

0547

BOX:

428

FOLDER:

3949

DESCRIPTION:

Nelson, Ella

DATE:

02/26/91



3949

0548

POOR QUALITY ORIGINAL

Witnesses;

W Michalsky
Officer Thompson

Part 2 - June 19, 1891.
Tried and Acquitted.

*Case set for trial for June 8th 91
Part II for the trial of the D.A.
and after hearing counsel for
def.*

Counsel,
Filed *26* day of *July* 1891
Pleads, *Not guilty*

THE PEOPLE
vs.
Ellen Nelson

MURDER IN THE FIRST DEGREE,
(Section 188, Penal Code.)

*Order of the
Court of
the County of
New York
for the
trial of
the
case
of
Ellen
Nelson
for
the
murder
of
John
R.
Fellows
on
June
19,
1891.*

A True Bill
Ordered to the Court of
Superior and Terming Foreman of the
County of New York for trial
to be held on the 19th day of June 1891
(over)

General
May

0549

POOR QUALITY ORIGINAL

Concord

Witnesses;

W. Michalsky
Officer Thompson

Part 2 - June 19, 1891.
Tried and Acquitted.

Part II - Grand Jurors
Case set down for June 8th 91
Part II - Trial before the D.C.
and after hearing counsel for
def.

Counsel, *De. Kelly*
Filed *26* day of *July* 188*9*
Pleads, *Not Guilty*

THE PEOPLE
vs.
Ella Nelson

MURDER IN THE FIRST DEGREE,
(Section 183, Penal Code.)

John H. McNeill,
JOHN H. FELLOWS,
District Attorney.

A True Bill

April 7th 1891
Ordered to the County of
Essex and Town of
Essex - to be held in
the City of New York
at the Court House
at New York City
June 19, 1891.

Charles S. Edwards
Foreman
County of Essex, Town of Essex
(Entered on the minutes)
June 19, 1891.

0550

The People ~~vs~~

vs

Ella Nelson

John H. Thompson says I am a police officer connected with the 19th Precinct, on the night of February 18th 1891 I was on post between 25th and 28th Streets on both sides of 6th Ave. I went on duty that night at 6 o'clock. At a quarter to 11 o'clock I started to leave the South west corner of 28th St + 6th Ave where I had been standing for 5 minutes & when I got about 75 feet South of the corner on the West side of 6th Ave a young man ran up to me and said, ^{Thompson} "A girl has shot her fellow upstairs. Where can I get a doctor?" I said you can get one in 28th Street between Broadway and 6th Ave. He then went away and I did not see him again that night. I then ran immediately upstairs in the premises 100 West 28th St. to the first floor front, and entering the parlor saw Samuel L. M. Post in a kneeling position and the

Did say something

0551

defendant had her arms around his neck.
As I entered she said "Damn you my boy
you are not going to die and leave
me." I then took the pistol from
his right hand in which he held
it - his left appeared to be across
his stomach. - The pistol when I saw
it was pointed toward the floor.
I then asked him his name. He
said his name was "Smith" I
asked him if it was John Smith or
Edward Smith or what, and he
would not answer. She held on
to him all the time that I was in
the room and repeated the question.
"Damn my boy you are not going to
die and leave me." Then I ran down
stairs as fast as possible and
rapped my club on the side walk
for assistance, on the corner of 28th
St & 6th Ave. I remained there about
two minutes ^{John Macdonald + W.D. Thompson came up, Officer} when officer ^{W.D.} J. Thomp-
son came running from up 28th towards
the 6th Avenue on the South side of the
Street. - He said what is the matter. I
said there is a fellow shot up stairs.
We then went up stairs ^{of the} ^{promised out the man woman.}
Officer said to officer Thompson I am going
for an ambulance I then ran to the

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2

Station house No 137 West 30th Street
between 6th & 7th Avenues. I ran up the
west side of 6th Avenue and down the
North side of 30th St to the Station
house. I told the Sargeant that there
was a man shot on the corner of 28th
Street & 6th Ave. and Sargeant Timms
rang the alarm for an ambulance.

I went back then to the house in
which the man Post was shot, and
went up stairs and Post ^{was} then laying
on the floor in the Parlor with his
head resting on a pillow, with his
head in a southerly direction. Officers Mr
J. Thompson, John ^{Macdonald} Thompson and Ella
Nelson were in the parlor when I got
in. Officer Mr J Thompson asked me
if the ambulance coming and I said
yes. Then officer Mr J Thompson asked
Have you got that pistol and I
said yes and he said give to me
and he gave it to him. I remained
there a while and as the ambulance did
not come Officer Mr J Thompson again
sent me to the station for an ambu-
lance and the Sargeant told me he
had sent after it. I then went back
to the house again - Post was still
laying on the floor and in about 5 to

0553

8 minutes

after an ambulance came. And the doctor examined him (Ella Nelson was present all the time and heard the conversations) Officer Fay and the ambulance driver brought up a stretcher and host was carried to the ambulance by Officers Macdonald and Fay. I brought down his overcoat though hot and put it in the ambulance.

Dated May 21-1891

John W. Thompson

0554

The People vs }
Ella Nelson }

City County }
of New York }

John Mc Donald being
duly sworn says: I am a police
officer attached to the 19th Precinct.
On the night of February 18th 1891
my post was from 28 to 31st Streets on
6th Ave - both sides. I was standing on
the Northwest corner of 29th Street &
6th Ave. I heard raps and I ran down
toward 28th St. in which direction
the raps seemed to come from. It
was about 10⁴⁵ P.M. When I got down
there I saw officer Jno. J. Thompson
on the South-west cor. of 28th St & 6th Ave
I asked him what was the trouble
He said there is a man shot up
stairs. I asked him who shot him
He said he did not know whether
it was a woman shot him or
whether he shot himself. I asked him
where the woman was he said she is
up stairs we were then on the ^{hall} way
going up stairs - I said I'll take charge

0555

of the woman - You go for an ambulance
we were then in the room with Ella Nelson
and Post. I then heard Mr J. Thompson
to tell John H. Thompson to go for an
ambulance. Mr J. Thompson took out
a book and pencil and went over along
side of Post and asked him his name,
which he refused to give. Officer Mr J.
Thompson then asked "Who shot this man
to which there was no reply, then ^{Officer} Mr J. Thompson
asked his name and he said I won't
tell you or I am not compelled to tell you
and then Officer Thompson said you are badly
wounded and we have got to have your
pedigree, he then said his name was
John Smith - that he was a clerk - 29
years old - a ~~clerk~~ Residence refused
and that he was single & was born
in New York - Officer Mr J. Thompson
again said you had better tell who shot
you and he would not answer.

When I first went in the room Ella
Nelson was on her knees and Post was
laying on his back with his head on
a pillow she was kneeling on the right
side of him and she kept saying "Gawd
you won't die, Will you. He said I
guess I will a man with a ball

*
He then asked
Ella Nelson do
you know who
shot this man
and she said I
don't know -
after that some
one asked her if
she shot him she
said I did not
do it.

✓ ~~in the centre of his stomach dont~~
~~very often life - Every once in a~~
~~while he would look at her and~~
~~say ^{now} you are satisfied ~~now~~ ~~aint~~ you~~
~~by say. that 3 or 4 times.~~
~~I think you have done two this~~
~~time~~ She made no reply to the
 questions, further than "You want
 die Sam, will you? And one time
 he said I think you have done two
this time - She paid no attention
 to what he said, but ^{put} her hand
 on his forehead and finally got
 up and walked around through
 the rooms and then went into the
 hall room ~~to~~ the right, ^{side} and Post
 said, ^{to me} keep your eye on that woman.
 Then I asked him if she shot him
 and she he ~~nodded his head~~ ^{Yes}
~~she was in the room at that time~~
~~door~~ While Mr J Thompson was
 taking his pedicure he ^{Post} asked for
 Ella Nelson for a glass of water she
 brought it to him and she ^{he} drank
 a part of it and laid back on the
 pillow: then he asked if a doctor
 was coming ^{Nelson was then in the room} He said if he dont
 come soon you had better send for
 the corner; then he asked Ella Nelson
 for a cigarette. She got the cigarette
 lit it - smoked a portion of it and

0557

landed it to him & he smoked the remainder of it. Some time after the ambulance came. The ambulance doctor examined the wound in the stomach & Officer Wm J Thompson told him that Post said he was wounded in the back. He turned him over, stripped his back bare & failed to find any wound then he turned him on his back again stripped his left arm and gave him an injection of Morphine in the left arm & dressed the wound in his stomach and ordered him carried down stairs to the ambulance. - Officer Fay & myself carried him down - Officer Wm J Thompson then took the woman to the station house.

Dated May 21/91

Wm J. Donald

0558

The People vs
Ella Nelson

William J. Thompson says I reside at 112 West 30th St and am a police officer attached to the 19th Precinct.

On the night of February 18-1891. I was on post on 28th St. extending from 4th to 7th Avenue. At about 10:45 P.M. I was in 28th St. between 6th and 7th Aves.

I heard a policeman rap and I answered with a rap and ran up to where the rap came from on the southwest corner of 28th St + 6th Ave.

I saw Officer John H. Thompson standing there - I asked him "what is the matter?" He said there is a man shot up stairs; We both entered

the hall door of 100 W. 28th Street and I asked who shot him. He said

there is a woman up stairs and he said I think it is a suicide. We

then went up stairs and I knocked at the door and Officer McDonald

let me in. I saw the deceased Samuel L. M. Post lying on the floor.

Ella Nelson was very excited all the time she took a letter & any thing she took hold of she would throw down as if she were in a hurry.

0559

with a pillow under his head, his trousers unbuttoned and a wound near his navel. I said to Post who shot you - He refused to tell me. I then asked Ella Nelson, "Who shot this man" She would not answer, ^{she leaned down to Post & said "Don't die Sam will you"} Ella Nelson then went from one room to the other until I followed her and I said to her in the front bed room right off the parlor where is that pistol. She says I gave it to that other man (meaning John H. Thompson) I then looked under the chairs sofas &c to find the pistol & she then came in the room where he was lying down and I said sit down there now and don't be running around here. ~~Then I took and a book & pencil to take his pedigree~~ Then he asked for a drink of water which she got for him. he drank part of it then asked for a cigarette which she lit as she gas - took two or 3 puffs her self & handed it to him the smoked it.

Prior to that and at the time I asked Ella Nelson "who shot this man I took ^{out} my pencil & paper &

0561

told me the Dr. was out. John W. Thompson came back from the station & I asked him ~~was~~ have you got that pistol - He said yes. I said Give it to me, which he did, & I put it in my pocket. Mr. Donald & myself remained there for a while & I again sent officer J. W. Thompson to the station to ascertain the cause of the delay of the ambulance.

I then at Post's request took off his collar, the overcoat - Then soon after the ambulance came & I said to the Ambulance Doctor this man is shot in the abdomen & he also complains of being shot in the back ^{and arm}, we turned him over on his side and the Dr. examined him & could find no trace of the pistol shot ^{in the back}. The Dr. then went to his bag & took out a syringe & gave him an injection under the skin of the left arm. And he then took out some cotton batting & put it over the wound. He was then removed to the ambulance.

I then took Ella Nelson to the station house as a prisoner.

0562

mg 5.

II

She said would you let me take a cab & I said yes & we took a cab & while in the cab on the way to the station - I asked her "How did this thing occur" - She said Officer I could not help it. He fired two shots. I grabbed his arm in the hall & the pistol went off. - When I got to the station ^{had} her pedigree taken I was placed in the detective's room with her & I requested her to make a statement to the Captain. She then asked to see the Capt & the Capt brought her into a telephone room. & then he brought her into his private office again & told me to mind her. and he requested her to make a statement. She sobbed & cried & would not say anything - After a while she wanted to see a girl named Belle Gates who boarded at #7 West 28th St. I went there & asked for her & told her the Capt. would like to see her - She came along - and on the way I told her about Ella Nelson having shot the man & I said forget the fellows name & she said it is Sam Post. I ~~for~~ took her into the Captains office.

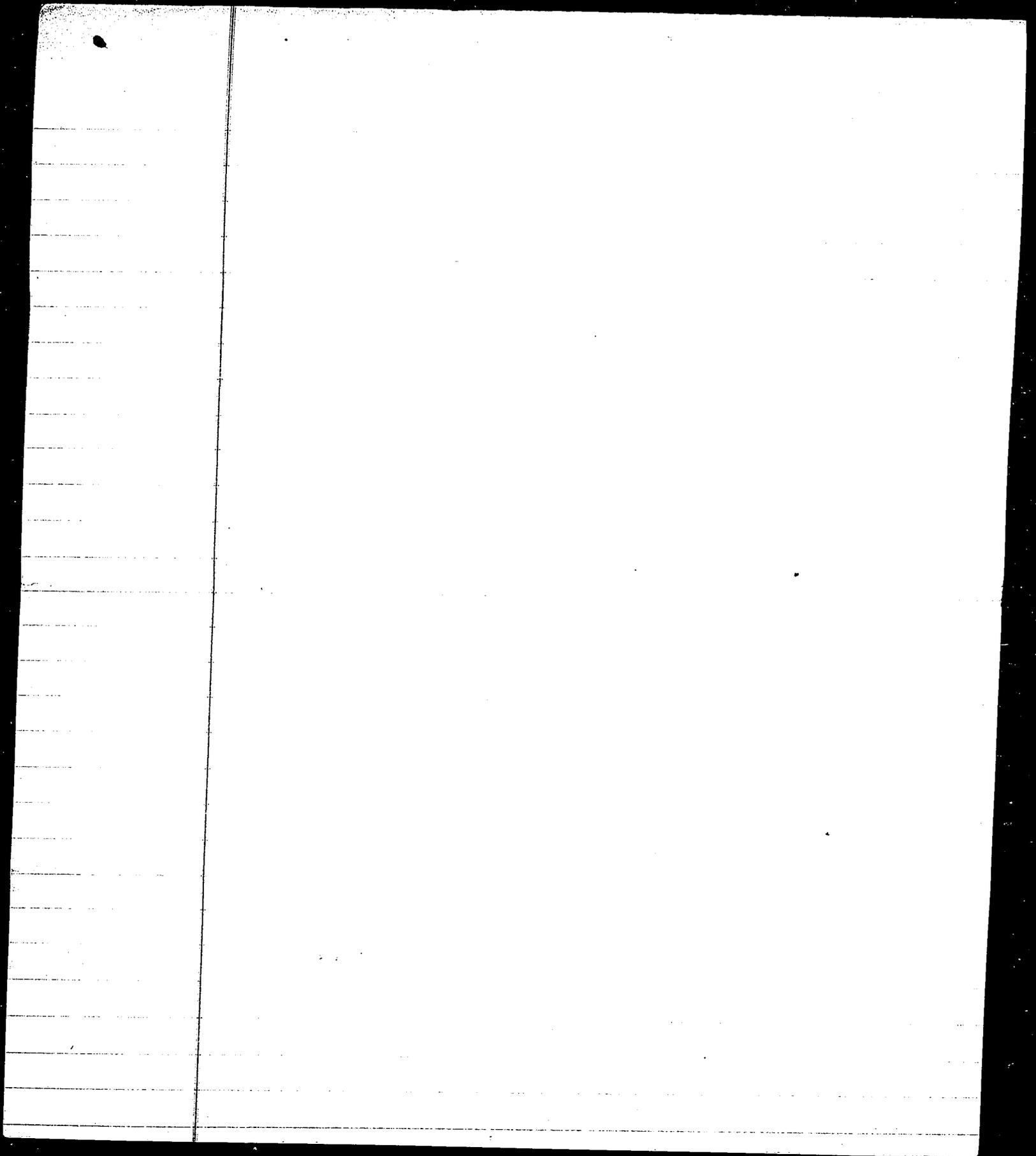
0563

Office & she told the Capt who Post
was his address - business &c

Then the Capt told me to take
Belle Gates out to the Dargent to
enter ^{her name & address} ~~the~~. And she said to Ella Nelson
Now Ella tell Capt Reilly how this
thing happened he is a good man
she will befriend you & she did
not say anything in reply & the
Capt ordered her loused up which
was done - The next morning I went
with her to 100 W 28 St to get ^{her things} then to the Hospital then
a ~~slow~~ ~~street~~ to the Jefferson
Mkt Court.

William J. Thompson

0564



0565

Statement of Witnesses

Mr. J. Thompson

Mr. H. Thompson

John Mc Donald

①

Ella Nelson -

Manhattan Beach - '85 - '86 -

I was married - widow -

Came on the boat with him -

Several months later he came to live with me.

Why not among
him?Declaring he was a single man -115 W 22nd St. I was living - women?

Asked me why I didn't take rooms.

I took rooms on 19th St.140 W 33rd St. I rented rooms - '86 -

He didn't support me

He said He liked me better than he did his wife -

I was very fond of him -

my love so strong I continued to live with him -

I knew he had a pistol~~Could not~~

Mr Post's pistol -

Officer found in Post's hand

Hooked pistol

He had pulled out a pistol before -
& threatenedTalking very pleasantly - I was down to
your rooms tonight - I just sent a
letter. What right had you to go there
you can take any one in there you

24

and - I know why you took
 the room - a gentleman told
 me he took a room there so
 he'd take his woman there -
 sent letter down & got word back
 he didn't like them - I know he
 did - He seemed very angry
 to think I went to the room -
 I didn't want him to go out
 with Mrs. Smetach, to play
 pool -

said I'd go with you -
 went in the room -
 We were talking about a woman

took the room down there for
 the respect of my family -

made a curse about his mother
 a hundred times before.

told him he had ruined his
 wife's life, he had ruined mine
 & now he wanted to ruin
 another -

0568

3

was He said the first
sent a letter - And she
said you did not live
there & I said you can
take money with

I met a little man who
said he went there for
that purpose - Then

I sent a letter there this
week but sent word back
that he was not there
I did not live there.

He said that I was a
The man that I did
not want him to go with
me. Before that we
was talking about a
lady - We got talking
about a woman I said
he was in. Then he
said I

I thought my house was
as good as his - He said
he had named his wife
like mine & -

We had a scuffle over
the pistol & it went off

0569

(3)

Said I'll go to her mother -
He said "you will, will
you" - I write that we
had a scuffle & the pistol
went off -

✓ I did not have the pistol in
my hand -

✓ Couldn't say how many times
it went off.

I heard one shot - two shots.
Don't know how the pistol went off.

✓ ~~But~~
Jefferson market matron can tell about
my hands

✓ Officer came in & I really don't
remember what was said.

✓ Don't remember anything that occurred
after that.

✓ Came to my senses during the night
Sometimes
(not sure when "don't die") -

0570

4

I did not have a pistol in
my hand the pistol
went off in a scuffle

~~Can you~~ I can't tell
how many times it went
off - I heard ~~her~~ say that
the pistol was -

When I came to my senses
~~the~~ I

I did not know where I was
- ~~the~~ ~~the~~ ~~head~~

the individual tells him with
when he says that 9 mos
ago she said she would
blow his head off.

X Ep. 1. From the house 1. 24. 1990.

0571

I

Ella Nelson - Age 30 in August.
Met P at Malibu Beach.
Her. 1885 + 1886 - I was
married at that time
I was a widow.

He did not say whether he was
single or married. - Next we
said he was a married man.
He did not go to live with
me at the time - Did several
months after - But he visited
her - declaring himself to be a
single man. He came to live
with me - After I left 22
St. - 115 71. 22 St. - ~~22~~

He discovered that he was
a married man. -

140 St.
He met P in 1886 -

He went to live with me in
33 St. - While while after
went there - He did not
support me.

When she told me he was
married I felt dreadful
bad. He said he liked
me better than he did his
wife she would not live
with him any more & did
not want her to find it

0572

II

out. After he declared he had a wife love for him so strong that she continued to live with him:

✓ ✓
Pak I heard Dist Atty say Post never had a pistol.

I never had a pistol that ~~the witness~~ produced in Court. - ~~to~~

The pistol with which the shooting was done was the Post's. It was the pistol found on Post's hand -

He threatened me several times & pulled it out twice.

At 10 o'clock on ev of 18 Feb. 1891. Bell rang. In room with Colver & girl - went to door Mr M & P were there. They came in & sat down ask Mr Colver to get books - Talked a few pleases - About 10:30 that he took Mr P's bus when he gave it up I said I was alone he says yes & he said you

0573

Michaels

Saw her peek pistol in pocket - go out &
say if friend ever met another woman since
then he's dead off

If I ever catch him living with any other
woman - then he's dead off

Nathan Michaels -

Wm Thompson

John W. Donald

Dr. Adams Ref Hospital
Dying Declaration -

John
Bainbridge

General Sessions

The People *tc*

against

Ella Nelson

Part II

Witnesses

- ✓ Nathan Michaels { 9 Murray St. N.Y. City
 + 626 East 6th St.
 ✓ Officer John H. Thompson 19th Precinct Station
 ✓ " Wm J. Thompson. do
 ✓ " John Macdonald do
 ✓ Capt Reilly do
 ✓ Dr. A. C. Standard } House Surgeon N.Y. Hospital 15th St.
 between 5th + 6th Aves
 ✓ Dr. C. F. Adams } Senior Ass Surgeon N.Y. Hospital
 15th St bet. 5th + 6th Aves
 ✓ Coroner Louis N. Schultze 124th Second Ave
 ✓ Albert T. Weston. Coroner's Physician - 124th 2nd Ave
 Perry Walton - (Reporter) World Building
 W. M. Fuller - (do.) Herald Building
 George H. Allen (Ins.) 36 + 38 Nassau St
 120 Broadway and 33 East 12th St
 George Post - (Architect) World Building
 Mr. Tobin
 Mr. Bambridge
 Belle Gates. 47. West 28th St City
 ✓ S. H. Agnew. { Reporter, Morning Journal
 Tribune Building
 ✓ Fred Bennett 25 Chambers St
 ✓ Mr Phillips 32 Liberty St

0575

11

She then got up & went into back room
(See his letter before corner)

When I went upstairs the pistol
was still empty - So she still
had it in her hand I said Ella
quit and show pistol - ~~She~~ She said
let go Nathan or I'll shoot you to -

Then I went down stairs & up 28th
St. to find a doctor, ^{not finding one} then I ran back
to Thompson the policeman.

0576

Harlan Michael

Fishery

0577

The People vs
against
Ella Nelson

Murder in the 1st
Degree.

Witnesses

- ✓ Nathaw Michaels ✓ - { 626 East 6th St and
9th Commonwealth Rubber Co. 9 Murray St.
- Officer Jno. H. Thompson ✓ 19th Precinct
- " Wm J. Thompson ✓ " "
- " John Macdonald " "
- Coroner Louis W. Schultze . 124-2 Ave.
- W. M. Fuller Reporter NY Herald
New York Hospital
- Perry Walton Reporter NY World
Coroner
- S. H. Agnew do NY Morning Journal
- Dr. A. C. Standard House Surgeon do at NY Hospital
15th St bet 5+6 Ave
- Dr. G. F. Adams. Senior Asst Surgeon - NY Hospital
- Captn Reilly 19th Precinct
- Albert T. Weston Coroners Physician (Anatomist)
Med
- Mr. Bant
Breckbridge -
- Mr Tobin -
- Geo H Allen - Ins. 36 38 Nassau St
- Mr Post. (Architect) World Bldg
- Bill Gates 47 W 27 St
- Fred Remert ✓

0578

Witnesses

— " —

People vs. Nelson

0579

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF
PEOPLE

vs.
1885 - about whom I
boarded with Miss Helen
140 N 33. Post the
was there boarding at
that time. Miss B was
there last year. She left
time & then went to Post
I left in different places
on and off. I went
to reside with her
District Attorney.
about 1880 or 1885.
28 St. & about 1885
Miss B was with her
with her. I remained
with her until about
the end of January.
I first met Post
140 N 33 St about
5 years ago.

0580

Barnbridge
220 W. 24 St

140 W. 33
- 40 St
125 W. 28
100 W. 28

At that time he boarded with her, ~~and~~
they occupied the same sleeping apartment
at all ~~the~~ the ~~the~~ the different houses.

While at 140 W. 33 St they had ~~some~~
little quarrels, but they were not so
frequent until they moved to 125 + 100 W.
28th St.

0581

Pelle Gates

0582

TO THE CHIEF CLERK.

Please send me the Papers in the Case of
PEOPLE

vs.

Nelson

vs. J. Thompson

has the pistol and

the bullet.

Capt. Reilly.

.....
District Attorney.

0583

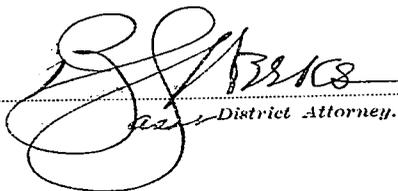
TO THE CHIEF CLERK.

~~Please send me the Papers~~
^{subpoena witnesses} in the Case of
PEOPLE

Ella Nelson

to see me at 11 ~~11~~ Ave

Monday May 4/91
and return papers to me


District Attorney.

all sub. issued
May. 2nd / 91
R.

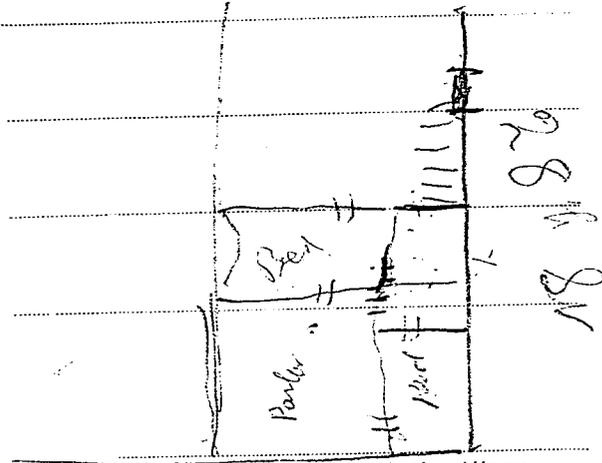
0584

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

~~XX~~ vs. 



District Attorney.

6th Ave

0585

TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

vs.

Mr Fuller

will probably
be at the Cor-
oners office with

Mr Agnew &
Mr Walton

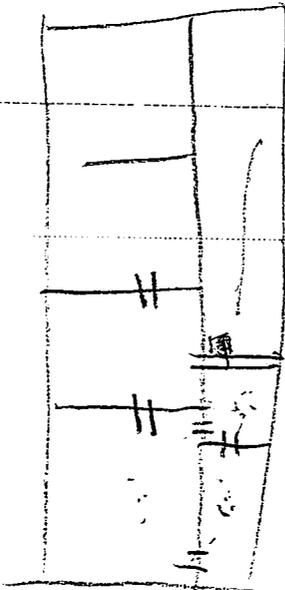
June 17/91 District Attorney.

0586

TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF
PEOPLE

vs.



District Attorney.

0587

Colonial
TO THE CHIEF CLERK.

PLEASE SEND ME THE PAPERS IN THE CASE OF

PEOPLE

Small intestines

1 *...*

2 *...*

3 *...*

Caecum
~~*Caecum*~~

Colon } *District Attorney*
Frans
Descend

End of the dis
cending colon called

Rectum

and she told me that she had a private
 detective follow him to Boston & she ~~heard~~
~~that~~ that she had gone to Boston about
 1 month before the shooting and went
 to the house where he was ^{boarding} and
 raised a great noise & said she was
 his wife. (Post was a little over 30 yrs old -)
 Married over 3 yrs. - 1 child -

P. worked at
 Owens & Phillips
 32 Liberty St
 their Cashier

I met Post on Feb 18. 1891 at 8 P.M.
 car. Houston St & Bowery. - When had
 a drink of beer & then went up 3 Ave
 to 11th St & ^{seen} toward Blanks in 13 St.
 where we remained about 1 hour, then
 we went ~~up~~ through 14 St to
 6 Ave & up dropped & had a drink in
 one or two places, and then we went
 right to her flat 100 St. 28th St. - 2 W.
 car 28 St & 6 Ave, we reached there
 about 10. 25 - Rang bell. She opened door
 we walked in parlor. - We conversed
 on general subjects - Finally she said
 I was wrong to your house on 24th St
 & she told me you were not
 living there - I know it was a lie
 you must have told them to say so
 she said it was not true but a
 horse to my women in a

0589

Peo v Nelson

Ella Nelson

- 1 Name
- 2 Residence
- 3 Business
- 4 Deft indicted for murder in the first degree for the killing of Samuel L M Post on Feb 18-1891 at 100 West 78th St. this City
- 5 The punishment upon conviction of murder in the 1st degree in this state is death
- X 6 Do you entertain such conscientious opinions ^{would the}
- X 7 ^{fact that the deft is a woman have any influence upon your mind in determining the degree of crime.}
- 8 Would you regard it as unusual for a woman of ^{attendant in the first degree than you would a man}
- 8 Have you ever served as a juror in Capital ^{Case} — In a Criminal or Civil Case.
- X What are the duties of a juror.
- 9 Are you a married man
- X 10 Are you acquainted with deft course 7th & 11th.
- 11 " " " " defendant
- 12 Have you ever heard or read of this case
- 13 Did what you have heard or read create any impression to
14. Were you to go into the jury box and after taking the oath to well & truly try the issue between the Peo & this deft to a true verdict give according to the evidence. Do you believe that such opinion or impression will not influence your verdict & that you can render a fair & impartial according to the evidence.
- 15 Would the fact that the mode of inflicting &c
- 16 Do you know of any reason &c.

I

People
 ~
 Nelson }

June 16/91 Marian Michaels - isap. About a year ago, at her house. while I and several others were present. It was at night. he (Post) was out and she was waiting for him - I saw her ~~pass~~ a pistol in her pocket and said if I find ^{him} with another woman I will blow his head off. - She went out about 12.0'clock that night and she returned about 2 or 3 P.M. without him. This was while she resided at 125 N. 28th St. (Belle Gates has heard her threaten to kill him on numerous occasions. She has told me about herself. ~~Whether the~~ past 6 months at 100 N. 28th St. (Harry Sieby - Hamburg & Brown St. Co. has heard her threaten to shoot Post) - ^{Ella Nelson} she has said to me many times (for a dozen) while Post was out of town ^{last} if I ever catch him having with any woman I will blow his head off. :)

Saul L.M. Post had been trying to give her up for several years (3 or 4) and she used to follow him around

0591

SAMUEL F. RANDOLPH, Prest. & Mangr.

ADDISON F. ROBERTS, Secretary.

Commonwealth Rubber Co.

SAN FRANCISCO STORE, 30 SECOND ST.
LONDON ENG. OFFICE 9 MOORFIELDS

OFFICE AND WAREHOUSE, 9 MURRAY ST.

TELEPHONE CALL 4194 CORTLANDT.
CABLE ADDRESS "NICKERTREE NEWYORK"

Manufacturers of

RUBBER BELTING, HOSE AND STEAM PACKING OF THE HIGHEST GRADES AND
VULCANIZED RUBBER GOODS OF EVERY DESCRIPTION FOR MECHANICAL PURPOSES.

P. O. BOX 3058.

NEW YORK.

May 12th 1891.

F. L. Wellman, Esq.,
Ass't District Attorney,
New York City.

My dear Sir:-

Agreeable to my promise of this morning I enclose
you herewith a statement of facts in the Ella Nelson case.

I was greatly rushed for time all the day and did the best
I could under the circumstances.

At any time you may want me kindly advise my employers, the
Commonwealth Rubber Co., No. 9 Murray Street, and I will be with
you within a day.

Trusting this is satisfactory, I am, my dear Sir,

Yours very truly,

Nathan Michael

0592

Coroners Office, New York County.

Inquest into the death)

- of -)

SAMUEL M. Post, deceased.)

) Before
) HON. LOUIS W. SCHULTZE,
) and a Jury.

New York, February 25th, 1891.

Q What is your full name? A. William J. Thompson.
Q To what precinct are you attached? A. 19th.
Q Tell the Jury? A. 10. 45 on the night of the 18th
instant I heard a policeman rap I answered his rap and
went up there I asked what was the matter he says the
there is a man upstairs shot I says who shot him he says
I think it is a suicide I went up stairs with him and saw
a man lying on the floor with a pillow under his head and
a pistol shot wound in the abdomen. I sent this policeman
who came upstairs with me to the station house for an ambu-
lance and I remained upstairs and asked this man who was shot
who shot him? He refused to answer me I then asked this
Mrs. Ella Nelson how he got shot and she didn't answer me.
But she begged me to go for a doctor for him. I told her
there was a policeman gone to the station house for one and
that the ambulance would be there in a short while. She
finally insisted in calling in Dr. Hitchcock of West 29th
Street, and I sent a young man named Muldoon around there
and he came back and told me the doctor was out. I then
took off this Samuel M. Post's overcoat, his collar and tie
and waited there until the ambulance came. I asked Mrs.
Nelson what become of the pistol and she told me the officer
had it that went for the ambulance. When he came back

I asked for the pistol and he gave it to me. Then this man Samuel M. Post asked for a drink of water and Mrs. Nelson gave him a drink of water and also a cigarette to smoke. The surgeon then came to the hospital and examined his wound and he complained of being injured or shot in the back which I called his attention to and removed him then to the New York Hospital. I took Mrs. Nelson around to the station house and in the cab I asked her how this thing occurred. She told me that Post fired two shots at her and in the struggle for the weapon it was discharged, and after that she was taken to the station house, her pedigree taken and locked up.

Q Was that evidence plain .

Mr. Hummel:-

Q Mr. Post was conscious when you came in? A. Yes, sir, he knew everything that was going on.

Q You have said that he smoked one cigarette, is it a fact that he (The deceased) while he was in a conscious condition called Ella to bring him a glass of water which she did, and they seemed to be on very friendly terms? Yes.

Q After he had asked for and gotten the glass of water did he not ask her to bring him a cigarette? A. Yes, sir.

Q Did she bring it to him and at his request and light it for him? A. She lit it for him at the gas and she only smoked one cigarette.

Q He was perfectly conscious at the time the shooting occurred and he refused to tell how it occurred? A. Yes.

0594

NATHAN MICHAELS, residing 626 East 6 h Street, being duly sworn says.

Sam Post and myself went up to 100 West 28th Street at about 10.25 P. M. On Wednesday evening the 18th. (Feb 4) We went upstairs and rang Ella's bell, she opened the door and we walked into the parlor, we began conversing on general subjects and finally Ella said she had been around to his house on 24th Street and said it was nothing but a house where he could run women into. He denied this and said it was a perfectly respectable house. She flared up and grew angry and finally Mr. Post said if you inetdn to keep this thing on I am going right home. She said, no Sam, you must not go home I want to speak to you. He said if you have anything to tell me, tell away. She said I want to tell you alone. He said if you have anything to tell me why tell me right away as I want to get home to bed and get up early in the morning to attend to business. She said, Sam, don't go; he said I am going. He got up from the chair but sat down again as he got up Ella Nelson also got up and went into the bed room that leads off from the parlor. We had our backs turned to the door and as Ella went inside I said Sam look out for her. Sam then said I think I am going, Nathan. Mr. Post then went out into the vestibule that leads off from the parlor and as I looked back I saw Ella ^{meet} lead him out there. They spoke in an excitable way which I could not hear or understand and ^{at} disappeared into the bed room. In the course of a minute I heard a shot, and Sam Post came running out through the

P R

Nathan

vestibule into the parlor crying, Oh, my God, I am shot. He ran through the bed room. Ella Nelson come running out of the bed room after him and the moment she got into the parlor fired three more shots in rapid succession after him and cried ^{if you had got you would} now, Damn it, I got you now. As Mr. Post ran into the second bed room Ella ran after him and closed the door behind her. I was excited at the time and went down stairs in front of the door. I stood there about 4 or 5 minutes and finally decided to go upstairs to see how Sam was getting along. As he got half way up the stairs I met Ella at the head of the stairs who cried out, "Oh, my God, Nathan, I have shot my darling boy." I ran into the parlor after her and saw her standing over him with the smoking pistol still in her hand. Sam muttered something which I could not understand. I then ran down stairs and tried to find a doctor, not finding one I went back to the corner of Sixth Avenue and saw a policeman in the middle of the block who I told what had happened, asking him where I could find a doctor. He directed me to 28th Street but I could not find any doctor. I also went into the drug store; they gave me an address but I . No one else was present at the time of the shooting and no one else in the flat.

By Mr. Hummel:-

- Q How long have you known Mr. Post? A. About two years. He was a married man, and I think he had one child.
- Q How long have you known her? A. A year or so.

0596

Q How long had you visited Ella during the last year?

A. Used to go there quite often.

Q Have you ever eaten any meals there? A. Yes, sir.

Q You have been quite friendly with Ella haven't you?

A. Yes, sir.

Q Been in the habit of borrowing money from her?

A. Only once.

Q Do you mean to swear that you only on one occasion borrowed money from Ella? A. Yes, sir.

Q Why did you take so long to consider before you answer?

A. For the certain reason that I wanted to think back.

Q Wouldn't you be apt to remember very speedily if

you had borrowed money from a woman? A. I only borrowed money from a woman once in my life.

Q Did you get any meals in her house for which you didn't pay? A. Yes, sir.

0597

Q Had there ever been any word between you and Mrs. Nelson regarding what you owed her? A. Never.

Q Do you mean to tell the Coroner and the Jury that you saw any shots fired before Post came into the room?

A. No, sir, I saw no shot before Post ran into the room.

✓ Q How near were you to Ella when you say she fired the two shots? A. Five or six feet.

Q Did you attempt to take the pistol from her hand?

A. Not at that time, no, sir.

Q Did you make any outcry? A. No, sir.

Q You knew there were people living in the house, - it was a flat house, was it not? A. Yes, sir.

Q And yet you saw a woman discharging the contents of a pistol twice in succession - three times in succession as your friend you made no attempt to take the pistol from her, nor did you shout for help nor make any outcry?

A. No, sir.

Q When you got out in the hall ~~way~~ did you make an outcry there? A. No, sir.

Q Did you walk leisurely down the stairs? A. Yes, sir.

Q And reach the front door? A. Yes, sir.

Q And remain there for fully four or five minutes?

A. Yes, sir.

Q Did you during that entire four or five minutes make any outcry or call for help? A. No, sir.

Q Did you tell any person of what had occurred in your presence and hearing upstairs during that four or five minutes? A. No, sir.

0598

Q Didn't you think you were acting very cowardly toward your friend, remaining away that length of time, not making any outcry, and not asking someone come to his aid?

A. I had no view at the time, I was excited.

Q Do I understand you to say that after you had left the premises where the shooting had occurred, walked lesiurely down stairs remained on the street for four or five minutes that you returned, had some conversation with Ella who stated to you in substance, "My God, Nathan, I have shot my darling boy" that you re-entered the room and found the psitol still smoking? A. Yes, sir.

Q And you are sure about that as you are of any incident that occurred that night? A. Yes, sir.

Q Did you hear any shot from the pistol from the moment you left Post and Nelson up in the room until the time you returned? A. No, sir; and there was no other shot fired.

Q So the smoke from the pistol must have come from the last shot that was fired while you were in tthe room?

A. Exactly, yes, sir.

Q Have you been asked to give your version of this shooting before you gave it either to the Coroner or Police Magistrate? A. Yes, sir.

Q Did you say on the occasion you were asked to tell what occurred on that night that you would not make any statement unless your counsel was present? A. No, sir.

Statements of Nathan Michaels in the Ella Nelson case.
 On the evening of Feby. 18th. 1891 at about the hour of ten twenty five P. M. I ^{called} went to call upon Ella Nelson in company with Sam'l. L. M. Post at her flat at 100 West 28th. Street.

Post had formerly lived with Ella but this evening as we were on the way he said he had now had a room on 24th. street and had not lived with Ella for the past two weeks. He said he had a good position down town and as he wanted to lead a straight life had made up his mind to leave Ella.

Ella's apartment is on the first floor above the street over a liquor saloon. We entered by the door on 28th. street, walked up the first flight of stairs and rang Ella's bell. She came to the door, opened it and we went into the parlor. After conversing on general subjects for a time Ella charged Sam that the House at which he lived in 24th. street was a house where he could take women. He ^{said} "It is not so", she then flared up, grew angry and Sam said "If you are going to keep this up I am going home right away", she said "No Sam, you will not go away". He insisted. She said "you stay here" "I want to tell you something". He said "If you have anything to tell, tell away". All this time he was perfectly composed. Showed no signs of anger.

She said "I want to tell you alone."

He said "I am going."

She said "no" and thereupon got up, left the parlor and went into the small bed room which is connected by a door with the parlor.

After she had left I said "Sam look out for her." I was afraid she might do him some harm as she had threatened so often to shoot him if he ever left her. So, as we both had our backs to the bed room door, we looked around and I saw her putting on a black

0600

skirt over her wrapper. Sam then got up and went into the private vestibule, which also opens into the parlor by an other door. I looked after him as he went and saw Ella meet him in the vestibule, and they talked in ^{an} excited manner. I did not hear what they said. I saw no weapon upon his person or in his hand.

Still talking they went into her hall bed room.

Within a minute I heard a shot from the bed room, and immediately Sam came running out into the parlor by the vestibule with his hands on his abdomen crying, "Oh my God, I'm Shot."

She followed through the same doors, running after him. As soon as she got in the parlor with pistol in hand she fired three shots in rapid succession at Sam, by which time he was half way in the first bed room.

Immediately after firing the three shots she said "Now damn you, I've got you now." He ran into the second back bed room and closed the door behind him and she followed into the same room and also closed the door.

Then being excited I went down into the Street and stood in front of the door for about five minutes.

Wishing to go and see what had happened to Sam I started up stairs and half way up I met Ella at the head of the stairs crying that she had shot her darling boy and telling me to go for a doctor. She went back into the parlor and I followed her. I found Sam on the floor with Ella standing over him with the smoking pistol in her hand. She was making a great outcry. I asked her for the pistol and she said "Let go Nathan or I'll shoot you too."

Sam muttered something but I was so excited that I did not understand him.

I ran out for a doctor but could not find one. Coming

0601

back I found Policeman Thompson standing outside on 6th Avenue and told him about the shooting. He went upstairs and I looked for a doctor again but could not find one, and then went home.

0602

By Mr. Townsend:-

Q Mr. Michaels, will you tell the Coroner and Jury or explain to them why you did not make an outcry at the time? A. It was my intention at the time to go down stairs and find a policeman, not seeing one in sight I went upstairs again.

The Coroner: Gentlemen of the Jury, you have heard what Mr. Michaels has told you and you have also heard the dying declaration of the deceased. It now remains for you to bring in a verdict from the testimony taken here at the inquest.

(Then the Jury retired.)

VERDICT: We, the Jury find that S. M. Post came to his death by a pistol shot ^{wounds of abdomen inflicted with a pistol} at the hands of Ella Nelson on the ¹⁸~~20~~th day of February, 1891. at 100 West 28th Street.

0603

PART II

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

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

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

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

See Mr. Simms

To Mr. Post
of No. Architect World Bldg Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of June 1891 at the hour of 2 P.M. 16th 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

Ella Nelson

Dated at the City of New York, the first Monday of June in the year of our Lord 1891

DE LANCEY NICOLL, District Attorney.

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

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

See Mr. Simms

To George H. Allen
of No. 36 + 38 Nassau St. (Ins. Co.) Street.

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of June 1891 at the hour of 2 P.M. 16th 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

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Dated at the City of New York, the first Monday of June in the year of our Lord 1891

DE LANCEY NICOLL, District Attorney.

PART II

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

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See Mr. Simms

0604

District Attorney's Office.

PEOPLE

vs.

Person admitted
to Hospital on
Feb 18 - 1891 &
Died Feb 20/91
at 3 45 A.M.

0605

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~~
~~.....~~ ~~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.~~ *That he legally*

discharged
Dated *Feb 27* 1891 *J. Sherman* 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 ~~it~~ to be discharged.

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

0606

235

Police Court--- *D* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Thompson
vs.
John Nelson

Office *John P. Dick*

2 _____
3 _____
4 _____

Dated *February 22* 18*91*
John Magistrate.

Thompson Officer.
19 Precinct.

Witnesses *Walter McShane*
626 East 6th Street
No. *W. J. Murray* Street.

John J. Thompson
No. *19th Precinct Police*

No. _____ Street.

Committed to answer _____
Wm
ATTORNEY



BAILED,

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

1891
172 St. N. S.
1891

0607

Sec. 198-200.

21 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Ella Nelson

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. *Ella Nelson*

Question. How old are you?

Answer. *29 Years.*

Question. Where were you born?

Answer. *Refused.*

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

Answer. *100 West 28th Street 3 Months*

Question. What is your business or profession?

Answer. *Furnishes Rooms.*

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

Answer. *I have no statement or answer to make*

Ella Nelson

Taken before me this

day of *February* 1887

A. J. [Signature]

Police Justice.

0608

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, DISTRICT.

William Thompson
of No. *19 Precinct* Street, aged *33* years,
occupation *Police officer* being duly sworn, deposes and says
that on the *18* day of *February* 189*1*
at the City of New York, in the County of New York. *He arrested Ella*

Nelson (now here) upon suspicion
of having committed a felonious
assault upon one Samuel Post
who is now confined in New York
Hospital suffering from a gun
shot wound as shown by the
annexed certificate. That from the
circumstances aponent has just cause
to believe that the defendant com-
mitted said assault and aponent
asks that the defendant be held to wait

Sworn to before me, this
of 189

Day

Police Justice.

0609

the result of said Post's injuries
 Sworn to before me
 this 19th February, 1891

William J. Thompson
 Police Justice

Police Court, *2* District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

William J. Thompson
vs.
Ella Nelson

Dated *Feb 19* 1891

Ford Magistrate.

Thompson officer.

Witness

Disposition *learn to avoid*

result of injury

0610

Police Court, 2 District.

City and County } ss.
of New York,

of No. 626 East 6th Nathan Michaels. Street, aged 20th years,

occupation Salesman being duly sworn, deposes and says,
that on the 18th day of February 1891, at the City of New
York, in the County of New York, at the time of 10:45 P.M.

Deponant was present, in parade
no. 100 West 28th Street in Company with
Samuel R. L. M. Post, and Ellu Nelson
that deponant saw the said Ellu
Nelson deliberately point an arm and
discharge three shots at the body
of the said Post, in his parade
from a revolving pistol then and
then held in the hands of the said
Ellu Nelson, that at the time the
said Ellu Nelson discharged the
three shots at the body of the said
Post, the said Nelson was about
ten feet away from the said Post,
Deponant further says that he has
on several occasions seen the
said Ellu Nelson strutted towards
the said Post.

Sworn to before me } Nathan Michaels
this 22nd day of February 1891 }
at New York

Justice

0611

Police Court, 2 District.

City and County of New York, ss.

of the 19th Precinct, Precinct No. 193, William J. Thompson, Police Officer, aged 33 years, occupation Police Officer, being duly sworn, deposes and says, that on the 18th day of February, 1891, at the City of New York, in the County of New York, on premises No. 100 West 28th Street

That Edwin Nelson (numbered) did wilfully, feloniously, premeditatedly, and designedly, with the intent to kill, did kill one Samuel L. M. Post, by feloniously pointing, aiming and discharging at the body of the said Post, several shots from a revolving pistol loaded with powder and ball, one of the balls from said pistol striking and wounding the said Post, in the stomach, causing injuries from which the said Post died in the New York Hospital on the 20th day of February 1891, as set forth in the annexed Certificate of Death, is informed by Nathan Michael that on the same date he was present in the premises No. 100 West 28th Street and saw the said Nelson, wilfully point aim and discharge three shots at the body of the said Post, from a revolving pistol then and there held in the hands of the said Nelson, wounding the said Post, Dependent. Therefore prays that the said Nelson may be dealt with as the law directs.

Given under my hand and seal of office this 23rd day of February 1891. J. Murray Ford, William J. Thompson, Police Officer

Police Justice

06 12

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, Feb. 19th 1891

9 AM.

This certifies that a man
giving his name as Samuel
Patt, also as John Smith,
was brought here last night
with a gun shot wound
of abdomen. Ball entered
one inch below and $\frac{1}{4}$ inch
to right of Umbilicus, and
made at least 11 perforations
in intestine, and one very
large one in Mesentery, from
which hemorrhage was
profuse.

He is now alive, but in
critical condition -

A. C. Starnard
House Surgeon

0613

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, Feb 21st 1891.

Samuel L. M. Post was
admitted to this Hospital
on Feb 18/91. Suffering from
Pistol shot wound of Abdomen
and Died Feb 20/91. at 3.45
a.m.

Geo P Ludlam
Supt
Rug

0614

People }
v
Nelson }

Dr Adams - N.Y. Hospital.

On Feb. 15 - 1891

about 11 o'clock I was called to car
25 St or 6 Ave - I found Post lying on
the floor with several policemen
were in the room and the doctor
Ella Nelson. I arrived at the house
between 11 & 12 P.M. and when I
went in room found Post on the floor

I said to him What is the matter
he pulled up his shirt showed me
the wound in the abdomen &
said "I guess she has made a
bull's eye this time" ^{and afterwards said Do you think I am done for} I then
got down to examine him - (Ella
Nelson was there all the time) I
asked him if he had any other
wounds - He said he thought
he was hit in the shoulder.
I then turned him on the side
and tried to examine the shoulder
and he complained of such great
pain that I let him go back
again and I then felt for the
wound in the shoulder but did
not find it. ^{I found a slight abrasion on the arm} I then took him

Ella Nelson was there all the time

0615

to the Hospital. And after I got him there I tried to get his name he did not want to give it to me and finally gave his name as John Gray & that he lived in Yorkers, he however acknowledged that it was not his right name

"After ~~that~~ that I asked him point blank "Who shot him" He said the ~~was~~ I- the woman that was there shot him. He said "Yes"

Then he asked me what his chances were & I said I thought he had about an even chance. He then said do you think I will be alive in the morning - I said Yes. I tried again to get his name, but he would not give it to me

Then I asked him if he wanted to send any word to his friends & he thought for a few seconds & decided to send a message. He sent a message to Orange. & signed it "Sam"

Then he went was sent to the other surgical division & out of my hands. He was present at Ante-Mortem. Slab & I know the answers & Slab was to be correct

06 16

Statement

of

Dr Adams'

Ambulance Surgeon

0617

TESTIMONY.

Autopsy
 At New York Hospital, N.Y., Feb 20th
 Body well developed & muscular.
 Laceration 6" in length in muscular
 tissue including with the pistol shot
 wound which was $1\frac{1}{2}$ " below
 umbilicus.

There was about an ounce
 of bloody serum in the abdomi-
 nal cavity.

There were two or three wounds of
 the ileum in the first five feet of
 its course. All but one of which
 were closed by adhesions.

The course of the bullet was
 directly backwards being
 deflected by the spinal column
 to the right and downwards and
 was found in the psoas muscle.

All the organs were normal.
 There was a large quantity of
 fat in the abdominal ~~viscera~~ and
 mesentery.

Cause of death. Shock and
 internal hemorrhage from
 pistol shot wound ~~above~~
 described.

Alfred G. Cooney.

Sworn to before me,

this

21st day of

Feb.

189

CORONER.

06 18

TESTIMONY.

Albert J. Weston M. D., being duly sworn, says;

I have made an autopsy of the body of

Samuel L. West now lying dead at

N.Y. Hospital and from such autopsy

and history of the case, as per testimony, I am of opinion the cause of death is

Homicide by penetrating pistol shot wound of abdomen at 100 W 28th St. Feb. 1869

Shock & internal hemorrhage

A. J. Weston, M. D.

Sworn to before me

this 20th day of Feb, 1891

CORONER.

0619

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
37			U.S.	New York Harbor	Feb 22, 1891

was shot at 100 yards
 28th, Feb. 18th / 1891
 Port 19th Port

James H. Allen
 36 1/2 St. Nassau St.

L. W. S.

James H. Allen
 Port

1891

AN INQUISITION

On the VIEW of the BODY of

James H. Allen
 Port

whereby it is found that he came to
 a death by

Inquest taken on the _____ day
 of _____ 1891 before
 LOUIS W. SCHULZBERG, Coroner.

✓
 616

0620

95

Police Department of the City of New York.

Precinct No. 19

New York, June 19, 1891

At 11:15 P.M. Feb. 18/91

Ellen Nelson 27 W England

H W S Geo 100 West 28 St

charged with Fel. Assault

complainant Samuel L M Post

100 West 28 St

Officer William J Thompson

charged with shooting the

complainant in the abdomen infli-

cting a serious wound with a

.5 Chamber 32 caliber Revolver

(Hopkins and Allen Manufacture)

during an altercation at their

residences Post was taken to

New York Hospital

0621

Four chambers were empty
(with shell) and one loaded

0622

Form No. 1.

THE WESTERN UNION TELEGRAPH COMPANY.

This Company TRANSMITS and DELIVERS messages only on condition of its liability, which have been assented to by the sender of the following message. Errors can be guarded against only by repeating a message. In case of a claim for compensation, the Company will not hold itself liable for errors or delay in transmission or delivery of Unrepeated Messages, beyond the amount of tolls paid therefor in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission. This is an UNREPEATED MESSAGE, and is delivered by request of the sender, under the conditions named above.

THOS. T. ECKERT, General Manager.

NORVIN GREEN, President.

NUMBER	SENT BY	RECD BY	CHECK
6	u	W. J. M. Kenna	

RECEIVED at the WESTERN UNION BUILDING, 195 Broadway, N. Y. *6/18* 1891

Dated *June 18 1891*
To *William J. M. Kenna*

District attorney's office
32 Chambers St

Deaved witness personally in the
Nelson case cannot reach my until
7 this pm with witness. J. H. Reilly

	People	Defendant
	<p> III III III </p>	<p> III III III III III III </p>
1	<p> 1. Jeremiah A. Halloran. 2. David Keller. (jeweler). Benjamin G. Park. (moocher) Max L. Jackson (liquor). Arthur E. Lauterbach (") Max Cohen. (Librarian) David Lawson. (oils) ✓ John Muller. (Artist) ✓ E. Harding. - Max. Auerbach - Chas. G. Hoff </p>	<p> libel by Rev. Accepted Ex. Con. opinion. " " " Libel for bias by Rev. Just. libel by Rev. for libel by defense " " " - Con samples - (Ex by consent) Ex " " </p>
2	<p> X Wesley M. Burske. (Furniture) John H. Bodeman. (laundry) </p>	<p> (Accepted) </p>
3	<p> X Isaac Tobias. Louis F. Schneider. Minnie... Frederick Bode... Henry... Chas. Johannes... Tom... Edward Ullman. (Clerk) ✓ </p>	<p> (Accepted) Con. - Did not ans. - Con. Sample - (Libel sustained) (Libel by defn.) libel Con Sample libel defense. " " </p>
4	<p> X George Webster (Carpenter) Henry A. Hine Chas. H. Newhaver Chas. Hirsch John H. Hilliker (Builder) Karl... Mr. Zimmer - Butler. Walter H. Wheeler. ✓ </p>	<p> (Con. Samples) X (Ex-by consent) (Con. Samples) X libel by defense (Con samples) X (Libel. for bias extra) libel by defense </p>

- 5-x Walter W. Cumborg - ✓ (lehal. by defend)
 Joseph H. Luppé. (Carnages)
 Isaac Jacob (Builder) - ✓ (Cons. Opinion)
- 6-x Chas. H. Meade. (Silver Polster)
 Morris Speir. (lehal by Peo. sustd)
 Chas. F. Seybell. ✓
 Julius. Seybell. ✓
 Mr J. O'Reardon. ✓
 Gustave Gebert. (Cons. Samples)
 Henry G. L. Nolle. ✓
 James A. Taylor. (Printer) (lehal defense)
 Ferdinand H. Hark. (lehal by Peo)
 Patrick J. Keenan. (Cons. opinion)
- 7-x Joseph S. Sisco. (Clerk)
 Julius Jackson. (lehal by Peo -
 Stephen Hannon. " " Peo.
- 8-x Eugene F. Coates. painter
 Cornell Stern. (lehal by Peo)
- 9-x Mr R. Neuburger. (Clerk)
 John A. Morse. (lehal by Peo)
- 10-x Louis. Schwagerel.
 Ferdinand R. Morrison. (Coal)
 Louis J. Morrison. (lehal. by Peo. sustd)
 Leon. Harnisch.
 Harris Brown. (lehal by def)
 Camden C. Russell. (lehal by def)
 Isaac Fiegel. (lehal by Op. (sustd))
 Erno. Leot. (lehal by def)
 Henry M. Behrens. (lehal by def)

0625

Herman Giffen	Legal by def.
James Ryan	" " "
Morty - Mayer	" " bias -
Frederick Schuler	
Richard Mc Gurrin	Legal. Cons opinion)
Thos. F. Burke	Exp by consent
Chas A. Bowles	Ex " "
Chas C. Goff	Legal. bias - dist
Chas Liveson	Legal " "
Walter E Scott	Legal by Res
Walter H Von Bunsen	Ex by Cons
Fred W.	
Henry A. Tomer -	
Conrad Stumm	Legal by Res
Terence J. Lynch	
Geo S. Bracker	
Andrew C Fuller	
Patrick S. Russell (379 Bleeker St)	

0626

John H. Thompson of the 19th Precinct.

About quarter of eleven I was walking towards
^{27th}~~28~~ Street on Sixth Avenue a young man ran to me and
says a girl has shot her fellow, where can I get a doctor?
I told her 28th Street between Broadway and Sixth Avenue.
I immediately ran up into the house and found him kneeling
on the floor with her holding him. She said, Sam my boy
you are not going to die and leave me. With that I took
the revolver from his hand, I immediately ran down stairs
and wrapped for assistance, I got Officer William J. Thomp-
son and a nother officer and they went upstairs and I went
to the station house to summon an ambulance.

0627

said down you are not
going away I then took the pistol
from her. Nathan Michael
a traveling man for the Continental
Rubber Company was present.
She has frequently threatened
me before and once before
fired at me.

Room to be for me ~~den~~
29th February 1891

In the presence of
Melvin ~~W. W. Fuller~~ Sam Bell
W. W. Fuller

Perjury violation

Committee

J. H. Ames

A. Standard

C. H. Adams

Peoples of for
identification

0628

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND
Years	Months	Days		
37			New York City	New York Hospital July 19/14

101-5-1891
 AN ANTE-MORTEM INQUISTION
 On the VIEW of the BODY of

Samuel P. East

whereby it is found that he was injured by

Ella Nelson

Taken on the 19 day
 of February 18 1914
 before

Jenna Anderson
 Coroner.

- Committed
- Bailed
- Discharged

✓

0629

101-5-1891

AN ANTE-MORTEM INQUISTION

On the VIEW of the BODY of

Samuel Peck

whereby it is found that he was injured by

Ella Nelson

Taken on the 19 day of February 18 91 before

Samuel W. Sempley Coroner.

Committed

Bailed

Discharged



MEMORANDA

AGE	37 Years	Months	Days
PLACE OF NATIVITY	New York City		
WHERE FOUND	New York Hospital July 19 91		

0630

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN ANTE-MORTEM INQUISITION,

Taken at *New York Hospital*

No.

Street, in the

Ward of the City of

New York, in the County of New York, this 19th day of February

in the year of our Lord one thousand eight hundred and 91 before

Louis W. Schultze

Coroner,

of the City and County aforesaid, on view of the body of Samuel Post

of #2119 West 24th St

at

Upon the Oaths and Affirmations of

good and lawful men of the State of New York, duly chosen and

sworn or affirmed and charged to inquire, on behalf of said people, how and in what manner

the said *Samuel Post* was injured, do upon

their Oaths and Affirmations, say: That the said *Samuel Post*

is suffering from pistol shot wound of abdomen inflicted with a pistol in the hands of Ella Nelson at 100 West 28th Street February 18th 1891

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

JURORS.

Names of Jurors on other side

CORONER, & S.

0632

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question—What is your name?

Answer—

Question—How old are you?

Answer—

Question—Where were you born?

Answer—

Question—Where do you live?

Answer—

Question—What is your occupation?

Answer—

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

*By Edna Nelson
of Nelson
refuses to answer
any questions
posed to her*

Taken before me, this 25 day of July 1891
Louis J. Kelly

CORONER.

0633

MEMORANDA

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
Years	Months	Days			
37			New York City	New York Hospital	July 19/91

Mr. Green 616. 1891.
HOMICIDE.
AN INQUISTION.
 On the VIEW of the BODY of
 Samuel L. M. Post
 whereby it is found that he came to
 his Death by the hands of
 Ella Nelson
 Request taken on the 25th day
 of February 1891
 by
 Lewis H. Keenly
 CORONER.
 Committed
 Buried
 Discharged 5-2-91
 Date of death Feb 1891

0634

1st Quar. 616. 1891.

HOMICIDE.

AN INQUISITION.

On the VIEW of the BODY of

Samuel L. M. Post

whereby it is found that he came to his Death by the hands of

Ella Nelson

Inquest taken on the 25th day

of February 1891

before *Wm. Schuck* CORONER.

Committed

Bailed

Discharged

Date of death

AGE	37 Years
PLACE OF NATIVITY	New York City
WHERE FOUND	Washington
DATE When Reported	July 19/91

MEMORANDA

0635

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office
No. 124 Second Avenue Street, in the 17th Ward of the City of
New York, in the County of New York, this 25th day of February
in the year of our Lord one thousand eight hundred and 91 before

Louis W. Schultz
Coroner
of the City and County aforesaid, on view of the Body of Samuel L. M. Post
lying dead at

Seven ————— good and lawful men of the State of New York, duly chosen and
sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said
Samuel L. M. Post came to his death, do
upon their Oaths and Affirmations, say: That the said Samuel L. M. Post
came to his death by

a pistol shot wound of abdomen inflicted
with a pistol in the hands of Ella Nelson
on the 18th day of February 1891. at 100 West 28th
Street.

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

JURORS.

Peter Hoffe 377 Grand	Frederick Zahn 286 Grand St
Henry Hoffman 194 Grand St	Mary Gostman 201 Grand
Simon Friederstein 353 Grand St	
Alfred Eberstein 357 Grand Str.	Nathan Abraham 210 E 58 St
Simon Rosenthal 78. Bleeker St.	
George Sachs 216 Grand St.	
F. Waldschmidt 729 Bowery	
	Louis W. Schultz

CORONER, E. S.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Abba Nelson

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

of the CRIME OF Murder in the First Degree, committed as follows:

The said *Abba Nelson*,

late of the City of New York, in the County of New York aforesaid, on the ~~eighteenth~~
day of ~~February~~ *February*, in the year of our Lord one thousand eight hundred and
~~eighty~~ *ninety one*, at the City and County aforesaid, with force and arms, in and upon one
Samuel S. M. Post, in the peace of the said People then and there being,
wilfully, feloniously, and of ~~her~~ malice aforethought, did make an assault, and the said
Abba Nelson, a certain pistol then and there charged and
loaded with gunpowder and one leaden bullet, which said pistol the said *Abba*
Nelson in ~~her~~ right hand then and there had and held,
to, at, against, and upon the said *Samuel S. M. Post*,
then and there feloniously, wilfully, and of ~~her~~ malice aforethought, did shoot off and
discharge, and the said *Abba Nelson*,
with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the
gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, ~~him~~ the said
Samuel S. M. Post, in and upon the ~~person~~ of ~~him~~
the said *Samuel S. M. Post*, then and there feloniously, wilfully, and of
~~his~~ malice aforethought, did strike, penetrate and wound, giving to ~~him~~
the said *Samuel S. M. Post*, then and there, with the leaden bullet
aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

said *Ella Nelson* in and upon the *abdomen* of the said *Samuel D. M. Post*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound *she* the said *Samuel D. M. Post*, at the City and County aforesaid, from the said *eighteenth* day of *February*, in the year aforesaid, until the *twentieth* day of *February*, in the same year aforesaid, did languish, and languishing did live, on which said *twentieth* day of *February*, in the year aforesaid, the said *Samuel D. M. Post*, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said

Ella Nelson, *do*, the said *Samuel D. M. Post*, in the manner and form, and by the means aforesaid, wilfully, feloniously, and of *her* malice aforethought, did kill and murder, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

of the same CRIME OF Murder in the First Degree, committed as follows:

The said *Ella Nelson*.

late of the City and County aforesaid, afterwards, to wit: on the said *eighteenth* day of *February* in the year of our Lord one thousand eight hundred and *ninety-one* ~~eighty~~, at the City and County aforesaid, with force and arms, in and upon the said *Samuel D. M. Post*, in the peace of the said People then and there being, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Samuel D. M. Post*, did make an assault, and the said

Ella Nelson, a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *Ella Nelson* in her right hand then and there had and held to, at, against, and upon the said *Samuel S. M. Post*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Samuel S. M. Post*, did shoot off and discharge. and the said *Ella Nelson*, with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth, and discharged, as aforesaid, *in* the said *Samuel S. M. Post* in and upon the *abdomen* of *him* the said *Samuel S. M. Post*, then and there feloniously, wilfully, and with a deliberate and premeditated design to effect the death of the said *Samuel S. M. Post*, did strike, penetrate, and wound, giving to *him* the said *Samuel S. M. Post*, then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth, and shot out of the pistol aforesaid, by the said *Ella Nelson* in and upon the *abdomen* of the said *Samuel S. M. Post*, one mortal wound of the breadth of one inch, and of the depth of six inches, of which said mortal wound *he* the said *Samuel S. M. Post*, at the City and County aforesaid, from the said *eighteenth* day of *February*, in the year aforesaid, until the *twentieth* day of *February*, in the same year aforesaid, did languish, and languishing did live, on which said *twentieth* day of *February*, in the year aforesaid, the said *Samuel S. M. Post*, at the City and County aforesaid, of the said mortal wound did die.

And so the Grand Jury aforesaid do say: That the said

Ella Nelson, *him*, the said *Samuel S. M. Post*, in the manner and form, and by the means aforesaid, wilfully, feloniously, and with a deliberate and premeditated design to effect the death of the said *Samuel S. M. Post*, did kill, and murder, against the form of the Statute in such 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.

0639

BOX:

428

FOLDER:

3949

DESCRIPTION:

Nevils, James

DATE:

02/16/91



3949

0641

Police Court, 2 District.

City and County } ss.
of New York,

Martin English

of No. 508 11th Avenue, Street, aged 33 years,

occupation Butcher being duly sworn, deposes and says,

that on the 6th day of February 1891, at the City of New York, in the County of New York, James Nevils (now here)

did have sexual intercourse with Mary Quinn, a female not his wife, she being, through idiosyncrasy, imbecility, or unsoundness of mind either temporary, or permanent incapable of giving consent in violation of Section 278 of the Penal Code.

Deponent further says that he saw the defendant and the said Mary Quinn in the yard of premises on West 39th Street near Eleventh Avenue, and saw them in a corner in said yard and they were having sexual intercourse.

That the said Mary Quinn is an idiot imbecile and of unsound mind and incapable of giving consent to the act of sexual intercourse with the defendant.

I swear to before me ^{his} Martin English
this 9th February 1891 _{mark}

J. T. Mahalon
Police Justice

0642

Sec. 198-200

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

James Nevils being duly examined before the under-
signed 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.

James Nevils

Question. How old are you?

Answer.

17 years

Question. Where were you born?

Answer.

New York

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

Answer.

608 West 37th St. 9 years

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?

Answer.

I am not guilty

James Nevils

Taken before me this

day of *February* 1891

H. M. Snodgrass

Police Justice.

0643

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

Dated *Feb 9* 1891 *W. D. ...* 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.

0644

182

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Martin English
50th St. 11 Ave
James Nevils

Raper
Officer

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Feb 9* 18*91*

McMahon Magistrate.

Gallagher Officer.

20 Precinct.

Witnesses *Mary Quinn*

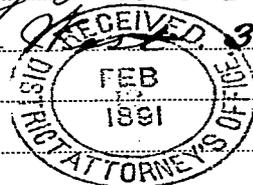
No. *546* Street.

No. Street.

No. Street.

\$ *2000* to answer *G.S.*

W. Con



0645

182

Police Court--- District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Martin English
50th St. 11 Ave
James Nevils

Raper
Office

2

3

4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Feb 9* 18*91*

McMahon Magistrate.

Gallagher Officer.

20 Precinct.

Witnesses *Mary Quinn*

No. *549* Street.

No. Street.

No. Street.

\$ *2000* to answer *G.S.*

Wom



0646

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

James Reid

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this

indictment, accuse *James Reid* of the crime
of perpetrating an act of sexual intercourse
of the crime of *with a female not his wife, one*
Mary Ann Smith, indelicately and permanent
wrongs of said, in violation of law, and
committed as follows:

The said *James Reid*,

late of the City of New York, in the County of New York aforesaid, on the

sixth day of *February* in the year of our Lord one thousand
eight hundred and ninety *one*, at the City and County aforesaid,

in and upon one Mary Ann Smith, a female not
his wife, indelicately and permanently did
make an assault, and the said Mary
Ann Smith being then and there unlawfully

0647

indecency and permanent impairment of
mind, incapable of giving consent; and
the said James said did then and there
willfully and feloniously perpetrate an
act of sexual intercourse with her the
said Mary Ann; against the form
of the Statute in such case made and
provided, and against the peace of the
County of the State of New York,
and their dignity.

John J. Smith,

Attorney at Law

0648

BOX:

428

FOLDER:

3949

DESCRIPTION:

Newhaus, Moses

DATE:

02/10/91



3949

W.S.

Counsel,
Filed *X* day of *July* 189*7*
Pleads.

ENTERED
T. J. W.
THE PEOPLE
vs.
Moses Newhaus

[Section 851, Pennl Code.]
POOL SELLING, Etc.

DE LANCEY WIGGILL
~~JOHN T. WILSON~~

District Attorney,
Part 2, May 6th 1898
On motion of Dist. Atty. Sept.
discharged on his own recognizance.

A True BILL M. M. G.

Chas. S. DeLoach

Foreman.

Witness:
John DeLoach

The defendant is indicted
for pool selling - and
the indictment is dated
July 10th 1897 - I certify
I have doubt as to whether
a conviction can be
had and I recognized
that defendant is also
charged on his own
recognizance
July 10th
May 6th 1898
S. J. Blake
DeLoach

0651

Police Court, District.

City and County of New York, ss.

John Hogan
of No. Fourth Police Precinct Street, aged 34 years,
occupation Police Officer being duly sworn, deposes and says,
that on the 22 day of January 1891, at the City of New
York, in the County of New York,

Moses Newhouse (now here) did unlawfully keep and maintain, a room in the premises No 12 Centre Street - 1st Floor, for the purposes of unlawfully recording bets or wagers upon the result of a trial or contest of speed between horses at Guttenburg New Jersey, and did at said premises on said date, make a bet or wager with deponent and did sell him a pool ticket, and did become the custodian, or depository for hire or reward of money, stakes and wagers upon such result for the following reasons to wit:
That on said day deponent went to said premises and saw ^{the defendant} behind a desk, and saw a blackboard in the said room, containing the names of horses, on it, and deponent selected from said blackboard the horse named Sunday, and deponent then went to where said defendant was, and handed him two dollars, which he stated that he wanted to bet on Sunday. the defendant then told deponent he was not receiving any bets there, but would take his two dollars and send the same to the track at Guttenburg and execute the same, but would charge deponent twenty five cents as Commission for sending the said two dollars to the track at Guttenburg, and ^{the defendant took from deponent the said two dollars} deponent further says that he then handed the defendant twenty five cents, and then received from the defendant the pool ticket hereto annexed, and deponent then placed the defendant

to defendant
stated that he

0652

Under arrest. Deponent therefore charges the
the said defendant with violation of
Section 351 & 352 of the Penal Code

Sworn to before me } John Hagan
this 22 day of January 1891

Charles W. Frinton
Police Justice

~~John Hagan~~

Dated _____ 188_____ Police Justice.

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

Dated _____ 188_____ Police Justice.

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

Dated _____ 188_____ Police Justice.

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.

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

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1
2
3
4

Offence,

Dated _____ 188_____

Magistrate.

Officer.

Clerk.

Witnesses,

No. _____ Street,

No. _____ Street,

No. _____ Street,

\$ _____ to answer _____ Sessions

0653

Sec. 198-200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

Moses Newhaus 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. *Moses Newhaus*

Question. How old are you?

Answer. *43 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *105 Ave C, NY 4 yrs*

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. *Am not guilty*

Moses Newhaus

Taken before me this
day of *April* 1934
Charles Steinbock
Police Justice

0654

John Magaw being duly sworn
deposes and says

By the Court

Q You are an officer of the police
of the city of New York?
A Yes sir

Q Attached to what precinct?
A 44th precinct

Q What complaint have you to make
A I went to 12 Centre Street and
found this man Moses Newhouse
there, and I told him I wanted
to bet \$2.00 on Sunday, and
he said we do not take any bets
here; he said we will take your
money and send it to the track
by paying 25 cents commission
to here it executed at the track.
I paid him 25 cents for one bet
him.

Q Is that all?
A Yes sir

Q Did he give you anything?
A He gave me this ticket Exhibit A

0655

Q Is this the man that gave it to
you (pointing to the defendant)?
A Yes sir

Q Is this the man that gave you
the ticket?
A Yes sir

Q Is this the man that received
your money?
A Yes sir

Q What else did you see in the
place?

A I saw names marked up on a
blackboard.

Q You saw a blackboard with names
of what, what names were
marked on it?

A Sunday

Q What were those names? and
was Sunday, what others?

A I forget the name now, Paluello
I think

Q Are you positive about the names
and you're positive?

A I am not positive only on Sunday

Q Did you see any other names besides
those two that you mentioned?

A Yes

Q What did the man do when he
took your money?

A I put the money on the desk
Q Did he make any statement
about it, did he call out any
names?

A Yes

Q Did he mark anything on the
blackboard?

A Yes I told him I was a police
officer and arrested him

Q Is that all you have to say?

A Yes

Conf. Evans

By Mr. Stumm

Q Did you not state to Judge
Trotter that the defendant
refused to let you?

A Yes

Q And did not the defendant
refuse to let you?

0657

4

Ayessui

Q Did not the defendant say
that all he wanted do would
be to take your \$9⁰⁰ that if you
gave him 25 cents commission
and send it somewhere else?

A Yes sir send it to the bank

Q Did the defendant know any
addo on that ticket?

A No sir he didn't know any thing
on it

Q Or give you any addo, or tell you
what addo would be given?

A No sir that is all the conversation
I stated that took place.

Q Have you ^{ever} made any bet with
any person in your life?

A No sir

Q Do you know what the meaning
of a bet is?

A Yes sir

Q Did the defendant make a
bet with you or did he refuse
to make a bet with you?

Q He refused to make a bet with me.

By the Court

Q In what way did he refuse to make a bet

A I went to him and I told him I want to make a bet on Sunday and bet 2⁰⁰ on Sunday, and he said we dont take any bets here.

Q Is Sunday the name of a horse

A I supposed to be I suppose

Q Do you know if it is the name of a horse to be run at a race?

A I dont see him now

Q Do you know if there is any such horse?

A I do not now

Q You told him that you wished to make a bet on Sunday?

Yes sir

Q That was what you understood to be the name of a horse?

Q: I asked the name of a horse
I did take that money from
you in that statement; you said
you wanted to bet 200 upon Sunday
A: Yes

Q: I did take the money after that
statement from you that you
wished to bet upon Sunday.

A: He did after he made the state-
ment that he would not take
any bets there

Q: Answer my question yes or no?
A: Yes I took my money after
he said he would ^{not} receive any
bets there but he would send
my money to the track

Q: I did he ever hand it back to you
A: He had it back to me

Q: But did he finally take it; did
he finally receive it?

A: Yes

Cap Examined by }
The Jurors }

Q: Is it not a fact that when you

0660

7

said to the man that you wished
to make abet, that the defen
dant said he would not
accept your money and
would not let you?

Yes Sir

Grand did he not show it back to
you?

Yes Sir he showed it back to me
and said he would take my
money with 25 cents commission
and send it to the bank and
have it executed at the bank

Sworn to before me
this 22 day of January 1894

John H. Ryan
Charles N. Martin
Police Justice

0661

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

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

Dated Jan. 22 1891 Charles J. Smith Police Justice.

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

Dated Jan 22 1891 Charles J. Smith Police Justice.

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

Dated 18 Police Justice.

0662

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Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Hogan
Moses Newman

Officer of Police
Pool Lane

2
3
4

BAILED,

No. 1, by *Philip Howard*
Residence *210 W 122^d Street.*

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Jan 22* 18*91*

Sam M Magistrate.
Hogan Officer.
4th Precinct.

Witnesses _____ Street.

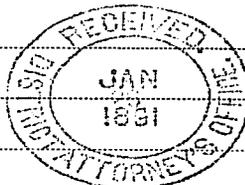
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *by*

Buled



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Moses Newhaus

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

Moses Newhaus

of a Misdemeanor, committed as follows:

The said

Moses Newhaus

late of the *Sixth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty-second* day of *January* in the year of our Lord one thousand eight hundred and *ninety-one*, at the Ward, City and County aforesaid, did unlawfully 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

Moses Newhaus

of a Misdemeanor, committed as follows:

The said

Moses Newhaus

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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, being then and there the *occupant* of certain *room* in a certain *building* there situate, with force and arms did unlawfully and 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 *Moses Newhaus*

of a Misdemeanor, committed as follows:

The said

Moses Newhaus

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, being then and there the *occupant* of a certain *room* in a certain *building* there situate, with force and arms, did unlawfully 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 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.

~~JOHN R. FELLOWS,~~

~~District Attorney.~~

0665

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~against~~

Fourth Court.

aforsaid
And The Grand Jury ~~of the City and County of New York~~, by this indictment, further
accuse *the said Moses Newhaus*

of the CRIME RECORDING AND REGISTERING A BET AND WAGER, com-
mitted as follows:

The said

Moses Newhaus

sixth
late of the ~~First~~ Ward of the City of New York, in the County of New York, aforesaid,
on the *said* ~~twenty-second~~ day of *January* in the year of our Lord
one thousand eight hundred and ~~eighty-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 lawfully had, with force and arms, did unlawfully
record and register, and cause to be recorded and registered, a certain bet and wager,
then and there made by and between one

John Wagan

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 *Sunday* 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 *Guttenburg*
in the County of *Hudson* in the State of *New Jersey*
and commonly called the *Guttenburg* 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.

~~Fifth~~ ~~Second~~ Count.—And the Grand Jury aforesaid, by this indictment, further accuse the said

Moses Newhaus

of the CRIME OF POOL SELLING, committed as follows:

The said

Moses Newhaus

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

Hogan

John 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

Sunday 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

Guttenburg in the County of *Hudson* in the State of *New Jersey*

and commonly called the *Guttenburg* 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.

De Ramsey Nicoll
~~RANDOLPH B. MARTINE,~~

District Attorney.

0667

BOX:

428

FOLDER:

3949

DESCRIPTION:

Nichols, Robert

DATE:

02/11/91



3949

0668

10/10/19

Witnesses:

Witness signature lines

Counsel,

Filed

day of

189

[Signature]

Pleads,

THE PEOPLE

vs.

Robert Nichols

Grand Larceny Second Degree

[Sections 528, 581, 530, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

6/29/19

A True Bill.

[Signature]

Foreman.

[Signature]

[Signature]

[Signature]

0669

Police Court 2 District.

Affidavit—Larceny.

City and County } ss:
of New York, }

Jennie Brooks

of No. 291 West 32nd Street, aged 36 years,

occupation Housekeeper being duly sworn,

deposes and says, that on the 29 day of December 1890 at the City of New York,

in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in the day time, the following property, viz :

One diamond ring
of the value of one hundred and
fifty dollars \$150-

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 Robert Nichols (now here)

The said ring was stolen from deponent's
house on said date and defendant
was there and had access to said
property and deponent is informed by
Detective Edward J. Armstrong that the
defendant admitted to him that he, the
defendant had pawned the said
property at Luigi's pawn shop in

Sworn to before me, this

day

189

Police Justice.

0670

Seventh Avenue, and the defendant
admitted to said Armstrong that he
the defendant had taken the said
ring from defendant's room.

Subscribed before me this 4th day of June 1921
at New York City
Jimmie X Crooks
Notary Public
Mark

0671

CITY AND COUNTY }
OF NEW YORK, } ss.

Edward J. Armstrong

aged 28 years, occupation Detective Sergeant of No.

900 Mulberry Street, being duly sworn deposes and

says, that he has heard read the foregoing affidavit of Jennie Brooks

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

Sworn to before me, this

day of February 1891

4 } *E. Armstrong*

W. M. ...

Police Justice.

0672

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Robert Nichols 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. Robert Nichols

Question. How old are you?

Answer. 19 Years

Question. Where were you born?

Answer. New York

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

Answer. 627 West 52nd Street - One Year

Question. What is your business or profession?

Answer. Laborer

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

Answer. I found it in a tack room

Robert Nichols

Taken before me this

4th

day of February 1887

Wm. M. ...

Police Justice.

0673

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..... 18 *W. T. ...* 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.

0674

162

Police Court--- 2 --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jennie Brooks
231 W 32 St

1 Robert Nichols

2
3
4

Offence *Harassment*

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

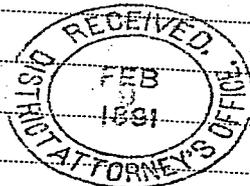
Dated February 14th 1891
J. Mc Mahon Magistrate.

Armstrong and Grady Officer.
C.O. Precinct.

Witnesses _____
No. _____ Street.

No. _____ Street.

No. _____ Street.



\$1000 to answer G.S.
\$1000 bail Feb 5th 2 PM
Com 56

0675

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Robert Nichols

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Robert Nichols*

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

The said

Robert Nichols

late of the City of New York, in the County of New York aforesaid, on the *twenty ninth*
day of *December* in the year of our Lord one thousand eight hundred and
ninety — at the City and County aforesaid, with force and arms,

*one finger ring of the value
of one hundred and fifty dollars*

of the goods, chattels and personal property of one

Jennie Brooks

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

0676

SECOND COUNT—

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

Robert Nichols
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said *Robert Nichols*

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

*one finger ring of the value
of one hundred and fifty dollars*

of the goods, chattels and personal property of one

Jennie Brooks

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

Jennie Brooks

unlawfully and unjustly, did feloniously receive and have; the said

Robert Nichols

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.