0503

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Callahan, Michael

# DATE:
04/12/92

4345

*Witnesses:*

A. Comstock

98. C. P.

Counsel, .....

Filed, 12 day of April 1892

Pleads, Not Guilty (14)

THE PEOPLE

27 590 Grand

vs.

Feeder

Michael Callahan

(2 Cases)

POLICY.

[§§ 343 and 344, Penal Code.]

DE LANCEY NICOLL,

*District Attorney.*

May 20 1892

A TRUE BILL.

Chas H. Johnson *Foreman.*

Sept 2 – Dec 5, 1893

Pleads Guilty to 2nd Count

Fine $50

District.

Anthony Comstock

Street, aged 47 years,

being duly sworn, deposes and says,

of June 1891, at the City of New

Michael Callahan here present

sell, to one Robert B. McCully

ticket or what is commonly called

, which said paper, ticket or

money called a lottery policy is

hereto annexed and made part of this

Complaint, and further the said Michael

Callahan did use, occupy and keep a room

with apparatus and paraphernalia for

the purpose of gambling or selling what

are commonly called lottery policies

against the form of the Statute in such

case made and provided, and particularly

section 344 of the Penal Code of the State

of New York and against the peace of the

People of the State of New York and their

dignity.

Subscribed & Sworn to before me
this 25th day of June 1891
Charles Mainton
Police Justice

Anthony Comstock

Not Extradited
H. W. Jackson

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IN WITNESS
accomplished, the oth

NEW YORK,

Marks, Consig

Jenny 2-8-91 Page 10

**Police Court 18 District.**

City and County of New York. } ss.

Anthony Comstock

41 Park Row Street, aged 47 years,

occupation Chief Special Agt & Dec'g being duly sworn, deposes and says,

on the 25th day of June 1891, at the City of New York, in the County of New York, Michael Callahan here present did unlawfully sell, to one Robert B. McCully a certain paper, ticket or what is commonly called a lottery policy, which said paper, ticket or what is commonly called a lottery policy is here to annexed and made part of this Complaint, and further the said Michael Callahan did use, occupy and keep a room with apparatus and paraphernalia for the purpose of gambling or selling what are commonly called lottery policies against the form of the Statute in such Case made and provided, and particularly section 344 of the Penal Code of the State of New York and against the peace of the People of the State of New York and their dignity.

Subscribed & Sworn to before me this 25th day of June 1891
Charles A. Hunter
Police Justice

Anthony Comstock

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signed therefor, weight, contents
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IN WITNESS
accomplished, the oth

*NEW YORK,*

**Marks, Consig**

June 2-8-91
Police Court
Page 1 of 6

# Police Court 1 District.

*and County*
*w York.* } *ss.*

Anthony Comstock

41 Park Row *Street, aged* 47 *years,*

*being duly sworn, deposes and says,*

*on the* 25th *day of* June 1891, *at the City of New*

*k, in the County of New York,* Michael Callahan here present

did unlawfully sell, to one Robert B. McCully

certain paper, ticket or what is commonly called

lottery policy, which said paper, ticket or

what is commonly called a lottery policy is

here to annexed and made part of this

Complaint, and further the said Michael

Callahan did use, occupy and keep a room

with apparatus and paraphernalia for

the purpose of gambling or selling what

are commonly called lottery policies

against the form of the Statute in such

case made and provided, and particularly

section 344 of the Penal Code of the State

of New York and against the peace of the

People of the State of New York and their

dignity.

Subscribed & Sworn to before me
this 25th day of June 1891
Charles A. Jenkins
Police Justice

Anthony Comstock

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

Anthony Comstock

of No. 41 Park Row Street, being duly sworn, deposes and says, that Michael Callahan (now present) is the person of the name of Michael Doe mentioned in deponent's affidavit of the 25th day of June 1891, hereunto annexed.

*Sworn to before me, this* 25th *day of* June 1891

Anthony Comstock

Charles N. Tomlin POLICE JUSTICE.

Affidavit
June 15 1891
Police Case

CITY OF New York COUNTY OF New York
AND STATE OF NEW YORK.

Anthony Comstock of 41 Park ~~150 Nassau Street,~~ New York, being duly sworn, deposes and says, is informed that he has just cause to believe and does believe ~~and~~ charge that Michael Doe whose real name is unknown, but who can be identified by Robert B. McCully did, on or about the 15th day of June, 1891, at number 443 Cherry street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said,

Michael Doe aforesaid

has in his possession, within and upon certain premises, occupied by him and situated and known as number 443 Cherry street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premies, sells, vends, furnishes and procures, and has in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, and with intent to use the same as a means to commit a public offence

Subscribed and sworn to before me, this 20th day of June 1891
Charles N Tainter
Police Justice.

Anthony Comstock

CITY OF New York COUNTY OF New York ss.

Robert B. McCully of 41 Park Row being duly sworn further deposes and says, that on the 15th day of June 1891, aforesaid, he called at the place of business of the said Michael Doe aforesaid, at the said premises 443 Cherry street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said Michael Doe and had conversation with him in substance as follows. Deponent ~~said~~ wrote on a piece of blank paper the numbers 12 18 24 & 30 36 42, and laying it on a table or desk in front of the said MICHAEL DOE said, "Give me them for all day for twenty cents, five cents each." The said MICHAEL DOE recorded the play and the numbers upon the Manifold-book with an Agate Pencil, then with a Lead Pencil wrote the following paper annexed hereto, and handed the same to this Dponent and Deponent paid the said MICHAEL DOE the sum of twenty cents for the same.

Subscribed, and sworn to before me this 20th. day of June 1891.
Charles N Tainter
Police Justice.

Robert B. McCully

Charles
Filed
June 20 1891

June 15th 1891
John Doe, Pl. 20c
R.B. McC

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony Comstock of ~~150 Nassau Street,~~ 41 Park Row New York, being ~~duly sworn,~~ ~~deposes~~ is informed that he has just cause to believe and does believe ~~and~~ charge that Michael Doe whose real name is unknown, but who can be identified by Robert B. McCully did, on or about the 15th day of June, 1891, at number 443 Cherry street, in the City of ~~New~~ York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said,

Michael Doe aforesaid

has in his possession, within and upon certain premises, occupied by him and situated and known as number 443 Cherry street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premies, sells, vends, furnishes and procures, and has in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, and with intent to use the same as a means to commit a public offence

Subscribed and sworn to before me, this 20th day of June 1891
Charles N Tainter
Police Justice.

Anthony Comstock

CITY OF New York COUNTY OF New York } ss.

Robert B. McCully of 41 Park Row being duly sworn further deposes and says, that on the 15th day of June 1891, aforesaid, he called at the place of business of the said Michael Doe aforesaid, at the said premises 443 Cherry street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said Michael Doe and had conversation with him in substance as follows. Deponent ~~said~~ wrote on a piece of blank paper the numbers 12 18 24 & 30 36 42, and laying it on a table or desk in front of the said MICHAEL DOE said, "Give me them for all day for twenty cents, five cents each." The said MICHAEL DOE recorded the play and the numbers upon the Manifold-book with an Agate Pencil, then with a Lead Pencil wrote the following paper annexed hereto, and handed the same to this Deponent and Deponent paid the said MICHAEL DOE the sum of twenty cents for the same.

Subscribed, and sworn to before me this 20th. day of June 1891.
Charles N Tainter
Police Justice.

Robert B. McCully

0511

Recorded
June 15th 1891
John Doe Pl. 20
P13 Mec

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony Comstock is informed of ~~150 Nassau Street,~~ 41 Park Row, New York, being ~~duly sworn, deposes~~ that he has just cause to believe and does believe ~~that~~ charge that Michael Doe whose real name is unknown, but who can be identified by Robert B. McCully did, on or about the 15th day of June, 1891, at number 443 Cherry street, in the City of New York and County of New York unlawfully and knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as, or are called lottery policy and further that the said,

Michael Doe aforesaid

has in his possession, within and upon certain premises, occupied by him and situated and known as number 443 Cherry street, in the City of New York and County of New York aforesaid, certain others, what are commonly known as, or are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery policies or lottery tickets, and at, within and upon said premies, sells, vends, furnishes and procures, and has in his possession, the aforesaid articles in violation of the laws of the State of New York, in such case made and provided, and with intent to use the same as a means to commit a public offense

Subscribed and sworn to before me, this 20th day of June 1891

Charles N Tainter
Police Justice.

Anthony Comstock

CITY OF New York COUNTY OF New York } ss.

Robert B. McCully of 41 Park Row being duly sworn further deposes and says, that on the 15th day of June 1891, aforesaid, he called at the place of business of the said Michael Doe aforesaid, at the said premises 443 Cherry street and there purchased the said paper, ticket and instrument, purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit, under the following circumstances to wit: Deponent there saw the said Michael Doe and had conversation with him in substance as follows. Deponent ~~said~~ wrote on a piece of blank paper the numbers 12 18 24 & 30 36 42, and laying it on a table or desk in front of the said MICHAEL DOE said, "Give me them for all day for twenty cents, five cents each." The said MICHAEL DOE recorded the play and the numbers upon the Manifold-book with an Agate Pencil, then with a Lead Pencil wrote the following paper annexed hereto, and handed the same to this Dponent and Deponent paid the said MICHAEL DOE the sum of twenty cents for the same.

Subscribed, and sworn to before me : Robert B. McCully
this 20th. day of June 1891.

Charles N Tainter
Police Justice.

POLICE COURT— 14 DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

Anthony Comstock et al

*VS.*

Michael Dor —

LOTTERY AND POLICY.

443 C

*Dated* June 25 1891

..... *Magistrate.*

..... *Clerk.*

..... *Officer.*

WITNESSES:

.....

.....

.....

.....

*Bailed,* $.....

*to answer* ..... *Sessions.*

*By* .....

..... *Street.*

0513

Sec. 151.

**Police Court,** 16 **District.**

CITY OF New York COUNTY OF New York AND STATE OF NEW YORK, } ss.

*In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of* New York, *or to any Marshal, Constable 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 Anthony Comstock v. R. B. McCully of No. 41 Park Row Street, charging that on the 15th day of June 1891 at the City of New York in the County of New York that the crime of Selling what are commonly called lottery policies

has been committed, and accusing Michael Doe whose real name is unknown but who can be identified by R. B. McCully thereof.

**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, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen,* and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 1st 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* 22d *day of* June 1891

Charles N Fanton POLICE JUSTICE.

**POLICE COURT,** 1st **DISTRICT.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Comstock

vs.

Michael Doe

Warrant—General.

*Dated* June 22 1891

*Magistrate.*

*Officer.*

The Defendant 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,

Native of

Age,

Sex,

Complexion,

Color,

Profession,

Married

Single,

Read,

Write,

# City and County of New York, ss:

***In the name of the People of the State of New York:***

**To any Peace Officer in the City and County of New York:**

Proof by affidavit having been this day made before me, by Anthony Comstock and R. B. McCully of 41 Park Row Street, New York City, that there is probable cause for believing that Michael Doe, whose real name is unknown but who can be fully identified by R. B. McCully aforesaid

has in his possession, at, in and upon certain premises occupied by him and situated and known number 443 Cherry street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night time to make immediate search on the person of the said Michael Doe

and in the building situate and known as number 443 Cherry aforesaid, for the following property, to wit: all ~~Faro layouts, Roulette Wheels and layouts, Rouge et Noir, or Red and Black layouts, gaming tables, chips, packs of cards, dice, deal boxes,~~ lottery policies, lottery tickets, circulars, writings, papers, documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, books documents for the purpose of enabling others to gamble or sell lottery policies, black-boards, slips or drawn numbers of a lottery, money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the 1st District Police Court at the Tombs in Centre street in the City of New York.

Dated at the City of New York, the 25th day of June 1887

Charles N. Tintor

POLICE JUSTICE.

05.15

Inventory of property taken by George W. Richards the Peace Officer by whom this warrant was executed:

~~Faro layouts,~~ ~~Roulette Wheels,~~ ~~Roulette layouts,~~ ~~Rouge et Noir layouts,~~ ~~gaming tables,~~ ~~chips,~~ ~~packs of cards,~~ ~~dice,~~ ~~deal boxes,~~ ~~deal trays for holding chips,~~ ~~cue boxes,~~ ~~markers, or tally cards,~~ ~~ivory balls,~~ lottery policies, lottery tickets, 3 Lot circulars, writings, papers, two black boards. 1 pk slips, or drawn numbers in policy, money, two manifold books, one slates, 4 Dream Books, 1 box No's. 1 agate 1 Dream Book in frame. 1 pic.

City of New York and County of New York ss:

I. Geo. W. Richards the Officer by whom this warrant was executed, do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 25th day of June 1894

George W Richards

Charles N Tainter Police Justice.

Police Court 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Anthony Comstock & al
vs.
Michael Dor

Search Warrant.

Dated June 25 1894

Justice.

Officer.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Michael Callahan 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.* Michael Callahan

*Question.* How old are you?

*Answer.* 26 years

*Question.* Where were you born?

*Answer.* New York

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

*Answer.* 46 Ridge Street 19 months

*Question.* What is your business or profession?

*Answer.* Laborer

*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
Michael Callahan

*Taken before me this* 25 *day of* January *1889*

Paul Nathan *Police Justice.*

0517

854

**Police Court**..... **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF
William Gantrall
vs.
1. Robert Gallman
2.
3.
4.

Offence Selling Lottery Policies

Dated June 27 1891

Charles Mag. Magistrate.

Richards Officer.

Church Precinct.

Witnesses.

No. ..... Street.

No. ..... Street.

No. ..... Street.

No. ..... Street.

RECEIVED JUN 27 1891 DISTRICT ATTORNEY'S OFFICE

BAILED,

No. 1, by A. J. W. Rank Residence 50 Avenue Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... 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* Robert Gallman *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Ten *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* June 27 *18*91 Charles N. Tomlin *Police Justice.*

*I have admitted the above-named* Robert Gallman *to bail to answer by the undertaking hereto annexed.*

*Dated* June 27 *18*91 Charles N. Tomlin *Police Justice.*

*There being no sufficient cause to believe the within named* ..... *guilty of the offence within mentioned. I order he to be discharged.*

*Dated* ..... *18* ..... *Police Justice.*

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Michael Callahan

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

Michael Callahan

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said Michael Callahan

late of the Ninth Ward of the City of New York in the County of New York aforesaid, on the Fifteenth day of June in the year of our Lord one thousand eight hundred and ninety-one, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "Policy," where money and property was dependent upon the result, 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.

SECOND COUNT:

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

Michael Callahan

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said Michael Callahan

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, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

THIRD COUNT:

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

Michael Callahan

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said

Michael Callahan

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, with force and arms, feloniously did sell to one

Robert B. McCully

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

allday 15

12 18 24
30-36 42/5

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT:

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

Michael Callahan

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

Michael Callahan

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, with force and arms, feloniously did sell to one

Robert B. McCully

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

allday 15
12 18 24
30-36-42/5

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FIFTH COUNT:

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

Michael Callahan

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Michael Callahan

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, with force and arms, feloniously did sell to one

Robert B. McCully

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say:

allday 15
12 18 24
30-36-42/12

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

DE LANCEY NICOLL,
*District Attorney.*

99. Sep

Witnesses:

A Comstock

Sentenced to another Indict Imp. Susp. Sentence after Conference with Mr Bonacoto

Counsel, .....

Filed, 12 day of April 1892

Pleads, Not Guilty (14)

THE PEOPLE

*vs.*

~~B~~

Michael Callahan

(2 Cases)

POLICY.

[§§ 343 and 344, Penal Code.]

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

Chas H Tatham *Foreman.*

Part 2 — Dec 5, 1893

Pleads Guilty to 2nd Count

Mot Susp

POOR QUALITY ORIGINAL

0521

Sec. 198—200.

CITY AND COUNTY OF NEW YORK, } ss.

1 District Police Court.

Michael Callahan 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.* Michael Callahan

*Question.* How old are you?

*Answer.* 26 years

*Question.* Where were you born?

*Answer.* New York

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

*Answer.* 46 Rutgers Street 19 months

*Question.* What is your business or profession?

*Answer.* Laborer

*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
Michael Callahan

*Taken before me this* 7 *day of* 188 8

Henry Ottinger Police Justice.

0523

BAILED,

No. 1, by Wm. H. Kunz

Dorheny Street.

No. 2, by ..... Residence ..... Street.

No. 3, by ..... Residence ..... Street.

No. 4, by ..... Residence ..... Street.

Police Court—A District.

THE PEOPLE &c.,

ON THE COMPLAINT OF

Anthony Comstock

vs.

1 Michael Callahan 2 ..... 3 ..... 4 .....

Offence Selling Lottery Policies

Date June 25 1891

Charles N. Crimmins Magistrate.

Richards Officer.

Central Precinct.

Witnesses.

No. ..... Street.

No. ..... Street.

RECEIVED JUN 26 1891 DISTRICT ATTORNEY'S OFFICE

No. ..... Street.

$ 500 to answer

Bailed

834

*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* Defendant *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Five *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* June 25 *18* 91 Charles N. Crimmins *Police Justice.*

*I have admitted the above-named* Def

*to bail to answer by the undertaking hereto annexed.*

*Dated* 25 June *18* 91 Charles N. Crimmins *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* ..... *18* ..... *Police Justice.*

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Michael Callahan

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

Michael Callahan

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said

Michael Callahan

late of the 7th Ward of the City of New York in the County of New York aforesaid, on the Twenty-fifth day of June in the year of our Lord one thousand eight hundred and ninety-five, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "Policy," where money and property was dependent upon the result, 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.

SECOND COUNT:

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

Michael Callahan

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said

Michael Callahan

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, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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.

THIRD COUNT:

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

Michael Callahan

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said

Michael Callahan

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, with force and arms, feloniously did sell to one

Robert B. McCully

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

B & X Jw. 25

4-1144/10

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FOURTH COUNT:

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

Michael Callahan

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said

Michael Callahan

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, with force and arms, feloniously did sell to one

Robert B. McCully

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of

which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say:

B Ex Jw 25
4-11-44/10

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

FIFTH COUNT:

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

Michael Callahan

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said

Michael Callahan

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, with force and arms, feloniously did sell to one

Robert B. McCully

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown and cannot now be given), which said paper, writing and document is as follows, that is to say:

B Ex Jw 25
4-11-44/10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), 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.

DE LANCEY NICOLL,
*District Attorney.*

0527

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Cammeyer, Antonio

# DATE:
04/06/92

4345

*Witnesses:*

E. W. Folts
August Kissling
Lena Kissling

In my opinion there can be no conviction in this case. There is no proof corroborative of complainant's testimony. The Society had charge of the case, and formally abandoned it, because of the weakness of the proof. (See affidavit of Officer King herewith filed.)

I therefore recommend dismissal of this indictment.

April 25/92

Vernon M. Davis
Asst.

No. 42

Counsel,

Filed 6th day of April 1892

Pleads, Not guilty

THE PEOPLE

*vs.*

Antonio Cammeyer

RAPE.
(Sections 278 and 218, Penal Code.)

DE LANCEY NICOLL,
*District Attorney.*

Case: Apr 25, 92 Dismd.

A TRUE BILL.

S. W. Comstock
*Foreman.*

Def & Bail resch on mo of Dist Atty
De Meles

**Police Court "Y" District.**

City and County of New York. } ss.

Lena Kiesling

of No. 366 Amsterdam ave Street, aged 13 years, occupation none being duly sworn, deposes and says, that on the or about 21st day of March 189 2, at the City of New York, in the County of New York,

Antonio Lanzer (Mother) did unlawfully have sexual intercourse with deponent without her will and consent in the manner following to wit: On said date deponent was sent by her mother on an errand that when she was on the street in front of the premises number 370 Amsterdam avenue this city on said date. Deponent was accosted by defendant who told deponent he would give her some pennies if she would come into his store. That deponent went into the store kept by defendant. That he took her into a room in the rear of said store and that he then placed deponent on a bed and got on top of deponent. That he did then and there put his private parts with force and violence into the private parts of deponent. Deponent further says that he laid on top of me that I could hardly breathe and that defendant told me I must not say anything about what he did to her that her papa and mama does the same. Deponent therefore charges the defendant with Rape in violation of section 278 sub division 1 of the penal code and prays that he be held to answer

Lena Kiesling

Sworn before me this 2nd day of April 1892

[redacted] Police Justice

**Police Court** 4th **District.**

City and County of New York. } ss.

Wolfgang Goetz

of No. 732 St Nicholas Ave Street, aged 45 years, occupation Physician being duly sworn, deposes and says, that on the 22nd day of March 189 , at the City of New York, in the County of New York, he examined the condition of Lena Kuslicj that he found that the private parts of said Lena was in a lacerated condition that Lena was swollen. that he found a mucous discharge. that he subsequently made an examination in the condition of said Lena that he found that she was suffering from a disease in the opinion of which said disease was contracted by sexual intercourse with a person who was suffering with a venereal disease.

That deponent has examined the conduction of Antonio Carneyar with his consent in this day that he found him suffering from chronic Gleet that he found a discharge on the person of said Antonio. resembling the discharge ~~[illegible]~~ found on said Lena

Sworn upon me this 2nd day of April 1892 } Wolfgang Goetz

[illegible] Police Justice.

(1335)

Sec. 198—200.

..... District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Antonio Cammeyer 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.* Antonio Cammeyer.

*Question.* How old are you?

*Answer.* 26 yrs

*Question.* Where were you born?

*Answer.* Italy

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

*Answer.* 372 Amsterdam Avenue 9 months

*Question.* What is your business or profession?

*Answer.* Shoe Maker

*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

Antonio del cammeyer

*Taken before me this* 2 *day of* April 1897

..... *Police Justice.*

**Police Court** 4th **District.**

City and County of New York. } ss.

Wolfgang Goetz of No. 73 St Nicholas avenue Street, aged 45 years, occupation Physician being duly sworn, deposes and says, that on the 22nd day of March 1892, at the City of New York, in the County of New York, he examined the Condition of Lena Kiesling who is now confined at her home at number 366 Amsterdam avenue in this City from the Effect of Injuries said to have been received by said Lena by Antonio Ammanger as deponent is informed. Her deponent found lacerated wounds on the private parts of said Lena and that her condition is such as to compell to remain at her home at least one week. Before deponent leaves said Lena could safely be removed to hospital. ~~[illegible]~~

Sworn to before me this 23rd day of March 1892 } Wolfgang Goetz M.D.

[signature]

Police Justice

**Police Court** 4th **District.**

City and County of New York. } ss.

of No. 100 East 23rd Street, aged 27 years, occupation Office being duly sworn, deposes and says, that on the 28th day of March 189 2, at the City of New York, in the County of New York, that he is an Officer of the Society for the Prevention of Cruelty to Children states that Dr. W Francis Gibb has made an Examination in the Condition of Lena Karolius. that he found that there had been only a partial penetration of the said Lena. That deponent informs the Court that the Society desires to withdraw from any participation in in the case as they believe that the Girl is and has been able to attend Court for some days. and that she is not permitted to do so for some reason unknown to the Officers of the Society

William H. King.

Sworn before me this 28th day of March 1892

A. Hogan

Police Justice.

0534

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Walter Stafford

of ~~No.~~ The 22nd Precinct Police ~~Street~~, aged — years,

occupation Police - Officer being duly sworn deposes and says,

that on the 28 day of March 1892

at the City of New York, in the County of New York, he visited the home of Lena Kessling at No. 366 Amsterdam Avenue, and saw said Lena in bed. That deponent was informed by the mother of said Lena that she, the said Lena was unable to leave her bed and come to court to make a complaint against Cummings. That deponent prays that said Cummings be held to allow said Lena an opportunity of appearing in court to make complaint against said Cummings.

Walter Stafford

Sworn to before me, this 28 day of March 1892

C. E. Hall

Police Justice.

Dr. Wolfgang Goetz,

Office Hours:
8-10 a.m. 5-6 p.m.

732 St. Nicholas Ave.
New York, March 20 1892

To whom it may concern:

This is to certify that I have this day examin the little Girle of Mr. Aug. Lissling Non 366 Amsterdam Av.

I found that she is suffering in a markd degree of Inflamation of the Genital organs produced by some vealents.

Respectfully

Dr. Wolfgang Goetz

36c Amsterdam ave

Lena Kesslang 13 years

13 1/2 yr.

Dr. Wolfgang Goetz,

Office Hours:
8-10 a.m. 5-6 p.m.

732 St. Nicholas Ave.

New York, March 25 1892

To whom it may concern,

This is to certify that the little Girle of Mr. August Kissling is not able yet to live the House or Bed on account the Injure received on the 17 inst, and will not be able for sometime to come.

Respectfully

Dr. Wolffgang Goetz

New York Mch 26th 92

Hon. Elbridge T. Gerry,
President of the Society for
the Prevention of Cruelty to Children,
Dear Sir:-

I have this day examined the person of Lena Kessling aged 13 years, of 366 Amsterdam Ave., and find there has been partial penetration of her genital organs by some blunt object.

Respectfully Submitted
W. Travis Tibbs M.D.
Examining Physician

0539

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Walter Stafford

of No. 47 Precinct Police Street, aged years,

occupation Police Officer being duly sworn deposes and says

that on the 21 day of March 1892

at the City of New York, in the County of New York, he arrested

Antonio Camryan (now here) charged

by one — Kissling, aged thirteen years,

with committing rape on her. That said

Child is now confined to her home as the

result of injuries received at his hands

as per the annexed certificate, and

deponent further prays that said Antonio

be held until such time as said child

can come to court to make a complaint

Walter Stafford

Sworn to before me, this 21 day of March 1892

Police Justice.

315

Police Court, ✓ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Antonio Cammyer
26 Hatz 372 Amsterdam

AFFIDAVIT.

Dated Mar 21 1892

Hogan Magistrate.

Hoffman Officer.

Witness,

$2000 bail E.H.
Bail reduced to $500 this 28th day of March 1892.
E.H.

Disposition,

Ex March 23d 1892, 2 30 P.M.
E.H.

Ex March 25th 2 30 P.M. E.H.

Ex March 27th 1892 10 A.M. E.H.

Ex March 28th 1892 2 P.M. E.H.

Ex 10 30 A.M. April 2nd 1892
E.H.

**Police Court** 1 **District.**

382

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Comstock

1. Ung Kiu Lui
366 Augustus St
2.
3. Anthony Comstock
4.

Offense Lewd

Dated, April 21 189 2

John Ryan Magistrate.

Officer.

22 Precinct.

Witnesses Anthony Kiu Lui
No. 366 Mulberry St
Tangini Wan Lui
No. 366 Mulberry St
Dr Wu Pang Yung
No. 73 Pell St
$ 2000 to answer

RECEIVED
APR 4 1892
CITY ATTORNEY

*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* D Fenelon

*guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of* Twenty *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,* April 21 *189* 2 *Police Justice.*

*I have admitted the above-named*

*to bail to answer by the undertaking hereto annexed.*

*Dated,* *189* *Police Justice.*

*There being no sufficient cause to believe the within named*

*guilty of the offense within mentioned, I order h to be discharged.*

*Dated,* *189* *Police Justice.*

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

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

Antonio Rammenger

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Antonio Rammenger — of the CRIME OF RAPE, committed as follows:

The said Antonio Rammenger, late of the City of New York, in the County of New York aforesaid, on the twenty-first day of March, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: one Dena Kindling, — then and there being, wilfully and feloniously did make an assault, and her the said Dena Kindling, then and there, by force and with violence to her the said Dena Kindling, against her will and without her consent, did wilfully and feloniously ravish and carnally know, against the form of the Statute is such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Antonio Rammenger — of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Antonio Rammenger, — late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her the said Dena Kindling, then and there being, wilfully and feloniously did make another assault with intent her the said Dena Kindling, against her will and without her consent, by force and violence, to then and there wilfully and feloniously ravish and 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.

THIRD COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Antonio Lammenger of the CRIME OF RAPE, committed as follows:

The said Antonio Lammenger, late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her the said Dana Kirschning, then and there being, wilfully and feloniously did make another assault, and an act of sexual intercourse with her the said Dana Kirschning, then and there wilfully and feloniously did commit and perpetrate, against the will of the said Dana Kirschning, and without her consent; 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.

FOURTH COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said Antonio Lammenger of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said Antonio Lammenger, late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her the said Dana Kirschning, then and there being, wilfully and feloniously did make another assault, with intent an act of sexual intercourse with her the said Dana Kirschning, against her will and without her consent then and there wilfully and feloniously to commit and perpetrate, 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.

~~DE LANCEY NICOLL, *District Attorney.*~~

Fifth COUNT—

AND THE GRAND JURY AFORESAID, by this indictment further accuse the said Antonio Rammunger

of the CRIME OF PERPETRATING AN ACT OF SEXUAL INTERCOURSE WITH A FEMALE UNDER THE AGE OF SIXTEEN YEARS, NOT HIS WIFE, committed as follows:

The said Antonio Rammunger,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon a certain female not his wife, to wit: her, the said Dana Kindling, then and there being, wilfully and feloniously did make another assault, she the said Dana Kindling being then and there a female under the age of sixteen years, to wit: of the age of Fifteen years; and the said Antonio Rammunger then and there wilfully and feloniously did perpetrate an act of sexual intercourse with her the said Dana Kindling, 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.

DE LANCEY NICOLL,
*District Attorney.*

0545

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Campbell, John

# DATE:
04/14/92

4345

169.

*Witnesses:*

Maurice Lapiro

Counsel,

Filed 14 day of April 1892

Pleads,

THE PEOPLE

*vs.*

John Campbell

Grand Larceny, Second Degree
[Sections 528, 531, Penal Code.]

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

Wm H. Isham
*Foreman.*

April 14/92

Pleads Not

City Prison 30 days.
April 18/92

N.Y. Court of General Sessions

The People vs
apt
John Campbell

City and County of New York ss:-

John Lorey being duly sworn deposes and says. I reside at No 56 Withers Street in the City of Brooklyn County of Kings - I am employed by Hopkins Poker & Co. Bookbinders & Book Manufacturers doing business at No 123-125 William Street in said City of New York I have been so employed by said firm for twenty six years and have charge of a department of the manufactory of said firm - I know the defendant above named John Campbell and have known him for fully eight years last past - I have had occasion to see him during those years frequently maybe half a dozen times a year more or less ~~than~~ For about a year and a half of that period he was in the employ of my firm and worked directly under me - He is a bookbinder

by trade and well known among its craft - I always found John Campbell straightforward and honest and a man who was industrious I never knew him to be guilty of or even charged with the commission of any crime - I know many others who know him and have always heard them speak well of him his reputation for honesty and good character generally is very good - The only thing he is criticised for at all is his passion for drink which seems to break out in him at intervals - He was not discharged from our employ the last time he worked with us but was laid off on account of slackness of work

I am loathe to believe that he ever committed the crime charged against him now because from my knowledge of the man and I verily believe I know him well - he is not bent that way - if he did commit it or had a hand at all in it he certainly did not do so knowingly and he must

have been totally unconscious of the act - I am sure his case is one in which justice will be done by a merciful consideration of his case

Sworn to before me this 16th day of April 1892 } John Lorey

Morris Barnett
Commissioner of Deeds
N.Y. City

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

The People vs
ap
John Campbell

City and County of New York ss:
Henry Godwin Dancer
being duly sworn deposes and says I reside at 1015 Herkimer Street in the City of Brooklyn I am engaged in the Blank Book Manufacturing business at No 275 Pearl Street in said City of New York; the business is my own and I have been engaged in it for upwards of five years - I employ bookbinders in the business and am well acquainted with the above named defendant John Campbell - he is a bookbinder - I have known him since about 1885 ~~Hardcover in my employed nature~~ - I have known him well and intimately since that time he is an experienced and good ~~Mechanic~~ in his craft and considered one of the best ~~such~~ by bookbinders of blank books in general - During the times between 1885 and the present I have seen him and had occasion to be in his company at the very least

MB

MB

MB

about ten or twelve times a year. that is I would see him say once in three five or seven weeks and then again once or twice a week - I have known him to be upright and honest the only failing he could be charged with was a passion for drink which would break out at intervals - In other words he may be termed a periodical drinker abstaining from it for months perhaps for a year at a time and when falling again into temptation continuing his sprees for months at a stretch - I never knew him during my acquaintance with him up to the present to be guilty or charged with the commission of any offence The one in question I will not believe he intentionally committed if perpetrated at all by him

I am now ready and willing to ~~re-emp~~ employ him at once as I consider him a valuable man in the business

Sworn to before me this 14th day of April 1892 Morris Barnett Commissioner of Deeds N.Y. City

Henry Goodwin Danner

City and County of New York ss:-

Thomas Canary being duly sworn deposes and says I reside at No 106 Bedford Avenue in the City of Brooklyn and am employed as a bookbinder (my trade) by Daniel Slote & Co. doing business at No 119 & 121 William Street in said City of New York - I have been with said firm under contract of employment for twenty six years and have had especial charge of a branch of their business known in the trade as "W.P." for about ten years last past

I know the defendant herein John Campbell - he is a bookbinder I have known him upwards of about seven years - during which period he has occasionally worked under me one time he worked with me for about three years steady - During the time I knew him up to the present I never knew nor heard of his doing anything dishonest - he was so far as I could see an honest man and an excellent workman - his only fault apparently being occasional sprees when he would drink keeping up his drinking bout for weeks at a time - I know others who

(M.B)

know Campbell and have always heard them speak well of him and his reputation among those who know him whom I know is for honesty & integrity very good except that they know that he has a failing for drink

I do not believe he intentionally committed the crime charged

Sworn to before me this 16th day of April 1892
Morris Barnett
Commissioner of Deeds
N.Y. City

Thomas Lamary.

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

The People vs
agst
John Campbell

City and County of New York ss: -
John Campbell
being duly sworn deposes and says
I am the defendant above named, I plead
guilty to the commission of the Crime of
Petit Larceny in the above Court on the
14th day of April 1892 and respectfully
ask the Court to be merciful & lenient
to me upon the grounds and for the
reasons hereinafter set forth as follows:-
I am married and have always lived
with my wife and three children (ex-
cept for about 7 weeks the time of my
confinement in the Tombs Prison on
this charge) my children consist of
two girls and a boy the eldest being
ten years of age and the youngest
(the boy) an infant of two years
I am a bookbinder by trade and
thirty one years of age I have worked
at various times for Higgins Booker & Co,
Slote & Woodman, & J. G. Shaw Manu-

facturing Co. and George W. Alexander all bookbinding concerns and doing business in this City - Appended hereto are affidavits from foremen in some of these establishments wherein I worked longest

Prior to my arrest for the offense for which I now stand convicted I never was arrested in my life ~~either for a~~ except for ~~the~~ trivial offenses ~~of drunkenness~~ drunkenness and I may say here that to my perhaps inordinate passion for drink I owe my present misfortune - there are times when for long periods I do not touch liquor and those periods will last for as long as a year at a stretch when I do however give way to drink after these abstemious periods ~~my~~ I continue to drink for months at a time before I can finally redeem myself from the passion - I have never stolen or taken anything from anybody or which did not belong to me in my life until the happening of the event with which I stand charged and as to that offense particularly I positively affirm that I have no recol

MB
MB

lection of it and could not positively swear either way — that I did or did not commit it — At the time that I was arrested upon this charge I was on one of my periodical spurs having lost my employment about three weeks before and my best impression is that Overcome with drink I made my way into the hallway of the house of the complainants to sleep — this is my best recollection for I knew nothing or know nothing now of the larceny charged except that I found myself the next morning in Court charged by the Officer and the Complainants with said Crime

MB

Sworn to before me this
15th day of April 1892 } John Campbell
Morris Barnett
Commissioner of Deeds
N.Y. City

N.Y. General Sessions

The People vs

— agst —

John Campbell

Affidavits

Bernard J. Dowrat
Atty for defdt
291 Broadway
N.Y. City

0558

Police Court 3 District. Affidavit—Larceny.

City and County of New York, } ss:

Maurice Sapiro

of No. 124 Suffolk Street, aged 24 years, occupation Shirt maker being duly sworn, deposes and says, that on the 3rd day of March 189 7 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the night time, the following property, viz:

A quantity of family linen of the value of Thirty dollars

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 by John Campbell (now here) and two other men not arrested who were in company with each other for the reasons that said property was suspended on lines in the yard of said premises and deponent at about one a.m. heard a noise in said yard and went to find the cause and found the defendant and the two unknown men in the hallway of said premises with said property in their possession.

his
Maurice X Sapiro
mark

Sworn to before me, this 3 day of March 189 7

Wallace Police Justice.

4759

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

John Campbell 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.* John Campbell

*Question.* How old are you?

*Answer.* 3 years

*Question.* Where were you born?

*Answer.* New York

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

*Answer.* 322 East 11th 6 months

*Question.* What is your business or profession?

*Answer.* Work Binder

*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

John Campbell

*Taken before me this* 3

*day of* Nov 188[illegible]

[illegible]

*Police Justice.*

Police Court, ..... District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1 [illegible]
2 .....
3 .....
4 .....

Offense, Larceny

Dated, [illegible] 189 [illegible]

[illegible] Magistrate.
[illegible] Officer.
[illegible] Precinct.

Witness: [illegible]
No. 100 Rivington Street.
No. ..... Street.
No. ..... Street.
No. 7 Street.
$ 500 to answer

RECEIVED MAR 7 1892 DISTRICT ATTORNEY'S OFFICE

BAILED,

No. 1, by .....
Residence ..... Street.
No. 2, by .....
Residence ..... Street.
No. 3, by .....
Residence ..... Street.
No. 4, by .....
Residence ..... 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 [illegible]

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of [illegible] 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, [illegible] 189 [illegible] Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

John Campbell

**The Grand Jury of the City and County of New York,** by this indictment, accuse John Campbell of the CRIME OF GRAND LARCENY IN THE Second DEGREE, committed as follows:

The said John Campbell, late of the City of New York, in the County of New York aforesaid, on the third day of March in the year of our Lord one thousand eight hundred and ninety-two at the City and County aforesaid, with force and arms, a quantity of linen, (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of thirty dollars

of the goods, chattels and personal property of one Maurice Sapiro

then and there being found, then and there 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.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

John Campbell

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows: The said John Campbell

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

a quantity of linen (a more particular description whereof is to the Grand Jury aforesaid unknown) of the value of thirty dollars

of the goods, chattels and personal property of one Maurice Safeino

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

unlawfully and unjustly did feloniously receive and have; the said

John Campbell

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.

DE LANCEY NICOLL,
*District Attorney.*

0563

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Campbell, Robert F.

# DATE:
04/19/92

4345

*Witnesses:*

Wm Nick

Officer Smith

After a careful examination into all the facts of the within case I am unable to find a sufficient line of proof that can sustain this indictment. The death of the deceased was accidental, caused by the deceased being knocked down by deft's horse under circumstances unavoidable and the evidence of culpable negligence on which this indictment is predicated is not sufficient to warrant a conviction. The verdict of the Coroner's jury in this case "exonerating the deft from all blame in the matter" I concur in, and in view of such facts I recommend that this indictment be dismissed

Wanhope Lyon
Asst Dist Atty

May 9th 1892

I concur in the above recommendation

DeLancey Nicoll
District Attorney

May 9th 1892

205.

Counsel,

Filed 19 day of April 1892

Pleads, Not guilty

THE PEOPLE

*vs.*

B

Robert T. Campbell

Manslaughter in the second degree. Section 192, Penal Code.

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

Chas H. Dohan

*Foreman.*

Part 2 May 9/92

On motion of District Attorney indictment dismissed.

McNAUGHTON & TAYLOR,
COUNSELLORS AT LAW,
ROCHESTER, N.Y.

Keating
vs
Hoyt
McNaughton

Hon. Donald McNaughton,
Delevan House,
Albany, N. Y.

District Attorney's Office
City & County of
New York.

From Rev Father Prat,
Rector of St Columba's R C Church
Requesting District Attorney
to allow Robert Campbell
charged with murdering
over [illegible] to be heard
with his witnesses before
the Grand Jury.

The defts letter attached
gives a history of the
case wherein he was
exonerated by the
Coroner's Jury, and that
the only witness for the
People is now a prisoner
on Blackwell's Isl.

I know the defts
employer and suggested
that they communicate
with the Dist. Atty.

[illegible]

343 West 25
New York
April 5. 1912

Hon. De Lancey Nicoll

Hon. Dear Sir

Permit me to state to you on behalf of Robert F. Campbell, that I know him well and also his family. They are prominent members of St Columba's parish, and very respectable people: they are long residents of this ward, and are well known to all in the neighborhood. As far as myself, I must say that they are personal friends of mine, and any attention which you may grant to them, I will consider it as done to myself.

I am Hon Sir
Your most obedient Servant
Henry Pratt
Rector of St Columba's church

**Police Court 2 District.**

City and County of New York. } ss.

John J. Walker

of No. 92 West 98th Street, aged 42 years, occupation Jockey being duly sworn, deposes and says, that on the 30th day of December 1891, at the City of New York, in the County of New York,

Deponent saw ~~the~~ a man named William Whalenstall ~~was~~ run over by a buggy drawn by one horse and driven by Robert Campbell (now here) and at the time of the occurrence one Henry Murray (now here) was in the buggy with the said Campbell. The time was about quarter of six or ten minutes to six o'clock P.M. The said William Whalenstall was crossing Eighth Avenue from the East side to the West side, not on the crosswalk, but near the centre of the block. The defendants buggy was going up town at the rate of about seven miles an hour. The avenue was well lighted. The said Whalenstall had reached about midway of the track when he was struck by the chest of the horse and knocked down and the hind foot of the horse stepped on the right or left side of the body of the said Whalenstall and the wheel on the right hand side of the front of the said buggy passed over the left side of the face of the said Whalenstall as he lay across the track in Eighth Avenue between West Thirty third and West Thirty fourth streets. At the time

**Police Court** ..... **District.**

City and County of New York. } ss.

Albert J. Corston of No. 226 Central Park West ~~Street~~, aged 31 years, occupation Coroner's Physician being duly sworn, deposes and says, that on the thirty first day of December 1891, at the City of New York, in the County of New York, I made an examination of the body of William Whittaker lying dead at #468 = 8th Ave. in the City of New York, and that I found from such examination that he had sustained a fracture of the right thigh, at the hip-joint, and a fracture of the ribs of the left side, and that the cause of his death was injury to heart and lung and internal hemorrhage following fracture of ribs.

Albert J. Corston.

Sworn to before me this 2nd day of January 1892

[illegible]
Deputy Coroner

Sec. 192. Yorkville District Police Court. Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Edward Hogan a Police Justice of the City of New York, charging Henry Murray Defendant with the offence of Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, Henry Murray Defendant of No. 535 East 29 Street; by occupation a Mason and William W. Montgomery of No. 606 West 37 Street, by occupation a Ice Dealer Surety, hereby jointly and severally undertake that the above named Henry Murray Defendant shall personally appear before the said Justice, at the 2 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Twenty five Hundred Dollars.

*Taken and acknowledged before me, this* 21 *day of* December 1899

Henry Murray
Wm W Montgomery

Edward Hogan
POLICE JUSTICE.

CITY AND COUNTY OF NEW YORK, } ss.

the within named Bail and Surety being duly sworn, says, that he is a resident and ..... holder within the said County and State, and is worth ..... **Hundred Dollars,** exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of ..... ..... .....

Sec. 192. 2 District Police Court. Undertaking to appear during the Examination.

CITY AND COUNTY OF NEW YORK, } ss.

An information having been laid before Edward Hogan a Police Justice of the City of New York, charging Robert Campbell Defendant with the offence of Homicide

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

We, Robert Campbell Defendant of No. 436 West 27 Street; by occupation a Foreman and John V. Campbell of No. 426 West 27 Street, by occupation a Contractor Surety, hereby jointly and severally undertake that the above named Robert Campbell Defendant shall personally appear before the said Justice, at the 2 District Police Court in the City of New York, during the said examination, or that we will pay to the People of the State of New York the sum of Twenty Five Hundred Dollars.

*Taken and acknowledged before me, this* 31 *day of* October 1891.

Robert Campbell
John V. Campbell

E. Hogan Police Justice.

0573

CITY AND COUNTY OF NEW YORK, } ss.

John V. Campbell

the within named Bail and Surety being duly sworn, says that he is a resident and freeholder within the said County and State and is worth Fifty Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot of land situated at No 152 East 113 Street and with Two dollars free and clear of all encumbrances

John V Campbell

Sworn to before me, this 9 day of December 1891

Police Justice.

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear during the Examination.

Taken the ..... day of ..... 18

..... Justice.

**Police Court ..... District.**

City and County of New York. } ss.

of No. ..... Street, aged ..... years,
occupation ..... being duly sworn, deposes and says,
that on the ..... day of ..... 189 , at the City of New
York, in the County of New York,

the said Whitenstall was then knocked down deponent stood about ten steps away, and deponent was looking at him and deponent was in the act of crossing the Eighth Avenue in the same direction as the said Whitenstall. Deponent did not hear a word said either by the said Whitenstall or by the defendants. The said horse and buggy were not stopped but were driven ahead by the defendant Campbell, who looked around after he had passed and kept on driving as far as West Twenty Seventh street. and continued And did not stop of his own accord. At the time the said Whitenstall was knocked down deponent and others called to the defendants to stop and when they did not stop deponent and others gave chase. Deponent chased the defendants and overtook them in Eighth Avenue near the corner of West Twenty-Sixth street when deponent caught hold of the horse driven by the defendant in Eighth Avenue between Twenty-fourth and Twenty-fifth Sts. then the defendant Campbell struck deponent with a whip. and compelled

**Police Court ..... District.**

City and County of New York. } ss.

of No. ..... Street, aged ..... years,
occupation ..... being duly sworn, deposes and says,
that on the ..... day of ..... 189 , at the City of New
York, in the County of New York, .....

Deponent to let go. Deponent and other had up to this time called upon the defendant to stop and tells him that he had run over a man. When deponent let go of the defendants horse between thirty fourth and thirty fifth sts. there was a truck driven by a man named William Wick driving off the the defendants, and deponent got on the said truck and the said William Wick continued driving after the defendants who drove the said buggy up Eighth Avenue through West thirty sixth street down Ninth Avenue through West twenty eighth st and down Tenth Avenue to West twenty seventh street when the said truck was driven into collision with the said buggy and stopped it. Then the defendant Campbell got up on the said truck and had a struggle with the said Wick and threw him off the truck. Deponent got off the truck and defendant Campbell assaulted deponent on the sidewalk. Previous to this time the defendants had been frequently told to hold off and stop, at twenty seventh street

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

*Question.* What is your name?

*Answer.* Robert Campbell

*Question.* How old are you?

*Answer.* 30 years

*Question.* Where were you born?

*Answer.* U S.

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

*Answer.* 424 West 29th on fire

*Question.* What is your business or profession?

*Answer.* Foreman.

*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 have nothing to say at present. I demand an examination.

Robert F. Campbell

*Taken before me this* 31 *day of* December 1881

Police Justice.

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

*Question.* What is your name?

*Answer.* Henry Murray

*Question.* How old are you?

*Answer.* 22 years

*Question.* Where were you born?

*Answer.* Ireland

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

*Answer.* 535 West 42 St

*Question.* What is your business or profession?

*Answer.* Mason

*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 was merely sitting in the wagon and had nothing to do with the driving.
Harry Murray

*Taken before me this* 16 *day of* January, 1882

Police Justice.

Dec 31, 9 P.M.
Ex Henry Murray 2-1892
10 P.M.
Ex Henry Murray 1-16-1892
BOILED
Det Det Campbell

**Police Court**---- ..... **District.**

66

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Det Walker 32d Pct 38th St
Robert Campbell
Henry Murray
3.
4.

Offence Homicide

Dated Dec 31 1891

Hogan
Arrd by Taylor Officer.
Henry Murray 20 535 W. 44th Precinct.
Witnesses Det Walker
Daniel Gorman
No. 83 Coroner Okeir Street.
Wm Weck
No. 624 6th Av, Street.
No. Street.
JAN 18 1892 DISTRICT ATTORNEY'S OFFICE
No. Street.
$ 2500 Commissioner of Bail
Bailed

*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* Robert Campbell Henry Murray *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Twenty five *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* January 16 *18*92 ..... *Police Justice.*

*I have admitted the above-named* Robert Campbell *to bail to answer by the undertaking hereto annexed.*

*Dated* January 16th *18*92 ..... *Police Justice.*

*There being no sufficient cause to believe the within named* Henry Murray ..... *guilty of the offence within mentioned. I order him to be discharged.*

*Dated* January 16 *18*92 ..... *Police Justice.*

**Police Court ..... District.**

City and County of New York. } ss.

of No. ..... Street, aged ..... years,
occupation ..... being duly sworn, deposes and says,
that on the ..... day of ..... 189 , at the City of New
York, in the County of New York, (4

the defendants were told that they had run over a man and that he was hurt. Both deponent the said Wick told defendants this. not then knowing how seriously the injury was. Subsequently the defendants were arrested and identified by deponent and the said Wicks, and deponent was informed that the said Whalenstall died half an hour after he was run over by the buggy driven by defendant, Campbell.

John F. Walker

Sworn to before me this
31st day of December
1891

Police Justice

George Smith being duly sworn deposes and says that deponent saw this day the body of the William Whalenstall referred to in the within affidavit and the said William Whalenstall was dead.

George Smith

Sworn to before me this
31st day of December
1891

Police Justice

**Police Court 2 District.**

City and County of New York. } ss.

William Wick

of No. 674 Eighth Avenue Street, aged 29 years, occupation Fireman being duly sworn, deposes and says, that on the 30th day of December 189 1, at the City of New York, in the County of New York,

Deponent was driving his truck through Eighth Avenue and saw the men William Whitehead between West Thirty-third and West Thirty-fourth Streets as he was being run over by a buggy in which were two men. Then the buggy did not stop but was driven ahead fast and deponent gave chase with his own truck which was drawn by two horses. Deponent was near when the horse of the said ~~colored~~ buggy was seized by John J. Walker (now here) and the ~~defendant~~ driver of the buggy struck the said Walker with a club. Then the said Walker got in deponent's truck and deponent drove after the said buggy through Eighth Avenue, Twenty-fifth Street, Third Avenue, Twenty-eighth Street, Second Avenue to Twenty-seventh Street. Then deponent drove his truck into collision with the buggy and stopped it, and defendant Campbell got out of the said buggy and assaulted deponent with his fists, and he also assaulted the said Walker. Subsequently deponent identified the defendant Campbell. During the time deponent followed the buggy deponent frequently called out to the

driver of the buggy is stuck; deponent said "Stop; stop; you have run over a man" deponent first learned of the full extent of the injuries to the said Whelentall about an hour after the occurrence when deponent was informed that the said Whelentall was dead.

Wm. Wick

Sworn to before me this 31st day of Dec 1891

C. S. Hoffman

Police Court, ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

1 .....

2 .....

3 .....

4 .....

Offense.

Dated ..... 189

Magistrate.

Officer.

Clerk.

Witnesses,

No. ..... Street.

No. ..... Street.

No. ..... Street.

..... to answer ..... Sessions.

B.36, p.57.

Coroners Office, New York County.

| | |
|---|---|
| In the Matter of the Inquest into the death<br>- of -<br>WILLIAM WHITTENSTILL. | Before<br>HON. LOUIS W. SCHULTZE,<br>and a Jury. |

New York, January 25th, 1892,
2 o'clock, P. M.

APPEARANCES:

James W. McLaughlin appears for the driver.

----------oOo----------

GEORGE SMITH, an officer from the 20th Precinct, being duly sworn, testified as follows:-

By the Coroner:-

Q What is your precinct? A. The 20th Precinct.

Q Tell the Jury just what you know of this occurrence?

A. Well, on December 30th, 1891, about eight o'clock in the evening I arrested Robert Campbell; he was charged with running over this Whittenstill, and that is all I know about it.

----------oOo----------

JOHN F. WALKER, being called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q What is your full name? A. John F. Walker.

Q Where do you live? A. 320 West 38th Street.

Q Tell the gentlemen just what you know? A. On the 30th of December I was coming down Eighth Avenue about a quarter of six on the up town side of the way; as I got between 33rd and 34th Streets I crossed over between the restaurant and this house; I took notice to this tall gentleman crossing in front of me; I took notice of the buggy going up on the other side of the way at the rate of about seven miles an hour, and saw the wagon was just about two doors above the crossing, and the down town car was coming; I seen him raise his hand - I do not know whether it was to catch the car or not - when this wagon struck him; there was no reply made between the driver and the man that got run over; he just turned his head around the buggy and looked, and did not see the man, and struck his horse; he kept going; there was nothing in his way to prevent him from stopping if he wished to stop. I started to run between 34th and 33rd Streets and catched hold of the horse and driver, and he struck me three times, and told me to let go, and I did so, and I turned around and he got up to 36th Street and turned up 36th Street, and a man driving a truck was following him, as well as myself, and I jumped on the truck and we followed him up to 36th Street, and they chased through 36th Street and this driver after him with his truck; we kept chasing him through 36th Street to Ninth Avenue and down Ninth Avenue to 29th Street and through 29th Street to Tenth Avenue and down to 27th Street, and there he slacked up, and all the time he kept about two blocks in the lead of us and we kept hollering to him to stop, and he did not stop, and so we run into him there; I think we

broke the wagon, and the horse fell, and the truck fell, and Campbell jumped on the truck and threw the driver off, and I got in the middle of the street, and he came following me over, and they got hold of me and struck me several times, and there was a gang there, and they must have known it, and they told him to hold me, and we unhitched the horse from the truck, and they said it was the best thing to go to the station house and make a complaint, and we turned around to the stable where he lived, and womet this officer, amd they were not there more than five minutes before he wasdead, and I was asked if I was chasing him, and he said you better go to the station house and tell your story.

By Counsel:-

Q You crossed from Eighth Avenue - which side? A. From the east side to the west.

Q And was there any wagon between you and this man when he was struck? A. There was wagons behind him.

Q In the immediate vicinity? A. No, sir.

Q You are quite positive? A. Yes, sir.

Q How far off was the nearest wagon? A. I should judge the nearest behind him was a truck loaded with barrels that was in front of the bank, away up at 34th Street. This wagon was about seven yards behind him.

Q Did you see how it occurred? A. Yes, sir; I seen him when the horse struck him in the chest.

Q How did he strike him? A. He was going across the track when the horse struck him and knocked him plumb across the track; I think it was the chest of the horse

that struck him.

Q You were not watching, were you? A. I was making for the same way he was going; I was behind him.

Q It was not on the corner? A. No, sir; it was in the middle of the block.

Q How far was he in advance of you? A. About ten paces.

Q You were walking in the same direction? A. Yes, sir.

Q And suddenly this horse hit him and he fell?

A. Yes, sir.

Q What kind of a horse was this? A. I should judge it was no thoroughbred horse; I should think it was a Mustang, with a white star in his face.

Q A heavy horse or light horse? A. A light horse, weighing about 800 pounds.

Q For whom have you been employed? A. Col. S. Barton.

Q How long have you been with him? A. Four years.

Q Where? A. Forty-fourth Street.

Q What was his business? A. He kept a stable there.

Q With whom else? A. Thomas Ogle.

Q How long were you with him? A. About a year.

Q What else did you do? A. Virginia Bradley Race horse.

Q What time do you say this was? A. Ten minutes or a quarter of six.

Q What were you doing? A. Going down Eighth Avenue.

Q To Miners? A. No, sir; on an errand for my sister.

Q Where were you working? A. Western Laundry, 21st Street.

Q How long have you been there? A. A couple of months.

Q You were working there the day of this occurrence?

A. No, sir.

Q How long before that had you been there? A. About three weeks before.

Q Didn't you say in the police court you were working up to the time of this occurrence? A. No, sir.

Q And that you lost your place through this affair?

A. No, sir; I did not.

Q And you had not been working there for three weeks, is that right? A. Yes, sir.

Q Before that you were working there how long? A. A couple of months.

Q Who employed you? A. Adamson.

Q What is he? A. Clerk, I suppose.

Q Did you notice the appearance of the men in the wagon?

A. Yes, sir.

Q How were they - how did they look? A. I should judge they were intoxicated.

Q You would not swear they were? A. No, sir; but I would swear they were drinking.

Q What is your general business now - you are an actor?

A. No, sir .

Q You go on in these glove fights in Harry Miner's?

A. I have been there once.

Q And you do every night, if you can get taken on?

A. No, sir; I have been taken on every time I went there.

Q You are a pretty good scrapper? A. I move along a little bit.

Q And that is your business at present? A. Yes, sir.

Q That is the only business you have at present? A. Yes, sir.

By a Juror:-

Q Was the evening dark at the time? A. The avenue was all lit up.

Q You consider this driving fast, seven miles an hour?

A. I think too fast for the avenue, at that rate.

----------oOo----------

WILLIAM WICK, called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q Where do you live? A. 674 Eighth Avenue.

Q Tell the Jury what you know? A. All I know about it, I am working in 37th Street, Rowland Brothers, and I was going to the stable - 35th Street is the stable; as I got about a quarter of the block I seen this carriage driving up pretty fast, and I seen this man rolling under the carriage, and I chased after the fellow and he did not stop; I seen the front wheel going over him, and it raised up, and the hind wheel raised up again, and he did not make any attempt to stop, and I followed him.

By the Coroner:-

Q Did the driver follow him? A. Certainly he did,

and this colored man run after him to stop him, and I kept following him, and he went up through 36th Street, and this colored man went on my truck, and we went through 36th Street to 9th Avenue, and through 38th Street to Tenth Avenue, and I ran my pole into his hind wheel and tripped him up, and one of the fellows got down, and I tried to stop my horse from falling, and I catched one of the rungs to keep me from falling to the ground, and then they started a fight, and I picked up my horses and took them to the stable, and the colored man went with me; I went over to Eighth Avenue, as I heard it was some friends, but it was not.

By Counsel for Driver:-

Q You worked for Rowland's? A. Yes, sir.

Q You were going around towards 34th Street? A. Yes, sir.

Q Where was the buggy? A. He came from 32nd Street up.

Q Did you see him? A. Yes, sir.

Q Coming from 32nd Street? A. Yes, sir; coming from 32nd Street.

Q Had you passed the man when the buggy went past?

A. He passed me when I was turning the corner, and he was within ten feet of me.

Q You were behind the buggy? A. I was outside of the track; he was in the track.

Q And you were somewhat behind the buggy? A. I was behind the buggy - not far away from it.

Q Were there any other wagons there at all? A. There was wagons going up the Avenue.

Q At the same time this buggy was? A. There was no wagon behind.

Q There were buggies going up at the same time, and ~~xxxxxx~~ cars? A. Yes, sir.

Q The first you saw of the fall was when the man was rolling under the carriage? A. Yes, sir.

Q You did not see anything hit him? A. No, sir; what I did not see I would not say.

Q You can't tell whether you saw him fall or not?

A. I concluded he was rolling under the carriage.

Q When the wheel touched him he was rising up?

A. The buggy was raising ~~him~~ up; he was trying to raise up, and the hind wheel struck him again.

Q I mean the first wheel? A. Yes, sir.

Q And then the front wheel touched him and he fell?

A. Yes, sir.

Q And the other wheel ran over him? A. Yes, sir.

Q This occurred in the middle of the street? A. Yes, sir; in the middle of the street.

Q It was not at the crossing in 33rd Street?

A. No, sir; between 33rd and 34th Streets, right in front of the house there.

Q Where did you see this negro? A. He jumped on at 34th Street; he grabbed the horse, and seen me going after him, and he jumped on the truck.

----------oOo----------

THOMAS S. SMITH, Jr., called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q Where do you live? A. Hoffman House.

Q What is your occupation? A. Clerk at the Hoffman House.

Q You know the defendant? A. About fifteen years.

Q He was a careful, hard working, industrious fellow? A. Yes, sir.

Q You have seen him handling horses? A. Yes, sir.

Q He handled them carefully? A. So far as I have seen.

Q You saw him that night? A. Yes, sir.

Q What was his condition as to sobriety? A. Perfectly sober.

Q What time was that? A. Twenty minutes after seven o'clock.

----------oOo----------

HENRY MURRAY, being called as a witness by the Coroner, was duly sworn, and testified as follows -

By Counsel for Driver:-

Q Where do you live? A. 535 West 49th Street.

Q What is your occupation? A. Mason.

Q You remember this occurrence? A. Yes, sir.

Q How was Mr. Campbell driving? A. We was driving on a trot going up Eighth Avenue, about four miles an hour.

Q What kind of a horse were you driving? A. Stands about 16 hands high, weighs about fourteen hundred pounds.

Q What do you usually work at? A. What do you mean? He was a working horse.

Q He was not a driving horse? A. No, sir; he was heavy enough for a cart horse.

Q Go on in your own way and tell how this occurred?

A. We was going up Eighth Avenue around 33rd and 34th Streets, and there was about three trucks abreast, I guess, going up, and some one crossed over the Avenue, and a man got hit by the horse's head, and there was a truck behind us, and it hit him -

Q (By the Coroner) Did your horse strike the man?

A. He might have struck the man.

Q You were not positive whether it was your horse or not?

A. No, sir; our horse, ~~was~~ made a lunge right across the Avenue, and there was two trucks in front of us about four feet.

Q You were in just as good position to see what occurred as Mr. Campbell was? A. Yes, sir.

Q You would have told Mr. Campbell to hold up if you had known the man was hurt? A. Yes, sir; I don't think the man was run over, but our horse made a lunge across the street on the west side of the Avenue.

----------oOo----------

DANIEL GOVER, being called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q What is your name? A. Daniel A. Gover.

Q Where do you reside? A. 70 West 83rd Street.

Q What is your business? A. Foreman painter for the New York Transfer Company.

Q How long have you been at work there? A. 20 odd years.

Q Tell the Jury what you know of the accident?

A. On the night of the accident I was riding up Eighth Avenue on the right hand side on a coupé, and in front of me there were two furniture vans, a meat truck, and a buggy; I saw the old gentleman; he was evidently struck by the buggy, he turned like a pin wheel, and the back of his head struck a fringe of stones; the man that drove the furniture truck appeared to be drunk; he nearly run into the coupé in which I was; I was watching the furniture van all the way up the avenue; it appeared to me the furniture van was more to blame than anybody else; as he went up the aevenue he wedged in between the buggy and the other two vehicles, and the old gentleman started to cross, and it looked to me as if the buggy threw him; I went back afterwards, and we chased the furniture van up the avenue about five or six blocks, the man's horse was not of any account, and we were not able to overtake it; I had my eye on the furniture man all the time; I think the real villian was the man that drove the furniture van, and there were three vehicles trying to crowd in where only two should go; he drove furiously up the avenue, all the way up the avenue; we could have caught him if the horse had been any good;

we chased up to 37th Street; I took a car and went back, and the man had been carried in the house, and there was a doctor there, and I attempted to raise his shirt up, and he had a cuton his head, I am hard of hearing, and I was within fifteen feet of him when he fell, he fell on the track and his head struck that fringe of cobble stones.

Q Did he say anything? A. He groaned in the house; he carried a dinner pail and he threw that down, and there was a doctor there examining him at the time; it looked to me as if he had not been run over; at the time I stood right over him; I remarked to him at the time that at that time in the evening there was such a hurry it was pretty hard to see how the accident just did happen; the old gentleman was partly to blame in corssing the avenue at the time the three trucks were between the gutter and the railroad track and he tried to dodge across and dodge into the buggy, and it threw him down, and if anything did run over him it was the furniture van.

By a Juror:-

Q In your opinion a buggy going up on the asphalt and a man crossing where there were so many trucks, it was impossible to see the man crossing? A. The buggy appeared to be at the track.

Q The driver of the buggy could not see the man crossing? A. No; I think the trucks were all in the way; whoever stood on the western sidewalk would have been able to see it better.

Q I am speaking about the driver of the buggy? A. I do not think it was possible for him to see; I think it was impossible to avoid; I think the real villian in the play was the man of the furniture van; I think if it was not for him the man would not have been killed; I went back and the old gentleman's wife was there wringing her hands and she did not appear to know anything about it in the evening; I don't think myself that the parties in the buggy were to blame; I read about it in the papers the next day, and merely mentioned it to a friend of mine; he knew the people in the buggy; I saw the name on the side of the van; "F . Nugent" was on the side of the van; it was one of those big furniture vans partly boarded up, and I think the other was a meat truck. We went after the furniture van because I thought it was him that caused the accident.

----------oOo----------

JOHN V. CAMPBELL, called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q Where do you live? A. 426 West 27th Street.

By Counsel for Driver:-

Q What is your occupation? A. Builder.

Q This horse - what kind of a horse was it?

A. A roan mare.

Q What does it usually work at? A. Dirt cart.

Q Is it a fast horse? A. I don't think she could trot a mile at all; she would fall down.

Q She could stave along at a right good gait?

A. An ordinary work horse gait; she weighed fourteen hundred and sixty-five pounds.

Q A great big horse? A. Yes, sir.

Q In regard to your brother's condition that night - did you see him? A. Yes, sir.

Q How long after this occurred? A. Three quarters of an hour before this I left him in Monroe and Catharine Street; I had to make a couple of stops, or I would have been with him; he said, "Are you going with us?" I said, "No, take Harry," that is, Mr. Muarry. The masons knocked off in Monroe and Catharine Street at five o'clock; he was then as sober ~~x~~ as I am now, and I never tasted liquor in my life.

Q Anything else? A. If he had had any sign of liquor on him I would not have let him take the buggy; I would have gone with him.

----------oOo----------

WILLIAM CLARKE, being called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q Where do you live? A. 265 West 25th Street.

By Counselfor Driver:-

Q What is your business? A. Stable keeper.

Q You know this horse used by young Campbell?

A. Yes, sir.

Q What kind of a horse was it? A. A big work mare, weighing from fourteen hundred to fourteen hundred and fifty pounds.

Q You have had considerable experience in hiring horses? A. Yes, sir.

Q Do you think he could travel seven, eight or ten miles an hour? A. Why, he was a good work horse; there is no gait to him.

Q You saw young Campbell this night in question? A. Yes, sir.

Q How long before this occurrence? A. Afterwards.

Q How long afterwards? A. I should judge probably about a quarter of seven; between half past six and seven.

Q How was he then? A. Sober.

Q Perfectly sober? A. Perfectly sober.

Q He had not been drinking at all? A. No, sir.

----------oOo----------

ROBERT CAMPBELL, being called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q Where do you live? A. 4434 West 27th Street.

By Counsel for Driver:-

Q What is your business? A. Superintendent for my brother.

Q Where were you working this day in question?

A. 28 Monroe Street, and 223 Madison Street.

Q Had you been drinking anything at all up to this time that day? A. No, sir.

Q What kind of a horse was this? A. A big roan mare.

Q A big horse? A. Yes, sir.

Q What usually employed at? A. Working in a cart. I have her for two years.

Q What kind of a gait were you driving at up there?

A. I am not any way up in driving horses.

Q Were you going seven miles an hour - very fast?

A. No, sir; just jogging along.

Q Tell this Jury all that you know about the accident?

A. I was going up Eighth Avenue about a quarter of six, and I was going up in the track; there was two or three wagons right alongside of me; and this old gentleman ran over to pass the truck ahead of me, and ran against my mare, and she knocked him down, and this truck alongside of me came outside with me; I turned around and saw this man.

Q Did either one of the wheels of your wagon run over this man? A. No, sir; I thought he was not hurt at all.

Q If you had supposed he was injured you would have stood there? A. Yes, sir.

Q You would not have driven away? A. No, sir.

Q Did you see this colored man there at all?

A. No, sir.

Q Did you whip him there between 33rd and 34th Streets?

A. No, sir.

Q When was the first time you had any conversation with him? A. I was giving the horse a drink at 27th Street and 10th Avenue, and this truck run into me and knocked the

wheels off my wagon, and I got mad -

Q It was not in regard to the accident? A. No, sir.

Q It was because you broke your wagon? A. Yes, sir.

Q And you hit him? A. Yes, sir; I did not know there was anybody after me at all.

Q And if they had hollered you would have stopped? A. Yes, sir.

Q The first thing you knew was their jamming this pole into you? A. Yes, sir.

----------oOo----------

ELIZABETH WHITTENSTILL, being called as a witness by the Coroner, was duly sworn, and testified as follows:-

By the Coroner:-

Q You are the widow of thededeased? A. Yes, sir.

Q Where do you live? A. 468 Eighth Avenue.

Q Do you know anything about this accident? A. Yes, sir; this Mr. Campbell's horse and wagon killed my husband; I was out for the evening papers and saw him, and after my husband was killed this man whipped his horse and ran away; my husband was carried in, and only asked for a drink of water.

----------oOo----------

HENRY MURRAY, recalled, testified as follows:-

By Counsel for Driver:-

Q In regard to this whipping that occurred there - this negro says Campbell struck him? A. No, sir; he never struck him; I did not see this gentleman till we went on the northwest corner of 27th Street and Tenth Avenue and stopped to give the horse a drink of water, and the truck came up and hit the wagon, and took two wheels off, and hit me on the back and knocked me out; I had a scar on my face for about two weeks afterwards.

By the Coroner:-

Q What kind of a wagon was Rowland's driver driving? A. I couldn't tell; afterwards I was laying almost insensible; I got pitched out.

----------o Oo----------

THE CORONER: William Whitterstill died from fracture of ribs and internal injuries and shock by being knocked down in front of 468 Eighth Avenue December 30th, 1891. It is for youto determine how he came to his death. You have heard the witnesses who have said he was knocked down by the horse, and that the man ran away, and then again you have heard other witnesses who appear to be respectable and reliable and who say nothing of the kind occurred. It is for you to determine whether it was accidental or not, although I will say there

is no cause for any blame whatever in relation to Mr. Campbell.

----------oOo----------

VERDICT: We find that William Whittenstill came to his death, December 31st, 1891, from injuries accidentally received by being knocked down by a wagon in front of 468 Eighth Avenue, and we exonerate Robert Campbell from all blame in the matter.

----------oOo----------

Coroner's Office

Matter

of

Whittenstill

Minutes.

People

vs.

Campbell

JOHN V. CAMPBELL,
CONTRACTOR,
426 W. 27TH ST., BET. 9TH & 10TH AVES.,
New York.

April 3rd/92

Hon Delancey Nicoll
Dear Sir

Permit me to trespass upon your time in a matter where a consideration of the facts on your part I am sure will save me from expulsion and the stigma of an indictment. I am a married man and have four small children I have never been arrested never had any charge against me I am employed as foreman by my brother John V Campbell and I own a horse which I formally drove in a dirt cart when I was working for myself and which I wanted to sell as I had no use for her and for exercise I was driving her to a buggy. On Mch 30 last while I was driving along 8th avenue near 34th I was going north in the uptown car track and it was just about dark there was two trucks on the inside of me on the asphalt pavement going in the same direction a third one was trying to squeeze in between all three were a few feet ahead of me a man named Wm Whitendall was crossing from the east side to catch a car going downtown he ran from in front of the truck

JOHN V. CAMPBELL,
CONTRACTOR,
426 W. 27TH ST., BET. 9TH & 10TH AVES.,
New York.

that was next to me the driver of which was driving rectlessly he jumped from in front of this truck and I never ~~saw~~ him till saw against my horse's breast and fell my horse shied away from him my wagon did not go over him when I had my horse stopped I seen the man in the act of getting up as I thought and I drove on not thinking he was hurt and knowing I did not hurt him. when I had driven 10 or 12 blocks away from the accident and was ~~driving~~ my horse a drink at a watering trough a double truck drove into my buggy and smashed it into splinters throwing me out and nearly killing the man that was with me in the wagon the two horses that were in the truck both fell whereby ran into me, the truck at the time was a white man and a colored man and I struck them both at about eleven o'clock that night I was arrested that was the first I knew of the man's death at the examination it was shown that man died from fractured ribs and shock. The colored man testified villianously against me stating

JOHN V. CAMPBELL,
CONTRACTOR,
426 W. 27TH ST., BET. 9TH & 10TH AVES.,
New York.

that he was a jockey but at present he was employed in a laundry on 8th Ave and that he lost his position on account of losing time through this accident I know now that he never was employed in that laundry or that no one about the place ever knew him he also testified that my horse was a mustang and weighed about 700 or 800 hundred pounds and as a matter of fact the horse is a very large one and weighs exactly 1465 pounds. There was also another witness and the only one whom I think saw the whole accident and a reputable man. his name is Daniel Grover I think he is superintendent of Wadds express stables in 28th St. 7th & 8th ave's he was riding in a cab just behind us at the time of the accident he saw an account of it in the paper and came unsolicited to the Coroners inquest and gave testimony. I don't know him and never seen him before that I know of. at the inquest the Coroner and jury exonorated me from all blame I am informed by Mr. Hafer that none of the witnesses have been summoned to the Grand Jury

JOHN V. CAMPBELL,
CONTRACTOR,
426 W. 27TH ST., BET. 9TH & 10TH AVES.,
New York.

except the colored man named John F. Walker ~~from~~ who at present is serving 10 days on the Island who for some ~~reason~~ which I cannot explain is trying to injure me in the case. As an act of justice to me and charity to my family I beg of you to allow me to be heard by the Grand Jury when my case comes up and let the witnesses who testified before the Coroner and who saw the whole accident appear before the Grand Jury God knows I never intended any harm to the dead man and his death was due to an accident which I could in no way control and of which I had no knowledge at the time Hoping you will consider this petition I am

Yours very respectfully
Robert F. Campbell

(522)

/L

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

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

Robert F. Campbell

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Robert F. Campbell —

of the crime of Manslaughter in the second degree, ——

committed as follows:

The said Robert F. Campbell,

late of the City of New York, in the County of New York aforesaid, on the Twentieth day of December, in the year of our Lord one thousand eight hundred and ninety-one, —— at the City and County aforesaid, in and upon one William Whitehead, then and there feloniously and wilfully did make an assault, and a certain vehicle called a buggy drawn by a

certain horse, then and there being driven by him the said Robert F. Campbell, to, at, against and upon him the said William Whatenstall, then and there willfully and feloniously did force and drive, and him the said William Whatenstall, with the buggy aforesaid, and the said horse, so forced and driven as aforesaid, then and there willfully and feloniously did strike, knock down and run over, giving unto him the said William Whatenstall, then and there by the means aforesaid, in and upon the breast and thigh of him the said William Whatenstall, divers mortal wounds, bruises, fractures and contusions, of which said mortal wounds, bruises, fractures and contusions he the said William Whatenstall then and there died.

And so the Grand Jury aforesaid do say, that the said Robert F. Campbell,

him the said Sebastian Whitehead, in the manner and upon and by the means aforesaid, then and there wilfully and 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.

D. Sanford Hall,
District Attorney

0609

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Cannon, John

# DATE:
04/19/92

4345

*Witnesses:*

Ofien Jaggert

206.

Counsel,

Filed 19 day of April 1892

Pleads,

THE PEOPLE

*vs.*

John Cannon

Grand Larceny, Second Degree.
[Sections 528, 53 Penal Code.]

33

Comp Bailed

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

Wm H Graham
*Foreman.*

April 19/92

Sentence A.P. 2 day

S.P. 1/2 up.

Police Court 1 District.

Affidavit—Larceny.

City and County of New York, } ss:

Arthur Embley

of No. 799 Benjamin Brown Street, aged 30 years, occupation Ex Fireman being duly sworn, deposes and says, that on the 14 day of March 1892 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One package containing a quantity of Ribbon being of the value of Fifty Dollars.

the property of In the one and custody 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 by John Lawson. (Over Coat) for the reasons following to wit on said day said property was in a wagon in front of 429 Grand Street and deponent is informed by James Taggart a police officer of the 6th precinct that he saw said defendant State said property and of the said wagon and carried away with the same when he arrested him with said property in his possession and deponent believes the same as being his and charges him with the larceny aforesaid.

Arthur Embley

Sworn to before me, this 16 day of March 1892

Dinsmore Police Justice.

4759

CITY AND COUNTY OF NEW YORK, } ss.

John Taggart

aged 33 years, occupation Police officer of No. 5th Precinct Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Arthur Crubley and that the facts stated therein on information of deponent are true of deponents' own knowledge.

*Sworn to before me, this* 15 *day of* March 1888 James Traynor

W. Mulvaden

*Police Justice.*

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

John Cannon 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.* John Cannon

*Question.* How old are you?

*Answer.* 33 years

*Question.* Where were you born?

*Answer.* United States

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

*Answer.* Bridgeport Conn

*Question.* What is your business or profession?

*Answer.* Porter

*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 guilty John Cannon

*Taken before me this* 12 *day of* June 188[illegible]

[illegible]

*Police Justice.*

0614

**Police Court** 1 **District.**

THE PEOPLE, &c.,
ON THE COMPLAINT OF

1. [illegible]
2. 309 Bowery
3. John Carter

Offense Grand Larceny

BAILED,

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

Dated, March 15 189 2

Witnesses John C. Sargent
No. [illegible] Street.
No. ..... Street.
No. ..... Street.

Magistrate.
Officer.
Precinct.



*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* Defendant *guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of* Ten *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,* March 15 189 2 ..... *Police Justice.*

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

*Dated,* ..... *189* ..... *Police Justice.*

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

*Dated,* ..... *189* ..... *Police Justice.*

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

John Cannon

**The Grand Jury of the City and County of New York,** by this indictment, accuse John Cannon of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said John Cannon,

late of the City of New York, in the County of New York aforesaid, on the 14th day of March in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms,

one hundred yards of ribbon of the value of fifty cents each yard

of the goods, chattels and personal property of one Arthur Embley

then and there being found, then and there 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.

De Lancey Nicoll,
District Attorney.

0616

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Carpenter, William E.

# DATE:
04/26/92

4345

0617

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Creamer, Oscar

# DATE:
04/26/92

4345

0618

# BOX:
474

# FOLDER:
4345

# DESCRIPTION:
Burkman, Oscar

# DATE:
04/26/92

4345

*Witnesses:*

John J. Phelps

Sept 1893
Wrote recommending clemency in behalf of Carpenter —
RBM,

416

Counsel,

Filed 26 day of April 1892

Pleads, Not Guilty

THE PEOPLE

vs.

B

William E. Carpenter
P

Oscar Creamer and
P

Oscar Buckman
(2 cases)

Grand Larceny, Degree, Penal Code,
[Sections 528, 530 and 550

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

No. 1, S.P. 9 yrs
June 30th
RBM,

Foreman.

June 29
1. 2 yrs
Leave of Judge

No. 2 - 1 3
Sentenced on cont. indict.
RBM,

0620

Return to DIX & PHYFE,
45 & 47 Wall Street, NEW YORK, N. Y.
If not delivered within 5 days.

NEW YORK, N.Y. JUN 29 6 30 P.M. 1892

JUN 29 1 P.M. 92

UNITED STATES POSTAGE TWO CENTS

Hon. Judge Martin
Sessions Building
City Hall Park.
New York.
N.Y.

NEW YORK JUN 14 1 P.M. 92

Mr. Wm. Carpenter
#464 Lexington Ave
Brooklyn
N.Y.

0621

Return to DIX & PHYFE,
45 & 47 Wall Street, NEW YORK, N. Y.
If not delivered within 5 days.

NEW YORK, N.Y. JUN 29 6 30 P.M. 1892

JUN 29 1 PM 92

UNITED STATES POSTAGE TWO CENTS

Hon. Judge Martin
Sessions Building
City Hall Park.
New York.
N.Y.

NEW YORK JUN 14 1 PM 92

Mr. H. W. Carpenter
#464 Lexington Ave
Brooklyn
N.Y.

Hon. Roswell P. Flower,

Governor of the State of New York,

Dear Sir:

I herewith present a Petition signed by a number of my business friends and prominent persons asking for Executive Clemency in my behalf and I also present this letter being a statement of and concerning me and the offenses with which I am charged.

I feel that did you but fully understand the facts of my case you would at once extend to me the clemency it is in your power alone to bestow.

I was born in Goshen, Orange County, New York, on the 8th day of May 1864.

I was married December 21st 1887 and my wife is still living.

My father and mother and two sisters are living all residing in the City of New York.

My father is an honest, reputable man being a carpenter and builder, and has been in the employ of Mr. Hadden in the City of New York for nearly thirty years.

I was educated at the DeWitt Institute, in the City of New York, and when a boy fourteen years of age went to work as office boy for Lix & Phyfe, Note Brokers, 45 Wall Street.

I was honest and faithful and was advanced by them to various positions until finally in the year 1883 I began to go about the Country with commercial paper for this firm for sale and from that time down to the time of my arrest in April 1892 was trusted by them with very large amounts

of money sometimes having as large an amount as one half a million of dollars in commercial paper which I disposed of to the banks in New England and in New York City and always accounted to my employers for the entire proceeds.

In the year 1891 the cashier of Dix & Phyfe,Mr. John Hollingshead was taken ill and compelled to leave his place and go away for his health.

Oscar Creamer was a clerk in the employ of Dix & Phyfe and although he had been there but a short time he was promoted and given the position as cashier because he had no experience with the work that I had been doing and because he was a better penman than I.

Shortly after he took the position as cashier he began to take small sums of money from the firm in the following way,all the checks made for the carrying on of the business of the firm were signed in blank as to amount by the firm and payable to his order,he endorsed these checks and obtained small sums of money which he used in speculation and tempted by himl put up $250 most all my own money and bought 100 shares of Erie but it went down a little and the broker sent for more margin and I didn't have any more money so I turned my stock over to Creamer who had quite a large balance.

These speculations resulted in a profit and at the time that Creamer left the Country as hereinafter stated he took with him the amount of his speculations together with the amount that I had used and the profits on both amounts including some small sums of my own money that I had put with the broker.

When he was returned to this Country this money except the $500 used by him for traveling expenses was taken from him by the officers and returned to the firm of Dix & Phyfe so that the result of this is that all the money used by him or myself of Dix & Phyfe was actually returned to them.

Sometime in February Creamer learned that Mr. Hollingshead, the cashier, was about to return I told him he had better stop his speculating. I had at that time ceased to have anything to do with any speculating, he promised me that he would do so. I was off on the road a good deal then selling notes and one day on my return he said, "Will I can't make my books balance. I am going to make a big haul and run," he wanted me to go with him but I said "No."

It seems that he obtained the assistance of a friend whom I never saw until I met him before the bar of justice, he was a saloon keeper in Brooklyn where Creamer spent his evenings

From what I learn it appears that Creamer forged a letter in the name of Dix & Phyfe, recommending a man under the name of White to the Park National Bank as a depositor and White opened an account there with some of Dix & Phyfe's checks endorsed by Creamer to him. Of this I knew nothing until after I was arrested.

It had been going on for sometime when in the early part of April Creamer handed me a package which he said contained money, how much I did not know nor did he tell me.

He told me that he was going to leave and go to Copenhagen with this friend who had been helping him and that

When he wrote me where he was I was to send him half of the amount of the package and the other half I could keep for myself.

He said the reason that he did not wish to take this package with him was he was afraid he friend might rob him or if he was caught that the money would be taken from him and if caught he wanted the money where he would be certain to get it after he had served his time and got out. He said he was willing to serve six years in prison if I would keep the money.

I took the package home with me and kept it in the house saying nothing to anybody,not opening it or counting it.

When I told my wife that Creamer had stole some money and run away she felt so sorry for him and said"poor boy"

When I saw how bad she felt for him I was on the point of confessing for I knew if she felt so sorry for Creamer how would she feel about her own husband.

I knew then that she would never share the money with me soI took it and buried it in the house of my aunt wrapped in its original wrapper.

The next day I went to the office went up-town with over $150,000 in notes and I think I sold about $50,000. On my return Mr. Phyfe came to me and said "William we are in trouble as you know",spoke kindly to me,talked about my good wife,when he mentioned my wife I broke down and told him all. I told him how I had the money but that I loved my dear wife better than the money I couldn't keep it. He said "William I have been a friend of yours for over fifteen

yearsand I will stick to you so w".

He sent two officers with me to my aunt's house where I took the package from where I had buried it and in its original wrappings.

We came to the Police Headquarters in the City of New York and there met Mr. Phyfe and his attorneys and the package was opened in their presence and counted and found to contain Thirty-two thousand three hundred and sixty ($32,360) dollars in money and Twenty thousand dollars ($20,000) in bonds of C. B. & Q in all amounting to Fifty two thousand $52,000) dollars.

Mr. Phyfe was very much surprised at the amount taken and this was the first knowledge he or I had that anything like so large an amount had been taken by Creamer.

I then told them where Creamer had Gone and by what route.

I was arrested and locked up for a short time until I was bailed.

In the meantime steps were taken to extradite Creamer and his companion.

On the 28th day of July 1892 I was arraigned together with Creamer and his companion before the Honorable Randolph B. Martine at the Court of General Sessions in the City of New York.

I and Creamer pleaded guilty to Grand Larceny in the first degree and we were remanded for sentence.

On the 30th day of June I was sentenced to nine years imprisonment at hard labor at Sing Sing, N.Y.

Creamer was sentenced for the same period and his companion for five years and six months.

Mr. Phyfe was out of town as was stated and did not appear nor say one word in my behalf.

Mr. Dix although restitution had been made to him of every dollar, my wife even paying some money which he claimed she should do, did nothing for me nor did he speak a word in my behalf but as I am informed requested that I be severely punished.

Since my imprisonment I have conducted myself in all respects according to the requirements and rules of the prison.

My wife since that time has been earning her own living in the employ of the United States Government.

By my foolish and wrong ful act I did not profit one dollar.

I made full and complete restitution so far as was in my power, while I was a free man.

I could have made it a condition, I suppose of the return of the money that I should not have been prosecuted, I did not do this. I have been greatly punished for my wrong

I am yet young and if pardoned will at once endeavor by an upright and honest life to repair the wrong and become a useful, honorable member of society.

I have the honor to be.

Yours very truly,

Wm E. Carpenter.

To,

Hon. Roswell P. Flower,

GOVERNOR OF THE STATE OF NEW YORK.

Herewith is presented the application for Executive Clemency in behalf of WILLIAM E. CARPENTER with the following papers:

A Certified Copy of the record of conviction,

The Petition of W. H. DeForest, and many others, with a copy of the names of the signers of such petition,

The Petition of Ezra Tinker and others,

The Petition of John F. Welsh and others,

Letter from W. H. Nash, Pres't, Corn Exchange Bank,

This letter endorsed by A. E. Orr,

Letter from E. S. Campbell,

Cashier Natl Bank of New Brunswick, N. J.

The letter of William E. Csrpenter setting forth a history of his life and of the facts connected with the offense and the grounds of the application for clemency.

The applicant has and has had no alias, he never was charged or convicted of any offense prior to this one.

The persons connected with thiswere Oscar Creamer and White, (first name unknown).

Correspond in relation to this application with Abram J. Rose, 120 Broadway, New York City.

0630

New York, Nov. 5th 1894.

**Please to take Notice,** That a Promissory Note made by J. R. Fellows for One Hundred Dollars, dated Oct. 2nd 1894, payable at Eighth Ave Bank, endorsed by you, having been this day presented for payment which was duly demanded and refused, is PROTESTED for non-payment, and that the holders look to you for the payment thereof.

Your obedient servant,

Notary Public,
New York County.

To J. M. Boyle

Notify all your prior indorsers AT ONCE.

(1865)

Police Court— 2nd District.

**Affidavit—Larceny.**

City and County of New York, } ss.

John J. Phyfe

of No. 45 & 47 Wall Street, aged 44 years, occupation Banker being duly sworn, deposes and says, that on the 2nd day of June 189 2 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

Good and lawful money of the United States of the amount and value of Thirty-two thousand one hundred and Thirty dollars and Rail Road Bonds of the amount and value of Twenty two thousand nine hundred and Seventy dollars. the whole being valued at Fifty-two thousand one hundred dollars $52,100 00

the property of Messrs Kirk and Phis de-
-partment as Co-partners

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by William C. Carpenter (Cashier) for the reasons following to wit: defendant having missed the said property from his office on 45 & 47 Wall Street he is informed by Waterbury Lorgrand Valley that the defendant informed him (Valley) that he had stolen the said property and he accompanied him Valley to 447 Tenth Street in the City of Brooklyn and there defendant told him Valley where the money was concealed. said Valley found the said property in which property was since seen and identified

Sworn to before me, this 2 day of June 1892

Police Justice

Jno J. Phyfe

CITY AND COUNTY OF NEW YORK, } ss.

1377

James Cattley

aged ..... years, occupation Detective Sergeant of No. Police Headquarters Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of John L. Thayer and that the facts stated therein on information of deponent are true of deponent's own knowledge.

*Sworn to before me, this* 7th *day of* April 1892

James Cattley

*Police Justice.*

(1335)

Sec. 198—200.

2

District Police Court

CITY AND COUNTY OF NEW YORK, } ss.

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

*Question.* What is your name?

*Answer.* William E. Carpenter

*Question.* How old are you?

*Answer.* 31 yrs

*Question.* Where were you born?

*Answer.* New York

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

*Answer.* 464 - Lexington Ave Bklyn 1 year

*Question.* What is your business or profession?

*Answer.* Clerk

*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 have nothing to say

Wm E. Carpenter

*Taken before me this* 7 *day of* April, 189 4

Police Justice.

0634

BAILED,

No. 1, by Hugh Morris

Residence 109 Delancey Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court 2 District.

416 1892

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Kyle 40th St. & Dell Ave
William E. Caplinger

2 Oscar Cassidy

3

4

Offense Larceny

Dated, April 7 1892

Simms Magistrate.

Kelly Officer.

C.O Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 500 to answer GJ

Bailed



*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* defendant *guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of* Five *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,* April 7 *189* 2 ~~*Police Justice.*~~

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

*Dated,* ..... *189* ..... *Police Justice.*

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

*Dated,* ..... *189* ..... *Police Justice.*

| Name and Cell No. of Writer. | Full Address of Letter. |
| --- | --- |
| Oscar Burkman | Hon. Judge Martine |
| 837 | Court of General Sessions |

**Rules for the Guidance of the Friends of Prisoners.** N.Y. city

Letters should be confined to family or business matters. Put name and date of sentence on envelope. Daily, weekly sensational, immoral or political papers or books not allowed. Visits permitted once every two months; no visiting on Sundays or Holidays. Articles of cooked or prepared food, *not exceeding 35 lbs.*, allowed once in two months. Tea, coffee or chocolate not allowed. Tobacco, underclothes, etc., may be sent at any time. Boxes and packages, by express, must be plainly marked with name and date of sentence of prisoner, and prepaid.

Sing Sing Prison, N.Y., Sept 3th 189 4

Hon. Randolph B. Martine

Honored Sir

I desire to thank you most sincerly for your kind reply to my letter

I recived your letter on the 3th day of august in which you state that you will give his Excellency Gov. Flower your opinion in regard to my case. Now your Honor I hope and trust you will not forget to do so.

My family are in very destitude circumstances and I am so complitely broke down with the mental strain, that I do not know what will happen to me if I do not recive some encouragment. Will you therefore relieve the distress of an unfortunate man by doing what lies in your power to aid in his release. With my

earnest gratitude I remain
Very Respectfully Yours
Oscar Burkman
Sentenced June 30. 1892
5 years – 6 months

People vs
Oscar Burkman
Sept 3rd 1894

NAME AND CELL NO. OF WRITER.
Oscar Burkman
Cell 837

FULL ADDRESS OF LETTER.
Judge Martine
New York City

**Rules for the Guidance of the Friends of Prisoners.**

Letters should be confined to family or business matters. Put name and date of sentence on envelope. Daily, weekly sensational, immoral or political papers or books not allowed. Visits permitted once every two months; no visiting on Sundays or Holidays. Articles of cooked or prepared food, *not exceeding 35 lbs.*, allowed once in two months. Tea, coffee or chocolate not allowed. Tobacco, underclothes, etc., may be sent at any time. Boxes and packages, by express, must be plainly marked with name and date of sentence of prisoner, and prepaid.

Sing Sing Prison, N.Y., June 2th 1894

Judge Martine
New York City

Answered

Sir:-

Your Honor will pardon my liberty in again addressing you and as you realize the injustice of my case now that Cremer has been Pardoned.

now that Carpenter and Cremer have both been pardoned Your Honor can but realize the injustice of my case.

I am without means or influential friends and in fact have no one that can spare the time to interced in my behalf and yet with your Honors strong sense of right and

and equal Justice cannot
feel that I should suffer for
the crime while the real
perpetrators of that crime have
~~been~~ been shown clemency.
Therefore I pray that Your Honor
will use your influence in my
behalf and have equal mercy
shown to me
A sad bitter experience has
taught me a life-lesson and
whatever interest is shown me
now will have cause to regret
I have a good trade as a
Glass Stainer and am capable
of earning a fair support for
my Wife and Mother My past
life previous to this unfortunate
affair will bear any investigation
and with God's help I will make
my future so

I have prepared a statement
of my case and that together
with a petition are now in the
hands of a gentleman who will
obtain such signatures as he may
deem necessary and then forward
to the Governor but it will take
a long time ~~to get this petition~~
~~ready~~ ready as he can not give the
time it requires ~~to~~ so will your Honor
please help me one word from your Honor
~~to~~ Governor Flower will send me to
my Poor Wife and mother who has
suffered so much in these hard
times so that they had to sell
the most of our furniture to keep them
alive
Taking all circumstances into
consideration I appeal to your
Honor's Judgment and Mercy
I am yours very Respectfully
Oscar Burkman Sentenced June 30/92
to 5 yr and 6 mons

I recommend +
[illegible] [illegible] that instead
of action in other depts
feel he is entitled to
some commutation with
Will communicate to
the Governor

People
vs
Oscar Binkman
June 2nd 1894

OFFICE OF THE DISTRICT ATTORNEY
OF THE COUNTY OF NEW YORK.

---

To His Excellency, Roswell P..Flower,
Governor of the State of New York,
Albany.

Sir:

In compliance with your rules and the instructions of the Department of State at Washington, I have the honor herewith to make application for a request to the Secretary of the Department of State for the institution of proceedings for the extradition from the Kingdom of Denmark of Oscar Creamer, alias J. H. Hayes and Oscar Bjorkman, alias Oscar Burkman, alias James L. White, alias Axel Borkman who stand charged in this County with the crime of forgery in the second degree, consisting of forgery and the utterance of forged paper and who, as appears from the annexed affidavit of John J. Phyfe who is a respectable person and entitled to credit, are fugitives from the justice of this State, and are now in custody at Copenhagen, Denmark.

I HEREBY CERTIFY;

A. That the full names of the persons for whom extradition is asked are Oscar Creamer, alias J. H. Hayes and Oscar Bjorkman, alias Oscar Burkman, alias James L. White, alias Axel Borkman and the names of the

persons whom I hereby propose for designation by the President as the agents of this State herein, Philip Reilly and Charles Heidelberg.

B. That in my opinion the ends of public justice require that the fugitives be brought to this State for trial.

C. That I have, as I belive, sufficient evidence to insure a conviction of the fugitives.

D. That the persons proposed for designation above as agents are Detective Sergeants of the Municipal Police of the City of New York, public officers and proper persons to be so designated, and that they have no private interest in the arrest of the fugitives.

E. No other application has been made for a requisition for these fugitives growing out of the transaction from which the charge herein set forth originated.

F. That the fugitives are now under arrest at Copenhagen aforesaid, as I am advised by the Department of State of the United States, having been taken into custody there on the 23rd instant upon the arrival of the steamship "Oakdale" upon which they took passage from the City of Brooklyn on the 4th instant.

G. That this application is not made for the purpose

of enforcing the collection of a debt, or for any private purpose whatever, and that if the requisition applied for be granted, the criminal proceedings shall not be used for any of said objects.

H. That all the papers in triplicate herein have been compared with each other, and are, in all respects, exact counterparts.

I. That the fugitives are charged with the commission of a felony under sections 511 and 521 of the Penal Code which provide that a person who forges or knowingly utters, with intent to defraud, an instrument of the kind set forth in the information herein, is guilty of forgery in the second degree, and is punishable by imprisonment for not less than five nor more than ten years.

J. That not more than one year has elapsed since the commission of the offence charged in the indictment.

In support of the application I enclose herewith in triplicate an original information and depositions taken before a Magistrate of this County, setting forth the evidence of the fugitives' criminality, together with triplicate original warrants of arrest duly issued thereon and returns thereto, all properly certified and authenticated (so far as

may be at the present time), for use as evidence.

I am, sir,

Very respectfully, your obedient servant,

DeLancey Nicoll

District Attorney,

New York County.

New York City,

April 25th, 1892.

Inre:

Creamer, alias &c

and

Byokinnain, alias &c

Copy application to Governor for institution of extradition proceedings

0645

John W. Goff, Esq.
Times Building

227 Clinton St.
Brooklyn,
N. Y.
June 17, 92.

To his Honor, Judge
Martine,

Dear Sir,

This letter that
I write to you is not
intended in any way to
be a plea that the pris-
oner in regard to whom
it is written, should be
saved from the punish-
ment that his acts have

brought upon him, but to lay before you a few facts concerning him, in the hope, that, if it lie in your discretion and if it seem best to you, he may be sent to the Reformatory at Elmira and given another chance to redeem his life.

The boy, Oscar Creamer, has been a regular attendant at the Sunday School of which I have had the charge during the last two years, and in this way I have learned to know him, as a superintendent does know the children in his care.

I am very sure that the boy was not a bad boy till the events of this last winter took place. I should say of him that he was a boy who looked at life heedlessly, and a boy who could be easily

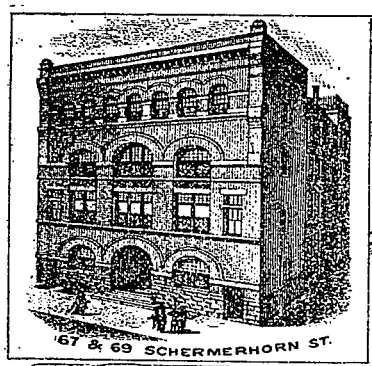
led to either what was
good or what was bad.
It is this very facility
that makes me most
anxious that he should
be put where the influ-
ences about him will lead
him to the right and not
to the wrong. I feel that
he may be saved from
further wrong doing if
this chance can be given
him, and I most earnest-
ly hope that you will

feel it is right and fit to send him to the Reformatory. He is only nineteen years old, a great temptation was put in his way, and he yielded to it.

I hope that I have not exceeded the bounds of what is proper in addressing to you this letter. If I have pardon me,

0650

To His Honor,
Judge Martine.




UNION FOR CHRISTIAN WORK
OF THE CITY OF BROOKLYN.

ROBT. FOSTER, PRES.
WM. C. GARDNER, SEC.
ISAAC H. CARY, TREAS.
WM. A. BUTLER, SUPT.
FANNY HULL, LIBRARIAN

LIBRARY
READING ROOMS
EMPLOYMENT BUREAU
SCHOOL OF DESIGN
ALL FREE TO ALL

Brooklyn, June 20 1892

To the Honorable, the
Judge at Criminal Sessions,
Tenth,

In giving my testimony on behalf of the young man Oscar Cranner, I beg leave to state that when he was a boy of 13 yrs old I sent him to the firm of Dix and Shipp, where he conducted himself so conscientiously and so well that he was rapidly advanced. He made such progress in the good opinion of his employers that a year or more ago, Mr. Dix made a special call upon me in Brooklyn, to congratulate me upon the success that Oscar had made. In view of his excellent conduct in the past, may I venture to ask your leniency with a view to his reformation and the possibility of his beginning a new life, after this terrible lesson.

Very truly William A. Butler, Supt.

To the Honorable the
Judge at General Sessions,

New York Central & Hudson River Railroad Co.
Grand Central Depot.

Chauncey M. Depew
Pres't.

New York Feb. 7 1894

Hon. John R. Fellows
District Attorney, New York.

Dear Sir:

I am greatly interested in the case of Oscar Creamer, a young man who was committed to Sing Sing a year ago for embezzlement. He was a pupil in my sister's Sunday-school class and had hitherto borne a good reputation. I have thoroughly investigated the case and am convinced that he was led into the commission of the crime by older persons and that he has been sufficiently punished. Sergeant Heidelberg, who made the arrest, is thoroughly conversant with the facts in the case, and agrees with me in thinking that a pardon would be right and justifiable.

Hon. J. R. T.

New York Central & Hudson River Railroad Co.
Grand Central Depot.

Chauncey M. Depew
Pres't.

New York, 189

The boy is eighteen years of age and if released from prison has been promised good and steady employment.

I will appreciate anything you can do to aid in obtaining this pardon as a personal favor.

Yours very truly,

D. Cornwall

8 Monroe Place.

To the Honorable the
Judge of General Sessions -
Dear Sir — I am anxious to
speak in behalf of a prisoner
who is to be tried before you
this week —

Oscar Clemmer has been a member
of our Jubilee Church ever for
many years, and has been
one of the most regular at-
tendants — I have known him
well & I feel convinced, that
he is not at heart a dis-
honest boy — his great fault
is, and always has been a

disposition to be easily led — and I do most earnestly ask, that if it be possible, he may be placed where the surroundings and influences, may lead him to the right.

In the last two weeks, I have talked with his companions, boys who have been constantly with him for years, and the thought is universal, that Oscar has not been, in past years, a dishonest — or a bad boy — that his acts & thoughts have not been of the nature that makes a criminal, but quite the reverse.

I have talked with his sister, a refined girl, whom I have known a number of years, and I am sure that if only Oscar may have another chance, help will be given him in the future, to redeem, if possible, this great wrong — help, not only from this family, but from many friends.

The family consists of the sister I spoke of, an older brother, and Oscar — the mother having died about five years ago, and the

Father died one year ago — they have been in America I think for twelve years, I have lived for nine years of that time in the same room in the model tenement house in Wicks St. Brooklyn.

In one other way I have grown the boy he has been for two years the President of a "penny a week" club, the meetings of which have been held at my home. It is only a boys club, each one of the twelve members giving a five cents a week toward a fund for

charity — Oscar has worked for the club with real interest, and in all the detail of organization and business, has shown a real desire to help —

8 Monroe Place.

My great wish is, that the boys may have given him, the best chance possible, to prove, that for the future he will live an honest — and an honorable life —

Very Sincerely

Julia Du Val

June 21st 1892 —

To The Honorable The
Judge at General Sessions —

Church of the Saviour.
Minister's House,
98 Pierrepont Street, Brooklyn, N.Y.

June 20th 1894

My dear Sir:-

Oscar Craemer who will come before you for trial for misconduct in the office of Messrs. Sic & Pfeffe has been in this Parish for several years. I do not believe he is criminally inclined but that his weakness of character has made leading him astray a comparatively easy matter for older men. It is the hope of the friends of the lad that you may find it possible, if he be found guilty, to send him to the

Elmira

Reformatory, I merely wish in writing you thus to state my own belief from some knowledge of the boy's character that this would be a sufficient & judicious punishment for him.

Faithfully yours

H. Price Collier.

To

The Hon.

The Judge Court of General Sessions

New York

N.Y.

0663

Public School No. 6
Brooklyn June 15-92

John H. Goff Esq.
Dear Sir:-

Oscar Cromer was entered as a pupil in this school in the lower Primary grades when about six years old & remained true by term till he reached the 2d Grammar grade about five years ago when he left school to earn his living. During these six years he was a ~~pupil~~ here, his conduct was beyond criticism - he never was punished or even reprimanded. During the seventeen years I have been Principal here I have never had a scholar with a record, all round so nearly perfect as this



boy's was. He was a manly boy. No one ever found him to do a mean underhanded thing in school to either fellow pupil or teacher.

It is with the most sincere regret that I learn he has been doing wrong & throwing his character so well & hard understood how he has been induced to do what wrecks himself & brings shame & disgrace to his friends

Yours respectfully

Alfred E. Wood
Principal

Hon - Judge Martine
~~John H. Griffin Esq~~
Endorsed

Brooklyn June 17/92

G. W. Giff Esq

Dear Sir!

This is to certify that I have known Oscar Creamer for the past nine years, and who up to the time of his downfall had according to my estimation born a character good in every respect.

Respectfully

John E. Dilger (Grocer)
427 Hicks St
Brooklyn N.Y.

Residence
384 Henry St

Improved Dwellings Co
129 Baltic St.

Brooklyn June 16/92

G. W. Goff Esq
Dear Sir;

In behalf of Oscar Cremer, whom I have known for the last twelve years. I beg leave to say that a more earnest or worthy boy I have never known while his home life he had their good advice & counsel and although brought up in a tenement house surrounded by many evil communications yet he was an example for many who were more favorably situated.

I hope justice will deal leniently with him con-

Considering this his first offence his youth and the strong temptation by which he was surrounded.

Yours Truly
W W Tayleure.
129 Baltic. St.

IMPROVED DWELLINGS CO.
WM. W. TAYLEURE, Agent,
129 Baltic Street,
BROOKLYN.

G. W. Goff. Esq

Bjorkman unknown to us, believed to be a tool of C. & C.

Dix & Phyfe,
Bankers,
45 & 47 Wall Street.

United States Trust Company Building,

Carpenter, Age 31. years. New York June 29th 1892

14 years with Dix & Phyfe, confidential man, & head of the office. Attempted to rob D. & P. four years ago as per proof obtained this month by us. Kept $53.230. of the amount stolen Apl 3d, hid it for three days until arrested on suspicion. Pled for mercy in Mr Dix house, and lied then, and since, has concealed all knowledge from D. & P. of his stealings for years. believed to be the originator of all plans, & the one who saw them executed, while holding the plunder.

Creamer Age 17 years.

5 years with Dix & Phyfe, voluntarily stated to Mr. Dix that for two years prior to the robbery of Apl 3/92 Carpenter & his own stealings, amounted to about $3.600.— As our books were mutilated & destroyed, we estimate our net loss to be $5000. to $7000, in addition to the $3.600. Expenses to date in this affair $2.244.—

To Hon. Judge Martine.

Dix & Phyfe.

7

Department of State,
Washington, April 12, 1892.

De Lancey Nicoll Esq^re.
District Attorney for the
City and County of New York.
New York, N.Y.

Sir:

I have to acknowledge the receipt of your letter of the 9th instant, requesting that proceedings be instituted for the arrest and provisional detention of Oscar Creamer and Oscar Bjorkman, who are charged with the crime of forgery and are supposed to be on board a steamer bound for Copenhagen, fugitives from the

justice

justice of the State of New York.

In compliance with your request a copy of your letter has been sent to the United States Minister at Copenhagen with instructions to ascertain whether the Danish Government, in the absence of an extradition treaty, is disposed to detain these persons with a view to their delivery to this Government upon the production of satisfactory evidence and a formal request to that end, though it is impossible to promise reciprocal action on the part of this Government.

It is proper to call your attention to the fact that the fourth page of your letter terminates

minates in an unfinished sentence, and as the fifth page commences with a paragraph, it is apparent that a few words have been omitted if not an entire page.

I am, Sir,

Your obedient servant.

Henry Stanley

Mr Warren

will you please let me
have your horse and wagon

Oscar Buttman

THE OLD HOMESTEAD,

148 Sackett Street,

BROOKLYN, NEW YORK.

BJÖRKMANN & [illegible] Proprietors.

WINES & LIQUORS.

All Kinds of Scandinavian Liquors on hand.

Also Bottles for Family use.

Oscar Bjorkman
born in Sweden
age 27 years
height 5 ft 7½ or 8 inches
flaxen hair blue eyes very large
eyebrows long fingers slightly
pock pitted weight 156 lbs
broad shouldered with a
slim stomach. Check suit
grey and black in small squares
black derby hat wears
pipe from an American
Swedish book on
Seamen Dept Instr

0676

Oakdale from Atlantic
dock Brooklyn April 2d
Barber & Co Agents 31 Broadway
Sailed under the name J. H. Hayes alias. Oscar
Cramer

Oscar Bjorkman or Burkman alias of
Oscar Greagner, sailed April 4th from
Atlanta South Bend Lyn on steamer
Oakdale. Of Co. Co. for Copenhagen
Denmark. ~~May due there six or seven days stop at Christiania~~
~~Stockholm or any other port~~ Capt. Dan Mayo
Oscar sailed under name of Mayo

Oscar - abt 5 ft 10 or 11 in. ~~weight~~
medium build - smooth face - about 19 yrs
blue eyes brown hair light complexion,
~~speaks~~ born in Sweden and ~~for~~ came
to this country when an infant.

N. Y. July 13/92

To Whom it May Concern

This is to certify that I have known William Carpenter for the past Eight Years and know him to be an honest, upright and truthful young man. I would cheerfully recommend him to anyone seeking his service

Respectfully
W. J. Craft

# GRAND JURY ROOM.

PEOPLE

*vs.*

[illegible]

UNITED STATES OF AMERICA,

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

**In the Name of the People of the State of New York,** To any peace officer in the State of New York:

Information upon oath having been this day laid before me, that the crime of Forgery in the second degree, has been committed and accusing Oscar Creamer alias J. N. Hayes and Oscar Bjorkman alias Oscar Burkman, alias James L. White alias Axel Borkman thereof

**You are therefore Commanded** forthwith to arrest the above-named Oscar Creamer alias J. N. Hayes, and Oscar Bjorkman, alias Oscar Burkman, alias James L. White alias Axel Borkman and bring them before me at my chambers in the Sessions Building in the Park in the City of New York, or in case of my absence or inability to act, before the nearest or most accessible Magistrate in this County.

*Dated at the City of New York, in the County of New York aforesaid, this* 25th *day of* April 1897.

Recorder of the City of New York.

0681

UNITED STATES OF AMERICA.
State of New York.

THE PEOPLE

OF THE STATE OF NEW YORK,

*against*

Oscar Creamer, alias J. H. Hayes
and
Oscar Burkman, alias Oscar Burkman, alias James L. White, alias Axel Burkman

WARRANT OF ARREST.

*Issued* April 25th 1892

Recorder Smyth *Magistrate.*

Golden *Officer.*

*To* Frederick Smyth *Esquire.*
*Recorder of the City of New York*

CITY AND COUNTY OF NEW YORK, ss.

*The return of* Timothy Golden

*a Detective Sergeant of the Municipal Police of the City of New York respectfully shows that the within named* Oscar Creamer, alias J. H. Hayes, and Oscar Burkman, alias Oscar Burkman, alias James L. White, alias Axel Burkman *can not with due diligence be found within the State of New York.*

*Dated at the City of New York, in the County of New York aforesaid, this* 25th *day of* April *1892.*

Timothy Golden *Detective Sergeant.*

UNITED STATES OF AMERICA,

State of New York.

In the Matter

--of--

Oscar Creamer alias J. H. Hayes, and Oscar Bjorkman, alias Oscar Burkman, alias James L. White, alias Axel Borkman, Fugitives from the Justice of this State.

City and County of New York, ss.:

JOHN J. PHYFE, being duly sworn, deposes and says as follows: I am the same person mentioned in the foregoing documents, and the person who made and verified the information herein.

(a) The above named fugitives are charged with the crime of forgery in the second degree in having, on or about the twenty-ninth day of March, 1892, at the City and County aforesaid, feloniously forged and knowingly uttered, with intent to defraud, the bank cheque set forth in the said information.

(b) The fugitives were actually in the said City and County at the time of the commission of the said crime.

(c) After the commission of the said crime, for the purpose of avoiding prosecution therefor said fugitives fled from the justice of this State, and are now in the city of Copenhagen in the Kingdom of Denmark, fugitives from justice having been apprehended and taken into custo-

dy there by the Chief of Police at the request of the United States Minister at Copenhagen.

Referring to the allegations of any deposition herein respecting the flight of the fugitives, I am further informed that on the 23rd instant a telegram of which the following is a copy, was received from the State Department of the United States at the office of the District Attorney of this County, to wit:

"Minister Carr at Copenhagen cables arrival Oakdale and adds Creamer and Borkman custody Chief of Police. Minister promises to telegraph upon learning views of government concerning rendition. He has department's Instructions."

(d) This application is made in good faith, for the sole purpose of punishing the accused, and not for the purpose of enforcing the collection of a debt or for any private purpose whatever, and if the application be granted the criminal proceedings shall not be used for any of the said purposes.

Subscribed and sworn to before me at the City and County aforesaid, this 25th day of April, 1892.

Commissioner of Deeds,
City and County of New York.

In re:

Creamer alias &c

and

Byerlinman, alias, &c

Affidavit as to

Delaghr &c.



0684

Court of General Sessions

---------- --X

The People

Against

William E. Carpenter

----------X

State of New York,

County of New York, SS:

William E.Carpenter being duly sworn,says: That my age is thirty-one years that I reside in Brooklyn,N.Y.and am married.

That for over sixteen years I have been in the employ of Dix & Phyfe and during that time was entrusted with large amounts of commercial paper for sale and travelled through the Eastern States selling such paper.

I have had hundreds of thousands of dollars in my possession and have always faithfully and honestly accounted for every dollar of it except as hereafter stated I never took one dollar of the money of Dix & Phyfe or any one else that did not belong to me.

In 1890 Mr.John Hollingshead who was the Cashier of Dix & Phyfe went away on a vacation, his health being poor, and Oscar Creamer who had been with the firm for a long time was made cashier and had charge of the cashier's business and books.

In the month of October 1891 Creamer made an error in a statement and there was a check returned for $20; rather than let the firm know of his error he asked me to give him an exchange check so he could get the money on it

saying he could fix it on his books.

We would do almost anything to cover up an error rather than let Mr.Nix know as he would not overlook a mistake.

Then I learned for the first that Creamer was speculating..

There was always a number of signed checks payable to his order and under his control he would draw $50 or $100 and send it to his broker and use the money in speculating.

Some time in December he concluded he was not making money fast enough;he drew a check for a thousand and deposited it with his broker.

On December 28th there was $800 sent to the office I believe Creamer deposited that in the bank and afterwar d drew a check for the same amount so that he could keep his books straight which he had full charge of.

In January the $800 was divided I took $360 of my share and tried my luck at speculating for the first and last time with other people's money.

The broker sent around for more margin which I could not give him. By arrangement with Creamer I then transferred my stock right over to him (Creamer) as he had a large balance with the broker. Some time in February Creamer heard that John the former bookkeeper was to return,I told him he had better stop his speculating. He said he would close the account as soon as the stock reached a certain point. In March he said he was afraid John would find out his errors in the books and that he

would make a big haul and skip.

He askedme to open two accounts with some banks so he could draw large amounts in bills which I refused to do.

He then said he would get it himself. He said if he could get ($50,000) Fifty thousand dollars he would be willing to do ten years in prison,since he could not earn that amount easier.

He then got a friend White as he called him(whom I never saw or spoke to)to draw the money.

Creamer fearing to be caught with the money on him and losing it all, asked me to hide it for him until such time as he should send for it and he would give me half for keeping it. I did not know when he got the money but the money was given to me on Saturday,and he and White sailed on the "Oakdale" bound for Copenhagen,Denmark, from which place he was to direct me what to do with the money.

He told me that before leaving he closed his account at the broker's and took with him some $5,000 or $6,000.

I took the money to Brooklyn and buried it.

On Tuesday Mr.Phyfe came to me telling me he was in trouble,that he had lost a lot of money,how much he did not know.. He talked to me kindly and assuring me he had always been a friend of mine and always would be asked me if I could help him out;at this I broke down and confessed for my wife's sake knowing she would never share my portion of it with me. I told him where the money was and I then went over to Brooklyn with Detectives Golden and Vallily, got the money and bonds Thirty-two thousand odd in

bills and Twenty-one thousand dollarsbonds (over $52,000 in all) which I brought back to Mr.Phyfe at Headquarters there the packages were opened for the first time by their attorney who counted it and there for the first time learned how much was taken.

Mr.Phyfe seemed very grateful promising me again he would be a friend to me and on the following Thursday at Jefferson Market he again came to me saying he had to make this charge in order to get his money back but when it came up for trial he would stand by me. He also told my wife that "Willie had suffered enough and should be punished no more." I also told them at Headquarters what Steamer Creamer and White had gone on and where they were bound for.

I have been assured that but for my confession they never would have gotten Creamer and White,and Dix and Phyfe never would have gotten back their money; through my efforts when I realized what had been done all the stolen money except about $300 has been returned. I know I did wrong but because of a blameless life under great temptation and because restitution has been made I earnestly beg the Court to suspend sentence and give me an opportunity to regain if possible my lost reputation and by honest hard work support my wife and myself in a position now open for me.

Sworn to before me this
27th day of June 1892.

Wm.E.Carpenter.

Arthur H.Smith,
Notary Public
King Co.
(L.S.) Cert.filed in N.Y.Co.

(Copy)

Court of General Sessions

The People

vs.

Wm E. Carpenter

Copy

Statement of

Wm E. Carpenter

Kellogg, Rose & Smith

Attys for Dept.

120 Broadway

N. Y.

0690

City and County of New York, } ss.

In the name of the People of the State of New York.

*To any Peace Officer in the* State *of New York:*

Information upon oath having been this day laid before me that the crime of — Forgery —

has been committed, and accusing Oscar Creamer, Oscar Bjorkman and William E. Carpenter thereof.

You are therefore commanded forthwith to arrest the above named Oscar Creamer, Oscar Bjorkman and William E. Carpenter — and bring ~~him~~ them before me at the Sessions Building in said City — or in case of my absence or inability to act, before the nearest or most accessible magistrate in this county.

Dated at the City of New York, this ninth day of April 1897

Randolph B. Martine
Judge of General Sessions

THE PEOPLE

*vs.*

Oscar Creamer
Oscar Byorkman
and
William E. Carpenter

#

# WARRANT OF ARREST.

Dated New York, April 9 1872

.....*Magistrate.*

.....*Officer.*

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

THE INFORMATION OF John J. Clayton, of 20 West 125th Street in said City, a member of the Police Force of said City, Station 126, Harlem Police Station, in said City, laid before ..... Esquire, ..... of the City of New York, and a Magistrate and Officer having power to issue a warrant for the arrest of a person charged with a crime, the ninth day of April, in the year of our Lord one thousand eight hundred and eighty-two, who, being duly sworn, deposes, alleges and says, as follows:

THAT on the ninth day of March in the year of our Lord one thousand eight hundred and eighty-two; Oscar Creamer and Oscar Bjorkman and William E. Carpenter late of the City of New York, in the County of New York aforesaid, at the City and County aforesaid, did feloniously forge with intent to defraud, a certain instrument and writing in the nature and purport following, to wit:

No. 3641 Manhattan Savings Institution
The Harlem National Bank
In the City of New York
Pay to the order of Oscar Creamer
Twelve thousand eight hundred and no/100 Dollars
$12,800 Dis. Clayton

and that afterwards to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said Oscar Creamer and Oscar Bjorkman and William E. Carpenter with intent to defraud, did feloniously utter, dispose of and put off as true, the said forged instrument and writing, knowing the said Oscar Creamer and Oscar Bjorkman and William E. Carpenter and the said writing the same to be forged.

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.

WHEREFORE, informant prays that a warrant may issue for the arrest of the said Oscar Creamer and Oscar Bjorkman and William E. Carpenter, and that they be dealt with according to law.

*Sworn to before me, this* ninth *day of* April *in the year of our Lord, one thousand eight hundred and* eighty-two.

Randolph B. Martine
Judge of General Sessions

John J. Clayton

Copy for the order of
James F. White
Oscar Treamer
To Dorrie
James F. White
54

DISTRICT ATTORNEY'S OFFICE.

*City and County of New York.*

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John J. Phyfe

*vs.*

Oscar Cramer

Oscar Bjorkman

alias Burkman

and William C. Campbell

Offence Forgery

Dated April 9th 1892

Witnesses,

No. ..... Street,

April 11 1892 out 9

No. ..... Street,

No. ..... Street,

District Attorney's Office,
City & County of
New York.

18

Sir [illegible]

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

THE INFORMATION OF JOHN J. PHYFE a member of the firm of Dix & Phyfe, bankers and dealers in commercial paper at numbers 45 & 47 Wall Street in the City of New York, laid before Frederick Smyth, Esquire, Recorder of the City of New York, and a Magistrate and Officer having power to issue a warrant for the arrest of a person charged with a crime, the 25th day of April in the year of Our Lord one thousand eight hundred and ninety-two, who being duly sworn, deposes, alleges and says, as follows:-

That on or about the twenty-ninth day of March in the year of Our Lord one thousand eight hundred and ninety-two, Oscar Creamer, alias J. H. Hayes, and Oscar Bjorkman, alias Oscar Buckman, alias James L. White, alias Axel Borkman, both late of the City of New York, in the County of New York, at the City and County aforesaid did feloniously forge a certain instrument and writing in the words and figures following, to wit:

"No. 334. New York, Mch. 29th, 1892.

The Hanover National Bank
of the City of New York.

Pay to the order of Oscar Creamer
Fourteen thousand eight hundred 00-100 ~~the~~ dollars.

$14,800. Dix & Phyfe"

with intent to defraud: and that afterwards, to wit, on the thirtieth day of March in the year aforesaid, at the City and County aforesaid, did feloniously utter, dispose of and put off as true the said forged instrument and writing, with intent to defraud; they, the said Oscar Creamer, alias J. H. Hayes, and Oscar Bjorkman alias Oscar Burkman, alias Axel Buckman alias James L. White then and there well knowing the same to be forged; 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.

W H E R E F O R E informant prays that a warrant may issue for the arrest of the said Oscar Creamer alias J. H. Hayes and also for the arrest of the said Oscar Bjorkman, alias Oscar Burkman, alias Axel Buckman, alias James L. White and that they be dealt with according to law.

Sworn to before me at the City and County of New York in the State of New York, this 25th day of April, 1892.

Jno. J. Hayes

Thos. J. [illegible]

Recorder City of N.Y.

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

The deposition of John J. Phyfe residing at Number 20 West 130th Street in the City of New York, aforesaid, and a member of the firm of Dix & Phyfe doing business as bankers and dealers in commercial paper at Numbers 45 & 47 Wall Street in said City of New York, taken upon oath this 25th day of April in the year of our Lord one thousand eight hundred and ninety-two before Frederick Smyth, Esquire, Recorder of the City of New York, and a Magistrate and Officer having power to issue a warrant for the arrest of a person charged with a crime, in support of the foregoing information, who being duly sworn, deposes and says:

That the firm of Dix & Phyfe is composed of Alfred P. Dix and deponent. That said firm has had in its employ for more than five years one Oscar Creamer who is one of the parties against whom the foregoing information is laid. That in the regular course of deponent's business as banker there are daily presented to him, or at his place of business, numerous checks or drafts made and drawn upon Dix & Phyfe for various sums of money by persons having money deposited to their credit with deponent's firm. That deponent's said firm has been long accustomed to pay in cash such checks or drafts when for small amount upon presentation, but, in order to avoid having a large amount of cash in their office, it has been the custom of deponent and his partner to pay all large checks or drafts by a check of Dix & Phyfe upon their account in the Hanover National Bank of New York City, where deponent's firm maintained always a considerable balance to their credit.

That because of the exigencies of business which frequently necessitated the absence of both said partners from their office and banking house at the same time and to facilitate at all times the prompt payment of drafts presented it was the custom in said office since about April in the year 1891, for one of the members of the said firm to draw checks in blank to the order of said Oscar Creamer giving said Creamer power and authority to fill in the amount called for by any check or

draft which might be properly presented drawn on Dix & Phyfe, and to deliver said check thus filled in, after duly endorsing the same, to the person entitled by the check or draft so presented to receive the same in payment thereof. For convenience, it was customary to sign at one time a number of such checks and to leave them with said Oscar Creamer

But said Oscar Creamer was not authorized nor empowered by any person nor was he allowed to fill in said checks to any amount or for any purpose whatever except for the business of said firm of Dix & Phyfe and for their use and benefit, and in payment of drafts or other obligations the payment of which devolved upon said firm.

That said Oscar Creamer had continued in the practice of this method of doing business for many months without, so far as is known, violating the confidence so reposed in him, but, about the month of December, 1891, as deponent now learns, he began to fill in blank checks entrusted to him and to obtain money upon them for his own use, and finally on or about the 25th day of March, 1892, without the knowledge or consent of deponent or his said partner, the said Oscar Creamer fraudulently and unlawfully filled in a blank check which had been entrusted to him as above described with the amount of Nine thousand eight hundred and fifty dollars and sixty-two cents and made the same payable by endorsement upon the back thereof to the order of one James L. White, who, as deponent is informed and believes, is the Oscar Bjorkman alias Burkman mentioned in the foregoing information. Said James L. White endorsed this check and deposited it in the National Park Bank of New York on the 26th day of March, 1892, to the credit of his account there. That said check was duly presented by the Park Bank to the Hanover National Bank and paid by it and charged by said Hanover Bank against the account of Dix & Phyfe.

Deponent further says: that on or about the 29th day of March, 1892, said Oscar Creamer having in his possession a blank check signed with the firm name by deponent and which had been given him by deponent for use in the business of deponent's firm for the reasons and purposes set forth above, said check being in the words and figures following,

to wit:

"No. 364 New York 18

The Hanover National Bank

of the City of New York.

Pay to the order of Oscar Creamer

dollars

$ [signed] Dix & Phyfe."

did fradulently and without authority fill in the same by then and there writing in the body thereof after the words "Pay to the order of Oscar Creamer" and before the word "dollars" the words "fourteen thousand eight hundred 00-100ths," and by writing in the corner of said check and after the sign "$," the figures as follows, viz: "14,800," so that said check purported and appeared to be a check made and drawn by deponent's firm for the sum of fourteen thousand eight hundred dollars; that thereafter said Creamer wrote and endorsed upon the back of said check the words and figures following, viz: "Pay to the order of James L. White, Oscar Creamer," as deponent has cause to believe for the following reasons: Said firm did not authorize nor empower said Oscar Creamer or any other person to fill in said check for said sum of $14,800, or any similar amount, or to endorse said or any check to James L. White, and such writing, filling in and endorsing or either of them was not necessary for the business or use of said firm nor was it done by or with their knowledge or consent.

That deponent has seen said Oscar Creamer write many times and is well acquainted and entirely familiar with his handwriting and knows that the words "fourteen thousand eight hundred 00-100~~ths~~" and the figures "14,800," written and filled in upon the face of said check, and the words "Pay to the order of James L. White, Oscar Creamer," endorsed and written upon the back thereof as hereinbefore set forth are in the handwriting of said Oscar Creamer aforesaid. That a copy of the said check is set forth in the foregoing information and the original thereof is now in the custody of the District Attorney of New York County.

That said check was deposited in the National Park Bank of New

York City to the credit of James L. White and was by said Park Bank duly presented to and paid by the Hanover National Bank wherein deponent's firm has and then had an account and was then and there charged against the account of deponent's said firm of Dix & Phyfe with said Bank.

That deponent's said firm of Dix & Phyfe have never had any transactions with nor any knowledge of any person named James L. White and said check was not drawn for nor delivered in or about any business of said firm nor for their use, benefit or advantage nor with or by their knowledge, authority or consent. But said check was so written and drawn by said Oscar Creamer with the intent to defraud deponent's said firm and to procure the said sum of fourteen thousand eight hundred dollars to the use and benefit of said Oscar Creamer and said James L. White.

Deponent further says, that he is informed and believes that the said James L. White is the person mentioned and described in the foregoing information as James L. White, alias Oscar Bjorkman, alias Oscar Burkman alias Axel Borkman, and that he was the confederate of said Creamer and conspired with and aided and abetted him, said Creamer, to defraud deponent's said firm. That said White on or about the 23rd day of March, 1892, presented at the said National Park Bank a letter purporting to come from deponent's said firm in the words and letters following, to wit:

"Dix & Phyfe
Bankers.
"45 & 47 Wall Street.

United States Trust Co. Building

New York March 23d. 1892.

" Mr. Geo. S. Hickok, Cashier
National Park Bank
City -

Dear Sir -

This will introduce to you our young friend Mr. James L. White, "a real estate broker of this city, who we have known for several years "past.

" Mr. White is desirous of opening an account in your bank & we

"take great pleasure in referring him to you.

Very Truly Yours,

Dix & Phyfe."

That said letter was not written by deponent nor his partner nor by any person authorized thereto by deponent's firm or any member thereof. That deponent has seen the said letter the original of which is now in the custody of the District Attorney for New York County and that the handwriting thereof is the handwriting of the said Oscar Creamer.

That thereafter and on the said 23rd day of March, 1892, said White deposited in said Park Bank the sum of two thousand dollars and opened an account in said Bank. That thereafter and on or about the 28th day of March, 1892, said White withdrew from said Bank the sum of ten thousand dollars and on or about the first day of April, 1892, he withdrew the sum of fifteen thousand dollars, all of which moneys so withdrawn said White had procured to be paid to his said account by means of the said checks hereinbefore set forth.

That deponent went away from his said place of business on the 2nd day of April, 1892, leaving said Creamer in charge thereof.

That thereupon the said Creamer with intent to destroy the evidences of his wrongdoing cut and mutilated the various books of account kept by deponent's said firm in the transaction of its business.

That thereafter, as deponent is informed and believes, the said Oscar Creamer alias J. H. Hayes, together with the said James L. White, alias Oscar Bjorkman, alias Oscar Buckman alias Axel Borkman took passage on board the steamship "Oakdale" bound for the City of Copenhagen, Denmark. That to the best of deponent's knowledge, information and belief, said Oscar Creamer and Oscar Bjorkman took with them and had in their possession when they so left the State of New York certain moneys bank bills, currency and coin to the amount and of the value of about five thousand dollars, which said sum and amount of five thousand dollars was and is the property of this deponent's said firm of Dix & Phyfe.

That said Creamer was born in Sweden and is now about nineteen years of age. That he is about five feet and ten or eleven inches in

height, of medium build, smooth face, blue eyes, brown hair and light complexion. Said Creamer is slow and hesitating in speech and is marked upon one or both of his hands at the juncture of the thumb and finger with a dot pricked into the skin in India ink.

Deponent is informed by De Lancey Nicoll, Esquire, District Attorney of the County of New York, that on the 9th day of April, 1892, he officially communicated the fact of the flight and probable destination of the above named Oscar Creamer alias J. H. Hayes and James L. White, alias Oscar Bjorkman alias Oscar Buckman alias Axel Borkman as above set forth to the Department of State of the United States at Washington D.C. and requested that proceedings be then at once instituted for their arrest and provisional detention upon their arrival in Denmark; and that on the 13th day of April, 1892, said District Attorney received from the Honorable James G. Blaine, Secretary of State a letter informing him that a copy of his said communication had been sent to the United States minister at Copenhagen with instructions to ascertain whether the Danish Government in the absence of an extradition treaty with the United States was disposed to detain the said fugitives with a view to their delivery to the Government of the United States of America upon the production of satisfactory evidence and a formal request to that end; that, thereafter the State Department was further advised that there was a possibility that the said steamship Oakdale might call at some coaling station in the British Isles in the course of her voyage, and that thereupon the said State Department instructed the United States minister at London, England, by cable, to take proper measures to cause the apprehension of the fugitives in case the said vessel should call at any such coaling station, and also instructed him to notify the United States minister at Copenhagen by cable of the facts in the case in order that the necessary steps might be taken there if the previous instructions by mail should be delayed.

Taken, subscribed and sworn to
at the City & County of New York
in the State of New York, this
25th day of April, 1892.

Geo. J. Ryan

Recorder of the City of New York.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, : ss.:

The deposition of GEORGE S. HICKOK residing at Number 752 St. Nicholas Ave. in the City and County of New York aforesaid, taken upon oath this 25th day of April in the year of our Lord one thousand eight hundred and ninety-two before Frederick Smyth, Esquire, Recorder of the City of New York, and a Magistrate and officer having power to issue a warrant for the arrest of a person charged with a crime in support of the foregoing information, who being duly sworn deposes and says:

That he is the Cashier of the National Park Bank of the City of New York, that on the 30th day of March, 1892, a certain check in the words and figures following, to wit:

"No. 364 New York, Mch. 29th, 1892.

The Hanover National Bank of the City of New York

Pay to the order of Oscar Creamer

Fourteen thousand eight hundred 00-100ths dollars.

$14,800.--- Dix & Phyfe."

and endorsed on the back as follows, viz: "Pay to the order of James L. White Oscar Creamer For deposit James L. White".

was deposited in the said National Park Bank to the credit of one James L. White then a depositor and having an account in said Bank. That a copy of the said check is set forth in the foregoing information and the original thereof is in the custody of the District Attorney of New York County. That said check was duly presented to the Hanover National Bank and was duly paid by it and the sum of fourteen thousand and eight hundred dollars received therefor was duly credited on the account of James L. White because of said deposit and said check so paid.

That the said James L. White had opened his account with the National Park Bank on or about the 23rd day of March, 1892, at which time he presented to the said Bank a letter of introduction purporting

to come from Dix & Phyfe in the words and letters following, to wit:

"Dix & Phyfe United States Trust Co. Building
" Bankers
"45 & 47 Wall Street, New York, March 23d, 1892.

"Mr. Geo. S. Hickok, Cashier,
National Park Bank,
City

Dear Sir:

" This will introduce to you our young friend Mr. James L. White,
"a real estate broker of this City, who we have known for several years
"past.

Mr. White is desirous of opening an account in your bank and
"we take great pleasure in referring him to you.

"Very Truly Yours
"Dix & Phyfe."

That at the same time the said James L. White signed his name in the book of signatures of said Bank and deposited to his credit the sum of two thousand dollars. Thereafter and on the 25th day of March he deposited $9850.32 and on the 30th day of March $14,800 as aforesaid

That he withdrew the sum of ten thousand dollars on or about March 28th, 1892 and the sum of fifteen thousand dollars on or about the first day of April 1892.

That since said date deponent and the other officers in said Park Bank have learned that the said letter above named was not written nor authorized by Dix & Phyfe and deponent is informed and verily believes that the name James L. White is an assumed name and that the money and checks so deposited in the said Park Bank were so deposited wrongfully and in fraud of said Dix & Phyfe and by means of a conspiracy entered into between the said Oscar Creamer and the said Oscar Bjorkman alias

James L. White.

Taken, subscribed and sworn to :
at the City & County of New York :
in the State of New York, this :
25th day of April, 1892. :

Geo. F. Nicholls

Recorder ~~of~~ the City of New York.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, : ss.:

The deposition of FREDERICK WORTH residing at West Orange, Essex County in the State of New Jersey, and the paying teller of the National Park Bank of New York in the City and County aforesaid, taken upon oath the 25th day of April in the year of our Lord one thousand eight hundred and ninety-two, before Frederick Smyth, Esquire, Recorder of the City of New York and a Magistrate and Officer having power to issue a warrant for the arrest of a person charged with a crime, in support of the foregoing information, who being duly sworn deposes and says:

That he is employed by the said National Park Bank as paying teller. That in the performance of his duties as such paying teller he pays to persons presenting proper drafts or checks drawn by depositors of said Bank the sum of money named in such checks or drafts. That he remembers paying two checks one of the amount of ten thousand dollars and one of the amount of fifteen thousand dollars to a person having an account in said Bank and calling himself James L. White. That such payments were made upon the presentation by said James L. White of checks signed by himself and drawn upon his account with said Bank for which he requested and received cash in the form of U. S bills or notes.

That said James L. White to the best of deponent's recollection was a person apparently about thirty years of age and about five feet and seven or eight inches in height, with yellowish hair, large blue eyes, square shoulders, and corresponds to the description given to deponent of one Oscar Bjorkman alias Oscar Burkman named in the foregoing information.

Taken, subscribed and sworn to at the City & County of New York, in the State of New York, this 25th day of April, 1892.

Frederick Worth

F. Smyth

Recorder of the City of New York.

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

The deposition of John F. Johnson residing at Number 920 Madison Street in the City of Brooklyn, Kings County in the State of New York, and a clerk in the Hanover National Bank in the City and County of New York, aforesaid, taken upon oath the 25th day of April in the year of our Lord one thousand eight hundred and ninety-two before Frederick Smyth, Esquire, Recorder of the City of New York and a Magistrate and Officer having power to issue a warrant for the arrest of a person charged with a crime, in support of the foregoing information, who being duly sworn deposes and says:

That he is employed in the Hanover National Bank in New York City as chief individual bookkeeper and was so employed on the 31st day of March, 1892. That on said 31st day of March, 1892, the said Hanover National Bank received through the Clearing House a check in the words and figures following, to wit:

"No. 334 New York, Mch. 29th 1892.

The Hanover National Bank
of the City of New York.

Pay to the order of Oscar Creamer
Fourteen thousand eight hundred 00-100ths dollars.
$14,800. Dix & Phyfe."

Being the same check set forth in the foregoing information and the original of which is now in the custody of the District Attorney of New York County. Said check was endorsed "Pay to the order of James L. White, Oscar Creamer. For deposit James L. White."

That said check was presented through the New York Clearing House by the National Park Bank and was duly honored by the Hanover National Bank and the amount of fourteen thousand and eight hundred dollars was paid to the National Park Bank on account thereof which sum was charged

against the account of Dix & Phyfe in said Hanover National Bank.

Taken, subscribed and sworn to
at the City & County of New York
in the State of New York, this
25th day of April, 1892.

Recorder of the City of New York.

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

The deposition of Timothy Golden residing at the Metropolitan Hotel Number 558 Broadway in the City and County of New York aforesaid and a detective sergeant in the Municipal Police of New York City taken upon oath the 25th day of April in the year of our Lord one thousand eight hundred and ninety-two, before Frederick Smyth, Esquire, Recorder of the City of New York and a Magistrate and Officer having power to issue a warrant for the arrest of a person charged with a crime, in support of the foregoing information, who being duly sworn deposes and says:

That he is employed as a detective sergeant of the Municipal Police of the City of New York. That on the 4th day of April, 1892, he was assigned to investigate the theft from Dix & Phyfe of 45 Wall Street, New York City of a large sum of money. That in pursuance of his official duties he examined into all the facts of the case.

That he learned that one Oscar Creamer who for many years had been in the employ of said firm of Dix & Phyfe had been at the office of said firm on Saturday April 2nd, 1892, at about half past two o'clock in the afternoon. That about four o'clock in the afternoon of that day said Oscar Creamer had gone to his home at Number 425 Hicks Street in the City of Brooklyn and had told his sister who lived with him there that he was obliged to go away on the business of his employers. That he went away taking some clothing with him.

That deponent learned that said Creamer had been intimate for a long time with a man named Oscar Bjorkman alias Oscar Burkman alias Axel Borkman, who was a Swede and lived at Number 494 Hicks Street in the City of Brooklyn. That deponent was informed that said Creamer and said Bjorkman had taken passage upon the steamer "Oakdale" which sailed from the City of Brooklyn on or about the 4th day of April, 1892, bound for Copenhagen in the Kingdom of Denmark.

That deponent learned that said Creamer had been born in Sweden. That he is about five feet and ten or eleven inches in height, of medium build, smooth face, blue eyes, brown hair, light complexion and about

nineteen years of age. That said Bjorkman alias White is about thirty years of age, five feet seven or seven and half inches in height, flaxen hair, large blue eyes, eyelashes that look as if they had been singed, face slightly pockmarked, weight about 158 pounds having a peculiar lump on the back of his head, and walks stiffly with his left leg. That deponent verily believes that said Oscar Bjorkman is the person who opened an account with the National Park Bank as set forth in the depositions of John J. Phyfe, George S. Hickok and Frederick Worth, herewith presented, and was the confederate and accomplice of the said Oscar Creamer in his wrongful and unlawful acts set forth in the foregoing information. That since the sailing of said steamship Oakdale deponent has learned that the wife of the said Oscar Bjorkman alias Oscar Burkman alias James L. White has gone away with her said husband.

Taken, subscribed and sworn to
at the City & County of New York,
in the State of ~~New~~ York, this
25th day of April, 1892.

Timothy Golden

Recorder of the City of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

—— vs. ——

OSCAR CREAMER etc.

—— and ——

OSCAR BJORKMAN etc.

INFORMATION AND DEPOSITIONS.

DE LANCEY NICOLL,
District Attorney
of New York County.

THE PEOPLE OF THE STATE OF NEW YORK,

—— vs. ——

OSCAR CREAMER etc.

—— and ——

OSCAR BJORKMAN etc.

INFORMATION AND DEPOSITIONS.

DE LANCEY NICOLL,
District Attorney
of New York County.

District Attorney's Office.

PEOPLE

*vs.*

Carpenter
Cramer et al
Burdick et al

Rec'd 11-30—
Saturday June 18/92
all subpoenas etc had been
served — as order on Friday
Edw'd J Flynn

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

July 30 1894

Sir:

Application for Executive clemency having been made on behalf of Oscar Burkman who was convicted of forgery 2d deg in the county of New York and sentenced June 30 1892 to imprisonment in the State Prison for the term of five years & six months I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

T. S. Williams,
Private Secretary.

Hon. John R Fellows
District Attorney
New York

VI.

STATE OF NEW YORK.
Executive Chamber,
ALBANY.

July 30, 1894

Sir:

Application for Executive clemency having been made on behalf of Oscar Burkman who was convicted of forgery 2d deg in the county of New York and sentenced June 30 1893 to imprisonment in the State Prison for the term of five years & six months I am directed by the Governor respectfully to request that, in pursuance of Section 695 of the Code of Criminal Procedure, you will forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of inquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

D. S. Williams,
Private Secretary.

Hon. Randolph B. Martine
New York City.

Ozan Burhman

# Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

*against*

Oscar Creamer and

Oscar Buchman

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

Oscar Creamer and Oscar Buchman

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Oscar Creamer and Oscar Buchman, late of the City of New York, in the County of New York aforesaid, on the [illegible] day of [illegible], in the year of our Lord one thousand eight hundred and ninety-[illegible], at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

"No. 3614 — New York [illegible] 189[illegible]

The Manhattan National Bank

In the City of New York

Pay to the order of Oscar Creamer —

Fourteen thousand eight hundred 00/100 Dollars

$14,800 Dix & Pughe"

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.

SECOND COUNT.

**And the Grand Jury aforesaid,** by this indictment, further accuse the said Oscar Creamer and Oscar Bundeman of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Oscar Creamer and Oscar Bundeman, late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

" No. 364 - New York March 9th 1892

The Harlem National Bank

City of New York

Pay to the order of Oscar Creamer —

Fourteen thousand eight hundred 00/100 Dollars

$ 14,800 X Oscar Bundeman "

the said Oscar Creamer and Oscar Bundeman then and there well knowing the same to be forged, 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.

DE LANCEY NICOLL,
*District Attorney.*

Witnesses:

John J. Pfeifer

Mch 10, 1894
Reprieved in favor of clemency
for Creamer — RB M

Nov 15/94
Reported in favor of pardon
for Burkman — RB M

312

Counsel, W. Goff

Filed 26 day of April 1892

But
Pleads, Not guilty, June 13

THE PEOPLE

vs.

NA
Oscar Creamer

NA
Oscar Burkman
(2 cases)

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]

DE LANCEY NICOLL,
*District Attorney.*

A TRUE BILL.

No. 1, S.P. 9 yrs
No. 2, S.P. 5 yrs 6 mos

Chas. H. Graham
*Foreman.*

Lenox 9/92

Bth / lead Forgery 2d

~~Sentence commuted~~

Witnesses:

John J. Phyfe

Mch 10, 1894
Reported in favor of clemency for Creamer — RBM

Nov 15/94
Reported in favor of pardon for Burkman — RBM

312

Counsel, [illegible]

Filed 7th day of April 1892

But
Pleads, Nolo, June 13

THE PEOPLE

vs.

NA
Oscar Creamer

NA
Oscar S. Burkman

(2 cases)

Forgery in the Second Degree.
[Sections 511 and 521, Penal Code.]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

No. 1. S.P. 9 yrs
No. 2. S.P. 5 yrs 6 mo

Chas. H. Dohan
Foreman.

Lead Forgery



1218

# 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 E. Carpenter
Oscar Bragaman and
Oscar Lindeman

**The Grand Jury of the City and County of New York,** by this indictment, accuse William E. Carpenter, Oscar Bragaman and Oscar Lindeman

of the CRIME OF GRAND LARCENY IN THE First DEGREE, committed as follows:

The said William E. Carpenter, Oscar Bragaman and Oscar Lindeman, all

late of the City of New York, in the County of New York aforesaid, on the second day of August, in the year of our Lord one thousand eight hundred and ninety-two at the City and County aforesaid, with force and arms,

twenty bonds and mortgages obligations issued and signed by the Chicago, Burlington & Northern Railroad Company and payable to Mutual Life Insurance Company mortgage bonds, (a more particular description whereof is to the Grand Jury aforesaid unknown), of the denomination and value of one thousand dollars each, and the sum of thirty two thousand one hundred and thirty dollars in money, lawful money of the United States of America, and of the value of thirty two thousand, one hundred and thirty dollars,

of the goods, chattels and personal property of one John J. Brady,

then and there being found, then and there 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.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said William E. Carpenter, Oscar Freamer and Oscar Buchman

of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said William E. Carpenter, Oscar Freamer and Oscar Buchman, all

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

twenty bonds and written obligations issued by the Chicago Cordwainer and Dummy Railroad Company and known as Nebraska extension first mortgage bonds, (a more particular description whereof is to the Grand Jury aforesaid unknown), of the denomination and value of one thousand dollars each, and the sum of thirty two thousand one hundred and thirty dollars in money, lawful money of the United States of America, and of the value of thirty two thousand one hundred and thirty dollars,

of the goods, chattels and personal property of one John H. Pingree,

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

unlawfully and unjustly did feloniously receive and have; the said William E. Carpenter, Oscar Freamer and Oscar Buchman

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.

DE LANCEY NICOLL,
*District Attorney.*

0725

# BOX:
474

# FOLDER:
4346

# DESCRIPTION:
Charlton, Henry J.

# DATE:
04/06/92

4346