

THE NEW-HAVEN MURDER

TESTIMONY GIVEN YESTERDAY IN THE MALLEY TRIAL.

A WITNESS WHO WAS BADLY CONFUSED ABOUT RESTAURANT CHECKS—A CHAMBER-MAID WHO TOLD VERY CONTRADICTORY STORIES—WITNESSES WHO SAW JAMES AND JENNIE TOGETHER.

NEW-HAVEN, Sept. 14.—There is about the demeanor of the Malley prisoners something indicative of inability fully to appreciate their position. They do not appear like men of whom the State is inquiring as to what they have done with the life of an innocent girl. Their faces wear a sort of mocking expression, and whether it be in guilty bravado or because of mere shallowness of intellect, their behavior in court is distasteful.

After the opening of court to-day, Charles Rawlings was placed on the witness stand for cross-examination. His testimony, as already detailed in THE TIMES, was not materially shaken. He said there was one gentleman and two ladies that entered Redcliffe's restaurant the Thursday, Aug. 4, of the week of Jennie Cramer's death. The witness was compelled to describe Miss Douglass, as it is a part of the plan of the defense to try to establish a belief that the witness had mixed up things in his mind, and that the party he waited on that evening was another party. The witness, at the time he took observation of Walter and his companions, was in the pantry, not in the dining-room, and therefore could not tell whether there were other parties in the room. He did not speak to Walter or Walter to him. He did not know that a party had entered before Walter and the two ladies, one of whom had a red scarf or neckerchief. He could not recollect then seeing a party of four persons in the dining-room. The witness now undertook to identify certain checks used in the restaurant and made something of a mess of it, principally owing to a want of ordinary training in the art of telling a story. The defense wanted to know about the party of four persons. The witness now said that the check used by the party of three was numbered 38. He selected one as the one, and it was numbered 38. He was asked to pick out checks Nos. 36 and 37, and said he would explain the check business. Justice Booth said: "Mr. Rawlings, you confuse us by your explanations. Simply answer questions, and we will get along faster." The witness was now asked to pick out check No. 38, the one used for the Malley party that evening. The witness was asked to look over the checks and see which was the highest number. He said it would be useless. Then came a trying involvement with checks. The highest numbered check was 50, but this was also marked B. The Malley check was 38 of C. It appeared there were four series of checks. The witness said that 38 was the highest of that series. He could not tell who ordered on check 27, because he only noticed customers whom he knew, and he knew Walter Malley well. Walter tendered the check to him at the desk after he (the witness) had come out of the pantry. The series of C checks were used by John Henry, a waiter. The witness knew nothing about Charles T. Howe, the musician, and his lady being at the restaurant that evening. [These are the persons who saw Walter and his party there that evening.] The witness said that he had made a mistake in saying that the writing on check No. 38 was in Walter's handwriting; he only thought Walter wrote it, because he was the only gentleman in the party.

The State now put on the stand Bertha Williamson, whose testimony is astoundingly at variance with that told without hesitation to the Coroner's jury. This woman was the chamber-maid at the Foote Building, and works under Rudolph Neuman, the janitor, who is employed by Edward Malley. Her present story was as follows: "I did not know Jennie Cramer, and first heard of her death at noon Saturday, Aug. 6. I have never seen her in that building to my knowledge at any time. I knew Walter and James Malley by sight; they occupied two rooms in that building; they do not always occupy rooms; couldn't give any idea how often Walter occupied a room there; he had the key of No. 26, for he used to go in there; only know of his being in there twice. Mrs. Neuman told me not to mention that the room had been occupied. It was she who asked me not to mention her name. Walter occupied No. 26 Thursday night, so far as I know. I didn't see him occupy it, but the next morning between 8 and 9 o'clock saw him come out of No. 27. James Malley came out with him. There was no other person. I was on the upper hall on the same floor; Rooms Nos. 26 and 29 are on that floor. I had not looked into No. 26 before they came out; had not really attempted to as I know of. I saw a party in No. 29 and could tell him by the back of his head."

The witness now said that Walter had told her to fix up the room Thursday morning, and put in water and towels in Room No. 26 also. The rooms were fixed as desired. The witness was positive it was James Malley she saw in the room Friday morning. She tried the door of No. 29 Friday morning about 8 o'clock, and could not enter. She looked through the keyhole. [Here the witness laughed and was reproved by the Coroner.] Witness continued: "I saw the head of a person whom I believe was James Malley; there was another party in the bed with him. Did not see the other party, but saw the form under the clothes. Cannot tell whether it was a male or female. It was half an hour afterward that I saw James and Walter leave Room No. 26. I did not see any other party come out of 26 or 29 that day. I did not see a lady come out who did not belong there. I tried the door of Room No. 29 immediately afterward; it was locked. In half an hour afterward it was open. I had been in Room No. 28, opposite. I did not see any convicting appearances in the bed of Room No. 26. Saw from the pillows that two had slept there. The bed in No. 29 looked different. Mr. and Mrs. Neuman told me to say nothing about it. This was soon after it occurred. They mentioned it to me and said they didn't want to get me or any one else into the case. Don't think it was more than two or three days afterward. I told Mrs. Neuman the fact that same Friday morning. He or she did not tell me that same morning not to say anything about it. The Malleys did not. Two or three days afterward Mrs. Neuman told me if any one asked me about it to say I knew nothing. I did not promise not to. Mr. Neuman said about the same thing. This was after Jennie Cramer's body had been found, but not more than two or three days. It was the Friday before Mrs. Neuman spoke to me about it that I saw the Malleys leave the room. That is where I made the mistake before."

At this stage of the examination there was a discussion between counsel as to allowing the witness to clear herself or explain about her mistake. Coroner Bollman asked the witness: "Since you have testified, has any one spoken to you and tried to have you change your testimony?" The witness said: "Nobody but Mr. and Mrs. Neuman, who said I was mistaken."

Q.—And are you sure that you saw James and Walter Malley come out of Room No. 26 a few days before Mr. and Mrs. Neuman spoke to you about not getting mixed up in the case? A.—Yes.

Q.—Now, Miss Williamson, was it 10 days before? A.—No.

Q.—Was it five days? A.—No.

Q.—Was it two or three days? A.—It was about that.

The story next told by Miss Williamson gives her rank with Blanche Douglass in the art of storytelling. The first question the defense asked was as follows: "You spoke of certain occurrences on a Thursday or Friday with reference to the finding of the body; what Thursday and Friday do you mean?" A.—The week before finding the body of Jennie Cramer.

Q.—So the Thursday and Friday occurrences were a week before finding of the body. A.—Yes.

Q.—You testified at the Coroner's inquest, did you not, that it was the week of the finding of the body? A.—Yes, I did.

Q.—How did you find you were mistaken? A.—By parties in the house.

Q.—You have mentioned Mr. and Mrs. Neuman as parties in the building and have spoken of one other; who was that? A.—Mrs. Ada Perkins, who lives there.

The witness went on to tell how she knew she had been mistaken. It was because a week before a barn belonging to the Foote House had been burned, and Mr. Neumann was home that week. Witness thought the plastering of the ceiling in room No. 29 was fixed after she had seen the Malleys in the building. She did not know what day of the week it was. She had told persons in the house or told Mrs. Perkins that she wanted to correct her testimony. Said the witness: "Mr. Neumann told me I was mistaken, and called my attention to the facts. I would not give in at first, but after a day or two I saw my mistake."

The witness was taken in hand by the State and said: "Mr. Neumann told me the same afternoon that I had testified that I was mistaken. Mrs. Neumann also told me. They said I was a week ahead. I told them I was not. The second or third day after that I gave in. I remember saying that the incidents I spoke of occurred the day before the body was found, and might have said: 'No matter what Mr. or Mrs. Neumann might say, it was true.' Mrs. Neumann told me to say nothing about it, for she did not want to get into the case at all. (This conversation about not getting mixed up in the case occurred, according to one version of the witness, two or three days after the boys had come out of the room. Now at that time no "case" existed, nor was there any case until after the finding of the body.) It was not over three days after I had seen James or Walter coming from the room that Mrs. Neumann spoke to me about not saying anything about the incident. I knew there was an inquest in progress—no, it was the week before that I saw the Malleys coming from the room; it was the Monday before the finding of the body that Room No. 26 was again occupied. Mr. Glynn and Mr. Sloan took them and have been there since. It was Monday. I can't say what Monday it was."

Justice Booth asked the witness if, when Mrs. Neumann spoke to her about the case, it was after the finding of Jennie's body. "I want to know," said he, "because on the direct, you said you had heard of the finding of the body?" The witness seemed confused and answered, "I don't know whether I had or not."

Q.—Then why did you testify to what you did not know? The witness looked upset by this "poser," and said nothing.

The next witness was John J. Hauser, driver of Moeller's beer wagon. He said he saw James Malley and a girl with a peculiarly white complexion walking in Temple-street, through the green, in front of Trinity Church, about 12:20 o'clock Friday, Aug. 5. Hauser's cousin, Charles Fleck, was with him on the wagon seat.

Mrs. Matilda Jane Inwood, of No. 35 Clark-street, Hartford, a new witness, was called out of the regular order. She said she was in Railroad Grove, West Haven, Friday, Aug. 4, and spent the forepart of the evening in Howe's pavilion. She left

there a little while after 10 o'clock, and went to the well and to the swinging horses. The next morning, at 6 o'clock, she saw a dead body on the beach and identified it as that of a girl she had seen the night before. The identification was by her clothes—her dress and bonnet, and her jewelry, the gold dollar connected with her finger ring particularly attracting the notice of the witness. "I saw her at the horses the evening before," said Mrs. Inwood, "and think she was in a box. That young man [pointing to James Malley] was with her. I am positive of it. When they got off of the horses they were three yards from me. The girl said, 'Stop, for God's sake,' meaning the horses. I think the young man said, 'Stop—go on.' The time was 10:30 or 10:40. When they left the swings they went in the direction of the round-house."

George T. Audley, of No. 43 Ashman-street, testified that he had known James Malley for eight or ten years. He did not know Jennie Cramer. He heard of her death Saturday evening, Aug. 6. The day before he saw James Malley in Trumbull-street, between Whitney-avenue and Orange-street. He was in front of Charles Audley's livery office. It was about 3 o'clock in the afternoon. A young woman about 20 years old was with James. The witness did not notice her dress sufficiently to describe it, but he saw that she had four rings, two on each hand. In one on each hand was a stone. The witness was certain about the time because he looked at the clock just before the two persons passed. He had been ordered to go to a Mr. Thayer's and get trunks to take to the depot at 3. The entry-book of the stable was produced in corroboration. The original order was for 3:30, but was changed at Mr. Thayer's order to 3. On the cross-examination young Audley said he was sure the entry was not changed since the Friday in question. He had heard something about making money in the case, but had never said anything about it. He had heard "hush-money" talked about at Hatstat's store. A gentleman in Temple-street spoke about getting money, and said he had been to Malley's store to see what could be done. The witness heard that the trip was not successful. He denied that he had sent word to the lawyers for the defense that he had testimony that could be bought, and said that if any one brought them such a message it was unauthorized.

The court adjourned to 10 A. M. to-morrow.