get at it now.

MR. KARLIN: Not in the presence of this defendant.

THE COURT: Objection sustained.

Q Did you state on the 4th day of May, 1910 that you went to Bell Moore's apartment because Sadie Isaacs had said to you that the defendant would introduce you to a man who had a house in Scattle?

A Yes, sir.

Q Is that true?

A Yes, sir, that is the truth.

MR. KARLIN: I object to that, if the Court please, and I move to strike the answer out.

Objection overruled. Exception.

MR. KARLIN: It was not in the presence of this defendant and not binding upon her.

THE COURT: For th***urpose of contradicting the witness.

MR. KARLIN: If the Court please she has not testified to that which this statement seeks to contradict; this is not in the nature of impeaching her testimony.

THE COURT: I will receive it for that purpose. Exception.

Q Did you state that before you went, and immediately

after the first conversation with Sal had told you that --- Sal telephoned?

A She did.

MR. KARLIN: I object to that if the Court please as being incompetent, irrelevant and immaterial, not binding upon this defendant, not in her presence, and it does not impeach the testimony given by her on direct examination. I move to strike out the answer.

Motion denied. Exception.

MR. PRESS: Your Honor will recollect that she said Morris told her to go.

Q Do you recollect stating that Sadie did not tell me that Belle Moore was a colored woman?

MR. KARLIN: I object to that as incompetent, immaterial, not in the presence of this defendant, not binding upon her, not in the nature of impeaching any testimony given on the direct examination.

Objection sustained.

Q Do you remember stating that when you reached Belle Moore's apartment at 348 West 41st Street that you found Belle Moore and a girl named Anna?

MR. KARLIN: I object to that as being incompetent, irrelevant and immaterial, not in the presence of the defendant, not binding upon her, not in the nature of impeaching her testimony on

the direct examination.

THE COURT: It does not contradict anything that she testified to.

MR. PRESS: Except insofar as the defendant's attorney has stated that he wishes to be frank and he has only brought out a state of affairs which would indicate that this girl here was asked by Miller to go to this house, which is not the fact.

MR. KARLIN: We object to that statement, if the Court please, and ask that the jury be instructed to disregard it.

THE COURT: The jury are going to be instructed to regard only the evidence in the case and not anything that may be said to the court during the progress of the trial. I think I will sustain the objection.

Q Isn't it a fact that you went to Belle Moore's and there met Dick Morris?

A Yes, sir.

Q For the first time?

A Yes, sir.

BY THE COURT:

Q In other words, the first time you saw the man whom you knew as Dick Morris was in the rooms of the defendant, Belle Moore, is that so?

A I don't understand.

Q The first time that you saw Dick Morris was in the rooms of this defendant, Belle Moore?

A Yes, sir.

BY MR. KARLIN:

Q But, Miss Milton, it is a fact that it was as the result of that conversation which you had on April 26th at Mrs. Palmer's house with Dick Morris that you agreed with him to go to Seattle?

MR. PRESS: I object to that.

THE COURT: I think it is objectionable as calling for a conclusion.

MR. KARLIN: Question withdrawn.

Q On that night of April 26th at Mrs. Palmer's house is it or is it not true that after he told you he would get your clothes and after he told you that he would give you money that then you said you would go to Seattle?

A Yes, sir.

BY MR. PRESS:

Q Why did you go to Belle Moore's?

A To meet Dick Morris.

Q Had it been stated to you for what purpose?

A Yes, sir.

Q What was the purpose?

A Well, to go away to Seattle with him.

Q Were you agreeable to go to Seattle at that time?

A Yes, sir.

Q That was why you went there?

A Yes, sir.

Q You had a conversation at that time with Belle Moore,

did you not?

A Yes, sir.

Q What was that conversation you had with Belle Moore?

A Just a minute, I want to know whether this is the 27th or 26th.

Q I am speaking of the first visit you were at Belle Moore's residence?

A Well, I went home then; I was only there about a half an hour.

Q I am not asking you that.

A I don't understand.

MR. PRESS: I ask that it be stricken out.

Stricken out. Exception.

Q You went to Belle Moore's, that was on the 26th?

A Yes, sir, the 26th.

Q What hour of the day?

A Between three and four.

Q You there found the defendant Belle Moore?

A Yes, sir.

Q You there found Miller, did you?

A Yes, sir.

Q Before you went to the house on that day had you seen Sal?

A Yes, sir.

Q As a result of the communication given you by Sal you went to Belle Moore's?

A Yes, sir.

Q State for what purpose you went to Belle Moore's?

MR. KARLIN: I object to that as calling for a conclusion.

A I went with Sal to meet Belle Moore.

Q For what purpose?

A Belle Moore was ---

MR. KARLIN: I object to that as calling for a conclusion.

Q Why did you go to that house?

A Belle Moore was to introduce me to a man that was going to Seattle.

MR. KARLIN: I object to that and move to strike out the answer on the ground that this defendant did not say that to her. That was a statement made in the absence of the defendant.

THE COURT: Strike it out.

Q What did the defendant say to you on that occasion when you got there?

A She asked me if I wanted to go to Seattle.

Q What did you say to her?

A I said --- well, at first I said --- well, I don't know --- then I said "Yes" after she talked a while I said yes.

Q Can you recollect the entire conversation that you had with the defendant at that time?

A Not all.

Q But you are certain that she did ask you if you would go to Seattle?

A Yes, sir.

Q And that you replied that you would, subsequently?

A Yes, sir.

BY MR. KARLIN:

Q Didn't she say, Alive, that you said in that conversation with Bell Moore at her house on the 26th that you didn't know whether you would go to Seattle, isn't that what you

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said here a minute*** age?

A I never said that.

Q Let us get that correct. You were at the house, you testified in answer to Mr. Press's question that on the 26th you were at the house of Belle Moore between three and four, isn't that so?

A Yes, sir.

Q You told Mr. Press that she then asked you about going to Seattle?

A Yes, sir.

Q You also told Mr. Press "I didn't know whether I would go or not"?

A The first time.

Q The first time?

Objected to.

THE COURT: I will allow her to answer. Go on and tell us what you said to Belle Moore at that time about Seattle.

THE WITNESS: Belle Moore asked me if I was willing to go to Seattle, she would introduce me to a man, and I said yes.

BY MR. KARLIN:

Q You said you didn't know whether you would go to Seattle the first time?

Objected to. Objection sustained. Exception.

Q You met Dick Morris, didn't you?

A Yes, sir.

Q The first time --- for the first time between three and four?

A Yes, sir.

THE COURT: You have been all over that.

Q And it was in the evening after he told you about the money, and the suit he was going to get for you that you finally said that you would go to Seattle?

Objected to as impeaching his own witness.

Objection sustained.

Q I desire to put this question. In fact he promised you clothing, didn't he?

A He didn't promise me clothes; he said he would get my suit out of the tailor's.

Q He said he would give me money?

A If I needed it, yes, sir.

Q Then you said you would go to Seattle?

A Yes, sir.

BY MR. PRESS:

Q You said you would go to Seattle before?

A Yes, sir, before.

BELLE WOOD, a witness called on behalf of the defendant, being duly sworn, testified as follows:

DIRECT EXAMINATION BY MR. KARLIN:

Q Where do you reside?

A 137 West 34th Street.

Q Miss Wood, may I ask your age?

A 25; I won't be 25 until the 12th of December.

Q 25?

A Yes, sir.

Q I believe you are married, Miss Wood, is that right?

A Yes, sir.

Q You have two children?

A No, sir; no children.

Q When for the first time in your life, Miss Wood, did you met this defendant?

A The 27th of April.

Q Where

A At her house.

Q Her house?

A Yes, sir.

Q Now, on the evening before, namely on April 26th at the residence of Mrs. Palmer, 137 West 41st Street, did you meet a person whose name in George A. Miller under the name of Dick Morris?

A Yes, sir.

Q You there had a conversation with Dick Morris, didn't you?

A Yes, sir.

Q Will you kindly tell us in your own way, Miss Wood, keeping your voice up so that each juror will hear every word, tell us in your own way if you please all the conversation that took place on that evening between George A. Miller known as Dick Morris, yourself and Alice Milton?

A Well, my friend came home and told me ---

Q You mean Alice Milton?

A Yes, sir; that she had a party coming to the house to see me in the evening.

Q A Part would be there in the evening?

A Yes, sir.

Q Now, Miss Wood, if you will tell us the conversation that occurred when Dick Morris got there and what took place between you and Dick Morris and your friend Miss Milton?

A She came home and told me did I want to go away to Seattle and I said "Yes", I would go with her as long as she would go, and Dick Morris came home, in the house, and asked me would I go and I said "Yes", and what time would I be over there at Mrs. Moore's house.

Q Dick Morrie*** said that?

A Yes, sir; and I said "Yes, I would be over with Alice at Mrs. Moore's house".

Q When did you say you would e over?

A That night the 26th of April. Dick Morris came up to the house and that was all that was said, there, we went to Mrs. Moore's house.

Q How long did the conversation take place between Dick Morris, Alice Milton and yourself?

A I have no idea, about an hour and a half, I guess, I have no idea.

Q Did he send over that evening to a girl by the name of Anna as well -- is there a girl named Anna in the house?

A Yes, sir; there is a girl in the house named Anna.

Q Have you to us all you can recollect of this. Take your time, Have you told us all that you can recollect as to that which happened, all the conversation that occurred when Dick Morris and yourself and Miss Alice Milton were together on the evening of April 26th at the house of Mrs. Palmer?

A Yes, sir.

Q That is all you recollect?

A Yes, sir

Q Now, was anything said there by Dick Morris about getting a suit of clothes for you?

A Yes, sir.

Q Tell us what was said?

A He said -- I said -- I have some clothes "Wall" he says, "Frankie will fix that all right for you".

Q Did he tell you who Frankie was?

A Yes, sir' he

told us Frankie was the madam at the house in Seattle.

Q Was there anything said on the subject of money, as near as you can remember by Dick Morris?

A He gave me some money for a laundry bill.

Q He gave you some money for a laundry bill?

A Yes, sir.

Q How much?

A Four dollars.

Q Was there anything said about money to go to Seattle, paying the fare or anything like that?

Objected to as leading.

MR. KARLIN: I have exhausted the witness' recollecting.

Q Now, please, if you will, thinking very carefully and taking your own time, tell us whether you remember any more of the conversation outside of that which you have here told us that took place between yours*** and Alice Milton and Dick Morris, the witness George A. Miller, on the evening of April 26th. Do you remember anything else?

A No, sir.

Q Not remembering anything else did the subject of expenses, railroad fare, to take you to Seattle come up that evening?

A No, sir.

Q You don't remember that?

A No, sir.

Q You don't remember whether it did or not?

A (No answer).

BY THE COURT"

Q Do you remember that it did not?

A It did not.

BY MR. KARLIN:

Q You had a fight that night with Mrs. Palmer because of Dick Morris, didn't you?

Objected to. Objection sustained. Exception.

Q Did anything happen between you and Mrs. Palmer on account of Dick Morris' having been there?

Objected to. Objection sustained.

Q When Dick Morris left that night, April 26th, did you tell him whether or not, you would go to Seattle?

A I told him yes, and I said "probably I will change my mind".

Q Probably you would change your mind?

A Yes, sir.

Q But you told him first you would go to Seattle?

A Yes, sir

Q You told him that, I take it, after he said he would get you a suit of clothes and after he paid the laundry bill?

Objected to.

Q Anyhow you did tell him you would go to Seattle that night?

A Yes, sir

Q The next day did he say anything -- where to meet your the next day?

A Mrs. Morrie's house.

Q Did he tell you where it was?

A No, sir; he did not.

Q He told you to meet him there?

A Yes, sir; he told me to meet him.

Q You did meet him there the next day?

A Yes, sir.

Q Do you remember telling Belle Moore that you hadn't had any sleep all night and you had a fight with the madam and you would like to get a place to go to sleep?

A Yes, sir.

Q She did permit you to go to bed?

A Yes, sir.

Q She made your lunch for you that day?

A Yes, sir.

Q You don't consider that you have been a white slave that has been talked about?

Objected to. Objection sustained. Exception.

CROSS EXAMINATION BY MR. PRESS:

Q You is the first person to suggest going to Seattle to you?

A Alice.

Q Alice?

A Yes, sir.

Q On what day was that?

A The 26th.

Q On the 26th?

A Yes, sir.

About what hour in the day was it? She made that suggestion to you?

A When she came over from Mrs. Moore's house.

Q You stated -- what did Alice say to you?

A She asked me did I want to go to Seattle and I told her yes I would

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go as long as she went with me.

Q You made a statement for Mr. Reynolds, did you not?

A Yes, sir.

MR. KARLIN: I object to that as incompetent and immaterial.

THE COURT: I will allow the witness to answer.

Q Did you make this statement "Alice Milton asked me if I would go to Seattle and said a woman named Moore, a colored woman, wanted to get some girls to go to Seattle with a man"?

MR. KARLIN: If the Court please, we object to that as being incompetent.

MR. PRESS: I submit this is cross examination.

MR. KARLIN: I object to any statement by the District attorney.

THE COURT: I do not think that the statement is in conflict with anything that this witness has testified to, as I recall it, on the direct.

Q Did you make that statement?

Obejcted to.

Q At any time?

MR. KARLIN: Objected to as immaterial, not binding upon the defendant, not said in her presence, and not calculated to impeach any thing

elicited on the direct examination.

THE COURT: Do you contend that she said something on the direct that is in conflict with that?

MR. PRESS: I do, your Honor, because only enough has been drawn out by my friend --

MR. KALIN: We object to the statement.

THE COURT: I will allow it.

Exception.

MR. KARLIN: We take an exception on each and every ground stated.

Q Did you make that statement?

A Yes, sir.

Q Which statement is "Alice Milton asked me if I would go to Seattle and said a woman named Moore" --

MR. KARLIN: I object to your reading from a document.

MR. PRESS: This is the statement, if your Honor please, and I cannot recollect it all like my friend.

Q "Said a woman named Moore, a colored woman, wanted to get some girls to go to Seattle with a man and I said I would go alone"?

MR. KARLIN: I object to that as incompetent, irrelevant and immaterial, as not being in the presence of this defendant, not binding upon her,

not calculated to impeach anything that the witness has testified to on her direct examination.

THE COURT: How is it competent?

MR. PRESS: It is competent in this way, your Honor, -- it has been stated by this defendant's counsel that Mr. Miller asked her to go.

THE COURT: You may ask her whether anybody else asked her to go.

Q Did any other person other than Miller ask you to go to Seattle?

A No, sir.

Q Did you make a statement to the effect that Alice Milton asked you to go to Seattle first?

MR. KARLIN: I object to that as incompetent, immaterial and irrelevant and not binding upon the defendant.

Q Yes or no -- did Alice Milton ask you to go to Seattle?

A After Dick Morris asked her she came home and told me about it.

Q But that was before Dick Morris ask you to go?

A Yes, sir.

Q What hour of the day did you say you went to Belle Moore's?

A We came up between 10 and 11.

Q Between 10 and 11?

A Yes, sir.

Q Did you tell Mr. Morris that?

A He told me to be up

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there some time.

Q But you didn't say when?

A No, sir.

Q Did you have any conversation with the defendant when you entered her apartment for the first time on the 27th of April, 1910?

A (No answer).

BY THE COURT:

Q Did you have any talk with Belle Moore when you got to Belle Moore's rooms for the first time?

A No, sir; she just told me to go to bed and that is all.

Q She told you to go to bed?

A Yes, sir.

BY MR. PRESS:

Q Did your friend have any conversation with her in your presence?

A She asked Alice -- Belle Moore -- if she would take any chances.

Q What did Belle Moore say?

A No.

BY MR. KARLIN:

Q She asked her whether she would take any chances if she went to sleep there?

A No, sir; to Seattle.

MR. PRESS: The jurors ask that the testimony be read.

(The stenographer then read the testimony of the witness to the jury).

BY THE COURT:

Q So that in order of time the first person to speak to

you was Alice Milton?

A Yes, sir.

Q The second person to ask you about going to Seattle was Miller and the third person was Belle Moore?

A Yes, sir.

BY MR. PRESS:

Q It is also true that Alice Milton said to you also asked you to go to Seattle?

A Yes, sir.

Q At the time you spoke to Belle Moore you had already told Dick Morris you would go to Seattle?

Objected to. Objection sustained.

THE COURT: She has answered that question first by saying that she did say so and she also said "I will probably change my mind" or words to that effect.

BY MR. KARLIN:

Q Just one other other question. Did you ever see me before to-day?

A No, sir.

Q Did you ever see Mr. Busch, the gentleman who sits here?

A No, sir.

Q Never spoke to either of us before?

A No, sir.

BY MR. PRESS:

Q You have never seen Mr. Whitman before?

A No, sir.

MR. KARLIN: If the Court please, the defendant feels that it would tend to relieve everybody, the

Court, jury and everybody else, to rest. In fairness to the jury it is proper to make a concession that this defendant had led a life of immorality. We are prepared to have that concession on the record.

THE COURT: Any rebuttal testimony?

MR. PRESS: No, sir.

MR. KARLIN: We renew the motion made at the close of the People's case to dismiss the indictment against this defendant and to direct a verdict of acquittal on all the grounds then stated.

THE COURT: Motion denied.

MR. KARLIN: Exception.

MR. KARLIN: On the additional ground I omitted to state that it is against public policy and good morals to permit a prosecution of a case where, if the defendant committed the crime at all. She was influenced to do it inspired to do it by the agency of the State.

Motion denied. Exception.

(*****)

(**Mr. Press therefore**on behalf of the People.)

CHARGE OF THE COURT.

CRAIN, J.:

Gentlemen of the Jury: I ask your careful and undivided attention to my charge, because it is from my charge and from my charge alone that you are to learn what the law is applicable to this case. The law applicable to the case is contained in very few words, and those words are found in Section 2460 of the Penal Law. To those words I direct your attention. "Every person," says the law, "Who shall knowingly receive any money for or on account of procuring and placing in the custody of another person for immoral purposes any woman with or without her consent," is guilty of a violation of Section 2460.

This defendant, Belle Moore, is charged with violating that provision of law. She is charged in this indictment with knowingly receiving money for and on account of procuring and placing women in the custody of another person for immoral purposes.

Before directing your attention to that which must be established by the evidence to your satisfaction and beyond a reasonable doubt before this defendant can be found guilty, I invite your attention to some matters

which you are not to consider when you retire to deliberate in the jury room; and, when I say that you are not to consider them, "I mean that they are not to be the subject of thought on the part of any one of you twelve men, and that still less are they to be the subject of discussion between any of you men. The first thing that is not to be the subject of thought or the subject of discussion among you when you retire to the jury room is the question as to whether this law is a wise law or an unwise law, because, with that, you have nothing to do. The next thing which is not to be the subject of thought on the part of any one of you twelve men when you retire to deliberate in the jury room, and still less the subject of discussion, is whether you approve or do not approve of any general investigation which you may have inferred either from the testimony in the case or otherwise, was being conducted in the County of New York for a given purpose, because it is entirely immaterial so far as the question of the defendant, Belle Moore's guilt or innocence is concerned whether if there is such an investigation going on you approve or disapprove of it. The third thing which is not to be the subject of comment in the jury room or of thought

by individual jurors in the jury room is whether you approve or do not approve the policy of the employment by the People of the State of New York of persons answering to the description of investigators.

When you come to the consideration of the evidence in the case you are entitled to discuss and it is your duty to discuss what, in point of fact, each witness has sworn to, and you are entitled to discuss and it is your duty to discuss whether that which the witness has sworn to is true or false and, with that end in view, you have the right to consider any light that the evidence may shed upon the character or antecedents of any witness, but you are interested in the character or antecedents of any witness merely insofar as that bears on the question as to whether what the witness has said, sitting there, is true or false, as you recall those statements.

I think that I have now stated a few of the things occurring to me at the moment which are either not to be the subject of consideration by you in the jury room or which are to be the subject of consideration by you in the jury room in only a qualified way or for a special and defined purpose. What is it that

must be proved to your satisfaction by the evidence beyond a reasonable doubt before you can find this defendant guilty as charged in the indictment? The answer to that question is very simple, and I direct your attention now to the point to which the evidence must go and what must be established to your satisfaction by the evidence beyond a reasonable doubt before you can find this defendant guilty.

First, did the defendant on April 27th, 1910, in the County of New York, knowingly receive any money from George A. Miller. Secondly, if so, did she receive such money for or on account of procuring and placing in the custody of George A. Miller two women, Alice Milton and Belle Wood, or either Alice Milton or Belle Woods for immoral purposes? If upon the evidence you entertain no reasonable doubt that Belle Moore, on April 27th, 1910, in the County of New York, knowingly received money from George A. Miller, and that she received such money for or on account of procuring and placing in the custody of George A. Miller two women, Alice Milton and Belle Woods, for immoral purposes, you will find this defendant guilty as charged in the indictment.

What was done by the defendant, if anything? What was

the purpose for which that thing, if anything, done by the defendant was done? Did the defendant do that which the law says may not be lawfully done, referring now to that provision of law to which your attention was directed at the threshold of the charge, and, if she did it, did she do it for the purpose which the law characterizes as an unlawful purpose?

There are certain things which it is not necessary for the people to prove because it is not required that they should exist as facts before a defendant can be found guilty under this section of there law and the particular subdivision of the section to which your attention is directed and to those things I now call your attention: First, it is immaterial whether women procured and placed in the custody of another by the defendant, if such women there were, were so placed with their consent or without their consent. That is an immaterial circumstance and, of course, being immaterial, it is not a circumstance to be the subject of discussion in the jury room, except as it may bear upon the credibility or the weight to be attached to the evidence given by the witnesses who gave testimony in this case, other than the driver of the taxicab, his evidence having

no relation to that subject. In the next place, it is not something that the people must prove that the women, if women were placed in the custody and charge of Miller by the defendant for immoral purposes, were, at the time of such placing, if there were such placing, chaste women. This law safeguards the prostitute as well as the pure virgin in this respect, that neither the prostitute nor the pure woman can lawfully be placed by an one in the custody of another for immoral purposes.

You are the exclusive judges of the facts, and that means that you are to decide this case according to the evidence, as you recollect the evidence. The evidence is that which is to be measured, and the law, as already stated to you, is the measuring stick. You are to talk the law as I have stated it to you, and you are to say upon your oath whether the evidence satisfies you beyond a reasonable doubt that that law has been broken by this defendant, as charged in this indictment. The defendant comes to the bar with the presumption of innocence. The burden of proof is upon the prosecution. That burden requires that before you can find the defendant guilty, you must be satisfied from the evidence beyond

a reasonable doubt of the defendant's guilt.

I have been handed by the defendant's counsel certain requests to charge.

I am requested to charge you as follows: The thirteenth request is if a witness testifies falsely as to a material fact the jury has a right to disregard the testimony of such witness.

That is charged.

The fourteenth request is "Under the law of this state a defendant is not required to take the stand in his own behalf and a jury can draw no inferences of guilt from his failure to take the stand."

I charge that.

The other requests, I decline, except as charged. You have an exception.

MR. KARLIN: I note an exception. If your Honor please, I have to note my exception to cash refusal.

THE COURT: You have an exception to my refusal to charge your first request, your second request---

MR. KARLIN: I understand the Court of Appeals requires that the record should show just what the requests contained. In order to get the benefit of my exception I must have noted on the record the very words

of the request.

THE COURT: They will be handed to the stenographer, who will copy them.

MR. KARLIN: We ask now, in the presence of the jury, to be permitted to state our exception to each refusal.

THE COURT: No, I have allowed you to note your exception.

MR. KARLIN: We except to your Honor's refusal so to permit us to except, in the presence of the jury, to each of the various requests on the part of the defendant.

THE COURT: The exceptions are noted by the stenographer, and they will be to these various requests as submitted. It will be noted that these requests are declined by me, except as charged. And your exception will be noted to each refusal.

Gentlemen, I may say, for your convenience, that I have arranged that you may have your dinner at the hour of about half past six, when you will be taken by the attendants here to a restaurant, and, in the event that any of you gentlemen care to send any message, I believe that the counsel for the defendant will have no

objection to you communicating with your families through the officers over the telephone. There is no objection to that Mr. Karlin?

MR. KARLIN: Oh, certainly not.

THE COURT: In other words, if any gentleman desires to communicate with your homes or houses, why, you may write now, on a piece of paper, the message that you are to send, and hand it to the officer who will have you in charge, and he will hand it to my attendant, who will telephone.

Now, gentlemen, you may retire. Before you retire, I ask the District Attorney if he has any requests.

MR. WHITMAN: I am willing to abide by your Honor's admirable charge.

The jury (at 6:15 P. M.) retired.

The jury (at 6:30 P. M.) were taken to dinner, and returned from dinner at 7:35 P. M.

The jury returned at 8:45 P. M., and rendered a verdict of guilty.

MR. KARLIN: May we ask that there be a remand for sentence of one week in order to make suitable motions in the premises?

MR. WHITMAN: There is no objection on the part of the District Attorney that the defendant be remanded, but it seems to me that one week is too long.

MR. KARLILN: There are certain motions we desire to make, based o the minutes, and for that reason, we ask for that time. No harm can come to the state from any application of that kind being granted.

MR. WHITMAN: I will consent that your Honor put it over, but the minutes could be provided by to-morrow. We will consent to a week.

THE COURT: Very well, remanded for one week, to the 26th.

MR. KARLIN: I reserve my right to make any such motions as I may then think proper.

THE COURT: Gentlemen of the Jury, I appreciate the care and consideration you have given to this case and regretted to be obliged to keep you beyond the ordinary court hour. You will be excused until Monday morning.

DEFENDANT'S REQUESTS TO CHARGE.

1. The prosecution must establish that the procuring and placing in custody was on the 27th of April.

Declined. Except as charged. Exception.

2. The proof must show that the procuring and placing in custody extended to both females, Alice Milton and Belle Woods.

Declined, except as charged. Exception.

3. If the jury believe that Alice Milton and Belle Woods or either of them was procured on the 26th inst. at 137 West 41st Street by George A. Miller they must acquit.

Declined, except as charged. Exception.

4. If the jury believe that George A. Miller did not intend that Alice Milton and Belle Woods should be established in a house of prostitution in Seattle, Washington, they must acquit.

Declined, except as charged. Exception.

5. The defendant can only be guilty providing the acts charged in the indictment were done with criminal intent to violate the law.

Declined, except as charged. Exception.

6. On the question of criminal intent, the jury has

a right to consider whether the proof establishes that her acts were incited, induced, inspired and suggested by the People of the State of New York acting through George A. Miller and Frances Foster.

Declined, except as charged. Exception.

7. The presumption of the defendant's innocence extends from the beginning to the end of the trial and is her property throughout the trial.

Declined, except as charged. Exception.

8. No different rules of law are applicable in this particular prosecution than in any other criminal case.

Declined, except as charged. Exception.

9. The jury have a right to infer from the testimony of George A. Miller that he is an interested witness and has a right to consider that he has been paid for his work and has spent about \$3,000.00, in weighing his testimony.

Declined, except as charged. Exception.

10. The jury has a right to infer from the testimony of Frances Foster that she is an interested witness.

Declined, except as charged. Exception.

(There is no request No. 11. Mr. Karlin, in numbering the requests, jumps from No. 10 to No. 12.)

12. The jury has a right to infer from the testimony of Amy Jackson that she is an interested witness.

Declined, except as charged. Exception.

13. If a witness testifies falsely as to a material fact the jury has a right to disregard the testimony of such witness.

So charged.

14. Under the law of this State a defendant is not required to take the stand in his own behalf and a jury can draw no inferences of guilt from her failure to take the stand.

So charged.

15. To make the crime complete there must be both the procuring and placing in the custody.

Declined, except as charged. Exception.

16. The various rulings by the Court on questions of evidence and the denial by the Court of the motion of the defendant to dismiss the indictment at the close of the People's case and at the close of the whole case is not to be regarded by them as any indication of any opinion by the Court.

Declined, except as charged. Exception.

17. There is no proof that the white girl referred to in the proof as Sal was in any wise connected with the defendant. Declined, except as charged. Exception.

COURT OF GENERAL SESSIONS OF THE PEACE
CITY AND COUNTY OF NEW YORK. PART I.
THE PEOPLE OF THE STATE OF NEW YORK

against

BELLE MOORE

BEFORE: HON. THOMAS C.T. CRAIN, J.

New York City, May 26, 1910.

Indicted for violation of Section 2460 Penal Law.

Indictment filed May 2, 1910.

Appearances:

For the People: Deputy Assistant District Attorney, James A. Delehanty.

For the Defendant: Alexander Karlin, Esq.

THE CLERK: What have you now to say why judgment should not be pronounced against you according to law.

THE COURT: The Stenographer will note that it is unnecessary to hear the complaining witness or the officer in the case. I will now hear you, Counsellor.

MR. KARLIN: Before making the statutory motions for a new trial, we have here, this morning, a motion on the regular motion calendar, after service of

notice on the District Attorney, in which we ask this.

THE COURT: Who represents the District Attorney's office in this, do you, Mr. Delehanty?

MR. DELEHANTY: Yes sir, in Mr. Press's absence, I will represent the office.

MR. KARLIN: The application based on the motion papers is this: That there be spread on the records of this court, as part of the proceedings in the case of the People against Belle Moore that it may be incorporated in the record on review, the affidavits of Emanuel A. Busch and Alexander Karlin, stating that, at the proceedings that took place before your Honor first on May 2nd, on the arraignment of this defendant, when the affiant Busch appeared, and next the proceedings on May 5th, at which the affiant Alexander Karlin appeared. The affidavits set out that on each of those occasions, the District Attorney, Mr. Press, in the presence of the panel of salesmen of Part I of this term, some of whom sat as jurors in the case of Belle Moore, heard various arguments in which it was charged by the District Attorney that this defendant was concerned in the disappearance of an eleven year old girl, and that perhaps in addition to the charge then made in the indictment, that there would possibly following a

charge of kidnapping or murder against this defendant.

Now, the motion further asks that Emanuel A. Busch and Alexander Karlin, in addition to what they have set forth in their affidavits be permitted to testify in open court so as to become a part of this record just what the proceedings were with regard to that eleven year old girl, on May 2nd and May 5th.

THE COURT: The motion is unhesitatingly denied.

MR. KARLIN: We respectfully except.

MR. KARLIN: We have a further preliminary matter to take up with your Honor, before making the usual motions, and it is this. In looking over your charge I find that in one place you say as follows: "Secondly, if so, did she receive such money for or on account of procuring and placing in the custody of George A. Miller two women, Alice Milton and Belle Woods, or either Alice Milton or Belle Woods for immoral purposes?" So as to get the record clear, may I now ask your Honor whether you intended that the Jury should understand the law to be that if this defendant was concerned in the procurement, under the indictment, of one of the women, it was sufficient? May I ask the record to show just what you Honor intended the Jury to understand?

THE COURT: You have asked the question, but the

Court considers that the question is one not proper to be answered, and, therefore, it is not answered.

MR. KARLIN: Then, if the Court please, before proceeding with the motion for a new trial, we beg leave to file an affidavit, which we ask may be made a part of the record, by Emanuel A. Busch and Alexander Karlin, which sets out that some of the jurors at least understood from the charge of your Honor that if the procurement was of either Alice Milton and Belle Woods, it was sufficient to secure a conviction.

THE COURT: You ask that be made part of the record upon appeal. So far as your request goes, that application is denied.

MR. KARLIN: We except.

MR. KARLIN: Then, we ask further that if your Honor declines to take the affidavit, to permit Emanuel A. Busch and Alexander Karlin to take the stand and be sworn so they can give testimony as to conversations had with some of the jurors, so as to state what some of them understood from your Honor's ***.

THE COURT: Motion denies.

MR. KARLIN: We except.

MR. KARLIN: Now, we move to set aside the verdict of the Jury on the following grounds: First, that

the verdict of the jury was contrary to the law: second, that the verdict of the jury was contrary to the evidence: third, that the verdict of the jury was against the weight of evidence.

We move for a new trial on the following grounds: First, on the ground that the verdict of the jury was contrary to law; second on the ground that the verdict of the jury was contrary to the evidence: third, on the ground that the verdict of the jury was against the weight of evidence; fourth, on the ground that the Court excluded material and competent evidence to which exceptions were duly taken; fifth, that the court erroneously admitted immaterial and incompetent evidence, to which exceptions were duly taken; sixth, on the ground that the court misdirected the jury in matters of law, to which exceptions were duly taken; seventh, on the ground that your Honor failed to instruct the jury on matters of law, as provided by Section 420 of the Code of Criminal Procedure, to which exceptions were duly taken; ninth, on all the other grounds set forth in Section 465 of the Code of Criminal Procedure; and, on each and every ground stated on the motion for a new trial, the defendant moves in arrest of judgment.

THE COURT: Motion denied.

MR. KARLIN: Exception.

MR. KARLIN: If your Honor please, I ask for a brief time in which to argue somewhat at length further on the grounds which we have advanced. Now, if the Court please, I will challenge the District Attorney on the motion that we are here making for a new trial to cite to your Honor a single decision in any jurisdiction over the world that warrants your Honor in giving the judicial sanction of your high office to the proceedings adopted in order to secure a conviction in the case of Belle Moore.

If the court please, the case of People against Mills will be invoked in support of these proceedings, but I have examined the case of People against Mill and I quote now only from the prevailing opinion. I have read it most carefully, and I find in the Mills case absolutely no warrant for the proceedings that this record discloses. Now, if the Court please, it requires no great analysis to see in an instant the ocean of difference between the Mills situation and the situation in the case of Belle Moore. Your Honor is familiar with the case, and you will remember that the first suggestion of crime in the Mills case originated in the mind of George B. Mills. He it was that set in

motion the forces that finally worked to his destruction, and the Court, in 91 Appellate Division, and again in the Court of Appeals, declared that that was quite different from a situation where the active agents was not the defendant, and they sustained the conviction. If the Court please, on the proposition that the first person to suggest the crime was Mills---

THE COURT: Oh I remember the case perfectly well, and have read the prevailing and dissenting opinion. I understand your contention. I understood it upon the trial. In the light of the evidence in the case, your contention is absolutely unfounded.

MR. KARLIN: Now, if your Honor please, as to that, I will say that I get this from the prevailing opinion. They say that "The State did not solicit or persuade or tempt the defendant." Now, in this case the situation is entirely different. The state did solicit and it did persuade or tempt the defendant; and then, if the Court please, in the prevailing opinion in the Appellate Division, this significant language appear: "There was no act of the District Attorney or officer Brindley, his agent". As your Honor will see, it was the defendant who originated the wicked purpose. The People did not lure him to the commission of the crime.

I submit if your Honor please that this situation is entirely distinct from the Mills situation, because here---

THE COURT: You and I differ entirely upon that proposition. I think the evidence in this case clearly establishes that the idea of carrying out the criminal transaction in question originated in the brain of Belle Moore.

MR. KARLIN: Your Honor will remember that this defendant said "I can't get you any girls", and that the agents of this State said "Now I am not pleased with your work, go out and dig for me, and I will see that you are well paid for it;" that money which was used for bringing this defendant to her destruction was spent by the State, through its agents, in pursuance of the idea of entrapping this defendant in this commission of crime.

THE COURT: Your motion is denied.

MR. KARLIN: We respectfully except.

MR. KARLIN: Your Honor don't care to hear any more on that part of the motion.

THE COURT: No.

MR. KARLIN: If the Court please, there are various other motions which we wish to make before your

Honor this morning, not in a perfunctory way, but we believe we have place ourselves within the statutory provision warranting a new trial. Now, your Honor, will remember that we handed you certain requests to charge. It is undoubtedly true that the requests were hastily drawn, and inartistically drawn, but being required in the midst of Mr. Press's summing up, I prepared those requests, and I could not get them just in the shape in which I would like to have had them. You will remember that a very important question *** in this case, and that was this, whether or not the procurement of the females was complete on the night of April 26th at the house of Mrs. Palmer, or whether it occurred on the 27th at the house of the defendant. You will remember in that connection how important that question was, and it was perhaps the main question in the whole case. You will remember that we asked your Honor to charge: If the Jury believe that Alice Milton and Belle Woods or either of them was procured on the 26th inst., at 137 West 41st Street by George A. Miller they must acquit."

THE COURT: I declined to charge that, except as charged.

MR. KARLIN: I submit, in view of the fact

that question was raised during the trial, and that there was proof with regard to it on the part of the defense, that we were entitled to have the benefit of that charge. If the Court please, we fell that your Honor *** in refusing to charge this important request.

Your Honor also refused to charge this request: "The presumption of the defendant's innocence extends from the beginning to the end of the trial and is her property throughout the trial." On that subject, your Honor charged that the defendant comes to the bar with the presumption of innocence. We feel that error was made when the jury were not told that presumption remains with her during every minute of the trial. And your Honor refused to charge that the various witnesses, Miller, and Jackson, and Foster were interested witnesses.

Now, if the Court please, we are here dealing with a new statute which has never been passed upon by any Appellate Court. No Appellate Court has ever told us what is the meaning of the words "Procuring and placing in the custody," and I submit that the proof in this case did not show that the defendant placed anybody in custody; that if any placing in custody was done, it was done by Miller. In order that there could be any

placing in custody that would require some control by this defendant over the females.

Now, if the Court please, there are various other reasons that I do not deem it here necessary to go into. We respectfully ask your Honor to grant our motion for a new trial and in arrest of judgment.

THE COURT: Motion denied.

MR. KARLIN: Exception.

MR. KARLIN: Now, on the question of sentence. Though Belle Moore appears here this morning convicted of what I consider to be a very serious charge, I urge most sincerely that he has not entirely *** her claim to your Honor's mercy. Though perhaps the evidence tended to show that there was a technical violation of Section 2460, that there was absent that evil design and evil intent which might warrant your Honor in inflicting upon this defendant the full penalty of the law. We feel that whatever else may be the situation, there is not any person that can point the finger of scorn at this defendant and say that she lured any women of purity and innocence from their homes and led them to the path of destruction and ruin. I feel that though your Honor takes the view that in the application for a new trial, that the methods that were used by the

State have no application, and though your Honor feels bound by the opinion in the case of People against Mills, which, according to my humble view, as we read it closely, it is a case in favor of the defendant. I feel that your Honor knows, as a matter of fact, whatever the law may be, that this defendant never would have found herself at this bar, unless George A. Miller and Frances Foster had held out to her the allurements and bait that they did. This defendant comes to this bar, as I understand it, never before having been convicted in her life time. I said on the trial, and I say now, that is undoubtedly the fact that her morals have been rather loose, and that he has not lived that pure life that we would like any of our women to live. But I ask most earnestly and ask your Honor to take into consideration the fact that she has never before been convicted; that she did not lure young girls into lives of sin and shame and that she had to evil intent until the hour that this State, this Commonwealth, through its agents sought to lure her into the commission of crime, and, if the Court please, before you pronounce sentence I trust that your Honor will agree with us that there are some important questions in this record that ought to be reviewed, and I hope

your Honor will not make it necessary for us to go to Special Term, with its necessary delays. I do feel that there are some serious questions which can be raised on appeal, and trust that your Honor can see your way clear to grant us some relief, so that we will not be forced to go to Special Term.

THE COURT: Any application you made to Special Term, which I take it would be for a certificate of reasonable doubt, would, as I understand the law, be made after the imposition of sentence?

MR. KARLIN: Oh, certainly.

THE COURT: It is proper to say to you that if an application on that ground is made to me, I would deny the application; and I say that you so that you may be informed. I will now impose sentence.

Belle Moore, you were convicted of a violation of Section 2460 of the Penal Law. White Slavery, as *** understood, is that condition to which young and innocent girls are debased when sold into captivity for immoral purposes. The evidence did not show you to be guilty of such a sale. You, as the outcome of meetings with an investigator engaged in attempting to learn whether such white slavery existed in the City, in ignorance of his calling and object, placed, with their consent, two immoral women in his charge for

immoral purposes, and received from him money in the belief that he was paying you for procuring them for him for immoral purposes.

The maximum punishment prescribed by law for the crime of which you have been convicted is, the opinion of the court, inadequate in aggravated cases. In view of the provisions of the indeterminate sentence law, as amended, you merit the maximum term of imprisonment to which the court can sentence you, and the public interests require that you receive it. You are, therefore, sentenced to not less than two years and six months nor more than five years in the State's prison at Auburn for women. No fine is imposed, as your case lacks features of aggravation. It will be wiser for you, Belle Moore, to lead a moral life when you come from Prison. You can do so, if you will. Do not forget that, and I hope that you will.

MR. KARLIN: May I ask your Honor to withhold the commitment for twenty four hours to take the necessary steps?

THE COURT: Oh, yes, I want to give you a reasonable time to apply for a certificate.

THE COURT: Now, Counsellor, Karlin, I will dispose of the matter pending respecting the contempt of Court.

Alexander Karlin, in dismissing the contempt proceedings against you with a *** for your misconduct, it is proper to say that the Court recognizes your ability and commends your zeal in your client's behalf. A client's interests however never require or justify counsel in over stepping during a trial the bounds of a proper respect for the Court. The belief is expressed, that, upon reflection, your judgment will lead you in the future to realize your obligation as an officer of the Court and to patiently observe its dignity, to the end that during its session justice may be furthered by the preservation of order.