

0859

BOX:

182

FOLDER:

1843

DESCRIPTION:

Neiter, William

DATE:

07/21/85



1843

Witnesses:

M. Nathan

Bail \$1000.

Geo. H. G.

I have had an  
interview with

Officer Holyman.

The prisoner before

the committing mag.

said "it was accidental."

Officer Holyman tells me

the running over the

child may have been

accidental & he could

show it was wilful.

I ask that the

defendant be discharged

on his own recognizance

Feb 28<sup>th</sup> 93 G.P.H. a.m.

Counsel,

Filed 21 day of July 1885

Pleads, *Margaret*

THE PEOPLE

vs.

William Niter

*How? & how? & how? & how?*

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

*Allen P. Appam*

*Frank J. Foreman*

*Paul D. Dunnington*

0860

0861

The People vs  
Henry Hutzman  
William Nider

} Third District Police Court  
City & County of } S.S.  
New York }

Albert W. Newfield, being duly sworn deposes and says. I am attending the child Nellie Korber and saw her last on the evening of July 13. Her condition was then serious and she was not out of danger. No man can tell whether the case will terminate fatally. Her injuries are contusions of the face and neck, back and head, and, as a consequence of these injuries she is now suffering from inflammation of the brain. There are no broken bones and no dislocations & I think it would have been wiser for the parents to have left her in the hospital, but, their removal of the child did not militate against the child's recovery.

Sworn to before me this  
18<sup>th</sup> day of July 1885

} A. W. Newfield M.D.  
2

David C. Berthoff  
Police Justice

0862

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss

9 District Police Court.

*William Neiter*

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

Question What is your name?

Answer *William Neiter*

Question How old are you?

Answer *42 years*

Question Where were you born?

Answer *Germany*

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

Answer *62 Achler St. Williamsburg - a year*

Question What is your business or profession?

Answer *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?

*I was not present at the accident  
not help it I held ~~the~~ up  
the horse as soon as I could*

*William Neiter*

Taken before me this

day of *July* 188*8*

*Samuel M. Neider* Police Justice.

0863

Third District Police Court

The People vs  
Henry Holzman }  
William Neider }

Examination Before Justice O'Reilly  
July 15 1885

For the Defendant Geo. F. Rosch Esq.,

Michael Nathan, being duly sworn  
deposes and says:- I was  
standing with my baby carriage  
about twenty yards away, when  
I happened to hear something.  
I looked around and saw two  
children, one was larger. The  
child that got hurt was crossing  
the street. The bigger child  
had run across. Mr Neider  
here could not stop. He  
wanted to stop. He did not  
know which way to turn.  
He turned his horse the same  
way that the child ran. I  
ran to catch the child. The  
front wheel struck her right  
here [illustrating by pointing



0864

2 to the right side of the head.  
Did you see the driver try to get out of the way of the child when the child was running across?

A He tried to turn around.

2 And the child turned the same direction that the driver turned?

A The child did not know which way the driver was going to turn. They was both excited.

2 Was the driver driving fast?

A I could not say. He came from Clinton Street. I was occupied saving the child.

2 Where do you live?

A 198 Henry Street

2 Was the waggon loaded?

A Loaded.

2 An express waggon?

A A one horse express waggon.

2 How old should you say the larger child was?

A About 7 years.

2 This child that was hurt was how old?

2

0865

A - About six years. I do not know exactly.

Sworn to before me this  
16th day of July 1885

Michael Nathan

Sam'l C. Hill  
Police Justice

Simon Drebeen being duly sworn deposes and says:- I saw the child Nellie Korber run over. I was in the store, looking out of the window and saw the child fall down, from the sidewalk to the <sup>mud</sup> gutter. The child's head was in the muddy gutter. The body was on the sidewalk. The people commenced to holler. The driver gave the horses a pull back, a hard pull. The front wheel struck the child like that illustrating? after that the driver ran away. I commenced to holler. He ran away.

0866

Justice O'Reilly - 2 - Drove away fast?

A - Drove away fast with the  
waggon. I commenced to holler  
I took the child from the  
man and went into the house.  
Then the doctor came

2 Was the driver of the express  
waggon driving fast?

A - I do not know. I did not  
see. He pulled his horses  
back and endeavored to get  
out. I took the child home

2 You have a store at 194 Henry

A - Yes, Sir. This was at 196.

2 Was it a loaded waggon.

A - A full heavy load.

2 Henry street has a down  
grade there has it not?

A - No Sir - That is below

Sworn to before me  
the 16 day of July  
1885

NOTED

Samuel O'Reilly  
Police Justice

Henry Herschfeld being duly



0867

Sworn deposes and says; I saw the child hurt. It was about twenty minutes to one. I was just coming from my place of business. The child attempted to cross the street and fell right down in the gutter. The driver had come down from Clinton street towards Jefferson on a down grade. The driver was not very far from where the child fell. He jumped up in his seat and pulled the reins tight and checked the horse. When this gentleman ran up and pulled the child out away from the wheel. Was the waggon heavily loaded?

A With coats I believe  
 Q Did the driver of the waggon run away did you notice?  
 A No sir - He drove away - not very fast. People hollered. He stopped right away.

Sworn to before me this 16 day  
 of June 1885

Samuel C. Keith  
 Police Justice

Henry Heathfield.

0868

Dennis McLaughlin being duly sworn deposes and says: I live at 55 James street. I had been to St Teresa's church, and was coming down home. The driver was coming from Clinton street through Henry. I was with my daughter <sup>in law</sup> and my grandchildren. We were about 100 feet away from the child. I hollered. They pulled the little child out from between the forward wheels and the hind wheels. This driver tried to hold up the truck as soon as possible. I just got up to the corner of Jefferson.

Q Did he run away?

A No sir; he could not hold the horses.

Q Was he driving fast?

A No sir. It is a down grade. He tried to hold the horses as much as possible. We ran after him. We followed him up. He held up at Jefferson St.

Justus Reilly - Q - How far away was he then?

A - Fifty or sixty feet - oh yes. It must have been 70 feet.

0069

1  
This man that keeps the grocery  
went to the station house, and  
I went to the station house with  
him.

2. Did you notice the driver at the  
time of the accident, Was he  
going fast or slow?

A Neither my daughter, grand-child  
nor myself saw anything until  
we heard a screech. We could  
not tell. I could not say  
whether he was driving a full  
gait or not

Sworn to before me this  
16th day of July 1885

Dennis M. Laughlin

Samuel C. Smith  
Police Justice

Maggie Mc Laughlin being duly  
sworn deposes and says: I reside  
at 674 Third Avenue. I was coming  
from the funeral at St. Teresas  
church. I saw the child Nellie  
Horder make a dash on the street  
at the side of the waggon. The  
wheel threw her down on her  
face and hurt her. I saw

0870

two men rush and try to keep the wheel back. The driver held the horses back. I saw the child taken out and that is all I saw.

Q Did you notice the driver's speed?  
A Yes I noticed at the time, I saw he was driving pretty easy.

Justice O'Reilly Q - What time did you notice the driver. Was it before or after the accident?

A I saw him just when the accident occurred. I saw the child thrown right down to the wheel.

Q Was your attention called to the waggon until you heard the people shouting?

A No; I saw the child under the wheel I saw the child fall right back.

Q Did you see the driver pull back?

A I saw him pull up. The wheel did not pass over the child.

Sworn to before me this 16<sup>th</sup> day of July 1885.

J

Police Justice

0871

William Verder, the defendant being duly sworn deposes and says:-

Q Where do you live?

A 62 Scholes street Brooklyn E.D.

Q You are a man of family?

A Yes I have a wife and three children

Q What is your business?

A I drive an express waggon for David Smith.

Q Tell what happened on this day on last Friday?

A I came down Henry street - I saw two little girls going over across the street, I hollered three times and tried to stop the horse. One child passed just under the horse - close to the horse. I did not know whether the horse would slip out or go down. Then I pulled back again and saw the little child lying there. I could not stop the horse so quick. I had a heavy load on and the street goes a little down hill there. Then I pulled back as quick as I could do. Then I saw these two men. One man caught the wheel and took



the child out. after this I loosened the lines a little. I wanted to jump out. Then the horses started again and wanted to run. Then I pulled again and stopped the horses again. When I stopped again then I jumped off and looked at the child. Then the policeman came and took me up.

Q Are you accustomed to handling horses?

A Yes.

Q For many years?

A Yes. While I was in the old country and here also

Q Were you driving fast?

A No.

Q Is this a down grade where this happened?

A It is not so very down - but it goes down hill

Q Did you have a heavy load?

A Yes Sir.

Q What kind of stuff?

A Clothing - coats vests &c

Q Did you ever have an accident of this kind before?

- A No Sir  
 Q Ever arrested before?  
 A No Sir.  
 Q Ever arrested for fast driving?  
 A No, Sir. Never had anything to do with Courts or police.

Justice O'Reilly. Q - How far away were these children at the time you halloed first?

A The first time about three or four feet. I hollered twice after that.

Q How far away were the children the first time you halloed?

A Three or four feet from the horses head away.

Q Why did you not pull up then?

A I pulled up then when I seen these children. I could not stop the way we were going. I pulled right away. I could not hold the horses. The waggon pushed the horses forward.

Q Sometimes a man holds the lines in such a position that he cannot stop his horses.

0874

A There was a heavy load on.  
People saw me hold the  
horses very fast.

Sworn to before me this  
16<sup>th</sup> day of July 1885

Samuel O'Neill  
Police Justice

The above is a true record of the  
evidence taken on this examination  
by me.

W. L. O'Connell  
Sergeant

Sworn to before me this  
16<sup>th</sup> day of July 1885

Samuel O'Neill  
Police Justice

0875

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

POLICE COURT, 3 DIST

Henry Holzman

of 7th Precinct - Police Street, being duly sworn, deposes and says,

that on the 10 day of July 1885

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

Niden (now here) in Henry Street on complaint  
of Michael Nathans of no. 198 Henry Street -  
he said Nathans then and there stated  
that said Niden drove a horse attached  
to a wagon in said street over and  
upon Nellie Barber aged 4 years. Deponent  
says that said child is in a dangerous condition  
from said injuries and deponent asks that  
said Niden may be committed to answer  
the result of said Nellie's injuries

Henry Holzman

Sworn to before me, this

of

July

1885

day

James J. McCall Justice

0876

4/45  
POLICE COURT— 3 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Henry Holzman

vs.

William Videm

AFFIDAVIT.

Dated July 11 1885

Do Reilly Magistrate.

Officer.

Witness,

Disposition Committed to

await the result of

inquiries

Ed  
Wed July 15. 9 AM



0877

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.

New York.

July 10 1885

To whom it may concern:

This is to certify that

*Nellie Carter*

is was under treatment at this Hospital,

for *Multiple Contusions & Shock*

from *July 10 1885*, to

1885

and is in a serious condition  
at present

*W. H. Kirby M.D.*  
*House Surgeon*

0878

DR. A. W. NEUFIELD,

OFFICE HOURS { 8 to 9 A. M.  
1 to 2 P. M.  
5 to 7 P. M.

237 EAST BROADWAY.

R. N. Y. July 13/85  
The certificate in  
the case of Maria  
Hester that Mary  
cannot be put in  
until I have seen  
her and with mother  
and which will be  
at 12 o'clock.

C. W. Neufeld

0879

DR. A. W. NEUFIELD

OFFICE HOURS { 8 to 9 A. M.  
1 to 2 P. M.  
5 to 7 P. M.

237 EAST BROADWAY.

R

N. Y. July 13/85

In the case of Nellie Körber  
of 198 Henry St.; after consulta-  
tion with Mr. Huber, I am  
able to certify that although  
no bones are broken, there  
is just beginning an infla-  
mmation of the brain,  
the result of which can-  
not now be known, as  
said disease is always  
a serious one.

A. W. Neufeld M.D.

0000

DR. A. W. NEUFIELD,

OFFICE HOURS { 8 to 9 A. M.  
1 to 2 P. M.  
5 to 7 P. M.

237 EAST BROADWAY

R

N. Y. July 11/55

This is to certify that  
Mellie Körber of 188  
Hewitt St. is under my  
care, suffering from  
severe injuries to her  
head & face received  
by being run over.  
The extent & result  
of her injuries cannot  
now be ascertained.  
A. W. Neufeld M.D.

00001

# DIRECTIONS.

The Grand Jury Rooms are in the third story of large brown stone Building in Chambers Street, near Centre Street, adjoining the New Court House in the Park.  
When you arrive at the witness room, hand this Subpoena to the officer or Clerk at the desk.

2072

[SEE OTHER SIDE FOR OTHER DIRECTIONS]

## SUBPOENA FOR A WITNESS TO ATTEND THE GRAND JURY OF THE COURT OF GENERAL SESSIONS.

In the Name of the People of the State of New York.  
To Off. Henry Kalzman Ask to see Mr. Bedford  
of No. 224 West 12th Street At 11 1/2 o'clock A.M.

YOU ARE COMMANDED to appear before the Grand Jury of County of New York, at the Grand Jury Room, in the third story of the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the 2nd day of Feb 1893 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against Wm. Meiter

Dated at the City of New York, the first Monday of  
in the year of our Lord 1893

DE LANCEY NICOLL, District Attorney.



0882

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

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 July 16 188

Samuel C. Ruff Police Justice.

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

Dated ..... 188

Police Justice.

There being no sufficient cause to believe the within named

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

Dated ..... 188

Police Justice.

0003

Police Court 3 District 743

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Henry Holzman  
73.

William Veiter

Offence Assault on

BAILED,

No. 1, by Anna Hammerman  
Residence 13 Avenue Street.

No. 2, by Geo H. Lindsay  
Residence 246 Old Bushwick Ave Street.  
Brooklyn

No. 3, by John Roornom  
Residence 252 Old Bushwick Ave Street.  
Brooklyn

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

Dated July 11 1885

O. Reilly Magistrate.

Holzman Officer.

Precinct.

Witnesses John K. K.

No. 198 Avenue Street.

Dr. A. W. Kenfield

No. 237 E. Broadway Street.

Dr. Kirby Chambers St.

No. Simon Debevoise 194 Henry Street.

\$ Committed to answer General Sessions

Nathans

0004

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Viter

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

of the CRIME OF Assault in the Third Degree,

committed as follows:

The said William Viter,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the — tenth — day of July, in the year of our Lord one thousand eight hundred and eighty-nine, at the Ward, City and County aforesaid, with force and arms, in and upon one Nellie Barker, then and there being unlawfully did make an assault, and to, at and against the said Nellie Barker, a certain wagon drawn by a certain horse then and there being driven by him the said William Viter, then and there unlawfully did force and drive, and then the said Nellie Barker, with the horse and wagon aforesaid, so forced and driven as aforesaid, did then and there unlawfully strike and run over, against the form of the Statute in such case made and provided, and against the peace and dignity of the said People,

Randolph B. Martinie,

District Attorney.

0005

BOX:

182

FOLDER:

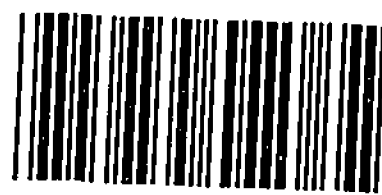
1843

DESCRIPTION:

Nolan, Thomas

DATE:

07/08/85



1843

0006

Witnesses:

John Gorman  
Bernard Mc Cormick

39  
Counsel,  
Filed  
Pleads  
1880

Grand Larceny, 2nd Degree.  
(From the Person.)  
[Sections 528, 529, Penal Code].

THE PEOPLE

vs.

Thomas Nolan

H. D.

RANDOLPH B. MARTINE,

District Attorney.

A True Bill.

Allen D. Apgar  
Foreman.  
Charles D. Bully  
S. P. 2 grand.



0887

Police Court— 34 District.

Affidavit—Larceny.

City and County } ss.:  
of New York,

John Duran  
of the Vandike house 28 Bowery Street, aged 31 years,  
occupation shoe maker being duly sworn  
deposes and says, that on the 4 day of July 1885 at the City of New  
York, in the County of New York, was feloniously taken, stolen and carried away from the possession  
of deponent, <sup>and from his person</sup> in the day time, the following property viz:

One pocketbook containing  
good and lawful money of the  
United States in silver coin and  
bills of the value of five dollars \$5.00

the property of deponent

and that this deponent  
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen,  
and carried away by Thomas Molan (now here)  
for the reason that the deponent  
was informed by Barward Hibbells  
that he saw the defendant take  
a pocketbook from the deponent  
and run away while the deponent  
was sitting on a stoop in front of  
21 Canal Street at the hour of 6.45  
A. M. on the aforesaid day, and  
the said Barward Hibbells identifies  
the defendant much as the  
person whom he saw taking  
said pocketbook from the deponent  
on said day.

John Duran

Sworn to before me, this 5 day  
of August 1885

David C. C. C. C. Police Justice.

0000

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

POLICE COURT, 3 DISTRICT.

John W. Smith

of the 7th Precinct Police Street, being duly sworn, deposes and says,

that on the 1st day of July 1885

at the City of New York, in the County of New York, John Dunn (now here)

The within named complainant is a  
necessary and material witness against  
said defendant and deponent ask  
that he give surety to testify  
that he will appear against said  
defendant

John W. Smith

Subscribed before me, this

of

July

1885

day

Samuel W. Smith Police Justice.

0009

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 37 years, occupation Grocer of No.

157 East Broadway Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of John Turner

and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this

day of July

5 1885

Edward McConnell  
Samuel C. Bell

Police Justice.

0890

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss

34 District Police Court.

*Thomas Nolan* 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

*Thomas Nolan*

Question. How old are you?

Answer

*26 years*

Question. Where were you born?

Answer.

*New York City*

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

Answer.

*87 first Avenue 3 months*

Question. What is your business or profession?

Answer.

*Painter*

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*

*Thomas Nolan*

Taken before me this

day of

1885

Police Justice.

0091

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 \_\_\_\_\_

\_\_\_\_\_ *Thomas Nolan* \_\_\_\_\_  
guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of 10  
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 July 5 1885 *Samuel O'Brien* Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

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

Dated \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0892

Police Court-- 3<sup>d</sup> District. <sup>688</sup>

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Deane  
28. 14. D.  
Thomas Nolan

Offence Arrest of  
the person

BAILED,

No. 1, by \_\_\_\_\_

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

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

Residence \_\_\_\_\_ Street.

2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_

Dated July 5 188 5

O'Reilly Magistrate.

Officer Officer.

Precinct Precinct.

Witnesses James O'Brien

No. 150 East Broadway Street.

Complainant committed to  
the House of Detention in  
default of \$ 300 to appear

No. \_\_\_\_\_ Street.

\$ 10000 to answer 9 Sessions.

\_\_\_\_\_



0093

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Thomas Adam

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

Thomas Adam

of the CRIME OF GRAND LARCENY in the second degree, committed as follows:

The said

Thomas Adam,

late of the First Ward of the City of New York, in the County of New York aforesaid, on the  
fourth day of July in the year of our Lord one thousand  
eight hundred and eighty-five, in the day time of the said day, at the Ward, City and  
County aforesaid, with force and arms,

one pocket book of the value of one dollar  
two promissory notes for the payment of  
money, of the kind known as United  
States Treasury Notes, being then and  
there due and unsatisfied, of the denomi-  
nation and value of two dollars each, four  
other promissory notes for the payment of  
money, of the kind known as United  
States Treasury Notes, being then and  
there due and unsatisfied, of the denomi-  
nation and value of one dollar each, and  
divers coins, of a number, kind and  
denomination to the Grand Jury aforesaid  
unknown, of the value of five dollars,

of the goods, chattels and personal property of one John Dume, -  
on the person of the said John Dume, -  
then and there being found, from the person of the said John Dume, -  
then and there feloniously did steal, take and carry away, against the form of the statute in such case made  
and provided, and against the peace of the People of the State of New York and their dignity.

Randolph B. Martin,  
District Attorney