

1026

BOX:

427

FOLDER:

3944

DESCRIPTION:

Lager, David

DATE:

02/05/91



3944

Counsel,

Filed 5 day of Feb 1891

Pleas, *Not guilty*

THE PEOPLE

vs *David Lager*

POLICY - [§§ 843 and 844, Penal Code.]

OF LANCY NICOLL

JOHN R. FELLOWS

District Attorney.

Part II
Page 1

A True Bill.

Chas. B. Roberts

Feb 2 - Dec 8, 1891 Foreman.

Chas. Smith
Proc. U.S. S.
Five paid

Witnesses;

Chas. B. Roberts
Chas. Smith
David Lager
vs David Lager
John R. Fellows
Chas. B. Roberts

1028

Call June 27

*12-10-44
6-9-59
1-16-75
1-16-76
3-11-77
4-2-77
4-1-78*

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1029

337 East 10th

J.R.C.

58 ct.

Jun 27/91

317 ETC

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GLUED PAGE

1030

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony Bruto
43 Park Row
of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that James Doe

whose real name is unknown, but who can be identified by John R. Collier did, at the City of _____ County of _____ and State of New York, on or about the 27th day of January 1881, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a dealer or game-keeper in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~cause~~ ^{cause} to believe, is informed and verily does believe from ~~personal observation and from~~ statements made by John R. Collier

to deponent that the said James Doe aforesaid, now have in his possession, at in and upon certain premises occupied by him and situate and known as number 337 East 10th Street in the City of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

GLUED PAGE

1031

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Anthony Buntrock
43 Park Row
of 150 Nassau Street, New York City, being duly sworn deposes and says, he is more than 21 years of age, and is employed as Chief agent of the New York Society for the Suppression of Vice, that he has just cause to believe, is informed and verily does believe, that James Doe

whose real name is unknown, but who can be identified by John R. Collier did, at the city of _____ County of _____ and State of New York, on or about the 27th day of January 1881, unlawfully use a room, table, establishment or apparatus for gambling purposes—and did engage as a dealer or game-keeper in a gambling or banking game, where money or property was dependent upon the result—and did sell, or offer to sell what is commonly called a "lottery policy," and a certain writing, paper, or insurance, upon the drawing or drawn numbers of a certain lottery, hereto annexed, and did indorse and use a book or other document for the purpose of enabling others to sell or offer to sell lottery policies, writings, papers or documents in the nature of a bet, wager or insurance, upon the drawing or drawn numbers of a lottery, against the form of the statute of the State of New York in such case made and provided.

Deponent further says, he has just ~~cause~~^{cause} to believe, is informed and verily does believe from ~~personal observation and from~~ statements made by John R. Collier

to deponent that the said James Doe aforesaid, now have in his possession, at in and upon certain premises occupied by him and situate and known as number 337 East 10th Street in the city of New York and within the County and State aforesaid, for the purpose of using the same as a means to commit a

1032

public offense, divers and sundry device, apparatus, tables, establishment and paraphernalia layouts, chips, deal boxes, cards, lottery tickets, lottery policies, writings, papers, books and documents for gambling purposes, in violation of the Provisions of Chapter IX of the Penal Code of the State of New York, wherefore deponent prays that warrants may be issued for the arrest of the persons named aforesaid, and to search for, seize and take possession of all of said unlawful matter, and that all be dealt with according to law.

Subscribed and sworn to before me this

30th day of January 1891.

Charles W. Linton

Police Justice.

Anthony Bourke

CITY OF New York AND COUNTY OF New York ss.

John R. Collard, of 4 Park Row

being further sworn deposes and says that on the 27th day of January 1891,

deponent visited the said premises, named aforesaid, and there saw the said

James Doe aforesaid, and

had dealings and conversation with him as follows:

Deponent entered premises where the said JAMES DOE was and asked: "Have you the last night's slip yet?" (meaning the drawn numbers in the Lotteries in which Lottery Policies are sold for the night previous.) The said JAMES DOE said: "No, it has not come in yet." Deponent handed the said JAMES DOE a paper with numbers upon it and said: "Give me the same over for both for this morning." The said JAMES DOE took the piece of paper, put it between the sheets of his manifold, then recorded Deponent's numbers upon said manifold-book and slip at the same time, and afterwards took said slip out and handed it to Deponent, and Deponent paid him the sum of 58 cents for the same.

Deponent saw the said JAMES DOE counting up figures upon another manifold-sheet which he had, and also heard persons come in and inquire for last night's slip.

John R. Collard

1033

THE PEOPLE

ON COMPLAINT OF

Anthony Santock et al

AGAINST

James Dor.

*Violation Sec. 344, P. C.
Gambling and Policy.*

Affidavit of Complaint.

WITNESSES :

*A. Cornstock
John B. Colford*

Police Justice.

Subscribed and sworn to before me this

day of _____ 188...

1034

City and County of New York, ss:

In the name of the People of the State of New York:

To any Peace Officer in the City and County of New York:

Proof by affidavit having been this day made before me, by Anthony Courtot & John R. Collard of 41 Park Row Street, New York

City, that there is probable cause for believing that James Doe whose real name is unknown, but who can be identified by J. R. Collard aforesaid

has in his possession, at, in and upon certain premises occupied by him and situated and known number 337 East 10th Street in said City of New York - certain and divers device, establishment, apparatus and articles suitable for gambling purposes, lottery policies, lottery tickets, circulars, writings, papers and documents in the nature of a bet, wager or insurance upon the drawing or drawn numbers of a lottery, books and other documents for the purpose of enabling others to sell lottery policies and other writings, papers and documents, blackboards and gaming tables, with intent to use the same as a means to commit a public offense.

YOU ARE THEREFORE COMMANDED, at any time of the day or night - time to make immediate search on the person of the said James Doe -

and in the building situate and known as number 337 East 10th Street aforesaid, for the following property, to wit: all Faro layouts, all Roulette Wheels and layouts, all Rouge et Noir, or Red and Black layouts, all gaming tables, all chips, all packs of cards, all dice, all deal boxes, all lottery policies, all lottery tickets, all circulars, all writings, all papers, all documents in the nature of bets and wagers, or insurance upon the drawings, or drawn numbers of a lottery, all books all documents for the purpose of enabling others to gamble or sell lottery policies, all blackboards, all slips or drawn numbers of a lottery, all money to gamble with, and all device, establishment, apparatus and articles suitable for gambling purposes.

And if you find the same, or any part thereof, to bring it forthwith before me at the First District Police Court at The Courts in Centre Street in the City of New York.

Dated at the City of New York, the 30th day of January 1891

Charles J. Linton

POLICE JUSTICE



1035

Inventory of property taken by Georgell Richards the Peace Officer by whom this warrant was executed :

~~Faro layouts, Roulette Wheels, Roulette layouts, Rouge et Noir layouts, gaming tables, chips, packs of cards, dice, deal boxes, deal trays for holding chips, cue boxes, markers, or tally cards, ivory balls, lottery policies, 50 lottery tickets, circulars, writings, papers, 2 black boards, 7 pks. slips, or drawn numbers in policy, money, 13 packages manifold sheets (2000) slates, 6 dream books, One book slips or drawings.~~

City of New York and County of Kentucky ss:

I, Georgell Richards the Officer by whom this warrant was executed,

do swear that the above Inventory contains a true and detailed account of all the property taken by me in this warrant.

Sworn to before me, this 30 day of January 1886

George G. Richards

Charles Tomlin Police Justice.

Police Court--- District.

THE PEOPLE, &c., ON THE COMPLAINT OF

Anthony Santolucchi et al

James D. Dandlager

Search Warrant.

Dated Jan 30th 1886

C. M. Jambler Justice.

Georgell Richards Officer.

Randolph Hodges

1036

Sec. 151.

CITY OF New York COUNTY OF New York } ss.
AND STATE OF NEW YORK.

Police Court, 4 District.

In the name of the People of the State of New York: To the Sheriff, or any Deputy Sheriff or Peace Officer of the County of New York, or to any Marshal, Constable or Policeman of the City of New York. GREETING:

Whereas, Complainant in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Anthony Lomstock & John R. Collard of No. 44 Park Row Street, charging that on the 27 day of January 1891 (at the City of New York, in the County of New York) that the crime of selling what is commonly called a lottery policy

has been committed, and accusing James Doe whose real name is unknown but who can be identified by John R. Collard thereof.

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

These are, Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Deputy Sheriffs, Peace Officers, Marshals, Constables and Policemen, and each and every of you, to apprehend the said Defendant and bring him forthwith before me, at the 4 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 30th day of January 1891

Charles J. Tinton POLICE JUSTICE.

1037

POLICE COURT, DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Arden J. ... et al
vs.

[Signature]

Warrant-General.

Dated 188

Magistrate.

Officer.

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.

REMARKS.

Time of Arrest,

Native of

Age,

Sex,

Complexion,

Color,

Profession,

Married,

Single,

Read,

Write,

1038

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

David Leger 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.

David Leger

Question. How old are you?

Answer.

53 Years

Question. Where were you born?

Answer.

Germany

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

Answer.

330 East 6th St.

Question. What is your business or profession?

Answer.

Sign maker

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

David Leger

Taken before me this

25

day of *April* 19*21*
Charles H. Stanton
Police Justice.

1039

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

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

Dated Jan 30 1891, Charles N. Smith Police Justice.

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

Dated Jan 30 1891, Charles N. Smith Police Justice.

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

Dated _____ 18 _____ Police Justice.

1040

no 38 140
Police Court--- / --- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony Comstock
74 1/2 Park Row
David Lager

Offence *Sum of Money*

2
3
4

BAILED.

No. 1, by *Andrew Horn*
Residence *75 Park Row* Street.

No. 2, by _____
Residence _____ Street.

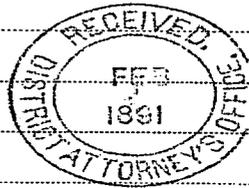
No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Dated *Jan 30* 189*1*
Tambr Magistrate.

Richardson Officer.
C Precinct.

Witnesses _____
No. _____ Street.
No. _____ Street.



No. _____ Street.
\$ *100* to answer *Ed*

Bailed *100* *Ed*

1041

CITY AND COUNTY } ss.
OF NEW YORK,

POLICE COURT, 1st DISTRICT.

Antony J. J. J. J.

of No. *41 Park Row* Street, aged _____ years,

occupation *Dej. & Chief Clerk* being duly sworn deposes and says,

that on the _____ day of _____ 188

at the City of New York, in the County of New York, *David Lager*, here

present is the one known as James D.,
in annexed complaints & warrants of
even date.

Antony J. J. J. J.

Sworn to before me, this _____ day

of _____ 188 _____ day

James D.

Charles F. J. J.
Police Justice.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

David Rager

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

David Rager

of the CRIME OF KEEPING A ROOM TO BE USED FOR GAMBLING PURPOSES, committed as follows:

The said *David Rager*

late of the *Seventeenth* Ward of the City of New York, in the County of New York aforesaid, on the *twenty seventh* day of *January* in the year of our Lord one thousand eight hundred and *ninety one*, at the Ward, City and County aforesaid with force and arms, unlawfully did keep a certain room in a certain building, there situate, to be used for gambling purposes, to wit: to be used for the purpose of therein conducting a certain gambling game commonly called "policy," where money and property was dependent upon the result, 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 the dignity.

SECOND COUNT.—

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

David Rager

of the CRIME OF KEEPING A ROOM TO BE USED FOR THE PURPOSE OF SELLING LOTTERY POLICIES THEREIN, committed as follows:

The said *David Rager*

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, unlawfully did keep a certain room, in a certain building there situate, to be used for the purpose of therein selling and offering to sell what are commonly called Lottery Policies, and divers writings, papers, and documents in the nature of bets, wagers and insurances upon the drawing or drawn numbers of certain public and private lotteries, and of therein endorsing and using books and other documents for the purpose of enabling divers persons to sell and offer to sell lottery policies and other such writings, papers and documents, 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

David Rager

of the CRIME OF SELLING TO ANOTHER WHAT IS COMMONLY KNOWN AS A LOTTERY POLICY, committed as follows:

The said David Rager

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John R. Collord

a certain paper, instrument and writing, commonly called a Lottery Policy, which said paper, instrument and writing, called a Lottery Policy, is as follows, that is to say:

Billie 27

12	40	44	
6	9	54	
57	67	75	
14	54	36	
1	11	15	
3	11	54	72
		4	12
46			64

(a more particular description of which said instrument and writing so commonly called a Lottery Policy 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.

FOURTH COUNT.—

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

David Rager

of the CRIME OF SELLING A PAPER AND WRITING, IN THE NATURE OF A BET AND WAGER UPON THE DRAWN NUMBERS OF A LOTTERY, committed as follows:

The said David Rager

late of the Ward, City and County aforesaid, afterward, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

John R. Collord

a certain paper and writing, in the nature of a bet and wager upon the drawn numbers of a certain lottery, the same being a scheme for the distribution of property by chance among persons who had paid or agreed to pay a valuable consideration for such chance (a more par-

particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper and writing is as follows, that is to say :

Billedge 27

12	40	44	
6	9	59	
57	67	75	
14	54	36	
1	11	15	15
3	11	54	72
<hr/>			
46		41	21
<hr/>			
46		64	

(a more particular description of which said paper and writing is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

FIFTH COUNT.—

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

— David Lager —

of the CRIME OF SELLING A WRITING PAPER AND DOCUMENT IN THE NATURE OF OF AN INSURANCE UPON THE DRAWING OF A LOTTERY, committed as follows:

The said *— David Lager —*

late of the Ward, City and County aforesaid, afterward, to wit: On the day and in the year aforesaid, at the Ward, City and County aforesaid, with force and arms, feloniously did sell to one

— John R. Collard —

a certain paper, writing and document in the nature of an insurance upon the drawing of a certain lottery, the same being a scheme for the distribution of property by chance among certain persons who had paid or agreed to pay a valuable consideration for such chance (a more particular description of which said lottery is to the Grand Jury aforesaid unknown, and cannot now be given), which said paper, writing and document is as follows, that is to say :

Billedge 27

12	48	44	
6	9	59	
57	67	75	
14	54	36	
1	11	15	15
3	11	54	72
<hr/>			
46		41	21
<hr/>			
46		64	

(a more particular description of which said paper, writing and document is to the Grand Jury aforesaid unknown, and cannot now be given, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

De Lancey M. Fellows
JOHN R. FELLOWS,

District Attorney.

1045

BOX:

427

FOLDER:

3944

DESCRIPTION:

Lally, Michael

DATE:

02/20/91



3944

1046

POOR QUALITY ORIGINAL

Counsel
indicated
Pleads

10-11-92
13th Nov 20/91

Do Freby 188

Michael Lally

THE PEOPLE

vs.

Michael Lally

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

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

June 2/92

A True Bill.

Chas. B. Rosdick
Foreman.

Part of 19th Sept 92
Dismissed
Judgment Dismissed

[Faded handwritten notes, possibly a list of names or addresses, including "John Delade" and "John W. ..."]

1048

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 1 DISTRICT.

John Hogan

of No. 4th Avenue Street, aged _____ years, occupation Police Officer being duly sworn deposes and says, that on the 18th day of January 1887 at the City of New York, in the County of New York, he arrested

Michael Lally charged with Felonious Assault on Complaint of John Delati. Deponent says that the said Delati is now confined at the Chamber Street Hospital from the effect of injuries received and is unable to appear in Court. Deponent therefore prays that the defendant be held to await the result of the injuries upon said Delati.

John Hogan

Sworn to before me, this _____ day of _____ 1887

of _____
Charles J. ...
Police Justice.

Police Court, _____ District.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.

Michael Lally

AFFIDAVIT.

J. J. Smith

Dated *January 19* 18*91*

Justice Magistrate.

Grogan Officer.

Witness,

Mary Hauray
342 Water Street

Mary Johnson
342 Water St

William Schmidt
24 Hudson Ave Brooklyn

Disposition

\$2000 bail for Quantico
bailed by Edward Maher
165 Park Row

Committed without bail
to await injuries

Ex. Jan. 21-1891. 9 AM.

Adj. to Jan. 24. 1891. 9 AM.

request of Council

defendant - City

Adj. to Jan. 26. 1891. 9 AM.

request of Council

Adj. to Jan. 28. 1891. 9 AM.

request of Council

Adj. to Feb. 1. 1891. 9 AM.

request of Council

Adj. to Feb. 1. 1891. 9 AM.

request of Council

1050

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York,

July 19 189

To whom it may concern -
John Delati is
under treatment at this
hospital for pistol shot
wound - seriously wounded and
is unable to appear in
Court -

Fred. L. Wells M.D.
House Surgeon

1051

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 44 W. 4th St. Street, aged _____ years,
occupation Police Officer being duly sworn deposes and says,
that on the 18 day of January 1891
at the City of New York, in the County of New York, he arrested

Michael Lally charged with Felonious Assault. That Mary Henry, Mary Johnson and William Schmidt are material witnesses for the people and that they may not appear when wanted. Wherefore deponent prays that said witnesses be committed to the house of Detention

John F. Ryan

Sworn to before me, this

day

of Jan 19 1891
John W. Smith
Police Justice.

1052

Police Court, 1st District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Wagon

vs.

Mary Harris
Wm. Johnson
William Schmidt

AFFIDAVIT.

Dated Jan 19 1897

Patricia Magistrate.

Wagon Officer.

Wagon

Witness, _____

Disposition, Committed to House
of Detention in
default of \$100 bail each.
CHS

1053

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, Feb 3 1891

To all appearances,
John Kelati is doing
well, and there is but
little doubt that he
will make a good
recovery -

A. Howard
House Surgeon.

1054

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, Feb. 1st 1891

This certifies that
John Hellett's condition
is essentially the
same as at last
report - apparently
progressing favorably,
but not out of danger -

Respectfully,
A. C. Howard
House Surgeon

1055

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, Jan 30 1891

This certifies that
John Kellatin is
apparently doing
well, but is not
yet out of danger.

Respectfully,

A. C. Standard, M.D.,
House Surgeon

1056

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, *Jan'y 28* 1891

To whom it may concern -

John Delati is
improving but is unable to
appear in court -

Fred. L. Wells -
House Surgeon

1057

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, *July 26th* 1891

To certify that Joseph
Delati is still in hospital
Is not yet out of danger

J. L. Welles
J. L.

1058

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, *Jan 24* 1891

To whom it may concern -

John Dalati is
still under treatment
& unable to appear in
Court -

Fred. L. Wells

House Surgeon -

1059

The Society of the New York Hospital,

HOUSE of RELIEF, 160 Chambers St.,

New York, *July 20* 1891

*John Delate is still in
Chambers St Hospital in a
feverish condition and unable to
appear in Court*

*Geo L. Wells M.D.
House Surgeon*

1060

FIRST DISTRICT POLICE COURT.
CITY AND COUNTY }
OF NEW YORK. } ss.

Recognizance to Testify.

BE IT REMEMBERED, That on the

24 day of January in the year of our Lord 1891
William Schmidt

of No. _____ Street, in the City of New York,
and Thomas Brown

of No. 12 Cherry Street, in the said City.

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

William Schmidt

the sum of _____ Hundred Dollars;

and the said Thomas Brown

the sum of _____ Hundred Dollars,

seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person, first above recognized, shall personally appear, at the next COURT OF _____ SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there Testify and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

Michael Lally

And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written.

Charles W. Linton
POLICE JUSTICE.

W. J. Smith
Thomas Brown

1061

day of *June* 18*91*
Charles W. Stewart
Police Justice

Sworn before me this

CITY AND COUNTY } ss.
OF NEW YORK, }

Thomas Brown

the within-named Bail, being duly sworn, says, that he is a *free* holder in said City, and is worth *two* Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of

house and lot of land situated at No 122 Cherry street and is worth nearly five thousand over all encumbrances.

Thomas Brown

New York Sessions.

RECOGNIZANCE TO TESTIFY

THE PEOPLE, &c.,

vs.

William L. Bennett

Charles W. Stewart
POLICE JUSTICE.

Filed *18* day of *June* 18*91*

1062

FIRST DISTRICT POLICE COURT.

Recognizance to Testify.

CITY AND COUNTY } ss.
OF NEW YORK.

BE IT REMEMBERED, That on the

24 day of January in the year of our Lord 1891

of No. Mary Henry Street, in the City of New York,
and Thomas Brown

of No. 122 Cherry Street, in the said City,
personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

Mary Henry
the sum of \$100 Hundred Dollars,
and the said Thomas Brown

the sum of 100 Hundred Dollars,
separately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such that if the person first above recognized, shall personally appear, at the next COURT OF Police Court SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there Testify and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

Michael Kelly
And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written. }

Mary Henry
Thomas Brown

Charles J. Linton
POLICE JUSTICE.

1063

Charles W. ...
day of *June* 18*99*
Sworn before me at this
Police Justice,

CITY AND COUNTY } ss.
OF NEW YORK, }

Thomas Brown

the within-named Bail, being duly sworn, says, that he is a holder in said City, and is worth *Five* Hundred Dollars, over and above the amount of all his debts and liabilities; and that his property consists of

House and lot of land situated at No 120 Cherry Street and worth twenty five thousand dollars free from all encumbrances of Thomas Brown

New York Sessions.

RECOGNIZANCE TO TESTIFY

THE PEOPLE, &c.,

vs.

May Henry

James

POLICE JUSTICE.

Filed day of 18

1064

FIRST DISTRICT POLICE COURT.

Recognizance to Testify.

CITY AND COUNTY }
OF NEW YORK. } ss.

BE IT REMEMBERED, That on the

24 day of January in the year of our Lord 18

of No. Thomas Brown Street, in the City of New York,

and Mary Johnson

of No. 122 Cherry Street, in the said City,

personally came before the undersigned, one of the Police Justices in and for the City of New York, and acknowledged themselves to owe to the PEOPLE OF THE STATE OF NEW YORK, that is to say; the said

Mary Johnson

the sum of one Hundred Dollars;

and the said Thomas Brown

the sum of one Hundred Dollars,

seperately, of good and lawful money of the State of New York, to be levied and made of their respective goods and chattels, lands and tenements, to the use of said People, if default shall be made in the condition following, viz:

The Condition of this Recognizance is such, That if the person first above recognized, shall personally appear, at the next COURT OF 1st District Police Court SESSIONS of the Peace, to be holden in and for the City and County of New York, and then and there Testify and give such evidence, in behalf of the people of the State of New York, as he may know, concerning an OFFENCE or MISDEMEANOR, said to have been lately committed in the City of New York aforesaid by

Michael Kelly

And do not Depart thence, without leave of the Court, then this Recognizance to be void, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the }
day and year first above written. }

Mary Johnson
Thomas Brown

Charles J. Laintz
POLICE JUSTICE.

1065

day of *Dec* 1891
Sworn before me at
Police Justice

CITY AND COUNTY } ss.
OF NEW YORK,

Thomas Brown
the within-named Bail, being duly sworn, says, that he is a *free* holder in
said City, and is worth *two* **Hundred Dollars,**
over and above the amount of all his debts and liabilities; and that his property consists of

*house and lot of land
situated at No 192 Cherry
Street and worth twenty
five thousand dollars over
all encumbrances.*

Thomas Brown

New York

Sessions.

THE PEOPLE, &c.,

RECOGNIZANCE TO TESTIFY

vs.

My Johnson

Town

POLICE JUSTICE.

Filed

day of

18

1066

Sec. 192.

1st District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Charles Taylor a Police Justice
of the City of New York, charging Michael Lally Defendant with
the offence of Felony Assault

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, Michael Lally Defendant of No. 246
1st Street; by occupation a Labourer

and Edward Mahu of No. 165 Park Row
Street, by occupation a Real Estate Surety, hereby jointly and severally undertake
that the above named Michael Lally 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 Twenty
Hundred Dollars.

Taken and acknowledged before me, this 4th

day of January

1891.

[Signature]
POLICE JUSTICE.

Michael Lally
Edward Mahu

1067

CITY AND COUNTY OF NEW YORK, ss.

Edward Malin

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 *Forty* 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*

situate at 40 Mulberry Street New York City - of value at Fifteen Thousand Dollars Mortgage of Seven Thousand Dollars

Edward Malin

Sworn to before me this 7th day of [illegible] 18 [illegible]
Bill [illegible]
Police Justice

District Police Court.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Undertaking to appear during the Examination.

ss.

Taken the day of 18

Justice.

1068

New York Hospital,

GEO. P. LUDLAM,
Superintendent.

West Fifteenth Street,

New York, Feb. 7 1896

*John Melati is still
apparently improving*

*A. Steward
James S. Ryan*

Lally

John Delati of number 79 Oliver
 Street in this city, being duly
 sworn deposes and says:
 That on the 18th day of January 1891
 I was in home number 34 1/2 Water Street,
 Michael Lally came into the place
 when I was working and asked
 me to give him a drink, I told
 him I had nothing but soft drinks,
 and I then gave him a glass of
 Peppermint which he refused to
 pay for. He called me names and
 I called him names and took a club and hit him
 with it, after I hit him other
 men came into the place and
 I was shot in the breast that
 Lally was standing in front of me
 when I was shot, and that if he
 had not me I could not know
 it. I don't think that Lally
 shot me. I am of a very excitable
 temper and think that I am to blame
 for all the trouble. I have no other
 evidence and therefore pray that
 said Michael Lally be discharged
 and that this complaint be dismissed

I called him names

Sworn to before me this }
 15th day of Jan 1891 }
 C. J. [Signature]

John^W Delati^{mark}

Police Justice

1070

District Attorney's Office,
City & County of New York. (4.)

189-
When the Club raised at the Prime
Irish Stand, in front of the Bar
midway between Sally and Blattie
the man with me back against
the Bar - The stranger was in
front of me - about ~~four~~ ^{four} feet away.
The shot passed between us -

July 14th 1892.

M. Smith.

Corner of Hudson and 7th St.
Hoboken
N.J.

The man's name with
whom I live is Schraeder.

13th

The first of the
 day was spent in
 the valley of the
 river. The water was
 very clear and the
 banks were very
 green. The trees were
 very tall and the
 leaves were very
 green. The air was
 very fresh and the
 sun was very bright.
 The people were very
 friendly and the
 food was very good.
 The day was very
 pleasant and we
 had a very good
 time.

(A)

The first of the
 day was spent in
 the valley of the
 river. The water was
 very clear and the
 banks were very
 green. The trees were
 very tall and the
 leaves were very
 green. The air was
 very fresh and the
 sun was very bright.
 The people were very
 friendly and the
 food was very good.
 The day was very
 pleasant and we
 had a very good
 time.

1072

POOR QUALITY ORIGINAL

District Attorney's Office,
City & County of
New York.

Ex. Pro.
15.
Lally

189

William Smith says that he was in
the Saloon kept by Wilson in West
Street on the 15th of Jan'y '91 at about
six o'clock - then Mr. Daniel Moran
then - I only know the names of
Mrs. Mary King and Mrs. Johnson
then was a man came in the Saloon
whose name I do not know but he
called for drinks - Delatti was behind
the bar - Delatti would not give him
any thing - then Kelly came in and
said to Delatti you must not give
him any drinks & Delatti says no
I gave the first man and Kelly
then towards the end of the bar and
Delatti took a club which was leaning
on the wall behind the bar and he held
the club up. I did not see him strike any

District Attorneys Office
 City & County of
 New York

2

189

one but he brought the club down.
 The other man jumped back and
 Lally jumped back and Lally drew his
 Pistol and fired. Hitting Delatin. Saying
 at the same time that Lally took the
 Pistol from his right hip pocket. Lally
 then ran out of the Saloon. The other
 man went out. I followed Lally up
 to the Saloon corner with and James Slip.
 He was running fast. He then went in the
 Saloon. I went after a Policeman. And
 when I came back he was had gone.
 I saw the girl Hendry who I had
 met outside of the first saloon standing
 across the street in front of Foley's Saloon
 and I went over there with Officer Smith
 He was in the Saloon. I stayed outside

1074

District Attorney's Office. (3.)
City & County of
New York.

189-
They then brought him out and
May Henry says shots the man who
shot him - ~~He~~ They took Lally
back to the State Street Saloon
into Delata's presence - and Delata
~~was~~ was sitting on the saloon
a chair ~~was~~ ~~Dr~~ said ~~the~~
Officer said is that the man who
shot you and Delata pointed at
him ~~and~~ ~~said~~ and said
that is the man who shot me -
They then took Lally away. He never
saw anything - When Lally fired the
Revolver - Delata was standing at
the end of the bar near where the young
March leads him. Dr. and Lally was
at the other end of the bar some ten or
more feet from Delata. ~~Delata~~ Dr. does not

District Attorney's Office,
City & County of New York. To Chapman -
Sister at top of this.

The Pro. Please attend to this. 189-
H. Assault. Jornsen.
Lally. Witnesses.

W. Smith, Corner of Hudson and Ferry Sts.
Stricken and found. Linn
with a man named Schraden.

Officer John W. Smith (Dead)

Officer John Grogan.

John Blatti (complainant) See N. Strom Drugg.
John W. Friedrich. in furniture and carpets. etc.
45 James Street, N.Y.C.

Mary Johnston -

Mary Hendry } See Officer Grogan. and has them
Subpoenaed.

Case set down for trial Part II. Sept. 14th 92
by Agreement, Counsel. Jornsen

Sept. 14th 92.

at top of this.

1076

New York Hospital.
Feb. 11th '91

This certifies that
John Bellati is
improving, and
might with reasonable
certainty be said to
be out of danger.

S. C. Steward
House Surgeon

1077

1725

TC

4

K.

Morning Advertiser.

Pleas

SATURDAY, JUNE 25, 1892.

9 of

JOHN A. COCKERILL, Editor.

LALLY ON DECK AGAIN.

This Time the ex-Bridge Policeman Is Charged with Felonious Assault—His Record Is Against Him.

Give a dog a bad name, and it is hard work for him to re-establish his character, and this well-worn aphorism is peculiarly applicable to men who have figured in the criminal annals of the New York Police Department. The case of Michael Lally, who is accused of assaulting Timothy Mahony at an early hour on Thursday morning in James Durkin's saloon at Water and Roosevelt streets, is one to the point. Mahony, who is a young truckman, of No. 122 Franklin street, Brooklyn, claims to have been assaulted and beaten by Lally without any provocation, and during the melee he further states that a policeman in full uniform looked on approvingly. Mahony carried his tale of woe to several newspapers, and then, according to his story, visited the Chambers Street Hospital for repairs. Michael Lally, who is charged with being Mahony's assailant, bears an unenviable record, his reputation of being a tough man having been gained by two assaults, the first upon Roundsman Brophy, for which he lost his place on the Bridge police force, and the second upon John Delati, for which he is under indictment.

Sergeant McNally of the Oak street station said yesterday: "There is nothing in the charge preferred by Mahony that Policeman O'Neill witnessed the fight in Durkin's saloon, in which Mahony was worsted. Our information is that Mahony visited the place to cause trouble, and got more than he bargained for. Policeman O'Neill could not have been in the Durkin place, for he had left the station but a few minutes, and the charge that he had been drinking is absolutely false. O'Neill is a deserving young man."

Policeman O'Neill said: "Soon after leaving the Oak street station, and while trying doors along my beat, I heard the noise of glass breaking in the neighborhood of Water and Roosevelt streets. I ran down in time to stop a number of men who were coming hurriedly out of Durkin's place. I inquired of them the cause of the disturbance, and was told by Mahony that there had been a rough-and-tumble fight. Mahony had a bruised forehead, but otherwise no visible injuries. He absolutely refused to prefer any charges, al-

... requested him to do so. Lally in the saloon when I entered." Inquiry at the Chambers Street Hospital brought to light the fact that Mahony had not visited that place, so far as the attendants know, and no record of his case could be found. The theory of the police is that Mahony brought his trouble upon himself, and to shield himself from well-merited blame, endeavored to shift the responsibility upon Lally.

While Lally, in the Mahony case, is apparently more sinned against than sinning, the fact that he again figures in a riotous escapade has given rise to the belief that the indictment pending against him is being, through some dark and sinister influences, permitted to lapse into obscurity.

At the District Attorney's office it was learned that Michael Lally had been arrested for assaulting John Delati, and after a hearing before a Police Justice had been discharged. It was the then prevalent belief that Lally had either frightened or persuaded his accusers to remain away from the hearing. Subsequently Delati appeared before the Grand Jury, and on Feb. 23, 1891, that body returned a true bill against Lally, charging him with assault in the first degree. Before he could be taken into custody Lally, who obtained an inkling of the Grand Jury's actions, left the city and remained beyond the jurisdiction of the local officials until Jan. 6, 1892, when he voluntarily surrendered, and was released on bail.

During Lally's absence Delati, the prosecuting witness, had gone to Italy, where he now resides, and the only other material witness for the State died. On several occasions Lally's case has been placed upon the calendar for trial, the last date having been June 2, when Assistant District Attorney Townsend, although anxious to dispose of it, was compelled to postpone the final hearing through the absence of testimony sufficient to make the semblance of a case.

New Y

1078

N. STROM,

DEALER IN

Furniture, Carpets,

(Mr) **BEDDING, ETC.**

45 JAMES STREET,

Near Madison Street,

NEW YORK.

1079

N. STROM,

DEALER IN

Furniture, Carpets,

(Mr) **BEDDING, ETC.**

45 JAMES STREET,

Near Madison Street,

NEW YORK.

1080

Witness Delato
by Louis Edlman
73 Essex St

BAILED, Lawrence Kane
No. 1, by
Residence 2 1/2 Mowat Street.
No. 2, by
Residence Street.
No. 3, by
Residence Street.
No. 4, by
Residence Street

Police Court

District 233

THE PEOPLE, &c.,
ON THE COMPLAINT OF

~~The District Attorney~~
vs.
1 ~~Michael Sweeney~~
2
3
4

Offence *Disorderly in
the Court house*

Dated February 19 1891
Richard Smith Magistrate.
Officer.
Precinct.

Witnesses
No. Street.
No. Street.
No. Street.
\$ to answer

1081

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Michael Lally

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.

Michael Lally

Question. How old are you?

Answer.

28 years

Question. Where were you born?

Answer.

Ireland

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

Answer.

290 Fourth Street 10 years

Question. What is your business or profession?

Answer.

Labourer

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

Answer.

*I am not guilty
of the charge
Michael Lally*

Taken before me this
day of *September*

1891

Police Justice

[Signature]

1082

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.

Dated *January 18* 1891

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 *Defendant*
guilty of the offence within mentioned, I order him to be discharged.

Dated *Feb 15* 1891

A. J. Hogan
Police Justice.

1083

Police Court--- / District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John De Lato
vs.
Michael Lally

Offence
Assault

Dated *February 15th* 1891

Hogan Magistrate.

O'rogan Officer.

4th Precinct.

Witnesses *Mary Henry*

No. *342 Water* Street.

Mary Johnson

No. *342 Water* Street.

William S. Smith

No. *24 Hudson Street* Street.

\$ _____ to answer.

BAILED.

No. 1, by _____

Residence _____ Street.

No. 2, by _____

Residence _____ Street.

No. 3, by _____

Residence _____ Street.

No. 4, by _____

Residence _____ Street.

State of New York,
City and County of New York, } ss.

THE INFORMATION OF Robert Townsend, Clerk
Recorder of the City of New York
laid before Frederick D. Smith Esquire, Recorder

of the City of New York, and a Magistrate and Officer
having power to issue a warrant for the arrest of a person charged with a crime, the
nineteenth day of January in the year of our
Lord one thousand eight hundred and ninety one, who, being duly sworn, deposes,
alleges and says, as follows (for information and belief):

THAT on the nineteenth day of January in
the year of our Lord one thousand eight hundred and ninety one,
one Michael Kelly, late of the City of New York, in the County of
New York aforesaid, at the City and County aforesaid, did feloniously make an
assault upon one John Delati, and to
arrest against him the said John Delati,
a certain pistol loaded and charged,
with a powder and one leaden bullet,
did then and there willfully and
feloniously shoot off and discharge
with intent to kill the said John Delati
thereby then and there willfully and
feloniously to kill.

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

WHEREFORE, informant prays that a warrant may issue for the arrest of the
said Michael Kelly and that he be dealt
with according to law.

Sworn to before me, this 19th day of
January in the year of our Lord, one
thousand eight hundred and ninety one
F. D. Smith

Robert Townsend,
Recorder of the City of New York.

1085

1701

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

In the Name of the People of the State of New York. *J. H. Hogan*

To *Mary Johnson*
of No. _____ Street _____

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of *June* *MAY* 1892, at 10.30 o'clock 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

Michael Kelly

Dated at the City of New York, the first Monday of *MAY*
in the year of our Lord 1892.

DE LANCEY NICOLI., *District Attorney.*

PART I.

The Court Room is in the Second Story and Fronting the Park.
If this Subpcena is disobeyed, an attachment will immediately issue.
Bring this Subpcena 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.]

1087

Court of General Sessions,

THE PEOPLE, on the Complaint of

vs.

Michael Lally

Offense:

John P. Feltows
~~JOHN P. FELTOWS~~

District Attorney.

Affidavit of Police Officer

John Morgan
J. P.

Precinct.

Failure to Find Witness.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Michael Salluy

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

Michael Salluy

of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said *Michael Salluy*

late of the City of New York, in the County of New York aforesaid, on the ~~thirtieth~~ day of ~~January~~, in the year of our Lord one thousand eight hundred and ~~eighty~~ ^{ninety}, with force and arms, at the City and County aforesaid, in and upon the body of one *John Delati*, in the peace of the said People then and there being, feloniously did make an assault and to, at and against *John Delati* the said *John Delati*, a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *Michael Salluy* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge, with intent *John Delati* the said *John Delati*, thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

Michael Salluy

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Michael Salluy*

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

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

District Attorney.

1089

BOX:

427

FOLDER:

3944

DESCRIPTION:

Lamorte, Francesco

DATE:

02/20/91



3944

Part filed at
300 N. 1st
Witnesses:
Officer Conrad
15th Precinct
Antonio Manzanera
Thomas Sullivan
Thomas Corday
W. F. Golden

911. *John*
Counsel,
Filed *Do* day of *July* 1891
Pleads, *Not guilty*

THE PEOPLE

vs.

B

Tommaso Lamorte
March 13, 1892
Paul J. Hayward et al
parties Antonio & Thomas

DE LANCEY NICOLL,
JOHN R. FELLOWS

Order of the Court
for and between
for trial

A TRUE BILL

John B. Dobbins

Foreman.

Ordered to the Court
of the County of New York
for trial on the 27th day of July 1891

MANSLAUGHTER.
[Section 189 of Penal Code.]

test testify before Court of General Sessions
Corner.

where is autopsy?

The People
vs
Francesco Lamorte

§ 189 Penal Code
Punishment - Not less than 5 nor more than 20 yrs.

Crime

Manslaughter - 1st Degree.

Committed

February 14th 1891- at 112 Bleeker St N.Y. City

Name of person killed - John Stoddard -

Died Feb. 15-1891. 6:30 A.M.

Witnesses

Witnesses:

Officer Maurice Bannoil - 15th Precinct.
Antonio Mannonna - 195 Mulberry St. N.Y. City
Thomas J. Sullivan - 29 Cottage Place "
Thomas Corley. do
Dr P. F. Gildea - St Vincent's Hospital ?

Facts

Antonio Mannonna testified:

Lives at 195 Mulberry St. Works for defendant - Was present when the stabbing or cutting occurred - He shaved Stoddard - Stoddard said I don't want to pay 10 cents - I don't want Bay Rum - I said you got to pay 10 cents. He said No I will not. - He said no I don't pay 10 cents at all; You go to hell; . He said this when I went for a check - He threw it on the floor, & said I want a five cent check. - I said you got to pay 10 cents. He said you go fuck yourself; Then the boss went to throw him out in the street.

He punched the boss. - He punched the boss first. He punched him in the face; Then the boss chucked him out of the door: I saw the boss have a razor in his hand. I did not see whether he cut. - I saw the blood, but did not see from what part, I thought it came from the nose. I did not see the cut at all - He was not cut when I shaved him. Nobody had any trouble with him in the place but the boss.

Officer Maurice Bannol:

About 6³⁰ P.M. on Feb 14-1891. John Stoddard came to station house with stab. wound in neck; from ~~it~~ inflicted by razor in hands of Francesco Lamorte. on that day. Took Lamorte to St Vincent's Hospital where Stoddard was. - Stoddard identified Lamorte in Bannol's presence as person who had cut and stabbed him -

Stoddard Died Feb. 15-1891 at 6³⁰ A.M.

Memo

People r Lamorte.

City and County of New York:

Michael Adigo the complainant says: I am the complainant in the case of the Peo. vs. Michael Larmorte, charged with Assault, and I resided at No. 1 Varick Place in said when assaulted by defendant, but now reside at No. 141 Thompson Street in said City. That about one week prior to the 13th day of July 1890, the day of the assault, I had some trouble with the defendant, and since then he vowed that he would fix me. On the night of the assault I was in my room playing cards with some friends; we began to play about 5 o'clock p. m.; at about 6 o'clock my brother went out for some beer and when he returned he told me that the defendant was on the stoop of the house I lived; my brother told me not to go out. A man by the name of Mascolo was playing with us; and at 7 o'clock his wife came in and told him that he should not let me go out of the room; as defendant wanted to kill me and that he had a large knife. I lived on the second floor and Mr. Mascolo on the floor above. About 8.30 o'clock

I walked out with the intention of going to the water closet; as I got out in the hall; I heard some one from above say good night; and I recognized the voice of the defendant; as he came passed me; he saw me and motioned to me to follow; I did so, and as we got outside of the house near the stoop he said to me "you have it" "always in for me", and without saying another word he took out a large knife and made a slash at my throat; I put up my arm to ward off the blow and was cut on my thumb. I grappled with him and took the knife away from him and called "police". Before the police man came; the defendant made several ineffectual attempts to escape from me; and dragged me as far as the corner of the street; then the officer came and arrested him.

Michael Tomillo, says: I reside at 208 Sullivan Street; that on the 13th day of July 1890; I was in complainant's room, playing cards. About 8.30 p.m. the complainant walked out of the room and I looked out of

the window, I had not been looking out very long when, I saw the complainant and defendant; and saw the defendant raise his arm and strike at complainant with a large knife which defendant held in his hand; then they both grappled; and I then saw that the defendant was making efforts to get away; then ~~an officer~~ I went down stairs and an officer came and arrested the defendant.

Witnesses are

Michael Adiego 141 Thompson St.
 Michael Tomillo 208 Sullivan St.
 Maria Mascolo } No. 1 Varick Place
 Saverio Mascolo }
 Francesco Quaso No. 1 Varick Place

Court of General Sessions
of the Peace

The People

vs:

Michael Sarnate
Defendant

Statement of ~~complaint~~
of ~~plaintiff~~

COURT OF GENERAL SESSIONS

-----x
 :
 The People, etc., :
 :
 against :
 :
 Francis Lamorte :
 :
 -----x
 City and County of New York, ss:

Ambrose H. Purdy being duly sworn says that on the 5th day of October, 1892, motion papers were prepared for the relief of the surety in the above entitled action, that the papers and originals all of which are hereto attached *to the motion papers here on file.* and made part of this affidavit were served upon the District Attorney, the motion being before the Court on the 24th day of October, at Part II; the attention of the Court was not called to the motion, because the Assistant District attorney requested deponent, who was counsel in the case an opportunity to examine the papers; such request was acceded to by deponent; deponent being satisfied that the examination of the facts would result in the District Attorney consenting to the discharge of this bail; subsequently deponent had interviews with various Assistant District Attorneys on this important issue; deponent saw Assistant District Attorney Davis about the matter, and finally after a great deal of trouble deponent ascertained that Assistant District Attorney Simms had charge of this matter; deponent saw Assistant District Attorney Simms, and he was not willing to take the grave responsibility upon himself of discharging this \$100. bail bond for the witness, but requested deponent to see the

the District Attorney himself on the matter of such grave importance; deponent being wearied with being sent from one Assistant District Attorney to another and then finally being referred to the District Attorney himself, and there being no adequate compensation to deponent for all his trouble, deponent gave the whole matter up in disgust, and the motion was not brought before the Court, and nothing further was done about the matter, but subsequently said Mennonna came to deponent's office repeatedly and represented to deponent the very great hardship of his being substantially swindled out of \$100. In the name of the People of the State of New York, enlisted deponent's sympathies and deponent prepared an affidavit and notice of motion, and brought them before Your Honor; this is all the application or attempted application or motion or attempted motion that has ever been made to any Court; deponent very foolishly allowed the original motion to lapse, trusting that the District Attorney would see the justice of this case, and not endeavor to obstruct, impede and delay a poor man who was so unfortunate as to fall into his clutches as a witness, from receiving the sum of \$100. which belongs to him; insignificant as it is to the District Attorney but very important for this unfortunate barber.

Sworn to before me this)
 16th day of December,)
 1892.)

A. H. Purdy

P. A. McManis
Notary Public
New York Co.

1099

COURT OF GENERAL SESSIONS

The People, etc.,

against

Francis Lamorte

ADDITIONAL AFFIDAVITS

Copied

Purdy & Giamus,
280 Broadway, N. Y. City

*To Hon D Shure
Presumably*

1100

Sec. 98-200.

2. District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer.

Frank Lamorte

Question. How old are you?

Answer.

33 Years

Question. Where were you born?

Answer.

Italy

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

Answer.

113 Duane St. 3 Years.

Question. What is your business or profession?

Answer.

Barber.

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

Francisco Lamorte

Taken before me this

day of November 1891

John J. ...

Police Justice

Police Court, 2^d District.

City and County of New York } ss.

The 15th Precinct Police Court, Maurice Bonmil, aged 38 years, occupation Police Officer, being duly sworn, deposes and says,

that on the 14th day of February 1891, at the City of New York, in the County of New York,

Francesco Lamorte (now here) did willfully and feloniously cut and stab one John Stoddard in the neck with a razor, then and there held in the hands of the said Lamorte, causing injuries from which the said Stoddard died on the 15th day of February 1891, from the fact that at or about the hour of 6 2/3 P.M. on the 14th day of February 1891 the said Stoddard came to the 15th Precinct Station House suffering from a stab wound in the neck. I thus deponent arrested the said Lamorte and took him to the Hospital where the said Stoddard was. That the said Stoddard identified the said Lamorte in deponent's presence as the person who had cut and stabbed him. Deponent is informed by Antonio Mannonni that on the 14th day of February 1891 he saw the said Lamorte strike the said Stoddard in Foreman's no. 112 Bleeker Street and that at the time the said Lamorte had in his hand a razor, and that immediately afterwards he saw the said Stoddard leave said premises covered with blood. Deponent therefore prays that the said Lamorte may be dealt with as the law directs.

This 15th day of February 1891
 H. W. Watson, Police Justice
 Maurice Bonmil

Antonio Mannonna being examined
by the court deposes and says:-
I live at 195 Mulberry
street, I am a barber. I am
24 years old. I work for
Frank Lamorte at 112 Bleecker
street. I was there last night
when this thing occurred.

Q Tell all about what occurred.

A I got to shave this man
Q What is his name?

A I do not know.

Q Did you see him since?

A Yes. I see the defendant.

Q Tell what occurred;

A I shaved this man. He
said "I don't want to pay
ten cents. I don't want
to pay ten cents." I said "you got
to pay ten cents." He said
"No; I will not." He said
"No I don't pay ten cents
at all; you go to hell."
He sent this to me when I
go for a ticket. "I gave
him a ten cent check. He
chucked it down and said
"I want a five cent check."
I said "you got to pay

ten cents. He said "you go fuck yourself." I said "you have got to pay ten cents." The boss went to chuck him out in the street, and he gave him a punch.

Q Who punched?
A He punched the boss; punched the boss first.

Q Where did he strike him?
A In the shop.

Q Punched him in the face?

A I did not see it.

Q You say he punched him?

A He has got a punch about right here (illustrating by pointing to his face)

Q But you see him hit in the face?

A Yes sir. He punched him. Then the boss chucked him out the door. I see the boss have a razor in the hand. I did not see whether he cut.

Q You see the boss have a razor?

A In the shop.
 Q Did you see him cut?
 A I saw the blood but I did not know from what part. I thought it came from the nose.
 Q You did not see the cut in his hair?
 A No; I did not see the cut at all.
 Q Did you see the blood?
 A Yes.
 Q Was the man cut when he left there?
 A Yes; I saw the blood.
 Q You did not see the portion of the body that was cut?
 A No sir.
 Q Was he cut when you shaved him?
 A No.
 Q Nobody had any trouble with him in the place but the boss?
 A No.
 Q Nobody else?
 A No.

Sworn to before me this 15 day
 of February 1891
 J. J. [Signature]
 Police Justice

1105

CITY AND COUNTY OF NEW YORK } ss.

POLICE COURT, 2. DISTRICT.

of Maurice Bonnoil Street, aged 38 years, occupation Police Officer being duly sworn, deposes and says that on the _____ day of _____ 190

at the City of New York in the County of New York: Antonie Mannonne

Thomas Sullivan & Thomas Corley (all now here) are material witnesses against Francesco Lamorte charged with murder as set forth in the annexed Complaint. Deposition has been taken. I believe that the said Mannonne Sullivan and Corley will not appear to testify and process that they may be required to furnish surety to testify

Maurice Bonnoil

Sworn to before me this _____ day of _____ 190

Wm. J. ...
Police Justice.

1106

St. Vincent's Hospital
New York Feb. 15, 1911.

Mr. John Stoddard died
this morning at 10.30.

Dr. C. F. Kildes
House Surgeon

1107

OFFICE OF

The Prosecutor of the Pleas of Passaic County.

Filed

WILLIAM B. GOURLEY, Prosecutor.

Paterson, N. J., February 21 1891

Salmony Richards Esq.

Sir.

The father of Mr James Stockard of this city is the father of John Stockard who was murdered in your city about ten days ago by an Italian Barber. Mr Stockard has requested a letter of introduction to you but although I am not personally acquainted with you, I have given him this letter. Mr Stockard is a gentleman of good standing among the business men of this city and is held in very high esteem. If you be of service to him I will regard it as a favor

*Very Respectfully
W. B. Gourley*

People & Landmarks

Pen

Landmarks

File with papers

N. Y. COURT OF GENERAL SESSIONS

-----X
 :
 The People, etc., :
 :
 against :
 :
 Francis Lamorte :
 :
 -----X

Hon. Delancy Nicoll,

District Attorney, New York County.

PLEASE TO TAKE NOTICE that on the annexed affidavit and
 on all the proceedings herein, I will move the Court of
 General Sessions at Part 2, December 14, at eleven o'clock
 A.M. for an order discharging the bail of Antonio Mennona
 and for such other and further relief as to the Court may
 seem just.

Respectfully,

Richard McManis

N. Y. COURT OF GENERAL SESSIONS

-----X
 The People, etc., :
 :
 against :
 :
 Francis Lamorte :
 :
 -----X
 City and County of New York ss:

Antonio Mennona being duly sworn says that about two years ago deponent was arrested and held to bail in the sum of \$100. as a witness in the above entitled case; that in order to procure bail, deponent was obliged to deposit the sum of \$100. with the bondsman Antonio Aliano; deponent further says that the above named defendant was admitted to bail in the sum of \$3000.; that his bail was forfeited in the month of May, 1891; that he has not been arrested, and that by reason of deponent being under bail, the sum of \$100. of his money is retained by the bondsman, and he cannot get it as long as he is under bonds; deponent further says that he resides at 195 Mulberry Street; that he has lived in the City of New York for the last six years; that he is a barber and during all that time, has been carrying on his business as barber; that he is a married man, and has three children, and that his wife and three children live with him.

WHEREFORE by reason of the premises he respectfully asks this Court to relieve him from his bail in order that he may procure from his bondsman the money deposited with him; deponent further says that he is poor man, and that the deprivation of this sum of \$100. is to him a very great hardship.

Sworn to before me this 13th day of
September 1892
P. W. McManus } *Antonio Mennona*
Notary Public N.Y.C.

Nov 16/12 ✓

COURT OF GENERAL SESSIONS

The People, etc.,
against

Francis Lamorte

AFIDAVIT
and
SUBPOENA

Worton granted by

Purdy & McManus, Attys.,
380 Broadway, N.Y. City

[Handwritten signatures and names]
W. K. G.

1112

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 deponent

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,~~ legacy discharged
Dated Feb 15 1891 W. J. Mahon Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

I consent that the
intenses Thomas DeLwan
and Thomas Corley be
discharged on their
own recognizances
Feb 17, 1891, at the City
and County

Address
BAILLED, *meamone*
by *by*
No. 1, by *antonio alano*
Residence *23 manion* Street.

Defendant bailed Feb 25, 1891, by
andrew porsant
Residence *20 spring* Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

Police Court--- *2* District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Maurice Bannoil
vs.
Thomas Lamonter

2 _____
3 _____
4 _____

Offence *Armedicide*

Dated *February 15* 1891

M. W. M. M. Magistrate.

Bannoil Officer.
151 Precinct.

Witnesses *Antonia Mannanna.*

No. *195 Mulberry* Street.

Committed to House of
Detention *in default of \$100.00*

Thomas Sullivan Discharge
by *29 Cottage Place* Street.

Thomas A. C. Leg Discharge
by *29 Cottage Place* Street.

Committed to House of Detention
in default of \$100.00



Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Francisco Zamora

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

Francisco Zamora

of the CRIME OF Manslaughter in the 2nd Degree, committed as follows:

The said Francisco Zamora,

on the 20th day of February, in the year of our Lord one thousand eight hundred and ninety one, at the City of New York, in the County of New York, aforesaid, in and upon one John Stoddard, then and there being, wilfully and feloniously did make an assault, and him the said John Stoddard, with a certain razor which he the said Francisco Zamora then and there had and held in his hand, in and upon the neck of him the said John Stoddard, then and there wilfully and feloniously did strike, cut and wound, giving unto him the said John Stoddard, then and there, with the razor aforesaid, in and upon the neck of him the said John Stoddard, one mortal wound, of which said

1115

mortal wound *he* the said *John Stoddard,*
at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the
fifteenth day of *February,* in the same year aforesaid,
did languish, and languishing did live, and on which said *fifteenth* day of
February, in the year aforesaid, *he* the said *John Stoddard,*
at the City and County aforesaid, of the said mortal wound _____ did die.

And so the Grand Jury aforesaid do say: That the said
Francesco Lamorte, Jr.,
the said *John Stoddard,* in the manner and form, and by
the means aforesaid, wilfully and feloniously 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 New York
and their dignity.

DE LANCEY NICOLL,
JOHN R. FELLOWS,

District Attorney.

1116

BOX:

427

FOLDER:

3944

DESCRIPTION:

La Mott, Michael

DATE:

02/13/91



3944

1117

10143.

Witnesses;

Mich Seigo

Counsel,
Filed
Plaintiff

By *[Signature]*
Day of July
1891

THE PEOPLE

vs.

[Signature]
Michael LaMott

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

DE LAUNCEY BRULL,
JOHN R. FELLOWS

District Attorney.

In the within case the
Complainant cannot
be found after repeated
efforts to secure his attendance
The officer informs that
the prisoner was but a slight
cut on the hand and that
the report was also cut at
the time of his arrest. From
all these facts I am of opinion
that no conviction could
be obtained herein even
that a trial was had
and I therefore recommend
that the indictment be
dismissed

June 12th 1891

[Signature]
Wardhope
Dist. Atty.

A True Bill.

[Signature]
April 17/91
Foreman.
[Signature]
Indictment Dismissed

General Sessions

The People vs

vs.

Michael La Motte
defendant.

Alfred

COUDERT BROTHERS,
COUNSELLORS-AT-LAW,
68 & 70 WILLIAM STREET, NEW YORK

1120

Court of General Sessions

The People of the State of New York
against
Michael La Motta.

City of County of New York

Thomas G. Barry

being duly sworn says I reside at 47 Clinton
Place in the City of New York, I am a lawyer
and have an office at 120 Broadway, the
defendant used to black boot on the corner
of Clinton Place and University Place, I have
noticed him there for some three years or
longer. he is now employed by Mr. Currier
I have known him to speak to for about a
year he is a civil well spoken young man,
seems to be attentive to his duties, so far as I
know his character is good, I have always
heard him well spoken of.

Sworn before me this
26 day of May, 1891.

Thomas G. Barry

Jandrie Lyng.

NOTARY PUBLIC
KINGS COUNTY,
CERTIFICATE FILED IN
NEW YORK CO.

General Sessions

The People vs.

vs.

Michael La Motte

Defendant.

Affidavit

1122

City and County
of New York J.S.

The People etc
agt
Michael La Mott.

John E. Kusick of No 218 East 12th St
and place of Business Cor Clinton and
University Place.

Being duly sworn deposes and says.
The Defendant (Michael La Mott)
is in my employ and has been for the
last four (4) years.

I saw him in the Police Court
on the morning after the alleged assault
and his lips was cut and swollen and
his face badly bruised and he was very bloody.
He claimed in Court to me that his injuries
were inflicted by the complainant.

The Defendant is a civil
hard working and honest young man
He has entire charge of my cellar and
has proved himself thoroughly reliable
and trustworthy. From actual
knowledge of him I should say his
Character is very good.

The defendant speaks very little

1123

English and scarcely understands
more of the Language than sufficient
to enable him to perform his daily
duties.

Sworn to before me this
28th day of May 1891.

Charles Harpfe
Notary Public 153
New York County

John E. Husick

1124

County
Court of General Sessions

The People
vs

Michael LaFont

Applicant in
the matter of

1125

City and County
of New York JSS.

Thomas. Bows, doing
Business at No-10 University place
Being duly sworn deposes and
says.

I have known the Defendant
Michael Lamotte for the past 4
Years. As being employed
opposite my place of business.
he has been frequently in my place
of business. and I have always
found him civil & obliging. he
has always appeared to me as a
peacefull. quiet & hard working man
and always attending to his duties
from what I know of him & seen of
him. and from what I hear from
people in the neighborhood about him.
I should say his character was good.

Sworn to before me, this
28th day of May 1891.

Charles Harft
Notary Public (153)
New York County

Thos Bows

103776

General Sessions

The People vs

vs

Michael La Motte
Defendant

Affidavit

1127

PART I.

THE COURT ROOM IS IN THE SECOND 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.]

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 Michael Deigo
of No. 141 Thompson 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 11th day of June, 1891 at the hour of 11 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

Michael La Motta

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

DE LANCEY NICOLL, District Attorney.

1128

Court of General Sessions.

THE PEOPLE

vs.

Michael La Matt

City and County of New York, ss.:

John W. Reilly being duly sworn, deposes and says: I reside at No. 3 Bank

Street, in the City of New York. I am a Subpoena server in the office of the District Attorney of the City and County of New York. On the 10th day of June 1891. I called at 141 Thompson Str.

the alleged residence of Michael Deigo the complainant herein, to serve him with the annexed subpoena, and was informed by

the housekeeper, that there is no person by the name of Michael Deigo, resides there. She had heard that a person of that name had lived there, but he had moved some time ago, she does not know where he now resides or where he could be found

Sworn to before me, this 10th day of June 1891

John W. Reilly Subpoena Server

Should the case not be called on for assigned in Court, please inquire in the Office about it, and you may save time If inconvenient to remain, and you state this early to the District Attorney's Office. If you know of more testifying before the Magistrate, or if a tag District Attorney or one of his

Court of General Sessions.

THE PEOPLE, on the Complaint of
Michael Diego
 vs.
Michael La Mott
 Offence: *Obstruction*

JOHN R. FELLOWS,
De Lincy Nicole District Attorney.

Affidavit of
John W. Kelly
 Subpoena Server.

Failure to Find Witness.

1130

State of New York,
City and County of New York } ss:

The People etc
agt
Michael La Mott.

Michael La Mott deposes and being duly sworn says that

I reside at 333 East 115th and am now in the employ of Mr John E. Kusniak of No 8 University Place.

On the night of the alleged assault I was sitting on the stoop of the house when I lived, when the Complainant with his two Brothers came along and footed me at the same time slapping me in the face. telling me to go up stairs and go to bed. I remonstrated with him and he struck me again. I got up to run away when another brother struck me. All this time I had Mr Kusniak's Lunch Knife in my pocket done up in paper which I usually took to the Grinders next door to where I like to get sharpened every week. I made an effort to get the knife out of my pocket to scare them off when the Complainant grabbed it and cut his thumb. If I intended to use the knife I might have done very serious damage to him.

I have a Blind Mother and a Wife and two children in Italy of whom I am the sole support of. I have never been arrested before. and I beg leave to present two (2) Certificates of character from the Judges who preside in my native town in Italy. Certificates are herewith attached.

And further this deponent says not.

Sworn to before me, this 28th day of May 1891.

Charles Harft
Notary Public (153)
New York County

Michael X La Mott

Court of General Sessions

The People

vs.

Michael La Matt

Affendant of
Defendant.

1131

1132

New York May 28 1897
The People etc
agt
Michael La Mott.

The accompanying
Affidavit made by the defendant
Michael La Mott was translated
to him by me and he signed
it in my presence.

L A Luno
48 Clinton St

1133

PART I.

THE COURT ROOM IS IN THE SECOND STORY AND FRONTING THE PARE.
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.]

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 Michael Diego
of No. 141 Thompson Street

YOU ARE COMMANDED to appear before the Court of General Sessions of the Peace in and for the City and County of New York, at the Sessions Building, adjoining the New Court House in the City Hall Park, in the City of New York, on the day of June 1897 at the hour of 10 1/2 in the forenoon of the same day, as a witness in a criminal action prosecuted by the People of the State of New York, against

Michael La Mott

Dated at the City of New York, the first Monday of June
in the year of our Lord 1897

DE LANCEY NICOLI., *District Attorney.*

1134

Court of General Sessions.

THE PEOPLE

vs.

Michael La Mott

City and County of New York, ss.:

John J. Gannon

being duly

sworn, deposes and says: I am a Police Officer attached to the

15th Precinct.

in the City of New York. On the

11th

day of

June

1891

I called at

No 141 Thompson Street

the alleged residence

of

Michael Diego

the complainant herein, to serve him with the annexed subpoena, and was informed by

Justice

Cuning at said House, that the said Michael Diego, had removed from there, and they had no knowledge of where he had went to, or where he could be found at present

Sworn to before me, this

12th day

of

June

1891

John J. Gannon

John A. Maguire

Clerk of Courts

12 York

District Attorney or one of his Assistants was not there brought out, please state before the Magistrate, or if a fact which Attorney's Office. If in when served, please send timely word state this copy to the District Attorney in the Office assigned to remain, and you prefer and Office about it, and you may save time. If inconvenient to remain, please inquire in the District Attorney's Office about it, and you may save time. If should the case not be called on for trial, and no

Court of General Sessions,

THE PEOPLE, on the Complaint of
Michael deigo
vs.
Michael La Valle
Offense:

JOHN R. FELLOWS,
District Attorney.

Affidavit of Police Officer
John J. Cannon
18th Precinct.

Failure to Find Witness.

1135

1136

Police Court— 2 District.

City and County { ss.:
of New York,

of No. 1 Park Place Michael Deiya
Street, aged 20 years,
occupation Labourer being duly sworn

deposes and says, that on the 13 day of July 1890 at the City of New
York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by
Michael LaMatt (now here)

who made a thrust or upward thrust
with a Carving Knife he held in his
hand, deponent caught the Knife with
his right hand, whereby deponent was
cut in deponent's hand,
said assault was committed
by said deponent

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer
for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 14 day }
of July 1890 }

Michael Deiya
Witness

[Signature]
Police Justice.

1137

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Michael LaMont 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. *Michael LaMont*

Question. How old are you?

Answer. *25 years*

Question. Where were you born?

Answer. *Italy*

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

Answer. *1174 Thompson Street 7 months*

Question. What is your business or profession?

Answer. *Pinch man*

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*

Michael LaMont
Witness

Taken before me this *14*
day of *July* 18*86*
[Signature]
Police Justice

1138

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 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 July 14 1890 [Signature] Police Justice.

I have admitted the above-named [Signature] to bail to answer by the undertaking hereto annexed.
Dated July 14 1890 [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.....18..... Police Justice.

1139

1105

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Michael Reiss
141 Thompson St.
Michael R. Matt

Officer *[Signature]*

2
3
4

BAILED.

No. 1, by *[Signature]*
Residence *[Address]* Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street

Dated July 14 1899
[Signature] Magistrate.
[Signature] Officer.
15 Precinct.

Witnesses
No. Street.
No. Street.



No. *500* to answer *[Signature]*
[Signature]

1140

State of New York,
City and County of New York } ss:

Morris Davis

deposes and says that
being duly sworn

I reside at No 8 University Place and
am employed as Clerk in the New
York Post Office

I have known the defendant
Michael Lamolt for a number of years
and I was present at the Police
Court on the morning after the alleged
assault. He (the defendant) had his
lips cut and his face was much swollen
and his shirt and clothes was covered
with blood, all of which he said was
done by the complainant.

The defendant also told me that he
did not understand the charge that was
made against him at that time as he
did not understand the English language
enough to know what was said and done
and as he had never been in a Police
Court before.

And further this deponent says not.

Sworn to before me, this twenty eighth day
of May 1891

Morris Davis

James J. Beane
Notary Public
Kings Co.
certif. filed N.Y. Co. 54

^{Davis}
General Sessions

The Peoples
vs

Michael Sammitt
defendant

Affidavit

1142

State of New York,
City and County of New York } ss:

The People vs
Michael La Mott.

Mark Kautowitz, deposes and is being duly sworn, says that

I have known the defendant Michael La Mott for a number of years and I found him a peaceful, quiet, hard working young man. Having seen him daily deponent is ready to say that his character is good.

I also saw the defendant the morning after the alleged assault after his release on Bail and I noticed that his face and lips were cut and swollen.

Sworn to before me this
28th day of May 1891.
Charles Starbuck
Notary Public (153)
New York County

Mark Kautowitz

And further this deponent says not.

Sworn to before me, this day
of 18.....

Receiving
General Session

The Proper of

70

Michael La Motte

Defendant

Applicant for

Defendant

Applicant of
Good Character

1144

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Michael La Mott

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

The said *Michael La Mott*
late of the City of New York, in the County of New York aforesaid, on the
thirteenth day of *July* in the year of our Lord
one thousand eight hundred and *ninety*, with force and arms, at the City and
County aforesaid, in and upon the body of one *Michael Reigo*
in the Peace of the said People then and there being, feloniously did make an assault
and *him* the said *Michael Reigo*
with a certain *knife*
which the said *Michael La Mott*
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, then and there wilfully and feloniously did strike, beat, cut, stab and
wound,
with intent *him* the said *Michael Reigo*
thereby then and there feloniously and wilfully to kill, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said
Michael La Mott
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said *Michael La Mott*
late of the City and County aforesaid, afterwards, to wit: on the day and in the year
aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of
the said *Michael Reigo* in the peace of
the said People then and there being, feloniously did wilfully and wrongfully make
another assault, and *him* the said
with a certain *knife*
which the said *Michael La Mott*
in *his* right hand then and there had and held, the same being a weapon and
an instrument likely to produce grievous bodily harm, then and there feloniously did
wilfully and wrongfully strike, beat, cut, stab and wound, 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 C. Fellows
District Attorney

1145

BOX:

427

FOLDER:

3944

DESCRIPTION:

Lamphere, George W.

DATE:

02/25/91



3944

POOR QUALITY ORIGINAL

1146

[Sections 528, 534, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

Grand Larceny

DE LANCEY NICOLL,
District Attorney.

A True Bill.

Chas. B. Bodeide

Foreman.

Chas. B. Bodeide
Foreman
Chas. B. Bodeide
Chas. B. Bodeide

Witness:

John W. Brown
Alfred Carey
Geo. S. White

The complainant having informed me that he is shrewdly to purchase the owner of property who resides in Wisconsin, I received the drawings of defendants and his own recognition.

May 12, 1890

James J. Adams

George W. Samphers

THE PEOPLE

vs.

Counsel,

Filed

Pleas,

1891

Wm. H. H. Adams
Wm. H. H. Adams

Police Court

2

District.

Affidavit—Larceny.

City and County of New York, ss:

John S. Brown, of No. Erie Baggage Room foot Chambers Street, aged 50 years, occupation Detective

deposes and says, that on the 11 day of December, 1891, 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 time, the following property, viz:

One trunk containing Ladies Gentlemen's & Children's Clothing and Jewellery all being of the value five hundred & Sixty-dollars & Fifty Cents.

the property of George S. Middleton in deponent's care and charge.

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 George W. Sampson (nowhere) and Walter H. Fisher, now under arrest in the State of New Jersey from the fact that the said Fisher, who was employed on said date as Baggage Master on the Erie Railroad, admitted and confessed to deponent that he did substitute a bogus chest upon said trunk, and came to the said Sampson. The duplicate in order to obtain said property at the Chambers Street depot. That the said Sampson admitted and confessed in deponent's presence that he did receive said property at his residence

Sworn to before me this 11th day of December 1891 Police Justice

No. 355. West 15th Street New York City and
 that he did dispose of said property.
 Dependent is informed by John Carey
 that he arrested the said Sampson
 and that the said Sampson gave
 him a number of pawn tickets
 which the said Sampson admitted
 and confessed represented a portion
 of the property taken stolen and
 carried away as aforesaid.
 Dependent therefore informs that the
 said Sampson may be dealt with
 as the law directs.

Signed & Sealed me } John W. Brown
 This 16th day of February 1891 }
 J. Henry Ford

Office Justice

1149

CITY AND COUNTY }
OF NEW YORK, } ss.

John Carey
aged *40* years, occupation *Police Officer* of No.

16 *Peunet* *Police* Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of *John H. Brown*,

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

Sworn to before me, this *16* } *John Carey*
day of *February* 189*8*, }

John H. Brown
Police Justice.

1150

Sec. 198-200.

CITY AND COUNTY } ss.
OF NEW YORK,

25. District Police Court.

George N. Lamphere

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

Question. What is your name?

Answer. *George N. Lamphere.*

Question. How old are you?

Answer. *43 Years.*

Question. Where were you born?

Answer. *New York State*

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

Answer. *351 West 15 St 18 Months*

Question. What is your business or profession?

Answer. *Artist.*

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.*

Geo N Lamphere

Taken before me this

11/5

day of *Dec*

1891

William R. ...
Police Justice.

1151

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 Alger

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

Dated May 16 1891 James P. [Signature] Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

1152

No 216

218

Police Court -- 2^d District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John H. Brown,
Trove Baggage from foot
of
George W. Chambers

Offence *Stealing*

2
3
4

Dated February 16 1891
J. H. Ford, Magistrate.

Barney, Officer.
19th Precinct.

Witnesses
John Kearney
No. 16 Chestnut Street.

Geo. J. [unclear] King
No. 188 [unclear] Street.

Detective [unclear]
No. [unclear] Street.

\$ 1.00 to answer

Barney
4th Precinct

BAILED.

No. 1, by *John R. Fritz*
Residence *162 1/2 10th St* Street.

No. 2, by *Joseph A. Kennell*
Residence *158 East 3^d* Street.

No. 3, by *2 Bursling St*
Residence _____ Street.

No. 4, by _____
Residence _____ Street.



1153

City & County of
New York

189

Peo
r
Lamphear } Witnesses

April 14th 1892

John H. Brown Capt
Officer Clark "
George Fitzgerald "
Officer Carey Personal
George S. Middleton Co. Quartermaster

1154

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

George W. Lamphere

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

George W. Lamphere

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

The said George W. Lamphere

late of the City of New York, in the County of New York aforesaid, on the eleventh 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 dress of the value of seventy five dollars, ten dresses of the value of five dollars each, two coats of the value of twenty dollars each, two vests of the value of nine dollars each, two pair of trousers of the value of eleven dollars each pair, four shirts of the value of one dollar each, two other shirts of the value of two dollars each, one finger ring of the value of fifty five dollars, one seal skin cap of the value of twelve dollars, twelve handkerchiefs of the value of twenty five cents each, one pair of shoes of the value of six dollars, six neckties of the value of fifty cents each, one trunk of the value of ten dollars, and divers other goods, chattels and personal property, a more particular description whereof is to the Grand Jury aforesaid unknown, of the value of two hundred and fifty dollars of the goods, chattels and personal property of one George S. Middleton

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.

SECOND COUNT—

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

George W. Lamphere

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

The said *George W. Lamphere*

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,

the same goods, chattels and personal property, described in the first count of this indictment

of the goods, chattels and personal property of one

George S Middleton

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

George S Middleton

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

George W. Lamphere

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.

1156

BOX:

427

FOLDER:

3944

DESCRIPTION:

Lawrence, Henry C. R.

DATE:

02/13/91



3944

1157

POOR QUALITY ORIGINAL

B. G. & R. Kennedy

Witnesses:

Officer Kennedy
or H. Schneider

Counsel,

Filed *13* day of *July* 189*1*

Pleads, *Not guilty*

of
Address of Hospital

THE PEOPLE

vs.

P

Henry C. R. Lawrence

Lawrence
second degree
[Sec. 210, Penal Code]

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

Order for C. Paul
of
of
of
A TRUE BILL.

July 16/91

Wm. B. P. ...

Foreman.

Feb. 25. 1891

Tried and convicted

A. 2 dy

Feb. 27. 1891

S. P. 2 yrs 8 mos. J. P. ...

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 28th day of October in the year of our Lord one thousand eight hundred and 90 before

Daniel Hanly, Coroner, of the City and County aforesaid, on view of the Body of John W. Sprague

lying dead at

Seven good and lawful men of the State of New York, duly chosen and sworn, or affirmed and charged to inquire, on behalf of said people, how and in what manner the said

John W. Sprague came to his death, do when their Oaths and Affirmations, say: That the said John W. Sprague came to his death by

from Delirium Tremens, hastened by a blow on the nose given by nurse Henry C. R. Lawrence, at Bellevue Hospital on the 21st day of October 1890.

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.

JUROS.

Geo Mayghan
Jacob C. Wince
Michael J. Murray
James Sullivan
John G. Wingald
James Fay
James H. G.

389 3rd Ave
539 2nd Ave
346 4th Ave
358 E 78 St
202 E 38th St
109 E 90th St
141 E 2d

Daniel Hanly CORONER, E. S.

1159

Dr. Paton

From Bellerose Hospital.

New York, October 21st 1890

To Coroner

Sir:

Please hold an inquest on the body of John W. Sprague

Name: John W. Williams or John W. Sprague Residence: 171 East 92 St.

Age: 36 years — months — days. Admitted, Tues day, October

Father: Thomas 21st 1890, at 4³⁰ o'clock A. M.

Nativity, N. S.; of

Mother Annie By Presbyterian Hosp. Amb. A

Life in U. S., Life in City. From 27th Precinct B

Civil Bond: Married Occup. Seaman Examined by Dr.

Suffering from symptoms of Acute Alcoholism - Delirium C

Ptyphosis - feeble heart - Rapid breathing

No Paralysis - Pupils small equal -

Said Injuries said to have been received. D

Death took place Tues day, October 21st 1890 at 2³⁰ o'clock P. M.

The Autopsy revealed. F

Remarks: G

Stewart Paton M. D.
HOUSE SURGEON PHYSICIAN.

- Ad. †. State the day of the week.
- Ad. A. State whether by Ambulance or Friends.
- Ad. B. State whether from a Precinct or a Residence and give the name.
- Ad. C. State whether from Natural Causes or from Shock (conscious or unconscious) due to Injuries, and if so, give name, place, date, number, character and Extent of Injuries, always stating where indicated, whether right or left.
- Ad. D. State when, where, how, by what means or persons received, also whether Accidental, Suicidal or Homicidal; in falls, the distance, location and place; in Burns and Scalds the circumstances attending the same; in runover cases, the line of Street, Car, Railroad or Conveyance; in Weapons, the character of the same, &c., &c., always giving such information as will lead to an accurate knowledge of the case and facilitate judicial inquiry and justice.
- Ad. E. State name, date, place, character and results of any operation or amputation performed.
- Ad. F. Give a short resume of the Autopsy with the Pathological Diagnosis and the Cause of Death at the End.
- Ad. G. State here any important facts not embodied in the above statements.

Coroner's Office,

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry C. R. Lawrence 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—*Henry C. R. Lawrence*

Question—How old are you?

Answer—*Thirty-one*

Question—Where were you born?

Answer—*India*

Question—Where do you live?

Answer—*Bellevue Hospital*

Question—What is your occupation?

Answer—*Nurse*

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

*Nothing in the absence of Counsel
H. R. Lawrence.*

Taken before me, this *28th* day of *October* 18*80*

Daniel Hanly

CORONER.

1161

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported
36 Years	Months	Days	U.S.	Morque f. Bellevue	Oct 21/90

1615
 4th Ave - 1890
 HOMICIDE.

AN INQUISITION.

On the VIEW of the BODY of

John W. Sprague

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

Henry O. Saunders

Report taken on the 28th day of October 1890 before

Samuel Henry Coroner.

Examined
 Praised
 Discharged



Date of death

1162

4th 204-1890
1615
HOMICIDE.

AN INQUISITION.

On the VIEW of the BODY of

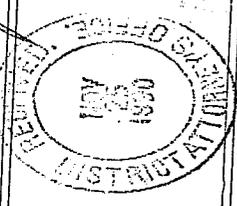
John W. Sprague

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

Henry B. Lawrence

Inquest taken on the 28th day
of October 1890
before

L. David Haskin Coroner.



Committed
Bailed
Discharged

Date of death

MEMORANDA.

AGE	36 Years	PLACE OF NATIVITY	<i>N.Y.</i>
	Months	WHERE FOUND	<i>Morgue & Bellevue</i>
	Days	DATE When Reported	<i>Oct 21/90</i>

1163

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, 4 DISTRICT.

I, Patrick Kennedy
of No. 2nd Street, aged — years,
occupation Police Officer

being duly sworn deposes and says,
that on the 21 day of October 1890

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

Henry C. Lawrence nonparel
for having committed an assault
in his presence upon John St.
Williams of No 171 East 92 Street
who was a patient in Bellevue
Hospital, suffering from delirium
tremens. That deponent saw
said Lawrence strike said Williams
two blows with his clenched
fist in the face splitting
said Williams nose and

Police Court

Subscribed before me, this
11th day of October 1890

1890

day

Police Justice

1164

Committed for 30
Oct-23rd 1890 2 PM
Without bond M. J. D.

Committed without bond
to await the action of
the Grand Jury

Causing a considerable loss
of blood. Therefore deponent
prays that said Lawrence be
committed to await the result
of said inquest.

Subscribed before me
this 24 day of Oct 1890
Charles H. Santos
Police Magistrate

Patrick Kennedy

Police Court, District,

THE PEOPLE, & c.,
ON THE COMPLAINT OF

vs.
Henry C. Lawrence
Ezra Lakin
William H. H. H.

Dated Oct 24 1890

Magistrate.

Kennedy Officer.

Witness
Thomas A. Schneider
186 - 9th St

Disposition,

1165

District Attorney's Office
City & County of
New York.

270

Henry C. R. Lawrence

189

Witnesses

Officer Patrick Kimmelly	21st Precinct	✓
Louisa Sprague	171 E. 92d St.	✓
Dr Stewart Barton	600 Lexington Ave Bellevue Hospital	✓
Dr Herman A. Snyder	" "	✓
William Smally	146 West Houston St	✓
Philip E. Doolin	Coroner's Physician	✓

2.30

Coroners Court,
County of New York.

In the Matter of the Inquest
into the Death of

- of -

J o h n W. S p r a g u e .
deceased.

)
) Before
) HON. DANIEL HANLEY,
) and a Jury.
)
)
)
)
)

New York, October 28th, 1890.

APPEARANCES: Assistant District Attorney Hartman appears
for the People.

OFFICER PATRICK KENNELLY, being called as a witness
by the Coroner was duly sworn and testified as follows:-

By The Coroner:

Q What is your full name, officer?

A Patrick Kennelly.

Q To what Precinct are you attached, officer?

A To the 21st Precinct.

Q State to the jury what you know about the occurrence
which led to the death of John W. Sprague?

THE CORONER: I will state to the Jury that the deceased
was 36 years of age, he was a patient at Bellevue
Hospital and it is alleged he came to his death by
injuries received at the hands of the prisoner Law-
rence who was a nurse there.

Q How, officer, you may now proceed with your testimony. State what you know about the occurrence which led to the death of the deceased?

A On the 21st inst. I was on duty at Bellevue Hospital at the prison ward. About half past 11 o'clock the doctor Dr. Snyder came in there to attend to the patients and he had the nurse to assist him, he was giving him some medicine and while he was in the act of doing so, the nurse raised his hand up and struck him twice in the face; about half *past* 11 this was on the forenoon of the 21st of October.

Q What did he strike him with?

A With his hand.

Q Did he have any weapon in his hand?

A No, sir; it was with his clenched fist on the nose.

Q How often did he strike him?

A Twice.

Q How long was this patient in the hospital?

A He was received that morning as a patient about half past four and he died at 2.25 p. m. that afternoon, about three hours after that assault.

Q Did he strike him with much force?

A He struck him pretty hard.

Q Was the patient in a violent condition at the time?

A He had delirium tremens; he had his hands and his feet tied - his hands and feet were tied at the time; he had delirium tremens on him and his hands and feet were tied.

Q When he was assaulted by the prisoner?

A Yes.

Q Was he in a straight-jacket at the time?

A No, sir.

By Assistant Dist. Attorney Hartman.

Q Did you see any sort of difficulty between the two before he was struck?

A No, sir; with the exception that the patient spit into the nurse's face before he struck him.

Q And he struck him immediately after, twice?

A Yes.

Q Where was the patient?

A He was lying on his back in the bed.

By a Juror.

Q Did this man seem to have his senses when he spit into the nurse's face?

A I think not; that is my opinion that he did not; he was rather violent - that is the reason he was tied down.

Q Were his hands and feet both fastened so he could not use them when this man hit him?

A Yes.

By another Juror:

Q It is very often that men die in that condition whether they are hit or not?

A Sometimes they die and sometimes they recover. That is all I seen.

By Mr. Smith:

Q Where did he strike him - what part of the face?

A He struck him on the nose and on the cheek.

Q On the upper portion of the nose?

A Right here on the bridge of the nose.

Q On the left side?

A On the right side?

Q And on the cheek?

A Yes.

Q Also on the forehead? A. No, sir, on the cheek and on his nose.

Q What did the deceased do after he had been struck?

A He didn't do anything, he bled out of the nose.

Q Did he seem to become unconscious?

A No, sir.

Q Did he become more violent than before?

A If anything he was easier.

Q Did you hear him say anything at all before he struck the patient?

A No, sir.

Q Did he make any groans or any noise at the time?

A He was very uneasy, the Doctors had to hold him down; the Doctors had to hold him down while giving him a hyperdermic injection and then he spit in his face.

Q How far away were you?

A As far as from here to you.

Q Who was present?

A Dr. Snyder and another witness was present, a man that is a patient up in the hospital.

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an officer came in and took him to the station house, and from there he was put into the Presbyterian Hospital; I went down there in the afternoon about half past one and when I got there they told me that he was removed to Bellevue Hospital, and when I got there they told me he was dead. They took me into the dead house and I had to identify him; there was blood all on his face when I seen him.

Q Was he drinking before he was sent to the Hospital?

A. No more than any ordinary man would.

Q Was he on a protracted spree?

A. No, sir.

Q He was complaining of pain in his head?

A. Yes; he commenced first with pain in his kidney.

Q Did you have a doctor attend to him at the time?

A. No, sir.

By Assistant District Attorney Hartman:-

Q Did he ever suffer with delirium tremens?

A. No, sir.

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STEWART

STEWART PAYTON, being called as a witness by the Coroner, was duly sworn and testified as follows:-

BY THE CORONER:

Q What is your full name

A Stewart Payton.

Q Where do you reside? (600 Lexington Ave)

A I reside at Bellevue Hospital.

Q You are a physician at Bellevue Hospital?

A I am a practicing physician connected with the Bellevue Hospital.

Q From what college did you graduate?

A I graduated from the College of Physicians and Surgeons in New York.

Q State to the jury all that you know about this case - in regard to this case of Mr. Sprague and which led to his death?

A The evidence that I have to give in this case would not deal immediately with the injuries that were inflicted because I was not a witness to it, but I can give some testimony as to the condition of the man before he was struck and immediately after he was struck when I was summoned to see him. The patient was first reported to me about, I would'nt be positive, in the early morning about half past four or five o'clock, and I just was up and I asked the nurse if the case demanded immediate attention; he said it did not, the patient was a little nervous, not at all delirious, he had normal temperature and his pulse was a

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little rapid; I first saw the patient about eight o'clock or a few minutes past; he was then in a nervous condition, he was in bed, he was picking at his bed clothes and gave evidence of being in an extremely nervous condition and it gave me the impression as I saw him of being just on the verge of delirium tremens, although of course, not knowing anything about the history of the case, having never seen him before it would only be a matter of opinion; I ordered for him some bromide of soda to quiet him and ordered the dose to be repeated again at nine o'clock, and I left word with the nurse if the patient became at all delirious as I thought he would, or if his condition changed in any way, to let me know; I was very busy in the ward that morning and did not receive any word until eleven o'clock and the nurse came up and reported that the patient was very delirious. I was then very busy attending to different cases and I asked Doctor Snyder to see the patient and if his condition seemed to demand it to give him some ^{morphine} ~~moschal~~ and ^{Hyoscyamine} Hyoscyamine; he gave him a solution of morphine and the 90th of a grain of Hyoscyamine and it was while Doctor Snyder was giving him that that this incident occurred. I saw the man about ten or fifteen minutes after he was struck and his condition had changed very materially for the worse; he was evidently in a condition of collapse and we tried in every way to stimulate him and used every means possible, but the man finally died after about three hours; he didn't respond at all to treatment;

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there was an interval of about quarter past 8 o'clock until about half past 11 o'clock when I didn't see the patient at all in which he had a chance to change very materially for the worse; The question comes up as to what was the immediate cause of death. It seems to be simply a matter of opinion what was the immediate cause of death and I don't think that it is capable of *proof*; the first ^{external} ~~extreme~~ appearances showed nothing which could be taken as proof that the man died as the result of the injuries; there was a fracture of the nose as I understand it and that was practically all; the case resembled very strongly a number of cases which we so often see especially at Bellevue Hospital where we have the only alcoholic service in the city, but I remember a case with a man some time ago we had in the alcoholic ward between two attendants and I passed him when I came in and I told the nurse to put him to bed and I would come right back, and the man was evidently suffering from delirium tremens; I went back to the ward in ten minutes and that man walked in between two attendants, that man was dead and the post-mortem showed nothing; you see this man had three hours in which I didn't see him and which if he was suffering from delirium tremens it was probable that he would change very materially, for the worse; so the question comes up as to how far a man in his condition could be influenced by a blow on the nose. In my opinion I think—
X it is only a matter of opinion, the blow did not accelerate death; I talked the matter over - I talked the matter over-

I put it before Dr. Loomis and Dr. Bryant -

By Asst. Dist Attorney Hartman:

Q Did you see the difficulty between these two men?

A No, sir, I did not. I saw him at quarter past 8 o'clock and when I saw him again it was about 10 or 15 minutes after it happened.

By a Juror:

Q In your opinion the blow struck by the prisoner did not cause his death, in your opinion?

A It is only a matter of opinion; it is not susceptible of ~~xxxxxx~~ proof; in my opinion it did not.

Q What effect did it have?

A I don't know; it fractured both nasal bones.

Q Were there any marks after the blow?

A It broke the nose.

By The Coroner:

Q He bled considerably?

A Yes, sir.

Q The loss of blood in that condition would not have a tendency to weaken him?

A No, sir; it would have a tendency if anything to benefit him.

By a Juror:

Q Then a blow on the nose in that condition did him good?

A Yes, sir.

By The Coroner:

Q Explain it?

✓ A If the man - I cannot see how a blow could do any harm by abstracting blood from that part of the brain.

By Asst. Dist. Attorney Hartman.

Q You say this man when he was brought in?

A Yes, sir; about quarter past 8 o'clock.

Q That was the time he came in?

A No, sir; he came in about half past four in the morning.

Q He was then in a pronounced state of delirium tremens?

A He gave me the opinion of being on the verge of delirium tremens.

Q Did you smell any liquor on him?

A No, sir.

Q And there was nothing more than the condition that you found him in that were indications of delirium tremens or was bordering on it?

A Yes; because without the history of the case it is only a matter of opinion.

By a Juror:

Q That was three hours after he got in when you saw him?

A Yes, sir.

Q The prisoner, the nurse, reported it to you?

A That was the night-nurse.

By Mr. Smith:

Q You say you first saw the patient at 8 o'clock?

A Yes, sir.

Q He was brought in about half past four in the morning?

A Yes, sir.

Q Did you have any opinion as to what was the matter with him when you first saw him?

A I did, sir.

Q Will you describe the condition he was in when you first saw him?

A I did describe it, sir; the patient was in a very nervous condition, that is he took notice of every little thing about him and little things would excite him; he had a characteristic of picking up the bed-clothes and was very nervous, staring around his bed and rolling around his bed first to one side and then to the other and at the same time he was perfectly rational, so that he was able to answer questions; whether he was perfectly rational or not I don't know.

Q Did you ask him any questions?

A I did, sir.

Q What questions did you ask him?

A I asked him whether he had been sick and if he had any pain and if his head troubled him; I asked him since - I asked him how long since he passed his water.

Q Did he make answer to those questions?

A He did.

Q What were his answers?

A He said as near as I can remember he was sick some time.

Q Did he tell you what had been the matter with him?

A No, sir.

Q Did you find out what had been the matter with him?

A I made the examination - I made an examination of it myself and then treated him as I thought the case merited it.

Q When he told you he had been sick some time how long did he say?

A He simply said some time.

Q Did'nt he go into details more than that?

A No, sir; that was all he said.

Q Did he tell you that he had suffered pain?

A He said he had no pain.

Q He had no pain at that time?

A No, sir.

Q How many minutes after he was struck was it before you saw him?

A I am not positive about that; I should think it was about ten or fifteen minutes.

Q Can you tell how much blood he lost from the wound he received?

A I cannot.

Q What was the appearance of the face when you first saw him after he was struck?

A When I saw him he had been already in the hands of a surgeon, Dr. Chase; the blood had been wiped away, there was a little there.

Q As to the wound in the face, what was it?

A There was a slight abrasion, but I cannot recall the exact condition; I did'nt see it.

Q Were you at the post-mortem?

A No, sir; I was not, sir.

Q There may be a good many things about this case that you really don't know?

A Yes.

Q Any opinion that you might have in regard to to the case of the death might be changed that same way if you knew all the proofs?

A Yes, sir.

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HERMAN A. L. SNYDER, being called as a witness by the Coroner was duly sworn and testified as follows:-

Q By The Coroner:

Q What is your full name?

A Herman A. L. Snyder.

Q Where do you reside?

A No. 186 9th Avenue.

Q What is your profession?

A I am connected with the Bellevue Hospital.

Q From what college did you graduate, Doctor?

A I graduated from the College of Physicians and Surgeons.

Q State to the jury all that you know in regard to this case - in regard to the death of Mr. Sprague?

A Our house-staff was making the round in the Ward 27

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on that morning when the nurse Lawrence came in and applied to Dr. Payton about a patient in the prison ward; he was busy at the time and he told me to go down and attend to the patient; I went down to the prison ward and found that the patient had - I went down to the prison ward and found that the patient was very delirious; he was tied down and he struck me as a very ^{convulsive} synotic; his face was almost purple his blood was poorly oxygenated; in other words his blood was in a poor condition; in a normal person the appearance was otherwise; it was oxygenated; the patient was violent so that he was tied down; I proceeded to give the patient a hyperdermic injection and told this nurse to hold the patient while doing so; I first attempted the hyperdermic injection and one part of his body, but the patient was so violent that - the patient was so violent the needle broke in the act; I went up stairs to my room and got my own needle and finally I got it into his left leg; just as I was doing that the patient being very violent he spit at the nurse and immediately after the spitting there followed two blows very rapidly - very rapidly, the first one on the cheek and the other on the bridge of the nose; before I knew what had happened the nurse stopped and there was a free flow of blood; I immediately told the nurse to go for the surgeon and he left the prison ward and I attended to the patient's nose,. He came back with Dr. Chase and I gave the case to Dr. Chase; I gave the case to Dr. Chase.

who put in two stitches and then I gave it to the house physician Dr. Payton and Dr. Payton had the case then and I reported it to the Warden; the nurse was arrested and taken to the station house.

By Assistant District Attorney Hartman:-

Q How long after that did the patient die?

A That I only know from what they say; I had to go that afternoon to Fifty-seventh Street Court about this case.

Q You were very close to him at the time?

A. Yes.

Q Had you diagnosed his case before the injection?

A. That was the first I saw of the patient; I am of the opinion that the man was in a condition of delirium tremens?

Q Did you smell any ~~liquor~~ liquor on him?

A. I did not.

Q You mean to say from your knowledge of things especially pertaining to such cases all the indications were that he was a man that drank hard?

A. That is my opinion; I formed an opinion to that effect, I formed my opinion from the symptoms he gave me at the time I found him; I have had other cases exactly the same way.

By the Coroner:-

Q The patient was tied at the time both hands and feet when the prisoner struck him?

A. I saw his hands tied and there was a blanket tied over the patient and I suppose his feet were tied; they must

have been because he could not strike him with his feet when he was violent and that gave me the impression that his feet were also tied down.

BY MR. SMITH:-

Q As I understand you you wish to leave the place where this man was lying to go into another room to get your hyperdermic syringe, because I had broken the needle.

Q When you started to go away you told the prisoner here to hold the man? A. No, sir; when I came back.

Q When you came back you told him to hold the patient?

A. Yes, sir.

Q And did he take hold of the patient first?

A. I think he did; he was ~~at~~ at the head of the bed and I was at the other side, at the foot of it.

Q Did he take hold of the patient before the patient spit in his face?

A. He was trying to hold the patient when the patient spit at him.

Q You saw that?

A. Yes; I heard it.

X (Q You saw him strike the man?

A. I did.

Q Two blows?

A. Yes.

Q I think you said that from what you saw of this man and from what he told you you are of the opinion that he had delirium tremens?

A. The patient was not in condition to tell me anything.

Q You formed that opinion independent of the statement?

A. He couldn't make any statement.

Q Did you hear the patient say anything at all?

A. He had a sort of muttering delirium as these patients all have which nobody can make out what it means.

Q How long have you been admitted to practice, doctor?

A. I have been there since the first of July.

Q I mean admitted as a physician?

A. I think about five months.

Q You say that he was extremely nervous when you first saw him?

A. Yes, if you call that condition nervousness -- he was in a constant twitching, extreme nervousness.

Q You think his blood was also in a poor condition?

A. Yes.

Q What else did you see in regard to him which led you to believe that he had delirium tremens?

A. His nervousness was a marked feature of his delirium and besides that -- those are the two principal things and more than that the synotic appearance which does not necessarily include delirium, not necessarily, it goes with the condition, but it may occur with others.

Q Besides those two things what else did you see which made you think so?

A. His condition as compared with other patients;

Q Suppose you were told he was not a drinking man and you

believed that would that change your opinion which you formed in regard to his appearance?

A. In this case, comparing the case with other cases which I have seen, yes, it would. Understand me, I do not say that the man positively was in a condition of alcoholism, his delirium may have been due to another cause.

Q What other cause?

A. A good many causes.

Q I thought you had in your mind just one -- it might have a number of causes?

A. His appearance?

Q Yes?

A. I don't think of any such now as would give such a striking appearance as alcoholism.

Q Do you wish to express an opinion as to the cause of death of this man? A. I am not anxious.

Q What I ask is this, from the examination which you made and from the blow which was struck and the loss of blood which this man had from the blows, are you able to express an opinion as to the cause of death?

A. I was present at the autopsy.

Q What in your opinion was the cause of death?

A. In my opinion it was due to alcoholism.

Q You think his death was in any way affected by the blows that he received?

A. I cannot see how it could.

Q How heavy a blow was the one on the cheek?

A. It was a pretty heavy blow.

- Q As heavy as the one that broke his nose?
- A. Well, I think about as heavy.
- Q Which blow was the first, the one that broke the nose?
- A. The one upon the cheek was the first.
- Q The man was quieter after receiving the blow?
- A. Not in my opinion.
- Q You differ from the other doctor?
- A. I saw him immediately after.
- Q You think the blows and the loss of blood have nothing to do with it?
- A. No, sir.

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WILLIAM SMALLY, being called as a witness by the Coroner, was duly sworn and testified as follows:-

BY THE CORONER:-

- Q What is your full name?
- A. William Smally.
- Q Where do you reside?
- A. 146 West Houston Street.
- Q You are a patient at Bellevue Hospital at present?
- A. Yes.
- Q Did you see the assault take place on the 21st of October, on the person of Sprague, deceased?
- A. Yes, sir.

Q State to the Jury what you saw?

A. I was sitting right opposite the nurse and the patient and the man was in a very bad condition -- very bad, and the nurse was attending him and the doctor also. The doctor shoved a needle into the man and it broke and then he spit into the nurse's face and the nurse took his hand like that (illustrating) and hit him a couple of times and he hit his nose; I don't know whether he broke it or not.

Q Did he keep quiet after he was struck?

A. No, sir; he said if he had his hands loose he would not have done it.

Q That is he would not let him strike him, is that it?

A. Yes.

Q The patient was tied down?

A. Yes, sir; his arms were tied.

Q You say the patient said if he was loose he would not hit him?

A. Yes.

By a Juror:-

Q Did you hear him say that?

A. Yes.

By the Coroner:-

Q Was the doctor there at the time?

A. Yes, he had been away --

By Assistant District Attorney Hartman:-

Q Did you see him when he first came in?

A. Yes.

Q Was his condition violent then? A. Yes.

Q How close were you to him?

A. About 10 or 12 feet.

Q You were never close enough to him to smell anything on him?

A. No, sir.

BY MR. SMITH:-

Q These were pretty heavy blows?-

A. I didn't think they were anything extraordinarily heavy.

Q With his clenched fist?

A. I thought he hit him with his hand, like that.

Q Which of these two blows do you think was the harder one on the nose or on the cheek?

A. That I cannot tell.

Q Give us your impression?

A. I think the first blow on the cheek was the hardest blow.

Q You could see blood flowing freely from this man?

A. He bled a little but nothing to hurt him I think.

Q How much did he bleed -- a pint?

A. I don't think he did.

Q Not quite a pint?

A. I don't think so.

Q Did you remain as long as he was bleeding?

A. I stayed there ever since, I just came from there now.

Q Were you present in the room as long as he continued to bleed?

A. Yes.

Q How long did he continue to bleed?

A. I don't know.

Q An hour?

A. No.

Q Three quarters?

A. May be twenty minutes or half an hour.

By Mr. Hartman:-

Q He was bleeding when the surgeon came to put in those stitches?

A. Yes, sir.

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PHILIP E. DONLIN, duly, sworn, testified as follows:

On October 21st, 1890, I made an autopsy on the body of John W. Sprague, assisted by Professor ^{Beane} ~~Beane~~ of Bellevue Hospital. The deceased was 36 years of age; I found a wound on the bridge of the nose that had been stitched; it was half an inch in length and *comminuted* with the fractured nasal bone beneath; on enlarging the wound I extracted these bones or fragments of bones showing that the fracture was a compound comminuted one; on removing the top of the skull I found that the brain was in a watery condition and a lot of serum was taken from beneath the membrane; the lungs and kidneys were congested; other organs were ^{normal} ~~nominal~~ with the exception of the stomach which had a

slight patch; from the autopsy and the history of the case I formed the opinion that death was due to exhaustion from acute alcoholism, acute inflammation of the kidneys, accelerated by the compound ^{comminuted} fracture of the nasal bone.

By District Attorney Hartman:-

Q By accelerating you mean hastened? A. Yes.

Q Death was hastened by the fracture?

A. Yes.

By the Coroner:-

Q Those are parts of the bone which you removed?

A. Yes, sir.

By a Juror:-

Q Why do you think it hastened his death?

A. I know that a man can go along for quite a time drinking constantly and not develop delirium tremens; it is a fact well known to physicians and surgeons that a sudden injury, a fracture of a bone will develop delirium tremens, in a man who has intemperate habits. It is my opinion that if the deceased had been a healthy man and had received his injuries that he would not have died.

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VERDICT: We, find, that John W. Sprague came to his death from delirium tremens, hastened by a blow on the nose, given by the nurse ^{Henry C. R.} Lawrence, at Bellevue Hospital on the 21st day of October, 1890.

Police Court, District.

City and County of New York, ss.

of No. 27th Precinct Street, aged 57 years, occupation Police Officer being duly sworn, deposes and says, that on the 21 day of October 1890 at the City of New York, in the County of New York, he arrested one Henry C. Lawrence (nowhere) upon Complaint of having committed an assault upon John W. Sprague otherwise known as John W. Williams by striking him two blows with his clenched fist in the face splitting his nose and causing a considerable quantity of blood to flow, that said assault was committed in defendant's presence at about 11:25 O'clock PM while said Sprague otherwise known as Williams was lying upon a bed in Bellevue Hospital with his hands and feet tied and as defendant is informed suffering from Alcoholism, That defendant is informed that said Sprague otherwise known as Williams died at 7:25 PM O'clock of said date.

That said death was caused by a compound fracture of the nasal bone caused by said assault committed by said Henry C. Lawrence. That defendant subsequently saw the dead body of said Sprague otherwise known as Williams lying in said Hospital. Wherefore defendant alleges that said Sprague or Williams came to his death from the injuries inflicted by defendant and says that he believes to await the action of the Grand Jury and so death will as the law directs

Patrick Kennedy

Henry C. Lawrence
this 23rd day of Oct 1890
Charles W. Williams
John Sprague

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Sec. 198-200.

H District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

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

Question. What is your name?

Answer. Henry C. Lawrence

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. India

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

Answer. Pellene Hospital 77 months

Question. What is your business or profession?

Answer. None

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
H. C. Lawrence

Taken before me this 12
day of Feb 1911
Charles W. Lawrence
Police Justice.

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Sec. 198—200.

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

.....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.

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.

Taken before me this
day of
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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

guilty thereof, I order that he be held to answer the same without bail 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.~~ legally discharged
Dated Oct 23 1887 Charles K. 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 he to be discharged.

Dated _____ 18 _____ Police Justice.

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Police Court--- 1615 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Patrick Kennedy
vs. *21st Precinct,*
Henry B. Lawrence

Offence *Harassment*

Dated *Oct 20* 1890

Sanita Magistrate.

Kennedy Officer.

21 Precinct.

Witnesses *Henry B. Lawrence*

No. *186* Street.

No. Street.

No. Street.



Committee docket
trial to await the action
of the grand jury

BAILED,
No. 1, by _____
Residence _____ Street.
No. 2, by _____
Residence _____ Street.
No. 3, by _____
Residence _____ Street.
No. 4, by _____
Residence _____ Street.

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Department of Public Charities and Correction,
Bellevue Hospital,
WARDEN'S OFFICE.

JOHN FALLON,
Warden.

New York, Oct 22 1890

Hon Chas M Smith
Police Justice
The Autopsy in case of John
W Sprague shows death due
to exhaustion from acute alcoholism
accelerated by a compound comminuted
fracture of the nasal bone alleged to
have been caused by a blow on head
of H C R Linnow at Bellevue Hospital
Oct 21. 1890

P. E. O'Brien M.D.
Coroner Physician
to Hon David Haulcy

1196

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Henry R. Lawrence

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

indictment, accuse Henry R. Lawrence

of the crime of Assault in the second degree,

committed as follows:

The said Henry R. Lawrence,

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

Twenty first day of October, in the year of our Lord one thousand
eight hundred and ninety _____, at the City and County aforesaid,

in and upon one John W. Synagogue, then
and there being, & lawfully did unlawfully
and wrongfully make an assault and
inim the said John W. Synagogue, with

the right hand of him the said Henry
 R. Lawrence, in and upon the head of
 him the said John W. Sprague, then
 and there feloniously did unlawfully and
 wrongfully strike, beat, wound and
 bruise, and then and there and by
 the means aforesaid, feloniously did
 unlawfully and wrongfully inflict grievous
 bodily harm upon the said John
 W. Sprague, 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.

DeDamen Hill,

Attorney

1198

BOX:

427

FOLDER:

3944

DESCRIPTION:

Lee, William H.

DATE:

02/27/91



3944

1199

Witnesses:

Chas. Reiter
John Madok

Counsel,

Filed

day of

1891

Placed

THE PEOPLE

vs.

William H. Lee

William H. Lee
Defendant

Section 498, 526, 528, 529

DE LANCEY NICOLL,

Attorney at Law,

District Attorney.

A TRUE BILL.

Richard S. Edwards

Foreman.

David G. G.

John A. G.

Richard S. Edwards

3 mos 3 wks 20 d

1200

24
The People
vs
William H. Lee

Court of General Sessions. Part I
Before Judge Fitzgerald March 4th 1891
Indictment for burglary in the third degree.
Anthony Peter, sworn and examined, testified.
I am Captain of a canal boat Henrietta. I recollect
the night of the 21st of February; in the early part
of the evening I was on board the boat at the foot
of Bethune Street, the south side of the pier; she
was lying outside of another barge named Hope;
there was a boat called the Dauntless lay aside
the bulkhead. I locked my cabin door about 1/2
past nine o'clock. I live there all the time when
I am in the city. I had in it wearing ap-
parel various suits, a bed, chairs, a clock, a
looking glass and pictures. I suppose the furni-
ture of the cabin cost me fifty dollars. I
returned about 11 o'clock the following day,
Tuesday, and discovered that I lost goods. When
I went in I found everything scattered around
I missed my coat, a pair of pants, a clock,
an undershirt and boots. I found the lock
broken and it was lying on top of the cabin.
The value of the property I lost was about fif-
teen dollars. I identified my coat shown in
a pawn shop in Carmine St. on the follow-
ing Tuesday or Wednesday. I positively identified
it and redeemed it and I have got it
on me now. I made a complaint over
in the Jefferson Police Court. I think it was

Tuesday. This defendant was arrested on my complaint.

Cross Examined. I am sure the cabin was securely locked when I left the boat. No person has a key of the cabin but myself. There was nothing broken in the cabin but the lock. I never found any of the property afterward but the coat. The barge belongs to the Salamander Fire brick works, Woodbridge, N.J. The barge was fastened to the dock for the purposes of my business.

Anton E. Ryzstorn, sworn. I am Captain of the barge Danitlers belonging to E. J. Dicker & Co; on Saturday the 27th of February the barge was at the bulkhead foot of Bethune street. The barges Henrietta and Hope lay near her. The Henrietta was only four feet from my boat. I was on board my boat, I came out on deck. It was about ten o'clock I saw a man coming out of the Henrietta with a satchel. I asked him what he was looking for I knew the boat was in charge of the watchman, the Captain was not on board. The defendant is the man I saw on the boat. I asked him what he wanted? He would not answer me. He walked over the barge and went to me and said that he belonged to the barge that lay outside of me.

1202

I went on board the Hope and asked him if there was a colored man on board? and he said, No. I went on board the Henrietta and saw the cabin and everything open and saw the lock on top of the cabin. I was about two feet away from the defendant. There was a lamp post and the light was lit about five feet away on the dock. The defendant went up Bethune St. I saw him next on Wednesday morning; the watchman called me to come up and help him. The defendant tried to break in another boat. I am sure the defendant is the man I saw on board the Henrietta. Officer Walsh arrested the defendant.

Cross Examined. He was about forty feet from me where I saw him first. He came over to me and we had some conversation. I wanted to know what he wanted? and he said he belonged to the boat lying alongside. He did not go on any other boat. He said, "I will go away up with some washing," and he went up Bethune St. He was standing on the dock by the gas lamp when I talked to him. Then I asked him what he wanted he was on board the Henrietta, and he had the satchel on his shoulder. I did not know anything of the breaking of the cabin till I found the lock; this was about 10 o'clock.

1203

Fred. Lang sworn and examined testified I am a night watchman for E. J. Decker & Co foot of Bethune St. They are in the metal, iron and lumber business. I watch their property around the piers. Do you know the defendant at the bar, have you seen him before? I saw him on Tuesday morning the 24th. Do you remember the night of the 21st of February? Yes. So. Did you see him that night? No sir. I did not. Did you see the last witness that night? I did not. Did you had a talk with Capt. Rydstrom? I had. Did you go on board the Henrietta in consequence of that conversation? I did. I went down to the cabin. I saw the locker open; there was no clothes in it. The lock was broken off the cabin door; it lay on the cabin floor, and the door was wide open. I went down and looked in the clothes closet and all the clothes were gone. That was about ten o'clock. I went up Bethune street, I thought I might see the defendant. I left the cabin in charge of Capt. Rydstrom. I saw Capt. Deter on Sunday morning about eleven o'clock. I went into the cabin with him and he told me what was gone. On Wednesday morning I saw the defendant at the foot

1204

Jane Street; I had no conversation with him; he was on board a boat. I got a policeman and he arrested him then I went for Capt Rydstrom and brought him to the Police station and when I got there I saw the defendant. Capt. Rydstrom told the sergeant that he had seen the defendant on board the barge Henrietta and that he had a satchel on his shoulder. The defendant said he did not do it, that he was not there.

Henry Walsh, sworn and examined, testified I am a police officer attached to the 9th precinct, I arrested the defendant on Wednesday morning the 25th about six o'clock on the wharf at the foot of ~~Yarce~~ Street, two blocks from Bethune St. I had received information from the watchman. I asked the defendant what he was doing aboard that canal boat? He said he was waiting for a schooner on the opposite side of the pier to sail that day, that he was about to go away on it. The circumstances seemed so suspicious I put him under arrest and locked him up under suspicion. I brought him to the station house, and in searching I found four pawn tickets upon him, one of them represented this coat which was identified by Capt. Deter; it was pawned in Morris's 45 Carmine St. I went there and got the coat the ticket represented. Capt. Deter identified it.

Cross Examined. What did he say to you when you did arrest him? He said he was not guilty of attempting to commit any crime. When you got the coat did you talk to the defendant about it. No, it was on the morning of the 25th that I made this arrest. I spoke to him about the coat. I asked him how he came by the clothing? He says, "you will have to find that out." Did you have any other conversation with him? No other, I brought him right along. The morning I put him under arrest I asked him who owned the pawn tickets? I had him remanded, but he pleaded guilty to the Judge in the second morning; he said he was guilty and admitted to taking the coat. I was present in Court. The complaint was read to him by the Magistrate and he said, "I am guilty." He made two statements first he said before the Clerk, "I am not guilty" and then he said, "I am not guilty, but I took the coat."

William Lee, sworn and examined in his own behalf said. I took this coat, and at the time I took it I knew it was not my property. When you went on that barge did you make any examination of the cabin at all? No sir. Did you go into the cabin? No sir. I did not. Do you know whether the doors of the cabin were open or not? The doors were

wide open, and there was a lamp lit. You are sure you found this coat on top of the cabin? Yes. Have you ever been arrested charged with any offence before? No sir. This is the first time? Yes. You have never been in any criminal institution of any kind, penitentiary or anywhere else? No sir. Why did you take that coat from that barge? I did not have any money, and I wanted to get some. You pawned it for what? Twenty five cents, the coat was wet at the time, and the man did not want to take it. You are sure you did not break this lock and get in that way? No sir, I did not. You found the coat on top of the cabin? Yes sir.

Cross Examined. What is your business? Tailor.

On what boat? When I came here I came on the Mary C. Carroll. From where? She came from Baltimore here. When did she arrive here? She arrived here, January 28th. How long had you been on her? I had been on her that trip. Had you ever been at sea before? Yes sir, not outside, only up and down Chesapeake Bay. As a sailor? I was a sailor and some times as a cook. On how large vessels, sloops and schooners? I never was on a vessel that carried over five hundred tons. That morning that you were arrested what were you doing down there at six o'clock

in the morning? I was talking to the Steward on
 The M. C. Bendle, which was loaded with wood
 there. That was your idea of talking to him,
 about what, getting a position? I asked him when
 did he come aboard that boat? He told me
 he just came aboard the night before. I told
 him I had a berth on the schooner the very
 same day I got locked up. Did you hear the
 testimony of Capt. Rydstrom what he saw you
 doing? Yes. Was that true or not? No sir, it
 is not. I was not trying to get in the boat
 at all, that is not true, I was not trying
 to get in the boat. Did you hear the testimony
 of Capt. Rydstrom with reference to Saturday
 night, what took place at the foot of Bethune
 street when you were on the barge Hen-
 rietta? Yes. Was that true? Yes sir. Whatever
 he said with reference to that was true, was
 it? Yes sir. He had a conversation with you?
 Yes sir. What were you doing with that bag?
 I had the bag. I saw the bag lying there, and
 the coat was wet and I put it in it.
 Do you know what an oath is? Yes sir.
 Do you know what perjury is? No. You are
 telling the truth in regard to what you have
 said there, are you not? Yes. You are not
 coloring it at all - you did not break in? No sir.
 The jury rendered a verdict of guilty of burglary
 in the third degree.

1208

Testimony in the case
of
William Lee

filed
20th
1891

1209

Police Court

Police Court 2 District.

City and County } ss.:
of New York, }

of 61 Bethune St. of Salamander Fire Anthony Deter aged 41 years,
occupation Captain of canal boat being duly sworn

deposes and says, that the premises No. Street,
in the City and County aforesaid, the said being a the barge "Henrietta"
which was lying in North River
and which was occupied by deponent in part as a living apartment
and in which there was at the time a man being, by name

were **BURGLARIOUSLY** entered by means of forcibly breaking the
pad-lock which was used in fastening
the door leading into the cabin of said
barge,

on the 21st day of February 1891 in the night time, and the
following property feloniously taken, stolen, and carried away, viz:

A quantity of wearing apparel and
a clock all of the value of
Fifteen dollars

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

William Lee

for the reasons following, to wit: that at about the hour
of seven o'clock P.M. deponent secured
locked and fastened the door leading
to the cabin on board of said barge
which was then lying in the North
River and moored at the buidhead
at the foot of Bethune Street. Deponent
returned the following morning and
said cabin had been broken into and

12 10

said property missing. Deponent is informed by Anton E. Rydstrom (now here) a captain of a canal boat lying adjoining to that of deponent, that at about the hour of 10 o'clock P.M. he saw the defendant on deponent's barge and carrying a bag. The defendant upon being arrested as deponent is informed by Officer Henry Walsh (now here) ~~that~~ had upon his person a pawn ticket of a coat which coat deponent has since seen and identifies as his property a part of the proceeds of said burglary.

Sworn to before me } Capt. Anthony Datta
this 26th February 1891 }
J. Henry Dill. }

Police Justice

Police Court _____ District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

_____ Degree.
Burglary

Dated _____ 188

Magistrate.

Officer.

Clerk.

Witnesses:

Committed in default of \$ _____ Bail.

Bailed by _____

No. _____ Street.

12 11

CITY AND COUNTY }
OF NEW YORK, } ss.

Anton E. Rydstrom
aged *37* years, occupation *Captain of Barge* *Stuyvesant*
of Decker Company *Belmont* Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of *Anthony Peter*
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this *26th*
day of *February*, 18*97* } *A. E. Rydstrom*

J. Murray
Police Justice.

12 12

CITY AND COUNTY }
OF NEW YORK, } ss.

Henry Walsh
aged *31* years, occupation *Police officer* of No. *9th Avenue* Street, being duly sworn deposes and says, that he has heard read the foregoing affidavit of *Anthony Peter* and that the facts stated therein on information of deponent are true of deponents' own knowledge.

Sworn to before me, this *26th* day of *February*, 188*7* } *Henry Walsh*

J. Thompson
Police Justice.

12 13

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

William Lee

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

Question. What is your name?

Answer.

William Lee

Question. How old are you?

Answer.

21 years

Question. Where were you born?

Answer.

Virginia

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

Answer.

Brook & Thompson St.

Question. What is your business or profession?

Answer.

Sailor

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

William Henry Lee

Taken before me this

26

day of *February* 188*9*

William H. Lee

Police Justice.

12 14

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

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

Dated *July 26* 1891 *J. H. ...* 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 *to* to be discharged.

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

12 15

305

Police Court--- 2 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Anthony DeSal
William Lee

Burglary

2
3
4

BAILED.

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *Feb 26* 189*9*

Ford Magistrate.

Malch Officer.

9 Precinct.

Witness *Anton E. Rypstone*

No. *Sp Decker for Return* Street.

No. *Call the officie* Street.

No. Street.

\$ *1000* to answer *LS*

CM

12 16

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

William N. Lee

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

William N. Lee

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

The said *William N. Lee*

late of the *ninth* Ward of the City of New York, in the County of New York
aforesaid, on the *21st* day of *February* in the year of our Lord one
thousand eight hundred and *ninety-one*, with force and arms, in the
night time of the same day, at the Ward, City and County aforesaid, the
dwelling house of one *Anthony Peter*

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

12 17

SECOND COUNT—

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

William H. Lee

of the CRIME OF *Petit* LARCENY, committed as follows:

The said *William H. Lee*

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, in the time of said day, with force and arms,

one coat of the value of five dollars, divers other articles of clothing and wearing apparel of a number and description to the Grand Jury aforesaid unknown, of the value of ten dollars and one clock of the value of one dollar

of the goods, chattels and personal property of one *Anthony Peter*

in the dwelling house of the said *Anthony Peter*

there ~~sitate~~ then and there being found, from the dwelling house aforesaid, 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.

DeLancey Nicoll,
District Attorney

12 18

BOX:

427

FOLDER:

3944

DESCRIPTION:

Levein, Barnett

DATE:

02/26/91



3944

12 19

27 N 250

Chapman

Witness:
Amatt Coover

Counsel,
Filed *26* day of *July*
Pleeds, *August* 1891

Grand Larceny *Second Degree*
[Sections 528, 531, 532 Penal Code.]

THE PEOPLE

vs.

Barnett Leavenworth

*11
1891*

DE LANCEY NICOLL,
District Attorney.

*These being circumstances
done as to value
of property I find
guilty accepting a
penalty of *100* Dollars.
Robert Johnson
*Dec 2 1891**

A True Bill.

Frank D. ...

Foreman.

Robert Johnson
Dec 1 1891

1220

Police Court— District.

Affidavit—Larceny.

City and County }
of New York, } ss.

of No. 332 Cherry Street, aged 21 years,
occupation Tailor being duly sworn

deposes and says, that on the 20 day of February 1891 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 double Case Gold
Watch of the value of Fifty
dollars \$50.⁰⁰/₁₀₀

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 Barnett Levinson, from the fact that deponent occupies an adjoining room to deponent in the above numbered premises, that at about five o'clock on said date deponent missed said property from his vest pocket which was lying upon a chair in deponent's bedroom. Deponent is informed by Escher Shapparis of No 332 Cherry street that she saw deponent come out of deponent's room shortly before said property was missed. That at about

Sworn to before me, this 18 day of February 1891
Police Justice.

one hour later defendant found concealed upon defendant's person said property which defendant fully and positively identifies as his property.

Wherefore defendant prays that defendant be held to answer and be dealt with as the law directs

Done to before me } his
this 20th day of Feb, 1891 } Daniel Johnson
Wm. M. Johnson } Clerk
C. Oliver Justice

1222

CITY AND COUNTY }
OF NEW YORK, } ss.

Esther Shappira

aged *20* years, occupation *Tailress* of No.

332 Cherry

Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of

Samuel Yonson

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

Sworn to before me this

20 day of *July* 1890, } *Esther Shappira*
mark

Samuel Yonson
Police Justice.

1223

Sec. 198-200.

3 District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

Samuel Levin 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. *Samuel Levin*

Question. How old are you?

Answer. *19 years*

Question. Where were you born?

Answer. *Russia*

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

Answer. *No 332 Cherry St 6 days*

Question. What is your business or profession?

Answer. *Stick Polisher*

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*

his
Samuel Levin
mark

Taken before me this
day of *July* 188*7*
[Signature]
Police Justice.

1224

§-

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

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

Dated July 20 the 1891 Henry C. ... Police Justice.

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

Dated _____ 18 _____ Police Justice.

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

Dated _____ 18 _____ Police Justice.

1225

242

Police Court--- District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Ramett Yornier
337 Cherry St
Ramett Levin

2
3
4

Grand Jurors
Office

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated *July 20* 1891

Munday Magistrate.

Stapleton Haggerty Officer.

7th Precinct.

Witnesses *Becky Shappan*

No. *332 Cherry* Street.

Philip Yornier

No. *332 Cherry* Street.

No. Street.

\$ *1000* to answer



Com
AT

1226

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

Barnett Levein

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Barnett Levein*

of the CRIME OF GRAND LARCENY in the *second* degree committed as follows:
The said *Barnett Levein*

late of the *City* of New York, in the County of New York aforesaid, on the *twentieth*
day of *February* in the year of our Lord one thousand eight hundred and
ninety - *one* at the *City* and County aforesaid, with force and arms,

*one watch of the value of
fifty dollars*

of the goods, chattels and personal property of one

Barnett Yovner

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.

1227

SECOND COUNT—

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

Barnett Levein
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said Barnett Levein

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 watch of the value of fifty dollars

of the goods, chattels and personal property of one

Barnett Yovner

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

Barnett Yovner

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

Barnett Levein
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.