

08 12

BOX:

120

FOLDER:

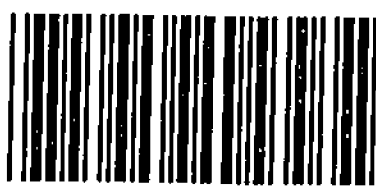
1268

DESCRIPTION:

Palow, Frederick W.

DATE:

11/27/83



1268

08 13

John Vincent
W. H. Cuneo
Filed by *W. H. Cuneo* 1883
Pleads *Not Guilty*

Assault in the First Degree, etc.
(Firearms.)
[Section 217 and 218]

THE PEOPLE

vs.

Frederick B
W. Talow

John Vincent
District Attorney

Cent two 14

A TRUE BILL.

W. H. Cuneo
Foreman.

Dec 5/83 Jan 20

Inst.
Recd from W. H. Cuneo 19/87

08 14

Police Court—4 District.

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

of No. 426 West 47th Street Boys Street,

on Saturday the 13 day of October

in the year 1883 at the City of New York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by

Fredrick Polow

Now present

Who Wilfully and

Feloniously pointed aimed

and discharged a Gun loaded

With Powder and shot at

this Deponent striking him

on the left Arm

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

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

Subscribed to before me, this 14 day

of October 1883

John Brennan

[Signature]

POLICE JUSTICE.

Over

08 15

Benson further states he did not fire
the man - who shot at him

Handwritten notes and signatures, including "J. J. Benson" and "J. J. Benson" with a signature.

Police Court, District.

THE PEOPLE, ETC.,
ON THE COMPLAINT OF

AFRIDAVID-A. & B.
FELONIOUS.

Dated, 188

Magistrate.

Officer.

Witness,

08 16

Sec. 192.

4 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY } ss.
OF NEW YORK, }

An information having been laid before Eugene M. Hermann a Police Justice
of the City of New York, charging Fredrick Palout Defendant with
the offence of Voluntary Assault & Battery

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

We, Fredrick Palout Defendant of No. 426
West 27th Street; by occupation a Driver
and Thomas Grant of No. 529 West 46th
Street, by occupation a Contractor Surety, hereby jointly and severally undertake that
the above named Fredrick Palout Defendant
shall personally appear before the said Justice at the 4 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York, the sum of
Hundred Dollars.

Taken and acknowledged before me, this 15
day of October 1883

[Signature]
POLICE JUSTICE.

F. Palout
Thos. Grant

0817

CITY AND COUNTY
OF NEW YORK, } ss,

day of *October* 188*3*
John A. [Signature]
Police Justice.

Sworn to before me, this

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

land situated at No 529 W 46th St.
worth six thousand dollars, and
free from encumbrance

Thomas Grant

Thos Grant

District Police Court.

THE PEOPLE, & c.,
ON THE COMPLAINT OF

Undertaking to appear during
the Examination.

vs,

Charles F. [Signature]

Taken the *14* day of *Oct* 188*3*

Robert [Signature] Justice,

08 18

Palo



47

Handwritten signature or initials, possibly "Palo", with a circular mark above it.

2.4

0819

Police Court

The People at the
Complaint of
John Brennan
against
Frederick Palmo

Present

Hon. J. C. Hermann
Justice

City and County of New York ss.
John Brennan said complainant being
duly sworn says

I am eleven years old

I know the defendant Frederick Palmo.

He lives on the floor above ours at no

October 13th 1883. Saturday late in the afternoon I
put a pigeon coop on the stoop over our front
door.

Palmo looked out his window and said take it
down

I was going to when my mother said I might
get hurt and to wait till my father came
home

Palmo said I'll see whether you will or
not and went and got a gun and pointed
it at me

He held the gun with the butt up to his
right shoulder and one hand near him and
the other out far along the barrel and
looked along the barrel just like a
man who was going to shoot.

I said to my brother James Oh he's only
fooling and I went on playing with some
flower-pots there in the yard over on the side
furthest from our house

0820

Then I heard my brother say 'Look out
he'll shoot you and
Just then he shot me in my left arm
My mother was there in the yard at the
time and saw him and was frightened
It was my brother John there and saw
him all the time.

John Brennen

I was to before me
this 30th day of
October 1883.

sup. Court

Deception

See Sections 218 of the Criminal
Code
Criminal by Counselor James

Did you state to Judge Herrman that
you did not see ~~Judge Herrman~~

Palmer shoot the gun.

Ans. I did not see him shoot the gun.
I saw him draw it up to his
shoulder & look along the barrel
of it, I turned to my brother to
take some clay for him and
I said - 'Psha! he doesn't fire the
gun - Just then I heard a
gun fire and I was shot
in the arm.

Q. How many shots struck you -

A. Two in my arm, and one in my
leg.

Do you know where the shot went to?
Yes into the fence post I was alongside
of - about 5 feet from me. It started
a width of three feet (showing by
his outstretched arms).

I was to before me
this 20th day of Nov. 1883

John Brennen

0821

ROOSEVELT HOSPITAL,
59th STREET & NINTH AVENUE.

New York, Oct. 15th, 1885.

This is to certify
that John Brecken
came here with a
gun shot wound
of the ^{left} forearm. No
bullet was found
and he was sent
out some pieces
were removed which
resembled shot.

J. H. Harrison, M.D.
Medical Surgeon.

0022

City & County
of New York ss.

Frederick W. Palovv. the defendant, aged 55 years, laborer being duly sworn in his own behalf says. I live in the rear house No 426 West 21st Street. I occupy the upper part and rent the lower part to the family of John Brennan the Complainant. On Saturday Oct 13 1883 as I sat by the front window eating my supper. I saw a coop on the porch under the window. Complainant and his brother were in the yard. I told John Brennan the Complainant to take the box off, fearing that the roof of the porch which was rotten would break and hurt the children. His mother told him not to take it off. I then reached for the gun which always stood in the corner of the room, and pushed the box off with it. As I pushed the box the gun went off. I did not aim or discharge it at anyone or intend to do so.

From the presence
this 29 Sept 1883

F. W. Talow.

Sworn before me this 20 day of March 1887
C. C. Davis

Key Entry
Address

0023

Defat witness that he measured the distance
from the window where he had the gun. to where
the boy stood on the porch. It was 6 feet. As I
was standing in grass 7 feet. The gun is 4 ft
in length. I held it by the small of the
stock in one hand and by the barrel in the other.
If I had aimed it as the Complainant claims
it could not have reached the crop. The
distance from where the boy stood is 14 or
15 feet. I did not measure that.

Done before me
the 20 day of
Nov 1885

J. W. Polow

J. W. Polow

Phy. J. W. Polow

0824

City & County
of New York Jas.

Peter A. Roos, aged 24
years, by occupation a carriage trim-
mer, being duly sworn and examined
on behalf of the defendant says. I
work in No 426 West 47th Street, front
house. Defendant lives in the upper
part of the house on the rear of the
same lot. On the afternoon of Satur-
day Oct 13th 1883, while working by
an open window in the rear of said
shop, my attention was attracted
to the defendant by hearing him say
"If you dont take it off I will".
Deponent then saw him look around
the room, take a gun and push a
cooper from the porch under defen-
dant's window. At the same time
defendant pushed the box, the gun
went off. If defendant had aimed
or discharged the gun, I would
have seen him. Deponent also
learned that the Complainant was
in the yard under deponent's window
at the time, by hearing him say "Mama
I've been shot."

P. A. Roos

I am to believe that
this is a day of the
week of the
month of the
year of the

Subscribed and sworn to before me
this 13th day of October 1883

John S. Moore

0825

Sec. 198-200

CITY AND COUNTY
OF NEW YORK, ss.

District Police Court.

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

Question. What is your name?

Answer. *Fredrick Palmer*

Question. How old are you?

Answer. *45 years*

Question. Where were you born?

Answer. *Germany*

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

Answer. *426 W 4th St B*

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 have made a
statement in writing
to day*

Taken before me this

day of

Oct 19

188

John J. [illegible]
District Police Court

0826

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

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

Dated Jan 14 188 3 Jan. 14 Police Justice.

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

Dated _____ 188 _____ Police Justice.

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

Dated _____ 188 _____ Police Justice.

0827

Wm. Blaine
city for w. Bl.
206 Broadway
New York

BAILED.

No. 1, by *Edrick Panfield*
Residence *151 West 25th* Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. _____
Residence _____ Street.

Paul M. Davis

Oct 20 1883
Oct 20 1883

Police Court District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Newman
426 W. 47th
Indrick Palmer

1 _____
2 _____
3 _____
4 _____

Dated *October 14* 188*3*
Y. H. Keown Magistrate.

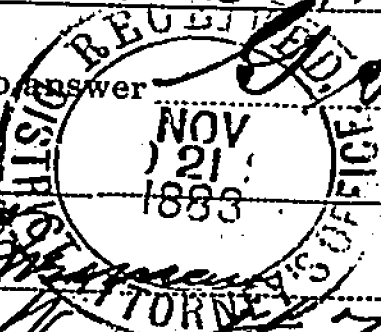
Riley Buckham
22 Precinct.

Witnesses *Elizabeth Brown*
No. *426 W. 47th* Street.

Deus Brown
No. *426 W. 47th* Street,
boy's father

No. *Nov 20 2 P.M.*
\$ *1000* to answer

Corn
James Brown
426 W. 47th



0828

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

Frederick W. Palow

The Grand Jury of the City and County of New York, by this indictment, accuse *Frederick W. Palow*

of the CRIME OF *Assault in the first degree*, committed as follows:

The said *Frederick W. Palow*

late of the City of New York, in the County of New York aforesaid, on the ~~thirteenth~~ day of ~~October~~ in the year of our Lord one thousand eight hundred and eighty ~~three~~ with force and arms, at the City and County aforesaid, in and upon the body of *John Brenen* in the peace of the said People then and there being, feloniously did make an assault, and to, at and against ~~him~~ the said *John Brenen* a certain ~~gun~~ then and there loaded and charged with gunpowder and lead which the said *Frederick W. Palow* in ~~his~~ right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously, did then and there shoot off and discharge, with intent ~~him~~ the said *John Brenen* thereby then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said *Frederick W. Palow*

of the Crime of assault in the second degree, committed as follows:

The said *Frederick W. Palow*, late of the City and County aforesaid afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *John Brenen* then and there being, feloniously did, wilfully and wrongfully, make an assault, and to, at and against ~~him~~ the said *John Brenen* a certain ~~gun~~ then and there loaded and charged with gunpowder and lead which ~~he~~ the said *Frederick W. Palow* in ~~his~~ right hand, then and there had and held, the same being an instrument likely to produce greivous bodily harm, feloniously did, wilfully and wrongfully then and there shoot off and discharge

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

John Vincent, District Attorney.