0275

BOX:
436

FOLDER:
4020

DESCRIPTION:
Adams, John

DATE:
05/28/91

4020

Witnesses:

Charles W Stout
Off Henry J Masson
23 Prect

after an interview with complainant in which he informs me that the defendant is a respectable hard working man. He had had drinking previous to the shooting. Ever since - February 91 the deft has not touched a drop & asks that he be discharged on his own recognizance G. F. B. May 11th 92 ADA

Counsel,

Filed 28 day of May 1891

Pleads, Not guilty

THE PEOPLE

vs.

John Adams

Assault in the First Degree, Etc. (Firearms.) (Sections 217 and 218, Penal Code).

DELANCEY NICOLL,
JOHN R. FELLOWS,
District Attorney.

A True Bill.

W. L. Ohlidmow
Foreman.

Put this case on Calendar for March 2. D. M. D

Part 2 - May 11/92 On motion of Dist Atty deft. discharged on his own recognizance

Police Court— 4 District.

City and County of New York, } ss.:

Charles W. Stout

of No. 303 East 70th Street, aged 53 years, occupation Platers being duly sworn deposes and says, that on the 25 day of Feby 188[illegible] at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED and BEATEN by John Adams (now here) who did wilfully and feloniously point and discharge one shot from a revolving pistol loaded with powder and ball at the body of deponent in Boerwood Hall 54 Street near 3 Avenue

with the felonious intent to take the life of deponent, or to do him grievous 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, etc., and be dealt with according to law.

Sworn to before me, this 25 day of February 188 . } Chas W Stout

John A Regan Police Justice.

Sec. 198—200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

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

Question. What is your name?

Answer. John Adams

Question. How old are you?

Answer. 64 years

Question. Where were you born?

Answer. New York

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

Answer. 165 East 64th 11 years

Question. What is your business or profession?

Answer. Plasterer

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 Adams

Taken before me this 25 *day of* July 1891

John [illegible]

Police Justice.

0279

Police Court--- 4 **District.** 261

THE PEOPLE, &c.,
ON THE COMPLAINT OF
Charles W. Stark
303 E. 89th St.

1. John Adams
2.
3.
4.

Offence Larceny
Assault

Dated May 28 1891

Ryan Magistrate.
J. Mooney Officer.
23 Precinct.

Witnesses.

No. ..... Street.
No. ..... Street.
No. ..... Street.

RECEIVED
FEB 23 1891
DIST. ATTORNEY'S OFFICE.

BAILED,

No. 1, by Geo. W. Koch Residence 307 Duane St. Street, Manhattan

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

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

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

No. ..... Street.
No. ..... Street.
$ 1500 to answer
Audit for 60

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 Fifteen *Hundred Dollars,* ..... *and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.*

Dated May 28 *18*91 John Ryan *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

John Adams

The Grand Jury of the City and County of New York, by this indictment, accuse John Adams of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said John Adams

late of the City of New York, ~~in~~ the County of New York aforesaid, on the twenty-fourth day of February, in the year of our Lord one thousand eight hundred and ~~eighty-nine~~ with force and arms, at the City and County aforesaid, in and upon the body of one Charles W. Stout in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Charles W. Stout a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said John Adams in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent him the said Charles W. Stout thereby then and there feloniously and wilfully 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 Grand Jury aforesaid, by this indictment, further accuse the said John Adams of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said John Adams

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Charles W. Stout — in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him — the said Charles W. Stout — a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said John Adams in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL.
~~JOHN R. FELLOWS~~,

District Attorney.

0281

BOX:
436

FOLDER:
4020

DESCRIPTION:
Anderson, Charles

DATE:
05/21/91

4020

Witnesses:

Off^r Adam Lang
4 Prec^t

205

Counsel, HOK

Filed 21 day of May 1891

Pleads, Not guilty in

THE PEOPLE

vs.

B

Charles Anderson

POOL SELLING.
(Section 351, Penal Code and Chap. 479, Laws of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

A True Bill.

W. S. Bridmon

Foreman.

Transferred to the Court of Special Sessions for trial and final disposition.

Part 2 May 19th 1891

Witnesses:

Off^r Adam Lang
4 Precⁿ

205

128K

Counsel,

Filed 21 day of May 1891

Pleads, Not guilty

THE PEOPLE

vs.

B

Charles Anderson

POOL SELLING.
(Section 351, Penal Code and Chap. 470, Laws of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

A True Bill.

W. S. Bridmon

Foreman.

Transferred to the Court of Special Sessions for trial and final disposition.

Part 2 May 19th 1891

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Anderson

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Charles Anderson

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said Charles Anderson,

late of the Fourth Ward of the City of New York, in the County of New York aforesaid, on the sixteenth day of May in the year of our Lord one thousand eight hundred and ninety one, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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 Charles Anderson

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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 Charles Anderson —

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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 Charles Anderson —

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of two dollars in lawful money of the United States of America, which said money was then and there by one Jeremiah J. Rizzo staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "Marcher", and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at Roosevelt, in the County of Kings, in the State of New York, and commonly called the Brooklyn Jockey Club Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, 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 Charles Anderson —

of the crime of recording and registering a bet and wager, committed as follows :

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one Jeremiah J. Sullivan, —

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "Mother;" — and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Jamaica, — in the County of Queens, — in the State of New York and commonly called the Brooklyn Jockey Club Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, 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.

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

— Charles Anderson —

of the Crime of POOL SELLING, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one Jeremiah J. Sullivan and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "Mother" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at Fairmount, —
in the County of — Kings, — in the State of New York
and commonly called the Brooklyn Jockey Club Race Track,
and which said trial and contest was had, holden and run on the day and in the year aforesaid at the place and race track aforesaid (a more particular description of which said trial and contest, and of the pool upon the same so as aforesaid then and there sold, 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.

Seventh Count, And the Grand Jury aforesaid, by this indictment, further accuse the said Charles Anderson —

of the crime of recording and registering bets and wagers, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, divers bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid unknown, upon the result of divers certain trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Fairmount, —
in the County of — Kings, — in the State of New York
and commonly called the Brooklyn Jockey Club Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the said bets and wagers so as aforesaid then and there made upon the same, 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.

Eighth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said Reader Anderson —

of the crime of pool selling, committed as follows :

The said Reader Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at — Yonkers, — in the County of Kings, — in the State of New York, — and commonly called the Brooklyn Jockey Club Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Charles Anderson

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this indictment, accuse Charles Anderson

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said Charles Anderson,

late of the Fourth Ward of the City of New York, in the County of New York aforesaid, on the eighteenth day of May, in the year of our Lord one thousand eight hundred and ninety one, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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 Charles Anderson

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; 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 Charles Anderson —

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; 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 Charles Anderson —

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the occupant of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of two dollars in lawful money of the United States of America, which said money was then and there by one Adam Bond staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "Sonnie", and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at Roosevelt — in the County of Kings, — in the State of New York and commonly called the Brooklyn Jockey Club Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, 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 Charles Anderson —

of the crime of recording and registering a bet and wager, committed as follows :

The said Charles Anderson, —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one Adam Sand —

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "Sannie", — and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Yonkers, — in the County of Kings, — in the State of New York, and commonly called the Brooklyn Jockey Club, Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, 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.

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

— Charles Anderson —

of the CRIME OF POOL SELLING, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one Adam Sand and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "Sannie", — and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at Aqueduct, in the County of Queens in the State of New York and commonly called the Brooklyn Jockey Club Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid at the place and race track aforesaid (a more particular description of which said trial and contest, and of the pool upon the same so as aforesaid then and there sold, 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.

Seventh Count, And the Grand Jury aforesaid, by this indictment, further accuse the said Charles Anderson

of the crime of recording and registering bets and wagers, committed as follows:

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, divers bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid unknown, upon the result of divers certain trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Aqueduct, in the County of Queens in the State of New York and commonly called the Brooklyn Jockey Club Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the said bets and wagers so as aforesaid then and there made upon the same, 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.

Eighth Count, And the Grand Jury aforesaid, by this indictment, further accuse the said Charles Anderson —

of the crime of pool selling, committed as follows :

The said Charles Anderson,

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at Tuxedo, — in the County of Orange, — in the State of New York, — and commonly called the Goodwin Goshen Park Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.

0296

BOX:
436

FOLDER:
4020

DESCRIPTION:
Arnold, Charles

DATE:
05/25/91

4020

Witnesses;

John T. Wilson
Edw'd J. McClosky

Counsel,

Filed 25 day of May 1891

Pleads, Not guilty 26

THE PEOPLE

vs.

Charles Arnold

Forgery in the Second Degree.
(Sections 511 and 521, Penal Code.)

DE LANCEY NICOLL,
~~JOHN R. FELLOWS~~
District Attorney.

Part III. June 2, 1891. V.M.D.

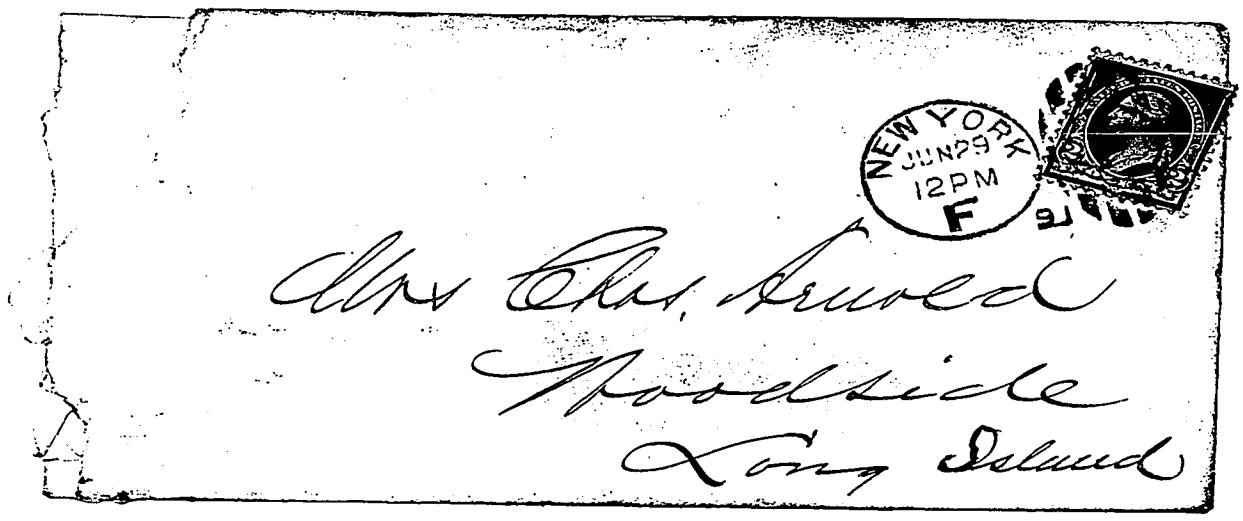
A True Bill.

W. C. Skidmore
Foreman.

Part III June 24/91.
Plead: Guilty.

July 1st.
Elmira Ref. B.B.M.

0298



[illegible]

Thos. Weale

Estate of Mrs C. (Ann) Wardell

Edward Lyle

St Rodyk

K.9

A. PALMER DUDLEY, M.D.
640 MADISON AVENUE,
NEW YORK.

June 29th 91

This is to certify that I have known Mrs Chas. Arnold for three years. During her residence in 38th St. I placed several patients under her care and found her to be not only a good nurse but a woman of good habits and well worthy of

perfect and the
confidence I reposed
in him — not only as
a nurse but as a
good. woman

Respectfully Submitted
C. Palmer Dudley

ADDRESS

DELIVERED BEFORE THE NEW YORK COUNTY MEDICAL ASSOCIATION
FEBRUARY 16TH, 1891.

ON RETIRING FROM THE PRESIDENTIAL CHAIR.

BY

GEORGE TUCKER HARRISON, M.A., M.D.

[Reprinted from GAILLARD'S MEDICAL JOURNAL, Vol. LII., No. 4, April, 1891.]

NEW YORK:
STETTINER, LAMBERT & CO.,
22–26 READE STREET.
1891.

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ADDRESS.

THERE is a tendency, alas! too obvious, on the part of the present generation of medical men, to neglect the study of the past achievements in medicine and surgery, and devote attention exclusively to writings, whether systematic treatises or journalistic articles, which bear the stamp of *modern*. Everything written a few years, nay, months ago, is thrust aside with the contemptuous expression that it is antiquated, no matter how weighty the subject-matter or how skilful the treatment. In these circumstances it may not prove a fruitless task if, in the few moments at my disposal, I invoke your attention to the importance of the study of the history and literature of medical science. In the first place, one of the greatest advantages accruing to the student of history, in its above limitation, is the feeling of *humility* engendered in him by the perusal of what his predecessors have accomplished under such unfavorable conditions. I need scarce insist that this frame of mind should especially characterize every one who seeks scientific truth. Consider for a moment the writings of Hippocrates. What graphic power of description, what acuteness of observation, what high appreciation of the medical art are displayed in them! What profound wisdom is contained in his famous aphorism: "Art is long, life short, judgment difficult, to grasp the opportunity hard. To act is easy, thinking is difficult, but to act after thought is convenient and useful."

As a practitioner he was exceedingly cautious; he would neither do too much nor too little; as he expressed it, "The physician is the servant, not the master, of nature, but he is the servant of art." He insisted that the physician shall benefit, or, at any rate, not injure, his patient. He pressed into the service of the healing art all sciences, as well as philosophy and mathematics. His exposition of phthisis, or tuberculosis, is truly admirable. He regards phthisis as originating from a pneumonia which did not resolve by a crisis; he further considers it as a consequence of *hæmoptysis* or a *purulent pleuritis*. The correctness of his description of the disease is not impaired by the mistakes he makes

in his interpretation of the phenomena, as might be shown by copious citations from his works, if time permitted. It is impossible for a well-constituted mind to withhold intense admiration of the high state of cultivation of medicine at the period when Hippocrates flourished, nor can a comparison with our own times produce in such a mind a feeling of undue elation at our own superior attainments. The epoch of Hippocrates, it will be observed, coincided with the period of highest development of Greek art, science, poetry, and eloquence. It was about coeval with the time when a Phidias adorned the Parthenon with his incomparable friezes; when a Zeuxis shed imperishable lustre upon the art of painting; when a Socrates or a Plato unfolded the laws of mind and of nature to crowds of eager and expectant pupils; when a Demosthenes or an Æschines carried the art of eloquence to heights of grandeur and sublimity never since surpassed; when a Pericles exhibited the highest attributes of statesmanship, and when the drama was enriched by the splendid creations of a Sophocles and a Euripides. The law seems to be that in the history of a people great men rise and flourish contemporaneously or in direct succession when the intellectual life of that people is highly developed. A second advantage arising from the study of the history of medicine is that it gives the student the power to appreciate and understand the genetic development and spirit of the science, or rather sciences, which are the objects of his pursuit. Nor must it be overlooked that comparative criticism pertains to historical studies, and this habit must necessarily prove a corrective of the proneness of young and immature minds, fresh from a collegiate course, to underestimate the achievements of the past and pay undue attention to the new, or what appears to be new. Moreover, for practice the lessons of history are invaluable; they teach us the permanent acquisitions and principles of general pathology and therapeutics, and point out the dangers of theorizing. Nothing tends more positively to diminish the dangers of an exaggerated specialism than the study of the history of medicine, as it expands the intellectual horizon, while a too exclusive devotion to special studies contracts it more and more. If historical studies were pursued diligently, many a germ of thought would bloom and blossom, and bring forth the fruit of some great discovery which else must await ages. Perhaps if the studies of Praxagoras, who discriminated between the arteries and veins, had been known to his successors, the world might not have had to wait for two thousand years for a Harvey to make the great discovery of

the circulation of the blood. And so if the investigations of Polybos upon the development of the chick had been better known among those who came after him, it might not have been reserved for the immortal Harvey to propound the doctrine that all animals originate from the ovum—demonstrated two hundred years later by v. Baer to be true in man.

Lastly, the study of the history of his science is one of the best measures of a physician's genuine love of his profession, without regard to it as a mere means of livelihood. How many physicians are there who never look higher than the pecuniary emoluments of their profession! To them the history of their science and art will ever remain a sealed book. There are others, and I rejoice to believe their name is legion, who deserve the encomium pronounced by the wit of the last century upon his physician when he bethought him of

> "Kind Arbuthnot's aid,
> Who knew his art, but not his trade."

The deeper intellectual needs of such must imperatively demand a knowledge of the history of their science. As descriptive of the true pleasure afforded by such historical studies as form my theme, I may appropriately adopt the words which Sir John Herschel uses with respect to a taste for reading in general. "Give a man this taste," he remarks, "and the means of gratifying it, . . . you place him in contact with the best society in every period of history, with the wisest, the wittiest, with the tenderest, the bravest, and the purest characters that have adorned humanity. You make him a denizen of all nations, a contemporary of all ages. The world has been created for him. It is hardly possible but the character should take a high and better tone from the constant habit of associating in thought with a class of thinkers, to say the least of it, above the average of humanity." As applicable here are the eloquent words also of Lord Bacon when he says: "If the invention of the ship was thought so noble, which carrieth riches and commodities from place to place, and consociateth the most remote regions in participation of their fruits, how much more are letters to be magnified, which, as ships, pass through the vast seas of time, and make ages so distant to participate of the wisdom, illuminations, and inventions the one of the other."

I welcome it as an auspicious sign that so many young men are crowding the ranks of this Association. It promises well for its future glory and honor, as on their shoulders must be borne

the burdens as their elders lay them down. Let me, then, as my closing words, appeal to you, my younger colleagues, not to let the golden opportunity slip to devote some of your leisure hours to an earnest study of the literature and history of medicine. In its annals may be found names of men who have ennobled and embellished literature for all time. Such a one was Sir Thomas Browne, whose "Religio Medici" is one of the most eloquent books born of the ages. What nobler motives of conduct, conveyed in more felicitous language, can be commended to you than those contained in the passage I now quote? May its spirit pervade your inmost being!

"I feel not in me those sordid and unchristian desires of my profession; I do not secretly implore and wish for plagues, rejoice at famines, revolve ephemerides and almanacs in expectation of malignant aspects, fatal conjunctions, and eclipses; I rejoice not at unwholesome springs nor unseasonable winters. My prayer goes with the husbandman's; I desire everything in its proper season, that neither men nor the times be out of temper. Let me be sick myself, if sometimes the malady of my patient be not a disease unto me; I desire rather to cure his infirmities than my own necessities; where I do him no good methinks it is scarce honest gain; though I confess it is but the worthy salary of our well-intended endeavors. I am not only ashamed, but heartily sorry, that, besides death, there are diseases incurable; yet not for my own sake, or that they be beyond my art, but for the general cause and sake of humanity, whose common cause I apprehend as mine own."

I have known Mrs. Charles Arnold for several years. She has taken care of a number of surgical cases for me, in her capacity as a trained nurse, and I can bear testimony to her skill and fidelity in this onerous duty. I believe her to be a woman of excellent character. While residing at 147 East 39th St. I had a patient under her care for a number of weeks.

George Tucker Harrison
221 W. 23rd M.D.

Sworn to before me
this 26th day of June 1891

[illegible]
Commissioner of Deeds.

This is to certify that I have known Mrs. Chas Arnold, formerly of 147 E 39th St for over two and a half years. She is a trained nurse by ~~profession~~ profession, and is thoroughly upright & moral in every respect. She left a private hospital on 39th St and being engaged to be married daily for months I can cheerfully testify that I have never seen any thing bearing a taint of suspicion that every thing was not perfectly proper morally.

Alfred B Tracy M.D.
258 W 22nd St

June 25th 1891

Sworn to before me
this 26th day of June 1891
J S Rosenthal
Commissioner of Deeds

RECTORY OF
SAINT AGNES' CHURCH.
141 EAST 43d STREET.

New York, June 27 1891

The bearer Mrs Mary Frances Smith has been known to me for some time as a respectable woman and a good Christian.

Henry A. Brann D.D.,
Rector of St Agnes' Ch.

0315

Form No. 120.

322

COUNTY OF NEW YORK.

CITY OF NEW YORK.
No. of Certificate,

STATE OF NEW YORK.

I Hereby Certify, that Charles Arnold and Frances Quirk were joined in Marriage by me in accordance with the laws of the State of New York, in the City of New York, this 27th day of April 1890

Witnesses to the Marriage { Daniel Lenn
Edith Eggleston

Signature of person performing the Ceremony { Ed. H. Somers

Date of Marriage.	April 27th 1890
Groom's Full Name.	Charles Arnold
Residence.	5 Park Ave.
Age.	26
Color.	White
Single or Widowed.	Single
Birthplace.	Australia
Father's Name.	Charles
Mother's Maiden Name.	Cecelia Nugent Armstrong
Number of Groom's Marriage.	First
Bride's Full Name.	Frances Quirk
Residence.	162 E. 38th St.
Age.	21
Color.	White
Single or Widowed.	Single
Maiden Name, if a Widow.	—
Birthplace.	Ireland
Father's Name.	William Patrick Quirk
Mother's Maiden Name.	Laetitia Waldron
Number of Bride's Marriage.	First
Name of Person performing Ceremony.	Ed. H. Somers
Official Station.	Assistant Pastor St. Agnes Church
Residence.	141 E. 43rd St. New York City
Date of Record.	

MARGIN RESERVED FOR BINDING.

NO MUTILATED CERTIFICATE WILL BE RECEIVED.

0316

CARPENTER'S EMPLOYMENT HOUSE,

ESTABLISHED 1847. **No. 108 SIXTH AVENUE, near 9th St.,** Opposite Jefferson Market.

Late of Eleventh Street.

Where can be found on hand or readily procured, a great variety of Help, such as German, Scandinavian, English, Irish, Scotch, American, British Provinces, Colored, &c.

Viz., Housekeepers, Linen Girls, Laundresses, Kitchen Girls, Pantry Girls, Cooks, all kinds, " to wash & iron, Chambermaids, Houseworkers, Ladies' Maids, Waitresses, Seamstresses, Nurses, All kinds. Governesses, Dairy Maids, Small Girls, &c.,

Also, Butlers, Stewards, Cooks, Waiters, Boys, Porters, Traymen, Body Servants, Coachmen, Pantry Men, Valets, Grooms, Footmen, Gardeners, Laborers, Farm Sup'ts, Nurses, Useful Men Married Couples, Farm Hands,

And all other kinds of Help.

We most respectfully solicit patronage from you or your friends should either require Help. Our office being the oldest and best known, gives us decided advantage in selecting Help to suit customers. Further, we carefully superintend our own business, and see that all orders by mail or otherwise are promptly filled. The main office is on the first floor; five lines of cars pass the door (including the elevated railroad, which has a station opposite) connecting with all other city routes, therefore accessible from all parts of the country, city depots, ferries, &c.

New York, June 30 1891

M. Dear

Chas Arnold came to me from Mr Bartholomew Gedney of White Plains my where he had been employed Mr Gedney gave me an excellent recommendation of him and White Charles, was in the employ of Mr Wilson he enquired after him in fact took an interest in his welfare

Yours Truly
J C Carpenter

Mr Gedney can be found at White Plains

Mrs Kate Wood my merly Wallace can be found at Sing Sing my. She will verify my statement

CARPENTER'S
-Employment House-
108 6TH AVENUE,
Bet. 8th & 9th Sts. NEW YORK.
MALE & FEMALE HELP
ALL NATIONS.

CARPENTER'S EMPLOYMENT HOUSE,

No. 108 SIXTH AVENUE, near 9th St.,

ESTABLISHED 1847. Opposite Jefferson Market.

Late of Eleventh Street.

Where can be found on hand or readily procured, a great variety of Help, such as German, Scandinavian, English, Irish, Scotch, American, British Provinces, Colored, &c.

Viz.,	Laundresses,	Cooks, all kinds,	Houseworkers,	Seamstresses,	Governesses,
Housekeepers,	Kitchen Girls,	" to wash & iron,	Ladies' Maids,	Nurses,	Dairy Maids,
Linen Girls,	Pantry Girls,	Chambermaids,	Waitresses,	All kinds.	Small Girls, &c.,

Also,	Waiters,	Body Servants,	Grooms,	Farm Sup'ts,	Married Couples,
Butlers,	Boys.	Coachmen,	Footmen,	Nurses.	Farm Hands,
Stewards,	Porters,	Pantry Men,	Gardeners,	Useful Men	
Cooks,	Traymen,	Valets,	Laborers,	And all other kinds of Help.	

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New York June 30 1891

M Sir

I also procured Charles
Arnold a place as nurse
to Benj Wallace Son of W L
Wallace of Church & Cortlandt
St an Returned friend of
mine He filled the place
to the Satisfaction of all
Mr Wallace gave me
an Excellent account of him
and praised him greatly
for the good care he gave
~~Ben~~ He also told me if
any vacancy Occur in

his Store he would
put Charles in

James Thomas
J. C. Carpenter

Bklyn N.Y. June 28th 1891

It gives me pleasure to say that I have known Mrs Chas. Driscoll who formerly kept a Private Hospital 147 East 69th St. N.Y. for some time. In a professional capacity, I have had considerable experience in institutions of this kind and having visited her hospital

I can state that it was
conducted as well as
any that I ever saw,
and there was not the
least appearance of
anything that was
indecorous or improper.

T. J. Woolfolk M.D.
89 Henry St Bklyn
N.Y.

June 27th 1891

This is to certify that I have known Mrs Chas Arnold for over 3 yrs I have been a patient of hers and can testify to her good kind and devotional care I have been a hector to his house 1847 & 39 that and known her to be a moral and virtuous woman

Mrs. C. McKee
680 3 Ave

Rectory of St Agnes' Church
New York June 18th 1890

This is to certify that Mr Charles Arnold is a parishioner of our parish and an estimable gentleman and I cheerfully recommend him to the courteous consideration of Rev. Fr Callaghan

M. N Heyward

RECTORY OF
SAINT AGNES' CHURCH.
141 EAST 43d STREET.

New York, June 4th 1891

To whom it may concern.
This is to certify
That Charles Arnold and
Frances Quirk
were married in this Church
on the 27th day of April 1890
the officiating priest being
Rev. Edward T. Somers
and the witnesses
David Seori and
Edith Eggleston

Copied from the marriage register
of St. Agnes Church, June 4th 1891
Joseph F. Sheehan
Asst Rector

I, Alexander Gladstone, hereby certify that I have known Charles Arnold for some time, and have had various business transactions with him. I have in all my dealings with him found him to be possessed of considerable abilities and thoroughly honest, and were he requiring my assistance would gladly do my utmost to secure him a position

Alex. Gladstone

Sworn to before me,
this eighth day of June
1891

James P. Gallagher
Notary Public N.Y.Co.

Affidavit
of
Alex Gladstone
in the Case of
Chas Arnold
Forgery

Court of General Sessions

The People &c
agst
Charles Arnold

City & County of New York ss.
Edward Lynch of no 315 East 114 Street in said City being duly sworn says, that he has been a resident of this City for twenty two years and is a contractor by occupation. That he has known Charles Arnold who is charged with forgery, for about two years last past, that said Arnold during this time has been a waiter for Mr Wilson of no 5 Park Avenue in said City.

That deponent has known said Arnold as an honest, upright and industrious man, who never associated with any persons of depraved character, strictly attending to his business, not addicted to any bad habits of gambling, drinking, or other vices and has not at any time been arrested or charged with any offence whatever. Deponent further

days that if he had more time allowed him this deponent could produce the evidence in affidavits of at least ten persons who could corroborate deponent as to the good character of said Arnold

Deponent respectfully asks that this Court may be as lenient as possible with said Arnold

Sworn to before me this 5 day of June 1891

Edward Lynch

John C Lang
Notary Public
My Co

Affidavit of Edward Lynch as to character

City & County of New York ss

Thomas W. Weale being by me duly sworn did depose and say that he was more than twenty one years of age, that he resided in the City of New York at No. 490. Amsterdam Avenue, deponent further says, that he became acquainted with Charles Arnold now indicted for forgery, in London England about six years ago and has been friendly with him here about 2 years since his arrival in this Country and has always taken him for good and honest companion and has never heard anything bad about his character.

Sworn to before me this 6th day of June 1841 } Thomas W. Weale

A. Ramsgarten
Notary Public
Kings Co. N.Y.
cert. filed in N.Y. Co.

Court of General Sessions
County of New York

In the Matter of
The People &c.
against
Charles Arnold

City and County of New York, ss:

John Miller, of said City, being first duly sworn, deposes and says that he has been acquainted with the defendant Charles Arnold, above named and has known him for more than a year last past; that said Arnold's occupation has been that of waiter. That during said period this deponent has often seen said Arnold and always knew and believed him to be a sober, industrious man and one with respectable connections, and deponent never knew or heard of any thing affecting or reflecting in any manner upon said Arnold's honesty or integrity. This deponent has learned with much surprise and sorrow of the arrest of

said Arnold charged with the crime of forgery, and deponent while aware of none of the facts relating to said charge, believes said Arnold to be a man of good impulses and the bearer of a hitherto good reputation.

Sworn to before me this
4th day of June, 1891

Commissioner of Deeds

John Miller
Court Officer

Arnold

DUFFY & SMITH,
Attorneys for
132 NASSAU STREET,
NEW YORK CITY.

WALTER S. POOR,
Of Counsel.

REAL ESTATE, LAW AND COLLECTION OFFICE,
Store and Business Agent. Fire and Plate Glass Insurance,
JOHN M. REID, 245 East 34th Street, [redacted]
Commissioner of Deeds. N. W. Cor. 2d Ave. Counsellor-at-Law, Notary Public.

State of New York, } ss.
County of Newyork

I. J. Woolfolk M.D. being duly sworn, says that he resides at 89 Henry Street Brooklyn N.Y. that he has known Mr. Charles Arnold residing at Woodside L.I. and has known said Arnold for some time. Deponent further says that he knows said Arnold to be a sober, industrious and moral man and a kind and affectionate husband, and never knew or heard of him being guilty or tried for any crime prior to the offense he is now being tried for.

And further this deponent says not.

Sworn to before me this 5 day of June 1891

John M. Reid
Notary Public (No 69)
Newyork County

I. J. Woolfolk M.D.

0333

No. 160 New York, Apl. 1st 1891

The State Trust Company.
IN THE CITY OF NEW YORK.

Pay to the order of John T. Wilson

$ Fifty 50/100 DOLLARS

John T. Wilson

JOHN T. WILSON,
RECEIVER,
75 FULTON STREET,
ROOM 1.

Rec'd 9 am Fridy 15 May 1891 from Charles & Hough Wallace Bookkeeper

Check forged by Charles Connels for $50. Passed off on Charles & Co Sat Apl 4. 1891 at 2 PM

Del'd to me on Fridy 15 May 91 Wallace & Co

0334

John L. Wilson

FOR DEPOSIT IN
The Lincoln National Bank,
CHARLES & CO.

Hogeng

0335

No. 167. 45 New York, April 6th 1891

The State Trust Company

Pay to John T. Wilson or order

Eighteen 100 Dollars

$ 18 00 John T. Wilson

APR 1891

FIRST TELLER
APR 8 1891
CASH

0336

Davis & Co

Jerome

John T. Wilson

0337

Thomas - 1 Ok

JOHN H. MORRIS,
ASSIGNEE,
~~45 WILLIAM ST., N. Y.,~~
~~ROOM 18.~~
75 FULTON ST.,
ROOM 1.

Check forged by Charles Arnold for $18. & given to David Ho Monday Apl 6/91. he receives $18 on Bills for his Check

Del'd to me Monday May 18th 91 Dow

0338

Nancy L. 44 52

John Nelson

Greenbaum

Lynda Nelson

52 16 36 32 49 25

5 Park Ave May 23. 1891

Andrew Fay. Esq
Chief Clerk of the Dist Atty

Dear Sir I beg leave to hand you a statement of facts in relation to the Case of "The People Agt Charles Arnold" who is held on a charge of Forging my name to a check of $149. for which check he obtained that amt of money from E. J. McCluskey on 6th Apl last, by stating to McCluskey that I wished Bank Notes in Exchange for the Check. At that time Arnold was in my employ as house servant. At the time of Commitment of Arnold on the charge of Forgery, by Judge Hogan on 15th inst, I stated to Judge Hogan, that there were four other checks on which Arnold had obtained money by forging my name as drawer, and that a large quantity of Jewelry and Diamonds were ~~found~~ missing from my house immediately after the absconding of Arnold on the 7th Apl, the succeeding day to his uttering the forged checks. Judge Hogan advised me to lay the matter before the District Attorney when I should be sent for by him in the matter of the $149. check upon which he had committed Arnold to await the action of the Grand Jury. As the Chief Clerk of the Dist Atty I therefore lay before you the following Statement.

In early part of March 1891. I placed in a drawer in my Library a number of blank checks on the State Trust Co. To this drawer Arnold had access — & on or about March 25th I removed these checks, & placed them in a position where he could not get at them: but during the time they were in the Drawer he must have taken out six of the checks.

On Saturday 4 Apl he presented one of the checks, which he had filled up for $150 & signed my name to it, to the Book keeper of Charles & Co 50 East 13th St, saying that I would like to receive Bank Notes in Exchange for it: which request was complied with by the Book keeper, who gave to Arnold $150 in Bills, & deposited the Check in their Bank for collection

On Monday 6th Apl at 3½ PM he presented a similar forged check for $49 to E J McCluskey, stating that he would like Bank Bills in exchange for it, and McCluskey gave him $49 in Bills, & deposited the check in his Bank for Collection — A little later on the same day he presented a similar forged check for $18 to Davot & Co. Cor 32d St & 4th Ave, & stating that he wished Bank Bills in exchange, received $18 in Bills for it. This check was deposited in Davot & Co's Bank for Collection. All these checks were presented for payment to the State Inst Co. and payment was refused on the ground of forgery. The $50 check & the $18 check are in my possession, and are at the service of the District Atty. The $49 check is annexed to the Complaint of McCluskey — On the 4th or 5th of Apl Arnold also obtained from M Greenbaum, 3 Ave near 39th St, $52. on a check drawn to the order of my wife, and my signature as drawer and my wife's as Endorser were forged by Arnold upon the check. This check was shewn to me by Greenbaum on 8th Apl, but I have since been informed that the wife of Arnold has stated she had a hand in the forgery. On the same date — viz 6 Apl — Arnold obtained $36 on a similarly forged check from A Hanenfeld Cor 34th St & 3d Ave, who on 8 Apl wrote to me stating that Arnold had passed a forged check for $36 upon him, & requesting me to send him a genuine check for it. I have since been informed that the check has been shewn to the wife of Arnold. This woman applied to Davot & Co for the check they had received, & offered to pay $18 for it, but would not pay it, unless the check was given up. This Davot & Co refused to do. This occurred after the arrest of Arnold on 14th May. The aggregate amt obtained by Arnold by these forgeries is $205.

Arnold absconded on 7th Apl. He had for some time previously been exhibiting bad traits of character, such as lying, & petty tricks such as reporting purchasing of petty articles for the kitchen use at prices beyond what he actually paid for them, & collecting from me the advance prices: so that I had determined to discharge him on 1 May.

After the discovery of the forgeries, I examined the Jewel box belonging to my wife, and discovered the following articles to be missing, which were in it about middle of March, when I last examined its Contents. This box was in a closet which is securely locked at night, but during the day is unlocked, as it is in Constant use ——

The missing articles are. One Diamond bar pin, 2 Stones, Value $100. One diamond pin, One Stone, Value $50. One Amethyst Brooch set with Diamonds, & One Smaller Amethyst bar pin. Set with Diamonds. forming part of a Set which Cost $100. One Pearl Cross worth $50. One pair Gold Bracelets worth $75. And One Antique Mosaic Set. Ear rings & Pin which Cost $200 —— A Short time previous to Apr, Arnold exhibited to a Clerk of Charles & Co, Some diamonds which he said were worth $100. This information was imparted to my Servant Man, Walter Mullins, by the Clerk of Charles & Co, & was at once reported to me. I directed Mullins to enquire of McFarland, the Clerk of Charles & Co, if the Diamonds (2 of them) were fastened to a bar pin, & he replied that to the best of his recollection they were —— After the arrest of Arnold, he stated to Detective George Doran, who made the arrest, that the Diamonds were loose diamonds. This was after the publication of the arrest on 16th May —— The wife of Arnold, I was informed, had visited Charles & Co's Store & promised to pay the $50 if she ~~would~~ receive the Check — I do not know if she saw the Clerk who had been reported in the papers as having had the diamonds shown to him by Arnold. but she was conversing with the Book Keeper of Charles & Co in Judge Hogan's Court on the Morning Arnold was before the Judge.

When Arnold was arraigned before Judge Hogan, he plead guilty & was held — the Bail being fixed at $2000. Judge Hogan being aware of my statement, as here made, relative to the five forgeries & the missing Diamonds & Jewelry.

Since Arnold's arrest, I was informed by a respectable person, that Arnold told him Some months since that he was obliged to run away from England

in Consequence of some act he committed there — He came to work for me in Nov 1888. & had then been 20 years in the United States; and by his statements had lived in quite a large number of places. Until May 1890 Arnold had slept in a room in my Stable which ~~adjoins my~~ is on 34th St, adjoining my property on Park Ave where I reside. In May 1890 he informed me that he was married to a person who had been a trained nurse, and that he had hired the house No 14) East 29th St where his wife intended to keep a private hospital — After Arnold had absconded, a lady visiting my wife, went upon her request, to this house to enquire if any news had been heard of him. Enquiring of a Policeman who was near the house, where No 14) was, he said to her, that the house bore a disreputable character, & that no lady should be seen going in it — I then reported the forgeries to Capt Ryan of the 21st Precinct, and told him the remark of his Patrolman. He promised to have Arnold arrested at once, & said he knew nothing of a house of disreputable character at that number in East 29th — He did not accomplish the arrest of Arnold. & in May I informed detective George Doran of the 4th Precinct of the matter. He arrested Arnold on Thursday 14th ins at 8 PM, at Woodside, Long Island, & took him before Judge Hogan at the Tombs on Friday May 15th — I was informed a few days after the flight of Arnold, by a gentleman, that the reputation of that house was quite questionable, and again shortly before Arnold's arrest, he gave me further information to the same effect.

John Wilson
5 Park Ave
New York

0343

No. 155 New York, Apl. 4th 1891

The State Trust Company.

IN THE CITY OF NEW YORK

Pay to the order of John L Wilson

Forty nine DOLLARS

$ 49 00

John L Wilson

0344

Confidential

John T. Wilson
E. J. McSlobsky

Police Court 1st **District.**

City and County of New York. } ss.

John J Wilson of No. 5 Park avenue Street, aged 67 years, occupation None being duly sworn, deposes and says, that on the 6th day of April 189 1, at the City of New York, in the County of New York, Charles Arnold.

did unlawfully utter. offer. and present a certain Instrument. to wit a check on The State Trust Company of this City. made payable to John J Wilson for the sum of Forty nine dollars and signed John J Wilson. said check being herein annexed. That said defendant did present said check to Edward J McCloskey. and deponent is informed by said Mr McCloskey that he paid said money to the defendant and that said defendant told witness that said check was good and was signed by deponent. Deponent says that he never signed said check and that deponents name on said check is a forgery. Wherefore deponent charges the defendant with Forgery in violation of section 521 of the Penal Code and prays that he be arrested and held to answer

John J Wilson

Sworn before me this 13th day of May 1891

Police Justice

CITY AND COUNTY OF NEW YORK, } ss.

Edward J McCloskey

aged 36 years, occupation Kindling Wood Cutter of No. 676 First avenue ~~Street~~, being duly sworn deposes and says, that he has heard read the foregoing affidavit of John J Wilson and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 13th *day of* May 1887 } Edward J McCloskey

Police Justice.

Sec. 198—200.

1 District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Charles Arnold 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. Charles Arnold

Question. How old are you?

Answer. 27 years

Question. Where were you born?

Answer. Australia

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

Answer. Woodside L.I. my 10 days

Question. What is your business or profession?

Answer. Waiter

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
Chas Arnold

Taken before me this 15 *day of* May 1886

Police Justice

POOR QUALITY ORIGINAL

0348

Sec. 151.

Police Court 1 District.

CITY AND COUNTY OF NEW YORK, } ss. *In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York,* GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the *Police Justices* for the City of New York, by John J Nelson of No. 5 Park Avenue Street, that on the 6th day of April 1889 at the City of New York, in the County of New York,

Charles Arnold

Charged with Forgery

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you ~~the~~ said *Sheriff, Marshals and Policemen,* and each and every of you, to apprehend the said Defendant, and bring ~~him~~ forthwith before me, at the 1 *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 13th *day of* May 1889

POLICE JUSTICE.

Police Court District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs

Warrant—General.

Dated 188

Magistrate.

Officer.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at night.

Police Justice.

REMARKS.

Time of Arrest,

Native of

Age,

Sex,

Complexion,

Color,

Profession,

Married,

Single,

Read,

Write,

The within named

.....

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

Dated _____ 188 .

.....*Police Justice.*

State of New York }
Queens County } ss

George Doran being duly sworn deposes and says that he knows the handwriting of Edward J. Hogan the police justice who signed the within warrant and that he signed the same

Sworn to before me this
14 day of May 1891
Stephen J. Kavanagh
Justice of the Peace
Long Island City

George E. Doran.

This Warrant may be executed in Queens County

Stephen J. Kavanagh
Justice of the Peace

0350

Police Court 1 **District.**

THE PEOPLE, &c.,

ON THE COMPLAINT OF

1 Chas. Hamel

2

3

4

Offence Forgery

Dated May 15 1891

Magistrate.

Officer.

Precinct.

Witnesses Edward McCarthy

No. 676 Eighth Street.

Chas. Hamel

No. Williamsburg, Kings County Street.

RECEIVED. MAY 22 1891 DISTRICT ATTORNEY'S OFFICE.

No. Street.

$ Bail

Answer

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

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

Dated May 15 *18* 91 *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.*

2 Checks forged by Charles Arnold
— held as Evidence —

June 11/91

Fol.1 COURT OF GENERAL SESSIONS OF THE PEACE

in and for the City and County of New York

THE PEOPLE OF THE STATE OF NEW YORK

against

CHARLES ARNOLD

City and County of New York ss:

JOHN T.WILSON being duly

sworn says: That he resides at No.5 Park Avenue in the

" 2 City of New York, and that the defendant was in the employ of deponent as a house servant at his said residence from the 12th day of November 1888 to the 4th day of April 1891. That deponent on or about the 15th March 1891, placed in a jewel box belonging to his wife, the blue silk covered box herewith produced and marked "A" which contained, at the time it was so placed in said jewel box, a diamond breast pin consisting of two large diamonds of the value of Five hundred dollars which belonged to deponent's wife; and at the same time he placed in the said jewel box the

" 3 pasteboard box herewith produced and marked "B" which said box then contained two gold bracelets, of the value of seventy five dollars, which said bracelets belonged to the wife of deponent.

That thereafter and on or about the 4th day of April 1891, the defendant Charles Arnold forged the name of deponent to five several checks for sums amounting in the

aggregate to Two hundred and five dollars and obtained thereon the full amount thereof in money which he converted to his own use, and absconded and has not since been in the employ of deponent.

" 4 That immediately on receiving information of said forgeries, deponent, having his suspicions aroused, examined said jewel box and found that both the said box "A" and said diamond pin, and the said box "B", and said two bracelets had been removed from said jewel box and were no longer there.

That on or about the 8th day of June 1891, Walter Mullens, who was then and now is employed by deponent as house servant at deponent's said residence, brought to deponent the said two boxes "A" and "B" and told deponent he had

" 5 found the same in the room of deponent's stable No.105 East 34th Street, which room was formerly, occupied by defendant Charles Arnold while in deponent's employ. That both said boxes were entirely empty when so brought to deponent.

That from the time said boxes "A", with said diamond pin in it, and said box "B", with the said two bracelets in it, were so placed in the said jewel box by deponent on or about the 15th day of March 1891 as aforesaid, until they were so handed to deponent by said Walter Mullens, as aforesaid, deponent at no time saw either of said boxes

" 6 "A." and "B", or had either of them in his possession, or had any knowledge whatever of the whereabouts of either of them, except that he supposed them to be in said jewel box where he had so placed them, until he discovered their ab-

sence therefrom, shortly after the forgeries aforesaid were committed.

Deponent further saith: That deponent's wife is and for many years past has been an invalid, closely confined to the house and much of the time to her room. That the said jewel box was kept in a closet known as the "cedar
" 7 closet" in deponent's said house, and was never kept locked, nor was the door of said closet usually kept locked in the day-time, though always locked at night. That a portion of the duties of the defendant Charles Arnold while in deponent's employ, was to wait upon deponent's wife, bringing her such things as she might require from different parts of the house, including articles from said "cedar closet", in and out of which he went frequently, and could have gone at almost any time in the day-time. That said Charles Arnold knew where said jewel box stood in said closet,
" 8 and knew that it contained said boxes "A" and "B" with the said diamond pin and gold bracelets in them respectively.

That after defendant Charles Arnold had absconded as aforesaid, the room occupied by him in deponent's stable as aforesaid was locked and kept locked and the key kept hanging up in the kitchen of deponent's said house, in a place to which no one had access except deponent and the servants employed by deponent in his said house, and whose several affidavits are hereto annexed.

That deponent knows of his own knowledge that said diamond pin and said bracelets were in the said boxes "A"
" 9 and "B" respectively at the time deponent so placed them

in said jewel box as aforesaid, as deponent, before placing them in said jewel box, examined them and saw that they were in said boxes.

That deponent's stable and lot No.105 East 34th Street adjoins the lot No.5 Park Avenue in the rear, forming an L with said lot; and the back yards of the two lots are in one enclosure, and access is usually gained to the room in said stable so occupied by the defendant, through the yard of deponent's said residence and the back door of

10 said stable. The said deponent further alleges, that he did not at any time, place or cause to be placed - the said Boxes, marked A and B, or either of them, in the room occupied by the said Arnold as aforesaid —

Subscribed and sworn to before me this 29th day of June 1891:

John T. Nelson

James J. Groves.
Notary Public
N.Y. Co.—

City and County of New York ss:

WALTER MULLINS being duly sworn says: That he is in the employ of John T. Wilson in his house at No. 5 Park Avenue New York, and has been so employed ever since the 6th day of April 1891. That deponent has, during the day time of each day, access to and the use of the room formerly and up to about April 4th
" 11 1891 occupied by the defendant Charles Arnold in the stable of said Wilson, No. 105 East 34th Street New York, which adjoins said premises No. 5 Park Avenue in the rear thereof. That said room is kept locked whenever deponent is not in it and the key, at such times as it is not in deponent's possession, is kept hung up in the kitchen of the said residence of said John T. Wilson.

That deponent knows the two boxes marked respectively "A" and "B", referred to in the foregoing affidavit of said John T. Wilson; and that the first time deponent ever
" 12 saw said boxes or either of them, was on or about the 8th day of June 1891, when he found them in the said room in said stable. That said boxes were, when so found by deponent, lying on a shelf which was at least eight feet above the floor of said room and not accessible on account of its height above the floor of the said room, except by using a ladder or something similar to stand upon.

That deponent then and there opened each of said boxes and saw that they were both empty; and deponent thereupon immediately took said boxes to his said employer John T.

" 13 Wilson and delivered them to and left the same with him.

That deponent did not at any time place said boxes or either of them upon said shelf where he found them; and he had never seen either of said boxes until he found them on said shelf as aforesaid

That deponent entered the service of said Wilson on the 6th of April 1891, two days after defendant had absconded. That in the performance of his duties in the house hold of said John T.Wilson he was sent, on or about the 25th of April 1891, to the store of CHARLES & Co. No.50
" 14 East 43rd Street to order some groceries; that while in the said store, deponent was accosted by one of the clerks of Charles & Co. named McFarland, who in the course of conversation stated to deponent that the said Charles Arnold about four weeks previously, had shown to him, said McFarland, in the said store, some diamonds which he told the said McFarland he expected to get $600.oo for. That deponent on his return to the house, informed his said employer of the statement so made by McFarland, upon hearing which statement, Mr.Wilson made a sketch on paper of the pin
" 15 which was in the box marked "A" and which pin contained two diamonds of the value of about five hundred dollars, as deponent was informed by the said Wilson, and handed the said sketch to this deponent who thereupon returned to the store of Charles & Co. and exhibited the said sketch to the said McFarland and asked him if that was the form in which said Arnold had shown the diamonds; and the said

McFarland replied to deponent that to the best of his recollection, that was the form in which the diamonds were shown to him by the said Arnold.

Subscribed and sworn to before me :
this 29th day of June 1891 :

James J. Graves.
Notary Public,
N.Y. Co.

Walter Mullins

" 16 City and County of New York ss:

Robert McFARLAND

being duly sworn deposes and says: That he is a clerk in the employ of CHARLES & Co., No.50 East 43rd Street in the City of New York. That he knows the defendant Charles Arnold and knew him to be in the employ of John T.Wilson That somewhere about the 1st.of April or the latter part of March 1891, the said Charles Arnold spoke to deponent in the store of said Charles & Co. where deponent is employed, and exhibited to deponent some diamonds with the

" 17 remark "Aint these dandies? I expect to get $150.00 for them!"

Robert McFarland

Subscribed and sworn before me this 29th day of June 1891

James J. Graves.
Notary Public,
N.Y.Co.

City and County of New York ss:

Sarah F. Reynolds

being duly sworn deposes and says: That she is employed in the household of John T. Wilson at No. 5 Park Avenue

" 21 New York City, and she has been so employed for about twenty-seven years last past. That she knows the two boxes marked respectively "A" and "B" referred to in the foregoing affidavit of said John T. Wilson and that deponent did not at any time ever place or cause to be placed the said boxes or either of them in the room which was formerly and up to about April 4, 1891, occupied by the defendant Charles Arnold, in the stable of said Wilson No. 105 East 34th Street, New York.

Subscribed and sworn to before me this 29th day of June 1891 : Sarah Reynolds

James F. Graves.
Notary Public,
N. Y. Co.

" 22 City and County of New York ss:

Annie Coyne,

being duly sworn deposes and says: That she is employed in the household of John T.Wilson at No.5 Park Avenue New York City, and she has been so employed for about Eleven ~~twelve~~ years last past. That she knows the two boxes marked respectively "A" and "B" referred to in the foregoing affidavit of said John T.Wilson, and that deponent did not at any time ever place or cause to be placed the said boxes or either of them in the room which was formerly and up to about April 4,1891, occupied by the

" 23 defendant Charles Arnold, in the stable of said Wilson, No.105 East 34th Street, New York.

Subscribed and sworn to before me this 29th day of June 1891 :

her
Annie X Coyne
mark

James J. Greves.
Notary Public,
N.Y. Co.

City and County of New York ss:

Bridget McDonough

being duly sworn says: That she is employed in the household of John T.Wilson at No.5 Park Avenue New York City, and she has been so employed for about ~~three~~ two (88) years last past. That she knows the two boxes marked respectively "A" and "B" referred to in the foregoing affidavit of said John T.Wilson, and that deponent did not

" 24 at any time ever place or cause to be placed the said boxes or either of them in the room which was formerly and up to about April 4,1891, occupied by the defendant Charles Arnold, in the stable of said Wilson, No.105 East 34th Street, New York.

Subscribed and sworn to before me this 29th day of June 1891:

Bridget McDonough

James J. Grewe
Notary Public
N.Y. Co.

City and County of New York ss:

Mary Gillespie

being duly sworn deposes and says: That she is employed in the household of John T. Wilson at No. 5 Park Avenue New York City, and she has been so employed for about twenty five years last past. That she knows the two boxes marked respectively "A" and "B" referred to in the

" 20 foregoing affidavit of said John T. Wilson, and that deponent did not at any time ever place or cause to be placed the said boxes or either of them in the room which was formerly and up to about April 4, 1891, occupied by the defendant Charles Arnold, in the stable of said Wilson, No. 105 East 34th Street New York.

Subscribed and sworn to before me : Her Mary X Gillespie
this 29th day of June 1891 : mark

James J. Greves
Notary Public,
N. Y. Co.

City and County of New York ss:

Elizabeth Redicker

being duly sworn deposes and says: That she is employed in the household of John T. Wilson at No.5 Park Avenue New York City, and she has been so employed for about nine years last past. That she

" 25 knows the two boxes marked respectively "A" and "B" referred to in the foregoing affidavit of said John T. Wilson, and that deponent did not at any time ever place or cause to be placed the said boxes or either of them in the room which was formerly and up to about April 4, 1891, occupied by the defendant Charles Arnold, in the stable of said Wilson, No.105 East 34th Street New York.

Subscribed and sworn to before me this 29th day of June 1891 : Elizabeth Redicker

James J. Greves
Notary Public
N.Y. Co.

City and County of New York. S. S.

John T. Wilson, being further sworn, deposes and says, that the parties making the foregoing affidavits, to wit, Sarah F. Reynolds, Anne Coyne, Bridget McDonough, Mary Gillespie, Elizabeth Redicker and Walter Mullins constitute the entire number of servants employed by the deponent in his house No 5 Park Avenue; and that by no possibility could any one except the above named persons have had access at any time between the first of March and the 8th of June 1891, to the room which was occupied by Charles Arnold in No 105 East 34th St. as aforesaid

John T. Wilson

Subscribed and sworn before me this 29th day of June 1891.

James S. Greves.
Notary Public,
N.Y. Co.

City and County of New York ss:

WILLIAM ELLIS being duly sworn says: That he is a gardener and florist and resides at No. 529 West 44th Street New York; that deponent knows defendant Charles Arnold, and has known him since about the spring of 1889. That about one year ago deponent had a conversation with defendant in the stable of John T. Wilson, No. 105 East 34th
" 18 Street, New York, in the course of which conversation defendant told deponent that he, defendant, formerly lived in Cambridge, England and that his father was a milk-dealer there and well-to-do, and that he, defendant, would have done better if he had remained in Cambridge with his father but that he got into some trouble with a woman in Cambridge and was obliged to leave England to avoid the consequences of that affair, and from what defendant said, deponent inferred and believed that the woman referred to was another man's wife. That deponent does not clearly remember the
" 19 words of defendant, but they were to the effect that defendant regretted to leave England, but that he was obliged to leave there to get out of his troubles.

Subscribed and sworn to before me this 29th day of June 1891: : William Ellis

James J. Greves.
Notary Public,
N.Y. Co.

WILLIAM A. DARLING, President. A. H. GALE, Cashier.

Murray Hill Bank,

OF THE CITY OF NEW YORK.

New York, 4/7 189 1

A check for $ 36 00

drawn by John L. Wilson

payable at State Trust Co

~~Bank, and~~ deposited by you has been returned Ck forgery

Please give the same your immediate attention.

Respectfully yours,

Smith

Teller.

To Mr Hahmenfeld

OFFICE OF

H. HAMNENFELD,

MURRAY HILL GROCER,

540 THIRD AVENUE, COR. 36TH STREET,

New York, April 8 1891

J. P. Wilson Esq

Dear Sir.

I have cash a check for Thirty Six Dollars forge by Your Man. You have in Your Employ; as I have had good Many checks from You and cash them before by Your Man You will Oblige by Sending a Good one for it

Yours very Truly

Hy. Hamnenfeld.

Rec'd Apl 9/91. 10 Am. not replied to. Have understood since that the writer (Hamnenfeld) gave up the check upon receiving the amot from the Wife of Arnold. J P Wilson

June 1/91

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against
Charles Arnold

The Grand Jury of the City and County of New York, by this indictment, accuse Charles Arnold of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Charles Arnold, late of the City of New York, in the County of New York aforesaid, on the sixth day of April in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, at the City and County aforesaid, feloniously did forge, and cause and procure to be forged, and willingly act and assist in the forging a certain instrument and writing, to wit: an order for the payment of money of the kind called cheques, which said forged cheque is as follows, that is to say:

No. 155 New York, Apl. 4th, 1891
The State Trust Company
in the City of New York
Pay to the order of John T. Wilson
Forty nine dollars
$49 00/100
John T. Wilson

with intent to defraud, 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 Charles Arnold of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said Charles Arnold 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, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, to wit: an order for the payment of money of the kind called cheques which said forged cheque is as follows, that is to say:

No. 155 New York, Apl. 4th 1891

The State Trust Company
in the City of New York

Pay to the order of John T. Wilson
Forty Nine Dollars
$49.00 John T. Wilson

with intent to defraud; he the said Charles Arnold then and there well knowing the same to be forged, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL
~~JOHN R. FELLOWS~~,
District Attorney.

0371

BOX:
436

FOLDER:
4020

DESCRIPTION:
Austin, George

DATE:
05/19/91

4020

Witnesses:

Frank Clappey:
Offr John W Hunter
29 Prect

167

Isaac Detrichs
643
237 Bdwy

Counsel,

Filed 19 day of May 189

Pleads, Not guilty

THE PEOPLE

vs.

George Austin

Assault in the First Degree, Etc.
(*Firearms.*)
(Sections 217 and 218, Penal Code).

DE LANCEY NICOLL,
~~JOHN R. FELLOWS~~,

District Attorney.

A True Bill.

W. L. Skidmore
Foreman.

Part III May 28/91
Ind & Acquitted.

May 26th
S.S.N

May 1

May 28th
S.S.N

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUS
George Austen.

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself, and that I have received no Consideration for so doing; but am influenced solely by the fact that I had been annoying the defendant prior to and at the time of the alleged Assault and that the defendant was afraid that I was about to do him great bodily harm.

Subscribed and Sworn
to before me this 16 day
of July 1891.

Frank C. Lyons

Louis J. Nallen
Notary Public No 11
Co of New York

People

v

George Austen

Police Court— 5 District.

City and County of New York, } ss.:

Frank Blaffey

of No. 307 East 125th Street, aged 22 years, occupation Labor being duly sworn deposes and says, that on the 11 day of May 1891 at the City of New York, in the County of New York, he was violently and feloniously ASSAULTED ~~BY BEATEN~~ by George Austin (now here) who aimed and discharged at deponent a pistol which pistol he the said George Austin then and there held in his hand — that deponent was so violently and feloniously assaulted

with the felonious intent to take the life of deponent, ~~or~~ to do him grievous 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, etc., and be dealt with according to law.

Sworn to before me, this 12th day of May 1891. } Frank B. Laffey

Wm Fitchie Police Justice.

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

George Austin, 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. George Austin

Question. How old are you?

Answer. 22 years -

Question. Where were you born?

Answer. New York

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

Answer. 420 E. 124th St. 1 year

Question. What is your business or profession?

Answer. Long-shoreman

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 discharge the pistol for the purpose of frightening the dog Frank Claffey

Geo. Austin

Taken before me this 12 *day of* May 1889

Police Justice.

0377

182 V

Police Court--- 5th District.

643

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Thomas Lafferty
307 E 128th St
1 Charge Assault

2

3

4

Offence Assault, Felony

Dated May 12th 1891

Carlile Magistrate.

John W. Voulter Officer.

29th Precinct.

Witnesses Thomas Kennedy

No. 410 E 123rd Street.

No. Street.

No. Street.

No. Street.

RECEIVED MAY 13 1891 DISTRICT ATTORNEY'S OFFICE

$ to answer

$1500 Bail

GTD Bail

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named defendant *guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of* Five *Hundred Dollars,* and be committed to the Warden and Keeper of *the City Prison, of the City of New York, until he give such bail.*

Dated May 12th *18*91 W. Carlile *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

George Austin

The Grand Jury of the City and County of New York, by this indictment, accuse George Austin of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said George Austin late of the City of New York, in the County of New York aforesaid, on the eleventh day of May, in the year of our Lord one thousand eight hundred and ~~eighty~~ ninety one with force and arms, at the City and County aforesaid, in and upon the body of one Frank Claffey in the peace of the said People then and there being, feloniously did make an assault and to, at and against him the said Frank Claffey a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said George Austin in his right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent him the said Frank Claffey thereby then and there feloniously and wilfully 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 Grand Jury aforesaid, by this indictment, further accuse the said George Austin of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said George Austin late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said Frank Claffey in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against him the said Frank Claffey a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said George Austin in his right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL.
~~JOHN R. FELLOWS~~,

District Attorney.

0380

BOX:
436

FOLDER:
4021

DESCRIPTION:
Bauer, Gustav

DATE:
05/21/91

4021

Witnesses;

Wm Meyer

Arthur L Sirine

Det Lasdean

Comm in D.P.

211

Counsel,

Filed 21 day of May 1891

Pleads,

THE PEOPLE

vs.

Gustav Bauer

Burglary in the Third degree.

[Section 498, Penal Code].

36 Jurors

DE LANCEY NICOLL

JOHN R. FELLOWS,

District Attorney.

A True Bill.

W. C. Ethridmow

Foreman.

Frank Bury 3dec

4 4 P.M. 6 M.T. J.P.

POOR QUALITY ORIGINAL

1869

Police Court— _____ District.

City and County of New York, } ss.:

William Meyer

of No. 27 Barclay Street, aged 50 years,

occupation Saloon Keeper being duly sworn

deposes and says, that the premises No 27 Barclay Street,

in the City and County aforesaid, the said being a Five Story building

the Ground Floor

and which was occupied by deponent as a Restaurant and Saloon

~~and in which there was at the time a human being, by name~~

were BURGLARIOUSLY entered by means of forcibly opening the Fan light over the door of said Store

on the 11th day of May 1889 in the Nighttime, and the following property feloniously taken, stolen, and carried away, viz:

A Quantity of Liquors and Cigars valued at about Five Hundred dollars $500 00/100

the property of Dolcher and Meyer.

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid BURGLARY was committed and the aforesaid property taken, stolen, and carried away by

Gustav Bauer now here

for the reasons following, to wit: deponent is informed by Arthur L. Lewis that said Fan light was securely fastened at the hour of 8 p.m. on said date. at the hour of 9 p.m. on the same date deponent heard some noise as of opening the Fan light and subsequently found the defendant concealed in a darkened part of said Store

Defendant being informed of his rights says he did not intend to commit Burglary but that he only wanted to take some money out of the drawer. Defendant therefore prays that he be held to answer.

William Meyer

Sworn to before me
this 12th day of May 1891

[illegible]
Police Justice

Police Court ..... District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated 188

..... Magistrate.

..... Officer.

..... Clerk.

Witnesses:

Committed in default of $ ..... Bail.

Bailed by .....

No. ..... Street.

CITY AND COUNTY OF NEW YORK, } ss.

Arthur L Sirius

aged 26 years, occupation Cashier of No. 326 Baltic Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of William Meyer and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 12 *day of* May 188 } Arthur L Sirius

[illegible]

Police Justice.

Police Court ..... District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Burglary ..... Degree.

Dated 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of $ ..... *Bail.*

Bailed by .....

No. ..... *Street.*

Sec. 198—200.

/ District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Gustav Bauer 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. Gustav Bauer

Question. How old are you?

Answer. 36 years

Question. Where were you born?

Answer. Germany

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

Answer. no home

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 of Burglary I only wanted to take something out of the drawer

Gustav Bauer.

Taken before me this 17 *day of* May 1889

Police Justice.

640

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

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Wm Meyer
27 Barclay
1 Gustav Bauer
2
3
4

Offence Burglary

Dated May 17th 1891

Hogan Magistrate.

O'Hara Officer.

25 Precinct.

Witnesses Arthur L. Prius
No. 25 Barclay Street.

No. Street.

No. Street.

$1000 to answer G. S.

Carr

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street

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

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of

Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated May 17 *18* 91

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 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
Gustav Dauer

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

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said Gustav Dauer

late of the Third Ward of the City of New York, in the County of New York aforesaid, on the Eleventh day of May in the year of our Lord one thousand eight hundred and ninety-one, with force and arms, in the night time of the same day, at the Ward, City and County aforesaid, ~~the dwelling house of one~~ a certain building, to wit: the saloon of one William Meyer

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent, the goods, chattels and personal property of the said William Meyer in the said ~~dwelling house~~ saloon then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey Nicoll,
District Attorney.

0388

BOX:
436

FOLDER:
4021

DESCRIPTION:
Beyer, Herman

DATE:
05/20/91

4021

Witnesses:

Joseph Oppenheimer
Fritz Mrfe
Carl Weidig

193.

Counsel

Filed 20 day of May 189

Pleads Not guilty

47 532 N.Y. 35

THE PEOPLE

vs.

Herman Beyer

INJURY TO PROPERTY.
[Section 654, Penal Code.]
Cruelty to animals
[Sec. 655, Id.]

DeLancey Nicoll
~~JOHN R. FELLOWS~~,

District Attorney.

A True Bill.

W. L. Skidmore
May 28 1891
Foreman.

Tried and convicted
1st count (recklessly)
2 yrs 5 mos S.P.
P.S.

No. 1. 408

District Attorney's Office.

PEOPLE

vs.

Geo Brennan

Crime Larceny

Date Indicted May 18/91

Transferred to S.S. Mar 18/91

" back to C.C.

Please send indictment to Chief clerk Office

J. W. Hunter

D.A. Chief

found May 1891

CITY AND COUNTY OF NEW YORK, } ss.

Carl Meyer

aged 29 years, occupation Book Keeper of No. 345 E 57 Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of Joseph O'Sheughnessy and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this 14 day of May 1887

Carl Meyer

Wm Morgan

Police Justice.

Police Court, 4 **District.**

City and County of New York, } ss.

Joseph Oppenheimer

of No. 44 East 50th Street, aged 21 years,

occupation Commission Butcher being duly sworn, deposes and says,

that on the 12th day of May 1891, at the City of New York, in the County of New York, one Bernard Beyer did unlawfully, wilfully and feloniously destroy and deprive defendant of the use of a certain Horse stabled at defendants premises in 60th Street and 11th Avenue, from the fact that on Sunday evening May 11th 1891 defendant had a conversation with said Beyer and informed him that his services were no longer needed and that he would have to leave defendants employ that at the time said Beyer seemed by his demeanor to be angry and disliked to be discharged. That about the hour of 12 PM on Wednesday May 13th defendant visited his stables and found a horse dead with its skull crushed in. Deponent further says that he was informed by Carl Meiding a bookkeeper that he found concealed in said stable an old hammer with blood stains upon its head, and further that defendant has been informed by a veterinary surgeon that the skull of said horse had been crushed by some blunt instrument. Deponent therefore charges said Beyer with destroying said horse whose value before death was at least Two Hundred dollars

Sworn to before me this 14th day of May 1891

Joseph Oppenheimer

Recorder

Sec. 198—200.

District Police Court.

CITY AND COUNTY OF NEW YORK, } ss.

Herman Beyer 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. Herman Beyer

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. 503 East 53rd St

Question. What is your business or profession?

Answer. Truck Driver

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

Herman Beyer

Taken before me this 14 day of March 1889

Police Justice

0394

649

Police Court— X District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Joseph Gilbert Jones
410 9th St.
Norman Lopez

2.
3.
4.

Offence Malicious Mischief

Dated May 14 1891

Charles Corey Magistrate

Officer. 22

Precinct.

Witnesses Norman Lopez

No. 145 W 60 Street.
Left Upper
No. 11 W Street.
Charles Mandel
No. 345 E 61st Street.
Dec 18 Street.
$ 1000 to answer

RECEIVED MAY 1891 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 Defendant

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

Dated May 14th *188*9 *Police Justice.*

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

Dated ..... *188* ..... *Police Justice.*

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

Dated ..... *188* ..... *Police Justice.*

4 - 191
75 Cr.

THE PEOPLE vs. HERMAN BEYER. | COURT OF GENERAL SESSIONS, PART I. BEFORE RECORDER SMYTH.

May 27, 1891.

Indictment for injury to property.

JOSEPH OPPENHEIMER, sworn and examined.

I am a wholesale commission butcher and do business at 59th Street and North River, I have a stable at 60th Street and 11th Avenue, the defendant was in my employ I should judge about three months, I discharged him two weeks ago Monday evening, I told him that when his week was up I had no further use for him. His duty was to take charge of the stable at night time from the hours of six in the evening until six in the morning. I kept twenty-four horses in the stable. Was there a stallion there? They call him a stallion, it was not a stallion. What conversation did you have with the defendant at the time you discharged him? Mr. Beyer came to me three or four times before that, he asked me for an advance in pay, I told him that when I seen fit to advance him I would give it to him; then that Monday evening he came in again and asked me; he did not want to be a stableman any more, he wanted to be a driver, he wanted that position; I told him I had no use for a driver and he was worth no more money than I was paying and when his week was up I had no further use for him. He said nothing but went out of the office grunting and growling. That is the last I seen of him until the evening of the arrest. On the night of the day that you discharged him what happened to any of your horses? It was not the same night, it was the following night. There was one horse killed there, I seen

the dead horse, I saw it on Wednesday, it was the stallion, he was lying on the opposite side of the stable from where he stood, there was a wound on the forehead right in the skull, I should judge about one and a half or two inches right over the eye. After I discovered that the horse was dead I had no conversation with the defendant in the Police Court; the actual value of the horse was about two hundred dollars, I could not say how or when he was killed. I have a partner named Bauer ~~Oppenheimer~~, I ascertained from him that he was sent for immediately after the horse was killed and his attention called to the fact, but not by the prisoner.

CARL WEIDGH, sworn and examined.

I am book-keeper for Bauer & Oppenheimer, I remember the fact of a horse being killed in the stable, I never spoke to the defendant in reference to the killing of that horse. I found the hammer now shown me in a closet inside of the stable on Wednesday morning about eight o'clock, the morning after the horse was killed; I got the key to open the closet in which this hammer was from the day watchman; I only know his first name Lawrence; I took the hammer in the office, I looked on the hammer and saw some blood and hairs on it, I showed it to the officer and Dr. Field and Mr Bauer and Mr. Oppenheimer, I showed it to the olice officer. I kept the hammer in the drawer of the office and afterwards took it to the 57th Street Police Court; I do not know who kept it. I did not wash the hair and blood off the hammer. Don't you know that the straw that is used on the trucks in which the meat was carried away gets

the dead horse, I saw it on Wednesday, it was the stallion, he was lying on the opposite side of the stable from where he stood, there was a wound on the forehead right in the skull, I should judge about one and a half or two inches right over the eye. After I discovered that the horse was dead I had no conversation with the defendant in the Police Court; the actual value of the horse was about two hundred dollars, I could not say how or when he was killed. I have a partner named Bauer ~~Oppenheimer~~, I ascertained from him that he was sent for immediately after the horse was killed and his attention called to the fact, but not by the prisoner.

CARL WEIDGH, sworn and examined.

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bloody? I don't know nothing about it. Did you ever hear that to be a fact that straw got bloody? Yes. Don't you know that that straw that is used for bedding for the horses after that? I do not know, I guess not.

FRITZ URFER, sworn and examined.

I work for Bauer & Oppenheimer, I have ben a stableman for them for seventeen months, the defendant came there later, I worked from six in the morning until six at night, I was there on the night of May 12, the defendant was in the stable that night; the hammer now shown me was usually in the closet; Beyer, the defendant, had the key to the closet. I saw a dead horse in that stable on the 13th of May, it was a dark brown stallion, I saw a wound on the horse's head, it was a wound about an inch and a half in diameter, I saw the horse alive, the horse was dead in the morning about half past five or six o'clock; in the evening before at eight o'clock I left the stable and at that time I saw the horse alive, he was in the stall and was fastened, he was on the other side of the stable; I left the defendant alone in the stable. After I discovered that the horse was dead I had a conversation with the defendant. What time was that? At the same evening, I left at eight o'clock and at half past ten I came back and the horse was lying there bleeding. Then the defendant said that this horse will not smell any more to the mare. Was the horse then out of the stall at that time? It was on the other side of the stable then, it was lying bleeding. I said, "I will go to Mr. Bauer and have him come here;

then several persons came into the stable and I did not talk any more; at eleven o'clock Mr. Bauer came and the defendant was there, Mr. Bauer told him to go for the vetinary surgeon and he went. When I saw the horse lying there bleeding and the defendant in the stable, I asked him how that happened. He said that the horse got loose from its stall and received a kick with the hoof from the other horse. I said, "how could that happen, how was it that you did not see the horse coming down the stable?" He says that he put a long pice of wood in the truck and whilst he was away putting the wood in the truck the horse got loose. Where was the truck? Next to the passage where the wagon passed near the stable. Was there anybody else in charge of that stable that night other than yourself and the defendant? Nobody else had charge there only the driver's came at eight o'clock into the stable and then they went to the slaughter house. I did not kill this horse.

CROSS EXAMINED. Is it not a fact that the defendant said to you when you came back at 10.30 and asked him about this, that he said that the horse must have got kicked by one of the mares, that the horse must have got loose and got kicked by one of the mares? He said it must have happened that way. As I understand it you left that stable to go to the slaughter house at eight o'clock and you got back at half past ten and when you got back to the place you saw the horse bleeding? Yes. At that time did not you see the defendant throwing water over the horse? NO. Did you see him throw water over the horse at any time that night? Later on. Did you see any hammer at that

time in the stable with blood on it? No. I remained in the stable until 5.30 in the morning, I was there from that time until the horse died; the Defendant did not tell me to go for Mr. Bauer, I told him I will go to call Mr. Bauer myself; before I went for Mr. Bauer the defendant was not throwing water over the horse; when Mr. Bauer came ~~the defendant~~ he offered that we should put ice water on the horse, Mr. Bauer told us both that weshould put ice water on the horse and so we did. The wound on the horse's head was between the eyes. I do not recollect when I last saw the hammer, I did not see the hammer that night, the first time I saw the hammer after the horse was dead was in the morning about nine o'clock when the book-keeper had it, I saw him take it out of the closet; I examined the hammer all over, there was some hair sticking to it, I think it was horse's hair, the color of the hair was dark brown. The key was sticking in the door of the closet and the book-keeper opened the door. Was not the key of the closet generally hanging inside the closet and the door open nearly always that way? NO. How many keys were there to that closet at that time? Only one key. Who had the key all the time? Beyer, the defendant. When Beyer was away from the stable and you wanted to get into the closet how did you get in there? When he left the stable he always left the key there. When he came back do you mean to say he used to take the key and put it in his pocket? When Beyer came in the eveni g to do his work at six o'clock and the day workmen left they always gave th key to Beyer. Did not you say a minute ago that the key was left in the lock and that Beyer had it always in his possession? In the night time

he always had it. How did they get into the closet in the day time? When he left in the morning and the day workmen came in who took care of the stable, then Beyer delivered the key to them. Isn't it a fact that when you and the defendant would go to the stable at six o'clock at night you nearly always found the closet open? No sir, it was always closed in the nighttime. You were present when the hammer was found? I was present, I saw it. Where the hammer was found did you observe any blood stains on the floor? No sir, I did not see any.

CHARLES H. HASELTON, sworn and examined.

I work for Ottman & Co., Fulton Market; they are butchers and they stabled in 60th Street with Bauer & Oppenheimer, I was at that stable about eleven o'clock on Tuesday, May 12; I met the defendant at the bar as I was going into the stable, he says good morning, I passed the same to him, he says, "there is one horse that wont go smelling around any more"; I said, "what is the trouble?" And he told me it got kicked. As I went into the stable I then saw the horse lying kind of groaning. So I says to him, "whose horse is it?" He said, "it is one of Bauer & Oppenheimer's"; first off I asked him if it was mine and he said "no, it is one of Bauer & Oppenheimer's." I went and looked at the horse, I says, "I can't do nothing for him, I will go", I had to go out early. I examined the horse's head and saw where the wound was, it was a little one side and pretty near the middle of the forehead, it as about as big as a dollar, I could put three fingers in it, I did not examine close enough to find if it was round; I was there

when Mr. Bauer came in, he asked the defendant where he was when this occurred and he said he was putting the pole in the truck; he asked him what horse kicked the dead horse and he said the sorrel mare, I did not look to see where the sorrel mare was.

CROSS EXAMINED. The defendant did not say it must have been the sorrel mare that kicked the horse; he did not say that he saw the sorrel mare kick the stallion. Did not you hear him say that he was not in the place at the time the horse was struck? No sir, nothing of that kind. I thought you said a moment ago that he told Mr. Bauer that he was out putting a pole in the truck at the time the horse was struck? Yes. I frst saw the defendant about eleven o'clock. How long did you stay there then? Only just time enough to get my horse. Several other men came in, drivers? Yes, I think there was drivers came up there.

HENRY BAUER, sworn and examined.

I am a wholesale commission butcher and partner with Mr. Oppenheimer, I was present on the evening of the 12th of May at the stables, I saw the defendant there on that occasion; I was called up two weeks ago last night about ten minutes after eleven by one of my stablemen and he told me the horse had been kicked by ~~by~~ another horse; I went down and saw the defendant and the horse, the horse was lying on the floor, the stall of this horse was on the opposite side of the stable where he lay, I asked the stableman Beyer how did this happen? He said this horse got loose and he got kicked by the sorrel mare. I says "where

were you?" He said, "I was outside the stable putting a pole into the truck, getting the truck ready to be sent over to the slaughter house by the other stableman." I asked him, "how did you know the sorrel mare kicked the horse?" He said, "the sorrel mare kicked him", that is all I could get from him. The horse was bleeding, I told him to try and get a veterinary surgeon and we telephoned for one but could not get any; we telephoned to the Society for the Prevention of Cruelty to Animals. Where was this sorrel horse that he says kicked the stallion? On the opposite side of the stable. I saw the hammer the next morning with the book keeper; after it was found the book-keeper showed it to me in our office; the hammer had some hair on and there was blood on the side of the hammer. Both horses were taken out of the stable; we had the skull of the horse cut out and sent to Dr. Doherty.

CROSS EXAMINED. I was in Court when the other night stableman testified. You heard what he said did you not, that the defendant said to you that the stallion must have been kicked by one of the mares? He did not say that; he defendant said he was outside of the stable putting a pole in a truck. I asked him how he knewthat this sorrle mare kicked the horse and he gave no satisfaction. The defendant said that it was the sorrle horse that did it and that the sorrel horse was tied up on the other side of the stable. There were about twenty-four horses in the stable when I got there. And this horse, the stallion that was dead, had gone around or was in another stall or another part of the stable away from the stall that he belonged to? Yes sir, he was; there is

two alleyways, two sides of the stable and he was on the other side of the stall from where he stood. Didnnot he have to pass by the stalls of some of the other horses to get to where you saw him? Yes. How wide is the alleyway? There is two stalls in between, about six feet between the stalls at one part of the stable and about twelve feet at the other part. This horse weighed about twelve hundred pounds and was about fifteen hands high, I should think he was about six feet long, he passed by the heels of those horses. Do you mean to say that the stallion in going along this passageway could not have turned into one of those stalls? No sir, there was not room enough for him to turn in there, not to turn around. Do you mean to say if a horse should walk down that passageway or alleyway going along parrellel with the sides of the passageway, that he could not have turned into one of the stalls or towards one of the stalls where one of those mares was standing? No sir.

The witness produced a diagram of the stalls and explained it to the jury.

By Counsel: You know I presume that horses can turn their necks and heads without turning the body? Yes. Is that distance of the alleyway so narrow that if a horse was walking down behind the heels of the sorrel mare or any horse in those stalls, that tne stallion could not have turnedhis head without turning his whole body and gone past near the back of one of those mares? There would not be room enough to kick him in the head, he might have kicked him in the chest or legs. What you mean to be understood by what you have said and illustrated on that diagram is that there

would not have been room for the stallion to have stood on his four legs directly behind the heels of the mare so that his body neck and head would be straight? Yes sir. But there was room, was there not, for him to have gone along that passageway and stopped and put his nose around so that the forehead would be opposite the heels of one of those mares? O yes. It was not necessary for him to be in the position that you have illustrated, namely, to be standing with his head straight down and neck and body all in one direction to have been kicked that way in the forehead, was it? No sir, he could nit kick him in the forehead, it was impossible. Do you mean it would be impossible for one of those mares if the stallion had turned his head round straight and the mare was very close, you say it could not be done? I say in my judgment it would be impossible for the horse to be kicked in that way.

JOHN DOHERTY, sworn and examined.

I am a veterinarian and have been twelve years, I know Oppenheimer & Bauer, I saw the dead horse, I did not take the head off, it was taken off before I got there, I received it. The skull now produced is the skull of that horse, the wound is on the upper part of the skull, here (pointing to the place).; There was a piece of bone driven into the brain tissue; I have treated many wounds inflicted upon horses. From your experience can you state what in your opinion, the wound upon that skull was caused by? It would be pretty hard to tell, still a hammer would do it, anything at all that would be heavy enough to break the skull, no matter what kind of an instrument. Would the

kick of a horse inflict a wound of that character? Yes, it would. It was a fracture of the skull made with some blunt instrument, it was three and a half to four inches long, the wound caused the death of this horse. The witness looked at the diagram of the stable. Was it possible for this horse to pass round in any way and get into this alleyway and have that wound inflicted by a kick from the sorrel mare? I do not think it was . I examined the sorrel mares feet and I found that the horse had flat shoes and that that shoe would not produce that wound. Was it not necessary for that horse, in your judgment, to have got round so as to have got his head in that direction to receive the kick of the sorrel mare? Yes, he had to have his head pretty low; as a rule the stallion puts the head up. How high was this horse in feet? About sixty-four inches, that would leave his head about seven feet from the ground.

CROSS EXAMINED. I examined the shoes of the sorrel mare on the afternoon of the 13th of May, they were old shoes, I examined the shoes of two mares simply because I was requested to do it by Bauer & Oppenheimer. Were there horses on the other side of the passageway at the time you were there? No, a great many of the horses were out that time of day. You do not mean to swear positively to the fact that if one of those mares had kicked the stallion with her hind leg, that it could not have produced a fracture? I am telling the probabilities, my opinion, that is all. You are not stating it as a fact? No, I am only giving you the probabilities. Do you state as a fact that in your opinion it would have been

impossible for a wound to have been inflicted by one of the mares at that time? I hardly think so, that is my best judgment. But you know that a horse whether he be a stallion or mare can lower their heads without turning round their bodies? O yes. How high would you think the horse's head would have to be to have received this blow on the forehead? It would surely have to be near the ground. There was nothing to prevent the horse from turning the neck round and putting his head down near the ground? No, but this woundwas backwards but the chances would be that it would be upwards.

By a Juror: Will the gentleman state his opinion that any such wound could be inflicted with one knock or one kick ? That would depend upon the force of the blow.

By Counsel: You have never seen a fracture like this before? Never, I have seen fractures produced; the Society used to kill horses with hammers; yesrs ago they killed them with a hammr but now they shoot them.

By a Juror: I wouldlike to ask if the skull could be fractured in the way this was and the bone drove in as far as this was, could that be done with the kick of a horse and not show any appearance or indications of a shoe? The chances are if the horse had been kicked with shoes there would have been three wounds instead of one.

FRITZ ENFER, recalled by District Attorney.

Did the defendant say anything to you about who would be blamed for this? Objected to as leading.

By the Court: Has he stated all that he recollects the prisoner to have said to him or in his presence about that horse was wounded? He did not say anything more. He did not say that he would be blamed for it.

ERNST J. LEDERLE, sworn.

I am a chemist and have carried on my profession in the city of New York for five years; the hammer shown me I received on the 14th of May from the superintendent of the Society for the Prevention of Cruelty to Animals.; I observed a stain on it, I made an analysis of the stain. On this side of the head (pointing) there was a reddish stain, there was a large stain here now which is principally caused by iron rust produced by the oxidation of the iron and water on the iron, but this stain was slightly different than that it had a somewhat glassy lustre and had all the general appearance of being blood. I examined it under the microscope and madea specimen from it, slides, and I found blood corpuscles showing that blood was present. I also measured these blood corpuscles and found that they had an average diameter of $\frac{1}{4500}$ part of an inch which corresponded to the average diameter of the blood corcusples of a horse. I also found on the side of the hammer in two places which were slightly scratched from the instrument and took the hammer on this side and at this point that was also stained; and that stain was a different red from the ordinary oxide of iron and had that glassy appearance which is present when blood dries up on account of the albumen contained in the blood. I examined those under the microscope and found blood corpuscles which I measured and whose average diameter was very closely on to $\frac{1}{4500}$ inch, which corresponded to the average diameter of the blood corpuscle of the horse.

In your opinion those blood stains that you found upon that

hammer and examined in that way, is the blood of a horse? They corresponded with the average diameter of the blood of a horse. Then you arrived at the conclusion that it was the blood of a horse? I would not positively swear that it was the blood of a horse because the blood of some other animals very closely approximate the average diameter of the horse. I can swear it was not human blood because human blood is different.

By Counsel: That might have been the blood of a cow, might it not? I would not swear that it was not. You could not tell, for instance, if the blood of an animal got on that hammer some days before and it dried up, as you have said, you could not tell whether it was the blood of a horse, a cow, a pig, or anything else, could you? Yes, I could within certain limits, I could not between a horse and a cow, I could not positively swear to it. On this edge of the rough part of the head of the hammer I also found what is known in the ordinary term, part of the skin and the blood corpuscles were incorporated in this skin. Did you find any hair, anything of that sort? No sir, no hair.

The Case for the Defence.

HERMAN BEYER, sworn and examined by counsel.

On the night of the 12th of May last, the night that this horse was hurt. I was working up in the stable, the same time I was not in the stable, I was outside; I went on duty at six o'clock and stayed there until six o'clock in the morning. I know that stallion that was in the stable that

night, I was not in the stable at the time the stallion was hurt, I was outside, I carried some straw outside on the truck and put in the board, this was half past ten o'clock. When did you first know that the horse was hurt? I heard something when I was outside, some noise in the stable, I went in, I found the horse behind two mares, I got a light, I seen the hole in his head and I seen the blood running out. The front door of the stable was not locked that night; the neighborhood in which this stable is is a pretty rough neighborhood; there is a lot of bums hanging around 60th Street and 11th Avenue. I was waiting for the other man to come back, for the last truck and so I carried out straw and put it in the truck; then I looked around a little in the other trucks, Oppenheimer's and Ottman's trucks, I did not see anybody and I walked up to the stable again and when I got in front of the stable I heard a noise in the stable, I stepped in and when I got in side the stable I found the stallion horse lying right behind the two mares, between four horses, there was two standing on the left side and two on the right side. Did you tell Mr. Bauer at any time that it was the sorrel mare kicked the stallion? I said it must be done by her, I seen her kick a couple of times when a horse was behind her, I thought she was a livelier kicker than the other. Did the stableman go away? I called him in and he looked at the horse and then he went with the other truck down to the slaughter hose and then when he came up the drivers ----- You are talking about the horse? Yes, that was Fritz what took the truck down and then when he came back with his horse he put the horse in the stall. The drivers and the

night shipping clerk came out and they all looked at the horse and I told them what I said here, what I knew about it. So they all said, "well, he wont smell no mares any more", the drivers said that, they were laughing about it.

Was the stallion in the habit of smelling going behind the legs of the mares? Yes sir, there is a gray mare in the stable, many a time she kicked for him too. Did you do anything for the stallion after you found that he was hurt? Not right away I did not do nothing, I was just standing looking at the horse. Did you throw any water or do anything of that sort? No, not that time. When did you? After the drivers came up, Frizt said, "put water on the horse's head", I askedhim if he knew where the boss was living, Mr. Bauer, and then Mr. Bauer came.

About that closet that has been spoken of, who kept the key of that closet where the hammer was? There was only one key, the other stableman lost his so I left my key with the stableman, his name is Dan. I don't know his last name, and he gave it to the other stableman, Lawrence, and when I came in the evening the closet was open and no key there I said to Dan after he got his supper when he came back to the stable, I asked him what he did with that key and he said he gave it to Lawrence. The next morning I asked him what did he want to take that key home for? He said he did not think. I said there was a stable door key hanging in the closet, I says, "I am going to put this key in with the stable door key and hang it in on the closet, both keys together " I did not take it away after that, I never took it home again, it was there only the last couple of days.

On this night in question when the stallion was killed

was the door of that closet open? I think it was open the present time. Did you open it yourself that night? No, it was open when I came. When did you first see that hammer after the horse was hurt? I have not seen it at all. Did not you see it the next morning? No sir, I went home at six o'clock, as soon as the horse was dead I went home. Up to the time that you went home at six o'clock had any accusation been made against you? No sir, not till Wednesday night I was going to work I got arrested. You went back to work about five o'clock the next evening? Yes sir. Then you were arrested? No, I was ready to go up to work, I got arrested in my house when I was ready to go up to work. You were about to start for work when you were arrested? Yes sir. There was nothing to prevent you if you had killed that horse, ito have got away? No, I never thought of anything wrong. You went home as you always did and stayed at your house all day and was about going back to work when you were arrested? Yes sir.

CROSS EXAMINED, by District Attorney:

Just before this horse had been killed Mr. Oppenheimer discharged you from his employment, didn't he ? I was asking for extra pay you know, for riding beef. And he told you he did not want you any more? And he said he would not pay for that if I would not ride the beef for the same wages. Answer my question, did not he discharge you? He told me to stop this week. He did not want you any more? Yes sir. You wantedto be a driver, you wanted more money and he refused to do either for you? Yes sir. You were to cease work on the following Saturday night? That is what he told me, to stop after Saturday.

By the Court: What day was the horse killed? Tuesday night the horse got killed, at six o'clock in the morning he died.

By District Attorney: It is a fact that on the Tuesday, May 12, was the day that you had asked him to make you a driver? Monday night. On Tuesday he told you he did not want you any more? No sir, that was Monday night when I asked him to give me the job of driving. This hammer you kept in your closet? It was everybody's closet, it was not my closet. Is it not a fact that this hammer was kept in the closet of which you had the key? Yes sir. How many horses were there in that stable? About twenty-six. And whose duty was it to tie the horses up? The day stableman at nights I tied them up. And did not you go through the stable constantly to see whether the horses were out of their stalls? Generally when we walked through the stable, yes sir. What time of night was it when you went out to put the pole in the wagon? About twenty minutes past ten. Was the stallion out of the stall then? No. How far was the stallion's stall from the stall of the sorrel mare? There is one this side and one that side. How many feet apart? I do not know exactly, it is a pretty wide stable. Was the stallion in his stall when you went out to put the pole in the wagon? Yes sir. You are quite sure of that? Yes sir. And the sorrle horse was there also? Yes sir. The stallion's stall was on the other side of the stable? Yes. There was a space of how many feet between the two rows of stalls? Where this stallion was standing was a big water trough, they put in four new stalls. How many feet between the two rows of stalls? I think it is pretty near as wide as from about here over to the other wall,

and then there is four new stalls in between them. There is a watering trough in the center of the stable? Yes sir. And the stallion was stalled on the other side of the watering trough? Yes sir. Where did you findthe stallion? I thought he was insensible, he was dead, he was lying in the middle of the gangway between the two mares. How near to the hind legs of the mare? His feet was lying pretty near close to the end of the stall where the mare was standing, his fore feet. What did you do when you found the horse in that condition? I looked around, I did not know what I should do. You did not go for a horse doctor or to Mr. Oppenheimer's house to tell him about it? No sir, I waited till Fritz came, he came right back about half past ten. Did you ever see any hair or blood on this hammer? No sir. Did you know how the hair and blood got on it? No sir.. When did you see the hammer last before the horse died? On Monday night I used the hammer for spliting wood. Where did you put it? In the closet. Did you lock it up in the closet? Yes sir. You put the key in your pocket? No sir, I am not very sure whether I locked the closet that night, the last couple of days I did not lock the closet at all, we only had one key. Was it Monday night the last time you saw the hammer? Yes sir.

By Counsel. Q. Was there room in those stalls for two horses to stand side by side? They are four and a half feet wide, I think all them stalls are wide enough for two horses to stand. Was there anything to prevent that stallion from turning around and part of the hind quarters of the stallion to be in the stall opposite the sorrel mare an his head and body, his head up close to the hind quarters of the sorrel mare,

do you understand what I mean? Hardly, the gangway I guess is about four and agalf or five feet wide. The gangway is over seven feet wide, what I mean is this, suppose a horse should back into the stall opposite one of those mares, could not he have backed into the stall opposite one of those mares even though there was a horse in that stall? Sure he could.

By the Court: Would there be room enough to kick him in the forehead? Yes. Is a horse likely to back into the stall? Sure, if the stall is wide enough.

By a Juror. Q. When you went out to put the pole in the truck how long did it take you before you came back? I was out about four or five minutes. You say the horse was fastened when you came in, you found him on the other side of the building.? Yes sir. Was that time enough for the stallion to go around the two passageways? Yes, plenty of time, he must have got loose after I went outside, after I left the stable. You did not see the stallion loose when you went out? No sir, I found the stallion lying there and I found the halter in the stall, he had his head pulled out from the halter. Did the stallion have any harness on? No sir. Don't you tie your horses in the stall? After they come in there. Was the stallion tied in the stall? The stallion was lying there. Don't you tie your horses in the stall? They were tied when I came to the stable at six o'clock in the evening. With a rope or a chain? The stallion had a chain.

By Counsel: Where is the straw that is used for the bedding taken from? It is generally in an empty stall they take it from the trucks and throw it into an empty stall and use it for

bedding. It comes from the trucks? Yes sir. Does blood get on that straw? Yes sir. From what? From beef and livers. After that it is put in the stalls for bedding? Yes sir.

The Jury rendered a verdict of guilty with a recommendation to mercy.

0417

Testimony in the case of Hermann Beyer filed May 1891

75-V2

[illegible]

[illegible]

[illegible]

In addition to witnesses one, two and three, the following can testify, as follows.

Oppenheimer, employer, told defendant Beyer, that his services would no longer be required.

Bauer, employer, had conversation with the defendant the same night the horse was found injured.

Weidgh, bookkeeper for the firm, found hammer covered with blood on the shelf of the closet in the stable of which the defendant had the key.

S.S. Fields, Veterinary Surgeon, examined the head of the horse and will testify that the wound could not have been made by the kick of another horse but was made with some round dull instrument, can also give expert testimony.

A.S. Evans, saw the horse examined the wound, and can testify, as to its location etc.

EXHIBITS.

1-Hammer.

2-Piece of closet shelf stained with blood where the hammer was found.

3-The frontal bone of the horse's head showing where it had been struck.

4- Chemical analysis of the blood stains found on the hammer and on the piece of wood.

In addition to witnesses one, two and three, the following can testify, as follows.

[illegible] Ingram Lyons, that his [illegible] would not have be required.

Lucy [illegible] conversation with the defendant.

The same night the [illegible] found injured.

[illegible] bookkeeper for the firm, found hammer covered with blood on the shelf of the closet in the stable of which the defendant had the key.

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The People
vs
Thomas Lyons

Mat Ostrander
Lawyer
Cengh 1/1
Rebuttal

THE PEOPLE
VS
HERMAN BEYER.

The defendant was arrested May 13th, and charged with having killed a horse belonging to the firm of Bauer & Oppenheimer 59th St & 12th Avenue, by striking said horse on the head with a hammer, on the night previous, namely Tuesday May 12th. He was arraigned before Justice Murray, at the 4th District Police Court, and put under $1000,00 for trial.

....FACTS of the CASE...

The defendant (Beyer), was employed as a stableman and night watchman, and with another man named Fritz Unfer, had charge of the stables, which are situated at 60th St & 11th Avenue.

On Monday night May 11th, he (Beyer) was notified by Mr Oppenheimer, one of his employers, that his-(Beyer's (defendant)) services would not be required longer than the following Saturday, May 16th.

On the night of Tuesday, May 12th, one of the horses was found dying in a passageway in the stable.

A hammer covered with blood was found in a closet in the stable the key of which being in the possession of the defendant(Beyer)

At the time the horse was injured, the only person in the stable was the defendant(Beyer). The wound on the horse's head was about the size of a silver half dollar. The bone was broken. When the defendant(Beyer) was asked, how the horse got hurt, replied, "one of the mares in the stable kicked him"

THE PEOPLE
VS
HERMAN BEYER.

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THE PEOPLE

vs

HERMAN BEYER.

The defendant was arrested May 16th,and charged with having killed a horse belonging to the firm of Paner & Oppenheimer 60th St & 12th Avenue,by striking said horse on the head with a hammer,on the night previous,namely Tuesday May 12th.He was arraigned before Justice Murray,at the 4th District Police Court,and remanded $1000.00 for trial.

. . . FACTS of the CASE...

The defendant (Beyer),was employed as a stableman and night watchman,and with another man named Fritz Unfer,had charge of the stable,which was situated at 60th St & 11th Avenue.

On Monday night May 11th,he (Beyer) was notified by Mr Oppenheimer,one of his employers,that his (defendant's) services would not be required longer than the following Saturday,May 15th.

On the night of Tuesday,May 12th,one of the horses was found dying in a passageway in the stable.

A hammer covered with blood was found in a closet in the stable the key of which being in the possession of the defendant(Beyer)

At the time the horse was injured,the only person in the stable was the defendant(Beyer).The wound on the horse's head was about the size of a silver dollar.The bone was broken.When the defendant(Beyer) was asked,how the horse got hurt,replied, "one of the mares in the stable kicked him"

The People
— vs —
Herman Beyer
The Case

0422

STATE of NEW YORK
CITY and COUNTY
of
NEW YORK.

2

Herman Haas, being duly swoen deposes, that I am employed by Mess Bauer & Oppenheimer as a driver.

On tuesday night May 12th, between eleven and eleven thirty P.M. while at the packing house of Mess Bauer and Oppenheimer, situated at 59th Street and North River, I was informed by "Fritz", the first stableman, employed by Mess Bauer & Oppenheimer that "The Henckst" horse, meaning the Stallion was in the stable dying.

Fritz and I went to the stable, which is situated at 60th St and 11th Avenue. When I arrived at the stable, I found Herman Beyer the second stableman standing by a horse which was lying in the gangway between the stalls. I asked Herman Beyer, what was the matter with the horse, and he said "the mare kicked him", meaning the sorrel mare. I then asked Beyer where he was when the horse was kicked, and he said he was taking out two bundles of straw for the trucks. I said to him (Herman Beyer) that it was not possible that the horse could be killed so quick, and he (Herman Beyer) said to me "well I suppose they will blame me for it"

I then took a night lamp and examined the horse's head and found a circular depression on the frontal bone, blood was running from the wound, I felt it and the bones were broken, the skin was also

broken. I found a pool of blood under the horse's head about the size of a man's hand. I pressed my finger into the wound and it went in about an inch.

I said to Herman Beyer again, that I could not see how the mare could kick the horse and make such a wound, when he replied "I do not know"

I examined the horse's stall and found the halter all buckled up. The impression on the horse's head was about the size of a fifty-cent silver piece.

I asked Herman Beyer if any one else was in the stable and he replied "No".

About eleven o'clock the next day, Wednesday the 13th ~~inst~~, I was shown a hammer by the bookkeeper "Weidig", who told me that he found it in a closet in the stable. I examined the hammer and found blood and horse's hair on it.

Hermann Raasch

Sworn to before me this
19th day of May 1891.

C. H. Hawkinson
Notary Public (100)
N.Y. Co

broken.I found a pool of blood under the horse's head about the size of a man's hand.I pressed my finger into the wound and it went in about an inch.

I said to Herman Beyer again,that I could not see how the mare could kick the horse and make such a wound,when he replied do not know.

I examined the horses tail and found the halter all buckled up. The impression on the horse's head was about the size of a fifty-cent silver piece.

I asked Herman Beyer if anyone else was in the stable and he replied "No".

About eleven o'clock the next day,Wednesday the 13th inst, I was shown a hammer by the bookkeeper "Weidig",who told me that he found it in a closet in the stable.I examined the hammer and found blood and horse's hair on it.

Sworn to before me this
day of May 1891.

What the following witnesses can testify to.

1- Fritz Unfer, resides at #180-11th Avenue, is a stableman and night watchman in the employe of Bauer & Oppenheimer, he and (Beyer) the defendant work together. Was at the stable on Tuesday evening May 12th, at eight o'clock.

The only person there besides myself was (Herman Beyer) the defendant.

I left the stable a few minutes after eight, and went to the office of my employers, at 59th St & North River.

I returned to the stable at about half past ten o'clock, when the defendant (Beyer) told me "something had happened to the horse". I went into the stable and found one of the horses lying in a passage-way, groaning.

I asked (Beyer) the defendant, "What happened to the Horse?, he replied, "It got lose and one of the mares kicked him", he (Beyer) also said, "The horse-meaning the injured one-would not smell again".

What the following witnesses can testify to.

1- Julia Unger, resides at 4150-11th Avenue, is a stablemen and night watchmen in the employe of Fauer & Oppenheimer, he and (Beyer) the defendant work together. Was at the stable on Tuesday evening May 12th, at eight o'clock.

The only person there besides myself was (Herman Beyer) the defendant.

I left the stable a few minutes after eight, and went to the office of my employers, at 5024 St & North River.

I returned to the stable about half past ten o'clock, when the defendant (Beyer) told me "something had happened to the horse". I went into the stable and found one of the horses lying in a passage-way, groaning.

I asked (Beyer) the defendant, "What happened to the Horse?, he replied, "It got loose and one of the mares kicked him", he (Beyer) also said, "The horse-meaning the injured one-would not small again".

Regard by Herman Beyer

Herman Beyer

Julia Unger

3- Charles H.Haselton,resides at 935 Amsterdam Ave,am employed by Mess Ottman as a driver,my horses are stabled in the same building as those of Bauer & Oppenheimer at 60th St & 11th Ave.
I was at the stable at eleven o'clock on Tuesday night May 12th the only man there at the time was the stableman,Herman Beyer, who was coming out of the stable as I was going in,he (Beyer) the defendant said "There is one of the horses will not go smelling around any more"
I found a horse lying in a passageway,groaning.I asked him(Beyer) (the defendant),What is the trouble?,he (Beyer) replied"the horse got kicked",where did the horse get kicked? I asked,he(Beyer) replied, "In the head", I asked "which horse kicked him"? and he (Beyer) said,"one of the mares".
I examined the injured horse's head,and found a depression about two inches round,the skin was cut and blood was running from the wound, I said to the defendant(Beyer)" I cant do anything for the horse".
Just as I was ready to go,Mr Bauer,one of the owners of the horse came to the stable,and I heard him ask the defendant (Beyer) "how the horse got hurt",(Beyer) replied,"he-meaning the horse- got kicked.
Mr Bauer,then asked the defendant(Beyer) where was he Beyer when it happened,and he(Beyer) replied"I was putting the pole in a truck.

The Corporation
Counsel
Charles Rachlin
Attorney

[illegible] Jacobs, stables at [illegible] Ave, employed by [illegible] as a driver, my horses were [illegible] in the same [illegible]-ing as those of Bauer & Doepke, per at 80th St & 11th Ave.

At the stable at eleven o'clock on Tuesday night May 12th the only man there at that time was the stableman, Herman Beyer. I was coming out of the stable as I was going in, he (Beyer) the defendant said "There's one of the horses will not go around any more".

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I examined the injured horse's head, and found a depression about two inches round, the skin was cut and blood was running from the wound. I said to the defendant (Beyer) " I can't do anything for the horse".

Just as I was ready to go, Mr Bauer, one of the owners of the horse came to the stable, and I heard him ask the defendant (Beyer) "how the horse got hurt", (Beyer) replied, "[illegible] the horse- got kicked.

Mr Bauer, then asked the defendant (Beyer) where was, when it happened, and he (Beyer) replied "I was putting the pole in a trunk.

Court of General Sessions of the Peace

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Herman Sanger

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

— Herman Sanger —

of the CRIME OF UNLAWFULLY AND WILFULLY destroying — PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said Herman Sanger,

late of the Twenty-second Ward of the City of New York, in the County of New York aforesaid, on the — twelfth — day of — May. — in the year of our Lord one thousand eight hundred and ~~eighty-~~ ninety-one, at the Ward, City and County aforesaid, with force and arms, one living horse

of the value of two hundred dollars. —

of the goods, chattels and personal property of one Joseph Oppenheimer, then and there being, then and there feloniously did unlawfully and wilfully kill and destroy. by then and there striking the said horse several violent blows upon its head with a certain hammer, thereby fracturing its skull, of which said fracture of its skull it then and there died. —

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 — Herman Berger —

of the CRIME OF ~~UNLAWFULLY AND WILFULLY~~ ~~REAL PROPERTY OF~~ ANOTHER, committed as follows: willfully killing an animal belonging to

The said Herman Berger, —

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

of the value of two hundred dollars, of the goods and ~~in, and forming part and parcel of the realty of a certain building of one~~

~~there situate, of the real~~ property of ~~the said~~ one Joseph Appenheimer,

then and there ~~feloniously did~~ unlawfully ~~and wilfully~~ did unjustifiably kill, by then and there striking the said horse several violent blows upon its head with a certain hammer, thereby fracturing its skull, of which said fracture of its skull it then and there died. —

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

D. Lancey Nicoll

~~JOHN R. FELLOWS,~~

District Attorney.