

0531

**BOX:**

157

**FOLDER:**

1611

**DESCRIPTION:**

Phoenix, Lawrence

**DATE:**

11/24/84



1611

Witnesses:

Thomas M. Davis  
John J. Buff  
Offs 19th Dist

Ed. Spencer

Counsel,  
Filed 4th day of Nov 1884  
Pleads Not Guilty (25)

116.0  
THE PEOPLE  
vs.  
P  
Lawrence Phoenix  
[Section] Penna Code]

PETER B. OLNEY,  
District Attorney,  
Ordered by A. J. F. Smith  
by and through  
A TRUE BILL.  
Hend Mc Clell  
Dec. 5, 1884  
Foreman.

Tried and convicted  
A. J. F. Smith  
The Court sentenced this  
prisoner to the Penitentiary  
for one year - Good behavior

0532

0533

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

POLICE COURT, 4th DISTRICT.

John T. Cuff  
of No. the 19th Precinct Police Street, being duly sworn, deposes and says,  
that on the 6th day of November 1884  
at the City of New York, in the County of New York, he arrested

Lawrence Phoenix (nowhere, on suspicion  
of having caused the death of Jeremiah Lynch  
of No. 338 East 48th Street in said city by  
striking him over the head with a torch  
while at 1st Avenue and 48th Street  
in said city Deponent therefore asks that  
said defendant be committed for further  
examination in order to give deponent  
an opportunity to procure the necessary  
evidence.

John T. Cuff

Sworn to before me, this

of November

188

6th

Edw. Cuff

Police Justice



0534

POLICE COURT— 4 DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*John Cuff*  
*Lawrence Phoenix*

AFFIDAVIT.

*Account*

*Committed*  
*for Sat. Nov 8*  
*10 am.*

Dated

*Nov 6*

188

*W. J. Brown*

Magistrate.

Officer.

Witness,

Disposition



0535

Police Court—

4<sup>th</sup> District

CITY AND COUNTY  
OF NEW YORK

*John McCaffrey* aged 12 years,  
of No. *Worm in Paper factory* 335 East 48<sup>th</sup> Street,

being duly sworn, deposes and says, that  
on *Saturday* the *1<sup>st</sup>* day of *November*  
in the year 188*4* at the City of New York, in the County of New York,

*was violently and feloniously ASSAULTED and BEATEN by* *Jeremiah Lynch*  
*(nowhere)* who did wilfully and  
maliciously strike *him* said *Lynch*  
over the head with a *Torch* which he  
said *Lawrence Phoenix* held in his  
hands knocking *him* said *Lynch*  
down in the gutter on *2<sup>d</sup> Avenue* 84<sup>th</sup>  
Street in said city at about *8 o'clock P.M.*  
Deponent further says that said assault  
was committed

~~with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without~~  
any justification on the part of the said assailant : *Deponent further says that he was*  
*informed that the said assault caused the flight of said*  
Wherefore this deponent prays that the said assailant may be apprehended and bound to answer  
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this *9<sup>th</sup>* day  
of *November* 188*4*

*John McCaffrey*

POLICE JUSTICE.

0536

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

POLICE COURT, 4<sup>th</sup> DISTRICT.

Thomas Mc Donald,

of No. 334 East 4<sup>th</sup> Street, being duly sworn, deposes and says,  
that on the 1<sup>st</sup> day of November 1884

at the City of New York, in the County of New York, he saw

Lawrence Phormy (nowhere) strike me  
James A. Lynch who has since  
deed a violent blow on the Head  
with a Torch (which he said Phormy  
held up lifted in his hands knocking  
him said Lynch in the gutter on  
2<sup>d</sup> Avenue and 4<sup>th</sup> Street in said City  
Department further says that said assault  
was committed without justification.

Thomas Mc Donald

Sworn to before me, this  
of November 1884 day

Adj. Clerk Police Justice.



0537

Sec. 198-200

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.*Laurence Phoenix*

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.

*Laurence Phoenix*

Question. How old are you?

Answer.

*17 years*

Question. Where were you born?

Answer.

*Ireland*

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

Answer.

*1<sup>st</sup> Avenue between 61<sup>st</sup> & 62<sup>nd</sup> Street, 2 months*

Question. What is your business or profession?

Answer.

*Work in a stable*

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 acted in self defence.**Laurence Phoenix*

Taken before me this

day of

*November*

188

*4*

Police Justice.



0538

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 Jermiah Thorny

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 November 8th 1884 W. J. J. J. J. Police Justice.

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

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

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

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

0539

Tuesday, 15<sup>th</sup>

Other entries -

Thomas Day  
224 East 48<sup>th</sup> St

John Bracken  
238 East 48<sup>th</sup> St

BAILED,

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

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

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

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

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

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

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

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

*Writings* 1726  
Police Court - 4<sup>th</sup> District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John McCaffrey  
335 East 48<sup>th</sup> St  
Laurence  
Jenniah Phornif

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

Dated *November 19* 188 *4*

*McGowan* Magistrate.

*John Puff* Officer.

*19* Precinct.

Witnesses *Thomas McCaule*

No. *334 East 48<sup>th</sup> St* Street.

*J P Janinski M.L.*

No. *227 East 58<sup>th</sup> St* Street.

*J. P. Janinski*

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

*Committed* answer *General* Sessions.

*J P Janinski M.L.*

*227 E 58<sup>th</sup> St*

(Other)

0540

N.Y. Nov. 8<sup>th</sup> 1884

This is to certify that  
Jerry Lynch of No. 338 E 48<sup>th</sup> St.,  
came to his death, by injuries  
received on the night of Nov 1/84  
during a parade,

J. P. Jarinski M.D.  
227 E. 58<sup>th</sup> St.



0541

## STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss:

## AN INQUISITION,

Taken at the *Coroner's Office*  
 No. 13215 *Chatham* Street, in the *4th* Ward of the City of  
 New York, in the County of New York, this *18th* day of *November*  
 in the year of our Lord one thousand eight hundred and *84* before

PHILIP MERKLE, Coroner,  
 of the City and County aforesaid, on view of the Body of *Jeremiah Lynch*  
 now lying dead at

*See* 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 *Jeremiah Lynch* came to his  
 death, do upon their Oaths and Affirmations say, That the said  
*Jeremiah Lynch* came to his death by

*Injuries received by*  
*being struck a blow on the head with a torch*  
*in the hands of Lawrence Phoenix at Second Ave.*  
*and 4th Street on Nov. 18th about 6:45 P.M. and*  
*we believe that said Lawrence Phoenix was*  
*engaged at the time and struck the blow*  
*while laboring under excitement*

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.**

*E. Bates 1391. 2nd Ave*  
*C. Lichel 1408. 2nd Ave*  
*Sam. Burmeister 1321. 2nd Ave*  
*Tom. Walsh 1319. 2nd Ave*  
*Mac Lyan 1308. 2nd Ave*  
*John McPherson 1319. 2nd Ave*

*Philip Merkle*

CORONER, [E. S.]

0542

Coroner's Office.

TESTIMONY.

Officer John J. Huff 10<sup>th</sup> District being sworn in. On Nov. 18<sup>th</sup> I arrested Lawrence Sherry on the charge of causing the death of Jeremiah Lynch. I told him what I arrested him for and he could hardly believe it. He said that he struck Lynch with a stick but not on the head, he said that they were turning out in a parade and that when at 4<sup>th</sup> St and 2<sup>nd</sup> St. some one struck him with a tomatoe and he then turned and struck out with his stick he admitted striking the boy on the back and when he struck deceased the deceased was on the sidewalk. The prisoner at the time was returning from the procession.

John J. Huff

John W. Coffey being sworn says, I reside at No. 385 East 4<sup>th</sup> St. On Nov 18<sup>th</sup> about 9<sup>th</sup> I was on the corner at 2<sup>nd</sup> St. A procession was passing I was in the middle of the street the deceased stood alongside of me.

Taken before me  
this 18 day of November 1884  
Philip W. Kenner

CORONER.



0543

Coroner's Office.

TESTIMONY.

2

and I was on along side of the  
 boy ~~at~~ that struck Lynch, the  
 boy struck Lynch with his back  
 right on the back of the head  
 he did not fall entirely he  
 shouted for me to pick him  
 up some girl put him on a  
 stretcher at 2nd St. near a drug  
 store, I went with Lynch as far  
 as where the ~~car~~ the boy that  
 struck Lynch went up to 2nd St.  
 after he had struck him, Lynch  
 also went to work the next day  
 at a paper factory 43rd & 2nd St.  
 but only worked half a day, I had  
 seen both Lynch 5 minutes before he  
 was struck,

John Mc Caffrey

Thomas Day being sworn says I reside  
 at 324 East 48th St. On Nov 18th about  
 6.40 PM I was on the car 48th & 2nd  
 St. with some other boys looking  
 at the procession I saw Quinn come  
 over and hit Jerry Lynch with a  
 torch on the back of the head. Lynch  
 was in the middle of the street and  
 I was on the sidewalk. Lynch

Taken before me  
 this 18th day of November 1884

Philip Clarke

CORONER.



0544

Coroner's Office.

TESTIMONY.

Came over and fell into the gutter  
 he followed for a boy to pick him  
 up and he was brought over to  
 a stoop near a drug store, where  
 he remained about 10 minutes,  
 he then went some along with  
 a boy, he went straight  
 along, McCaffay had told of his  
 arm, I did not see Lynch until  
 Monday afternoon, <sup>Nov. 3/88</sup> when he was  
 going to the dispensary with his  
 mother. I saw him again at  
 night in the street and did not  
 see him again as I was told he  
 was sick in bed.

Thomas Fox

John A. Ducken being sworn says I reside  
 33rd East 44th St. On Sat 10th about  
 10:00 I was on the corner of 44th  
 and 2nd St with some other boys Lynch  
 was one and he was about 5 feet  
 from me, about 3/4 of the precipitin  
 had passed I saw Phoenix walking  
 up on the sidewalk Lynch was in  
 the middle of the Street some boy  
 threw a tomato at Phoenix but

Taken before me  
 this 11 day of November 1888

Philip Mearns

CORONER.

0545

Coroner's Office.

TESTIMONY.

He came back and struck Lynch with a torch light in the back of the head the stick broke in three places, Lynch fell on the sidewalk on his knees and called for some one to pick him up a girl came and she was put on a stoop and the girl took him to his home, a lot of people when walking down with him I saw Lynch the next morning he complained of his head hurting him, I saw him again at night and again the next day Monday at the paper factory he worked a half a day, I saw him again on Tuesday but did not see him after that.

John H. Bracken.

Taken before me  
this 18 day of November 1888  
Philip Mearns

CORONER.



0546

Coroner's Office.

TESTIMONY.

Autopsy

Friday November 7<sup>th</sup> 1884. 1.30 P.M.  
At 338 E 48<sup>th</sup> St.

Jimmie Lynch, white, age 14 years  
Identified by parents Thomas & Honora  
Lynch of 338 E 48<sup>th</sup> St.

Removing scalp found just behind  
and above the left ear a contusion of  
scalp about an inch in diameter,  
which was not evident from external  
inspection.

Removing Calvaria found slight  
discoloration of membrane (dura mater),  
and a contusion of brain 1 inch in  
diameter corresponding with seat of ex-  
ternal (contusion) injury, and an area  
of four inches in diameter of which the  
contusion was the center of fluctuating  
mass. Cutting into this found it filled  
with clotted blood.

Heart seat of old pericardial adhe-  
sions almost obliteration sac, and a  
slight of old endocarditis.

Other organs normal.

Cause of death - Compression of brain  
from hemorrhage due to laceration of  
brain result of injury to head.

J. J. Anderson M.D.

Taken before me  
this 17<sup>th</sup> day of November 1884.

Philip Storklee

CORONER.



0547

**Coroner's Office,**

CITY AND COUNTY  
OF NEW YORK, ss.

Laurence Phoenix 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—Laurence Phoenix

Question—How old are you?

Answer—17 years

Question—Where were you born?

Answer—

Ireland

Question—Where do you live?

Answer—347, E. 60th St

Question—What is your occupation?

Answer—Cash-driver.

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

I have to say nothing by  
advice of my counsel.

Laurence Phoenix

Taken before me, this 18th day of August 1888

Philip Burke

CORONER.

0548

## MEMORANDUM.

AGE.	PLACE OF NATIVITY.	WHERE FOUND.	DATE, When Reported.
14 Years. 1 Months. — Days.	New York.	338 East 48th	Nov. 7/84

HOMICIDE.

## AN INQUISTION

On the VIEW of the BODY

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

James J. Smith  
at 2:30 PM & 48th St  
Nov. 1/84 about 1884

Inquest taken on the 18 day  
of November 1884

before

Charles H. Smith  
Coroner.

Committed

Buried

Discharged

Date of death



0549

44 Linn. No 357. 1884

HOMICIDE.

AN INQUISITION

On the VIEW of the BODY  
Jenniah Lynch

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



at 2:15 A & 48 PM  
Nov. 1/82 about 1884

Inquest taken on the 18 day  
of November 1884

before Philip H. Coroner.

Committed

Bailed

Discharged

Date of death

MEMORANDUM.

AGE.	14 Years. 1 Months. - Days.	PLACE OF NATIVITY.	New York.	WHERE FOUND.	338 East 44th St. N.Y.C.	DATE, When Reported.	Nov 19/84
------	-----------------------------	--------------------	-----------	--------------	--------------------------	----------------------	-----------

late of the ~~Ward~~ Ward of the City of New York, in the County of New York aforesaid, on the ~~21st~~ 21st day of ~~November~~ November, in the year of our Lord one thousand eight hundred and eighty ~~four~~ four, at the Ward, City and County aforesaid, ~~with force and arms, in and~~  
~~upon the body of one James J. Smith,~~  
~~in the face of the said Peace, then and~~  
~~then lawfully and feloniously~~  
~~did make an assault. And the said~~  
~~James J. Smith, then the said~~  
~~James J. Smith, with a certain stick~~  
~~which he the said James J. Smith~~  
~~in his right hand then and there~~  
~~beat and held, in and upon the head~~  
~~of him the said James J. Smith, then~~  
~~and there lawfully and feloniously~~  
~~did strike, beat, smite, wound and~~  
~~bruise, giving him the said~~  
~~James J. Smith, then and there in~~  
~~upon him in, divers and other~~  
~~damages and hurt of body and~~



0551

Superior, one mortal wound, fracture  
and contusion of the thigh of five  
inches and of the breadth of four  
inches, of which said mortal wound,  
fracture and contusion, the said  
Granville Super, at the Ward, City  
and County aforesaid, from the day  
and year aforesaid, until the 29th  
day of November in the same year aforesaid,  
did die, and on which said 29th day  
of November, in the year aforesaid, the  
said Granville Super, at the Ward, City  
and County aforesaid, of the said  
mortal wound, fracture and contusion  
did die.

And as the Grand Jury aforesaid  
do say, that the said Lawrence  
Greenup, in the said Granville Super,  
in the manner and form, and by the  
means aforesaid, at the Ward, City and  
County aforesaid, on the day and in  
the year aforesaid, with force and violence  
unlawfully did kill and slay against  
the form of the Statute in such  
case made and provided, and against  
the peace of the People of the State  
of Kentucky, and their dignity;

Peter B. Sherry

Assistant Attorney

0552

BOX:

157

FOLDER:

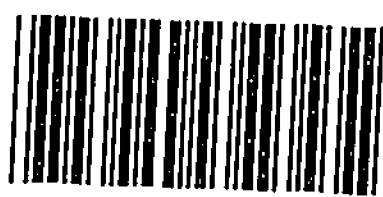
1611

DESCRIPTION:

Platt, August

DATE:

11/26/84



1611



Witnesses: *Charles P. Ferry*  
100 E. 23<sup>rd</sup> St.  
*Harry Cunningham*  
House of the Holy Trinity  
23 Avenue.

*The decision of the Court of Appeals in this case that there was no taking as contemplated by the Statute and that there was no cooperation of the Complainants testimony is in my opinion a bar to trial upon this indictment. I recommend that within Indictment be dismissed.*

*July 30. 1886*  
*Randolph B. Martine*  
*District Attorney*

Counsel,  
Filed *26* day of *March* 188*5*  
Plends,

THE PEOPLE  
vs.  
*August Platt*  
*alias Charles Brown*  
*alias Chas. A. Platt*

RANDOLPH B. MARTINE,  
District Attorney.

A True Bill.

*W. J. C. Perry*  
Foreman  
*Res on mo. of day*  
*de m. m. F. J.*

0553

0554

Sec. 198-200

CITY AND COUNTY }  
OF NEW YORK, } ss.

12 District Police Court.

*August Platt*

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

Question. What is your name?

Answer *August Platt*

Question. How old are you?

Answer. *38 years*

Question. Where were you born?

Answer. *France*

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

Answer. *Parkville, Long Island*

Question. What is your business or profession?

Answer. *Gentleman*

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*  
*A. J. Brown*

Taken before me this

day of

1888

Police Justice.



0555

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 \_\_\_\_\_

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

*Number 107*  
Dated \_\_\_\_\_ 188 \_\_\_\_\_ *Aurora White* Police Justice.

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

*Nov 19*  
Dated \_\_\_\_\_ 188 \_\_\_\_\_ *Aurora White* Police Justice.

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

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

0556

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

Police Court--

District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Augustine J. Whelan  
1100 E. 23rd  
August Platt

1

2

3

4

Dated

188

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

to answer

Bailed



0557

Sec. 192.

13 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK, }

An information having been laid before Andrew J. White a Police Justice  
of the City of New York, charging August Platt Defendant with  
the offence of Keeping a Disorderly House

and he having been brought before said Justice for an examination of said charge, and it having been made to  
appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hear-  
ing thereof having been adjourned,

We,

August Platt Defendant of Parkville  
Long Island Street; by occupation a Gentleman  
and Jacob Jacobs of No. 269 Madison

Street, by occupation a Broker Surety, hereby jointly and severally undertake that  
the above named August Platt Defendant

shall personally appear before the said Justice, at the 1st District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of Five  
Hundred Dollars.

Taken and acknowledged before me, this 17th

day of September

1884.

Thos. Brown  
J. Jacobs

Andrew J. White POLICE JUSTICE.



0558

CITY AND COUNTY } ss.  
OF NEW YORK, }

Sworn to before me this  
day of March  
1888  
at New York  
City  
District Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and free  
holder within the said County and State, and is worth Twenty Hundred Dollars,  
exclusive of property exempt from execution, and over and above the amount of all his debts and  
liabilities, and that his property consists of house & lot corner

of Mott & Bayard Streets and known  
as Nos. 77 & 79 Bayard Street, this  
City with thirty thousand Dollars and  
uncumbered.

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

Taken the 188 day of March

Justice.

J. Jacobs

0559

Sec. 322, Penal Code.

First District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

Augustine Wilson  
of No. 101 East 23rd Street, in said City, being duly sworn says,  
that at the premises known as Number 141 Chatham Street,  
in the City and County of New York, on the 29<sup>th</sup> day of August 1884 and on divers  
other days and times, between that day and the day of making this complaint

one August Platt  
did unlawfully keep and maintain and yet continue to keep and maintain a disorderly house, or a house  
of prostitution, and did then, and on the said other days and times, there unlawfully procure  
and permit as well men as women of evil name and fame and of dishonest conversation to visit, frequent and come  
together for unlawful sexual intercourse, and for the purpose of prostitution and lewdness, and then and on the said  
other days and times, unlawfully and wilfully did permit and yet continues to permit said men and women of evil  
name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving  
themselves, whereby the peace, comfort and decency of persons inhabiting and residing in the neighborhood, and  
there passing is habitually disturbed, in violation of the statute in such case made and provided

Deponent therefore prays, that the said August Platt  
and all vile, disorderly and improper persons found upon the premises, occupied by said

August Platt  
may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me, this 1<sup>st</sup> day  
of September 1884

Augustine Wilson  
Augustine Wilson Police Justice.



0560

Police Court Third District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

J. J. Morrison

vs.

August Platt

AFFIDAVIT—Keeping Disorderly House, &c.

Dated 16 September 1888

W. H. White Justice.

\_\_\_\_\_  
Officer.

\_\_\_\_\_  
Precinct.

WITNESSES :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



0561

Sec. 151.

Police Court First District.

CITY AND COUNTY }  
OF NEW YORK, } ss

In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath has been made before the undersigned, one of the Police Justices for the City of New York, by W. C. Wilson of No. 100 East 23rd Street, that on the 29 day of August 1884 at the City of New York, in the County of New York, August Platt did keep and maintain at the premises known as Number 144 Chatham Street, in said City, a disorderly house and house of prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting, disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

THESE ARE, THEREFORE, in the name of the People of the State of New York, to Command you, the said Sheriff, Marshals and Policemen, and each and every of you, to apprehend the body of the said

August Platt and all vile, disorderly and improper persons found upon the premises occupied by said August Platt and forthwith bring them before me, at the First DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 16 day of September 1884

August Platt  
POLICE JUSTICE.

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Police Court— District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*A. J. Wilson*  
vs.  
*August Platt*

WARRANT—Keeping Disorderly House, &c.

Dated *16 Sept* 188

*241* Magistrate

Officer.

Precinct.

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

Officer.

Dated 188

This Warrant may be executed on Sunday or at  
night.

Police Justice.

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

Dated 188

Police Justice.

The within named



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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*

*August Platt, otherwise  
called Charles Brown,  
otherwise called Charles  
A. Platt,*

The Grand Jury of the City and County of New York, by this indictment, accuse *August  
Platt, otherwise called Charles Brown, other-  
wise called Charles A. Platt,*  
the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL FAME,  
committed as follows:

The said *August Platt, otherwise called Charles  
Brown, otherwise called Charles A. Platt,*  
late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, on  
the *twenty ninth* day of *August*, — in the year of our Lord one thousand eight  
hundred and eighty-*four*, and on divers other days and times as well before as afterwards,  
to the day of the taking this inquisition, at the Ward, City and County aforesaid, a certain common  
house of ill fame, unlawfully and wickedly did keep and maintain; and in the said house divers  
evil-disposed persons, as well men as women, and common prostitutes, on the days and times afore-  
said, as well in the night as in the day, there unlawfully and wickedly did receive and entertain;  
and in which said house the said evil-disposed persons and common prostitutes, by the consent and  
procurement of the said *August Platt, otherwise called  
Charles Brown, otherwise called Charles  
A. Platt,* — on the days and times  
aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, dis-  
turbances and lewd offences as well in the night as in the day, were there committed and perpe-  
trated; to the great damage and common nuisance of all the good people of the said State there  
inhabiting and residing, in manifest destruction and subversion of, and against good morals and good  
manners, 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 *August Platt, otherwise called Charles  
Brown, otherwise called Charles A. Platt*  
of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said *August Platt, otherwise called Charles  
Brown, otherwise called Charles A. Platt*  
late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid,  
afterwards, to wit: on the *twenty ninth* day of *August* in the year of our Lord one  
thousand eight hundred and eighty-*four*, and on divers other days and times between the said



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day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did maintain a certain common, ill-governed house, and in ~~his~~ said house, for ~~his~~ own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and willfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and willfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common annoyance of the said citizens, 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 *August Platt, otherwise called Charles Brown, otherwise called Charles A. Platt* of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows:

The said *August Platt, otherwise called Charles Brown, otherwise called Charles A. Platt,* late of the *Fourth* Ward of the City of New York, in the County of New York aforesaid, afterwards, to wit: on the ~~twenty-ninth~~ day of *August*, in the year of our Lord one thousand eight hundred and eighty*four*, and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in ~~his~~ — said house and place of public resort, for ~~his~~ — own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, frequent and come together, then and on the said other days and times, there unlawfully and ~~ly~~ did cause and procure, and the said men and women, in ~~his~~ — said house, ~~ful~~ times, as well in the night as in the day, then and on the said other days and times, to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and ~~of~~ behaving themselves, unlawfully and wilfully, did permit, and yet continues to permit, by which the peace, comfort and decency of the neighborhood around and about the said house are, and yet are, habitually disturbed, 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.

PETER B. OLNEY,

~~JOHN MCKEON,~~

District Attorney.

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(II)

Day of Trial,

Counsel,

Filed 17 day of Nov 1884

Pleads *Chiquito (1884)*

THE PEOPLE

vs.

B

August Platt

alias Charles Brown

alias Charles A. Platt

[Excess]

PETER B. OLNEY,

JOHN McKENON,

District Attorney.

A True Bill.

*Wm. D. Macleod*

*John B. Buel Foreman.*

*Wm. A. Buel*

*Ed*

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COURT OF APPEALS.

The People, Resp't.,

v.

August Plath, Appl't.

RIGER, Ch. J.

The defendant was indicted and upon trial convicted of the crime of abduction in that he "with force and arms feloniously did take one Katie Kavanaugh for the purpose of prostitution, she the said Katie Kavanaugh being then and there a female under the age of sixteen years." It was essential to the support of this conviction that the People show, not only a taking by the defendant within the meaning of the statute but also that such taking was for the purpose of prostitution (Penal Code, § 282, as amended by § 2 Chapter 46, Laws of 1884). If the evidence establishes only a taking and fails to show that it was for the prohibited purpose it is insufficient to sustain the conviction, and so proof of the fact that the person of the female was used for purposes of prostitution without proof of the abduction would not bring the accused within the condemnation of the statute. It is elementary, when a specific intent is required to make an act of offence, that the doing of the act does not raise a presumption that it was done with the specific intent (Lawson on Presumptive Evidence 472).

Neither can a conviction under this act be sustained upon the unsupported evidence of the female abducted (Penal Code § 283). In cases where corroboration is required there has been some diversity of opinion in the authorities as to the particular facts which should be corroborated and the extent of the corroboration needed in order to comply with the rule; but it is now conceded to be the general rule that it should tend to show the material facts necessary to establish the commission of a crime and the identity of the person committing it. When an offence was formerly proven by accomplices it was the usual practice of trial courts to advise an acquittal unless such evidence was in some respects corroborated by other testimony (although at common law a conviction upon the evidence of the accomplice alone was sustainable.)

In those cases the extent and degree of corroboration rested in the discretion of the trial court, and necessarily varied according to the circumstances of the case. Although such cases are not strictly analogous to those where corroboration is required by statute they yet furnish some help in determining the degree of proof required in the latter case. The rule as to the corroboration of an accomplice is stated in Roscoe's Criminal Evidence 122 as follows: "that there should be some fact deposed to, independently altogether of the evidence of the accomplice, which taken by itself leads to the inference not only that a crime has been committed but that the prisoner is implicated in it." Russell on Crimes 332 says: "that it is not sufficient to corroborate an accomplice as to the facts of the case generally, but that he must be corroborated as to some material fact or facts which go to prove that the prisoner was connected with the crime charged." 1st Greenleaf on Evidence Sec. 381 lays down the rule as held by some, that it is "essential that there should be corroborating



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proof that the prisoner actually participated in the offense and that when several prisoners are to be tried, confirmation is to be required as to all of them before all can be safely convicted, the confirmation of the witness as to the commission of the crime being regarded as no confirmation at all as it respects the prisoner.

The policy of the statute under consideration would seem to forbid the conviction of a person of the crime of abduction upon the unsupported evidence of the subject of the crime, and a conviction founded upon the evidence of the abducted female alone as to either of the elements constituting the crime would be contrary to its implied prohibition. Such evidence must therefore tend to prove each of the facts constituting the crime, for otherwise a person might be convicted of an offense as to one of whose elements there existed no proof except that of the alleged abducted female. If the corroborative evidence goes to the support of the alleged purpose alone it is apparent that there is no legal proof of the commission of a crime, and it would be the same if the corroboration was confined to a support of the taking alone, and the proof as to the purpose was uncorroborated. It is not indispensable that such corroboration should be furnished by positive and direct evidence, but proof of circumstances legitimately tending to show the existence of the material facts will be sufficient to authorize a conviction. In one form or the other however, proof must be given aside from that of the female tending to establish the commission of a crime and that it was perpetrated by the person accused before a conviction can be lawfully had. An examination of the proof in this case fails to disclose any evidence corroborating the testimony of the female alleged to have been abducted as to the participation of the defendant in the abduction, assuming that her evidence established a taking within the meaning of the statute.

We have, however, grave doubts as to the sufficiency of such evidence to establish such taking (*Regina v. Oliver* 10 Cox C.C. 403). But passing over that question we will examine the evidence which it is claimed corroborated the testimony of the abducted female.

Her evidence was to the effect that in July 1884 the defendant kept a dance hall or concert saloon and drinking place in Chatham Street, New York, and had no previous acquaintance with, or knowledge of the witness, her friends or family; that she was a young girl about fifteen years of age of somewhat dissolute character residing with her parents at Newark; that some time the latter part of July in company with a young companion, the former inmate of a house of prostitution, of her own free will, visited New York without the consent of her parents, and in strolling about the streets came to the defendant's saloon and entered. After sitting in the bar room a while she saw the defendant go behind the bar, and asked him "how much it was to see the entertainment;" he replied "nothing my little dear, come in." He then treated the girls to soda water and asked them if they came to stay, to which Kavanaugh replied that she did. He then invited the girls to go up stairs and while there offered Kavanaugh a dress which she declined. He also took indecent liberties with the persons of both girls and after remaining there about twenty minutes left them. Both girls voluntarily remained in the place several days

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and the Kavanaugh girl for about one month during which time she had intercourse with a large number of men. No evidence was furnished by the prosecution showing that the defendant knew the true name of the girl or the place of residence of herself or family, or that he had had any previous acquaintance with her or knowledge of her family, or their circumstances or condition. No direct proof was given to establish the existence of any fact testified to by Kavanaugh, but she was attempted to be supported by circumstances alone. Two witnesses testified that they visited defendant's saloon the latter part of August and found quite a number of women and men assembled there engaged in dancing, drinking and sitting around together, among whom was Kavanaugh. They asked defendant if he had there a girl by the name of Kavanaugh who came from Newark. Defendant denied any knowledge of such a girl, and offered to allow them to search the premises for her. While they were talking Kavanaugh disappeared. It nowhere appeared the defendant was acquainted with the true name of Kavanaugh, or that she came from Newark. The witnesses also inspected the upper rooms of the saloon and there found a large number of small apartments filled with beds and bunks; they saw women intoxicated and some quarreling and fighting going on. Afterwards in September one of the witnesses saw a man and woman in bed together there and the man stated that he was not the husband of the woman. A physical examination of the girl revealed appearances indicating that attempts at sexual intercourse with her had been made, but that in fact it never had been accomplished. Beyond this no evidence was given looking towards corroboration of the testimony of the alleged abducted female.

We are utterly unable to see any tendency in this evidence to prove any of the facts going to show the agency of the defendant in inducing Kavanaugh either to leave the custody of her parents or remain in his place, unless a presumption of criminal persuasion is always to be imputed to a person with whom a dissolute female is domiciled. That he kept a disorderly house and was engaged in a vile and reprehensible occupation, is quite sufficiently demonstrated, and that the object of Kavanaugh's residence in his house was presumably for the purpose of prostitution; but there is nothing in the corroborative proof inconsistent with the theory that her stay there was the result of her own will uninfluenced by any persuasion, allurement or device of the defendants. The evidence does not tend to show that the influences inducing Kavanaugh to come or remain at the defendant's house were any different from those operating upon the other inmates of the place or upon females generally who had not become inmates.

It is a lamentable fact that a life of prostitution presents attractions to some young and inexperienced females and that many are induced to enter upon it by the expectation of pleasures to be derived, wants to be supplied or disagreeable social conditions to be escaped, and that from some or all of these causes combined the habits of vice and immorality are too largely supplied; but the statute in question was not intended to provide a remedy for the evil or prescribe a punishment for those who keep such places, there is nothing in this section of the act under which defendant was convicted making the employment of a female under sixteen years of age for purposes of prostitution or sexual intercourse a criminal offence except where it is accompanied with a taking of her



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person as some act of agency for such purpose. The word "takes" seems to be used to distinguish the act prohibited from that when the female is formerly received or permitted and allowed to follow a life of prostitution without persuasive inducement by the person accused.

The statutory age under which the consent of the female does not deprive the act of sexual intercourse of its criminal effect, is fixed at ten years, but over that age the act in question does not make such intercourse a crime if effected without persuasion or device by the free will and consent of the female. The same evidence which has been produced against the defendant in this case could doubtless be given as to every keeper of a brothel or disorderly house in New York, and it would tend to impair confidence in the administration of the law and confound the distinction in crimes made by statute to permit this conviction to be upheld upon the proofs shown by the record. Every criminal however vile has a right to require that the elements of his offence shall be clearly defined by law and established by legal proof before he can be convicted thereof, and until then he may safely assert his immunity from punishment for any offence which is not thus defined and proved. The defendant in this case is entitled to the same presumption of innocence which prevails in other cases, and we are constrained to say that evidence has not been given here rebutting such presumption. We think the evidence was insufficient in the absence of the proper confirmatory proof to warrant his conviction, and that the judgment of the General Term and Sessions should be reversed and a new trial granted.

"All concur."

A copy,

H. E. Sickels,  
Reporter, per C.



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Board of Appeals.

People

v.

August Plath.

Copy Opinion.

Revised by Ruger, Ch. J.

0571

NEW-YORK SUPREME COURT.

-----X  
THE PEOPLE, &C.,

- vs. -

AUGUST PLATT.  
-----X

:  
: POINTS for People on defendant's  
: application for a stay pending  
: an appeal from a conviction.  
:

S T A T E M E N T.

The defendant was convicted under section 282 of the Penal Code, which provides that: "A person who takes a female "under the age of sixteen years for the purpose of prostitu- "tion or sexual intercourse, or without the consent of her "mother, father, guardian or other person having legal "charge of her person, for the purpose of marriage, &c., is "guilty of a felony."

On the trial of this criminal action the witnesses for the People were the girl, Katie Cavanagh, the subject of the abduction; Mrs. Cavanagh, her mother; Mrs. Dr. Simpson, the physician who examined her, and two officers of the Society for the Prevention of Cruelty to Children.

On the close of the prosecution's case the defendant moved that the Court direct a verdict of acquittal, and on that motion being denied the defendant also rested; so that the evidence of the prosecution is entirely uncontradicted.

P O I N T S.

Point One.

AS TO THE QUESTION OF THE CHARACTER OF THE GIRL KATIE  
CAVANAGH:

The Question of the character of the girl Katie Cavanagh

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is not involved in this case. The offense charged is not one against chastity, but one against childhood. It is of no materiality what the character of the girl may have been. The Recorder, however, properly took what he regarded as the natural viciousness of the girl into consideration when he imposed upon the defendant a less period of imprisonment than the law permitted him to impose.

POINT TWO.

AS TO THE AGE OF THE GIRL KATIE CAVANAGH:

The age must be proved in the usual way by the girl herself or by any person who can speak as to her birth.

Roscoe's Crim. Ev., star page 265.

Reg. vs. Mycock, 12 Cox, P. 28.

In this case the age of the girl was proved by her own testimony and by that of her mother (See testimony, pages I, 10, 14, 15 and 16).

The Court instructed the jury that they might on the question of age also take into consideration the appearance of the girl herself., under section 19 of the Penal Code as amended by chapter 46 of the laws of 1884. That section reads as follows: "Whenever in any legal proceeding it becomes necessary to determine the age of a child the child may be produced for personal inspection to enable the Magistrate, Court or jury to determine the age thereby, and the Court or jury may direct an examination by one or more physicians, whose opinion shall also be competent evidence upon the question of age."

The act above quoted confers upon the Magistrate the power to determine the age of a child by personal inspection,



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and he is not obliged to direct an examination by a physician for that purpose.

See Matter of Serafino, Supreme Court Chambers,  
Lawrence, J., Daily Register, December 13', 1883.  
People vs. Bardo Cardillo, N. Y. General Sessions;  
opinion by the Recorder January 20', 1883.  
Reg. vs. Viasani; opinion by Cockburn, C. J., 31  
Justices of the Peace, 260.

State vs. Arnold, 13 Ired., 184.

On this Subject the learned Recorder charged as follows:

"The girl has been produced as a witness, and you have a  
"right, in connection with the other evidence, to determine  
"her age from her general appearance and by personal inspection."  
"tion."

It is not pretended that the appearance of the girl  
alone is sufficient evidence of age, but it is a circumstance  
to be taken into consideration by the jury, with the other  
proofs, to enable them to arrive at a conclusion.

#### THIRD POINT.

#### AS TO THE TAKING:

I understand the counsel for the defendant to admit that  
there is sufficient evidence of a taking within the statute  
and the decisions, but that there is no sufficient corroborating  
evidence to sustain the conviction in accordance with  
section 283 of the Penal Code, which provides that on a  
charge of abduction the evidence of the person abducted must  
be corroborated in order to warrant a conviction. However, I  
think proper to submit to the Court the authorities on the

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question of what constitutes a taking within the meaning of the statute.

No force, actual or constructive, is necessary.

Rex vs. Manktelow, 6 Cox's Crim. Cases, 143.

Reg. vs. Kipps, 4 Cox's Crim. Cases, 167.

A person comes within the meaning of the statute who in any manner aids or assists a female in getting away for the purpose mentioned in the act.

Carpenter vs. People, 8 Barb., 603.

A person is still guilty of taking within the meaning of the statute though he acts at the girl's suggestion and with her consent.

Reg. vs. Bissell, 2 Cox's Crim. Cases, 379.

See also People vs. Parshall, 6 Parker, 129.

Rex vs. Mycock, 12 Cox's Crim. Cases, 28.

Slocum vs. People, 19 Ill., 279.

There is, however, in the case abundant evidence of corroboration. This consists of (A) The testimony of the mother of the girl, who deposes that in the latter part of July the girl left her house without her consent; (B) <sup>20</sup> The testimony of the physician who examined the girl, Katie Cavanagh, and deposes that a sexual intercourse had been attempted upon her and had been accomplished to the extent of breaking the hymen; (C) The conduct of the defendant when the officers of the Society for the Prevention of Cruelty to Children called at his brothel in Chatham street for the purpose of taking the girl. He evaded their questions and denied all knowledge of her. (See testimony, pages 27 and 33.)

*Whelan*

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POINT FOUR.

AS TO THE CHARACTER OF THE PLACE KEPT BY THE DEFENDANT PLATT:

The testimony shows that the place in which he took and detained the girl Katie Cavanagh was a low brothel in Chatham street, a concert hall on the ground floor, with bunks or small rooms above for the purpose of affording easy prostitution to the wretched and half-dressed women whom he kept in the place. Men and women resorted there for the purpose of drinking, dancing and cohabiting. All the evidence tended to show that the place was a brothel of the lowest kind.

The corroborative evidence required not being positive in its character circumstantial evidence is sufficient.

Boyce vs. People, 55 N. Y., 644.

Crozier vs. People, 1 Parker, 453.

People vs. Kenyon, 5 Parker, 254.

Whether the prosecutrix has been corroborated or not is a question for the jury.

FIFTH POINT.

AS TO THE EXCEPTIONS ON THE EVIDENCE:

There are six exceptions only to the evidence. None of these disclose error. (A) Page 15: The mother of the girl was asked if she, the girl, went to the defendant's place with her consent, and answered under the objection of the defendant. This was clearly material on the question of taking. (B) Page 27: An officer of the Society was asked what he saw other women do in the place when he went there to look for the girl on the evening of the 29<sup>th</sup> of August. The girl was in the brothel at the time, as well as the defendant Platt.



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The character of the place kept by the defendant Platt as described by the officer during the period that the girl remained in it and while the defendant himself was present is certainly material evidence on the question of the purpose for which he took her. (C) The third exception, on page 30, arose from the Court's overruling an objection to the testimony of the officer of the Society in relation to what he saw on the night of the 29<sup>th</sup> of August when the girl and the defendant were both in the defendant's brothel in Chatham street.

The exception on page 31 of the printed record is an exception to the same class of evidence. Certainly there is no error here. As already stated, the evidence of the character of the place kept by the defendant, the events that were enacted there and the character of the people who frequented the place was admissible to show the purpose for which the defendant took the girl.

The exception on page 33 is directed against the same class of evidence. There is, however, another exception on page 31 to the refusal of the Court to strike out certain evidence on that page given by the officer of the Society in answer to a question of the learned Recorder. The evidence was to the effect that on the 17<sup>th</sup> of September an officer of the Society went there and saw the defendant and a number of women who on that night were arrested and taken out of the place. There is no evidence in the case that the girl Katie Cavanagh was or was not there on that night. There is nothing in the case to show whether she had up to that time been

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taken out of the place by the officers of the Society or by any other person.

As to this exception I state, first: That there was no error, because the evidence clearly tended to show the character of the place kept by the defendant, and was admissible on that ground for the reasons above stated. It was not necessary to show that the girl was actually in the place at the time that the officers visited it; Second; There is nothing in the case to show whether the girl at that time had been arrested by the officers of the Society. And granting, even, if it affirmatively appeared that the girl had then been arrested, such evidence would have been error, the Court, in the absence of testimony, ought not to presume that the girl had been arrested at that time for the purpose of discovering error.

At all events, it appears that the defendant was present in the place on that occasion, and he had an opportunity, if the testimony was not true, to contradict it upon the stand. He certainly, therefore, is not prejudiced any way by the testimony, and if unprejudiced by it error ought not to be assigned.

#### Sixth Point.

The defendant, as an additional ground of error, now, for the first time, objects that while the indictment contained only a count for prostitution, the learned Recorder in his charge left it to the jury to say whether, upon all the evidence, the defendant had taken the girl within the meaning

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of the statute for the purpose, not only of prostitution, but of sexual intercourse.

It is claimed by the defendant that sexual intercourse is a different offense from prostitution, upon which the indictment was laid.

It is obvious, however, that ~~xxx~~ evidence of the act of sexual intercourse which the defendant endeavored to have with the girl was competent evidence to show that he took her for the purpose of prostitution. That being so there is no error in the charge of the learned Recorder that the jury should consider whether he took her for prostitution and sexual intercourse, because, under the general term, prostitution, special acts of sexual intercourse, either with himself or other persons, is undoubtedly admissible.

At all events, we respectfully submit to the Court that there was no objection made to the admission of such evidence of sexual intercourse by the defendant with the girl; nor was there any objection or exception made to the charge of the learned Recorder in that regard.

Under such circumstances it does not seem that this Court, unless in the furtherance of justice, should supply an exception which the defendant omitted to take upon the trial; and certainly it cannot be said that any furtherance of justice would result from such action on the part of the Court inasmuch as the entire evidence discloses the guilt of the defendant beyond any possibility of doubt.

Delancey Nicoll,

Asst. Dist. Atty.



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N. J. Supreme Court.

The People, vs.,

vs.

August Platto.

Brief on the facts of  
the case.

Joseph B. Masten,

Dick. City.

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Court of General Sessions  
of the Peace in and for the  
City and County of New York

The People

vs  
August Platt  
alias Charles Brown  
alias Charles A. Platt

Examination of the witness  
Catharine Cavanaugh a witness  
for the People taken in the  
Office of the District Attorney  
for the City and County of New York  
in pursuance of an order  
of the Court entered in the  
minutes of the Clerk to the  
effect that as one of the con-  
ditions of the Postponement of  
the trial of this action the  
witness Catharine Cavanaugh  
who resides in the State of  
New Jersey should this day be  
examined out of Court the exam-  
ination heread in evidence upon the

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trial with the same force  
and effect as if the witness  
was in Court. ~~Q~~

Present throughout the  
whole examination the defendant  
~~Charles~~ Blatt alias Charles  
Brown alias Charles ~~A~~ Hall  
also present Mr Oliver of  
Council for said defendant  
Mr Gentry of the Soc. for the  
Prev. of cruelty of Children  
& Mr Nicholl Ass<sup>t</sup> District  
Attorney

Mr Oliver objects to the  
foregoing statements

Mr Nicholl states that  
the foregoing preamble  
was made ~~at~~ the suggestion  
of the Court

Mr Oliver objects to  
last remark



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I reside at 29 Progress  
Street City of Newark, State  
of New Jersey - (The girl Kate  
Kavanagh here present, is  
identified by the witness  
as her daughter) -

I am  
a married woman  
my husband's name is  
Patrick Kavanagh - he  
lives with me at Newark  
we have lived there 11 years

I have 1 living child  
The child Kate  
Kavanagh will be 16 years  
old on the 30th of August  
next -

Qusty: ~~What~~ to

Before Inq. last where  
did you daughter Kavanagh?

Ans

At home with me -

Q

Was she ever Baptized and  
if so where?

Ans -

Yes Sir in Jersey City.

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Q What Church?

Ans St Peter's Grand St.

Q How long after the Church  
burnt?

Ans Three weeks.

Q When did you last see Kate  
in Newark, before July last?

Ans. In July - last, about 2  
weeks in July - It  
was on Tuesday in  
July she left me -

Q Do you know where she left  
you to go to?

Ans I sent her on an errand  
to the store in Newark, just  
a little ways from my place.  
I haven't seen her after  
that -

Q Do you know the Person  
Mr Platt, now present?



0584

Ans

No Sir -

Ques

Did you ever know until after  
the Complaint against the defendant  
of your daughter Katie, ever  
having been in Dept premises.  
Dept Counsel objects -  
(Mention not to draw)

People Eat -

Ans -

Q

When were you married?

Ans -

In going on 24 years  
I'm not exactly sure of the  
day

Q

Are you sure of the year,  
that you was it

Ans -

In not exactly sure  
of it In going on  
24 years married

Ques

Where were you married?

Ans

In St. Mary's Church, Jersey City



0585

Q. Which child died?

A. The 1st Child.

Q. Boy or girl?

A. A girl.

Q. When was she born? What year?

A. I can't tell for now.

Q. How old would she be now.

A. She'd be going on 23.

Q. In the order of birth, how  
would place Katie?

A. She'd be the 5th.

Q. Name the 4 before  
her.

A. Francis, Joseph (the eldest)  
Mary, and the Catharine  
Mum, that's Kate —

0586

Q. 11

Ques- Were you with Katie when she was Baptized —

Ans- I was not —

Ques- Of your own knowledge, you don't know whether Katie was Baptized or not!

Ans- Oh Sir - I know she was Baptized -

Ques- Have you any other knowledge other than what you were told.

Ans- I have no other knowledge

Ques- What you see that gentleman in court today pointing to J. Wilson

Ans- yes Sir

Ques- Did he show you a paper

Ans- yes Sir

Ques- Did he read you that paper

Ans- yes Sir he did I am not sure

Ques- Did that paper say anything about what time Katie was born.

Ans- yes Sir



0587

Ques

What did Mrs Wilson say on that subject to you

Ans

Ques

I didn't pay much attention  
do you mean to swear that you  
don't know what this gentleman pointing  
to off Wilson said to you

Ans

It was about the child's age  
Is this (holding paper) what  
Mrs Wilson read to you?

One Ellen Catharine Cavanaugh  
<sup>reading from paper</sup>  
now present before deponent  
is the daughter of this  
deponent was born on  
the 30<sup>th</sup> day of August  
1869  
was christened about  
3 weeks afterwards in  
St Peter's Church Grand-  
street Jersey City in the  
State of New Jersey three  
fore deponent further  
says that the said Ellen  
Catharine who is also  
known as Katie Cavanaugh  
was 15 years old on the  
30<sup>th</sup> day of August 1884  
Yes Sir I think so

Ans

2

Will you make that mark today  
or any day

Ans

Not today - but on the 1<sup>st</sup> day the



0588

- Child was arrested
- 2 Then Officer Wilson was reading that statement over to you to day in Court to refresh your memory
- A Yes Sir
- 2 Do you know now the day of the month your daughter Katie was born
- A I forget the year
- 2 How many years were you married before your first child was born
- A Fourteen months
- 2 Do you want to be understood as swearing that Katie Cavanaugh lived with you up to the day she left Newark
- A She was living with me then
- 2 What month was that
- A In July
- 2 Where was she living out
- A In July she had been living out - she had come home
- 2 What part of July was

0589

3

~~Katie~~ live 't that Katie  
left you

A The latter part

Q Who did Katie live out  
with - the last place

A I forget the lady's name  
I saw the lady I do not  
know what her husband's  
business is ~~she~~ I  
was never at her house

Q Did you get the place  
for Katie

A No Sir she got it herself

Q Where did Katie live out  
previous to that

A At Mrs Millers.

Q Who was Mrs Miller

A She was the wife of Mr  
Miller who kept a  
furnishing store in  
Broad St.

Q Were you ever in her  
house

A Yes Sir several times

Q Where did she live before  
living at Mr Miller

A Those were the only places  
of any account

0590

4

- Q What other places previous  
A A place in Prospect Place  
near where I lived myself  
Q at Mrs. Wheeler her husband  
was chief of Fire Department  
Q How often was Katie arrested  
A I don't know - Katie was  
never arrested until she  
came to New York  
Q You are as positive of that  
as you are of the time  
when Katie was born  
to her age  
A I am ~~sure~~ ~~explains~~  
Q How many daughters had  
you living out besides Katie  
A Only one  
Q Do you know the man  
that was arrested with  
Katie in Jersey  
A No sir I know nothing  
about him  
Q Did your other daughters  
live out of New York  
A No sir  
Q How long was your other  
daughters away from home  
A I suppose about two years



0591

- Q Don't you know that your  
other daughter was living  
in N.Y. City  
A I heard she was living  
in Bklyn
- Q Don't you know now that  
your daughter lived in  
a house of prostitution  
A I don't know
- Q Did she ever tell you  
A No sir
- Q Agreed Mary Crosby produced  
before witness ~~the~~  
Q Do you know this girl  
A Yes
- Q Are you acquainted with  
her  
A Not a great deal
- Q Did that girl visit your  
house  
A Mr Berry sends girl  
Crosby out of room with  
consent Mr Dick atty  
& Mr Oliver except  
Q She came in the yard once  
or twice  
Q Didn't she visit your house  
& family

0592

6

A She has been around in the yard we never had much acquaintance with the girl or her parents she lived in the same street

Q Do you want to be understood as swearing that this girl Crosby did not visit your house children

A She visited the Children when she brought the girl away

Q How many times did she visit the house was it six-

A I don't remember - I made no freedom with her

Q Did you know that this girl Crosby lived in a house of prostitution 2 years with your daughter

A No Sir

Q Have you any other daughters who have ever lived away from home

A I had ~~one~~ no others except those that I have mentioned

Q Have any of your boys  
been in trouble

A No Sir

Q Have any of the other girls  
been in trouble

A No Sir

Q Do you of your own knowledge  
know anything of the year  
your daughter Katie was  
born

A If I had thought of this  
I would have had a ~~mem-~~  
~~orandum~~ of her age when  
she was born &c.

Q Have you any personal  
knowledge that Katie  
was baptized or not

A Yes Sir

Q State what that personal  
knowledge is

A I sent her to the Church  
to be baptized with her  
Godfather & Godmother

Q What is Godfather & God-  
mother names

A Edward Keoney & Mary Ann  
Donnelly

Q How many years since you



0594

A seen Treney or Donnelly  
Mary Ann Donnelly is  
dead

2 Are you willing to come  
over on Monday

A I am willing to come.  
~~2~~

### Redirect Examination

2 I want you to explain about  
Katie having got into some  
trouble in New Jersey

A It was in July - after I  
missed her. A detective came  
told me she had been  
arrested in New York and  
I came over

2 You remember swearing  
to this paper on coming  
over to New York

Paper from which Mr. Oliver  
read on his Cross Exam. here  
shown witness

A Yes Sir -

Paper put in evidence  
by Prosecution & marked

0595

9

Peoples Exhib. #1

Q Had Katie ever been arrested before

A Not that I know of

Q Had you ever heard of her arrest before

A No sir

Q Were there all respectable people with whom Katie lived

A Yes sir

Q Had Katie been at school

A Yes sir

Q When was she at school

A She had been at school through the winter before the July that she left

Q What kind of work was Katie doing at different places she lived

A She attended a baby work of the time

Q How many times did she go to Pic Nics

A None that I know of

Q Did this girl Crosby come to your place often

A No sir

Q Did you know anything about her character

A No sir - I had not much acquaintance with her

Q Did you refresh your recollection or did you think of when Katie was born when this trouble arose

A I always knew her age she was going on 15 in July last - She was 15 on the 30<sup>th</sup> day of August

Q Did you know that - as a mother knows the ages of her children

A Yes

Q Yes

Q Did you ever have read to you a baptismal Certificate of Katie's baptism

A Yes

Q No sir I had not until she was arrested here

Q Have you ever had it read to you since she was arrested here

A I was not quite sure of the



0597

11

day she was born  
sworn in Open Court  
in the presence of the  
Prisoners & now sworn  
in the Prisoner's presence  
before me a Notary Public  
for the City & County of New  
York & subscribed by the  
witness this 24<sup>th</sup> day of  
February 1885

M<sup>r</sup>? Plin states that the  
witness was not sworn  
in Court in the presence  
of the Prisoner.

Catherine X Cavanaugh

J. H. Douras  
Notary Public  
N.Y.C.

0598

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

*Catharine Cavanagh*  
of No *57 Prospect Street Newark New Jersey* being duly sworn, deposes and says,  
that on the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_ at the City of  
New York, in the County of New York,

*One Ellen Catharine*  
*Cavanagh* now present before deponent,  
is the daughter of this deponent,  
was born on the 30<sup>th</sup> day of August  
1869 and was christened about  
three weeks afterwards in St.  
Peter's Church Grand Street Jersey  
City in the State of New Jersey.

Therefore deponent further  
says that the said Ellen Catharine,  
who is also known as Katie Cavanagh,  
was fifteen years old on the 30<sup>th</sup> day  
of August 1884.

*Catharine Cavanagh*  
mark

Sworn before me, this \_\_\_\_\_ day of \_\_\_\_\_  
1884,  
of \_\_\_\_\_  
*John R. Rickett*  
City & County of New York  
Notary Public  
Police Justice.



0599

(15918)  
Police Court District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF



AFFIDAVIT.

Dated,

18

Justice.

Officer.

Disposition.

15918

Affidavit of *pro* Catholicism  
Cavanaugh, re. Katic's age.

People's Exhibit  
#1



0600

People  
apt  
August 1885

filed 24 July 1885

0601



87 & 89 Centre and 136, 138 & 140 Leonard Sts.

NEW YORK CITY

William F. Howe.

Abe. H. Hummel.

January 28<sup>th</sup> - 1886.

Hon. Randolph B. Martine  
District Attorney.

My Dear Sir.

The People v. Aug. Plath.

As a matter of justice, I was about to say I "demand" a dismissal of the Indictment against the above named Defendant, for Abduction; but to you, who are always so courteous and so kind, - I must substitute the word "request" for "demand", and ask you to quash and nolle-prosequi the above Indictment. -

The Court of Appeals has, as you are aware, positively decided -

First. That there was no "taking" as contemplated by the Statute; and,

Secondly. That there was no corroboration of the Complainant's testimony.

This decision, (as every lawyer and judge must see at a glance) a bar to any trial, under "any conceivable circumstance", ~~of the~~

0602

~~Indictment~~, and I therefore respectfully move  
that the above Indictment be dismissed.

Will you kindly endorse this  
disposition on the Indictment?

Very faithfully Yours,

William F. Howe



Wm F. Howe  
June 28, 1886  
Hebephile as Clerk



0603

DRS. WILLARD PARKER & D. M. STIMSON.

Office Hours, 8 to 12 o'clock, A. M.

41 EAST TWELFTH STREET,

New York, Dec. 29<sup>th</sup> 1884

Hon. Peter B. Almy,  
Dist. Atty. &c.

Dear Sir:

As requested by you  
I have examined August  
Plath at No. 283 Bowery &  
although he complains of  
"Kidney disease", I can find  
no symptom of that kind  
of trouble which is ordinarily  
known as Kidney disease.

Examination of his urine  
shows none of the signs  
of disease of the kidneys.

0604

In my opinion he may have a rheumatic affection of the muscles in his side, or of the nerves, but from his pulse, temperature and other vital signs I conclude that there is no reason why he should not meet any requirements in the way of trial.

His symptoms were in not a small degree assumed, therefore I am justified in diagnosing his case as mostly one of malingering.

Very respectfully yours

D. M. Johnson M.D.

POOR QUALITY  
ORIGINALS

0605

S. Peter's Church Jersey City  
Sep 18<sup>th</sup> 1869

The following is a copy  
of entry in our Baptismal  
Register

Sep 19 1869

Baptized Ellen Catherine  
of Patrick Caranagh &  
Catherine McKee  
J. Owens

J. McAttee  
Assistant Priest



0606

15918  
Certificate of Baptism  
Ellen Marie Lavanagh  
-redemption  
August Platt

TORN PAGE

0607

To The Honorable Supreme Court of the State of New York--First Judicial Department.

THE PETITION OF *August Platt*

respectfully shows that he *is* unlawfully and illegally detained, restrained of *his* liberty, and imprisoned by *the Warden of the City Prison* in the City and County of New York, and that he *is* not committed or detained by virtue of any process issued by any Court of the United States, or by any Judge thereof; nor *is* he committed or detained by virtue of the final judgment or decree of any competent tribunal of civil or criminal jurisdiction, or by virtue of any execution issued upon such judgment or decree; that the cause or pretence of such imprisonment, restraint and detention, according to the best of the knowledge and belief of your petitioner, is

*An Indictment for Abduction upon which he was tried and convicted; from which conviction he appealed to the General Term of the Supreme Court who sustained the conviction; but the Court of Appeals, on the 8<sup>th</sup> day of December instant, reversed said conviction and ordered a new trial--*

*That the Magistrate originally fixed Bail at \$500<sup>00</sup>, in which amount Prisoner prays he may be bailed.*

Wherefore, your petitioner prays that a writ of *Habeas Corpus* issue, directed to *the Warden of the City Prison* commanding *him* to have *Petitioner* before the Supreme Court of the State of New York, at a *Special Term* thereof, to be holden in the New County Court House, City Hall, in said City of New York, on the *Tenth* day of *December* 188 *5* at *Eleven* o'clock in the forenoon, to do and receive and what shall there be considered concerning *him*

DATED the

day of

188

*W. J. Howe*

for For Petitioner.

City and County of New York, ss.

*William J. Howe*

being duly sworn, doth depose and say, that the facts set forth in the foregoing Petition, subscribed by *him* are true.

Sworn to before, this *10<sup>th</sup>* day  
of *Decr* 188 *5*.

*William J. Howe.*

TORN PAGE

0608

U. S. Supreme Court.

In re DETENTION AND IMPRISONMENT OF

*August Olathe*

Petition for Habeas Corpus

HOWE & HUMMEL,

Attorneys for Relator,

87 & 89 CENTRE STREET, N. Y. CITY.



0609



87 & 89 Centre and 136, 138 & 140 Leonard Sts.

NEW YORK CITY

William F. Howe.

Abe. H. Hummel.

New York January 28th, 1886. ~~28~~

Hon. RANDOLPH B. MARTINE,

District Attorney,

THE PEOPLE vs. AUG. PLATH.

My dear Sir:-

As a matter of Justice - I was about to say - I  
demanda dismissal of the Indictment against the abovenamed defend  
ant for abduction, but to you, who are always so courteous and so  
kind, I must substitute the word "request" for "demand," and ask you  
to quash and nolle prosequi the above Indictment.

The Court of Appeals has, as you are aware, positively  
decided,

First. That there was no taking as contemplated by the statute,  
and

Secondly. That there was no corroboration of the complainant's  
testimony.

In view of this decision of the Court of Appeals, it is  
apparent to every lawyer, and every Judge will say that <sup>this</sup> ~~there~~ is a  
bar to another trial.

I therefore move you that you dismiss the Indictment and  
enter an order to this effect on the papers.

Very Truly Yours,

*William F. Howe*

06 10



87 & 89 Centre and 136, 138 & 140 Leonard Sts.  
NEW YORK CITY

William F. Howe.

Abe. H. Hummel.

\_\_\_\_ New York December 10th, 1885. \_\_\_\_ 1885

Hon. RANDOLPH B. MARTINE:-

My dear Sir:-

People vs. Platt.

Enclosed see copy petition upon which Habeas Corpus allowed.

Please send some one over before Judge Donohue at eleven o'clock this A. M. to consent to order to bail Platt in \$500, the amount originally fixed by the magistrate. Platt can never be tried again, but I am willing to bail him for the present, instead of asking for discharge.

Yours Faithfully,

*William F. Howe,*  
A handwritten signature of William F. Howe, written in cursive. The signature is followed by a long, horizontal flourish line.

0611

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

August Platt, otherwise  
called Charles Brown,  
otherwise called Charles  
A. Platt

The Grand Jury of the City and County of New York, by this indictment, accuse  
August Platt, otherwise called Charles  
Brown, otherwise called Charles A. Platt,  
of the CRIME OF Abduction,

committed as follows:

The said August Platt, otherwise called Charles  
Brown, otherwise called Charles A. Platt,  
late of the Fourth Ward of the City of New York, in the County of  
New York aforesaid, on the twenty-fourth day of July, in  
the year of our Lord one thousand eight hundred and eighty four, at the Ward, City  
and County aforesaid, with force and arms, feloniously  
did take one Katie Cavanagh for the  
purpose of prostitution, she the said  
Katie Cavanagh being then and there  
a female under the age of sixteen years,  
to wit: of the age of fifteen years:  
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.

Peter B. Olney,

District Attorney,



Witnesses:

Edwidge C. Gray  
Augustine Wilson  
Mary C. Stocking  
John C. Lammie

The decision of the Court of Appeals in this case, that there was no taping as contemplated by the Statute and that there was no corporation of the Complainants testimony is in my opinion a bar to trial upon this indictment. I recommend that within indictment be dismissed.  
Jan'y 28. 1886  
Randolph B. Macdine  
District Attorney

Counsel,

Filed 17 day of Nov 1884  
Pleas: Inquently (20)

THE PEOPLE  
vs.  
August Platt  
alias Char. Brown  
alias Char. Platt  
(Escaped)

PETER B. OLNEY,  
District Attorney.

A True Bill.

Wm. Macdine  
District Attorney

Bar on record in  
\$1500.00  
As on the 1st day  
Rea means on 1st day  
Feb Jan 29/86

06 12

06 13

Sec. 192.

18<sup>th</sup> District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.  
OF NEW YORK,

An information having been laid before Andrew J. White Esq a Police Justice,  
of the City of New York, charging August Plaft Defendant with  
the offence of Cruelty to Children

and he having been brought before said Justice for an examination of said charge, and it having been made to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and the hearing thereof having been adjourned,

we August Plaft Defendant of No. 19  
Parkville St. Street; by occupation a None  
and Henry Evers of No. 19 Monroe  
Street, by occupation a Soda Water Manufacturer Surety, hereby jointly and severally undertake that  
the above named August Plaft Defendant,  
shall personally appear before the said Justice, at the Fresh District Police Court in the City of New York,  
during the said examination, or that we will pay to the People of the State of New York the sum of five  
Hundred Dollars.

Taken and acknowledged before me, this 16

day of

September

1888

Andrew J. White POLICE JUSTICE.

Char Brown

Henry Evers



06 14

CITY AND COUNTY } ss.  
OF NEW YORK, }

Sworn to before me, this  
16th day of September 1884  
Charles J. White  
District Police Justice.

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth ten Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of house and lot of

land situated and known as N<sup>o</sup> 49  
Monroe Street in said City of the  
value of fifteen thousand dollars

Henry Evers

District Police Court.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Undertaking to appear  
during the Examination.

vs.

August Platt

Taken the

16 day of Sept 1884

A. White  
Justice.



06 15

First District Police Court.

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

Augustine Wilson,  
of Number 100 East 23<sup>rd</sup> Street being duly sworn,  
he has just cause to believe and does believe that  
deposes and says, that on the 20<sup>th</sup> day of July 1884, at the  
City of New York, in the County of New York, one August Platt.

at and, within the premises known as  
number 141 Chatham Street in said  
City did wilfully, unlawfully and  
feloniously take a certain female child,  
under the age of sixteen years, to wit,  
one known as and called Katie  
Cavanagh, who was then and there  
of the age of fifteen years, for the  
purpose of prostitution, and, several  
said Katie Cavanagh in said premises  
at No. 141 Chatham Street, which is known  
as a house of ill-fame and of prostitution,  
for the aforesaid unlawful purpose, in  
violation of the provisions of Section 282  
of the Penal Code of the State of New York,  
as amended by Chapter 46 of Laws of 1884.  
Wherefore the complainant prays that the said August Platt

may be apprehended, arrested and dealt with according to law, and more especially according to  
the following laws made and provided, to wit: Section 282, Chapter 46 Laws 1884  
of the Penal Code.  
"An Act in relation to Mendicant and vagrant children," passed April 3d, 1874, "An Act to prevent and punish certain wrongs to  
children," passed April 14th, 1876, "An Act to amend Chapter 628 of the Laws of 1857, entitled 'An Act to suppress intemperance and  
to regulate the sale of intoxicating liquors,'" passed June 5th, 1877, "An Act for the protection of children, and to prevent and punish  
certain wrongs to children," passed June 6th, 1877.

Sworn to before me, this sixteenth day of September 1884, Augustine Wilson  
Andrew J. Ward  
Police Justice.

**POLICE COURT** *Grand* DISTRICT.

**THE PEOPLE, &c.,**

## ON THE COMPLAINT OF



CRUELTY TO CHILDREN.

282 of the Annual Rec.

*Received by Mr. [illegible]*

August 1st

DATED, 16<sup>th</sup> September 1884

Agirius

*Clerk.*

*Officer*

E. Fellows Jenkins, Supl.

100 East 23<sup>d</sup> Street.

Kapri Papanasch 15442  
100 Bar 23d

100 East 23rd Street

Mary Crosby  
1842

40" East 2300 ft. Struck  
N. 111 111

# Memory Effect

Love East 2 Bird Street

Disposition, Gr Sat ich 70 7½ Pa

See Saturday Oct 14 at 2:30 PM

STYLES & CASH, STEAM PRINTERS, 77 EIGHTH AVENUE, NEW YORK.

20418-11 Aug.

06 17

Sec. 108-200.

District Police Court.

CITY AND COUNTY  
OF NEW YORK

*August Platt* 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

Question. How old are you?

Answer

Question. Where were you born?

Answer.

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

Answer.

Question. What is your business or profession?

Answer.

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.

*Not Guilty*  
*Chas. A. Platt.*

Taken before me this

day of

Police Justice.



06 18

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 August Platt

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of one 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 Nov 13 1888 J. C. [Signature] Police Justice.

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

Dated Nov 13 1888 J. C. [Signature] Police Justice.

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

Dated \_\_\_\_\_ 1888 \_\_\_\_\_ Police Justice.

06 19

~~Bailed in \$1500 on~~  
~~her bond Dec. 27 1884~~  
Bailed in \$2000 on her bond  
Dec. 10th 1885 by

BAILED.

No. 1, by

Residence

No. 2, by

Residence

No. 3, by

Residence

No. 4, by

Residence

230  
Police Court

1742  
District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Augustine Wilson  
100 East 23rd  
August Hall

1

2

3

4

Dated

November 12 1884  
White

Magistrate.

Officer.

Precinct.

Witnesses

No.

No.

No.

\$

P. J. Jenkins  
100 E 23d Street  
Katie Cavanagh  
100 E 23d Street  
Mary Crosby  
100 E 23d Street  
Henry Docket 107 E 23d  
5.00 to answer  
Bailed



0620

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

August Blakk, otherwise  
called Charles Brown  
otherwise called Charles  
A. Blakk.

The Grand Jury of the City and County of New York, by this indictment,  
accuse August Blakk, otherwise called  
Charles Brown, otherwise called Charles A. Blakk  
of the CRIME OF Abduction, —

committed as follows:

The said August Blakk, otherwise called  
Charles Brown, otherwise called Charles  
A. Blakk,

late of the South Ward of the City of New York, in the County of New York afore-  
said, on the Twentieth day of July, — in the year of our Lord  
one thousand eight hundred and eighty-four, at the Ward, City and County aforesaid,  
with force and arms, did feloniously  
take one Maria Canavato, for the  
purpose of sexual intercourse, and  
the said Maria Canavato being then  
and there a female under the age of  
twenty years, to wit: by the act of  
her years, against the form of the  
Statute in such case made and pro-  
vided, and against the peace of the  
People of the State of New York, and  
their dignity.

Grand Juror B. Martin,

District Attorney