0620

BOX:
395

FOLDER:
3681

DESCRIPTION:
Kohn, William

DATE:
05/15/90

3681

#83.

L. R. Waterfield &c

Witnesses;

Z. T. Piercy

Counsel,

Filed 15 day of May 1890

Pleads,

THE PEOPLE

vs.

William Kohn

Grand Larceny, second degree

[Sections 528, 531, Pen. Code].

13

JOHN R. FELLOWS,

District Attorney.

A True Bill.

Chas. B. Ostrander

May 15/90 *Foreman.*

Pleaded Attempted Larceny

Susp & sent

N.Y. Juvenile Asylum

J.J.

POOR QUALITY ORIGINAL

0521

0622

Court of Genl Sessions

People

agst

William Kohut

REPORT OF THE NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN.

100 EAST 23D STREET,

New York, May 7 1890

CASE NO. 248819 OFFICER Buckley

DATE OF ARREST May 3d

CHARGE Grand Larceny

AGE OF CHILD Twelve years

RELIGION Hebrew

FATHER Carl

MOTHER Esther

RESIDENCE No. 111 Ridge Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT William Kohut was arrested Nov. 17th 1887 for Juv. delinquency on complaint of his father. Discharged with reprimand.

March 20, 88 - arrested by police for vagrancy - committed to N.Y. Juvenile asylum.

Aug. 23d 89 - Arrested for larceny - but complaint was not pressed in police court.

All which is respectfully submitted

Fellows Sullivan

Supt

To Dist. Attorney

Court of
General Sessions

People
agst
William Kohut.

Grand Larceny
PENAL CODE, §

Report of the New York Society for the Prevention of Cruelty to Children.

ELBRIDGE T. GERRY,
President, &c.,
100 East 23d Street,
New York City.

B

Police Court— ..... District. Affidavit—Larceny.

City and County of New York, } ss.

Zachary T Piercy

of No. 209 Thompson Street, aged 40 years, occupation Contractor and Expressman being duly sworn deposes and says, that on the 30 day of April 1890 at the City of New York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz:

One Horse one Wagon one set of Harness and Blankets the whole valued at Three Hundred dollars 300 00/100

the property of Henry T and Zachary T Piercy of which deponent is a partner

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by William Cohen (now here)

Deponent was on Broadway near 13th Street when he saw the defendant with said property in his possession. Deponent tried to stop him when this defendant did whip the Horse and drive at furious rate until he was stopped at the Corner of Fourth avenue and 8 & 9th Streets. Deponent therefore charges this defendant with having taken carried away and stolen said property and prays that he be held to answer

Zachary T Piercy

Sworn to before me, this 30 day of April 1890

John Phillips Police Justice.

Sec. 198—200.

3 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. William Cohen

Question. How old are you?

Answer. 11 years

Question. Where were you born?

Answer. Russia

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

Answer. 111 Ridge Street Don't know

Question. What is your business or profession?

Answer. Barber puller

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

Answer. I am not guilty

Willie Cohn

Taken before me this 7 *day of* April 1889

Hommann

Police Justice.

0626

Ed May 2 44
10 a m
May 3
10 a m
May 4 11
10 a m

BAILED,

No. 1, by ..... Street.
Residence .....

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

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

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

Police Court— 3 683 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
1 Jackson J. Spicer 206 Washington St
2 .....
3 .....
4 .....

Offence Grand Larceny

Dated April 30 1894

Patten Magistrate.
Zeiner Officer.
14 Precinct.

Witnesses
No. ..... Street.
F. G. Bradleaf
No. ..... Street.
No. ..... Street.
$ 500 to answer
Comm

RECEIVED 8 8 8
MAY 3 1890
DISTRICT ATTORNEY'S OFFICE

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

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

Dated April 30 *18*94 ..... *Police Justice.*

I have admitted the above-named .....

to bail to answer by the undertaking hereto annexed.

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

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

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
William Kohn

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

of the CRIME OF GRAND LARCENY IN THE second DEGREE, committed as follows:

The said William Kohn

late of the City of New York, in the County of New York aforesaid, on the thirtieth day of April in the year of our Lord one thousand eight hundred and ninety, , at the City and County aforesaid, with force and arms,

one horse of the value of one hundred and fifty dollars, one wagon of the value of seventy-five dollars, one set of harness of the value of fifty dollars, and two blankets of the value of ten dollars each

of the goods, chattels and personal property of one Zachary T. Piercy

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

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said William Kohn of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY committed as follows:

The said William Kohn, late of the City and County aforesaid, afterwards to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, one horse of the value of one hundred and fifty dollars, one wagon of the value of seventy-five dollars, one set of harness of the value of fifty dollars, and two blankets of the value of ten dollars each, of the goods, chattels and personal property of one Zachary T. Piercy by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said Zachary T. Piercy unlawfully and unjustly, did feloniously receive and have; the said William Kohn then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

JOHN R. FELLOWS,
District Attorney.

0629

BOX:
395

FOLDER:
3681

DESCRIPTION:
Koppar, John

DATE:
05/13/90

3681

0630

BOX:
395

FOLDER:
3681

DESCRIPTION:
Volk, Augusta

DATE:
05/13/90

3681

Witnesses:

Anthony Comstock

Chas Cockerdale

#54 J Conner

Counsel,

Filed 13 day of May 1890

Pleads Not Guilty

THE PEOPLE

vs.

B

John Koppar (2 cases) and

Augusta Volke

~~46 Stanton st~~ 101 Ludlow st

POLICY.

[§§ 343 and 344, Penal Code].

~~RANDOLPH B. MARTINE,~~ Nelson R. Sellows,

District Attorney.

Pd 2 - April 21/92

Dr. 2 Pleads, 4 Misdemeanor

Cr. 2. $100.00 or 100 days

A True Bill.

Chas. B. Podesta

May 16/90

Foreman.

Pleaded Guilty

Fine $50.00

Paid

POOR QUALITY ORIGINAL

1893

0632

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

Affidavit

Anthony Comstock

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, ~~and~~ charge that John Koppel and Augusta Volk here present

~~whose real name~~ unknown, ~~but who can be identified by~~

did, at the City ~~of~~ County ~~of~~ and State of New York, on or about the 10th day of March 1890, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~come~~ came to believe, is informed and verily does believe from personal observation and from statements made by John Koppel Augusta Volk, John W. Hilliard to deponent that the said John Koppel and Augusta Volk aforesaid, ~~now~~ did have in their possession, at in and upon certain premises occupied by them and situate and known as Number 206 Stanton street in the City of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

Price 10 cts
ED 68 Stanton
Mar 10/90
L. Wm

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

Anthony Comstock

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, ~~and~~ charge that John Koppel and Augusta Volk here present

~~whose real name~~ unknown, ~~but who can be identified by~~

did, at the City ~~of~~ County ~~of~~ and State of New York, on or about the 10th day of March 1890, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~come~~ came to believe, is informed and verily does believe from personal observation and from statements made by John Koppel Augusta Volk, John W. Hilliard to deponent that the said John Koppel and Augusta Volk aforesaid, ~~now~~ did have in their possession, at in and upon certain premises occupied by them and situate and known as Number 206 Stanton street in the City of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, ~~chips, deal boxes, cards~~, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Anthony Comstock

Subscribed and sworn to before me this 11th day of March 1890.

[illegible] Police Justice.

City of New York and County of New York ss.

John W. Hilliard

being further sworn deposes and says that on the 11th day of March 1890, deponent visited the said premises named aforesaid, and there saw the said John Koppar and Augusta Volk aforesaid, and had dealings and conversation with them as follows:

Deponent saw the said Augusta Volk sitting at a table with what is known as a manifold book, for the purpose of recording the sale of what are commonly called lottery policies, and deponent saw the said John Koppar behind a desk with another manifold book, as aforesaid, and saw both of them sell, and record upon their manifold books what are commonly called lottery policies. Deponent asked the said Koppar for 18.20.42 gig in lottery for ten cents, whereupon the said Koppar recorded same upon his book, and

wrote annexed paper and handed same to deponent, and deponent paid the sum of ten cents for the same. Deponent saw both the said Kappel & Volk aforesaid sell similar papers, or what are commonly called lottery policies to others, and saw the manifold books seized in possession of both the said Kappel & Volk, with lottery policies recorded upon the same as sold aforesaid.

Subscribed and sworn to before me, this 11th day of March 1890

J. M. McMahon
Police Justice.

J. W. Billing

THE PEOPLE

ON COMPLAINT OF

Anthony Comstock et al

AGAINST

John Kappler
Augusta Volk.

Violation Sec. 344, P. C. Gambling and Policy.

Affidavit of Complaint.

WITNESSES:

A. Comstock
J. M. Hilliard

Subscribed and sworn to before me this
.....day of.....188....

.....*Police Justice.*

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John Kopper

Question. How old are you?

Answer. 48 years

Question. Where were you born?

Answer. Germany

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

Answer. 202 East 84th St. 2 months

Question. What is your business or profession?

Answer. Clerk

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

Answer. I am not guilty

John Kopper

Taken before me this 11 *day of* October 1887

Police Justice.

0638

Sec. 193—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Augustus Volk.

Question. How old are you?

Answer. 43 years.

Question. Where were you born?

Answer Germany

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

Answer. 100 Catharine Street 4 years.

Question. What is your business or profession?

Answer. Housekeeper

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

Answer. I am not guilty

Augustus Volk

Taken before me this 11 *day of* March 1887

[illegible] *Police Justice.*

BAILED

No. 1, by Philip Eisenberg

Residence 203 Stanton Street.

No. 2, by Murgan Stacy

Residence 212 Stanton Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- 1 ---- 407 ---- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Lemstock

vs.

1. John Koppar

2. Augustus Paul

3.

4.

Offence Assault & Battery & Robbery

Dated March 11 1890

McMahon Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

$ 1000 to answer

$ Bailed

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

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

Dated March 11 *189*0 *Police Justice.*

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

Dated March 11 *189*0 *Police Justice.*

There being no sufficient cause to believe the within named

guilty of the offence within mentioned. I order he to be discharged.

Dated *18* *Police Justice.*

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Koppar and Augusta Volk

The Grand Jury of the City and County of New York, by this indictment, accuse John Koppar and Augusta Volk of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said John Koppar and Augusta Volk, both late of the Ward of the City of New York in the County of New York aforesaid, on the tenth day of March in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "policy," where money and property was dependent upon the result, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said John Koppar and Augusta Volk of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said John Koppar and Augusta Volk, both late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said John Koppar and Augusta Volk of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said John Koppar and Augusta Volk, both late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one John W. Hilliard

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

B 2 26

182042

8/10

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said John Koppar and Augusta Volk of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said John Koppar and Augusta Volk, both late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one John W. Hilliard

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

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

B 216

18 2042

Q/10

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

FIFTH COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said John Koppar and Augusta Volk of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said John Koppar and Augusta Volk, both

late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one John W. Hilliard

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

B 216

18 20 42

Q/10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,

RANDOLPH B. MARTINE,

District Attorney.

0643

BOX:
395

FOLDER:
3681

DESCRIPTION:
Koppar, John

DATE:
05/15/90

3681

97

Witnesses:

Anthony Comstock

Counsel,

Filed 15 day of May 1890

Pleads

THE PEOPLE

vs.

John Koppar

(2 cases)

POLICY.
[§§ 343 and 344, Penal Code].

John R. Fellows
~~RANDOLPH B. MARTINE,~~

District Attorney.

A True Bill.

Chas. B. Robinson

May 16/90 *Foreman.*

Plead Guilty

Fine $10 & costs

97

Witnesses:

Anthony Comstock

Counsel,

Filed 15 day of May 1890

Pleads

Ff. 216 Penal

THE PEOPLE

vs.

John Koppar

(2 cases)

POLICY.
[§§ 343 and 344, Penal Code].

John R. Fellows
~~RANDOLPH B. MARTINE,~~

District Attorney.

A True Bill.

Chas. B. Rodd
May 16/90 *Foreman.*

Plead Guilty
Fine $10 Ff.
pmc

City of New York County

and State of New York

D 661
18 28-42 9/10

Anthony Comstock

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that J Koppel

whose real name is unknown, but who can be identified by J. W. Hilliard did, at the city ~~of~~ ~~County of~~ and State of New York, on or about the 26th day of November 1889, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just cause ~~cause~~ to believe, is informed and verily does believe ~~from personal observation and~~ from statements made by J. W. Hilliard to deponent that the said J. Koppel aforesaid, now has in his possession, at in and upon certain premises occupied by him and situate and known as number 206 Stanton street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

City of New York County

and State of New York

D 66
18 28 42 9/10

Anthony Comstock

of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that J Koppel

whose real name is unknown, but who can be identified by J. W. Hilliard

did, at the city ~~of~~ County ~~of~~ and State of New York, on or about the 26th day of November 1889, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage ~~as a dealer or game keeper~~ in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~cause~~ cause to believe, is informed and verily does believe ~~from personal observation and~~ from statements made by J. W. Hilliard to deponent that the said J. Koppel aforesaid, now has in his possession, at in and upon certain premises occupied by him and situate and known as number 206 Stanton street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Anthony Comstock.

Subscribed and sworn to before me this 10th day of March 1890

Police Justice.

City of New York and County of New York ss.

J. W. Hilliard of 150 Nassau st

being further sworn deposes and says that on the 26th day of November 1889, deponent visited the said premises, named aforesaid, and there saw the said J. Koppel aforesaid, and had dealings and conversation with him as follows:

Deponent saw the said J. Koppel selling what are commonly called lottery policies, to persons present. This deponent wrote 18. 20. 42. upon a piece of paper and handed the same to the said Koppel. And asked him for a gig for the day. The said Koppel; wrote the said numbers upon a manifold book or paper then and there kept and used for recording what are called numbers in said lottery, and then wrote the annexed paper, and handed same to deponent, and deponent paid said Koppel the sum of ten cents for the same.

Subscribed and sworn to before me this 10th day of March 1890

Police Justice

J. W. Hilliard

0649

Subscribed and sworn to before me this
.....day of..... .....188.....

.....Police Justice.

THE PEOPLE

ON COMPLAINT OF

Anthony Comstock Jr

AGAINST

G. Kopel

Violation Sec. 344, P. C.
Gambling and Policy.

Affidavit of Complaint.

WITNESSES:

Sec. 193—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK } ss.

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

Question. What is your name?

Answer. John Kopper

Question. How old are you?

Answer. 48 years.

Question. Where were you born?

Answer. New York.

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

Answer. 202 East 4th Street 2 months

Question. What is your business or profession?

Answer. Clerk.

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

Answer. I am not guilty.

John Kopper

Taken before me this 11 *day of* March 1886

Police Justice.

0651

Sec. 151.

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

Police Court, First District.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York. GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by Anthony Comstock & J. W. Hilliard of No. 150 Nassau Street, charging that on the 26th day of November 1889 at the City of New York, in the County of New York that the crime of selling what is commonly called a lottery policy,

has been committed, and accusing J. Koppel whose real name is unknown but who can be identified by J. W. Hilliard thereof.

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

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

Dated at the City of New York, *this* 10th *day of* March 1890.

A. McMahon POLICE JUSTICE.

POLICE COURT,_____DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Comstock & J. W. Hilliard

vs.

J. Koppel

Warrant—General.

Dated March 10 1890

A. McMahon *Magistrate.*

E. O'Connor *Officer.*

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

Edward O'Connor *Officer.*

Dated March 10 1890.

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest, 4.45 PM March 10. John Sullivan 202 E 4th St

Native of US

Age 42 yr

Sex M

Complexion Florid

Color W

Profession Saloon

Married Yes

Single

Read Yes

Write Yes

0652

City and County of New York, ss:

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

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

Proof by affidavit having been this day made before me, by Anthony Comstock and J. W. Hilliard of 150 Nassau Street, New York City, that there is probable cause for believing that J. Koppel whose real name is unknown but who can be identified by J. W. Hilliard

has in his possession, at, in and upon certain premises occupied by him and situated and known number 206 Stanton street in said City of New York certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, black-boards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day time to make immediate search on the person of the said J. Koppel

and in the building situate and known as number 206 Stanton street aforesaid, for the following property, to wit: all Faro layouts, ——— Roulette Wheels and layouts, ——— Rouge et Noir, or Red and Black layouts, ——— gaming tables, ——— chips, ——— packs of cards, ——— dice, ——— deal boxes, ——— lottery policies, ——— lottery tickets, ——— circulars, ——— writings, ——— papers, ——— documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, ——— books ——— documents for the purpose of enabling others to gamble or sell lottery policies, ——— black-boards, ——— slips or drawn numbers of a lottery, ——— money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

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

Dated at the City of New York, the 10th day of March 1890

G. E. McDonough

POLICE JUSTICE.

0653

Inventory of property taken by Edward J. O'Connor the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir layouts, gaming tables, chips, packs of cards, dice, deal boxes, deal trays for holding chips, cue boxes, markers, or tally cards, ivory balls,~~ ~~lottery policies,~~ three lottery tickets, 2075 circulars, 1 box writings, & papers, 3 black boards, about 500 slips, or drawn numbers in policy, $14 43/100 money, about 1200 sheets manifold books, 2 slates, 30 Blank manifold books, 2 box numbers, 4 pine, 7 dream books 3 agate pencils, 25 sheets carbon paper.

City of New York and County of New York ss:

I, Edward J. O'Connor the Officer by whom this warrant was executed, do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 11th day of March 1890 } Edward J. O'Connor

W. McMahon Police Justice.

Police Court 1st District.

THE PEOPLE, &c., ON THE COMPLAINT OF

A Pandich et al

vs.

J. Kopel.

Search Warrant.

Dated March 1890

W. McMahon Justice.

O'Connor Officer.

0654

Arthur
Anthony Comstock

Police Court 6 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Anthony Comstock
Anthony Comstock
Anthony Comstock

Offence Vio Lottery Laws

1. Anthony Comstock
2.
3.
4.

Dated March 1 1890

Witnesses
Geo. Chase Officer.
Chas. Precinct.
E. H. Williams
No. 157 W. 125th Street.

Magistrate.

No. 1, by Anthony Comstock
Residence 157 W. 125th Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

No. Street.

No. Street.

No. Street.

$ 1000 to answer

RECEIVED MAR 15 1890 POLICE OFFICE

Keeping robbery alone

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

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

Dated March 11 1890 T. D. McMahon Police Justice.

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

Dated March 11 1890 T. D. McMahon Police Justice.

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

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

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

John W. Hilliard

of No. 150 Nassau Street, being duly sworn, deposes and says, that John Roppar (now present) is the person of the name of J. Roppel mentioned in deponent's affidavit of the 10th day of March 1880, hereunto annexed.

Sworn to before me, this 11th day of March 1880

J. W. Hilliard

T. McMahon Police Justice.

0656

Witness
Anthony Comstock.

BAILED,
No. 1, by Thos. Quibley
Residence 303 Stanton Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street.

#4297 4-09

Police Court 4 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Anthony Comstock
1 Thos. Quibley
2 Chas. Schaefer
3
4

Offence Vio Lottery Law

Taken
Dated March 11 1890
B. Mulqueen Magistrate.
Officer.
Precinct.
Witnesses
No. 157 Williams Street.
No. Street.
No. Street.
No. Street.
$ 1000 to answer 2 yr Keeping policy shop &c.

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

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

Dated March 11 *18*90 T. D. McMahon *Police Justice.*

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

Dated March 11 *18*90 T. D. McMahon *Police Justice.*

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

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

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Koppar

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

John Koppar

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

The said John Koppar

late of the Eleventh Ward of the City of New York in the County of New York aforesaid, on the twenty-sixth day of November in the year of our Lord one thousand eight hundred and eighty nine, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep a certain room in a certain building, there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "policy," where money and property was dependent upon the result, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

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

John Koppar

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

The said John Koppar

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT.

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

John Kopper

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

The said John Kopper

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one John W. Hilliard

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

B 661
182042 9/10

(a more particular description of which said instrument and writing so commonly called a Lottery Policy is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FOURTH COUNT.

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

John Kopper

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

The said John Kopper

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one John W. Hilliard

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

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

B 661

18 2042 9/10

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity,

FIFTH COUNT.

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

John Koppar

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

The said John Koppar

late of the Ward, City aud County aforesaid, afterward, to wit: On the day and in the year aforesaid at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one John W Hallard

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

B 661

18 2042 9/10

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,

~~RANDOLPH B. MARTINE,~~

District Attorney.

0660

BOX:
395
FOLDER:
3681
DESCRIPTION:
Kosmak, Emil H.
DATE:
05/16/90

3681

Witnesses
J. Noble Hayes
James W. Pryor
George W. Miller

Bailed by
Joseph Foerster
73 Avenue D.

22 #127. 786

Counsel,
Filed 16 day of May 1890
Pleads, Intentionally

The People
vs.
Emil N. Koemak

Violation of Excise Law (Selling on Election Day) (III R.S. (7 Ed.) p. 1953 § 21 and p. 1969. § 5).

John R. Fellows,
District Attorney

A True Bill
Obed B. Polack
Foreman

SUPREME COURT PART
December 22 1899
INDICTMENT DISMISSED

charge of, and having the conducted of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, the same being within one quarter of a mile from a certain polling-place there, where the said election was then being held, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day, the said place, so licensed as aforesaid, unlawfully did then and there sell, and cause and procure and suffer and permit to be sold, and to remain open, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

John R. Fellows,
District Attorney.

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

The People of the State of New York
— against —
Emil H. Koernak

The Grand Jury of the City and County of New York, by this indictment accuse Emil H. Koernak of the crime of Selling Intoxicating Liquors and Wines as a Beverage on Election Day, committed as follows:

The said Emil H. Koernak late of the City of New York, in the County of New York aforesaid, on the 5th day of November, in the year of our Lord One thousand, eight hundred and eighty-nine, the same being a day on which a general election was held throughout the State of New York and in ~~the said City and County of~~ the City and County aforesaid, and within one-quarter of a mile from a certain polling-place there, where the said election was then being held, with force and arms, certain intoxicating liquors and certain wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown, unlawfully did sell as a beverage to J. Noble Stayer and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

Second Count.

And the Grand Jury aforesaid by this indictment further accuse the said Emil H. Koernak of the crime of Keeping Open on Election Day, a place licensed for the Sale of Strong and Spirituous Liquors, Wines, Ale and Beer, committed as follows:

The said Emil H. Koernak late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being a day on which a general election was held throughout the State of New York, and in the said City and County, being then and there in

0663

BOX:
395

FOLDER:
3681

DESCRIPTION:
Kramer, Jacob

DATE:
05/27/90

3681

280.

B.W. Mch 24/91.

Counsel, Breckenridge & Rector 261 Broadway

Filed 29 day of May 1890

Pleads, Not guilty

THE PEOPLE

vs.

Jacob Kramer

B

Manslaughter

Section 193, Penal Code

1 Mch 24/91 B.W. Cardozo

JOHN R. FELLOWS,

District Attorney.

Filed to C.C. Court of Oyer and Terminer on trial

A TRUE BILL.

Apl 2/91

Chas. B. Tabuche

Foreman.

Witnesses:

.....

.....

.....

.....

The witnesses in this case cannot now be found. Civil suit was brought agt defendant, & he settled it by payment of damages. I recommend defendant discharge upon his own recognizance.

Sept 28/92

Thos. M. Deny Ast.

I concur.

DeLancey Nicoll

Sept 29th 1892

Order of Discharge on his own Recog Sept 30/92 Fd

0665

PAGE(S) ARE MISSING

DOCUMENTS FILMED AS FOUND

IN THE CORONER'S COURT OF THE CITY & COUNTY OF NEW YORK.

INQUEST IN THE MATTER OF THE DEATH OF MARY McGLONE.	BEFORE HON. LOUIS W. SCHULTZ, CORONER, AND A JURY.

NEW YORK, WEDNESDAY, MARCH 12TH, 1890.

For the relatives of deceased appeared MR. JAMES A. O'GORMAN, of 206 Broadway.

THE CORONER: Gentlemen, I am holding this inquest for Coroner Messmer, who is sick. He has asked me to act for him, which I now do. I don't know anything about the case, except that Mary McGlone died from shock, caused by the fracture of both of her legs, by being run over on December 24th, 1889, at the corner of 45th Street and 10th Avenue.

HENRY HOAG,

a police officer, sworn and examined.

BY THE CORONER:

Q. To what Precinct are you attached? A. The 22nd.

Q. Tell the Jury what you know about this case?

A. I was on post at 10th Avenue and 46th Streets on the afternoon of December 24th, 1889, and I heard a women scream and I turned around and I looked down 46th Street and saw a woman lying in the car track and two men picked her up and they carried her on the sidewalk and I went into the corner factory and telephoned for an ambulance to Roosevelt Hospital and I took her from there to Bellevue.

Q. She was run over by a car? A. She was run over by a wagon. I didn't see what it was.

Q. Is the driver of that wagon here? A. Yes, sir.

Q. Is the driver under arrest? A. No, sir; he was paroled by Judge Murray.

Henry Haag

---o0o---

M R S. M A R G A R E T W A L S H

sworn and examined.

BY THE CORONER:

Q. Where do you live, Mrs. Walsh ? A. 381 West 46th Street.

Q. Now, madam, tell the jury just what you know of this accident ? A. On the 24th of December I was passing down 10th Avenue with another lady, Mrs. Kerrigan, and this old lady was coming across 44th Street from the tea store and she had a basket full of groceries. She had a candle on her basket and as she was in the middle of the car track the candle fell off the basket She stooped down to pick up the candle and there was a light wagon coming up the car track and it was right in the middle of the block. This old lady lifted the candle off the track and she was in the act of putting the candle in the basket when me and this woman who was with me hollered out to the driver of the wagon that he would run over the woman. He did not pay any attention to us, nor did he stop, but he kept on going along, and

we hollered out that he would kill the woman. She was not on the track then, but she was in a stooping position, and while she was in the act of putting the candle in her basket the wheel of the wagon hit her and knocked her on her face. The driver of this wagon did not want to stop, but two men stopped him on the other crossing and he came back, and on the sidewalk when the woman was carried over by the two men to the corner of 45th Street I says to him, "My God, you could have saved that woman if you had liked." He says, "I couldn't help it." I says, "You could help it," And I says, "Where were your eyes ?" This other woman that was with me got at him in the same way. The injured woman was taken to the Bellevue Hospital. The Roosevelt Hospital ambulance took her to Bellevue. We hollered to the man and he could have stopped. If he had been running I wouldn't have minded it, but he was on a trot.

BY MR. O'GORMON:

Q. Now, Mrs. Welsh, you did not know Mrs. McGLONE, this old lady ? A. Oh I didn't know anything about her at all. I only knew she was a poor old woman. I made the remark to this lady who was with me, "Here's a

poor old woman coming across bareheaded with her marketing and ironing."

Q. This happened the day before Christmas? A. Yes, sir; the 24th of December.

Q. Now, let us understand from you how far from the crossing at 45th Street was the wagon at the time this old lady stooped down to pick up her candle?

A. Right in the middle of the block between 45th and 46th Streets.

Q. And the horse and wagon were coming down town?

A. Yes, coming down town.

Q. Coming from 46th Street towards 45th Street?

A. Yes, sir.

Q. And this old lady was towards the North Crossing at 45th Street? A. Yes, sir.

Q. And you state that the driver of the wagon was half way up the block towards 46th Street when the old lady first stopped there and stooped to pick up the candle?

A. Yes, sir; she lifted the basket off the track and put it right off from the track, but [redacted] she was in a stooping position fixing the candle when the wagon knocked up against her and knocked her on her face and

the two wheels ran over her.

Q. Did the driver say anything to you at that time about his thinking he could pass by without hurting her ? A. He didn't say anything until two men ran right across and brought him back and held him until the police came.

BY A JUROR:

Q. Did you see the deceased get run over ? A. Yes, I saw her get run over.

Q. About how far were the horse and wagon from where you saw her get run over----the distance ? A. She was run over right on the crossing; the wagon knocked her down at 45th Street.

Q. Didn't I understand you to say that you told the driver that he could have saved her if he had wanted to ? A. Undoubtedly, right on the sidewalk.

Q. Did you caution the driver in time ? A. Yes, we hollered to him, certainly; and he was gauging the track to see if he could go along without running over her. He thought he could gauge the track, and she was in a stooping position when the wheel knocked her down.

----------oxo----------

Margaret Walsh

SWORN TO BEFORE ME
THIS ___ DAY OF ___
JUSTICE

J A C O B K R A M E R

sworn and examined.

BY THE CORONER:

Q. Where do you live? A. 16 Columbia Street.

Q. Now, Mr. Kramer, you can tell your story to the Jury? A. I had been uptown on business. That was the day before Christmas. I followed the downtown track. When I came over 40th Street I saw this lady lying there. She was down away from my horse about ten to fifteen feet, maybe more or less. Of course I couldn't tell by a foot or two, being on a wagon. Then I cut my horse off to my left as short as I could and I drove slowly, not on a trot. I cut him off to my left and then, of course, when I cut across I didn't pass the lady. The lady was lying as far away from me as from the front here (indicating) up to this chair. Some woman hollered that I had run over the woman and I stopped right away and I caught hold of the woman and I says, "Are you hurt?" She screamed. That is all. I waited for the policeman until he came along.

Q. What kind of a wagon were you driving ? A. A light business wagon.

BY MR. O'GORMAN:

Q. Then, according to your statement you did not run over this woman at all ? A. No, sir; didn't touch her. That is my statement.

Q. You don't deny stating to the previous witness immediately after the accident that you couldn't help running over her ? A. Oh yes; I didn't touch the woman.

Q. Have you any idea what ran over her legs and killed her ? A. I couldn't say.

BY THE CORONER:

Q. Did your wagon knock her down ? A. No, sir; she was down away from my horse from ten to fifteen feet, maybe a little more or less.

BY A JUROR:

Q. What time of the day was this ? A. Between twelve and one o'clock, nearly one o'clock.

BY MR. O'GORMAN:

Q. Have you any witnesses to the truth of your statement ? A. I have.

Q. Where are they ? A. I haven't got them here .

Q. Who are they ? A. My witnesses are uptown. My lawyer has got the names of the whole of them.

BY THE CORONER:

Q. Why didn't you bring your witnesses down here ?

A. My lawyer isn't here yet. I didn't think it necessary.

Q. Haven't you got a witness at all ? A. Yes, sir.

Q. A moment ago you said you didn't think them necessary ? A. That is what my lawyer said.

Q. We are sitting here to ascertain the cause of death. Why didn't you bring those witnesses here and let us ascertain something about it ? A. My lawyer said to leave it all to him.

A JUROR: What part of the body was the deceased run over.

THE CORONER: From what the Deputy Coroner says in his statement, she died from shock and fracture of both legs by being run over by a wagon at 45th Street and 10th Avenue.

MR. O'GORMAN: It is a most remarkable thing that a

woman can be run over and die from injuries thus received and yet that a man who went so close to her with his wagon should profess entire ignorance of the fact.

BY MR. O'GORMAN:

Q. If you had run over her, would you know it ?

A. I didn't run over her at all.

Q. You were coming down on the West side ? A. On the downtown track.

Q. You were uptown that day, weren't you ? A. I was uptown.

Q. And you were coming downtown on the West track ?

A. Yes, on the eighthand track, the 8 track.

Q. You drove along on the downtown track until you got to about 45th Street, when some man stopped you ?

A. Nobody stopped me; I stopped myself.

Q. A policeman took you into custody ? A. I stopped myself.

Q. How far down had you gone when you stopped ?

A. I hadn't passed the woman at all when I stopped. The woman was lying right across the track . I had a light business wagon and I could turn very short. I turned around as short as I could and I saw the lady

lying alongside of me and I stepped off my wagon and went over to her.

Q. Do you wish this jury to understand that you did not run over that woman ? A. Well, that is the truth, gentlemen; I didn't touch the woman.

Jacob Kramer

MARGARET WALSH

recalled.

BY MR. O'CONNOR:

Q. (Pointing to Jacob Kramer). Is this the gentleman who drove the wagon that ran over Mrs. McGlone ?

A. That is the very gentleman.

Margaret Walsh

JACOB KRAMER

recalled.

BY MR. DUFOUR:

Q. Did you say it was a heavy wagon ? A. It was a light business wagon.

Q. Was there anything in the wagon ? A. Nothing at all.

Jacob Kramer

SWORN TO BEFORE ME
BY ORDER OF THE COURT

C H A R G E:

THE COURT: Gentlemen of the Jury, we cannot go any further. You have heard the evidence. If you think Jacob Kramer did not run over the woman, it is your duty to say so and no. If you think he did, it is your duty to bring in a verdict censuring him for running over the woman. You will now retire and bring in a written verdict.

At this point the Jury retired and after some time spent in deliberation returned and submitted the following:

V E R D I C T.

Six of eleven Jurors find: "We, the Jury, find that the deceased, Mary Mullone, came to her death from injuries received by being accidentally run over by a horse and wagon driven by Jacob Kramer, at 28th Street & 10th Ave., December 24th, 1889."

Five of eleven Jurors find: "We, the Jury, find that the deceased came to her death from injuries received by being run over by a horse and wagon driven by Jacob Kramer, at 45th Street and 10th Avenue, December 24th, 1880.

ADJOURNED.

0679

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, *ss.*

AN INQUISITION

Taken at the Coroners Office *No.* 67 Park Row *Street, in the* 4th *Ward of the City of New York, in the County of New York, this* 12 *day of* March *in the year of our Lord one thousand eight hundred and* 90 *before* Louis H. Schultz for MICHAEL J. B. MESSEMER, Coroner, *of the City and County aforesaid, on view of the body of* Mary McGlone *now lying dead at*

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

Injuries received by being accidentally run over by a horse & wagon driven by Jacob Kramer at 45th Street & 10th Avenue December 24th 1889

Injuries received by being run over by a horse & wagon driven by Jacob Kramer at 45th Street & 10th Avenue December 24th 1889.

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.

Moses Gruenebaum 236 E 38th — Chas C Heydt.
Louis Weil 673. 3rd — Marks Newman
H. Seide 632. 3rd Ave — James Hart
A. R. Wolf 592. 3rd ave. — Daniel O'Leary
R. Lutts 604 3 Ave. — John P. Pils
F. Schlueter 592. 3rd

Louis H. Schultz
for M. J. B. Messemer
CORONER, N. Y.

TESTIMONY.

William A. Conway M. D., being duly sworn, says:
I have made an examination of the body of
Mary McGlone now lying dead at
618 Jill Avenue and from such examination
and history of the case, as per testimony, I am of opinion the cause of
death is Shock from Fracture of Both Legs

Wm A. Conway, M. D.

Sworn to before me,
this 21st day of Jany 1895
M J Burke
CORONER.

0681

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
51 Years — Months — Days	Ireland	618 Ninth Ave. from Bellevue Hospital	June 2 1890

Received, March 3rd 1890

Disposition

M. J. B. M.

No. 821

Name Dunn.

AN INQUISITION

On the VIEW of the BODY of Mary Ann Dunn

whereby it is found that she came to her death by [illegible]

Inquest taken on the 10th day of March 1890 before

MICHAEL J. B. MESSEMER, Coroner.

3321

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name.

Answer. Jacob Kramer

Question. How old are you?

Answer. 52 Years

Question. Where were you born?

Answer. Germany

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

Answer. 16 Columbia St. 16 Years

Question. What is your business or profession?

Answer: Manufacturing.

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

Answer. I have committed no offence whatever.

Jacob Kramer.

Taken before me this 26 *day of* March 1892

[illegible]

Police Justice.

0683

Apr 9. 10 a M
" 10-12 m
10-2 pm

BAILED,

No. 1, by Adolph Pfeiffer Street.

Residence 305 E. 5th

No. 2, by Street.

Residence

No. 3, by Street.

Residence

No. 4, by Street.

Residence

130 #280. 3rd Police Court— 4 District.

THE PEOPLE, &c., ON THE COMPLAINT OF

Henry Haag

vs.

Hasson Ossmann

8.

4.

Offence Burglary

Dated March 26 188 90

N. C. Pecoll Magistrate

Haas Officer.

38 Precinct.

Witnesses Patt. Mc Mahon

No. 450 W. 48. Street.

Catherine Kerrigan

No. 524 W. 48th Street.

Margaret Walsh 524 W. 48

Thos Doolan 524 W. 48

No. Ed. Gray 528 W. 48 Street.

$ 5000

Wm Gaffney arrest by bailed Patrick on N.W. cor 9th & 47th 10 hrs.

Bailed

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

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

Dated April 10 188 90 N. C. Pecoll *Police Justice.*

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

Dated April 10 188 90 N. C. Pecoll *Police Justice.*

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

Dated 188 *Police Justice.*

BELLEVUE HOSPITAL.

SECOND SURGICAL DIVISION.

ROOM No. 3.

DR. ROYAL WATSON PINNEY,

HOUSE SURGEON.

New York, December 26 1859.

This certifies that Mary McGloan is severely injured. The exact nature of the injuries are not yet to be determined. She will not be able to appear in court for a number of weeks anyway.

Dr Ro Pinney

Boarding house

0685

ROOSEVELT HOSPITAL,

59TH STREET AND NINTH AVENUE,

JAS. R. LATHROP,
SUPERINTENDENT.

New York, Dec 24th 1889

This is to certify that Mary McGlone is at present suffering from Potts fracture of both ankles. In addition there is a comminuted fracture of the right ulna {lower 1/3}. Injuries are more serious occuring in one of her years.

R. C. Kemp M.D.
Ambulance Surgeon

0686

CITY AND COUNTY OF NEW YORK, } ss.

POLICE COURT, 4 DISTRICT.

Amy Haag

of No. 22 Precinct Street, aged years,

occupation Police Officer being duly sworn deposes and says,

that on the 22 day of December 1889

at the City of New York, in the County of New York, Defendant

Jacob Kramer (Number)

upon Complaint of Mary McGlone

of No 621 West 40th Street charging

said Jacob with being in charge

and driving a horse attached to a

business wagon and with run-

ning over the body of said Mary

causing injuries upon which

she is now confined to the Bellevue

Hospital and unable to appear

in Court Henry Haag

Sworn to before me this 22 day

of Dec 1889

Henry Hall

Police Justice,

0687

Police Court 4 District.

THE PEOPLE, &c.

ON THE COMPLAINT OF

AFFIDAVIT.

vs.

Jacob Kramer
Boys
16 Columbia St

Dated Dec 27 1889

Murray Magistrate.

Murray Officer.

Witness,

Ex Mch 26 2 PM

Disposition, Bound in
charge of Judge
Lemon 5/12 4 PM

0688

This certifies that Mary McGloan has both legs fractured & will be unable to appear in Court for some time

Dr R W Pinney
House Surgeon
Bellevue Hospital
Dec 30/89

Jan 7 - 1890

This is to certify that Mary McGloin is still unable to leave the hospital

Dr R. W. Pinney
House Surgeon Bellevue Hospital

Feb 1 - 1890

This certifies that Mary McGloin is still unable to appear in Court for some time yet

Dr R. W. Pinney
House Surgeon

0689

Bellevue Hospital

This is to certify that Mary Robinson who was in the hospital under my care died at 12.30 AM on January 19 1905

Superintendent Hospital
Acting Surgeon

This is to certify that Mary McGuinn is still unable to leave the hospital. Both of her feet have been frozen

Jan 11 1905

D. R. Pinney
House Surgeon

3

0690

PART III.

THE COURT ROOM IS IN THE FIRST STORY.

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

to see Mr. Davis.

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Edward Grady Court House

of No. 5-28 W 45 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 16 day of Sept 1892, at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Jacob Kramer.

Dated at the City of New York, the first Monday of Sept

in the year of our Lord 1892.

427

DE LANCEY NICOLL, *District Attorney.*

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

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

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

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

Summons for Witness.

0692

To Mr. Davis.

PART III.

THE COURT ROOM IS IN THE FIRST STORY.
If this Subpœna is disobeyed, an attachment will immediately issue.
Bring this Subpœna with you, and give it to the officer at the Court Room door, that your attendance may be known.
[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Roth McMahon Search for found

of No. 450 W. 45th Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 16 day of Sept 1892, at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Jacob Flowers

Dated at the City of New York, the first Monday of Sept,

in the year of our Lord 1892.

DE LANCEY NICOLL, *District Attorney.*

427

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

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

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

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

Counsel for Defendant

0694

Ask for Mr. Davis.

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Mrs Margaret Walsh Tenant in Front

of No. 531 W 48 Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 16 day of Sept 1897, at half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Jacob Kramer

Dated at the City of New York, the first Monday of Sept

in the year of our Lord 1897.

427

DE LANCEY NICOLL, *District Attorney.*

PART III.

THE COURT ROOM IS IN THE FIRST STORY.

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

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

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

0696

To see Mr Dans –

PART III.

THE COURT ROOM IS IN THE FIRST STORY.

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

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA FOR A WITNESS TO ATTEND THE GENERAL SESSIONS OF THE PEACE.

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

To Wm Gaffney,

of No. 47 4th & 10th Ave Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 16 day of Sept 1897, ~~at~~ half past ten o'clock in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York against

Jacob Kramer

Dated at the City of New York, the first Monday of Sept

in the year of our Lord 1897.

427

DE LANCEY NICOLL, *District Attorney.*

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

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

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

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

Remarks to ~~Judge~~ Magistrate

0698

CITY AND COUNTY OF NEW YORK, } ss.

aged 40 years, occupation General Housework of No. ~~54~~ W 48th Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Margaret Walsh and that the facts stated therein ~~on information of deponent~~ are true of deponents' own knowledge.

Sworn to before me, this 26th day of March 188 } her Catharine X O'Keefe mark

Police Justice.

Court of General Sessions, PART 3.

THE PEOPLE vs. Jacob Kramer } For INDICTMENT

To M. Adolph Kopfer No. 305 East 74th Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for Friday Instant at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on — the 24 day of March instant, at eleven o'clock in the forenoon.

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

DE LANCEY NICOLL,
District Attorney.

0699

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Jacob Kramer

Affidavit of Service of ~~Subpœna~~ Bond Notice.

City and County of New York, ss.

Louis Leavitt being duly sworn, deposes and says: I reside at No. 132 White Street Street, in the City of New York. I am a subpœna server in the office of the District Attorney of the City and County of New York, and am over twenty-one years of age. On the 23d day of March, 1889, at No 305 East 74th Street in said city, I served a ~~subpœna~~ Bond Notice in the above-entitled action, of which a copy is hereto annexed, upon Adolph Pfeiffer a ~~witness~~ Bondsman in the said action, personally, by delivering the said ~~subpœna~~ Bond Notice to and leaving the same with the said Adolph Pfeiffer, in person, at the place aforesaid; and that I know the said Adolph Pfeiffer so served as aforesaid, to be the person named and described in the said ~~subpœna~~ Bond Notice, as such witness.

Sworn to before me, this 24th day of March 1889. Louis Leavitt

Thos. A. Mesani
Commissioner of Deeds N.Y. Co.

0700

Court of General Sessions.

THE PEOPLE, *on the Complaint of*

vs.

Jacob Kramer

Offense:

DE LANCEY NICOLL
~~RANDOLPH B. MARTINE,~~
District Attorney.

Affidavit of Service of ~~*Subpœna*~~ Bond Asked *by*

Louis Lewis

Subpœna Server.

POOR QUALITY ORIGINAL

0701

Subpœna—Duces Tecum.—797a.

John Polhemus, Printer and Mf'g Stationer, 102 Nassau St., N. Y.

The People of the State of New York

TO

Edw. McKenna, Esq.,
Clerk District Attorney's Office,

GREETING:

We Command You, that all business and excuses being laid aside, you appear and attend before Hon. Edward Patterson, Justice of the Supreme Court, in Part I thereof — held in the County Court House,

on the Twentieth day of January at 2 o'clock in the P.M. noon, to testify and give evidence in a certain action now pending undetermined in the said Court, between

John Timmons, as Adm. &c., plaintiff
and
Jacob Kramer,

defendant, on the part of the and that you bring with you, and produce at the time and place aforesaid, ~~a certain~~ all testimony and other papers in your office in the case of the Peo. vs. Jacob Kramer —

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And for a failure to attend, you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby, to the party aggrieved, and forfeit FIFTY DOLLARS in addition thereto.

Witness,
Hon Edward Patterson

Leonard A. Gazzanigh
Clerk.

Attorney.

Supreme
Court
Part 1
before
Judge Patterson
[illegible]
[illegible]
and
Justice Kramer

0703

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

Jacob Kramer

Put on Calendar for Part 3. Mch 24/91 to first day

District Attorney.

Hon. Vernon M. Davis
Assistant Dist Atty.
Sir.
I respectfully submit the following report Case of Jacob Kramer. Catherine Kerrigan, not found. Mrs. Walsh, not found. and Robert McMahon not found the officer in this case subpoena was left in station house
Respectfully
Edward J. Flynn
Chief Clerk

Mr. Reilly had these subpoenas

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

189

Sergeant
3d Precinct.

Will you kindly telegraph to Bellevue Hospital and ascertain for Mr. Staples of this office the address of Dr. Hood who until Jan. 1st was connected with the Hospital, oblige

Very truly
Edward J. Shahey
Asst Dist Attorney

0705

127 W. 34th St

Lakewood

0706

District Attorney's Office,
City and County of New York

189

Mr. James A. O'Gorman, 206 Bway for Thos.
Off Henry ~~Hay~~. 22nd Prect.
Mrs Margaret Walsh 531 or 521 W 48th st.
Robt McMahon. 450 W. 48.
Catharine Kerrigan 531 or 521 W 48.
Thos ~~Grady~~ Dooley 526 W 45
Ed. Grady 528 W 45
Wm Lyons care of his brother Patrick S. W. cor 47th St & 10th Ave,

Kramer Case

Witness -

0708

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

vs.

No [illegible] found.
Off docket by
[illegible]

District Attorney.

Mr. O'Connor
will find name &
address of nephew
of dec'd

0709

Robert Mahon, of 3450 West 48th Street, age 23 years, a clerk being duly sworn says: On December 7th 1889. I was standing about twenty feet West of 10th Avenue on 48th Street, between one and two o'clock in the afternoon and I saw a woman lying down on 10th Avenue - in the Avenue itself, on the cross walk between the East and West side of the Avenue and a wagon with horse attached to a wagon was going down town on the Westerly rail road track, which ran over her. The defendant, Jacob Kramer (now here) I identify as being the man who was in said wagon and who had charge of and drove said horse. The front wheel of the wagon went over the woman, and after the wagon had gone about five feet from where the woman was lying, the defendant jumped from the wagon and came back to where the woman was lying having turned his horse towards the East side of the Avenue. The defendant said something to the effect that he could not help it. I did not know the woman who was run over.

Sworn to before me this 9th April 1890

Robert Mahon

Saml C Reid
Police Justice

Thomas Doonan, age 30 years, a laborer, residing at 330 West 40th Street being duly sworn says: I was standing in front of McCormick's liquor store, on the North West Corner of ~~10th~~ Av & 40th Street, on the 24th December 1889, about one o'clock in the afternoon, and I saw a horse attached to a wagon coming down on the westside rail road track, at a lively rate of speed. I identify the defendant (now here) as the man who was driving said horse. I heard some one cry out and I turned around and saw the last wheel of this wagon pass over the legs of a woman, who was lying on the westerly rail road track at the Northerly crossing at 40th Street between the Easterly and westerly side of 10th Avenue. Mr. Edward Grady then asked me to catch the horse, which I did & the defendant stopped the horse and jumped from the wagon, threw a blanket over the horse and he said he did not run over the woman. I did not know the woman who was run over.

Thomas Doonan

Sworn to before me this 5th day of April 1890

P. J. McCabe
Police Justice

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Jacob Kramer

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Jacob Kramer

of the crime of Manslaughter in the second degree,

committed as follows:

The said Jacob Kramer,

late of the City of New York, in the County of New York aforesaid, on the twenty fourth day of December, in the year of our Lord one thousand eight hundred and ~~ninety~~ eighty nine, at the City and County aforesaid, in and upon one Mary McFlone, wilfully and feloniously made an assault, and a certain wagon, drawn by a certain horse then and there being driven by him the said Jacob Kramer,

to, at, against and upon her the said Mary Mc Tigone then and there wilfully and feloniously did force and drive, and her the said Mary Mc Tigone, with the horse and wagon aforesaid, so forced and driven as aforesaid, then and there wilfully and feloniously did strike, knock down and run over, by reason and by means whereof two of the wheels of the said wagon, over the legs of her the said Mary Mc Tigone did then and there pass and go; giving unto her the said Mary Mc Tigone then and there, by the means aforesaid, in and upon the legs of her the said Mary Mc Tigone, divers mortal wounds and fractures, of which said mortal wounds and fractures she the said Mary Mc Tigone, from the said twenty fourth day of December, in the year aforesaid, until the nineteenth day of January in the year of our Lord one thousand eight hundred and ninety, at the City and County aforesaid, did languish, and languishing did live, and on which said last mentioned day she

the said Mary McTigue, at the City and County aforesaid, of the said mortal wounds and fractures did die.

And so the Grand Jury aforesaid do say: that the said Jacob Kramer, then the said Mary McTigue, in manner and form and by the means aforesaid, willfully and feloniously did kill and slay, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

John R. Fellows,
District Attorney.