

0466

BOX:

66

FOLDER:

744

DESCRIPTION:

Bartlett, William

DATE:

05/19/82



744

WITNESSES.

Bill added
Day of Trial, *Wm. Bartlett*
Counsel,
Filed *19* day of *May* 188 *2*
Pleads *Not Guilty*

THE PEOPLE

vs.

P.
William Bartlett

Is represented by
John McKeon

LARCENY AND RECEIVING STOLEN GOODS

JOHN McKEON,
SS
District Attorney.

A True Bill.

John McKeon

May 28/82
Foreman.

Wm. Bartlett
Not Guilty
S.P. two years & 6 mos

0468

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

William Bartlett

The Grand Jury of the City and County of New York, by this indictment accuse

William Bartlett

of the CRIME OF GRAND LARCENY, committed as follows:

The said William Bartlett

late of the First Ward of the City of New York, in the County of New York aforesaid,
on the *fifteenth* day of *May* in the year of our Lord one
thousand eight hundred and eighty *two*, at the Ward, City and County
aforesaid, with force and arms

one Watch of the value of forty five
dollars one Chain of the value of
ten dollars one Knife of the value of
one dollar one promissory note for the payment
of money of the kind known as United States Treasury
Notes the same being then and there due and unsatisfied
for the payment of and of the value of five dollars
and one promissory note for the payment of money
of the kind commonly called bank notes the same
being then and there due and unsatisfied
for the payment of and of the value of five
dollars

of the goods, chattels and personal property of one

George Arnold

then and there being found,
feloniously did steal, take and carry away, 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, and
their dignity

John McLeon
District Attorney

0469

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF RECEIVING STOLEN GOODS, committed as follows :

The said

late of the Ward, City and County aforesaid, afterwards, to wit, on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid

of the goods, chattels and personal property of the said

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

unlawfully, unjustly did feloniously receive and have, the said

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, 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 and their dignity.

JOHN McKEON, District Attorney.

0470

BAILED,

No. 1 by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Answered by the

Police Court

1st District

2

THE PEOPLE, &c.
vs.
WILLIAM BARTLETT

Charles E. Smith

William Bartlett

12
3
4
Offence, Giving false
person

Dated

May 13

188

No.

Magistrate.

Officer.

Clerk.

Witnesses.

No.

Street.

Can the Officer

No. 1
Street
of detention in default of bail

No.

to answer

\$

140



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed and that there is sufficient cause to believe the within named William Bartlett

guilty thereof, I order that he be held to answer the same and he be ~~admitted to bail in the sum of~~ he is fully discharged
May 13 188 Bligh Police Justice.

I have admitted the above named _____
to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0471

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

1st District Police Court.

William Bartlett

being duly examined before the under-
signed, according to law, on the annexed charge: and being informed that it is his own right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his own waiver cannot be used
against him on the trial.

Question. What is your name?

Answer.

William Bartlett

Question. How old are you?

Answer.

29 Years

Question. Where were you born?

Answer.

New York City

Question. Where do you live, and how long have you resided there?

Answer.

48 East Broadway & about three weeks

Question. What is your business or profession?

Answer.

Natter

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer.

I am not guilty of the
charge William Bartlett

Taken before me this 1st
day of May 1888

Joseph J. Hendon Police Justice.

0472

First District Police Court.

Affidavit—Larceny.

CITY AND COUNTY }
OF NEW YORK, } ssGeorge Arnold
of No. House of Deland Street, 35 Years old. Manufacturer
being duly sworn, deposes and says, that on the 15 day of May 1882at the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, from his person in the day time

the following property, viz:

One gold watch with
plated chain attached, one pocket-
knife & one bill lawful money
of the denomination & value of five
dollars collectively of the value
of sixty dollars

Sworn before me this

the property of

deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken,
stolen, and carried away byWilliam Bartlett now her
from the fact that about 3 o'clock
A.M. on said day he was in company
with deponent in a liquor store on the
corner of Chatham and Mott streets and
snatched from deponent's hand the bill
in question which deponent was about to
tender in payment of drinks & did immediately
thereafter thrust his hand into a pocket of
deponent's trousers & took therefrom the aforesaid

Police Justice.

188

0473

Knife. Watch & chain part of which
said property was afterwards found
in his possession Geo Arnold

Sworn to before me this
15th day of May 1882
Hugh Gardner
Police Justice

City and County of New York
Peter Higgins of the 6th Precinct
being sworn says that on said day he
saw the Complainant & defendant scuffling
in Chatham Street & when defendant separated
them the Complainant informed him that
the defendant who had then gone away
had robbed him the Complainant that defendant
then followed the defendant into No 12 Mott
Street and after arresting him found the
knife which Complainant identifies in his
possession And afterwards found the
Watch and chain concealed in a shoe
on a landing of the floor 12 Mott
Street where the defendant was arrested

Sworn to before me this
15th day of May 1882
Hugh Gardner
Police Justice
Peter H. Higgins

District Police Court

AFFIDAVIT—Larceny
THE PEOPLE &c.
ON THE COMPLAINT OF
NEW
AD

Date 188

Magistrate.

Officer.

WITNESSES:

DISPOSITION

0474

BOX:

66

FOLDER:

744

DESCRIPTION:

Barton, Charles H.

DATE:

05/31/82



744

The within named
defendant having
been used as a witness
for the people against
Edward J. Courtney, con-
victed this day of the
crime of forging in the
third degree, by leave
of Court this indictment
may be dismissed
and the said Barton
discharged.
June 28th 1882

John R. Fellows
Appointed by
by Allen

I affirm the above
Not Open
Not Booked

Jan 29 02

538 Bill returned

Dec 2 14

Counsel, *Wm. J. Goss*
Filed 31 day of May 1882
Pleadg. not guilty by order of the

present strictly true
THE PEOPLE

vs.
Charles H. Barton

= House of Representatives

June 29. 1882

Indictment returned

JOHN MCKEON,

District Attorney.

A True Bill.

James J. Goss
Foreman.

Monday June 18 1882

J. R. F.

229 ✓

0475

0476

Court of General Sessions of the City and County of New York.

THE PEOPLE OF THE STATE OF
NEW YORK,

against
Charles H. Barton

The Grand Jury of the City and County of New York by this indictment accuse

Charles H. Barton

of the crime of Forgery in the third degree,

committed as follows:

The said

Charles H. Barton

late of the First Ward of the City of New York, in the County of New York, aforesaid,
on the *Nineteenth* day of *May* in the year of our Lord one
thousand eight hundred and eighty *two* with force and arms, at the Ward, City,
and County aforesaid, feloniously did falsely make, forge, and counterfeit, and cause and
procure to be falsely made, forged and counterfeited, and willingly act and assist in the
false making, forging and counterfeiting a certain instrument and writing *to wit:*
an order for the payment of money of the kind commonly
called a bank check

which said false, forged and counterfeited *bank check*
is as follows, that is to say:

\$3310 00

New York May 19 1884

Marine National Bank

Pay to the order of *St. J. Horton*
Thirty three hundred & ten 00 Dollars

H. J. Jewett
President No 22 620

B. W. Spencer
Treasurer

*New York Lake Erie
and Western Railroad Co*

with intent to injure and defraud *The Marine National Bank of the City of New York*

and divers other persons; to the Grand Jury aforesaid un-
known 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 and their dignity.

0477

And the Grand Jury aforesaid further accuse
the said Charles H. Barton of the crime of Forgery,
committed as follows: The said Charles H. Barton

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last
aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and
falsely did utter and publish as true, with intent to injure and defraud the said The Marine
National Bank of the City of New York

and divers other persons, to the Grand Jury aforesaid unknown, a certain false, forged
and counterfeited instrument and writing to wit: an order for the
payment of money of the King's County called
a bank check

which said last-mentioned false, forged and counterfeited bank check
is as follows, that is to say:

\$ 3310 00

New York May 19 1882

Marine National Bank

Pay to the ^{United States} order ^{internal revenue} of H. J. Horton
Thirty three hundred & ten ² 10 Dollars

B. W. Spencer
Treasurer

H. J. Jewett
President No 22620

the said Charles H. Barton

at the same time he so uttered and published the last-mentioned false, forged and
counterfeited bank check

as aforesaid, then and there well knowing the same to be false, forged and
counterfeited, 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 and their dignity.

JOHN McKEON, District Attorney.

New York Lake Erie
and Western Railroad Co

0478

BOX:

66

FOLDER:

744

DESCRIPTION:

Batice, Generoso

DATE:

05/03/82



744

WITNESSES.

Day of Trial.

Counsel,

Filed

Pleas.

day of

1882

THE PEOPLE

vs.

L. I.

Henry Baker

John McLean

District Attorney

P. 2, June 9, 1882

Fried & cracked eggs

A True Bill, not alleged

June 12, 1882

James J. McLean

Foreman

June 9/82

Officer Young

Society Mrs. Grue

No. 9.

0480

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Generoso Battee

The Grand Jury of the City and County of New York, by this indictment, accuse

of the CRIME OF

Rape

committed as follows:

The said

Generoso Battee, late of the first Ward of the City of New York in the County of New York, aforesaid, on the fifteenth day of April in the year of our Lord one thousand eight hundred and Eighty-two, with force and arms at the Ward, City and County aforesaid in and upon one Maggie Manfredoni, a female child under the age of ten years, to wit: of the age of nine years, lawfully and feloniously made an assault, and with the said Maggie did then and there feloniously and unlawfully did carnally know 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 and their dignity

John M. Keon,

District Attorney

0481

BAILED,

No. 1, by _____
Residence _____
Street _____
No. 2, by _____
Residence _____
Street _____
No. 3, by _____
Residence _____
Street _____
No. 4, by _____
Residence _____
Street _____

Sec. 208, 209, 210 & 212.

Police Court-1 3 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Margie Kaufman
1118 Bluebird
Generoso Beatrice

Offence, _____

Dated April 24 1887

White Magistrate.

Robertson Officer.

Gene W. Thompson Clerk.

Dr. James H. Hunt Witness.

Demetrius H. H. H. Street.

1001 Cook Street.

Society P. C. H. Childs Street.

Salomon M. Thompson Street.

1118 Bluebird

1118 Bluebird

1118 Bluebird

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Generoso Beatrice

guilty thereof, I order that he be admitted to bail in the sum of _____ Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated April 24 1887 James H. Hunt Police Justice.

I have admitted the above named _____ to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0482

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

3 DISTRICT POLICE COURT.

Generoso Beatrice being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is ~~his~~ right to make a statement in relation to the charge against ~~him~~; that the statement is designed to enable ~~him~~ if he see fit to answer the charge and explain the facts alleged against ~~him~~ that he is at liberty to waive making a statement, and that ~~his~~ waiver cannot be used against ~~him~~ on the trial,

Question. What is your name?

Answer. Generoso Beatrice

Question. How old are you?

Answer. 31 years old.

Question. Where were you born?

Answer. Italy

Question. Where do you live, and how long have you resided there?

Answer. 25 Third Ave. 3 mo.

Question. What is your business or profession?

Answer. Shoemaker.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. Not Guilty

Taken before me, this 24
day of April 1882

Generoso Beatrice

Andrew J. White

Police Justice.

0483

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK,

POLICE COURT,

3rd DISTRICT.

9 years of age residing at No. 109 4th Avenue *Maggie Manfredonia* Street, being duly sworn, deposes and

says that on the *15* day of *April* 188*2*

at the City of New York, in the County of New York, *deponent was in*
the Basement Store, of No. 25 3rd Avenue,
Generoso Bentrice (now here) did then &
there take deponent upon his lap
and did have sexual connection
with deponent

Maggie Manfredonia

Sworn to before me, this

of *April*

188*2*

24

day

Police Justice.

0484

PART 2.

THE COURT ROOM IS IN THE THIRD STORY, AND FRONTING THE PARK.

13 If this Subpoena is disobeyed, an attachment will immediately issue.

13 Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

To George N. Young

of No. 100 East 23 Street,

Street for the prosecution of Brubaker to Chelona GREETING:
WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the 9 day of June instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Genesee Reatrice
in a case of Felony, whereof *he stands* indicted. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder of our said City, at the City Hall, in our said City, the first Monday of June in the year of our Lord 188 2

DANIEL C. ROLLINS, District Attorney.

0485

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his assistants.

State of New York,
City and County of New York, } ss.

being duly sworn, deposes and says he _____

Subpoena, of which the within is a copy, upon _____

_____ on the _____ day of _____, 188 , by _____

Sworn to before me, this _____ day }
of 188 }

Notary Public,
N. Y. Co.

Maverick & Wissinger, 176 Fulton St., N. Y.

0486

Police Department of the City of New York,

Precinct No. _____

New York, _____ 188

Patrolman Michael Shields

9

John Stewart -
Katherine Kennahan
Thomas Ward

Presbyterian Hospital Surgeon -
Dr. Riefler -

0487

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

If this Subpoena is disobeyed, an attachment will immediately issue.

Bring this Subpoena with you, and give it to the Officer at the Court Room door, that your attendance may be known

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

The People of the State of New York,

James T. Sharkey

of No. *123 East 12* Street,

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *29* day of *May* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Emerson Bates

in a case of Felony whereof *he stands* indicted. And this you not to omit, under the penalty of Two Hundred and Fifty Dollars.

Witness, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *May* in the year of our Lord 188 *2*

JOHN McKEON, *District Attorney.*

0488

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his assistants.

State of New York, }
City and County of New York, } ss.

being duly sworn, deposes and says he _____

Subpoena, of which the within is a copy, upon _____

_____ on the _____ day of

_____, 188 by _____

Sworn to before me, this
of _____

_____ day }
188 }

Notary Public,
N. Y. Co.

0489

PART I.

THE COURT ROOM IS IN THE SECOND STORY, AND FRONTING THE PARK.

13 If this Subpoena is disobeyed, an attachment will immediately issue.

13 Bring this Subpoena with you, and give it to the Officer at the Court-Room door, that your attendance may be known

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

Case of *Maggie Manfildoni's*

SUBPOENA

FOR A WITNESS TO ATTEND THE

Court of General Sessions of the Peace.

April 24/82

The People of the State of New York,

To *James Shorter* out of town will return
of No. *123* *East-12* Street,

the end of the week.

GREETING :

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions of the Peace, to be holden in and for the City and County of New York, at the Sessions Building, in the Park of the said City, on the *22* day of *May* instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Generosa Beatrice

in a case of Felony whereof *he* stands indicted. And this you not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. FREDERICK SMYTH, Recorder, of our said City, at the City Hall, in our said City, the first Monday of *May* in the year of our Lord 188 *2*

JOHN McKEON, *District Attorney.*

0490

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill when served, please send timely word to the District Attorney's office.

If you know of more testimony than was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his assistants.

State of New York, }
City and County of New York, } ss.

being duly sworn, deposes and says he _____

Subpena, of which the within is a copy, upon _____

_____ on the _____ day of _____

_____, 188 by _____

Sworn to before me, this _____ day }
of 188 }

Notary Public,
N. Y. Co.

0491

This is to certify that I have
today examined Maggie
Manfredonia, aged about
nine years, 109. - "Anna"
and find her suffering from
gonorrhoeal vaginitis.

This gonorrhoea she undoubtedly
contracted by sexual inter-
course.

H. H. H. H. H.

128 East 12th St.

April 23, 1882.

N. Y. General Sessions

Rape on Child
aged 9 years

The People
against
Generoso
Baticio

Brief for the People

N. Y. GENERAL SESSIONS.

The People

v.

Generosa Batice.

BRIEF FOR THE PEOPLE.

STATEMENT.

The prisoner is indicted for rape on a little girl, Maggie Manfredonia, aged nine years, on April 15th, 1882. The evidence for The People shows that the result of the outrage was to infect the child with Gonorrhoea.

EVIDENCE.

MAGGIE MANFREDONIA. Will be ten years of age on July 24, 1882. Resides with her parents Salvadoro Manfredonia and Phillamina Manfredonia, at No. 109 4th Avenue. Her father is a shoemaker and is in business. On the morning of April 15th, about 11 o'clock, she was sent by her father with a pair of shoes to the prisoner at No. 25 3rd Avenue in the basement, to have them heeled. The prisoner is also a shoemaker, and her instructions were to tell him to have them ready at 3 o'clock in the afternoon. She called at 3 o'clock on the prisoner for the shoes, and while going out was requested by him to come back again and play with his baby which she promised to do. At 5 o'clock P. M. she called again, and after playing with the baby a little while it fell asleep, and prisoner then took hold of her and put her on his lap and asked her whether she "knew how to do it." She said "No." He then said "I will show you," and put his finger into her private parts, and she screamed and said she would tell her father. The prisoner

0494

then said "I will show you how to do it," and took hold of his wife, who was in the room at the time, put her in bed, lifted up her clothes and unbuttoned his pants in front, and had sexual intercourse with his wife. When he got through he asked witness whether "she knew how to do it now?" She said "No." He then took hold of witness, put her on his lap, lifted up her clothes, and inserted his penis into her private parts. It hurt witness very much, and she screamed out loud, but prisoner would not let her go, and she said she would tell her father all about it and he told her not to. Prisoner's wife was looking at them while the prisoner was committing the outrage, and was laughing. Witness never told her parents anything about it until the 19th inst., when she was taken sick, and on Sunday morning April 23rd, her father took her to Dr. Shorter.

DR. JAMES H. SHORTER (123 East 12th Street). On April 23rd examined witness, Maggie Manfredonia, and found her suffering from Gonorrheal Vaginitis. He says this Gonorrhea she undoubtedly contracted by sexual intercourse.

SALVADORO MANFREDONIA (109 4th Avenue). Is father of the girl Maggie and a shoemaker by trade. Knows the prisoner and has known him for some time. Prisoner has stated to him on many occasions that he has been suffering from Gonorrhea for the last five years, and the prisoner's wife is also troubled with it. The prisoner told witness that he had one child by his wife and it only lived two days, but the child the prisoner now has is an adopted one.

0495

PHILLAMINA MANFREDONIA. Mother of the child Maggie and knows that she will be ten years of age on the 24th day of July next.

*officer Young - Society prevention cruelty
to children*

0496

BOX:

66

FOLDER:

744

DESCRIPTION:

Baumgartner, Joseph A.

DATE:

05/29/82



744

0497

Day of Trial,

Counsel.

Filed

day of

1882

Pleads

THE PEOPLE

vs.

Joseph A. Baington

Violation of Excise Law.

JOHN McKEON,

District Attorney.

Pr April 11. 1893
A True Bill.

James J. Green

Foreman.

Wrt

0498

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Joseph A. Baumgartner

The Grand Jury of the City and County of New York, by this indictment, accuse

Joseph A. Baumgartner

of the CRIME OF *Selling Spirituous Liquors without a License,*

committed as follows

The said

Joseph A. Baumgartner
Sixth

late of the *Sixth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty first* day of *May* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to a certain person whose name is to the Grand Jury aforesaid unknown,

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said *Joseph A. Baumgartner* of the crime of exposing for sale and selling spirituous liquors on Sunday, committed as follows, that is to say: The said *Joseph A. Baumgartner* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to a certain person whose name is to the Grand Jury unknown,

contrary to the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0499

Police Court

District.

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK,

ss

of No.

the 6 Police Precinct
of the City of New York, being duly sworn, deposes and says, that on ~~the~~ Sunday the 21 day
of May 1882

premises No. 28 Bowery Street,

Joseph A. Baumgartner [now here]
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be
drunk in the house or premises aforesaid, contrary to and in violation of law.

WHEREFORE, deponent prays that said
may be arrested and dealt with according to law.

of

Sworn to before me, this

21 day

1882

Judson Golden
Blaylock
POLICE JUSTICE.

BAILED,
No. 1 by John Smith
Residence 47 Bay and Street,
No. 2, by _____
Residence _____
Street, _____
No. 3, by _____
Residence _____
Street, _____
No. 4, by _____
Residence _____
Street, _____
No. _____
Residence _____
Street, _____

Police Court— District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

No. 03.

Jacob A. Cunningham

1 _____
2 _____
3 _____
4 _____

Dated May 21 1882

Gallagher Magistrate.
John Miller Officer.
C. Mearns Clerk.

Witnesses,
James Smith
O. Prentiss

No. _____ Street,
No. _____ Street,
\$ 100 to answer _____,
June

MAY 25 1882
RECEIVED
CLERK'S OFFICE

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed,
and that there is sufficient cause to believe the within named Joseph A. Baumgartner

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated May 21 1882 Hugh Garman Police Justice.

I have admitted the above named Joseph A. Baumgartner
to bail to answer by the undertaking hereto annexed.

Dated 21 May 1882 John G. ... Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offence within mentioned, I order h to be discharged

Dated _____ 188 _____ *Police Justice.*

0501

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

District Police Court.

Joseph A Baumgartner being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Joseph A Baumgartner

Question. How old are you?

Answer.

34 years

Question. Where were you born?

Answer.

Ohio

Question. Where do you live, and how long have you resided there?

Answer.

287 Broadway, about six weeks

Question. What is your business or profession?

Answer.

Bank keeper

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts, which you think will tend to your exculpation?

Answer.

Not guilty

Joseph A. Baumgartner

Taken before me this

day of

May 21 1888

Joseph A. Baumgartner Police Justice.

0502

BOX:

66

FOLDER:

744

DESCRIPTION:

Bebancourt, Florentio

DATE:

05/16/82



744

Leah Richmond
spus. master 27

Baildby
Pedro Montello

150 E. 4th St.
218 E. 14th St.

Wm. W. de G. 21-
Walter B. 26-1317

Woodbury Court
May 16 1882
Day of Trial
Counsel, C. C. C. C.
Filed 16 day of May 1882
Pleads Asylum

THE PEOPLE
27. 605
28. 17. 2. 1882
Florentia Betancourt

John McKear
DANIEL C. ROLLINS

District Attorney.

Conveyed to
A True Bill
17
1882

Court of General Sessions of the Peace in
and for the City and County of New York

The People of the State of New York
Against
Florentis Bebancourt

The Grand Jury of the City and County of
New York by this indictment accuse
Florentis Bebancourt of the Crime of Perjury
committed as follows: on the twenty
first day of February in the year of our Lord one
thousand eight hundred and eighty two at the
City and County of New York a certain action for
divorce was pending in the Supreme Court of
the State of New York in and for the first
Judicial Department wherein one Pedro Montell
was Plaintiff and one Emma F. Montell
was defendant and on said day the issues in
said action duly came on to be tried in said
supreme Court before the Honorable Richard
Jarvermore one of the Judges of the Court of
Common Pleas of the City and County of New York
and a Jury duly Empanalled and sworn to try said
issues and the said issues in said action between
the parties aforesaid were then and there tried
before the said the Honorable Richard Jarvermore
Judge as aforesaid and the said Jury duly

Summoned Empanalled and Sworn between the parties
 for said and upon the said trial Florentio Bebanount
 late of the City and County of said appeared as
 a Witness on behalf of the said Pedro Montells
 the said Plaintiff and was duly sworn and did
 take his Corporal Oath before the said the
 Honorable Richard Larremore Judge of
 the said to speak the truth the whole
 truth and nothing but the truth touching
 the several matters in issue on the said
 trial he the said the Honorable Richard
 Larremore Judge of the said Court of Common
 Pleas then and there having sufficient and
 competent power and authority to administer
 the said Oath to the said Florentio Bebanount
 in that behalf: and at and upon the said
 trial Certain matters became and were
 material in substance as follows: that is
 to say: whether at anytime the said
 Florentio Bebanount stood on the
 landing of the roof of the house
 known as number 116 East 5th Street
 in said City when one Thomas J. Madge
 came out of the door of the room of the
 floor below and spoke to Emma F.
 Montells the defendant for said, and
 whether the said Emma F. Montells had
 been in said room and had come out

of said room with the said Thomas
 J. Madge and whether the said Thomas
 J. Madge then kissed the said Emma
 F. Montells and bade her good bye.
 And the said Florentio Bebancount
 being so sworn as aforesaid and then
 and there being lawfully required to
 depose the truth in a proceeding in
 a Court of Justice, at and upon
 the said trial then and there to wit
 at the City and County aforesaid on the
 day and in the year aforesaid before
 the said the Honorable Richard
 Lawrence Judge as aforesaid (having
 as aforesaid full and competent power
 and authority to administer the said
 Oath to the said Florentio Bebancount
 in that behalf) upon his oath
 aforesaid did then and there falsely
 wilfully knowingly and corruptly
 say depose and swear, among other
 things, in substance and to
 the effect following, that is to say:
 that on the third day of September
 1880 - I (himself the said Florentio
 Bebancount thereby meaning)
 stood on the landing of the roof
 of the house number 116 East 59th street

(The said house herein before mentioned thereby mentioned) inside of said house and ~~that~~ Thomas. J. Madge came out of the door of the room of the floor below and spoke to Emma F. Montells (the said dependant Emma. F. Montells thereby meaning) and ~~that~~ the said Emma F. Montells (the said dependant thereby meaning) had been in said room and had come out of said room with the said Thomas J. Madge (the said Thomas J. Madge thereby meaning) and ~~that~~ Thomas J. Madge (the said Thomas J. Madge thereby meaning) then and there kissed her (the said Emma F. Montells dependant as aforesaid thereby meaning) and bade her (the said Emma F. Montells thereby meaning) good bye

Whereas in truth and in fact the said Florio. Beban court on the third day of September in the year 1880 did not stand on the landing of the roof of the house number 116 East 5th street in said city inside of said house and the said

Thomas J. Madge did not come
 out of the door of the room of
 the floor below and speak to Emma
 F. Montells the said defendant,
 and the said Emma F. Montells
 had not been in said room and
 had not come out of said room
 with the said Thomas J. Madge
 and the said Thomas J. Madge
 did not then and there kiss
 the said Emma F. Montells
 and did not bid the said Emma
 F. Montells goodbye.
 And so the Grand Jury aforesaid do say
 that the said Florentio Behan came
 on the day and in the year aforesaid
 at the City and County aforesaid
 in manner and form aforesaid
 did knowingly commit wilful and corrupt
 perjury 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 and their
 dignity

N. Y. Supreme Court

In the Matter of the

Application of

Florentio Rebaucourt of

Order.

Joseph S. Auerbach
of Counsel for

Florentio Rebaucourt

No. 3 Broad St.,

New York City

To the Clerk of the Court of the
General Sessions of the Peace
for the County of New York

I take notice that the within
is a copy duly certified of
an order. This day entered
in the office of the Clerk of
the County of New York

Jan 15 1872

Joseph S. Auerbach

of Counsel for Florentio

Rebaucourt

Attest

0510

J. J. J.

At a Special Term of the Supreme
Court of the State of New York held
at Chambers at the Court House in
the City and County of New York on
the 24th day of June, 1882.

Present.

Hon. Charles Donohue.

Justice.

In the Matter of the Application
of
Florentis Beban-court to remove the
criminal action in the Court of
General Sessions of the Peace of the
City and County of New York, wherein
the People of the State of New York
are plaintiffs and Florentis Beban-court
is defendant, from said Court of
General Sessions to the Court of
Oyer and Terminer of the County
of New York

On reading and filing the affidavit of Florentis
Beban-court, verified the 13th day of June, 1882, praying
for the removal of the action wherein the People of the
State of New York are plaintiffs and Florentis Beban-
court is defendant from the Court of General Sessions
of the Peace in and for the City and County of New
York to the Court of Oyer and Terminer of the City and
County of New York, and the notice of motion for an
order to remove said action dated June 13th 1882, the
order therein endorsed by the Honorable Charles Don-
ohue, one of the Justices of the Supreme Court of the
State of New York, on said 13th day of June, and the
copy indictment annexed to said affidavit—

After hearing Joseph S. Mustack, Esq., of counsel for said Florentis Betancourt in support of said motion and John McKern, Esq., District Attorney, in opposition thereto.

Now, on motion of Joseph S. Mustack, Esq., of counsel for said defendant.

It is Ordered that the said action brought by the People of the State of New York against Florentis Betancourt in the Court of General Sessions of the Peace in and for the City and County of New York be and the same hereby is removed from said Court of General Sessions of the Peace in and for the City and County of New York into the Court of Oyer and Terminer in and for the City and County of New York for the purpose of changing the place of trial thereof and that the place of trial of said action and all proceedings therein be had in the Court of Oyer and Terminer in and for the City and County of New York.

And it is further Ordered that the Clerk of the Court of General Sessions of the Peace in and for the City and County of New York transmit and deliver all papers, pleadings and proceedings in this action, including all undertakings for the appearance of the defendant to the Court of Oyer and Terminer in and for the City and County of New York. A Copy

Jm A Butts
Clerk

05 12

*District Attorneys Office,
City & County of
New York.*

New-York, July 25th, 1883.

From the statements contained in the papers filed herewith, namely, the letter of the complainant, Captain Madge, the letter from Messrs. Coudert Brothers, counsel for Mrs. Montells, and from the letter of Mr. Auerbach, counsel for Mr. Montells (the last two being respectively the complainant and defendant in the civil action in which the alleged perjury was committed by the defendant, Debancourt), and from an inspection of the papers in the case and the evidence I am led to the conclusion that the ends of justice will not be subserved by a further prosecution of this case; and I therefore respectfully ask the Court that this indictment may be dismissed and the recognizance be discharged.

John W. Keen
District Attorney.

COUDERT BROTHERS,
COUNSELLORS AT LAW,
68 & 70 WILLIAM STREET,
P. O. BOX 2559,
NEW YORK.
PARIS: 3 RUE Scribe.

New York, July 16th, 1883.

Hon. Henry C. Allen,
Asst. Dist. Atty.
Dear Sir.

We have seen the letter written by Capt. Mudge to Mr. McKeon in reference to the indictments against the two Spaniards Cacamitjano and Betancourt for perjury upon the trial of the suit of Pedro Montells against his wife for a divorce, in which case we are the attorneys for Mrs. Montells.

The trial of those indictments would necessarily involve a rehearsal of the scandals brought to light upon the trial of the case before Judge Parremore, which would be very unfortunate, as the parties have come to an amicable adjustment of their differences, and we think that it is in the interest of good morals that the events of the past should be buried out of sight and mind.

We should therefore be very glad if you can consistently allow the matter to be dismissed.

Yours very truly

Coudert Brothers

05 14

Main Offices of Kent & Auerbach,

Grosvenor P. Lowrey.

Rockwell Kent.

Joseph S. Auerbach.

Richard W. Stevenson.

3 Broad Street (Drum Building)

New York 188

that this litigation and all its incidents should be at an end.
Of course your disposition of these cases will in a great measure
effect this - for a trial of these young men on these indictments
would necessarily be but a rehearsal of these matters which
all parties concerned ~~should~~ wish should be forgotten. Your
action only to be awaited before all papers shall be delivered.
Will you not communicate your reply to us at the earliest
possible moment.

Most Obediently Yours

The
Honorable John McKean,

Dear Sir,
Kent & Auerbach

05 15

Law Offices of Kent & Auerbach.

Grosvenor P. Lowrey.

Rockwell Kent.

Joseph S. Auerbach.

Richard W. Stevenson.

3 Broad Street (Draxel Building).

New York

188

this action. Mr. Montello has made very liberal provision for the support of his wife and children. He has written a letter to Thomas J. Madge withdrawing all charges which he made against him in the litigation of Montello v Montello. Mr. Madge and he have each executed releases, one to the other. Madge has discontinued and settled his action against Mr. Montello which was brought for the uttering of scandalous words by Montello against him in this litigation. We have in our possession general releases from Casamijano and Metancourt to Mr. Madge by reason of any act done by him against them. Thomas J. Madge has written to you, requesting that no further action be taken by you with reference to these two indictments. Howe and Hummel the Attorneys for Mr. Madge are desirous that that disposition should be made of them. Messrs. Cudert Brothers Attorneys for Mrs. Montello have written to you to the same effect. We most earnestly join with them in this application. We believe it to be entirely in the interest of good morals and for the welfare of Mrs. Montello, Mr. Montello, their children and Captain Madge.

0516

Law Offices of Kent & Auerbach,

Grosvenor P. Lowrey.

Rockwell Kent.

Joseph S. Auerbach.

Richard W. Stevenson.

3 Broad Street (Dracel Building.)

New York July 24, 1883

My dear Sir,

In accordance with our conversation yesterday in reference to the cases of Casamitjano and Betancourt, indicted for perjury, we send you in this letter the information which you desired. we are Counsel for Pedro Montello in the action of Pedro Montello v Emma H. Montello, which was an action brought for divorce on the ground of adultery. We are also counsel for the two young men indicted. In the action of Montello v Montello it was charged by Mr. Montello that Mr. Madge was the paramour of his wife. a long litigation ensued and in the course of the trial Casamitjano and Betancourt testified to these matters on which they were subsequently indicted on the Complaint of Thomas J. Madge. The case was not tried by me but by another attorney for whom we have been substituted. We came into the case, after the trial and our connection with the case has finally resulted in bringing Mr. & Mrs Montello to an adjustment of all their sad differences and a settlement of

0517

New-York June 5th 1883

Hon J. M. Keon

Dear Sir

As You doubtless
remembered it was upon my
complaint that ~~that~~ the
indictments for perjury were
found against John Cassani-
gano and Florentio Betancourt.

It is charged that they
committed perjury upon the
trial of the divorce suit of
Montells in February 1882.

I am advised that
the trial of these indictments
will necessarily involve another
ventilation of the charges
and recriminations made
by the parties to that action
against each other; which
would be very unfortunate.

0518

in every respect, as I am
informed that Mr and Mrs
Muntz have come to an
amicable settlement of
their differences,

I shall be very glad,
therefore, to have the
prosecutions for perjury
abandoned, I remain
Dear Sir

Yours Respectfully
W. F. Thacker

0519

W. H. Beach
A. C. Brown

Offices of Beach & Brown,
Attorneys & Counsellors,
Equitable Building, 120 Broadway,
New York, 188

the decision of the Court at Special
Term, which was based upon the
evidence of the alleged paramour
himself, upon whose testimony, in
part, the indictment was found —
against the defendants, it seems
severe that they should rest under an
indictment for an act which in the
belief of the Court at Special Term
was never committed by them.

I, therefore, respectfully ask that
you will discharge them on their
own recognizance or give to us at
your earliest convenience an op-
portunity to have a hearing before
you in reference to these cases,

0520

at which the merits thereof may
be fully presented to you in their
present aspect, for your consideration
and action.

Very Respectfully
W. B. Beach

My Dear W. B. Byrnes - The above
is furnished me by the attorney
Mr. Amstutz. The circum-
stances are as stated. I
think you will see the
justice & propriety of dis-
charging the body on their
own recognizance. There is
not a remote probability of
a trial upon the indictment.

Very truly
Respectfully
W. B. Beach

W. B. Beach
for the Court

0521

Offices of Beach & Brown,
Attorneys & Counsellors.

W. A. Beach
A. C. Brown.

Equitable Building, 120 Broadway,

New York, N. Y. 9th 1883.

People
Cesimigau }
Ear - - -

My dear W. B. Brown
Has your license
permitted you to investigate
the above matter as yet. I
desire to become a home,
but am anxious to learn
your conclusion

Truly
Yours
Beach

P.S. When do you think
of my Arnold Case -
B.

0522

Offices of Beach & Brown,
Attorneys & Counsellors.

W. H. Beach
A. C. Brown.

Equitable Building, 120 Broadway.

People - v - ~~Parsons~~ ^{New York} Apr. 3. 1883.

People - v - ~~Retancourt~~

Major Jno C. Byrne

Dear Sir;

In compliance with
your request that I should call your
attention to those matters in writing
I send you the following communication.

Each of the defendants in the
above entitled action, by whom I have
been retained, has been indicted by
the Grand Jury for perjury alleged
to have been committed in testimony
given by them in favor of the plain-
tiff on the trial of certain framed
issues in the action of Pedro Mon-
tells - vs - Emma P. Montells for
divorce on the grounds of infidelity

The proceedings had before the jury on the trial of these issues (they having found for Defendant) subsequently came before the Court at Special Term, from which it was sent for the trial of these framed issues, for the information of its conscience, for its approval or rejection. The following was the decision of the Court sitting at Special Term.

Supreme Court

Montells - v - Montells

Donald, J.

This action is brought by the plaintiff for a divorce from his wife on the ground of adultery.

The defendant denies and makes a countercharge.

The proof clearly shows, and the

jury have found, that the defendant was guilty of a conspiracy to procure the plaintiffs adultery.

The case on behalf of the plaintiff against the defendant is strongly coupled with the facts of the conspiracy (as found by the jury) of the defendant against her husband, and that she still allows, to say the least, the suspicious relations between herself and the persons charged with her to exist after her notice has been called to them, would lead me strongly to the conclusion that the testimony of the witnesses against her is true, and such would be the order I would make, but for the fact that the case is not before me in a shape in which action can be taken.

0524

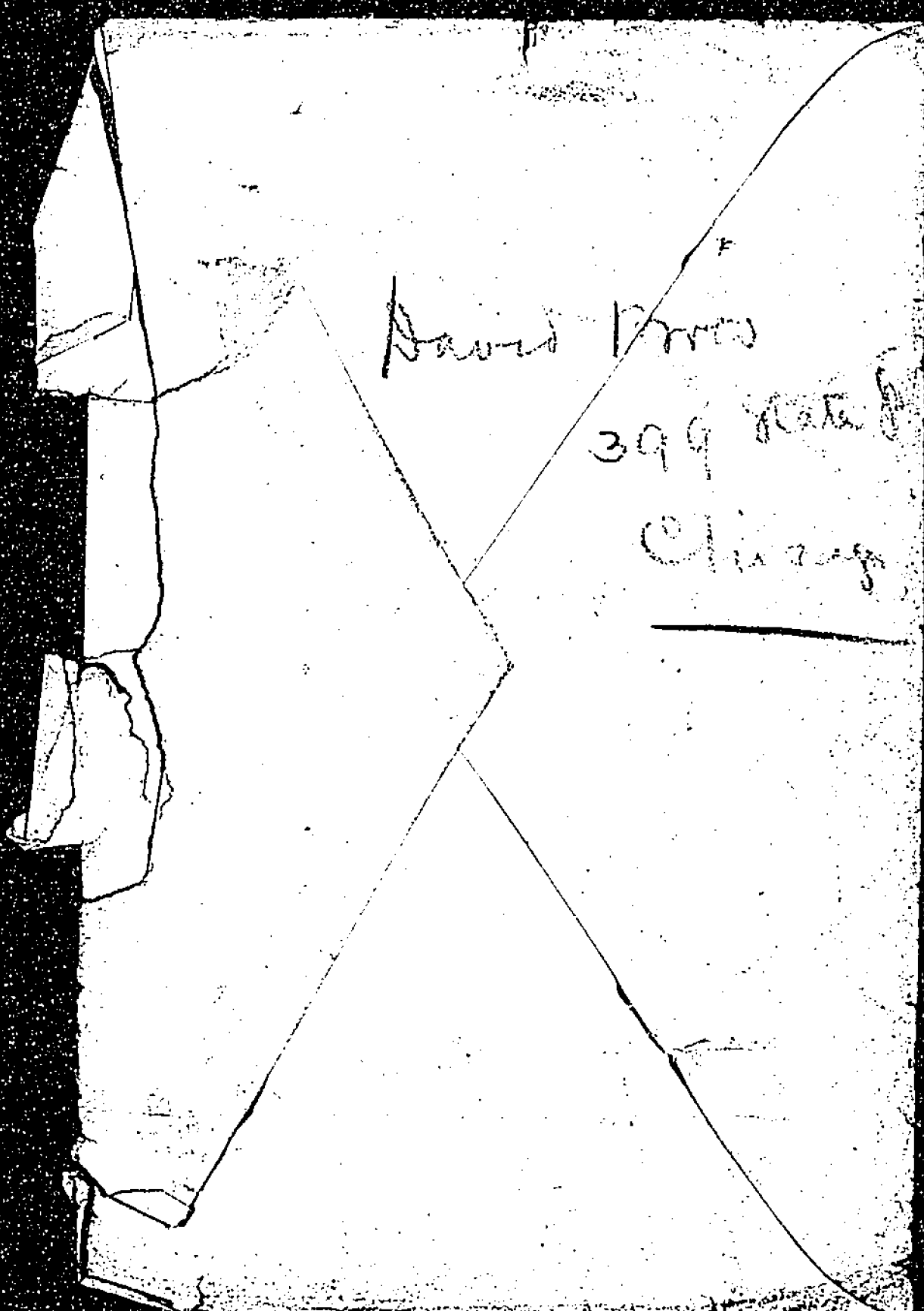
" The case is neither before me in a
" shape to move for a new trial
" or to hear on the merits or of dis-
" posing of it finally at Special
" Genus. In order to put the matter
" in proper shape to dispose of
" it the plaintiff must either make
" a case and put the matter in
" shape for a motion for a new
" trial or move the case —
" for trial at the Special Genus
" and try the case on the merits
" on the evidence and the exceptions
" fully set out and argued by the
" judge who tried the cause."

Under all the circumstances
of the case, and particularly under

0525

Ms. Josefa Sublett de Madge
Bracda.
Cuba.

0526



0527

New York, May-19th/88

Mrs. Josefa Sollett de Madge
Bracon, Cuba.

Dear Madam:-

I am informed that you are the wife of Thomas I. Madge of this City, No. 237 Fulton St. Dealer in fruits; I have been employed as a detective in this City, and during my investigation, I have secured evidence that will be useful to you.

I can prove that your husband at various times and places, since last September, has been guilty of adultery, with a married woman. I can furnish you with such evidence as will certainly give you a divorce from Thomas I. Madge on the ground of his adultery. If you want to institute such proceedings you can communicate with me, and I will be very happy to make arrangements with you, and give you the name of the lawyer in whom you can have confidence, & who

0528

will not be turned from his duty through fear
or favor, and of the highest character.

Please advise me if you desire to do any-
thing in the matter, and oblige.

Yours Respectfully

James G. Dunlap.

No. 339 East 19th St.

New York City.

New York.

Certify to this letter.

City and County of New York ss:

Charles M. Gould of said City being duly sworn deposes and says:
I know A. G. Vanderpoel an Attorney and Counselor at Law, doing business at No. 214 Broadway in this City. Before the trial of the divorce suit of Montells against Montells, I received a letter from said Vanderpoel requesting me to call at the store of Thomas J. Madge and identify said Madge as being a man whom I had seen in Central Park. I called upon Mr. Madge, as requested in said letter, and I could not and did not recognize said Madge as being the Central Park man. I saw Mr. Vanderpoel the next day, and he (Vanderpoel) said that he could not offer to me any stated amount of money, but that

0530

he would see that I was well paid if I would swear that Madge was the Central Park man spoken of in said letter. I positively declined this offer and told him that I could not and would not swear to any such statement, as it was untrue, and I have since informed the said Madge of the perjury said Vanderpoel urged me to commit, but which I declined. I have delivered said letter from Vanderpoel to me, to said Madge.

Sworn to before me of C. M. Gaud.
this 16th day of May 1882

Mythron

Commissioner of Beeds,
New York City and County.

0531

COUDERT BROTHERS,
COUNSELLORS AT LAW,
68 & 70 WILLIAM STREET,
P. O. BOX 2559,
NEW YORK.
PARIS: 3 RUE SORBIERE.
PAUL FULLER. JAMES RICHARDS.

My dear Captain.

I will manage to see Allen as you request, & will show him the contracts; but they are too valuable, in case of another trial, for us to let them go out of our possession.

With regard to certifying to the letter, if you will leave it with Allen, I will tell him ~~the~~ what I know about it. No certificate would be of any use unless written on the letter; & I think you will agree with me that it had better not be written upon.

I send you the letters you left with Mr Coudert &

0532

return that which you sent
to be certified to.

Faithfully Yours
Wm. N. Lewis

0533

Sec. 208, 209, 210 & 212.

294 Put in

Police Court 1st District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Madge
1911 on complaint of
2 of making in the
Florentio Beban court

Offence, Drunken

Dated March 15 1882

Smith Magistrate.

Officer.

Clerk.

Witnesses

No.

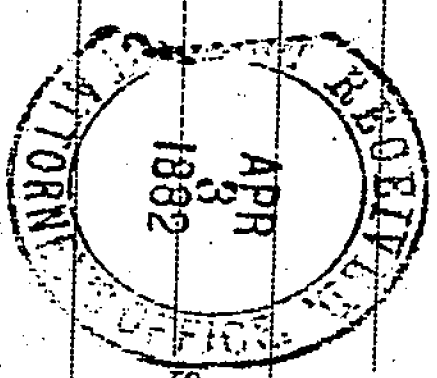
Street.

No.

Street.

No.

Street.



BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

bound

Will not

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Florentio Beban court

guilty thereof, I order that he be ~~admitted to bail in the sum of~~ held to answer the same ~~Hundred Dollars~~ and be committed to the Warden or Keeper of the City Prison ~~until he give such bail.~~

Dated March 17 1882 Solomon Smith Police Justice.

I have admitted the above named _____ to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0534

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.POLICE COURT, First DISTRICT.

of No. 194 Greenwich Thomas J. Madge
~~he is only two years of age and a true child of the family~~
 says that on the evening first day of February 1882.
 at the City of New York, in the County of New York, Florentio Rebancourt

did wilfully and corruptly swear and ^{falsely} testify
 in a certain action then pending in the
 Supreme Court of the State of New York at
 the First Judicial Department held in and
 for the City and County of New York at a trial
 term held by ~~me of the Judges of the Court of Common Pleas of the City of New York~~
^{one of the Judges of the Court of Common Pleas of the City of New York}
 Esquire, one of the Justices of the said
 Supreme Court, in which said action Pedro
 Montells was the plaintiff and Emma F.
 Montells was the Defendant. That said
 Rebancourt so wilfully and corruptly swore
 and testified to the effect that said Reban-
 court stood on the landing of the roof of
 the house N^o 116 East 59th Street inside said
 house and said Deponent came out of the
 door of the room of the floor below and
 spoke to Mrs. Emma F. Montells (the Defendant
 in said before mentioned action) and that
 said Emma F. Montells had been in said
 room and had come out of said room
 with Deponent, and that Deponent then
 and there kissed her (said M^{rs} Emma F.
 Montells) and bid her (said M^{rs} Emma F.
 Montells) "Good bye". That said alleged
 occurrence was also testified to by said
 Rebancourt as before stated in said
 Supreme Court at said time and place to
 have occurred on the 3rd day of September
 1880 at nine o'clock in the morning of

0535

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.POLICE COURT, First DISTRICT.of No. 194 Greenwich Thomas J. Madge
he is fully two years of age and a true child of the State Street, being duly sworn, deposes and
says that on the twenty first day of February 1882.at the City of New York, in the County of New York, Florentio Bebancourt

did wilfully and corruptly swear and ^{truly} testify in a certain action then pending in the Supreme Court of the State of New York at the First Judicial Department held in and for the City and County of New York at a trial term held by ^{one of the Justices of the Court of General Sessions of the City and County of New York} ~~one of the Justices of the Court of General Sessions of the City and County of New York~~ Esquire, one of the Justices of the said Supreme Court, in which said action Pedro Montells was the plaintiff and Emma F. Montells was the Defendant. That said Bebancourt so wilfully and corruptly swore and testified to the effect that said Bebancourt stood on the landing of the roof of the house N^o 116 East 59th Street inside said house and said Deponent came out of the door of the room of the floor below and spoke to Mrs. Emma F. Montells (the Defendant in said before mentioned action) and that said Emma F. Montells had been in said room and had come out of said room with Deponent, and that Deponent then and there kissed her (said Mrs. Emma F. Montells) and bid her (said Mrs. Emma F. Montells) "Good bye". That said alleged occurrence was also testified to by said Bebancourt as before stated in said Supreme Court at said time and place to have occurred on the 3rd day of September 1880 at nine o'clock in the morning of

0536

said day.

That said testimony so given by said Beban court, as aforesaid was wilfully and corruptly false and untrue and was given by said Beban court as aforesaid was wilfully and corruptly false and untrue and was given by said Beban court as aforesaid in a proceeding then and there pending in a Court of law and equity in the City and County of New York, on said Twentyfirst day of February 1882, and was necessary and material to the issue then and there being adjudicated therein.

That Deponent avers that he did not see said Emma F. Montells at said time so testified to by said Beban court at said place 116 East 59th Street on said 3^d day of September 1880 at nine o'clock in the morning of said day, nor did Deponent ever see said Emma F. Montells alone there as so wilfully and corruptly testified to by said Beban court, nor did Deponent kiss said Emma F. Montells then or at any time, nor did Deponent say to said Emma F. Montells "Good bye", as so wilfully and corruptly testified to by said

Police Court _____ District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

vs.

AFFIDAVIT.

Dated _____ 188

Magistrate.

Officer.

Witness.

Disposition.

Rebancourt; but in truth and in fact this deponent was at the time said Rebancourt so falsely, wilfully and corruptly testified that he was at said house 116 East 59th Street in the City of New York, at his own place of business N^o 237 Fulton Street in said City.

That the Jury before whom said case of Montells against Montells was tried, found on the material issue as to whether Deponent and said Emma J. Montells had been in said room in said premises 116 East 59th Street aforesaid, and had kissed said Emma J. Montells and bid her "Good bye", as so wilfully and corruptly testified to by said Rebancourt as aforesaid; that said testimony was untrue and unworthy of belief as in truth and in fact it was, and said Jury unanimously found in favor of said Emma J. Montells on said material issue.

Wherefore Deponent prays that said Florentio Rebancourt, for the wilful and corrupt testimony given by him as aforesaid, may be arrested

0538

and dealt with as the law directs.
Sworn to before me
this 5 day of March 2
1882.

W. H. Pradger
Solomon R. Smith

Police Justice.

0539

Sec. 198-200.

CITY AND COUNTY }
OF NEW YORK, } ss.

Just. DISTRICT POLICE COURT.

Florentio Bebaucourt being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer.

Florentio Bebaucourt

Question. How old are you?

Answer.

Twenty four years

Question. Where were you born?

Answer.

Cuba

Question. Where do you live, and how long have you resided there?

Answer.

214 E. 65th St. One year

Question. What is your business or profession?

Answer.

Student

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

I am not guilty -

Taken before me, this

day of

17th Florentio Bebaucourt
March 1882

Solomon Smith
Police Justice.

0540

Sec. 151.

Police Court First District.

CITY AND COUNTY }
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Thomas J. Madge of No. 194 Greenwich Street, that on the 21st day of February 1882 at the City of New York, in the County of New York, Florentio Bebanca

did unlawfully and corruptly swear and testify falsely to a material matter, in a certain cause and proceeding depending in the Supreme Court in and for the City and County of New York, wherein Pedro Mantello was the plaintiff and Emma T. Mantello was the defendant

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint:

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the First DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 21st day of March 1882

Solomon B. Smith
POLICE JUSTICE.

POLICE COURT. 1st DISTRICT.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Thomas J. Madge
194 Greenwich

vs.

Florentio Bebanca

Warrant-General.

Dated March 15th 1882

Magistrate

The Defendant Heilberg
J. Dolan

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, 2:44

Naive of 67 1/2

Age, 21

Sex Male

Complexion, Dark

Color Black

Profession, Miner

Married No

Single, Yes

Read, Yes

Write, Yes

0541

105-

Florentio Bebaumont

The within named

having been brought before me under this Warrant, is committed for examination to the
WARDEN or KEEPER of the City Prison of the City of New York.

Dated Mar 16 1882

Solon B Smith

Police Justice.

0542

BAILED,

No. 1, by

Charles H. Smith

Residence

145 St 18th

No. 2, by

Residence

Street,

No. 3, by

Residence

Street,

No. 4, by

Residence

Street,

Police Court 1st District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Charles H. Smith

204 Broadway St

Offence, *Perjury*

Dated *March 15* 1882

Smith Magistrate.

Officer.

Clerk.

Witnesses

No.

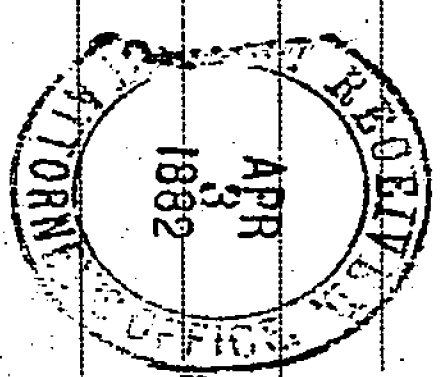
Street,

No.

Street,

No.

Street,



beid

Will not

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named *Florentio Beban court*

guilty thereof, I order that he be admitted to bail in the sum of *held to answer the same* Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated *March 17* 1882 *Solomon Smith* Police Justice.

I have admitted the above named _____ to bail to answer by the undertaking hereto annexed.

Dated _____ 188 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 188 _____ Police Justice.

0543

N. Y. General Sessions of the Peace

THE PEOPLE
OF THE STATE OF NEW YORK,


against

Florentio Sebancourt

214 S 65th St

Bench Warrant for Felony.

Issued *Nov. 15th* 1882

 The officer executing this process will make his
return to the Court forthwith.

0544

COUNTY OF NEW YORK, ss.

In the Name of the People of the State of New York, To any Sheriff, Constable,
Marshal or Policeman in this State, GREETING :

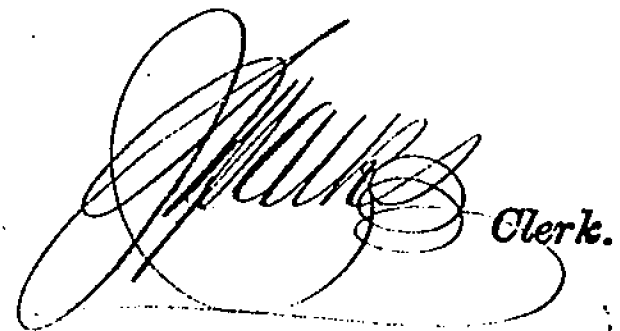
An indictment having been found on the 16 day of May
1882, in the Court of General Sessions of the Peace, of the County of
New York, charging Florentio Rebaucourt

with the crime of Perjury

You are therefore Commanded forthwith to arrest the above named Florentio
Rebaucourt and bring him before that Court to answer the indictment; or
if the Court have adjourned for the term, that you deliver him into the custody of the Keeper of the
City Prison of the City of New York.

New York City, the 15 day of Nov 1882

By order of the Court,

 Clerk.

0545

Pedro Montells
(450) ~~145~~ East 16 St

0546

Court of General Sessions, Part *One*

THE PEOPLE

INDICTMENT

vs.

For

*John Gasannity and
Florentio Bebaycourt*

To

Mr Pedro Montells

No. *145* & *16* *th* Street.
(or *45*)

The indictment against the above-named defendant, for whose appearance you are bound, has been placed upon the Calendar for *trial* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on *Wednesday* the *17* day of *May* instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

~~DANIEL C. ROLLINS,~~

John McKeon District Attorney.

0547

The People

vs

Bebar court

Perjury

Papers etc

not an

original

0548

PARK BANK BUILDING,

214 & 216 BROADWAY.

LAW OFFICES OF

A. G. VANDERPOEL,

Attorney, and Counsellor-at-Law.

Take Elevator.

NEW YORK, Oct - 12th 1881 -

Mrs J Gould Esq.

Dear Sir:

Please call
at ~~Madison~~ store in Fulton
St & be certain that the
Central Park man was
certainly made - Do the
on the receipt of this
note,

Yours Respectfully
A. Vanderpoel

0549

PARK BANK BUILDING.

LAW OFFICES OF

214 & 216 BROADWAY.

A. G. VANDERPOEL,

Attorney, and Counsellor-at-Law.

Take Elevator.

NEW YORK, Dec. 18th 1881

Chas. M. Gould, Esq.
#31 Cornelia St.

Dear Sir:-

Please call down
at this office tomorrow
(Friday) afternoon, and see
me in re Montells case
and oblige.

Yours truly,
A. G. Vanderpoel

0550

PARK BANK BUILDING.

LAW OFFICES OF

214 & 216 BROADWAY.

A. G. VANDERPOEL,

Attorney, and Counsellor-at-Law.

Take Elevator.

NEW YORK,

Dec. 16th 1881

Chas. M. Gould, Esq.
31 Cornelia St.
New York City.

Dr. Sir:-

Please call in
and see me on Monday
the 19th inst. anoblely

Yours truly,
A. G. Vanderpoel.

Supreme Court, City and County
of New York.

In the matter

of
The Application of Florents
Behancourt &c.

Affidavits, Order, &c.

Kent & Cumberbach,
attys for Behancourt
3 Broad St., N.Y.

To John McKern Jre
District Attorney
Recd (m) 13/8/27

0552

SUPREME COURT,
CITY AND COUNTY OF NEW YORK.

In the matter of the application of
Florentio Bebankcourt to remove the
criminal action in the Court of General
Sessions of the Peace of the City and County
of New York, wherein the people of the State
of New York are plaintiffs, and Florentio
Bebancourt is defendant, from said Court of
General Sessions to the Court of Oyer and
Terminer of the County of New York.

To

John McKeon, Esq.,

District Attorney.

Please take notice that upon the annexed affidavit and
all the proceedings in the above mentioned action in the
Court of General Sessions, a motion will be made at a special
Term of the Supreme Court of the State of New York, to be
held at the new Court House in and for the City and County of
New York, on the 13th day of June, 1882, at eleven o'clock
in the forenoon of said day, or as soon thereafter as coun-
sel can be heard, for an order removing the action above
mentioned from the said Court of General Sessions to the
Court of Oyer and Terminer of the County of New York, persua-
ant to Title V., Chapter VIII., of the Code of Criminal Pro-

0553

2

cedure.

Dated June 13, 1882.

JOSEPH S. AUERBACH,

of counsel for defendant.

On the annexed affidavit ,

IT IS ORDERED, that the trial
of the action above referred to in the court of General Ses-
sions be and it hereby is staid until the hearing and decis-
ion of the motion to remove the same.

Dated June 13th, 1882.

C. DONOHUE,

Justice Supreme Court.

0554

3

SUPREME COURT,
CITY AND COUNTY OF NEW YORK.

In the matter of the application of
Florentio Bebancourt to remove the
criminal action in the Court of General
Sessions of the Peace of the City and County
of New York, wherein the people of the State
of New York are plaintiffs, and Florentio
Bebancourt is defendant, from said Court of
General Sessions to the Court of Oyer and
Terminer of the County of New York.
-----;

City and County of New York, ss:

Florention Bebencourt, being duly sworn, says:

That he is the defendant in a certain criminal action in
the Court of General Sessions of the Peace of the City and
County of New York wherein the people of the State of New
York are the plaintiffs:

That said action is prosecuted by indictment, a copy of
which is hereunto annexed:

That said action has not yet been tried but is still
pending in said Court;

That said indictment is for an alleged perjury on the
part of this deponent upon the trial of certain framed issues
in the action of Pedro Montells, plaintiff, against Emma F.
Montells, defendant, which issues were tried before Mr. Justice

0555

4

Larremore and a Jury in or about the month of February, 1882;

That said action is yet undetermined, and is upon the day calander of the Special Term of this Court for trial;

That upon the trial of said action wherein the People of the State of New York are plaintiffs, and this deponent is defendant, as aforesaid, many intricate questions of law will arise which it is expedient and necessary should be passed upon by the Court of Oyer and Terminer, as deponent is advised by Joseph S. Auerbach, his counsel, and verily believes, after stating fully and fairly to him all the facts of the case.

And deponent asks that the said action be removed to the Court of Oyer and Terminer of this County; and for that purpose he asks that the trial of said action be staid until the ^{Motions} herein can be heard.

No previous application therefore has been made.

(Signed) Florentio Bebancoeur t

Sworn to before me this

13th day of June, 1882

(Signed) Charles Roth(28)

Notary Public,

N. Y. Co.

Court Of General Sessions of
The Peace in and for the City
and County of New York.

The People of the State of :
New York :
against :
Florentio Beban court. :
-----;

The Grand Jury of the City and County of New York by
this indictment accuse Florention Beban court of the crime of
Perjury committed as follows: On the 21twenty-first day of
February in the year of our Lord, One Thousand eight hundred
and eighty-two at the City and County of New York a certain
action for divorce was pending in the Supreme Court of the
State of New York in and for the First Judicial Department
wherein one Pedro Montells was plaintiff and one Emma F. Mon-
tells was defendant, and on said day the issues in said action
duly came on to be tried in said Supreme Court before the
Honorable Richard Larremore one of the Judges of the Court of
Common Pleas of the City and County of New York and a Jury
was duly empannelled and sworn to try said issues and the
said issues in said action between the parties aforesaid were
then and there tried before the said Honorable Richard Larre-
more, Judge as aforesaid, and the said jury duly summoned,
empannelled and sworn between the parties aforesaid and upon
the said trial Florention Beban court, late of the City and

0557

6

County aforesaid appeared as a witness on behalf of the said Pedro Montells, the said plaintiff, and was duly sworn and did take his corporate oath before the said the Honorable Richard Larremore, Judge of the aforesaid, to speak the truth, the whole truth and nothing but the truth touching the several matters in issue on the said trial, he the said the Honorable Richard Larremore, Judge of the said Court of Common Pleas, then and there having sufficient and competent power and authority to administer the said oath, to the said Florention Bebeancourt in that behalf; and at and upon the said trial certain matters became and were material in substance as follows, that is to say: Whether at any time the said Florentio Bebeancourt stood on the landing of the roof of the house known as Number 116 East 59th Street in that City when one Thomas I. Madge came out of the door of the room of the floor below and spoke to Emma F. Montells, the defendant aforesaid, and whether the said Emma F. Montells had been in said room and had come out of said room with the said Thomas I. Madge, and whether the said Thomas I. Madge then kissed the said Emma F. Montells and bade her good-bye. And the said Florentio Bebeancourt being so sworn as aforesaid and then and there being lawfully required to depose the truth in a proceeding in a Court of Justice, at and upon the said trial then and there, to wit: at the City and County aforesaid on the day and in the year aforesaid before the said, the Honorable Richard Larremore, Judge as aforesaid, (having as aforesaid full and competent power and authority to administer the said

0558

7

oath to the said Florentio Bebankourt in that behalf). Upon his oath aforesaid did then and there falsely, willfully, knowingly and corruptly say, depose and swear, among other things, in substance and to the effect following, that is to say: That on the third day of September, 1880, I(himself, the said Florentio Bebankourt thereby meaning) stood on the landing of the roof of the house Number 116 East 59th Street (the said house hereinbefore mentioned thereby meaning inside of said house and Thomas I. Madge came out of the door of the room of the floor below and spoke to Emma F. Montells (the said defendant Emma F. Montells thereby meaning) and the said Emma F. Montells (the said defendant thereby meaning) had been in said room and had come out of said room with the said Thomas I. Madge (the said Thomas I. Madge, thereby meaning) and Thomas I. Madge (the said Thomas I. Madge thereby meaning) then and there kissed her (the said Emma F. Montells defendant as aforesaid thereby meaning) and bade her (the said Emma F. Montells thereby meaning) good-bye.

Whereas in truth and in fact the said Florentio Bebankourt on the third day of September in the year 1880, did not stand on the landing of the roof of the house Number 116 East 59th Street in said city inside of said house and the said Thomas I. Madge did not come out of the door of the room of the floor below and speak to Emma F. Montells, the said defendant and the said Emma F. Montells had not been in said room and had not come out of said room with the said Thomas I. Madge, and the said Thomas I. Madge did not then and there kiss the said Emma F. Montells and did not bid the said Emma

0559

8

F. Montells good-bye.

And so the Grand Jury aforesaid do say that the said Florentio Beban court on the day and in the year aforesaid at the City and County aforesaid, in manner and form aforesaid did knowingly commit willful and corrupt perjury 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 and their dignity.

Supreme Court, City and County
of New York.

In the matter

of
The Application of John
Casamitjana, &c.

Affidavits, Order, &c.

Kent & Albrecht,
Attys for Casamitjana,
3 Broad St., N.Y.

Recd June 13/82

To John McKeeon Jr.

District Attorney

SUPREME COURT,
CITY AND COUNTY OF NEW YORK.

-----:

In the matter of the application :

of John Casamitjano to remove :

the criminal action in the Court :

of General Sessions of the Peace :

of the City and County of New :

York, wherein the People of the :

State of New York are plaintiffs, :

and John Casamitjano is defendant, :

from said Court of General Sessions :

to the Court of Oyer and Terminer :

of the County of New York. :

-----:

To

John McKeon, Esq.,

District Attorney.

Please take notice that upon the annexed affidavit and all the proceedings in the above mentioned action in the Court of General Sessions, a motion will be made at a special term of the Supreme Court of the State of New York, to be held at the new Court House in and for the City and County of New York, on the 24th day of June, 1882, at eleven o'clock in the forenoon of said day or as soon as thereafter as counsel can be heard for an order removing the action above mentioned from the said Court of General Sessions to the

0562

Court of Oyer and Terminer of the County of New York, pursuant to Title V. Chapter VIII. of the Code of Criminal Procedure

Dated June 13th, 1882.

JOSEPH S. AUERBACH,

of Counsel for Defendant.

On the annexed affidavit it is ordered that the trial of the action above referred to, in the said Court of General Sessions be, and it hereby is staid until the hearing and decision of the motion to remove the same.

Dated June 13th, 1882.

C. DONOHUE,

Justice Supreme Court.

SUPREME COURT,
CITY AND COUNTY OF NEW YORK.

-----: :
In the matter of the application : :
of John Casamitjano to remove : :
the criminal action in the Court : :
of General Sessions of the Peace : :
of the City and County of New : :
York, wherein the People of this : :
State of New York are plaintiffs, : :
and John Casamitjano is defendant : :
from said Court of General Sessions : :
to the Court of Oyer and Terminer : :
of the County of New York. : :
-----: :

City and County of New York, ss:

John Casamitjano being duly sworn says:

That he is the defendant in a certain criminal action in
the Court of General Sessions of the Peace of the City and
County of New York wherein the People of the State of New
York are the plaintiffs;

That said action is prosecuted by indictment a copy of
which is hereunto annexed;

That said action has not yet been tried, but is still
pending in said Court;

That said indictment is for an alleged perjury on the
part of this deponent upon the trial of certain framed issues

in the action of Pedro Montells, plaintiff against Emma F. Montells, defendant, which issues ~~was~~ tried before Mr. Justice Larremore and a jury in or about the month of February, 1882.

That said action is yet undetermined, and is upon the day calendar of the Special Term of this Court for trial;

That upon the trial of said action wherein the People of the State of New York are plaintiffs, and this deponent is defendant, as aforesaid, many intricate questions of law will arise which it is expedient and necessary should be passed upon by the Court of Oyer and Terminer, as deponent is advised by Joseph S. Auerbach, his counsel, and verily believes, after stating fully and fairly to him all the facts of the case;

And deponent asks that the said action be removed to the Court of Oyer and Terminer of this County; and for that purpose ^{he} asks that the trial of said action be staid until the motion herein can be heard.

No previous application therefore has been made.

JOHN CASAMITJANO.

Sworn to before me this :
: 13th day of June, :
: 1882. :
:

CHAS. ROTH, (28)

Notary Public,

N. Y. Co.

Court of General Sessions of
The Peace in and for the City
and County of New York.

The People of the State of :
New York :
 : against :
John Casamitjano. :

The Grand Jury of the City and County of New York by this indictment accuse John Cassamitjano of the crime of perjury, committed as follows: On the thenty-first of February, in the year of our Lord One Thousand Eight hundred and Eighty-two, at the City and County of New York a certain action for divorce was pending in the Supreme Court of the State of New York in and for the First Judicial Department wherein one Pedro Montells was plaintiff and one Emma F. Montells was defendant, and on said day the issue in said action duly came on to be tried in said Supreme Court before the Honorable Richard Larremore, one of the Judges of the Court of Common Pleas of the City and County of New York, and a jury duly empanelled and sworn to try the said issues and the said issues in said action were then and there tried before the ~~said~~ the Honorable Richard Larremore Judge as aforesaid and upon the said trial John Casamitjano, late of the City and County aforesaid, appeared as a witness on behalf of the said Pedro Montells the said plaintiff, and was duly sworn and did take his corporal oath before the said the Honorable Richard Larremore Judge as aforesaid to speak the truth,

DOED TO SPEAK THE TRUTH

0566

the whole truth and nothing but the truth touching the several matters in issue on the said trial, he the said Honorable Richard Larremore, Judge of the said Court of Common Pleas, then and there having sufficient and competent power and authority to administer the said oath to the said John Casamitjano in that behalf; and at and upon the said trial certain matters became and were material in substance as follows, that is to say: Whether at any time the said John Casamitjano stood on the landing of the roof of the house known as ~~no~~ number 116 East 59th Street in said City when one Thoamas I. Madge came out of the door of the room of the floor below and spoke to Emma F. Montells ^{aforesaid} ~~the defendant~~ whether the said Emma F. Montells had been in said room and had come out of said room with the said Thomas I. Madge and whether the said Thomas I. Madge thenkissed the said Emma F. Montells and bade her good bye. And the said John Casamitjano being so sworn as aforesaid and then and there ~~be~~ being lawfully required to depose the truth in a proceeding in a Court of Justice, at and upon the said trial then and there to wit, at the City and County aforesaid on the day and in the year aforesaid before the said the Honorable Richard Larremore Judge as aforesaid (having as aforesaid full and competent power and authority to administer the said oath to the said John Casamitjano in that behalf) upon his oath aforesaid did then and there falsely, willfully, knowingly and corruptly ^{say} depose and swear among other things, in substance and to the effect, following, that is to say; that on the third day of September 1880, he

(himself the said John Casamitjano thereby meaning) stood on the landing of the roof of the house Number 116 East 59th Street (the said house hereinbefore mentioned thereby meaning) inside of said house and that Thomas I. Madge came out of the door of the room of the floor below and spoke to Emma F. Montells(the said defendant Emma F. Montells thereby meaning) and that the said Emma F. Montells (the said defendant thereby meaning) had been in said room and had come out of said room with the said Thomas I. Madge (the said Thomas I. Madge thereby meaning) and that Thomas I. Madge (the said Thomas I. Madge thereby meaning) then and there kissed her (the said Emma F. Montells defendant as aforesaid thereby meaning) and bade her (the said Emma F. Montells thereby meaning) good-bye.

Whereas in truth and fact the said John Casamitjano on the third day of September, 1880 did not stand on the landing of the roof of the house Number 116 East 59th street in said City inside of said house, and the said Thomas I. Madge did not come out of the door of the room of the floor below and speak to Emma F. Montells, the said defendant, and the said Emma F. Montells had not been in said room with the said Thomas I. Madge and the said Thomas I. Madge did not then and there kiss the said Emma F. Montells and did not bid the said Emma F. Montells good-bye.

And so the Grand Jury aforesaid do say the said John Casamitjano on the day and in the year aforesaid at the city and county aforesaid, did knowingly commit willful and corrupt perjury against the form of the statute in such case

0568

2

made and provided and against the people of the state of New York and their dignity.

JOHN McKEON,

District Attorney.

0569

State of New York

City & County of New York, I James Graham
 being duly sworn do depose and say that
 in July 1881 I received from
 Mr A. L. Vanderpoel a letter
 signed Jas. G. Dunlap, addressed
 to Mrs. M. A. Graeco Cuba
 which he read over to me &
 requested me to copy and
 append my own signature
 and address ^{forward to her} After considering
 the matter I decided not to
 do this but have handed the
 original letter to Mrs. M. A. Graeco
 in person. The letter is in
 the handwriting of Samuel
 Marks, Mr. Vanderpoel clerk

James Graham
 214 + 216 Broadway
 March 31. 1882

Sworn to before me
 this 15th day of April 1882 } James Graham
 William Healey

Notary Public No. 49
 N. Y.

0570

Habana 29 Marzo 1887.

Preziable amiga Josefa: una amiga que siempre te quiso y sigue queriendo lo mismo no puede tenerte por mas tiempo oculto lo que me ha contado de tu esposo una amiga de Nueva York.

La historia que me han echo de tu esposo es que esta viviendo en Nueva York con una mujer que es conocida tuya ya ves que comportamiento tan indigno de tu esposo, pues el ha sido la causa que ha turbado la felicidad de toda una familia porque esa amiga o conocida tuya tiene dos hijitos muy bonitos.

No queria decirte nada de todo esto pero solo el aprecio y la amistad que te tengo es el que no te lo haya podido ocultar.

0571

Si quieres saber la verdad
escríbeme a algún amigo o amiga de
confianza en Nueva York y te convencerás de ello.

No te creas que porque voy
sin firma la carta sea anónima
tan solo es porque no quiero que
sepa que amiga es, tal vez llegará
día en lo sabrás.

Quiero que te aprecies
y viente la desgraciada que eres.

P.D. Por el próximo correo
te daré más detalles que me
enviarán de Nueva York.

0572

Habana 24 Mayo 1881

Querida amiga Pepilla.

Como te ofreci en mi ultima carta que te escribi de darte noticias del famoso Fornás voy a hacerlo hoy por haberlas recibido y ser frescas. Es que Fornás sigue viviendo con la mujer americana que es casada, con dos hijos y amiga tuya la cual se escapó a un año de su esposo para vivir con el tuyo. Asta ahora han estado viviendo en Nueva York pero este mes se mudaron a Williamsburg donde viven los dos juntitos en amor y compañía.

Tambien se que has escrito o dicho que ibas a ir a Nueva York y me parece que no es sido discreta y hecho muy mal en decirlo y creo que si piensas ir no debes decir nada a nadie absolutamente si no presentante, ~~sino~~ por que de ese modo tu misma podras ver de la hora que entra y sale tu esposo de la casa y saber muchas cosas y entonces verás y sabrás muchas cosas que te han de extrañar y maravillar cuando las sepas.

0573

Cuando quieras ir para Nueva York y quieras hacerle saber el nombre que te pongas
saber todo de tu esposo en lo siguiente quince días
antes de tu salida lo que no dirás, enlobo ni repetirte
a nadie, escribe a Nueva York a Merced Bosquejo
mi amiga mía que es la que me da todas las
noticias y está en por menores de todo.

Siempre se interesará por tu suerte y siempre
te querrá muchísimo tu amigo.

La carta ponla así

Miss Merced Bosquejo

Nueva York

Yo le escribiré a mi amigo diciéndole que tú le
escribías cuando te pongas en camino que ella
te conoce para que vaya a esperarte a bordo ah
ten cuidado de ponerle en la carta a la amiga
de Nueva York en el vapor que vayas quier decirte
el nombre del nombre del vapor.

Adios querida amiga.

Se me olvidaba si acaso te embarcarás con
nombre supuesto que sería mucho mejor

Whereas, I, Pedro Monteleo, have reason to suspect my wife of infidelity to her marriage obligations,

Now this agreement witnesseth that in consideration of A. A. Kermans agreeing to make diligent investigation and discovery of any infidelity of my said wife by himself or agents, and to report the same to me so that in case there shall be found or discovered competent, sufficient and credible evidence within five months from this date to entitle me to obtain an absolute divorce from my said wife by a court of competent jurisdiction in the city of New York, I hereby agree to pay him as follows,

One hundred Dollars on the signing of this agreement and nine hundred dollars when a final decree shall have been obtained by me in any such court entitling me to be and declaring me absolutely divorced from my said wife, but in case any appeal shall be taken from such a decree to a higher court, said last named sum of nine hundred dollars shall not be payable until such appeal shall have been finally disposed of in my favor by affirming such decree.

If the aforesaid evidence shall not be furnished to me within said period

0575

of five months, or if furnished and not
deemed satisfactory by the counsel of
said Pedro Montells then this agreement
shall be void and of no effect.

In Witness whereof the parties hereto
have hereunto set their hands and seals
the first day of July 1880.

Sealed & delivered { Pedro Montells (Seal)
in the presence of } A. Ackerman (Seal)

Copies compared by J. N. L., & W. W. B.
Dec. Nov. 5. 1881.

Whereas, Abraham Ackerman, having come into possession of certain testimony which may be of advantage to Pedro Montells in the trial of a certain action now pending wherein the said Pedro Montells is plaintiff and Emma F. Montells is defendant,

Now this agreement witnesseth that the said Ackerman for and in consideration of the sum of two hundred dollars to be paid as hereinafter set forth, hereby agrees to furnish said testimony at the trial of said action when called on so to do by said Montells' counsel, and therefore to receive the sum of two hundred dollars only to be paid on the determination of said action in favor of said Pedro Montells, such determination to be final all appeals and trials included.

In case said action should not be determined in favor of said Pedro Montells the said Ackerman shall receive the sum of five dollars per day for each and every day that he shall attend the trial of such action, and a like amount for each of such witnesses as he may require as a means of furnishing said testimony.

Witnesses to be present in Court on such days only, as Pedro Montells counsel shall suggest and instruct.

In witness whereof we have hereunto

0577

set our hands and seals this Eleventh
day of October in the year 1881.
In presence of } Pedro Montells (Seal)
Geo. R. Carrington } Abraham McKerman (Seal)

Compared by J. N. L. + W. H. B. Nov. 5, 1881

0578

BOX:

66

FOLDER:

744

DESCRIPTION:

Beschel, Frederick

DATE:

05/19/82



744

The Defendant Green
a Green man who has only
been in the country 6 months
over 5 months of the time he
spent in Houston Texas, and
through hard labor saved
about 100 Dollars - he was
involved into a partnership
in a beer saloon business
and parted with 76 Dollars
to his new friend or partner
on the pretext that the latter
should procure license for same
since which time the partner has
not been seen or heard of
therefore respectfully
against the Court to
dismiss the indictment

Wm. M. Green
May 22 82

Bill Underwood

Day of Trial,

Counsel,

Filed 19 day of May 1882

Pleads

THE PEOPLE

vs.

Frederick Basch

May 22/82
John M. Green

Violation of Excise Law.

JOHN MCKEON,

District Attorney.

A True Bill.

Wm. M. Green

Foreman.

138

0579

0580

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Frederick Reschel

The Grand Jury of the City and County of New York, by this indictment, accuse

Frederick Reschel

of the CRIME OF *Selling Spirituous Liquors without a License,*

committed as follows:

The said

Frederick Reschel

late of the *fourth* Ward of the City of New York, in the County of New York aforesaid, on the *Second* day of *May* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to a certain person whose name is to the Grand Jury aforesaid unknown,

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

John McKeon
Dist atty

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said *Frederick Reschel* of the crime of exposing for sale and selling spirituous liquors on Sunday, committed as follows, that is to say: The said *Frederick Reschel* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to a certain person whose name is to the Grand Jury unknown,

contrary to the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0581

Police Court First District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss

James J. Langgan aged 27 years
of the 4th Precinct Police ~~Street~~
of the City of New York, being duly sworn, deposes and says, that on the second day
of may 1882 in the City of New York, in the County of New York, at
premises No. 11 New Chamber Street,
Frederick Beschel [now here]
did then and there sell, and caused, suffered and permitted to be sold, under his direction and authority, strong and
spirituous liquors, wines, ale and beer, being intoxicating liquors, in quantities less than five gallons at a time, to be
drunk in the house or premises aforesaid, contrary to and in violation of law. and without a license

WHEREFORE, deponent prays that said defendant
may be arrested and dealt with according to law.

Sworn to before me, this 3 day
of may 1882

James J. Langgan

Blaylock POLICE JUSTICE.

0582

BAILED,

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Sec. 208, 209, 210 & 211

Police Court, District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James F. Sawyer

vs. Frederick Beschul

Offence, Violation of the Law

Dated

3 May 1882

Magistrate.

Officer.

Clerk.

Witnesses

No.

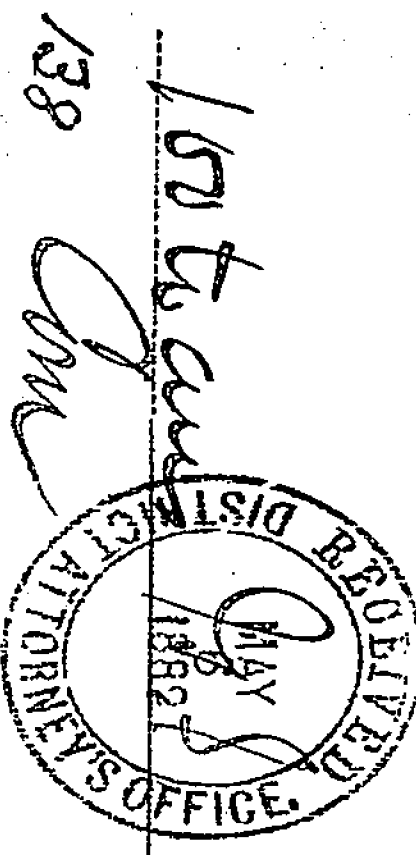
Street.

No.

Street.

No.

Street.



It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Frederick Beschul

held to answer the same and he be guilty thereof, I order that he be admitted to bail in the sum of one Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated 3 May 1882 George F. Sawyer Police Justice.

I have admitted the above named _____ to bail to answer by the undertaking hereto annexed.

Dated _____ 1882 _____ Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned, I order h to be discharged.

Dated _____ 1882 _____ Police Justice.

0583

Sec. 198—200.

185
DISTRICT POLICE COURT.CITY AND COUNTY }
OF NEW YORK, } ss.

Frederick Bischel being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial,

Question. What is your name?

Answer.

Frederick Bischel

Question. How old are you?

Answer.

37 years

Question. Where were you born?

Answer.

Germany

Question. Where do you live, and how long have you resided there?

Answer.

11 New Chamber St. 1 week

Question. What is your business or profession?

Answer.

Hotel Keeper

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer.

I am not guilty

Taken before me, this

3

day of

May

188

Isidor Wapfel

George Gardner Police Justice.

0584

BOX:

66

FOLDER:

744

DESCRIPTION:

Bishop, Christain

DATE:

05/29/82



744

Part 2
Monday 19th May 1882

Day of Trial,

Counsel, (signature)

Filed day of

1882

Reads testimony

THE PEOPLE

vs. B

Christian Bishop

2nd June 1882

in the South degree

JOHN McKEON,

District Attorney.

A True Bill.

(signature)

Foreman

Paul signed at
#20700
June 2/82

72

William Bishop
S.W. Co 65th St. Moave.

my

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

The People of the State of New York
 against
 Christain Bishop

The Grand Jury of the City and County of New York, by this indictment accuse Christain Bishop of the Crime of Manslaughter in the fourth degree committed as follows: The said Christain Bishop, late of the City and County of New York, on the twenty-fifth day of March in the year of our Lord one thousand eight hundred and eighty-two, at the City and County aforesaid,
 and for a long time before the said day, and before and at the time of committing the felony herein after mentioned, was a servant and guard in the service of a certain Company, to wit: The Manhattan Railway Company, in and upon a certain Railway, to wit: the Western division of the Manhattan Railway then and there,
 at the City and County aforesaid being a Railway operated by said Company for the transportation of passengers by steam

power. And before and at the time of committing the said felony, certain rules and regulations of the said Company had been by it ~~it~~ adopted, and were in force upon the line of said Railway, for the purpose of regulating and governing the guards of said Company, in divers matters for the purpose of securing the safety of the passengers traveling upon the said Railway, and more especially of regulating the signals to be given by such guards for the guidance and warning of the conductors of the trains and the drivers of Locomotive Engine attached to and drawing the trains of Cars upon and along the said Railway as to the proper time and times of starting said trains to be given to the Conductors by such guards of the several trains so being drawn as aforesaid and to the several drivers of the said Locomotive Engines so attached to the said trains respectively; and before at and at the time of committing the said felony, there had been and were in constant use by such guards and in full force and effect upon the said Railway certain signals for the purpose of directing the conductors aforesaid whose trains

had come to a stop at any station of said Railway, to start the same which said signals were sufficient and proper for the purpose aforesaid and well known then and there to the said Christain Bishop, and certain rules and regulations had been and were at the time of committing the said felony, established by the said Company for the guidance of the Conductor of the guards of the said Company employed upon the said Railway; and the trains there of as to the time of making signals to the said conductors to start trains and defining the duties of such guards to be performed by him before giving such signals and which said rules and regulations were sufficient and proper for said purpose and were at the time aforesaid in full force and effect and well known to the said Christain Bishop to wit: on the day and in the year aforesaid at the City and County aforesaid, And it was then and there the duty of the said guards so employed upon the said trains by and under the said rules and regulations of the said Company to see to it that no passengers got on or

off the Cars of the said train while they were in motion and to close the gates of the Car platforms of the said train when they signal the conductor and before the signal is given by the Conductor to start and to close the said gates before starting the trains. And the said Christain Bishop on the day and in the year aforesaid at the City and County aforesaid in and upon one Mary Menzen then and there being feloniously made an assault and the said Christain Bishop so being such servant and guard in the service and employment of the said Manhattan Railway Company as aforesaid then and there by virtue of his said employment ^{had} imposed upon him the duty of giving proper starting signals at the proper times to the Conductor of a certain train then and there running upon the line of the said Railway at the various stations thereof on which said train he the said Christain Bishop was then and there employed as guard and to see to it that no passenger got on or off the cars of the said train while the

same was in motion, and to close the gates of the car platforms of said train when he signalled the Conductor thereof and to close the gates of the car platforms, of the said train before the same was started, and the said train upon which the said _____ Christain Bishop was employed as aforesaid, on said day at about the hour of six o'clock in the afternoon at a certain station of said Railway at the intersection of sixth avenue and west twenty-third Street in the City and County aforesaid, was stopped for the purpose of discharging and receiving passengers and the said _____ Mary Menzen was there and there at the said last mentioned station for the purpose of taking passage on the said train, and the said gates of the car platforms of said train were then and there opened for the purpose of permitting passengers and others to pass into and out of said Cars. And it then and there became and was the duty of the said, Christain Bishop to close said gates at the time he signalled the Conductor of said

train to start the same and ~~and~~
 before the train was started and not to
 give any signal to the Conductor to
 start said train while the said gates
 remained open, or while the said
 passengers were passing into and
 out of said Cars and the said Christian
 Bishop, well knowing the premises and
 his duty aforesaid and wholly ~~unmind-~~
 ful and neglectful of his said duty in
 that behalf did then and there feloniously
 unlawfully culpably and negligently give
 the signal to the Conductor to start
 the said train so stopped as aforesaid
 at the said station before he closed
 the gates of the Car platforms of said
 train and did feloniously culpably and
 negligently give the said signal to the
 said Conductor to start said train
 while the said gates were yet open
 and while the said passengers were
 yet passing into and out of the said
 Cars by means of which said premises
 and of the said several felonious and
 culpable omissions and neglects of
 him the said Christian Bishop and
 of the said signal so improperly and
 negligently given as aforesaid by him

the said Christain Bishop to the said
 Conductor to start said train, as aforesaid
 the said Conductor was induced
 to believe and did believe that the
 said gates were properly closed
 and that the said rules and regulations
 of the said Company in that behalf
 had been properly observed and thereupon
 the said Conductor started the said
 train and the same was then and
 there put in motion while the said gates
 of the said Car platform yet remained
 open through the said felonious and
 culpable omission and neglects of him
 the said Christain Bishop as aforesaid
 and the said Mary Munger then and
 there lawfully entering upon the Car
 platform of one of the Cars of the
 said train by and through one of the
 gates thereof so feloniously culpably
 and negligently by him the said
 Christain Bishop permitted to remain
 open as aforesaid while the said train
 was then and there in motion: as
 aforesaid; by the said motion of the
 said train so as aforesaid occasioned
 by reason of the felonious omission
 and neglects of him the said

Christain Bishop was then and there
 violently and forcibly dragged and
 pulled and was then and there by the
 said motion of the said train so
 occasioned as aforesaid forcibly
 thrown down upon the rail of the
 said line of Railway under and beneath
 the said train of Cars so in motion as
 aforesaid and under and beneath the
 wheels thereof, and thereupon the said
 Mary Menzen was then and there
 run over by the said train of Cars
 so in motion as aforesaid; by means
 of which said violent pulling and
 dragging and of the throwing down
 upon the rail aforesaid under and
 beneath the said train and the wheels
 thereof and of the running over of
 her the said Mary Menzen as aforesaid
 so occasioned as aforesaid by
 the said felonious and culpable
 omissions and neglects of him the
 said ^{The said Christain Bishop} Christain Bishop did then and
 there give and cause to be given unto
 her the said Mary Menzen divers
 mortal wounds, bruises and contusions
 in and upon the head and body
 of her the said Mary Menzen and

divers mortal Bruisings of the body of her the said Mary Menzen of which said mortal wounds, bruises, Contusions and Bruisings, the said Mary Menzen on the day and in the year aforesaid and the City and County aforesaid then and there instantly died and so the Grand Jury aforesaid, do say that the said Christain Bishop her the said Mary Menzen in Manner and form aforesaid at the City and County aforesaid and on the day and in the year aforesaid feloniously did Kill and slay 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, and their dignity

John M. Keon,
District Attorney.

Reple
~
Bishop

Abstract of Coroner Inquest in death of Mary Menzen

Joseph Menzen

I am the father of the deceased child - On Nov. 25/82 about 6.15 I got in the train of Electric Rail Road at the station on 6th Avenue near 23rd. As I was purchasing tickets for myself & son I heard the Receiver of tickets call out "Hans for Haulaem" - As I heard the train coming I went called to my daughter - Mr. Garret - I saw the train coming along - I ran to the train - the doors of the platform of the car were open I went to the platform - took my little daughter by the hand & said "Come along Marie hurry up". The child was pushed back by a person squeezing in between myself & child - She was pushed back by this man about two steps but rushed right up to the platform again to sign the carding to enable her to get on the platform - The gate ~~train started~~ of the platform was still open when the train started. The porter made no effort to stop the train although he saw the whole occurrence.

I was suffering from rheumatism & because my right knee was stiff - I was not so quick as I wished to be - I shared the man and who had squeezed himself in between myself & child.

I tried to grasp my child but fell short about 5 inches. At the same moment the child lost its hold, turned over & fell backward, directly between two cars of the train. The gate of the ^{platform} train I boarded and my child tried to get on, was directly opposite the box where the tickets are deposited by passengers on the station. The train did not come to a stand still until I had completely got past the station.

The child was 7 years & 3 months old. I saw the brakeman give the signal ^{with} before the eye whilst I was on the platform. He had not closed the gate then.

Mr. Jack - witness the statement

5. Plunkett - arrived after accident occurred - The remains of child were not recognizable.

Edward Zukerka - Conductor - 'I did not see the occurrence - started the train when he got the proper signal from the middle man.

Christian B. Bishop - the Defendant - The gate, was closed and the train was moving when I saw the child fall between the two cars.

Joseph Farrington - Rear brakeman

George H. Lippincott - Fireman - as to distance looked over of the car after the accident - Over the driver of brakeman was released at 2:30 that by a "green hand".

Wm. Watson Thompson - Engineer - was a passenger

0597

The Jury found the accident was due to the negligence
of the middle guard Christian Bishop...

Ask Schwartz when did he
receive money from the Company - what
amount - from when did he receive money

The Jury find that Mary Mengen came to her death on Saturday March 25th 1882 between the hours of 6 and 7 o'clock P.M. by falling between the platforms of two cars of a Northward bound train of the Manhattan Elevated R.R. Co., at the station on Sixth Ave and 23rd Str, while the train was in motion, the wheels of the cars, passing over her body,

We further find, that this accident was due to the negligence of the middle guard Christian Bishop, who was stationed on the platforms of the said cars and who gave the starting signal to the Conductor while the gates of the platform were still open and passengers were passing from the platform of the station to the platforms of the cars,

We further find, that even the most careful instructions of the Company to its Employees will be valueless unless they are enforced with sufficient vigor and unless the Company is careful in the

Taken before me

this

day of

188

CORONER.

0599

Coroner's Office.

TESTIMONY.

selection of its Employees, which in the present instance, we find, has not been the case.

We desire finally to impress upon the public the necessity of being especially careful in giving precedence in all cases to children and aged or infirm persons when going on board of Elevated Railroad trains, in order to protect them against accidents.

Clifford G. Mather Henry B. Mather
 E. J. Mather Lang. Rammeret
 John P. Mather Harry Shercliff
 D. B. Mather Henry B. Mather
 Oswald Mather Fred M. Mather
 Fred. Mather Paul Mather

Taken before me

this

day of

188

CORONER.

0600

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

AN INQUISITION,

Taken at the Coroners Office

No. 13415. Chatham St Street, in the

New York, in the County of New York, this

7th day of

Ward of the City of

in the year of our Lord one thousand eight hundred and eighty two before

PHILLIP MERKLE, Coroner,

of the City and County aforesaid, on view of the Body of

Mary Menzen

now lying dead at

twelve good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Mary Menzen came to her death, do upon their Oaths and Affirmations, say: That the said child

came to her death by on Saturday March 25th 1882 between the hour of 6 & 7 o'clock P.M. by falling between the platforms of two cars of a northward bound train of the Manhattan Elev. R.R. Co., at the station on Chatham St., while the train was in motion, the wheels of the cars passing over her body. We further find, that this accident was due to the negligence of the middle guard Christian Bishop, who was stationed on the platform of the said cars & who gave the starting signal to the conductor, while the gates of the platform were still open & passengers were passing from the platform of the station to the platforms of the cars. We further find, that even the most careful instructions of the C.R.R. to its employees will be valueless, unless they are enforced with sufficient vigor & unless the Company is careful in the selection of its employees, which in the present instance we find has not been the case. We desire finally to impress upon the public the necessity of being specially careful in giving precedence in all cases to children & aged or infirm persons, when going on board of E.R.R. trains, in order to protect them against accidents.

In Witness Whereof, We, the said Jurors, as well as the CORONER, have to this Inquisition set our hands and seals, on the day and place aforesaid.

JURORS.

Geoffrey Goethals
J. J. J. J.
John W. J. J.
J. J. J. J.
Paul Offendorf
Fritz Gernsheim

Henry J. J. J.
Louis Kammner
Henry J. J. J.
Henry J. J. J.
J. J. J. J.
Paul J. J. J.

Philip Merkle

CORONER, I. S.

TESTIMONY.

Joseph Meuzen being sworn says: I reside at 116 E. 108th St. I am the father of deceased child. I got on a train of the Elevated Rail Road at Twenty Third St. and Sixth Ave. about 6.15 P.M. March 2 5/82. I bought a bouquet for my wife on the station before going on the train. I immediately after I purchased the tickets for myself and my friend Mr. Morris Jacobs for the Elevated Road. As I was purchasing the tickets I heard the ^{galeman} ~~ticket receiver~~ ^{stationed at the box where tickets are deposited} of the station call out "train for Harlem", as I heard the train coming I called to my little daughter and my friend Mr. Morris Jacobs and then I ~~went to~~ ^{the} ~~train~~ ^{crossing along with} the doors of the platform were open. I went on the platform and took my little daughter by the hand exclaiming, "Come Marie hurry up." A passenger whom I do not know squeezed himself in between myself and my child. The child was pushed back by this man about two steps but ~~pushed~~ ^{rushed} right up to the platform ^{again} to seize the railing of the same to enable her to get on the platform. The child train started at the same moment when the child took hold of the railing of the platform. The gate of the platform was still open when the train started. The brakeman made no effort to stop the train, although he saw the whole occurrence. I was suffering from Rheumatism and Chlaria and my right knee was stiff at the time, and prevented my being as quick as I ~~should~~ have desired to have been at that moment, but I pushed the man who had forced himself between myself and child aside and saying "Marie" I extended my arm towards my child, and tried to grasp her, but I could reach only within about five inches of her. In the same moment the child lost its hold and turned over and fell ^{backward}.

Sworn to before me

this

day of

188

continued on last page,

CORONER.

0602

Coroner's Office.

TESTIMONY.

2

Joseph Menzen being sworn says. The child was 7 years and 3 months old. My arm or shoulders were not inflamed, but as I could not walk without a cane I could not take my child on my arm. There was a stiffness in my right knee owing to rheumatism and malaria. I saw the Brakeman give the signal with the rope whilst I was on the platform. He had not closed the gate then.

Joseph Menzen
Recalled ^{Inglein} by Mr. Chung -
When I went on the train the platform gates were open ^{neither} ~~none~~ of the ^{two} gates were closed at any time until I jumped. The Brakeman stood with one foot on one platform and one on the other with the Bell Cord in his hand. Just as the man squeezed between us the brakeman pulled the cord. I ~~wanted to~~ ^{would not} ~~have~~ ^{keeping} ~~stayed~~ ^{there} when I saw her hand on the railing. The train had been in motion before my little girl could get on. As I reached my hand to my child and said "Come Marie" at that moment a man pushed himself between myself and the child. I did not have the child by the hand when I went on the platform. As soon as I got on the right platform I extended my hand towards my child but I could not ^{Taken before me} ~~grasp~~ ^{grasp} off quick enough to catch her. The door

this

day of

188

CORONER.

0603

Coroner's Office.

TESTIMONY.

3

must have been open because my little girl could not ^{have} taken hold of the railing if the gate had been closed. I am positive she had her hand on the railing. The brakeman did not move when I asked him to stop the train. I did not hear ^{or see} the brakeman make any effort to stop the train. The train

Taken before me
this 7th day of ~~April~~ ^{April} 1882
Philip Morley

CORONER.

0604

Coroner's Office.

TESTIMONY.

5

Morris Jacobs being sworn says: I reside at 247 E. 106th St. I formerly resided with Mr. Joseph Meuzen at 116 E. 108th St. I was present when the accident occurred. Mr. Joseph Meuzen asked me in the morning of March 25th for to take his little daughter Mary to Dr. Bogardus Esplanade in the afternoon to have some teeth drawn. Mr. Meuzen had hold of the child's hand on the evening of March 25th at 7 o'clock and went on the station of the Elevated Rail Road. where he purchased a bouquet which he gave to his little daughter at that moment the gate man cried train for Harlem. Mr. Meuzen let go the hand of his child then to purchase some tickets. Mr. Meuzen went on the right hand platform of the cars and I stepped on the left. Just as soon as I had stepped on the left platform the train commenced moving. I had only one foot on the platform of the car. The child tried to step on the same platform with ~~her~~ ^{her father} ~~side~~ ^{side}. ~~she~~ ^{she} ~~child~~ the right. The child had caught hold of the railing at the right hand

Taken before me

this

day of

188

CORONER.

0605

Coroner's Office.

TESTIMONY.

J. E. Jacobs.

platform. The father of deceased child then tried to grasp his child but did not succeed. Mr. Meuzen cried out stop. He was standing on the platform of the car then. As I was getting on the platform of the car the brakeman had the Bell Cord in his hand when I had stepped on the platform the Bell cord was no longer in the brakeman's hand. The train had started but the platform doors of the cars were open still. As the child fell backwards between the two cars. The train was moving pretty fast. Mr. Meuzen jumped out on the platform of the station. I also jumped out. The child was moving fast. When the train started the impetus was so great that I could hardly stand the shock. The doors were still open when Mr. Meuzen and I ran from the train. I ~~jumped~~ ^{stumbled} on the platform and ~~stumbled~~ ^{stumbled} against the ~~iron pillar~~ ^{iron pillar} at the end of the platform. I broke my watch by falling on it. I did not see the child fall between the cars. We got on at the end of the left hand side of the platform. When Mr. Meuzen jumped off he alighted about the centre and I alighted near the right hand side.

Taken before me

this

day of

188

CORONER.

0506

Coroner's Office.

TESTIMONY. Jacobs.

and of the platform. The Brakeman was standing in such a position that he must have seen deceased child he was looking towards the station. Mr. Meuzen ~~was not~~ ^{stood} between the brakeman and the child. The Brakeman was standing with one foot upon the platform where Mr. Meuzen got on when the car started when Mr. Meuzen was ^{on the platform} ~~not~~ ^{I was not when the train started.} of the car. I am certain the Brakeman saw the child. I do not know that Mr. Meuzen stood between the Brakeman and the child, the platform has ^{certainly} room for four persons ^{at least}. I did not see the man who squeezed himself in between the deceased child and Mr. Joseph Meuzen. I did not see the Brakeman make any effort to close the doors of the platforms before the train started. I have not seen any to prevent his doing so. ~~There were only Mr. Meuzen and the Brakeman~~ ^{on the platforms of the car.} After the train had started both gates were open when Mr. Meuzen and I jumped off. I saw that the gates were still open after the train had passed the platform entirely.

Taken before me

this

day of

188

CORONER.

0607

Coroner's Office.

TESTIMONY. Jacobs. F. 9

The ^{Car} ~~wagon~~ on which I got was furthest south on the platform. I heard Mr. Menzen call to the child to follow him. I saw Mr. Menzen lead the child by the hand as he crossed the depot platform, but do not know that he that he held her hand when stepping on the car. I followed Mr. Menzen and the child. I could not see if a passenger squeezed in between Mr. Menzen and the child. Mr. Menzen got on the north side platform I on the south side. I did not see a passenger squeeze in between Mr. Menzen and the child as I was looking south or to the left. I do not know whether the car that I got on was the second or the third. I was about two feet behind Mr. Menzen and child. I did not see a passenger squeeze between Mr. Menzen & the child and throw child against the railing of the car. There were only a few people getting on or off. I did not see a man open the gate of the car after the train was in motion. I am positive it was open all the time.

Taken before me
this 7th day of April

Wm. Jacobs

188

Philip Herkle

CORONER.

0608

Coroner's Office.

TESTIMONY.

To
Jacobs

Morris Jacobs being sworn says: Both
doors of the platform were open when the
train started. The gates were not closed
at any time between I got on or off because
I could not have got off. I am positive
of this. I did not enter the car after
getting on the platform as I had no
time.

Taken before me
this ^{1st} day of April 1882,
Philip Oberke CORONER.

0609

Coroner's Office.

TESTIMONY.

4

Henry B. Plunkett being sworn says: I am a physician. I reside at 385 N. 19th. My Office is at 45 E 53rd St. I arrived at the platform after the accident had occurred. I took a lady friend to the platform to go to the Harlem. I saw a great commotion at the platform. The father of the child whom I recognize as the gentleman present who cried "My God my child has been killed". I looked around and saw one of the train employees place some skull bones on the station platform. Of course I knew then that some accident had occurred and offered my services in case my services should be needed. I was not present at the time the accident happened. The train had passed by the time I got to the station. No other train had passed after that. The child was unrecognizable. It was all cut up.

Henry B. Plunkett.

Taken before me
this 7th day of March 1882

Philip H. Moore CORONER.

0510

Coroner's Office.

TESTIMONY.

571
51

Edward Fabriskie being sworn says: I reside at 4407 N. 49th St. I am a conductor of the Manhattan Elevated Rail Road. My place is on the first car ~~front~~ platform. I did not see the occurrence. When I got the proper signal from the middleman I gave the signal to start the train. I saw the cord jerked and a commotion on the platform when I stopped the train. I had to hold on to the cord so that it would not be pulled again and the train again started. The whole train had gone only fifteen feet when I received the signal, but before the train stopped the whole train had got past the station. My instructions are that when we receive the proper signals to start the train. The rear man pulls the cord once, the middleman twice. The signal for stopping the train when moving is one bell. By one Bell I mean one pull of the cord. Each employee has a copy of the rules and regulations of the road. I had received the signal from the rear and middleman when I started the train. It is not our orders to step off the platform of the cars on the station platform to look along

Taken before me

this

day of

188

CORONER.

0611

Coroner's Office.

TESTIMONY.

6 2
12

the train to see if the doors are closed, I consider myself responsible. It is impossible to come up to the rules and regulations entirely. The brakemen are supposed to close the doors of the train before starting. When they neglect to do so the conductor makes complaint. The only way we have to find out whether the doors are closed is by the signal given the conductor. The only evidence is the pulling of the Bell rope. I do not know that it is frequent that trains start whilst the doors are open, often passengers will leave after the train has started and open the doors themselves. The conductors were obliged to look along train when we used hand signals but not since the bell signals have been in practice. I should judge the child fell between cars very nearly opposite the ticket box. I must close the gates between the first and second cars. My duties differ from those of ordinary brakeman in that I have charge of the entire train and they only guard their ^{respective} platforms. The train is only put in motion by the locomotive. Not many people got off and on at the 23rd.

Taken before me

this

day of

188

CORONER.

06 12

Coroner's Office.

TESTIMONY.

73
13

station. The rush was over. My train ^{was} at the proper time at the 25th St. Station on that evening. There was the usual time taken to start the train. No hurry. Passengers will sometimes jump on at most every trip when the train is in motion especially during a rush. The Brakeman Bishop ^{under} whose the accident occurred is careful and on the road a long time. The doors of the platform in some instances are bolted and the passengers pull the bolt back in many instances. There is a spring bolt. I have then jump over the gates. The gates can be opened from the outside. I have saved many lives by opening the gates when passengers attempted to jump on after train had started. At Bleeker St. I once saved a man's life by catching hold of his collar until car stopped. I frequently noticed that a mother and father on a train when one of the children fell between the cars ^{which child} ~~which~~ was drawn out ^{from} between the cars and saved. I never started a train yet until I got the proper signals. There is a railing on each end of the platform.

Taken before me

this

day of

188

CORONER.

0613

Coroner's Office.

TESTIMONY.

F 4
134

of the station. There is a post to which the guard rail is fastened which I could pass by hugging up close. The man's life I saved threw his tool box against the gate at Bleeker and forced the door open and then would have fallen under the cars if I had not grasped him. I knew Bishop the Breakman about a year I think he is a good sober careful man of family. I am on duty ten hours a day. From 5:30 am. and relieved first at 2:45, the last relief is ^{at} 3:30. They are relieved until next day. The platform is all fenced in but where gates open on to the train. I do not know how long Bishop has served the road. I have for four years. Edward Zabriskie

Taken before me
this 7th day of April 1882.
Philip Werker CORONER.

0614

Coroner's Office.

TESTIMONY.

B

15

Christian B. Bishop being sworn says: I am a brakeman on the E. R. R. I reside at 314 E. 5th St. This occurrence happened on March 20th 1882 between ~~bandy~~ ^{bandy} ~~between~~ ^{between} the two cars. I have been employed by the company during the past year. The occurrence took place on the 23rd St. Station. I was the middle man on the train. After receiving the signal from the rear man I gave the signal to the conductor after giving the signal I closed the gates as I turned around I saw a little girl fall between the two cars I saw only the tip of her dress, ~~the~~ ^{the} train was moving at the time. I took hold of the bell cord and tried to stop the train. I could not make any effort to seize the child as I was afraid of being killed myself. The gates were closed and the train was moving when I saw the child. I should judge she was 5 or 6 years old. After I gave the signal ~~some passengers and the rear man~~ After all the passengers were aboard I gave the conductor. I saw all those that wanted to get on. I looked on the platform and saw no one there before I closed the gates. I am certain that

Taken before me.

this 7th day of April 1882.

Philip M. McKee CORONER.

06 15

Coroner's Office.

TESTIMONY.

13

2

16

I closed the gates before starting the way
 do. I saw no one make an attempt
 to get on the car. I did not see the
 little girl until she had
 the two cars. I gave the signal and close
 the gates at the same time. There is a
 great many jump off after the train
 is in motion. My station was between the
 second and third cars. There were
 about two or three on the car platform.
 There was no confusion before the
 child fell between the cars. I was
 employed as a liquor dealer. Before that I was three
 years on the police force. I am 30 years in
 the country. There were no complaints
 made against me since I have been
 in the employ of the company. I have
 to see all the passengers on the cars and
 give the middleman's signal. I have
 read the instructions of the company and
 try to conform to them. The child was not to
 be seen when I shut the gates or gave
 the signal. I had to shut one gate a
 second time I do not know who opened
 it. I did not think such an occurrence
 would take place and did not
 recognize that person. I had too much

Taken before me

this

day of

188

CORONER.

06 16

Coroner's Office.

TESTIMONY.

13

8

to do to identify any one at the time. I did not see Mr. Meuzen or Mr. Jacobs jump off. I do not think the father saw the child fall between the cars himself. I did not hear Mr. Meuzen make any exclamation. I did not hear him say "stop" "stop". It is my duty to call out the next station before closing the doors I had done so in the front car when I saw the child fall. It would be possible to open the front gate of the car platform whilst I was announcing the next station. After announcing the station I saw child fall between the cars. There was no necessity for being particularly careful there was no crowd. After announcing the next station on the front car ^{only} I saw the ~~size of the child~~ child fall. As I saw the child fall I rang the Bell Cord ^{to stop the train}. I saw all the passengers get on, I did not see any persons get off, but I found one gate open. The gate was open during the time I announced the next station in the front car. The superintendent of the road caused an investigation to be made. No other witness was present when I was examined by ^{Dr. Shinn} the superintendent. I was not suspended. One of the ~~front~~ ^{great} platform of the front car was opened and I had

Taken before me

this

day of

188

CORONER.

0617

Coroner's Office.

TESTIMONY.

B

4

17

to close it a second time. When the signal of danger had been given and the train stopped it did not back up or return to the station. When the signal was given to stop they stood still they did not go back at all. The platform of my car went clear by the station platform. I could not say whether the whole train had gone completely by the station platform. We then went on to the next station. I called out the next station "33rd St. next" as I always do after closing the door. I was asked the first night how the accident occurred by Dr. Shinn whom I did not know then, and made a statement. I could not say how the child looked that fell between the two cars I saw only the lower portion of her dress. ~~I made a~~ I only know it was a girl and not a boy. I never made a statement that I saw the girl running toward the train. I did not see any child on the platform while at my post. I saw no child coming towards the car. She might have been alongside the train, but she never made an effort to get on the train. I was recommended by Judge Maurice J. Power for the position I now hold on the E.R.R.

Taken before me

this

day of

188

CORONER.

05 18

Coroner's Office.

TESTIMONY.

18

I do not remember having seen any person leave the car, ^{after it had started} but found one of the doors opened after I had closed it. I was ~~broken by a police~~ ^{Thompson} ~~broken on the~~ ^{as a policeman while} police force by charges. I never defended myself before the Police Commission, but was granted a trial. I was removed from the police force on charges. I never defended myself although granted a trial. I was removed on charges of Sergeant Thompson. We have no strict rules that no one is allowed to stand on the platform of the cars whilst the cars are in motion. When I announced the next station in the rear car I am not positive that there was no one standing on the platform of the car. I think there was one man there. I came on work at 2.45 ^{P.m.} and this happened about 6.45 ^{P.m.} I am on the train every day as I cannot afford to lay off as I have a family to support.

Arrest Bishop

Taken before me
this 7th day of April 1882.

Philip Wake CORONER.

0619

Coroner's Office.

TESTIMONY.

19

Joseph Farnington being sworn says:
I reside at 210 Lee Ave Brooklyn, Ed.
I was the rear ~~of the train~~ ^{of the train} or guard
on which the accident occurred
going into 23rd St. during all rush trips
I get off; I got off on that occasion
I noticed a child on the station
platform which I supposed was
alone. I was about a car length
from the child. This was while the car
was standing still. I did not see
her move toward the train. She
was standing near the ticket box. That
was as soon as I get my passengers off
and on. ~~That would be between 5 to 4 minutes~~
^{The time it would take}
Plenty of time to get on the train from the
ticket box. She stood quite alone. There
were five or six passengers ahead
of her. I do not whether they were trying
to get aboard or not. When I gave
~~the signal for the train to move the~~
~~child was at the ticket box.~~ There was
nobody on the station platform but
two child ^{which I just saw her}. I heard as the train started
about 30 to 45 seconds after I boarded the
train and gave the signal. The time
which elapsed ^{first} between when I saw
the child and the train started.

Taken before me

this

day of

188

CORONER.

0620

Coroner's Office.

TESTIMONY.

20

was about one and half to two minutes. When I heard of the accident, I grasped the bell cord and went to the rear end of the train to signal the coming train. I remained on the train and saw nothing further of what happened. The trains were running at about 3 minutes headway at that time of the day. There were very few passengers that boarded the train then. They may run shorter than two minutes headway possibly but to the best of my knowledge the headway was 3 minutes. I could have seen everything from the rear end of the train when the train was in motion on the station platform and I should have seen the child standing on the platform if he stood there. I do not remember whether the ~~train~~ started fast or slowly. I did not see Mr. Newzen get on the car. I do not recollect having seen any one on the platform of the station after I boarded the train. I

Joseph E. Harrington

Taken before me
this 7th day of April 1882.

Philip Weeks CORONER.

0621

Coroner's Office.

TESTIMONY.

21

George H. Lippencott being sworn says:
 On the 15th of M. 57th St. I saw a
 fireman under Engineer M. M. Thompson
 I passed up with him on that day
 on the train on which the accident
 occurred. I corroborate his statement
 in full. I differ with him as to
 distances as regards the position of
 the larger portion of the remains found.
 I have an idea that the remains
 had been dragged further from
 the scene of the accident. The
 distance between the rear end of the
 train where it had stopped and the
 larger portion of the remains was about
~~three~~ ^{one} car lengths. The entire train had
 passed the platform a trifle over
 a car length when the train came
 to a stand still.

George H. Lippencott.

Taken before me
 this 7th day of April 1882.

Philip Meeke

CORONER.

0622

Coroner's Office.

TESTIMONY.

22

Joseph Farrington being ^{recalled} ~~sworn~~ says: The train went completely ~~lost~~ at least the length of one car and perhaps a car and a half. Mr. Thompson and I got from the rear end of the car onto the trestle work and then picked up the remains of train messenger. I do not know that the brakeman who took the train from Rector St. to 23^d Street was relieved at 23^d St. by a "Green hand" a Cuban who was at work there as a platform man unacquainted with braking work.

Taken before me
this 7th day of April 1882.
Philip A. Verker CORONER.

0623

Coroner's Office.

TESTIMONY.

23

William Watson Thompson being sworn says:
 I reside at 386 E. 84th St. I am an
 engineer for the E. R. R. Co. I was a
 passenger on the train on which the
 accident occurred. I was reading
 a paper when I heard a lady
 & scream when I rushed out upon the
 platform. I enquired from the ^{Mr. Beck} brake
 man what was the matter. He said
 some person had fallen between the cars.
 I think it was the third car I ran through
 and came out at the back part of the train.
 The gates were closed. The brakeman refused
 to let me out at first but recognizing
 me as an employe he let me out. When
 I got out on the station I saw a portion of the
 dead little girls remains on the track
 part thereof being opposite the gateman's
 box. The part that was in front of the station
 was a hat, a part of the skull, and some
 candies. The other part of the body composed
 off a leg and a hand which I helped take
 out from between the rail and guard rail
 about 15 to 20 feet north of the gateman's
 box. I could hardly recognize what portion
 of the body I assisted in taking out. I
 attempted to put the remains in my overhalls
 but they were not large enough to contain

Taken before me

this

day of

188

CORONER.

0624

Coroner's Office.

TESTIMONY.

24²

them so we placed them in a large bag. ~~Brakeman~~ Bishop told me that some one had fallen between the cars. He said nothing further. The ~~Brakeman~~ who refused to let me pass out was the rear Brakeman between the third and fourth Car. It was a car length from the last car to the larger portion of the remains found ^{between Guard Rail and track}. About 40 feet.

M. J. Thompson

Taken before me
this 7th day of April 1882.
Philip Werker

CORONER.

0625

MEMORANDUM.	AGE	Years.	Months.	Days.	PLACE OF NATIVITY	WHERE FOUND	DATE
					U. S.	Denver, Colorado	March 26/82

Witnesses
H. B. Plunkett
408 W. 1st St.
J. M. W. 1st St.
H. B. Plunkett
176 E. 1st St.
Joseph Morgan

Witnesses
H. B. Plunkett
408 W. 1st St.
J. M. W. 1st St.
H. B. Plunkett
176 E. 1st St.
Joseph Morgan

M.

No. 934.

1. Dec.

1882

AN INQUISITION

On the VIEW of the BODY of

Mary Morgan,

whereby it is found that she came to her Death by Injuries received by being crushed between a train of the Manhattan Railway Co. at the 11th station, Corning St. & 6th St. March 25. 1882

Inquest taken on the 1st day of April 1882 before



0626

TESTIMONY.

directly between two cars of the train. The gate of the platform I ~~boarded~~ ^{boarded} and my child tried to get on was directly opposite the base where the tickets are deposited by passengers on the station. The train ~~advanced so far that it~~ did not come to a standstill until it had completely got past the station. The train was then halted and remained standing on the track for a short time. Several men were offering me some stimulants and water and that is all I remember.

Joseph Menzen

M. J. Messmer, M.D. being sworn says: From a view of deceased ^{Joseph Menzen} ~~and testimony taken~~ and of the opinion that death ensued from falling between two cars of Elevated R.R., and being run over causing shock due to ^{crumpled} ~~fractures~~ of all the bones of the head and face, vertebral column, (all the ribs on the right side of the sternum) fracture of ^{the} ~~both~~ surgical cheeks of femur, both Os Innominata and tearing open of the Abdominal Cavity through which ^{the} small ~~bowels~~ ^{intestines} protruded, Heart, Liver, Spleen and portions of both lungs being forced through the vent in the abdomen. The left ribs protruded through the walls of the chest. M. J. Messmer, M.D.

Sworn to before me
this 7th day of April 1882.

Philip A. Clarke

CORONER.

0627

People

vs.

Manhattan

E.R.N.

District Attorneys Office.

City & County of

New York.

List of Witnesses

In view of
the body
of -

many
witnesses

Joseph Menzies

114 East 110 St. ✓

Morris Jacobo

247 East 106 St. ✓

Dr Henry B. Plunkett.

House. 250 West 19 St.

Office.

45 East 22nd St.

Edward Zabriskie

~~407 West 119 St.~~ 659-9th St.

Christian Bishop

314 East 25 St. ✓

Joseph Farrington ✓

210 Du. Av.

Brooklyn E.D.

over

0628

George H. Lippincott
132 West 50 St.

William Watson Thompson
~~386 East 84 St.~~
336 W 84

Dr M. J. B. Messner
Commerce Office

0629

BOX:

66

FOLDER:

744

DESCRIPTION:

Boos, Adolph

DATE:

05/29/82



744

0630

Witness

Charles S. Lantieri

43. Street St. N.Y.

129 Lewis St. N.Y.

13th May 31/12

1187

Day of Trial;

Counsel

Filed

Pleads

1882

THE PEOPLE

vs.

Adolph Boor

506 6th Ave

Violation of Excise Law.

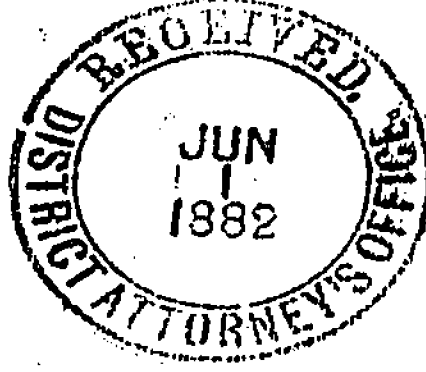
JOHN McKEON,

District Attorney.

A True Bill.

Amos J. Lewis

Foreman.



219

0631

Court of General Sessions

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Adolph Boos

The Grand Jury of the City and County of New York, by this indictment, accuse

Adolph Boos 586-64

of the CRIME OF *Selling Spirituous Liquors without a License,*

committed as follows:

The said

Adolph Boos

late of the *twentieth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-fifth* day of *May* in the year of our Lord one thousand eight hundred and eighty *two*, at the Ward, City and County aforesaid, certain strong and spirituous liquors, and certain wines, to wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one time, to ~~a certain person whose name is to the Grand Jury aforesaid unknown~~ *one Charles P. Partridge*

; without having a license therefor, as required by law, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the People of the State of New York.

John McKeon
Dist Atty

SECOND COUNT.—And the Grand Jury aforesaid, by this indictment, further accuse the said *Adolph Boos* of the crime of exposing for sale and selling spirituous liquors on Sunday, committed as follows, that is to say: The said *Adolph Boos* late of the Ward, City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, the same being the first day of the week, commonly called and known as Sunday, with force and arms, certain strong and spirituous liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did expose for sale and sell as a beverage to a certain person whose name is to the Grand Jury unknown,

contrary to the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

JOHN McKEON, District Attorney.

0632

TO THE CHIEF CLERK!

SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Amul & Herbert

Part one
Jan 18, 183