

0176

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Pallister, Thomas

**DATE:**

05/25/92



4403

0177

837 837  
Frank X

Witnesses:

Frank Donnelly  
John W. W. W. W.

Counsel,

Filed 25 day of May 1892

Pleads, Guilty

THE PEOPLE

vs.  
36  
39  
Proctor

Thomas Paltister

Murder in the First Degree.  
(Section 188, Penal Code.)

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Julius Catlin  
Part 2 - Oct. 25, 1892 Foreman.  
Tried and convicted of  
Murder in the First Degree  
Sentenced to suffer  
death within the  
next session of  
the Court  
Oct 20 Nov. 4, 1892.

0178

No. 1.

408

District Attorney's Office.

*John J. ...*

PEOPLE

*Hammatt* vs.

*reside in ...  
Chicago ...  
Dyces -  
knows deft. at ... before Apr 30  
...  
followed ... from behind -  
Mrs Farley - took me to ...  
...  
... 516 Greene  
... May 15*

*Mr. ...*

*Mr. Swarty  
Brawley*

0179

What is your  
Business  
Have you had  
any business  
Open in a  
firm  
I am  
very  
kindly  
yours  
Wm. H. H.

892

edge. Fitzgerald  
 shows. New York City

I hope your Honor will grant me  
 a Honor. I am about to be tried for  
 I has been assigned to me by the Court  
 know doubt is an honest man. But  
 mind with out of my own selection  
 me such of I own grooved time  
 but not enough. But will have what is  
 an to - but my case back & I will be

look to attempt my own life while he is  
 through fear of a trial. it was done all in  
 - the world is my poor old mother & it  
 in that moment - I thought I would be  
 sent. God & the Virgin took pity on  
 to enter hell & damnation forever.  
 my God for showing such mercy to me  
 for the rest of my life to be a good  
 do hope that has showing me such

0181

mercy - your Honor my case is self defenc + if I am Granted  
time to get Ready. to get my ~~Witnesses~~ witnesses to gether + procure my own  
counsel I will be thankful.

My hand is very Painful at Present - + I am also very weak from  
Loss of so much Blood. But - I must not find fault - as it was my  
own doing.

So I Req of your Honor to Grant me time to get Ready. do not  
fear your Honor that I will attempt such a thing again. Oh no your  
Honor my soul belongs to my God now + I will take care of it - till  
he + my Blessed Mother calls for it - + I will do all in my power  
to make it pleasing to him. as I hope to be in heaven some day. so  
will I do my best to please him that suffered for me.

to his Honor Judge Fitzgerald  
Court of Sessions

New York City

I remain yours Humbly

From Thomas Gallivan.

charged with the Killing of Adams Row. on the night of  
April 30<sup>th</sup> 1892

day set for trial. Truly Deped - I pray your Honor will give  
me time. + I will be thankful to God + your Honor for it -

Humbly yours Thomas Gallivan

0 182

# CORRECTION

0183

June 27<sup>th</sup> 1892

to the Honorable Judge Fitzgerald  
Court of Sessions, New York City

Dear Sir

I will your letter & I hope your Honor will grant me what I will Request of you: Judge your Honor, I am about to be tried for my life. & I feel that the counsel that has been assigned to me by the Court I can not have any confidence in; he know doubt is an honest man. But I would feel more easy in my mind with out of my own selection & your Honor my friends will procure me such of I own grouted time we have a certain amount of money. But not enough. But will have what is needed in a little while so I beg of you to - Put my case back & I will be grateful to your Honor for it -

Your Honor I am sorry that I was so foolish to attempt my own life while here in the Tombs. But your Honor it was not through fear of a trial, it was done all in a moment of despondence; all I have in the world is my poor old mother & it unstring me to look at her poor face. & in that moment I thought I would be better dead. So I done what I did. But God & the Virgin took pity on me & brought me back as I was about to enter Hell & damnation forever. and I am ever so glad & thankful to my God for showing such mercy to one that has been so bad to him. But I hope for the rest of my life to be a good man for my soul sake. & for my Gods sake that has showing me such

0184

mercy. your Honor my case is self defencd + if I am Granted  
time to get Ready. to get my ~~Witness~~ witnesses to gether + procure my own  
counsel I will be thankful.

My hand is very Painful at Present - + I am also very weak from  
Loss of so much Blood. But - I must not find fault - as it was my  
own doing.

So I Beg of your Honor to Grant me time to get Ready. do not  
fear your Honor that I will attempt - such a thing again. oh no your  
Honor my soul Belongs to my God now + I will take care of it - till  
he + my Blessed - Mother calls for it - + I will do all in my Power  
to make it - Pleasing to him. as I hope to be in heaven some day. so  
will I do my Best to Please him that sufferd for me.

to his Honor Judge Fitzgerald  
Court of Sessions

I Remain yours Humbly

New York City

From Thomas Gallivan,

charged with the Killing of Adam Kane. on the night of  
april 30<sup>th</sup> 1892

day set for trial. Truly Deped - I Pray your Honor will give  
me time. + I will be thankful to God + your Honor for it -

Humbly yours Thomas Gallivan

1600

District Attorney's Office.

Scope

Thos Pallister  
Murder in the first degree

Order of Proof

Joseph Merrick  
 Frederick Newhouse  
 Ernest Rincke  
 Patrick Kane  
 John Kehoe  
 Frank Donnelly  
 Officer McGrath  
 " O'Neill  
 " Davenport  
 Dr. Berry S. Cretz  
 Coroner Messener  
 Dr. Conway  
 Monis Kane

Rebuttal

James McGuire  
 Patrick Leuchars

0 186

FRANK DONNELLY,

Dealer in Imported and Domestic

Wines, Liquors, Ales & Cigars.

20 GRAND STREET.

Corner Sullivan Street,

*NEW YORK.*

0187

*The following*  
I was the person  
that caused to be  
sent into the  
hospital. The woman  
he wanted to marry  
is a slave and the  
law says that  
she is not to be  
sold for the  
purpose of  
being sold.

0 188

*Wm. B. ...*  
*The Snuggery,*  
Wine © and © Lunch © Room,  
NO. 77 CHURCH STREET,  
HENRY WELLBROCK, NEW YORK.  
SUCCESSOR TO THEODORE MAHLAND.

0189

Feb 19<sup>th</sup> 1889.  
Thos Pallister Ringway  
John O'Hara Esq Esq  
37 years



Geo

Callister

Dr. Perry & Co.

0191

0 192

DEPARTMENT OF  
PUBLIC CHARITIES AND CORRECTION,

OFFICE OF CITY PRISON, COR. OF FRANKLIN AND CENTRE STREETS,

HENRY H. PORTER, Pres't.,  
CHARLES E. SIMMONS, M. D., } Commissioners.  
EDWARD C. SHEEHY.

JOHN FALLON, Warden.

New York June 13 1897

John Fallon Esq. Warden  
Dear Sir,

With regard to  
Thomas Pallister I would state  
that by the assistance of one or  
two men to aid him in walking  
& standing, I believe the prisoner  
could appear in court without  
detriment —

Yours truly  
W. Whitworth

0193

C. H. Chetwood

0194

from oozing through the wound.  
He said "I'm dying." I said "Keep quiet  
You ain't dying."  
We brought him inside and  
laid him on the table. I unbuttoned  
his pants and vest and looked at  
the wound. Could not tell the  
length of it as the parts had oozed  
through. The policeman asked his  
name, as he had passed an  
examination for the police him-  
self, I refused to give it.  
The ambulance surgeon came  
in, I stepped to the door and  
asked a young fellow to go for  
a priest. I went on the ambulance  
and had it call at the house  
for a priest. I don't know  
where the priest's house is. The  
priest came with us to the hospital.  
I went to 16<sup>th</sup> St for Dr Kane. I saw  
the operation, and staid with him  
almost the entire time till he died.  
He kept saying "I'm dying".

Maurice Kane

Maurice Kane

I was at home in 24 Beach Street. Word came that my brother Adam Kane, wanted to see me, at the corner of Sullivan & Grand Street. I put on my coat and went right up. I saw Adam Kane sitting on a stoop in Sullivan Street, between Canal and Grand. A crowd was there and some policemen. The policemen put me back, I said I wanted to see my brother. I asked my brother "What's the matter?" he said "I'm destroyed?" I again said "What's the matter?" he said "I'm stabbed." I said "Who done it?" he said "I don't know him." I said where is he? he said "the police have got him." (This was after the defendant had been identified by Adam Kane). I caught hold of him and said "Get up" he said "I ain't able" I lifted him up, and with the assistance of one of the policemen took him inside. He held his hand over the cuts to keep the parts

0 196

OFFICER O'NEILL, 8th Precinct.

About 8.45 I went into the grocery and found McGrath. I handed McGrath the knife and we took the prisoner to the Station House and the knife was handed to the Sergeant and we said this man was charged with stabbing several people with that knife and the prisoner said nothing. When we were taking him to the Station House we asked him what he had done this for anyhow and he said that is the way to do them people. We took him to be identified and he was identified by Adam Kane. Adam Kane said he was sure. Officer McGrath said be sure you are right and he said he was and I was present when the other Pat. Kane identified him. Pat. Kane said "you cut us both, dammed if I don't think I could lick him now if I had a chance" and the prisoner said nothing. When brought before the Sergeant he was told that he was charged with cutting some person and he said nothing.

0197

FRED. NEWHOUSE, 33 Grand St.

I was in the shop about 8.40 P.M. when a man came running in and picked up a knife and steel and rushed out. A few minutes afterwards the same looking man came back and threw them down on the floor, and the policeman then arrested the man. Ernest Rincke is my boss.

0198

PATRICK KANE, 149 Hudson St.

I was standing on the S. E. corner and this fellow and his companion came by and jostled Kane so hard that he fell against me. He then went on and mumbled something and turned around and stopped. Kane went up to him. I turned around to talk thinking that Kane might know them and the next thing I knew the two men were getting up and the defendant and his partner clinched with Adam Kane ~~and I went over~~ and I went over and separated them. I walked ahead. He said he would fix the son of a bitch. I told him he might get worsted. We all went to the N.E. corner when I heard a cry he's got something in his hand and I turned and saw Kane try to get away and he turned to me and I ran away and he chased me.

0199

JOHN KEHOE, 300 W. Houston St.

Pat. Kane, Adam Kane, Joseph Merrick, John Whalen and I were standing on the S. E. corner of Sullivan and Grand Streets when two parties passed by. One of them turned around and jumbled something and the deceased walked up to the two and they clinched. Patrick Kane went up and separated them. Prisoner and Patrick Kane and friend walked off a few steps together. We all walked over to the N. E. corner and Adam Kane, Patrick Kane and Joseph Merrick were standing together. Whalen and I were a little apart. I heard somebody say, "look out he has a knife" and looked up and saw somebody with something in his hand plunge it into one of the party and Whalen and I ran away up Sullivan St.

0200

JOSEPH MERNICH, 125 Congress St. B'klyn, 117 Liberty St.  
c/o Komposter Printing Company, New York.

I was on the S.E. corner of Sullivan and Grand Sts.  
when defendant and a friend passed by and looked as he walked.  
Adam Kane followed him and the next thing I saw, <sup>Pacister</sup> Kelly, the de-  
fendant, and friend were on the ground and Kelly got up and rushed  
at Kane to clinch and Pat. Kane and I separated them and defendant  
and friend went away. We then went to the N. E. corner when  
<sup>Pacister</sup> Kelly came back carrying ~~a knife~~ a knife in one hand and a steel  
in the other and he caught me by the collar and said, "Are you the  
fat son of a bitch that interfered with me?" and I pulled away  
and said "Run boys he's got a knife" and I ran. That is all I  
knew until next morning when I read it in the papers. I recognized  
the corners and the man with the knife.

0201

Patrick Leubow

Keeps saloon cor. Vestry  
and Hudson St. Saw Adam  
Kane shortly before the affair.  
Kane was not intoxicated.

James M. Guire

Was in the saloon with  
Leubow. Saw Kane; he was  
not intoxicated.

0202

Alfred B. McDaniell, M.D.

I was the Ambulance Surgeon at St Vincents Hospital, I was called about 8.45 P.M. found Patrick Kane, in a drug store, he had a cut in his side and back, about two and a half or three inches - done with a sharp instrument - and two small stab wounds in front, one in the breast and one in the abdomen, and one on his hand about the thumb - he said he caught the knife - He had lost considerable blood, ugly cuts but not apt to be serious, sewed the wounds + took him to the hospital and turned him over to the House Surgeon, Dr M. T. Foley.

0203

FRANK DONNELLY, liquor dealer, 20 Grand St.

I saw him, Pallister, go up to the parties and say, "now I have got you" I saw two bright iron objects which I discovered to be a knife when he stabbed Adam Kane. I saw him stab Adam Kane. I was about ten feet away and saw clearly. A bright electric light was opposite and in the porch of the saloon where I was. I was there about two or three minutes. After he struck the others man away. He was between Adam Kane and his friends and he turned round and said, "You son of a bitch I've got you alone" and Adam Kane was at that time on the west side of Sullivan Street, and ran up the west side. Pallister following him (Kane) Kane rushed to the middle of the street; I shouted "Don't stab him" but he did strike him two or three times. Pallister then ran down to Grand St. and up Grand to Thompson. Adam Kane then crossed Grand St. towards Canal St. When Pallister got about 100 feet east of the corner of Grand and Sullivan St. officer McGrath came up and said "What's the matter" and I told him to hurry up. He went ahead eastward towards Thompson St. and I followed. We caught up with Pallister going into a grocery store. I saw him with something in his left hand which looked like a steel and when he came up he was rubbing them together, the things which he had in his right and left hands. I saw Pallister take the knife and steel back with him and go into the grocery store. I got there just as the officer arrested him and heard the officer say, "give me that knife he has just thrown down" He spoke to the boss. I said to the officer, in the presence of Pallister, "that is the man" I went to the store. This was about 8.45 P.M.

0204

2

About fifteen minutes later I saw the police going down with the prisoner and I followed them to the corner of Sullivan and Canal Sts. and Adam Kane was sitting on the stoop and the prisoner was brought within about a foot or so and he said "that is the man" There was plenty of light there and the officer struck a ~~xxxx~~ match and held it before the face of the prisoner. The prisoner was taken away and Adam Kane was taken into the Tailors shop and I went away.

0205

OFFICER Mc.GRATH, 5th Precinct.

On the 30th of April about 8.45 P.M. I was coming down Sullivan Street. I saw the prisoner through Grand eastward towards Thompson St. He ran into Ernest Rincke's grocery store, I right behind him. I saw him throw something out of his hand. I grabbed him and held him. Rincke said that man stole my knife (the knife was lying at the prisoner's right foot) O'Neill appeared and I said "pick up that knife" Officer O'Neill picked up the knife. Rincke said the man is after stealing my knife and steel. There was no other knife there at the time. We then took the prisoner back to the corner of Sullivan and Grand Sts. We wanted to find the injured parties. Then we took the prisoner to the Station House and I showed the knife with blood on it to the Sergeant and said this man is reported to have cut several people with that knife and the prisoner said nothing. Detective Savacol suggested that we take the prisoner to see if he could be identified and we brought him down to the corner of Sullivan and Canal where Adam Kane was sitting on the stoop in charge of Officer Barry and Adam Kane said that is the man that cut me. We then took the prisoner to the Station House. Wm. Brown came in and reported and cutting of Patrick Kane and we took him down to the corner of Charlton and Varick Sts. and Pat. Kane said that is the man that cut me. On the way back to the Station House the prisoner said those parties upset my friend. He said his name was Thomas Kelly at the Station House.

0206

Grand Jury Room.

PEOPLE

vs.

*Shannon*

<i>Wm. H. Grant</i>	1
<i>Frank Bennett</i>	3
<i>Frank Bennett</i>	5
<i>Joe. H. Grant</i>	7
<i>Patricia H. Grant</i>	13
<i>John H. Grant</i>	17
<i>John Kelley</i>	17
<i>Alvin H. Grant</i>	19

0207

STATE OF NEW YORK.

CITY AND COUNTY OF NEW YORK, ss.

AN INQUISITION,

Taken at the house of Coroners Office No. 27 Chambers Street, in the 6th Ward of the City of New York, in the County of New York, this 11th day of May in the year of our Lord one thousand eight hundred and ninety-two before

M. J. Messermer Coroner,

of the City and County aforesaid, on view of the Body of Adam Keane lying dead at

Twelve 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

Adam Keane came to his death, do upon their Oaths and Affirmations, say: That the said Adam Keane

came to his death at St Vincents Hospital May 2nd 1892, from injuries received at the corner of Grand and Sullivan Streets on the 30th of April 1892, at the hands of Thomas Kelly, who then and there stabbed him.

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

JURORS.

- Godwyn 177 Canal
- John Kelly 50 W. 8th St
- Henry Hartmann 130 Canal St
- A. Grover 380 Canal
- Frank A. Kramer 171 Broadway
- St. Grover 380 Canal
- St. Shinnick 137 W. Broadway
- Harry Wedman 58 Broadway
- Charles Good 160 Canal St
- John Ford 62 Murray
- Joseph Sinden 170 Canal St
- Joseph Goyne 356 Canal St

M. J. Messermer

CORONER, E. S.

0208

STATE OF NEW YORK,

CITY AND COUNTY OF NEW YORK, ss.

AN ANTE-MORTEM INQUISITION,

Taken at St. Vincent Hospital No. 11th Street, in the 9th Ward of the City of New York, in the County of New York, this 1st day of May in the year of our Lord one thousand eight hundred and 92 before Michael J. Messener Coroner, of the City and County aforesaid, on view of the body of Adam Kane

at St. Vincent Hospital Upon the Oaths and Affirmations of good and lawful men of the State of New York, duly chosen and sworn or affirmed and charged to inquire, on behalf of said people, how and in what manner the said Adam Kane was injured, do upon their Oaths and Affirmations, say: That the said Adam Kane came to his injuries consisting of a stab wound of the abdomen in Sullivan near Grand St, about half past five o'clock in the evening by a man unknown to the injured or wounded man.

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

JURORS.

- Henry Hartmann 130 Canal St
Geo. Wynn 179 Canal St
W. Shimpek 137 W. Broadway
John Kelly 50 W. 3rd St
Chas. Shingood 160 Canal St
Frank W. Mauer 107 W. Broadway
Joseph Glover 356 Canal St
Mary Widmayer 55th Street
John Schoenberg 159 W. Broadway
Jesse Vander 170 Canal St
John Ford 62 W. Broadway
John Schoenberg 159 W. Broadway
M. J. Messener

CORONER, P. S.

0209

City and County of New York, ss.

Statement of Adam Kane now lying  
dangerously wounded at St Vincent Hosp. in the 9<sup>th</sup> Ward  
of said City and County, on the 7<sup>th</sup> day of May 1892

Question—What is your name?

Answer—Adam Kane

Question—Where do you live?

Answer—24 Beush St.

Question—Do you now believe that you are about to die?

Answer—I think I am

Question—Have you any hope of recovery from the effects of the injury you have received?

Answer—Not that I know

Question—Are you willing to make a true statement, how, and in what manner, you came by the injury from which you are now suffering?

Answer—On April 30, 92 about nine past  
two P.M. in Sullivan near Grand St I  
was stabbed by a man who was arrested  
and identified on me. I do not know  
why he did it. I was sorry I do not  
know if he was sober. I was stabbed  
on the sidewalk. There was no reason for  
it in the world. He walked up to me and  
said "you are the fellow who hit me" and  
then stabbed me.

Adam Kane

02 10

MEMORANDA.

AGE			PLACE OF NATIVITY	WHERE FOUND
25 Years	Months	Days	<i>London</i>	<i>24 3 1885</i>

*Single*  
*White*

021

70

AN ANTE-MORTEM INQUISITION

On the VIEW of the BODY of

Adam Kane

whereby, it is found that he was  
injured by a man unknown  
to him on Sullivan near  
Grant Sts. on April 30/92  
about half past five  
in the evening.

Taken on the 1<sup>st</sup> day  
of May 1892  
before

W. J. Messer Coroner.

Committed

Bailed

Discharged

✓

02 12

B.195, 2.C.

Coroners Office, New York County.

Inquest into the death

- of -

ADAM KEANE.

) Before  
) HON. M. J. B. MESSEMER,  
) and a Jury.

New York, May 11th, 1892,  
10.30 A. M.

APPPEARANCES: Mr. FRIEND appears for the prisoner;  
MR. OSBORNE represents the District Attorney  
for the people.

-----oOo-----

OFFICER JOHN A. McGRATH, duly sworn:-

By the Coroner:-

Q To what precinct are you attached? A. 8th Precinct.

Q On what day was this? A. April 30th, this year.

Q About what hour? A. About 8.45, P. M.

Q Where did this take place? A. I don't know how it  
took place, I only made the arrest. I was coming down Sul-  
livan Street that evening about 8.45 P. M., I saw a crowd  
gather at the corner of Grand and Sullivan Streets going  
down and I heard the people shout there he goes, pointing  
towards the prisoner; the prisoner ran and I followed;  
I caught him in a grocery store of Ernest Rinker, corner  
of Thompson and Grand Streets; I brought him back to where  
the accident happened to see if I could find anybody that  
was cut; people around there said he was cutting several

people; I couldn't find anybody that was cut. Officer O'Neill and I brought him to the station house and on the way some citizens ran up and told me --

Objected to by Mr. Friend.

Witness: This knife which is here was found alongside of the prisoner, about two feet from him.

By Mr. Friend:-

Q In the grocery store? A. Yes.

Q That is in the same condition now that it was at the time of the apprehension of the defendant? A. Only this paper pasted on.

The knife is handed to the Jury.

Q What part of the store was the defendant found in?

A. Near the entrance.

Q Was the knife back of where he stood or in front of him?

A. On his side.

Q The distance was about how far? A. About two feet.

Q Can you show us what you mean by two feet -- from the position you are standing in? A. He was standing like this and the knife about two feet that side of him.

Q Was there anybody else in the store at the time of the arrest? A. Yes, sir.

Q About how many? A. About two or three people.

Q How far were they from where the knife was? A. I don't know exactly, about ten or twelve feet away.

Q Is it a small store? A. A good sized store.

-----oOo-----

FRANK DONNELLY, duly sworn:-

By the Coroner:-

Q Where do you live? A. No. 20 Grand Street; I am a saloon keeper.

Q Tell the Jury what you know of this case? A. On the night in question about quarter of nine o'clock I was outside of the saloon door and I saw these people stand quietly together talking and all of a sudden I saw this man run up with a knife and commence to strike right and left; he cut some others and got away and the deceased he turned around and he cut him also; he said you son-of-a-Bitch, I have got you alone, and the deceased ran about fifty feet up Sullivan Street, on the west side of Sullivan Street and there were two trucks in the street and the deceased got in between them when he closed up and tried to defend himself; I seen it was a knife he had; I said, don't stab that man; he stabbed him several times, then he ran down the street and I told Officer McGrath and he followed him in the saloon and saw him throw the knife down and McGrath arrested him.

By Mr. Friend:-

Q Did you see the knife? A. I saw him do the stabbing.

Q Were they in your saloon? A. No, sir.

Q What is the corner of your saloon? A. Grand & Sullivan.

Q How long have you been in business there? A. 5 years.

Q Is that the saloon that Williams was killed in?

A. No, sir; no one was killed in it.

Q Do you remember the killing of Ebon Williams, killed by Sam Brewster, some years ago? A. No, sir.

02 15

- Q You don't remember that circumstance? A. No, sir.
- Q Was that ~~the~~ saloon before you took charge of it?
- A. Yes, sir.
- Q Who kept it then? A. It was closed for a few months previous.
- Q Is it not a fact it was closed by reason of that?
- A. No, sir; the man failed.
- Q How do you know what I am going to ask you. Is it not a fact that you know that the saloon was closed by the police by reason of the homicide having been committed there?
- A. No, sir; it never happened there.
- Q Do you know where it did happen? A. No, sir.
- Q How do you know? A. Because I didn't hear of it; I am certain it didn't take place there; I would have heard of it.
- Q Do you say you hear of all the homicides that take place? A. I glanced over the papers ----
- Q Any homicides that take place in your neighborhood you would hear of it? A. Yes, sir.
- Q Is it not a fact that in connection with this homicide, you being in the neighborhood you heard of this?
- A. I would have heard of it.
- Q The Keane homicide we are trying now, the Keane homicide, is it not a fact? A. I don't understand you.
- Q You say if any homicide had taken place some years ago you would have known of it, and I ask you now is not that how you know in reference to this homicide, it is what you have heard, not what you have seen? A. It didn't happen there.

Q What didn't happen there? A. Homicide; I would have known if it did.

Q You don't know anything about it? A. No, sir.

A JUROR: The counsel asked you if it is only hearsay in regard to this homicide; I heard you say that you saw the man stab the other party and throw the knife in the store?

Witness: Yes.

By the Juror:-

Q You just now answered no; I think you had reference to the former homicide? A. Yes, sir; that is the one I had reference to.

By Another Juror:-

Q Did you see this party stabbed? A. Yes, sir; and I shouted back to him; I seen him run after the man fifty feet.

-----c0c-----

FREDERICK NEWHOUSE, duly sworn:-

I board with the grocer at No. 33 Grand Street, his name is Ernest Binke; my occupation is grocery clerk; all I know of the matter is that a short, stout man jumped in the place, grabbed the knife and steel and run out again with the back turned to me. That is about all I know about the matter. Afterwards he came back and brought the knife back and the officer arrested him right about -- right by the door way.

BY MR. FRIEND:-

Q Did you know the man that came in for the knife?

0217

A. No, sir, I did not, I never seen him before.

Q You did not know him? A. No, sir.

Q All you know is that somebody came into your place and picked up a knife and run out? A. Yes, sir.

Q What occurred after that you don't know? A. No, sir; I do not.

Q You don't know him -- you did not know him when he came in there? A. No, sir.

Q When he came back you did not see his face? A. No, sir.

Q You don't know who the man is to-day? A. No, sir; I could not identify him, only I seen him in Jefferson Market.

Q You don't know that that man is the same in Jefferson Market? A. No, sir.

Q Your memory is clear as to what took place that day?

A. Yes, sir.

Q And if you could identify the man to-day you would certainly identify him now? A. Yes, sir.

Q And you do not undertake to identify the man that picked up the knife? A. No, sir; it was a short stout man, that is all I know; I didn't see his face when he came out or when he came back.

-----oO-----

02 18

JOSEPH MERRICK, duly sworn:-

By the Coroner:-

Q Where do you live? A. No. 125 Congress Street,  
Brooklyn.

Q What is your occupation? A. Printer.

Q Did you see the stabbing? A. No, sir.

Q What do you know of it? A. While standing at the  
corner on Saturday evening on April 30th, this man came  
along and whatever passed between him and the deceased I  
don't know.

Q Which man? A. The prisoner; they had fought and  
this Thomas Kelly came back with a knife; he caught him by  
the collar and said are you the son-of-a-bitch that inter-  
fered with me; I pulled away and told this man to run;  
that is all I know; that is all I know about it until  
the next morning; I read it in the paper.

Q Where were you standing? A. Corner of Grand and  
Sullivan Streets.

By the Assistant District Attorney:-

Q Where was the prisoner at the time? A. He came down  
Grand Street.

Q How near did he pass from you? A. He ran almost  
beside me.

Q Where was the deceased? A. About ten feet away from  
where I was standing.

Q You saw the prisoner in conversation with him ten feet  
away? A. He had passed the deceased then.

Q What did you do? A. He went down the street further,  
he got muttering something about the deceased, he went down  
there and they clinched and I separated them with another

party; we were <sup>on the north east corner</sup> ~~at the corner~~, this prisoner came up, he caught me by the coat collar and he asked if I was <sup>the fat</sup> ~~that~~ son-of-a-bitch that interfered with him; I told the others to run and I pulled away from him.

Q Is that the knife? A. I knew it was a carving knife.

By Mr. Friend:-

Q You were in company with the deceased? A. Yes, sir.

Q Where had you been walking along? A. Walking along the street and stopped to talk.

Q Had you all been drinking? A. We had two drinks before that about a half an hour before that.

Q What drinks? A. Beer, lager beer.

Q Is it not true that the deceased was under the influence of liquor? A. It did not appear so to me.

Q You wouldn't swear he was not? A. I would not swear.

Q The deceased and the prisoner had some trouble?

A. There was a fight afterwards, after this man got back.

Q Let me see whether I get the story right; the deceased and the prisoner had some misunderstanding? A. Yes, sir.

Q The prisoner walked up the street, and after he walked away is it not true as a matter of fact that Kane, the deceased went up after him? A. Yes, sir; Kane went down again.

Q He left you and who else? A. Harry Kane, he was standing with Harry Kane, I was down below, ten feet away.

0220

- Q With whom? A. John Kehoe and Mr. Whalen.
- Q Harry Kane, the deceased man went there, is that true?
- A. We had been in the party first off.
- Q But you were within a few feet of each other?
- A. Yes, sir; within about ten feet of each other.
- Q Up to that time had there been any trouble?
- A. Not that I know of.
- Q Not that you know of? A. No, sir.
- Q Not that you know of? A. No, sir; these men <sup>as</sup> ~~and~~ I stated passed --
- Q Answer my question; is it not true as a matter of fact that there had been a fight in which two or three of your party were interested as against this defendant?
- Objected to.
- A. Adam Kane and this prisoner came --
- Q Adam Kane and another person who was with the defendant?
- A. Yes, sir.
- Q Is it not true that your party assaulted this man, and a friend of his -- your party and Kelly and his friend had a clinch? A. Yes, sir.
- Q You did not see any blows struck? A. No, sir.
- Q You swear there were not any blows struck?
- A. I didn't see no blows struck.
- Q Who had Kelly? A. Kelly, and Adam Kane were clinched together.
- Q You mean to say that Adam Kane did not strike Kelly;
- A. I didn't know, when they were clinched, I separated them.
- Q In what direction were you looking? A. We were talking together.

0221

- Q You <sup>want</sup> ~~see~~ these twelve men to believe that your friend and the stranger were in a clinch and you within a few feet from the spot and you did not look at the trouble?
- A. I didn't see any blows struck.
- Q You were looking at the whole trouble? A. I did not
- Q When your friends were clinched you did not look at them? A. I did not -- when they clinched we separated them.
- Q What happened after separating them? A. I separated the defendant and the deceased.
- Q You heard the deceased say what? A. I didn't hear no words passed at all.
- Q You simply saw them clinch? A. I didn't hear any --
- Q Who was the other man that was knocked down?
- A. I couldn't tell you.
- Q Don't you know his name? A. No, sir.
- Q Did you see that on the ground? A. I seen both men on the ground.
- Q You <sup>mean</sup> ~~saw~~ Kelly and his friend? A. yes, sir.
- Q And your party were <sup>on their feet?</sup> ~~there?~~ A. Yes, sir.
- Q Don't you remember that the deceased and one other of your party were kicking the two men that were down?
- A. No, sir.
- Q You did not see that? A. No, sir.
- Q That because you did not look, isn't that true?
- A. I didn't see them kicking them.
- Q You saw them on the ground? A. On the ground.

0222

Q And you speak of both Kelly and his friend?

A. Yes, sir.

Q Kelly got up and went away? A. He got up and attempted to catch Adam Kane.

Q Kelly got up and went away -- did Kelly get up and go away then? A. Kelly got up and grabbed Adam Kane.

Q Where did his friends go to? A. They went down Grand Street; Harry Kane took both men and marched down the street with him.

Q Who was Harry Kane? A. The man that was cut with him.

Q Do you remember the deceased going after him when Kelly went away? A. No, sir;

Q Didn't he go after him? A. No, sir.

Q Didn't the deceased leave your party and matter something and go up after Kelly? A. No, sir; not after this occurrence.

Q This was beforehand? A. This was before.

Q Where did the deceased go to then? A. After that this Adam Kane went down to him.

Q Down where? A. Down to Grand Street; towards Kelly and his companions.

Q Adam Kane left your party and went down Grand Street towards Kelly? A. Yes, sir.

Q You saw him go up to Kelly? A. Yes, sir.

Q You saw him get hold of Kelly? A. No, sir; I didn't see no more about it.

Q Kelly went away down to Grand Street and the deceased left the party running down Grand Street after Kelly,

0223

that is true, is it? A. yes, sir.

BY THE ASS'T DISTRICT ATTORNEY:-

Q You were standing you say, at the corner of what street? A. Sullivan and Grand Streets.

Q Which side of Grand, north or south? A. The south side of Grand Street.

Q On the south side of Grand Street? A. Yes, sir.

Q You say the prisoner passed you by and walked about ten feet away, the deceased following him? A. Yes, sir.

Q And there they grappled? A. yes, sir.

Q Who were the parties, the deceased, the prisoner and who else? A. His companion.

Q Those three were together? A. yes, sir.

Q And the next thing you saw they were all on the ground? A. Two were on the ground.

Q which two? A. Kelly and his companion.

Q Do you know how his companion got on the ground?

A. No, sir.

Q Did you see Kelly knocked down? A. No, sir.

Q Then what did you do? A. Kelly got up and clinched with Adam Kane.

Q Then what happened? A. I separated them.

Q where did the deceased go to? A. I took him away.

Q where did you take him to? A. towards the corner of Sullivan Street.

Q where did the prisoner go? A. Down towards South Street.

Q Where did his friends go? A. with him.

0224

Q What did you do with the decedent after you took him to the corner of Sullivan and Grand Street -- did you leave him? A. No, sir; I stayed there with him, we crossed to the northeast corner when this prisoner came back.

Q Where did you go? A. I got -- he caught me by the collar and asked me whether was I the son-of-a-bitch that interfered with him; I told the others to run and I pulled him away.

Q Did the deceased run? A. I don't know.

Q Did you run then? A. Yes, sir.

Q Where did you leave this man Kelly? A. He was on the corner at the time.

Q You turned and ran? A. Yes, sir.

Q You told the others to run and you ran? A. Yes, sir.

Q Is that all you know about it? A. Yes, sir.

-----oO-----

PATRICK J. KANE, duly sworn:-

By the Coroner:-

Q Where do you live? A. No. 149 Madison Street.

Q What is your business? A. My occupation is printer.

Q Are you related to the deceased? A. No.

Q Did you see this occurrence? A. Yes.

Q When was it? A. April 3rd, half past eight, about, at the corner of Grand and Sullivan Streets, on the corner.

Q Which corner? A. The southeast corner of Grand and Sullivan Streets; me and Kane was standing about ten feet

0225

from Merrick and from the other fellow and this prisoner came along and jostled Kane with his shoulder, Kane had his back turned, he said, do you know that man; the prisoner stood up Grand Street and was muttering, he went up to him, I turned around again to see where the other friends were and I seen Kelly and his friends getting up and clinching Kane; I went up to him and Merrick and separated them; I walked about 25 feet with them and I told them to go away; I didn't see anything more until he got the knife; somebody hollered and I turned around and he was after coming to Kane and giving Kane a stab, I was going to grab him and he turned on me and followed me.

BY THE ASS'T DISTRICT ATTORNEY:-

Q Did you see him stab Kane? A. Yes, sir.

Q Did you see the knife in his hand? A. Yes, sir.

Q Where did you strike him? A. I thought he struck him here.

Q Where were you standing at the time? A. About three or four feet from him.

Q Whereabouts? A. Corner of Grand and Sullivan Streets

Q Who was it that said he's got a knife -- the gentleman that was last on the stand? A. I don't know exactly -- I don't know who exactly said that.

Q What did you do? A. I turned around and I seen that Kane was not out of the way -- I seen he couldn't get out of the way.

0226

Q Did you see this man when he struck him first?

A. yes, sir.

Q What did you see then? A. He struck him and he was going to strike him again when I went to grab him.

Q Did you grab him? A. No, sir; he stabbed me here first and in the side.

Q Did he strike you? A. Yes, sir.

Q He made his mark on you? A. Yes, sir; I went to the hospital.

Q How long were you there? A. I went to the drug store after.

Q How long were you in the hospital? A. Last Friday evening.

Q How many days or weeks? A. Six days.

Q Look at this knife alongside of you there; is that the knife? A. I couldn't swear it is the knife, but it was something similar.

Q It was a carving knife? A. Yes, sir.

Q Did you see first or where you saw the two men on the ground? A. I seen them wrestling, I didn't see them on the ground.

Q Where did this man go after that? A. Merrick took Kane away and I walked them down Grand Street, the other two

Q Where did the prisoner go after he stabbed you?

A. That I couldn't say.

Q Did you fall down? A. No, sir.

Q Didn't you watch him? A. I didn't get away to watch him, I was glad to get away from him.

0227

Q You did not see him when he was arrested? A. No, sir.

BY MR. AMON:-

Q Did I understand you to say that you had been stabbed?

A. Yes, sir.

Q Where were you stabbed? A. I was stabbed corner of Grand and Sullivan Streets.

Q I don't mean that -- whereabouts on your body?

A. Under the heart, side and back of the shoulder and in the hand.

Q What did Kane do after he was stabbed? A. I heard him groan and stagger.

Q You did not see him go away anywhere? A. I didn't look to see.

Q You heard the testimony of the saloon keeper, he went up between two wagons? A. That I didn't see; I seen him getting stabbed; I didn't see anything of it after that.

-----000-----

0228

1

JOHN H. WHALEN, duly sworn:

I live No. 300 West Houston Street; I am a laborer by occupation and I am working for James Carroll, Watchman in Le Roy Street; I don't know much of the occurrence, I was about five feet away from him I seen this man come along when the stabbing occurred I was twenty or twenty-five feet away from him.

By the Assistant District Attorney:-

Q Did you see the prisoner come back? A. I was standing about twenty or twenty-five feet away from him; when they were standing on the corner I was going away.

Q Who was at the corner? A. The deceased, Adam Kane and Merrick.

Q That is the time the stabbing occurred? A. Yes, sir.

Q Did you see the prisoner? A. I heard somebody shout, "Look out for the man". I turned around and saw the man.

Q Did you see the knife? A. Yes, sir.

Q Is that the knife there? A. I couldn't say.

Q Was it a carving knife? A. It looked like one to me.

Q Did you see him make the strike? A. Yes, sir; I couldn't say which man I was too far away from him.

-----:o:-----

JOHN KEHOE, duly sworn:

I live No. 300 West Houston Street; I am a harness maker by occupation; when the stabbing occurred I was on the South East corner about twenty or twenty-five feet away; corner of Grand and Sullivan Street. I heard somebody holler, "Look out for the knife". They all commenced to

run, and<sup>ly</sup> went up Sullivan Street; that is all I know - I saw them talking on the North East corner before that, the deceased, and Kelly and his friend, that was before the stabbing; I saw it take place on the North East corner it took place near there, I was on the South East corner when I heard about the knife.

Q Who was standing together? A. I couldn't exactly say who was standing around there I was standing with Whalen.

Q Who was standing with the man that said, "Look out he's got a knife"? A. I don't know.

Q Didn't you look in that direction? A. I was quite a ways away I couldn't see it - I was twenty or twenty-five feet away at the time.

Q What time of the night was it? A. About half past eight; I heard somebody yell, "Look out, he's got a knife"

Q Did you see the prisoner there then - when somebody said, "Look out for the knife"? A. I saw some men go down, I couldn't say whether it was him or not.

Q You did not recognize any one in the crowd, who was near the man who said, "He's got a knife"? A. There were two there, Joseph Merrick and Kane; they were standing there, but I didn't know the people that were standing with.

Q They were standing on the South East corner? A. Yes, sir.

Q You heard one of the crowd say, "Look out he's got a knife"? A. I don't know whether it came from there or not, it is hard to tell where the voice came from.

0230

Q Yoursay the fourth man came up to the three? A. <sup>3</sup> Yes.

By a Juror:-

Q Were you acquainted with the crowd you were in? A.

Yes, sir.

Q Did you know the prisoner before? A. No, sir.

Q Did you know the man that was stabbed? A. Yes, sir.

-----:o:-----

MORRIS KANE, only sworn:

I live No. 24 Beach Street; my occupation is longshore-  
man; the dead man was a brother of mine; I didn't see the  
occurrence - he told me he got stabbed without any reason.

Q When did he state this? A. When I went on to the  
corner of Sullivan and Canal Streets.

By a Juror:-

Q That was before he went to the hospital? A. Yes, sir.

By the Assf. Dist. Atty.

Q Where were you that night? A. I was after coming  
home from work.

Q Were you in the party? A. No, sir; I only got word  
of it at the house.

Q Is that all he said to you, he was stabbed without any  
reason? A. Yes, sir.

-----:o:-----

0231

VERDICT: We find that Adam Kane, came to his death at  
St. Vincent's Hospital, May 2nd, 1892, from injur-  
ies received at the Corner of Grand and Sullivan  
Streets, on the 30th of April, 1892, at the hands  
of Thomas Kelly who then and there stabbed him.

-----:o:-----

0232

TESTIMONY.

William A. Conway M. D., being duly sworn, says:  
I have made an examination of the body of  
Adam Keane now lying dead at  
24 Beach Street and from such examination  
and history of the case, as per testimony, I am of opinion the cause of  
death is Starvation.

Wm A. Conway  
M. D.

An Autopsy made on body of Adam Keane  
at 24 Beach Street on May 17/92 at 11:45 AM  
(Keane was) found in a room. An external  
wound on body exhibited a cut about 2 inches  
long in left groin (about 1 inch from median line  
about 6 inches above and 6 inches below navel  
line). This cut had been made with wire snips,  
in opening the abdominal cavity it was  
found that the instrument would have wound  
that person through the peritoneum & into  
the gut, this had been entered also  
there was a quantity of clotted blood in  
abdomen & the tissues around the wound.  
The alterations presented the appearance  
of inflammatory process & were found to  
be of a chronic nature. Other organs were normal.  
In my opinion was killed by a  
starvation of the abdomen.

Wm A. Conway  
M. D.

Sworn to before me,

this 3<sup>rd</sup> day of May 1892  
J. J. McNamee

CORONER.

0233

MEMORANDA.

AGE	PLACE OF NATIVITY	WHERE FOUND	Date When Reported
4 Years — Months — Days	Iceland	4 seasons	May 2
	6651	St. Vincent, N.Y. and	1/62

0231

M. J. B. M.

No.

Quar.

189

AN INQUISITION

On the VIEW of the BODY of

*James Keane*

whereby it is found that he came to  
his death by

*gun wound  
in the chest  
by the firing of a  
revolver  
bullet  
at 30 m / 100 yds*

Inquest taken on the 17<sup>th</sup> day  
of May 1892 before

MICHAEL J. B. MESSEMER, Coroner.

*28 4/30*

0235

Coroner's Office,

CITY AND COUNTY }  
OF NEW YORK, } SS.

*Thomas Kelly* 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—*Thomas Kelly*

Question—How old are you?

Answer—*38 years*

Question—Where were you born?

Answer—*Ireland*

Question—Where do you live?

Answer—*27 Curwin St.*

Question—What is your occupation?

Answer—*Telegraph Lineman*

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

*Thomas Kelly*

Taken before me, this *17* day of *July*

*1872*

*R. J. M. [Signature]*

CORONER.

0236

**MEMORANDA.**

AGE			PLACE OF NATIVITY	WHERE FOUND	DATE When Reported	
<i>24</i>	Years	Months	Days	<i>Ireland</i>	<i>24 Beach St</i>	<i>May 2<sup>o</sup> / 92</i>
				<i>from</i>	<i>St Vincents Hospital</i>	

0237

672  
Dwd. 430. 1892

**HOMICIDE.**

**AN INQUISITION.**

On the **VIEW** of the **BODY** of

*Adam Keane*

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

*Thomas Kelly*  
alias

*Thomas Pallister*

Inquest taken on the *11<sup>th</sup>* day  
of *May* 1892

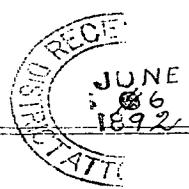
before  
*W. B. Messinger* Coroner.

Committed

Bailed

Discharged

Date of death



0238

St. Vincent's Hospital  
May 2/92

This is to certify that Edward  
Ramsdell died at this hospital  
at 1 am on May 2/92

To W. F. Day M.D.  
Surgeon

This is to certify that Harry  
Ramsdell is in this hospital  
suffering from multiple star  
wounds from a fall from a

To W. F. Day M.D.  
Surgeon

0239

St. Vincent's Hospital  
May 1, 1892

This is to certify that Adam  
Rau is in this hospital  
suffering from a penetrating  
wound of the abdomen.  
His condition is very serious  
W. F. Foley, M.D.  
House Surgeon

0240

Police Court— 2 District.

CITY AND COUNTY OF NEW YORK.

I the Deponent John A. McGrath  
of No. 5th Street Street, aged \_\_\_\_\_ years.  
occupation Policeman

on the 30th day of April 1892 being duly sworn, deposes and says, that  
in the County of New York, at the City of New York  
one Adam Kane and Harry Kane  
were feloniously ~~violently~~ ASSAULTED and ~~BEATEN~~ stabbed, by Thomas  
Kelly (now late); that defendant was  
identified by both the injured men, in  
Sullivan and Patrick Sullivan, shortly after the  
assault and that both men are now in  
prison unable to come to court.

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 the above assault, &c., and be dealt with according to law.

Sworn to before me, this 1st day of May 1892 John A. McGrath  
[Signature] Police Justice.

0241

Police Court  
Second Dist

The People  
John A. McGrath

<sup>2</sup>  
Thomas Kelly

Joseph Merrick, being duly sworn deposes and says. I live at No 125 Congress street in this city of Brooklyn N. Y. I know the defendant Thomas Kelly. I know Adam Kane who died in this city on May 2 1892 at St. Vincent's Hospital in consequence of stab wounds inflicted by the defendant on the night of April 30 1892, on the north east corner of Grand and Sullivan street as I have been informed by the newspapers. I did not see the stabbing done. Just before the time that I have been informed the stabbing was done I was standing on the corner of Grand and Sullivan streets

0242

in company with the deceased Thomas  
Adam Kane, ~~the deceased~~<sup>and</sup>  
~~brother~~ Harry Kane, one man  
named Kehoe, and another man  
named Whalen. The time was  
about quarter to nine o'clock  
P.M. We were standing on the  
corner talking when the defendant  
Thomas Kelly came through Grand  
Street from the direction of Thompson  
Street. He said Kelly took hold  
of my collar and said "Are  
you the fat son of a bitch  
who interfered with me?" I  
julled away from the said  
Kelly and I shouted to the  
others "He has got a knife" At  
that time I saw a knife in the  
hand of the said Kelly. We all  
ran off. I went through Grand  
Street away from the others and  
the last I saw of the defendant  
he was running after Adam Kane  
through Sullivan Street. I did  
not see the defendant Kelly

0243

44  
stab either Adam Kane or  
Harry Kane, I could not say  
whether Defendant had a  
knife in his hand when he  
was running after Adam Kane.  
I did not see the Defendant  
throw the knife away. I went  
home and knew nothing further  
about the stabbing until I  
read about it in the newspapers.

Sworn to before me  
this 3d day of May 1932  
J. J. [unclear]

[unclear]

0244

Frederick Nauhaus being duly sworn deposes and says. I am a clerk in the grocery store of Ernest Rincke at the corner of Grand and Thawford streets. I know nothing about the stabbing of the deceased Adam Kame. I was present in the said grocery store at the hour of about twenty minutes to nine o'clock p m on the night of April 30 1892. I saw a man run into the grocery store and seize a knife and steel, the latter being a tool for sharpening the knife. The man ran out taking the tools. I could not recognize the man. I cannot say that the defendant Kelly is or is not the man who took the knife and steel. About five minutes thereafter the same man came running into the store and he threw down the knife and steel. I did not see any officer chasing the man.

0245

I am informed by Policeman  
John A. Mc Grath of the 8th  
District that at that hour he  
chased the defendant to the  
said grocery store and that he  
arrested the defendant there  
and that a moment before the  
arrest, the defendant as he  
ran into the grocery store threw  
down some kind of a tool which  
he believes was the said knife  
and I recognize the knife now  
shown me as the one so  
taken from and returned to  
the said store about the hour  
of about quarter to nine o'  
clock p.m., on April 30 1892.

Shown to before me  
this 2d day of April  
1892

Fredrick Kerkham.

John J. Fisher

0246

Police Court

Second Dist.

John A. Mc Guath being duly sworn deposes and says: - I am a Policeman of the 1st Precinct. I was on post in Sullivan Street about 8:45, P.M. on the night of April 30 1892. I saw a crowd at the corner of Grand and Sullivan Street. When I reached the corner of Grand Street the crowd followed "There he goes." Then the defendant started to run. I ran after him. He ran through Grand Street into Ernest Brinkes store. I was right at his heels. As soon as he reached the store he threw something down. I arrested him in the store. Then Mr. Brinke said "That man <sup>is</sup> after stealing my knife" pointing to the knife on the floor. The knife is the one seen in court wound with red twine. Then

02477

I took the defendant to the corner of Sullivan and Grand Street where there was a crowd and was there informed by Frank Donnelly that the defendant had cut several people. Then I took the defendant to the station house and then, by direction of Sergeant King I took the defendant to a stop in Sullivan Street near Canal Street where Adam Kane, the deceased was sitting. Adam Kane then recognized the defendant and said "That is the man that cut me." It was then dark and before Adam Kane said that Officer Danversel lit a match and held it over as to light up the defendant's face and there is no question that when Adam Kane spoke and said "That is the man that cut me," he referred to the defendant Thomas Kelly.

The defendant Kelly made no reply. Then I took the defendant back to the station house. Subsequently I took defendant to the corner of Chautau and Varick streets where Harry Kane, the brother of the deceased Allan Kane was lying in a drug store suffering from stab wounds. Then Harry Kane said "That is the man who stabbed me," and there is no doubt that the said Harry Kane referred to the defendant. At that time there were present in the drug store myself, the ambulance surgeon, Dr. McDaniel, Officer O'Neill of the 1st Precinct, the driver of the ambulance the defendant and the said Harry Kane, and two others. I then took defendant to the station house and locked him up.

Sworn to before me this ..... day

of ..... 190.....  
 [Signature]  
 Police Justice.

John A. McGrath

Frank Donnelly being duly  
 sworn before and says, I live  
 at No 20 Grand Street. I was  
 present on the corner of Grand  
 and Sullivan Streets on the night  
 of April 30 1892 about the  
 hour of quarter to nine o'clock  
 P.M. There was a number of  
 men standing on that corner. The  
 North east corner. I saw the  
 Defendant Thomas Kelly with  
 some weapon in his hand  
 striking right and left in the  
 crowd. I saw him strike the  
 Decendant Adam Kane, and I  
 saw him also deliberately strike  
<sup>and</sup> Henry Kane, and Defendant  
 was running away when Officer  
 John E. Mc Grath came of, and  
 I pointed out the Defendant to  
 Officer Mc Grath. I do not know  
 what brought about the stabbing and  
 had no previous knowledge of either  
 of the parties.

Sworn to before me this.....day

of.....May.....1892

Frank Donnelly.

Notary Public

0250

(1335)

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

Thomas Pallister

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

Question. What is your name?

Answer. Thomas Pallister

Question. How old are you?

Answer. 37 years

Question. Where were you born?

Answer. Ireland

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

Answer. 38 Curran St. 1 year.

Question. What is your business or profession?

Answer. Laborer.

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

Answer. I have nothing to say. I saw the name of Thomas Kelly when I was arrested because I did not want my name to be in of my arrest.

Thomas Pallister

Taken before me this

day of May 1897

Police Justice.

0251

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

*Thomas Kelly*

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

Dated, *July 11* 189 *Police Justice.*

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

Dated, 189 *Police Justice.*

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

Dated, 189 *Police Justice.*

0252

May 3. 2 P.M.

549  
1891

Police Court-- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

John Mc Grath  
vs.  
Thomas Kelly

Offense  
Lobby  
Horsehide

2  
3  
4

Dated, May 1 1891

Divina  
Mc Grath  
Magistrate.  
Officer.  
Precinct.

Witness  
Mr O'Neil  
8th Precinct

No. 14  
Thomas Womally  
Street.

No. 20 Grand  
Harry Kane  
Street.

Dr Hospital  
Street  
M 6  
1891

\$ to answer  
Need to answer  
the result of report  
Come

BAILED.

No. 1, by  
Residence Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street.

Joseph Mevick  
125 Cooper St → Bldg  
Mick Ventura  
C. read & Sullivan  
(grocery clerk in  
Ernest Rincke  
store)

0253

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against
Thomas Ballister

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

Thomas Ballister

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

The said Thomas Ballister,

late of the City of New York, in the County of New York aforesaid, on the 15th day of April, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, in and upon one Adam Kane, in the peace of the said People then and there being, wilfully, feloniously and of his malice aforethought did make an assault; and he the said Thomas Ballister, did

the said Adam Kane, with a certain knife - which he, the said Thomas Ballister in his right hand then and there had and held, in and upon the abdomen of him the said Adam Kane, then and there wilfully, feloniously and of his malice aforethought, did strike, stab, cut and wound, giving unto him the said Adam Kane, then and there with the knife aforesaid, in and upon the abdomen of him the said Adam Kane - one mortal wound of the breadth of one inch, and of the depth of six inches, of which said

0254

mortal wound *he* the said *Adam Lane*, at the City and County aforesaid, from the day first aforesaid, in the year aforesaid, until the *second* day of *May*, in the same year aforesaid, did languish, and languishing did live, and on which said *second* day of *May*, in the year aforesaid, the said *Adam Lane*, at the City and County aforesaid, of the said mortal wound did die.

AND SO THE GRAND JURY AFORESAID do say: That the said *James Parrott* the said *Adam Lane* in the manner and form, and by the means aforesaid, wilfully, feloniously and of *malice* aforethought, did kill and murder, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,  
*District Attorney.*

0255

BOX:

482

FOLDER:

4403

DESCRIPTION:

Palmer, James A

DATE:

05/03/92



4403

0256

Witnesses:

Counsel,

Filed,

Pleads,

189

THE PEOPLE

vs.

F

James A. Palmer

DE LANCEY NICOLL,

District Attorney.

[Section 528, and 531, Penal Code.]  
(False Pretenses)  
LANCEY, 200

A TRUE BILL.

J. J. Patton

Foreman.

Wm. H. Kelly

Wm. H. Kelly

Wm. H. Kelly

Wm. H. Kelly

187

The People  
 vs  
 Thomas J. McCabe & Michael J. McDonough  
 Scout of General Sessions. Part I  
 Before Judge Cowing. Feb. 9. 1888.  
 Michael J. McDonough jointly indicted for robbery in  
 the first degree. McCabe alone on trial.

Jacob Ruffer, sworn and examined,  
 testified: I saw McCabe on the street on the  
 evening of August 22<sup>nd</sup> last in Sixteenth st.  
 between Seventh and Eighth aves., in the middle  
 of the block. I was on the sidewalk coming from  
 the barber's on my way home. McDonough was  
 with McCabe. McCabe was standing his way  
 (showing) and McDonough stood on the ceiling  
 a little distance away; when I passed between  
 them McCabe hit me with a club on my face  
 and McDonough came from behind and  
 pushed me down and robbed me, and this  
 fellow (McCabe) held me. I had a two dollar  
 in my pocket and two single dollars and  
 a snuff box and a little knife in the left  
 side pantabours pocket. I was bleeding; one  
 held me and McDonough took it out of my  
 pocket and ran away. I was on the  
 ground a little while and then I got up and  
 the crowd was coming toward me. It was  
 while I was lying upon the ground that  
 the money was taken out of my pocket. I  
 felt the hand in my pocket and I felt  
 the defendant holding me down while the

0258

other took the money. I ran home bleeding and my wife and I went to the station house. My wife gave me the money an hour before. They knocked me down and took the money. Cross Examined. I am a silk weaver. I was sick for eight days before this. I went to the barber's at six o'clock. I felt a little better, and the next day I intended to go to work. I had not drunk anything for a whole week. I was sober when this happened. I cannot tell how long the altercation took place, three or four minutes; it was in the twilight, the lamps were not yet lit. I am positive M'Cube is the man, for I had seen him often in the street before this. I went with my wife to the station house and reported this. The Sergeant said he would have both of them arrested. He told me to go until the morning; the next day I went to the doctor, and he gave me a prescription. The Captain said the best thing for me to do was to take out a warrant at Jefferson Market. The first time I went to the station house the Sergeant did not say, I was too drunk, that I did not know what I was talking about and that I had better go home. The defendant I believe was arrested about fourteen days after the occurrence. When the

detective came the defendant jumped over the fence in the rear and two policemen caught him in the hallway; he was sleeping there and they had him arrested, and the detective from Jefferson Market came and took him away. Charles Wehner, whose mother I married, I believe saw the occurrence.

Charles Wehner sworn. I reside at 209 West Eighteenth St., the complainant is my stepfather. I don't reside with him, I am married. He resides at 224 Sixteenth St. I am a carpenter. I know McCabe by sight, I have seen him, but not many times, in Sixteenth St. and Seventh Ave. I did not see him on the evening of August 22<sup>nd</sup>, but I saw him on the evening following, I was sitting on my father-in-law's stoop, he came from Seventh Ave. walking towards Eighth and stopped and said to me, "I gave it to the old man good this time. I never paid any attention to him, I never looked at him, I held my head down. I never saw him before that evening, I recognize him now as the man who said those words to me. About three or four days after the occurrence I saw my father in law and he had a mark on the left side of his cheek. Cross Examined. My sister told me my

0260

step father was knocked down and robbed. I could not go down to Jefferson Market that Sunday for my wife was sick. I have never told my father or anybody up to this time that the defendant said he had done up the old man. I lived in the same house with McCabe - in the rear house. I did not, at least, see him living there, I saw him going in and out. I dont know whether he lived there or not.

Marrie Weber sworn. I am the sister of Charles Weber and reside at 219 West Eighteenth St. Jacob Rugger is my step father. I do not reside with him. I was sitting on the stoop one evening last August with my brother when McCabe came up. I saw the defendant many times before that evening. I knew at the time that my step father had been robbed. I was present when he was robbed. I was standing at my mother's stoop. I was home then with my step father. I was on the opposite side of the street. I saw my step father, Tom McCabe and Mc Donough. I saw them standing against the railing. I was standing at the stoop when I saw McCabe and Mc Donough coming from Seventh going towards Eighth Ave. I saw Mr. Rugger coming from

Eighth Avenue, just coming to the house when I saw Tom McCabe up with his club and hit him right across the face. McDonough got him by the back of the neck and after they got him down on the ground McCabe held him down and McDonough went through his pockets; a crowd gathered round after McDonough got the money out of his pocket and they started to run. My step father was crossing the street and my mother came out and took him by the arm and brought him into the house. He was bleeding and my mother went up to the station house with him.

On Tuesday evening, the 23<sup>rd</sup> my brother and I were sitting on the stoop and McCabe was coming from Seventh Ave going towards Eighth. Just as he was passing he said, "I gave it to the old man good this time." He did not take notice to him; there was no one with him. I am sure McCabe is the man who struck my step father with a club. I knew McCabe by sight well before this, I saw him almost every day around. I saw him frequently with McDonough. Cross Examined. My brother did not say anything to me about what McCabe said after

he left us. I said nothing to my brother after it; we made no move to have McCabe arrested although he was the man who told us he assisted in the robbery.

Charles Wehner recalled. On the evening that the defendant came up and said what I have already testified to my sister and her children were on the stoop with me [The case for the Defense.]

Daniel M. Keely sworn. At present I reside at 144 West Seventeenth St. and am employed in the Fire Department as building inspector for four years. I remember the evening of the 22nd of August last. Between seven and eight o'clock I left the barber shop in West Sixteenth St. and Eighth Ave. about ten or fifteen minutes after seven. I heard a man hallooing "Murder"; as I got up close to where I heard the sound. I saw the complainant and two young men in a scuffle, and as I got within two feet the two men who were in close quarters with that man let go and ran down towards Eighth Ave. I turned around and asked what was the matter and he told me that they were trying to murder him. I saw the two young men as they ran

past me and McLeabe was not one of them. I know McLeabe over a year. I spoke to Ruffer and asked him what the young men were doing to him? He told me they were trying to murder him. I walked across the street with him to his own home. There was no one around then only himself; he did not say anything about being robbed. I did not see Marnie Weber there. I never spoke to her until the day after the trial in Jefferson Market.

Marnie Weber recalled. I saw this witness the night my father was robbed. He spoke to my father and asked him what was the matter. My father said he was clubbed and robbed. I heard my father say so. This gentleman said to my mother, "I heard the old man had a hundred dollars in his pocket." Mother said, "no, it is not as bad as all that."

Daniel M. Kealey examination continued. I did not say what the last witness said I did to her whether. I was not present at any time when Mrs. Ruffer called on my wife. Cross Examined. I heard the cry of murder. McLeabe resides in Seventh Ave. between 16<sup>th</sup> and 17<sup>th</sup> sts. I did not see him the evening of the

occurrence. I do not know M<sup>c</sup>Donough. I guess it was a month or two before the occurrence I saw M<sup>c</sup>Clabe. Rigger was intoxicated the night I saw him and went across the street with him.

Samuel Barclay sworn. I have been janitor of the 8<sup>th</sup> district Court. I have known M<sup>c</sup>Clabe since childhood; his reputation for honesty is good and I never knew of his being arrested before or convicted of crimes.

Thomas J. M<sup>c</sup>Clabe sworn. I have never been convicted of any crime. I saw the complainant on the stand; I did not on the 22<sup>nd</sup> of August last with M<sup>c</sup>Donough hit him with a club and knock him down and rob him. I drove for Tilley the ice man four or five months. I was arrested the week following the occurrence and in the mean time I saw the complainant on the street. I lived near him and slept home every night. I never said to the witness Wehner that I did the old man up good. I swear that no conversation took place on the stand as he swore to. Cross Examined. I don't know whether the complainant was drunk that night or not. I did not swear at Jefferson Market Court that he was shunting for Henry Gease. The jury rendered a verdict of guilty ~~and~~ robbery in the first degree.

0265

Testimony in the  
case of  
Thomas J. McCabe

filed Oct.  
1887.

McCabe

0266

J. F. PALMER'S SON,

MANUFACTURER OF

Gas Fixtures and Brass Goods,

No. 18 EAST 17TH STREET,

MANUFACTORY, 319 WEST 16TH STREET.

New York,

April 2 1892

Sold to

*Mrs. Duffany & Co*

\$80

Fine Bronzes Repaired and Chandeliers Refinished.

*@ Fine bronze pendents \$240.00*

*W. S. W.*

*W. S. W.*

0267

RECEIVED  
MAY 10 1892

New York, April 2 1892.

**FANY & CO.**

To J. H. Palmer, Adm Dr.

*Bill attached*

240

PLEASE RECEIPT AND RETURN.

Correct :

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

Received April 2 1892.  
Two hundred & forty Dollars,  
in full payment of above account.

\$ 240

*J. H. Palmer, Adm*

0268

VOUCHER No. 5800

**TIFFANY & CO.**

NAME, *J. F. Plomers Dow* <sup>TO</sup>

DATE, *Apr. 2* 1892.

CREDIT **ACCOUNTS PAYABLE.** ACCOUNT.  
\$ 240.00

*DISTRIBUTION OF ACCOUNT.*

- MERCHANDISE, *240* —
- EXPENSE,
- SILVER SHOP,
- JEWELRY SHOP,
- CASE SHOP,
- STATIONERY,
- ENGRAVING,
- CLOCK SHOP,
- PLATED WARE,
- DIAMONDS,
- WATCH SHOP,
- STABLE,
- ADVERTISING,
- LABOR,
- CHARITY,
- WATCHMAKERS,
- CASH SALES,
- GOLD COIN.

**PAID**  
APR 2 1892  
**PAID**

0269

Police Court 2 District.

Affidavit <sup>(1865)</sup> *Forgery* ~~Larceny~~

City and County }  
of New York, } ss.

of No. ~~443 & 445~~ 1113 & 15 *Union Square* Street, aged 2 years,

occupation: *Jeweller* being duly sworn,  
deposes and says, that on the 2 day of April 1892 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, <sup>and by means of forged</sup> the following property, viz:

*negative the following property: Two hundred  
and forty dollars in good and lawful  
money of the United States*

*\$ 240*

the property of *Jiffany & Co* of which firm  
deponent is a member

and that this deponent  
has a probable cause to suspect, and does suspect, that the <sup>property</sup> said property was feloniously taken, stolen  
and carried away by *James A. Palmer*, (now *James A. Palmer*)  
*doing business under the name of J. J. Palmer*  
On said date the deponent  
received said money in payment for  
a fraudulent bill of goods purporting to  
be a bill of goods delivered by the  
defendant to the firm of *Jiffany & Co*  
The said bill is attached to  
Complaint and deponent knows of  
his own knowledge that the initials  
"H. E. W." and "C. J. C." written on said  
bill in pencil, and purporting to be  
the initials of *Herbert E. Ward* and  
*Charles J. Cook*, members of the said  
firm of *Jiffany & Co*, were not written  
by said *Ward & Cook*, and deponent

Sworn to before me, this 189 day  
of April 1892  
Police Justice.

charges that defendant claimed the said two hundred and forty dollars by means of falsely representing the said signature to be the true signature of said member of said firm and deforment charges that defendant feloniously appropriated the same for his own use the money thus obtained from Jiffany Co and deforment is referred by Herbert E. Ward (now dead) that I did not sign the said initials on said bill and did not authorize the signing of the said initials by anybody. Defendant knows of his own knowledge that no such goods were ever received by the firm of Jiffany Co and deforment charges the defendant with the forging of the said initials on the said bill receipts annexed.

Subscribed and sworn to before me this ...

*John F. Brady*  
 Justice

*Ralph M. Hyde*

0271

CITY AND COUNTY }  
OF NEW YORK, } ss.

1877.

Herbert E. Ward

aged 20 years, occupation Clerk of No.

7 Murray St Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of Joseph M. Brady

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

knowledge.

Sworn to before me, this 22  
day of April 1897

Herbert E. Ward

Joseph M. Brady  
Police Justice.

0272

(1935)

Sec. 198-200.

2

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

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

Question. What is your name?

Answer. *James A. Palmer*

Question. How old are you?

Answer. *35 years*

Question. Where were you born?

Answer. *New York*

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

Answer. *230 E-50<sup>th</sup> St 5 years*

Question. What is your business or profession?

Answer. *Gas fixtures*

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

Answer. *I am not guilty*

*James A. Palmer*

Taken before me this

day of

1894

Police Justice.

0273

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.....

*James A. Palmer*

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *ten thousand* ~~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, *Apr 11* 189 *2* ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

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

Dated, ..... 189 ..... Police Justice.

0274

The presiding magistrate  
is authorized to hear and  
decide upon

*John Grady*

130  
485  
1891  
Police Court--- District.

THE PEOPLE, &  
ON THE COMPLAINT OF

*Ralph M. [unclear]  
11, 13, 15 Union Square  
James A. Palmer*

Offense  
*[unclear]*

BAILED,

No. 1, by.....

Residence ..... Street.

No. 2, by.....

Residence ..... Street.

No. 3, by.....

Residence ..... Street.

No. 4, by.....

Residence ..... Street.

Dated, *April 22* 189*2*

*Grady* Magistrate.

*Liters & Murphy* Officer.

*C. O.* Precinct.

Witnesses *Herbert E. Ward*

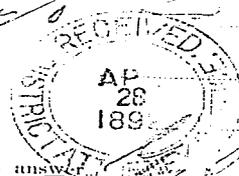
No. *W. H. Cotton* Street.

*C. T. Cook*

No. *[unclear]* Street.

No. *[unclear]* Street.

\* *[unclear]* to answer



*[Signature]*  
\$10,000 Ex. Apl. 25/92 - 2472

0275

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

James D. Palmer

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

James D. Palmer

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

The said James D. Palmer,

late of the City of New York, in the County of New York aforesaid, on the second day of April, in the year of our Lord one thousand eight hundred and ninety-two, at the City and County aforesaid, with force and arms, with intent to deprive and defraud a certain corporation known

as Higginson and Company,

of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to his own use, did then and there feloniously, fraudulently and falsely pretend and represent to the said

corporation,

That the said James D. Palmer, then and there doing business in and by the name and style of J. D. Palmer's Son, had on the day and in the year aforesaid sold and delivered to the said corporation three money orders at the price of eighty dollars each, and that the said corporation was thereby indebted to him the said James D. Palmer in the sum of two hundred and forty dollars in payment thereof, that a certain paper instrument in the words and figures following to wit:

J. D. Palmer's Son  
manufacturer of  
Sigsbee's fixtures and Brass Goods,  
2013 East 14th Street.

0276

Manufactory 312 West 16th Street

New York April 2 1892

Sold to me by J. J. Palmer & Co

\$200000 Three Bronze Medals and Charablers Refinishing.

3 210.00

H.E.W.  
C.J.C.

which the said James A. Palmer then and there produced and delivered to the said corporation as then and there a true and genuine bill for the said medals and an honest statement of the indebtedness of the said corporation to him the said James A. Palmer; that the said bill had been examined and approved by one Frederick Ward who was then in the employ of the said corporation and in charge of the department of its business in which such medals would have been received had the same been delivered, and had also been examined and approved, as covered by Charles J. Cook, one of the trustees of the said corporation, and that the initials "H.E.W." and "C.J.C." then appearing on the said bill were the genuine initials of the said Frederick Ward and Charles J. Cook respectively and had been placed thereon by them.

By color and by aid of which said false and fraudulent pretenses and representations, the said

James A. Palmer

did then and there feloniously and fraudulently obtain from the possession of the said corporation the sum of two hundred and forty dollars in money, lawful money of the United States of America, and of the value of two hundred and forty dollars,

of the proper moneys, goods, chattels and personal property of the said corporation, with intent to deprive and defraud the said corporation,

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said James A. Palmer had not on the said day sold or delivered to the said corporation three bronze medals at the price of eighty dollars each, and the said corporation was not then justly indebted to him the said James A. Palmer in the sum of two hundred and forty dollars, or in any other sum in payment therefor.

and whereas in truth and in fact the said paper entitled which the said James A. Palmer so as aforesaid then and there produced and delivered to the said corporation was not then and there a true and genuine bill for the said red state and was not an honest statement of the indebtedness of the said corporation to him the said James A. Palmer, and the said bill had not been examined or approved as correct by the said Herbert E. Ward, or by the said Charles J. Cook, and the initials "H. E. W." and "C. J. C." then appearing upon the said bill were not the genuine initials of the said Herbert E. Ward and Charles J. Cook, respectively, and had not been placed thereon by them, but were forged and fraudulent.

And Whereas, in truth and in fact, the pretenses and representations so made as aforesaid by the said James A. Palmer to the said corporation was and were then and there in all respects utterly false and untrue, as the said James A. Palmer, at the time of making the same then and there well knew:

And so the Grand Jury Aforesaid, do say that the said James A. Palmer in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods, chattels and personal property of the said corporation

then and there feloniously did STEAL, against the form of the statute in such case made and provided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,  
District Attorney.

0278

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Parout, Benjamin

**DATE:**

05/31/92



4403

0279

Witnesses:

*Geo Bee*

*Wm Adams*

*Wm Ramsey*

1057 1057

Counsel,

Filed

31

day of May

1882

Pleas,

*Amuly James*

THE PEOPLE

vs.

*B*

*Benjamin Sarout*

Grand Larceny, Second Degree, [Sections 529, 537, Penal Code.]

Dr LANCEY NICOLL,

District Attorney.

A TRUE BILL.

*Lewis Cathir*

Foreman.

*Parth. June 9/82*

*Indict Acquitted*

0280

(1805)

Police Court District.

Affidavit—Larceny.

City and County of New York, ss.

Adrian Martinez

of No. 21 Canal Street, aged 33 years,

occupation C.M. Mechanic being duly sworn,

deposes and says, that on the 7th day of January 1897 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 night time, the following property, viz:

Five hundred and six (506) pounds of crate rubber of the brand McMichael and fifty four miscellaneous tin items

the property of Francisco M. Jimenez

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 a certain person (name redacted)

from the fact that deponent is informed by a reliable person (name redacted) that a truckman (name redacted) had taken to Jimenez a wagon (name redacted) by which wagon received four cases containing of crude rubber which to be delivered at Briggs Storage Warehouse, 207 1/2 South Street and said driver was unable to deliver said rubber at said warehouse as it was late and the warehouse was closed and said driver left the said cases on truck and said four cases of rubber on said truck in the living stable kept by said

Sworn to before me this 18th day of 1897

Police Justice

Defendant at No 236 Spring Street where  
 said woman kept his shoes and trucks  
 in living and said woman was present  
 at the stove when the driver drove  
 into the stove with the four cases of  
 rubber on the truck  
 Defendant further furnished information  
 Benjamin Davis of 905 Broadway at  
 about the hour of 11:00 o'clock P.M. that  
 said woman was called into the stove  
 office and that she who furnished him  
 the keys of the apartment and that  
 the cases containing the rubber in said  
 stove with the defendant and he the  
 defendant took a number of boxes from said  
 cases and made the rubber in bags and  
 appeared similar contents of the bags into a  
 barrel in the stove. Defendant further  
 furnished information in the case of teams  
 of 1915 22 and 23 of the street No 10  
 about the 2nd day of December defendant  
 came to defendant's place of business and  
 stated he had a stove in October and will  
 clean up the stove as soon as rubber is  
 the rubber and that teams are to run  
 in defendant in case of rubber and  
 and that teams bought and rubber at that  
 time. Defendant further furnished information  
 after the said woman had been taken in making  
 and in turn that accounts for the missing  
 the deficiencies in the work of said four cases  
 of rubber

I went to see Mr. Metts

at No 10 Spring Street

Charles J. Lammont

Administrative

Police Office

0282

CITY AND COUNTY }  
OF NEW YORK, } ss.

Thomas Jimmy  
aged 22 years, occupation Fire Keeper of No.

129 W. 11th St. Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of William Martin

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 June 1890 } Wm. F. Brown

Charles N. Linton  
Police Justice.

0283

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Benjamin Davis*  
aged *19* years, occupation *Black* of No.

*99 Irving* Street, being duly sworn, deposes and  
says, that he has heard read the foregoing affidavit of *William Martin*  
and that the facts stated therein on information of deponent are true of deponent's own  
knowledge.

Sworn to before me, this *20* } *Ben Davis*  
day of *April* 1890, }

*Charles W. L...*  
Police Justice.

0284

CITY AND COUNTY }  
OF NEW YORK, } ss.

aged 25 years, occupation Ames & Co. Clerk of No. 225 11th Street, being duly sworn, deposes and

says, that he has heard read the foregoing affidavit of William Martin 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, } J. H. Stewart

Charles A. Luntz  
Police Justice.

0285

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Benjamin Parrott* 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.

*Benjamin Parrott*

Question. How old are you?

Answer.

*43 years*

Question. Where were you born?

Answer.

*New York*

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

Answer.

*264 Cherry St. 9 months*

Question. What is your business or profession?

Answer.

*Veterinary surgeon*

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*

Taken before me this

day of

188

*Charles W. ...*

Police Justice.

0286

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 Dejeu

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 April 28<sup>th</sup> 1889 Charles K. Linton Police Justice.

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

Dated April 30<sup>th</sup> 1889 Charles K. Linton 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 \_\_\_\_\_ 188 \_\_\_\_\_ Police Justice.

0287

#1000 for 2  
April 28. 1892. 10 AM.  
CNY  
Mr. Lazarus of the Pacific Mail  
Pier 42 N.R. foot of Canal St  
to produce delivery book for  
Jan 92 Steamer Colon. Newport

Police Court--- 3 --- District. 478 629

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Adrian Martinez  
101 Canal

William Carroll

Offence  
J. M. Carroll  
J. M. Carroll

HOUSE OF DETENTION CASE.

BAILABLE

No. 1, by James Kelly  
Residence 590 Grand Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

Date April 26 1892

Magistrate

Officer

Precinct

Witnesses

No. 1 James Kelly Street

No. 2 William Carroll Street

No. 3 House of Detention Street

No. 4 James Kelly Street

No. 5 James Kelly Street

No. 6 James Kelly Street

No. 7 James Kelly Street

No. 8 James Kelly Street

No. 9 James Kelly Street

No. 10 James Kelly Street

No. 11 James Kelly Street

No. 12 James Kelly Street

No. 13 James Kelly Street

No. 14 James Kelly Street

No. 15 James Kelly Street

No. 16 James Kelly Street

No. 17 James Kelly Street

No. 18 James Kelly Street

No. 19 James Kelly Street

No. 20 James Kelly Street

No. 21 James Kelly Street

No. 22 James Kelly Street

No. 23 James Kelly Street

No. 24 James Kelly Street

Witnesses  
James Kelly  
20 Rectory Street  
Chas Rosgrove  
73 Marwood  
Mr. Lazarus - Pier 42 ft of Canal  
St. N. R. to bring delivery book  
Jan 92 Steamer Colon

James Kelly  
22 1/2 North  
1000 to answer  
J. M. Carroll  
J. M. Carroll

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Benjamin Parout*

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

*Benjamin Parout*

of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed as follows:

The said

*Benjamin Parout*

late of the City of New York, in the County of New York aforesaid, on the *4th* day of *January* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

*three hundred and sixty-seven*  
*pounds of rubber of the value*  
*of forty*<sup>*two*</sup> *cents each pound*

of the goods, chattels and personal property of one

*Adrian Martiney*

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

*Benjamin Parout*  
of the CRIME OF CRIMINALLY RECEIVING STOLEN PROPERTY, committed as follows:

The said *Benjamin Parout*

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,

*three hundred and sixty ~~four~~  
seven pounds of rubber, of the  
value of forty ~~five~~ <sup>two</sup> cents each  
pound*

of the goods, chattels and personal property of one

*Adrian Martiney*

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

unlawfully and unjustly did feloniously receive and have; the said

*Benjamin Parout*

~~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.*

0290

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Payne, Timothy F.

**DATE:**

05/19/92



4403

550 553207 A

Counsel,

Filed

Pleads,

19 day of May 1892

Witnesses:

Off. Burns

THE PEOPLE

vs.

B

Timothy J. Payne

May 1892

In witness whereof, I have hereunto set my hand and the seal of the Court, at the City of New York, this 19th day of May, 1892.

**POOL SELLING**  
(Section 851, Penal Code and Chmp. 419, Laws of 1887, §§ 4 and 7.)

DE LANCEY NICOLL,

District Attorney.

A True Bill.

Louis Cattin

Foreman.

0292

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

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Timothy J. Payne*

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

*Timothy J. Payne*

of the crime of keeping a room for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *Timothy J. Payne*,

late of the *Second* Ward of the City of New York, in the County of New York aforesaid, on the *eight* day of *August*, in the year of our Lord one thousand eight hundred and ninety *one*, at the Ward, City and County aforesaid, and not upon any grounds or race track, owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously keep a certain room in a certain building there situate, for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**Second Count,** And the Grand Jury aforesaid, by this indictment further accuse the said *Timothy J. Payne*

of the crime of knowingly permitting a room to be used and occupied for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *Timothy J. Payne*,

0293

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *occupant* of certain room in a certain building there situate, with force and arms, unlawfully and feloniously did knowingly permit the said room to be used and occupied for the purpose of therein recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed, and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**Third Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said *Smalley & Payne* —

of the crime of keeping, exhibiting and employing devices and apparatus for the purpose of recording and registering bets and wagers, and of selling pools, committed as follows:

The said *Smalley & Payne*, —

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being the *occupant*, of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein keep, exhibit and employ, divers devices and apparatus (a more particular description whereof is to the Grand Jury aforesaid unknown) for the purpose of recording and registering bets and wagers, and of selling pools, upon the result of trials and contests of speed and power of endurance of beasts, to wit, horses; against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**Fourth Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said *Smalley & Payne* —

of the crime of becoming the custodian and depository, for hire and reward, of money staked,

wagered and pledged upon the result of trials and contests of speed and power of endurance of horses, committed as follows :

The said *Timothy J. Payne,*

late of the Ward, City and County aforesaid, afterwards, to wit - on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, being then and there the *owner* of a certain room in a certain building there situate, with force and arms, did unlawfully and feloniously therein then and there become the custodian and depository, for hire and reward, of certain money, to wit: the sum of - *two* - dollars in lawful money of the United States of America, which said money was then and there by one *James Quinn* staked, wagered and pledged upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Pinetop*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situate at *Baraboo* in the County of *Baraboo* in the State of *New York* and commonly called the *Baraboo* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the circumstances and manner of, upon, and in which the said money was so staked, wagered and pledged as aforesaid, 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 *Timothy J. Payne* of the crime of recording and registering a bet and wager, committed as follows :

The said *Timothy J. Payne,*

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased, or conducted by any association incorporated under the laws of this State, for the purpose

of improving the breed of horses, where racing was then lawfully had, with force and arms, did unlawfully and feloniously record and register, and cause to be recorded and registered, a certain bet and wager, then and there made by and between one *James Burns*

and divers other persons to the Grand Jury aforesaid unknown, upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Rudex*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at *Paradeag* in the County of *Paradeag* in the State of *New York* and commonly called the *Paradeag* Race Track, and which said trial and contest was had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trial and contest, and of the said bet and wager so as aforesaid then and there made upon the same, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

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

*Simon J. Payne*

of the CRIME OF POOL SELLING, committed as follows:

The said *Simon J. Payne*,

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold, to one *James Burns* and to divers other persons, to the Grand Jury aforesaid unknown, a certain pool upon the result of a certain trial and contest of speed and power of endurance of and between a certain horse called "*Rudex*" and divers other horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year afore-

said, at a certain place and race track situated at Paradee  
in the County of Paradee in the State of New York  
and commonly called the Paradee Race Track,  
and which said trial and contest was had, holden and run on the day and in the year aforesaid at  
the place and race track aforesaid (a more particular description of which said trial and contest,  
and of the pool upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid  
unknown, and cannot now be given), against the form of the Statute in such case made and pro-  
vided, and against the peace of the People of the State of New York and their dignity.

**Seventh Count,** And the Grand Jury aforesaid, by this indictment, further accuse the  
said Timothy S. Dwyer

of the crime of recording and registering bets and wagers, committed as follows :

The said Timothy S. Dwyer

late of the Ward, City and County aforesaid, afterwards, to wit : on the day and in the year  
aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned,  
leased, or conducted by any association incorporated under the laws of this State, for the purpose  
of improving the breed of horses, where racing was then lawfully had, with force and arms, did  
unlawfully and feloniously record and register, and cause to be recorded and registered, divers  
bets and wagers, then and there made by and between divers persons to the Grand Jury aforesaid  
unknown, upon the result of divers certain trials and contests of speed and power of endurance of  
and between divers horses (a more particular description whereof, and of each of them, is to the  
Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year  
aforesaid, at a certain place and race track situated at Paradee  
in the County of Paradee in the State of New York  
and commonly called the Paradee Race Track, and which  
said trials and contests were had, holden and run on the day and in the year aforesaid, at  
the place and race track aforesaid (a more particular description of which said trials and contests  
and of the said bets and wagers so as aforesaid then and there made upon the same, is to the  
Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such  
case made and provided, and against the peace of the People of the State of New York and their  
dignity.

**Eighth Count,** And the Grand Jury aforesaid, by this indictment, further accuse the said *Samuel S. Payne*

of the crime of pool selling, committed as follows :

The said *Samuel S. Payne,*

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, and not upon any grounds or race track owned, leased or conducted by any association incorporated under the laws of this State, for the purpose of improving the breed of horses, where racing was then lawfully had, with force and arms, did feloniously engage in pool selling, and did then and there feloniously sell, and cause to be sold to divers persons, to the Grand Jury aforesaid unknown, divers pools upon the result of divers trials and contests of speed and power of endurance of and between divers horses (a more particular description whereof, and of each of them, is to the Grand Jury aforesaid unknown) thereafter to be had, holden and run on the day and in the year aforesaid, at a certain place and race track situated at

*Baraboo* in the County of *Baraboo* and commonly called the *Baraboo* Race Track, and which said trials and contests were had, holden and run on the day and in the year aforesaid, at the place and race track aforesaid (a more particular description of which said trials and contests and of the pools upon the same so as aforesaid then and there sold, is to the Grand Jury aforesaid unknown, and cannot now be given), against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

**DE LANCEY NICOLL,**  
**District Attorney.**

0298

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Peters, Minnie

**DATE:**

05/12/92



4403

Witnesses:

*Offr. W. Kel*  
*Depp. near date*  
*act.* *M*

*1711249*

Counsel, *X*  
Filed, *17th* day of *May* 1892  
Plends, *Abquilty-It*

THE PEOPLE  
*29* *vs.* *B*  
*Minnie Peters*  
KEEPING A HOUSE OF ILL-FAME, ETC.  
(Sections 822 and 885, Penal Code.)

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

*Lewis Carter*  
*Townman.*  
*Part 3. May 1992*  
*Pleads guilty*  
*W. W. B. W. W.*

0300

Sec. 322, Penal Code.

CITY AND COUNTY OF NEW YORK.

3 - District Police Court.

of No. 11-12 East 109th Street, in said City, being duly sworn says that at the premises known as Number 109 East 109th Street, in the City and County of New York, on the 3rd day of May 1897, and on divers other days and times, between that day and the day of making this complaint

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

Deponent therefore prays, that the said Minnie Peters and all vile, disorderly and improper persons found upon the premises occupied by said Minnie Peters may be apprehended and dealt with as the law in such cases made and provided may direct.

Sworn to before me this

6th day of May 1897 Richard M. Wokel  
Police Justice.

030

*N*  
Police Court— *3-* District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Dietrich W. Dinkel*

*Minnie Peters*

APPENDIX—Keeping Disorderly House, &c.

Dated \_\_\_\_\_ 188*9*

*Hoyem* Justice.

*Dinkel* Officer.

*11-* Precinct.

WITNESSES:

*Louis Schindler*

*George Smith*

*W. A. Bremer*

0302

(1885)

Sec. 198-200.

3

District Police Court.

CITY AND COUNTY } ss.  
OF NEW YORK, }

Winnie Peters 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 her; that the statement is designed to  
enable her if she see fit to answer the charge and explain the facts alleged against her  
that she is at liberty to waive making a statement, and that her waiver cannot be used  
against her on the trial.

Question. What is your name?

Answer. Winnie Peters

Question. How old are you?

Answer. 29 years

Question. Where were you born?

Answer. Germany

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

Answer. 109 Chryslie St. 1 month

Question. What is your business or profession?

Answer. Keep cigar store

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; if  
held I demand a jury  
trial.  
Winnie Peters

Taken before me this

day of May 1897

Police Justice. [Signature]

0303

Sec. 151.

Police Court \_\_\_\_\_ District.

CITY AND COUNTY OF NEW YORK, { ss. In the name of the People of the State of New York; To the Sheriff of the County of New York, or to any Marshal or Policeman of the City of New York, GREETING:

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by John H. Brennan of No. 117 Street, in the City of New York, in the County of New York, 37 day of May 1887, that the City of New York, in the County of New York, Mary Peters did keep and maintain at the premises known as Number 109 Spring Street, in said City, a house of prostitution and there unlawfully procure and permit as well men as women of evil name and fame, and of dishonest conversation to visit, frequent and come together for unlawful sexual intercourse, and for the purpose of prostitution, and there unlawfully and wilfully did permit said men and women of evil name and fame there to be and remain drinking, dancing, fighting disturbing the peace, whoring and misbehaving themselves whereby the peace, comfort, and decency of persons inhabiting and residing in the neighborhood and there passing is habitually disturbed in violation of the statute in such case made and provided.

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

Mary Peters and all vile, disorderly and improper persons found upon the premises occupied by said Mary Peters and forthwith bring them before me, at the \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_ 1887

[Signature]  
POLICE JUSTICE.

030

Police Court— District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Officer Dole*

vs.

*Minnie Peters*

WARRANT—Keeping Disorderly House, &c.

Dated *May 7* 1892

*Hogan* Magistrate.

Officer.

Precinct.

The Defendant *Minnie Peters*

taken, and brought before the Magistrate, to answer the within charge, pursuant to the command contained in this Warrant.

*Dole* Officer.

Dated *May 6* 1892

This Warrant may be executed on Sunday or at night

*Hogan* Police Justice.

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

Dated \_\_\_\_\_ 188

Police Justice.

The within named

0305

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 *May 8* 188*7*

*[Signature]*  
Police Justice.

I have admitted the above-named.....

*defendant*

to bail to answer by the undertaking hereto annexed.

Dated *May 8* 188*7*

*[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..... 188.....

..... Police Justice.

0308

557

Police Court--- 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Richard W. Drake*  
vs.  
*Minnie Peters*

*Office kept  
under Appellate*

2  
3  
4

BAILED,

No. 1, by *Henry Cross*  
Residence *49 Monroe* Street.

No. 2, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

No. 3, by \_\_\_\_\_  
Residence \_\_\_\_\_ Street.

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

Dated *May 8* 1892

*Hogan* Magistrate.

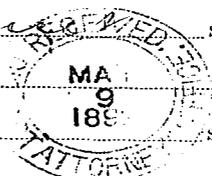
*Young Smith* Officer.  
11 Precinct.

Witnesses *Geo. Smith*  
No. *11<sup>th</sup> Precinct* Street.

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

No. \_\_\_\_\_ Street.  
\$ *500* to answer *G.S.*

*Bailed*



0307

1409

**COURT OF GENERAL SESSIONS**

CLERK'S OFFICE,

New York,

189

PEOPLE

vs.

*Tom Welch*

*Warrant to take*

*was changed.*

*from 3 to*

*2 months*

*ago*

*It was brought*

*down again.*

0308

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

*Minnie Peters*

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

*Minnie Peters*

(Sec. 322, Penal Code.)

of the CRIME OF KEEPING AND MAINTAINING A COMMON BAWDY HOUSE AND HOUSE OF ILL-FAME, committed as follows:

The said

*Minnie Peters*

late of the *Seventh* Ward of the City of New York, in the County of New York aforesaid, on the *third* day of *May* in the year of our Lord one thousand eight hundred and ninety-*two*, and on divers other days and times, as well before as afterwards, to the day of the taking of this inquisition, at the Ward, City and County aforesaid, a certain common bawdy house and house of ill-fame, unlawfully and wickedly did keep and maintain; and in said house divers ill-disposed persons, as well men as women, and common prostitutes, on the days and times aforesaid, as well as in the night as in the day, there unlawfully and wickedly did receive and entertain; and in which said house the said evil-disposed persons and common prostitutes, by the consent and procurement of the said

*Minnie Peters*

on the days and times aforesaid, there did commit whoredom and fornication; whereby divers unlawful assemblies, disturbances and lewd offenses on the days and times aforesaid, as well in the night as in the day, were there committed and perpetrated; to the great damage and common nuisance of all the good people of the said State there inhabiting and residing, in manifest destruction and subversion of and against good morals and good manners, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

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

*Minnie Peters*

(Sec. 385, Penal Code.)

of the CRIME OF MAINTAINING A PUBLIC NUISANCE, committed as follows:

The said

*Minnie Peters*

late of the Ward, City and County aforesaid, afterwards, to wit: on the *third* day of *May* in the year of our Lord one thousand eight hundred and

ninety- *two* , and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, with force and arms, unlawfully did keep and maintain a certain common, ill-governed house, and in *her* said house for *her* own lucre and gain, certain persons whose names are to the Grand Jury aforesaid unknown, as well men as women, of evil name and fame and dishonest conversation, to frequent and come together then and on said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in said house, at unlawful times, as well in the night as in the day, then and on said other days and times there to be and remain, tippling, drinking, gaming, cursing, swearing, quarreling, making great noises and otherwise misbehaving themselves, unlawfully and wilfully did permit and suffer, to the great annoyance, injury and danger of the comfort and repose of a great number of persons, good citizens of our said State there residing, and passing and repassing, to the common nuisance of the said citizens, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT :

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

*Minnie Peters*

(Sec. 822, Penal Code.) of the CRIME OF KEEPING A DISORDERLY HOUSE, committed as follows :

The said

*Minnie Peters*

late of the Ward, City and County aforesaid, afterwards, to wit : on the *third* day of *May* in the year of our Lord one thousand eight hundred and ninety- *six* and on divers other days and times between the said day and the day of the taking of this inquisition, at the Ward, City and County aforesaid, unlawfully did keep a certain ill-governed and disorderly house, the same being a place of public resort, and in the said house and place of public resort, for *her* own lucre and gain, certain persons, as well men as women, of evil name and fame, and of dishonest conversation, to frequent and come together, then and on the said other days and times, there unlawfully and wilfully did cause and procure, and the said men and women in *her* said house, at unlawful times, as well in the night as in the day, then and on the said other days and times, there to be and remain, drinking, tippling, gambling, rioting, disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully did permit, and yet continues to permit, by reason whereof the peace, comfort and decency of the neighborhood around and about the said house were, and yet are habitually disturbed, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

*District Attorney.*

03 10

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Pfodenhaner, Theodore Jr.

**DATE:**

05/27/92



4403

0311

Witnesses:

The acceptance of  
a plea of Petit  
Larceny - Grand in  
my opinion is sufficient  
no higher degree of  
Offense may be proved  
by the Jury  
Wm. J. Townsend  
June 3<sup>rd</sup> 92. Cash. District.

Wm. J. Townsend  
Counsel,

Filed  
day of May 1892  
Pleads, by my authority 31

Grand Larceny, [Sections 628, 629, Penal Code.]  
Degree.

THE PEOPLE

vs.

Thodore Spornhaug

DE LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Lutherin Cathie  
Foreman.  
June 3<sup>rd</sup> 92  
Lutherin Cathie  
Grover J.

0312

Police Court 4 District. Affidavit—Larceny.

City and County }  
of New York, } ss:

Otto Hower

of No. 201 East 45<sup>th</sup> Street, aged 21 years,  
occupation Furniture being duly sworn,

deposes and says, that on the 23 day of May 1892 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:

All Trunk containing wearing  
Apparel and <sup>trunk</sup> the value together  
about Fifty dollar

\$  
57.00  
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 Herbert Goldwasser (nominal)  
from the fact that said property was  
in the above premises said Defendant  
having removed said Trunk as deponent  
regard from the premises 691 3<sup>rd</sup> Avenue  
and after leaving said Trunk in the  
premises 201 East 45<sup>th</sup> Street said Defendant  
returned and said he had made a  
mistake and brought the wrong Trunk. Said  
Defendant was given said Trunk and and  
on deponent's return home deponent received  
the pawn ticket hints attached. Deponent  
caused the arrest of said defendant by  
Officer William St. Humphrey of the 23<sup>rd</sup>  
Precinct Police and said

Subscribed and sworn to before me, this 189 day

Police Justice.

Defendant admits and  
confesses that he did  
take that and carry away  
said property. Depoant has  
since seen the property in  
the pawn shop as represented by  
said ticket and identifies it as  
the property taken from depoant previous

Sworn to before me this } Otto Horner  
5 day of June 1892

John Ryan  
Notary Public

0314

(1885)

Sec. 198-200.

District Police Court.

CITY AND COUNTY }  
OF NEW YORK, } ss.

*Theodore Godunbauer*

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. *Theodore Godunbauer*

Question. How old are you?

Answer. *23 Years*

Question. Where were you born?

Answer. *W.S.*

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

Answer. *316 East 42 Street. 3 Months*

Question. What is your business or profession?

Answer. *Carpenter.*

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 guilty.*

*Theodore Godunbauer*

Taken before me this  
day of *April*  
*1897*

Police Justice.

03 15

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

John 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 May 28 1892 John Ryan 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.

0316

630

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*Otto Moraw*  
*207 East 115 St*  
*Murder of [illegible]*

*[Signature]*  
*[Signature]*

2  
3  
4

BAILED,

No. 1, by .....  
Residence ..... Street.

No. 2, by .....  
Residence ..... Street.

No. 3, by .....  
Residence ..... Street.

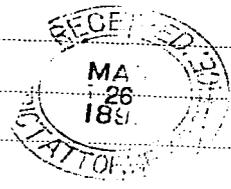
No. 4, by .....  
Residence ..... Street.

Dated *May 24* 18*92*  
*Ryan* Magistrate.

*W. H. Murphy* Officer.  
*23* Precinct.

Witnesses *Call Officer*  
No. .... Street.

No. .... Street.  
No. .... Street.



No. *200* .....  
S. *[Signature]* .....  
*[Signature]* *[Signature]*

0317

Form No. 2.

# THE WESTERN UNION TELEGRAPH COMPANY.

NORVIN GREEN, President.

THOS. T. ECKERT, General Manager.

Check

Receiver's No.

Time Filed

**SEND** the following message subject to the terms }  
on back hereof, which are hereby agreed to.

189

To \_\_\_\_\_


READ THE NOTICE AND AGREEMENT ON BACK.

TORN PAGE

0318

Court of General Sessions of the Peace  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

*Theodore Pfodenbauer, the younger.*

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

*Theodore Pfodenbauer, the younger*  
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE; committed  
as follows:

The said

*Theodore Pfodenbauer, the younger,*

late of the City of New York, in the County of New York aforesaid, on the *23rd*  
day of *May* in the year of our Lord one thousand eight hundred and  
ninety-*two*, at the City and County, ~~with~~ with force and arms,

*one trunk of the value of ten  
dollars, divers articles of clothing and  
wearing apparel, of a number and  
description to the Grand Jury aforesaid  
unknown, of the value of thirty  
dollars, and the sum of thirty  
dollars in money, lawful money of  
the United States of America, and of  
the value of thirty dollars*

of the goods, chattels and personal property of one

*Otto Horner*

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.

*De Lancey Nicoll  
District Attorney*

03 19

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Piehe, Gustane

**DATE:**

05/27/92



4403

0320

969  
969

Witnesses:

Counsel,

Filed,

27 day of May 189

Pleads,

*Admitted by Justice*

**VIOLATION OF EXCISE LAW.**  
(Keeping Open on Sunday.)  
(III. Rev. Stat. (7th Edition), Page 189, Sec. 5.)

THE PEOPLE

vs.

B

*Gustave Reed*

*May 18 93*

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Julius Cottner*

*Foreman.*

0321

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

*against*

*Gustave Beck*

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

*Gustave Beck*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said

*Gustave Beck*

late of the City of New York, in the County of New York aforesaid, on the 30<sup>th</sup> day of *November* in the year of our Lord one thousand eight hundred and ninety-*one*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, 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.*

0322

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Pinkham, Charles H. Jr.

**DATE:**

05/06/92



4403

0323

The defendant has moved that this indictment against him be tried or dismissed, and his motion has been postponed from time to time to enable me to determine what course to pursue. A careful examination of all the facts in this case convinces me that no conviction of the defendant, on this charge, is possible.

The defendant did take the notes referred to in the indictment, but, being of doubtful value, he substituted his own indebtedness for them, and avers that he has turned over to the bank the proceeds of all the securities given him by the maker of them. This negatives the charge that he took them with a criminal intent to deprive the bank of them.

Suits have been brought by the bank to recover all sums due to it from the defendant, and they are still undetermined. While the bank seems to have suffered from the improvident transactions of the defendant, his accountability, if any, can be determined in the civil actions.

I do not find in the facts relating to this charge sufficient to justify me in presenting it to a court and jury. And I, therefore, recommend that the indictment be dismissed.

Walden January 19<sup>th</sup> 1893

De Lancey Nicoll  
District Attorney

562

121

Counsel,  
Filed  
Plends,  
THE PEOPLE

Grand Larceny,  
Degree,  
Penal Code,

vs  
B

Charles H. Pinkham

Grand Jury  
De LANCEY NICOLL,  
District Attorney.

A TRUE BILL.

Lewis C. Carter

As on the 23<sup>rd</sup> of May  
All your obedient  
servants  
May 23 1893

Witnesses:

Chas E. Trivette

Filed May 19<sup>th</sup> 1893  
by Cash Register

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

THE INFORMATION OF Frederick A. Smith, District  
Attorney of the County of New York,  
laid before Frederick A. 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  
day of May in the year of our  
Lord one thousand eight hundred and eighty two, who, being duly sworn, deposes,  
alleges and says, as follows on information and belief:

THAT on the third day of August, in  
the year of our Lord one thousand eight hundred and eighty nine;  
one Charles H. Pritchard late of the City of New York, in the County of  
New York aforesaid, at the City and County aforesaid, did feloniously take, steal  
and carry away, one certain promissory  
note for the payment of money, made  
by one W. H. Wood and Wm. H. Wood and Geo  
and unsatisfied, for the payment of  
and of the value of seven hundred  
dollars, and one other promissory note  
for the payment of money, made by  
the said W. H. Wood, Geo and Geo  
and unsatisfied, for the  
payment of and of the value of seven  
hundred and five hundred dollars, both  
of the said notes being endorsed by  
one Breslin for more particular  
description of which said notes is to  
be informant intention of the goods,  
chattel and personal property of a  
certain corporation known as the  
Board of Harbor, Dues and Pier  
Revenue Fund.

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 Charles H. Pritchard and that he be dealt  
with according to law.

Sworn to before me, this                      day of  
May in the year of our Lord, one  
thousand eight hundred and eighty two

Recorder

0325

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 ..... 188 }

Police Justice.

562

Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

*John J. ...*  
*...*

- 1 *Charles H. ...*
- 2
- 3
- 4

*Offence ...*  
*...*

BAILED.

No. 1, by .....

Residence ..... Street.

No. 2, by .....

Residence ..... Street.

No. 3, by .....

Residence ..... Street.

No. 4, by .....

Residence ..... Street.

Dated *May* ..... 18*92*

*...* Magistrate.

..... Officer.

..... Precinct.

Witnesses .....

No. .... Street.

No. .... Street.

No. .... Street.

\$..... to answer .....

.....

.....

*7*

These various loans to Pritchard Jr were forced by Pritchard Jr by virtue of his position as President and without the approval of the board of directors, or any one of them, ~~with~~ ~~the~~ and at the board meetings the Cashier - the natural and usual secretary of the same - was excluded by order of the President & the list of loans <sup>being</sup> ~~of~~ always read by the President to the board - the loans to himself & Corey being omitted in the reading, so that the board during Pritchard's incumbency, were in ignorance of the accommodations which were being extended to <sup>him</sup> ~~Pritchard~~ the President or Corey.

That for sometime prior to the organization of the Bank of Harlem Pritchard Jr & Edwin H Corey were partners in business in Boston and failed with liabilities largely in excess of assets, and which <sup>have</sup> ~~is~~ since, ~~and now~~, remained unpaid

The defendant has moved that  
the indictment against  
him be held on his merits &  
his motion has been postponed from  
time to time & until now to save expense  
what come to pass.

A careful review of all  
the facts in this case  
convinces me that no  
conviction of the defendant on  
the charge is possible, and that

The defendant did take the  
notes referred to in the  
indictment but they seem  
to have been of doubtful value  
he ~~substituted~~ had his  
industrial security for them.

and he substituted his  
own industrial security for them & claims  
that he has  
them over to the bank.

The results of all the securities  
given him by the maker  
of them: This negates the  
charge that he took them  
with criminal intent to deprive  
the bank of them.

Since brought  
by the Bank to receive  
all securities & sums due  
to it from the defendant.

0329

and they are still in the mind.  
While the Board does  
it has supplied for  
the important impressions  
transactions of the defendant  
his accountability if any  
can be ascertained. I  
do not find in the facts  
relating to this charge  
sufficient to justify me in  
presenting it to the <sup>a</sup> Court  
I am, therefore  
recommended that the indict-  
ment be dismissed.

0330

WM. P. ST. JOHN, President.

No. 1067.

FREDK B. SCHENCK, Cashier.  
JAMES V. LOTT, Asst Cashier.

*Capital \$1,000,000.*  
*The Mercantile National Bank*  
*of the City of New York.*  
*New York.*

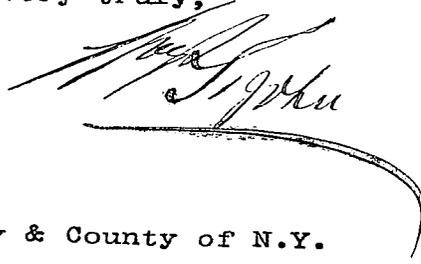
May 4, 1892.

Dear Mr. Nicoll:

I learn from a reliable source that the Senior Pinkham (whose \$16,000. note to his son's order was one of the items left with you) is, as he has been for the past five years, an employee in a drug store in Salem, Mass. Prior to this employment he failed in business. The impression in Salem is that he has not subsequent to that failure been the possessor of any property or means of livelihood other than his small earnings as such employee.

When it becomes safe to pursue the inquiry I think one of the Commercial Agencies could ferret out all details and report.

Yours very truly,



Hon. DeLancey Nicoll,

District-Attorney, City & County of N.Y.

0331

NEW YORK CITY, May 16, 1892.

HON. CHARLES M. PRESTON,  
Supt. of Banking, N. Y.

DEAR SIR:

In view of the charges brought against me on account of my transactions as President of the Bank of Harlem, I think it due to you, to my friends and myself to make the following statement:

The Bank of Harlem was opened for business January 12, 1888. For four months previous I had been at work raising the capital, perfecting the organization, &c. Before any directors were elected, I had raised about forty per cent. of the stock. I then invited the following gentlemen to my house and canvassed the question of directors, officers, &c.

D. F. Porter, J. J. Sperry, R. A. Hevenor, H. C. Gibson, W. W. Van Vorhis, C. H. Pinkham, Jr. and finally these and Frank Wanier, W. H. Caldwell, David M. Williams and W. S. Gray, became directors.

The capital was quickly completed—in fact it was over subscribed, and at the end some subscriptions were refused.

Of the \$100,000 capital, I myself raised nearly or quite 55% to 60%.

The organization was completed in December, 1887, and the Bank opened January 12, 1888. The Bank was organized with the following officers;

C. H. Pinkham, Jr., President; David F. Porter, Vice President; C. E. Trotter, Cashier, and J. M. Roberts, Bookkeeper.

At the first meeting of the Bank at the Banking rooms, H. C. Gibson was made Secretary. General arrangements were made for the conduct of the business and a vote was passed authorizing me to discount paper, in the interim of the directors' meetings and in the absence of the directors. This vote is recorded and was not rescinded until two months or less before my withdrawal.

As a matter of fact, hardly at any time was any paper presented to the Board for their decision. The directors would individually introduce customers, leaving me to attend to the general conduct of their business and telling me what they knew of the standing of various parties.

The Directors' Meetings were to be held weekly—part of the time semi-weekly, but from the very start were held very irregularly—it was most difficult to get a quorum, and practically all the business was left to my judgment.

I worked day and night, including holidays, and it was conceded by bank men in the city that no bank ever grew so fast in number of customers and in amount of deposits. The number of accounts grew to over 1,200 and the deposits to over \$600,000.

0332

The transactions which are made the subject of my indictment occurred in the summer of 1889. I have been indicted for the alleged larceny of two promissory notes, one made by A. H. Wood bearing date June 27, 1889, due on the 18th day of July, 1889, for \$7,000, endorsed by Louis Bresler, and the other for \$7,500 of the same tenor and with the same endorsement. This is all that is charged against me in the indictments.

Allen H. Wood was introduced to me by a reputable party. He stated that he had bought property at 124th St. and 7th Ave., and would build a theatre; that Louis Bresler was his father-in-law, a very rich man and would back him in full. He bought the property and began the theatre. Bresler was a retired wool and fur merchant in Detroit and New York.

I caused special agency examinations to be made of Bresler's standing, and found that his statements were true and that he had had large property.

From time to time I loaned Wood money to the extent of \$14,500 and the theatre advanced. I finally grew distrustful and compelled Bresler to give me deeds of his property in 76th and 63d Streets, also at Sharon Springs, and later got Wood's watch, diamonds, &c. This property was apparently more than enough to cover all the debt.

From the best information I could get there was an equity of \$10,000 to \$12,000 in the city real estate, and the Sharon Springs property was clear and alleged to be worth \$5,000, in fact, I learned it had once been sold for that sum.

Bresler stated to me at the time of the transfers that his equity in the 63d Street property was \$7,000, and in the 76th Street property \$15,000, which with the Sharon Springs property at \$5,000, would make the security, according to his figures, \$27,000. There was a second mortgage of \$5,000 on the 76th St. property, although Bresler had informed us that there was but one mortgage of \$20,000. It was agreed at the time of the transfers that all money realized on the sale over and above the amount due me should be given to Mr. Bresler.

All at once Wood went to pieces, the account of his failure being in all the newspapers. I was in the country at the time, and the first intimation I had of his failure was what I saw in the papers. I took the first train for New York, and the train having been blocked at Woodlawn, I took a carriage and drove to the Bank, where for the express purpose of shielding the Bank, with no consideration or benefit whatever to me, but with the view that it should appear that the Bank of Harlem was not involved by Wood's failure to any extent, I took up these two promissory notes and gave my personal check for the same, substituting my own indebtedness for the indebtedness of Wood, and believing that I was thereby making the Bank more secure. This transaction was made with the full knowledge of the cashier (most of the directors were out of the city) and was entered upon the books of the Bank, where it now stands as a matter of record, as do all my

0333

transactions with the Bank. I discounted other paper, entered by the cashier in the regular books in the regular way to my own personal credit, which enabled me to discharge the indebtedness of Wood, so that I was able to say to the public that our Bank held no paper of Wood's whatever. This I did entirely in the interest of the Bank. It was a perfectly legitimate transaction which I had a right to make, and which was understood by the directors of the Bank and its officers. The security which I had obtained upon the Wood notes I held for the time for the purpose of handling it to the best advantage. I realized about \$7,200 for the equity in the 76th Street house and paid it to the Bank on account of my debt. The 76th St. property was bid in on foreclosure sale by me in the name of Corey who held the second mortgage (above referred to) by assignment, and subsequently conveyed by Corey to Hanson C. Gibson, who held it in trust for the Bank and sold it, paying over to the Bank the money received for the equity. The 63d Street house did not bring anything above mortgages, and the Sharon Springs property was deeded to Hanson C. Gibson for the benefit of the Bank, the Bank people holding it as an asset at \$5,000, although no such sum has ever been offered for it. The promissory notes, which it is alleged I have stolen, were taken by me and placed in the hands of Wilmore Anway, a lawyer at No. 111 Broadway, N. Y., for the purpose of suing if there was any chance of recovering anything on them. At the time when I gave my check for them, and when it is alleged I committed the larceny, the notes were worthless and they have never been worth anything since. Their worthlessness was so apparent that Mr. Anway did not think anything could be gained by bringing suit on them. I never received personally one single penny from those notes or from the transaction in any form whatsoever, or in any stage of it. On the contrary, I incurred an obligation which it was not necessary that I should have incurred, simply from my loyalty to the interests of the Bank and my desire to save it from ill-repute and loss, and because I felt that notwithstanding whatever pains I had taken, it might be thought the loan made on the notes was an improvident one, and that I ought to have known so.

Examination of my books shows the exact transactions, with reference to which the indictment is brought, to have been as follows:

The notes of Wood were overdue and unpaid. On August 3, 1889, under the circumstances above recited, I drew my check on the Bank of Harlem for \$14,500. This check was paid by the proceeds of a discount loan for the same amount, payable to the Bank on demand. This appears on the bank accounts and on my book of accounts. From August 3d, to December 6th, I made various deposits and procured loans at the Bank amounting in all to \$73,400, and on December 9th there was a balance to my credit of \$2,911.19. It will be seen from this record the entire amount of the Wood notes was paid by me in cash to the Bank; the transactions being completed on December 6th, 1889.

0334

My subsequent transactions with the Bank had nothing whatever to do with these notes, but were transactions with which everybody connected with the Bank was well acquainted, were perfectly open and were not objected to. When I left the Bank, about July 1st, 1890, I made a statement and turned over to the Bank collateral security which I thought, and they thought was amply sufficient to secure any indebtedness which I then might have to the Bank. If this collateral had been properly managed and handled there would have been no loss whatever; for its mismanagement, I am not in any way responsible, nor have I any knowledge of or responsibility for the acts of my successor in the presidency. I am very sure if the statement of facts as I have made it had been brought fully before the Grand Jury, that they would have at once thrown out the indictment. The statements made that I used the Bank moneys for private speculations and personal profit are absolutely untrue. The most of my indebtedness arose from my assuming for the benefit of the Bank obligations which I was not at all bound to assume. I did this in my efforts to make the Bank a success, and my only crime in connection with the Wood notes was in undertaking to pay them personally when I believed them to be worthless and in finally paying them.

Very respectfully yours,

C. H. PINKHAM, JR.

0335

The People  
vs  
Chas. H. Pinkham

District Attorney  
City of Concord  
New Jersey

{ Vouchers

Delivered to Mr. Pinkham

by me on the

1st day of

1882.

0336

Lucius C. Warner, President

Capital and Surplus \$200,000

Carroll C. Phelps, Cashier  
Living & Gaylord, Cash & Cashier

# Hamilton Bank

of New York City  
278 West 125th St. near 8th Ave.

New York, May 25<sup>th</sup> 1892

*Mr. Davis: An account of the  
Hamilton Bank with regard to  
the District Attorney's office  
Dear Sir*

The District Attorney of the City and County of New York

As heir to the assets and liabilities of the Bank of Harlem, some items of which are to be specially accounted for, Hamilton Bank desires to obtain a judgment against Charles H. Pinkham Jr in order to collect, if possible, anything obtainable from his dues. Will you therefore please give the bearer, Mr F. A. H. Bryan the papers which were lodged in your office in the complaint for indictment. I will see that the same are returned upon your demand or as soon as we obtain judgment if you do not mean while need them.

Respectfully yours  
Carroll C. Phelps  
Cash

- Items claimed -

Abstract of account C. H. Pinkham Jr from May 1 <sup>st</sup> 1889 to date	
Note E. H. Corry Oct 3 <sup>rd</sup> 1889 due and (\$9700)	\$9400 ✓
C. H. Pinkham Sr June 13 <sup>th</sup> 1890 demand (\$16000)	\$11,100 ✓
Check E. H. Corry N. Y. 19 <sup>th</sup> 1889 (\$5500)	\$5,000 ✓
Deposit ticket C. H. Pinkham Jr Nov 18 <sup>th</sup> 1889	\$5500 ✓

I will give the personal attention  
M. S. Phelps

May 26<sup>th</sup> 1892  
Recd the papers  
referred to  
F. A. H. Bryan

0337

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

-----X  
 The People of the State of New York, )  
 Plaintiff )  
 -against- )  
 Charles H. Pinkham, )  
 the younger, )  
 Defendant. )  
 -----X

Sir:

PLEASE TAKE NOTICE that on the annexed affidavit of  
*Daniel S. Thompson*, verified on the *24<sup>th</sup>* day of  
 November, 1892, and upon all the papers and proceedings here-  
 in, we shall move the Court on the *27<sup>th</sup>* day of  
*December*, 1892, for an order dismissing the indict-  
 ment against the defendant herein, and discharging the de-  
 fendant from custody and exonerating his bail, and for such  
 other and further relief in the premises as may be just.

Yours Se.,

*Daniel S. Thompson* *Stanger*  
 Attorneys for the defendant.

Dated, New York, *27<sup>th</sup> Nov 1892*

To Delancy Nicoll, Esq.,  
 District Attorney,  
 New York County.

0330

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

-----X  
 )  
 The People of the State of New )  
 York )  
 ) Plaintiff )  
 -against- )  
 Charles W. Pinkham, )  
 the prisoner, )  
 Defendant. )  
 -----X

City and County of New York, ss.

*Daniel G. Thompson* being duly sworn, says:  
 That he is one of the attorneys for the above named defend-  
 ant; that an indictment was presented to this Court by the  
 Grand Jury at the *ay* <sup>16<sup>th</sup></sup> term, charging this defend-  
 ant with the crime of larceny of two certain promissory  
 notes, in said indictment described, belonging to the Bank  
 of Harlem, a corporation organized under the laws of this  
 State. That defendant has not been brought to trial under  
 said indictment, and that his trial has not been postponed  
 upon his application. That the next term of the Court in  
 which this indictment was triable was held on the *first* ~~fourth~~  
 day of *Jan*, 1892.

Sworn to before me this

*29<sup>th</sup>* day of November, 1892.

} *Daniel G. Thompson*

*Bryant Willard*  
 Notary Public  
 City of New York

0339

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

The People of the State of  
New York,  
Plaintiff

- against -

Charles H. Pinkham, the younger,  
Defendant.

*Copy*

AFFIDAVIT & NOTICE OF MOTION

TAYLOR, THOMPSON & KAUFMAN,

*Attorneys for* Defendant,

111 BROADWAY, NEW YORK CITY.

~~Deponent hereby swears that within~~

~~has~~ been admitted this \_\_\_\_\_ day of \_\_\_\_\_

*To, Delancy, J. M. D.*  
*Attorney for*

0340

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 State of New York:

Information upon oath having been this day laid before me that the crime of Larceny  
in the first degree,  
has been committed, and accusing Charles H. Piddiman  
thereof.

You are therefore commanded forthwith to arrest the above named Charles  
H. Piddiman  
and bring him before me at my chambers in the parish of St. Michael  
or in case of my absence or inability to act, before the nearest or most accessible magistrate in  
this county.

Dated at the City of New York, this \_\_\_\_\_ day of May 1892

Deveraux

034

THE PEOPLE

vs.

*Charles P. ...*

*John ...  
... ..*

WARRANT OF ARREST.

Dated New York, *May* 18*93*

*... ..* Magistrate.

..... Officer.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Charles W. Cuddeham the younger

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

Charles W. Cuddeham the younger

of the CRIME OF GRAND LARCENY IN THE - first - DEGREE, committed as follows:

The said Charles W. Cuddeham the younger,

late of the City of New York, in the County of New York aforesaid, on the said day of August, in the year of our Lord one thousand eight hundred and ninety-nine, at the City and County aforesaid, with force and arms, two written

instruments and evidences of debt, to wit: one promissory note for the payment of money made by one A. H. Wood, bearing date June 24th 1889, for the payment by him at the Bank of Harlem in said City on the 13th day of July 1889, to the order of himself of the sum of seven thousand dollars for value received, the same being duly endorsed by the said A. H. Wood and also by one Louis Greder, there being then and there due thereon and then remaining unpaid the said sum of seven thousand dollars, and the said note being of the value of seven thousand dollars, and one other promissory note for the payment of money made by the said A. H. Wood, bearing date June 24th 1889, for the payment by him at the said Bank of Harlem, on the said 13th day of July 1889, to the order of himself, of the sum of seven thousand and five hundred dollars for value received, the same being also duly endorsed by the said A. H. Wood and the said Louis Greder, there being then and there due thereon and then remaining unpaid the said sum of seven thousand and five hundred dollars, and the said note being of the value of seven thousand and five hundred dollars (a more particular description of which said notes is to be found among aforesaid instruments) of the goods, chattels and personal property of the said Bank of Harlem, the same being a corporation duly organized and existing under and by virtue of the laws of this State,

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.

Deputy District Attorney

0343

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Plato, William

**DATE:**

05/16/92



4403

0344

[Blank white page]

Handwritten vertical text on the left edge of the right page.

Handwritten notes on the right page, including a list of numbers and a date:

- 12-40 44/10 10
- 1-2 3 4/10
- 20-28 69/5-5
- 1-10 30/5 5

1978

GLUED PAGE

0345

New York } ss.

*Anthony Comstock* 41 Park Row  
of ~~50 Nassau Street~~, New York, being duly sworn, deposes and says

that he has just cause to believe and does believe that  
did, on or about the 2<sup>nd</sup> day of October, 1891, at number 334 East  
11<sup>th</sup> street, in the City of New York and County of New York unlawfully and  
knowingly sell, furnish, vend and procure, and cause to be furnished and procured, a certain paper or  
instrument, purporting to be a ticket or part of a ticket in a lottery, which said ticket or part of a ticket  
is hereto annexed, and which said paper or instrument hereto annexed is what is commonly known as,  
or are called lottery policies and further that the said,

William Plato did then and there have  
in his possession, within and upon certain premises, occupied by him and situated and  
known as number 334 East 11<sup>th</sup> street, in the City of  
New York and County of New York aforesaid, certain others, what are commonly known as, or  
are called lottery policies or lottery tickets, and also certain writings, cards, books, documents, personal  
property, tables, devices, and apparatus, for the purpose of enabling others to sell or vend lottery poli-  
cies or lottery tickets, and at, within and upon said premises, sells, vends, furnishes and procures, and  
had in his possession, the aforesaid articles in violation of the laws of the State of New York, in  
such case made and provided, and with intent to use the same as  
a means to commit a public offense

Subscribed and sworn to before me,  
this 12 day of May 1892 } *Anthony Comstock*  
Police Justice.

CITY OF New York COUNTY OF New York } ss.

*John R. Colford* of 41 Park Row being duly sworn further deposes and says, that on the  
21<sup>st</sup> day of October 1891, aforesaid, he called at the place of business of  
the said William Plato aforesaid, at the said  
premises 334 E 11<sup>th</sup> Street and there purchased the said paper, ticket and instrument,  
purporting to be what is commonly called a lottery policy as annexed to foregoing affidavit,  
under the following circumstances to wit: Deponent there saw the said William Plato  
and had conversation with him in substance as follows.

Deponent said, and purchased of said Plato the paper  
or what is commonly called a lottery  
policy paying him the sum of thirty cents  
for the same.

Subscribed and sworn to before me } *John R. Colford*  
this 12<sup>th</sup> day of May 1892.

*H. W. Ellitz*  
Com of deeds  
N.Y.C.

0346

1261  
POLICE COURT - DISTRICT.

THE PEOPLE, ETC.,

ON THE COMPLAINT OF

*Anthony Lombardi*

VS.

*William Plato*

LOTTERY AND POLICY.

Dated.....188

Magistrate.

Clerk.

Officer.

WITNESSES:

Bailed, \$

to answer.....Sessions.

By.....Street.

*Corr 28/91*

0347

1261  
POLICE COURT — DISTRICT.

THE PEOPLE, ETC.,  
ON THE COMPLAINT OF  
*Anthony Lombardi*  
VS.  
*William Plato*

LOTTERY AND POLICY.

Dated.....188

Magistrate.....

Clerk.....  
*J. J.*

Officer.....

WITNESSES:

Bailed, \$.....

to answer.....Sessions.

By.....

Street.....

*Oct 28/91*

**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 Plato*

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

*William Plato*

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

The said

*William Plato*

late of the *Seventeenth* Ward 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-*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 their dignity.

SECOND COUNT :

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

*William Plato*

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

The said

*William Plato*

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, 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.

0349

THIRD COUNT:

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

*William Plats*

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

The said *William Plats*

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, with force and arms, feloniously did sell to one

*John R. Colford*

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:

1240447	10
1-2-3	10
23-28-697	5
1-10-507	5

(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

*William Plats*

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 *William Plats*

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, with force and arms, feloniously did sell to one

*John R. Colford*

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 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 :

12-40-44	7	10	10
1-2-3	7	10	10
23-28-69	7	5	5
1-10-50	7	5	5

(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

*William Plato*

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

The said *William Plato*

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, with force and arms, feloniously did sell to one

*John R. Colford*

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 :

12-40-44	7	10	10
1-2-3	7	10	10
23-28-69	7	5	5
1-10-50	7	5	5

(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 NICOLL,  
District Attorney.

0351

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Platz, George

**DATE:**

05/05/92



4403

0352

68.

*[Handwritten signature]*

Counsel,

Filed, *5* day of *May* 189*2*

Pleads,

THE PEOPLE

*54 Williams vs. Robinson*

*George Blatz*

*F*

**VIOLATION OF EXCISE LAW.**  
(Keeping Open on Sunday.)  
(III. Rev. Stat. (7th Edition), Page 1089, Sec. 5.)

DE LANCEY NICOLL,  
*Sept 2 - July 21/92*  
*Head of Spill*  
District Attorney.

A TRUE BILL.

*Lubius Cottari*  
Foreman.  
*F. J. Jones*  
*June 1892*  
*File No 110*

Witnesses:

.....  
.....

0353

Sec. 198-200.

CITY AND COUNTY }  
OF NEW YORK, } ss.

District Police Court.

*George Blutz*

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. *George Blutz*

Question. How old are you?

Answer. *52 Years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *27 William Street 22 Years*

Question. What is your business or profession?

Answer. *Subscriptions*

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 and demand a trial by jury*

*George Blutz*

Taken before me this

day of *November* 188*7*

Police Justice.

0354

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 Algerman

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

Dated May 12 1890 [Signature] Police Justice.

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

Dated May 12 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.

0354

Keeping open on Sunday  
Police Court--- District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

George Sullivan,  
vs.  
George Flutz

Office  
M. H. Davis & Co.

2  
3  
4

BAILED,

No. 1, by Peter Buhl  
Residence 319 Greenwich Street.

No. 2, by  
Residence Street.

No. 3, by  
Residence Street.

No. 4, by  
Residence Street

Dated May 19 1890  
M. Mahan Magistrate.

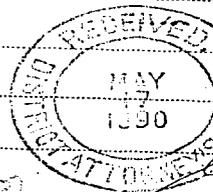
Sullivan Officer.  
Precinct.

Witnesses  
No. Street.

No. Street.

No. Street.

\$ to answer



Baillie

0356

Excise Violation-Keeping Open on Sunday.

POLICE COURT- 1 DISTRICT.

City and County } ss.  
of New York, }

of the 4th Precinct Police  
of the City of New York, being duly sworn, deposes and says, that on SUNDAY the 11th day  
of May 1890, in the City of New York, in the County of New York,  
George Platz (now here)  
being then and there in lawful charge of the premises No. 558 West Main  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises, DID NOT KEEP SAID PLACE CLOSED, contrary to and in violation of  
the statute in such case made and provided.

WHEREFORE, deponent prays that said  
George Platz  
may be arrested and dealt with according to law.

Sworn to before me, this 12th day }  
of May 1890 }  
George Cullen  
Police Justice.

0357

COURT OF GENERAL SESSIONS, PART *One*  
THE PEOPLE } INDICTMENT

*vs.*  
*George Platby*

For

To

M.

*Peter Buhl*

No. *319 Greenwich* Street.

The indictment against the above-named defendant for whose appearance you are bound, has been placed upon the Calendar for *Monday* at the Court of GENERAL SESSIONS of the Peace, at the Sessions Building, adjoining the New Court House, in the Park of the said City, on \_\_\_\_\_ the *9th* day of MAY, instant, at eleven o'clock in the forenoon.

If the defendant is not produced at that time, your bond will be forfeited.

DE LANCEY NICOLL,

*District Attorney.*

0358

**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 Pratt*

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

*George Pratt*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *George Pratt*,

late of the City of New York, in the County of New York aforesaid, on the *seventh* day of *May*, -- in the year of our Lord one thousand eight hundred and ninety- *two*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, 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.*

0359

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Pollak, Leopold

**DATE:**

05/25/92



4403

0360

28.

Court ofayer and Terminer.

Witnesses:

Counsel,

Filed, 25 day of May 1892  
Pleads, April Sunday 27.

THE PEOPLE

vs.

B

Leopold Pollak

VIOLATION OF EXCISE LAW.  
(Keeping Open on Sunday)  
[III. Rev. Stat. (7th Edition), Page 1939, Sec. 5.]

General  
Counsel  
April 27, 1892

DE LANCEY NICOLL

District Attorney.

A TRUE BILL.

[Signature]

Foreman.

0361

2085

# Court of Oyer and Terminer

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*Seveda Pollada*

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

*Seveda Pollada*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said *Seveda Pollada*, late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *December*, in the year of our Lord one thousand eight hundred and ninety-*—*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open and to remain open, 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.*

0362

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Powers, James

**DATE:**

05/27/92



4403

0363

Witnesses:

979  
Adm'd 97b

Counsel,

Filed *By* *Friday* 189

Pleads,

THE PEOPLE

vs.

3

*James Powers*

*May 21 1890*

VIOLATION OF EXCISE LAW.  
(Selling on Sunday, Etc.)  
III. Rev. Stat. 5th Edition, page 1988, Sec. 21, and  
page 1989, Sec. 23

DE LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Eubius Collins*  
*Foreman.*

**Court of General Sessions of the Peace**

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

*James Powers*

The Grand Jury of the City and County of New York, by this indictment accuse  
 of the CRIME OF SELLING INTOXICATING LIQUORS AND WINES AS A BEVERAGE, ON  
 SUNDAY, committed as follows:

The said

*James Powers*

late of the City of New York, in the County of New York aforesaid, on the *nineteenth*  
 day of *August* in the year of our Lord one thousand eight hundred and  
 ninety, at the City and County aforesaid, the same being the first day of the week,  
 commonly called and known as Sunday, with force and arms, certain intoxicating liquors and certain  
 wines, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of  
 whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one  
 gill of lager beer, and one gill of a certain intoxicating liquor to the Grand Jury aforesaid unknown,  
 unlawfully did sell as a beverage to one

*George P. Bobby*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, 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

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS  
 LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

*James Powers*

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the  
 same being the first day of the week, commonly called and known as Sunday, being then and there  
 in charge of and having the control of a certain place there situate, which was then duly licensed as  
 a place for the sale of strong and spirituous liquors, wines, ale and beer, with force and arms, at the  
 City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep  
 closed, and on the said day the said place so licensed as aforesaid unlawfully did then and there open  
 and cause and procure and suffer and permit to be open, and to remain open, 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.*

0365

**BOX:**

482

**FOLDER:**

4403

**DESCRIPTION:**

Procter, Samuel G.

**DATE:**

05/27/92



4403

0366

Witnesses:

Counsel,

Filed *by*

day of *May* 189

Pleads,

*975.975*

**VIOLATION OF EXCISE LAW.**  
(Keeping Open on Sunday.)  
(III. Rev. Stat. (7th Edition), Page 189, Sec. 2.)

THE PEOPLE

vs.

*B*  
*Samuel S. Choctaw*

DR LANCEY NICOLL,

*District Attorney.*

A TRUE BILL.

*Luhis Carter*

*Foreman.*

*F. Aug 1892*

0367

Excise Violation—Keeping Open on Sunday.

POLICE COURT, 3 DISTRICT.

CITY AND COUNTY OF }  
NEW YORK, } ss.

*Diedrich Sokel*

of the *11<sup>th</sup>* ..... Police Precinct of the City  
of New York, being duly sworn, deposes and says, that on SUNDAY, the *19<sup>th</sup>* day  
of *October* 1890, in the City of New York, in the County of New York,  
*Samuel S. P. 1077* (now here)  
being then and there in lawful charge of the premises No. *8* *Sursevi*  
Street, a place duly licensed for the sale of strong and spirituous liquors, wines, ale and beer, to be  
drunk upon the premises, DID NOT KEEP SAID PLACE CLOSED, contrary to and in violation of  
the statute in such case made and provided.

WHEREFORE, deponent prays that said *Samuel S. P. 1077*  
may be arrested and dealt with according to law.

Sworn to before me, this *20* day }  
of *October* 1890.

*Diedrich M. Sokel*

*W. J. Jeffrey*  
Police Justice.

0368

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss.

*Samuel S. Proctor*

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 S. Proctor*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *U.S.*

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

Answer. *No 7 Division St. 2 weeks*

Question. What is your business or profession?

Answer. *Bar tender*

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 and demand by jury  
Samuel S. Proctor*

Taken before me this  
day of *Oct*

*10 4*

*[Signature]*  
Police Justice

0369

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.....

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

Dated *October* 18 *90* *J.P. Duffy* Police Justice.

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

Dated *October 20* 18 *90* *J.P. Duffy* 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.

0370

Open on Sunday 16/4  
Police Court--- 3 District.

THE PEOPLE, &c.,  
ON THE COMPLAINT OF

Diedrich Dohle

vs.  
1. Samuel S. Proctor

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

offence  
Violation

Dated Oct 20 1890

Duffy Dohle Magistrate.

Officer.

Precinct.

Witnesses

No. 120 Street.

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

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

\$ 100



Filed

BAILED,

No. 1, by Joseph W. Bauman

Residence 112 Bridge Street.

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

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

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

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

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

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

0371

**Court of General Sessions of the Peace**  
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,  
*against*

*Samuel B. Procter*

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

*Samuel B. Procter*

of the CRIME OF KEEPING OPEN ON SUNDAY a place licensed for the SALE OF STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows :

The said

*Samuel B. Procter*

late of the City of New York, in the County of New York aforesaid, on the 19<sup>th</sup> day of *October* in the year of our Lord one thousand eight hundred and ninety-*one*, the same being the first day of the week, commonly called and known as Sunday, being then and there in charge of and having the control of a certain place there situate, which was then duly licensed as a place for the sale of strong and spirituous liquors, wines, ale and bear, with force and arms, at the City and County aforesaid, the said place so licensed as aforesaid unlawfully did not close and keep closed, and on the said day the said place so licensed as aforesaid unlawfully did open and cause and procure and suffer and permit to be open, and to remain open, 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.*