

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.
Trial and Acquitted.

Counsel,

Filed

day of

1891

Pleads,

THE PEOPLE

vs.

Ella Nelson

MURDER IN THE FIRST DEGREE,

(Section 188, Penal Code.)

DE ANGELO NICOLL,
JOHN R. FELLOWS,

District Attorney.

A True Bill

Ordered to the Court of
Clerk and Foreman of the
County of New York for trial
on the 19th of June 1891.

(Over)

General

May 2

0549

POOR QUALITY
ORIGINAL

Witnesses;

W. Michalsky
Officer Thompson

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

*Part II - Consider your
case set down for June 8th 91
Part II - *W. Michalsky* of the D. A.
and after hearing counsel for
def.*

Counsel,

Filed

day of

1891

Pleads,

THE PEOPLE

vs.

Ella Nelson

MURDER IN THE FIRST DEGREE,

(Section 183, Penal Code.)

JOHN H. FELLOWS,

District Attorney.

A True Bill

Robert B. Edwards

*Ordered to the County of
New York and the County of
the City and County of New York
for trial on the 19th of June 1891.*

June 19, 1891.

(Over)

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 hear something

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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 when ^{John Macdonald & W.D. Thompson came up, Officer} ~~officer~~ W.D. J. Thompson
 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 ^{where} ~~where~~ pointed out the man ^{woman}.
 Officer said to officer Thompson I am going
 for an ambulance I then ran to the

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Station house to 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 ambulance 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

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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 & high hat and put it in the ambulance.

Dated May 21-1891

John H. Thompson

0554

The People to }
~
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 10 ⁴⁵/₅ P.M.. When I got down
there I saw officer Jno. H. Thompson
on the Southwest 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 J. 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.

While 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 "Can
 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 don't~~
~~very often life - Every once in a~~
~~while he would look at her and~~
~~say ^{now} you are satisfied ~~sure~~ ~~ain't~~ you~~
~~by ~~said~~ 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, and Post
 said, ^{to me} keep your eye on that woman.

✓ Then I asked him if she shot him
 and she he ~~swallowed his head~~ ^{Yes}
~~she was in the room at that time~~
~~before~~ While Mr J Thompson was
 taking his pedigree 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 don't
 come soon you had better send for
 the coroner: then he asked Ella Nelson
 for a cigarette. She got the cigarette
 lit it - smoked a portion of it and

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handed 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 Thompson

0558

The People re }
 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 Ave.

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. Post lying on the floor

Ella Nelson

was very

excited all

the time that

she took a letter

from any thing she

took hold of

she would throw

it away as if it was

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 and 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 &

0560

asked him for his pedigree which he refused to give And he said I won't tell you - I am not compelled to tell you. - I said to him then in a kind tone of voice we have sent for the ambulance & the Sargent & ambulance surgeon have got to have your pedigree. I said to him you look like if you are usually wounded but he said he had said his name John Smith. I said Mr Smith how old are you (Ella Nelson was present during this entire conversation) He said 29 years old. I asked his occupation he said Clerk. I asked where do you live & he said "I won't tell you. I asked married or single & he said "Single" and that he was born in New York.

Ella Nelson then got up & I followed her and she asked "Won't you please get a doctor and I told her there was one notified and as the ambulance did not come she again asked to get a doctor & I said what doctor do you want She said Doctor Hitchcock of West 29th St. near 6th Ave. I opened the window & I called a young man named Muldoon and told him to go around & get Dr. H. right away he went around & came back &

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told me the Dr. was out. John H. 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. H. 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 batten & 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

m. J. D.

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 47 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 fellow's name & she said it is Sam Post. I ~~for~~ took her into the Captain's office.

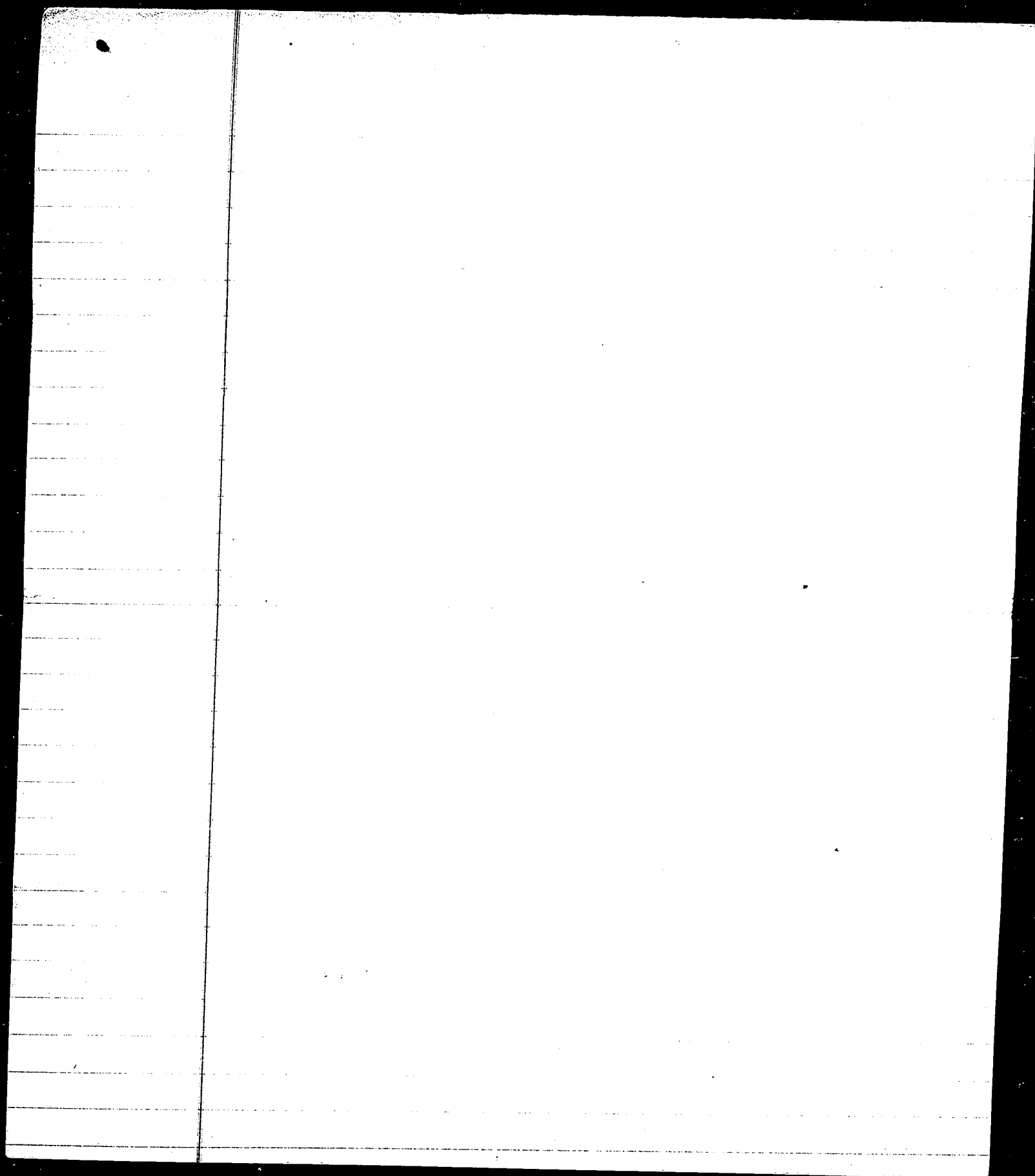
0563

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

Then the Capt told me to take
Belle Gates out to the Sargent 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 shoes} then to the Hospital then
a shoe store, to the Jefferson
Mkt Court.

William J. Thompson

0564



0565

Statement of Witnesses

Mr J. Thompson

Mr H. Thompson

John Mc Donald

①

Ella helson -

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 marry 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 -

(W) I never 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 room 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. Inetael - to play
pool -

Said I'd go with you -
I went in the room -

We were talking about a woman

I 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 the
said you did not live
there & I said you can
take money with

I knew a lot of men who
said he went there for
that purpose. - When
I sent a letter there this
last time sent word back
that he was not there
+ did not live there. &
He said that I was a
The man that I did
not want him to go with.
I said to that man
man. Before that we
was talking about a
lady - We got talking
about a woman & I said
he was in. Then of
he said I

I thought my house was
as good as his - He said
he had named his wife
wife 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 wrote that we
had a scuffle & the pistol
went off -

✓ I don't 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~~
(that's 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 ~~Mr~~ say that
the pistol was -

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

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

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

X Ep. P. D. to have 1. 24. 1890.

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 misled

her - declaring himself to be a
single man. He came to live

with me - After I left 22

St. - 115 N. 22 St. - 2

He discovered that he was

a married man. -

Met ^{140 N.} 33 St. 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 the would not live

with her any more & did

not want her to find it

0572

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

~~Post~~ Heard Dist Atty say
Post never had a pistol.

I never had a pistol ~~that~~
~~that the police~~ produced in
Court. - ~~at~~

The pistol was not
-the shooting was done
was the Post. It was
also pistol found in
Post-land -

He threatened me several
times & pulled at my
throat.

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.
whether he got back - Talked
then pleased all - About 1/2 p.m.
that she took Mr P's bus
when he gave it up.
I said I was alone &
you was to be said you

0573

Winchells

Saw her put pistol in pocket - go out &
say if I find her with another woman I will
have her head off

If I ever catch her living with any other
woman - I will head off

Nathan Winchells -

Wm Thompson

John W. Donald

Dr. Adams Ref Hospital

Dying Declaration -

John
Bainbridge

General Sessions

The People &c
against

Part II

Ella Nelson

Witnesses

- ✓ Nathan Michaels { 9 Murray St. N.Y. City
+ 626 East 6th St.
✓ Officer John W. 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 W. 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. W. Agnew. { Reporter Morning Journal
Tribune Building
✓ Fred Bennett 25 Chambers St
✓ Mr Phillips 32 Liberty St

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11

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

When I went up stairs the pistol
was still empty - So she still
had it in her hand I said Ella
give me that 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 am back
to Thompson the policeman.

0576

Harlan Michael

Feblunary

0577

The People &c }
against
Ella Nelson }

Murder in the 1st
Degree.

Witnesses

- ✓ Nathaw Michaels ✓ - { 626 East 6th St and
90 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.
Perry Walton Reporter NY World
S. H. Agnew do NY Morning Journal
Dr. A. C. Standard House Surgeon do at NY Hospital
Dr. G. F. Adams. Senior Asst Surgeon - NY Hospital
Capt Reilly 19th Precinct
Albert T. Weston Coroners Physician (Amesbury Med)
Mr. B. B. Bredford -
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 Helen
there last time. I was
there & then went to Post
I left on different places
on and off. I went
to reside with her. ^{District Attorney.}
Post 140 N 33. 1885.
28 29. & about 1885
140 N 33 & I remained
with her until about
the 1st of January.
I first met Post
140 N 33 about
5 years ago.

0580

Bombardier
220 W. 24 St.

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

At that time he boarded with her, ~~on 32nd St~~
they occupied the same sleeping apartment
at all ~~places~~ were different houses.

While at 140 W. 33 St they had ~~few~~
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
Mr. J. Thompson

has the pistol and
the bullet.

Capt. Reilly.

District Attorney.

0583

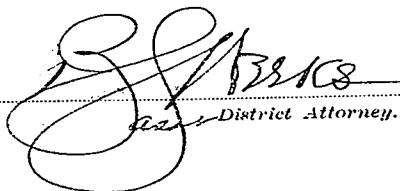
TO THE CHIEF CLERK.

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

Ella Nelson

to see me at 11 Ave

Monday May 4/91
and return papers to me


District Attorney.

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

0584

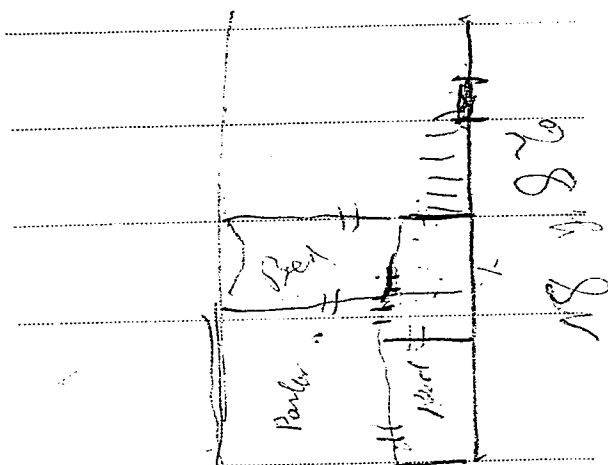
TO THE CHIEF CLERK.

Please send me the Papers in the Case of

PEOPLE

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 17/94 District Attorney.

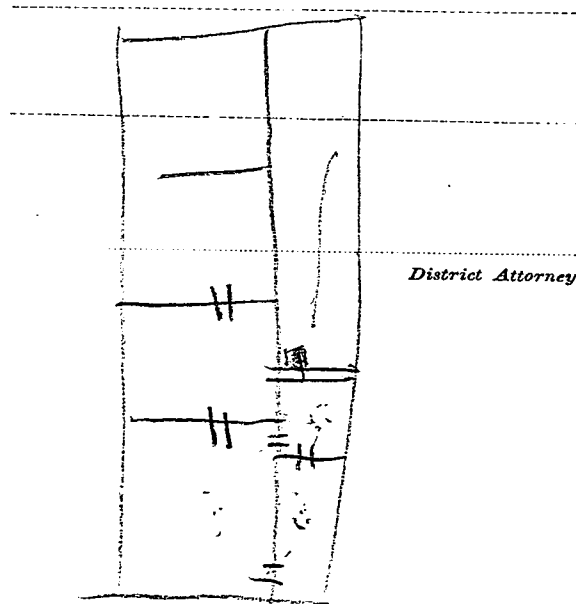
0586

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

Small intestine
PEOPLE

1 *Small intestine*

2 *Jejunum*

3 *Ileum*

Caecum
~~*Caecum*~~

Colon } *District Attorney.*
Trans
Descend

End of the dis
cussing Colon called
Rectum

0588

✓

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

and she told me that she had a private
detective follow him to Boston & she ~~about~~
~~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 -

I met Post on Feb 18. 1891 at 8 P.M.
at Houston St & Bowery. - When he had
a drink of beer & then went up 3 Ave
to 11 St & ^{seen} toward 13 Ave in 13 St.
where we remained about 1 hour, then
we went ~~up~~ ~~to the~~ 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 28 St - 2 W.
at 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 24 St
to the hotel and you were not
living there - I know it was so he
you must have told them to say so
she said it was not true but a
house to our women in a

0589

Peo v Nelson

Ella Nelson

- 1 Name
- 2 Residence
- 3 Business
- 4 Defendant for murder in the first degree for the killing of Samuel L M Post on Feb 18-1891 at 100 West 28th 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} ^{any influence upon your mind in determining the degree of crime}
- 8 Would you regard ^{it} ^{as} ^{an} ^{act} ^{of} ^{murder} ⁱⁿ ^{the} ^{first} ^{degree} ^{if} ^{you} ^{were} ^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 & 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 Nathan Michaels - says: 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 ~~Post~~ 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 of it herself. Within the past 6 months at 100 N. 28th St. (Harry Sieby - Hamburg & Bremen Co. has heard her threaten to shoot Post) - ^{Ella Nelson} she has said ~~to me~~ many times (over a dozen) while Post was out of town ^{that} if I ever catch him doing with any other 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 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 ambulance 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

Kathan

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.

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.

- Q Had there ever been any word between you and Mrs. Nelson rearding 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.

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 bedroom 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 another door. I looked after him as he went and saw Ella meet him in the vestibule, and they talked in ^{an} ~~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.

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.]

426

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

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

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 16th day of June 1891 at the hour of 2 P.M. 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.

*See Mr. Simmons***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.]

426

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

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

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 16th day of June 1891 at the hour of 2 P.M. 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.

*See Mr. Simmons**See Mr. Simmons*

0604

District Attorney's Office.

PEOPLE

vs.

Post 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. *He is legally*
discharged
Dated *Feb 22* 1891 *J. H. Smith* 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--- *L* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

William J. Thompson
Edw. Nelson

Office *Samuel C. C.*

2 _____
3 _____
4 _____

Dated *February 22* 18*91*

Thompson Magistrate.

Thompson Officer.

19 Precinct.

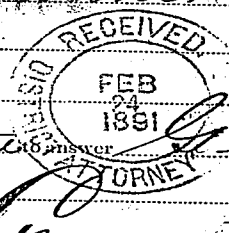
Witnesses *Washam McChase*

626 East 6th Street
No. *W. G. Murray* Street.

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

No. _____ Street.

Committed to answer



BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

18 000 9 11
5.11 75 24
1274 6424

0607

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK, } ss.

2. District Police Court.

Ella Nelson

being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *h* *h* right to
make a statement in relation to the charge against *h* *h*; that the statement is designed to
enable *h* *h* if *h* *h* see fit to answer the charge and explain the facts alleged against *h* *h*
that *h* *h* is at liberty to waive making a statement, and that *h* *h* waiver cannot be used
against *h* *h* 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 28 Street 3 Months*

Question. What is your business or profession?

Answer. *Furnish 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* 1897

John J. [Signature]

Police Justice

0608

CITY AND COUNTY } ss.
OF NEW YORK.

POLICE COURT, 2 DISTRICT.

William J. 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
J. Henry Ford
Police Justice
William J. Thompson

Police Court, 2 District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

William J. Thompson
vs.
Eda Nelson

Dated, Feb 19 1891

Ford
Magistrate.

Thompson officer.

Witness,

Disposition learn to await

result of injury

06 10

Police Court, *D* District.City and County } ss.
of New York,of No. *626 East 6th* *Nathan Michaels.* Street, aged *20* 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 hour of *10:45* P.M.

Dependent was present, in *possession* of *rev. 100. Mast. 28th* Street in company with *Samuel R. L. M. Post*, and *Ellen Nelson*. That *Dependent* saw the said *Ellen Nelson* purposely point aim and discharge three shots at the body of the said *Post*, in said *possession* from a revolving pistol then and there held in the hands of the said *Ellen Nelson*, that at the time the said *Ellen Nelson* discharged the three shots at the body of the said *Post*, the said *Nelson* was about ten feet away from the said *Post*. *Dependent* further says that he has on several occasions heard the said *Ellen Nelson* threaten to kill the said *Post*.

Sworn to before me { *Nathan Michaels*
this 22nd day of February 1891
J. Henry Ford

Justice

0611

Police Court, 2 District.

City and County } ss.
of New York,

of the 19th Precinct. Precinct No. 19, being duly sworn, deposes and says,
 occupation Police officer,
 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, *William Thompson*
 that *Edw Nelson* (nowhere) did
 wilfully feloniously, premeditatedly, and
 designally, 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
 Dependent, is informed by *Markus Michaels*
 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 & Defne me
 This 22 Day of February 1891
J. Henry Ford

William X Thompson

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. Stanford
Sole Surgeon

06 13

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
Reg

06 14

People }
v
Nelson }

Dr Adams - N.Y. Hospital.

On Feb. 18-1891

about 11 o'clock I was called to car
25 St & 6 Ave - I found Post lying on
the floor ~~with~~ several policemen
were in the room and the left
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
bulls 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

to the hospital

06 15

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~~ If 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 Grange. & signed it "Sam".

Then he went and 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, E. R. H., Feb 20th
 Body well developed & muscular.
 Incision 6" in length in median
 line, 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 ilium in the first part of
 its course. All but one of which
 were closed by scabs.

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 ~~trunk~~ and
 mesentery.

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

Alfred J. Coates.

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. 1891
~~Stroke & internal~~
hemorrhage
A. J. Weston, M. D.

Sworn to before me

this 20th day of Feb, 1891

CORONER.

06 19

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	Date When Reported
Years	Months	Days			
37			U.S.	New York Harbor	Feb 23, 1891

was shot at 100 yards
 28th, Feb. 18th/91,
 1st/9th Regt
 36th Mass Sts
 4th Mass
 3rd in line

whereby it is found that he came to
 a death by

Charles J. Post

AN INQUISITION
 On the VIEW of the BODY of

L. W. S. *[Signature]*
 1891

Of report taken on the
 of 1891 day
 LOUIS W. SCHULTZ, Coroner.

✓ 616

0620

95

Police Department of the City of New York.

Precinct No. 19

New York, June 19th 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 Manufactures)

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 back to the sending station for comparison, and 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, nor 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.

NORVIN GREEN, President.

NUMBER	SENT BY	RECD BY	CHECK
6	u	cy 16 p	

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

Dated June 18 1891
 To William J. M. Kenna

District attorneys
32 Chambers St

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

	People	Defendant
	111	111
1	Jeremiah A. Halloran.	Chal by Rev.
2	David Keller. (jeweler).	Accepted
	Benjamin G. Park. (moocher)	Ex. Con. opinion.
	Max L. Jackson (liquor).	" " "
	Arthur E. Lauterbach (")	Chal for bias by Rev. Just
	Max Cohen. (Librarian)	Chal by Rev. Just
	David Lawson. (oils) ✓	Chal by defense
	John Muller. (Artist) ✓	" " "
	E. E. Harding.	- Con samples -
	Max. Auerbach -	(Ex by consent)
	Chas. G. Hoff.	Ex " "
2-X	Wesley M. Burke. (Furniture)	Accepted
	John H. Bodewick. (laundry)	
3-X	Isaac. Tobias. -	Accepted
	Louis F. Schneider. Con. -	Did not ans.
	Frederick Bode. -	Con. Samples -
	Harry. (Artist) ✓	(Chal by defn.)
	Chas. Schmitt. ✓	Chal. Con Sample
	Tom. Langewiesch. ✓	Chal. defense.
	Edward Ullman. (Clerk) ✓	" "
4-X	George Webster (Carpenter)	
	Henry A. Hine	(Cons. Samples) X
	Chas. H. Newkover	(Ex-by Consent)
	Chas. Hirsch	(Cons. Samples) X
	John H. Hilliker (Builder)	Chal by defense
	Karl Gervitz.	(Con samples) X
	Mr. Zimmer - Butler.	(Chal. for bias extra)
	Walter H. Wheeler. ✓	Chal. by defense

- Walter W. Cumborg - ✓ Chas. by defend
- 5-X Joseph H. Lippert. (Carnages)
- Isaac Jacob (Butcher) - ✓ (Cons. Opinion)
- 6-X Chas. H. Meade. (Silver Polster)
- Morris Speir. (Chas. by Rec. Sustd)
- Chas. F. Seybell. ✓
- Julius. Seybell. ✓
- Mr J. O'Reardon. ✓
- Gustave Gebert. (Cons. Sample)
- Henry G. Noble. ✓
- James A. Taylor. (Broker) Chas. defense
- Gerdman and Ward. ○ Chas. by Rec
- Patrick J. Keenan. (Cons. opinion)
- 7-X Joseph Dunlop. (Clerk)
- Julius Jackson. (do) Chas. by Rec
- Stephen Hannan. " " Rec.
- 8-X Eugene F Coates painter
- Conell Item. Chas. by Rec
- 9-X Mr R. Newburger (Clerk)
- John A. Morse. Chas. by Rec
- 10-X Louis. Schwaigerel.
- 11-X Ferdinand R. Morrison (Coal)
- Louis J. Morrison Chas. by Rec
- Leon Harnisch.
- Harris Brown Chas. by def
- Camden O. Russell. Chas. by def
- Isaac Fiegel Chas. by Op. (Sustd)
- Ernos Wood Chas. by def
- Henry M. Mchoss. Chas. by def

0625

Herman Giffen	Chal by def.
James Ryan	" " "
Morty Mayer	" " bias -
Frederick Schuler	
Richard Mc Gurrin	Chal. Cons opinion)
Thos. F. Burke	Ex by consent
Chas A. Bowles	Ex " "
Chas B. Goff	Chal. bias - bid
Chas Liveson	Chal " "
Walter E Scott	Chal by Res
Walter H Von Briesen	Ex by Cons
Fred W.	
Henry A. Tomer	
Conrad Stumm	Chal by Res
Terence J. Synge	
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 28th 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 another 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 8 before me then
pg # February 1891

In the presence of
Melvin L. Linn to Schuyler
W. H. Fuller

Perjury Waiver

J. H. Appling

Cornwall

A. C. Standard

C. H. Adams

People of for
identification

0628

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND
Years	Months	Days		
37			New York City	New York Hospital July 19/94

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

Amund Oest

whereby it is found that he was injured by

Ella Nelson

Taken on the 19 day
of February 18 94
before

Jenna Cordewitz 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

James W. Kennedy, Coroner.

Committed

Bailed

Discharged

✓

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND
37 Years Months Days	New York City	New York City 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 #248 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 by 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, E. S.

0632

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

Ellen 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 advice
of counsel
refuses
to answer
any questions*

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

1891

CORONER.

0633

MEMORANDA.

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

Mr. David 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

John Nelson

Inquest taken on the 25th day of February 1891

by the Coroner.

Committed

Deceased

Discharged

Date of death

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

John W. Schuchman, Coroner.

Committed

Bailed

Discharged

Date of death February 1891

MEMORANDA.

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

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

Ten — 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.

Lita Wolfe 377 Grand	Fredrick Zahn 286 Grand St
Henry Hoffman 194 Grand St	Mary Gostman 201 Grand
Amos Friederstein 353 Grand St	
Alfred Eberstein 357 Grand St.	Nathan Abraham 210 E 58 St
Simon Rosenthal 78. Bleeker St.	
George Sachs 216 Grand St.	
F. Waldhorn 77 29 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

Ella Nelson

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

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

The said *Ella 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
~~ninety one~~ *eighty 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
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 of ~~her~~ malice aforethought, 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, ~~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 *he* 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

0638

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

0640

Witnesses:

Walter English
Officer Gallagher
Mr. Quinn
Mary Quinn

Counsel,

Filed

day of

189

Pleads

THE PEOPLE

vs.

James Nevils

Case

[Section 298, Penal Code]

189
6/10/37
J. LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

A TRUE BILL.

Chas. B. Deane

Foreman.

Feb 24/91

Heard & Rade
Elmer
Ref

0641

Police Court, 2 District.City and County } ss.
of New York,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.

Sworn to before me 3^d Martin X English
this 9th February 1891 his
mark

J. T. Mahon
Police Justice

0642

Sec. 198-200

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK,

James Nevils 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. *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. Shadler*
Police Justice.

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.....

gushty 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.

Date Feb 9 1899 W. J. Whelan 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.*

0644

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court---

182 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Martin English

50th S. 11 Ave

James Nevils

2

3

4

Office *Rapel*

Dated

Feb 9 1891

1891

Magistrate.

McGuahon

Officer.

Gallagher

Precinct.

20

Witnesses

Mary Quinn

No.

549

No.

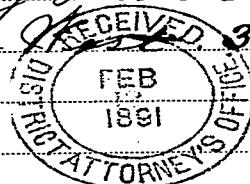
39

No.

to answer

G. S.

W. C. Orr



0645

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Police Court--- District. 182

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Martin English
50th St. 11 Ave
James Nevils

2

3

4

Office
Rape

Dated Feb 9 1891

McMahon Magistrate.

Gallagher Officer.

20 Precinct.

Witnesses Mary Quinn

No. 549-39 Street.

No. Street.

No. Street.

No. Street.

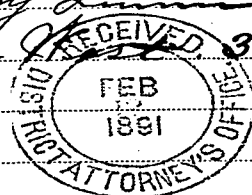
No. Street.

No. Street.

No. Street.

\$ 2000 to answer G.S.

W. Con



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 Hendon

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

indictment, accuse James Hendon of the crime
of perpetrating an act of sexual intercourse
of the crime of with a female not his wife, and

being thereof guilty, unlawfully and permanently
involuntarily, and without giving consent,
committed as follows:

The said James Hendon,

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 Quinn, a female not
his wife, unlawfully and feloniously did
make an assault, and the said Mary
Quinn being then and there unlawfully

0647

indecency and permanent unsoundness of
mind, incapable of giving consent; and
the said James Reid did then and there
willfully and feloniously perpetrate an
act of sexual intercourse with her the
said Mary Quinn; 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.

Edmund Smith,

Attorney

0648

BOX:

428

FOLDER:

3949

DESCRIPTION:

Newhaus, Moses

DATE:

02/10/91



3949

0649

Counsel,

Filed

Pleads,

ENTERED
T. J. W.

THE PEOPLE

vs.

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

DE LANCEY NIGOLL

JOHN C. FELLOWS

District Attorney.

Part 2. May 6th 1898

On motion of Dist. Atty. Sept.
discharged on his own recognizance

A True Bill.

M. M. M.

Chas. S. DeLoach

Foreman.

Witnesses:

John C. Fellows

The defendant is indicted
for pool selling and
the indictment is dated
Feb 10 - 1891 - I understand
your doubt as to whether
a conviction can be
had and I recognized
that defendant is also
charged on his own
recognizance

May 6 - 1898
S. J. Blake

W. S. L.

Moses Newhaus

0651

Police Court, / District.

City and County } ss.
of New York,

of No. Fourth Police Precinct John Hogan Street, aged 34 years,
 occupation Police Officer being duly sworn, deposes and says,
 that on the 22 day of January 1889, 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 wagered 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, ^{to defendant} and handed him Two dollars, ^{stated that he} which 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

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. Taintor
Police Justice

~~John Hagan~~

It appearing to me by the within depositions and statements that the crime therein mentioned has been
committed, and that there is sufficient cause to believe the within named
guilty thereof. I order that he be held to answer the same and he be admitted to bail in the sum of
Hundred Dollars, and be committed to the Warden and Keeper of the City
Prison of the City of New York, until he give such bail.
Dated 1888 Police Justice.
I have admitted the above named
to bail to answer by the undertaking hereto annexed.
Dated 1888 Police Justice.
There being no sufficient cause to believe the within named
guilty of the offence mentioned, I order he to be discharged.
Dated 1888 Police Justice.

Police Court-- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

1
2
3
4

Offence,

Dated

1888

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

Question. What is your name?

Answer. *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. *100 Ave C, E, 4th*

Question. What is your business or profession?

Answer. *Clerk*

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

Answer. *I am not guilty*
Moses Newhaus

Taken before me this

day of

Charles H. Stein

Police Justice

John Hagan 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 don't take any bets
here; he said we will take your
money and send it to the track
by paying 25 cents commission
there it executed at the track.
I paid him 25 cents for a ticket
him.

Q Is that all?
A Yes sir

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

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2

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 these names? and was Sunday, what others?

A I forget the name now, Palmetto 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 No sir

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 No sir

Q Did he mark anything on the blackboard?

A No sir I told him I was a police officer and arrested him

Q Is that all you have to say?

A Yes sir

By the Court }
By the Stenographer }

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

A Yes sir

Q And did not the defendant refuse to let you?

4

Ayesui

Q Did not the defendant say
that all he wanted do was
be to take your \$2.00 that if you
gave him 25 cents commission
and send it somewhere else?

A Yesui send it to the track

Q Did the defendant make any
odds on that ticket?

A Yesui he didn't make any thing
on it

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

A Yesui that is all the conversation
I stated that took place.

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

A Yesui

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

A Yesui

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 don't take any bets here.

Q Is Sunday the name of a horse

A 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 don't see him run

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?

6

Answer: the name of a horse
 Q Did he take that money from
 you on that statement; you said
 you wanted to bet 2.00 upon Sunday
 Answer:

Q Did he 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 wanted not take
 any bets there

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

Q Did he ever hand it back to you
 A He handed it back to me

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

Answer:

Cap Examined by }
 The Jurors }

Q Is it not a fact that when you

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7

said to the man that you invited
to make a bet, that the defend-
ant said he wanted not
accept your money and
would not bet you?

Ayes Sir.

Grand did he not show it back to
you?

Ayes Sir he showed it back to me
and said he wanted 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 W. Norton
Police Justice

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

Dated Jan. 22 1891 Charles McIntosh Police Justice.

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

Dated Jan 22 1891 Charles McIntosh Police Justice.

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

Dated Jan 22 1891 Charles McIntosh Police Justice.

0662

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Police Court---

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Hogan
Moses Newman

Officer
Pool

2
3
4

BAILED,

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

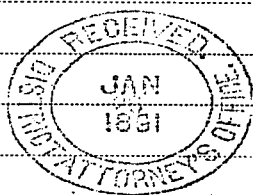
No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *500* to answer *g/s*

Bulld



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

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.~~

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~~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 Count.

And The Grand Jury ^{*aforsaid*} ~~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, committed as follows:

The said

Moses Newhaus.

Sixth
late of the ~~First~~ Ward of the City of New York, in the County of New York, *aforsaid*,
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
aforsaid, 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 *aforsaid* 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 *aforsaid* unknown) thereafter to be
had, holden and run on the day and in the year *aforsaid*, at a certain place and race
track situated at

in the County of *Guttenburg* 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 *aforsaid*, at
the place and race track *aforsaid* (a more particular description of which said trial and
contest, and of the said bet and wager so as *aforsaid* then and there made upon the
same, is to the Grand Jury *aforsaid* 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.

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~~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 *John*

Hogan 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

70/102.

Witnesses:

Counsel,

Filed

Pleads,

day of

189

THE PEOPLE

vs.

Robert Nichols

Grand Larceny Second Degree

[Sections 628, 631, 530 Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Chas. D. Nichols

Foreman.

James H. Jones

James H. Jones

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 Levi's pawn shop in

Sworn to before me, this

day

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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 Crook
Notary Public
Mark

0671

CITY AND COUNTY }
OF NEW YORK, } ss.

aged 28 years, occupation Detective Agent of No. 90 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 4

day of February 1889

E. J. Armstrong

W. M. Mather

Police Justice.

0672

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

2 District Police Court.

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 back roomRobert Nichols

Taken before me this

4thday of February 1891Wm. H. H. H. H.

Police Justice.

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

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

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

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

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

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

0674

Police Court--- 2 District. 162

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Jennie Brooks
231 W 32 St

1 Robert Nichols

2

3

4

Offence *Harboring*

Dated February 14th 1891

W. C. Mahan

Magistrate.

Armstrong and Grady
C.O.

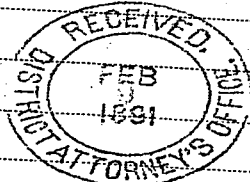
Officer.
Precinct.

Witnesses

No. Street.

No. Street.

No. Street.



\$1000 to answer G. S.

1000 bond for the 5th 2nd 1st

Com 56

BAILED,

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

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.

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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.