



New York State Archives

**New York State Attorney General's Office Report of the
Special Deputy Attorney General Appointed to Investigate
the Murders of Charles Phelps and Margaret Wolcott B0911**

New York State Archives
222 Madison Avenue
Albany, NY 12230
archref@nysed.gov
URL: <http://www.archives.nysed.gov/>

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Overview of the Records

Repository:	New York State Archives
Summary:	This series, Report of Special Deputy Attorney General, Murder of C. Phelps and M. Wolcott, contains a transcript and photographic materials documenting the March 21, 1915 murders of Charles Phelps and Margaret Wolcott, residents of West Shelby in Orleans County, New York. Photocopies of the transcript and photographs are included.
Creator:	New York (State). Attorney General's Office
Title:	Report of the Special Deputy Attorney General appointed to investigate the murders of Charles Phelps and Margaret Wolcott
Quantity:	0.5 cubic feet
Quantity:	1 volume
Inclusive Date:	1917
Series:	B0911

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Administrative History

Charles Phelps, a farmer, and Margaret Wolcott, Phelps' housekeeper, were shot and killed at Phelps' residence on March 21, 1915. Robbery was believed to be the motive for the murders. Two men, Charles Frederick Stielow, Phelps' hired hand, and Nelson Green, Stielow's brother-in-law, were arrested and found guilty for the murders. Stielow was to be executed and Green faced life in prison. Citizens opposed to capital punishment pressured Governor Whitman to commute Stielow's conviction to imprisonment for life. There were also rumors that the accused men were innocent. The governor responded with a commutation in reference to Stielow's original sentence. Whitman believed that if there was a slight chance that Stielow did not commit the crime, a punishment of such severity should be revoked.

In 1916, Erwin King was arrested on an unrelated charge and while in jail confessed that he and an accomplice, Clarence O'Connell, were responsible for the Phelps and Wolcott murders. The district attorney of Orleans County was notified. An investigation was ordered by Governor Whitman in January 1917 to learn whether King and O'Connell were truly guilty of the crime. The prior investigations and trial were costly for the county, resulting in the State assuming responsibility for its duties. All records and tasks were transferred to the State. The investigation became the responsibility of the attorney general.

The New York State attorney general is the head of the Department of Law and the principal enforcer of legal issues within the State of New York. The attorney general works separately from the governor, but the governor may request that the attorney general assume responsibility over legal issues if necessary.

With a detailed description of the case and new evidence available demonstrating Stielow and Green's innocence, the special deputy attorney general could not convince the 1917 Grand Jury to indict King for the murders. Stielow and Green remained incarcerated.

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Scope and Content Note

The Report of Special Deputy Attorney General, Murder of C. Phelps and M. Wolcott, contains materials documenting the March 21, 1915 murders of Charles Phelps and Margaret Wolcott, residents of West Shelby in Orleans County, New York. Records within this series include an original transcript and photographs documenting the offense. Photocopies of the transcript and photographs are included.

The transcript, from February 1917, was created by the Special Deputy Attorney General, George H. Bond, intended for the Attorney General, Merton E. Lewis. Bond was appointed by Governor Whitman as special prosecutor in this case. The transcript presents information for the Grand Jury regarding details of the crime and the Deputy's conclusions.

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Use of Records

Access Restrictions

There are no restrictions regarding access to or use of the material.

Access Terms

- Governors--New York (State)
- Crime--New York (State)
- Governmental investigations
- Capital punishment--New York (State)
- Criminals--New York (State)

- **Transcripts**
- **Photographs**