

0337

**BOX:**

21

**FOLDER:**

265

**DESCRIPTION:**

Carlton, Charles

**DATE:**

10/02/80



265

0338

2 R. S. Title 8, Part 1, Chap. 20, Article 4.

Police Court, Second District. }  
CITY AND COUNTY OF NEW YORK. }

*Thomas Stuart* of the ~~of No. 29<sup>th</sup> Precinct~~  
~~Street,~~ in said City and County.  
being duly sworn, deposes and says, that on the 8 day of September  
1880 at No. 104 ~~Street,~~ West 25<sup>th</sup> Street in said City, he saw there  
in charge of the place, *Charles Carlton*

(now here,)

and that said place was openly, publicly and unlawfully kept and maintained as an  
office or place for the vending or selling of instruments or papers known as "LOTTERY  
TICKETS,"

*That on the said date said  
Carlton sold to deponent the  
certain check or slip hereto at-  
tached and marked A. for identification  
and received therefor from  
deponent the sum of Fifteen  
cents*

which deponent charges was in violation of the statute in such case made and provided,  
and prays that said *Charles Carlton*  
may be dealt with according to law.

Sworn to, this 8 day of September 1880  
before me,

*William J. [Signature]*  
Police Justice.

*Thomas Stuart*

0339

216

139

Police Court—Second District.

16

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Smart

29

vs.

Charles Burton

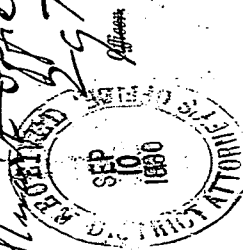
Offence—Keeping a Lottery Office.

Dated Sept 8 1880

Mandell Magistrate.

Witnesses

Street Officer  
2572



Committed in default of \$ 500 surety.

Bailed by

Street.

Bailed

No.

Bailed by  
Mearns Marshall  
228 W. 33rd St

0340

CITY AND COUNTY } ss. :  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That

*Charles Capton*

late of the *twentieth* Ward in the City and County aforesaid,  
on the *eighth* day of *September* in the year of our  
Lord one thousand eight hundred and eighty *—* at the Ward, City and  
County aforesaid, with force and arms did unlawfully and knowingly vend, sell, barter,  
furnish, supply and procure, and cause to be vended, sold, bartered, furnished, supplied  
and procured, to ~~and for~~ one *Thomas Stuart*  
a certain paper and instrument, commonly called a lottery policy, is as follows, that is  
to say :

*B. Ex Sep 8*  
*4.9.5. 15*

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.

BENJ. K. PHELPS, District Attorney.



0341

BOX:

21

FOLDER:

265

DESCRIPTION:

Carroll, James

DATE:

10/13/80



265

0342

Oct 13/80  
Bailed by  
John W. Wine  
2413 East 14th St.  
\$1000

98. Off for Term  
Filed 13 day of Oct 1880  
Pleads *Not Guilty (Drunk)*

THE PEOPLE

vs.

*James W. Carroll*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Chas H. Haswell*

Foreman

Off for term  
Complained has been  
put to the Island of  
intoxication

0343

Police Court—Fourth District.

Wm O'Keefe

Oct 12/80

My Dear Mr Phelps

I respectfully solicit your  
favorable consideration on behalf of  
James Carroll whose case is in  
your hands, and will gratefully  
reciprocate any kindness you may  
extend

Very Truly Yours  
John J O'Brien

0344

**GLUED PAGES**



0345

Fourth District.  
CITY OF NEW YORK  
AND COUNTY OF NEW YORK } ss.  
No. 425 East 17<sup>th</sup>

William O'Keefe

Street,  
on Saturday the 9<sup>th</sup> day of October  
in the year 1880 at the City of New York, in the County of New York,

and feloniously  
he was violently ASSAULTED and BEATEN by James Carroll (nowhere),  
who cut and stabbed deponent in  
the breast with a knife then and there  
held in the hand of him the said  
Carroll. and said Carroll did so  
cut and stab deponent

with the felonious intent to take the life of deponent, or to do him bodily harm; and without any  
justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, &c., and be dealt with according to law.

Sworn before me, this 10<sup>th</sup> day  
of October 1880

Marcus C. C. C. C. C.  
Police Justice

W. O'Keefe

0346

**Police Court, Fourth District.**

CITY AND COUNTY } ss.  
OF NEW YORK, }

*James W. Carroll* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. *James W. Carroll*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *New York*

Question. Where do you live?

Answer. *520 East 12<sup>th</sup> Street*

Question. What is your occupation?

Answer. *Leather butter*

Question. Have you anything to say, and if so what,—relative to the charge here preferred against you?

Answer. *I cut him in self defense as I was being assaulted and beat by said O'Keefe and a number of other persons*

*James W. Carroll*

Taken before me this

*10<sup>th</sup> day of October 1880*

*Marcus A. Shaw*  
Police Justice.



0347

Police Court—Fourth District.

THE PEOPLE &c.

ON THE COMPLAINT OF

*William Meeks*  
*425 East 14th St.*

*James Carroll*

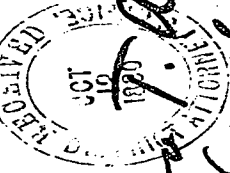
2  
3  
4  
5  
6

Dated *October 1st* 1880

*Ottoborn* Magistrate.

*Malloy* Officer.

*118* Clerk.



Witnesses,

*Frank A. Several persons*  
*Am. Com.*

BAILED:

No. 1, by *John Wund*  
Residence, *413 East 14th St.*

No. 2, by \_\_\_\_\_  
Residence, \_\_\_\_\_

No. 3, by \_\_\_\_\_  
Residence, \_\_\_\_\_

No. 4, by \_\_\_\_\_  
Residence, \_\_\_\_\_

No. 5, by \_\_\_\_\_  
Residence, \_\_\_\_\_

No. 6, by \_\_\_\_\_  
Residence, \_\_\_\_\_

Received in District Atty's Office,

0348

CITY AND COUNTY } ss.  
OF NEW YORK.THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That

*James W. Carroll*  
late of the City of New York, in the County of New York, aforesaid, on the  
*ninth* day of *October* in the year of our Lord  
one thousand eight hundred and eighty — with force and arms, at the City and  
County aforesaid, in and upon the body of *William O'Keefe*  
in the peace of the said people, then and there being, feloniously did make an assault  
and *him* the said *William O'Keefe*  
with a certain *knife*  
which the said

*James W. Carroll*  
in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, willfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *William O'Keefe*  
then and there, feloniously and willfully to kill, 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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *James W. Carroll*  
with force and arms, in and upon the body of the said *William O'Keefe*  
then and there being, willfully and feloniously did make an  
assault and *him* the said *William O'Keefe*  
with a certain *knife* which the said

*James W. Carroll* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, willfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there willfully and feloniously  
do bodily harm unto *him* the said *William O'Keefe*  
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 Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said

*James W. Carroll*  
with force and arms, in and upon the body of *William O'Keefe*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *William O'Keefe*  
with a certain *knife*  
which the said

*James W. Carroll* in *his* right  
hand then and there had and held, willfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *William O'Keefe* with intent *him* the

Report to Mr. Oswald of  
ultra violet

0350

BOX:

21

FOLDER:

265

DESCRIPTION:

Case, Louis

DATE:

10/22/80



265

0351

146

Day of Trial,

Counsel

Filed

1882

Pleads

*Oct*  
*In Equity*

THE PEOPLE

vs.

Violation of Lottery Laws.

*29/11/1882*  
*B*  
*Louis L. L...*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Chas. A. Merrill* Foreman.

*Edgar*

*James G. Smith*

*Wm. L. L...*

*F. J.*



0352

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

Martin J. Landy  
of No. the 5 Precinct Street,

Being duly sworn deposes and says, that on the 3 day of  
Sept 1880 at No. 319 Broadway

Street, in the City and County of New York,

Louis Case now present  
did unlawfully and feloniously sell and vend to

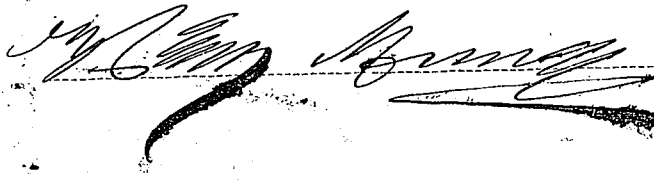
deponent for the sum of one dollar  
a certain paper and document, the same being what is commonly known as,  
and is called a Lottery <sup>Ticket</sup> ~~Policy~~, and which said Lottery <sup>Ticket</sup> ~~Policy~~, writing, paper,  
and document is as follows, that is to say:

(document annexed.)

Wherefore deponent prays that the said Louis Case  
may be dealt with according to law.

Sworn to before me, this 3 day of Sept 1880 }

Martin Landy

 Police Justice.



0353

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*Louis Case* being duly examined before the undersigned,  
according to law, on the annexed charge, and being informed that he was at liberty  
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

*Louis Case*

Question. How old are you?

Answer.

*21*

Question. Where were you born?

Answer.

*W. S.*

Question. Where do you live?

Answer.

*333 W 34th St*

Question. What is your occupation?

Answer.

*Clerk*

Question. Have you anything to say, and if so, what—relative to the charge here  
preferred against you?

Answer.

*not guilty Louis Case*

Taken before me, this

day of

1891

Police Justice.

0354

Form 66.

146

Police Court—First District.

COUNSEL FOR COMPLAINANT.

Name

Address

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Martin Hardy

City Direct

James Campbell  
82 Centre St.  
Louisville

BAILED

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

No. 5, by

Residence

No. 6, by

Residence

Offense,

3 Sept 1888

Dated

Magistrate

Officer

5 Prec

Name

Address

COUNSEL FOR DEFENDANT.

Witnesses,

8-500- to answer

Sessions

Received in Dist. Atty's Office,

0355

**POOR QUALITY  
ORIGINAL  
DOCUMENT(S)**

0356







0358

CITY AND COUNTY OF NEW YORK, ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That *Louis Rose*

late of the *Fifth* Ward, in the City and County aforesaid, on the *Third*  
day of *September*, in the year of our Lord, one thousand eight hundred and  
*Eighty*, at the Ward, City and County aforesaid, with force and arms, did  
unlawfully and knowingly vend, sell, barter, furnish, and supply to one

*Martin Handy*

and did procure and cause to be procured for the said

*Martin Handy*

a certain paper and instrument, being and purporting to be a ticket of a certain lottery,  
to wit:

*The Louisiana State Lottery  
Company*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of  
certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the  
jurors aforesaid unknown, which said paper and instrument

*commonly  
called a lottery ticket*

is as follows, that is to say:

*Will draw at  
New Orleans*

*The Louisiana State Lottery Co. Incorporated  
Tuesday Sept. 14<sup>th</sup> 1868  
The Monthly Two Dollar Drawing.*

*Aug. 17<sup>th</sup> 1868*

*This Half ticket entitled the holder thereof to one half of each Prize drawn in the drawing of three months from the date of said Drawing.*

*Said Ticket from Series No.*

*69379*

*M.A. Dauphin*

*President*

*Set 6*

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.

*Half  
Prize 8547  
Set 1*



0359

And the Jurors aforesaid, upon their oath aforesaid, do further present  
That the said

*Louis Case*

late of the Ward City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward City and County aforesaid, did unlawfully and knowingly vend, sell, barter, furnish and supply to one

*Martin Handy*

and did procure and cause to be procured for the said

*Martin Handy*

a certain paper and instrument being and purporting to be a part and share of a ticket of a certain lottery, to wit:

*The Louisiana State Lottery Company*

the same being a lottery for the purpose of exposing, setting to sale, and disposing of certain moneys, in a manner to the jurors aforesaid unknown, and in an amount to the jurors aforesaid unknown, which said paper and instrument

*commonly called a lottery ticket*

is as follows, that is to say:

*The Louisiana State Lottery Co*

*Tuesday Sept 11<sup>th</sup> 1880*

*Incorporated Aug 17<sup>th</sup> 1868*

*The Monthly Two Dollar Drawing*

*This Half Ticket entitles the holder thereof to One Half of such Prize as may be drawn of its number within named drawing, if presented for payment before the expiration of three months from the date of said drawing*

*See State Treasurer's Return*

*M. J. Dampier President*

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.

BERJ. K. PHELPS, District Attorney.

*Half  
Class 1 8047*

*Will Draw at  
New Orleans*

*54 6*

0360

BOX:

21

FOLDER:

265

DESCRIPTION:

Casper, Conrad

DATE:

10/02/80



265

316

Day of Trial, *Free*  
Counsel, *Free*  
Filed *2* day of *Oct* 1880  
Pleads. *Not guilty vel 4*

SELLING LOTTERY POLICIES.

THE PEOPLE

vs.

*B*

*Howard Cooper*

BENJ. K. PHELPS,

District Attorney.

*Part in Oct. 19. 1880.*

*pleads guilty*

A True Bill.

*Amie \$10.00*

*Phelan*

Foreman.

0362

M. 3/9

Oct

10 - 12/6

33 27 46

20741

0363

## Police Court—First District.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK

Simon Price

of No. 38 Mott Street,  
being duly sworn, deposes and says, that on the 3rd  
day of September 1880, at the City and County of  
New York, Conrad Caspar (now here)  
did sell and vend to defendant the within  
instrument hereunto annexed the same being  
in the nature of an insurance upon the  
drawing or drawn number of a certain  
illegitimate lottery and crumby, known as a  
Lottery Policy, and for which instrument  
the defendant paid to the accused the sum  
of two Cents in gold and lawful money  
Silver Currency of the United States Government.

That said Conrad Caspar keeps and maintains  
a certain place for registering numbers at No  
348 East 13th Street in violation of the  
Statute in such case made and provided.  
Sworn to before me this

3rd day of September 1880 Simon Price

J. M. Paterson

Police Justice Simon Price



0364

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK, }

*Carad Casper* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him; states as follows, viz.:

Question.—What is your name?

Answer.—

*Carad Casper*

Question.—How old are you?

Answer.—

*Forty one*

Question.—Where were you born?

Answer.—

*In Germany*

Question.—Where do you live?

Answer.—

*548 E 13<sup>th</sup> St*

Question.—What is your occupation?

Answer.—

*waiter*

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

*not guilty*

*Carad Casper*

Taken before me, this

day of *February* 1890

Police Justice.

*John J. Dawson*



0365

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

H. C. C. 1978 E-13  
Police Court - First District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Samuel Price  
73 Ryan St.  
Cora Cooper



Office, *Pratt & Co.*

Dated

*Sept 13*

Magistrate.

*William*

Officer.

*Bird*

Clerk.

*17*

Witnesses

\$ *1000.*

to answer

*Grand* Sessions, *Comd*

Received in Dist. Atty's Office,

*Paul*

BAILED,

No. 1, by

*Samuel Price*

Residence,

*A. F. & Co.*

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0366

CITY AND COUNTY } ss.:  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That *Leonard Gasper*

late of the *Sixth* Ward in the City and County aforesaid,  
on the *Third* day of *September* in the year of our  
Lord one thousand eight hundred and eighty *\_\_\_\_\_* at the Ward, City and  
County aforesaid, with force and arms did unlawfully and knowingly vend, sell, barter,  
furnish, supply and procure, and cause to be vended, sold, bartered, furnished, supplied  
and procured, to ~~and for~~ one *Simon Price*  
a certain paper and instrument, commonly called a lottery policy, is as follows, that is  
to say:

*m 3/9*  
*But*  
*10 ✓ 12/6*  
*33- 29 46*  
*20 84*

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.

BENJ. K. PHELPS, District Attorney.

0367

BOX:

21

FOLDER:

265

DESCRIPTION:

Cassin, John

DATE:

10/28/80



265

0368

2187

*James*

Counsel, Kingston

Filed 28 day of Oct 1880

Pleads

*Not Guilty*

THE PEOPLE

vs.

B

*John Cassin*

*Larceny and Receiving Stolen Goods.*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*Chas. H. Russell*

Foreman.

*Oct 29, 1880*

*Henry H. Hedges.*

0369

Form 112.  
STATE OF NEW YORK  
CITY AND COUNTY OF NEW YORK, ss: Police Court—First District.

of No. *63 Cherry* Street, being duly sworn, deposes  
and says, that on the *18th* day of *October* 18*80*

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent, *And from deponent's*

person  
the following property, viz: *Lawful Money Consisting*  
*of one ten cent Silver coin. One*  
*three cent Nickel coin And one*  
*Cigar Case Collectively*

of the value of *One 13/100* 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 *The Prisoner*

*Now present from the fact that*  
*deponent was standing in Cherry*  
*Street when the prisoner who was*  
*among a crowd of boys approached*  
*deponent and suddenly thrust*  
*his hand into an inside pocket*  
*of the vest worn by deponent*  
*And took therefrom the aforesaid*  
*property And then ran away*  
*Deponent further says that the cigar*  
*case was subsequently found in the*  
*prisoner's possession. The money having been*  
*picked up on the street where the prisoner had*  
*thrown it as he was running away Louis J. Borden*

Sworn to, before me, this

18*80*

day

Police Justice.



0370

Police Court—First District.

CITY AND COUNTY }  
OF NEW YORK. } ss.

*John Cassin* being duly examined before the under-  
signed, according to law, on the annexed charge; and being informed that he was at  
liberty to refuse to answer any question that may be put to him, states as follows,  
viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live?

Answer.

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what—relative to the charge  
here preferred against you?

Answer.

*I am not guilty. I  
found the cigar case in  
the gutter*

*John Cassin*  
mark

Taken before me, this

*19th*  
day of *October* 189*8*

Police Justice.

0371

COUNSEL FOR COMPLAINANT.

Name, .....

Address, .....

COUNSEL FOR DEFENDANT.

Name, .....

Address, .....

Police Court—First District

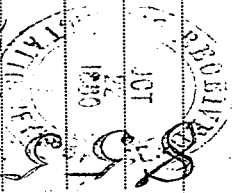
THE PEOPLE, & C.,

ON THE COMPLAINT OF

*Louis J. Parke*

*Mayor of Baltimore*

*John C. Patton*



Dated

*October 18, 1898*

*J. Murray* Magistrate.

*Thomas J. Quinn* Officer.

*H. C.* Clerk.

Witnesses: *Call the Officers*

*307* to answer

at *2<sup>nd</sup>* Sessions

Received at Dist. Atty's office

BAILED

*William P. Smith*

*57 Madison St*

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0372

CITY AND COUNTY }  
OF NEW YORK, } ss.THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York, upon  
their Oath, present :That *John Fallon*.

late of the First Ward of the City of New York, in the County of New York, aforesaid on the *Eighty* day of *October* in the year of our Lord one thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County aforesaid, with force and arms, three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one thousand dollars, and of the value of one thousand dollars each : three promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five hundred dollars, and of the value of five hundred dollars each : twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one hundred dollars, and of the value of one hundred dollars each : thirty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of fifty dollars, and of the value of fifty dollars each : fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each : sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each : eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of five dollars, and of the value of five dollars each : ninety promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of three dollars, and of the value of three dollars each : one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each : one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one hundred dollars : one promissory note for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of fifty dollars : two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each : three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each : ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each : ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each : fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each : thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each : bank bills of banks to the jurors aforesaid unknown, and of a number and denomination to the jurors aforesaid unknown, of the value of one thousand dollars. Two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each : three gold coins (of the kind usually known as eagles), of the value of ten dollars each : six gold coins (of the kind usually known as half eagles), of the value of five dollars each : fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each : ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each : thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each : gold coin of the denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of one thousand dollars. Sixty silver coins (of the kind usually known as dollars), of the value of one dollar each : sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each : one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each : three hundred silver coins (of the kind usually called dimes), of the value of ten cents each : six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each : one thousand silver coins (of the kind known as three cent pieces), of the value of three cents each : silver coin of a denomination to the jurors unknown, and a more particular description whereof cannot be given, of the value of fifty dollars. Three thousand coins (of the kind known as cents), of the value of one cent each : five hundred coins (of the kind known as two cents), of the value of two cents each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each : two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each : five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each,

*On pocket book of the value of one dollar, and of the goods chattels and personal property of me Rosanna Anniff, on the person of the said Rosanna Anniff, they and being found, from the said Rosanna Anniff*

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.

BENJ. K. PHELPS, District Attorney.

0373

196 v. Alva

Counsel,

Filed day of Oct. 1877

Pleads

*In Guilty*

THE PEOPLE

vs.

*Alva*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*John A. Russell*

Foreman.

*Oct. 1877*

*James H. Connick*

*John H. Gentry*

*Amos R. L. P.*

QW

ON BEHALF OF THE PEOPLE  
OF THE DISTRICT OF COLUMBIA



0374

Form 112.

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

Police Court—First District.

of No. 32 Elizabeth Rosanna Lunniff Street, being duly sworn, deposes  
and says, that on the 8th day of October 18 80  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent, and from her person

the following property, viz: A Pocket Book containing good  
and lawful moneys of the issue of the Government  
of the United States consisting of nineteen dollars  
in National Bank bills the denomination and  
value of each bill unknown and one fifty  
cent Silver Coin all being

of the value of nineteen and 50/100 Dollars,  
the property of deponent and her husband  
Michael Lunniff

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 Fallon (nowhere)  
from the fact that while deponent was passing  
through Bayard street between Elizabeth and  
Mott streets in said city at about the hour of  
11.55, a/clock on said day he said John Fallon  
came up to deponent and snatched said  
Pocket Book containing said moneys from  
deponent's left hand and then ran away  
Deponent further says that she is positive that  
he said John Fallon is the person who did  
steal from her person the above described  
moneys and Pocket Book and asks that he  
may be held to answer and dealt with  
according to law, Dorman's Lunniff

Sworn to, before me this

9th

day

of

October

1880

Police Justice.



0375

Police Court—First District.

CITY AND COUNTY } ss.  
OF NEW YORK.

*John Fallon* being duly examined before the undersigned, according to law, on the annexed charge: and being informed that he was at liberty to refuse to answer any question that may be put to him states as follows, viz:

Question. What is your name?

Answer.

*John Fallon*

Question. How old are you?

Answer.

*14 years*

Question. Where were you born?

Answer.

*New York City*

Question. Where do you live?

Answer.

*69 Bowery*

Question. What is your occupation?

Answer.

*I sell Papers*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *I don't know any thing about the complaint—that this lady makes against me, I am not guilty.*

*John Fallon*  
*Mark*

Taken before me this

*John Fallon*  
at day of *October* 18 *80*  
Police Justice.

0376

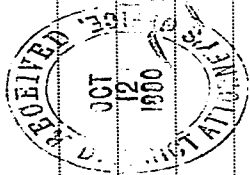
Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Norma Lynette*  
*32 Elizabeth St*

*John Hall*



Affidavit—Larceny.

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

\$1000 to answer  
at General Sessions Court  
Received at Dist. Atty's office

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

*October 9th 1899*  
*Just. W. Patterson* Magistrate.

*William M. M.* Officer.

*14th Street*

Witnesses:

0377

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

John Cassin

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

One coin of the kind called a dime, of  
the value of ten cents

One coin of the value of three cents

One case (of the kind called a cigar case)  
of the value of one dollar of the goods  
chattels and personal property of one  
Louis Barde on the person of the said  
Louis Barde then and there being found,  
from the person of the said Louis Barde

~~of the goods, chattels, and personal property of one~~

then and  
there ~~being found~~, feloniously did steal, take and carry away, against the form of the Statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

0378

*And the Jurors aforesaid, upon their oath aforesaid, do further present*

That the said

*John Cassin*

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

*One coin of the kind called a dime  
of the value of ten cents*

*One coin of the value of three cents*

*One case (of the kind called a cigar case)  
of the value of one dollar*

of the goods, chattels, and personal property of the said

*Louis Bardle*

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen of the said

*Louis Bardle*

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

*John Cassin*

then and there well knowing the said goods, chattels, and personal property, to have been feloniously stolen,) 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.

BENJAMIN K. PHELPS, District Attorney.

0379

BOX:

21

FOLDER:

265

DESCRIPTION:

Caulfield, Alexander

DATE:

10/29/80



265



0380

*De Court of Magistrate Sessions*  
*H.H.H.*

Counsel,

Filed 29 day of Oct 1880

Pleads *John Quincy (Charles)*

THE PEOPLE

Homicide of the Degree of Murder in the First Degree.

vs.

*John Quincy*

BENJ. K. PHELPS,

District Attorney.

*Friday 19<sup>th</sup> Nov,*

A True Bill.

*Chas R. Venable*

*Did not to Court of Appeals and  
Remains to be determined  
according to law - of 1880  
Tried and convicted Nov. 1880  
the 24<sup>th</sup> day of Nov. 1880*

*St. Martin's*

0381

# STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, SS.

## AN INQUISITION,

Taken at the *Coroner's Office*  
No. 40 *E. Houston* Street, in the *15* Ward of the City of  
New York, in the County of New York, this *6th* day of *August*  
in the year of our Lord one thousand eight hundred and *sixty* before

THOMAS C. KNOX, Coroner,

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

*Charles Babcock* now lying dead at  
*New York Hospital* Upon the Oaths and Affirmations of

*six* good and lawful men of the State of New York, duly chosen and  
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

*Charles Babcock* came to his death, do,  
upon their Oaths and Affirmations, say: That the said *Charles Babcock*

came to his death by  
*Injuries resulting from the blow of an*  
*axe at the hands of Alexander Caulfield*  
*on June 29<sup>th</sup> 1880 at foot of W 17<sup>th</sup> St*

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

### JURORS.

*J. P. Bower*  
*John Neastrom*  
*Chris Gohmann*  
*Alfred W. H. H.*  
*Geo. H. Price*  
*William J. Barr*

*154 Bower*  
*42 W Houston*  
*224 Bannery*  
*184 W 17th St*  
*83 Woodster St*  
*231 Bower*

*Thomas C. Knox*  
CORONER, E. S.

0302

CORONER.

W. A. J. P.

Andrew Colting

1887

day of

this

sworn to before me

office 334 W 17th

Office of 7 E 12th

John Schuler

353

W 17th

up on saw office

TESTIMONY.

0383

## Coroner's Office.

## TESTIMONY.

✓ William Cairns Special Officer 16<sup>th</sup> Precinct being sworn says. I arrested prisoner on morning of June 30<sup>th</sup> for cutting Charles Babcock with an axe. I saw the night before. I arrested him on a shed about opposite 521 N 21<sup>st</sup> he was asleep on a shed. I had never seen him before.

William Cairns

Taken before me,  
this 6<sup>th</sup> day of Aug 1880.

Thomas C. Knapp CORONER.





## Coroner's Office.

## TESTIMONY.

The men were not working fast. I then heard a kind of a blow and a fall as of a soft body like a thud. I looked up and saw Charles Babcock fall right between the men and an upright used for hoisting the ice. He would have fallen over board had he not been caught by two men. I saw he was bleeding that his head was cut as though with a sharp instrument. It was on top and on the right side. I assisted deceased to a sitting position - he was unconscious and unable to speak. I saw the prisoner about six feet from him with an ice axe in his hand. I took the axe from him the driver of another wagon named McCloskey held him down. The prisoner was not working ~~with~~ <sup>for</sup> me then although he had formerly been employed by me. I identify Alexander Caulfield the prisoner as the man who had the axe in his hand and who was held down by the prisoner ~~named~~ driver McCloskey.

I assisted deceased into my gig and sent him to the ~~State~~ house. Prisoner had formerly worked for me.

Taken before me,

this 6<sup>th</sup> day of Aug

1884.

CORONER.

0387

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Coroner's Office.

TESTIMONY.

Sworn prior to the occurrence. He ~~was discharged~~ and had been discharged the Saturday before the occurrence. 3 or 4 days. He had been working for some body else, as a 2<sup>nd</sup> hand employed by the driver of some wagon while unemployed by me;

Frank R. E. Beane

Taken before me,

this 4<sup>th</sup> day of Aug 1880.

Thomas C. Knox

CORONER.

## Coroner's Office.

## TESTIMONY.

George A. Becker 353 N 17<sup>th</sup> St being  
 sworn says. I am driver of the wagon  
 for Frank E. Bean. I was with my  
 wagon on the day of the occurrence on  
 the bridge foot of N 17<sup>th</sup> St. Babcock's  
 wagon was for 4 wagons from me  
 towards 17<sup>th</sup> St. Babcock was  
 loading his wagon. I saw Caulfield  
 the prisoner and Babcock quarrelling.  
 I had seen Caulfield on the bridge  
 before this some time between 4 & 5 P.M.  
 Caulfield when 1<sup>st</sup> seen by me  
 was walking around the bridge.  
 In about half an hour Babcock came  
 with his wagon. soon after I saw  
 Caulfield and Babcock quarrelling.  
 It was Babcock's turn to take a cake  
 of ice. Caulfield made fast to the  
 cake of ice with a pair of tongs  
 Babcock pulled with his tongs and  
 got it away and put it in the  
 wagon. Babcock told Caulfield not  
 to take a cake of ice when it was  
 his turn.

Babcock went after another cake  
 of ice and Caulfield put his tongs  
 onto it again. Babcock wrapped

Taken before me,  
 this 6<sup>th</sup> day of Aug 1880.

CORONER.

0389

## Coroner's Office.

## TESTIMONY.

That cake away and put it in the  
 wagon. Babcock said then to Campbell  
 "If you trouble me again I'll knock  
 you down. They were then 3 feet  
 away. angry words passed between  
 them. a minute or two after I  
 saw deceased knock prisoner  
 down with his fist. The prisoner  
 got up and walked around. I  
 reported the occurrence to Mr Bean  
 and went about my business.  
 That is all I saw.

I am positive that deceased struck  
 prisoner only with his fist.

his  
 George A. Decker  
 mark

Taken before me,

this 6<sup>th</sup> day of Aug. 1880.

Thomas C. Roney

CORONER.

## Coroner's Office.

## TESTIMONY.

✓ Bernard M. Cluskey. 430 W 17<sup>th</sup> St  
 being sworn says: I drove an ice  
 wagon for Mr F. E. Bean of 334 W 17<sup>th</sup> St  
 was working the afternoon that Baker  
 was hurt. On June 29<sup>th</sup> about 4 PM  
 after I had served my route.  
 I came to the office to turn in ~~the~~  
 The stableman said there was a  
 vault to be filled. That was in an  
 18<sup>th</sup> St. Brewery.

I had to go to bridge to get the  
 load of ice. I was loading up my  
 wagon. When I saw Mr Caulfield  
 on the bridge - he went over to Mr.  
 Bean and spoke about being re-  
 employed. Mr Bean said to him  
 if you had been around this morn-  
 ing - I had discharged one of  
 my second hands and I would  
 have given you a shot. Then Caulfield  
 came into my wagon where I was  
 putting in a cake of ice and wanted  
 to take it out of my hand to put  
 it up himself. I said young man  
 I am no second hand - When I want  
 you I will call you. I noticed that  
 the prisoner was slightly intoxicated.

Taken before me,

this 6<sup>th</sup> day of Aug 1880.

Thomas C. Keay

CORONER.



## Coroner's Office.

## TESTIMONY.

He said all right and walked out. He then went to the wagon next to me and took a pair of logs off the top and went to assist the driver of that wagon.

He was pulling logs for him. I was busy then and was pulling ice from one run and prisoner was pulling <sup>ice</sup> from another.

~~At that time~~ ~~he~~ ~~came to me~~ ~~and said there is going to be a war~~ ~~or there has been a war.~~

Next I saw was Mr Caulfield walking down the bridge, picking up an axe off the bridge. ~~Then Mr Batcock~~

Caulfield held the axe in his hand. Then Batcock came down and went to take his turn. While Batcock was stopping. Caulfield dealt him a blow on the head with the ice axe.

Batcock threw up his hands and fell. Batcock put his hands to his head. Caulfield raised the axe again over Batcock. When I saw that, I sprang forward and caught him and knocked him down. I held him (Caulfield) down till Caulfield's brother came and rescued

Taken before me,

this 6<sup>th</sup> day of May 1880.

Thos C. Ship

CORONER.

8

## Coroner's Office.

## TESTIMONY.

Quin. Mr Bean said let him up, his brother will take care of him until the officer comes.

I turned around to load my wagon and some one said "he is gone" meaning that Caulfield had got away. I sent out for some one to get ambulance and take Babcock to Hospital.

Finished loading my wagon. I then went into office and asked Babcock who was there, how he felt. he said very bad.

I went about my business.

When Caulfield walked about 20 feet before he picked up the axe. after picking up the axe Caulfield turned around and hit Babcock. but not immediately hit in a few <sup>minutes</sup>

The axe was lying alongside the run. He did not strike Babcock till Babcock stopped. Babcock could see <sup>Caulfield</sup> while Babcock stood. but could not see Caulfield when he stopped. I ~~cannot~~ say how long

Bernard H. McChesney

Taken before me,

this 6<sup>th</sup> day of Aug 1880.

Thomas C. Swan CORONER.

0393

## Coroner's Office.

## TESTIMONY.

Richard Vuuland 401 M19<sup>th</sup> St being sworn says I am watchman for Mr Bean and was not on the bridge at the time of the occurrence. ~~the~~

I was away for an officer to get him to prevent people who had no right on the bridge from being there.

Mr Bean <sup>then</sup> sent me for an officer to arrest Canfield who was said to have committed an assault on Babcock.

The first time I came back I saw McCloskey holding prisoner down ~~and~~ Babcock. I saw Babcock sitting in a chair in the office with his head cut apparently with a sharp instrument. I took him in my rig and left him in the N.Y. Hospital. I never saw him after.

Richard Vuuland

Taken before me,  
this 6<sup>th</sup> day of Aug 1880.

Thomas C. Ruess CORONER.

0394

## Coroner's Office.

## TESTIMONY.

Philip E. Donlin M.D. being sworn says on July 28<sup>th</sup> 1880 I made a postmortem examination of the body of Charles — Babcock and found

An irregular shaped opening in the scalp that from its depth evidently communicated with the brain. Said opening was directly on top of the head.

On removing the scalp an oblong opening was seen in the top of the skull extending obliquely across the top of the skull. It was about  $2\frac{1}{2}$  inches long and varied from one half to one inch in width. It involved the two parietal bones.

The dura-mater was lacerated beneath the point of fracture and showed evidence of local inflammation of the brain. The dura-mater was adherent to brain at point of injury.

Convulsions of left hemisphere were flattened than the right.

In the frontal lobe of the left side just anterior to the ascending frontal convolution is a loss of substance nearly circular in shape and about 10 inches in diameter one half to three quarters of an

Taken before me,

this 6<sup>th</sup> day of Aug 1880.

Thomas C. Knox CORONER.



0395

Coroner's Office.

## TESTIMONY.

I, Francis Hallam, House Surgeon of the New York Hospital do hereby testify that Chas Babcock was admitted to the Surg. Wards of this Hospital on the evening of June 27<sup>th</sup>/80 suffering from Comp'd depressed fract. of skull received as far as I know by being struck on the head with an axe - & that he died on the 28<sup>th</sup> day of July 1.20 Am & that the cause of his death was  
 1<sup>st</sup> Comp'd Depressed Fract of Skull with laceration of Dura-Mater & probable concussion & laceration of brain substance

2<sup>nd</sup> & immediate - Meningitis & Cerebral Abscess & still further that the report of the autopsy performed by Coroner & reported by Pathologist was as follows -

All organs normal except Kidneys wh. were congested otherwise normal Lungs - Adhesion, old at left apex  
 Dura Mater - Lacerated beneath pt of Fract & showing evidence of local inflammation  
 Brain - Convulsions of both Hemispheres are distinctly flattened, especially of the left - In the frontal lobe of left side just anterior to the ascending frontal convolution & involving part of posterior half of the superior & middle frontal

Taken before me  
 this 6<sup>th</sup> day of August 1880

Thomas C. Rump CORONER.

[over]



0396

Convolution is a bit of substance wh  
 is nearly circular in shape and about  
 one inch in diameter; it is about  $\frac{1}{2}$  to  $\frac{3}{4}$   
 of an inch deep & its surface is apparently  
 covered by granulations - Upon gently manipu-  
 lating the brain the cortex gives way at  
 the Superior Temporo Sphenoidal fissure on  
 left side & about 15 C.c. of pus escapes  
 on connecting this opening with the site  
 of loss of substance in the Frontal Lobe  
 by fine incision, there is found to be a  
 large abscess in the parietal lobe lying  
 just behind the ascending parietal convolution  
 & extending backwards; it is ovoidal in  
 shape & considerably larger than a large  
 hen's egg; it is separated fr the site of the  
 loss of substance described above by the  
 width of the ascending Frontal & Parietal  
 convolutions - The brain tissue surround-  
 ing this abscess contains many punctate hemorrhages  
 & the whole left hemisphere is moderately softened  
 Except these points the brain is normal

Francis H. Barker & M.D.

James Surgen

N.Y.C.

Thomas C. Ross

Coroner

Taken before me  
 this 6<sup>th</sup> day of August 1880

0397

Coroner's Office.

TESTIMONY.

inch deep.

An abscess ovoidal in shape and the size of a duck egg is found nearly in the center of left Hemisphere of the Cerebrum.

Left hemisphere moderately softened and near abscess contains many punctate hemorrhages.

Brain otherwise normal.

Kidneys congested.

Lungs old adhesions at left apex.

From said Autopsy I am of the opinion that death was due to Cerebral compression by abscess & meningitis the result of compound comminuted fracture of the skull and injuries to brain substance above described.

Philip E. Dolan M.D.

Taken before me,

this 6<sup>th</sup> day of Aug. 1880.

Thomas C. Rugg

CORONER.

0398

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK. } ss.

*Alexander Caulfield* being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

*Alexander Caulfield*

Question.—How old are you?

Answer.—

*17 yrs*

Question.—Where were you born?

Answer.—

*New York City*

Question.—Where do you live?

Answer.—

*340 W. 11<sup>th</sup> St.*

Question.—What is your occupation?

Answer.—

*Ice-man*

Question.—Have you anything to say, and if so, what, relative to the charge here preferred against you?

*By advice of Counsel I say  
nothing at present*

*Alexander Caulfield*

Taken before me, this *6<sup>th</sup>* day of *Aug* 18*84*

CORONER.

0399

## MEMORANDUM.

AGE.			PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
<i>20</i> Years.	Months.	Days.	<i>U.S.</i>	<i>N.Y. Hospital</i>	<i>July 28 80</i>

HOMICIDE.

AN INQUISTION

On the VIEW of the BODY of

*Charles Herbert*whereby it is found that he came to  
his Death by the hands of*Alexander Campbell*

from injuries inflicted

on June 24<sup>th</sup> 1880at foot of 1417<sup>th</sup> St.Inquest taken on the 24<sup>th</sup> day  
of August 1880*Thomas C. King* Coroner.Committed August 6<sup>th</sup> 1880

Bailed

Discharged

Date of death *July 28 1880*



0400

MEMORANDUM.

AGE.	20 Years.	Months.	Days.
PLACE OF NATIVITY.	N.Y. No. 100		
WHERE FOUND.	N.Y. No. 100		
DATE When Reported.	July 28. 80		

Vol 310 1880

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY of

Charles Butcher

whereby it is found that he came to his Death by the hands of Alexander Crawford from injuries inflicted with an ice axe on June 29<sup>th</sup> 1880 at foot of Mt. 17 1/2.

Engel taken on the 4<sup>th</sup> day of August 1880

Thomas C. Kane Coroner.

Committed August 6<sup>th</sup> 1880

Buried

Discharged

Date of death July 28. 1880



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The People, &c.

-vs-

Alexander Caulfield

Homicide of Charles Babcock.

Assault, June 29, 1880.

Death.

Fernan k E. B e a n

349 W. 17th St.

I am in the wholesale ice business foot of West 17th St. North River. I had known Babcock about six weeks. He had worked for me about four weeks. He was a very quick worker and attended to his business very well, though not regularly. I never saw him in liquor. I had known Caulfield about four weeks. I had discharged him the Saturday before this occurrence. He was a heavy drinker. I never knew of any trouble between him and the deceased before the occurrence in question

On Tuesday June 29th, about 4 p.m., I was on the lower end of the bridge, foot of 17th St. between 16th and 17th Sts. near the scale-house on the bulkhead. Babcock was loading an ice wagon. He was working alone. One of the men came to me and said that there was a man knocked down. I walked up to the other end of the bridge but I did not see any disturbance. The scale house is on the bridge opposite the South end of the boat. I went to the North end of the bridge to see about this disturbance where his ice wagon was backed up. When I got there everything was quiet. I came back to the South end of the bridge and got down on the boat and walked up to the North end of the boat and as I got opposite the hatch I looked down and as I looked up I heard a blow and saw a man fall over towards the water from the bridge. I jumped on to the bridge and I saw Bernard F. McCloskey had a man down who had an axe

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in his hand. We took the axe from him. I told McCloskey to hold him down. He struggled up, and they took him to the lower end near the scale house, he cursing and swearing all the time. Before this occurrence he came around there and wanted to know why he had been discharged. He was drunk but knew what he was doing, and I sent for an officer. As I saw the deceased fall I saw two men catch him and prevent him from falling into the River. The Weigh-Master and an officer took him to the station house and from there to the hospital. I had never heard the prisoner making any threats before that. There was a deep cut across the deceased's head.

*This witness saw the deceased after he was dead.*

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B e r n a r d F. M c. C l u s k e y      436 W. 17th St.

I have known Caulfield 8 or 9 years; Knew Babcock about two months. Caulfield worked for Bean two or three weeks, and was discharged for drunkenness and sauciness about a week before the occurrence in question. Babcock had worked for Bean about four weeks.

On the 29th of June between 4 and 5 p.m. I was standing on the bulkhead heretofore mentioned, on the South side, towards 16th St., loading my wagon, when I heard the prisoner speaking to Mr. Bean about his discharge -- not in an angry tone -- and Mr. Bean said, "If you had been around this morning, I might have given you a chance on an ice-wagon second hand." I saw that Caulfield was intoxicated. He walked about the wagon for a little while and then proceeded towards the North end of the bulkhead and returned shortly afterwards, and when he reached about the middle of the bridge he picked up an ice-axe and stood still near the edge of the bulkhead overlooking the water. Then Charles Babcock came to the end of the run to get his cake of ice near where Caulfield was standing, and as he stooped to get his ice, Caulfield gave him a blow on the top of his head with the sharp end of the axe, felling the deceased on his right side. The deceased picked himself up, clapped his hand to his head, blood pouring over his face. Caulfield raised the axe again to hit the deceased a second time, when I sprang towards him and knocked him down, and one of the men took the axe out of his hand. I held him down for four or five minutes and I let him up again. He was cursing and swearing while I held him down -- but I do not know what he said. Then seeing that I could not

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control him, I lifted him up and dropped him down and held him down for a few minutes until Bean said "Let him up, his brother will take care of him. Then Caulfield ran towards 16th St. followed by his brother. The deceased was taken to the station house in Bean's gig. I never saw him again. I never heard any quarreling between the deceased and Caulfield before the occurrence in question.

*Frank  
McCluskey*  
George A. Decker 353 W. 17th St.

I was engaged in loading my wagon about the center of the bridge on the day in question between 4 and 5 p. m., about 10 or 15 minutes before Caulfield struck the deceased when I saw Caulfield with a pair of ice-tongs in his hand, and as Babcock was about to pick up his cake of ice Caulfield put his tongs into the cake of ice and began to pull against him. Babcock said, "If you take hold of another cake of ice of mine again I will knock you down". I don't think Caulfield made any reply. After placing the cake mentioned in his wagon, he started for another cake and was about picking it up when Caulfield put his tongs into it, and Babcock thereupon struck him in the head with his fist, knocking him down. Then Babcock put the cake into his wagon and Caulfield walked towards the South end of the bridge. They both swore at each other but I could not understand what was said. Babcock still stuck by his wagon. About ten or fifteen minutes afterwards I saw McCluskey holding the prisoner down, and Babcock sitting up on the bridge bleeding from the head, but how he came there and who struck him I don't know anything about.

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W m. C a i r n s. 16th Precinct.

On the 29th of June Babcock was brought to the station house about 5 p.m. and in answer to a question he said that Caulfield had struck him with an axe. He was perfectly conscious. About two o'clock the next morning I found the prisoner on the roof of a shed about opposite 521 W. 21st St. He was sound asleep with three or four others. I awoke him and told him why I wanted him. He admitted striking the deceased with an axe, but said the deceased struck him first. He was sober at this time. He said that the quarrel arose in regard to a cake of ice. The prisoner had been arrested a number of times for disorderly conduct.

A n d r e w B. E l t i n g 353 W. 17th St.

I am an iceman employed by F. E. Bean -- was employed by him at the time of the trouble between Caulfield and the deceased Babcock. I never had anything to say to either the defendant or deceased. The first thing I saw was Babcock strike Caulfield with his fist in the face, knocking him down. I was then loading a wagon on the bridge. I didn't hear any words pass between them. I never saw Babcock under the influence of liquor, but I think Caulfield from his actions was under the influence of liquor -- he staggered slightly. I don't know as Caulfield was working at the time. After ~~Babcock~~ <sup>(Caulfield)</sup> knocked ~~Caulfield~~ down, he walked to the South end of the bridge; walked up and down a couple of times. I didn't hear him say a word. He walked at a moderate pace. This was between 4 and 5 p.m. About five minutes after he <sup>(Babcock)</sup> struck the



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prisoner, Caulfield picked up an axe which was on a wagon about five feet from Babcock, and as Babcock was stooping down to pick up a cake of ice, Caulfield came side-ways to the deceased and struck him on the head with the axe. Caulfield was standing on the left side of Babcock when he struck him. He raised the axe to strike a second time, when McCluskey caught him. I took the axe away from him. I didn't hear Caulfield say anything before he struck the deceased, but afterwards he muttered something which I did not understand. I do not think he said anything in reference to Babcock. Babcock was taken to the hospital.

The People vs.

vs.

Alexander Campbell

Homicide of  
Charles R. Ragsdale.  
Jury for 1st day.

Witnesses:

Frank E. Dean

Bernard F. McChesley

George A. Decker

William Cairns

Andrew B. Elting



Philip Boyle called on behalf the prisoner,  
being duly sworn, testified as follows:  
By Mr. Hummel.

Q Where do you live?

A 322 West 14<sup>th</sup> Street.

Q What is your business?

A Mason and builder.

Q What was your business last summer?

A I was in the Ice business.

Q Were you ever in the employment of  
Mr. Bean?

A Yes, sir.

Q For how long?

A I was driving an extra wagon  
off and on.

Q How long were you in the Ice business?

A Some days I was at Ice and  
some days at my own trade.

Q Then you are by trade a mason  
and builder?

A Yes, sir.

Q Do you remember the 29<sup>th</sup> of June  
last?

A Yes, sir.

Q Do you know the prisoner at the bar?

A Yes, sir.

Q How long have you known him?

A He used to work for Mr. Bean.

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on a hook on a run on a slide that went to the bridge. This morning I do not know how it was.

2 Do you remember having employed the prisoner on the 29<sup>th</sup> of June?

A. Yes, sir.

2 For what did you employ him?

A. I asked him to help me load the wagon.

2 Had you a wagon there?

A. Yes.

2 A wagon that you were driving?

A. Yes, sir.

2 Whose wagon was that?

A. Mr. Beaus.

2 You were to work for Beaus that day?

A. Yes.

2 And you hired the prisoner to assist you?

A. Yes, sir.

2 As second hand?

A. Yes, sir.

2 I want you to tell us whether you were present at the time Caulfield and Babcock had their trouble?

A. Yes, sir.

2 Did you see it all?

A. Yes, sir.



2. Where <sup>were</sup> you standing at the time?

A. Piling a cake of ice at my wagon.

2. How near was your wagon to Babcock's?

A. Next wagon; there was a horse in between, the hoisting horse; I was next wagon to him all except the hoisting horse.

2. The hoisting horse was the horse that was used with the hoisting apparatus to pile the ice up?

A. Yes, sir.

2. Tell us just exactly what you saw from the beginning to the end?

A. I told Alex. Caulfield to go out — objected to by Mr. Bell.

2. What time was this?

A. At the time of the occurrence.

2. (By the Court) Was this just before the quarrel between these two persons?

A. Yes, sir, I told Alex. Caulfield to go and pull my turn; he went out and Babcock took the turn off me — Alex. Caulfield said I am not going to pull for everybody on the bridge, so Babcock told him (Caulfield) to let go the cake of ice. Alex. let go of it and coming back again I told Alex. that it is my turn & Caulfield

went and pulled it.

Q What do you mean by that was your turn?

A. Pulling the cake of ice. The cake belonged to the wagon I was driving.

Q That was your turn and you directed Caulfield to pull it.

A. Yes, sir, I told him to go and pull my turn. Charles Babcock took hold of the cake of ice and he pulled that to the wagon. He made an attempt for the third cake and he hit Caulfield several times, knocked him down and then he kicked Aleck Caulfield. After Aleck got up he made a chase for Aleck with a pair of tongs.

Q Who did?

A. Charles Babcock. I was on the end of the bridge of the 17<sup>th</sup> street dock and running towards 16<sup>th</sup> street. That is from the other run towards the second run.

Q Caulfield ran and Babcock after him?

A. Yes, sir.

Q Then what next occurred?

A. There was an ice axe lay in between the two runs; he seen the

ice axe and picked it up.

2 Baulfield?

A. Yes, sir.

3 Had he the tongs in his hand at the time?

A. He dropped his tongs on the bridge.

2 Who had the tongs?

A. Charles Babcock.

2 You say Babcock had the tongs in his hands and Aleck dropped him.

A. Yes, sir, when he knocked him down he let his tongs lie there.

2 After having left his tongs on the bridge he started to run without any tongs?

A. Yes, sir.

2 Babcock followed him with his tongs?

A. Yes, sir.

3 And Baulfield picked up an axe?

A. Yes, sir.

2 What after that?

A. After I saw him pick it up I saw ~~to~~ Aleck hit him.

2 Was Aleck standing in front or behind him?

A. He was just about two feet apart.

2 Did Babcock still have the ice tongs in

his hand?

A. Yes, sir.

Q. Did he go towards Caulfield?

A. Yes, sir.

Q. Did you see him raise the Ice tongs?

A. Yes, sir.

Q. What next did you see?

A. I saw Allick Caulfield pick up the axe and hit him with it.

Q. Will you take that axe and show us how he made the blow?

A. The axe was stuck in the bridge like this (illustrating). I could not see whether he hit him this way or that way.

Q. Before that you saw the tongs lifted by Babcock at Caulfield?

A. Yes, sir.

Q. Did he have hold of the metal of the axe or the lower end of it?

A. He had it like this.

Q. Did you see Babcock fall?

A. No, sir.

Q. What did you do next?

A. I went at my wagon.

Q. How far from your wagon did this take place?

A. About ten feet.

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2 How far from Babcock's wagon?

A. It lay in between the two where the twisting horse was.

2 How near to his own wagon where he was struck?

A. There is a post at the derrick on the 14<sup>th</sup> street dock.

2 How far from Babcock's wagon was Babcock when he was struck with the axe?

A. He was about 10 or 15 feet away from his wagon.

2 And he ran from his wagon after Caulfield to strike Caulfield?

A. Yes.

2 And he lifted the logs?

A. Yes, sir.

2 How long did the entire occurrence take?

A. About a minute or a minute & a half.

2 How long time he ran after Caulfield until Caulfield struck him?

A. Yes, sir.

2 You say at the last cake office Babcock struck Caulfield & knocked him down?

A. Yes, sir, in the bridge.

2 How long before that did Caulfield get



up on his feet again?

A. He kicked him before he got up.

Q. And then he got up?

A. Yes sir.

Q. How long was he up on his feet before the job the axe?

A. He chased him down towards the 16<sup>th</sup> street corner with the tongs.

Q. How long before the last cake of ice was put in from the time he kicked him?

A. Took about two minutes, that is taking the three cakes.

Q. You do not understand my question. The third cake was put in and upon that cake there was the dispute, the knock down, and kick?

Q. From that time until the time that you say you saw Caulfield use the axe upon Babcock, how long a time elapsed?

A. I could not say exactly.

Q. How long?

A. About two or three minutes.

Cross-examined by Mr. Ball.

Q. How long were you employed by Mr. Bean?

A. Every time there was mucking done

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at the Brewery.

Q How long a time were you employed by Mr. Bean?

A. I could not say. I was <sup>on</sup> and off with him.

Q For how long a period?

A. Sometimes a week, sometimes three days, sometimes one day.

Q At the time of this occurrence how long had you been with him?

A. One day.

Q Just that day?

A. Yes, sir.

Q That was on what day of the week?

A. I think it was about Tuesday.

Q You knew Canfield before that?

A. Yes, sir, used to work for Mr. Bean.

Q How long did you know him?

A. Since he first came on the bridge.

Q Knew him well?

A. Not, sir.

Q Not very well?

A. Not, sir.

Q You knew that he had been discharged by Bean, didn't you?

A. Yes, sir.

Q You knew it at that time?

A. Yes, sir.

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Q You knew he had been discharged for being drunk?

A. I could not say what he got discharged for.

Q Did you not hear it at all?

A. No, sir.

Q Had no knowledge whatever on that subject?

A. No.

Q Did you see him talking to Mr. Pease that afternoon?

A. No, sir.

Q When did you see him that afternoon?

A. I met him coming up the street.

Q Up what street?

A. 14<sup>th</sup> Street.

Q What were you doing?

A. I was driving an ice wagon.

Q And how far from the clock was it that you met him?

A. It was on Eleventh Avenue.

Q Where is the clock?

A. On 12<sup>th</sup> Avenue.

Q Did he go with you to the clock?

A. Yes, sir.

Q In the wagon?

A. We footed it up to the clock with me.

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Q Did he walk from where you met him to the dock?

A. Yes, sir.

Q Why did he come to the dock?

A. I asked him to come and give me a hand.

Q And he came?

A. Yes, sir.

Q Came with you?

A. Yes, sir.

Q And he proceeded to give you a hand as soon as he came?

A. Yes, sir.

Q Did he speak to anybody after he came?

A. No, sir.

Q Never spoke to anybody?

A. I could not say; he walked up and down the bridge. I was loading the wagon and he was pulling to me.

Q Did you see him speak to the Bean at all?

A. No, sir.

Q Did you tell him you would pay him for his services?

A. I told him I would give him half of what I would get.

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2 For what?

A. For the day.

2 Had you been at work for Mr. Beane all that day?

A. Yes sir.

2 From what time?

A. From about half past 7 in the morning.

2 From about half past 7 in the morning until what time of the day?

A. Yes sir.

2 And you told this prisoner if he would come down with you between 4 to 5 o'clock you would give him half of your wages for the day?

A. No, I would give him half.

2 Half of what?

A. What I expected to make.

2 What did you expect to make?

A. I expected to make my wages from Beane.

2 Your wages for the day?

A. Yes sir.

2 And you should give him half of that day?

A. Yes sir.

2 Half of your entire earnings for the day if he would come and help you?



A. Yes fr.

Q Had you ever done that before?

A. Yes fr.

Q With whom?

A. A young man named Gallagher.

Q Had you ever done it with Caulfield?

A. No fr.

Q And that agreement with him was to give him half your wages for that day?

A. Yes fr., because I wanted to get away and go to Jersey.

Q You did agree to give him half of your wages for the whole day from half past seven in the morning?

A. Yes fr.

Q Did you not ordinarily have some one to help you down there?

A. No fr.

Q Did you not <sup>have</sup> a second hand?

A. No fr., the route wagons do.

Q What was your wagon?

A. I was driving to a brewery vault.

Q And when were you employed by Mr. Bean to work that day?

A. The foreman Mr. Merrill was the one who employed me. He told me to go and take the team out.

Q When?

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A. In the morning.

Q Not the day before?

A. No, fri.

Q You were not at work the day before?

A. No, fri.

Q When the prisoner came down with you to the bridge you say he immediately began to help you to load?

A. Yes.

Q Did he help you to load?

A. Yes.

Q How many cokes of ice?

A. He helped me to put in five.

Q How did he help you?

A. He pulled away from this bridge on this run, this slide, and pulled it to my wagon and I put it up in my wagon.

Q How many cokes had he put into your wagon when the trouble with Babcock began?

A. I pulled one and he pulled another, there was five altogether in my wagon.

Q How many did he pull?

A. About two.

Q What did you do?

A. I was up ending them?

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Q Where?

A. In the Ice wagon.

Q From the time that he came down on the dock to help to you until the trouble with Babcock did he speak to any body else there?

A. I could not say.

Q Did you see Mr. Bean?

A. Yes, Sir.

Q Do you know whether he spoke to Bean?

A. I could not say.

Q Did you see him stop to speak to Bean?

A. Hee was the other end of the bridge.

Q Did this man go clear to the other end of the bridge?

A. I could not say.

Q Did he have any necessity to go to the other end?

A. I could not say.

Q Was there any reason for his going down there?

A. If he wanted to see Mr. Bean, I suppose.

Q Hee was employed all the time helping you?

A. Yes, Sir.

Q It was not necessary for him to go there to help you?

A. No, sir.

Q And you or he were pulling ice all the time?

A. Yes, sir.

Q Did you miss him long enough?

A. No, sir, there were about a dozen wagons at the bridge and each man had to wait for a turn.

Q And you don't know whether he went down and spoke to Beard at the other end of the bridge?

A. I could not say.

Q Where were you when the difficulty between Babcock and Caulfield arose?

A. I was at the end of my wagon at the tail board.

Q How far was Babcock from you?

A. Just at the run pulling the cake of ice.

Q How far is that from you?

A. About 8 to 10 feet.

Q Where was the prisoner?

A. He was there at the run waiting for his turn. The turn was coming to my wagon.

Q Do you know whether or not Jack

prior to that time the prisoner had been talking with Bean?

A. No, sir.

Q. You say the prisoner was standing at the end of the run waiting for his turn?

A. Yes, sir.

Q. Where was Babcock?

A. On the other side.

Q. And he took a cake of ice?

A. Yes, sir.

Q. And the prisoner took the same cake?

A. Yes, sir.

Q. What was said as you know?

A. He told him that he would not pull for everybody on the bridge.

Q. What did Babcock say?

A. He told him to leave so that or he would punch him.

Q. Did Caulfield let go of it?

A. He was stronger than him and he pulled it away from him.

Q. Who did?

A. Babcock.

Q. What became of that cake?

A. Babcock put it in his wagon.

Q. When did another cake of ice come down?

A. Right up in a few minutes afterwards.



Q Where was Babcock there?

A. He came to take the other end.

Q Did he take it?

A. Yes, he took that end.

Q Did the prisoner take it also?

A. He pulled it away from him.

Q Who did?

A. Charles Babcock.

Q What was said by either of them then?

A. He did not say anything when he came there - Caulfield or Babcock did not say a word.

Q But Babcock took the cake of ice from the prisoner?

A. Yes, sir.

Q Did the prisoner have hold of it?

A. Yes, sir.

Q Which had hold of it first?

A. The two of them grabbed it and turned it over.

Q What then?

A. He let it go.

Q Babcock got that second cake and put it in his wagon?

A. Yes.

Q What was there in regard to the second third cake?

A. I told him to take that and just

at that he got hold of it and he  
hit Alck Caulfield with his fist  
and knocked him down on the bridge.

Q What became of the cake of ice  
A. Then Babcock put it in his wagon.  
He turned it up in the wagon.

Q And where did Caulfield go?  
A. When he came there he kicked him  
Caulfield across lying down and he kicked  
him; he pulled the cake towards his  
wagon and came back and kicked him.

Q Where was Caulfield when he kicked him?  
A. Lying down.

Q When what did Babcock do?  
A. Caulfield got up and Babcock  
chased him with a pair of tongs  
down to the other end of the bridge.

Q Clear down?  
A. Not clear down.

Q How far did he chase?  
A. Then one run to another.

Q How far were they apart?  
A. I could not say exactly.

Q About how far?  
A. I guess from here to the end  
of that table.

Q About twenty five feet?  
A. Yes sir.

Q And you say Babcock Chased Caulfield?

A. Yes, sir.

Q Before chasing him did he put that cake of ice into the wagon?

A. Yes, sir, it lay outside.

Q And he chased Caulfield down to the next run on the bridge?

A. Yes, sir.

Q What happened there?

A. Alack Caulfield picked up an axe.

Q And did what?

A. He hit him with the axe.

Q Down at the next run?

A. Yes, sir.

Q What was Babcock doing at the time Caulfield hit him?

A. Taking the cake of ice that he let go to get at Alack Caulfield. The cake of ice lay at the wagon and ~~was~~ he was coming back from the run; after he came back he picked up the axe.

Q He chased Caulfield from the run where this altercation took place in regard to the third cake?

A. Yes, sir.

Q Down to the next run?

A. Yes, sir.

Q Did that is some twenty five feet away?  
A. Yes.

Q There Caulfield picked up an axe and struck him?

A. Yes Sir.

Q Down at the other run?

A. No at his own run.

Q Did Babcock run away from him?

A. He ran away from him.

Q ~~He~~ You say he chased him down to the next run?

A. Yes.

Q There Caulfield picked up the <sup>axe</sup> ~~case~~?

A. Yes Babcock

Q When <sup>Babcock</sup> ~~Caulfield~~ got to the next run what did he do?

A. Pulled in a cake of ice.

Q That was not at the next run.

A. He came back to his own run.

Q Then he gave up the chase down there?

A. Yes Sir.

Q Coming back to his own run Caulfield did not give him up?

A. No Sir.

Q Caulfield picked up the axe at the next run and ran after Babcock?

A. No Sir. the axe lay in the run like that ~~interesting~~ and he

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came back and Babcock was taking another cake of ice and then Caulfield picked up the axe.

Q You say that Babcock chased Caulfield down to the second run and Caulfield then and there picked up the axe?

A. Yes, Sir.

Q Where did Babcock go?

A. Came back to his own run.

Q Then he gave up the chase of Caulfield?

A. Yes, Sir.

Q And came back to his own run?

A. Yes, Sir.

Q And took hold of his own cake?

A. Yes, Sir.

Q Did Caulfield run towards him with the axe?

No, Sir, walked towards him.

Q And as soon as he got to him he raised the axe and hit him on the head?

A. Yes, Sir.

Q What did Babcock say to Caulfield or Caulfield say to him when Caulfield picked up his axe and struck him?

A. Didn't say anything.

Q The quarrel was over sometime before that?

A. It began to increase again.



Q You mean Caulfield increased the quarrel?  
A Yes, sir.

Q You say the quarrel began to increase, what do you mean by that?

A That it was going on?

Q Babcock was not taking any hand in it?

A He came back after his turn.

Q And had hold of a piece of ice?

A Yes, a cake of ice.

Q And did not say a word?

A No.

Q Did not do anything to Caulfield?

A He did before that.

Q I am now speaking of the time he came back and took hold of that cake of ice - Babcock came back?

A Yes, sir.

Q Did he walk back quietly?

A I could not say quietly; he was grumbling.

Q He took hold of the ice with the tongue?

A Yes.

Q And was stooping over when Caulfield raised his axe and hit him?

A No, sir.

Q He carried it 25 or 30 feet?

A No, sir, he chased him up to the other end.

Q Did not you state a moment since that this axe lay against the other end?  
 A. The run that we were taking the ice from.

Q Do I understand you Caulfield came back without any axe?  
 A. Yes sir.

Q And found an axe lying against the run way that Babcock stood at?  
 A. Yes sir.

Q And as Babcock stooped down he picked up that very axe and struck him over the head?  
 A. Yes sir.

Q Did he strike him more than once?  
 A. No sir, I could not say.

Q You saw him strike him once?  
 A. Yes sir.

Q Did you see him raise the axe again?

A. He took it like that as if he was going to put it down.

Q After he struck him once he began to put it down?

A. Yes sir.

Q Did not raise it at all?

A. No sir.

Q Now you say that Babcock chased

Canfield with a pair of ice tongs  
down to the other man?

A. Yes sir.

Q. Who stopped first, Canfield or Babcock?

A. Babcock stopped first + started back.

Q. Did he run after Canfield?

A. Yes sir.

Q. Did Canfield run?

A. Yes sir.

Q. And Babcock run after him?

A. Yes sir.

Q. And Babcock stopped first?

A. Yes sir.

Q. And Babcock came back?

A. Yes sir.

Q. And Canfield followed right away?

A. Yes, he walked back.

Q. Quickly?

A. No, not very quickly.

Q. As quickly as Canfield?

A. Yes.

Q. And just as soon as he got back  
he picked up that axe and struck  
him?

A. Yes sir.

Q. How long a time elapsed from the  
time that Babcock commenced to run  
after Canfield until Canfield came

back and struck him with the axe?

A. About two minutes.

Q That whole distance that was run by Caulfield you say Babcock ran after him was about as far as from here to the window?

A. To the end of the table.

~~Q That is about 25 or so feet?~~

~~A. Yes sir.~~

Q You say that Caulfield ran that far and Babcock after him?

A. Yes sir.

Q Babcock turned around and walked back?

A. Yes sir.

Q Caulfield turned around and walked after him?

A. Yes sir.

Q And that took two minutes?

A. When he hit him?

Q How long did he stand when he hit him?

A. He did not stand at all.

Q He hit him when he came back?

A. Yes sir.

Q Do you mean to say that that took two minutes?

A. Yes sir.

Q Do you mean to say it took 30 seconds?

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A. Yes sir.

Q How did Caulfield go

A. Just as fast as he could run.

Q And Babcock ran that same way?

A. Yes sir.

Q Tell me how Babcock came back?

A. He came back this way (illustrating) with the traps in his hands.

Q And just as soon as he came back Caulfield came back and struck him with the axe?

A. Yes sir.

Q Do you say that took two minutes?

A. Yes sir.

Q Show it?

[The witness here walks the distance of about 25 feet as an illustration of the speed that Caulfield walked.]

Q Is that two minutes according to your notion?

A. No.

Q Was that as long as was consumed by this run of Caulfield and coming back?

A. I mean by the chasing and walking back.

Q The chasing would not take as long as the walk?



A. Yes, sir.

Q. How long would it take you to walk from that window to the stenographer?

A. I could not say.

Q. But the whole transaction according to your knowledge of it took thirty seconds, half a minute?

A. That is about the growling, axe and all?

Q. Now from the time that Caulfield ran away and Babcock had run after him with the ice tongs in his hand and Caulfield came back and struck him with that ice axe, did that consume half a minute?

A. I could not tell you.

Q. You have told all that occurred from the time it began until he was struck with the axe.

A. Yes, sir.

Q. Caulfield came back after Babcock, took up the axe and struck him?

A. Yes, sir.

Q. And then began to lay down the axe?

A. Yes, sir.

Re-direct.

Q. You say, as I understood you, that

after Caulfield had been knocked down by Babcock he started up and ran away?

A. Yes, sir, he kicked him before that.  
Q And got up on his feet after he had been kicked and ran away?

A. Yes, sir.

Q Babcock in pursuit?

A. Yes, sir.

Q At the time that Caulfield ran, he had an axe in his hand?

A. Yes, sir.

Q At the time the running took place Babcock had the tongs in his hand? A. Yes.

Q He followed him to the other room?

A. Yes, sir.

Q Then Babcock stopped after he ran about 25 feet?

A. Yes, sir.

Q How far was Caulfield from Babcock at that time?

A. About that far away from them [indicating from the courtroom window to the Stenographers' table, which was about 25 feet]

Q By so that he could catch him?

A. Yes, sir.

Q Then he gave up the chase, turned around with the ice tongs and walked back?

0438

50

A. Yes sir.

Q. Came back, Canfield did, behind Babcock?

A. Not exactly behind him.

Q. After Babcock?

A. Yes sir.

Q. Babcock walked to where his ice was?

A. Yes.

Q. At the time that Babcock got to the ice run had Canfield obtained the axe yet?

A. No, he was the run before he obtained the axe.

Q. How far distant was the run where Canfield got the axe? How far from that run was Babcock struck by Canfield?

A. About two feet away.

Q. Right at it?

A. Yes sir.

Q. Then Canfield did not have the axe in his hands before he struck?

A. He just picked it up and struck him.

By the Court.

Q. Where was Babcock when he was struck?

A. He was at the ice run.

Q. Was he on the bridge?

A. Yes, sir.

2 How near the water?

A. About a foot away from the water.

There is a big pillar right in between.

2 Was all this running done on the bridge?

A. Yes, sir.

Recross

2 I misunderstood you to say Babcock did not fall?

A. I did not say he did not fall.

2 Then I misunderstood you. Did he fall or not?

A. He was stooped.

2 He was stooped picking up the cake of ice?

A. He went on his knees.

2 As soon as he was struck?

A. Yes, sir.

2 Then he fell as far as to fall on his knees?

A. Yes, sir.

2 Didn't he fall any further than that?

A. No, sir; he held his hand up to his head.

2 And there was nobody took hold of his legs to prevent his falling over?

0440

32

Chas. Fri.

Q. Did you see Bean the employer of these people come down from the South end of the bridge to the North end of it after the first blow that Babcock struck Caulfield with his fist and before Caulfield struck Babcock with the axe?

A. Chas. Fri.

Q. Did he come there?

A. I did not see him.

Q. Could you see him if he did come?

A. Chas. Fri.

Q. Did he come?

A. Chas. Fri., I saw him the other end of the bridge.

Adjourned until tomorrow, Nov<sup>r</sup> 24,  
1880 at 11 o'clock and

0441

# Police Court, Second District,

Corner of Sixth Avenue and Tenth Street.

New York, July 28<sup>th</sup> 1880

Francis H. Markoe being duly sworn depose that he is a Surgeon attached to the New York Hospital and he certifies that Chas Babcock at 20 - W. 4th - Driven - was an inmate of Surgical Wards of New York Hospital from the evening of June 29<sup>th</sup> /80 until the morning of July 28<sup>th</sup> when he died & that his injuries consisted of a compound, depressed Fracture of Skull, (caused as far as I know by a blow from an ice-axe) with subsequent Meningitis Cerebral Softening & Fungus Cerebri & that the cause of death, inquest pending was probably - Meningitis - Cerebral Softening

Francis H. Markoe M.D.

Chief Surgeon

Sworn before me N.Y. City  
this 28 day of July 1880

J.D. Kilbuck Police Justice



0442

New York Hospital,

West Fifteenth Street,

New York, July 26<sup>th</sup> 1880

This is to certify that Chas. Babcock  
admitted to Surg. Ward June 29<sup>th</sup> 1880  
suffering fr. Comp'd Depressed Fract.  
of Skull is now in a very  
precarious condition - symptoms  
of Meningitis having supervened

Francis Halloran  
House Surgeon  
N.Y.H.

0443

New York Hospital,

West Fifteenth Street,

New York, *June 30<sup>th</sup>* 1880

This is to certify that Charles Babcock was admitted to the Surgical Ward of this hospital on the evening of June 29<sup>th</sup> suffering from Compound Depressed Fract. of Skull & that he now lies in an exceedingly precarious condition, his recovery being very doubtful

Francis H. Markoe  
House Surgeon  
N.Y.H.

0444

FORM 10.

STATE OF NEW YORK  
CITY AND COUNTY OF NEW YORK.

ss.

William Cairns

of No. 16

that on the 30

day of

Street, being duly sworn, deposes and says,

1880 at the City of

New York, in the County of New York,

deponent arrested  
Alexander Caulfield (now here)  
who as deponent was informed  
assaulted and injured Charles  
Babcock who is now in the  
New York Hospital and unable  
to appear in Court in consequence  
of said injuries

William Cairns

Subscribed and sworn to before me this

of

June 1880

at

Notary Public

*[Signature]*

0445

FORM 10.

Police Court — Second District.

AFFIDAVIT.

THE PEOPLE, &c.

ON THE COMPLAINT OF

William Burns

vs.

Alex. Caulfield

Dated,

June 30 1880

Kilbuck

Justice.

Cairns

Officer.

Witness,

Sw to admit  
truth of info

At 2 P.M. July 28

At 2 P.M. July 29

Charles Babcock

0446

Bernard J. McBluskey  
of No 430 West 17<sup>th</sup> St  
Being duly sworn says,  
I was present at  
the time Babcock received  
his wound. I heard some  
loud words between Babcock  
& the prisoner. I turned  
and saw them. Babcock  
stooped to pick up some  
ice with which he was  
loading his wagon and  
the prisoner stooped and  
picked up an axe and  
lifted it and struck  
Babcock on the head  
with the sharp end of  
the axe. Babcock stag-  
gered & then fell down  
on the bridge. I asked  
some one to go for an  
ambulance. He was carried  
away in a wagon. The  
prisoner escaped.

The occurrence transpired

h

0447

quickly, starting but few  
minutes -

Sumner before me this  
29 day of July 1880

J. H. Woodworth  
Police Justice

D. S. Woodworth



0448

Police Court—Fifth District.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Alexander Langfield* being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question. What is your name?

Answer. *Alexander Langfield*

Question. How old are you?

Answer. *Seventeen Years.*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live?

Answer. *340 West 11<sup>th</sup> Street*

Question. What is your occupation?

Answer. *Seaman*

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer. *I have nothing to say at present  
Under advice of Counsel.*

*Alexander Langfield*

Taken before me, this

day of

1878

*J. H. Smith*

Police Justice.

0449

Form 116

Police Court—Second District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*William Brown*

vs.

*Alexander Langford*

Offence, *Stomach*

*July 29<sup>th</sup> 1880.*

*Robert* Magistrate.

*William Harris* Officer.

*16<sup>th</sup>* Clerk.

Witnesses *Amador M. Crosby*

No. *430* Street. *West 17<sup>th</sup>*



No. *Commenced without bail* Street. *never committed*

Received in Dist. Atty's Office.

*C*

0450

CITY AND COUNTY } ss.  
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

Alexander Caulfield

late of the *Fifteenth* Ward of the City of New York in the County of  
New York, aforesaid, on the *twenty eighth* day of *June*  
in the year of our Lord one thousand eight hundred and *seventy eight* at the Ward,  
City and County aforesaid, with force and arms, in and upon one

*Charles Babcock*  
in the peace of the People of the State then and there being, wilfully, feloniously, and  
with a deliberate and premeditated design to effect the death of *him* the said

*Charles Babcock* did make an assault.  
And that he the said *Alexander Caulfield* *him*

the said

with a certain

which he

*Charles Babcock*  
*axe*  
the said *Alexander Caulfield*

in his right hand then and there had and held *him*  
the said *Charles Babcock* in and upon the *head*  
of *him* the said *Charles Babcock*  
then and there wilfully, feloniously, and with a deliberate and premeditated design to  
effect the death of *him* the said *Charles Babcock*  
did strike, *stab*, cut and wound, giving unto *him* the said *Charles*  
*Babcock* then and there with the *axe*

aforesaid, in and upon

of *him* the said *Charles Babcock* one mortal wound of  
the breadth of *one* inch and of the depth of *one* inch of which  
said mortal wound *he* the said *Charles Babcock*  
at the Ward, City, and County aforesaid, from the day first aforesaid, in the year  
aforesaid, until the *twenty eighth* day of *July*  
in the same year aforesaid, did languish, and languishing did live, and on which  
*twenty eighth* day of *July*  
in the year aforesaid, *he* the said *Charles Babcock* at the Ward,  
City and County aforesaid, of the said mortal wound did die.

And so the Jurors aforesaid, upon their oath aforesaid, do say that *he* the said

*Alexander Caulfield* — *him*  
the said *Charles Babcock* in the manner and form, and by  
the means aforesaid, at the Ward, City, and County aforesaid, on the day and in the  
year aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to  
effect the death of *him* the said *Charles Babcock*  
did kill and murder 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.

BENJ. K. PHELPS, District Attorney.

0451

**BOX:**

21

**FOLDER:**

265

**DESCRIPTION:**

Chamberlain, Henry

**DATE:**

10/02/80



265

0452

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Day of Trial,

Counsel,

Filed 2 day of Oct 1880

Pleads

THE PEOPLE

vs.

*Henry A. Chamberlain*

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*J. Chamberlain*

Foreman.

*Obtaining Verdict by Juries Finding*

State of New York }  
 City and County of New York } S.S.

George St. Krause  
 being duly sworn says that he is a wool  
 merchant doing business at No. 93 Church  
 Street in the City of New York; that he is  
 well acquainted with Henry St. Chamberlin,  
 who is a wool merchant doing business and  
 residing in Worcester in the State of Massachusetts  
 that heretofore, to wit, on or about the twelfth  
 day of November 1879 at the City of New York,  
 this Deponent sold to said Henry St. Chamberlin  
 Camels hair of the value and at the agreed  
 price of Four thousand one hundred and seventy  
 nine dollars and seventy nine cents upon a  
 credit of sixty days - That at the time of  
 said sale last above mentioned said Henry  
 St. Chamberlin stated to this Deponent that  
 he was at that time doing a prosperous  
 business as a wool merchant, and that he  
 was the proprietor of the Adriatic Woollen Mills  
 at Worcester, Mass. which was also doing a  
 very profitable business - That his firm  
 consisting of his son William W. Chamberlin  
 and himself under the firm name of St. St.  
 Chamberlin & Co. were worth Twenty to Twenty  
 five thousand dollars over and above all



liabilities - Deponent further says that  
 relying solely and entirely upon the truth  
 of said statements and believing them to  
 be true he sold said goods and has since  
 delivered them to said St. St. Chamberlin & Co.  
 at Worcester, Mass. - Deponent further says that  
 said statements were false and untrue and  
 as Deponent believes were made by said  
 St. St. Chamberlin when he knew them to be  
 untrue for the purpose of obtaining Deponent's  
 goods without paying for them, and that said  
 goods have never been paid for - That by  
 agreement between Deponent and said St. St.  
 Chamberlin, said goods though sold in November  
 1879 were not delivered till on or about the  
 12<sup>th</sup> day of June 1880, and that just preceding  
 the delivery of said goods to wit on or about  
 the 5<sup>th</sup> day of March 1880, said St. St. Chamberlin  
 stated to this Deponent that he was in a  
 better condition financially than he was in the  
 November preceding - that they had made  
 considerable money in the adriatic mills of  
 which he was the proprietor - that he had  
 given to young Mr. Smith, who worked in said  
 mills a small interest, beside his salary, just  
 enough to keep him and his father, James A.  
 Smith interested in the business of the mills,  
 and in reply to Deponent's question immediately

0455

following the last above mentioned statement, Deponent saying "what position would the Adriatic mills be in in case of the failure of St. St. Chamberlin & Co.", said St. St. Chamberlin said "the business of the Adriatic mills would undoubtedly be the property of my creditors, what a question that is to ask me - you as a business man, but such a thing as our failure is impossible" - Deponent further says that since the failure of said St. St. Chamberlin & Co. which occurred on or about the 9<sup>th</sup> day of July 1880, said Henry St. Chamberlin informed this Deponent that he never had a greater interest in said Adriatic mills than five twelfths thereof - Deponent further says that said statements so made as last above mentioned in relation to the financial condition of himself and his firm were untrue and false and so known to be by said Henry St. Chamberlin at the time he made them and were so made for the purpose of obtaining goods from this Deponent without paying for them.

Deponent further says that on or about the 26<sup>th</sup> day of June 1880, said Henry St. Chamberlin came into Deponent's store at 93 Church street, New York City for the purpose of purchasing some wool as he then stated - Deponent then stated to said Henry St. Chamberlin

that he already owed Deponent some four thousand dollars and that he (Deponent) would like to know what condition financially said St. St. Chamberlin & Co were in at that time, said Henry St. Chamberlin then stated to Deponent that said firm of St. St. Chamberlin & Co. were perfectly solvent and produced from his pocket book a written statement of the condition of said firm and showed it to Deponent and stated that said statement had been taken from the books of said firm on the first of June 1880; that said statement showed a balance of thirty eight thousand nine hundred and some odd dollars, the exact amount Deponent cannot recollect, of assets over and above all liabilities, Deponent then asked him what the item of assets on said statement consisted of, to which said Henry St. Chamberlin replied and said it consisted of stock on hand in Wool store, stock of various kinds in the Adriatic mills and machinery which he had bought and put into said mills, and which said machinery he said had cost twelve thousand dollars, and he had figured it in the assets at nine thousand dollars - Deponent believed said statements to be true, and relying upon their truth sold on that day to said St. St. Chamberlin & Co, wool of

the value, and at the agreed price of fourteen hundred and eighty five dollars and fifty four cents, on a credit of sixty days from July 1<sup>st</sup> 1880. Deponent further says that said verbal and said written statements were wholly false and untrue and Deponent fully believes that said Henry St. Chamberlin so knew them to be untrue when he made them, and that he made them for the purpose of obtaining Deponent's goods without paying for them. That about thirteen days thereafter, to wit, on or about the 9<sup>th</sup> day of July 1880, said St. Chamberlin & Co. failed in business and have never paid for said wool. Deponent further says that since the said failure, he has called upon said Henry St. Chamberlin at Worcester, Mass. and was informed by said Chamberlin that he could give no statement of his assets whatever at that time and had no idea how the estate stood financially, except that it was absolutely bankrupt. Deponent further says that there are hereto annexed copies of statements of the purchases heretofore set forth, which Deponent makes a part of this affidavit.

Sworn to before me this  
7<sup>th</sup> day of August 1880

Geo. Smith  
Notary Public  
Hingham Co

*[Signature]*  
Hingham Co

0458

ALL CLAIMS MUST BE MADE WITHIN TEN DAYS FROM DATE OF BILL.

New York, June 12<sup>th</sup> 1880

copy

Messrs. H. H. Chamberlin & Co

Bought of **GEORGE H. KRAUSE,**

FOREIGN AND DOMESTIC  
WOOL,

TERMS *Send 21 notes to our order each for 1/2 amt of bill  
one at 60 days & one at 75 days with interest added No. 93 Church Street.  
after 30 days from Nov 2/77 at 7 & 6% per annum*

31 Bales Camels Hair as per Memo weight, rendered there with	
14683. 310. 14373. @ 29	416817
Cartage	1162
19 days Int on \$ 2089.89 @ 7% per annum	772
227 " " " \$ 2089.89 " 6% " "	7906
19 " " " \$ 2089.90 " 7% " "	772
242 " " " \$ 2089.90 " 6% " "	8429
	<u>\$4358.58</u>

0459

New York, June 29<sup>th</sup> 1880

Copy

McPherson & Chamberlin & Co

*(Handwritten initials)*

Bought of **GEORGE H. KRAUSE,**  
FOREIGN AND DOMESTIC  
**WOOL,**

TERMS

Note to own order at 60 days from July 1<sup>st</sup> 1880  
with interest added after 30 days at 6% per annum  
No. 93 Church Street.

18 Racks Eastern Texas Wool as per Mini weight here with					
3600.	60.	3540	@	31 1/2	\$1115 10
6 Racks Texas Wool					
1376.	24.	1352	"	27	36504
		18 Racks	"	25	450
		6	"	15	90
		Cartage			3 60
		Interest 33 days			8 19
					<u>\$1497 33</u>



0460

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0461

A

Dec  
Henry H Chamberlain

That on the 26th day of June 1880  
at City & Co of NY  
Henry H Chamberlain, who was  
then & there with one William  
W Chamberlain ~~was~~ his partner  
was <sup>then & there</sup> carrying on business as  
Produce in the State of New York  
under the firm name &  
style of H H Chamberlain & Co,  
represented to George H O  
Krause

that he the said H H C had  
on the first day of June in the  
year 1880 taken a true  
statement from the account books  
of said firm of H H C & Co & that  
said statement showed that the  
assets of said firm exceeded the  
liabilities of said firm  
\$38,000

and that said statement showed  
on the said 1st day of June 1880  
that the assets of said firm exceeded  
the liabilities of said firm \$38,000

That the good <sup>that said statement showed</sup> <sup>then and there</sup> <sup>of H H C & Co</sup> <sup>owned</sup> <sup>on the 1st day of June 1880</sup> <sup>were then & there</sup> <sup>of the value of</sup> \$38,000 in money  
in excess of <sup>all</sup> <sup>debts</sup> <sup>obligations</sup> <sup>liabilities</sup> of said firm

0462

2

meaning thereby)

That to the said firm of ~~HHC & Co~~  
 assets of the said firm, exceeded the  
 liabilities of said firm \$38000

That the assets of the said firm ~~exceeded~~  
~~the liabilities of the said firm to the~~  
~~extent of~~ <sup>on June 1, 1880</sup> ~~were worth~~ \$38000 in

money in excess of & over & above  
 all the liabilities of said firm <sup>on June 1, 1880</sup>

That the assets of said firm ~~exceeded~~  
 the liabilities of said firm \$38000

(That the goods charged against  
 Chover in action & ~~paid~~ property  
 then & there on the said 1st day  
 of June 1880 ~~amounted~~ <sup>had</sup> &

owned by the said firm was then  
 & there worth \$38000 over & above  
 all the indebtedness ~~for~~ <sup>all</sup> ~~liabilities~~  
 obligation & liabilities of the  
 said firm

(Of & goods in case marked  
 "A" 21 1/2)

4892) 1494.33 (360  
 1246 146 x  
 247 3  
 3 92

2 2 2

3

Whereas &c he the said HHC  
 had not on the 1<sup>st</sup> day of June 1880  
 or at any time in said month  
 of June taken <sup>any</sup> statement  
 from the account books or any  
 books of said firm of HHC & Co  
 Whereas &c No <sup>one</sup> statement taken  
 by him the said HHC or by any one  
 whomsoever on the said 1<sup>st</sup> day  
 of June 1880 or at any other time  
 from said <sup>any</sup> books of said firm  
 in said month of June, showed  
 that the assets of said firm exceeded  
 the liabilities of said firm of HHC  
 & Co \$28000 inasmuch as <sup>the</sup> ~~the~~  
 assets, <sup>liabilities of said firm</sup> were then & there \$10000  
 less in excess of the assets of said  
 firm as with the said HHC then &  
 there well knew <sup>the said statement did not show that</sup>  
 Whereas &c the goods chattels  
 coats, <sup>deposits</sup> ~~chose~~ in action and property  
~~then~~ held & owned by the said  
 firm of HHC & Co on the 1<sup>st</sup> day  
 of June 1880 were <sup>then & there</sup>  
 of the value of \$38000 <sup>or any sum whatever</sup>  
 in excess of ~~it~~ over & above all  
 the ~~un~~ settled debts <sup>due</sup> ~~liabilities~~  
 liabilities of the said firm,  
 but were ~~exceeded~~ less than  
 \$10000 inasmuch as the said  
 unsettled debts <sup>due</sup> ~~liabilities~~  
 liabilities of the said firm exceeded  
 the said goods chattels <sup>demands</sup>  
 choses in action & property then & there

was owned by the said firm \$10000  
 as he the said HHC then & there  
 well knew

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in any firm  
serving with them

Whereas &c the assets of the said firm  
on the 1<sup>st</sup> June 1880 did not exceed  
the liabilities of said firm \$ 38000  
but were <sup>in excess of</sup> than said liabilities  
by over \$ 10 000 as the said HNC then & there  
well knew.

Whereas &c the assets of the said firm  
on 1<sup>st</sup> June 1880 were not then & there  
worth \$ 38000, <sup>any firm whatever</sup> in no one; in excess of  
to say & above all the liabilities of said  
firm but <sup>in the said</sup> ~~debt~~ assets liabilities  
of said firm exceeded the assets then  
over \$ 10 000. as the said HNC  
then & there well knew.

Whereas &c the goods chattels &c  
chores, in action & property then &  
there <sup>on the 1<sup>st</sup> of June 1880</sup> ~~held & owned~~ by the said firm  
was ~~not then & there~~ <sup>the</sup> \$ 38000  
~~presentations~~ ~~all the~~ or any sum in  
money, whatever was, & to have  
all the indebtedness &c debts due  
obligations ~~due~~ & liabilities  
of the said firm but on the contrary  
the said ~~indebtedness~~ <sup>debts</sup> & obligations of the  
said firm exceeded the goods chattels  
&c debts, in action & property of  
the said firm \$ 10 000 as the  
said HNC then & there well knew.

State of New York }  
City and County of New York }

William G. Marsh

being duly sworn says that he is a salesman in the employ of George St. Hauser at 93 Church Street in the City of New York, and that he is well acquainted with Henry St. Chamberlin who resides at Worcester in the State of Massachusetts - That on or about the 26<sup>th</sup> day of June 1880 at said Hauser's store in New York City this Deponent was called by Mr. Hauser into his private office where the said Henry St. Chamberlin then was, and said Hauser asked said Chamberlin in Deponent's presence what his financial condition was, to which said Chamberlin replied that he was perfectly solvent and in a good financial condition, and thereupon displayed a written statement which he said was taken from the books of St. St. Chamberlin & Co. June 1. 1880, and which Deponent, together with said Hauser then and there examined - Deponent further says that said statement showed an excess of assets over and above liabilities of upwards of thirty eight thousand dollars, the exact amount Deponent cannot now



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recollect, but remembers dictating that  
it exceeded thirty eight thousand dollars,  
and thereupon said Haines sold said St. St.  
Chamberlin & Co. about fourteen hundred  
dollars worth of wool.

Sworn to before me this } William E. Marsh  
7<sup>th</sup> day of August 1880 }  
J. M. Moulton }  
Notary Public }  
91 Duane St. }

City and County }  
 of New York } s.s.

The people of the State of New York in and for the body of the City and County of New York upon their oath present:

That on the twenty-sixth day of June in the year one thousand eight hundred and eighty at the City and County of New York, Henry H. Chamberlain, who with one William H. Chamberlain as his partner was then and there carrying on business at Worcester in the State of Massachusetts under the firm name and style of H. H. Chamberlain & Co. represented to George H. Krause.

That he the said Henry H. Chamberlain had on the first day of June in the year of our Lord one thousand eight hundred and eighty, taken a true statement from the account books of said firm of H. H. Chamberlain & Co. and that said statement showed that the assets of said firm exceeded the liabilities of said firm, thirty-eight thousand dollars.

And that said statement showed

that on the said first day of June in the year of our Lord one thousand eight hundred and eighty the assets of said firm exceeded the liabilities of said firm the sum of thirty-eight thousand dollars, that said statement showed that the goods, chattels, credits, demands, choses in action and property held and owned by the said firm of N. N. Chamberlain & Co on the first day of June in the year of our Lord one thousand eight hundred and eighty were then and there of the value of thirty-eight thousand dollars in money in excess of and over and above all the indebtednesses, debts, dues, obligations and liabilities of said firm (meaning thereby)

That the assets of the said firm on the first day of June in the year of our Lord one thousand eight hundred and eighty exceeded the liabilities of said firm the sum of thirty-eight thousand dollars.

That the assets of the said firm on the first day of June in the year of our Lord one thousand eight hundred and eighty were then and there worth

the sum of thirty eight thousand dollars in money in excess of and over and above all the liabilities of said firm.

That the assets of said firm on the first day of June in the year of our Lord one thousand eight hundred and eighty exceeded the liabilities of said firm the sum of thirty eight thousand dollars.

That the goods, chattels, credits, choses in action and property then and there on the said first day of June in the year one thousand eight hundred and eighty held and owned by the said firm was then and there worth the sum of thirty thousand dollars over and above all the indebtednesses, debts, dues, obligations and liabilities of the said firm.

Four thousand eight hundred and ninety-two pounds of wool of the value of thirty cents each pound.

Whereas in truth and in fact he the said Henry N. Chamberlain had not on the first day of June in the year of our Lord one thousand eight

hundred and eighty or at any time in said month of June taken a true or any statement from the account books or any books of said firm of H. H. Chamberlain & Co.

Whereas in truth and in fact, no true statement nor any statement taken by him the said Henry H. Chamberlain or by any one whomsoever on the said first day of June in the year of our Lord one thousand eight hundred and eighty or at any other time in said month of June from said account books or any books of said firm showed that the assets of said firm exceeded the liabilities of said firm of H. H. Chamberlain & Co., the sum of thirty eight thousand dollars was much as the liabilities of said firm were then and there the sum of New thousand dollars in excess of the assets of said firm as he the said Henry H. Chamberlain then and there well knew.

Whereas in truth and in fact the said statement did not show nor did any statement show that the goods chattels, credits, demands, choses in action and property held and owned by



the said firm of N. N. Chamberlain & Co on the first day of June in the year of our Lord one thousand eight hundred and eighty were then and there of the value of thirty eight thousand dollars or any sum whatever in money in excess of and over and above all the indebtednesses, debts, dues, obligations and liabilities of the said firm inasmuch as the said indebtednesses, debts, dues, obligations and liabilities of the said firm exceeded the said goods, chattels, credits, demands choses in action and property then and there held and owned by the said firm the sum of ten thousand dollars as he the said Henry N. Chamberlain then and there well knew.

Whereas in truth and in fact the assets of the said firm on the first day of June in the year of our Lord one thousand eight hundred and eighty did not exceed the liabilities of said firm the sum of thirty eight thousand dollars or in any sum of money whatever but on the contrary said assets were less than said liabilities by over ten thousand dollars as he the said



Henry N. Chamberlain then and there well knew.

Whereas in truth and in fact the assets of the said firm on the first day of June in the year of our Lord one thousand eight hundred and eighty were not then and there worth the sum of thirty-eight thousand dollars or any sum whatever in money in excess of and over and above all the liabilities of said firm but on the contrary said liabilities of said firm exceeded the assets thereof over ten thousand dollars as he the said Henry N. Chamberlain then and there well knew.

Whereas in truth and in fact the goods, chattels, credits, choses in action and property then and there on the first day of June in the year of our Lord one thousand eight hundred and eighty held and owned by the said firm was not then and there worth the sum of thirty eight thousand dollars or any sum in money whatsoever over and above all the indebtednesses, debts, dues, obligations and liabilities of the said firm but on the contrary the indebtednesses, debts, dues, obligations,

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and liabilities of the said firm exceeded the goods, chattels, credits, choses in action and property of the said firm of Ten thousand dollars as he the said Henry H. Chamberlain then and there well knew.

Against the Statute in such case made and provided and against the peace of the people of the State of New York and their dignity  
Benj. K. Phelps  
District Attorney